UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS
SECOND SESSION

VOLUME 114—PART 23

OCTOBER 4, 1968, TO OCTOBER 10, 1968
(PAGES 29577 TO 30730)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1968

United States
of America

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SENATE—*Friday, October 4, 1968*

The Senate met at 10 a.m., and was called to order by the Acting President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God of grace and glory, in whose love and wisdom lies all our help and hope, in these hectic days may we be strengthened with might and our jaded souls refreshed as Thou dost lead us into green pastures and beside still waters.

God of all mercies, in a violent day swept by angry forces with which unaided we cannot cope, Thou only art our strength and refuge, amid mortal ills prevailing.

We would solemnly reaffirm the reverent declaration of those who so long ago, with intrepid faith, stepped upon the shores of this promised land with the motto "In the name of God. Amen."

With the sound of that great amen as our summons in these stirring new days, we would be true to the vision splendid of a redeemed earth. For this cause we set up our banners in this, Thy glorious day.

We ask it in the name of the Christ whose saving truth is marching on. Amen

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, October 3, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that the President had approved and signed the following acts:

On October 1, 1968:

S. 444. An act to establish the Flaming Gorge National Recreation Area in the States of Utah and Wyoming, and for other purposes.

On October 2, 1968:

S. 119. An act to provide for a National Wild and Scenic Rivers System, and for other purposes;

S. 827. An act to establish a national trails system, and for other purposes;

S. 2515. An act to establish a Redwood National Park in the State of California, and for other purposes;

S. 2751. An act to designate the Mount Jefferson Wilderness, Willamette, Deschutes, and Mount Hood National Forests, in the State of Oregon; and

S. 3058. An act to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the act, and for other purposes.

REPORT OF OFFICE OF ALIEN PROPERTY—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on the Judiciary:

To the Congress of the United States:

I am pleased to transmit the Annual Report of the Office of Alien Property for Fiscal Year 1967.

Not all government agencies grow and expand. Some effectively perform their mission and decrease in size.

The Office of Alien Property is such an agency. As the property under its custody diminished, its independent status was terminated. Today only $64 million remain under the control of the Office, and its duties are performed by personnel of the Department of Justice.

I commend this report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 4, 1968.*

EXECUTIVE MESSAGES RECEIVED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nominations of Abe Fortas, of Tennessee, to be Chief Justice of the United States, and Homer Thornberry, of Texas, to be Associate Justice of the Supreme Court of the United States, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

FIRE PREVENTION DAY

Mr. DODD. Mr. President, the State of Connecticut has proclaimed Wednesday, October 9, 1968, as Fire Prevention Day. The proclamation serves to remind all of us that the tragic losses in life and property suffered each year from fire are in great measure due to man's carelessness.

Mr. President, I ask unanimous consent to have this proclamation printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, and referred to the Committee on the Judiciary as follows:

BY HIS EXCELLENCY JOHN DEMPSEY,
GOVERNOR: A PROCLAMATION

During 1967, uncontrolled fires in Connecticut took the lives of forty-nine of our fellow citizens. Ninety-one suffered injuries in fires. Property damage, resulting from 3,176 fires, amounted to $7,633,379.

This is a tragic loss. It is especially disturbing in view of the fact that, according to the report of the State Fire Marshal, 381 fires were caused by the carelessness of smokers. Another 118 were attributed to "carelessness" on the part of others.

These alarming figures serve to remind us that fire prevention is largely a responsibility of the individual. Undoubtedly many of these fires could have been prevented if basic precautionary measures had been observed.

For many years the fire insurance industry, state and local safety authorities and our schools have worked together to guard against unnecessary fires. These efforts have helped substantially to reduce fire losses and are deserving of the full and continuing support of all residents of this state.

In accordance with the direction of the General Assembly that a day be set aside each year to call attention to the need for fire prevention measures, I designate Wednesday, October 9, to be Fire Prevention Day.

Let us observe this day by resolving to make a personal effort to be constantly mindful of the danger of fire and to do everything possible to prevent fires.

I urge that exercises be conducted in schools throughout Connecticut at this time to acquaint students with the procedures to be followed in the event of fire and to encourage an appreciation of the importance of fire safety practices.

Given under my hand and seal of the State at the Capitol, in Hartford, this twenty-fifth day of September, in the year of our Lord one thousand nine hundred and sixty-eight and of the independence of the United States the one hundred and ninety-second.

JOHN DEMPSEY.

By His Excellency's Command:

ELLA T. GRASSO,
Secretary of State.

GEN. CASIMIR PULASKI DAY

Mr. DODD. Mr. President, in honor of a vigorous foe of oppression in his native Poland, who selflessly gave his life to aid the cause of the Colonies during the Revolutionary War, the State of Connecticut has proclaimed Friday, October 11, 1968, as Gen. Casimir Pulaski Day.

Mr. President, I ask unanimous consent that the text of the proclamation be printed in the Record.

There being no objection, the proclamation was referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

By His Excellency John Dempsey,
Governor: A Proclamation

General Casimir Pulaski was a fearless military leader, staunch in his dedication to the spirit of freedom.

A vigorous foe of oppression in his native Poland, he came, selflessly, to the aid of the American colonies in their long battle for independence from British rule.

His experience as a military strategist was of incalculable value to the Colonial troops. He was willing, too, to give his life for the Revolutionary cause. Leading his famed Pulaski Legion into battle, he was mortally wounded on October 11, 1779, during the seige of Savannah.

To honor the memory of General Pulaski and to call attention anew to the outstanding role which he played in our nation's War for Independence, I proclaim, in accordance with the statutes of Connecticut, Friday, October 11, to be Pulaski Day.

The celebration of Pulaski Day is an occasion, also, for recognition of the contribution to progress made by our fellow citizens of Polish extraction.

I urge, in appropriate observance of this day, that the flag of the United States be displayed on public and private buildings in Connecticut and that commemorative exercises be conducted in our schools.

Given under my hand and seal of the State at the Capitol, in Hartford, this twenty-fifth day of September, in the year of our Lord one thousand nine hundred and sixty-eight and of the independence of the United States the one hundred and ninety-second.

John Dempsey.

By His Excellency's Command:

Ella T. Grasso,
Secretary of State.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 8781. An act to authorize the Secretary of the Interior to exchange certain lands in Shasta County, Calif., and for other purposes (Rept. No. 1613).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report was submitted:

By Mr. SPARKMAN, from the Committee on Foreign Relations:

Executive J, 90th Congress, second session, Agreement on the Rescue of Aeronauts, the Return of Astronauts, and the Return of Objects Launched into Outer Space, without reservation (Exec. Rept. No. 15).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BROOKE:

S. 4137. A bill for the relief of Louis Gilbert Longsworth Tench; and

S. 4138. A bill for the relief of Kowk Kuen (Kwen) Ng.; to the Committee on the Judiciary.

By Mr. HART:

S. 4139. A bill for the relief of Dr. Alim Sipahi, his wife, Beria Sipahi, and their children, Mennet and Hikmet Sipahi; to the Committee on the Judiciary.

By Mr. PERCY:

S. 4140. A bill for the relief of Julie Mo-ho Ch'iu; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILL

Mr. METCALF. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Indiana [Mr. Hartke], the senior Senator from Massachusetts [Mr. Kennedy], and the junior Senator from Massachusetts [Mr. Brooke] be added as cosponsors of the bill (S. 4059) to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income.

The PRESIDING OFFICER (Mr. Burdick in the chair). Without objection, it is so ordered.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954—AMENDMENT

AMENDMENT NO. 1015

Mr. MOSS submitted an amendment, intended to be proposed by him, to the bill (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 1017

Mr. HANSEN (for Mr. Baker) submitted an amendment, intended to be proposed by Mr. Baker, to House bill 2767, supra, which was ordered to lie on the table and to be printed.

EXTENSION OF CERTAIN PROVISIONS UNDER THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962—AMENDMENT

AMENDMENT NO. 1016

Mr. WILLIAMS of New Jersey submitted an amendment, intended to be proposed by him, to the bill (S. 2938) to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF AMENDMENT

Mr. BYRD of West Virginia. Mr. President, on September 24, the Senator from New Mexico [Mr. Montoya] introduced on behalf of himself, the Senator from Vermont [Mr. Aiken] and the Senator from Mississippi [Mr. Eastland], an amendment which would provide a most urgent source of funding to rural municipalities to establish water and sewage disposal systems.

I ask unanimous consent that, at its next printing, the names of Senators Cannon, Hatfield, Metcalf, Moss, and Talmadge be added as cosponsors of amendment No. 1005 to H.R. 2767.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 1591 and the succeeding measures in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING OF DOCUMENT RELATING TO PROPOSED "LIBERTY" AMENDMENT TO THE CONSTITUTION

The resolution (S. Res. 408) authorizing the printing of additional copies of Senate Document No. 56, 88th Congress, relating to the proposed "Liberty" amendment to the Constitution was considered and agreed to, as follows:

S. Res. 408

Resolved, That there be printed for the use of the Committee on Appropriations fifteen thousand additional copies of Senate Document 56, Eighty-eighth Congress, a report by Senator Carl Hayden entitled "The Fallacies and Dangers in the Proposals To Abolish the Federal Income Tax, To Dispose of All Federal Business Activities, and To Limit Treaty-Making Powers by a Proposed 'Liberty' Amendment to the Constitution".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1602), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 408 would provide that there be printed for the use of the Committee on Appropriations 15,000 additional copies of Senate Document 56, 88th Congress, a report by Senator Carl Hayden entitled "The Fallacies and Dangers in the Proposals To Abolish the Federal Income Tax, To Dispose of All Federal Business Activities, and To Limit Treatymaking Powers by a Proposed 'Liberty' Amendment to the Constitution."

The printing cost estimates, supplied by the Public Printer, is as follows:

Printing cost estimate:

Back to press, first 1,000 copies	$129.28
14,000 additional copies, at $16.29 per thousand	228.06
Total estimated cost, S. Res. 408	357.34

AUTHORIZATION OF STUDY PERTAINING TO LACK OF FOOD, MEDICAL ASSISTANCE, AND OTHER RELATED NECESSITIES OF LIFE AND HEALTH

The Senate proceeded to consider the resolution (S. Res. 394) authorizing the Select Committee on Nutrition and Human Needs to examine, investigate, and make a complete study of any and all matters pertaining to the lack of food, medical assistance, and other related necessities of life and health which had been reported from the Committee on Rules and Administration, with an amendment, on page 3, line 7, after the word "exceed" strike out "$115,000" and insert "$25,000"; so as to make the resolution read:

S. Res. 394

Resolved, That the Select Committee on Nutrition and Human Needs as established under Senate Resolution 281 is authorized to examine, investigate, and make a complete study of any and all matters pertaining to the lack of food, medical assistance, and other related necessities of life and health including, but not limited to such matters as (a) the extent and causes of hunger and malnutrition in the United States, including educational, health, welfare, and other matters related to malnutrition; (b) the failure of food programs to reach many citizens who lack adequate quantity or quality of food; (c) the means by which this Nation can bring an adequate supply of nutritious food and other related necessities to every American; (d) the divisions of responsibility and authority within Congress and the executive branch, including appropriate procedures for congressional consideration and oversight of coordinated programs to assure that every resident of the United States has adequate food, medical assistance, and other basic related necessities of life and health; and (e) the degree of additional Federal action desirable in these areas.

Sec. 2. For the purposes of this resolution the Committee, from the effective date hereof to January 31, 1969, inclusive, is authorized: (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee, (3) to subpena witnesses; (4) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government; (5) contract with private organizational and individual consultants; (6) interview employees of the Federal, State, and local governments and other individuals; and (7) take depositions and other testimony.

Sec. 3. Expenses of the Committee in carrying out its functions shall not exceed $25,000 through January 31, 1969, and shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the Committee.

The amendment was agreed to.

The resolution was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1603), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 394 as referred would authorize the expenditure of not to exceed $115,000 by the Select Committee on Nutrition and Human Needs from the effective date of this resolution through January 31, 1969—"to examine, investigate, and make a complete study of any and all matters pertaining to the lack of food, medical assistance, and other related necessities of life and health including, but not limited to such matters as (a) the extent and causes of hunger and malnutrition in the United States, including, educational, health, welfare, and other matters related to malnutrition; (b) the failure of food programs to reach many citizens who lack adequate quantity or quality of food; (c) the means by which this Nation can bring an adequate supply of nutritious food and other related necessities to every American; (d) the divisions of responsibility and authority within Congress and the executive branch, including appropriate procedures for congressional consideration and oversight of coordinated programs to assure that every resident of the United States has adequate food, medical assistance, and other basic related necessities of life and health; and (e) the degree of additional Federal action desirable in these areas."

The Committee on Rules and Administration has amended Senate Resolution 394 by reducing the requested amount from $115,000 to $25,000, a reduction of $90,000.

The Select Committee on Nutrition and Human Needs, established by Senate Resolution 281, agreed to July 30, 1968, is composed of three majority and two minority members of the Committee on Labor and Public Welfare, three majority and two minority members of the Committee on Agriculture and Forestry, and two majority and one minority Members of the Senate appointed by the President of the Senate from other committees. The select committee is directed to study the food, medical, and other related basic needs among the people of the United States, and to report back to the appropriate committees of the Senate, terminating its activities not later than June 30, 1969. Its report may contain such recommendations as the select committee finds necessary to establish a coordinated program or programs which will assure every U.S. resident adequate food, medical assistance, and other related basic necessities of life and health, and shall in addition contain appropriate procedures for congressional consideration and oversight of such coordinated programs.

The preamble was agreed to.

AUTHORIZATION OF PRINTING OF A SENATE DOCUMENT

The resolution (S. Res. 407) to authorize printing as a Senate document of the report of the staff of the Committee on Finance entitled "Steel Imports" was considered and agreed to, as follows:

Resolved, That there be printed as a Senate document, a staff study by the Committee on Finance, United States Senate, dated December 19, 1967, entitled "Steel Imports", and that there be printed one thousand copies for use by this committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1604), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 407 would authorize the printing as a Senate document of a staff study by the Committee on Finance, U.S. Senate, dated December 19, 1967, entitled "Steel Imports," and further would authorize the printing of 1,000 additional copies of such document for the use of that committee.

The printing cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500)	$3,467.27
1,000 additional copies, at $739.40 per thousand	739.40
Total estimated cost, S. Res. 407	4,206.67

BILL PASSED OVER

The bill (H.R. 19136) to amend title V, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

WAIVER OF CLAIMS ARISING OUT OF ERRONEOUS PAYMENTS OF PAY TO EMPLOYEES OF THE EXECUTIVE AGENCIES

The bill (S. 4120) to amend title 5, United States Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter VIII of chapter 55 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 5584. Claims for overpayment of pay

"(a) A claim of the United States against a person arising out of an erroneous payment of pay, on or after July 1, 1960, to an employee of an executive agency, the collection of which would be against equity and good conscience and not in the best interests of the United States, may be waived in whole or in part by—

"(1) the Comptroller General of the United States; or

"(2) the head of the executive agency when—

"(A) the claim is in an amount aggregating not more than $500;

"(B) the claim is not the subject of an exception made by the Comptroller General in the account of any accountable official; and

"(C) the waiver is made in accordance with standards which the Comptroller General shall prescribe.

"(b) The Comptroller General or the head of the executive agency, as the case may be, may not exercise his authority under this section to waive any claim—

"(1) if, in his opinion, there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee or any other person having an interest in obtaining a waiver of the claim; or

"(2) after the expiration of three years immediately following the date on which the erroneous payment of pay was discovered or three years immediately following the effective date of this section, whichever is later.

"(c) A person who has repaid to the United States all or part of the amount of a claim, with respect to which a waiver is granted under this section, is entitled, to the extent of the waiver, to refund, by the employing agency at the time of the erroneous payment, of the amount repaid to the United States, if he applies to that employing agency for that refund within two years following the effective date of the waiver. The employing agency shall pay that refund in accordance with this section.

"(d) In the audit and settlement of the accounts of any accountable official, full credit shall be given for any amounts with respect to which collection by the United States is waived under this section.

"(e) An erroneous payment, the collection of which is waived under this section, is deemed a valid payment for all purposes.

"(f) This section does not affect any authority under any other statute to litigate, settle, compromise, or waive any claim of the United States.".

(b) The table of contents of subchapter VIII of chapter 55 of title 5, United States Code, is amended by inserting the following item immediately below item 5583:

"5584. Claims for overpayment of pay.".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1607), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill authorizes the head of an agency and the Comptroller General of the United States to waive payment of claims by the United States against employees who have been overpaid. The head of an agency may waive any claim which is against equity and good conscience and not in the best interest of the United States up to a maximum of $500, and the Comptroller General, for the same reasons, may waive any claim. A claim which is subject to an exception made by the Comptroller General may not be waived.

The bill is identical to the purpose of H.R. 17954 which was reported by the Committee on Post Office and Civil Service in the House of Representatives on September 4, 1968, and is presently pending on the House Calendar.

JUSTIFICATION

Every year claims by the United States against employees for overpayment of salary and other forms of pay compensation arise. In most cases, these claims are small and usually result from administrative errors on the part of personnel officers who have erred in computing the correct pay of the employee. The rules for paying an employee can be extremely complex. The complexity is increased when Congress enacts retroactive statutory salary increases. Retroactive pay bills were enacted in 1964, 1965, 1966, and 1967. Although these retroactive increases are appreciated by the employees who receive a lump-sum payment, the problems for the pay officer who is required to recompute their salary rates for the period of retroactivity can be extremely difficult and can result in errors which are very costly when the error is found and the employee is required to pay up.

A few examples can easily illustrate the kind of problem this legislation is designed to resolve on a permanent basis.

1. Demotions during July 1–August 14, 1964, and overpayments resulting from the erroneous application of section 102(b)(6) of the Federal Employees Salary Act of 1964, Public Law 88–426.

The Federal Employees Salary Act of 1964, Public Law 88–426, approved August 14, 1964, became effective retroactively to the first pay period which began on or after July 1, 1964. In the case of employees subject to the general schedule who were promoted from one grade to another during the retroactive period, section 102(b)(6) permitted the employee to continue receiving the rate of compensation for the step of the appropriate grade which corresponded numerically to the step of the grade which was in effect at the time of the promotion. However, there was no similar authorization contained in the conversion rules of the 1964 act, applying to employees who were demoted.

To illustrate, there were eight employees at the Philadelphia Payment Center of the Social Security Administration who were demoted during the retroactive period, July 1–August 14, 1964, and who were paid the new increased rate for the step to which they had been demoted, under the erroneous assumption that the provisions of section 102(b)(6) applied to cases of demotion as well as to cases of promotion. (See B–158170, Jan. 11, 1966.)

The overpayments for these employees ranged from $65 to $80 each.

2. An employee serving in a special rate category under section 504 of the Federal Salary Reform Act of 1962 (5 U.S.C. 1173) promoted during the period July 1–August 14, 1964.

An employee of the National Aeronautics and Space Administration, who was receiving a special rate under section 504 of the Federal Salary Reform Act of 1962, Public Law 87–793, was promoted during the period July 1–August 14, 1964, the retroactive period of the Federal Employees Salary Act of 1964, and placed in the higher grade in a rate above the initial rate of the grade.

The Comptroller General held (B–155395, Feb. 17, 1965) that the employee's rates would have to be recomputed on the basis of the new rates prescribed by Public Law 88–426, which, because of the retroactive provision, were the only rates in effect on and after July 1, 1964.

3. Wage board employee promoted to general schedule during period July 1–August 14, 1964.

It was the general policy that a wage board employee promoted to a position under the general schedule would receive a rate of compensation under the general schedule nearest to his wage board rate which would not result in a decrease in compensation.

To illustrate, a Federal Aviation Administration employee was promoted on August 2, 1964, from the wage board rate of $3.81 per hour, or the annual equivalent of $7,924, to GS–9, step 5, at $7,950 per annum.

The Federal Employees Salary Act of 1964, Public Law 88–426, approved August 14, 1964, was retroactively effective to July 5, 1964, the first day of the first pay period which began after July 1, 1964.

The Comptroller General stated in his letter of December 13, 1965, B–156058, that the employee's promotion must be recomputed from GS–9, step 5, on the basis of the new general schedule rate, as of the date of his promotion, August 2, 1964, to the nearest rate that would not result in a decrease in the equivalent rate of $7,924, or GS–9, step 4, $7,955. The employee was overpaid at the step 5 rate, to August 14, 1965, in the amount of approximately $270. There are two other similar cases in the committee records, but the amounts of the overpayments are not shown.

The Comptroller General's ruling in this and similar cases is based on the fact that the schedule of rates to which the employee was first adjusted during the retroactive period was abolished as of the beginning of the retroactive period, and the conversion then had to be recomputed under the conversion rules of the particular Pay Act. This rule of the Comptroller General was first set forth in a decision in 1951 (31 Comp. Gen. 166, 169).

As a consequence of the 1951 decision, the Congress, in a number of subsequent Pay Acts, which have retroactive effect, made special provisions for determining the step in grade of the general schedule employees who were initially appointed to a step above the minimum of the grade during the retroactive period. The 1964 Pay Act included such a provision in section 102(b)(6) for general schedule employees who were promoted during the retroactive period, but the act did not include a similar provision for those employees moving during the retroactive period from wage board positions to positions under the general schedule.

4. Promotion of postal field service employees during the period July 1–August 14, 1964.

The Federal Employees Salary Act of 1964, Public Law 88–426, approved August 14, 1964, became effective retroactively to the first pay period which began on or after July 1, 1964.

In the case of postal field service employees, section 116 required each employee to be assigned to the same numerical step to which he had been assigned immediately prior to the effective date in July 1964. Subsequent personnel actions during the retroactive period, July 1–August 14, 1964, such as promotions, were required to be reprocessed and computed.

To illustrate, an employee who was promoted on August 1, 1964, from PFS–17, step 5, $16,980, to PFS–19, was required, under 39 U.S.C. 3559, to be granted the equivalent of a two-step increase. Using the pay rates in effect at the time of the promotion on August 1, 1964, the employee was placed in PFS–19, step 4, $18,250. The step 4 rate was increased to $21,370 by the 1964 act.

When the retroactive recomputation of the promotion was made on the basis of the increased pay rates, the two-step increase requirement was met by placing the employee in PFS–19, step 1, $19,345. However, the employee continued to be paid at the increased rate for step 4 ($21,370) until the promotion action was corrected.

The committee believes that a general pol- and when his only avenue of relief from such claims when the employee is without fault and when his only avenue of relief from such claims is the uncertain path of private relief bills introduced in Congress. Although waiving such claims will cost the Government some money, the time and energy saved on the part of those whose duty it is to ascertain and collect overpayments will be able to be devoted to other administrative duties.

This legislation is recommended by the Bureau of the Budget, the General Accounting Office, the Civil Service Commission, and other agencies who testified in public hearings before the House of Representatives Committee on Post Office and Civil Service on the companion bill, H.R. 17954.

EXPLANATION OF THE BILL

The first section of the bill, as reported by the committee, will amend subchapter VIII of chapter 55 of title 5, United States Code, by adding a new section 5584.

Subsection (a) of the new section 5584 authorizes a claim of the United States against a person, arising out of erroneous payment of pay, on or after July 1, 1960, to an employee of an executive agency, to be waived in whole or in part in certain cases. The claim may be against the employee or his survivor.

The collection of the claim must be against equity and good conscience and not in the best interests of the United States. The waiver may be made by the Comptroller General of the United States, or by the head of the executive agency in certain cases. The head of an executive agency may waive the claim only when the aggregate amount of the claim is not more than $500, and the claim is not the subject of an exception made by the Comptroller General in the account of an accountable official, and the waiver is made in accordance with standards which the Comptroller General shall prescribe.

The term "pay" as used in this section is intended to have its broadest meaning, as is intended generally when the word is used in title 5, United States Code. As explained in Senate Report No. 1380, 89th Congress, accompanying H.R. 10104, which enacted title 5 as positive law, the word "pay" includes all terms heretofore in use representing salary, wages, pay, compensation, emoluments, and remuneration for services.

Under the amendment, the Comptroller General is authorized to prescribe standards under which agencies may grant waivers of erroneous payments of pay aggregating not more than $500. It is contemplated that such standards would preclude an executive agency from exercising waiver authority with respect to any claim that it has transmitted to the General Accounting Office or to the Attorney General for collection action. If such a standard is issued, then, for all practical purposes, the bill would have no effect upon the action of the Attorney General in the filing or prosecution of suits or on the court's jurisdiction to consider actions within the 6-year time limitation prescribed in 28 U.S.C. 2415(d).

Subsection (b) limits the authority to waive by providing that the authority may not be used if there exists an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee or any other person having an interest in obtaining a waiver of the claim. Also, the waiver authority may not be exercised after the expiration of 3 years immediately following the date on which the erroneous payment of pay was discovered or 3 years immediately following the effective date of this section, whichever is later.

Subsection (c) of the new section 5584 authorizes the employing agency, at the time of the erroneous payment, to refund any amounts to a person who has repaid to the United States all or part of the amount of a claim which may have been waived under this section, provided an application is made for the refund within 2 years following the effective date of the waiver.

Subsection (d) of the new section 5584 provides that full credit shall be given in the accounts of any accountable official for any amounts with respect to which collection by the United States is waived under this section.

Subsection (e) of the new section 5584 provides that an erroneous payment, the collection of which has been waived under this section, is deemed valid payment for all purposes. This is intended to apply, but is not limited, to such matters as retirement benefits and life insurance benefits.

Subsection (f) is a savings provision to make it clear that the provisions of the new section 4484 are not intended to affect any authority under any other statute to liquidate, settle, compromise, or waive any claim of the United States.

Subsection (b) of the bill makes the necessary technical changes in the table of contents of subchapter VIII of chapter 55, title 5, United States Code, to conform with the addition of the new section 5584.

BILL PASSED OVER

The bill (S. 3184) relating to the appointment of U.S. marshals was announced as next in order.

Mr. **MANSFIELD**. Over, Mr. President.

The **PRESIDING OFFICER**. The bill will be passed over.

FINANCIAL RESPONSIBILITY REQUIREMENTS

The bill (H.R. 13480) to make the proof of financial responsibility requirements of section 39(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia inapplicable in the case of minor traffic violations involving drivers' licenses and motor vehicle registration was considered, ordered to a third reading, read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1608), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill (H.R. 13480) is to amend section 39 of the Motor Vehicle Safety Responsibility Act of the District of Columbia to limit the requirement for future proof of financial responsibility to those cases involving the serious offenses of a person driving a motor vehicle in the District of Columbia when his driver's license is suspended or revoked. Drivers who lose their licenses as a result of minor violations, not necessarily connected with safe driving, would not be required to meet the same stringent standard of financial responsibility as would drivers found guilty of serious infractions.

This amendment would eliminate inequities which have arisen under present law in cases of motorists convicted of relatively minor traffic offenses which do not constitute a traffic safety problem.

BACKGROUND

Section 39 of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954 (68 Stat. 120, as amended; D.C. Code, title 40, sec. 455(a)) requires the suspension or denial of licenses to and registrations of, motor vehicles of persons convicted of or forfeiting bail or collateral on certain traffic offenses; namely, (1) driving a motor vehicle without being licensed under D.C. law, or (2) driving a vehicle not registered under D.C. law when so required.

This section also prohibits the registering of such motor vehicles in the name of such person as owner unless he gives and maintains proof of financial responsibility.

The effect of the foregoing is the suspension or denial of drivers' licenses or registrations after convictions or forfeiture of collateral in the following cases:

(1) Driving without any kind of permit.

(2) Driving on an expired permit.

(3) Driving with a valid out-of-State permit after the holder thereof has resided in the District beyond the reciprocity period.

(4) Driving while privilege is suspended or revoked.

(5) Driving with no tags on a vehicle.

(6) Driving on "dead" tag.

(7) Driving with valid out-of-State tags, but after the owner has resided in the District beyond the reciprocity period.

In addition, section 37 of the Motor Vehicle Safety Responsibility Act requires the mandatory suspension of license and registration of any person convicted of or forfeiting bail or collateral on five specified violations:

(1) Driving under the influence of intoxicating liquor or narcotic drug.

(2) Committing a homicide or other felony while using a motor vehicle.

(3) Leaving scene of accident involving personal injury without giving assistance or making his identity known.

(4) Reckless driving involving personal injury.

(5) Out-of-District convictions for the foregoing offenses.

As to these violations, the act requires the motorist so convicted to file with the Department of Motor Vehicles evidence that he is financially responsible—usually established by proof of insurance coverage for the future—before he is permitted to operate or register a motor vehicle in the District.

REASON FOR LEGISLATION

The Motor Vehicle Safety Responsibility Act of the District of Columbia requires a motorist convicted of certain offenses to file with the Department of Motor Vehicles evidence that he is financially responsible, usually by way of insurance coverage for the future, because the commission of those offenses demonstrates that the motorist committing them may be a traffic safety problem. For example, section 37 of the act (sec. 40–453, D.C. Code) requires that persons convicted of any of the five specified mandatory revocation offenses "give and thereafter maintain proof of financial responsibility" before they are permitted to operate or register a motor vehicle. Since such motorists are statistically poorer insurance risks, insurance companies are allowed to charge a substantially larger premium for this coverage. In fact, your committee understands that for some motorists the premiums are prohibitive.

H.R. 13480 makes no change in the law respecting such serious traffic offenses. However, of the seven possible factual situations set forth above, covered by section 39 of the act, only driving while operating privileges are suspended or revoked may be considered as involving an element of danger to the general public. The other offenses (except possibly operating without any kind of permit) often involve inadvertence, or a misunderstanding of reciprocity regulations respecting operators' permits and auto tags. For example, your committee understands that the Department of Motor Vehicles often fails to notify many persons that their permit will expire shortly (this is a courtesy not required by law but is done whenever possible). Such persons may be stopped for a minor violation and then discover their permit has expired—in some cases for no more than a few days at most. Many persons establish residence in the District arriving from a State which has no reciprocity with the District on tags or permit. If stopped by an officer, such persons are charged with operating a vehicle without D.C. permit or tags when both are required. In such situations the same requirement of expensive compulsory insurance is imposed on such persons.

In the opinion of the District government, concurred in by your committee, no useful safety purpose is served by the requirement in such cases. The required insurance is costly and is difficult to obtain. Many companies already insuring such persons will cancel rather than file the required certificate. What is worse, once a suspension is on the person's record, he finds it difficult to obtain ordinary insurance in the future because the first question on an application blank is: "Have you ever been suspended or revoked for any reason?" Essentially, the present law equates these latter type of violators with those who drive while drunk, or commit homicides with a motor vehicle, and the like, while the committee is informed that the minor violator in nearly all cases involves a person whose traffic record has no traffic safety implications.

The present amendment has been requested by the District of Columbia government in order to ameliorate the harsh impact of the present law on drivers who pose no traffic hazard. Your committee agrees that by equating such cases of unintentional and relatively unimportant violations with such serious violations as driving under the influence of intoxicating liquor or narcotic drug, homicides, or felonies committed while using motor vehicles (sec. 37 of the act) and requiring persons involved in the unintentional or relatively unimportant infractions to purchase high-premium, extra-risk insurance, existing law evokes justifiably adverse criticism against a provision which, in most cases, serves no valid purpose. Further, your committee is informed that persons who have become subject to section 39(a) of the act for having failed to obtain District of Columbia permits or tags are discouraged from ever obtaining them and from driving in the District because of the cost of buying insurance.

H.R. 13480 makes proof of financial responsibility which is required under section 39 of the Motor Vehicle Safety Responsibility Act, applicable only to the motorist guilty of the serious violations of "driving a motor vehicle within the District of Columbia at a time when his license is suspended or revoked"—and inapplicable to the minor traffic offenses heretofore listed.

HEARING

H.R. 13480 was the subject of a public hearing before the Subcommittee on Business and Commerce on September 19, 1968. Representatives of the District of Columbia government appeared at the hearing and testified in favor of the bill. Your committee has heard of no objections to the bill and feels that its enactment is in the public interest.

BILLS PASSED OVER

The bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acide diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes; and the bill (S. 4062) to amend title 13, United States Code, relating to census questions, were announced as next in order.

Mr. MANSFIELD. Mr. President, I ask that these two bills go over.

The PRESIDING OFFICER. The bills will be passed over.

AUTHORIZATION TO PRINT SENATE DOCUMENT

The Senate proceeded to consider the resolution (S. Res. 397) to print as a Senate document a study entitled "Aspects of Intellectual Ferment and Dissent in the Soviet Union" which had been reported from the Committee on Rules and Administration, with an amendment in line 5, after the word "printed" strike out "ten thousand" and insert "eight thousand seven hundred"; so as to make the resolution read:

> *Resolved,* That there be printed as a Senate document a study entitled "Aspects of Intellectual Ferment and Dissent in the Soviet Union," prepared at the request of Senator Thomas J. Dodd by the Legislative Reference Service of the Library of Congress; and that there be printed eight thousand seven hundred additional copies of such document for the use of the Committee on the Judiciary.

The amendment was agreed to.

The resolution was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1611), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 397 as referred would authorize the printing as a Senate document of a study entitled "Aspects of Intellectual Ferment and Dissent in the Soviet Union," prepared at the request of Senator Thomas J. Dodd by the Legislative Reference Service of the Library of Congress; and further would authorize the printing of 10,000 additional copies of such document for the use of the Committee on the Judiciary.

The Committee on Rules and Administration has found it necessary to amend Senate Resolution 397 by reducing the quantity of additional copies to be printed from 10,000 to 8,700, the maximum obtainable under the $1,200 limitation for simple resolutions.

The printing-cost estimate of Senate Resolution 397 as amended is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$566.63
8,700 additional copies, at $136.86 per thousand	1,190.68
Total estimated cost, S. Res. 397 as amended	1,757.31

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar, beginning with United Nations Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNITED NATIONS REPRESENTATIVES

The bill clerk proceeded to read sundry nominations of United Nations Representatives.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

DISTRICT OF COLUMBIA COURT OF APPEALS

The bill clerk read the nomination of Andrew McCaughrin Hood, of the District of Columbia, to be Chief Judge of the District of Columbia Court of Appeals.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—DIPLOMATIC AND FOREIGN SERVICE AND U.S. COAST GUARD

The bill clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service and U.S. Coast Guard which had been placed on the Secretary's desk.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

FEDERAL POWER COMMISSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the nomination of Albert Bushong Brooke, Jr.

The bill clerk read the nomination of Albert Bushong Brooke, Jr., of Maryland, to be a member of the Federal Power Commission.

Mr. METCALF. Mr. President, when Mr. Brooke was nominated, certain publications suggested that perhaps Mr. Brooke would be—and I quote from the September 30, 1968, issue of Electrical World " 'poles apart' from the philosophy of FPC Chairman Lee C. White, who usually voted with Ross. Brooke describes himself as 'right of center.' "

Another statement in the September 30 issue of Electrical World, which was a news comment on Mr. Brooke, gave me real concern.

I was not able to be at the session of the Committee on Commerce when Mr. Brooke was being considered. I sent for the hearing record. The Senator from Utah [Mr. MOSS] asked Mr. Brooke if there are areas of Power Commission jurisdiction which could be eliminated.

Mr. Brooke responded:

> Well, just looking at it objectively, you might say the fewer the better. But I don't know if that would be the right answer or not . . .

Then Senator Moss asked:

> Do you favor vigorous enforcement of the Commission's responsibility to police wholesale rates?

In my opinion, Mr. Brooke evaded the question.

So I was concerned about this nomination. A man who says that he is "poles apart" from the philosophy of the Chairman of the Commission certainly should answer, objectively and honestly, some of the questions, about that philosophy, if he knows how he feels about the various problems of jurisdiction.

I have learned, after investigation, that the reporter of Electrical World has misquoted Mr. Brooke, that Mr. Brooke is not familiar with all the problems to be presented to the Commission. I feel that that happens to every appointee. I believe he will be unbiased and objective in handling the various concerns that come before the Commission; and the statement in Electrical World is inaccurate.

Therefore, Mr. President, I have given up some of the misgivings I had. I hope Mr. Brooke will be an excellent member of the Federal Power Commission, and I shall vote for his confirmation.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. METCALF. I yield.

Mr. MORTON. Mr. President, I appreciate the diligence of the junior Senator from Montana in this matter. I know that there was confusion in the quotation from the magazine, because I know that Mr. Brooke has the highest respect for the Chairman of the Federal Power Commission. They both were associated with Kentucky on the Hill some years ago and worked out many problems together, when Chairman White was associated with the senior Senator from Kentucky [Mr. COOPER].

As the Senator knows, Kentucky is a balanced State: We have private power, we have TVA, and we have one of the greatest RECC's in the country.

I commend the Senator for his diligence and for his fairness.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

ORDER FOR ADJOURNMENT TO MONDAY, OCTOBER 7, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERGOVERNMENTAL COOPERATION ACT OF 1968—CONFERENCE REPORT

Mr. METCALF. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 698) to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic congressional review of Federal grants-in-aid, to permit provision of reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of grants and loans for urban development, to authorize the consolidation of certain grant-in-aid programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of October 1, 1968, pp. 28856–28860, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. METCALF. Mr. President, the conference report on S. 698 now before the Senate represents the culmination of 8 years of continuous legislative activity by the Congress. Enactment of this bill will be a major step in improvement of the processes of government in this country at a time when the effectiveness of government is being tested as never before in our history.

S. 698 was introduced in January of 1967 by the junior Senator from Maine [Mr. MUSKIE]. It has 31 cosponsors. It is a bipartisan measure, representing a broad area of agreement among the groups and individuals most highly qualified in the field of intergovernmental relations. It is wholly constructive in character. It has a broad base of support. It was unanimously passed by the Senate on July 29 of this year.

The origins of this bill can be traced back to the recommendations of the Kestnbaum Commission whose report in 1955 pointed up the need for reform in the system of Federal grants-in-aid to State and local governments. There followed a period of intensive study, both in and out of the Congress, of the problems of intergovernmental relations.

The Senate's Subcommittee on Intergovernmental Relations conducted intensive investigations, to which officials of State and local governments made significant contributions. Out of these studies developed legislative proposals, several of which were unanimously adopted by the Senate, though final action on them was not taken by the other House. Among these were S. 2114, to provide for periodic congressional review of Federal grants-in-aid to States and to local units of government, which was passed by the Senate in 1964. Another was S. 561, the Intergovernmental Cooperation Act of 1965, which was passed by the Senate in 1965.

The bill we have before us, S. 698, is the end product of this long process of study and legislative activity. It combines some of the best elements of the legislation which has been considered in the past, leaving others, such as uniform relocation assistance for persons displaced by public improvement programs and uniform land acquisition policies yet to be dealt with. Agreement by the other House to the conference report on Tuesday gives us the opportunity today to complete congressional action on a bill of great merit and great potential benefit to the country.

The substitute bill presented in the conference report has benefited from the careful and thorough consideration given by the conferees to the differences between S. 698, as passed by the Senate, and the House amendment. Most differences of a substantive character between the Senate bill and the comparable provisions of the House bill were resolved in favor of the Senate version, while a number of improvements and clarifications made by the House were adopted. In addition, the conferees agreed on an amended, and in some respects strengthened and improved, version of the provisions for congressional review of Federal grants-in-aid, which was included in the Senate bill but not in the House amendment.

Title I sets forth the necessary definitions.

In title II, providing for improved administration of grants-in-aid to the States, the Senate bill required Federal agencies administering programs of grants-in-aid to notify, on request, the Governor—or official designated by him—or the State legislature of the purposes and amounts of actual grants-in-aid to the State or its political subdivisions. The conference substitute requires that, on request, notification be given to the Governor, State legislature, or other official designated by either, and that a copy of the requested information be furnished to the State legislature or the Governor depending upon the original request for such data.

Both the Senate bill and the House amendment contained a section relating to scheduling of Federal transfers to the States. The House amendment, however, deleted a provision of this section of the Senate bill which directed that the States not be held accountable for interest earned on grant-in-aid funds, pending their disbursement for program purposes. The conference report contains this provision of the Senate bill.

In title III, the Senate bill provided that funds received by Federal agencies as payment for furnishing specialized or technical services to State and local governments be deposited to the credit of the principal appropriation from which the cost of providing the services was paid or is to be charged, or to the appropriation currently available for the cost of similar services. The House amendment required that these funds be deposited to miscellaneous receipts of the Treasury. The conference substitute provides that these funds shall be deposited to the credit of the principal appropriation from which the cost of providing the services was paid or is to be charged.

In title IV, the Senate bill directed the President to establish rules and regulations for uniform application in the formulation, evaluation, and review of Federal programs and projects having a significant impact on area and community development, for the purpose of assuring that they will most effectively serve objectives stated in the bill. The House amendment authorized but did not direct the President to do so. The conference substitute follows the Senate language.

The Senate bill and House amendment both contain an amendment to the Federal Property and Administrative Services Act of 1949, setting forth policies to help assure that acquisition, use, and disposition of land within urban areas by Federal agencies will be in conformity with land utilization programs of affected local government. This appears as title V in the conference report, with agreement on minor changes in language.

Title V of the Senate bill related to congressional review of Federal grants-in-aid to States and to local units of government. The House amendment contained no comparable provision. Title VI of the conference report contains a substitute for title V of the Senate bill.

The substitute eliminates provisions for the automatic termination after 5 years of grant-in-aid programs enacted in the 91st and subsequent Congresses. It was recognized that few such programs have been enacted in recent years without specified termination dates. In deleting the automatic termination provision, the conferees agreed upon the objective that reasonable termination dates be placed on all new programs and on existing programs, and make this recommendation to the appropriate committees of the Senate and the House.

The Senate bill provided for Senate and House review of all future grant-in-aid programs which have authorizations of more than 3 years. Such review would consider the extent to which the purposes of the programs have been met, the extent they can be carried on with or without further financial assistance, whether changes are needed in their direction, administration, or purpose, and the adequacy of the programs.

The conference substitute provides for review at 4-year intervals of all grant-in-aid programs for which no expiration date has been specified by law, regardless of when they were enacted. The committees of the Senate and the House having legislative jurisdiction over such grant-in-aid programs are directed, separately or jointly, to conduct studies of the programs and to advise their respective Houses of the results of their findings.

The Senate bill provided for continuing studies of certain aspects of Federal grant programs to be made by the Comptroller General of the United States. The conference substitute authorizes the Comptroller General to conduct these studies, but only on request of a committee having jurisdiction over the grant-in-aid program. This, of course, does not in any way affect the authority already vested in the Comptroller General to investigate and audit all Federal programs.

The conference report provides that nothing in the bill shall be construed to affect the jurisdiction of committees under the rules of the Senate or House.

The House amendment deleted titles VII and VIII of the Senate bill, which related to uniform relocation assistance and uniform land acquisition policy, and title IX, which related to judicial review of certain administrative actions under titles VII and VIII. The conference substitute omits these three titles.

The conferees were in agreement on the desirability of the Congress enacting a uniform relocation policy to assist those displaced from their homes, farms, or businesses by Federal and federally assisted projects. They were also agreed upon the desirability of a uniform land acquisition policy in cases where Federal or federally assisted programs result in the taking of land of private owners. They recommend to the appropriate committees of both Houses that action be taken on these objectives as soon as possible.

Mr. President, no one could regret more than your conferees the necessity for omitting from the conference report those provisions which relate to uniform relocation assistance for persons displaced from their homes and businesses by projects carried out by the Federal Government or by States or local governments with Federal assistance.

The conferees were faced with a choice between insisting upon inclusion of those provisions and thus stalemating the conference, or agreeing to their exclusion and thus obtaining agreement on a good strong bill dealing with many important areas of intergovernmental cooperation.

The House conferees did not argue against the relocation and land acquisition provisions on their merits. On the contrary, they freely acknowledged the necessity for legislation along the lines of that included in the Senate bill. They pointed, however, to the record of the House at the time the House bill was passed. Because in the House of Representatives jurisdiction over relocation assistance and land aequisition policies belongs to the Public Works Committee and not to the Committee on Government Operations, the House conferees were committed not to bring back to the House a conference report which included any language on these two subjects. In view of the jurisdictional lines of the House, there was nothing that the House conferees could do at that point, and there was nothing which the conference itself could do to resolve this difficulty.

The managers on the part of the House nevertheless expressed their own convictions on this subject as follows:

> The conferees were in agreement on the desirability of the Congress enacting a uniform relocation policy to assist those displaced from their homes, farms, or businesses by Federal and federally assisted projects. They were also agreed upon the desirability of a uniform land acqusition policy in cases where Federal or federally assisted programs result in the taking of the land of private owners. They recommend to the appropriate committees of both Houses that action be taken on these objectives as soon as possible.

Though S. 698 does not itself deal with the subject of relocation assistance, its extensive investigations and hearings on this subject have not been fruitless.

The greatest single cause of displacements of families, individuals, and businesses is highway construction. The Department of Transportation estimates that total displacements on all Federal aid highway systems for the 3-year period from July 1, 1967, through June 30, 1970, will reach almost 170,000 or more than 56,000 a year. You can obtain some idea of the severity of this human dislocation when you consider that it is during these 3 years that the Interstate System will make its heaviest impact on congested urban areas, for the most part occupied by those least able to bear the shock.

For this reason the Senate Committee on Public Works decided to include in the Federal Aid Highway Act of 1968 provisions for relocation assistant to those dislocated by highway construction. Recognizing that his subject was of primary concern to the Committee on Government Operations, the Committee on Public Works came to our committee for assistance in writing those provisions. The result was a set of provisions in the Highway Act closely paralleling those of S. 698.

The senior Senator from West Virginia [Mr. Randolph], in presenting the Highway Act to the Senate, had this to say:

> Title II would establish a broad gage program designed to insure that those displaced and dislocated by Federal-aid highway construction are aided and assisted in reestablishing their homes, farms, and businesses.
>
> It is timely to point out that these provisions have been modeled after S. 698, legislation introduced by the Senator from Maine [Mr. Muskie], on which extensive hearings were held by the Subcommittee on Intergovernmental Relations of the Committee on Government Operations. Also joining with him in that important undertaking is a very valued member of the Subcommittee on Roads of the parent Committee on Public Works, the distinguished Senator from Tennessee [Mr. Baker].
>
> The thinking of these two Senators has helped the subcommittee and the full committee to realize the importance of the work which has been done by the Senator from Maine and the Senator from Tennessee who have led the effort to develop a more effective and equitable relocation program.
>
> We value the work of the Subcommittee on Intergovernmental Relations, and though the full range of S. 698 will not be implemented in this Congress, a major step forward will be achieved in applying these provisions to the highway construction program.
>
> The language of title II of S. 3418, as reported, reflects in large part the improved understanding of relocation procedures which has developed as a result of the long term efforts of the Senator from Maine, the Senator from Tennessee, and others in connection with this subject. It is not a subject that will decrease in interest. It is not a problem that will lessen.

Furthermore, the Committee on Banking and Currency included in the Housing and Urban Development Act of 1968 provisions borrowed from S. 698 to bring the level of relocation assistance in urban renewal and other housing and urban development programs as near as possible to the level of that provided in S. 698.

Dislocations resulting from the highway program and from the various programs coming under the Housing and Urban Development Act make up the bulk of all dislocations resulting from Federal or federally assisted projects.

Largely as a result of the work on Government Operations and the interest and initiative of the Committee on Public Works and the Committee on Banking and Currency, relocation assistance is now available in generous measure in virtually all Federal or federally assisted programs. This is a notable achievement.

What remains to be done, and what I am certain will be done, is to blend the provisions in all of these programs into a uniform system of relocation assistance which can be administered in a purposeful and coordinated manner under uniform policies established by the President.

I believe a measure to accomplish this will obtain broad support in both Houses of the Congress and that it will become law. Those who have worked so hard for a uniform relocation policy will certainly pursue this in the next Congress.

Before concluding, I should like to stress again the cooperative and completely bipartisan spirit in which this legislation has been developed and brought finally before the Senate for this conclusive action. Many, in both Houses, have worked together over a period of years to produce a bill which would help adapt the processes of government to the needs of our country today and in the years to come. Recognition should be given to the leadership of the junior Senator from Maine [Mr. Muskie] who has devoted himself faithfully since he first came to the Senate to measures for the improvement of our Federal system of government. Recognition should also be given to the senior Senator from South Dakota [Mr. Mundt], who is the ranking minority member of the Subcommittee on Intergovernmental Relations and of the parent Committee on Government Operations, for the deep interest he has taken in this work and for his own legislative proposals now incorporated in the measure we have before us.

I urge that the Senate agree to the conference report on S. 698, the Intergovernmental Cooperation Act of 1968.

Mr. PERCY. Mr. President, on behalf of the Senator from Tennessee [Mr. Baker], who is necessarily absent today, I ask unanimous consent to have printed in the Record at this point a statement prepared by him.

There being no objection, the statement by Senator **Baker** was ordered to be printed in the Record, as follows:

> **Mr. Baker.** Mr. President, the Intergovernmental Cooperation Act is a measure designed to improve the working relationships among governments at the federal, state and local levels so that they can, in cooperation, deal more effectively with the increasingly complex problems of our society. I was happy to join in co-sponsoring this proposal after it was introduced by the distinguished junior Senator from Maine (Mr. Muskie).
>
> The Senate-passed version of this Act included several titles that were not adopted by the House of Representatives. Title VII of the Senate Act provided for uniform relocation assistance to persons displaced by federal or federally assisted programs. The objective of this title was to insure that such displaced persons would be left no worse off economically than they were before being displaced. Title VIII of the Senate Act set forth a uniform land acquisition policy to assure consistent treatment for owners with regard to the acquisition of real property by federal agencies. Finally, Title IX made clear that all sections of Titles VII and VIII which required any actions by a federal agency would be subject to the Administrative Procedure Act for purposes of administrative and judicial review of such action.
>
> Mr. President, these three titles passed by the Senate and not agreed to in conference are vitally necessary to assure equitable treatment of persons whose homes and property are taken by public projects. In my view, these three titles were the most important of the Senate-passed Act. On the other hand, I recognize that there are important and much needed provisions in the other titles which have been agreed to by the conference. Accordingly, I do not oppose the conference report, but it is my firm hope that in the next legislative session the Congress will enact provisions insuring a uniform relocation policy, a uniform land acquisition policy, and a provision for judicial review of the actions of federal agencies in these areas.

Mr. PERCY. Mr. President, I was not yet a member of the Government Operations Committee at the time the Intergovernmental Cooperation Act was before the committee and was before the Senate. This measure is in my view an outstanding legislative achievement. It reflects very highly on the committee, and on those Senators who were on the committee and who contributed to the shaping of this bill. I am proud now to be a member of the Government Operations Committee; I would hope that my membership there will enable me to help continue this vital work in improving the responsiveness of our federal system, and in an increasingly complicated society, assuring that all levels of government are able to work closely together in serving the great constituency which is common to all levels and branches of government.

Acceptance of this conference report is the more significant in the light of the history of this measure. The Senate passed the Intergovernmental Cooperation Act of 1965, and the Uniform Relocation Act of 1966, in the 89th Congress where they died without action by the House. Although, as my able colleague from Tennessee [Mr. Baker] points out, the key titles of the bill have again failed House approval, the act represents a significant achievement, nonetheless. I would be hopeful that in the next Congress we can secure enactment of the measures relative to uniform land acquisition and disposition procedures, uniform relocation policies and procedures, and judicial review of procedures relating to these areas.

Mr. President, I can attest that there is great interest in this measure throughout the United States. At every level of government are public servants—elected and appointed—who have indicated their support for this bill. Just yesterday, I received a telegram from Richard Ogilvie, presently president of the Cook County Board of Supervisors and our outstanding Republican candidate for Governor of Illinois, who indicated his recognition of the merit of the conference report, and his support for its immediate passage. I ask unanimous consent that this telegram to me be inserted at this point in the Record.

There being no obection, the telegram was ordered to be printed in the Record as follows:

> Hon. Charles H. Percy:
>
> I urge you to support conference report on S. 698—Intergovernmental Cooperation Act of 1968. This bill greatly improves cooperation and coordination of activities among all levels of government. It will help state and local governments in dealing with the Federal Establishment.
>
> Richard B. Ogilvie,
> *President, Cook County Board of Commissioners.*

Mr. PERCY. Mr. President, I urge the adoption of the conference report.

Mr. HATFIELD. Mr. President, I urge the enactment of the proposed Intergovernmental Cooperation Act of 1968—S. 698. This omnibus legislation is designed to curb some of the sources of friction in today's Federal-State-local relations. Moreover, it implements proposals advanced by the National Governors' Conference, the Council of State Governments, the National Association of Counties, the National League of Cities, the U.S. Conference of Mayors, and the Advisory Commission on Intergovernmental Relations.

The need for this legislation is underscored by the basic trends that characterize the course of contemporary federalism:

First, the demand for more public revenues has hit State and local governments most directly and most severely; witness the fact that these jurisdictions now account for approximately three-fifths of the total civil governmental expenditures.

Second, in response to these pressures, the Federal Government has expanded its role in domestic governmental programs and in intergovernmental relations—largely via the grant-in-aid mechanism.

Third, grant expenditures have risen from $1 billion in 1946 to an estimated $20.3 billion for the next fiscal year.

Fourth, at present, Federal grants provide State and local governments with approximately $1 out of every $6 they spend.

Finally, with expansion of grants to over 400 in number, serious problems of proliferation, varying and inconsistent formulas and regulations, overlapping, and conflicting planning goals have arisen.

These developments combine to bring us to a point where the need for intergovernmental administrative reform is mandatory. We clearly need a more effective collaboration between the various levels of government—especially as they join to combat the development problems in rural as well as urban areas. We need to achieve greater consistency in the operations of proliferating Federal grant programs. We need greater flexibility and and coordination in the administration of Federal grants—especially at the State level. We need to reform grant requirements—especially the "single agency" requirement—so that State governments' efforts to streamline their administrative structures are not shackeled by Federal regulations. I can speak—from personal experience as a former Governor—of the negative effects of the "single agency" provision. We need to strengthen the techniques of collaboration among the levels of government—including the services-in-aid as well as the grant-in-aid device. We need to achieve more effective planning and interagency coordination of Federal programs having an impact on both urban and rural areas. We must conserve the strength and authority of general purpose units of government at the local level—counties, cities, and towns—given the surging expansion of special districts in recent years. We need to instill greater sensitivity in the Federal executive branch—especially the General Services Administration—in the administration of their land-use policies in urban municipalities. Finally, we need to systemize Congress' review of Federal grants-in-aid—especially those that are ongoing programs—that is, those without termination provisions.

The Intergovernmental Cooperation Act confronts all of these problems, and each of its titles helps to correct one or more of the difficulties I have cited. Since its inception, this measure has enjoyed strong support from both sides of the aisle—here and in the other body. The hearings on the measure have revealed strong support from public interest groups representing State and local officials.

We have the opportunity today to take a significant first step toward strengthening the machinery of a more modern Federal system. Mr. President, I strongly urge that the Senate give favorable consideration to this measure.

Mr. METCALF. Mr. President, on behalf of the Senator from New Mexico [Mr. MONTOYA] who is necessarily absent today, I ask unanimous consent to have printed in the RECORD at this point a statement prepared by him.

There being no objection, the statement by Senator MONTOYA was ordered to be printed in the RECORD, as follows:

STATEMENT BY MR. MONTOYA

Mr. President, I rise to give my full support to the conference report on S. 698, the Intergovernmental Cooperation Act of 1968.

This is a measure primarily concerned with improving the management effectiveness of grant administrations at the Federal level. But more—and I want to emphasize this—it is a bill to insure Federal cooperation and help to State and local governments.

It smoothes the pathways of information and administration of grant funds to the States and their political subdivisions; it authorizes Federal agencies to provide them special or technical services and facilities for their development; it provides for conformity by Federal agencies with land use programs of local government; and it requires certain necessary methods of continuing review of Federal grant-in-aid programs.

But the heart of the bill lies in its title IV which is directed to a Federal policy of intergovernmental coordination.

We now have over 400 separate grant authorizations, being administered by over 150 departments, agencies and bureaus in Washington and some 500 offices in the field. At the same time our 50 States have hundreds upon hundreds of agencies administering their State and local development programs.

Hearings held by the Senate Subcommittee on Intergovernmental Relations developed unanimous testimony from Governors, mayors, county officials and other administrators, that not only has the Federal-aid program got to be coordinated, but it has to be better implemented to meet the objectives of regional, State, and local comprehensive planning.

This legislation provides the Chief Executive with the authority—and in fact makes it mandatory—that rules and regulations be promulgated to develop a modernized approach in Federal grant administration, get the maximum benefit from the grant-in-aid system, and to respect the particular needs and plans of the individual recipients.

Mr. President, I want to compliment the junior Senator from Montana [Mr. METCALF] for ably substituting for our distinguished chairman [Mr. MUSKIE] in the presentation of this conference report. I wish the junior Senator from Maine could be here today, for it was his vigor and leadership that helped to build this legislation and eventually to guide it through the intricate legislative process to this floor today.

I wish also to commend the staff of the Subcommittee on Intergovernmental Relations, which toils long and hard in a complicated field to seek out the problems that beset our federal system. They have made a vital contribution to our oversight function in the Committee on Government Operations.

Finally, I want to associate my interest with those of the conferees on this bill that we must press forward with a uniform relocation and land acquisition policy. Although we have made a great stride forward with the Highway Act this year, all Federal programs which displace people, businesses and farms, and take the land of private owners, should be covered with a meaningful policy.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. METCALF. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HANSEN. Mr. President, I rise today to express my disappointment in the compromise on S. 698 which was reached by the conference committee. As a member of that conference committee, I chose not to sign the conference report.

The need for legislation to improve intergovernmental cooperation is great. I was a sponsor of the Intergovernmental Cooperation Act of 1968. However, the fundamental differences between the bill as it passed the Senate and the bill as it was reported by the conference committee have reduced, in great measure, the impact which this legislation will have.

The Senate titles relating to relocation and land acquisition were not an issue in the conference committee. I can appreciate the problems of committee jurisdiction which limited the flexibility of the House conferees. However, if the Intergovernmental Cooperation Act is passed today without these important provisions, much of the incentive for the House of Representatives to solve its procedural problems in this area will be lost. The likelihood of ever obtaining relocation and land acquisition legislation will be immeasurably diminished. The falure to provide sound policies for relocation and land acquisition will greatly hinder the development of sensible intergovernmental cooperation programs in the future.

The conference committee compromise with regard to congressional review of Federal grants-in-aid to States and to local units of government did not include the automatic termination provisions. That provision which applied only to programs which did not have expiration dates would have required affirmative action by Congress every 5 years to continue those grant-in-aid programs. Since affirmative action by Congress would be required, it was anticipated that thorough investigation and consideration would be given to the efficiency and effectiveness of these programs. The conference committee compromise provides that grant-in-aid programs without expiration dates will continue indefinitely even though no affirmative action is taken by Congress. The committees of the Congress having jurisdiction over such grant-in-aid programs will be required to study the programs and advise the respective Houses of the results of their findings. The committee action required by the compromise, however, will not provide the same impetus for thorough investigation of the effectiveness and efficiency of grant-in-aid programs as would be provided by the bill as passed by the Senate which required reauthorization of the programs.

Legislation which will establish a meaningful policy for intergovernmental cooperation is needed. I would hope that the 91st Congress will be able to enact a bill which would include relocation and land acquisition provisions as well as a system for adequate review of grant-in-aid programs.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO MAKE A CORRECTION IN THE ENROLLMENT OF S. 698

Mr. METCALF. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on House Concurrent Resolution 838.

The PRESIDING OFFICER laid before the Senate House Concurrent Resolution 838, authorizing the Secretary of the Senate to make a correction in the enrollment of S. 698, as follows:

H. CON. RES. 838

Resolved by the House of Representatives (*the Senate concurring*), That the Secretary of the Senate in the enrollment of the bill (S. 698) to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic congressional review of Federal grants-in-aid, to permit provision of reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of development assistance programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes, is authorized and directed to correct the title of the bill so as to read: "An Act to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to permit provision of reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of development assistance programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to provide for periodic congressional review of Federal grants-in-aid, and for other purposes."

Mr. METCALF. Mr. President, in explanation, when the House of Representatives passed the conference report in connection with S. 698, they failed to amend the title of the bill. House Concurrent Resolution 838 merely provides for amending the title.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 838) was agreed to.

U.N. URGED TO ACT ON BIAFRA

Mr. BYRD of West Virginia. The picture of thousands of Biafran war victims—many of them tiny children—being permitted to starve to death each day is as horrifying as any example I can contemplate of man's inhumanity to his fellow man.

The Biafran tragedy gives evidence that the four horsemen—war, pestilence, strife, and famine—are still riding at a gallop and that man's humanitarian impulses too often are so weak that they succumb to political and economic considerations which, under the circumstances, should be irrelevant, or at least secondary.

The food supplies and the technology to prevent this massive death by starvation are available; all that is lacking is the human will to insure its delivery—the will of the Biafran and Federal Nigerian Governments to cooperate in order to facilitate the delivery of relief, the will of the international community to place its political power behind an intensive relief effort. Today as we in this Chamber contemplate what can, should, or may be done to save thousands, perhaps millions, of Biafrans from starvation, hundreds of these people are dying. By the end of the day, according to International Red Cross estimate, 8,000 to 10,000 Biafrans will have died. For them our verdict will be too late. For the more than 40,000 who will die this week we also will be too late, but let us not also be too late for the additional more than 1 million who may be dead by January.

This is not a time for trying to balance political or economic interests. We can have only one interest, one motivation—a humanitarian drive to use the means available to prevent the gradual decimation of the Biafran people. What matters most is food plus transport so as to bring about quick and effective humanitarian relief. Since the main obstacles—which the current relief effort under the coordination of the International Red Cross cannot overcome—are political. Congress should urge that the direction of the relief program be taken over by an international organization which has the power of political sanction. The Organization of African Unity, as the organization for regional cooperation, would perhaps be the most natural and effective group to deal with this emergency. However, since the OAU Foreign Ministers, meeting a few weeks ago in Algiers, chose to refrain from any greater action than condemning the Biafran secession, the United Nations is our only alternative. The U.N.'s previous reluctance to deal with the Biafran crisis should not deter interested member nations from bringing the Nigerian situation before the body. The issue should be forced to a vote, so that each nation will have to weigh its ballot in the light of its moral conscience.

The General Assembly is now in session. There is no reason for further delay.

To promote prompt action, the United States should propose that a United Nations relief force be organized to transport and distribute the relief supplies which are already being gathered by the International Red Cross and many other relief agencies. Planes flown under U.N. insignia should be manned by representatives of governments acceptable to both the Biafran and Federal Nigerian Governments. If the Governments of Biafra and Nigeria fail to cooperate with this multinational, humanitarian effort, the members of the United Nations should agree to withdraw all present and future technical and economic assistance to them. The political obstacles to relief must be overcome and the United Nations appears to be the only international organization able to surmount them.

For the United Nations to do less, for the nations and peoples of the world to do less is to fail to fulfill one of the humanitarian purposes for which the United Nations was organized; a failure to act would be a denial of our common bond of humanity. If the great powers hesitate to support such an endeavor toward humanitarian action, it would appear that future generations may justly accuse them of giving in to political and economic self interest. By proposing a resolution for a U.N. relief effort, the United States is not contradicting its policy of supporting the integrity of existing African boundaries and the nationhood of a united Nigeria. As President Johnson said:

> Deaths caused by warfare are tragic enough. But mass starvation that can be prevented, must be prevented.

If the United States does not place its support behind a stronger and internationalized Biafran relief program, will our hesitation stem from the fear that the Nigerian Federal Government may fall and the showcase of our African aid program will be shattered? The picture of possibly 5 million Biafran graves, however, obscures the image of a Nigerian showcase. I truly do believe that the principles behind American diplomacy are of a higher moral quality than that In failing to take stronger action is the United States merely following the lead of British policy as we have so unwisely and unimaginatively done in the Rhodesian situation?

We have made some attempts to strengthen relief programs, but no effort is too strong when so many human lives are at stake.

It is not the United States alone which can be accused of possibly giving in to political or economic self-interest. What humanitarian answer has France offered to counter the weight of its interference in Nigeria? In place of food, her citizens have provided the arms which help prolong the Nigerian conflict. Last week the French Government began openly sending military aid to the Biafrans.

Great Britain, which has allowed the traditional sales of defensive arms to Nigeria to continue, also has a very large interest in the Nigerian petroleum industry. It is estimated that Shell-British Petroleum has invested between $500 and $700 million in Eastern Nigeria. Great Britain annually imports 25 million tons of crude oil from Nigeria. Is it partially because Britain feels that its oil interests are more firmly protected by the Federal Government, that it has not forced the Federal Government to cooperate with international relief attempts?

The Soviet Union can also be charged with self-aggrandizement in its sales to the Federal Government providing seven Czech Delfin fighters and 16 MIG–17's along with the services of 200 Russian and Eastern European maintenance men. In recent years Russia's attempt to gain influence on the African Continent seems to have suffered several setbacks. With the sale of arms and offers of economic and technical assistance to the Federal Government, the U.S.S.R. appears to be seeking an African beachhead in Nigeria. One also fears that Red China will answer the Biafran leader Colonel Ojukwu's reported request for military assistance, and thus prolong an already hopeless military struggle while attempting of further its own effort to gain influence in Africa.

What move has Russia, much less Red China, made to help formulate an effective Nigerian relief program?

This attempt to place a share of the guilt upon so many is merely meaningless rhetoric when placed beside the picture of a starving child. An estimated 100,000 Biafrans, mostly children, died in July. Will 200,000 die while the United States, the U.N., and the world stand and debate?

According to a well-regarded source, 5,100,000 Jews were exterminated by the Third Reich. In July the Biafran Government estimated that 5 million Biafrans would succumb to starvation by the end of this year. Thus it is quite ironic that the Biafrans have been known as "the Jews of Nigeria." I only hope that history will not record the tragic annihilation of two major ethnic groups—one decimated under the political program of a madman and another destroyed by the passivity of an indifferent world, able but unwilling to prevent such a disaster.

A TIME FOR PEACE IN THE HOLY LAND

Mr. KUCHEL. Mr. President, since the outbreak of hostilities in June 1967, I have devoted a great deal of time searching for a path by which an honorable peace in the Near East might be achieved. This ancient land has seen the recurrence of warfare three times in the past 20 years. It has become one of those sensitive areas in world affairs, like the periphery of Communist China, which poses a constant threat to world peace.

In my view, Mr. President, this need not be so. As I pointed out a few months ago in an address to the B'nai Zion in New York City, the times cry out for a genuine effort toward peace.

Recently, newspaper reports have indicated that active discussion of the ways and means of peace in the Near East may take place next week in New York City with the convening of the General Assembly of the United Nations. I am hopeful that this will be the case, and am greatly encouraged by reports that the State of Israel intends to take the initiative in putting forth a workable peace proposal.

Earlier, I discussed what seemed to be some of the essential aspects for a peaceful settlement. They have now been broadly accepted in the public dialog, at least here in America. They include, first and foremost, a treaty of peace and mutual recognition of sovereignty, ratified and publicly accepted by all parties, defensible frontiers for each nation, a just solution to the problem of Arab lands under military occupation, a permanent cure for the plight of hundreds of thousands of refugees, and firm agreement on international use of waterways.

The capstone of any workable solution must be agreement on the future of the city of Jerusalem. Earlier, I said:

> In this cause, the city of Jerusalem will again play a major role. It occupies once

again a strategic crossroad. In this Holy City we all have a continuing concern, as communicants and seekers of truth. The Israeli government has announced its interest in working with the Vatican on administration of the Holy Places. It has already signified that it will adhere to its long-standing policy of placing them under international control.

An avowed and accepted international interest in Jerusalem would make it a drawing point for all peoples all over the world. The benefits to be derived from this would redound to the whole region. Even before the conflict of last June, the anemic economy of Jordan had learned to profit from tourist trade, and had done so despite the ridiculous rigamarole associated with the Mandelbaum Gate—now, thankfully, passed into history. With the free movement of people which a real peace would bring to the Near East, that traffic would increase many times. Certainly, there is no question that under the present arrangement, more people will be able to visit the Holy Shrines than ever before. An intelligent policy on the part of Jordan, Egypt and Lebanon, if that is not too ephemeral to contemplate, would extend those benefits to the entire Eastern Mediterranean.

But it is not simply a tourist economy that would flourish after a true peace in the Holy Land. Large sections of the Arab world, particularly Jordan and Southern Syria, have been closed off from access to the sea. This folly of Arab intransigence has diverted large quantities of trade through the Port of Beirut which ordinarily would have passed through Haifa, Gaza, and Jaffa. It would be to the advantage of all residents of the Holy Land to establish a free market to Jerusalem for Arab produce, both agricultural products and handicrafts. This would provide immediate advantages of a greater market to both sides. Combined with free access to the sea and a customs zone at one of Israel's teeming ports, the Arab hinterland would find a strong pull of self-interest toward continued peace and understanding with the people of Israel.

Jerusalem is a holy city to a large portion of the nations of the world. It is a physical expression of the common concern that we must have for peace in the Holy Land and beyond, if the human race is to remain. The United Nations, therefore, is a suitable venue for the solution of this problem. I firmly believe that the ingredients for an effective solution are there, and I add my voice to those who would urge that men and nations of good will seize upon this opportunity which could be the last.

A SERMON TO REMEMBER

Mr. STENNIS. Mr. President, recently it was my privilege to hear an outstanding and challenging sermon delivered at the National Presbyterian Church in Washington by the Reverend Basil Watson, a visiting minister from London, England.

Reverend Watson is a member of the British Navy and is the Chaplain of the Royal Naval College in London.

The sermon reflects the fine character and spiritual strength of Reverend Watson and shows also a broad understanding of the practical problems that face us not only in England but also in America and elsewhere.

I ask unanimous consent to have the sermon printed in the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

SERMON PREACHED BY THE REVEREND BASIL WATSON, CHAPLAIN, ROYAL NAVY

"Who knoweth whether thou are not come to the kingdom for such a time as this?" That text is, of course, a quotation from the Bible, and, good Bible students as you are, I'm sure that most of you know where it comes from. For some of you it may, however, be, as you say, a 64,000 dollar question. It's for your benefit that I tell you it comes from that very good novel in the Old Testament, the book *Esther*, Chapter 4, verse 14.

A quotation, then, in the first place. A question in the second. I'm going to turn it into a topical question, if you don't mind; a question which I hope an Englishman may be permitted to ask of such a congregation as this. "Who knoweth whether Thou (the American people) are not come to the kingdom for such a time as this?" For you have, haven't you, come to the kingdom: to the kingdom of immense power: to the kingdom of world influence: to the kingdom of an unique global responsibility for the other people? I hear the consenting answer don't I? I don't want to say more until I'm really sure that I have pinned that one on you; that you are aware that you play the role of the most powerful people in the world. That is the role that you have been playing at any rate both in the defense of others and in the extremely generous aid you have given since World War II, to both great and small nations. So whether you like it or not the world now looks to you as the inheritors of this kingdom; and, as we look, we want you to be great: we want you to be good: we want you to measure up to the challenge of such a time as this.

The question, however, that arises out of the text is not just a topical question of identity—are you not the people who have come to the kingdom—but a question of deep significance. It's not a question, you see, of the way things are, but of the "why" things are as they are. Is there not a purpose behind your coming to the kingdom? Is there not a real reason, shall we say a divine meaning, a development to be accomplished by you in man's history, which can have an eternal significance? "Who knoweth?" And the force of that question surely prompts the answer that of course there is.

I apologize and in a way I am sorry to begin my sermon like this. But I do so only because those of us who look at you from outside do grieve for you at the size of the kingdom that you rule at such a time as this. Those of us who have in time past carried a similar, if very much less of a burden of responsibility, feel its weight on your shoulders. We do. But, and here is the challenge of the question that the text poses: is it sympathy that you want? Is it pity that you are looking for? Is it that you want none of us to say anything if you foreshorten your frontiers? Is it that you want quietly to be let off the hook? Or, and this is how I read the text, is it not, on the other hand, reassurance that you want that this is your moment of divine destiny? You wouldn't be human if you didn't alternate between the two extremes. At times you want us to be kind to you, to like you: at others you want us, I am sure, to help you screw your courage to the sticking post. This is the age old dilemma that has faced nations and individuals throughout history: this is the dilemma that sorts the men from the boys: the great from the transient. This is the dilemma that, behind our text, faced Esther.

Let me remind you of the story.

Esther was the second wife of King Ahasuerus. He ruled a kingdom that in those days was global: it stretched from Ethopia to India and its capital was at Sushan. When the story opens we see the king in trouble first of all with what one of our characters in history called "the monstrous regiment of women." I must be careful what I say on this subject in what I am told is a woman's world! At any rate Vashti, his first queen, had been striking a blow for feminine rights and Ahasuerus had no alternative but to get rid of her. In her place he married Esther, the niece of Mordecai, a Jew who worked in the royal palace. This was unexpected by her and a very sudden and unprepared rise to fame. The marriage precipitated the second and more profound trouble: the racial problem. With such a set-up in the palace the Jews flourished. When any minority group flourishes, and especially the Jews, it provokes extreme jealously among others. So much so in this case that Haman, the king's secretary of state, stirred up a pogrom with the intention of exterminating the Jews. At this moment Mordecai sent a message to Esther: "You must do something for us." But Esther didn't want to do anything. She was enjoying being Queen. She'd "never had it so good." She saw no point in sticking her neck out merely to get her head chopped off for the benefit of other people. "Damn you Jack," as our sailors say, "I'm in board." That was the tenor of the selfish message that she sent back to Mordecai, though it was dressed up in the language that says that protocol prevented her from doing what he had asked. Mordecai then returned to the charge. If you use your position of power and privilege, he implied, merely for your own selfish ends, then every single member of the Jewish race will hate you and see that your fate is the same as theirs. Do you not realize that there has been a guiding hand behind your rise to power and this is the moment that you have to live up to what is expected of you? "Who knoweth," he added, "whether thou are not come to the kingdom for such a time as this?" Bless her. Supported by the strengthening prayers of her people for which she then asked, she did what she was there to do, and in so doing achieved an immortal fame.

There are points to be made from this story. Let us look at it a little more in depth. You have each, I believe, to act for the same three reasons that eventually compelled Esther to act. She did so because:

1. *She was a Queen*. That means that although she didn't have absolute power, she was at the right hand of it. Even if she wanted to keep out of her husband's business, she had his ear: she was in a position where, willy nilly, she could exercise immense influence. What she said or didn't say, therefore involved her in responsibility. There was risk attached, suffering and possibly death, as in the case of Vashti. In other words she came to learn even in the suddenness and unexpectedness of her role that her position involved her in a duty towards others. "*Noblesse oblige.*" "Uneasy lies the head that wears a crown." Any crown worth wearing has royal thorns. Power can never be used for selfish fun only, it inevitably carries obligation.

"We were much happier" said one of your nationals to me "when you carried the white man's burden." Of course you were. But you now carry that burden. We don't—for one reason or another. You are finding very quickly that the fun has gone out of the power. In its place you are experiencing the suffering and death that comes with its inevitable responsibility. You are conscious of the thorns in the crown, the jeers and the sneers, the violent demonstrations, the wounding things that the irresponsible say about you, that make you bleed. We know in Britain, especially those of us who think that if Vietnam is an ideological war that we should be alongside you there, we know something of the suffering you experience as the odium is heaped on you even while your boys are spilling their blood there and you cannot get on with the urban renewal you long to do. But look through the eyes of Esther at these two Biblical truths (a) you mustn't expect it to be otherwise. Power costs every bit of all that. For those who square up to their responsibility there is a cross inseparable from the experience of real life; and (b) such suffering is not for nothing. There is a purpose, a meaning behind the testing and the trial. It is only out of the agony of the experience of the thorns and the cross that new life, real resurrection, great change can come. Is this not what you and only you, because of the power of the kingdom you rule, can do at this time in the history of man? Esther was persuaded of the unique responsibility that was hers because she was Queen.

2. *She was a Jewess.* It was because of her religion that she had a further obligation to act as she did at that moment. I am preaching this morning not just to Americans who have international obligations because of your immense power but to Christians who, just because of their religion, have a further obligation to their fellow men at such a time as this. When men are being torn between a Democratic and a Communist way of life—if those are words that still have a meaningful significance; when we're searching our souls to know where to draw the line between the authoritarian and the individualist approach to our problems; when conservative and liberal hold such differing sets of values; when your Republicans and Democrats find problems of poverty, of race and of violence clamoring for an answer—are you, are we, as Christians, rising to our further obligations? Are we the salt savouring, the leaven leavening the lump? Are we as Christians out-thinking our contemporaries? Are we as Christians finding answers in prayer and love denied to others? A "permissive society" can be understandably forgiven for not being able to see much beyond the end of its nose: its progress is dictated by expediency. Christians, on the other hand, know the end of the journey: so we ought to know better how to get there. Do we? We ought to be guides to the blind. Are we? The captain of a transatlantic airliner came over the broadcast: "This is your captain speaking. I've two bits of news for you. One bad, the other good. I'll give you the bad first—we're lost. And the good—we've got a tail wind of 200 mph helping us to get there!" A society that is lost can just as rapidly lose all its values. Christians, at such a time as this, have a tremendous obligation just because we are Christians. There are so many issues on which we ought to stand up and be counted. May I single out Vietnam.

Neither as a guest nor as a preacher would I offer political comment on this complex issue; but such expertise as I may have as a Chaplain who is still serving in the Royal Navy, would lead me to repeat three principles on which a Christian should think deeply about war. (a) War, for him, may quite rightly be a civil duty. In the Church of England the 37th of our Thirty Nine Articles states somewhat quaintly that "it is lawful for Christian men at the command of the magistrate to wear weapons and serve in the wars." In other words it reminds us that we have a proper duty to Caesar. Do we not tend to think piously that we have a duty only to the spiritual? Christians begin by having this obligation to the State. We ought to be good citizens, patriots. I know that somewhere along the line we may be called to a higher obligation, but this civil duty is the basic obligation at which we start. (b) War, however bloody, and it was bloody long before TV made it seem so, may be the lesser of two evils and in such circumstances be the right thing to do. Not the ideal thing, but the right thing. That is the struggle in which Christians are involved, the titanic struggle between good and evil, right and wrong. We have to keep an eye on that end and not be sidetracked by the beastliness and the horror and the sentimentalism thrown up by war. (c) War must never be thought of in terms of a crusade. Nobody can advance the cause of the cross by violence in large or small doses. War can, however, contain the spread of evil. The threat of it, in terms of modern deterrence, can restrain "the third world war." Good though this costly policy may be nobody should ever think that this negative achievement can positively bring about Chirst's purpose. The weapons used in a crusade are never napalm and nuclear: they are the weapons of love which alone can destroy evil and convert it to good. The Christian has a civil obligation to contain what is branded as evil which in no way necessarily conflicts with his further duty to go the other mile in wanting to win the heart of his opponent. On this, as on many other issues, Christians have an enormous responsibility at such a time as this. Esther was persuaded that because of her religion she had to act in very definite ways.

3. Esther had to act not only because she came to understand the responsibility that goes with power: nor because of loyalty to her religion but *because she was Esther*. She was not just a symbol or a label, she was a person. She was "fair and beautiful," like many I see in this congregation this morning. She was an individual, and in the final count it is as individuals that we have to take responsibility for our actions.

This is just what we don't want to do. We have been so impersonalised by the forces of contemporary society that most people want to get lost in the crowd. The one thing we dread is being in the minority. Though perhaps the mood is changing. I have no particular brief for the extremism of the Hippies whom I met last year in the Haight Ashbury part of San Francisco, but the articulate ones seemed to want to establish themselves as individuals over against an impersonal system. President de Gaulle, your friend, learned, shrewd man that he is, as a result of the more recent French revolution, that it is by "participation," by making people count in the process of decision making, that he can weld his nation together again. The Czechs, though the situation there is confused this morning, are also warning to reestablish their personal identity. Perhaps we are moving into an era when people will again have the courage to realise that they do count: that individually they are personally responsible. "The buck stops here." "I am the responsible officer." I don't need to remind you of the people who acted like that. Only as an individual when each of us is confronted with the situation that calls for decision, can we act, can we fling out our arms to stop the rot passing us, can we be prepared to be crucified, to die so that the evil dies with us. Perhaps a people who thinks so much of success have got to look more closely at death, as the means to personal identity and immortality? Esther was persuaded that if she was going to live with herself in future, or if she was going to leave a name behind her, she had to do what only she, at the cost even of death, could at that moment do.

Esther rose to the occasion, the moment of destiny. The agonising and the struggle with her selfishness led her to the conviction that she had her job to do in the divine purpose. When she saw it like that she found the strength to do it. "Who knoweth whether *thou* art not come to the kingdom for such a time as this?"

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and that morning business be concluded.

The PRESIDING OFFICER. Without objection, the quorum call is rescinded.

ADDRESS BY VICE PRESIDENT HUMPHREY AT UNIVERSITY OF TENNESSEE

Mr. HART. Mr. President, Vice President HUMPHREY delivered a most thoughtful speech at the University of Tennessee on October 2. I believe it merits wide circulation.

I wish very much that it would be read carefully by every American; most especially by every citizen who, by his vote, will elect the next President of the United States. It speaks hard, basic truths.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, UNIVERSITY OF TENNESSEE, KNOXVILLE, TENN.

I have come to the South to talk candidly about a problem, an issue, and a man. This problem, this issue, and this man are of the deepest concern to me and to every American in this election campaign.

I have come to this great University to appeal not to passion but to reason. I appeal to America's hopes, not her fears.

The problem is the frustration and anger and fear that so many of our people feel.

The issue is the preservation of our Democratic system of government.

The man is George Corley Wallace.

What I have to say may not be popular and this may not be the place to say it. But there is more at stake here than the Presidency. What is at stake is the greatest political system on earth and the social fabric of the nation we love.

And I will say the same things in the South that I will say in the North. For the price of silence now may tomorrow be the end of our system of government and the end of our living together as a people.

First, the problem.

Seven years ago, a respected educator, James Bryant Conant, warned us that the "social dynamite" in our cities was the hundreds of thousands of young Negroes in our cities who were both out of school and out of work.

Today that generation has come of age—and the dynamite has begun to explode.

The anger and frustration of millions has erupted in violence in city after city.

The reaction to the explosion has been fear—fear of white suburbanites who see their homes threatened, fear of white workingmen who see their jobs threatened, fear of millions—black and white—who instinctively fear violence.

To this has been added another frustration—frustration over a tragic faroff war.

Last night I expressed my own views on that war and need not repeat them here except to say that if I am elected President and the war has not ended, the first priority of the Humphrey-Muskie administration will be to bring that war to an honorable conclusion.

But there can be no doubt that the war has caused anger and frustration among many Americans.

Finally, many young Americans feel left out, at odds with their elders, and victimized by a world they never made.

Yours is the generation that was born at the end of the great depression and World War II. You were the children of hope—hope that at last Americans could grow up in pursuit of happiness, free of hunger, fear, and war.

Instead, you have found a society that has excluded 29 million of its members from its affluence, that has gone to war, that has murdered your heroes, John F. Kennedy and Robert F. Kennedy and Martin Luther King and some of you have found an educational system that was overburdened, undermanned, and out of date.

The result—and it is not exclusively an American phenomenon—has been student protest—sometimes peaceable and sometimes violent—sometimes reasonable and sometimes senseless—and almost always inexplicable to your elders.

To sum up the problem, the frustrations of the poor, of the young, and of those who oppose the war have created a year of rage and that year of rage is putting our political system to its most severe test in modern times.

Second, the issue.

There are forces in this land striving to divide and embitter our people. They are demagogues who preach hate and fear and division. They are radical extremists of the left and the right.

And let the issue be absolutely clear: their objective is nothing less than the destruction of our political system—the institutions of democratic government—and the political processes which American has developed to govern this nation.

On the extreme left are those who chant and disrupt meetings and threaten to disrupt the election. They would deny to others the free speech they demand. They have seized upon the legitimate grievances of students and capitalized the unease over the war to mount an attack upon the entire American system. Theirs is the simple—and totally unacceptable—solution of violent protest.

Freedom of speech, of assembly, of dissent are among the most sacred liberties we possess—and I will defend them in this year of rage as I have defended them all my life.

But disorder is not dissent. Indeed, disorder, especially organized disorder, is the enemy of dissent.

And destruction is not debate. Indeed, the violence of destruction can only silence the vitality of debate.

I reject the extremism of the left and I call up on the American people to reject them.

On the extreme right are those who preach disrespect for our courts and for some of our laws and who appeal to the darkest fears and deepest suspicions of our people.

They seek the simple solution of violent repression.

But bumper stickers will not stop crime, and the way to support your police is to give them higher salaries, better training, and better equipment.

Neither will crime be stopped by a "four-point program" which includes thinly veiled invitation to self-appointed vigilante action, disguised as something called a "national coordinating center"—whatever that means.

To be honest, crime will never be ended—it never has been—but it can be controlled by the sure, swift, and fair administration of justice.

That's the way I fought crime and lawlessness when I was mayor of Minneapolis. And I propose to follow the same course as President of the United States.

It will not be stopped or curtailed by a political plunger who is gambling everything on a campaign of organized hate.

And this brings me to the man: George Wallace.

It is said that George Wallace is "gaining in respectability" in the North. But he is not gaining in respectability among those down here who know him best.

He stands, and he has always stood, as the apostle of hate and racism.

Today some of his political managers and even some of his Presidential electors are drawn from the ranks of the Ku Klux Klan, the White Citizens' Councils, the John Birch Society, the Armed Minutemen, or groups dedicated to the promotion of anti-Semitism.

Electors pledged to Wallace in a number of states, both North and South, are drawn frequently from the leadership of white citizens councils and the Birch Society. His Georgia state chairman and pledged elector was formerly national president of the White Citizens Councils. And more than half a dozen other Wallace electors have held executive committee or other important positions in the White Citizens Councils.

Recently we have heard that the Wallace candidacy may create a political stalemate. If it does, it is to these electors that all the people of the United States must look to express their political choice. And that is one reason why I say the political system is in danger today.

But Mr. Wallace says he is for law and order.

Those who yearn for law and order would do well to remember that George Wallace was Governor of Alabama—the state with the highest murder rate in the United States.

They would do well to note that Alabama ranks fourth among all the states in aggravated assault.

Wallace could not maintain order in his own state—where he had the power—but now he promises to maintain order in every city and state—where he will not have the power.

When he was Governor of Alabama, he gave the American people other lessons in law and order.

He decided which courts suited him—and disobeyed the rest.

He decided which judges he liked—and he vilified the rest.

He decided which laws he preferred—and he defied the rest.

Now he proposes teaching the Wallace method to the whole country.

Today Wallace says he is the friend of the working man. Let's look at his record as Governor of Alabama:

Alabama housewives pay the highest sales tax in the country—six cents on the dollar;

Wages for the workingman in Alabama were the third lowest in the nation;

In education, only two states spend less per pupil than Alabama;

And it has one of the lowest workmen's compensation systems of any state in the union.

And these are the accomplishments—This is the record—Mr. Wallace wants to bring to Washington.

But worst of all—worse than the collapse of law and order in Alabama: worse than his antiliberal economic policies—worst of all is his conduct in this campaign.

He has deliberately embarked on a campaign to embitter and divide the American people. He has sought to inflame fear, frustration, and prejudice. He has sought to bring this nation to the brink of broad scale civil disorder.

America today has many problems—grave problems of domestic policy and foreign policy—but they won't be solved by a candidate who can think of nothing better to do than to threaten to run down people with a car.

In the American system anybody—even George Corley Wallace—has the right to run for President. But let's be absolutely clear about how he's going about it.

He says he will announce a platform any day now. He may even get around to picking a fellow-extremist for his vice president—a man who would stand in line to succeed him. And the election is only five weeks away.

Ordinarily his incredible campaign would be a laughing matter—but not in this year of rage.

He has attacked the courts: in the name of law and order.

He has applauded those who would undermine the independent judiciary—the ultimate guardian of the liberties of all of us.

He has joined the ugly campaign against Mr. Justice Fortas—a campaign unmatched since the first Jew, Mr. Justice Brandeis, was appointed to the high court in 1916.

He has sought to stir the darkest fears and prejudices harbored by the few and the frustration and anger felt by the many.

He pretends to be the friend of the workingman but he is the creature of the most reactionary underground forces in American life.

He does not speak for millions of decent Southerners and Northerners who reject bigotry and hate, who despise the extremists of both right and left, and who believe in progress and education and justice and a better life for all.

I say to you solemnly—In the 1930's the reactionary forces of Germany thought they had found a man to speak for them, and a few years later, helped by an economic depression, that man had destroyed not only his creators but Germany's democracy, the European balance of power, the world political system: and the result was the carnage of World War II.

You say these things could never happen in America. I devoutly pray that you are right. But I know from deep personal experience we are closer to this possibility than I would have ever believed possible.

I know that my Republican opponent—while opposing the Wallace candidacy—has within his ranks many persons who make precisely the same appeal—who have led the reactionary, extremist forces in America for the past two decades and who continue these attacks at this very moment.

And I know that in his speeches my Republican opponent appeals to the same fears . . . the same passions . . . the same frustrations which can unleash in this country a torrent of unreasoning hate and repression.

And, finally, I know that if my Republican opponent is elected and a Republican economic recession results, the dark anger stirred by the third-party candidate may become an overwhelming force in American life.

Today—above all else—good men have the moral obligation to speak out—forthrightly and clearly—about these dangers to our Democratic institutions.

If in this campaign I make no other contribution to America's national life than to expose this threat—personified in George Wallace and expressed in his odious appeal to rage—I will rest content on November 6.

He will not be elected. But what he stands for must be repudiated. Overwhelmingly.

In this campaign Senator Muskie and I offer only a reasoned and forthright accounting of where we—the American people—find ourselves today—and where we must move in the months and years ahead.

America has been greatly blessed—and of us much will be required. We carry the heavy—yet the sacred—burden of proving to a doubting world—a frightened world—that free men do possess the wit, the wisdom and the courage to govern themselves.

Think—for just one moment—the terrible blow to liberty that would be sustained around this globe if Democracy failed in the United States—the source and inspiration for millions of our fellow human beings.

This is perhaps the hour of our greatest testing as a free people.

We must be one nation, not two.

Once we start down the road to apartheid, we shall find there is no turning back.

The elite Spartans of ancient Greece put down a minority, the helots—only to discover that they had fastened upon themselves a repressive and vicious police state.

Throughout history this pattern has been repeated again and again.

We must not permit this to become our fate.

We will find the solution not in repression but in justice.

Violence cannot be tolerated. But neither can injustice.

I offer you no easy solutions. In this year of rage—in this deadly danger abroad and at home—there are none.

I offer you no hiding place. There is none. But I offer you this—my credo—the words of Nathan Hale: "I am only one but I am one. I cannot do everything, but I can do something. And what I can do, that I ought to do. And what I ought to do, by the grace of God, I shall do."

DEATH OF WILLIAM BERG, JR., ADMINISTRATIVE ASSISTANT TO SENATOR MORSE

Mr. MANSFIELD. Mr. President, the Senate was deeply saddened by the death last Saturday of Mr. William Berg, Jr., the able and effective administrative assistant to the senior Senator from Oregon [Mr. Morse].

Every Member of this body knows the devotion, the diligence, the outstanding competence Bill applied to the work of the Senate. We know, too, how much he will be missed by Senator Morse, and his loss will be felt deeply by the Senate as a whole.

I have been told that Bill and Senator Morse had been close friends and colleagues since Bill attended law school at the University of Oregon, where Senator Morse was dean of the law school. Bill received a bachelor of arts and a law degree at the University of Oregon, and practiced law in Portland in 1931 to 1937. In 1937, he served as an assistant to then Dean Morse in a survey of relief procedures undertaken for the U.S. Attorney General.

During the war, when Senator Morse was a public member of the War Labor Board, Bill became his assistant and later served with the Office of Economic Stabilization from 1944 to 1946.

Bill Berg had outstanding qualifications in the law. He earned a doctor's degree in law from the University of California in 1942, and taught law at the University of Colorado from 1946 to 1952, where he headed many summer institutes in the instruction of labor law.

Bill Berg joined Senator Morse's staff as his administrative assistant early in 1951. He remained in that position for 17 years. All of us in the Senate know that an administrative assistant is the bulwark of our office staffs. Bill Berg was known among Senators and staff alike as a delightful personality, a fine gentleman with an outstanding analytical mind, and a good friend.

We knew him, too, for the outstanding work he did in the administrative deals that all Western States have with the Federal Government—in forestry and range management matters, in the great issue of the 160-acre irrigation limit, on highways and private bills and public works projects, all of which are the lifeblood of Oregon.

The Senate expresses to his wife, Dorothy, and to his two sons, William Berg II and Thomas, its profoundest sorrow.

LIMITATION OF TAX DEDUCTIONS ATTRIBUTABLE TO FARMING

Mr. METCALF. Mr. President, on September 19, I introduced a revised tax farming bill, S. 4059, to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income. At present, a bipartisan group of 20 other Senators have joined with me in sponsoring this bill. Those cosponsors include Senators Anderson, Bayh, Brooke, Burdick, Case, Church, Harris, Hart, Hartke, Hatfield, Inouye, Kennedy, Mansfield, McGee, McGovern, Mondale, Montoya, Moss, Nelson, and Pearson.

This proposed legislation has the support of such concerned representatives of the true farmer as the National Farmers Union and the Farm Journal. However, I am certain that before long we will be hearing from such representatives of the tax farmer as the man Time magazine recently termed the "Bonaparte of beef," Harold L. Oppenheimer.

Mr. President, so that other Senators may read about this 20th-century Bonaparte for themselves, I ask unanimous consent that the article which appeared in the August 30 issue of Time be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE BONAPARTE OF BEEF

This side of Technicolor, no one wages war on the range quite like Harold L. Oppenheimer, 47, head of the U.S.'s biggest cattle management firm. By his definition, "ranching is the nearest thing in business to a military operation. You deal with large amounts of terrain, large-scale logistics. On the battlefield as in a roundup, success depends on timing, men, and movement."

Oppenheimer's military judgment is hard to fault. A Marine reserve officer since World War II, when he led a battalion ashore at Okinawa, he was called up for Korea, returned last May from a combat tour in Viet Nam, and last month pinned on his brigadier general's stars.

On the range, the general won his stars long ago. As founder and chairman of his Kansas City firm, Oppenheimer Industries Inc., he maneuvers some 220,000 head of cattle on more than 100 ranches in 17 states. In addition, he is one of the nation's leading authorities on the arcane art of investing in cattle. He has written two books on ranching (*Cowboy Arithmetic*, *Cowboy Economics*) and co-authored a third (the recently published *Cowboy Litigation*, a 561-page tome on the tax and legal aspects of ranching).

No Saddle Sores. Oppenheimer deals in cattle and feed transactions that last year amounted to $15 million and yielded nearly $1,000,000 in fees and commissions. He caters to a solvent and not exactly saddle-sore clientele (among past and present customers: Banker Robert Lehman, Comedian Jack Benny, Actress Joan Fontaine). For would-be instant cattlemen, Oppenheimer will assemble a herd, buy a spread, hire a manager and oversee the whole operation. "Real crapshooters," as Oppenheimer calls clients who are able and willing to win or lose as much as 50% on their money in a single year, can go for so-called "feeder contracts." For a down payment of $50,000 or so, Oppenheimer will handle the financing and feeding of a 500-head herd until the cattle reach proper weight and grade. The herd must then go to market, whether volatile beef prices are on the rise (which means win) or too low to cover costs (which means lose).

Safer and more strategically appealing are "breeding" contracts. "This," he says, "is where the tax play is." Taking advantage of laws that encourage the building of bigger and better herds, an Oppenheimer client can buy a 100-head breeding herd for as little as $12,000. Of that, $9,750 covers the first year's feed, financing and breeding costs, plus Oppenheimer's maximum 8½% commission—all of which is tax deductible. The remaining $2,250 represents the down payment on the herd, which, like factory machinery, is depreciable.

Unlike machines, of course, cows reproduce. After perhaps five years of tax deductions and depreciation and breeding at an Oppenheimer-managed ranch, a herd can easily triple in size. When it is sold, most of the profit is taxed at the 25%-maximum capital gains rate. Investing in cows, says Oppenheimer, beats investing in oil wells.

Tunes of Glory. Oppenheimer came by his improbable trade improbably enough. A Harvard anthropology major ('39), he graduated *cum laude* at 19, then set off for Bolivia and Peru. Taking to the rugged life, he dropped plans for a Ph.D. to join the Marines. Despite his 5-ft. 7-in., 132-lb. size, he became at 23 the youngest battalion commander in the Corps. Reluctantly mustered out at war's end, he began running his family's Kansas City interests (an auto agency, small loan and real-estate operations). Not until 1953, when his stepfather, Jules Stein, founder of MCA, asked Oppenheimer to buy him land and cattle as a tax shelter, did the ex-Marine find a new field to conquer.

Music Man Stein's call must have sounded like tunes of glory. "We consider our entire firm to be a general staff," says President Ronald Jarvis Jr., a reserve Marine colonel who helped Oppenheimer build the company. "The ranches and the herds are the regiments and divisions." The top echelon of the 99-man staff is largely recruited from the military, because Oppenheimer believes that soldiers "know how to act in a crisis." They certainly ought to know the routine. Oppenheimer requires bimonthly inspection of ranchers, using Marine fitness reports.

"Any day of the week," he declares, "I'd rather have a Marine officer handling a roundup than a farmer." He is just as tough with his clients. Those who visit Oak Hill, Oppenheimer's 600-acre spread outside Kansas City, are usually invited to jump, crawl and clamber through an obstacle course not unlike the one at the Marine training base at Quantico.

Mr. METCALF. Mr. President, the seriousness of the problems which now face the true farmer cannot be overemphasized. There is, for example, a biweekly Prentice-Hall, Inc., publication, entitled "Tax Ideas." Two weeks before the Treasury and Agriculture Departments issued their reports calling for the type of legislation now reflected in my revised bill, an analysis appeared in Tax Ideas entitled, "Tax Advantages of Cattle Operations." I do not criticize the fact that analyses such as this are published. I merely say that this article coauthored by two certified public accountants confirms Mr. Oppenheimer's assertion that "this is where the tax play is."

Mr. President, I ask unanimous consent that the article which appeared in the July 3 issue of Tax Ideas, entitled "Tax Advantages of Cattle Operations," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Tax Ideas—Transaction Tax Guide—Report Bulletin No. 13, July 3, 1968]

TAX ADVANTAGES OF CATTLE OPERATIONS

[§ 13.1] Cattle ranches are subject to the same tax laws as other taxpayers. However, they have all the special advantages accorded farmers generally. Thus, if things are handled right a good portion of the ranchers' income will be Section 1231 income that is taxed as long-term capital gain. A cattle operator that holds his herds for breeding dairy or draft purposes is in a position to routinely produce long-term capital gain from his every day operations. A quick look at a simple net tax and economic income picture graphically illustrates the leverage available.

Economic situation:	
Gain from sale of breeding cows classified as section 1231 property	$40,000
Ordinary income from sale of feed and gain from sale of calves and steers	70,000
Gross profit	110,000
Less: Ordinary expenses including depreciation	100,000
Economic net income	10,000
Tax situation:	
Ordinary income from sale of feed and gain from sale of calves and steers	70,000
Loss: Ordinary expenses including depreciation	100,000
Ordinary loss	(30,000)
Section 1231 gain	40,000
Less: Long-term capital gain deduction	20,000
Taxable portion of capital gain	20,000
Net loss for tax purposes	(10,000)

In this situation, the ranching operation which produced an economic profit also produced a tax loss.

The keys to this type of economic and tax money savings are found in the new analysis, "Tax Advantages of Cattle Operations," by John R. Pitcairn, CPA, San Francisco, Cal., and H. Clay Chandler, CPA, Haskins & Sells, San Francisco, Cal. The main topics discussed are:

1. Types of cattle operation.
2. Types of income produced.
3. Methods of accounting.
4. Establishing a profit motive.
5. Hedging cattle operations.
6. Depreciaton methods and investment credit.
7. Involuntary conversions.
8. Charitable contributions.

See: "Tax Advantages of Cattle Operations," at ¶ 17,013 under Tax Ideas for Investments.

[¶ 17,013] TAX ADVANTAGES OF CATTLE OPERATIONS

(By John R. Pitcairn, certified public accountant; lecturer in accounting, Golden Gate College; lecturer in accounting, School of Law, Lincoln University. Firm: John R. Pitcairn, San Francisco, Calif., and H. Clay Chandler, certified public accountant. Firm: Haskins & Sells, San Francisco, Calif.)

Cattle ranchers are subject to the same tax laws as other taxpayers. However, they have all the special advantages accorded to farmers generally. Additionally, if things are handled right, some of their income qualifies as capital gain income. This analysis discusses the various types of livestock operations and analyzes their unique tax implications. It also covers the various accounting methods available to those in the livestock business.

The analysis covers the following major topics:

1. Types of cattle operations. [¶ 17,013.1]
2. Types of income produced. [¶ 17,013.2]
3. Methods of accounting. [¶ 17,013.3]
4. Establishing a profit motive. [¶ 17,013.4]
5. Hedging cattle operations. [¶ 17,013.5]
6. Depreciation methods and investment credit. [¶ 17,013.6]
7. Involuntary conversions. [¶17,013.7]
8. Charitable contributions. [¶ 17,013.8]

[¶ 17,013.1] TYPES OF OPERATION

Dairy operations: This operation is primarily concerned with the production of milk. The major *receipt of cash* is usually from the sale of milk. Secondarily, there are *receipts of cash* from the sale of worn out cows and bulls, sales of newborn calves, and occasionally the resale of purchased feedstuffs and other miscellaneous sources. The worn out cows and bulls generally are acquired by packers and primarily are used for processed meat products.

Beef and breeding operations: These operations usually break down into at least 3 categories. The point where one category leaves off and another one starts is not always clear cut. Sometimes an operator will engage in one or more of the categories which further blurs the transition from one to the other. The 3 categories are:

Breeding: This involves owning a herd of cows and bulls and producing calves. Weights at the time of sale are typically 400 to 600 pounds. About 20% of the heifer calves and a few bull calves are kept for future breeding purposes. Like the dairy operation a secondary source of income comes from sales of worn out breeding cows and bulls.

Growing: This involves purchasing calves, generally providing pasture or grazing and then selling the heavier animals to a feedlot for fattening. Purchase weights are typically 400 to 600 pounds. The major cash receipt is from the sale of the heavier animals.

Fattening: This involves purchasing thin cattle, feeding a relatively high energy feed and selling the cattle for butchering. Typically, the cattle are kept in enclosed pens and fed from troughs. Cattle are purchased at from 550 to 800 pounds and sold at from 900 to 1200 pounds. The major cash receipt is from the sale of the heavier animals.

Observation: Breeding, growing and fattening operations are used by many farmers as a method of marketing their pastures or crops. They frequently have income from the direct sale of crops in addition to the income listed above.

[¶ 17,013.2] TYPES OF INCOME PRODUCED

The income of livestock operators is ordinary income except that under certain conditions the sale of cattle will be Section 1231 income and therefore taxed as long-term capital gains. To qualify as long-term capital gain income, it must arise from the sale of animals used for breeding or dairy purposes.

Effectively this means that only those in dairy or breeding operations could qualify. Under the provisions of Section 1231, cattlemen receive long-term capital gain treatment for any cattle sold 12 months or more after acquisition, which have been *held for draft, breeding or dairy purposes.*

A cattle operator in the breeding or dairy business is in a position where he can *routinely* produce long-term capital gain income from his everyday operations. Only a few other taxpayers, such as timber operators, are in a comparable position. Because of its enormous economic size and the large number of people involved, cattle operations offer a unique opportunity to produce such income on a regular and predictable basis. By adopting the most advantageous accounting method as outlined at ¶ 17,013.3, the alert cattleman can get the maximum advantage out of the generous tax treatment available to him.

The Revenue Service has put a very narrow definition on the term *breeding.* The mere breeding of heifers followed by their sale does not qualify as a sale of animals held *primarily for breeding.*[1] However, it is the cattleman's *intent* not the performance which counts. Therefore, an animal held for breeding but not bred may still qualify for capital gains treatment. For example, the sale of an unbred heifer because it is found to be sterile or because of draught sickness or some other reason could be treated as a sale for section 1231 purposes. On the other hand, the mere bearing of calves does not in itself prove breeding intent.[2]

The benefits to be derived from the sale of cattle that qualify as Section 1231 property can be great when compared to the economic income generated. For example, consider the following:

Economic situation:	
Gain from sale of breeding cows classified as Section 1231 property	$40,000
Ordinary income from sale of feed and gain from sale of calves and steers	70,000
Gross profit	110,000
Less: Ordinary expenses including depreciation	100,000
Economic net income	10,000
Tax situation:	
Ordinary income from sale of feed and gain from sale of calves and steers	70,000
Less: Ordinary expenses including depreciation	100,000
Ordinary loss	(30,000)
Section 1231 gain	40,000
Less: Long-term capital gain deduction	20,000
Taxable portion of capital gain	20,000
Net loss for tax purposes	(10,000)

In this situation, the ranching operation which produced an economic profit also produced a tax loss. If a taxpayer owned such a ranching business and operated it as an unincorporated business or as a Subchapter S corporation, he could have outside income from salary or some other source of more than $10,000 which would give him economic income of more than $20,000 and still pay no income tax. It should be noted that to get maximum benefit from production of Section 1231 income, the cattle operator should try to develop a *no-basis* herd. That is, he should raise heifer calves born to his purchased cows and use them as replacements as the purchased cows are sold (see ¶ 17,013.3). This process takes several years, but from a tax standpoint it can be very rewarding.

Suggestion: Accounting records are important to establish the intent of the rancher. Each breeding animal, if feasible should be separately identified and a record kept of calves produced, breeding, etc. As a practical matter, such records are helpful for the proper management of any efficient breeding or dairy operation. When an animal is sold, records are necessary to determine the cost, prior depreciation and gain or loss on the sale. There are a number of computer accounting services available to ranchers which produce detailed herd records. In most cases, costs are nominal for the service. Pure-bred producers and their various breed associations have been pioneers in developing adequate herd records.

[¶ 17,013.3] METHODS OF ACCOUNTING

(1) Advantages of cash basis for ranchers

Any taxpayer has the option of computing his business income using the cash or accrual method provided inventories are not a material factor in the business.[3] Inventories generally are a material factor in the cattle business, but in spite of this, the Revenue Service has ruled that all farmers (including cattle ranchers) may elect to use the cash basis for accounting purposes.[4] This eliminates the

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Footnotes at end of article.

necessity of inventorying cattle.[5] Once a method of accounting is elected, a change cannot be made without the consent of the Commissioner.[6]

Cash basis accounting can result in substantial tax savings because it allows more flexibility in tax planning. It also generally will increase the amount of income which is treated as Section 1231 income. This happens irrespective of whether the total income over an extended period is reported in the same total amounts. Cash basis accounting thus, generally, produces less ordinary income, higher capital gains income and an extended deferment of the recognition of all types of income.

Observation: Since the cash basis rancher can use one of 2 inventory methods available only to farmers, there are really 3 broad methods of recording cattle income. These are:

(1) Cash basis only;

(2) Cash basis with use of either farm price method or unit livestock method for valuing inventories (see ¶ 17,013.3(2));

(3) Accrual basis using any one of four methods for valuing inventories (see ¶ 17,013.3(2)).

Principal advantages of the cash basis only method are: (1.) The increase in value of the livestock on hand at the end of the year is not taken into income. Accrual basis taxpayers and cash basis taxpayers using inventories generally are required to record some or all of this increase. Any increase in value taken up may be depreciable at a later date. This increase less any depreciation taken will also be a reduction of profit when the cattle are ultimately sold.

(2) The cost of purchased cattle cannot be deducted at the time of purchase. This amount may be depreciated (see ¶ 13, 013.6). This treatment is true regardless of accounting method used. However, the money spent to feed and care for these cattle is a current deduction from income. A taxpayer may spend years building up his herd and consistently produce ordinary losses for tax purposes. These losses are available against income earned from other sources. Then, when the herd is finally liquidated, most of gain will be long-term capital gain. But, if there is any loss, it would be an ordinary deduction.

(3) Ranching operations require the purchase of substantial inventories which are chiefly feedstuffs that will be fed to the cattle in current and future years. However, unlike most businesses, these *do not* have to be taken into account annually to compute taxable income. This results in the deferment, for extended periods, of the income from sales to match the deduction from purchase of inventories. For example, if a rancher was to raise a heifer calf for breeding, it would be 3 to 4 years before this animal produced another calf and this new calf was sold. In the meantime, the original calf and later her calf go on eating deductible feed with no matching taxable income. Even when cattle graze, the fees for this are generally due in advance.

(4) In the event a taxpayer dies, the basis of the cattle he owns at death is stepped up. These cattle, when sold, do not produce income in respect of a decedent.[7]

(2) *Inventory methods*

If the rancher elects to use the accrual method, he has a wide choice of inventory methods. As previously noted, an otherwise cash basis farmer may elect to use one of the 2 inventory methods available to farmers. These are the farm price method and the unit livestock method. Such an inventory method would apply specifically to the cattle and the farmer could still expense his feed and supplies as purchased. The various methods of valuing inventories are as follows:

Actual production cost: Under this method the rancher values the herd by taking *purchased* cattle *at cost* and then allocating his direct and indirect cost of cattle operations to the entire herd (purchased and raised) but with no further allocation after cattle have reached maturity. These costs may be approximated on a reasonable basis and in conformity with established trade practices.

Cost or market, whichever is lower: There are no favorable exceptions for the rancher who uses this method and the usual rules apply.

Farm-price method (available only to farmers): This method allows the rancher to value each animal in his inventory at its fair market value at the beginning and end of each year less the estimated cost of selling the animal. The value is that at the market nearest to the rancher and for quantities usually sold by the particular rancher. Cost of marketing covers brokerage, commissions, transportation and feeding costs.

Unit-livestock-price method (available only to farmers): Under this method the rancher can adopt a reasonable standard unit price for each animal in the herd according to its classification (i.e., calf, yearling, 2-year old, mature cow or bull). Under this method of valuing livestock, *purchased* animals are valued at cost and a reasonable valuation (consistent with the practice in the community) must be adopted for the *raised* animals. The method must be applied to *all* livestock owned by the rancher.

If immature livestock are purchased in the first half of the taxable year, the rancher values them at cost plus the unit increase as of the end of such taxable year. On the other hand, if purchased during the last 6 months of the taxable year, such immature cattle are valued at cost.

If a rancher has used the farm-price method, he cannot change to the unit-livestock-price method without the consent of the Commissioner. However, he can change from the cost, or cost or market method (whichever is lower) to the unit-livestock-price method without such consent. The unit prices and classifications adopted are subject to the local District Director's approval on audit.[8]

COMMENT: While a rancher is given considerable choice in his accounting elections, he, like other taxpayers, in valuing inventories, cannot adopt any of the following methods:[9] (1) Deduct from inventory a reserve for price changes or for estimated depreciation in the value thereof; (2) take inventory at a nominal price; (3) omit portions of stock on hand (except work, breeding and dairy cattle treated as fixed assets subject to depreciation); (4) use a constant price method; (5) include livestock in transit, shipped to or from the rancher, the title to which is not vested in such rancher.

Some taxpayers prefer to have the income from their cattle operations remain as steady as possible and not fluctuate from large losses to large profits which can be the situation when the cash method is used. Where the taxpayer has a large, steady, uncontrolled income from a source other than the cattle operation, a large loss in one year followed by a large profit in the next year would produce a worse tax result than would 2 small profit years. Therefore, this taxpayer should consider the use of one of the inventory methods as a means of leveling out his income.

[¶ 17,013.4] ESTABLISHING A PROFIT MOTIVE

Cattle operations are particularly suitable to the individual or company who wants to develop a real asset while at the same time recording losses for tax purposes. If cattle operations result in continuous substantial losses, the Revenue Service may contend that the operation is a *hobby* not a business, and that the losses are not deductible. While this is most likely if the cattle operation is not the taxpayer's main business, the problem may also arise where it is the primary occupation of the taxpayer.[10]

The best way to establish that the business is not a *hobby* is to operate with the intention of making a profit. The mere fact that you have to lose money for tax purposes for many years and that your ultimate profit may be in the form of capital gains should not be significant.

Taxpayers entering the ranching business with the intention of making a profit should leave tracks which help to establish that intent. Here is a check list of things he should consider doing to establish the business and profit motive:

Before he starts, the taxpayer should:

1. Disclose to his banker, business associates and friends that he is starting the business to make a profit.

2. Prepare records that will show that the taxpayer has made every effort to survey the situation and find the best location and operation, consistent with his capital and management availability. In this connection, the employment of farm specialists to assist him is a good idea. Prepare records to show that he discussed his proposed operation with successful ranchers already in the business, county farm agents and university extension specialists. Show that he looked into all aspects of herd type, land ownership or leasing, etc. Ideally, he should have economic feasibility studies prepared (by himself or others) showing projected profits, buildup of herd and so on.

3. Set up an adequate accounting system.

After he starts, the taxpayer should:

1. Devote time to the operation in relation to the investment and expected return.

2. If the operation is large enough, employ competent management help. Tell them that the business is run to make a profit.

3. Join farm organizations and subscribe to the appropriate farm magazines.

4. Operate the ranch as much as possible in the same manner as successful ranchers do in the same geographic area.

Besides demonstrating the desire to make a profit, all of the above steps represent only common sense to protect the investment. A man in a high tax bracket can largely finance a cattle operation out of the taxes saved. In these circumstances it is worth going to very considerable lengths to establish that the operation is run *for profit*.

Important: An operation not entered into with the expectation of a profit should not be confused with the hobby loss provisions of Section 270. If an individual operates a business at an adjusted loss in excess of $50,000 per year for 5 consecutive years, the adjusted loss for each year in excess of $50,000 will be disallowed. The adjustments would allow as a deduction interest, taxes, casualty and abandonment losses, drought losses of a farmer and certain other deductions.[11]

[¶ 17,013.5] HEDGING CATTLE OPERATIONS

There are now futures markets for fed cattle. The principal market is in Chicago with futures traded on both the Chicago Board of Trade and the Chicago Mercantile Exchange. A market also operates for West Coast delivery of fed cattle, although this market has a relatively small open interest and little activity. The futures bought and sold are for live cattle. The definition of par delivery makes these futures most suitable for hedging a cattle feeding operation where the ultimate destination of the cattle is the packing house. The trader in commodities is treated like the trader in the stock market for tax purposes. His profits and losses are capital gains and losses. There is an important exception to this rule, the taxpayer who uses futures as a part of his business can realize ordinary income or loss. This rule was established by the Supreme Court in the

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Footnotes at end of article.

Corn Products case.[12] The Court held that the dealings in corn futures by a manufacturer of corn products were entered into to stabilize inventory costs and protect profits. The Court felt that hedging transactions were part of ordinary everyday business operations rather than capital transactions.

Example: A cattle feeder buys cattle in May, planning to feed them for 5 months. In order to hedge his position, he sells October futures in Chicago. Later, at about the time the cattle are ready to be sold, he purchases an equal number of October futures and closes his position with a loss. This loss would be ordinary loss deductible from his cattle operation income. Had the futures transaction resulted in gain, the gain would have been ordinary.

In the example, the feeder might elect to deliver against his contract. In this case, the sale price would simply be the contract price less commission paid, and less any deductions for cattle that are below par weight and grade.

Observation. A cattle feeder would not necessarily have to hedge in exactly the same sale month to secure ordinary income or loss. So long as the hedging (future) operation is connected to the general conduct of the cattle business, it should result in ordinary income or loss. This income or loss would be recognized in the year the futures position was closed.[13]

Cattle operators on the West Coast sometimes hedge their operations on the Chicago market even though it would be impractical due to freight rates to deliver against these contracts. So long as the intent of the hedging is that it be a part of the overall cattle operation, it should result in ordinary income or loss.

It should be possible for a cattle operator to engage in futures trading and have the gains treated as capital gains or losses if he could show that this hedging was *not* related to his business of ranching. In this instance, very carefully prepared and detailed records would be important in order to prove that the futures activity was in fact an investment and not part of the regular cattle operation.

[¶ 17,013.6] DEPRECIATION AND INVESTMENT CREDIT

Livestock used for breeding, draft or dairy purposes and property used in taxpayer's trade or business are Section 1231 property. At the same time they are not *Section 1245 property nor Section 38 property*. Therefore, cattle when purchased do not qualify for the investment credit and are not subject to depreciation recapture on sale.

Cattle that qualify or will qualify as Section 1231 property are depreciable. Where their life is long enough (6 years or more) they qualify for the additional first year depreciation under Section 179. Cattle purchased to be fed and resold are not depreciable.

Purchased cattle that would qualify for depreciation are first depreciable in the year of purchase if they are mature. However, calves purchased before they are suitable for breeding or dairy purposes, are depreciable in the year they are first used for breeding or dairy purposes.

Because cattle when sold are not subject to Section 1245 treatment, the Revenue Service will insist that salvage value be provided for in computing depreciation. A typical value of a young cow suitable for dairy or breeding purposes is $300. This same cow, 6 years later, will be worth possibly $50 to $150. Because of the relatively high salvage value, only a part of the value of an animal may be depreciated. A young heifer purchased at about a year of age for $80 will generally not be depreciable at all because the salvage value exceeds the cost. Even if salvage value is less than 10% of basis, the relief provision for ignoring salvage value does not come into play. Livestock specifically excepted.[14]

Apparently one way to avoid the salvage value problem for several years would be to select the double declining-balance method for depreciation. Double declining-balance depreciation is only available on assets where the *original use* of such property commences with the taxpayer.[15] Purchased livestock that had previously been bred would not qualify. How this rule can be applied to a purchased young animal and what is the meaning of *original use* is open to considerable speculation.

Farm equipment used in raising cattle, such as fences, tractors, trucks and wagons are depreciable like assets in any other business. They are subject to recapture of depreciation under Sections 1245 or 1250. Such assets may also qualify for the investment credit.[16]

[¶ 17,013.7] INVOLUNTARY CONVERSIONS

Cattle disposed of due to disease may result in nonrecognition of gain if they are replaced.[17] If the area in which the ranch is located is classified as a drought disaster area, nonrecognition of gain on disposal applies if the rancher replaces the cattle by the end of the tax year following the year the livestock were sold.[18] However, this non-recognition section applies only to the sales in excess of normal sales if the rancher had followed his usual business practices in the drought year.

Casualty losses on cattle result in an ordinary deduction. The Revenue Service has expressly ruled that disease losses are not casualty losses.[19] The basis of diseased cattle qualifying as Section 1231 assets have to be offset against the gain from sale of other Section 1231 assets.

[¶ 17,013.8] CHARITABLE CONTRIBUTIONS

Cattle given as a charitable donation result in a deduction (within the statutory limitations) equal to the fair market value of the cattle. The cost of feeding and raising these cattle must be eliminated from expenses. In the case of a cash basis farmer, such costs from prior years would have to be used as a reduction of the value of the donation. There is no income imputed to the taxpayer for the increase in value of livestock on a donation.[20]

Tax saving: The rancher has a unique opportunity to get a maximum dollar deduction for minimum cost. The increase in value of his cattle, less the attributable costs, is not taxed to him. Thus, for perhaps a $500 or $600 investment, a deduction of maybe $1,000 can be taken. A carefully planned program of contributions will achieve the rancher's charitable intentions at the lowest possible dollar cost.

TABLE OF CITATIONS

Listed below are references cited in the preceding analysis.*

FOOTNOTES

[1] Leonard C. Kline, 15 TC 998.

[2] Rev. Rul. 55-531, 1955-1 Cum. Bull. 520.

[3] IRC, Sec, 446; Reg. Sec. 1.446-1(c) (2) (i).

[4] Reg. Sec. 1.471-6(a).

[5] Reg Sec. 1.61-4(a).

[6] Reg. Sec. 446-1(e) (2), (3).

[7] Reg. Sec. 1.691(a)-2(b) Example 5; Estate of Tom L. Burnett, 2 TC 897.

[8] Reg. Sec. 1.471-6(h).

[9] Reg. Sec. 1.471-2(f).

[10] Reg. Secs. 1.165-6; 1.162-12; IRC, Sec. 270.

[11] For a full discussion of the problem, see Sharpe, Donald L., "Has There Been a Swing to Stricter Tests for Farm Loss Deduction," *Journal of Taxation*, December 1967, Vol. 27. p. 348 and "What the Taxpayer Should Do to Have the Courts Recognize His Farm as a Business," *Journal of Taxation*, January 1968, Vol. 28, p. 48.

[12] Corn Products Refining Co. v. Commissioner (1955), 350 U.S. 46, 47 AFTR 1789; see also IRC, Sec. 1233(g).

[13] TD 4229, Cum. Bull. VII-2, 251; Edward R. Bacon Grain Co. v. Reinecke (DC Ill., 1928), 26 F.2d 705, 6 AFTR 7749, aff'd (CCA-7, 1929), 54 F.2d 1078, 10 AFTR 1024. See also Edward R. Bacon Grain Co., 2 BTA 558.

[14] IRC, Sec. 167(f).

[15] IRC, Sec. 167(c) (2).

[16] Rev. Rul. 66-89, 1966-1 Cum. Bull. 7.

[17] IRC, Sec. 1033(e).

[18] IRC, Sec. 1033(f); Reg. Sec. 1.1033(f)-1.

[19] Rev. Rul. 61-216, 1961-2 Cum. Bull. 134.

[20] Rev. Rul. 55-138, 1955-1 Cum. Bull. 223; Rev. Rul. 55-531, 1955-2 Cum. Bull. 520.

*Citations to the Internal Revenue Code [IRC] are to the Internal Revenue Code of 1954, unless otherwise stated.

Mr. METCALF. Mr. President, before I conclude my remarks, I wish to call attention to another aspect of this problem, specifically, the citrus tax farmer. I have in my hand an advertisement published in the February 1968 issue of the Air Line Pilot. It requires no further comment on my part.

Mr. President, I ask unanimous consent that the advertisement headed "Tax Shelters for 1968" be printed at this point in the Record.

There being no objection, the advertisement was ordered to be printed in the Record, as follows:

Tax Shelters for 1968

Tailored for airline captains and other high-income professionals. Write for our brochure:

"CITRUS TAX ANGLES"

Prepaid interest down—all tax deductible.
Interest only terms—offsets inflation.
Depreciation—a deductible paper loss.
7% investment credit—a tax refund.

Tax laws are used to protect soaring incomes from increasing state and federal taxes. Monthly paycheck tax deductions can be eliminated. Own a citrus grove using tax dollars as your total investment. Complete farm management available.

Population pressure in southern California has caused a steady rise in land values—future projections show continuing annual increases. Invest in the Riverside-San Bernardino Metropolitan area—adjoins land-hungry Orange and Los Angeles Counties.

Citrus Investments.

Redlands, Calif.

DEVELOPMENTS IN AIR TRANSPORTATION

Mr. MAGNUSON. Mr. President, I invite the attention of the Senate to an interesting speech made recently by Mr. George A. Spater, president of American Airlines.

This thoughtful and witty talk was made to the American Society of Travel Agents at their recent meeting in San Juan, P.R. In it, Mr. Spater dealt with many of the startling advances made in the field of air transportation and with some of the future developments which are on the not-too-distant horizon.

Many of the decided advances in air transportation have been made under the auspices of American Airlines, a great number of them while that airline was under the leadership of Mr. C. R. Smith, now our able and distinguished Secretary of Commerce.

Mr. Smith has long been a business leader I am proud to list among my friends. His innovative leadership and that of the airline with which he was formerly associated are a credit to our free enterprise system. Mr. Spater's

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Footnotes at end of article.

speech calls attention to the ideas and practical contributions that people have made in the air transport industry and to the many contributions they will make in the future.

I ask unanimous consent to have printed in the RECORD the speech of Mr. George A. Spater, to which I have referred, entitled "The Future of Flight Is People," delivered at San Juan, P.R., September 16, 1968.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

The Future of Flight Is People

(By George A. Spater, President, American Airlines, Inc., before American Society of Travel Agents, San Juan, P.R., September 16, 1968)

Several months ago I traveled to Marietta, Georgia, to look at the newest marvel of air transportation, the Lockheed C–5 Galaxy, which is designed to carry 10 military ground vehicles, two helicopters and 75 men. If a commercial passenger version were built, it could carry over 900 passengers, or, in a cargo version, 61 Cadillacs. The manufacturer didn't tell me how many Volkswagens it would carry.

Next month I plan to go to Europe to see the Concorde, the British-French SST which will fly at twice present jet speeds.

These airplanes are wonders of the twentieth century. They make the wonders of the ancient world puny and insignificant. But many people feel threatened by these and other new machines. E. B. White, the writer for the New Yorker magazine, said not so long ago,

"I'm not against machines, as are some people who feel that the computer is leading us back into the jungle. I rather *like* machines, particularly the egg beater, which is the highest point the machine has yet reached."

I want to say something about machines, but more about men and, particularly, the relationship of men and their aspirations to machines. As I see it, the machine will always be the servant of Man, and no matter how ingenious the Scientist, businessmen like ourselves will always be a lot more important.

Scientific progress seems to fall into three stages:

First, there is a desire for something—a demand or requirement—sometimes only a dream.

Second, the scientists find a way of meeting the desire, frequently only in the crudest sort of way.

Third, somebody or a group of somebodies, makes a practical application of the scientists' discovery and the dream comes true.

It is the non-scientist who both creates the dream and who finds the practical way to apply the scientists' contribution to make the dream real. The scientist is only involved in one of the three stages of this progression and perhaps the least important stage.

This surely has been the history of air transportation.

Men have been talking of travel, and dreaming of travel by air, throughout the whole course of history.

Greek mythology and every other mythology we know anything about had men traveling through the air with wings or on horses or on carpets or on any other object that was particularly unlikely to fly. But while this may have been the beginning of the dream, it was hardly the end. Some of the later and less well-known visions are particularly amusing.

In the seventeenth century there was a renowned English mathematician, Sir Jonas Moore, who suffered from sciatica, but despite this ailment, was famous for more than his mathematics. Quoting from the account of a contemporary: "Sciatica he cured it, by boyling his buttock."

And in the same seventeenth century account of Moore appears this equally startling statement:

"I remember Sir Jonas told us that a Jesuit (I think 'twas Grenbergerus of the Roman College) found out a way of flying, and made a youth perform it. Mr. Gascoigne taught an Irish boy the way, and he flew over a river in Lancashire (or thereabout), but when he was up in the ayre, the people gave a shout, whereat the boy becoming frightened, he fell down on the other side of the river, and broke his legges, and when he came to himselfe he sayd that he thought the people had seen some strange apparition, which fancy amazed him. This was anno 1635, and he spake it in the Royall Societie, upon the account of flying at Paris, two years since."

It took another 250 years before scientists were able to get past this long history of dreams. The Wright Brothers at Kitty Hawk inaugurated the second stage of air transportation by showing that it was physically possible to carry a man in flight. But it is often forgotten that long after Kitty Hawk, even after World War I, and even much later, after Lindbergh's flight in 1927, the use of the airplane to carry passengers for hire, profitably and in volume, was still regarded as visionary and impractical.

Lindbergh made his flight in May 1927. The Atlantic Monthly, for November 1927, six months later, carried an article by Lt. Commander Bruce G. Leighton, member of the U.S. Bureau of Aeronautics, entitled "The Limits of Aviation." This carefully explained that an airplane's power plant and fuel were so heavy that it was impossible to build an airplane to provide transportation over long distances. He added, "The future of the airplane, both in peace and in war, lies in pursuits other than transoceanic transportation or other independent long-range operations."

Within less than 20 years after that statement it became apparent that not only was this assessment wrong, but in fact that *greatest* advantage of the airplane was in the field that scientists thought impossible—that is, in transportation over long distances. This, then, became the third stage in the development of the industry: the practical application of the scientists' raw discovery of a way to move a man through the air.

This amazing advance was, in large degree, due to men who were not scientists, but rather were those who continued to believe in the age-old dream and at the same time were practical enough to see how scientific advances could be applied to the field of the impossible and had the energy to apply them.

One of the most outstanding of these was my predecessor, Mr. C. R. Smith, whose participation in air transportation began in 1929, two years after the experts said it had no future. Mr. Smith saw, first, that if the demand were created, the machines would be built to fulfill the demand, and, second, that properly designed machines would themselves create new demand. And he spent the next 39 years of his business life presenting challenges to aircraft manufacturers and causing consternation among his competitors.

It is to Mr. Smith that American Airlines, and the airline industry, owe many of their outstanding advances. A large number of these were his own ideas; those that were not, were born in the atmosphere of innovation that he created. To name a few, American Airlines has been responsible for the introduction of more commercially successful aircraft types than any other airline in the world. There are today four major promotional fares in effect on the airlines of the United States; American originated three out of four of these promotional plans. All the larger airlines advertise that they have curb-side check-in of baggage—it is taken off your hands when you get out of your car. This was originated by American. We were the first airline in the world to have an electronic reservations system, and the first (and only airline to date) to give travel agents direct access to its computers by placing electronic reservations sets in travel agencies. We were also the first to install radar in an airplane, the first to operate fanjet engines and, within the last few months, we have received the first government approval for an inertial navigation system which permits long-range over-water operation with greater accuracy than any other device known to man.

This innovative record is not a product of my imagination. The CAB maintains a list of what it regards as significant innovations. Since 1938, American Airlines has more of these to its credit than any other airline.

We have not run out of ideas. We have a full-time squad of experts working on a system of fully automated ticketing and fare computation. We have recently designed, and turned over to the other airlines for development and installation, a system of automated baggage delivery. This is way beyond the fanciful stage. There is today, in operation, a working model of this system. It has the ability to read the passenger's baggage check and deliver his baggage to him, anywhere in the airport—at the taxi stand or in the lot where his car is parked—within 3 minutes. The same system will automatically transmit baggage between carriers for connecting passengers. It will result in fewer misconnections, less lost baggage, less damage to baggage and shorter waiting time for baggage. The new regional airport between Dallas and Fort Worth is being designed for the use of the system.

These past improvements and those we are working on are for the purpose of making air transportation safer, more comfortable and easier to sell. They create demand and, in turn, satisfy the demand they create. But as has always been true, the machines themselves are not much without people.

The large new aircraft are going to require much greater volume to fill them. Automated ticketing and automated baggage delivery systems, likewise, can be paid for only by very substantial increases in volume.

Where is this volume going to come from? A recent forecast by the Hudson Institute provides a partial answer. They predict that by the year 2000—

The U.S. population will be about 300 million—50% more than the present population.

The average family income will be almost $21,000 as compared with less than $9,000 today.

People will work an average of 147 days a year, with 218 days off including 13 weeks of vacation.

Fortunately you and I will not have to wait until the year 2000 to get some of the benefit of this trend. Every year we see an increasing population, a rising family income, and a growing tendency toward longer vacations and more of them.

You ladies and gentlemen have always been an essential part of the process of making air transportation economically feasible by working with us to create the demand that could justify the introduction of mechanical improvements. And we again need your help to convert this rising population, this increasing income and these lengthening vacations into millions of more airline passengers. The new air transport machines, as great as they are, could not exist unless men and women like yourselves can find the revenues to pay for them.

No matter how many new computers we buy, we will still need people. People will still answer telephones at reservations offices. People will still assist passengers aboard

airplanes. People will still serve martinis aloft. In your offices people will still advise prospective travelers about how and where to go and what to see and how much it will cost. And this is what we must rely on to fill our airplanes.

Here again, it is not the scientists but rather the practical man of vision and energy who must both stimulate the demand and fulfill the demand that can keep the machines in business.

The future of air transportation is of people, and of people working together. The work that we must accomplish together involves planning together on a scale far greater than in the past. It involves researching together the desires of travelers and the problems of satisfying them. It involves motivating people, particularly pleasure travelers, to go to new destinations for new reasons. In fact, it involves creating together many of these new destinations and developing their appeals for the travelers. The work also involves increased joint training so that all may provide these travelers with efficient, courteous, and personalized services.

Finally, it involves organizing together, perhaps in the creation of a National Travel Industry Planning Institute so that there will be a central point for research, for planning and for development, for better and more productive relations with government, and for determining optimum long-range policies for the people-moving businesses. I know that ASTA is already taking a lead in this direction and I congratulate you for this.

Only people like ourselves working together can make the machines and the inventions and the computer technology fully effective in our step into tomorrow.

You and we are in the happy position of being able to give people what they have been dreaming about for thousands of years—travel and flight. When I compare what we have to offer with most of the drab products competing for the consumer's dollar, I say how wonderful it is to be a part of a business that is able to meet the aspirations of men. How wonderful it is to be a living part of the fulfillment of a dream.

BEEF IMPORTS

Mr. JORDAN of Idaho. Mr. President, 2 days ago the distinguished Senator from Kansas [Mr. PEARSON], and the distinguished Senator from Nebraska [Mr. HRUSKA], commented on the need for supplemental legislation to correct present defects in Public Law 88–482, passed by Congress in 1964, providing for the imposition of quotas on certain meat and meat products. I wish to commend my colleagues for their profound observations pointing out the defects of that law made more apparent by Secretary Freeman's press release to the effect that for the first time, the foreign meat imports will exceed the quota since the law was passed. I join in their protest of the way this law is being administered and fully support their plea for enactment of the remedial legislation provided for in S. 1588, of which I am a cosponsor, and H.R. 9475. These bills have been and still are sitting in the Senate Committee on Finance and in the House Committee on Ways and Means, respectively, without action and, as I understand it, without any action being contemplated in this session of Congress.

Mr. Bill House, of Cedar Vale, Kans., president of the American National Cattlemen's Association, which represents thousands of individual beef cattle producers, feeders, and breeders and more than 150 associated State, regional or national livestock organizations, made an excellent statement before the House Committee on Ways and Means last June. He pointed out the difficulties the beef cattle industry has had with excessive meat imports and the valiant effort by the industry to stabilize domestic production at levels acceptable to consumers. In that statement, Mr. House emphasized the importance of beef production to the American economy by the following words:

> We think it essential that the Committee keep in mind the importance of the domestic beef cattle industry to the overall economy and further that domestic production can assist in correcting the recent deficit in the balance of trade. Because cows are so common and easily ignored in the passing scenery of Modern America, we often overlook that the sales of cattle and calves in recent years have topped $10 billion. This makes it the largest single source of agricultural income, exceeding several of the other major, "basic" crops combined. The valuation of the nation's beef cattle herd, conservatively estimated by the U.S. Department of Agriculture on January 1, 1968, at $16 billion, is a substantial portion of our basic national production resource.
>
> Further, 35 of our 50 states have more than one million head of cattle and 29 of our states realize (in 1967) more than $100 million in annual sales of cattle and calves. This is not just a "Cow Country" problem, a Western problem or a Midwestern problem—the industry has so burgeoned in recent years to make beef production a major factor throughout the nation!

The September 1968 issue of American Cattle Producer contained a most timely article which anticipated Secretary Freeman's announcement. It is entitled, "Meat Imports Almost Certain to Hit Quota 'Triggering' Level Now." Mr. President, I ask unanmious consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEAT IMPORTS ALMOST CERTAIN TO HIT QUOTA "TRIGGERING" LEVEL NOW

A projection of meat imports into the U.S. for the balance of 1968 by American National Cattleman's Assn. revealed that the quota set under 1964 law will be exceeded for the first time.

This calculation, alarming to domestic beef producers, brought an urgent letter from President Bill House of ANCA to Secretary of Agriculture Orville Freeman calling for immediate attention to plan for curtailment of meat imports before the "triggering point" is reached.

House, Cedar Vale, Kans., rancher, said that for the first six months of 1968 there were 457 million pounds (product weight) imported subject to the Meat Import Act of 1964. Using the import figures by quarters for the years 1964–67, House said, "we find that the average percentage breakdown of quantities by calendar quarter are: First quarter, 22.5 percent; second quarter, 23.8 percent; third quarter, 28.1 percent; and fourth quarter, 25.5 percent."

The ANCA president pointed out these figures show that during those four years an average of 46.4 percent of the meat imports subject to PL 88–482 arrived in the six months prior to July 1. This leaves a balance averaging 53.6 percent to come in during the last six months.

Applying these averages to 1968, he said based upon the 457 million pounds received in the first six months, "we can expect a total for 1968 of 985 million pounds. This is about 25 million pounds over the quota of 950.3 million pounds announced by you on Jan. 1, 1968, and only 60 million pounds under the trigger point as called for in the Meat Import Law."

Secretary Freeman was told "this will have been the first time we have gone over the quota, assuming that the same rate of imports will continue during the balance of 1968."

House said the serious situation forces a conclusion that revisions in PL 88–482 are mandatory at this time by the Congress. He said it is entirely unfair to the domestic producers to permit a 10 percent override on quotas before quota restriction can be imposed under present law.

"It is equally unfair to the exporting nations," House said, for them to "suddenly find that they have to scale back beyond that which they had anticipated." He said the quota and trigger point should be synonymous and the quotas should be established quarterly.

At the time, House requested that "the U.S. Dept of Agriculture reassess its position and assist the beef cattlemen of the United States in amending the Meat Import Act of 1964 so that it will be more equitable to domestic cattlemen and exporting nations as well."

Mr. JORDAN of Idaho. Mr. President, I recognize, as a practical matter, the near impossibility of action on S. 1588 and H.R. 9475 before this Congress adjourns sine die. However, it is not too much to hope that we may see the urgency of rectifying the mistakes of the past and that we can, early in the next Congress, begin to apply sound legislative, as well as administrative, import-export policies with respect to the beef and associated agricultural industries so important in the overall economy of this country.

OUR NEW PRESIDENT HAS DUTY TO END THIS UNPOPULAR, UNDECLARED, IMMORAL WAR NEXT JANUARY IMMEDIATELY FOLLOWING HIS INAUGURATION—THEN NO MORE VIETNAMS

Mr. YOUNG of Ohio. Mr. President, approximately 200,000 Americans have been killed in combat or wounded in our involvement in a miserable civil war in Vietnam. In addition, of the wounded approximately 3 percent or nearly 5,000 have died or will die of their wounds. Then, hepatitis, malaria fever, bubonic plague and other jungle diseases have taken their toll in Vietnam. There are also 1,200 Americans missing in action or captured. Furthermore, very definitely, Vietnam is of no strategic or economic importance to defense of the United States.

The cost of this war in priceless American lives lost is terrifying. Even the Korean conflict which was a minor war compared to this is still costing our taxpayers nearly $1 billion a year.

The real tragedy of this war is the ill-advised actions on the part of the President in yielding to the continuing advice of generals of the Joint Chiefs of Staff and to his warhawk advisers, Secretary of State Dean Rusk, Walt Rostow, and Gen. Maxwell D. Taylor, who have been consistently wrong throughout the last 4 years, and to the military-industrial complex and to the sending of many more than 600,000 Americans—more than a million and a half, in all—into combat in a civil war in south Vietnam. The real tragedy of this war in a far off agrarian country, Vietnam, has been borne by more than 1,500,000 of our finest young men who have been sent to Vietnam in our Armed Forces, and have during the past few years served in combat. Also, suffering needlessly imposed on millions of our people whose sons, husbands, and brothers were forced into this conflict due to unconscionable decisions on the part of President Johnson and his advisers—notably Walt Rostow, Dean Rusk, and Maxwell Taylor—seeking to contain Communist China and arrogating unto ourselves the claim they make to dominate Southeast Asia and police that portion of the world far away from our own sphere of influence.

Majority Leader MANSFIELD stated this policy represents the most unfortunate miscalculation in our national history. George Kennan, former Ambassador to the Soviet Union, said:

> Vietnam is a massive miscalculation and an error for which it is hard to find any parallel in our history.

President Johnson unfortunately has involved us in the most unpopular war of our entire history. It is a war that has continued longer than any other in our history. It is responsible for the serious financial, political and economic problems that now confront the Nation.

Our national deficit this year will exceed $25 billion due to this policy, even with the 10-percent surtax, which added to the already heavy burden of income taxation borne by individuals and corporations. As a result, the cost of living is now increasing at the rate of 5 percent a year and the end is not in sight.

It is a most terrifying situation confronting all Americans, that the leaders surrounding President Johnson and unduly influencing him, such as Walt Rostow, Dean Rusk, Gen. Maxwell D. Taylor, and the generals of the Joint Chiefs of Staff, have caused our Armed Forces, under the guise of saving South Vietnam from communism, to destroy the very country we profess to save. With our napalm bombing and our tremendous firepower and continual bombing, we have killed, burned, and maimed for life more than 800,000 Vietnamese civilians including women and children.

In addition to devastating Vietnam, both north and south, by dropping a greater weight of bombs and high explosives than were used in World War II in North Africa and Europe against the Germans, among the awesome weapons our supposedly civilized Nation is deploying against South Vietnam are toxic sprays to destroy rice fields, defoliants to strip jungles of leaves and poison the land for 50 years to come, noxious gases against hamlets and against civilians throughout South Vietnam, napalm firebombs to burn up villages and terribly burn and maim women and children and old men, and antipersonnel bombs which scatter with incredible force thousands of sharp slivers of steel that tear into shreds any living being within a large area.

The major sufferers from the warfare we have waged in Vietnam have been civilians, including many thousands of women and children and not the Vietcong.

Recently, we introduced in our "improved" napalm bombing the chemical "polystyrene." This makes the napalm flaming jellied gasoline more adhesive. Victims of napalm bombing find it impossible to scrape the flames from their skin.

Officials at the Pentagon know that we have killed more than 170,000 civilians in South Vietnam and that nearly 800,000 have been maimed or disabled. Furthermore, we have forcibly removed from their homes civilians—mostly women, children, and old men who are in filthy, miserable refugee camps, so-called, which are akin to concentration camps. I saw some of these fenced-in refugee camps last January and visited many of those who were herded within these camps. The plight of these human beings was pitiful indeed.

This is the ignominious role that the Johnson administration has caused the United States to play in the undeclared war in Vietnam.

In doing this, President Johnson has claimed that the free world is fighting to bring democracy and freedom to Vietnam. In almost every capital in Asia and in nations throughout the world, the United States is regarded as the aggressor in Vietnam. We Americans have always regarded ourselves as the most revolutionary people in the world, and now we are the most unrevolutionary. Instead of manifesting devotion to freedom in Southeast Asia we are regarded as aggressors and tyrants seeking by force and violence to repress the yearning for national liberation of the Vietnamese against whom we have taken the place of French colonial aggressors they finally defeated in 1954. Unfortunately, our national policy of relying on military power breeds violence elsewhere in the world and in the streets of our cities.

While we spend more than $87 million every day due to our Vietnam involvement, violence is exploding in our cities. This, as a result of injustice, neglect, and failure to provide decency and dignity to more than 30 million of our own people who have been compelled to live in slums and ghettos and in many instances denied the opportunity to obtain gainful employment.

Think what just a fraction of the billions of dollars that have been blown up into smoke during the last 4 years could have done for the welfare and happiness of millions of our own neighbors who have been living in squalor, misery and under well nigh hopeless conditions, denied employment opportunities, job training, and decent housing. This situation must not be further tolerated. Unless President Johnson ends this war this year—the most unpopular war our Nation has ever waged—it is the duty of the incoming President of the United States to bring an end to our involvement in this war within the months following his inauguration, and bring our soldiers, marines, and airmen home.

THE BIG THICKET: A VANISHING WILDERNESS

Mr. YARBOROUGH. Mr. President, I have spoken many times, on the floor of the Senate and from podiums across the Nation, on the need to protect the unique and incomparable wilderness in east Texas—the Big Thicket.

Since 1966, I have had proposed legislation pending in Congress to set aside 75,000 contiguous acres of this majestic area as a national park. My bill, S. 4, is gaining support.

But we must work especially fast, for the Big Thicket is not only an area of remarkable richness and diversity in wildlife, but increasingly it is an area of selfish exploitation.

In 1938, the Big Thicket was described as comprising a million acres, relatively untouched. Some 30 years later, Supreme Court Justice William O. Douglas journeyed through the Big Thicket and reported that, already, the area was cut back to 300,000 acres, with the remainder being carved up at the rate of 50 acres a day.

Where once there was a natural path formed by the rhythmic movements of the deer or the ocelot, now there is a manmade swatch gutting the Thicket. Where once there rose a majestic American beech tree holding aloft the nests of an unsurpassed variety of birds, now there stands some temporary structure, for a quick profit today, a scar tomorrow. Where once there stood a hundred-year-old magnolia tree, lending not just beauty to the area, but fragrance as well, now there stands a stump.

Mr. President, I work to prevent this continued commercial exploitation of one of the world's truly unique wilderness areas. I protest it not only because a live oak or a red cedar, a snowy heron or an ivory-billed woodpecker, a beaver or a white-tailed deer are in themselves worth protecting and worth preserving, but because all of these wildlife combine to form a contemplative natural environment and offer to man the wilderness values that are essential to the full development of self.

The great author and conservationist, Bernard De Voto, expressed it well when he wrote:

> For a nation that grows more metropolitan and industrialized every year, the experience of solitude, even the simple fact of quiet, has become inestimable. . . . It is imperative to maintain portions of the wilderness untouched, so that a tree will rot where it falls, a waterfall will pour its curve without generating electricity, a trumpeter swan may float on uncontaminated water—and moderns may at least see what their ancestors knew in their nerves and blood.

The Big Thicket is this kind of wilderness. It offers man the tranquillity and the solitude that is needed occasionally to bear up under the strains of an urban world. In a very real sense the Big Thicket is a last refuge. I do not think that we should allow it to be destroyed.

NEW JERSEY RESIDENT HEADS AMERICAN LEGION

Mr. CASE. Mr. President, for the first time in its long and distinguished history the American Legion has elected a resident of the State of New Jersey as its national commander. William C. Doyle, of Vineland, N.J., was elected to that office by the delegates to the 50th National Convention of the American Legion on September 12, 1968, at New Orleans, La. I have known Bill Doyle for many years and know the qualities of leadership he possesses. By every standard of measurement he is qualified to lead this great veterans' organization and I am proud that this honor has come to him and to my State. It is a tribute to the membership of the American Legion that they recognized in this fine citizen the qualities of character and leadership which are so urgently needed in these trying times. With Bill Doyle as commander the American Legion can look forward to a year of dedicated service and added achievement. In his acceptance speech after his election he discussed some of the current problems facing this Nation and pledged the resources of the American Legion toward their solution. I ask unanimous consent that National Commander Doyle's acceptance speech, together with his biography, be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Acceptance Speech of New National Commander, the American Legion, September 12, 1968, New Orleans, La.

It is with great humility that I accept the office of National Commander of The American Legion for 1968–69.

The honor which you have bestowed upon me carries with it a deep responsibility—the responsibility to promote the ideals, principles and precepts of The American Legion. I pledge to each of you to work untiringly and to do my very best to merit your vote of confidence.

Will all of you join with me in paying tribute to a man who has provided this organization with magnificent leadership—our retiring National Commander Bill Galbraith. Among the young commanders of The American Legion, Bill Galbraith will hold a permanent place as an architect of this organization for the vision and foresight which he demonstrated in naming a "Task Force for the Future," to plot our course of action for the years ahead.

To American Legionnaires, this coming year holds a special significance, for we will mark the 50th Year of the founding of the Legion—A Golden Anniversary of A Golden Half-Century of service to God and country. We will note, with reverence and respect, the deeds of a group of dedicated, farseeing and idealistic men who met in Paris and laid plans for this American Legion that was to become the world's largest veterans organization.

As described in our best-selling book, "The American Legion Story," these men conceived the outlines of an organization which, "could be a force for years to come in advancing the purposes and ideals which they and hundreds of thousands of others like them, chose to advance."

We of the Legion today are grateful that some of those men of 1919 still are with us, and they have our most profound admiration and respect. The Legion today stands as a strong, positive force for advancing the ideals of peace, justice and freedom for which they fought and bled and died.

In recognition of our glorious history, we have selected as our motto for the coming year the words "50 Years of 100 Percent Americanism—A Commitment to Freedom."

This is no idle boast, nor is it indicative of superpatriotism, although the cynic and the critics will call it that. Rather, it is an accurate reflection of what the men and women of the Legion have done in the cause of God and country.

It represents the devotion of countless patriotic, brave and dedicated Legionnaires working for the country they love. Over these 50 years we believe the causes in which we have labored have been right, and noble and American.

Here in New Orleans, many miles and many years from that first caucus in Paris, we come to renew our faith with those courageous American fighting men who laid the keel of The American Legion a half-century ago.

Today we have the same great hopes, the same great ideals, the same great dreams for our country and our fellowman as they did in 1919.

We know now, as they knew then, that both here at home and around the world we have much work to do. In 1919, Bolshevism was a small cancer. It had not yet gained full control of Russia. Today, communism stretches its tentacles over a third of the world's people, and over a fourth of its land surface.

Communism—whether spawned in Red Russia or Red China—is united in bitter hostility toward America and in its intent to destroy this nation and all it stands for.

Peiping and Moscow both are furnishing weapons to North Vietnam for use against American servicemen—many of whom are your sons. Some of this weaponry is among the most sophisticated hardware of modern warfare. Russia uses the Vietnam War, not only to hurt this country, but as a proving ground for Soviet weapons, war materiel and battle plans.

Russian leaders have brazenly asserted their support of Ho Chi Minh. Red China's hatred of America is so great as to have convulsed a whole nation into a vast outpouring of Anti-American venom. Red China too, is a nuclear power which, all too soon will have the capacity to strike not only American Far Eastern bases, but even Hawaii and our Mainland. Only a fool would say that the red dragon is all foam and no bite; all blast and no substance.

Consequently, this nation must take adequate steps to maintain its military forces in strong condition, with high mobility and effective striking power, in order to insure our own security and that of our free world allies. This country seeks peace and friendship—but not when the cost is prohibitive. To The American Legion, the imposition of an atheistic ideology over our people is a prohibitive price for peace, and no friend would ask us to accept it.

Another major international development of recent months, which has gone almost unnoticed, yet conceivably could upset the balance of military power in the world, is the massive increase in Russian naval strength in the Mediterranean since the Middle East War of June, 1967.

Primarily a land power militarily, until now, the Russians have unveiled powerful naval forces which could back up their publicly expressed desire to reopen the Suez Canal. Why?

Is it so Soviet naval power can push into the Indian Ocean toward India, Pakistan, Malaysia and Indonesia? Is it not a suspicious coincidence that this flexing of the muscles of Soviet naval might comes at the same period of history when Great Britain announced her intention of withdrawing her military forces from Singapore and the Far East? Is it any wonder that the communist powers want the United States out of Vietnam. Is it any wonder that the communists foment anti-American demonstrations to the most remote quarters of the Globe?

It isn't any wonder to The American Legion. It is, in fact, the underlying reason for The American Legion's historic hard line against communism, and for those actions of this convention that have strengthened that line.

The Legion welcomes every constructive move through diplomatic efforts to bring better international understanding and peace. Today, in 1968, we support our President in his efforts to secure a just and honorable peace in Vietnam, but this must be a meaningful peace in keeping with the monumental sacrifice already made by our men in Vietnam. As talks aimed at peace progress, or fail to progress, The American Legion insists that this country continue to stand firm on principle, and to back that firmness with military strength as required.

Here at home, our whole national trend since 1919 has been aimed at the increased dignity of man, greater opportunity for the individual, and increasing responsiveness of our Democratic institutions to the will of our people.

Where else in all this world have people remained more free? Where else can people express their opinions, as unpopular as they might be, without fear for life and limb?

I suggest that those Americans who grab the headlines by making a career of protest and dissent give a little honest thought to the answers to those questions.

We know that America is imperfect, for it is people that have made America great and people are not perfect. We have poverty, disease and discrimination. Many of our citizens, poorly fed and poorly housed, do not share fully in the benefits of increasing technological productivity.

One of the surest remedies for some of our most serious problem areas, and we recognize there is no easy cure-all for all of them, is equality of opportunity in the field of education and in all other areas of human endeavor. The Legion's education and scholarship program, the G.I. Bill, sponsored by the Legion, and the Legion's concept of Child Welfare have served as a pattern for many of the advancements of our society over the past half-century, and we propose to be as forward-looking in the next half century as we have in the 50 years now ending.

We all support reform, and movement toward the betterment of society, but we must not allow rabble rousers, fanatics and extremists to tear the nation apart, defile our traditions, desecrate our Flag and destroy law and order. We—you and I—have too much invested in this nation to allow a small band of assorted bigots, misfits and demagogues to run wild, sowing their hatred in riots, rebellion, crime and civil disobedience. As Legionnaires, let's stand and be counted, nationally and in our home communities, in support of the forces of law and order and as defenders of the orderly processes of government and respect for the rights of others. The only alternative is anarchy.

What we are witnessing today, this breakdown for respect for an orderly society and our established institutions, is the logical outcome of the destructive concept called civil disobedience. This is the doctrine which says, if you don't like the law, don't obey it. Exponents of this theory claim that if deep moral issues are involved—if the action is non-violent—if the transgressor is willing to pay the penalty—then civil disobedience is justified. Nonsense—there is no justification for any concept which is conducive to the destruction of an orderly society under the law.

This lack of reasoning opens the door for extremists, people with no respect at all for the law, to take over and to foment bloody confrontations with the police. Emotion replaces reason, name-calling replaces dialogue, hate replaces understanding.

Is there a growing disrespect for law and order at the root of American violence? Have too many individuals grown up in a society of permissiveness with the idea that "If you *want* it, go ahead and *take* it?"

The latter is false reasoning that has given rise to the concept: "The world owes me a living." It suggests that I am justified in using any means to tear down a person who has more than I have. It holds up to scorn and ridicule the personal sacrifice and the hard labor required to make something of ones self.

Under this false reasoning the law becomes "The Enemy," to be villified, hated and destroyed. If an officer is killed by a mob, that murder becomes "justifiable homicide." We see the whirlwind of lawlessness developing whereby some segments of our society see nothing wrong in looting, disobeying the law, and attacking the legitimate institutions of society.

Among certain young people, known as the new left, this is a rebellion which they hope to develop into a strategy of revolution. "At present" says a new leftist writer, "the radical movement has the power to disrupt. The rebellions (that is, on various campuses) have disrupted the social fabric of the nation and students have disrupted the functioning of universities.

The realization that one does have the power to disrupt is the first step toward the seizure of power . . ."

Leading the new left on campus is an organization known as the Students for a Democrtaic Society (SDS). SDS was the striking force at Columbia University this spring when students seized buildings, kidnapped university personnel and played havoc with the orderly processes of a great institution of learning.

This was not a spontaneous outburst by the students, as some observers have claimed, but a carefully contrived plot to embarrass the university and to show the ugly teeth of student revolutionary power. The public press has carried accounts of the SDS position. This paper concludes with the words: "University capitulates."

The objective, unmistakably, was the illegal seizure of power. The American Legion is on record calling for disciplinary action, including expulsion, against students involved in riotous conduct and other destructive and illegal actions. We pledge our support to the Administrators of those institutions who take the necessary disciplinary measures to maintain their own authority and the integrity of their institutions.

Tragically, the new left becomes increasingly anti-American. These students talk of destroying the "Establishment," meaning our Government. They assail American Foreign Policy, the Military Service, the ROTC. They seek to disrupt ROTC drills and classes. They attack military recruiters on campus. They heckle prominent speakers whose ideas conflict with theirs. They have, on occasion, attempted physical assault on high officials of our Government. Their voices remind us of the voices of Hitler and Stalin youth groups.

Students with these inclinations cannot be taken lightly. They don't like our Government. They don't like law and order. They don't like the military, and they don't like the idea that they might be called upon to defend some of the freedoms they use and abuse.

This is the way some young people on our college campuses think and act today. I hasten to add that they represent a small minority. The great majority of our young people are eager to learn, respectful of their duties as citizens and ready to do their share. But, you and I know that a determined and fanatical minority can do great damage.

Mr. J. Edgar Hoover, that distinguished public servant who has served his country so long and so well, recently warned us how the communists attempt to exploit the new left for their own purposes. Spokesmen for the communist party USA, which recently conducted a convention in New York City, have boasted openly of the role they have played in campus unrest.

With these and other serious problems confronting our land, we may be assured that the work of The American Legion, as we move into our 50th Anniversary Year, is far from finished. It is, in fact, just begun.

The time has come for us to drive home to Americans everywhere the message that respect for law and order is the cornerstone of our way of life. We must insist that due process of law prevail in our system, and in carrying this message to the people we merely carry out a point of the Preamble to the Constitution of The American Legion that was written nearly 50 years ago.

In the fight for human decency and dignity, from among the millions of Americans who think as we do, who reject violence, revolution, civil disobedience and the doctrine of hatred against their fellow men, we will find many allies.

The time has come to awaken in these good citizens the need for them to participate fully in the affairs of their community, state and nation. The time has come to shed apathy, indifference and lack of interest, and the time has come for American Legionnaires, not to point the way, but to lead the way.

The work of the Legion is not completed in National Convention with the adoption of a lot of resolutions, but is a day-in-day-out job which each of you must work on at home to make these resolutions effective in the local community. Yes, we must become more involved in the problems of today.

As we embark upon this 50th Year of Service to God and country, we will do our utmost to further the dreams, the hopes, and to justify the faith which the founders of The American Legion showed the world when they laid the foundation of this great organization in Paris nearly a half century ago.

We will not forget—we will not permit others to forget—that many men have died and many die today to uphold the causes in which we believe. The private in Vietnam and the policeman in a riot-torn city have both made a commitment to an ideal—the same ideal in which we believe—the right of free men to live without fear and with peace and dignity.

Ladies and Gentlemen, we of The American Legion honor their sacrifice today, and in the stern days that lie ahead, with our own firm "Commitment to Freedom," a personal commitment on the part of each of us to do his utmost every day that freedom shall prevail.

WILLIAM C. DOYLE, NATIONAL COMMANDER, THE AMERICAN LEGION, 1968–69—BIOGRAPHICAL SKETCH

William C. Doyle, 49, of Vineland, N.J., was unanimously elected National Commander of The American Legion, at the final session of 50th Annual National Convention of the world's largest veterans organization in New Orleans, Louisiana, on September 12, 1968.

A World War II veteran of service with the U.S. Army in the European Theater, National Commander Doyle this year will carry the added responsibility of directing activities of The American Legion during the organization's Golden Anniversary observance which began with the Convention which elected him.

He had served in the New Jersey National Guard from 1935 to 1939, and at the outbreak of World War II he enlisted in the U.S. Army and was commissioned in January, 1943. Wounded in action three times, he holds the Silver Star and Bronze Star with Cluster and V-clasp among his decorations. He received a battlefield promotion to captain in France in 1945. After the war he was commissioned to the rank of captain in the New Jersey National Guard. He rose to the rank of brigadier general in 1964 and was assigned as Assistant Adjutant General of the New Jersey Army National Guard. In 1965 he was assigned as Assistant Division Commander, 50th Armored Division, a position which he still holds.

He is superintendent of the New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and their Wives and Widows, at Vineland, N.J.

An active member of Captain James MacFarland Post 79 of The American Legion, Burlington, N.J., since 1945, he served his post in many important positions including that of post commander in 1960–61. He gave similar service to the county organization of The American Legion, serving as county commander in 1949. He has served as chairman or a member of most major department committees and was New Jersey Department Commander in 1952–53.

Nationally, Commander Doyle has been associated with the National Security Commission since 1954, and from 1962 to 1966 he was chairman of that vital national commission. In 1957 he served as vice-president of the National Convention Corporation, and during the past year he has been a member of the National Commander's Advisory Committee, of the 50th Anniversary Committee, and the National Commander's representative on the National Security Commission.

In addition to his American Legion and military activities, he also has been extremely active in civic and professional affairs. He served as a member and is a past president of the Board of Water Commissioners of the City of Burlington, a member of the Elks Lodge and Chamber of Commerce and of the Burlington City Fire Department, which he served as chief in 1961.

He served as a member of the Veterans Service Bureau, a past president of the Army and Air National Guard Association of New Jersey and of the Burlington County Vocational and Technical Board of Education. A member of the Veterans of Foreign Wars and a life member of the Disabled American Veterans, he has served as national vice president and president of the Association of State Soldiers Homes.

Born in Burlington, December 14, 1918, he was educated in public and parochial schools of Burlington, attended the School of Industrial Arts at Trenton, and the Camden County Vocational School. He attended the Infantry School at Ft. Benning, Ga.; the Armored School at Ft. Knox, Ky., and graduated from the Command and General Staff College at Ft. Leavenworth, Kansas. He is married to the former Miss Martha A. McCormick and they are the parents of two daughters, Mrs. Mary Jane Maliszewskyj and Mrs. Barbara L. Hicks.

TRIBUTE TO JAMES E. WEBB

Mr. BYRD of Virginia. Mr. President, both as a friend and as a citizen I regret to note the resignation of James E. Webb as Administrator of the National Aeronautics and Space Administration.

Mr. Webb has been in government for many years. He has served in many positions—and always with efficiency and high competence.

It has been my observation that Jim Webb is one of the ablest administrators in the Federal Government.

The ability and enthusiasm with which he administers the affairs of NASA did much to advance the Nation's space program.

Since he became Administrator $6\frac{1}{2}$ years ago, the space program has forged ahead rapidly. Today, we look confidently to putting a man on the moon before 1970.

Our successes in space are the result of the work of a great many talented individuals. Mr. Webb's guiding hand helped weld these into a smooth working and dedicated team. His enormous energy and ability have been a vital factor in the progress we have made.

I regret that the Nation will lose the service of Mr. Webb on October 7 when his resignation from NASA becomes effective. That day also happens to be his 62d birthday, and it is age which he cites as the reason for leaving Government work.

Government will miss Jim Webb. I know firsthand of his many contributions. Particularly did I see this when I served as a member of the Senate Committee on Aeronautical and Space Sciences.

Our Government could use many more men of the caliber of James E. Webb. He is a distinguished, talented, dedicated, able public official.

Our Government will miss him—and I shall miss him.

Mr. CANNON. Mr. President, I should like to add my voice to those of my colleagues who are praising the long and distinguished service of Jim Webb. He has left an indelible mark of excellence and achievement on NASA which his successor will find hard to match.

Mr. President, I should like to place in the RECORD at this point a short statement about Jim Webb made by the distinguished chairman of the Committee on Aeronautical and Space Sciences at the dinner in celebration of the 10th anniversary of NASA.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR CLINTON P. ANDERSON AT THE DINNER IN CELEBRATION OF THE 10TH ANNIVERSARY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, SHOREHAM HOTEL, WASHINGTON, D.C., OCTOBER 1, 1968

I have known Jim Webb for nearly 25 years, beginning with the time when he was Director of the Bureau of the Budget.

It isn't necessary for me to tell this distinguished audience anything about Jim Webb. Everyone in this room and, indeed, everyone in this Nation has been affected by his dynamic leadership in moving this country forward in aeronautical and space research and development. The ten years of NASA's existence, which we celebrate here tonight, are largely the history of Jim Webb's tenure of driving and brilliant effort. He has administered the largest, boldest, most exciting and most promising scientific-engineering enterprise in all of history.

President Johnson has called him one of the best administrators in Washington, and I think that all of us who have witnessed his remarkable performance in guiding the destiny of NASA will agree with that judgment.

Whoever succeeds him will find the job a lot easier because of the legacy left by Jim Webb.

FBI IS REFUSED WARRANT IN GLENVILLE RIOT PROBE

Mr. LAUSCHE. Mr. President, chaos, lawlessness, and disorder are running rampant through the country.

On July 23, 1968, there occurred in Cleveland, Ohio, a shoot-out between the police and organized Negro militants on the east side of Cleveland. When the shooting was finished, three policemen and seven civilians had been killed.

I have an article entitled "FBI Is Refused Warrant in Glenville Riot Probe," written by Doris O'Donnell and Robert J. Holmes, and published in the Celveland Plain Dealer of a few days ago. The article states that the Federal Bureau of Investigation and the Cleveland police, after an investigation of activities at a certain plot of land in Ashtabula County, about 50 miles from Cleveland, felt there was evidence on that land of the assembly of guns, ammunition, and other weapons used to commit violence.

The article further states that two requests were made by the FBI of the Attorney General of the United States to obtain authority from the Attorney General for the Federal Bureau of Investigation to apply for a warrant authorizing the search of the farmland I have referred to.

Both requests were turned down by the Attorney General. When the second request was made, the Attorney General was told that the situation was "extremely urgent" and "deemed necessary."

The article further states that search warrants normally have been issued under the circumstances involved in this application for authority to go to the court.

I suggest that the Attorney General of the United States take another look at this matter. I ask him to read the article published in the Cleveland Plain Dealer in view of the chaotic condition existing throughout the country. It is profoundly necessary that no further mistakes be made, since such mistakes are of aid to the criminals of our country and of harm to the innocent people of our country.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FBI IS REFUSED WARRANT IN GLENVILLE RIOT PROBE

(By Doris O'Donnell and Robert J. Holmes)

A federal warrant to search a farm in Ashtabula County for guns and possibly bodies in the aftermath of the Glenville shootings in Cleveland has been denied by the U.S. attorney general in Washington, The Plain Dealer has learned.

The report is from reliable police and federal sources here.

It held that both the Cleveland Police Department and the Cleveland office of the FBI carried on intensive investigations following the July 23 shootout between police and Negro militants in the Auburndale Avenue-E. 123d Street area.

Based on its investigation, the FBI asked for the search warrant.

The same farm figured in a 1966 investigation that disclosed a target range had been set up on it so Negro nationalists could practice rifle shooting.

Three Cleveland policemen and seven civilians were killed in the July 23 fray. Fred (Ahmed) Evans, a Cleveland black nationalist leader, and two others have since been charged with the murder of policemen.

The FBI in Cleveland would make no comment on its effort to obtain a search warrant.

A reliable source told The Plain Dealer that the FBI here made two formal requests to the attorney general, who heads the Justice Department in Washington, for a search warrant. The second request was called "extremely urgent deemed necessary," it was said.

This, too, was denied after Washington sent a representative from the attorney general's office to Cleveland for an on-the-spot confrontation.

Sources in the U.S. attorney's office in Cleveland said that Washington officials said the FBI in Cleveland had not produced sufficient evidence for issuance of a warrant.

Federal agents, according to information given The Plain Dealer, had been looking for automatic weapons, evidence of premeditated riot plans, evidence of paramilitary training and evidence of guns obtained and transported illegally interstate.

(The FBI rarely seeks search warrants without eyewitness evidence to substantiate its actions.)

The U.S. attorney's office here said that no further action was taken federally "so as not to upset local plans."

However, U.S. Atty. Bernard J. Stuplinski said, the investigation is continuing.

The Cleveland police officers who were assigned to the Ashtabula phase of the Glenville investigation said their work is "finished."

"Our information was that the FBI felt there were weapons out there and possibly dead bodies," the police officers said.

Cleveland homicide detectives have been working on the missing bodies angle since July 23. They were hampered in the investigation by the hurried demolition of property involved in the Glenville shootings. Cuyahoga County Coroner Samuel R. Gerber had the ruins of bulldozed buildings sifted for evidence of two reported dead men.

None was found.

Police spokesmen said that the FBI, with evidence from informants, normally had no trouble getting a search warrant from the local U.S. Attorney and the U.S. District Court here.

"In normal cases there is no trouble, but if it is racial it goes to Washington," the police said.

The police source said after Washington turned down the FBI request for a search warrant, an individual FBI agent who had worked on the probe in Ashtabula County offered to sign an affidavit for Cuyahoga County authorities to seek a search warrant. No action has resulted from this yet.

Ashtabula County Sheriff Thomas Fasula said he has not been working with either Cleveland police or the FBI on the current investigation, but officials in the area describe the situation as "explosive." One called the area of investigation "a training ground for Cleveland riots."

Residents of Windsor Township, location of the firm under investigation, are concerned. Acts of youthful vandals have taken on sinister overtones in the area about 50 miles east of Cleveland. The home of Mrs. Frank Taplin, widow of a prominent Clevelander, was vandalized within the last two weeks. That property is within several farms of the area under surveillance for high-powered guns.

Other neighbors of the farm report frequent evidence of gunfire. However, with the hunting season on, gunfire is commonplace. One resident claimed he heard shots from highpowered weapons last Sunday morning.

But the major investigation is tagged to reports from residents of unusual activity around late July and early August.

The area is in the southwest corner of Ashtabula County. In 1966, Cleveland police and Ashtabula deputy sheriffs swarmed over the same neighborhood.

At that time they zeroed in on a farm owned by Lawrence Dozier, a Negro.

Dozier at that time said he allowed Lewis G. Robinson, a civil rights leader, to use his farm as a shooting range.

Robinson was the founder of the J.F.K. House, 8801 Superior Avenue N. E., which has been called by police a training center for youth in the making of fire bombs. Robinson figured in the 1966 Hough area riots.

Dozier has since sold part of his farm to relatives. Police would not pinpoint the exact site under investigation.

Farmers in the area are warning their wives and children to exercise care in locking house doors. They blame "the city" for bringing its troubles into the county.

DEATH OF TULLY GARNER IS A LOSS TO TEXAS AND THE NATION

Mr. YARBOROUGH. Mr. President, the sudden death on Wednesday of the only son of the late Vice President John Nance Garner, Tully C. Garner, came as a shock to all Texans and a loss to all Americans. Yesterday he was to be laid to rest beside his father in the town they both loved, Uvalde, Tex.

Tully Garner and his mother, the late Mrs. John Nance Garner, were indispensible members of the Garner family team which played so great a part in John Nance Garner's rise to the speakership of the House of Representatives, and then to the Vice-Presidency. Both Mrs. Garner and Tully were devoted to John Nance Garner, and both worked very closely with him. Tully Garner served his father well, and from that service we all benefited.

John Nance Garner was the first man ever to advance directly from Speaker to Vice President, and he became a trailblazer—the first Texan ever to achieve the speakership and then the Vice-Presidency. He paved the way for the late Speaker Sam Rayburn and for President Lyndon B. Johnson, as Texans, to move into high national office. And it was Tully Garner, remembered by us here today, who helped his father to achieve those offices.

Tully Garner was a successful businessman, a rancher, and a banker, but he lived modestly in Uvalde and remained close to his parents after the Vice President and Mrs. Garner retired to Uvalde.

He and his father took a great interest in Uvalde and in Southwest Texas Junior College located there. Together it is estimated they made gifts totaling over $1 million to the school.

They also donated the original Garner red brick mansion to the city of Uvalde. It has been made into an excellent museum and memorial to Mrs. Garner, who died in 1948.

Tully Garner's daughter, Mrs. John Currie, of Amarillo, Tex., and three grandchildren survive him.

I ask unanimous consent to have printed in the Record items from the Dallas Morning News and the New York Times of Thursday, October 3, 1968, concerning the death of Tully Garner.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Dallas Morning News, Oct. 3, 1968]

Tully Garner, Banker Son of Ex-Vice President, Dies

Uvalde.—Tully C. Garner, 72, whose father was the only man ever to advance directly from speaker of the U.S. House to vice-president, died of a heart attack Wednesday.

He will be buried at 2 p.m. Thursday beside former Vice-President John Nance Garner, who died last Nov. 7 at the age of 98.

Tully Garner was a prominent Uvalde businessman and South Texas rancher and banker.

The former vice-president's declining years were spent in a white frame house just across the driveway from his son's modest home. The two donated the original Garner red brick mansion to the City of Uvalde for use as a museum and memorial to Mrs. Garner who died in 1948.

Tully Garner was born in Uvalde, left to accept prominent business positions elsewhere in Texas, but returned home soon after "Cactus Jack" returned from Washington in 1941.

A native of Uvalde, Tully Garner was born Sept. 24, 1896.

He was active in banking and ranching, and headed the First State Bank of Uvalde for many years. He was semi-retired when he died.

Both Garners were interested in education and were among the original supporters of Southwest Texas Junior College here. It is estimated they gave about $1 million to the college.

Garner received his Bachelor of Arts degree from Washington University, Washington, D.C., in 1917. He joined the Army and was with the 1st Infantry in World War I.

In addition to his banking interests here, Garner in the 1940's was an executive of the West Texas Mortgage Co. and president of the First National Bank, both in Amarillo.

Tully Garner also owned ranching interests in Uvalde, Webb, Real and Dimmit counties.

He was a member of St. Phillip's Episcopal Church here.

Survivors are a daughter, Mrs. John Currie, Amarillo; and three grandchildren.

Services will be at 2 p.m. Thursday in Rushing-Estes Chapel.

[From the New York Times, Oct. 3, 1968]

Tully Garner, Son of Vice President

Uvalde, Tex., October 2.—Tully Garner, the only child of John Nance Garner, Vice President in the first two terms of Franklin Delano Roosevelt, died today of a heart attack at the age of 72.

Mr. Garner had been public contact man and arrangements secretary for his father, who died last Nov. 7.

He was a Customs collector during the Truman Administration, and he had banking and ranching interests. The family owned the First State Bank of Uvalde.

Over the years, the Garners gave about $1,-million to the southwest Texas junior college over the years.

Tully Garner graduated from George Washington University and served with the infantry in World War I.

He is survived by a daughter, Mrs. John Currie of Amarillo, and three grandchildren.

THE HUMAN COST OF A VIETCONG VICTORY

Mr. DODD. Mr. President, many of the honest critics of our Vietnam policy demand that we pull out of Vietnam because they say that, however just our purpose may be, the cost has already run too high in terms of human life and human suffering.

I share the anguish which these critics feel over the suffering of the Vietnamese civilian population and over the disruption that the war has brought in their cities and villages. No one with an ounce of human feeling could fail to be moved by the heartrending photographs that have so frequently appeared in our press.

But I cannot help wondering whether, in their humanitarian equation, these critics of the war have stopped to tote up the cost in human life and human suffering of a Vietcong victory in South Vietnam.

Do they for example realize that according to expert calculations, the Bolshevik revolution from November 1917 through the death of Stalin cost more than 75 million human lives?

Do they know that, in the aftermath of the Chinese Communist revolution, more than 25 million opponents of the regime were executed in the most gruesome manner, frequently in public?

And I also cannot help wondering whether, in contemplating the future of South Vietnam under Vietcong rule, they have stopped to consider the record of what happened in North Vietnam after Ho Chi Minh took over.

I have recently had occasion to look at the manuscript of a book on Vietnam written by Robert F. Turner, which sets forth the record of what happened in North Vietnam in careful and horrifying detail. Mr. Turner, who graduated this year from Indiana University, is a member of the secretariat of the Student Coordinating Committee for Freedom in Vietnam, and a leader of the Student Committee for Victory in Vietnam.

In his chapter on "North Vietnam After Geneva," Mr. Turner describes the killing and torture and brainwashing that achieved epidemic proportions in North Vietnam after Ho Chi Minh's victory.

Hoang Van Chi, formerly a prominent Hanoi official, describes some of the typical tortures to which people were subjected in these terms:

> The victim was compelled to kneel down, supporting on his head a basket filled with heavy stones.
>
> He was forced to hang by his thumbs or feet from a rope thrown over a rafter. In this position he could be either beaten or, by pulling on the rope, jerked violently up and down.
>
> His thumbs were wrapped in a cloth soaked in oil which was then ignited.

Mr. Turner quotes the following account of Communist reeducation in North Vietnam from Dr. Tom Dooley's book, "Deliver Us From Evil":

> "The first time I ever saw the result of a Communist 're-education' class was during December (1954). What had been done to these children one December afternoon was the most heinous thing I have ever heard of.
>
> "Having set up their controls in the village of Haiduong, Communists visited the village schoolhouse and took seven children out of class into the courtyard. All were ordered to sit on the ground, and their hands were tied behind their backs. Then, they brought out one of the young teachers, with hands also tied. Now the new class began. In a voice loud enough for the other children to hear, the Viet Minh accused these children of treason. A 'patriot' had informed the police that this teacher was holding classes secretly, at night, and that the subject of these classes was religion. They had even been reading the catechism. The Viet Minh accused these children of 'conspiring' because they had listened to the teachings of this instructor. As a punishment, they were to be deprived of their hearing. Never again would they be able to listen to the teachings of evil men. Now two

Viet Minh guards went to each child and one of them firmly grasped the head between his hands. The other then rammed a wooden chopped chopstick into each ear. He jammed it in with all his force. The stick split the ear canal wide and tore the ear drum. The shrieking of the children was heard all over the village."

Dr. Dooley goes on to recount the punishment of the teacher:

"Having been forced to witness the atrocity performed on his pupils, he endured a more horrible one himself. One soldier held his head while another grasped the victim's tongue with a crude pair of pliers and pulled it far out. A third guard cut off the tip of the teacher's tongue with his bayonet."

Mr. Turner quotes a Hanoi newspaper of November 5, 1956, as admitting that "people were arrested, jailed, interrogated, and cruelly tortured; people were executed or shot on the spot and their property confiscated. Innocent children of parents wrongly classified as landlords were starved to death."

The chapter is replete with descriptions taken from the official North Vietnamese press and from the writings of Western eyewitnesses, some of whom are today acknowledged to be among the top experts on North Vietnam.

Mr. President, in the hope that my colleagues will have the time to read it, I ask unanimous consent to insert into the RECORD at this point the chapter entitled "North Vietnam After Geneva" from Mr. Turner's manuscript book "Vietnam: A Documented Analysis of the Background, Issues, and Alternatives."

There being no objection, the chapter was ordered to be printed in the RECORD, as follows:

CHAPTER III. NORTH VIETNAM AFTER GENEVA

The Democratic Republic of Vietnam was officially proclaimed on September 2, 1945. The 1954 Geneva Accords granted international legitimacy and provided jurisdiction and control over all of Vietnam north of the 17th parallel. Thus the current name, "North Vietnam."

It is instructive to note the reasons for popular support of the Viet Minh/North Vietnamese Communists. In a book that P. J. Honey predicted would "become one of the standard works on Asian communism," Hoang Van Chi writes:

"The large peasant masses, still largely illiterate, were not capable of absorbing any kind of ideology although a number evinced interest in the promise of the equal distribution of land."

Bernard Newman writes:

"I met dozens of unfortunate peasants who had never heard of Karl Marx, and who had only the haziest ideas as to what the war was all about, but who had accepted uncritically the promise of land. In some way land would be provided for them in the Delta. Maybe all anti-Viet Minh farmers would be killed or exiled, and their land given to the converts, one man suggested naively.

"The land propaganda seemed to me to be the most effective of all that was used by the Viet Minh. One point was significant: not one of the peasants to whom I talked had heard a collective farm so much mentioned."

Because "land reforms" were the most important ingredient in the support of the Communist regime, it is necessary to examine them.

The land reform campaign proper was preceded by a "wave of terror" which commenced in February, 1953. During this period, meetings were held at which peasants were forced to indict their neighbors for various "crimes against the people." A tax-debtor peasant would be seized and asked, "Who told you not to pay your taxes?" He would then be tortured until he pointed an indicting finger at a neighbor. The neighbor would then be arrested. A peasant who refused to accuse a neighbor would be beaten and tortured until he died. Hoang Van Chi observes that because the tortures were used throughout the country, there is reason to believe that they were ordered by the party leaders, the idea possibly imported from China where it had been used several years earlier. Mr. Hoang describes some typical tortures:

"The victim was compelled to kneel down, supporting on his head a basket filled with heavy stones.

"He was forced to hang by his thumbs or feet from a rope thrown over a rafter. In this position he could be either beaten or, by pulling on the rope, jerked violently up and down.

"His thumbs were wrapped in a cloth soaked in oil which was then ignited."

While in the early stages of the campaign the people to be denounced were suggested by the chairman of the meeting, who had a list for reference, as the "wave of terror" progressed the list was ignored. On several occasions relatives and even party cadres themselves were denounced, and the "denounced party members were arrested and brutally beaten in exactly the same way as any 'reactionary.' " On one occasion a victim became so frightened that in desperation he denounced the chairman of the meeting. "The luckless chairman was straightaway dragged from his seat and tortured. After that the meeting had to be suspended, for nobody would volunteer to serve as chairman." During the 15 days of the "wave of terror" the death toll averaged between three and five in every village. The purposes of the campaign were two: to strengthen the authority of the Communist Party, and to pave the way for the upcoming land reforms.

The land reform consisted of two phases, the Land Rent Reduction Campaign (1953–1954) and the Land Reform proper (1954–1956). According to Mr. Hoang, "these two campaigns had but one purpose, namely, the liquidation of the landowning class and the subsequent establishment of a proletarian dictatorship in the countryside."

As Fall and others have observed, prior to the North Vietnamese "land reforms," 98 percent of the farmers owned their own land. The few men who could have been classed as "landowners" or "landlords" had fled south under the provisions of the 1954 Geneva Agreements. But this did not stop the Communists, with Chinese encouragement, from embarking on a purge of mythical "landlords" in every village. The quota began as one landlord per village, but was soon raised to five. Newman describes the plight of the denounced "landlord."

"When 'landlords' were denounced as enemies of the people, some were promptly shot, but others were pinned to the ground to die slowly in the heat of the sun. But as some of the denounced "landlords" had already died—naturally—their bodies were dug up and subjected to the "denunciation of the dead." The corpses were stretched out in the sun, as would have been their fate had they been alive. There were many cases of people who commited suicide rather than submit to the Land Reform."

After disposing of the "landlord," the Communists proceed to work on his wife. She would be told that she owed a "debt" to the people, and had to come up with a pre-determined amount of money. If she complied and paid the "debt," she would be told that there had been a mistake, and that this was only a fraction of the actual "debt." She was required to surrender any jewelry or banknotes in her possession. Mr. Hoang writes of the plight of a wife who could not pay her "debt":

A landlord's wife who could not produce any article of jewelry was, together with her children, subjected to the most barbarous treatment. She was often paraded through the streets carrying in each hand a large piece of fresh cow dung, and wearing around her neck a large placard bearing the inscription, "I am a recalcitrant landlord."

Any accused by the Communists as being "closely connected" with landlords, or having "pro-landlord tendencies" was charged with some major crime against the state, such as conspiracy, and was then subjected to the "policy of isolation" which proved so effective in eliminating potential "enemies of the state." Mr. Hoang, who was in North Vietnam at the time of the land reforms, has estimated that "the famous 'policy of isolation' . . . was responsible for a number of deaths, probably ten times greater [500,000 people] than that ordered by the Special People's Tribunals." He describes the "policy of isolation" by saying:

"As soon as a man had been labelled as "landlord," he and his family were boycotted and shunned by their fellow human beings. Like leprous dogs, they became creatures at whom children were encouraged to throw stones. Nobody was permitted to talk to them or to have any contact with them. For more than a year, from the beginning of the first campaign to the end of the second, members of landlords' families were prevented from working. In consequence the majority of them died of starvation, children and old people first, and eventually the others. This appalling measure, rigorously applied, was devised to wipe out forever the race of "exploiters" in the countryside . . . the larger part of the landowning class died in this manner."

The November 5th, 1956, issue of *Nhan Van* (Hanoi) admitted that "people were arrested, jailed, interrogated, and cruelly tortured; people were executed or shot on the spot and their property confiscated. Innocent children of parents wrongly classified as landlords were starved to death."

Mr. Hoang writes that "according to refugees who reached Saigon in 1957, the whole countryside of North Vietnam was white with the turbans of mourners." (White is the Vietnamese colour of mourning.) With regard to the land reforms, Mr. Hoang concludes:

"It would seem that Ho Chi Minh was engaging in genocide. On the whole, Hitler and Eichmann were less hypocritical than Ho and Mao since, by ordering the Jews to the gas-chamber, the Nazi leaders at least accepted full-responsibility for their crimes. The Vietnamese and Chinese leaders, on the other hand, preferred to watch the landowning class die a "natural" death, for which nobody would appear directly responsible.

P J. Honey points out that "the agrarian reform incensed the people of North Vietnam more than any other Communist action before or since."

There were three major results of the land reform campaign. First, it strengthened the hold of the party by eliminating hundreds of thousands of possible "enemies," while terrorizing the rest of the population into subservience. Second, the ruthless nature of the "reforms" precipitated widespread hatred of the regime, and resulted in a large peasant rebellion on November 2, 1956, in Ho Chi Minh's home province of Nghe An. Bernard Fall observes:

"Since, by sheer accident, Canadian members of the International Control Commission were present when the outbreak took place, its completely fortuitous and popular origin can be well substantiated."

Newman writes:

"The peasants of the region adjoining Vinh were disgusted at the summary executions—the victims were their own relatives. But what could they do? The sight of a foreign jeep carrying members of the International Control Commission stimulated a suggestion for protest.

"The peasants crowded round a Canadian jeep pleading that they should be allowed to emigrate to South Vietnam. A solitary policeman tried to disperse the crowd with the butt of his rifle. He was promptly beaten up, and his rifle taken from him.

"Prudently, he withdrew—to return with a platoon of troops. These were sternly resisted, and they too were glad to retire. The news spread with great speed across the countryside, and thousands of peasants met to discuss their grievances—the Land Reform Plan and the absence of personal liberty among them. The situation was serious: revolutions have begun on less. The government sent a complete division to 'pacify' the district, with Communist leaders accompanying the troops. Inevitably, the peasants were beaten, and nearly 6,000 were executed or exiled."

The third result of the land reforms was the reduction of each farmer's land to below subsistence level, and the subsequent establishment of "co-operatives" which were similar to the Chinese collectives. By 1965, over 90 percent of the small-plot farmers had been regrouped into "co-operatives."

The effect of the collectivization on agricultural production is explained by Newman in *Background to Vietnam:*

"The first result was a diminution of the output of rice. A peasant who will work all hours of daylight when tilling his own land is not so enthusiastic when working for someone else—even when the latter is a mysterious and far-away body called the State."

Russell Fifield, writing in *Southeast Asia in U.S. Policy,* asserts: "Production of rice and various other basic commodities actually decreased between 1956 and 1960."

Writing in Honey's *North Vietnam Today,* Hoang Van Chi explains the most important cause in the decline of rice production:

"During the periods of private ownership of land in North Vietnam, it was common to see the peasant farmer strolling about his land for hours on end, inspecting the dykes.

"Whenever it began to rain, he would abandon whatever task he might be engaged upon and run to his ricefields with all speed. There he would watch his dykes to ensure that they were equal to the strain of the increased weight of water, strengthening them in the weakest places, and seeing to it that his neighbors did not break them so as to steal water from his field. . . . So essential is water for rice growing that negligence on the part of the farmer might easily result in the loss of the whole crop and the consequent ruin of his family. . . .

"Collectivized farming has introduced a completely different atmosphere to the countryside of North Vietnam. . . . When it rains now in North Vietnam, no peasants run out to keep a watchful eye upon the dykes and the water level. None of them is willing to risk being killed by lightning or catching a bad cold for the sake of his neighbors in the cooperative. . . . The consequence of this new attitude is that the ricefields begin to dry up as soon as the rainy season is over, causing the colour of the rice crop to change from green to yellow and finally to brown. Only at this stage does the party issue its emergency orders for the fight against "drought" . . . Indeed, during the summer of 1961, Hanoi radio was issuing emergency orders for fighting drought and floods at the same time. This is the real reason why, since the country has become communist, droughts occur more frequently than ever before and their consequences are more severe."

As has been mentioned, the main attraction of Communism for the peasants was the promise of land reforms. Prior to the war they had been forced to pay 50 percent of their crops to the landlords as rent. Now, after the "land reforms" of the Communists, they paid 60 percent of their crops to the State as taxes.

As a result of the decrease in agricultural production, almost everything in North Vietnam is rationed. P. J. Honey, in the introduction to *North Vietnam Today,* gives some interesting figures with respect to the North Vietnamese economy. He observes that while people live almost entirely on rice, the monthly individual ration is only 12 kilogrammes (which is often inedible after being stored in the state granaries). He points out that outside Hanoi (where there are no foreigners to impress) the people have long received only eight kilogrammes of rice and four of maize. Each adult gets about one ounce of meat per month (when there is meat available), and each family gets slightly more than a pound of sugar per month. Honey concludes:

"In order to live, people are forced to buy food in the black market, but not all have sufficient money to pay the high prices asked. Deaths from starvation in Hanoi are not registered as such, so that no exact figures can be given, but they are reliably reported to be high."

In an interview with an American magazine, Honey was quoted as saying that the black market is probably the most successful enterprise in North Vietnam in terms of profit. In an earlier interview with the same magazine, Bernard Fall was asked if there was any truth to the reports of an economic pinch in North Vietnam. Fall replied:

"True. I've been there and I've seen it. North Vietnam, indeed, lives a pretty strait-laced life. There's not a single restaurant where you can sit down and have a decent meal.

"There are no automobiles. Hanoi is a city with, perhaps, 50 passenger cars, all belonging to official missions. I knew that city with all the hustle and bustle of Western traffic back in 1953. And now, when you go through a street, you feel as if you had cotton balls in your ears. It's a totally silent city."

Honey observes that even to purchase a bicycle, an official permit is required, and "these permits have been delivered almost exclusively to cadres and state employees." This is a strong contrast to the situation south of the seventeenth parallel, where, according to a *New York Times* article in April, 1961, many citizens drive Italian-made motor scooters instead of riding bicycles or walking. The same article describes the "traditional" dress of the woman in the South as "diaphanous stain trousers under a light, gaily colored Chinese-style gown of ankle length . . ." This is again in strong contrast to the North, where Honey writes that "the 1962 ration of cloth is 3 metres (a little more than three yards) per adult, and only poor-grade, locally-produced cloth is available for the ration." For a peasant to buy even the three metre ration, he needs a "certificate of dire necessity" from his local "street committee." Of course, a small amount of superior cloth (poplin and khaki) is available, but is "reserved for the privileged class, the cadres."

In the field of Health, the Communists have been less than successful. Carrying the "socialized medicine" concept to the extreme, the government has passed legislation invalidating all prescriptions by private doctors, regardless of their credentials or training. Honey writes:

"Only doctors in state hospitals are authorized to issue medical prescriptions valid for the purchase of drugs or medicine. So few and so small are the state hospitals in relation to North Vietnam's population that only a minute proportion of the population can possibly be admitted to such a hospital, and virtually all hospital space is taken by privileged persons such as cadres and state employees."

In fact the Communists seem to have found a new way to eliminate possible "enemies of the state." In *From Colonialism to Communism,* Hoang quotes Dr. Nguyên Manh Tuong, who says:

"When a patient enters a hospital for urgent treatment, the first question to be answered is "to what social class does he belong?" To give medical treatment to a landlord would inevitably entail the loss of one's political standpoint. If, however, one allowed him to die, then one would preserve one's standpoint."

An interesting commentary on North Vietnamese agriculture was made by Bernard Newman, who observed that because opium is held almost universally in reprobation today, North Vietnam issued a declaration saying that the drug was neither used nor produced in the country. To North Vietnam's dismay, the Soviet Union (not knowing the disclaimer) announced to the Opium Control Committee in Geneva that it had imported 29,000 pounds of opium from North Vietnam.

It is not sufficient to argue that lack of external aid helped cause economic failure in North Vietnam. Bernard Fall points out in *The Two Vietnams:*

"The D.R.V.N. has unquestionably been one of the major recipients of Soviet-bloc aid. Up to 1961, in terms of strictly economic aid—obviously, no figures are available on Communist military aid to the Hanoi regime—North Vietnam had received more than $70 per person, which is about equal to what its southern rival received from the United States."

The Communist regime has never shown any strong attachment to the concept of "freedom." This was true with regard to freedom of movement (which had been one of the Viet Minh proposals in 1941) as well as the other basic freedoms. The Census, instituted early in the life of the regime, is described by Newman:

"Another unpopular feature of Communist rule was the Census—which had nothing to do with a counting of the population. Every head of household had to keep a book in which he recorded every movement, hour by hour, of members of his family. All visitors had to be recorded in detail—even near relatives. To travel for more than five miles a permit was necessary."

The Communist record with regard to religious freedom is no better. Some of the most interesting information on Viet Minh/North Vietnamese "religious freedom" is found in Dr. Tom Dooley's book, *Deliver Us From Evil.* The flight of 600,000 Catholic refugees to the south, following the signing of the Geneva agreements, is perhaps explained by the treatment the Catholics had received at the hands of the Communists. Dr. Dooley offers an example of the attempt to "re-educate" the misguided Catholics:

"The first time I ever saw the result of a Communist 're-education' class was during December [1954]. What had been done to these children one December afternoon was the most heinous thing I have ever heard of.

"Having set up their controls in the village of Haiduong, Communists visited the village schoolhouse and took seven children out of class into the courtyard. All were ordered to sit on the ground, and their hands were tied behind their backs. Then, they brought out one of the young teachers, with hands also tied. Now the new class began. In a voice loud enough for the other children to hear, the Viet Minh accused these children of treason. A "patriot" had informed the police that this teacher was holding classes secretly, at night, and that the subject of these classes was religion. They had even been reading the catechism. The Viet Minh accused these children of "conspiring" because they had listened to the teachings of this instructor. As a punishment, they were to be deprived of their hearing. Never again would they be able to listen to the teachings of evil men. Now two Viet Minh guards went to each child and one of them firmly grasped the head between his hands. The other then rammed a wooden chopped chopstick into each ear. He jammed it in with all his force. The stick split the ear canal wide and tore the ear drum. The shrieking of the children was heard all over the village."

Dr. Dooley goes on to recount the punishment of the teacher:

"Having been forced to witness the atrocity performed on his pupils, he endured a more horrible one himself. One soldier held his head while another grasped the victim's tongue with a crude pair of pliers and pulled it far out. A third guard cut off the tip of the teacher's tongue with his bayonet."

Hoang Van Chi observes that "... the Communists in North Vietnam, inspired by the current Chinese example have acted more ruthlessly to Confucianists than to Christians and Buddhists." He points out that "Phan Khoi was . . . the sole Confucian scholar of note who survived the Land Reform, almost all such scholars having been ruthlessly liquidated during that campaign."

Perhaps the greatest lack of freedom was in respect to intellectual liberty. As Ellen Hammer describes it:

"Intellectuals, even though they had been pro-Viet Minh throughout the war, found that they were regarded with suspicion and distrust in this new monolithic society which had been forged by eight years of fighting. Some of these people were able to prove that they had business in the Haiphong region; they got Viet Minh permission to leave for that area while it was still in French hands, and there arranged to be evacuated to the south. Many, however, did not dare to expose themselves to the Viet Minh reprisals by asking for the necessary exit permit. They had no choice but to remain, prisoners of Viet Minh totalitarianism in everything but name."

The intellectuals who remained in the North were the first to rise in protest to the brutal land reform program, and in March, 1956, they published *Giai Pham Mua Xuan* (*Literary Masterpieces of the Spring*), a journal "proclaiming publicly to the masses their opposition to the Party." This was followed in August by the publication of *Giai Pham Mua Thu* (*Literary Masterpieces of the Autumn*), which attacked the party more openly. Out of fear of a rebellion aimed at overthrowing the Party, the Communists, on September 15, 1956, took steps to remove the "ideological strait jacket" (as Bernard Fall called it), and began Hanoi's version of Peking's "Hundred Flowers" campaign. This campaign appeared to be a step toward freedom of expression, and it brought forth criticism from all segments of the intellectual community directed against all phases of the Communist government. As Fall describes it:

"None of the 'sacred cows' of the regime escaped criticism, and the situation became even worse after the abortive peasant rebellion of November 1956: The Viet-Nam Peoples' Army was accused of being anti-intellectual; the Russian experts of being overbearing and of driving around in big cars; the Party of antagonizing the peasantry and allowing corruption to flourish among its members."

The intellectuals had just grounds to be angry. They had experienced a "sudden decline in their social and material standing" and had been replaced by a very affluent "cadre in Arts and Letters" which while holding no intellectual credentials, had taken over the activities of representing the intellectual community. The second issue of *Giai Pham Mua Thu* contained a description of how this group—favored by the Party—lived:

"They wear red neckties, leather shoes, and spend their time delivering speeches and attending banquets, where they eat in a very coarse and ill-mannered way. Having eaten, they pack their suitcases and depart elsewhere—gone with the wind."

This was in strong contrast to the lives of the real intellectuals, who often could not afford "so much as a cup of coffee when they have been working late into the night."

The only Confucian scholar to survive the "Land Reform" purge, Phan Khoi, along with other, younger writers, during the "Hundred Flowers" accused the party of "nepotism, despotism, corruption and oppression. The very dogma of Marxism was repeatedly rejected and the sincerity of the party's leaders called in question." Hoang Van Chi concluded that:

"It would be reasonable to assume from the articles which they wrote during this short period of greater freedom that the Vietnamese intellectuals who had faithfully served the Resistance had become greatly disillusioned, although fear of the party prevented them from voicing their dissatisfaction openly."

The "Hundred Flowers" campaign lasted only three months, however, and on December 15, 1956, the journal *Nhan-Van* was closed down—on the very day that the Communist regime published new guarantees of freedom of the press. Other critics were silenced by withdrawing their supply of newsprint, and by ordering the printing union to lead its men out on strike.

Following the "Hundred Flowers" experience in China, President Mao "expressed the view that intellectuals who failed to accept Marxism were of less use to the community than excrement, for, he said, excrement could at least be used as manure.

While the apparent reason for the "Hundred Flowers" campaign was to allow freedom of expression, and to avoid a possible revolt, a case can be made to show that one purpose was also to let the Communists know who their enemies were. Whatever the reason for the short lived "free-speech" movement, the results were in keeping with the Communist tradition of ruthless suppression. The "Hundred Flowers" campaign was followed by a "thought Reform" campaign, and later by the "Reform by Manual Labor." The Thought Reform campaign was against "bourgeois ideology," which, Hoang Van Chi explains, includes:

"Free enterprise, admiration for Western techniques and Western parliamentary systems, regret for 'petty freedom' (individual freedom, freedom of the press, of movement) and the like."

The "Reform by Manual Labor" consisted of forcing all intellectuals to accept manual work either in factories in the major towns or on the land. In theory, all intellectuals, whether pro- or anti-Party, were to be included in the reform. In practice, the pro-Party intellectuals were given the soft jobs and were released in a year or two, while the anti-Party intellectuals were sent to remote villages in the malaria-infested highlands, and were put under the control of minority tribesmen who treated them as political prisoners. The Party justified this policy by saying that in this way, the intellectuals would be able "to see for themselves the vast work potential and creativity of the masses . . . [and where the intellectuals] finally understood that culture, literature and arts spring from the masses and are destined to serve them, for it is the masses who are the most able to assimilate them and judge them."

Summarizing the purges of intellectuals, Bernard Fall writes:

"The crushing of the formal intellectual opposition has not, however, eliminated the passive or potential oppositionists. Like all the other Communist countries, North Viet Nam has its 'hooligans,' who, in the words of the Hanoi press, go about with 'their bristling mustaches and overly long hair, engage in sterile discussions,' and listen to jazz programs broadcast by Radio Saigon or the Voice of America; while others 'seem to be longing for the old rot, and write poems expressing regret for times past.' The purging of the northern intellectuals went on for several years (it is doubtful if, in fact, it ever stopped)."

The field of education is another area of great importance in any developing country. North Vietnam has taken pride in announcing that it has almost completely eliminated its illiteracy problem. However, like most Communist claims, this does not seem to be true. Gerard Tongas, who served for several years as the director of an independent secondary school in Hanoi prior to 1960, concluded that, "for the Vietnamese Communists the words *culture*, *education* and *teaching* have only one meaning, namely indoctrination." He describes the illiteracy campaign by saying:

"The cultural level of North Vietnam is undoubtedly one of the lowest imaginable. Eight per cent of the population is illiterate, ignorant, and to an incredible degree subject to the most extraordinary superstitions.

"In truth, the 'fight against illiteracy'—in so far as it concerned the 'elementary stage' at which the vast majority of the population was included—merely consisted in teaching the illiterate masses to recite twenty or so slogans and to copy them more or less legibly—'long live President Ho,' 'long live the Vietnamese Workers' Party,' 'long live Peace,' 'the imperialism of the Americans and their lackeys will be defeated,' 'long live our soviet comrades!' etc. Such were the slogans. The illiterates were to see them written thousands of times on walls, streamers, and in the newspapers: they would be able to recognize them, but never to read anything else."

On education in general Tongas states elsewhere:

"In North Vietnam, a man of reasonable culture, education and learning, is one who has been continuously subjected to indoctrination in Marxist-Leninist ideology (or what passes for it), one who no longer thinks for himself but accepts in their entirety as Gospel truth, all the concepts systematically inculcated by carefully graded propaganda. From now on such indoctrination will be the lot of the elite and the youth. This is what passes for school and university education and the education of the masses of the population, and it is also the sole source of inspiration permissible to writers, thinkers and artists.

In order for a student to be allowed a chance for a good education, he must be a member of the Communist Party. In *Viet-Minh Regime,* Bernard Fall writes:

"It is commonly admitted among the students that in order to be able to continue toward higher studies or to obtain—supreme distinction—a scholarship to China, the Soviet Union or the People's Democracies, one must be a member of the school *Lao-Dong* Party or youth movement cells."

Dr. Fall writes of the "academic freedom" in North Vietnam:

"Trained in Vietminh Communist schools, the Vietnamese child has been induced to cast aside all loyalties but those to Ho Chi Minh and world Communism.

"Parents can be sure that the nearest spy is their own child. As a member of the local branch of the Communist National Youth Organization, he is expected to report his parents' words and deeds, how much money and rice they have, whether they practice their religion and whether they are enthusiastic participants in production drives. . . . Parents must be careful in correcting or punishing the child because Communist regulations say that he can bring his parents up before a mass meeting and inflict the same punishment on them. *Teachers share the same fear because their 'ideological errors' also are reported.*"

The new system destroys traditional society, and "juvenile delinquency" has become a problem in North Vietnam. In the November 23, 1955, issue of *Thoi Moi*, a DRVN newspaper, it was reported that:

"One of our colleagues has courageously revealed the decadent activities of some groups of school children who seem to yearn for the old rottenness. . . . Their activities consist of composing poems to express regrets for former times . . . and being absent from school."

Professor Fall indicates the result of this:

"There can be no doubt that, given a few more years, the DRVN will eventually succeed in wiping out most of that so-called "rottenness" that leads Vietnamese school children to yearn for former times."

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATIONS, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 19908) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider executive business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the order of yesterday, the Senate will proceed to vote on the five conventions and protocols.

CONVENTION ON FOREIGN ARBITRAL AWARDS

The PRESIDING OFFICER. The resolution of ratification relating to Executive E, 90th Congress, second session, will be read.

The bill clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to accession to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, adopted at New York on June 10, 1958, with the following Declarations:

"The United States of America will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of only those awards made in the territory of another Contracting State."

"The United States of America will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the national law of the United States."

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification of Executive E, 90th Congress, second session? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. COOPER], the Senator from New Hampshire [Mr. COTTON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. MURPHY], the Senator from Maine [Mrs. SMITH], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Vermont [Mr. PROUTY] is detained on official business.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. MURPHY], the Senator from Vermont [Mr. PROUTY], the Senator from Maine [Mrs. SMITH], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The yeas and nays resulted—yeas 57, nays 0, as follows:

[No. 313 Ex.]

YEAS—57

Allott
Anderson
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Curtis
Dodd
Ervin
Fong
Goodell
Gore
Griffin
Hansen
Harris
Hart
Hatfield
Hickenlooper
Hill
Holland
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy
Kuchel
Lausche
Magnuson
Mansfield
McGee
McIntyre
Metcalf
Miller
Mondale
Morton
Moss
Mundt
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Scott
Sparkman
Spong
Stennis
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—43

Aiken
Baker
Bartlett
Bayh
Bennett
Bible
Brewster
Church
Clark
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Fannin
Fulbright
Gruening
Hartke
Hayden
Hollings
Inouye
Javits
Long, Mo.
Long, La.
McCarthy
McClellan
McGovern
Monroney
Montoya
Morse
Murphy
Muskie
Nelson
Prouty
Ribicoff
Russell
Smathers
Smith
Symington
Thurmond
Tower
Tydings

The PRESIDING OFFICER. Two-thirds of the Senators present and voting have voted in the affirmative, the resolution of ratification is agreed to.

Mr. MANSFIELD. Mr. President, I would suggest that all Senators remain in attendance because the next four votes will occur in rapid succession.

CONVENTION ON TRANSIT TRADE OF LAND-LOCKED STATES

The PRESIDING OFFICER. The clerk will state the resolution of ratification of Executive I (90th Cong., second sess.)

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to ratification of the Convention on Transit Trade of Land-Locked States, signed in behalf of the United States of America on December 30, 1965.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana

[Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryand [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator for South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. COOPER], the Senator from New Hampshire [Mr. COTTON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. MURPHY], the Senator from Maine [Mrs. SMITH], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. MURPHY], the Senator from Maine [Mrs. SMITH], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The yeas and nays resulted—yeas 59, nays 0, as follows:

[No. 314 Ex.]

YEAS—59

Allott
Anderson
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Curtis
Dodd
Ervin
Fong
Goodell
Gore
Griffin
Hansen
Harris
Hart
Hatfield
Hickenlooper
Hill
Holland
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy
Kuchel
Lausche
Magnuson
Mansfield
McGee
McIntyre
Metcalf
Miller
Mondale
Morton
Moss
Mundt
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Russell
Scott
Sparkman
Spong
Stennis
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—41

Aiken
Baker
Bartlett
Bayh
Bennett
Bible
Brewster
Church
Clark
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Fannin
Fulbright
Gruening
Hartke
Hayden
Hollings
Inouye
Javits
Long, Mo.
Long, La.
McCarthy
McClellan
McGovern
Monroney
Montoya
Morse
Murphy
Muskie
Nelson
Ribicoff
Smathers
Smith
Symington
Thurmond
Tower
Tydings

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

CONVENTIONS ON CUSTOMS COOPERATION COUNCIL

The PRESIDING OFFICER. The clerk will report the next resolution of ratification.

The bill clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to accession to the Convention Establishing a Customs Cooperation Council, together with the protocol concerning the European Customs Union Study Group, signed in Brussels on December 15, 1950, with the following reservation:

"The United States of America accepts the obligations of article XIII of the convention and the annex to the convention only to the extent the United States of America generally accords privileges and immunities to designated public international organizations under the law."

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Resolution of Ratification of Executive G (90th Cong., second sess.), the Convention on Customs Cooperation Council.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], and the Senator from Maryland [Mr. TYDINGS], are absent on official business.

I also announced that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. SYMINGTON], are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Connecticut [Mr. RIBICOFF] and the Senator from Florida [Mr. SMATHERS], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. COOPER], the Senator from New Hampshire [Mr. COTTON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. MURPHY], the Senator from Maine [Mrs. SMITH], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. MURPHY], the Senator from Maine [Mrs. SMITH], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The yeas and nays resulted—yeas 59, nays 0, as follows:

[No. 315 Ex.]

YEAS—59

Allott
Anderson
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Curtis
Dodd
Ervin
Fong
Goodell
Gore
Griffin
Hansen
Harris
Hart
Hatfield
Hickenlooper
Hill
Holland
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy
Kuchel
Lausche
Magnuson
Mansfield
McGee
McIntyre
Metcalf

Miller
Mondale
Morton
Moss
Mundt
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Russell
Scott
Sparkman
Spong
Stennis
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—41

Aiken
Baker
Bartlett
Bayh
Bennett
Bible
Brewster
Church
Clark
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Fannin
Fulbright
Gruening
Hartke
Hayden
Hollings
Inouye
Javits
Long, Mo.
Long, La.
McCarthy
McClellan
McGovern
Monroney
Montoya
Morse
Murphy
Muskie
Nelson
Ribicoff
Smathers
Smith
Symington
Thurmond
Tower
Tydings

The **PRESIDING OFFICER**. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

PROTOCOL TO GENEVA RADIO REGULATIONS

The **PRESIDING OFFICER**. The clerk will report the next resolution.

The assistant legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the text of a Partial Revision of the Radio Regulations (Geneva, 1959), with a Final Protocol, dated at Geneva November 3, 1967.

The **PRESIDING OFFICER**. The question is, Will the Senate advise and consent to the resolution of ratification of Executive F (90th Cong., second sess.), the Protocol to Geneva Radio Regulations? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. **BYRD** of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Alaska [Mr. Gruening], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Nevada [Mr. Bible], the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Indiana [Mr. Hartke], the Senator from Arizona [Mr. Hayden], the Senator from South Carolina [Mr. Hollings], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the Senator from South Dakota [Mr. McGovern], the Senator from Oklahoma [Mr. Monroney], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from Maine [Mr. Muskie], the Senator from Wisconsin [Mr. Nelson], the Senator from Connecticut [Mr. Ribicoff], the Senator from Florida [Mr. Smathers], and the Senator from Missouri [Mr. Symington], are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Maryland [Mr. Brewster], the Senator from Pennsylvania [Mr. Clark], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from Arkansas [Mr. McClellan], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Florida [Mr. Smathers], would each vote "yea."

Mr. **KUCHEL**. I announce that the Senator from Vermont [Mr. Aiken], the Senator from Tennessee [Mr. Baker], the Senator from Utah [Mr. Bennett], the Senator from Kentucky [Mr. Cooper], the Senator from New Hampshire [Mr. Cotton], the Senator from Illinois [Mr. Dirksen], the Senator from Colorado [Mr. Dominick], the Senator from Arizona [Mr. Fannin], the Senator from New York [Mr. Javits], the Senator from California [Mr. Murphy], the Senator from Maine [Mrs. Smith], the Senator from South Carolina [Mr. Thurmond] and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Vermont [Mr. Aiken], the Senator from Utah [Mr. Bennett], the Senator from Kentucky [Mr. Cooper], the Senator from Illinois [Mr. Dirksen], the Senator from Colorado [Mr. Dominick], the Senator from Arizona [Mr. Fannin], the Senator from New York [Mr. Javits], the Senator from California [Mr. Murphy], the Senator from Maine [Mrs. Smith], the Senator from South Carolina [Mr. Thurmond] and the Senator from Texas [Mr. Tower] would each vote "yea."

The yeas and nays resulted—yeas 59, nays 0, as follows:

[No. 316 Ex.]

YEAS—59

Allott
Anderson
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Curtis
Dodd
Ervin
Fong
Goodell
Gore
Griffin
Hansen
Harris
Hart
Hatfield
Hickenlooper
Hill
Holland
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy
Kuchel
Lausche
Magnuson
Mansfield
McGee
McIntyre
Metcalf
Miller
Mondale
Morton
Moss
Mundt
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Russell
Scott
Sparkman
Spong
Stennis
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—41

Aiken
Baker
Bartlett
Bayh
Bennett
Bible
Brewster
Church
Clark
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Fannin
Fulbright
Gruening
Hartke
Hayden
Hollings
Inouye
Javits
Long, Mo.
Long, La.
McCarthy
McClellan
McGovern
Monroney
Montoya
Morse
Murphy
Muskie
Nelson
Ribicoff
Smathers
Smith
Symington
Thurmond
Tower
Tydings

The **PRESIDING OFFICER**. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

PROTOCOL RELATING TO REFUGEES

The **PRESIDING OFFICER**. The clerk will report the next resolution of ratification.

The bill clerk read as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to accession to the Protocol Relating to the Status of Refugees, done at New York on January 31, 1967, with the following reservations:

The United States of America construes Article 29 of the Convention as applying only to refugees who are resident in the United States and reserves the right to tax refugees who are not residents of the United States in accordance with its general rules relating to nonresident aliens.

The United States of America accepts the obligation of paragraph 1(b) of Article 24 of the Convention except insofar as that paragraph may conflict in certain instances with any provision of title II (old age, survivors' and disability insurance) or title XVIII (hospital and medical insurance for the aged) of the Social Security Act. As to any such provision, the United States will accord to refugees lawfully staying in its territory treatment no less favorable than is accorded aliens generally in the same circumstances.

The **PRESIDING OFFICER**. The question is, Will the Senate advise and consent to the resolution of ratification of Executive K (90th Cong., second sess.), the protocol relating to refugees?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. **BYRD** of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Alaska [Mr. Gruening], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Nevada [Mr. Bible], the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Indiana [Mr. Hartke], the Senator from Arizona [Mr. Hayden], the Senator from South Carolina [Mr. Hollings], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the Senator from South Dakota [Mr. McGovern], the Senator from Oklahoma [Mr. Monroney], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from Maine [Mr. Muskie], the Senator from Wisconsin [Mr. Nelson], the Senator from Connecticut [Mr. Ribicoff], the Senator from Florida [Mr. Smathers], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Maryland [Mr. Brewster], the Senator from Pennsylvania [Mr. Clark], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from Arkansas [Mr. McClellan], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from Connecticut [Mr. Ribicoff] and the Senator from Florida [Mr. Smathers] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. Aiken], the Senator from Tennessee [Mr. Baker], the Senator from Utah [Mr. Bennett], the Senator from Kentucky [Mr. Cooper], the Senator from New Hampshire [Mr. Cotton], the Senator from Illinois [Mr. Dirksen], the Senator from Colorado [Mr. Dominick], the Senator from Arizona [Mr. Fannin], the Senator from New York [Mr. Javits], the Senator from California [Mr. Murphy], the Senator from Maine [Mrs. Smith], the Senator from South Carolina [Mr. Thurmond], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Vermont [Mr. Aiken], the Senator from Utah [Mr. Bennett], the Senator from Kentucky [Mr. Cooper], the Senator from Illinois [Mr. Dirksen], the Senator from Colorado [Mr. Dominick], the Senator from Arizona [Mr. Fannin], the Senator from New York [Mr. Javits], the Senator from California [Mr. Murphy], the Senator from Maine [Mrs. Smith], the Senator from South Carolina [Mr. Thurmond], and the Senator from Texas [Mr. Tower] would each vote "yea."

The yeas and nays resulted—yeas 59, nays 0, as follows:

[No. 317 Ex.]

YEAS—59

Allott
Anderson
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Curtis
Dodd
Ervin
Fong
Goodell
Gore
Griffin
Hansen
Harris
Hart
Hatfield
Hickenlooper
Hill
Holland
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy
Kuchel
Lausche
Magnuson
Mansfield
McGee
McIntyre
Metcalf
Miller
Mondale
Morton
Moss
Mundt
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Russell
Scott
Sparkman
Spong
Stennis
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—41

Aiken
Baker
Bartlett
Bayh
Bennett
Bible
Brewster
Church
Clark
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Fannin
Fulbright
Gruening
Hartke
Hayden
Hollings
Inouye
Javits
Long, Mo.
Long, La.
McCarthy
McClellan
McGovern
Monroney
Montoya
Morse
Murphy
Muskie
Nelson
Ribicoff
Smathers
Smith
Symington
Thurmond
Tower
Tydings

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. PROXMIRE. Mr. President, it is with a great deal of pleasure I note the ratification today of the Protocol Relating to Refugees. I am particularly gratified since this vote demonstrates clearly that these various international conventions, designed to internationalize human rights and their protection, can be ratified without prejudice to national or State law.

The specific inclusion of appeal to the International Court of Justice is particularly gratifying. It is only through such action on the part of world powers like the United States that other countries can be induced to forego application of their own equivalent of the Connally reservation. We have foregone the Connally reservation in several other treaties concerning friendship, commerce, and navigation. Extending appeal before the International Court to the field of human rights is a milestone which should ease the path of other human rights conventions still awaiting Senate ratification.

As the Senate is well aware, we have other human rights conventions that remain unratified. Among these are the antigenocide convention and the convention on racial discrimination. While other conventions do remain unratified it would seem that these two conventions are particularly in need of immediate ratification. A look at the world and its various regional and national tensions and strife would seem to make imperative their swift ratification by the U.S. Senate and resumption of our leadership in the field of human rights through cooperative creation of an effective international mechanism to oversee universal compliance with the protections of the various conventions.

Mr. President, again I applaud the Senate for its affirmation of universal human rights. I truly hope that what is passed today is prolog.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the Senate's consent to these resolutions of ratification.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATIONS, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER (Mr. McGee in the chair). The bill will be stated by title for the information of the Senate.

The Assistant Legislative Clerk. A bill (H.R. 19908) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PASTORE. Mr. President, the foreign assistance appropriation bill for fiscal year 1969, a copy of which is before Senators, together with a report of the Senate Committee on Appropriations, recommends total appropriations in the amount of $2,658,261,000, which is an increase of $317,250,000 over the House version of the bill, but $996,450,000 under the amount requested by the President and $322,952,000 under the total appropriations enacted in fiscal year 1968.

Mr. President, the bill reported by the Committee on Appropriations is about $52 million under the authorization bill that was agreed to in conference by the Senate and by the House. That bill was discussed on the floor of the Senate and also on the floor of the House of Representatives for several days.

For economic and military assistance, which is included under title I of the bill, the committee recommends to the Senate a total of $1,932,350,000, which is $313,250,000 over the House bill but $987,650,000 under the budget request.

The sums recommended for economic assistance are divided among the following different appropriation line items:

For technical cooperation and development grants, the committee recommends $200 million. In addition, the committee has included language in the bill which will continue available for fiscal year 1969 carryover funds from fiscal year 1968 totaling $20,772,000. This appropriation will provide funds to train teachers, public health experts, agricultural specialists, and other personnel needed to support economic development in the emerging nations of Africa, in the Near East, and South Asia. In addition, funds furnished under this line item are employed to assist in planning and surveys of development programs and projects; pay freight charges on shipments of supplies by approved American nonprofit voluntary agencies; assist in the control and eradication of major diseases and other menaces to health; and finance research concerning problems of economic development. Furthermore, the technical cooperation and development grant program is basic to the war on hunger, particularly in those areas which increase food production. An increasing program under this head represents funds for family planning.

For American schools and hospitals abroad, the committee is recommending $14,600,000, which is the same as the sum provided under the House bill. In addition, a total of $5,100,000 in foreign currencies excess to the normal requirements of the United States is authorized to be used for three institutions listed on page 5 of the report. This sum was included in the bill as it was referred to the Senate, and the Senate committee is recommending concurrence in the House action.

For international organizations and programs, the committee recommends the sum of $147,900,000, which is $27,900,000 more than the amount allowed by the House. For the information of

Members, the organizations which are funded out of this appropriation are shown on page 6 of the report.

Included in the sum allowed by the committee is the full budget estimate for the Indus Basin development fund amounting to $12 million. The House disallowed this item, notwithstanding the fact that section 302(b) of the Foreign Assistance Act authorized an appropriation of $51,220,000 commencing in fiscal year 1969. This authorization was approved by Congress as part of a multinational agreement in which eight donor countries participated, along with the World Bank.

Mr. President, the Indus Basin development fund, which is administered by the World Bank, is financing a 10-year program to construct works in Pakistan to replace waters allocated to India under the Indus Water Treaty. The project—the larest earthmoving task ever undertaken—involves the construction of a dam, seven barrages, and 430 miles of large canals that link the six major rivers of the Indus Basin. The Indus program is now in its 8th year and is progressing on schedule. Expenditures through December of 1967 totaled just over $1 billion. Foreign exchange commitments over the 8-year period total $947 million, including $173 million from India. U.S. foreign exchange commitments amount to $416 million, or approximately 44 percent of the total.

In recommending a sum which is less than the budget estimate for international organizations, the committee stated in its report that none of the reduction be applied to the United Nations Children's Fund, and that not more than $50,000 be used for United Nations programs for southern Africans.

The next item in title I is supporting assistance, for which the committee has recommended an appropriation of $365 million, which is $230 million under the budget estimates and the same as the House allowance. This sum, together with an estimated carryover of $129,822,000, will fund a total program of $494,822,000 in fiscal year 1969, and compares with a budgeted total program of $629,500,000. In other words, the programs funded by the total committee allowance is $134,678,000 less than the program initially proposed in the budget estimate. This budgeted program included $480 million for Vietnam and the balance for programs in Korea, Laos, Thailand, Congo, Dominican Republic, Haiti, and regional programs in Africa.

Supporting assistance is economic aid which is employed to advance U.S. national security and foreign policy objectives in those situations where the basic economic conditions prevailing in certain underdeveloped countries make the strict criteria for developmental type of assistance inapplicable; and to build the defense strength of less-developed nations threatened by Communist expansion. Most of the supporting assistance goes to countries where aid is needed to help establish their external and internal security, which must precede meaningful economic and social development. I think it is important to note that the amount of supporting assistance made available to the less-developed countries of the world has been diminishing over the years. Some 26 countries, which were recipients of this type aid in 1960, will not be recipients in fiscal year 1969 and, for the information of the Senate, those countries which have been removed from the list are cited on page 7 of the report.

The recommendation for the contingency fund is $5 million, the same as the House allowance, but $40 million under the budget estimate. However, the estimated carryover of $24,778,000 from 1968 funds will provide the contingency fund with a total of $29,778,000 for use in fiscal year 1969. These funds will enable the President to meet urgent assistance needs that are either unforeseen or cannot be accurately defined in advance.

Under the Alliance for Progress, which is the Latin American program, the committee recommends $90 million for technical cooperation and development grants. This is the same as the amount authorized, but $20 million under the budget estimate and $20 million more than the House allowance. I do not believe it is necessary to go into an explanation of this program since its objectives are the same as those described under the first item in this bill, technical cooperation and development grants, except that this program applies only to the countries of Latin America. Of interest, however, will be the summary presented on page 10 of the report.

For development loans, Alliance for Progress, the committee has increased the House bill by $130 million. In addition to this new obligational authority of $330 million, carryover funds from fiscal year 1968 in the amount of $56,493,000 will also be available to fund a total development loan program of $386,493,000.

Also included in the bill by the committee, but deleted by the House, is the item, partners of the Alliance, authorized by section 252(b) of the Foreign Assistance Authorization Act. The authorization provided $350,000 for grants to carry out programs and activities of the partners of the Alliance, which is a channel through which civic clubs, business and professional groups, unions, and private individuals in the United States work directly with people in Latin America toward their economic and social betterment.

The next item funded under title I of the bill is the largest single item of economic assistance. It is the worldwide development loan program—excepting Latin American countries—and the committee is recommending $350 million. This is $85 million over the House allowance, but $415 million below the budget estimate. These dollar repayable loans are the major element of AID's development assistance programs and enable recipients to import U.S. goods and services essential to development which they cannot finance from normal commercial sources. In addition, AID uses these loans to encourage self-help measures needed to strengthen the recipient countries' expanding economies. Project loan agreements specify that the recipient countries take self-help measures needed to assure success of the projects, and AID increasingly insists that certain reforms precede the disbursement of funds, that borrowing governments provide matching funds or complementary facilities, and that the projects be operated in specified ways.

The House included in the bill, under the development loan item, the following language:

> *Provided,* That no part of the appropriation may be used to carry out the provisions of section 205 of the Foreign Assistance Act of 1961, as amended.

As members know, section 205 provides that up to 10 percent of the funds made available for development loans shall be available for transfer, on such terms and conditions as the President determines, to the International Development Association, the International Bank for Reconstruction and Development, the International Finance Corporation, and/or the Asian Development Bank.

The committee felt that the language contained in the authorization act should not be made inoperative, and, accordingly, has stricken the aforementioned proviso from the bill.

For administrative expenses of the Agency for International Development, the committee has recommended $51,000,000 and the carryover of $3,508,000 which was also allowed by the House.

The committee concurs with the House in allowing $3,500,000 for administrative expenses, Department of State.

For the last item in title I of the bill—military assistance—the committee recommends the sum of $375 million. This is $45 million under the budget estimate and the same as the House allowance. The committee recommendation is the amount authorized for this purpose in the Foreign Assistance Authorization Act of 1968, just recently enacted. Further explanation of this appropriation is contained on page 14 of the committee report.

Mr. President, I now turn to titles II and III of the bill.

The committee has approved the sum of $104 million for the Peace Corps, which is $4 million over the House bill and $8,800,000 under the amount requested in the budget. The committee allowance should permit the Peace Corps to maintain a program just a shade under the level provided in 1968.

For the Army administration of the Ryukyu Islands, the committee recommends the $20,772,000 allowed by the House, which is also the sum requested in the budget.

For the Cuban refugee program, the committee recommendation is $69,774,000, the full budget estimate.

The House bill also provided the full budget estimate for this item, but included language in its report directing that $844,000 of the new obligational authority be transferred to the Department of State to provide additional funding for the item, migration and refugee assistance. In its report on page 18, the committee states that "it concurs with the House transfer language, but wishes to make it clear that it is not the intent of the committee to cut back the program level for the assistance of refugees in the United States. On the contrary, the committee would expect the department to request a supplemental appropriation if the requirements for assistance actually materialize at the levels budgeted."

For the migration and refugee assistance program administered by the Department of State, the committee recommendation is $5,485,000. Since the committee has concurred with the House's transfer of $844,000 from the Cuban refugee program, the total available for the migration and refugee assistance program in fiscal year 1969 will aggregate $6,329,000. The additional funds will be used to fund the increased caseload of Czechoslovakian nationals to other countries of Western Europe.

The committee has concurred with the House and has recommended the budget estimates for the Asian Development Bank, $20 million; for investment in the Inter-American Development Bank, $300 million; and for subscription to the callable capital of the Inter-American Development Bank, $205,880,000. The specific purposes for which these funds will be used are fully explained on pages 18 through 21 of the committee's report.

The committee has also concurred with the House in the limitations on operating and administrative expenses of the Export-Import Bank, as contained in the budget estimates.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. LAUSCHE. The measure before the Committee on Foreign Relations dealt primarily with what we call foreign assistance. I note from page 2 of the report that the budget estimate on foreign assistance was $2.920 billion, the House recommended $1.619 billion, and the bill before us provides $1,932,350,000.

Mr. PASTORE. The Senator is correct.

Mr. LAUSCHE. In other words, it is $987,650,000 below the budget estimate but $313,250,000 above what the House has given.

Mr. PASTORE. The Senator is correct.

Mr. LAUSCHE. This is the lowest figure we have provided for this program, at least since I have been here, I believe.

Mr. PASTORE. The Senator is correct and it is just about the lowest figure since I have been here. It is a bare-bones budget. There is no question about it. We are $52 million below the amount in the authorization. I should not think there would be any question about this bill.

Mr. President, at this juncture I wish to say that it was a pleasure and an honor to work with the distinguished Senator from Colorado [Mr. ALLOTT] in connection with this matter. We went into some depth with all of the witnesses and in our discussions at executive sessions. We all agreed and our recommendation was accepted by the full committee in executive session. I also wish to compliment the members of the staff for the excellent job they did.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. PASTORE. I yield.

Mr. LAUSCHE. Mr. President, I am looking at title III of the bill that is discussed on page 21 of the report. Title III deals with the Export-Import Bank. The Senate committee is in concurrence with the House recommendation dealing with $2,552,050,000.

Will the Senator from Rhode Island explain what that item is? Is it an item of expenditure or is it an authorization for obligations the Export-Import Bank may incur?

Mr. PASTORE. Well, it is both. It is a limitation on the amount that the Bank may obligate during fiscal year 1969, thus it will also limit expenditures. We all know what the Export-Import Bank is.

Mr. LAUSCHE. Yes, I do.

Mr. PASTORE. It helps to finance some of our exports. It has consistently operated at a profit, and returns a considerable dividend to the U.S. Treasury each year. Estimated profit for fiscal year 1969 will be in excess of $100 million, and $50 million was paid to the U.S. Treasury.

Mr. LAUSCHE. My recollection is, we have put very little money in the Export-Import Bank. All of its financing is done through moneys obtained through the sale of the bonds; is that not correct?

Mr. PASTORE. That is more or less correct; but initial financing was obtained from U.S. subscriptions to the capital stock of the Bank.

Mr. LAUSCHE. I think we have only put up about $10 million.

Mr. PASTORE. There has never been a call on the U.S. Treasury. In fact, since 1934 the Bank has paid into the U.S. Treasury over $1 billion in dividends on the stock that it owns. It has been a flourishing and profitable enterprise.

Mr. LAUSCHE. Thus far, the Export-Import Bank has made huge profits. We have paid in very few dollars of the capital that we subscribed, but it is callable. Now I do think that this provision here puts a limitation on what their operations may be for the next fiscal year; am I not correct?

Mr. PASTORE. That is true.

Mr. LAUSCHE. Yes. I thank the Senator from Rhode Island very much.

Mr. PASTORE. They have to get authority from us.

Mr. ALLOTT. Mr. President, if the Senator from Rhode Island does not mind, I want to make a short statement now before we get involved too deeply in discussion of the bill. The Senator can yield to me for that purpose and retain his right to the floor, if he wishes.

Mr. PASTORE. All right. Very well. I yield to the Senator from Colorado for that purpose.

Mr. ALLOTT. Mr. President, I want to express my gratitude to the Senator from Rhode Island [Mr. PASTORE] for the very fine and excellent manner in which he carried out his assignment and his duties in reporting this bill, and his thoughtfulness in including me, the acting ranking minority member on the committee on the foreign assistance appropriation bill which handled H.R. 19908 in all deliberations. After the hearings were completed, the chairman and I joined in going over each and every item in the bill in an effort to arrive at equitable recommendations to the committee. The chairman has already explained the various amounts of money recommended by program, also the language included in the report and bill, so I will not be repetitious, but the committee did accept the recommendations of the chairman and myself.

The foreign assistance appropriations bill has disturbed me over the years, and this year is no exception. I fail to find any firm foreign policy advanced by the present administration, thus I am precluded from making a sound judgment as to what is needed and where it should go.

Another area that disturbs me is the timing on the appropriation bill. The Appropriations Committee cannot act on this bill until the authorization bill has been considered and passed by both Houses, and this generally is late in the session. The result is that the Appropriations Committee has to do its work in a hurried manner.

Mr. President, we went into these matters as carefully as it is possible to do so, but if any appropriation bill which comes before Congress emphasizes the need for our committees to start functioning early in the year in order that the authorization legislation may be out of the way and adopted, and in order that the Appropriations Committee can spend the time it really should on these matters, we need to take a new look at our whole procedures in this matter.

Just think, this is the 4th day of October. July, August, and September of this year have gone by. We know that under such a planning schedule, no matter how critical we may be of AID or any of these other institutions, they cannot perform an effective, well-planned, and economic job when they are not assured until this time of the year as to what kind of program will be in effect.

While I am sure that all of us at times have been critical of one or another of these agencies, or some aspect of the work they have carried on in this respect, I think we in Congress must assume our responsibility. If we could put these appropriation bills into effect at the beginning of a fiscal year, or at a time not later than 30 days after the beginning of a fiscal year, we would actually and truly—and I am sure no one would quarrel with this—effect economies in the millions of dollars. We would effect economies in this one bill by many millions of dollars if we could pass an appropriation bill and get it out of the way so that the various agencies would know what they are doing.

Mr. PASTORE. If the Senator from Colorado will indulge me to make an observation on that very point he has raised, I have lamented that fact year in and year out. It is a tragic situation—and I use the word "tragic" advisedly—that the authorization bills did not come out until a few days before the appropriation bills were acted upon.

Mr. ALLOTT. That is correct.

Mr. PASTORE. As the Senator has pointed out, we are dealing with billions of dollars and the people in the field do not know how much money they will get or what commitments they can make until a considerable part of the fiscal year has gone by. Thus, for perhaps 4 or 5 months all they can do is sit on their hands, or talk loosely about what should be done or what should not be done.

I believe that is a very dangerous practice, for the simple reason that in dealing with foreign governments, we should be precise about what will be available. One cannot talk in terms of $5 million and then end up with Congress allowing only $2 million. That makes it quite embarrassing.

Just as the Senator from Colorado pointed out, all of this leads to inefficiency, to haste and waste, because after all here the appropriations bill is, now before the Senate, and the President has not yet signed the authorization bill. We will have to go to conference, hopefully trying to get it out of here by the end of next week. Then there is the supplemental bill, which has not even been reported yet, we have not held hearings on it, and the committee has not gone through it. The fact remains that here it is soon going to be the 1st of November, which means that 4 months of fiscal year 1969 have already passed.

Mr. ALLOTT. I thank the Senator, because he realizes as much as anyone the problems that this creates. If we consider we pass this bill today and go through a conference and submit it to the President next week, it would be very highly improbable that the allocations under the bill would be made before the first of December. Then we are already delaying it one-half of the fiscal year, and no one could operate a business on that basis.

I want to make perfectly clear that no one could have acted with more dispatch or held hearings more promptly and intensively than the chairman of the committee. So what I have had to say before this, I want to make clear, places no burden on his back. No one could have done more to expedite this matter than he.

Mr. President, the bill, as reported by the committee, for title I is $1,932,350,000. There is an amount of $397,153,000 also available in carryover and recoveries for a total of available funds to finance title I for fiscal year 1969 in the amount of $2,329,503,000.

The question that keeps bothering us, of course, is whether these funds and programs are justified and whether they are in the best interests of our country. We have so many needs at home that we have to balance them against the needs of the developing countries; and I personally justify my participation in voting for this bill on the concept that we cannot live forever in a world of haves and have-nots, and what little we can do to help we have to do, but we have to also balance that against our domestic needs.

Mr. President, I believe that after two decades of funding foreign assistance programs, it is high time for a review to be made of the whole program, with the thought in mind that firm programs should be submitted to the Congress instead of this so-called illustrative program which has been presented to the Congress over the years.

In closing, Mr. President, I should like to insert a table in the RECORD, showing the amounts of money provided for economic and military assistance programs in Vietnam since fiscal year 1955.

The PRESIDING OFFICER. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. ECONOMIC AND MILITARY ASSISTANCE TO VIETNAM AS AUTHORIZED UNDER MUTUAL SECURITY ACT AND FOREIGN ASSISTANCE ACT

[In millions of dollars]

Fiscal year	Total economic assistance [1]	Total military assistance [2]	Total economic and military assistance as authorized under MSA and FAA
1953	0	[3] 277.8	1,101.1
1954	.1		
1955	325.8		
1956	216.3		
1957	281.1		
1958	192.0	53.2	245.2
1959	207.1	41.9	249.0
1960	180.3	70.9	251.2
1961	144.2	65.0	209.2
1962	142.9	144.0	286.9
1963	186.4	190.0	376.4
1964	216.1	186.9	402.0
1965	268.5	274.7	543.2
1966	729.2	[4] 170.8	899.9
1967	634.6	(4)	634.6
1968	574.9	(4)	574.9
1969	700.1	(4)	700.1

[1] Figures under economic assistance including Public Law 480 assistance.

[2] Military assistance figures are for Mutual Security Act period and Foreign Assistance Act only.

[3] Excludes aid to French Indochina prior to partition.

[4] Military assistance was transferred to the regular DOD budget during fiscal year 1966. The years and amounts funded by DOD were as follows: 1966—778.1; 1967—1,197.0; 1968—1,298.7; estimated 1969—classified.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Florida.

Mr. HOLLAND. First, Mr. President, I want to express to both the Senator from Rhode Island and the Senator from Colorado my very great thanks for the careful and kind way in which they have handled this bill. They realize that it affects human beings, more in some cases than in others. I want to make that general statement. I do not know of anyone who could have handled it more thoroughly and yet more compassionately and kindly.

Second, I am particularly happy that the recommendations of the two Senators, as acted upon by the committee, affirmatively called for the restoration to the full authorized amount of the appropriations for the Latin American programs, for the Alianza program. I think, whether we want to recognize the fact or not, first, we are on record as pledging support for it; and second, our future is so concerned with that problem because, after all, we are going to live here in the Western Hemisphere with our Latin American friends. We want them to be our friends, and we must treat them as friends. I must say, in the main, they treat us very cordially. I am glad the committee has called for full restoration of the authorized amount of the program.

Third, I want to say that I particularly appreciate the consideration given to the refugee program insofar as it affects Cuban refugees. I think the general public is inclined to believe that that problem is behind us now. We have had something like 500,000 Cubans come into this country since Castro came into power. I want this RECORD to show that the record of the committee hearings already shows, that something like 44,000 are coming in annually by airlift on a regular basis, and, according to the best estimates of the immigration people, about 4,000 are coming in by other, less regular means, making a total of about 48,000 a year. So that the problem is not behind us, but is a continuing one. Many features of it call for compassion. For example, a great many children are being sent in by their parents unaccompanied by their parents. That still remains the case.

I want the RECORD to show that the Health, Education, and Welfare Department, as well as the Immigration Service, have both done, in my opinion, a very, very fine job, and I want the RECORD to show equally that, in my opinion, the citizens of the Miami area, where the first impact of this problem has been felt, have done a fine job.

The record shows that, insofar as hospitalization costs of the refugees are concerned, that has been worked out on a completely agreeable basis between HEW and the local authorities. The same is true with reference to the school program, where a good many thousand children of Cuban refugees are in the public schools of the Miami area. The same is true with reference to the resettlement program, because now more and more other areas of the Nation are taking over large portions of this refugee problem.

I simply want to express here and now my appreciation to the two distinguished Senators whom I have named for their continued recognition of and cooperation in this problem, and at the same time to express my pride—and I do have pride—in the cooperative handling of this program, which has called for cooperation from the public authorities of Dade County, Miami, and of Florida generally, and that cooperation has been freely and gladly extended.

Without going into the amounts involved, I want to make it clear that, without quibbling about the matter at all, both Houses of the Congress, through the committee in the House and now the committee in the Senate, recognize this problem, at its existing size; and I personally, as one of the representatives of the Florida people, want to express my appreciation for that fact.

It is a real problem. It has been met by joint effort of the local and Federal authorities; and I am glad we continue to see that the problem is not over, but, on the contrary, anyone who wants to go to the airport at Miami on the days of arrival of the airlift will see indications of the tremendous gratitude on the part of those people who arrive and of very deep emotions on the part of those who meet them as their family members who have been held in Cuba up to this time are able to get here at last on the free soil of America.

I again express my gratitude to the two distinguished Senators.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. LAUSCHE. Apropos what has just been discussed by the Senator from

Florida with reference to providing money for the relief of refugees, undoubtedly there will be refugees coming out of Czechoslovakia. I discussed the subject yesterday with Mr. Rostow at the White House. Can the Senator from Rhode Island tell us whether or not the committee handled that subject in this bill?

Mr. PASTORE. Heretofore transportation costs for Cuban refugees were borne by the Department of State. The House directed that $844,000 be transferred from the $69,774,000 appropriated to the Department of Health, Education, and Welfare to the Department of State to cover these transportation costs. The effect of this transfer of funds, in which the Appropriations Committee has concurred, makes $844,000 additional to the Department of State to cover the costs of handling the Czechoslovakian refugee situation.

There is no question that if the need should be greater, the money will be provided. We also wrote into our report that, if the transfer of the $844,000 causes the Cuban refugee appropriation to run short, the amount will be restored in a supplemental bill.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PASTORE. Mr. President, I yield to the Senator from Tennessee.

AFTER VIETNAM

Mr. GORE. Mr. President, this election year in the United States, a time of war and challenge to world security, is a crucial time for Americans and the world. The great issues of the day require, as I undertook to say in the Senate yesterday, the attention and frank discussion by candidates for President and for Congress.

As pressing as are our current problems and controversies—Vietnam, Russian aggression and Czechoslovakia, China's nuclear weapon development, the United Nations, unrest, riots, race, and space, and all the rest—problems and policies beyond today, after Vietnam, demand attention, too.

I assume that we will find a way, because we must, to extricate ourselves from our madness in Vietnam.

What challenges will we then face? What goals will we then seek? What lessons shall we and others have learned? In what ways shall we then seek our security? These questions and the answers to these questions should constitute pertinent dialog in the presidential campaign. Perhaps a searching debate in the Senate would encourage the candidates for President to engage in serious, responsible discussion of important issues, both present and long term.

The objectives of our foreign policies after Vietnam will be, I believe, or should be, to defend the security of the American people; to guard the freedom of our people; to encourage an environment in which they can enjoy the blessing of liberty, and to prevent the outbreak of nuclear war.

I think we shall have then discovered that our security and the world's chance of avoiding nuclear war will depend in the final and most important analysis upon relations between the United States and the two other great nuclear powers in the world, the Soviet Union and China, and upon the force of world public opinion that will be better and better informed through intensified and expanded mass communication and better education. Neither world peace nor our own security, in my opinion, will then depend upon efforts on our part to establish democratic governments all over the world at any and all costs, however desirable for us that objective might be.

On the other hand, the giant Communist countries shall have learned, I believe, that neither their own prestige nor their own internal peace, neither the solidarity nor the security of the Communist bloc will be achieved by aggression or military force.

Though military power may be polarized in three great nations whose ideological characteristics may vary and change, the use of force by a great nation to work its political will upon small nations will have been proven counterproductive if not abortive.

The United States, I am glad to say, has generally realized this elemental fact and has generally acted accordingly. Thus, while we intervened in Korea where the issue of peace or war was clearly drawn by a massive armed attack, we did not intervene in East Berlin in 1953, in Hungary in 1956, in Tibet in 1966, in Rhodesia in 1967, or in Czechoslovakia in 1968.

The limited intervention in the Dominican Republic by the United States succeeded in preserving the status quo there, yet its cost in prestige and in their hemispheric relations was severe and both its need and justification is now in serious doubt. In the Dominican intervention we were not trying to overturn an established Communist regime but to prevent the possibility of a Communist takeover. We have not intervened in Haiti, or in Angola, or in Greece or in Argentina, or in Nigeria, or in Czechoslovakia or in many other countries for the sake of preserving democracy and freedom because there has been no Communist threat. There have been instances of U.S. intervention, to be sure, but when we have intervened we have done so not in an attempt to preserve democratic rule but to prevent Communist rule or to thwart a real or imagined Communist threat.

In this after-Vietnam-tomorrow of which I speak, I believe the United States will have come to realize that we cannot do for others what they cannot, or will not, do and wish for themselves; that a military victory at all costs may not always be worth the price; that military intervention to work a political will even though by invitation, either genuine or contrived, is both costly and doubtful if not extremely unwise; that the security of the American people, in the large sense of the word, may be weakened rather than strengthened by either overreaction or overcommitment; and that a decent respect for the opinions of peoples of all nations is a concomitant to world leadership.

I have no doubt—no doubt at all—that after Vietnam we will, because we must, recoup our fortunes, though we will never be able to restore our brave young men to life. We will, because we must, return to pursuing our national goals as set forth in the preamble to the Constitution—"to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." We will, because we must, restore our relations with those nations who have been our friends and improve our relations with those who have not been willing to do so before. And we will, because we must, turn our energies and our will again to the principal objective of our foreign policy. We will, because we must, turn our attention to our relations with the Soviet Union and Communist China.

The war in Vietnam has not healed the breach between the Soviet Union and Communist China. We can take no credit for this fact. On the contrary, by all logic the war should have driven these two Communist powers together, even against their wills. But the breach between them has been too wide, and its roots too deep, to be so repaired.

After all, the Chinese have had centuries of hostile relations with Russia. They have lost large parts of China to Russian rule or domination. And the Chinese, with their strong national pride and bitter resentment of the West, were bound to find Russian domination distasteful. Thus, it is not surprising that some scholars believe that Soviet revisionism may now rival, perhaps even may have replaced, American imperialism as the principal object of Chinese hostility.

But while the war has not restored unity between Russia and China, it has nevertheless joined them in a rivalry—a rivalry that has been undesirable from our point of view but inevitable from their point of view, given the competition between them for leadership in the Communist world. They have become rivals to see which can appear to be the most anti-American and thus the most loyal defender and persuasive advocate of Communist principles. In this uncomely contest, China now seems to hold some sort of lead.

After Vietnam, it should be possible for the United States to extricate itself from the position of being the target of a Soviet-Chinese competition in anti-Americanism. We should be able, instead, to become the object of a Soviet-Chinese competition in peaceful coexistence. Good relations with the United States should become a precious asset to be sought, rather than a pernicious attachment to be shunned. We should, in other words, be able to have the differences between the Soviet Union and China work to our advantage instead of to our disadvantage.

I do not mean to suggest that after Vietnam we should encourage Soviet-Chinese hostility, whatever immediate advantages such a course of action might appear to promise. Given the opportunity to play one off against the other, which is not an unforeseeable situation, this would be tempting; but, in the long run it likely would be unsound to make good relations between the United States and the Soviets dependent upon poor relations between the Soviets and the Chinese or vice versa. For if hostility between the Soviets and the Chinese were carried far enough, it could lead ultimately to a war between two of the three greatest powers in the world—a war which could involve one-third of the earth's population, which would put two races against one another and which would involve two nuclear powers.

But a declination to take the side of the Soviets in their feud with the Chinese does not mean that we could not—and would not—find a common interest with the Soviets in restraining the Chinese. And, conversely, a refusal to support the Chinese in their argument with the Soviets does not mean that we could not—and would not—be able to encourage and help the Chinese to become even more independent, particularly economically.

Thus, rather than pursuing a policy aimed at preserving poor relations between the Soviet Union and Communist China, I suggest that after Vietnam we pursue a policy aimed at promoting improved U.S. relations with both.

Our relations with the Soviet Union were gradually improving before the U.S. venture in Vietnam and before the Soviet aggression and suppression with force in Czechoslovakia. These have been severe setbacks that threaten the achievements in cooperation that have been realized in nuclear test suspension, in nuclear nonproliferation, in outer space agreement and in cultural exchange.

Yet the mutuality of interests in these and other fields cannot be overlooked. The more turbulent and dangerous the world becomes the greater is the need for sufficient cooperation and mutuality between the leading nuclear powers to avoid war.

It should be possible, if we really try, to pick up the threads of dètente and undertake with caution and care to build a more solid relationship with the Soviet Union.

We should be able to increase contacts of many sorts—cultural, technological, informational, and academic. We should be able to develop increasingly unfettered trade.

We should be able to make more progress toward reaching agreements on additional arms control measures, especially in areas where there is a mutual interest in peace and stability, such as the Middle East and Southeast Asia.

And we should also be able to work toward joint efforts in space exploration, in population control and in economic and food assistance to the developing countries.

At least, these must be our aims, and our efforts should be diligent and dedicated.

The problems of our relations with Communist China after Vietnam are likely to be even more complicated. Perhaps the first obstacle on our part is the widely held view in the United States that China is an expansionist and threatening power which is determined to sweep through Asia.

It does not seem to me that the present Chinese Government has shown much eagerness to spread its faith by force. Communist China has promised to encourage and support wars of national liberation, but China has not promised to participate directly in these wars and has not done so. Doubtless the Peking government hopes that such wars will succeed not only in Vietnam, but in Laos, Thailand, Burma, and other Asian countries as well. We have, I believe, placed more emphasis on their words than on their actions. And we have confused their desire to see such wars succeed—a desire which is certainly no stronger than our desire to see such wars fail—with their ability to insure success.

But even if China does not threaten today, will she threaten tomorrow when she will have developed her nuclear capabilities and when she will have a full-fledged intercontinental-ballistic-missile force? I question whether we should quake at this prospect, given our awesome nuclear superiority. In fact, possession of nuclear weapons may be as sobering to China as it proved to be with Russia. If so, China may then be more nearly willing to approach her foreign problems in a reasonable and realistic way. After all, Soviet-American relations were worse when the United States had a monopoly on nuclear power than they have been in the period since a nuclear balance has existed in Europe. This balance has, paradoxically, helped produce a certain détente in Europe. A nuclear balance in Asia could have a similar effect. At least, this is possible, something for which we can hope.

As far as the Peking government is concerned, the Nationalist Government of Taiwan is by far the most serious obstacle standing in the way of more normal relationships with the United States. The principal source of the mainland Government's resentment against us is that since 1950 we have been the Nationalist Government's chief supporter and advocate.

Surely, after Vietnam, we should—in the interests of peace in Asia—turn the various problems that revolve around Taiwan over to the Chinese themselves, the Chinese on the mainland and the Chinese on Taiwan. We should continue to insist that these problems be resolved peacefully, and we should leave no doubt in any mind that we will continue to honor our 1954 treaty to defend the Republic of China against attack. A settlement, in short, should be, and possibly could be, in the nature of an amnesty.

There is no reason why it should be beyond the human ingenuity of the Chinese to arrange solutions to their various problems which would meet the interests of the 2 million mainland Chinese on Taiwan, who surely do not wish forever to continue to base their existence on the now ludicrous fiction that they constitute the government of China; the interests of the 11 million Taiwanese, who surely do not wish to be governed and represented for the indefinite future by 2 million non-Taiwanese refugees from the mainland; the interests of the mainland Chinese, who—notwithstanding their apparent disinclination at present to enter into more normal relationships with other nations—surely do not wish to see the unresolved problems relating to Taiwan perpetually obstruct their assumption of a more appropriate and positive role in Asia; the interests of other Asians, whose security is surely not enhanced but threatened by the bitter antipathies aroused by this issue; and the interests of the United States, which surely does not wish to see a continuing hostility with China because of the forlorn hope of some—or perhaps only a few—of the mainland Chinese on Taiwan who still claim to see some possibility of returning there.

Thus, it seems to me that after Vietnam—and perhaps even sooner—the United States should acknowledge—as clearly, unqualifiedly, and openly as possible and at the highest level of government—that the People's Republic of China controls the mainland of China. And we should add that we are ready to exchange diplomatic representation with China and to negotiate mutually advantageous trade agreements. In current parlance, we should recognize Red China, the grossest pretense being required not to do so.

At the same time, we should stop and refrain from twisting arms at the United Nations so that all nations can vote on questions relating to the issue of Chinese representation without pressure from the United States.

Instead of opposition to Chinese admission to the United Nations, the United States should take the lead in urging China to alter her unrealistic demands and antagonistic policies so she could be admitted and accepted into responsible membership in the family of nations. This, I believe, will rapidly become a supreme challenge to the Western World, including Russia. This, in fact, appears to be the case even now.

Communist China has, of course, fixed utterly unreasonable conditions to be met before she will accept membership in the U.N., including the expulsion of the United States. These conditions are so extreme that they will not be granted by the U.N. Yet the United States permits herself to be blamed for keeping China out of the U.N. Why should the onus of Chinese intractability be borne by the United States? Let the Chinese bear the burden of their own unreasonableness. If she changes, good.

There are two particular problems involving mainland China—far simpler problems than those of recognition and representation in the United Nations—which it should be possible for the United States to begin to resolve after Vietnam. One is travel and the other is trade.

The total absence of travel between our countries has created a barrier of ignorance between the United States and Communist China which serves the interests of neither. The Chinese themselves were the first to suggest in 1956 that American journalists visit China, an offer that we rejected. When we decided a year later to accept, they changed their minds and they have since shown no disposition to accept offers on our part to ease the travel barrier.

Nevertheless, I see no reason to continue to insist on any reciprocal Chinese action—that is, on any procedure involving an offer by us and an acceptance by them—on this point. If, after Vietnam, the Chinese are not willing to admit

American journalists, doctors, scientists, and tourists, it will be their loss far more than it is ours. I believe that we should, therefore, announce that we will validate all passports for legitimate cultural, economic and professional travel by Chinese in the United States. We would have much to gain by this and little, if anything, to lose.

As far as trade is concerned, it seems to me that the present situation verges on the ridiculous. It is doubtful whether our original objective of an embargo on all foreign trade with China by all non-Communist nations would really have caused sufficiently serious economic problems in China to force them to make concessions of some sort in order to obtain such trade. Certainly, such an embargo would not have caused the Communist regime to collapse. But, in any case, the question of the effect of such an embargo is academic because other nations have not been willing to join in imposing one. Peking's chief trading partners last year were the United Kingdom, Japan, the Soviet Union, West Germany, Australia, Canada, Italy, and France, roughly in that order.

While our refusal to allow American companies—or even foreign subsidiaries of American corporations—to trade with mainland China, even in nonstrategic goods, has had little economic effect, it has had serious political effects. It has been a constant source of friction with our allies who regard our policy as misconceived, if not demented. And it has contributed another drop of poison to the atmosphere between the Chinese and ourselves.

I see no reason to trade in nonstrategic items with the Soviet Union and the European Communist countries but not to trade at all with China. We should trade with both. I see only benefits that would flow from increasing China's nonstrategic trade with us and with other non-Communist countries. Trade is, after all, China's one window on the world today. It is a basic medium of international communication. U.S. trade has had positive political results in the Soviet Union and in Eastern Europe, and I see no reason to assume that similar results would not follow in China.

Throughout history, friendship has tended to follow the trade routes.

Unfortunately, there is a good possibility that even after Vietnam the actions on our part that I have mentioned will not be welcomed—much less reciprocated—by the Chinese, at least not in the very near future. The Chinese now seem to look at the world through Marxist glasses with Maoist lenses, lenses which magnify the traditional Chinese suspicions and resentments of the rest of the world and distort—in a particular way—the Chinese view of the United States. These lenses could, of course, be removed but it seems that China's present leaders feel that they serve a useful purpose in producing a fearful and mistrustful view of the outside world which makes the Chinese less prone to question—and more prone to support—that which they are asked to do for the sake of the revolution.

Nevertheless, I believe, logic and an enlightened long-range view of our own self-interest indicates that the United States should take the actions I have suggested, rather than to continue to attempt to compete, on their terms, with a country which seems to make a habit of ugly intransigence and a virtue of contentiousness.

Some may argue that it would be wiser to begin with small steps, with exploratory negotiations, for example, or with some careful probing designed to discover whether the Chinese are prepared to respond to our initiatives. I believe that the question of our future relations with China and the Soviet Union is of such paramount importance that excessive caution may be tantamount to excessive risk. For those in the United States who are still obsessed with the fear of communism, who fear that it will sweep across Europe and the Atlantic, or across the paradoxically named Pacific, to the shores of the United States, small steps will be just as incomprehensible, and thus just as unacceptable, as giant strides.

In his farewell address, George Washington warned us not only against "permanent alliances with any portion of the foreign world" but also against "permanent, inveterate antipathies against particular nations." He then said:

> The nation, which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its anomisity or to its affection, either of which is sufficient to lead it astray from its duty and its interest.

The United States has been led astray by its extreme antipathy to communism. It has been led astray, as Washington foresaw, by an antipathy that has proved inveterate and a hatred that has become habitual and that has made it a slave to its anomisity.

Now the time is rapidly nearing when another President will deliver an inaugural address to the Nation; the platforms for the ceremony are already under construction. I hope that he will see and seize the opportunity to urge his country to free itself from the slavery of its animosities which has led it astray from its duty and its interest.

I urge my fellow Americans to pursue policies after Vietnam that will terminate the bitter antipathies among Americans, Chinese, and Russians.

For if our relations with the Soviet Union and China—and their relations with us—do not begin to improve but continue to deteriorate, the next war may bring a very different "after"—or none at all for the major nuclear powers.

ACHIEVEMENTS OF AMERICAN FOREIGN POLICY

Mr. McGEE. Mr. President, the first words of the United Nations Charter are these:

> We the peoples of the United Nations, determined to save succeeding generations from the scourge of war.

The foreign policy of the United States today has its deepest roots in that same determination. In the last 5 years, the slowly rising structure of peace has been battered, from the highlands of Bolivia to the waterways of the Mekong and the streets of Prague, by those who resort to force to impose their policies on others. Facing this hard fact, the United States during the Johnson administration has not sought to police the world. But we have steadfastly honored our national pledges to our allies and treaty partners, from West Berlin to Korea, Taiwan, and Vietnam. And today, surveying the globe after 5 years of ever-present danger, we see that not one people which had put its trust in us has given up its land or its liberty.

It might have been easier to have decided that we were no longer needed; that, for example, peace would preserve itself in a Europe heavily unbalanced by nuclear-armed Soviet divisions. Many were the voices which urged this conclusion on us. The Soviet system had changed, they said; the threat from the East was dead. This thinking could have meant the end of NATO.

But in spite of pressures at home and abroad, President Johnson did not believe that the way to maintain peace in Western Europe was to curtail its defenses and destroy the framework of hard-won collaboration. Other NATO allies shared our view. We redoubled our common efforts. The massive problems of withdrawal from France were successfully mastered. Strategy has been updated and made more flexible; the responsibilities and difficulties of nuclear planning have been shared. Few would argue, now, in the light of Czechoslovakia, that we were wrong to choose the harder road. And had we chosen the other way, would the courage of the people of West Berlin have been enough, alone, to sustain them against the armed hostility which surrounds them? We cannot be certain. But West Berlin survives today, an example in determination to us all.

But it is in Southeast Asia that we have faced our most difficult choices. The United States, through the Southeast Asian Treaty and a whole series of other pledges, has been committed to the maintenance of peace in the former territories of Indochina since 1954. We have chosen to honor our promises, acting on the deep conviction that no peace bought by appeasement of aggression can last long. Those of us who remember the 1930's, recall the history of "peace in our time." It lasted but a moment, while the aggressor grew stronger, and the result was World War II.

While no one can yet say when this tragic struggle will end, the essential outcome can already be discerned. The North Vietnamese Army cannot and will not defeat the South Vietnamese and allied forces. In the last 18 months, the reversal of the military trend has been dramatic. Accordingly, whether soon or late, it will be the people of South Vietnam who will determine the future of South Vietnam, and will make their choices free from fear. This is the outcome for which we have sacrificed so much, and its attainment is sure. What is not sure is the time and the manner in which the end will come about. The United States has been willing to discuss a cease-fire and a safeguarded peace in Vietnam for many months.

But even as Hanoi delays, and the violence continues, South Vietnam is changing. Since mid-1965, there have been slow but continuing gains in education, health, roads, agriculture, land reform. A constitution has been adopted and a series of free elections held—and this in the midst of war. As a result, confidence is being born, in the army, in the government, and in the villages. That confidence is reflected today throughout Southeast Asia, where the overwhelming majority of governments have given voice to their recognition of the issues at stake. As the independent-minded Premier of Singapore, Lee Kuan Yew—no slavish admirer of American ways—has said:

> If the communists are able to advance their frontiers to envelop South Viet-Nam, it will be only a matter of time before the same process . . . will overtake the neighboring countries.

But the leaders of the area have increasingly become aware that this Communist effort is failing, through the resistance of the South Vietnamese and their American and Asian allies. With this new confidence has come a kindling of constructive energies in all the countries of the region.

What would have happened if we had allowed South Vietnam to be annexed by force from the North? What would have happened in Laos, in Cambodia, in Thailand and Burma, Malaysia and Singapore? What would have happened in Indonesia, fifth largest nation in the world, which less than 3 years ago nearly fell to a Communist coup? We cannot be certain, but we need make no mistake about how the Asians feel. Prime Minister Sato of Japan reported last year, after an extensive tour of Southeast Asia:

> I was deeply impressed, during my recent trip, that the United States' efforts in Viet-Nam were well understood and appreciated by the governments and peoples of the Asian countries. I found that they clearly understood that if the United States loses interest in Asia at the present time, not only the peace and security of Asia, but also the future of the world would be in serious jeopardy.

At the heart of the dangers which threaten us all lies the deep division between East and West, in philosophy, in purpose, in trust. In the last 5 years, the efforts of President Johnson to narrow this gap have given the political vocabulary of the world a new phrase: "bridge-building." The words symbolize a patient and persistent search for points of mutual interest between East and West on which we can build—a search for areas of agreement, however small, which could lead toward larger accords. And so within the last 2 years we reached a civil air transport agreement with the Soviet Union. We signed a consular agreement, under which Americans traveling to the Soviet Union are extended new rights of protection. We have concluded a space treaty to allow the human race to make of outer space an adventure and a resource, instead of a battleground.

From the very first days of his administration, President Johnson worked for a still larger agreement, of enormous meaning to us and to succeeding generations—a nonproliferation treaty, to prevent the spread of nuclear weapons from the few countries which have them today to the many who could brandish them tomorrow. Today we have that treaty, signed by the United States, the Soviet Union, and many other nations, and hopefully soon to be ratified in this body.

And still a further important step has been taken through an agreement with the Soviet Union to discuss the limitation and the reduction of strategic missile systems, a development which could be the turning point in the costly arms race. In no period since World War II has an administration done more to bridge the gulf which separates East and West.

At Glassboro, President Johnson said:

> Peace will be achieved not only by resolving the bitter conflicts of today. Even after we end these conflicts, there remains another task: to build a pattern of cooperation in the world.

These agreements with the Soviet Union, so painstakingly worked out in years of effort, are a crucial part of that effort to build a pattern of cooperation. The rebuilding and revitalizing of NATO in recent years to strengthen the Atlantic partnership with Western Europe was another central part of that effort. Our determination, with our allies, to work for peace on the Pacific flank of Asia, is another part of this developing pattern of cooperation. In the Western Hemisphere, we have worked successfully to strengthen the Organization of American States, to insure collectively the peace of the twin Americas. The result has been impressive.

In other parts of the world we have sought to strengthen peace by whatever means was most appropriate—whether through the United Nations, regional organizations, or bilateral agreements with other countries. We have been a leading supporter of the U.N. peacekeeping efforts between Israel and the Arab States, between India and Pakistan, and between Greek and Turkish Cypriots. Peace can never be taken for granted—least of all where rivalries and passions have been deep ingrained through centuries past. But the patterns of cooperation are emerging—in Europe, in Asia, in Latin America, even among the newly emergent nations of Africa.

A principal key to a better standard of living throughout the world is a rising level of world trade. Through international monetary reform, we have taken the leadership in assuring the necessary liquidity for financing a growing world trade. By persevering in the difficult and long-drawn-out Kennedy round of tariff negotiations, we helped to achieve the most favorable tariff climate for world trade in history. Our farmers now benefit from a wide range of concessions on commodities such as soybeans, tallow, tobacco, poultry, and fruit. In the 3 years alone from 1963 to 1966, a more than 30-percent increase in U.S. exports meant 850,000 more jobs for American workingmen and a billion and a half dollars of U.S. agricultural exports.

Our foreign aid program, the Peace Corps, and our information programs have been spearheads of social development throughout the Southern Hemisphere. In Africa, not a single new nation has accepted Communist domination.

In Latin America, the Alliance for Progress has affected the lives of millions. Above all, the Alliance has helped to create new attitudes and hopes which are the key to a still larger success. Under the impetus of real progress, the practice of government by coup is yielding to the practice of government by consent. Since 1964, 15 Latin American countries have held constitutional elections and elected governments which proceeded to take office peacefully—six of them replacing unconstitutional regimes.

In spite of our great efforts, the gap between rich and poor nations is still growing. There are more illiterates and more hungry people in the world today than there were yesterday, and there will be still more tomorrow. It would be tragic if the American people were to turn their eyes away from this great need. It is a need which we must meet: first, because it is right; second, because the long-term hope of peace in the world depends on meeting the aspirations of all peoples for a decent life; and third, because it is in our own interests. A 38-percent rise in U.S. exports to Africa in 5 years, a 25-percent rise in U.S. exports to east Asia in 2 years, are only two illustrations of the fact that developing countries are developing markets for U.S. products.

And one more contribution to world order, often overlooked in discussing foreign policy, should be cited here. It has been said that the Johnson administration, more than any other Presidency, has advanced the cause of human rights in this country. But in battling against the social ills which afflict our own society, we Americans have not been working for ourselves alone. The progress gained in one country supports the struggle for human rights in every other country. In striving for justice and opportunity and dignity for our own people, we are advancing the just cause of peoples around the globe.

In this world of instant communication, instant action, instant protest, there are no instant answers, no instant progress, no instant peace. A wise administration can offer only patience, perseverance, and dedication to our highest goals.

Lyndon Johnson once described the questions that a President must ask himself:

> Have I done everything that I can do to unite this country? Have I done everything I can to help unite the world, to try to bring peace and hope to all the people of the world? Have I done enough?

And he went on to say:

> Ask yourselves that question in your homes—and in this hall tonight. Have we, each of us, all done all we can do? Have we done enough?

In my judgment, President Johnson has done a great deal, and so have the American people. When the history of these turbulent times is written, I believe it will be said of America that under the leadership of Lyndon Johnson she averted global war while moving the world toward lasting global peace.

Mr. President, we are being asked today to ratify what the President of the World Bank, Robert McNamara, has just called the disenchantment of the rich with development aid.

In his first speech in his new job, the

former Secretary of Defense has made it clear that the World Bank group will do its best to fill a resource gap which is being created by declining aid levels from the United States and other countries. The bill before us today is a striking illustration of Mr. McNamara's complaint that "while the requirement for assistance was never higher, the will to provide it was never lower."

The Appropriations Committee has done its best—it has fully restored all the funds for development in this bill to the level authorized in the Foreign Assistance Act of 1968, which we just recently passed. The trouble is that even that level is too low, and unless this year is different, we will not be able to persuade the other body to accept those restorations intact.

This aid bill is by far the lowest ever. Even with the restorations recommended by the committee, it is $1 billion below a budget request which was, itself, the lowest ever. Without those restorations it would cut the administration's request almost in half. In fact economic aid would be cut over 50 percent, to a level 35 percent below last year.

This year's congressional action on foreign aid is, in my view, a discouraging retreat from our responsibility to help countries which are struggling to break free from the endless cycle of poverty and despair. It is a retreat from our former leadership among the rich countries in attacking the problems of development. It means that we are turning away from the hard realities that shape men's lives in two-thirds of the world and denying our capability, or our willingness, to continue making headway against a potential for widespread unrest and violence which can threaten world peace and endanger our own security. It means, in the last analysis, that we are turning our backs on the misery of mankind.

I hope we will do what little we can today by approving the bill reported by the Appropriations Committee and by urging our conferees to stand firm for restoration when they meet with the representatives of the other body.

We have already, in the authorization act, exercised to a too great degree our fiscal responsibility. Now let us exercise some responsibility for the condition of those less fortunate than we, and for the peace of the world we will leave to the next generation. Let us show the world that we are still, in Mr. McNamara's words, "determined to use our overwhelming strength for the betterment of all mankind, and the fulfillment of the human spirit."

Mr. MOSS. Mr. President, I am glad to note the committee has recommended $200 million for AID technical assistance for fiscal year 1969.

Last year's cut largely restricted AID to ongoing technical assistance activities. The level proposed by the House this year—$150 million—would force termination of technical assistance activities now underway. It would mean postponing still further important new projects in agriculture, education, and health. Development cannot afford such a delay.

President Johnson in this year's foreign aid message spoke of how 20 years ago America "declared war on hunger, the ignorance, the disease, and the hopelessness which freed violence in human affairs." He continued that—

> We knew this task required many years—

And added—

> but we also knew that, in the long run, a single ray of hope—a school, a road, a hybrid seed, a vaccination—can do more to build the peace and guard America from harm than guns and bombs.
>
> This is the great truth upon which all our foreign aid programs are founded.

The concept of technical assistance is simple. There is a shortage of trained people in less-developed countries, and technical assistance transfers and adapts American skills and know-how to help meet this need. The following examples illustrate what technical assistance is all about:

A project which is increasing the number of qualified schoolteachers in the east African community. In fiscal year 1969, $1.1 million is needed to finance contract costs of American university teacher trainers and education specialists.

A regional project for graduate study and research in agriculture in east Asia. Adaptive research and continual "disease-proofing" of the new varieties of rice and agricultural crops is needed if these new seeds are to maintain their high-yield capacity.

A variety of demonstration activities in India, Pakistan, and Turkey which focus on getting know-how about modern farming methods to the villages. The spread of such knowledge is essential if these nations are to achieve self-sufficiency in food grains.

These are the kinds of projects meant when last year the President's Science Advisory Committee report and the report of the National Advisory Commission on Food and Fiber called for greatly increased technical assistance.

But the House level would cut technical assistance to the point where projects like these would be abruptly abandoned in midstream. This could mean sending home university contract teams now working overseas. Student training programs in this country would be cut short thus wasting dollar and educational investments we have already made.

Africa would be especially hard hit by the House cut since technical assistance programs are almost half of AID's total program in Africa. Coming at a time when we are changing over our technical assistance emphasis in Africa to a regional basis, the reduction will be seen as a lack of concern on our part for those who need our encouragement as they confront their development problems.

In conclusion, I repeat my support for the committee restoration of $50 million to the House level of $150 million for technical assistance. In the light of the world's needs, the potential for peaceful change, and the President's $235 million request, I believe that the least we can do is show our interest and concern by supporting the committee's recommendation of $200 million.

Mr. PASTORE. Mr. President, I ask unanimous consent that the committee amendments be considered and voted upon en bloc. I am told by the Senator from Delaware that he would like to have a rollcall vote on this request. I ask unanimous consent that it be in order to ask for the yeas and nays on this question.

The yeas and nays were ordered.

Mr. HOLLAND. What is the question?

The PRESIDING OFFICER. The question is on agreeing to the committee amendments en bloc. By unanimous consent the yeas and nays will be taken on that question, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from South Dakota [Mr. MCGOVERN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota [Mr. BURDICK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], and the Senator from Oregon [Mr. MORSE] would each vote "nay."

I also announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. COOPER], the Senator from New Hampshire [Mr. COTTON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from Oregon [Mr. HATFIELD], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. MURPHY], the Senator from Maine [Mrs. SMITH], the Senator from South Carolina [Mr.

THURMOND], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Maine [Mrs. SMITH], would vote "yea."

If present and voting, the Senator from Texas [Mr. TOWER], and the Senator from Utah [Mr. BENNETT], would each vote "nay."

On this vote, the Senator from Vermont [Mr. AIKEN] is paired with the Senator from Arizona [Mr. FANNIN]. If present and voting, the Senator from Vermont would vote "yea," and the Senator from Arizona would vote "nay."

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from California [Mr. MURPHY]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from California would vote "nay."

On this vote, the Senator from Oregon [Mr. HATFIELD] is paired with the Senator from South Carolina [Mr. THURMOND]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from South Carolina would vote "nay."

On this vote, the Senator from New York [Mr. JAVITS] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from New York would vote "yea," and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Kentucky [Mr. COOPER] is paired with the Senator from Illinois [Mr. DIRKSEN]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Illinois would vote "nay."

The result was announced—yeas 43, nays 13, as follows:

[No. 318 Leg.]

YEAS—43

Allott
Anderson
Boggs
Brooke
Cannon
Carlson
Case
Dodd
Fong
Goodell
Gore
Griffin
Harris
Hart
Hickenlooper
Hill
Holland
Jackson
Kennedy
Kuchel
Lausche
Magnuson
Mansfield
McGee
Metcalf
Miller
Mondale
Morton
Moss
Mundt
Pastore
Pearson
Pell
Percy
Prouty
Randolph
Scott
Sparkman
Spong
Symington
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—13

Byrd, Va.
Byrd, W. Va.
Curtis
Ervin
Hansen
Jordan, N.C.
Jordan, Idaho
Proxmire
Russell
Stennis
Talmadge
Williams, Del.
Young, Ohio

NOT VOTING—44

Aiken
Baker
Bartlett
Bayh
Bennett
Bible
Brewster
Burdick
Church
Clark
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Fannin
Fulbright
Gruening
Hartke
Hatfield
Hayden
Hollings
Hruska
Inouye
Javits
Long, Mo.
Long, La.
McCarthy
McClellan
McGovern
McIntyre
Monroney
Montoya
Morse
Murphy
Muskie
Nelson
Ribicoff
Smathers
Smith
Thurmond
Tower
Tydings

So the committee amendments were agreed to en bloc.

The amendments agreed to en bloc are as follows:

On page 2, line 9, after "section 212", strike out "$150,000,000" and insert "$200,000,000".

On page 2, line 21, after "section 302(a)", strike out "$119,000,000" and insert "$134,900,000".

On page 3, after line 7, insert:

"International organizations and programs, loans: For expenses authorized by section 302(b), $12,000,000, to remain available until expended."

On page 3, at the beginning of line 17, strike out "$70,000,000" and insert "$90,000,000".

On page 3, line 21, after "section 252(a)", strike out "$200,000,000" and insert "$330,000,000".

At the top of page 4, insert:

"Alliance for Progress, Partners of the Alliance. For expenses authorized by section 252(b), $350,000."

On page 4, line 4, after "section 202(a)", strike out "$265,000,000" and insert "$350,000,000"; and, in line 7, after the word "expended", strike out the colon and "*Provided*, That no part of this appropriation may be used to carry out the provisions of section 205 of the Foreign Assistance Act of 1961, as amended".

On page 14, line 15, after "United States", strike out "$100,000,000" and insert "$104,000,000".

On page 19, line 10, after the word "exceed", strike out "$9,000" and insert "$12,000".

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 19908) was read the third time.

Mr. YARBOROUGH. Mr. President, I rise to comment only briefly on a few of the specifics contained in H.R. 19908, a bill to make appropriations for foreign assistance and related agencies in fiscal 1969.

Of special interest to me is the appropriation recommended for the Alliance for Progress. The Senate Appropriations Committee recommended an appropriation of $90 million for technical cooperation and development grants, an increase of $20 million over the amount recommended by the House of Representatives. These grants are made to Latin American countries and to Inter-American organizations to help the peoples of Latin America to gain the expertise and the knowledge that is necessary to build for themselves a viable and stable society. Of the funds allocated to the country programs, two-thirds will be used to finance technical experts and training programs in the field of agriculture, education, and health.

In considering development loans under the Alliance for Progress, the House of Representatives appropriated only $200 million, less than two-fifths of the $515 million that the administration conservatively estimated was needed for this vital development program. The Senate committee has increased that amount by $130 million in new obligational authority. When combined with carryover recoveries and loan receipts totaling $56.5 million, a total development loan program of $386.5 million will be funded for fiscal year 1969 if the Senate position on this program prevails in conference. This amount, in my opinion, is not enough, but it is considerably better than the deep slash proposed by the House.

Mr. President, there is one other item included under the Alliance for Progress appropriation that is deserving of special attention. That is the recommendation to appropriate $350,000 for the Partners of the Alliance program. This is the smallest line item contained in H.R. 19908. This small appropriation is used to pay shipping costs of donated material to Latin America and to pay some travel expenses of private American citizens who donate their time and their expertise to provide technical assistance to the people of Latin America.

The Partners of the Alliance was started in March 1964. People of individual States form a group and associate themselves with a developing country or a state within a developing country in Latin America. These Americans established a people-to-people relationship with our hemispheric neighbors. This is a program that requires a very small investment, but which produces a very large return. I am pleased that the Senate committee has recommended the appropriation of $350,000 for this program and I hope that this amount can be held in conference.

Mr. President, $469.3 million was recommended by the administration for the Alliance for Progress in fiscal year 1969. The House of Representatives slashed that amount with an appropriation of only $270 million. I am thankful that the Senate of the United States is recommending an appropriation of $420.3 million to help to save the Alliance for Progress from the devastating cuts made by the House.

The Alliance is not just another governmental program—it is a pledge of faith to our hemispheric brothers. The commitment to the program cannot be weakened or broken without weakening or breaking the pledge to the people it aids.

John Fitzgerald Kennedy began this commitment on January 20, 1961, when he said in his inaugural address:

> To our sister republic south of our border, we offer a special pledge—to convert our good words into good deeds, in a new alliance for progress, to assist free men and free governments in casting off the chains of poverty.

Mr. President, the Alliance for Progress has had great motivations. It has accomplished fine results when we consider the small amount of money put into it in comparison with the vast amounts of money we appropriate to become militarily involved in a country.

If we gut the appropriation for the Alliance, as the House proposes, we will seriously and perhaps irreparably fray the bonds of credibility that this program has stretched to our Latin brothers. We cannot forget so soon the commitment of our great President, John Kennedy, "to convert our good words into good deeds." I hope that the Senate of the United States will not break that pledge.

At a time when the third world of developing nations has seen the Soviet Union move ruthlessly to crush the liberty of Czechoslovakians, the United States should not move to snuff out the economic hopes of millions of Latin Americans.

Despite the great drain upon our budget by an extended involvement in Vietnam, we cannot afford to withdraw the hand of friendship from those who share our hemisphere. The Alliance for Progress is the road to peace and progress at a minimal investment of money.

It is my great hope that the Senate conferees on this appropriation bill will be adamant in the defense of the Senate position on the Alliance for Progress appropriation.

Mr. President, Miss Virginia Prewett has a very perceptive article in the Washington Daily News for Wednesday, September 25, 1968, under the title, "Breach of Good Faith in Time of Promise: Slash of Aid to Latins Will Hurt." She discusses in brief language the devastating effect of the deep slash in the Alliance for Progress, which is already deeply cut.

Miss Prewett states the case sharply, but she states it accurately. I ask unanimous consent that the article by Miss Virginia Prewett, under the title, "Breach of Good Faith in Time of Promise: Slash of Aid to Latins Will Hurt," from the Washington Daily News of Wednesday, September 25, 1968, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Breach of Good Faith in Time of Promise: Slash of Aid to Latins Will Hurt

(By Virginia Prewett)

The deep House cut in Alliance for Progress loan funds has fallen as a heavy blow on Latin America.

"It could not come at a worse time, or have a worse effect," is the way the U.S. Ambassador to the Organization of American States, Sol M. Linowitz, sums up.

If not repaired by Senate action in the present Congress or by the next Congress in January, the cuts in fiscal 1968's Alliance loan fund from $625 million to $420 million, and finally to $270 million, will prove devastating to this nation's credibility in the hemisphere.

GOOD FAITH

A $150 million or even a $355 million cut in Alliance loan funds may not irretrievably sink Latin America. But it may sink this country's good faith with Latin Americans—and for an infinitesimal fraction of our national wealth that we would lend out at interest.

The Alliance cut could not come at a worse time for the following reasons:

Latin America, after a painful period of readjustment and tooling up, has in the last year or two made basic reorientations that the U.S. urges as a spur to hemisphere development. Acceptance of the long, hard and difficult task of creating a Latin American Common Market is one example.

Latin America is going thru a time of extreme uncertainty because of the increasing tendency among the industrialized countries where our neighbors sell their exports to close doors against those exports. This includes the U.S., where the tendency is strong.

Latin America in very recent weeks has been shocked thruout by the Russian invasion of Czechoslovakia.

For years, our country has been in competition with Russian ideology and with a two-pronged communist penetration attempt in Latin America. Latin American governments were already alert to Castro's overt subversion out of Cuba. But many Latin Americans have tended to distinguish sharply between Castro and an image of Russia as an essentially peace-loving nation basically interested only in trade expansion among smaller nations.

OPPORTUNITY

The rape of Czechoslovakia rudely jolted many Latin Americans. Never in recent decades has the United States had a better opportunity to consolidate its political, defense and economic relations in the New World.

Then along came a Know-Nothing House of Representatives to slaughter the aid program that our entire government—including the House—has spent years building up as a symbol of friendship and good intentions in the hemisphere.

A great nation cannot behave this capriciously to its allies and not suffer for it.

Mr. MONDALE. Mr. President, I wish to commend the committee for three recommendations in the foreign aid bill now pending before the Senate.

The first is the restoration of funds for the Alliance for Progress.

The second is the restoration of funds for the development loans.

The third is the restoration of funds for travel under the Partners of the Alliance program.

Mr. President, 7 years ago we joined with the Latin American States in an Alliance for Progress to help defeat hunger, ignorance, and disease. We formed this Alliance to build dignity, hope, and freedom. The goals set at Punta del Este were ambitious. But the gains have been significant.

In the past 4 years, average per capita growth rates in Latin America have averaged 2.2 percent per year, a level significantly above the 1-percent average of the first 2 years of the Alliance. Gross domestic investment in Latin America has been over $100 billion in the past 7 years, with Latin Americans putting up nearly 90 percent of this themselves. Inflation also is being brought under control.

The deep slashes in the Alliance for Progress appropriation made by the House represented a turn backward, a retreat to the old isolationist ideas.

The argument for continuance of the Alliance can be made in moral terms—for certainly our responsibilities to aid other countries is a moral one.

But there is a political dimension as well. More than a dozen major presidential and legislative elections will be held in Latin America between now and 1970. The question that most of them will pose is how to meet the pressing economic and social demands made by the people of Latin America. Abandonment of Latin America at this point would give further fuel to those working toward a revolution of repression rather than one of peaceful economic and social change.

The action of the committee with respect to development loans also speaks to the continuing need for peaceful economic and social change. Development loans are the primary instrument of development to such important countries as Turkey, India, Pakistan, and Indonesia. They finance the basic implements of economic development—fertilizer, farm implements, industrial machinery, pharmaceuticals, textbooks, laboratory equipment, and other critical materials.

Economic development loans are predicated upon hard-nosed self-help measures which must be undertaken by recipient countries prior to approval. They are not giveaways. Because of the requirement that, except by specific waiver, development loan recipients must buy goods and services in the United States from funds appropriated under the Foreign Assistance Act, economic development loans increase income here. Further, the associations and friendships built up help assure continuing access to the future markets of the development world. Such loans also help us influence leaders of the developing countries so that they can prevent political unrest by meeting the economic problem that cause discontent.

The level authorized for development loans will permit a limited but significant level of development momentum in key countries to be maintained. In a time of national crisis, we can ill afford to create other trouble spots by failing to support the committee's recommendation on development loans.

I believe the same generalization applies to the third committee recommendation I wish to discuss: the restoration of travel funds under the Partners of the Alliance program. Travel funds permit Partner volunteers to travel to countries in need of technical assistance in developing self-sustaining programs in education, health, and other areas. I recently received a letter from one of the participants in the program which explains the need for travel funds. I ask unanimous consent to the inclusion in the Record at this point excerpts from a letter I received from Stanley N. Graven, M.D., of the University of Wisconsin.

I commend the committee for its actions.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

The University of Wisconsin,
Department of Pediatrics,
Madison, Wis., September 23, 1968.

Hon. Walter Mondale,
Senate Office Building,
Washington, D.C.

Dear Senator Mondale: Wisconsin is aligned with Nicaragua under the Partners of the Alliance Program. We have during the past six months made significant strides towards the development of a number of projects in the areas of medicine, education and community development in Nicaragua. While the project and the expense of the personnel involved in the project are being funded through private sources within the State of Wisconsin, we have relied upon travel funds from the Partners of the Alliance Office in Washington. The availability of limited travel funds under the Alliance for Progress Program has been essential to the development of our program.

We have just been informed that the Line Item for Travel under the Partners of the Alliance Program was stricken by the United States House of Representatives. My purpose in contacting you is in the hope that you might consider restoring at least a portion of the travel budget when the measure comes up for consideration in the United States Senate. We fully recognize the problems inherent in the present budget squeeze. While we anticipated a serious curtailment in the availability of travel funds to coordinate the projects under the Partners of the Alliance, we did not anticipate their total disappearance. Since our project is still in the early development phase, the

non-availability of travel funds will certainly delay and could curtail the development of a number of much needed projects in Nicaragua.

Sincerely,

STANLEY N. GRAVEN, M.D.,
Director, Neonatal Center, Department of Pediatrics, University of Wisconsin.

Mr. PASTORE. Mr. President, I ask for the yeas and nays on passage.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], and the Senator from Maryland [Mr. TYDINGS], are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], and the Senator from Oregon [Mr. MORSE] would each vote "nay."

I also announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], would vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. COOPER], the Senator from New Hampshire [Mr. COTTON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from Oregon [Mr. HATFIELD], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. MURPHY], the Senator from Maine [Mrs. SMITH], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kansas [Mr. CARLSON] is detained on official business.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from Oregon [Mr. HATFIELD], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] would each vote "yea."

I further announce, if present and voting, the Senator from Utah [Mr. BENNETT] would vote "nay."

On this vote, the Senator from Kentucky [Mr. COOPER] is paired with the Senator from South Carolina [Mr. THURMOND]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from South Carolina would vote "nay."

On this vote, the Senator from Illinois [Mr. DIRKSEN] is paired with the Senator from Arizona [Mr. FANNIN]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Arizona would vote "nay."

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from California [Mr. MURPHY]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from California would vote "nay."

On this vote, the Senator from New York [Mr. JAVITS] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from New York would vote "yea," and the Senator from Nebraska would vote "nay."

The result was announced—yeas 44, nays 13, as follows:

[No. 319 Leg.]

YEAS—44

Allott
Anderson
Boggs
Brooke
Cannon
Case
Dodd
Fong
Goodell
Gore
Griffin
Harris
Hart
Hickenlooper
Hill
Holland
Jackson
Kennedy
Kuchel
Lausche
Magnuson
Mansfield
McGee
McIntyre
Metcalf
Miller
Mondale
Morton
Moss
Mundt
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Scott
Sparkman
Spong
Symington
Williams, N.J.
Yarborough
Young, Ohio

NAYS—13

Burdick
Byrd, Va.
Byrd, W. Va.
Curtis
Ervin
Hansen
Jordan, N.C.
Jordan, Idaho
Russell
Stennis
Talmadge
Williams, Del.
Young, N. Dak.

NOT VOTING—43

Aiken
Baker
Bartlett
Bayh
Bennett
Bible
Brewster
Carlson
Church
Clark
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Fannin
Fulbright
Gruening
Hartke
Hatfield
Hayden
Hollings
Hruska
Inouye
Javits
Long, Mo.
Long, La.
McCarthy
McClellan
McGovern
Monroney
Montoya
Morse
Murphy
Muskie
Nelson
Ribicoff
Smathers
Smith
Thurmond
Tower
Tydings

So the bill (H.R. 19908) was passed.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ALLOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. PASTORE, Mr. HOLLAND, Mr. MCGEE, Mr. PROXMIRE, Mr. YARBOROUGH, Mr. ALLOTT, Mr. YOUNG of North Dakota, and Mr. MUNDT conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, the swift, yet very thorough manner in which the Senate disposed of this extremely important and complex funding measure again speaks abundantly for the remarkable skill and ability of the Senator from Rhode Island [Mr. PASTORE]. As the chairman of this important Appropriations Subcommittee, Senator PASTORE has once again displayed his usual high standard of excellence in guiding the foreign aid appropriations measure to overwhelming acceptance by the Senate.

Joining Senator PASTORE in such a clear and concise presentation of this bill was the distinguished Senator from Colorado [Mr. ALLOTT]. He, too, deserves our commendation for the fine manner in which he, as the ranking minority member of the subcommittee, added to the discussion, and to our understanding.

The Senate has once again exhibited splendid cooperation, giving full yet swift consideration to an important measure. I wish to commend each Senator for his participation and cooperation.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations of UNESCO Conference delegates.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNESCO CONFERENCE DELEGATES

The bill clerk proceeded to read sundry nominations of UNESCO Conference delegates.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

Mr. KUCHEL. Mr. President, reserving the right to object—while Senators are in the Chamber——

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Is the Senator going to inquire about the program?

Mr. KUCHEL. May I ask, under reservation of objection, whether or not the distinguished majority leader has any further chores in mind which would require answering a rollcall?

Mr. MANSFIELD. My best guess is that there will not be a rollcall, but I should like a leeway of 1 percent out of 100.

Mr. KUCHEL. If there is no objection to that, I will withdraw my objection.

The ACTING PRESIDENT pro tempore. Without objection, the request of the Senator from Montana is agreed to.

Mr. YARBOROUGH. Mr. President, what are we voting on?

Mr. MANSFIELD. The UNESCO delegation.

Mr. YARBOROUGH. I desire to be reported as voting "nay" on Executive Calendar No. 1171, message No. 320, the nomination of James H. McCrocklin, of Texas. I desire to be recorded as voting "nay."

The ACTING PRESIDENT pro tempore. Without objection, the Senator is so recorded.

With that vote, in accordance with the request of the Senator from Montana, the nominations of all the UNESCO Conference delegates are confirmed.

The ACTING PRESIDENT pro tempore subsequently stated: Because an objection was made with respect to the nominations of the UNESCO Conference delegates, the Chair feels that the matter should be put to a vote.

Mr. MANSFIELD. Yes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the nominations of UNESCO Conference delegates. [Putting the question.]

Mr. YARBOROUGH. Mr. President, I vote "nay" on the nomination of James H. McCrocklin. I vote "yea" on the other nine of that delegation.

The ACTING PRESIDENT pro tempore. The nominations are confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

CENSUS QUESTIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1599, S. 4062.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The Bill Clerk. A bill (S. 4062) to amend title 13, United States Code, relating to census questions.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 4062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 221 of title 13, United States Code, is amended by—

(1) in subsection (a), striking out the words "or imprisoned not more than sixty days, or both", and

(2) in subsection (b) striking out the words "or imprisoned not more than one year, or both".

Mr. YARBOROUGH subsequently said: Mr. President, a parliamentary inquiry with respect to S. 4062.

Mr. MAGNUSON. Mr. President, we cannot hear.

The ACTING PRESIDENT pro tempore. The Senate will be in order.

The Senator will state the parliamentary inquiry.

Mr. YARBOROUGH. Were the amendments included in the bill as passed?

The ACTING PRESIDENT pro tempore. There was no amendment.

Mr. MANSFIELD. It was reported without amendment.

Mr. YARBOROUGH. This is the census bill.

Mr. MANSFIELD. Yes.

Mr. YARBOROUGH. This was amended in the Committee on Post Office and Civil Service, to take out the jail sentence.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a reconsideration of the vote by which S. 4062 was passed and read the third time, and that the bill be returned to the calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The action will be vacated.

COMMON CARRIER OPERATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1589, H.R. 18248.

The Legislative Clerk. A bill (H.R. 18248) to amend the act of August 9, 1955, relating to certain common carrier operations in the District of Columbia.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia, with an amendment, to strike out all after the enacting clause and insert:

That section 2 of the Act entitled "An Act to provide for the regulation of fares for the transportation of schoolchildren in the District of Columbia", approved August 9, 1955 (D.C. Code, sec. 44–214a), is amended to read as follows:

"Sec. 2. In the case of any common carrier required to furnish transportation to schoolchildren at a reduced fare under this Act, the Washington Metropolitan Area Transit Commission shall certify to the Commissioner of the District of Columbia, with respect to each calendar month commencing with September 1968, and ending August 1971, all inclusive, and amount which is the difference between the total of all reduced fares paid during such calendar month to such carrier by schoolchildren in accordance with this Act and the amount which would have been paid during that month to such carrier if such fares had been paid at the lowest adult fare established by the Commission for regular route transportation in that month. The certification required by this section shall be made for each such month as soon as practicable following the end thereof. The Commissioner of the District of Columbia, upon receiving any such certification shall pay the carrier with respect to which that certification was filed an amount equal to the amount contained therein."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PAYMENT OF OVERTIME AND STANDBY PAY TO PERSONNEL OF THE DEPARTMENT OF TRANSPORTATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1594, H.R. 19136.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 19136) to amend title 5, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation.

The ACTING PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

PADRE ISLAND NATIONAL SEASHORE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1587, H.R. 17787.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 17787) to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JACKSON. Mr. President, this bill, as reported by the Committee on Interior and Insular Affairs, is the same as that passed by the House. It would authorize the sum necessary to pay for the judgment that was entered in the Federal district court in Texas in connection with certain land acquisition in support of Padre Island National Seashore.

In addition, there will be the interest payments which are accruing at the rate of $31,081 for a month. This is included in the authorization.

Time is of the essence. I hope the Senate will act expeditiously on this matter.

Mr. ALLOTT. Mr. President, I shall not detain the Senate, but I should like to say a couple of things about this matter.

I am in accord, very reluctantly, with the action of the distinguished chairman of the Committee on Interior and Insular Affairs. I am sure that his action in urging the passage of this bill unamended is somewhat reluctant, also, because of the late hour in the session and it being impossible to get action on this bill if it is amended in the Senate.

However, this particular item, the Padre Island Seashore, brings to the attention of the Senate one thing we have to face and with which we have to deal. We repeatedly are passing bills with respect to various monuments, seashores, and conservation measures of that sort; and then we find, as we have with Point Reyes and Padre Island, that the cost goes up fantastically.

In this particular case, we are now faced with judgments far beyond—in fact, over three times—what was given to the committee as the estimated cost of this seashore.

At the time the bill was passed I said it was an excessive amount of land. I made efforts to get it reduced, and those efforts were unsuccessful at the time.

I have had the clerk of the committee, Mr. Verkler, prepare a statement which shows what we may be expected to face in connection with this matter after the first of the year. I ask unanimous consent that the statement may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OCTOBER 3, 1968.

To: Senator GORDON ALLOTT

From: Jerry T. Verkler, Staff Director, Committee on Interior and Insular Affairs.

Re: Total Cost for Padre Island National Seashore.

Pursuant to your request, I have obtained the following figures from the National Park Service which I believe are accurate and, I hope, represent the final cost of this project. It is my understanding that all of the land transactions have been handled under two civil actions. They are:

No. 65–C–54, which was concluded earlier this year and was the subject of the bill as passed by the House; this involves a total award of	$9, 292, 730. 00
As of June 30, interest, accruing at the rate of 6 percent, amounted to	1, 110, 553. 25
As I explained to you yesterday, on October 1 the parties had stipulated an agreement in connection with the second civil action—which is civil action No. 66–B–1—the total of this award would be	[1] 5, 732, 750. 00
Total	16, 136, 033. 25

[1] Under the agreement, interest will not begin to accrue on this until January 1, and then it will be at the rate of 6 percent.

The agreement regarding the second judgment came about in this way. The jury came in with an award of $9,924,387. The Government filed a request for a remittitur, and the Court agreed, indicating that the amount of the award shocked the conscience of the Court. The judgment was then reduced to $7,300,000. The agreement involves the prospective revestment of some 1,638 acres, and the value of this revestment would be the difference between $5,700,000 (the cash amount agreed on) and $7,300,000, which comes to $1,600,000.

The total cost then would be $16,136,033.25, plus any additional interest which might accrue before payment is actually made. The higher figures which you had, approaching $22,000,000, included the original judgments rendered by the jury in both cases, plus interest.

The original ceiling in the Padre Island authorization was set at $5,000,000. In order to stop the interest and pay this off, I would recommend that we amend the bill now that agreement has been reached and take care of this matter once and for all. Since the Committee is determined to avoid declarations of taking in the future, except in the most unusual situations. I believe we can make the ceilings imposed by Congress meaningful and that this type of situation should not occur again.

I am attaching a copy of a letter Chairman Jackson received from the Department of the Interior which I discussed with you yesterday.

Mr. ALLOTT. Mr. President, I would hope that we could find some way to try to resolve this situation, for we will face the same question a little later with respect to the bill in which the distinguished senior Senator from Florida is interested. I shall not oppose that bill because we have taken one step in that matter which I hope will keep us from getting these constantly increasing costs.

However, on this bill I agree that the chairman has taken the only step and the only move he could make under the circumstances.

Mr. WILLIAMS of Delaware. Mr. President, at a time when we have been operating with a Government deficit of $100 million a day and when we recognize we have to establish priorities, it seems to me that this is not the appropriate time for us to appropriate nearly $7 million to establish a park in any of the States.

I think this is particularly an area where we could save this much money. and we should at least postpone this program until a later date .

I notice this measure was not placed on the calendar until October 1. I think if there had been any justification for this program at all it should have been brought here many weeks before, rather than waiting until the last days of the session. I certainly shall not support the proposal.

If we are going to erect a monument in this country I suggest it be a monument to the taxpayers who are going to be called upon to bear the burden of all these expanding programs, because we seem to be constantly expanding programs rather than cutting them back.

In both World War II and the Korean war President Roosevelt and President Truman placed moratoriums on public works projects, those which could be postponed without jeopardizing our security or the economy of this country. Unfortunately, this administration is insisting on not only financing a full-scale war but also continuing all domestic programs at the same time. The time is long past due when we should start curtailing these nonessential operations.

I shall vote against the proposal.

Mr. ALLOTT. Mr. President, will the Senator yield to me?

Mr. JACKSON. I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, perhaps it is more logical for the distinguished chairman of the committee to do so, but I wish to attempt to explain that what we are doing with the present bill is not voting new moneys; we are actually voting moneys to pay a judgment on which interest has been accumulating since June 30, at the rate of $31,000 a month. So while I agree with the Senator in his basic philosophy, I do not think it has been clear here that this is a judgment we are paying.

Mr. WILLIAMS of Delaware. Mr. President, I recognize that there is a judgment. Why? There is a judgment because the Department insisted on condemning the property and obligating the Government to pay the bill.

The Senator from Colorado is correct. The interest may be running on the judgment, but I call to the attention of the Senate that the judgment if paid is going to be paid with borrowed money on which interest will also be paid. The Government would be borrowing money on which there will be interest due to pay for this judgment. It is time to be thinking about both the interest and the principal and why these obligations are continuously expanding. They do not have to expand these parks at this time. They do not have to create these judgments.

Mr. JACKSON. Mr. President, I wish to point out that what happened here is that initially an order of taking was granted, and a judgment has been entered. The title to this property is in the Federal Government. There is no way we can avoid the obligation of the U.S. Government. That is what we are talking about here.

I agree with the Senator that we must be very careful in those situations in which orders of taking have been entered so that an obligation accrues immediately on the part of the Federal Government.

The committee has taken steps on a completely bipartisan basis to avoid this kind of situation in the future. I wish to point out to the Senator from Delaware that we are up against a situation where the Federal Government already owns this property. We have no other feasible recourse.

Mr. WILLIAMS of Delaware. If we have no recourse, it is only because the head of the executive department which has charge of the program goes out and expands these programs, creating these multimillion-dollar schemes, solely because he wants the monument in Texas. I suggest that we can remember Texas without this monument.

It is time that the administrators downtown recognized that even though they may have the authority to condemn this property they are creating obligations which must be paid for by the taxpayers.

I respectfully suggest that we reject this measure and let the head of the department downtown ask himself where he is going to get the money to pay for it first.

I disagree completely that all we have to do is let them come in and say that they have the judgment. If this one is paid then they go out and establish another debt.

We have a situation in our area where they are condemning the property and expanding beyond what the Congress intended. Then they will come in and say we have the judgment granted and that we now have an obligation to buy it, so just appropriate a few extra millions.

I object to this procedure.

I shall not vote for the measure.

Mr. MOSS. Mr. President, I do not think it is accurate to say the administrator downtown has gone out and expanded the park and created this problem.

This is a bill Congress passed about 6 years ago in which we established the national seashore, and we set out the boundaries. We appropriated some money, and we directed the National Park Service to acquire the land. They proceeded in the usual way to acquire the land.

We have been stuck by reason of a taking and then a judgment that is very excessive. I assure the Senator, as the chairman said, that the members of the committee really feel the greatest outrage that this price has been foisted upon us. Nevertheless, proceeding in the way we have proceeded for years and years in these matters we have been placed in the position where the Federal Government now owns the land, and a judgment stands against the Federal Government. We are attempting to modify this procedure as set forth by the committee's statement of policy on the Biscayne bill. The able Senator from Colorado pointed out that interest of $31,000 a month is running and therefore, the only realistic thing we can do is to appropriate the money authorized, pay off the judgment and get this matter out of the way. We have suggested other procedures that will be used hereafter so that hopefully we will not be caught in this kind of situation again. I should point out that this is not the only place, as was mentioned earlier. We have similar points raised on other acquisitions we have made in connection with other areas added to our national park system.

Unfortunately, juries bringing in judgments on value seem to be perfectly willing to saddle the Federal Government with any amount of money in favor of local landowners whose land is taken. For that reason hereafter we are going to postpone any taking until after the judgment is rendered and then decide if the price is right. If it isn't, we will go to other areas for the location of our outdoor recreation opportunities.

Mr. WILLIAMS of Delaware. I recognize the points made by the distinguished Senator, and I shall not get into a position of debating whether it is the responsibility of Congress or the executive department. It is some of both.

The point is that when this park proposal was first made to the Congress it was presented on the basis that it would cost *x* amount and it is now many times that amount. If the Department could not get the land on a negotiated basis for anywhere near what we were first told it should have abandoned the park. They could have abandoned it. The trouble is that the executive department downtown never heard of any such thing as a plan to reduce the cost. They will spend and buy property at 20 times the amount mentioned as long as Congress pays the bill without questions.

They just keep on buying. It is one way they can pour an extra $8 or $9 million into the local area of Texas, or wherever they are buying the land. I am not quarreling with the landowners. They are entitled to sell it for what they can get, but the Government does not have to be the buyer. They have a good sucker on the other end, good old Uncle Sam, and he does not seem to care what he pays. Uncle Sam did not have to buy it. He is buying it only because Congress seems to have no interest in what it costs.

I say again, we do not need this monument just because it is in the State of Texas. We will not forget for a long time what a Texan has done to our national debt.

Perhaps Congress should dedicate this park as a tribute to the American taxpayers, who are going to have to pay for it. I cannot vote for this bill. The cost cannot be justified.

Mr. LAUSCHE. May I put a question to the proponents of the bill. In Ohio, when a jury awards an amount of money far in excess of what the Government thinks the property is worth, the Government can abandon the appropriation on condition that it pays to the owner of the property the expenses he incurred in trial of the case. Can we do that under Federal law?

Mr. JACKSON. I would assume that we could not do it without paying damages. The difference between the procedure undoubtedly followed in Ohio—and I know the same is true in the State of Washington—is that title does not pass until there has been a final judgment. The Federal procedure, as the Senator is aware, is that one can go in, on proper showing, and make a deposit of estimated value and get an order of taking, and title passes when the order is signed by the judge.

Mr. LAUSCHE. Do I correctly understand that if the Federal Government would now reject this excessive award given to the Texans, the remedy of the property owners would be to sue for damages?

Mr. JACKSON. The Government could have appealed the case, of course, to the circuit court.

Mr. LAUSCHE. Yes. But that is not what I am asking. Can the Government——

Mr. JACKSON. We cannot turn it back. Title has passed. If the property owner does not want to take it, there cannot be a revestment without extensive litigation and damages.

Mr. LAUSCHE. I thank the Senator very much.

Mr. President, this is an example of how we are constantly led into a position of weakness as a result of the optimistic statements made as to how little the cost will be if we acquire property. How incongruous those statements are with the eventual cost to the Government.

When the Padre Island proposal was made, I was in the Chamber. I remember that the estimate of the cost was low. It is always low. The total cost was estimated to be $5 million. We therefore authorized an appropriation of $5 million. When the Senate voted for the acquisition of Padre Island, it did so in the conviction that the cost would be $5 million.

The report shows the inability of many landowners and the National Park Service to agree on the value of Padre Island lands, which led to the institution of two major condemnation proceedings, one of which is the subject of the bill now before us. Involved in this proceeding were 11 tracts of land with acreage deposits in court values testified to by witnesses. The award of the court follows: The Government paid to the court, according to this appraisal, on the first nine tracts, consisting of 33,680 acres, the sum of $1,212,350. With respect to tract No. 12, involving 66,000 acres, it paid the sum of $1,190,000. Respecting tract No. 71, involving 693 acres, it paid the sum of $380,000. In round numbers, that amounts to about $2,400,000.

The landowner said that the land is worth, for the nine tracts, 33,000 acres, $9 million; tract No. 12, $20 million. They finally obtained an amount of money far in excess of what was estimated to be the value of the land.

My complaint today is that we plunge into these things under an optimistic estimate, at the time we authorized the acquisition of the land, and the appraisals made by those proposing the acquisition, and then we find ourselves in the disturbing situation out of which it is claimed we have no method of escape.

I wish we had some Padre Islands in Ohio.

I anticipated this when I opposed the Padre Island acquisition. It is happening entirely too much all over the country. I opposed the problem when it came before this body.

Now I should like to ask the proponents of the bill, are there any more acres involved?

Mr. MOSS. The Senator is asking about the Padre Island bill?

Mr. LAUSCHE. Yes.

Mr. MOSS. I do not believe it has been fully acquired, or at least the remaining judgment has not been finalized.

Mr. LAUSCHE. How many more acres are involved?

Mr. JACKSON. There is pending one other settlement pursuant to an agreement which was entered into by the parties on October 1. The able Senator from Colorado made reference to that in his remarks. The total amount involved in that one is $5,732,750. Under the terms of the agreement, interest does not start to run until the 1st of January. We propose to take that matter up legislatively after the first of the year.

Mr. LAUSCHE. Has judgment been rendered on that item?

Mr. JACKSON. It does not involve a final judgment. It involves a stipulation or agreement which has been reached by the parties.

Mr. LAUSCHE. Is the agreement on the price in excess of what the estimate was when the matter came before us?

Mr. JACKSON. That is the case on all these parcels. The total estimated amount we had at the time was $5 million for all of the property on Padre Island. The able Senator knows that——

Mr. LAUSCHE. The total estimate was $5 million. What is the total cost as now indicated?

Mr. JACKSON. With the last item, as the Senator mentioned——

Mr. LAUSCHE. Yes.

Mr. JACKSON. The total will be $16,136,033.25, plus any additional interest that will accrue.

Mr. LAUSCHE. That fortifies the argument I have just made.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. WILLIAMS of Delaware. I wonder, since the cost is so much more than the Department planned, why do we not just drop the suit and withdraw the efforts to condemn the property? Why not just drop the project?

Mr. LAUSCHE. This is just unbelievable. Five million dollars was the estimated cost. We approved the purchase of Padre Island. I think approval was given about 2 years ago. Today the cost is $16 million, 200 percent and more over the estimate.

Are we tied down on the last item?

Mr. JACKSON. The last item is an agreement, and we have not yet authorized its payment by law. That is a matter for the Congress to resolve, which we will have to take up when we reconvene in January. There is no judgment as yet, only on agreement.

Mr. LAUSCHE. But there is an agreement?

Mr. JACKSON. There is a stipulation of agreement.

Mr. LAUSCHE. If we break the agreement, we become subject to lawsuits for damages?

Mr. JACKSON. The law suit would go on. Additional interest would have to be paid.

Mr. LAUSCHE. How much is the agreement above the estimated value of the land when we authorized it?

Mr. JACKSON. As I explained, I do not have a breakdown on the appraisal of each of these before me now, but the total estimated cost of all of the land acquisition was $5 million. The total acquisition cost now is over $16 million for all of it.

I point out to the able Senator from Ohio that one of the most difficult problems we have had in connection with acquisition of lands for parks and recreational purposes has been the escalation of land values. We have had other cases worse than this. That is why, in the amendments to land and water conservation fund, which the Congress approved this year, we gave to the Secretary a little additional authority, such as the right to purchase an option on lands immediately upon the passage of an authorization. In addition, certain advance contract authority was given. All of this was in an effort to try to avoid the problem of escalation of land costs.

Mr. LAUSCHE. Can the Senator tell me whether any politicians are involved in the ownership of the land?

Mr. JACKSON. I have no knowledge of that.

Mr. LAUSCHE. I do not suppose the Senator has.

Mr. JACKSON. I can say I personally have no such knowledge.

Mr. LAUSCHE. My faith in the Senator from Washington [Mr. JACKSON] and the committee is implicit.

Mr. JACKSON. I do not think there is anything sinister involved in this. The tragedy in the country today, in our effort to establish national parks and recreation areas involving land acquisition, is the rapidly rising costs of land. I do not want to go into it at any great length at this point, but with reference to Point Reyes in California, the estimated cost there was $14 million, and the last estimate we had was $57 million.

Mr. LAUSCHE. I have been through this as Governor of Ohio, and when I felt the State was being fleeced, I abandoned the appropriation.

I should now like to ask the Senator from Utah how he contemplates protecting the taxpayer in the future against this sort of degradation that has occurred.

Mr. MOSS. Mr. President, I shall be glad to respond to the Senator.

In addition to what the Senator from Washington has pointed out about the additional authority we have given in the passage of the amendments to the land and water conservation fund, so that the price can be fixed at a very reasonable figure, we will in other bills which come before the committee direct that the taking procedure be changed. We are going to request that they proceed under a standard condemnation of land procedure; and that in any case where the price fixed in that procedure appears to be excessive to the land manager, he then report immediately to the appropriate committees of the Congress. Then a determination would be made as to whether to abandon and let the whole thing go or come in and seek the additional moneys, if any, that have been determined.

We have done this for the simple purpose of getting away from the problem in which we find ourselves, whereby the Federal Government owns that land and must pay for it without a chance to back out. We have taken it under law and we now own the land. Therefore the judgment runs against the Federal Government with interest, and it will go on and on. In fact, we had a case of land taken in North Carolina that ran on for years and years. The judgment stayed there and the interest kept piling up until it became scandalous.

Mr. LAUSCHE. There are two ways, then, of appropriating property. One is by paying money into the court and becoming immediately the owner. The other is by not paying money into the court and thus not becoming the owner, but the Government waiting until it sees what the price of the land is, and then determines whether it will take it or not.

Mr. MOSS. That is correct. I may point out that I think the reason why the Federal Government has continued to act in this way is that in the acquisition of certain rights-of-way for highways, where the road must go in a certain direction, it has followed the taking procedure——

Mr. LAUSCHE. That is different.

Mr. MOSS. As the Senator has said, that is different, because a piece of land in the middle of a highway cannot be dropped; but when the price of a parcel of land in a recreation area becomes so outrageous we can abandon it and walk away from it, provided we have not had the taking procedure in the first place.

Mr. LAUSCHE. Two things strike me about this discussion. One is the slovenliness of the procedure which we have followed. The estimated cost of the land was $5 million. The actual cost is $16 million. It is a pretty hard thing to explain to the ordinary taxpayer how that can be. But if it is so, does it result from inflation? Does it result from the madness of the operations through which everybody is going and wanting to buy? In either event, it is a frightening task confronting us.

I concur in what the Senator from Washington has said that legally there is nothing we can do about it. I do not know whether I should vote "no" in face of the belief that there is nothing we can do about it, or whether I should vote at all and thus signify my deep indignation over the situation that has developed.

The **ACTING PRESIDENT** pro tempore. If there be no amendment to be offered, the question is on the third reading of the bill.

Mr. LAUSCHE. Mr. President, I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered. The question is on the third reading of the bill.

The bill was ordered to be read a third time.

The bill was read the third time.

The **ACTING PRESIDENT** pro tempore. The question is on passage. All those in favor say "aye."

Mr. LAUSCHE. I vote "no."

Mr. WILLIAMS of Delaware. Mr. President, the Chair has not stated the question.

The ACTING PRESIDENT pro tempore. The question is on final passage of H.R. 17787. As many as are in favor say "aye." Those who are opposed say "no."

The ayes apparently have it. The ayes have it, and the bill (H.R. 17787) is passed.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MOSS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. YARBOROUGH subsequently said: Mr. President, there have been so many reckless statements made about Padre Island that I think the record should be clarified. The Senate passed the Padre Island bill in September 1962, creating a national seashore of 184,000 acres. At that time an estimate was made of the value. The landowners who owned the land bitterly fought the bill. That is why it took 4½ years to get it passed. They wanted to make a Miami Beach there, they said.

Once it was passed, they continued to fight the condemnation, and it has taken 6 years to get the land. They could not agree with the landowners, and they had to condemn it, and the land judgments have gone up. We had the cooperation of the State of Texas. With the exception of 33,545 acres of submerged and tidal land owned by the State of Texas, all of the lands included in the national seashore were in private ownership. As a gift to the people of the Nation from the people of Texas, the State of Texas deeded to the Federal Government the 33,545 acres of submerged land that the State of Texas owned in the seashore boundaries.

So the State of Texas, through the leadership of its Governor, John Connally, gave to the Government more than 33,000 acres of valuable submerged tidal lands in both the Gulf of Mexico and in Laguna Madre. The Federal Government had that land as a free gift.

Acquisition of the privately owned lands, however, has proven something to be a costly problem. The private owners contended that the Government's appraisal was too low, and when no agreement could be reached on the value of these lands, three major condemnation procedures were initiated. Two of these would be finally completed with the passage of this bill, with verdicts made higher than the Government's appraisal.

H.R. 17787 deals with the condemnation proceedings involving more than 89,000 acres in the northern and central portion of the seashore, the main and best portions of the seashore. This is where the ranger station, the museum, and the other facilities will be built. This will enable the National Park Service to continue the development of this park.

Mr. President, the year after the bill was passed, 100,000 people came on to that island in 1 day, on the sand, with no roads, driveways, or anything. The National Park Service has estimated to me that once it is developed, it will be the second most visited national park in America. At this time, the most visited national park is the Shenandoah Valley, because it is located here, close to the great centers of population. Padre Island is a popular and logical resort area for people from the Midwest, because it is closer for them than the Atlantic coast.

When the Government appraised these private lands, it set the value of $2,402,350. Private owners were unwilling to accept this evaluation, insisting that the acres to be purchased were worth something in the neighborhood of $30 million.

The case went to trial, where a jury set the valuation at $9,212,730. Since a total of $2,402,350 of the Government's original appraisal had been deposited with the court, there is left a deficiency of $6,810,380 payable under the court's judgment against the United States.

While the values fixed by the jury are higher than those estimated by the Federal Government, they are not excessive as of the day they were fixed. There is a part, on the south part of the island, that I think is grossly excessive, but the Federal court tried it, and the jury fixed the value as its judgment in the contested cases.

As the Senator from Utah has stated, land values are going up and up. At the time I introduced the first bill in 1958, $5 million was a pretty generous fund. It should be kept in mind that we are acquiring here 89,000 acres, in addition to the 33,435 acres the State of Texas has given to the Federal Government. We still have in dispute the southern part of the seashore, which will be left over until the next session.

As the distinguished Senator from Washington has stated, the National Park Service has been trying to negotiate a settlement on that southern part, and they have even considered a rescission on part of that land, and a shortening of the boundaries of the park. But that matter is left for the next Congress to settle.

Mr. President, I think that this is a necessary and a very reasonable authorization. Padre Island is the largest of the Nation's four national seashores, and its value to future generations of Americans will be far beyond the amount we authorize here today. Though there has been little development completed on the seashore because of the litigation, it already has become a national attraction within our national parks system. In 1967, for example, there were nearly 200,000 visits to Padre Island.

With its unequaled beaches, Padre Island is a unique addition to our national park system.

I commend the distinguished Senator from Washington for his leadership in conservation. His record will go down as one of the great conservationists in the history of Congress. It was my privilege to be present at the White House on Wednesday, when the President signed four conservation bills, including the Redwoods National Park bill, the North Cascades National Park bill, the national trails bill, and the wild rivers bill. This 90th Congress will go down in history as the greatest conservation Congress in the history of America, and the distinguished Senator from Washington is the man who has led the effort, and is entitled to the greatest share of the credit.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. JACKSON. I thank the able Senator from Texas for his generous and kind remarks.

Mr. YARBOROUGH. They have been earned.

ESTABLISHMENT OF THE BISCAYNE NATIONAL MONUMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1586, H.R. 551.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 551) to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

Mr. HOLLAND. Mr. President, I yield first to the Senator from Utah, the chairman of the Committee on Interior and Insular Affairs, which heard this matter.

Mr. MOSS. I thank the Senator from Florida. Mr. President, I shall be brief in this matter, but will try to set it forth so the Senate can understand the matter on which we are proceeding.

The bill before us has been passed by the House of Representatives. It provides for the creation of the Biscayne National Monument in Florida. This is an area immediately off the coast of Florida, near the city of Miami. Therefore, the first point in favor of this proposal is that it is close to a large metropolitan area.

The monument area consists of about 3,900 acres of nonsubmerged land, and then an area of shallow water between the land area of the keys and the shoreline of Florida. The mainland is mostly mangrove swamps and undeveloped. In fact, all of this area is largely undeveloped.

The reason that it is important that we move at once on this matter is the fact that this is still an unspoiled area, even though it is very near to a large metropolitan center. If there is further delay, we may lose this opportunity. There has been discussion, for a number of years, of building a causeway over to the Florida keys. If that ever happens, of course, it will be followed by a Miami Beach type of development in place of the natural unspoiled land which is now there.

The area has great underwater beauty, similar to what we have around some of the Caribbean islands, which forms one of its most appealing features.

The county of Dade and the State of Florida have agreed to donate to the Federal Government whatever interest they have in lands within the monument area, and also whatever interest in the underwater area, the submerged part lying between the keys and the shore. There will, of course, be costs to the Park Service in acquiring some of the privately owned land.

In view of the debate we have recently had on the cost of acquisition, there is a point that should be made before the Senate in this connection. It is estimated that it will cost less than $24 million to acquire the lands. I have supporting statements as to the appraised valuation for tax purposes, which is about half of that amount. So the committee, in recommending this monument, has put a ceiling on the amount that can be spent for the acquisition of lands. That ceiling is $24,575,000.

The question arises, How are they going to stay within the ceiling? Here is the second action the committee has taken: As I indicated in talking about the Padre Island bill, the committee has directed that in the acquisition of these lands, the method of condemnation—whereby land is taken and then a value later determined—not be used. The report directs the Department of the Interior to refrain from any "declarations of taking" in the Biscayne National Monument, if condemnation proceedings are entered into. They may be able to get those lands by negotiation, but if condemnation proceedings are entered into, the Government shall not take title until the amount of the value of the land has been finally determined. The committee has set that down as policy to be followed. We do not want to be in a situation where we have taken title, and then have a price fixed later. We will not take title until the negotiation with the landowner or a final judgment showing ultimate cost has been determined.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield at that point?

Mr. MOSS. I yield.

Mr. WILLIAMS of Delaware. Who makes the determination?

Mr. MOSS. It may be made by a jury, or the court, if we go to a condemnation proceeding. Of course, if the matter is negotiated, it will be between the parties and it must be within this price ceiling, or they are not permitted to consummate a deal. But if the matter goes to a condemnation, they shall use what is referred to as a straight condemnation, meaning that they enter a suit and proceed to have the valuation and the price fixed before title passes.

Mr. WILLIAMS of Delaware. In the event the price fixed is too high, can the Government just say, "You keep your land"?

Mr. MOSS. That is right; and this is also set out in the report.

"If the Government officials feel that a parcel of land has been valued at too high a price in their judgment or if the ceiling imposed by Congress would be exceeded, then an opportunity is presented to the Government to back off from this particular acquisition."

Then we add: "If the Park Service at some point in its land acquisition program at Biscayne National Monument finds this course unsatisfactory and feels compelled to request that an order of taking be used, then consultation with the committees should occur immediately."

So, the committees then at that point have their opportunity on both the Senate and House sides to say whether in their judgment this acquisition should proceed or whether we should withdraw from the particular purchase. I can assure the Senate, having sat on that committee now for 10 years and having been through some of these painful experiences of land price escalation, that the mood of the committees is: "Yes. Back off and get out. Any time we are getting skinned—as we have been skinned again and again—back off and get out."

This is as emphatic in the minds of the committee as anything can be.

I will be glad to respond to questions, Mr. President, but that is in brief an outline of what the bill entails. I think I ought to underline again that we are involved in a last-chance effort to determine whether we are going to have a seashore monument of this kind on the Atlantic coast.

I do not think if this opportunity passes by in this session of the Congress that it can be held back longer. A lot of stimulation in this field has already been experienced because of the talk and the idea of a causeway and such other types of development.

I thank the Senator from Florida for yielding.

Mr. HOLLAND. Mr. President, I thank the Senator from Utah. I understand that the distinguished Senator from Colorado wishes to go into this matter prior to the time I make my statement. I am willing to yield to him because I think he has a matter that justifies his leaving.

I yield now to the Senator from Colorado.

The **ACTING PRESIDENT** pro tempore. The Senator from Colorado is recognized.

Mr. ALLOTT. Mr. President, I thank the distinguished Senator from Florida for his always unfailing courtesy. I appreciate his yielding to me so that I may leave in a few moments in order to attend a funeral.

Mr. President, in this instance the committee has established a fairly good guideline, I believe.

Mr. President, page 5 of the committee report contains the committee views on land acquisition.

In this instance the committee establishes a policy to avoid some of the mistakes of the past by stating:

> The committee . . . directs the Department of the Interior to refrain from any declarations of taking in the Biscayne National Monument and that if any condemnation proceedings are entered into, the Government should not take title until the amount of the value of the land has been finally determined. Therefore, if the appropriate Government officials feel that a particular parcel of land has been valued too highly in judgment, or if the ceiling imposed by Congress would be exceeded, then an opportunity would be presented for the Government to back off from the particular acquisition. This is known as "straight condemnation" proceedings, and would afford some flexibility to the Government to exercise an alternative it does not have under the declaration of taking procedure—namely the option of declining to proceed further with the acquisition if the price is deemed to be unreasonable.

I think there is great wisdom in the approach suggested here by the committee. Certainly this kind of action by the Department of the Interior would preclude a recurrence of those incredibly difficult circumstances which were occasioned by the necessity for H.R. 17787, authorizing additional appropriations to pay off condemnation judgment awards for Padre Island National Seashore.

There is some language in the committee report, however, to which I should like to direct the attention of the distinguished chairman—who I know shares my concern with this entire problem. This language is found at the bottom of page 5 and top of page 6 of the committee report. It reads:

> If the Park Service at some point in its land acquisition program at Biscayne National Monument finds this course (straight condemnation proceedings) unsatisfactory and feels compelled to request an order of taking, then consultation with the committees should occur immediately. In some isolated instance it may be necessary to depart from the guidelines set forth above, but the committee wishes to make absolutely clear its position that declarations of taking should be the exception and no longer the rule.

I should like to ask the distinguished chairman a couple of questions which I think arise from a reading of this latter portion of the committee report.

Mr. President, I understand that the Senator from Florida has discussed this matter with the chairman of the full committee and that in answering the questions he will also be representing the views of the chairman of the full committee.

First, is it the unequivocal intention of the committee that there can be absolutely no declarations of taking by any Federal agency in the Biscayne National Monument without prior consultation with the Senate and House Interior Committees?

Thus, if it were necessary, as the committee says "in some isolated instance" to depart from straight condemnation procedures any declarations of taking in the Biscayne National Monument could only be made subsequent to consultation with the appropriate committees of Congress.

Mr. MOSS. Mr. President, I am happy to respond to that question. The Senator is correct. I have consulted with the chairman of the full committee, the Senator from Washington [Mr. JACKSON]. And the answer is affirmative, that

it is absolutely mandatory in the view of the chairman and in my view that no declaration of taking could be entered in the acquisition of land for the Biscayne National Monument without prior consultation with the committee and authorization or aquiescence by the committee.

Mr. ALLOTT. Mr. President, I think that is as unequivocal as anyone can ask for. I am happy to hear it.

Second, it would seem to me, that under the guidelines established today by the committee report that it is not unlikely that there may be instances when the private property of landowners in the area of the Biscayne National Monument is for one reason or another not acquired by the Federal Government. This will leave small islands of individual private ownership in the midst of the federally acquired domain. I would ask the committee chairman if this situation should occur whether or not any property rights of these private owners would be disrupted, for example, rights of ingress and egress and access to public facilities?

Mr. MOSS. I am happy to respond. Again, I have consulted with the chairman on this matter. It is his view and my view that there can be no curtailment of existing uses and exercise of private rights so long as title is vested in the private landowner. And, specifically, ingress and egress would not be interfered with in any way.

It is not unusual that there be some in-holdings in our national parks and monuments. We have followed the policy for years that access to those in-holdings is available to owners of those in-holdings so that they might go in or out. This could occur in the case of the Biscayne National Monument if it is created, and the people who continue to own land would be able to get to and from their property.

Mr. ALLOTT. Together with access to public facilities.

Mr. MOSS. The Senator is correct.

Mr. ALLOTT. Mr. President, mention was made a while ago of four conservation measures recently passed and signed by the President this week.

I point out that in the national wild and scenic rivers system bill, $17 million was authorized.

In the Redwood National Park bill, $92 million was authorized.

In the nationwide trails bill, $5 million was authorized for the Appalachian National Scenic Trail and $500,000 for the Pacific Crest National Scenic Trail.

The North Cascades National Park bill authorizes $3.5 million for acquisition.

So, before the consideration of the pending bill today, we have had enacted into law this week $118 million of authorizations on these national resource areas.

Since I do have to leave the floor and I am not certain whether there will be a rollcall vote, I wish to state for the legislative hisory that I shall vote for the pending bill, and I would hope that we can follow the patterns that have been set forth under the chairman here.

Mr. President, again I thank not only the distinguished Senator from Florida, but also the other Senators, the Senator from Wyoming, the Senator from Delaware, and the Senator from Idaho, who were also anxious to become involved in this debate, for permitting me to proceed at this time.

Mr. HOLLAND. Mr. President, before the Senator leaves, I first want to thank him for the way he has gone into the matter.

I want the record to show that the Senator from Florida and the Senator from Colorado are in accord with the policy of the committee as expressed in the report and already discussed in the colloquy between the Senator from Colorado and the Senator from Utah.

The Senator from Florida will go more fully into this matter in his own statement. However, the Senator from Florida wants to make it very clear that, although he is not a member of the committee, he fully approves this approach. In this case it is peculiarly applicable because we have a chain of some 30 islands and surely under that configuration the Department may proceed an island at a time or something of that kind, which would leave for future decision by Congress the matter of what to do in the event it becomes necessary to act.

This is not like the case in which we would have one body of land or would pick out a little group of land or area as part of a large body. Instead, we have a chain of islands.

I intend to keep in close contact with the matter to be sure that they do not proceed against all islands at once, but concentrate their efforts on an island at a time or a certain number of islands at a time so that the problem will not be exaggerated by the method of condemnation.

If I may be heard briefly, this is a matter of very great importance to my State.

I may say, since I see some Senators on the other side of the aisle who are showing their interest, that this is the only matter that I have heard of in which the Republican Governor of Florida and the six cabinet members of Florida who belong to the other party, the Democratic Party, are in complete accord, since the accomplished fact of a divided State government. As members of the State board of conservation, they all support this measure. They have joined unanimously in passing a resolution agreeing to convey the State lands which, though they are bottomlands, under water, in my humble judgment are worth a great deal more than the outcroppings which constitute the islands; and the bill requires that the assurance of the State be carried out before the Department can move to acquire any of the islands.

I want the record also to show that three of the islands already belong to the State. They are not in the chain. They are located in the south end of Biscayne Bay. If Senators refer to the map, they will see that is the case. They are embraced in the conveyance by the State of all its interests, which include not only these three islands which belong to the State but also all the inland waters extending from the chain of islands to the coast, except that they go up only to the fill limit which is fixed by county law in that area and which extends out some short distance from the coast along the mainland.

In addition, the State will convey to the Federal Government, and is obligated to convey, the 3 marine miles of underwater bottoms off the islands in the Atlantic. I might add that the Federal Government itself is making available some lands that are under water outside of that limit. One of the great features of this monument will be the underwater grottoes and the underwater life, particularly the coral growths, because there is a great coral reef that underlies this area. It will be subject to visitation by people in glass-bottom boats.

Mr. President, the report speaks for itself in this matter. It shows that there are 3,900 acres of land in the area. Most of it is privately owned. Three islands are State owned—they are small islands—and then there is a publicly owned area of 210 acres part of which belongs to Dade County, and which already constitutes a Dade County park on Elliott Key, the largest of the islands.

All these locally owned and State-owned properties have to be conveyed to the Federal Government before any effort can be made by the Federal Government to acquire, except by donation, other lands in this monument.

I want the record also to show that as Governor of my State, some years ago, I was chairman of the board which handled the submerged lands which are so valuable in that part of the State. The inland waters that lie about 8 miles wide between these islands and the shore are at the maximum approximately 12 feet deep. They are very shallow. The developments in Biscayne Bay at its northern end between Miami and Miami Beach are worth countlessly more than all of this we are discussing. That is what the genius of man does, when he has the chance, as he would have in all this area, to develop new lands. They would be islands, of course. I believe all Senators in the Chamber have visited the Miami area and know that there are literally dozens of such islands, highly developed and occupied by very expensive residences and other buildings, lying between Miami and Miami Beach, in the upper end of Biscayne Bay.

In my judgment, having handled the sale of these underwater bottoms, in many instances the values which will be put into this project by the State vastly exceed the total value of the lands which are involved. They are of very limited acreage—something less than the 3,900, all but 210 acres that are in private ownership.

Mr. President, I need not tell Senators

that the Miami area is a great metropolitan area already containing approximately 1.25 million people. I am unable to state with accuracy how many million people we have in the winter—not all there at one time—but the total goes to a good many million who visit Miami every winter. This is the closest undeveloped seashore to the metropolitan area of Miami. There is very little public seashore now available on Miami Beach and on the islands, and I am sure every Senator is familiar with that end of Biscayne Bay. The amount of public beach and public shoreline is minuscule compared with the need of that area.

In order to show how the local people feel, the metro government, which takes the place of the county commissioners in other counties of Florida, has unanimously, through its metro commissioners, not only agreed to grant the county-owned lands but also has supported this effort by resolution, which is in the printed record. The State of Florida has, as I believe I have already said, not only approved this venture but also has agreed to deed all the State-owned land and bottoms.

Mr. President, without laboring this question—because I believe everyone knows this is the case—no available land now exists to constitute a public seashore in the close area to Miami other than the area we are discussing. This is it. This is the last chance. That is why State and county and everybody involved, with the exception of the property owners, feel it necessary to establish the national monument now. I do not blame the property owners a bit; most of them are my friends. We have run into this trouble every time we have had a public development.

As most Senators know, I signed the deed which conveyed the State land of approximately 850,000 acres to set up the Everglades National Park, or to make the larger part of it, and private landowners there were aggrieved but they were only a minority, as in this case a small minority. I am sorry that is the case, but I believe this is an instance in which the public need and the public interest must not yield to the private interests to accomplish the development of their property.

Mr. President, if we saw another urban development, much more inaccessible from Miami along these keys, comparable with Miami Beach, there would simply be no public shoreline of any consequence available to that great mass of people. That situation is what we are trying to avoid in this case.

Mr. President, without saying more about the general situation, I only want to add this thought. The Senator from Florida has not been before the Senate on any proposal for the setting up of a public unit in the southern area of our State, where values are so great and population so concentrated, since his last appearance here on the Everglades National Park matter.

At that time I was here to try to cut down the boundaries, which was done, so as to exclude, hundreds of thousands of acres from what had been authorized as the Everglades National Park.

Mr. President, I know something about population pressures and I know something about the practicality of this kind of procedure. I hope my friends and the Senate generally will realize that this is a last chance, and that with the proposal which has been written in the report by the committee, which both Senators from Florida adopt, that the public interest is protected.

It is not going to be cheap to acquire these islands because they have a potential value that is great. However, may I say that the potential value is going to increase as the metropolitan population of Miami increases. There is now practically no development there, and this is the time and the unique time when this land can be acquired. Otherwise we would not find this complete joinder of Republican and Democratic interests, this moving together of the metropolitan commissioners, and the State board of conservation and this moving together of every conservation group that I know of. For instance, I have a strong letter from the Sierra Club and other conservation groups.

It looks to me as if this is something the Senator from Florida is entitled to receive by way of favorable action of Congress. We have supported and we expect to continue to support worthwhile ventures whether they be in one State or many of the States. We have not asked for such a thing for many years, and at this time when we have the tremendous growth in that part of Florida, and when this is the last seashore that might be acquired to become a public seashore, we should act without delay.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. LAUSCHE. About 2 years ago there was before the Senate a project in Florida which was identified by a rather euphonious term. I cannot quite recall the name of it. It was Interama, or something like that. Is that close to the Biscayne Bay project we are now considering?

Mr. HOLLAND. That lies at the north end of Biscayne Bay, meaning it is north of Miami Beach and Miami, and opposite north Miami.

Mr. LAUSCHE. This is south?

Mr. HOLLAND. This is south of Miami; and, in general, it lies south, not of the corporate limits of the city of Miami, but south of the metropolitan area which is fully built up.

Mr. LAUSCHE. Will they adjoin each other, Interama and this park?

Mr. HOLLAND. No.

Mr. LAUSCHE. How much did we put into Interama?

Mr. HOLLAND. We have not put anything into it, I wish to say to my friend. The State of Florida and local interests put a great deal of money into it, but the Federal Government has not put in anything yet. That is one thing, one of the many things, the Republican Governor and the Democratic cabinet have not agreed upon. However, we have here one thing on which they have agreed.

Mr. LAUSCHE. How much did we pledge to put into Interama? Was it $15 million, $12 million, or $8 million?

Mr. HOLLAND. My recollection is $7 million. My assistant advises me it was $9.5 million; $7 million was to be put in for construction and the other moneys were for maintenance. That has not been used and in spite of the fact that the State of Florida and the city of Miami are putting up their own money and deeding the land, which was nothing but mangrove swamp. The State of Florida has come in and built concrete highways and structures to permit access. The utility people have put in their access. But it has not moved for reasons having nothing to do with this project, but, because of conflict in the field of public relations and politics which I think it would not be useful to mention here.

Mr. LAUSCHE. There was a promoter whose name was rather conspicuous and who was in the galleries when we discussed the measure.

Mr. HOLLAND. The Senator is thinking of my good friend, Dr. Muskat, who served without pay, as I recall, and who was in the gallery. The Republican Governor, when he became Governor, accomplished the retirement of Dr. Muskat. I prefer not to go into these matters of internal friction.

This is a seashore project. That was a tremendous development of buildings, inter-American entertainment and cultural places and the like and is not comparable to this matter at all.

Because of the failure to get together at that level the Federal Government has not been allowed to move into the project at all to this date according to my information.

Mr. LAUSCHE. Will the Senator tell me the situation briefly with regard to the Everglades? Were they transferred to the Federal Government without compensation?

Mr. HOLLAND. The movement first began when Dr. Wilbur of California was Secretary of Interior here. An act providing for exploration of the question was passed here.

The State of Florida moved in and there was much legislation passed from time to time, but the effect was that the State of Florida agreed to grant all lands and waters within the area which might be proposed from Washington for the park. In 1944, the Senator from Florida, as the Governor of Florida, signed the deed which conveyed 850,000 acres or thereabouts, of land and water, but mostly land. This 850,000 acres was conveyed to the Federal Government for the purpose of setting up a park.

Because of some questions which I need not go into here the park could not be set up at that time, so a contract was entered into between the State of Florida and the Federal Government as to the setting up of a park later when certain additional things could be done.

The good Governor who succeeded the Senator from Florida, Governor Caldwell, asked for legislation to make available $2 million to buy up outside holdings in the park, which was done. Thereafter, the park was created and, as the Senator knows, it is being visited now by more than a million people a year, and it is a valuable park from all points of view.

But the thing the Senator from Florida said in his remarks about the Everglades National Park is this. The last time I appeared in this Chamber to request assistance of the Senate in any large matter affecting this conservation field was in connection with the Everglades National Park, at which time he asked that a good many thousand acres of privately owned lands in the originally authorized park be cut out for various reasons, which were supported by the Park Service, largely because of inaccessibility and roads passing through them, and the like. So that now, in reverse, we are appearing here, some years later——

Mr. LAUSCHE. Who owns the Everglades? The State of Florida?

Mr. HOLLAND. The Federal Government. It is a national park. Of course, some of the in-holdings are still unacquired. I would not want it to appear that they are not. But the major points of interest have been acquired and the park is functioning to the enjoyment—my recollection is—of well above 1 million persons a year. My friends from Utah can correct me on that if I am wrong. I go down there every December for a little vacation. The last figures I heard were above 1 million a year. Perhaps it is more than that now.

Mr. MOSS. I am sure that the Senator's figures are approximately correct. The Everglades National Park is one of our great parks. It is unique. It is visited annually by upward of 1 million of our fellow citizens. I am sure there is no one who has been to the Everglades who does not recognize the great salvation we have provided to that land in keeping it in its unique and original state by preserving it as a national park. I am also sure that no one wishes to turn back now. That is what happens with so many of our parks. Originally, we have some friction when they are being set up, but once set up, and people have an opportunity to visit and view them, they wonder why there were ever any voices of opposition raised.

The present occupant of the chair, the Senator from Virginia [Mr. BYRD], was preceded in the Senate by his distinguished father, who often said that there was one place where he never would hold back on appropriating money. He was known, of course, for his careful scrutinizing of every dollar that was ever appropriated by Congress when he was here. But he believed that the money spent where we got more than a dollar's worth for it was in a national park or monument.

I want to underline that as part of the discussion here today.

We are talking here about an unspoiled coastal area involving some keys offshore of Florida, and on the mainland side by undeveloped mangrove swampland, with a beautiful underwater bay between the land areas, as the Senator from Florida has described. It might become one of the wonders of the world as people come to visit it. It is near a densely populated area. Glass-bottom boats can be used, and possibly scuba diving can be permitted. With the marvelous, untouched keys which people could visit, I think we would find that the citizens who visit the Everglades would be equally enchanted by something that was different and equally as beautiful. It would be their last chance to see that kind of pristine land, as the Senator from Florida has said.

I should like to report to the Senate that we have discussed this long and carefully in committee and tried to answer the questions on the floor of the Senate. I understand that the Senator from Wyoming [Mr. HANSEN] has a few questions he wants to ask, and I think we can clear up the position of the committee, so far as it is concerned. But I do feel it is urgent that we must move now, or else abandon forever the idea of having this monument offshore Florida.

Mr. HOLLAND. I thank my distinguished friend from Utah. I wonder, before yielding to the Senator from Wyoming, if I might ask unanimous consent to have printed in the RECORD that paragraph in the Senate committee report entitled "Need," because I think it shows the situation about as fully as I could by probably using more words. It shows some of the rare things which can be seen there, flora, fauna, and marine life, growths which cannot be found anywhere else in the United States, and many kinds of fish and animal life which cannot be found anywhere else.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

NEED

Biscayne Bay is about 35 miles long and 8 miles wide at its greatest. To its east, separating it from the Atlantic Ocean, is a chain of barrier islands. The mainland side to the west is made up mostly of mangrove swamps. The bay itself is shallow, hardly over 12 feet deep at the greatest.

H.R. 551, proposes that a portion of the bay, together with the keys to the east and the area of the Atlantic Ocean which adjoins them, be set aside and preserved because of its scientific interest, its scenic beauty, and the opportunity it affords for simple forms of outdoor recreation. The entire area within the monument will be about 11½ miles from north to south and in average of 12 miles from east to west. It comprises about 96,300 acres, of which 92,400 are water and 3,900 are land and mangrove swamps.

The keys proposed to be included in the Biscayne National Monument are among the most northerly of the chain of islands stretching from Virginia Key, just south of Miami Beach, to Key West and beyond. Though the area is classified as subtropical by geographers, the plant and animal life with which the keys and their surrounding waters abound, the committee was advised, is almost exclusively tropical, due to the nearby Gulf Stream and the prevailing trade winds. The keys that are to be included within the boundaries of the new national monument number about 30. They range in size from the 1,700-acre Elliott Key to others that are a fraction of an acre in size. In total, as has already been said, they comprise about 3,900 acres of land. They and the surrounding waters have been described as furnishing a "rare combination of terrestrial, marine, and amphibious life in a tropical setting of great beauty" and as being "the best portion of the only complex of submerged living coral reef, emergent keys, and sheltered bay bottom anywhere along either coastline of the continental United States."

The fauna of the area include the rare American crocodile, several equally rare species of sea turtle, shrimp, sponge, spring lobster, 32 varities of starfish, the sea horse and sea cucumber, and sharks and barracuda that are less than 8 inches long. Among the invertebrates, 116 different kinds have been identified, only 15 of which are also found in the Everglades National Park notwithstanding the proximity of the two areas. The national monument also includes plantlife that is unknown or rarely found anywhere else. In it are remnants of the mahogany forests that once covered much of Florida and that have almost totally disappeared over the last two centuries and of the Sargent Palm which, only a few years ago, was thought to be completely extinct. The National Park Service has estimated that the monument will attract more than 650,000 visitors a year within a very few years after it is established.

Mr. HOLLAND. Mr. President, I call attention to the fact that the excerpt shows in a general way the size of the project. Let me quote a sentence from it, as follows:

> The entire area within the monument will be about 11½ miles from north to south and in average of 12 miles from east to west. It comprises about 96,300 acres, of which 92,400 are water and 3,900 are land and mangrove swamps.

Mr. President, I repeat, the value of the land covered by water insofar as that from the islands to the shore is concerned, is vastly greater, in my judgment, than the value of the islands, and is to be conveyed by the State to the Federal Government, as is the Dade County Park on Elliott Key. Those things have to be done before the Federal Government can proceed at all.

Mr. President, in closing, the Senator has referred to the fact that this monument would be a place of interest to visitors to Florida. That is true, but so far as I am concerned, the difference between this and Everglades National Park is that Everglades Park is the subject of visitation in large part by people from outside the State. But those close by this seashore area, the only large, public seashore area which we would have close to the Miami metropolitan area, in my judgment are most directly affected. This area will be visited by literally hundreds of thousands of people who live in that vicinity every year, looking for weekend recreation, or for any of the many things that will be permitted in the area. It will be a worthwhile national project, yes, but it will also be of tremendous value from the standpoint of making a public seashore available to a great metropolitan area already containing 1.25 million persons, which will go up and up and up, because that area continues to grow so rapidly.

Now I am glad to yield to my good friend from Wyoming [Mr. HANSEN] if he wishes me to do so.

Mr. HANSEN. I appreciate what the distinguished senior Senator from Florida has said, but I should like to have the floor in my own right, if I may.

Mr. HOLLAND. I am very glad to yield the floor, Mr. President.

Mr. HANSEN. Mr. President, I rise to speak on the legislation pending before the Senate, H.R. 551, which would establish the Biscayne National Monument in Florida. At the outset, let me make it perfectly clear that I am in no way opposed to the creation of national parks and monuments such as the one proposed in the legislation before us. Nevertheless, I feel it proper to discuss with the Senate certain conversations which Senators had in executive session of the Committee on Interior and Insular Affairs. During this session we were all deeply troubled over the fantastic acquisition costs being borne by the Federal Government in the case of Padre Island and in the case of Point Reyes in California. We discussed at some length the acquisition procedures practiced by the National Park Service in acquiring private lands which are susceptible to very high value commercial development. The record on this score is a gloomy one. And I use that term advisedly to indicate no aspersions on any particular agency but to state my belief that all of us, including the responsible committees of Congress as well as the National Park Service, must share in the responsibility for what difficulties have occurred in the past.

It is clear to me, and I wonder whether the chairman of the committee shares my view on this matter, that we must develop better techniques for appraising land and for purchasing it where condemnation proceedings are involved.

Mr. MOSS. I am glad to respond to that. I have discussed this with the chairman of the full committee and also with the subcommittee dealing with national parks and monuments and the answer, of course, is in the affirmative, that we must develop better techniques.

I think we have taken some very significant steps in these directions, through the committee report on this particular bill. I think that we have taken a significant step by the creation of the land and water conservation fund and the broadened powers given to the Park Service to purchase options on land, and to have funds available with which to do this, so that the price can then be kept reasonable.

Of course, the Federal Government should never be in a position of not giving the private landowner what his land is reasonably worth. What we want is the Federal Government to give the landowner what its fair value is. But we must also protect the Federal Government from being preyed upon by those who escalate the value of the land because of the position they are placing the Federal Government in as a buyer, for example.

So our committee has been struggling with this problem in the past several years, as we have experienced the extreme escalation of prices of land.

We should perfect a good, fair system of evaluating the land and then fixing the price for what we pay in an area. We believe that the instructions now given in the acquisition of lands for the Biscayne National Monument offer a guideline that we should perhaps follow in the future. At least, we are going to watch it very closely in the Biscayne matter.

I think I can assure the Senator that, in the event it is necessary for the Park Service to come back to the committee and say they now have a valuation that would breach the ceiling or which is otherwise questionable, the committee will not shrink from saying, "Well, let us give that up. Let us not go forward."

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HANSEN. I yield.

Mr. WILLIAMS of Delaware. If the committee wants to have control over the matter and if the Government is interested, why do they not just get out and get options from the local landowners and then come back and tell us what they could buy it for and then make a decision as to whether to proceed? Why not do it before we appropriate the money? What is proposed here is saying, "We will negotiate with you on the price, but first we will appropriate \$24½ million to pay for it," which is about \$7,000 an acre. It looks ridiculous to go out and say, "Will you take \$200 or \$300, but if not, I will give you more?"

I think this an inexcusable way to spend taxpayers' money. No private company would want to go into any area of the country and establish a plant on this basis. They go in and first get options on the land and then decide whether they are going to buy. The Government sends a man who says, "We have \$24½ million to spend, what will you take?" I venture to say they are not that stupid in Florida. I know in my State they would say, "We want all of the \$24½ million and how much more can you get out of Congress?"

Mr. MOSS. The Senator is correct in what ought to be done, but what we have done in the past is to deny the right to the executive branch of Government to go out and purchase an option. We now have given this authority in the land and water fund. What has been done in a few cases in the past is that, through a strawman, some foundation, or somebody else an option was donated. We have improved this authority to acquire options in the land and water conservation fund amendments this year so representatives of the executive branch may act more like the representatives of a private business, as the Senator has described, and can go out and buy an option.

We must remember also that, in order to get an option, there must be some money to bind it. We must provide that the money is available.

Mr. WILLIAMS of Delaware. He cannot get an option until there is an authorization by Congress, that is true, but let us give him the authorization. Let us get the option first and then we can determine whether it is worth it or not.

Mr. MOSS. That is right, that is what we are going to try to do as the authority under the Land and Water Conservation Fund Act is utilized. We just authorized these amendments this year.

Mr. WILLIAMS of Delaware. It does not take \$24.5 million to get an option on 3,900 acres of land.

Mr. MOSS. No, but that figure includes acquisition of the land itself.

Mr. WILLIAMS of Delaware. Let us hold the appropriation until we find out about that. I cannot support this in its present form.

Mr. MOSS. There will not be any appropriation this fiscal year. This is an authorization—not an appropriation. It will be next year. But if the bill passes, we can proceed with the State's transfer and next getting the options if necessary and then the land.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HANSEN. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I think it would clarify the record if I put in the RECORD a description, as I understand it, of the land and water conservation fund as created by the act of 1965, as amended. That act, as amended, provides that \$200 million a year be made available for each of the next 5 years for such purposes as we are talking about now, and that in the event that amount is not appropriated, it shall come out of oil revenues in the Gulf of Mexico, which are sizably greater to the Federal Government than the \$200 million.

My understanding of that act, Public Law 90–401, is that, clothed with that act and clothed with an authorization, the department can then move immediately to try to get prices and decide whether or not it is going to accept those prices or, instead, report back to the committee that it had better give up the whole thing.

Then, if the prices on some islands are all right, it might report back to the committee, "We want to proceed by taking over those particular islands." In the meantime they will have the whole inland waters and the land outside granted by the State government.

It seems to me the existence of this fund, which is a very definite amount for each of the 5 years, and the existence of the authorization will enable the Department to move with complete assurance that it has got the power to move.

Mr. President, if I may do one more thing, if the Senator will yield, the metropolitan authorities of Metropolitan Dade County employed four of the best appraisers that possibly could be found, including the former President of the International Association of Assessing Officers, to appraise this property. This is the closing sentence in their appraisal:

> It is this appraiser's opinion that as of this date—

And that date was September 11, 1967—

> It is this appraiser's opinion that as of this date the market value of these properties would not exceed a valuation ranging from \$15 million to \$17 million.

If the Senator will permit me to do so, I am going to ask unanimous consent to insert in the RECORD that letter, and also the qualifications of the appraiser which appears, as appended to the letter.

Mr. HANSEN. Mr. President, I would be very happy to give my consent.

There being no objection, the letter

and attachment were ordered to be printed in the RECORD, as follows:

SEPTEMBER 11, 1967.

Mr. PORTER W. HOMER,
County Manager,
Metropolitan Dade County,
Miami, Fla.

DEAR MR. HOMER: Pursuant to the telephone request from Mr. Hoke Welch, Assistant County Manager, and after talking with Commissioner Hardy Matheson I wish to submit the following.

I recently reviewed the properties located within the City of Islandia, Florida together with Messrs. Edward J. Reilly, M.A.I., Harry D. Fleming, Jr., M.A.I. and Homer E. Harris, M.A.I. for the purpose of establishing the market value as of January 1, 1967 under conditions prevailing as of that date and subsequent to the date of appraisal.

All acquiring deeds were checked, together with sales from 1950 to date and listings, after which the area was gone over parcel by parcel, but no individual appraisals were made covering any special ownership. The property varies in value, with the higher valuation attributable to keys 1 through 6, Sands and Elliott Keys, with a gradual reduction in value as you go south with a much lower value on properties south of Caesar's Creek to the County's southern boundary at Broad Creek. The total value ascribed to the property on a wholesale basis was $9,600,000 plus a few small improvements which were not included in our estimate of value.

It is this appraiser's opinion that as of this date the market value of these properties would not exceed a valuation ranging from $15,000,000 to $17,000,000.

Respectfully submitted,
J. N. LUMMUS, JR.,
A.S.A.

QUALIFICATIONS OF APPRAISER, J. N. LUMMUS, JR., A.S.A.

Lifetime resident of Dade County, Florida.

Real Estate Broker, operating under the name of Lummus and Young, Miami Beach, 1923–1928.

County Assessor of Taxes, Dade County, 1929–1952.

Former President of Florida Tax Assessor's Association and International Association of Assessing Officers.

Attended Appraisal Courses at the University of Maryland, University of Georgia, Florida State University, and Seminars under the auspices of the American Institute of Real Estate Appraisers, American Society of Appraisers, and the American Right of Way Association.

Senior Member of the American Society of Appraisers. (A.S.A.)

Past President of the South Florida Chapter of the American Society of Appraisers; former Governor of Region No. 5; formerly International Treasurer and Vice President of the American Society of Appraisers.

Past President of the Florida Chapter No. 26, of the American Right of Way Association.

Member of the Florida Planning and Zoning Association.

Qualified as expert witness on Real Estate Values in State Court, Federal Court, and United States Tax Court.

Now engaged in Appraisals, Mortgages and Real Estate, operating under the name of Southeastern Appraisal Co., Inc., 505 Flagler Federal Building, Miami, Florida 33132.

Appraisals have been made for the following, in addition to regular clientele, including appraisals in condemnation cases:

Wilbur Smith & Associates.
Florida Turnpike Authority.
Metropolitan Dade County.
City of Miami, Florida.
City of Miami Beach, Florida.
City of Miami Springs, Florida.
Village of Miami Shores, Florida.
City of Hialeah, Florida.
City of Homestead, Florida
Dade County Port Authority.
Florida Power & Light Company.
Public Housing Authority.
Gulf Oil Corporation.
Cities Service Co.
Southern Bell Telephone & Telegraph Company.
U.S. Justice Department.
Florida State Road Department.
County and Circuit Courts.
Everglades Pipe Line Company.
Miami Corporation.
Board of Public Instruction.
Victoria Hospital, Inc.
Burdines.
Peoples First National Bank of Miami Shores, Florida.
Flagler Federal Savings and Loan Association.
American Red Cross.

Mr. HANSEN. Mr. President, first I want to thank the distinguished Senator from Utah for his response to my first question.

With reference to the observation just made by the distinguished Senator from the State of Florida, I would say that in the committee report itself on this bill, on page 5, under the subtitle "Committee Views on Land Acquisition," the sentence begins:

> There is a ceiling on appropriations authorized for land acquisition. However, the committee must concede that in this instance—

And I repeat, in order to emphasize—

> the committee must concede that in this instance, as in other park authorizations in the past, there is doubt as to the validity of the actual cost appraisals.

The committee has indicated in its report on this legislation its view that a "declaration of taking" should only be used in extraordinary circumstances. I personally would prefer it if that view of the committee had been included in the text of the legislation before us and I indicated that preference in the executive session.

I believe that we must begin to look beyond even such recommendation as the committee has made with respect to "declarations of taking" to the whole question of State participation in the acquisition of park lands and monuments of this nature.

I ask the Senator from Utah if he believes that it is unreasonable to expect the Congress to set a limit for acquisition costs and then to require that if and when it appears that this acquisition limit is going to be exceeded, the States in question which have an interest in the park or monument would be required to supply any additional acquisition money required. Simply put, I believe that we must give serious consideration to requiring that affected States pay for any overcharges above the amount which the Federal Government through the Congress feels can reasonably be appropriated for these purposes.

Mr. MOSS. The Senator, by his suggestion, has posed a very difficult policy question, and I am not certain that there is any definitive answer that I could give to it at this time.

I must say, in the first place, that many States, as has the State of Florida in this instance, have come forward with donations of State interests in lands. I know particularly in acquiring the islands off the shore of North Carolina—I think Point Lookout was the last one—that the State of North Carolina actually acquired those lands and then donated them to the Federal Government. In a number of instances in our western area, where the State owned some school lands or otherwise owned some land, we have had donations. So I say that the States have generally been quite willing to come forward with the interest they have. This is a pretty consistent requirement of Congress also, that is, that all State lands must be donated.

However, the question the Senator raises goes a little bit beyond that. It goes to the point where the Federal Government, having decided to acquire, and then finding itself with a price that is beyond its estimate, turns to the States to acquire private land. As a policy matter, first of all, I do not know whether we could do it in a legal sense. The only enforcement we would have would be to say, "We will abandon the project if you do not do it."

So I am inclined to say that that policy would have to be refined and studied further. In the meantime, I think we ought to work cooperatively with and encourage the States to bear their part of the cost.

A national park is not entirely an unmixed blessing, as the Senator from Wyoming well knows. We have two of our greatest national parks up in the northwest corner of his State. I recall well, at the time of the establishment of the Teton National Park, that there was a considerable degree of local resistance to it, because it had some undesirable features, from the viewpoint of the local people, at least.

So it may not be so easy to get the States to agree in advance that they are going to come through with any deficiency. They may be very willing to see the thing collapse.

A national park or national monument, of course, should be truly unique in the sense that it appeals to the whole country, and that it is not duplicated again and again in various States. That is the only reason for having it established national in character.

So I think when Congress, in its judgment, says that this area is of such unique national character that it ought to be a national park or a national monument, the final obligation rests with the Federal Government. But the local people ought to be encouraged to participate, because they have, of course, the closest access to it, and will use it, probably, more than residents of other parts of the United States. These areas certainly have some economic value through bringing in tourists.

Mr. HANSEN. Senators who have worked in this area of land and water acquisition for parks and recreational areas—and the Senator from Colorado has already mentioned this in colloquy here earlier—know that the Land and

Water Conservation Fund Act is drastically overcommitted at this time. To put another draft on that fund in the form of acquisition costs for the Biscayne National Monument is unwise, I believe, at this time. I believe that it would be wiser for the Congress to defer action on this particular monument bill until next year, when the appropriate committees can take another look at the estimated costs of acquisition about which there is considerable uncertainty at the present time. Mr. President, I should like to ask the Senator also in floor-managing this bill about the report that has been filed by the Committee on Interior and Insular Affairs on this measure. I notice in the resolution which was passed by the trustees of the internal improvement fund for the State of Florida that a proviso was included in that resolution to the effect that the Federal Government had only 1 year with which to authorize and appropriate Federal funds for the acquisition of all non-federally-owned lands within the monument area. I note also that over on page 6 of the report under the heading of "Costs" that the bill limits authorized appropriations to a specific amount and then states "that this amount will be reached gradually over the first 5 years the facility is in operation." Can the floor manager say whether it was the intent of the Committee that appropriations for acquisition costs will be spread over a 5-year period or will such appropriations be made in one lump sum?

Mr. MOSS. I am happy to respond to the Senator by stating the committee understanding on this point.

First of all, as to the Senator's suggestion that perhaps this matter should be put over, I think that has been answered by the Senator from Florida. I also tried to answer it by the brief remarks I made at the beginning. I believe we are in a "now or never" situation. If we cannot pass the bill this year, and must put it over, I think we will have to abandon the idea of a monument in the Biscayne Bay.

As to the question about whether or not acquisition could be spread over 5 years' time, or must be done within 1 year, in accordance with the resolution of the trustees of the Internal Improvement Fund of the State of Florida, I refer the Senator to section 3 of the bill. It is the opinion of the committee that the resolution of the trustees cannot in any way bind Congress as to how it would legislate. I think we have met this matter head on by saying, in section 3 of the bill, on page 3:

> Notwithstanding any other provision of this Act, lands and interests in land owned by the State of Florida or Dade County may be acquired solely by donation, and the Secretary shall not declare the Biscayne National Monument established until the State has transferred or agreed to transfer to the United States its rights, title and interest in and to its lands within the boundaries of said national monument.

So with that, I think we have said, "You have offered in your resolution to convey certain lands and water. We are not going to declare the moument until you either transfer those interests or make a binding agreement to transfer, so we will not be caught in between some place."

Section 3 continues:

> The Secretary shall not acquire any other lands or interests in land pursuant to this Act except by donation or with donated funds until the State has made or obligated itself to make the aforesaid transfer:

Here again, we are going to have the State lands in hand before we proceed with the acquisition of any additional land.

Then there is a further proviso that:

> *Provided*, That nothing contained in this sentence shall preclude the Secretary from acquiring options for the purchase of lands and interests in land, other than lands and interests in land held by the State of Florida or Dade County, which are to be acquired pursuant to this Act and, upon the State's transferring or obligating itself to transfer as aforesaid, he shall proceed as expeditiously as possible to acquire the other lands and interests in land which are necessary to carry out the purposes of this Act.

Of course, the proposed legislation does not bind the Secretary to move within 1 year. He does plan to acquire these lands over a 5-year period.

As I summarize, this is what the Secretary of the Interior would do. He would say to the State of Florida, in effect, "When you transfer your lands or give us a binding agreement that you will transfer these lands by donation to the Federal Government, we then will proceed as expeditiously as possible to acquire privately held lands. When we have all of them together, the area will be declared a national monument by the Secretary of the Interior."

In this way, we hope to preserve our position, because we will then have given the Secretary leeway to go ahead in the meantime and get options on the private lands while he is getting all the parcels together.

I think this method ought to provide a businesslike way to proceed to get prices within reason for the acquisition of the private lands.

Mr. HOLLAND. Mr. President, will the Senator from Wyoming yield?

Mr. HANSEN. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. I have been advised by Representative FASCELL, the author of bill which came to the Senate from the House after passage there, and by the Secretary of State of Florida that the wording of this bill is acceptable to the State of Florida. While it does not, as the Senator properly said, completely dovetail with the resolution passed, this wording is acceptable and will be followed, if the bill is passed, by a conveyance of the land. I am advised that the same situation obtains with respect to the county of Dade, as the bill applies to its interests.

Mr. MOSS. Mr. President, it is my understanding that the State of Florida, being ready to comply, would transfer the land with a reverter to the State of Florida in the event the whole proposal collapsed, for some reason. This is what we would expect. The land would revert to Florida if the monument were not eventually created.

Mr. HOLLAND. If I may elaborate on that point, that is only fair. I am sure the Senator from Wyoming would approve such a reverter, because, as I have already stated, the real value of the underwater land between the islands and the mainland shore, in my judgment, based on a great deal of experience in this field, greatly exceeds the value of the islands themselves.

If this area is to be developed as an extension of the metropolitan area, great amounts of money can be realized by the State out of the sale of its bottoms between the mainland and the islands.

I thank the Senator from Wyoming for yielding.

Mr. MOSS. Mr. President, I am not sure that I answered completely the question asked by the Senator from Wyoming, which had to do with the holdings the Department has already acquired. It is, of course, the intention of the Department to proceed with the acquisition of the lands as rapidly as that can be done. It may take as long as 5 years, considering the State of the land-and-water conservation fund and the available appropriations.

Mr. HANSEN. Mr. President, I appreciate the eagerness of those who have spoken to proceed with this matter. I am not unaware of the fact that when any proposal is made near a metropolitan area or, indeed, almost any place else, to create a national park, there is bound to be some speculation in land, and there is bound to be some escalation in value. Obviously, those considerations are prompting my good and esteemed friends to say what has been said here already this afternoon.

Mr. President, earlier today we had quite a debate on the floor over what happens following the creation of a national park or a national monument within the exterior boundaries of which is privately owned land. Reference was made to the Padre Island situation and Point Reyes in California, where land values have escalated and where the present procedure—that I appreciate the Department is trying to remedy somewhat—has resulted in the Government or Congress practically being forced to appropriate sums of money far in excess of those that were anticipated at the time of the creation of the monument or park.

I have already called attention to the action taken by the State of Florida. I appreciate what the distinguished senior Senator from Florida has said. All I can say is that I have read the report. I read what the trustees of the Internal Improvement Fund for the State of Florida said at the time they wrote to the appropriate Senate committee, the Committee on Interior and Insular Affairs.

I observe once more that at that time they agreed to donate these lands to the Federal Government provided the Federal Government agreed to purchase all of the nonfederally owned lands within the area within 1 year's time.

I would hope very much that we do not find ourselves back in the same situation we have been in with respect to

Padre Island, Point Reyes, and some other areas where, having created a national monument or national park, we found that the land costs had escalated beyond all reasonable expectations.

I say that because on page 4 of the bill, section 5 reads:

> There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $24,575,000 for land acquisition . . .

Mr. President, I refer once more to page 5 of the committee report which says:

> There is a ceiling on appropriations authorized for land acquisition. However, the committee must concede that in this instance, as in other park authorizations in the past, there is doubt as to the validity of the actual cost appraisals.

It seems to me that in view of the admitted inability of the Government accurately to project the costs of land acquisitions—to which attention has been called by the committee in making the amount of money which would be authorized with which to acquire all of the privately owned lands within the area—and the insistence on the part of the State of Florida, at least one time, that before they would turn their lands over to the Federal Government, a commitment should be made by the Federal Government that it would purchase all lands within 1 year's period of time, we are certainly proceeding on the basis of a lot of "ifs" and contingencies.

I suggest that if this is a good deal now, I think it will be a good deal after the first of January. I do believe that in order to avoid our getting back into a situation we have been in all too often—a situation which resulted in our authorizing somewhat reluctantly I think, in excess of $6 million a little earlier today to fulfill a commitment that was made for a national seashore within the State of Texas—we ought not to pass the pending bill at this time without these problems being somewhat better resolved than they are at the present time.

So, I say to my distinguished friends from the States of Florida and Utah that it seems to me the Committee on Interior and Insular Affairs, the National Park Service, and the State of Florida ought to get together and see if these things can be all tied down.

I have no reason at all to suspect that what has been reported to us by the distinguished senior Senator from Florida is not exactly as he states. All I can say is that neither the report nor the legislation pending would indicate that.

I think it is always a little bit tenuous to assume that people in government occupying elected positions are going to keep a commitment they may have made at some particular time in history.

I say that, I think, with some reason to speak on the matter. I served as Governor of Wyoming and I could not have said then that the State of Wyoming would be willing to modify certain stipulations it had written and assuer that I could speak for a board such as I presume the present Governor of the State of Florida presumes to do when he says that he speaks for the trustees of that fund. He is speaking not only for himself, but also for others, and he must be aware of the fact that he might not be around tomorrow. So I think it would make good sense to see if the various interested parties could get together and agree upon procedures which would be followed in order to obviate the possibility that we would find that we are in yet another Padre Island or Point Reyes situation.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and was passed.

Mr. MOSS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MOSS. Mr. President, I believe the Senate has done today a very remarkable thing, and we have done it at a time when it is difficult, of course, to authorize measures that will involve new spending.

I recognize that we have had a full discussion of this matter today, and I believe we have clarified many points.

I congratulate the senior Senator from Florida for his very able exposition on this bill and the great work he has done in getting the interests of the State of Florida meshed with those of the Federal Government in providing this great national monument.

I also commend the Representative of the district in which the monument will be located, Mr. Dante B. Fascell, who has worked diligently over a long period of time. I think he deserves the greatest of credit for the work he has done to bring this matter to a successful conclusion.

I appreciate the efforts that the Senator from Wyoming and other Senators on the other side of the aisle have made in attempting to clarify this matter and making sure that we are following a reasonable procedure in acquiring lands for Federal parks and monuments. We recognize the great need for better procedures. I am grateful for their questions and suggestions.

We have created today what will be considered one of the great show places and assets of the United States for years to come.

Mr. HOLLAND. Mr. President, I appreciate the kindly comments of the Senator from Utah.

I also appreciate the interest of the Senator from Wyoming in this matter, and I say to him that all of us must have some concern about what will happen.

May I relate a little history. When we set up the Everglades National Park, the legislature had approved our doing so, our deeding the land. The Senator from Florida, as Governor at the time, went ahead with three members of the board to deed the land. One member of the board at that time was not willing to join in the deed, and some citizens of our State took that position—that the grant of 850,000 acres of land should not be made to the Federal Government. But the Governor then and the other members of the cabinet then went ahead and did what they said they would do, and I am sure that will be done in this case.

I have a wire from the present Governor, and I shall read it into the Record. It was sent to Representative Peter H. B. Frelinghuysen, copying a wire he had sent to the Republican leader of the other body, Representative Ford.

> Dear Jerry: Please refer my telegrams to the House and Senate Interior Chairmen concerning the establishment of Biscayne National Monument. As Governor of Florida, I have kept this worthwhile project out of politics. I am on record and wish to reiterate my support for the establishment of Biscayne National Monument. Please convey this message to the Republican delegation.

I know that no politics of any kind have been brought into the discussion on the floor today, because it would have been so easy to put over the matter until Monday or to make other moves that would have been destructive.

I wish to express my very deep appreciation to the Senator from Wyoming and the Senator from Colorado for the careful and considerate way in which they have handled their expression of caution as we go into this matter. The Senator from Florida joins them in that caution. I repeat that the present Governor of Florida and the present cabinet members of Florida—this is based on personal discussion with the Secretary of State—are going to see this matter through. They will do it, and they are satisfied with the present provisions in the bill.

All I can say is that in the event this proves to be too burdensome as a financial matter for the Federal Government to properly assume, the Senator from Florida will not be in here trying to do something improper and unreasonable. He wants to join in the reasonable course that has been expressed by everyone concerned and to express his very deep appreciation and that of the Governor and cabinet of Florida, the chairman and members of the Metro Commission of Dade County, and the thousands of citizens of Dade County who have evidenced their support of this measure.

The Senator from Florida must say that some people are not in accord with this measure and he is not surprised; but he hopes it will be worked out to the satisfaction of everyone, and he will endeavor to do everything in his power to see that that is the result.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HANSEN. I should like to express my great appreciation to the distinguished Senator from Florida for the assurances he has given us. I believe they constitute an important part of the legislative history with respect to this bill. I also appreciate the material he has put into the Record.

My interest and zeal in seeing that the people of the United States have adequate opportunity for recreation and enjoyment of our great natural wonders is exceeded by few in this body. I believe this is a very definite step forward. I have invited attention to the matters concerning me; and because I am deeply interested, I felt it my duty to point out what I think are some of the problems we have had in the past. I believe this bill represents and constitutes a step forward.

I still see some things that disturb me. I appreciate that not everyone shares my apprehension. I will do my best and will continue as best I can to see if we can obviate all the problems that have made it more difficult to establish this kind of park, which I know will mean so much to the people of the State of Florida and to all the other people of America.

Mr. HOLLAND. I thank the distinguished Senator. I assure him that I shall do everything in my power to see that those apprehensions, which I think have some reason behind them, are not realized, and that we will move ahead to successful completion of this project, which will be good for the interests of the entire Nation.

I yield the floor.

CENSUS QUESTIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1599, S. 4062.

The PRESIDING OFFICER (Mr. Hart in the chair). The bill will be stated by title.

The **Legislative Clerk.** A bill (S. 4062) to amend title 13, United States Code, relating to census questions.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 221 of title 13, United States Code, is amended by—

(1) in subsection (a), striking out the words "or imprisoned not more than sixty days, or both", and

(2) in subsection (b) striking out the words "or imprisoned not more than one year, or both".

USE OF THE MAILS TO FALSELY OBTAIN MONEY OR PROPERTY

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 1411.

The PRESIDING OFFICER laid before the Senate the message of the House of Representatives, which was—

Resolved, That the House disagree to the amendments of the Senate to the bill (H.R. 1411) entitled "An Act to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes."

Mr. MANSFIELD. Mr. President, this legislation relating to administrative procedures in mail fraud cases has passed both the House and the Senate. When it passed the Senate last December, it was amended to include provisions for an allocation for additional supergrade positions in the executive branch. Subsequently, the House amended the bill deleting the supergrade amendment and returned the bill to the Senate.

I move that the Senate recede from its amendments eliminating the supergrade positions.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

ADDITIONAL LEAVE OF ABSENCE FOR CERTAIN FEDERAL EMPLOYEES

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 13844.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the amendment of the Senate numbered 1 to the bill (H.R. 13844) to amend title 5, United States Code, to provide additional leave of absence for Federal employees in connection with the funerals of their immediate relatives who died while on duty with the Armed Forces and in connection with certain duty performed by such employees as members of the Armed Forces Reserve components or the National Guard, and for other purposes, which was on page 2, line 2, of the Senate engrossed amendments, strike out the quotation marks and insert:

(c) This section shall not be considered as affecting the authority of an Executive agency, except to the extent and under the conditions covered under this section, to grant administrative leave excusing an employee from work when it is in the public interest.

And that the House agree to the amendment of the Senate to the title of the aforesaid bill.

Mr. MANSFIELD. Mr. President, this legislation has passed the Senate providing up to 3 days' leave for Federal employees whose immediate relatives are killed in armed conflict while on active duty with the armed services and providing additional paid leave to Federal employees who are called to duty in the reserve or National Guard.

The House of Representatives has added a perfecting amendment to the effect that this leave shall not be construed to interfere with or diminish any administrative leave now authorized for Federal employees.

I move that the Senate agree to the amendment of the House of Representatives to the Senate amendment No. 1.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

AMENDMENT OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1598, H.R. 14096, which I understand can be disposed of briefly.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The **Legislative Clerk.** A bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide—LSD—and other depressant and stimulant drugs, and for other purposes.

The PRESIDING OFFICER (Mr. Hart in the chair). Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments on page 3, after line 18, strike out:

(3)(A) Except as provided in subparagraph (B) of this paragraph, any person who violates clause (3)(B) of section 301 (q) shall (1) be imprisoned for not more than one year or fined not more than $1,000, or both, if he has not been convicted of violating any provision of section 301(q) prior to his conviction for violating such clause, or (2) be imprisoned for not more than three years or fined not more than $10,000, or both if he has been convicted of violating a provision of such section prior to his conviction for violating such clause.

And, in lieu thereof, insert:

(3)(A) Except as otherwise provided in this subparagraph or in subparagraph (B), any person who violates clause (3)(B) of section 301(q) shall be imprisoned for not more than one year or fined not more than $1,000, or both. If any person commits such a violation after two prior convictions of him for violation of such clause have become final, he shall be imprisoned for not more than three years or fined not more than $10,000, or both.

On page 5, after line 3, insert a new section, as follows:

Sec. 4. (a) Section 201(a)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(a)(2)) is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "; except that such term includes the Canal Zone for the purposes of sections 201, 301(i), 301(p), 301(q), 302, 303, 304 (other than paragraph (1) of subsection (a)), 307, 510, 511, 702, 703, 704, and 705 as they apply to depressant or stimulant drugs, containers thereof and equipment used in manufacturing, compounding or processing any such drug."

(b) Section 304(a) of such Act (21 U.S.C. 334(a)) is amended by inserting "or United States court of a Territory" after "district court of the United States" wherever these words occur.

At the beginning of line 18, change the section number from "4" to "5"; and on page 6, at the beginning of line 3, change the section number from "5" to "6".

Mr. HILL. Mr. President, I have the honor to submit to the Senate H.R. 14096 to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving LSD and depressant and stimulant drugs. This legislation was approved in the House of Representatives by a vote of 319 yeas and 2 nays. The Committee on Labor and Public Welfare approved H.R. 14096 without a dissenting vote.

Mr. President, under existing law it is illegal for unauthorized persons to manufacture, sell, deliver, or otherwise dispose of certain hallucinogenic, stimulant, and depressant drugs and to possess such drugs for other than personal use. The penalty for a first offense is a maximum fine of $1,000 or imprisonment for not more than 1 year or both such fine and imprisonment; H.R. 14096 would increase the maximum fine to $10,000 and extend the period of imprisonment to not more than 5 years. In the case of a conviction for a second or subsequent offense, the present penalty is a maximum fine of $10,000 or imprisonment for not more than 3 years, or both such fine and imprisonment; H.R. 14096 would increase the maximum term of imprisonment to 5 years.

There is an exception to the penalties described above in the case of an individual 18 years of age or older selling or otherwise disposing of a dangerous drug to someone who is under 21 years of age. The penalty for a first offense is a maximum fine of $5,000 or imprisonment for not more than 2 years, or both; H.R. 14096 would increase the maximum fine to $15,000 and the term of imprisonment to a maximum of 10 years. For a second or subsequent offense, the penalty is a maximum fine of $15,000 or imprisonment of up to 6 years, or both; H.R. 14096 would increase the fine to $20,000 and the maximum imprisonment to 15 years.

Under existing law it is legal for an individual to have dangerous drugs in his possession for use by himself, a member of his household, or an animal of the household. H.R. 14096 would require a valid prescription from a licensed practitioner for such possession. The penalty for a first offense or a second offense would be a maximum fine of $1,000 or imprisonment, for up to 1 year, or both. H.R. 14096 specifies that a court may suspend sentence and place the individual on probation in the case of a first conviction. For a third offense, and subsequent offenses, the maximum fine would be $10,000 and the maximum period of imprisonment would be 3 years.

The enactment of this legislation that is recommended by the Department of Justice is essential if we are to effectively combat the increasing illegal traffic in dangerous drugs.

Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment.

Mr. HILL. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 6, after line 6, insert a new section, as follows:

"SEC. 7. The last sentence of Public Law 90–489 is amended to read as follows: "The name of the National Institute of Neurological Diseases and Blindness is hereby changed to the 'National Institute of Neurological Diseases and Stroke.'"

Mr. HILL. Mr. President, this amendment is needed to correct a technical error in Public Law 90–489 that changed the name of the National Institute of Neurological Diseases and Blindness. Since that act created a National Eye Institute there is no longer any need for a reference to blindness in the title of the National Institute of Neurological Diseases and Blindness. My amendment, therefore, would change the name of the institute to the National Institute of Neurological Diseases and Stroke. This new title will give recognition to the research effort of the Institute against stroke, a health problem that causes 200,000 deaths each year.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama [Mr. HILL].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BISCAYNE NATIONAL MONUMENT—PADRE ISLAND

Mr. YARBOROUGH. Mr. President, during consideration of the bill in connection with the Biscayne National Monument in the State of Florida, Senators on the other side of the aisle continued to attack the Padre Island bill which had previously been passed by the Senate. I am glad the Senators are still in the Chamber. The attacks were not justified.

In connection with Padre Island, 89,000 acres were acquired at $103 an acre. I defy the Senator to go to the State of Florida and buy any land for that amount. Land cannot be bought for several times that amount.

The bill just passed in connection with the State of Florida provides for the acquisition of 3,700 acres of land at a cost of $24,575,000, the average cost being $6,442 an acre on those keys out there. Maps in the cloakroom show those keys sticking out in the gulf.

Mr. President, I am for the Florida bill.

This land is all going into private hands and unless we get a few national parks now, the chance will be gone forever. Padre Island has the longest unspoiled beach in America and it was purchased at a cost of $103 an acre. Land such as that cannot be bought anywhere for that price. We are talking about 85,000 acres. This was a good acquisition. It must be remembered that it took 6 years of discussion and negotiation.

Of course, we wanted to get the land cheaper. The Government wanted to pay $30 an acre. Perhaps 10 years ago it would have been more than $30 an acre but prices have gone up and the price that was paid is the price that it cost when the contested case was in court.

To impugn it is to impugn the Federal courts and juries. I think it is reprehensible to attack my State and my people that way. I resent it, especially when it is wholly unsupported by any facts. The facts are otherwise.

I do not see eye to eye with the Governor of Texas on every matter that comes up but I do want to pay my compliments to him, a strong States-rights Governor, who used his influence to obtain 33,000 acres of tidal lands in the Laguna Madre, although he had strong opposition from many sportsmen who wanted to retain it for hunting and duck shooting. Two islands in Laguna Madre were included. Some of that land is a refuge for wild birds in this country and provides for them a nesting ground. That is now included in the Padre Island Seashore.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. HANSEN. Mr. President, the Senator made a statement that I think was directed to me. I am happy to respond. I would like to point out, first of all, that I am extremely sorry that my distinguished and cherished friend from the State of Texas was not in the Chamber to hear what I said. I am sure if he reads what I said and learns what I said firsthand, he will be a little bit embarrassed.

I did not say one thing to indicate any criticism of the State and the park with respect to the cost of the lands in the Padre Island situation. I think that the RECORD will disclose that, and I resent the statement that the Senator made criticizing me personally when he did not know what I said.

As far as the Padre Islands are concerned, I am delighted that the Senator is here to hear me.

I want to say that the Padre Island situation and the Point Reyes situation, both of which are referred to, were called to the attention of Members of the Senate in order that they might see what is wrong with the practice that has been followed by the Federal Government, which I think needs to be changed, and which every single member of the Committee on Interior and Insular Affairs also feels needs to be changed. They recognize——

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. HANSEN. I would like to complete my statement but I yield now to the Senator from Texas if the Senator insists.

Mr. YARBOROUGH. I agree that the method of land acquisition should be changed, so that instead of seizing it first we should be able to see what the verdict is. Then, if they do not like the price they do not have to take the land. It should be changed, instead of seizing the land first, because in a situation such as that the Government is a sitting duck.

I do not defend that type of legal proceedings as constitutional and correct.

Mr. HANSEN. If the Senator agrees why does he criticize me?

Mr. YARBOROUGH. Because all through this Padre Island bill today——

Mr. HANSEN. What did I say?

Mr. YARBOROUGH. The Padre Island bill was passed here today and in the passage of the Florida bill reference was made to the Padre Island situation.

The Department of the Interior followed the procedure it followed for taking the land and it got dollar-for-dollar value.

Mr. HANSEN. I would like to ask the distinguished Senator from Texas if I said one thing that is not true. Have I said one thing that is not true? If I have will the Senator tell me what it is now?

Mr. YARBOROUGH. The Senator cast imputations.

Mr. HANSEN. I did not say that. What did I say?

Mr. YARBOROUGH. The Senator cast imputations that there was something discreditable. The Senator did not say what it was. The Senator left the inference.

Mr. HANSEN. Is there anything I said?

Mr. YARBOROUGH. The Senator did not state a fact. The Senator used an inference, an innuendo, so it would seem there was something wrong about the Padre Island situation. If there is something wrong about the Padre Island matter, say what it is.

MESSAGE FROM THE HOUSE

The PRESIDING OFFICER. The Chair asks the Senator to yield, so that the Senate may receive a message from the House of Representatives.

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 1, 2, 14, 16, 18, 21, 30, 46, 47, 63, 64, and 66 to the bill, and concurred therein, that the House receded from its disagreement to the amendments of the Senate numbered 7, 10, 11, 13, 15, 17, 19, 31, 32, 42, 49, and 52 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate, and that the House further insisted on its disagreement to the amendment of the Senate numbered 65 to the bill.

The message also announced that the House had passed the bill (S. 2675) for the relief of Jose Estrada, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 3593) to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 10790) to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. JARMAN, Mr. ROGERS of Florida, Mr. KYROS, Mr. SPRINGER, Mr. NELSEN, and Mr. CARTER were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 18366) to amend the Vocational Education Act of 1963, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 8588. An act for the relief of Beasley Engineering Co., Inc.; and

H.R. 19747. An act to strengthen and improve the Older Americans Act of 1965.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated:

H.R. 8588. An act for the relief of the Beasley Engineering Co., Inc.; to the Committee on the Judiciary.

H.R. 19747. An act to strengthen and improve the Older Americans Act of 1965; to the Committee on Labor and Public Welfare.

BISCAYNE NATIONAL MONUMENT—PADRE ISLAND

Mr. YARBOROUGH. Mr. President, I am starting to move to another subject, unless the distinguished Senator from Delaware desires that I yield on the matter we were discussing.

Mr. WILLIAMS of Delaware. The Senator's argument reminds me of the quotation in Shakespeare, "The lady doth protest too much." I opposed both the projects and outlined my reasons. I do not recall that I mentioned Padre Island during discussion of the Florida project.

Mr. YARBOROUGH. I assure the Senator that I heard references to it during discussion of the Florida project.

Mr. WILLIAMS of Delaware. I cannot recall any reference that I made to it. I thought that both projects should have been delayed. If the Senator wishes, and wants to see just how the Senate really feels about it—we could reconsider and have a rollcall vote on it. I do not think it would be as unanimous as he thinks. He may be surprised.

Mr. YARBOROUGH. I do not think there would be any surprise to it. There was very little opposition to it, anyway. The matter has already been reconsidered and has passed the Senate.

Mr. HANSEN. Mr. President, I wanted to say that the distinguished Senator from Texas had yielded to me in order that I might say something. I think I yielded the floor only in order that a message from the House could be received by the Senate.

The PRESIDING OFFICER. The Chair would inform the Senator from Wyoming that the Chair did interrupt him for that purpose.

Mr. HANSEN. I thank the Chair. I wanted to say this, and I do not mean unnecessarily to delay the Senator from Texas from pursuing another subject, but I am deeply disturbed that he would come into the Chamber and attack me for what I said about Padre Island. He may read, or he may infer from my statements whatever he wishes. That is up to him. So far as I am concerned, I will stand on what I have said.

I challenge him now to point out one single misstatement of fact insofar as I am concerned.

I challenge him to call attention to one error in what I have said.

If he can do that, I will be happy to apologize to him.

If he is unable to do so, then I say this: I was not trying to criticize him, nor the State of Texas, nor the Park Service, nor anyone else. But I think it is my duty and my responsibility to point out what I think is wrong with the way we are doing business. I think that there is a lot wrong in the way the Government is doing business, that it can set aside and create and acquire the lands within a certain area for a certain amount of money and then starts out to do that. It is a question of procedure which has been demonstrated to be full of faults, full of the wrong way of doing business, because we have to come back and appropriate more and more money. That has been the concern of the Committee on Interior and Insular Affairs. It has also been my concern. It would not offend me one bit, if I were a Senator from Texas, to have someone suggest, by illustrating how it has worked in my State, how it might be changed in order to work better.

Mr. YARBOROUGH. I say, in response to the statement of the distinguished Senator from Wyoming, that they were not all his statements to which I referred. It was a combination of statements, with inferences and innuendos concerning the Padre Island matter. I regret that it was not all on his side of the aisle.

In combination, when we add them all up together, there were great slurs on the Padre Island project—a park which the National Park Service estimates will be visited in the course of the next few years by millions of Americans, by more Americans than any other national park except Shenandoah National Park.

I think I pointed out that the value of the land was $103 an acre which the Senate voted to pay for today. The State of Texas gave the marginal land free. It is subject to the tidelands—the marshlands—it gave it free.

I am for both of the projects which will serve to display to all America the flora and the fauna near Miami Beach, from north Florida down to Key West. But think of the difference in price, when we consider the $6,642 per acre for some keys on the Atlantic, and the $103 an acre for built-up islands 17 feet high in many parts, which is wanted by so many people. That is the reason the landowners fought the Park Service for so long. It is the last choice strip of land of that kind left in America, and it was greatly desired for private development. Now the Government has gotten the park. If it had gotten it 10 years ago it would have been much cheaper.

I want to say to the distinguished Senator that the combination of all these statements made on the floor today is what I am answering here as being unjustified. The record will show me to be correct on everything I have said. I mentioned it because the Senator from Wyoming happened to be on the floor at the time, and because several times in discussion of the Florida project, he kept saying things about the Padre Island situation as though it was something wrong. And to add to those statements, those made by the Senator from Ohio and the Senator from Delaware, the whole record, if it is added all together, certainly casts the imputation that something was wrong with the Padre Island project. That is not so.

The Senator is correct that we cannot pick out one statement by itself and say that the statement is erroneous. The other Senators who made such statements, who took part in this discussion, added to the RECORD. I want to make the RECORD clear that it was a combination of statements that merited my reply.

I agree with the Senator from Wyoming, because as a trial lawyer it was my experience for over 20 years, that the Government could get land cheaper, by taking it for whatever it felt it wanted, and then following the procedure we all know so well. That is the legal way. I agree with the Senator that is what they have been doing for many years, following the old procedure. With skyrocketing land prices everywhere in America, people were looking for a park which would be inexpensive—if they could find one. I doubt if they can find an inexpensive park in the future.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. WILLIAMS of Delaware. I do not know just what got the Senator from Texas so excited. As I said before in my discussion on the Florida project, I am reasonably certain that I did not mention the Padre Island case at all. So far as I know, if anyone else mentioned it later, I was not on the floor at the time.

However, to clear up any misunderstanding, as I said earlier, I voted against both projects and lest there be any misunderstanding, I should like the Senator from Texas to understand that, as one Member of the Senate, I do not want another Padre Island case down here.

Mr. YARBOROUGH. Mr. President, that is the very thing I am answering. I think the statement of the Senator from Delaware is a fair statement, if we took it in combination with the colloquy of the distinguished Senator from Wyoming, who is very fair in what he says. The Senator from Ohio was not so mild in his remarks as the Senator from Wyoming or the Senator from Delaware.

I believe that Senators will understand the reason for my remarks when we take all of the statements in context, and will realize that my remarks were justified based on what has taken place here today.

DAVID E. ALTER III, ET AL.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1601, S. 2969.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2969) for the relief of David E. Alter III, and his parents, Mr. and Mrs. David E. Alter, Jr.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments, on page 2, after line 2, strike out:

(b) In the administration of such medical protection plan, the Secretary of State is authorized and directed (1) to pay for the cost (in excess of $35) of treatment of such injuries of the said David E. Alter III, for the period from and after the date such injuries were incurred and (2) to reimburse the said David E. Alter III, or his parents, Mr. and Mrs. David E. Alter, Junior, for any portion of the cost of such treatment incurred and paid by any of them from and after the date of such injuries.

And, in lieu thereof, insert:

(b) In the administration of such medical protection plan, the Secretary of State is authorized and directed to reimburse the said David E. Alter III, or his parents, Mr. and Mrs. David E. Alter, Junior, for any portion of the cost (in excess of $35 but not to exceed $60,000) of treatment of such injuries of the said David E. Alter III paid by any of them from and after the date of such injuries and not otherwise reimbursed.

And in line 23, after the word "amount" strike out "appropriated in" and insert "authorized by"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in the administration of the medical protection plan authorized by section 941(b) of the Foreign Service Act of 1946, the injuries incurred by David E. Alter III, on December 24, 1965, while located abroad as the dependent son of a Foreign Service officer stationed abroad, shall be held and considered to be injuries clearly caused by the fact that he was located abroad; the said David E. Alter III, having suffered such injuries in an area of inadequate medical personnel and facilities, which circumstance contributed to the severity of the injuries and prolonged the period of his recovery.

(b) In the administration of such medical protection plan, the Secretary of State is authorized and directed to reimburse the said David E. Alter III, or his parents, Mr. and Mrs. David E. Alter, Junior, for any portion of the cost (in excess of $35 but not to exceed $60,000) of treatment of such injuries of the said David E. Alter III paid by any of them from and after the date of such injuries and not otherwise reimbursed.

(c) Any amounts payable by reason of the enactment of this Act with respect to any period prior to the date of its enactment shall be paid in a lump sum within sixty days after its enactment. No part of the amount authorized by this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered and are agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1612), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

1. PURPOSE OF THE BILL

The purpose of the bill is to reimburse the family of David E. Alter III for medical expenses resulting from an injury which he sustained in Lusaka, Zambia, on Christmas Eve, 1965, while his father was the AID representative there. An amendment approved by the committee provides a limitation of $60,000.

2. BACKGROUND

David E. Alter III is the son of David E. Alter, Jr., who in 1965 was the top-ranking representative of the Agency for International Development in Zambia. At that time, David E. Alter III was 15 years old.

The accident in which David was injured occurred at 9:30 p.m. on Friday, December 24, 1965, as he was going to attend a large Christmas party given by a Zambian official. As he alighted from the car, near the residence in which the party was being held, a truck collided with the car, glanced off, left the pavement, and struck David, throwing him 30 feet. There were no U.S. medical personnel or facilities in Lusaka; so David was taken at once to the Lusaka General Hospital where the local medical officer on duty diagnosed the injury as simple concussion and placed David in bed with no treatment prescribed. Subsequently, it developed that David had in fact suffered severe brain stem damage in addition to a fracture of the right leg, torn ligaments in both knees, a fractured nose, loss of a tooth, and lacerations.

On January 29, 1966, David was evacuated to the Army Hospital in Franfurt and on February 5 to Walter Reed Medical Center in Washington. Three days later, he was moved to the Washington Hospital Center where he remained until February 22, 1967, when he was released to the home care of his parents assisted by nurses.

David remained unconscious from the moment of impact on December 24, 1965 until October, 1966. Since that time he has made slow but continued progress and the medical prognosis is that further recovery is to be expected.

3. EXPENSES OF MEDICAL TREATMENT

Section 941(b) of the Foreign Service Act of 1946, as amended, provides:

"In the event a dependent of a U.S. citizen officer or employee of the Service who is stationed abroad, incurs an illness or injury while such dependent is located abroad, which requires hospitalization or similar treatment, and which is not the result of vicious habits, intemperance, or misconduct on his part, the Secretary may, in accordance with such regulations as he may prescribe, pay for that portion of the cost of treatment of each such illness or injury that exceeds $35 up to a maximum limitation of 120 days of treatment for each such illness or injury, except that such maximum limitation shall not apply whenever the Secretary, on the basis of professional medical advice, shall determine that such illness or injury clearly is caused by the fact that such dependent is or has been located abroad."

Pursuant to this provision, the Department of State paid for the first 120 days of David's hospitalization and treatment. The Medical Division of the Department then determined that the injury was not clearly caused by the fact that David was located abroad. The basis for this determination was that similar automobile accidents occur in the United States.

At this point David became eligible for insurance coverage under the high-option of the Government-wide indemnity plan (Aetna) of the Federal employees' health benefits program. This plan provides a maximum of $40,000, renewable by $2,000 on January 1 of each year. In David's case, the maximum benefits were paid in 1966, and the $2,000 annual renewal benefits have been paid in each of the calendar years 1967 and 1968.

This has been woefully inadequate. Through April 1968, David's father had incurred additional expenses of approximately $29,000. In July 1968 David's attending physician estimated further costs over a 3-year period of $44,000, of which $6,000 would be paid by the insurance company.

Thus, the total costs of this case, in addition to the first 120 days will be well in excess of $100,000.

4. COMMITTEE ACTION AND COMMENTS

The Foreign Relations Committee first considered this matter in June 1968 in connection with the Foreign Assistance Act, but took no action pending receipt of further information. On October 1, the committee received testimony from Joseph S. Toner, Director of the Office of Personnel and Manpower of AID. On October 3, the committee considered the bill further in executive session and ordered it reported favorably with amendments.

The bill provides that David's injuries "shall be held and considered be injuries clearly caused by the fact that he was located abroad." This in effect reverses the finding of the State Department's Medical Division that the injuries were not so caused. This finding was made on the narrow grounds that similar injuries are sustained in the United States; it completely overlooks the fact that the victims of such injuries in the United States generally receive more prompt and adequate medical attention, thereby hastening their recovery and reducing complications. While David was a patient at the Washington Hospital Center, for example, persons suffering from similar injuries were admitted and discharged, able to walk and talk, within 3 months. Had David received similar treatment initially, it is reasonable to presume that his recovery would have been substantially advanced at a much reduced cost.

The committee's amendments limit the Government's liability to $60,000 (approximately the estimated cost not otherwise reimbursable) and make it clear that only costs not otherwise reimbursable will be covered—that is, that the Government will not repay the insurance company. This latter provision is probably unnecessary in view of a ruling by the Comptroller General, but it is included in the bill to remove all possible doubt.

The Alter case calls attention to two gaps in the protection available to Foreign Service officers and employees and their dependents abroad against catastrophic medical expenses. One of these gaps is found in the Foreign Service Act provision cited above that the Government will pay for the first 120 days of treatment of a dependent and may pay beyond 120 days when the illness or injury is clearly caused by the fact that the dependent is or has been located abroad.

Since this provision was enacted as an amendment to the Foreign Service Act in 1958, from two to six cases a year have arisen in which a dependent has required treatment beyond 120 days and in which a finding has been made that the cause is not clearly related to the dependent's presence overseas. Without exception, these cases have arisen from accidents, the victims of which most likely would have received more prompt and adequate treatment in the United States. In the next Congress, the committee intends to give consideration to amending the Foreign Service Act to take account of this gap especially in the less-developed countries.

The second gap arises from limitations on benefits available under the Federal employees' health benefits program. In most of the cases referred to in the preceding paragraph, the Foreign Service officer or employees insurance has been adequate to pay the additional costs beyond those borne by the Government. In both the severity of the injury and the magnitude of the costs involved, the Alter case is clearly an exception. Data submitted to the Foreign Relations Committee by AID indicate that the dollar limit on protection provided under the Federal employees' health benefits program could be removed at a minimal additional cost—in the case of the Aetna indemnity plan high option, no more than 7 cents per employee and 10 cents per dependent per month. The committee recommends that the appropriate committees of the Congress give consideration to revising the Federal employees health benefits program accordingly.

As indicated by the data presented above, the Foreign Relations Committee feels that the Alter case presents a larger problem which deserves the attention of Congress. At the same time, the committee feels that the Alter case is so unique that passage of the pending bill would not in itself create a precedent for the espousal of additional claims.

OVERTHROW OF PERU'S BELAUNDE GOVERNMENT DEPLORABLE

Mr. YARBOROUGH. Mr. President, with lightning speed a group of Army officers in Peru have deposed the constitutionally elected government of President Fernando Belaunde Terry, installing a military junta to dictate over that country's 12 million people in an area of a half a million square miles. In a matter of hours these generals wiped away the painstaking work by the Belaunde administration over a 5-year period to build a strong and democratic government in a nation that has always lived in the shadow of military takeover and despotic rule.

This is not a new story in Latin America, but it is a depressing one. The scenario for Peru's coup was about the same as for the overthrow in Argentina 2 years ago; internal partisan disagreement on the direction the country should go, fiscal difficulties, an elected President trying to overcome a series of military dictatorships which had left the national spirit broken, and an inflexible, oversized military establishment.

In both cases, the generals who led the coups cited "economic distress" as their reason for drastic action. In both cases, the military regimes brought with them no plans except oppression, no programs except regimentation. It would be difficult to find a single thread of social or economic improvement that can be credited to the wisdom of the Argentine military leaders, during the 2 years of the Ongania dictatorship there.

It was with deep regret, almost like mourning a death in the democratic family of nations, that I noted the military coup in Peru which removed from office a great leader of his nation, elected by the people of his country. President Belaunde was a President who had been making bold moves in behalf of economic and social development and who had been making brave strides in strengthening democratic institution.

The coup in Peru marked another victory in Latin America for the oligarchs, another flexing of the military muscles. Although they still seem to hold the key to power, it is good to note that their victories seem to be further apart than in the past. President Belaunde, for example, had almost completed his 6-year term. Next June, his 6-year term would end. The military goosesteppers could not stand to let Peru have a constitutional election and a constitutionally elected President installed.

The day when the light of democracy will shine unimpeded into every corner of Latin America and the sword stops rattling and the tanks, by whomever supplied, stop rumbling, may be far away. But economic and social development is beginning to take hold and is beginning to bring enlightenment closer to the underprivileged masses. One day the power to select the leaders will be in the hands of the people and removed from the hands of the privileged few.

It is a tragedy when a constitutionally elected President is removed from his presidential palace in a predawn hour through the use of tanks and troops, but it is, I think, an added element of tragedy when the tanks bear the brand "Made in U.S.A." and the military leadership bears the stamp "Trained in the U.S.A."

While we may bemoan these facts and while we still may regret these major setbacks in democratic development, we must not lose sight of the fact that the progressive leadership of President Belaunde saw many forward steps toward achieving the objectives of the Alliance for Progress.

Just 8 months from the time that Peru could enjoy the high national honor of duly installing a duly elected national government, the booted and armed troops of dictatorship raided the presidential palace in the dawn hours, illegally seized the President by raw, naked armed might, and flew him away to another country ruled by a dictator. Eig pistols were substituted for intelligence in the Government of Peru.

It was my privilege, Mr. President, to visit Lima, the historic capital of Peru, last month as one of four U.S. Senators selected as delegates to the 56th Plenary Conference of the Interparliamentary Union. A further privilege during that conference was an extended visit with President Belaunde. President Belaunde has a great pride in the progress that had been made in Peru during his administration. He had a pride in work in building for a constitutional democracy with popularly elected officers.

The Peruvian President was candid about the problems his underdeveloped nation faced, but he was proud of the progress that had been made in industrializing and in moving the advancements beyond the capital city and into the hinterlands of the Peruvian "selva," where rural Indians live in a most primitive sort of poverty. I left Lima feeling that here, at least, we had a rare combination—a democratic government which was both friendly to the United States and progressive. Now, 2 weeks later, that Government is out, removed by the muscle of military brass without regard to the will of the Peruvian people.

It is time, Mr. President, for the United States to demonstrate our aversion to military power plays and our support for democratic procedures. I call on the State Department to move with extreme caution before extending any type of recognition to the armed dictatorship. We also should suspend all military aid to Peru until such time as we can be absolutely certain that our aid will go only for defensive purposes, and not be used to bolster ambitious generals who seize total governmental power without popular support.

Let there be no military aid to Peru from the United States. Let there be no economic assistance to Peru, except where it is clearly demonstrable that the aid will bring about social improvement. And let there be no movement by the U.S. Government which might hint of support or complicity with this military dictatorship which has thrown out America's friend, democracy's friend, and the friend of constitutional government, Fernando Belaunde-Terry.

Mr. President, I ask unanimous consent to have printed in the Record at this point a very perceptive account in the Washington Post of today, under the title of "Peruvian Regime Ousted," an account of the coup by which constitutionalism was destroyed in Peru.

There being no objection, the article was ordered to be printed in the Record, as follows:

PERUVIAN REGIME OUSTED—TROOPS SEND PRESIDENT OUT OF COUNTRY

(By John M. Goshko)

LIMA, October 3.—The five-year-old government of civilian president Fernando Belaunde Terry was overthrown today in a predawn coup that brought Peru's 12 million people under the rule of the armed forces.

To replace Belaunde, armed forces named a "Revolutionary Government" to be headed by Gen. Juan Velasco Velarde as president. Velasco, who had been commander of the army and chairman of the joint chiefs of staff, will have a Cabinet composed entirely of army and air force generals and navy admirals.

Earlier, a manifesto issued on behalf of the new government made clear that the pretext for the coup was Belaunde's efforts to resolve a protracted dispute with a U.S. oil company. The manifesto said the army had acted to protect Peru's petroleum and other resources from exploitation and because the Belaunde government contained "unworthy persons."

The initial stages of the coup were swift and bloodless, with Belaunde being hustled out of the presidential palace and onto a waiting airplane that flew him to exile in Buenos Aires.

[He said on arrival there that he had been ousted in "a barracks coup, not by the armed forces of the constitutional government," and described himself as "still the constitutional president," wire services reported. "I am enjoying a hospitality for which I am grateful but which I have not requested," he said, apparently contradicting an Argentine government report that he had asked for political asylum.]

Several hours later after Belaunde's departure, bands of protesting students staged a brief rock-throwing rampage that littered the streets of downtown Lima with broken windows, overturned newspaper kiosks and at least ten burning cars. The students were quickly dispersed by troops using tear gas and water cannons, and in the ensuing melee one unidentified student was killed.

Late tonight, a teen-ager was killed when troops fired on a group of students stoning the fashionable Crillon Hotel.

Several prominent civilians, led by Belaunde's finance minister, Manuel Ulloa, made attempts during the day to protest the coup and call for public resistance in the form of a general strike. At one point, Ulloa was abruptly cut off as he tried to speak over a radio station he owns, and, by late today, he and several other members of the Belaunde Cabinet were reported under detention.

Although crowds thronged downtown streets and most businesses were closed down, the army—its tanks surrounding the palace and its troops manning the rooftops of most key buildings—appeared to be in effective control of the city. Fragmentary reports from other parts of Peru indicated that the same pattern had repeated itself throughout the rest of this Andean country.

It apparently was the army that planned and executed the coup, and at first this gave rise to speculation that the coup leaders did not have the support of the smaller navy and air force. By tonight, however, the Revolutionary Government had issued a communique signed by the commanders of all three armed forces and expressing the solidarity of the navy and air force with the new military government.

In naming a government composed entirely of generals and admirals, Peru's new military rulers appeared to be indicating that they expect to rule for some time, following the example of Brazil and Argentina.

Informed sources said that apart from Velasco, the key figure in the new government appears to be Maj. Gen. Ernesto Montagne Sanchez, who before today commanded the military region that includes the Lima garrison. He will hold the post of premier and minister of war.

Brig. Gen. Arturo Cavero Calixto, the director of army intelligence, is said to have played an important role in planning and executing the coup, although he is not in the new Cabinet.

He, Montagne and Velasco are all regarded as members of a nationalistic faction within the army that has grown increasingly restive during the past year as Peru struggled with a succession of fiscal and political crises. On Tuesday, the oil-company crisis caused the resignation of Belaunde's fourth Cabinet in 14 months. A Cabinet headed by Premier Miguel Mujica Gallo had been in office a scant 14 hours when the coup came.

In Peru the armed forces have a long history of intervening in politics, and today's coup was the third within the last 20 years. Ironically, it was the last coup, in 1962, that provided Belaunde with his stepping-stone to the presidency.

Following a year of military rule, elections were held in 1963. Belaunde, backed by most of the military establishment, won election to a six-year term that would have ended next June.

During his first years in office, Belaunde, a 56-year-old U.S.-educated architect, was regarded as among the most dynamic and progressive of Latin American leaders. Throughout most of that time he also managed to stay on good terms with the military.

Last year, when the United States exerted strong pressures on Belaunde to prevent the Peruvian air force from buying French Mirage jets—a move that Washington feared would touch off a Latin arms race—the president backed his military commanders to the hilt, even though it meant risking the loss of badly needed U.S. financial aid.

Besides the Mirage dispute, Belaunde also began to have other serious problems last year—principally a fiscal crisis caused by mounting budgetary deficits and a recission in Peru's pivotal fishmeal industry.

The convergence of these factors put the sol, long one of the stablest currencies in Latin America, under such heavy pressure that it fell from its former price of 26 to the dollar to the current free-market level, fluctuating between 40 and 45 to the dollar.

This virtual halfing of the sol's value touched off a wave of national unrest that made talk of a coup common in recent months.

Yet, when it actually came today, the coup seemed to have caught most of the Peruvian political establishment completely off guard. Under Ulloa, who became finance minister in May, and who survived Tuesday's Cabinet shakeup, considerable strides had been made toward combatting the country's fiscal problems.

This progress, plus the closeness of next year's impending elections with their promise of new leadership, had convinced most politicians here that Belaunde had weathered his worst storms and would survive until the end of his term.

What proved the President's undoing was his attempt to resolve a long-smoldering dispute over the La Brea y Parias oil-field concession held by International Petroleum Co., a subsidiary of Standard Oil of New Jersey.

The La Brea concession, which enjoys special tax concessions and subsoil rights dating back to the 19th century, has long been the target of nationalist demands for expropriation. A few weeks ago, after juggling the issue for almost five years, Belaunde announced that a solution had been reached.

The main provisions of the complex agreement called for IPC to surrender its subsoil rights and surface installations at La Brea to the Peruvian government oil monopoly, EPF. In return IPC was to be released from all financial claims against it by the government. It also would receive the right to buy the output of the La Brea field for its refinery at Talara, Peru, and concessions for new explorations in other parts of the country.

These provisions immediately came under heavy attack from a variety of nationalist forces, who charged that the government was surrendering too much to IPC.

The dispute grew to the point where it eventually even took in Belaunde's own Popular Action Party. Last week, Belaunde supporters and a leftist rebel faction fought a pitched battle for possession of the party headquarters building in downtown Lima.

This split within Popular Action made it appear even more likely than before that next June's presidential elections would be won by the rival Popular American Revolutionary Alliance (APRA)—long regarded as a blood enemy by the Peruvian army. That and sympathy within army officer corps ranks for the nationalists' argument on the IPC issue were the factors that seem to have precipitated today's coup.

It began at 2 a.m. when 30 tanks suddenly roared into the historic Plaza de Armas, which dates from the time of Francisco

Pizarro and which is flanked on two of its sides by the presidential palace and the Cathedral of Lima. The ceremonial palace guard quickly opened the gates and stepped aside as a small group of officers dressed in green fatigue field uniforms swept inside.

Approximately 50 minutes later, they emerged, accompanied by Belaunde, who was described by witnesses as pale but fully dressed with only his necktie askew. As the group left the palace, the witnesses added, Belaunde shouted: "These are the traitors . . . these are the betrayers of the country . . . the cowards."

He then was put into a jeep and whisked off. Several hours later, a radio station apparently under army control announced that Belaunde, together with three government security men as guards, had been put aboard a specially chartered jet belonging to the Peruvian National Airline, APSA, and flown to Buenos Aires.

Finance Minister Ulloa, after his radio broadcast was cut off, went to the Foreign Ministry, where he and various members of the Cabinet appointed Tuesday reportedly began discussing the possibility of a general strike. While the meeting was in progress, police arrived to arrest the participants. They were taken off in police cars to an unspecified detention point.

A stinging indictment of the coup came from Armando Villanuela, secretary general of the APRA. He issued a statement to reporters calling the army's action "a reprehensible attack on constitutionality" and called upon the country to resist the coup.

In justifying the coup—the first in Latin America since the Argentine army overthrew President Arturo Illia in June, 1966—the Revolutionary Government's manifesto charged that "powerful economic forces, national and foreign in complicity with unworthy Peruvians had been frustrating the popular will for basic structural reforms to continue maintaining an unjust social and economic order."

It went on to accuse the Belaunde government of "indecision, confusion, immorality, intrigue, clandestine activities, improvisation, absence of social sense," and said that the government's handling of the IPC question was "evidence of the moral decomposition of the country."

The manifesto promised to honor all of Peru's existing foreign treaties and said that foreign investors "who observe our laws" have nothing to fear from the new government.

[In Washington, Peruvian Ambassador Celso Pastor, brother-in-law of President Belaunde, resigned.]

Mr. YARBOROUGH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO MONDAY

Mr. YARBOROUGH. Mr. President, under the terms of the previous order, I move that the Senate stand in adjournment until 12 o'clock noon Monday next.

The motion was agreed to; and (at 2 o'clock and 39 minutes p.m.) the Senate adjourned until Monday, October 7, 1968, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate October 4, 1968:

COMMODITY CREDIT CORPORATION

Ted J. Davis, of Oklahoma, to be a member of the Board of Directors of the Commodity Credit Corporation, vice George L. Mehren.

POSTMASTERS

The following named persons to be postmasters:

ARKANSAS

Kermit E. Hale, Stuttgart, Ark., in place of F. S. Brummitt, deceased.

CALIFORNIA

Ronald D. Huisenga, Tustin, Calif., in place of J. J. Parks, Jr., retired.

CONNECTICUT

Anthony M. Chiappetta, Cos Cob, Conn., in place of E. E. Ritch, retired.

Joseph J. Maruzo, Milldale, Conn., in place of L. N. Snow, retired.

GEORGIA

Launa W. Addington, Tallulah Falls, Ga., in place of B. C. Burrell, retired.

T. Hugo Starling, Thomaston, Ga., in place of A. H. Harvey, retired.

INDIANA

William Rudolph, Jr., Ireland, Ind., in place of Clara Wigand, retired.

Lucille C. Wells, Linton, Ind., in place of Esther Wolford, retired.

Forrest D. Butler, Rockville, Ind., in place of J. V. Pinegar, retired.

MISSOURI

Glen E. Gamble, Fair Play, Mo., in place of J. F. Hobbs, deceased.

OHIO

Lee D. Hartman, Troy, Ohio, in place of D. F. Shuler, resigned.

OKLAHOMA

Glenn E. Morrison, Ketchum, Okla., in place of Bess Douglas, retired.

TEXAS

Dreda F. Jacoby, Eola, Tex., in place of E. L. Martin, retired.

Victor C. Novosad, Sugar Land, Tex., in place of N. M. Iiams, retired.

VIRGINIA

William J. Smith, Hallwood, Va., in place of LeRoy Davis, deceased.

WISCONSIN

Edward J. Zinda, Delafield, Wis., in place of W. G. Brown, retired.

Irvin H. Rosenberg, Shawano, Wis., in place of H. A. Meyer, retired.

WITHDRAWALS

Executive nominations withdrawn from the Senate October 4, 1968:

U.S. SUPREME COURT

Abe Fortas, of Tennessee, to be Chief Justice of the United States, vice Earl Warren, which was sent to the Senate on June 26, 1968.

Homer Thornberry, of Texas, to be Associate Justice of the Supreme Court of the United States, vice Abe Fortas, which was sent to the Senate on June 26, 1968.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 4, 1968:

FEDERAL POWER COMMISSION

Albert Bushong Brooke, Jr., of Maryland, to be a member of the Federal Power Commission for the remainder of the term expiring June 22, 1969.

UNESCO CONFERENCE REPRESENTATIVES

The following-named persons to be representatives of the United States of America to the 15th session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

William Benton, of Connecticut.

Alvin Christian Eurich, of Colorado.

Katie Scofield Louchheim, of the District of Columbia.

James H. McCrocklin, of Texas.

Frederick Seitz, of Illinois.

The following-named persons to be alternate representatives of the United States of America to the 15th session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

Robert H. B. Wade, of Maryland.

Marieta Moody Brooks, of Texas.

Elizabeth Ann Brown, of Oregon.

Morton Keller, of Massachusetts.

George E. Taylor, of Washington.

UNITED NATIONS REPRESENTATIVES

James Russell Wiggins, of the District of Columbia, to be the representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

James Russell Wiggins, of the District of Columbia, to be a representative of the United States of America to the 23d session of the General Assembly of the United Nations.

Brewster C. Denny, of Washington, to be a representative of the United States of America to the 23d session of the General Assembly of the United Nations.

Raymond D. Nasher, of Texas, to be an alternate representative of the United States of America to the 23d session of the General Assembly of the United Nations.

Marvin L. Warner, of Ohio, to be an alternate representative of the United States of America to the 23d session of the General Assembly of the United Nations.

DISTRICT OF COLUMBIA COURT OF APPEALS

Andrew McCaughrin Hood of the District of Columbia to be chief judge of the District of Columbia Court of Appeals for the term of 10 years.

THE DIPLOMATIC AND FOREIGN SERVICE

The nominations beginning Charles C. Carson, to be a consular officer of the United States of America, and ending Bernard J. Woerz, to be a consular officer of the United States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 24, 1968; and

The nominations beginning Burnett F. Anderson, to be a Foreign Service information officer of class 1, consular officer, and a secretary in the Diplomatic Service of the United States of America, and ending Miss Edith E. Russo, to be a Foreign Service information officer of class 7, a consular officer, and a secretary in the Diplomatic Service of the United States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 30, 1968.

IN THE COAST GUARD

The nominations beginning William F. Nettell, to be lieutenant (junior grade), and ending Jimmie D. Woods, to be an associate professor, U.S. Coast Guard Academy, in the grade of commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 27, 1968.

EXTENSIONS OF REMARKS

SURVEY OF THREE LOW-INCOME AREAS OF THE DISTRICT OF COLUMBIA

HON. WINSTON L. PROUTY

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Friday, October 4, 1968

Mr. PROUTY. Mr. President, in accordance with the order of the Senate of yesterday, I ask unanimous consent that the survey, dealing with characteristics, problems, and attitudes of inter-city residents of the Nation's Capital, be printed at this point in the RECORD.

There being no objection, the survey was ordered to be printed in the RECORD, as follows:

PROUTY SURVEY REPORT: CHARACTERISTICS, PROBLEMS, AND ATTITUDES OF INNER CITY RESIDENTS IN THE NATION'S CAPITAL

(Results of a comprehensive random sample survey in three designated poverty areas of Washington, D.C., by Senator WINSTON PROUTY, 1968)

PART I. REASON FOR AND METHODOLOGY USED IN THE PROUTY SURVEY

This report contains information obtained from a survey which I had conducted in three inner city areas of Washington, D.C., during January and February of this year.

The purpose of the Prouty Survey was to illustrate the feasibility of obtaining accurate facts concerning the problems and aspirations of inner city residents by utilizing the random sample survey method.

I selected Washington, D.C., as my testing ground mainly because as ranking Minority Member of the Senate District Committee, I have a special interest in the District of Columbia. Having resided in the Washington Metropolitan area during the past eighteen years while serving in Congress, I have had an opportunity to become conversant with the urban problems of this area—an opportunity not afforded me in my own rural state of Vermont, whose largest city has a population of less than 40,000 persons.

The Prouty Survey Report presents the data obtained from the 426 interviews conducted in the three inner city areas and contains a rather extensive analysis of the major findings. The Report is divided into seven major Parts, each dealing with an important subject area. Each Part contains a written analysis of the data as well as the findings in tabular form.

The Prouty Survey Report consists of the following parts:

Part I. Reason for and Methodology Used in the Prouty Survey.

Part II. Simple Tabulation of Survey Results.

Part III. Demographic Findings for the Three Areas Surveyed.

Part IV. Comparison of Selected Life Chance Attitudes Between the Inner City Sample and a Sample Taken in a Small Vermont City.

Part V. The Attitudes of Inner City Residents.

Part VI. Problems of City Living Perceived by Inner City Residents.

Part VII. The Effectiveness of the War on Poverty in the Inner City.

A. Underlying reasons for the Prouty survey

It is so obvious as to be a truism that legislators must have accurate facts as a basis for effective legislative action. Facts are a prerequisite at every stage: for the conceptualization of a problem, for the planning of a program to alleviate the problem, and for the implementation and evaluation of programs.

In this day of advanced technology and scientific "know-how", we are better equipped than ever before to obtain and to evaluate facts both quickly and accurately. Most unfortunately, however, this "know-how" has not been utilized to best advantage.

All too often legislators have been deluged with a multitude of facts on any given issue—many of which were slanted or even incorrect. Rather than informing these facts have served to misinform, with serious consequences. Incorrect facts have often been the foundation upon which vast legislative programs were built. I could catalogue example after example of the expenditure of millions for a program built upon an inadequate foundation.

This problem, particularly acute in the case of Poverty Programs, is what motivated me to undertake the Prouty Survey.

As ranking Minority Member of the Subcommittee on Employment, Manpower and Poverty of the Senate Labor and Public Welfare Committee, I have been directly concerned with the progress of the War on Poverty. The Economic Opportunity Act, which Congress considers biannually, is perhaps the cornerstone of that War.

Last year when Congress reconsidered the Act, dedicated legislators of both parties sought accurate facts in order to be able to evaluate existing programs and to devise new ones.

During the summer of 1967, our Subcommittee held numerous hearings on the problem of poverty and the effect of existing antipoverty programs. Throughout those Hearings, I tried to obtain facts concerning the nature, extent, and causes of poverty in specific areas of the country. I also attempted to obtain an accurate measurement of the effectiveness of existing programs which were designed to alleviate poverty. In both cases I was unsuccessful because the facts were either questionable or unavailable.

Certainly there were figures, statistics, and studies indicating some of the things that were being done in the War on Poverty, but in almost every case myth was built upon myth, exaggeration upon exaggeration; emotional plea upon emotional plea. Today it continues to be difficult to separate facts from fiction.

Rather than try to make headlines by pointing out specific inaccuracies or omissions, I decided to examine the basic problem in inaccurate or unavailable facts and to take action to alleviate the situation. I did this because I was convinced that it can be possible to separate fact from fiction.

I have made two major efforts to solve what might be termed a "fact-crisis." First, believing that it was imperative that an impartial agency evaluate programs, I sponsored an amendment to the Economic Opportunity Act requesting the Comptroller General to conduct an in-depth evaluation of the program effectiveness in the War on Poverty. I was pleased that Congress saw fit to adopt that amendment.

However, that action in and of itself is insufficient. I am convinced that we must eventually expand the activities of the Comptroller General so that he can determine program effectiveness in a number of areas on a continuing basis.

In addition, however, we must take action at all levels of Government to combat the breakdown of effective rational communications between citizens and community leaders. The sad state of present communications has become apparent to everyone following the massive civil disorders in major urban centers around the country.

An investigation by my staff of a poverty program in Newark, New Jersey, during June and July 1967 re-enforced my suspicion that a major reason for urban discontent has been a lack of communication between citzens and community leaders. This suspicion was again re-enforced when I visited Detroit during the 1967 riot.

While the communication problem in Newark, New Jersey, stemmed from the reliance of community leaders almost exclusively on subjective information from only a few sources in the community, the problem in Detroit was slightly different. There an overuse of computerized statistics without a humanization of these statistics with the subjective opinions and attitudes of the citizens being served, served to widen the communications gap.

My second effort to alleviate the "fact crisis" and to bridge the communication gap was the Prouty Survey—an attempt to obtain accurate, unbiased information about residents of inner city areas designated as poverty zones. It is my hope that this survey will be read and analyzed by the community leaders in the District of Columbia. It is my further hope that this survey will stimulate similar efforts in other areas of the country.

I have purposefully reported the survey methods I used and the findings I derived from the survey in great detail so that others could use this technique in their own communities. I hope that this report will be given sufficient publicity for it to make a significant contribution toward the elimination of our "fact crisis."

B. The first Prouty survey—Summer 1967

The Near Northeast section of Washington, D.C. was chosen for the first study. There were several parts to the study. First, the Near Northeast Development Center and its component parts were examined in depth. Second, a random sample survey was conducted in several of the Census tracts of the area. As a result of this study, a fairly comprehensive analysis and evaluation was made of the development center. It is contained in Appendix B to Part VII.

This first attempt at conducting a random survey was of inestimable value for the second Prouty Survey in the winter of 1968. The results, although only partial, were far from inconclusive. For example, it was apparent that most citizens of Near Northeast, particularly the poor, were unaware of the kind and number of poverty programs available to them. Furthermore, the results revealed a lack of communication between the people of Near Northeast and the officials in charge of the poverty program. It appeared that the matter which most concerned the residents of Near Northeast was a lack of adequate housing. The Director of the Near Northeast Development Center, however, maintained that jobs and education were the most significant problems.

The Near Northeast effort was extremely useful as a test run. As a result of the study, several modifications in procedure were made before the next study got underway.

It became apparent, for example, that the geographic area of Near Northest—10 Census tracts, was too large for a small number of interviewers to cover effectively. The questionnaire needed revision. Finally, the ne-

cessity of using paid indigenous inhabitants of the neighborhoods to be surveyed rather than volunteer middle class white interviewers became clear.

C. Purposes of the second Prouty poverty study

As the investigation of poverty programs in Near Northeast was begun, a primary purpose was the perfection of the random sample survey method as a tool for the effective evaluation of poverty programs. This remained important, although as a result of the first interviewing experience it became important to collect as much data about the nature of the inner city resident of Washington, D.C. as possible. Therefore, we extended the scope of our efforts.

The study which follows was undertaken for the following reasons: to add to the knowledge about the inhabitants of designated poverty areas in the District of Columbia; to obtain data which would aid in an evaluation of the effectiveness of the anti-poverty program in meeting the needs and desires of those who live in poverty; and to make a contribution to the development of a research design and scientific methodology which could be beneficially utilized in future investigations.

D. Procedure

1. Formulating Hypotheses

The first step after redefining the goals of the Survey was to formulate the general hypotheses which were to be tested.

The hypotheses which were formulated describe expectations in the following areas: the demographic nature of the population to be samples; the attitudes of the respondents; the major problem areas of city life as perceived by the population; and the conception of and response to the poverty program on a city-wide and neighborhood-wide level.

2. Devising a Questionnaire

The questionnaire which was utilized in Near Northeast in the summer of 1967, consisted of 70 precoded questions—including demographic, informational, and attitude questions. It was arranged with the "problems section at the front in order not to offend interviewers with personal questions at the outset.

Although the Near Northeast questionnaire was utilized as a base, it was extensively revised for its use in Cardozo, NDC #1, and Southeast.

As a first step, all questions to which the response had been extremely poor (less than 50%) were removed. Next, keeping in mind the fact that indigenous residents of the three areas were to be utilized as interviewers, the questionnaire was rearranged putting the demographic items at the beginning. It was determined that more interesting answers would be elicited to informational and attitudinal questions once the respondent felt comfortable with the interviewer. In addition, it was felt that indigenous residents would be unlikely to offend respondents with personal questions.

The questionnaire was pre-tested on small groups of Washington, D.C. residents and on the interviewers themselves before final revisions were made. The questionnaire in its final form has been reprinted from the Congressional Record and is attached to Part II of the Prouty Survey. It consists of 60 precoded questions, 3 open ended questions, and 7 items of identification.

The questionnaire was designed so that although the respondent was not coached, his probable answer could be checked off by the interviewer. When it was felt answers could not be anticipated, we provided space in the questionnaire for written responses. The person doing the actual coding interpreted the written response and devised a code scheme.

Where possible, U.S. Census categories were utilized for salary scales, ages, and number of rooms in the dwelling unit. Answers to questions requiring expression of attitude were arranged on a five point scale from strongly agree to strongly disagree.

The questionnaire in its final form was 17 pages long and took approximately 45 minutes to administer.

3. Drawing the Random Sample

The first task was to delineate the exact areas of the District of Columbia in which the interviewing was to be conducted. The selection of three areas, although essentially an arbitrary decision, was based on consideration of the following factors: the survey experiences of the previous summer and the nature of the Washington, D.C. poverty program.

The interviewing experience in Near Northeast Washington demonstrated that the size of an area to be sampled is an important factor in the selection of that area. Efforts to complete the sample in Near Northeast were hampered considerably by the large geographic spread over U.S. 10 Census tracts. Thus any possibility of doing a sample of the entire city was rejected.

In choosing the areas to be sampled the nature of the Washington Poverty Program was taken into consideration. The District of Columbia has been divided into 10 so-called "poverty areas" each consisting of from 4 to 10 U.S. Census tracts. The United Planning Organization (UPO), a designated Community Action Agency (described in Appendix A to Part VII) has managed the Washington poverty program since 1964.

Each of the 10 areas has a neighborhood development center under contract to its parent agency. The Development Center implements the various components of the poverty program at a neighborhood level. The 10 centers in the District are of three different types: those run directly under the aegis of UPO, those contracted out to old line settlement houses, and those managed by corporations of the community.

Since these three major types of neighborhood centers are found in all sections of the United States, and it is still very much of an issue as to which type of organization and style of operation are most effective, it was decided that one of each would be selected for examination.

Because of their geographic size, dispersion throughout the city and differing types of development centers, the three areas known as Upper Cardozo, NDC #1, and Southeast were selected for sampling. They are described in more detail in Appendix A.

The next task was the random selection of residents in each of the three designated areas. In order to do this, a commonly accepted method or random probability sampling was utilized.[1]

Minimum and maximum limits for our sample size were set and then adjusted to the most reasonable and feasible number between the two. It was felt that a sample containing a minimum of 100 interviewees in each of the three areas (or total of 300) was essential. The outside feasible maximum—considering factor of time and money—was put at 294 persons per area (or total of 882).

The United States Bureau of the Census Reports make data available for each large city such as Washington, D.C. containing among other things, the numbers of dwelling units per block. It is thus easier to select a number of dwelling units in a block in which to interview rather than choosing individuals when drawing the sample.

Once the housing units are designated, they can be located exactly by street address through the use of Sanborn maps. The National Capitol Housing Agency kindly made these maps available to us.

It was decided that housing units would be sampled in *clusters* of three adjacent houses to a block, since this facilitated the interviewing process. However, this increases the possibility of bias since three persons living in proximity are likely to have similar viewpoints.

To correct for this error and for other important ways in which the sample could be biased if drawn by pure chance, to increase precision, and to assure adequate sampling on the possibly relevant age and sex variables, the sample was stratified by age and sex.

The age and sex stratas were determined through use of 1960 U.S. Census figures for the entire District of Columbia up-dated to 1965. An attempt was made to correct slightly for what is believed by the Census Bureau to have been an undercount of Negro males in 1960.

Arbitrarily, setting the sample size at 150 interviewees per area (450 total) quotas for age and sex were set. These were as follows:

TABLE A.—AGE AND SEX QUOTAS PER AREA

Sex	Age						
	16 to 19	20 to 24	25 to 44	45 to 59	60 to 64	65	Total
Male	6	7	33	17	5	3	71
Female	6	9	37	18	6	3	79
Total	12	16	70	35	11	6	150

The sample was drawn so that the probability of the inclusion of any household in Cardozo was 1/75th, in NDC #1, 1/120th, and in Southeast, 1/81st.

4. Selection and Training of Interviewers

Early in January, with the questionnaire completed and the random sample drawn for each area, attention was given to the problems of hiring and training interviewers.

The Training Corporation of America, provided the services of a young man and woman with extensive survey and interviewing experience to act as field managers for the survey. They assisted in the selection and training of the interviewers as well.

It was estimated that 10 interviewers working parttime—or approximately 28 hours a week—could complete the survey in five weeks time. The summer experience had demonstrated that the best times for interviewing were during the day on Saturdays and in the late afternoon during the week in order to catch more than just housewives at home. With the schedule, it seemed feasible to hire young Negro high school students for the job.

There was one additional decision to be made regarding the sex of the interviewers. Although reluctant to send young women out alone, we know that inner city residents might not receive single young men. Consequently, the dilemma was resolved by hiring five males and five females to work in teams during the week, and separately during the weekends.

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[1] The Survey techniques utilized is a variation of that described by Bachstrom on Kirsh in *Survey Design*.

Notices were sent out and bulletins posted at Neighborhood Development Centers, youth centers, and high schools in Cardozo, NDC #1 and Southeast. Interested applicants were interviewed during the first week in January, and the final selection was made at the end of the week. The ten students were all residents of the areas being covered in the survey.

The training of interviewers took place from January 15th through January 20th. They were given instructions in how to administer the questionnaire, how to approach people. They conducted practice surveys among themselves and among selected test groups of citizens in Northeast Washington.

The interviewers were instructed to go to the addresses given to them and to interview, at first, either the person who answered the door, or a person in the household over 16 who could spare the time.

Questionnaires were checked at the end of each day's work, and age and sex quotas were noted. Once any one category was filled, the interviewers were asked not to conduct interviews among persons of that age and/or sex, but to seek persons in the other quota categories. In this way, it was hoped that the interviewing process would be speeded, until the very end, when quota requirements would become more stringent.

5. The Interviewing Process

Actual interviewing began on January 22, 1968. The interviewers worked out of the apartment of one of the field managers. All interviewers worked for one week in Southeast, going to the apartment each day for questionnaires and instructions and returning to the apartment at the end of the day to hand in questionnaires.

During the week of January 20 through February 3, eight of the interviewers began to work out of the Cardozo apartment of the other field manager, and to conduct interviews in Upper Cardozo. The remaining two continued in Southeast to finish filling the quotas in that area. By February 5th, interviews in Southeast had been completed, and all ten interviewers began working out of the Cardozo apartment. Two teams continued to work in Upper Cardozo and three teams moved into NDC No. 1. Six interviewers continued to work the first three days of the week of February 12th.

All questionnaires were checked daily by the field managers. Illegible writing or incomprehensible answers were checked. On the whole, the interviewers worked diligently and did an extremely competent job.

By February 15th, the interviewing process came to a halt. Although age and sex quotas were not exactly fitted, the categories were approximate enough to be satisfactory, and more than enough interviews had been completed in each of the three areas. In total, 477 interviews were conducted.

6. Data Processing and Analysis

Although an attempt was made to precode the questionnaires, it was determined that it would be more efficient to transfer the data to code sheets before having IBM cards punched. One person, a statistician provided by the Training Corporation of America, did all the coding to insure continuity and homogeneity.

The coded data was transferred to IBM cards through the services of the Data Processing Division of the Library of Congress. In order to facilitate analysis of the data, we requested that the Library of Congress use the IBM 360 computer to print out contingency tables.

A program was designed which instructed the computer to compare every variable (question) in the questionnaire with every other variable of a higher number.

The collected and processed data was then analyzed. For three weeks, the statistician devoted full time to the analysis. Her first step was the simple figuring of percentages for each category of response to each question in the questionnaire. This simple tabulation of results is contained in Part II.

Next, working from the contingency tests, some simple statistical tests were utilized in order to determine the existence and the importance of the relationships between interesting and relevant variables. The most commonly used test for this purpose is the chi square test. Very simply, it provides a means for determining whether the distribution of responses to two (or more) variables obtained when these variables are interrelated (in contingency tables) differ significantly from those results which one would expect by chance. In other words, it tells whether any two items or questions have a relationship with each other or "go together" more than one would expect by sheer chance. The chi square does not indicate the exact degree or the direction of the relationship. But there are other tests, such as the lambda test, which do.

Over 200 chi square tests were performed. In general, we considered that any value of x^2 beyond .01 level was significant. By this, we mean that only one time in 100 would this same distribution occur by chance. Results occurring 5 times out of 100 were considered borderline.

The notation (p=) at the bottom of many of the tables to follow refers to the degree of probability that the results obtained would occur by sheer chance. We can also speak of a particular result to a question in a contingency table as being greater or less than what would be expected by a random occurrence.

[*Appendix A*]

DESCRIPTION OF THE THREE INNER CITY AREAS: UPPER CARDOZO, NDC NO. 1, AND SOUTHEAST

1. Upper Cardozo: Upper Cardozo is composed of Census tracts 27, 28, 29, 30, 31, 32, and 39 and is located in the Northwest sector of the city. It is bounded by Harvard Street (south), Spring Road and Rock Creek Park (north), Park Place (east), and Adams Mill Road (west). According to the 1960 U.S. Census figures, the population was 45,400. Up dated 1965 figures estimated the number of inhabitants at 47,700.

The population of Upper Cardozo is not totally homogeneous. Although it has been estimated that over 70% of the people in the area are Negroes, there are, in addition, large number of Spanish speaking people, predominantly of Cuban or South American extract, perhaps contributing up to 10% of the population. On the fringes of Cardozo, especially in areas adjoining Rock Creek Park, live well-to-do upper middle class residents. The less well-to-do are clustered near the "business district" areas of Georgia Avenue and 14th Street. There has been a moderate influx of people into Cardozo from the Shaw and Southwest urban renewal areas during the past few years.

Upper Cardozo has four elementary schools, one Junior High, and a vocational high school for boys. There are three playgrounds attached to the elementary schools and one recreational center nearby. There are 174 public housing units in the Upper Cardozo area.

Cardozo is of particular interest because of the nature of its Neighborhood Development Center. Formerly managed directly by UPO, as NDP No. 3, the center was recently turned over to a nonprofit neighborhood corporation. CHANGE, INC.—Cardozo Heights Association for Neighborhood Growth and Enrichment, was formed in late 1965 and became a corporation on June 17, 1966. All residents of the area are eligible for membership in the corporation with attendance of block meetings as the only final requirement.

At the block meetings, representatives are elected. Formerly, this group was known as the Citizen's Advisory Council, but now they serve as the governing board of Change, Inc. The Board of Directors is composed of 39 members elected from block organizations and community groups. All live and work in the area. The board has Negroes, whites and Spanish-speaking members of all economic levels. The Chairman of the Board is elected at large from a slate of names submitted by the Board.

Up to this time the Board, under the directions of its Director, a very dynamic woman, has exerted much influence and leadership. It worked with the appointed director of the Neighborhood Center, and ex-clergyman, to select his staff of professionals and neighborhood workers. The Board or a representative committee is involved in all major decisions.

The Administrative staff of the Director of CHANGE neighborhood center is located on Georgia Avenue, the very aggressive CHANGE Community organizations staff works out of here. A 14th Street store front office houses additional services. The many component programs under the aegis of CHANGE, Inc., are listed in the letter from the Director which follows

2. *NDC No. 1:* NDC No. 1 area is comprised of Census tracts 48, 49, 50, 51, 52.1 and 52.2. Located nearly in the geographical center of Washington, D.C., the area is bounded by 16th Street (west), New Jersey Avenue (east), New York, Massachusetts, and Vermont Avenues (south), and S Street (north). The population of NDC No. 1 in 1960, was 27,140 and was estimated to be 29,270 in 1965.

Due to its central location and the erection of many expensive high rise apartment buildings, the population of NDC No. 1 is slightly more heterogeneous than that of Upper Cardozo. It is estimated that between 60% to 70% of the population is Negro. The white and more well-to-do segments of the population are clustered in the south with the poorer and predominantly Negro population living in various pockets between P and S and along 7th Street.

There are several public housing projects with 343 units in the NDC No. 1 area.

NDC No. 1 is managed directly by its parent organization, UPO. The Director of the Neighborhood Center is appointed by the Director of UPO, and is bound to act according to the wishes of the latter. A professional staff of neighborhood workers, and office employees hired by the Center Director, work out of the main office on 15th Street. Community organization, social services (welfare department personnel) and Employment Service personnel are also housed there. A credit union, legal services and consumer action office are separately maintained and managed autonomous.

A Neighborhood Advisory Council is elected by residents of NDC No. 1 who attended block meetings. It is intended to function in an advisory capacity to the Director and the Center staff.

3. Southeast: Southeast, on half of the area south of the Anacostia River, consists of Census tracts 74.1, 74.2, 74.3, and 75. It was tenuously linked to the adjacent Congress Heights area for the purposes of administering poverty programs, but this link is in the process of being severed. The area

is bounded by the Anacostia River (northwest), City limits (southeast), Good Hope and Naylor Roads (north), and Suitland Parkway and Alabama Avenue (south).

Of the three areas selected for study, Southeast has the most homogeneous population being over 80% Negro. According to the 1960 U.S. Census, the population was 35,700. It was estimated that the population was 36,300 in 1965. Most of the residents of Southeast are lower middle class or poor and many residents are in public housing units. Much of the Southeast is residential. There are several schools in the area and a number of public housing projects—providing 1,750 dwelling units.

The Poverty program in Southeast is run by an old line Welfare agency which contracts with UPO on an annual basis. Southeast House was originally founded in the early part of the century by persons interested in providing services for poor Negroes living southeast of the U.S. Capitol. Poor whites in this area were aided by Friendship House. After the Supreme Court decision of 1954 (*Brown* v. *The Board of Education*) abolishing separate but equal facilities, Friendship House integrated its services and Southeast House moved across the Anacostia River to a newer and increasingly poorer section of the District.

Southeast House has its own Board of Directors, which appoints a Director for the Center. He is responsible for staffing the various component parts of the poverty organization. The Central administrative location of Southeast House is on Good Hope Road, S.E. Community Organization Specialists (neighborhood workers) operate out of this location. Store fronts elsewhere in Southeast House Consumer Action programs, a credit union, loan counselling, a housing program, and a youth center.

As in the other two areas, a Neighborhood Advisory Council is elected, composed of block representatives to supervise the activities of the development center.

PART II. SIMPLE TABULATION OF RESULTS

In part I of the Prouty Survey Report, I explained why, how and where the Prouty Survey took place.

This part of the report consists of the questionnaire used in the survey and a simple tabulation of the results.

I would like to issue a few words of caution as I release these simple tabulations. I do so because I wish to prevent exaggeration and misinterpretation. Both exaggeration and misinterpretation are vices which are all too prevalent and which, in fact, prompted this study.

Therefore, I want to emphasize that these simple tabulations should be cautiously used.

First, as I pointed out in Part I, the Prouty Survey can in no way be considered to be a study of the whole city of Washington, D.C. It is a random sample of three areas within the city—Upper Cardozo, Southeast, and Neighborhood Development Center No. 1. These three areas may be representative of the District as a whole or they may not. The Prouty Survey provides no means of comparison.

Second, it should be kept in mind that the Prouty Survey took place at a certain point in time—during late January and early February. Since then there have been two political assassinations and a riot. Thus, the Prouty Survey may no longer accurately reflect the opinions and attitudes of the residents of Cardozo, NDC No. 1, and Southeast. I believe, however, that it does accurately represent the conditions and attitudes of the three areas at the time when it was taken.

Third, a simple tabulation does not present a complete picture of the survey results. It consists only of a summation of the numbers of persons (and percentages) who respond to the various categories of responses to a particular question. Such a tabulation can be misleading in several ways.

A simple tabulation does not reveal or identify the type of individual who responds in a certain way to a question. For example, Question 53 in the Prouty Survey asks, "Do you think that the War on Poverty is doing any Good?". 67 individuals indicated that it was doing "no good" at all.

This is an interesting but not really meaningful result until we know more about those 67 individuals. Are they rich or poor, black or white, employed or unemployed, young or old, well or poorly educated? Subsequent parts of the Prouty Survey Report will analyze the responses and identify the respondents.

In addition, a simple tabulation can give an incorrect impression because the responses to questions are enumerated by pre-coded categories which do not accurately reflect the actual response.

For example, at first glance Question 23, which asks "What kind of work would you like your children to do when they grow up?" may appear to be a worthless question since there are 312 "no answer" responses. However, there was not a correct category provided for those parents who insisted that a child must determine for himself what to do with his life. Therefore, these answers were coded and punched on IBM cards in the "no answer" category.

Similarly, there were large numbers of "no answer" responses to the questions requesting income information. By going back over the questionnaires themselves, however, we were able to ascertain the income category for a majority of these respondents. Matters like these will be considered in subsequent parts of the Prouty Survey.

Finally, several questions in the Prouty Survey were open-ended and required respondents to explain *why* they felt as they did. These explanations which could not be coded often provide additional insight into the problem covered by the question.

For example, I am certain that there will be great interest in the results of questions which concern the poverty programs, opinions about riots, and community police relations.

It may be startling to some that nearly 40% of the respondents in one survey thought that there was "a lot" or "some" police brutality in Washington, D.C. What this raw statistic does not tell us is *who* were the 40% who believe this and why do they have this opinion. Are the 40% predominantly young people or old people, black people or white people, rich people or poor people?

Subsequent parts of the Prouty Survey will identify the respondents who claim that police brutality does exist and will reveal that many of them feel this way *not* because of personal experience, but because they have read of instances of brutality in the newspapers.

In my introductory speech, I noted the major conclusions we had been able to draw from the survey. I mentioned the fact that age seemed to be a more important factor than race, education, or income in discussing how people differed from each other in the three areas interviewed. There is no information in these simple tabulations which provides a clue as why this is so.

For these reasons, while it may be interesting to look at these simple results, it would be foolish to overstate what is said or to draw conclusions from it without waiting for additional analysis.

My staff and I have devoted several months of intensive effort to comparing the questions and to performing statistical tests on the more interesting correlations. These tests, we feel have validated our findings.

In Part III of the Prouty Survey, the demographic data will be analyzed to provide an accurate picture of the vital and social statistics of the three areas surveyed.

In Part IV of the Prouty Survey we will compare the three area Washington, D.C. results for five of the questions which reveal general life attitudes with similar results gained in a sample survey taken in Burlington, Vermont.

In Part V, of the Prouty Survey we will examine all of the attitudes held by the respondents in our sample, and attempt to ascertain what influences their feelings.

Finally, in Parts VI and VII, we will discuss specific city problems and the effectiveness of on-going poverty programs.

The raw data, which follows, was used as a basis for the correlations and statistical analysis.

Q. 9. How long have you lived in this neighborhood?

Answers	Number of respondents	Percent of respondents
Less than 6 months	55	12.91
7 months to 1 year	55	12.91
1 to 4 years	127	29.81
5 to 10 years	126	29.58
Over 10 years	59	13.85
No response	4	.94
Total	426	100.0

Q. 10. Where did you live before you moved to Washington?

Answers	Number of respondents	Percent of respondents
Born in District	151	35.45
South rural	87	20.42
South urban	90	21.12
North rural	5	1.17
North urban	41	9.62
Midwest or West urban	17	3.99
Midwest or West rural	4	0.94
Puerto Rico	0	0.00
Outside continental United States	15	3.52
No answer	16	3.76
Total	426	99.99

Q. 11. Age ranges (stratified).

Answers	Number of respondents	Percent of respondents
16 to 19	36	8.45
20 to 24	57	13.38
25 to 44	192	45.07
45 to 59	99	23.24
60 to 64	24	5.63
65 or over	18	4.23
No answer	0	0
Total	426	100.00

Q. 12. Race and sex.

Answers	Number of respondents	Percent of respondents
Male—Negro	155	36.38
Male—White	28	6.57
Male—Oriental	3	.70
Male—Other	2	.47
Female—Negro	212	49.77
Female—White	25	5.87
Female—Oriental	0	0
Female—Other	1	.23
Total	426	99.99

Q. 13. Are you married or single at the present time?

Answers	Number of respondents	Percent of respondents
Single	120	28.17
Married and living with spouse	218	51.17
Married and not living with spouse	17	3.99
Separated, widowed or divorced	69	16.20
Other	0	0
No response	2	.47
Total	426	100.00

Q. 14. How many years of school have you completed?

Answers	Number of respondents	Percent of respondents
None	3	0.70
Under 8	62	14.55
9 through 12	144	33.80
High school diploma	125	29.34
Attended college or posthigh school, skill training	52	12.21
College degree	37	8.69
No answer	3	0.70
Total	426	99.99

Q. 15. Since you left school have you had any special job training such as adult education, vocational education, or Federal programs like MDTA?

Answers	Number of respondents	Percent of respondents
No	294	69.01
Yes, vocational high school, adult education	33	7.75
Yes, paid-for classes	8	1.88
Yes, apprenticeship	1	0.23
Yes, special classes for housewife, such as nutrition	3	0.70
Yes, but no federally paid programs	2	0.47
Yes, Federal program such as Job Corps, NYC, MDTA, OJT	7	1.64
Yes, Federal programs plus others		
No answer	71	16.67
Yes, but not clear where. etc	7	1.64
Total	426	99.99

Q. 16. How many people normally live in this house, apartment with you?

Answers	Number of respondents	Percent of respondents
1	71	16.67
2	92	21.60
3 to 5	192	45.07
6 to 8	47	11.03
9 to 11	11	2.58
More than 11		
0	4	0.94
No answer	9	2.11
Total	426	100.00

Q. 17. Do you own or rent your house or apartment?

Answers	Number of respondents	Percent of respondents
Own free and clear	19	4.46
Own with mortgage	39	9.15
Rent	365	85.68
Co-op	0	0
Public housing	1	.23
Other	0	0
No answer	2	.47
Total	426	99.99

Q. 18. How much rent do you pay?

Answers	Number of respondents	Percent of respondents
Under $50	23	5.40
$50 to $75	59	13.85
$76 to $100	142	33.33
$101 to $125	94	22.07
$126 to $150	44	10.33
Over $150	14	3.29
No answer	50	11.74
Total	426	100.00

Q. 19. What is the biggest problem you have with your housing right now?

Answers	Number of respondents	Percent of respondents
House falling down dilapidated	50	11.74
Poor plumbing	11	2.58
Rent too high	20	4.69
Noisy, crowded neighborhood	29	6.81
Landlord won't fix place up	21	4.93
Cannot get into public housing	1	0.23
Can't move into suburbs	0	0.00
No problem	223	52.35
No answer	10	2.35
Sanitation	29	6.81
Rats	16	3.76
Inspection not strict enough	1	0.23
Other	15	3.52
Total	426	100.00

Q. 20. If you had a choice of housing in this city what kind would you like to live in?

Answers	Number of ressponden t	Percent of respondents
Public housing	7	1.64
Rented	23	5.40
Own home	308	72.30
Rented apartment	57	13.38
Own apartment	18	4.23
Other	6	1.41
No answer	7	1.64
Total	426	100.00

Q. 21. Do you think housing in this city has improved or gotten worse in the last couple of years?

Answers	Number of respondents	Percent of respondents
Much worse	15	3.52
Worse	117	27.46
Same	73	17.14
Better	151	35.45
Much better	26	6.10
No answer	44	10.33
Total	426	100.00

Q. 22. Do you have any children? If yes, how old are they? Are any of your children in school?

Answers	Number of respondents	Percent of respondents
No children	149	34.98
No children between ages 6 and 18; none should be in public school	130	30.52
All children between 6 and 18 are in school	125	29.34
1 child between 6 and 18 not in school, other children in school	11	2.58
2 or more children between 6 and 18 out of school; other children in school	0	0
Only 1 child between 6 and 18; that child not in school	3	.70
Has 2 or more children between 6 and 18; none in school	0	0
Could not obtain enough information to classify	8	1.88
Total	426	100.00

Q. 23. What kind of work would you like your child (ren) to do when they grow up?

Answers	Number of respondents	Percent of respondents
None; girls should stay home	2	0.47
None, other than above: "as little as possible", etc	0	0
Don't care what type work, must make money, have job, etc	11	2.58
Farmer	0	0.00
Armed services	0	0.00
Skilled crafts; blue collar	5	1.17
White collar clerical; subprofessional	16	3.76
Professional, college graduate	80	18.78
No answer	312	73.24
Total	426	100.00

Q. 24. Do you think that the schools are very good, good, fair, poor, or terrible?

Answers	Number of respondents	Percent of respondents
Very good	25	5.87
Good	87	20.42
Average	128	30.05
Poor	49	11.50
Terrible	15	3.52
No opinion (but has or lives with kids who go to school)	18	4.23
Not applicable (does not have or live with kids in school)	51	11.97
No answer	53	12.44
Total	426	100.00

Q. 26. How many people in this house, including yourself, work full time?

Answers	Number of respondents	Percent of respondents
None	61	14.32
1	178	41.78
2	119	27.93
3	43	10.09
4	6	1.41
5 or more	5	1.17
No answer	14	3.29
Total	426	99.99

Q. 28. What is your family income?

Answers	Number of respondents	Percent of respondents
Under $1,500 (under $28.85 per week; under $125 per month)	13	3.05
$1,501 to $3,000 ($28.85 to $57,50 per week; $125 to $250 per month)	37	8.69
$3,001 to $4,500 (over $57.50 to $86.54 per week; over $250 to $375 per month)	35	8.22
$4,501 to $6,000 ($86.55 to $115.38 per week; over $375 to $500 per month)	64	15.02
$6,001 to $7,500 ($115.39 to $144.23 per week; over $375 to $500 per month)	34	7.98
Over $7,500 to $144.24 and up per week; over $625 per month	130	30.52
	1	.23
Answer unclear, discrepancies	11	2.58
No answer	101	23.71
Total	426	100.00

Q. 29. Do you work now yourself? If so, what kind of work do you do?

Answers	Number of respondents	Percent of respondents
Does not work (housewife, student, handicapped, has small children, over age 65, etc.; note reason)	92	21.60
Unemployed; has given up on looking for work	6	1.41
Unemployed and looking for work	10	2.35
Unskilled or marginally skilled work (hod carrier, domestic, etc.)	70	16.43
Skilled blue collar (carpenter, etc.)	49	11.50
White collar clerical	60	14.08
White collar professional, subprofessional, not clerical	86	20.19
Self-employed	1	.23
No answer	52	12.21
Total	426	100.00

Q. 30. How much do you make (on the average)?

Answers	Number of respondents	Percent of respondents
Not working at all	93	21.83
Under $1,500	3	.70
$1,501 to $3,000	47	11.03
$3,001 to $4,500	63	14.79
$4,501 to $6,000	72	16.90
Over $6,000	66	15.49
Welfare	1	.23

Answers	Number of respondents	Percent of respondents
Discrepancy	7	1.64
No answer	74	17.37
Total	426	99.99

Q. 32. Do you think the chances of getting a job at all or of changing jobs are better or worse now than a year or so ago?

Answers	Number of respondents	Percent of respondents
Much better	14	3.29
Better	291	68.31
Same	33	7.75
Worse	56	13.15
Much worse	4	.94
No answer	28	6.57
Total	426	100.01

Q. 33. Have you ever been unemployed and had to look fo work?

Answers	Number of respondents	Percent of respondents
Never unemployed	235	55.16
Once, short period	46	10.80
Once, long period	15	3.52
2 or more times, less than 3 months	80	18.78
2 or more times, time uncertain	2	.47
2 or more times, at least once over 3 months	41	9.62
Pregnancy or child rearing only	1	.32
No answer	6	1.41
Total	426	99.99

Q. 34. When you were unemployed, did you get unemployment insurance money or welfare money?

Answers	Number of respondents	Percent of respondents
No; received neither	125	29.34
Yes; welfare	10	2.35
Yes; unemployment insurance	43	10.09
Yes; both	0	0
Question not asked	233	54.69
No answer	15	3.52
Total	426	99.99

Q. 35. During the last 12 months, did you or any members of your family living in this house receive any of the following:

Answers	Number of respondents	Percent of respondents
No assistance	282	66.20
Private sources only, no public aid	16	3.76
Public insurance-type aid	64	15.02
Both private and public sources	5	1.17
Welfare or AFDC	19	4.46
Welfare or AFDC plus private sources	3	.70
Welfare or AFDC plus public sources	3	.70
All 3 types (private, public welfare, or AFDC)	0	0
No answer	34	7.98
Total	426	99.99

Q. 36. When or if you ever need a loan, of say of $100 or so, where would you go to get it?

Answers	Number of respondents	Percent of respondents
Poverty organized credit union	29	6.81
Where you work, boss	33	7.75
Bank	149	34.98
Profit credit union, loan company	105	24.65
Friend or relative	58	13.62
Minister or local leader	2	0.47
No one	17	3.99
Other	5	1.17
No answer or don't know	28	6.57
Total	426	100.01

Q. 37. If you needed some clothes or food, or some kind of help, where would you go?

Answers	Number of respondents	Percent of respondents
Settlement	7	1.64
UPO	5	1.17
Neighborhood poverty center	5	1.17
Church group	17	3.99
District of Columbia welfare	73	17.14
Friends of relatives	209	49.06
Nowhere	17	3.99
Other	49	11.50
No answer	44	10.33
Total	426	99.99

Q. 38. If you bought a TV set or something like that and it was no good, and the store or person you bought it from wouldn't do anything about it, who would you go to for help?

Answers	Number of respondents	Percent of respondents
Police	28	6.57
Lawyer	163	38.26
Better Business Bureau	192	45.07
Friend or relative	4	.94
Community poverty organization	1	.23
Church minister, local leader	3	.70
Wouldn't do anything, give up	9	2.11
Other	7	1.64
No answer	19	4.46
Total	426	99.98

Q. 39. As far as you know, is there a lot of police brutality in Washington, only a little, or none at all?

Answers	Number of respondents	Percent of respondents
A lot	56	13.15
Some	110	25.82
Only a little	144	33.80
None at all	44	10.33
Don't know	72	16.90
Total	426	100.00

Q. 40. Do the Washington police do:

Answers	Number of respondents	Percent of respondents
An excellent job	26	6.10
Fair or OK job	283	66.43
Poor job	82	19.25
No answer	35	8.22
Total	426	100.00

Q. 41. Is there a problem with trash in this neighborhood?

Answers	Number of respondents	Percent of respondents
Yes	139	32.63
No	272	63.85
No answer	15	3.52
Total	426	100.00

Q. 42. How would you rate the grocery stores in this neighborhood as to quality and price?

Answers	Number of respondents	Percent of respondents
Both prices and quality good	54	12.68
Quality good, prices too high	41	9.62
Prices good, quality poor	7	1.64
Prices too high, quality just fair	57	13.38
Quality just fair, prices too high	24	5.63
Fair on both counts	159	37.32
Poor on both counts	64	15.02
No answer	20	4.69
Total	426	99.98

Q. 43. What neighborhood problems, other than those we have already discussed, does this neighborhood have that something should be done about?

Answers	Number of respondents	Percent of respondents
No problems mentioned	198	46.48
1 problem	168	39.44
2 or more problems	60	14.08
Total	426	100.00

Q. 44. Of all the things which we've discussed today (jobs schools, housing, police, stores, trash collection), which do you think is the worst problem in this neighborhood?

Answers	Number of respondents	Percent of respondents
Jobs	22	5.16
Schools	34	7.98
Housing	86	20.19
Stores	42	9.86
City services	83	19.48
Police	48	11.27
Crime	33	7.75
Other	30	7.04
No response	48	11.27
Total	426	100.00

Q. 45. Do you know of any group in this neighborhood that is doing anything about these problems?

Answers	Number of respondents	Percent of respondents
No	308	72.30
Yes; private (church group, settlement house, etc.)	26	6.10
Yes; UPO group, Federal poverty program	42	9.86
Yes; both private and UPO groups	7	1.64
Yes; unclear whether public or private sponsored	31	7.28
No answer	10	2.35
Other	2	.47
Total	425	100.00

Q. 46. Do you think this group is doing any good?

Answers	Number of respondents	Percent of respondents
Very much	61	14.32
Quite a bit	11	2.58
Some, so-so	10	2.35
Very little	2	.47
None	6	1.41
Not asked	316	74.18
Not clear	20	4.69
Both very good	0	0
Both pretty good	0	0
Both so-so	0	0
Both do very little good	0	0
Neither does any good	0	0
Private good, public poor	0	0
Public good, private poor	0	0
Total	426	100.00

Q. 47. Have you ever heard of UPO, United Planning Organization?

Answers	Number of respondents	Percent of respondents
No	41	9.62
Yes; neighbors or friends	148	34.74
Yes; poverty worker	23	5.40
Yes; newspaper, radio, TV, etc	182	42.72
Yes; cooperating neighborhood group	4	.94
Yes; local group set up by UPO	6	1.41
Yes; other	15	3.52
No answer	7	1.64
Total	426	99.99

Q. 48. Lately there has been a lot of discussion about who should run poverty agencies. Who do you think should run them?

Answers	Number of respondents	Percent of respondents
The people of the area	102	23.94
Local corporations	14	3.29
Federal Government	63	14.79
City governments	46	10.80
Business	4	.94
Private, nonprofit organization	8	1.88
Other	28	6.57
Don't know	151	35.45
Both people and Government together	10	2.35
Total	426	100.01

Q. 49. Is there a neighborhood development program headquarters or settlement house in your neighborhood? Have you ever been there?

Answers	Number of respondents	Percent of respondents
Don't know of any	267	62.68
Vaguely know, never been there	6	1.14
Definitely know, but never been there	100	23.47
Know of it, been there at least once	49	11.50
Know of it, been there often or several times	4	.94
Total	426	100.00

Q. 50. Have you gotten any help from the neighborhood center? (Question was asked to 132 people who knew of a neighborhood center.)

Answers	Number of respondents	Percent of respondents
Nothing	119	27.93
Food, clothes, emergency help	5	1.17
Job location	6	1.41
Legal aid, help with landlord	1	.23
Family services, counseling, etc.	0	0
Information or referrals about existing services	0	0
Don't know	23	5.40
2 or more services	1	.23
Question not asked	271	63.62
Total	426	99.99

Q. 51. Since you learned about the neighborhood center, have you joined in any of its activities?

Answers	Number of respondents	Percent of respondents
Attended meetings of block clubs, et cetera	22	5.16
Passed on information to others	1	.23
Told people about the center	0	0
Volunteered time	4	.94
Given money or helped raise money	1	.23
More than 1 of the above	0	0
Nothing	115	27.00
Question not asked	271	63.62
No answer	12	2.82
Total	426	100.00

Q. 52. Has a poverty worker or a block worker ever visited you, if so, how many times?

Answers	Number of respondents	Percent of respondents
Never	344	80.75
Once	40	9.39
Several times	32	7.51
Regularly	7	1.64
No answer	3	0.70
Total	426	99.99

Q. 53. Do you feel that the war on poverty is doing any good?

Answers	Number of respondents	Percent of respondents
A lot of good	36	10.80
Some good	231	54.23
Not much good	28	6.57
No good	67	15.73
No answer	54	12.68
Total	426	100.01

Q. 55. If you had $1,000, what would you do with it?

Answers	Number of respondents	Percent of respondents
Downpayment on a house	58	13.62
Pay off bills	81	19.01
Live off it	47	11.03
Move to a better neighborhood	18	4.23
Buy specific item (TV, etc.)	17	3.99
Buy car	12	2.82
Blow it on treating kids, going out with friends, etc.	13	3.05
Save it	128	30.05
Other	4	.94
Education	13	3.05
Give it to others	13	3.05
Improve home	4	.94
Start own business	2	.47
No answer	16	3.76
Total	426	100.01

Q. 56. Do you take or have any of the following: daily newspaper, television, radio, weekly newspaper, one or more magazines, car, telephone?

Answers	Number of respondents	Percent of respondents
1 item	2	0.47
2 items	19	4.46
3 items	38	8.92
4 items	78	18.31
5 items	109	25.59
6 items	93	21.83
7 items	84	19.72
None	2	0.47
No answer	1	0.23
Total	426	100.00

Q. 57. Do you often leave your neighborhood?

Answers	Number of respondents	Percent of respondents
Yes	337	79.11
No	82	19.25
No answer	7	1.64
Total	426	100.00

Q. 58. Who do you feel is the most effective leader and spokesman for Negroes?

Answers	Number of respondents	Percent of respondents
Whitney Young	8	1.88
Roy Wilkins	22	5.16
Martin Luther King [1]	260	61.03
Stokely Carmichael	24	5.63
Floyd McKissick	2	.47
Rap Brown	18	4.23
Dick Gregory	3	.70
Mohammed Ali (Cassius Clay)	1	.23
No answer	88	20.66
Total	426	99.99

[1] Survey was taken in February 1968 prior to Dr. King's death.

Q. 59. Do you know of any leaders in this neighborhood?

Answers	Number of respondents	Percent of respondents
No leaders at all	274	64.32
No leader in neighborhood, some in city	82	19.25
Leaders in both neighborhood and city	43	10.09
Leader in neighborhood, not in city	16	3.76
Don't know or no response	11	2.58
Total	426	100.00

Q. 60. Do you think in general that it is necessary to riot in order that things be changed? Are riots good, bad, or what?

Answers	Number of respondents	Percent of respondents
Good, only way to get change	34	7.98
Some good, some bad	67	15.73
Some good, mostly bad	34	7.98
Bad, serve no purpose, shouldn't be used	270	63.38
No response	21	4.93
Total	426	100.00

Q. 62. It is best to live for today because you can't tell what omorrow will bring?

Answers	Number of respondents	Percent of respondents
Strongly agree	22	5.16
Agree	201	47.18
Neutral	22	5.16
Disagree	148	34.74
Strongly disagree	21	4.93
No answer	12	2.82
Total	426	99.99

Q. 63. You can get almost anything you want if you just try hard enough.

Answers	Number of respondents	Percent of respondents
Strongly agree	48	11.27
Agree	301	70.66
Neutral	23	5.40
Disagree	36	8.45
Strongly disagree	11	2.58
No answer	7	1.64
Total	426	100.00

Q. 64. Things are what they are and probably won't ever be better.

Answers	Number of respondents	Percent of respondents
Strongly agree	10	2.35
Agree	40	9.39
Neutral	15	3.52
Disagree	295	69.25
Strongly disagree	59	13.85
No answer	7	1.64
Total	426	100.00

Q. 65. You can't change things no matter what you do.

Answers	Number of respondents	Percent of respondents
Strongly agree	7	1.64
Agree	34	7.98
Neutral	18	4.23
Disagree	298	69.95
Strongly disagree	59	13.85
No answer	10	2.35
Total	426	100.00

Q. 66. Life has its ups and downs but things are getting better in the long run.

Answers	Number of respondents	Percent of respondents
Strongly agree	48	11.27
Agree	324	76.06
Neutral	13	3.05
Disagree	21	4.93
Strongly disagree	10	2.35
No answer	10	2.35
Total	426	100.01

Q. 67. Riots have brought about long-delayed improvements in the cities where they have occurred.

Answers	Number of respondents	Percent of respondents
Strongly agree	17	3.99
Agree	190	44.60
Neutral	61	14.32
Disagree	113	26.53
Strongly disagree	21	4.93
No answer	24	5.63
Total	426	100.00

Q. 68. Head of household. (Categories were readjusted from original questionnaire.)

Category	Number of respondents	Percent of respondents
Male with wife and family	218	51.17
Female with children only	92	21.60
Single male or female living alone	72	16.90
Single male or female (16–25) living with family	21	4.93
Aged (65 or over) male or female living with relatives	10	2.35
Unascertainable	13	3.05
Total	426	100.00

Q. 69. Number of rooms in apartment or house.

Answers	Number of respondents	Percent of respondents
1	22	5.16
2	51	11.97
3	72	16.90
4	79	18.54
5	74	17.37
6	67	15.73
7	20	4.69
8 or more	16	3.76
No answer	25	5.87
Total	426	99.99

Q. 70. Are you doing anything about your housing problem?

Answers	Number of respondents	Percent of respondents
No problems	233	54.69
Problems, but doing nothing	80	18.78
Problems, doing something	112	26.29
No answer	1	0.23
Total	426	99.99

Q. 71. Number of specific school problems mentioned in Q. 24.

Answers	Number of respondents	Percent of respondents
No problems	363	85.21
1 problem	32	7.51
2 or more problems	31	7.28
Total	426	100.00

Q. 72. Have you ever heard of Pride?

Answers	Number of respondents	Percent of respondents
Yes	317	74.41
No	75	17.61
No answer	34	7.98
Total	426	100.00

Q. 73. Do you think it is necessary to riot in order that things be changed?

Answers	Number of respondents	Percent of respondents
Yes	67	15.73
No	329	77.23
No answer	17	3.99
Maybe	13	3.05
Total	426	100.00

Q. 74. In which area was this survey conducted?

Answers	Number of respondents	Percent of respondents
NDC No. 1	142	33.33
Cardozo	142	33.33
Southeast	142	33.33
Total	426	99.99

QUESTIONNAIRE

PART A.—To be completed for the purposes of the interview only:

1. Address of residence at which interview is to be conducted:______________________

2. Reasons for *no* interview (Check one):

☐ Living unit vacant
☐ No qualified adults
☐ Refused
☐ Not at home
☐ Appointment set up

3. If an appointment is made, write out specific time and place:______________________

4. Number of callbacks: Circle 0 1 2 3 4 5.

5. Case number: ☐☐☐

6. Interviewer Number: ☐ ☐

7. Date of Interview: ☐ ☐

7A. For stratification only: Sex ☐ Age ☐

PART B.—To be completed during the interview by interviewer:

Question 8. How long have you lived in Washington?

☐ 1. More than 10 years
☐ 2. 5 years to 9 years
☐ 3. 1 to 4 years
☐ 4. Under 1 year
☐ 9. No response

Question 9. How long have you lived in this neighborhood?

☐ 1. Less than 6 months
☐ 2. 7 months to one year
☐ 3. One to 4 years
☐ 4. 5 to 10 years
☐ 5. Over 10 years
☐ 9. No response

Question 10. Where did you live before you moved to Washington? (If person has not lived here all his life.) Write down exact City and State in space provided.

City ______________________________
State ______________________________

(For coding only—do not check during interview.)

☐ 1. South, rural
☐ 2. South, urban
☐ 3. North, rural
☐ 4. North, urban
☐ 5. Midwest or West, urban
☐ 6. Midwest or West, rural
☐ 7. Puerto Rico
☐ 8. Outside continental U.S.—another Country
☐ 9. No answer

11. Question. Which of these age ranges do you belong in?

☐ 1. 16–19
☐ 2. 20–24
☐ 3. 25–44
☐ 4. 45–59
☐ 5. 60–64
☐ 6. 65 or over
☐ 9. No answer

12. Question. (Check without asking) Race and Sex:

☐ A. Male, Negro
☐ B. Male, White
☐ C. Male, Oriental
☐ D. Male, Other
☐ J. Female, Negro
☐ K. Female, White
☐ L. Female, Oriental
☐ M. Female, Other

Question 13. Are you married at the present time? (Ask and Mark)

☐ 1. Single
☐ 2. Married and living with spouse
☐ 3. Married but not living with spouse
☐ 4. Separated, widowed or divorced
☐ 5. Other
☐ 9. No. response

(For purposes of coding, data from Q 13 is also used in Q 68.)

Question 14. How many years of school have you completed?

☐ 1. None
☐ 2. Under 8
☐ 3. 9 through 12
☐ 4. High school diploma
☐ 5. Attended college or post high school skill training
☐ 6. College Degree
☐ 9. No answer

(Do not ask question 15 if person is still in school or attended college.)

Question 15. Since you left school have you had any special job training such as adult education, vocational education or Federal programs like MDTA? (Write answer) ______
____

(For coding only—do not check during interview.)

☐ 1. No
☐ 2. Yes, vocational high school, adult education
☐ 3. Yes, paid for classes
☐ 4. Yes, apprenticeship
☐ 5. Yes, special classes for housewives such as nutrition
☐ 6. Yes, but no federally paid programs
☐ 7. Yes, federal program such as Job Corps, NYC or MDTA, OJT
☐ 8. Yes, federal programs plus others
☐ 9. No answer
☐ K. Yes, but not clear where

Question 16. How many people normally live in this (house, apartment) with you?

☐ 1. One
☐ 2. Two
☐ 3. 3–5
☐ 4. 6–8
☐ 5. 9–11
☐ 6. More than 11
☐ 8. Zero
☐ 9. No answer

(Question 69 determining the number of rooms in the house or apartment was also asked at this point in the interview but was coded as Question 69.)

Question 17. Do you own or rent your house or apartment?

☐ 1. Own free and clear
☐ 2. Own with mortgage

☐ 3. Rent—private owner [1]
☐ 4. Co-op
☐ 5. Public housing
☐ 6. Other
☐ 9. No answer

Question 17. How much rent do you pay? (Ask only those who rent.)

☐ 1. Under $50
☐ 2. $50–$75
☐ 3. $76–$100
☐ 4. $101–$125
☐ 5. $126–$150
☐ 6. Over $150
☐ 9. No answer

Question 19. What is the biggest problem you have with your housing right now? ________________

(For coding only—do not check during interview.)

☐ A. House falling down, dilapidated, heat
☐ B. Poor plumbing
☐ C. Rent too high
☐ D. Noisy, crowded neighborhood
☐ E. Landlord won't fix place up
☐ F. Cannot get into public housing
☐ G. Can't move into suburbs
☐ H. No problem
☐ I. No answer
☐ J. Sanitation
☐ K. Rats
☐ L. Inspection not strict enough
☐ M. Other

(Question 70 determining what, if anything, interviewees with housing problems were doing about them was also asked at this point in the interview, but coded as Question 70).

Question 20. If you had a choice of housing in this city what kind would you like to live in?

☐ 1. Public housing
☐ 2. Rented—private owner
☐ 3. Own home
☐ 4. Rented apartment
☐ 5. Own apartment
☐ 6. Other
☐ 7. No answer

Question 21. Do you think housing in this city has improved or gotten worse in the last couple of years?

☐ 1. Much worse
☐ 2. Worse
☐ 3. Same
☐ 4. Better
☐ 5. Much better
☐ 9. No answer

Question 23. Do you have any children? ☐ Yes ☐ No If yes, how old are they? (List ages) ______________ Are any of your children in school? ☐ Yes ☐ No How many? ______________________

(For coding only—do not check during interview.)

☐ 1. No children
☐ 2. No children between ages 6–18; none should be in public school
☐ 3. All children between 6–18 are in school
☐ 4. One child between 6–18 not in school, other children in school
☐ 5. Two or more children between 6–18 out of school; other children in school
☐ 6. Only one child between 6–18; that child not in school
☐ 7. Has 2 or more children between 6–18; none in school
☐ 8. Could not obtain enough information to classify

(If respondent has children.)

Question 23. What kind of work would you like your child(ren) to do when they grow up? (If answer "up to them", push for parents' preference) ______________________

(For coding only—do not check during interview.)

☐ 1. None; girls should stay home
☐ 2. None, other than above; "as little as possible", etc.
☐ 3. Don't care what type work, just make money, have jobs etc.
☐ 4. Farmer
☐ 5. Armed services
☐ 6. Skilled crafts; blue collar
☐ 7. White collar clerical; subprofessional
☐ 8. Professional, college graduate
☐ 9. No answer

Question 24. Do you think that the schools (your children go to) (or schools in this neighborhood) are very good, good, fair, poor, or terrible?

☐ 1. Very good
☐ 2. Good
☐ 3. Average
☐ 4. Poor
☐ 5. Terrible
☐ 6. No opinion (but has or lives with children who go to school)
☐ 7. Not applicable; does not have or live with children who go to school
☐ 9. No answer

(Question 71 asking "why" the interviewee felt as he did in response to question 24 was also asked at this point in the interview but coded as question 71.)

Question 25. (No question asked.)

Question 26. How many people in this house, including yourself, work full time? (40 hours or more a week)

☐ 0. None
☐ 1. One
☐ 2. Two
☐ 3. Three
☐ 4. Four
☐ 5. Five or more
☐ 9. No answer

Question 27. (No question asked.)

Question 28. What is your family income? (Sum of all salaries including those of person speaking, children working part or full time) ______________________

(For coding only—do not check during interview.)

☐ 1. Under $1500 (under $28.85 per week; under $125 per month)
☐ 2. $1501–$3000 ($28.85 to $57.50 per week; $125 to $250 per month)
☐ 3. $3001–$4500 (over $57.70 to $86.54 per week; over $250–$375 per month)
☐ 4. $4501–$6000 ($86.55 to $115.38 per week; over $375 to $500 per month)
☐ 5. $6001–$7500 ($115.39 to $115.38 per week; over $375 to $500 per month)
☐ 6. Over $7500 ($144.24 and up per week; over $625 per month)
☐ 7. Welfare only
☐ 8. Person gives an answer but there are discrepancies
☐ 9. No answer

Question 29. Do you work now yourself? If so, what kind of work do you do?

(For coding only—do not check during interview.)

☐ 1. Does not work (housewife, student, handicapped, has small children, over age 65, etc. Note reason)
☐ 2. Unemployed; has given up looking for work
☐ 3. Unemployed and looking for work
☐ 4. Unskilled or marginally skilled work (hod carrier, domestic, etc.)
☐ 5. Skilled blue collar (carpenter, etc.)
☐ 6. White collar clerical
☐ 7. White collar professional, sub-professional, not clerical
☐ 8. Self employed
☐ 9. No answer

(Ask question 30 if respondent is working; otherwise skip to question 31.)

Question 30. How much do you make (on the average)? (Read appropriate categories, if necessary.) $__________ per ____________.

(For coding only—do not check during interview.)

☐ 1. Not working at all
☐ 2. Under $1500 (under $28.85 per week; $125 per month)
☐ 3. $1501–$1300 ($28.85 to $57.70 per week; $125–$375 per month)
☐ 4. $3001–$4500 (over $57.50–$86.54 per week; over $250–$375 per month)
☐ 5. $4501–$6000 ($86.55–$115.34 per week; over $375–$500 per month)
☐ 6. Over $6000 (over $115.38 per week; over $500 per month)
☐ 7. Welfare—no amount given
☐ 8. Not clear, discrepancies
☐ 9. No answer

Question 31. If you were looking for a job now, how would you go about it?

☐ 1. Want ads, applying directly to companies—no agencies
☐ 2. Friends
☐ 3. Both 1 and 2
☐ 4. U.S.E.S.
☐ 5. Local anti-poverty agency
☐ 6. Private profit agency
☐ 7. Private non-profit group, church, etc.
☐ 8. Local anti-poverty agency plus any other answer
☐ 9. None or no reply
☐ I. Other

Question 32. Do you think the chances of getting a job at all or of changing jobs are better or worse now than a year or so ago?

☐ 1. Much better
☐ 2. Better
☐ 3. Same
☐ 4. Worse
☐ 5. Much worse
☐ 9. No answer

Question 33. Have you ever been unemployed and had to look for work? ☐ Yes, ☐ No.

How many times has this happened?______
How long were you out of work?________
(Make sure person actually looked for work.)

(For coding only—do not check during interview.)

☐ 1. Never unemployed
☐ 2. Once, short period—less than 3 months
☐ 3. Once long period
☐ 4. Several times, short periods
☐ 5. Several times, medium periods or varying
☐ 6. Many times, long periods
☐ 7. Pregnancy or child raising only
☐ 9. No answer

(If answer to question 33 was yes, ask question 34.)

Question 34. When you were unemployed, did you get unemployment insurance money or welfare money?

☐ 1. No, received neither
☐ 2. Yes, welfare
☐ 3. Yes, unemployment insurance
☐ 4. Yes, both
☐ 8. Question not asked
☐ 9. No answer

Question 35. During the last 12 months, did you or any member of your family living in this house receive any of the following? (Read list.)

☐ 1. Federal social security
☐ 2. Unemployment compensation
☐ 3. Workman's compensation
☐ 4. Disabled veterans pay
☐ 5. D.C. welfare (Note: Do not key punch.)
☐ 6. Welfare, other location than D.C.
☐ 7. Aid to Dependent Children (AFDC)
☐ 8. Help from relatives
☐ 9. Any other insurance payments
☐ 10. Church or private charity

(For coding only—do not check during interview.)

☐ 1. No assistance
☐ 2. Private sources only; no public aid (friends, relatives, private charity, insurance)
☐ 3. Public insurance-type aid (social security, workman's compensation, veteran's benefits, etc., but no welfare or AFDC)

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[1] "Private owner" was used after item 3 in Q 17 for some of the questionnaires because experience showed that it was necessary in order to avoid over lapping items 3 and 5.

☐ 4. Both private and public sources, but no welfare or AFDC
☐ 5. Welfare or AFDC
☐ 6. Welfare or AFDC plus private sources
☐ 7. Welfare or AFDC plus public sources
☐ 8. All 3 types (private, public, welfare or AFDC)
☐ 9. No answer

Question 36. When or if you ever need a loan, oh say of $100 or so, where would you go to get it?

☐ 1. Poverty organized credit union
☐ 2. Where you work, boss
☐ 3. Bank
☐ 4. Profit credit union, loan company
☐ 5. Friend or relative
☐ 6. Minister or local leader
☐ 7. No one
☐ 8. Other
☐ 9. No answer or don't know

Question 37. If you needed some clothes or food, or some kind of help, where would you go?

☐ 1. Settlement House
☐ 2. UPO
☐ 3. Neighborhood poverty center
☐ 4. Church group
☐ 5. D.C. welfare
☐ 6. Friends or relatives
☐ 7. Nowhere
☐ 8. Other
☐ 9. No answer

Question 38. If you bought a TV set or something like that and it was no good, and the store or person you bought it from wouldn't do anything about it, who would you go to for help?

☐ 1. Police
☐ 2. Lawyer or neighborhood legal services
☐ 3. Better Business Bureau
☐ 4. Friend or relative
☐ 5. Community poverty organization
☐ 6. Church minister, local leader
☐ 7. Wouldn't do anything, give up
☐ 8. Other
☐ 9. No answer

Question 39. As far as you know, is there a lot of police brutality in Washington, only a little, or none at all?

☐ A. A lot. If a lot, write what------------
☐ B. Some
☐ C. Only a little
☐ D. None at all
☐ I. Don't know, no answer

Question 40. Do the Washington Police do:

☐ A. An excellent job
☐ B. A fair or OK job
☐ C. Poor job
☐ I. No answer

Why do you feel the way you do? (jot down answer)------------------------------

Question 41. Is there a problem with trash in this neighborhood?

☐ 1. Yes
☐ 2. No
☐ 9. No answer

If yes, ask why is there a problem? Jot down response:------------------------------

Question 42. How would you rate the grocery stores in this neighborhood as to quality and price?

☐ 1. Both prices and quality good
☐ 2. Quality good, prices too high
☐ 3. Prices good, quality poor
☐ 4. Prices too high, quality just fair
☐ 5. Quality just fair, prices too high
☐ 6. Fair on both counts
☐ 7. Poor on both counts
☐ 9. No answer

Question 43. What neighborhood problems, other than those we have already discussed, does this neighborhood have that something should be done about? (Do not prod or give examples—check A to K.)

☐ A. Nothing
☐ B. Street lights broken or windows broken
☐ C. Transportation bad or inadequate
☐ D. Crime
☐ E. Rats or cockroaches
☐ F. Police protection inadequate
☐ G. Recreation facilities needed
☐ H. Stores sell rotten food
☐ I. Housing violations
☐ J. Urban renewal or school building forcing people to leave
☐ K. Other

For coding only

☐ 1. No problems mentioned
☐ 2. One problem
☐ 3. 2 or more problems

Question 44. Of all the things which we've discussed today (jobs, schools, housing, police, stores, trash collection), which do you think is the worst problem in this neighborhood?

☐ 1. Jobs
☐ 2. Schools
☐ 3. Housing
☐ 4. Stores
☐ 5. City services
☐ 6. Police
☐ 7. Crime
☐ 8. Other
☐ 9. No response

Question 45. We've talked about several kinds of problems people can have, or things they may need help with (housing, schools, jobs, emergency help). Do you know of any group in this neighborhood that is doing anything about these problems? (Note precise answer)------------------------------

☐ 1. No.
☐ 2. Yes, private (church group, settlement house, etc.)
☐ 3. Yes, UPO group, federal poverty program
☐ 4. Yes, both private and UPO groups
☐ 5. Yes, unclear whether public or private sponsored
☐ 8. Other—police
☐ 9. No answer

(If yes to question 45, ask question 46.)

Question 46. Do you think this group is doing any good? ☐ YES ☐ NO How?-----

(If answer to 45 is 2, 3, or 5.)

☐ A. Very much
☐ B. Quite a bit
☐ C. Some, so-so
☐ D. Very little
☐ E. None
☐ H. Question not asked
☐ I. No answer

(If answer to 45 is 4.)

☐ J. Both are very good
☐ K. Both pretty good
☐ L. Both so-so
☐ M. Both do very little good
☐ N. Neither does any good
☐ O. Private good, public poor
☐ P. Public good, private poor

Question 47. Have you ever heard of UPO, United Planning Organization? (Make sure they do know.) If so, how did you first learn about it?

☐ 1. No
☐ 2. Yes, neighbors or friends
☐ 3. Yes, poverty worker
☐ 4. Yes, newspaper, radio, TV, billboards, ads, etc.
☐ 5. Yes, cooperating neighborhood group (block club, church)
☐ 6. Yes, local group set up by UPO or Federal poverty program
☐ 7. Yes, other
☐ 9. No answer

At this point in the interview the question was asked if the respondent had ever heard of Pride, Inc.—a local quasi self-help program, but is coded as question 72.)

(If the answer to question 47 is yes, ask.)

Question 48. Lately there has been a lot of discussion about who should run poverty agencies. Who do you think should run them?

☐ A. The people of the area
☐ B. The people of the area organized in some way (i.e. corporations)
☐ C. Federal government
☐ D. City governments
☐ E. Business
☐ F. Private, non-profit organization
☐ G. Other.
☐ H. Don't know
☐ I. Both people and government together

Question 49. Is there a neighborhood development program headquarters or settlement house in your neighborhood? ☐ Yes, ☐ No

If yes, have you ever been there? ☐ Yes, ☐ No

For coding only

☐ 1. Don't know of any
☐ 2. Vaguely know, never been there
☐ 3. Definitely know, but never been there
☐ 4. Know of it, been there at least once
☐ 5. Know of it, been there often or several times

(If the answer to question 49 is "yes" ask question 50 and question 51.)

Question 50. Have you gotten any help from the neighborhood center? ☐ Yes, ☐ No. If yes, what kind? ----------------------

(For coding only—do not check during interview.)

☐ A. Nothing
☐ B. Food, clothes, other material help on an emergency basis
☐ C. Job location
☐ D. Legal aid, help with landlord
☐ E. Family services, counseling for kids, etc.
☐ F. Information about existing services, referrals to welfare, USES, maternity care, etc.
☐ G. Don't know
☐ H. Two or more services (B thru F) code here, check others
☐ I. Question not asked

Question 51. Since you learned about the neighborhood center, have you joined in any of its activities? ☐ Yes, ☐ No (If yes, what?) (Prod if necessary to find out if they even talk of it to friends.) (Jot down answer.)

(For coding only— do not check during interview.)

☐ 1. Attended meetings of block clubs, etc. set up by center
☐ 2. Passed on information, learned thru center to others
☐ 3. Told people about the center or about services it has
☐ 4. Volunteered time to work with the center
☐ 5. Given money, helped raise money
☐ 6. More than 1 of the above
☐ 7. Nothing
☐ 8. Question not asked
☐ 9. No answer

Question 52. Has a poverty worker or a block worker ever visited you, if so how many times?

☐ 1. Never
☐ 2. Once
☐ 3. Several times
☐ 4. Regularly
☐ 9. No answer

Question 53. Do you feel that the War on Poverty is doing any good?

☐ 1. A lot of good
☐ 2. Some good
☐ 3. Not much good
☐ 4. No good
☐ 9. No answer

Question 54. What do you think should be the purpose of the poverty program?

(For coding only—do not check during interview.)

☐ A. Giving people service only such as food, employment, clothes, advice
☐ B. Mainly service, but also help organize people to help themselves
☐ C. Mainly help people organize to help themselves, but in the meantime, supply service
☐ D. Help people organize and supply as little service as possible
☐ E. Other
☐ F. Don't know

☐ I. No answer

Question 55. If you had $1000, what would you do with it? (Note exact answer) --------

☐ A. Down payment on a house
☐ B. Pay off bills
☐ C. Live off it
☐ D. Move to a better neighborhood
☐ E. Buy specific item (TV, etc.)
☐ F. Buy car
☐ G. Blow it on treating kids, going out with friends, etc.
☐ H. Save it
☐ I. Other
☐ J. Education
☐ K. Give to others
☐ L. Improve home
☐ M. Start own business

Question 56. Do you take or have any of the following? (Check any yes answers)

☐ 1. Daily newspaper
☐ 2. TV
☐ 3. Radio
☐ 4. Weekly newspaper
☐ 5. One or more weekly magazines
☐ 6. A car
☐ 7. A telephone
☐ 8. None
☐ 9. No answer

(For coding only—do not check during interview.)

Number of items respondent indicated in answer to question 56.

☐ 1. One
☐ 2. Two
☐ 3. Three
☐ 4. Four
☐ 5. Five
☐ 7. None
☐ 9. No answer

Question 57. Do you often leave your neighborhood? ☐ Yes, ☐ No.

If not very often, why? (Jot down answer) -----------------------------------

Question 58. Who do you feel is the most effective leader and spokesman for Negroes?

(For coding only—do not check during interview.)

☐ 1. Whitney Young
☐ 2. Roy Wilkins
☐ 3. Martin Luther King
☐ 4. Stokely Carmichael
☐ 5. Floyd McKissick
☐ 6 Rap Brown
☐ 7. Dick Gregory
☐ 8. Mohammed Ali (Cassius Clay)
☐ 9. No answer
☐ I. Other

Question 59. Do you know of any leaders in this neighborhood? ☐ Yes, ☐ No. Do you know of any in the city as a whole? ☐ Yes, ☐ No.

(If yes) Who? ------------------------

(For coding only—do not check during interview.)

☐ A. No leaders at all
☐ B. No leader in neighborhood, some in city
☐ C. Leaders in both neighborhood and city
☐ D. Leader in neighborhood, not in city
☐ I. Don't know or no response

(Question 60 was asked in the following order, however, the "yes" or "no" response was coded as Question 73.)

Question 60. Do you think in general that it is necessary to riot in order that things be changed? ☐ Yes. ☐ No.

Are riots good, bad, or what?

☐ A. Good, only way to get change
☐ B. Some good, some bad
☐ C. Some good, mostly bad
☐ D. Bad, serve no purpose, shouldn't be used
☐ E. No response

Question 61. Who do you think should take care of the problems in this neighborhood?

(Jot down actual answer) ----------------

(For coding only—do not check during interview.)

☐ A. Government
☐ B. People can't do anything, city or government must handle
☐ C. People should do some things, but need government support, help
☐ D. People could do some things if they would band together, but they won't
☐ E. People could handle problem without government if they'd try, band together, but they won't
☐ F. People should handle problem together, don't need government
☐ G. Individuals can handle problem or leader can
☐ H. Could not classify
☐ I. No answer

Here are some statements about which people feel very differently. Would you tell me whether you strongly agree, agree, disagree or strongly disagree with them.

Question 62. It is best to live for today because you can't tell what tomorrow will bring?

☐ 1. Strongly agree
☐ 2. Agree
☐ 3. Neutral
☐ 4. Disagree
☐ 5. Strongly disagree
☐ 9. No answer

Question 63. You can get almost anything you want if you just try hard enough.

☐ 1. Strongly agree
☐ 2. Agree
☐ 3. Neutral
☐ 4. Disagree
☐ 5. Strongly disagree
☐ 9. No answer

Question 64. Things are what they are and probably won't ever be better.

☐ 1. Strongly agree
☐ 2. Agree
☐ 3. Neutral
☐ 4. Disagree
☐ 5. Strongly disagree
☐ 9. No answer

Question 65. You can't change things no matter what you do.

☐ 1. Strongly agree
☐ 2. Agree
☐ 3. Neutral
☐ 4. Disagree
☐ 5. Strongly disagree
☐ 9. No answer

Question 66. Life has its up and downs but things are getting better in the long run.

☐ 1. Strongly agree
☐ 2. Agree
☐ 3. Neutral
☐ 4. Disagree
☐ 5. Strongly disagree
☐ 9. No answer

Question 67. Riots have brought about long delayed improvements in the cities where they have occurred.

☐ 1. Strongly agree
☐ 2. Agree
☐ 3. Neutral
☐ 4. Disagree
☐ 5. Strongly disagree
☐ 9. No answer

Question 68. Head of Household (This question was derived from the responses to Question 12, sex; Question 13, marital status; and Question 22, number of children.)

(For coding only—do not check during interview.)

☐ A. Female head of house, female only
☐ B. Female head of house, female plus children
☐ C. Female head of house, female, children, others
☐ D. Female head of house, female, others (relatives)
☐ E. Male head of house (single male)
☐ F. Male head of house (with wife present)
☐ G. Male head of house (wife, children)
☐ H. Male head of house (wife, others)
☐ I. Male head of house (no wife, others, including children)
☐ J. No answer possible from given data

Question 69. Number of rooms in living unit. (This question was asked during the interview immediately after Q 16.)

☐ 1. One
☐ 2. Two
☐ 3. Three
☐ 4. Four
☐ 5. Five
☐ 6. Six
☐ 7. Seven
☐ 8. Eight or more
☐ 9. No answer

Question 70. What are you doing about your housing problem(s)? (This question was asked during the interview immediately after Q 16.)

☐ 1. No problem
☐ 2. Problem but not doing anything about it
☐ 3. Problem and doing something about it
☐ 9. No answer

Question 71. Why do you feel the way you do about schools in the area? (The question was asked immediately following Question 24. Possible responses were printed on the questionnaire.)

CODE:

☐ 1. No problems
☐ 2. One problem
☐ 3. Two or more problems

Possible responses:

☐ Rundown
☐ Overcrowded
☐ Cold
☐ Windows, broken
☐ Gloomy, dark
☐ Insufficient play space
☐ Insufficient textbooks, blackboards, etc.
☐ Teachers (note good, bad, don't care, etc.)
☐ Counselors (good, bad, not enough of)
☐ Books, library (books out of date)
☐ Playground equipment
☐ Organized sports
☐ No original play or enrichment trips
☐ Principal
☐ Curriculum (no Negro history, track system, vocational training, etc.)
☐ Other: --------------------------------

Question 72. Have you ever heard of Pride, Inc.? (This question was asked immediately following Question 47.)

☐ 1. Yes
☐ 2. No
☐ 9. No answer

Question 73. Do you think it is necessary to riot in order that things be changed? (This question was asked as Question 60 but coded here.)

☐ 1. Yes
☐ 2. No
☐ 9. No answer

Question 74. In what area of the city do you reside? (This question was coded without asking.)

☐ 1. NDC #1
☐ 2. Cardoza
☐ 3. South East

CATEGORIES OF QUESTIONS IN POVERTY QUESTIONNAIRE BY NUMBER

Demographic Items: Q8, Q9, Q10, Q11, Q12, Q13, Q15, Q16, Q17, Q18, Q22, Q26, Q28, Q29, Q30, Q33, Q68, Q69, Q74

Information Items: Q14, Q19, Q20, Q31, Q34, Q35, Q36, Q37, Q38, Q40, Q41, Q42, Q43, Q44, Q45, Q47, Q49, Q50, Q51, Q52, Q56, Q57, Q58, Q59, Q72

Attitudinal Items: Q21, Q23, Q24, Q32, Q39, Q46, Q48, Q53, Q54, Q55, Q60, Q61, Q62, Q63, Q64, Q65, Q66, Q67, Q70, Q71, Q73

City Problems: Q19, Q20, Q21, Q24, Q32, Q33, Q39, Q40, Q41, Q42, Q43, Q44, Q47, Q56, Q60, Q67, Q71, Q73

Poverty Programs: Q15, Q34, Q35, Q36, Q37, Q38, Q45, Q46, Q47, Q48, Q49, Q50, Q51, Q52, Q53, Q54, Q55, Q61, Q72

PART III. MAJOR DEMOGRAPHIC FINDINGS

In part III we will review the demographic findings for the sample as a whole and then consider how selected groups—namely the white population, the poor, and the residents of the three selected areas compare with each other and with the entire sample. The main variables to be considered are those of race, marital status, and family, education, income, employment, housing, welfare, and origin of the population.

A. Characteristics of the sample as a whole

1. Age, Sex, and Area Stratification

With the exception of the variables of age, sex, and area, the sample was not prestratified. As described in part I, the original quotas were set at 150 interviews per area (450 sample total) with a 52.7% to 47.3% female to male ratio.

Table 1 shows the original age and sex distribution for each area.

TABLE 1.—ORIGINAL QUOTAS FOR EACH AREA ACCORDING TO SEX AND AGE

Age	Sex		Total
	Male	Female	
16 to 19	6	6	12
20 to 24	7	9	16
25 to 44	33	37	70
45 to 59	17	18	35
60 to 64	5	6	11
65	3	3	6
Total	71	79	150
Percent	47.3	52.7	100

After the interviewing was terminated, there were 477 completed questionnaires divided unequally among the three areas. Unfortunately this did not enable us to exactly fill our original quotas.

Therefore, the quotas were readjusted slightly so that (1) there was an equal number of respondents in each of the three areas; (2) there was an equal number of respondents in the age categories of each area; and (3) there was an identical ratio of female to male respondents in each area.

In the readjusted sample there were 426 interviews or 142 per area with a female to male ratio of 55.6% to 44.4%.

Table 2 shows the final age-sex distribution of each area.

TABLE 2.—FINAL STRATIFICATION FOR EACH AREA BY SEX AND AGE

Age	Sex		Total
	Male	Female	
16 to 19	6	6	12
20 to 24	7	12	19
25 to 44	29	35	64
45 to 59	15	18	33
60 to 64	3	5	8
65	3	3	6
Total	63	79	142
Percent	44.4	55.6	100

Table 3 illustrates the age distribution for the entire sample:

TABLE 3.—AGE DISTRIBUTION IN PERCENT FOR THE WHOLE SAMPLE

Age	Percent of respondents
16 to 19	9
20 to 24	13
25 to 44	45
45 to 59	23
60 to 64	8
65	2
Total	100

Excess questionnaires in each age and sex category were discarded through a process of random selection. In this way fifty-one questionnaires were discarded leaving a total of 426.

All responses tabulated and statistical tests performed in the Prouty Survey were done utilizing the 426 selected questionnaires.

2. Racial Characteristics of the Sample

In Part II we noted that there had been a distinct trend over the years toward a greater percentage of non-white population in the areas of Washington where the survey took place.

As anticipated, the number of Negro respondents was high—comprising 86.15% of the sample. The remainder of the sample was predominantly white with only six respondents who were neither Negro nor Caucasian.

Table 4 illustrates the distribution of race by sex for the entire sample.

TABLE 4.—DISTRIBUTION OF RACE BY SEX

Sex	Race					
	Negro		White		Other	
	Number	Percent	Number	Percent	Number	Percent
Male	55	36.38	28	6.57	5	1.17
Female	212	49.77	25	5.87	1	.23

Note: Total number 326; total percent 99.99.

3. Marital and Family Characteristics

The data gathered from the questionnaires enables us to characterize the type of households and family life of the respondents.

Just about half of the sample population was married and living with spouse. About 20% were married but not living with spouse because of separation, divorce or death.

Table 5 shows the marital status for the entire sample.

TABLE 5.—MARITAL STATUS OF THE SAMPLE

	Number of respondents	Percent of respondents
Single	120	28.17
Married and living with spouse	218	51.17
Married and not living with spouse	17	3.99
Separated, widowed, or divorced	69	16.20
Other	0	0
No response	2	.47
Total	426	100.00

While 159 persons (37.32%) of the sample reported having no children, 267 (62.67%) had varying numbers of children.

Most (62.55%) of the individuals or families with children had between two and four children.

Table 6 illustrates the numbers of children per family or individual.

TABLE 6.—NUMBERS OF CHILDREN IN FAMILIES

	Number of respondents	Percent of respondents
1 child	75	28.09
2-4 children	167	62.55
5 or more children	23	8.61
Can't ascertain	2	0.75
Total	267	100.00

Children were fairly well distributed throughout all age groups. Slightly under 20% of the sample had children in two or more age categories. Approximately half of these families were those reporting over five children.

Table 7 demonstrates the age distribution of children among families or individuals with children. As might be expected, the largest single group consisted of those having all children between the ages of 7 and 20 years.

TABLE 7.—AGES OF CHILDREN

	Number of respondents	Percent of respondents
Number of families with all children 6 or over	70	26.22
Number of families with all children 7 to 20	92	34.46
Number of families with all children over 21	52	19.48
Number of families with children in 2 or more categories	53	19.85
Total	267	100.01

We were particularly interested in ascertaining how many families there were in which the head of the household was a woman rather than a man. Over 20% of our sample can be placed in this category.

There are various reasons for this. First, among older women death of the spouse is a common reason. Second, there were a number of respondents who indicated they were single and had children. Third (and the largest number), were either not living with, separated, or divorced from the spouse.

Although the 92 households with no male head represents 21.60% of the whole sample, it is 34.46% of the 267 households with children.

Although the 92 households with no male head represents 21.60% of the whole sample, it is 34.46% of the 267 households with children.

The head of household data is given in Table 8.

TABLE 8.—HEAD OF HOUSE

	Number of respondents	Percent of respondents
Male, with wife and family	218	51.17
Female head of house, children and relatives	92	21.60
Single, lives alone, male or female	72	16.90
16 to 25, lives with family, can't determine if head of house	21	4.93
Older, lives with relatives	10	2.35
Can't ascertain sex of head of house	13	3.05
Total	426	100.00

4. Origin and Mobility of Respondents

Respondents were asked the length of time they had lived in both the District of Columbia and in the particular neighborhood where they currently resided. If they were not born in the District, they were asked where they had previously lived.

One hundred fifty-one persons, over 35% of the sample, have lived in Washington all their lives. An additional 30% have lived in Washington more than 10 years.

Table 9 illustrates the length of time the respondents have lived in the District of Columbia.

TABLE 9.—LENGTH OF RESIDENCE IN WASHINGTON, D.C.

	Number of respondents	Percent of respondents
More than 10 years	294	69.01
5 to 10 years	46	10.80
1 to 5 years	59	13.85
Under 1 year	26	6.10
No response	1	.23
Total	426	99.99

Table 10 shows the place of origin of those not born in the District. As might be expected, the preponderant number of persons not born in the District came from the South.

TABLE 10.—ORIGIN OF RESPONDENTS

	Number of respondents	Percent of respondents
Born in District	151	35.45
South-rural	87	20.42
South-urban	90	21.12
North-rural	5	1.17
North-urban	41	9.62
Midwest or West-urban	17	3.99
Midwest or West-rural	4	.94
Puerto Rico	0	0
Outside continental United States, another country	15	3.52
No answer	16	3.76
Total	426	99.99

When we examine the in-migration pattern over the years, some interesting facts appear.

As disclosed in Table 11, nearly 80% of those migrants who have lived in the District over 10 years came from the South.

TABLE 11.—ORIGIN OF OLDER MIGRANTS

	Length of time in the District	
	10 years or more	Percent
South-rural	50	78.13
South-urban	50	
North-rural	3	16.41
North-urban	18	
Midwest	5	5.47
Outside continental United States	2	
Total	128	100.00

While Southerners are still a majority among more recent migrants, the percentage originating in other areas of the country has increased.

As Table 12 demonstrates, the percentage of respondents coming from the Middle West has increased the greatest amount.

TABLE 12.—ORIGIN OF RECENT MIGRANTS

	Length of time in the District			
	5 to 9 years	Percent	Under 5 years	Percent
South	23	52.27	47	59.50
North	9	20.45	15	18.98
Midwest	5	11.37	11	13.92
Outside United States	7	15.90	6	7.59
Total	44	99.99	79	99.99

Respondents were also asked how long they had resided in the neighborhood where they were interviewed in order to determine their mobility within the city. Although nearly a majority of respondent (48.43%) had lived in the neighborhood for five years or more, 25.82% had been living there for under one year.

Table 13 illustrates length of residency in the neighborhood.

TABLE 13.—LENGTH OF RESIDENCY IN NEIGHBORHOOD

	Number of respondents	Percent of respondents
Less than 6 months	55	12.91
7 months to 1 year	55	12.91
1 to 4 years	127	29.81
5 to 10 years	126	29.58
Over 10 years	59	13.85
No response	4	.94
Total	426	100.00

This information is more meaningful, however, when length of residency in the neighborhood is correlated with the length of residency in the District of Columbia.

We hypothesized that newer residents would tend to become "locked-in" in the first neighborhood in which they settled. However, with the data which we have, it is impossible to conclusively prove or disprove this because the time spans chosen are too broad to allow really definitive conclusions.

It is clear, however, that there is a great deal of mobility within the city. Only 19.16% of the long-time residents (over 10 years) had lived in the neighborhood where they presently reside for all of those 10 years. On the other hand over 17% of the long term residents had been living at their present addresses for less than a year. The majority then has lived in the place of current residence for over one, but under 10 years.

Most respondents living in the District of Columbia for from five to nine years have also moved at least once. 46.67% have lived in their present neighborhood for over one but less than five years. Moreover, 21.88% have lived at their present addresses for under one year.

Twenty percent of the respondents living in the District for from one to four years have been dwelling in their present residences for under six months.

Table 14 shows the length of residency in the District of Columbia according to residency in the particular neighborhood.

TABLE 14.—LENGTH OF RESIDENCY IN DISTRICT OF COLUMBIA ACCORDING TO RESIDENCY IN NEIGHBORHOOD

Time in neighborhood	Time in District of Columbia							
	10 years or over		5 to 9 years		1 to 4 years		Under 1 year	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
10 years or over	59	19.16						
5 to 9 years	115	37.34	10	31.25				
1 to 4 years	80	25.97	15	46.87	32	58.18		
Under 1 year	24	7.79	5	15.63	12	21.82	8	20.77
Under 6 months	30	9.74	2	6.25	11	20.00	18	69.23
Total	308	100.00	32	100.00	55	100.00	26	100.00

5. Education

Respondents were asked two questions concerning their levels of educational attainment: (1) how many years of school they had completed; and (2) whether or not they had received any additional training since leaving school.

Only 15.25% of the sample had less than eight years of education and less than 1% had no education. At the other end of the spectrum, slightly less than 9% had college degrees.

The largest group of persons in the sample were those who had had between 9 and 12 years of education. Since the high school drop-out problem is severe in many inner city areas, it is interesting to note the percentage of those fitting this description in our three area sample. A fairly large percentage of the respondents do fit in the drop-out category. While 84.04% had attended high school, only 50.24% of the sample could be considered to have completed high school. Thus, 33.8% dropped out.

The response to the second question was disappointing for two reasons. First, despite the large percentage of persons (49.05%) without high school degrees, only an extremely small number reported additional schooling or training after having left school. Second, those who did receive training were those who needed it least.

Nearly 70% of the respondents had received no additional education or job training since leaving school. Another (nearly) 17% did not answer the question and can undoubtedly be added to this category.

Thus, only 14.32% of those surveyed had received additional education after schooling. Of these, 1.88% had paid for their own classes.

Table 15 shows the level of educational attainment for the entire sample.

TABLE 15.—YEARS OF SCHOOL COMPLETED

	Number of respondents	Percent of respondents
None	3	0.70
Under 8	62	14.55
9 through 12	144	33.80
High school diploma	125	29.34
Attended college or post high school skill training	52	12.21
College degree	27	8.69
No answer	3	0.70
Total	426	99.99

Table 16 demonstrates the type of additional education or job training received by respondents in the three areas surveyed. It is interesting to note that less than 2% of the respondents had participated in Federal programs such as MDTA and the Job Corps.

TABLE 16.—PARTICIPATION IN SPECIAL JOB TRAINING, AS ADULT EDUCATION, VOCATIONAL EDUCATION OR FEDERAL PROGRAMS, SINCE LEAVING SCHOOL

	Number of respondents	Percent of respondents
No	294	69.01
Yes, vocational high school, adult education	33	7.75
Yes, paid for classes	8	1.88
Yes, special classes for housewife, such as nutrition	3	.70
Yes, apprenticeship	1	.23
Yes, but no Federal paid programs	2	.47
Yes, Federal program, such as Job Corps, NYC or MDTA, OJT	7	1.64
Yes, Federal programs plus others	0	0
No answer	71	16.67
Yes, but not clear where, etc	7	1.64
Total	426	99.99

The results are even more disappointing when amount of education is correlated with participation in additional training programs. Excluding college graduates, we see that the percentage of those participating in post-school training rises with the amount of basic education.

Only 9.36% of those respondents with less than eight years of education have had additional training. This demonstrates that training programs are reaching least those who need them most.

The most precipitous rise in percentage of participation occurs in the next group, where 18.25% of the respondents with between 9 to 12 years of education but no high school diploma.

Table 17 shows the amount of participation in post-school training for those without college degrees.

TABLE 17.—AMOUNT OF SCHOOLING AND PARTICIPATION IN TRAINING PROGRAMS (COLLEGE GRADUATES NOT INCLUDED)

Amount of schooling	Participation in training programs					
	Yes		No		Total	
	Number	Percent	Number	Percent	Number	Percent
Under 8 years	6	9.36	58	90.63	64	99.99
9 to 12 years	23	18.25	103	81.75	126	100.00
High school diploma	23	20.91	87	79.10	110	100.01
Post-high-school work	8	22.22	28	77.78	36	100.00

Note: Total number 336; p=+0.20.

When education and post-school training are correlated with age, the picture is more encouraging.

Table 18 shows the years of school completed by the particular age groups in the survey. Many in the 16 to 19 year old category are, of course, still enrolled in school. This explains the unusually high percentage of respondents in the age category who are listed as "not finishing high school."

The group aged 45 and older is considerably less educated than one would expect to find by sheer chance. Over 63% had not completed high school.

On the other hand, both the 20–24 age group and the 25–45 age group have more individuals with high school degrees and education beyond high school than we would expect to find by pure chance. The percentages of those not completing high school drop from 46.35% in the 25 to 45 group to 33.33% in the 20 to 24 age group, an encouraging sign.

TABLE 18.—YEARS OF SCHOOL COMPLETED BY AGE

How many years of school have you completed?	16 to 19		20 to 24		25 to 45		46 plus	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Not finish high school	23	63.89	19	33.33	89	44.06	88	63.77
High school degree	9	25.00	23	40.35	62	30.69	31	22.46
Beyond high school	4	11.11	15	26.32	51	25.25	19	13.77
Total	36	100.00	57	100.00	202	100.00	138	100.00

Note: Grand total, 423.

Another encouraging sign is that many more of the 20 to 24 age group (43.24%) than one would expect to find by pure chance have had training since leaving school.

Table 19 shows the other age groups distribute about as one would expect by pure chance, except for the elderly. Those aged 60 and over have received proportionately less training than one would expect by chance.

TABLE 19.—TRAINING SINCE LEAVING SCHOOL BY AGE

Training since school	Age									
	16–19		20–24		25–44		45–59		69+	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
No	17	85.00	21	57.76	140	83.33	81	89.01	35	89.74
Yes	3	15.00	16.	43.24	24	16.67	10	10.99	4	10.26
Total (355)	20	100.00	37	100.00	168	100.00	91	100.00	39	100.00

Note: p=—.005.

6. Income

Respondents were asked their own personal income and their family income. Forty-seven persons refused to reveal personal income and forty refused to reveal family income, but for the remainder it is possible to ascertain the income level.

Of those who responded to the personal income question, 32.35% indicated that they themselves were not wage earners. Many of the individuals in this category were students or housewives, however.

For those reporting and working the largest group of respondents (19.41%) reported incomes between $4,501 and $6,000 a year. Almost as many, however, or 18%, reported personal incomes over $6,000 a year.

Table 20 illustrates personal income.

TABLE 20.—PERSONAL ANNUAL INCOME

	Number of respondents	Percent of respondents	Respondents with no answer category removed
Not working at all	120	28.17	32.35
Under $1,500	3	.70	.81
$1,501 to $3,000	47	11.03	12.67
$3,001 to $4,500	63	14.79	16.68
$4,501 to $6,000	72	16.90	19.41
Over $6,000	66	15.49	17.79
Discrepancy	8	1.87	
No answer	47	11.03	
Total	426	99.99	100.01

When family income is tabulated, the financial status of Washingtonians in the survey areas is better illustrated. Only 6.34% of the families reported no earned income.

Of the families who reported and which had someone working, 15.97% had yearly earnings of less than $3,000. A surprisingly large number of families (41.53%) had yearly incomes of over $7,500.

Although there are more families in the highest income bracket than we anticipated, the finding does not necessarily prove that a large number of the residents in the three areas surveyed are well to do. The number of those working in the family, and the size of the family should be considered.

Table 21 illustrates family income.

TABLE 21.—FAMILY ANNUAL INCOME

	Number of respondents	Percent of respondents	Respondents with no answers and not working removed
Under $1,500	13	3.05	4.15
$1,501 to $3,000	37	8.69	11.82
$3,001 to $4,500	35	8.22	11.18
$4,501 to $6,000	64	15.02	20.45
$6,001 to $7,500	34	7.98	10.86
Over $7500	130	30.52	41.53
Personal income reported only	46	10.56	
No one working	27	6.34	
No answer	40	9.39	
Total	426	100.00	[1] 99.99

[1] 313 people.

As Table 22 discloses in 64.12% of the families reporting incomes over $7500 a year, there were two or more persons working. This is a larger percentage than that obtained in the other income brackets.

TABLE 22.—COMPARISON OF FAMILY INCOME AND NUMBERS OF PERSONS WORKING IN THE HOUSEHOLD

Numbers of persons working	Family income							
	Under $3,000		$3,001 to $4,500		$4,501 to $7,500		Over $7,500	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
No one	22	44.90	6	17.65	5	5.26	2	1.53
1 person	13	26.53	21	61.76	65	68.42	45	34.35
2 people	11	22.45	5	14.71	18	18.95	63	48.09
3 or more	3	6.12	2	5.88	7	7.37	21	16.03
Total	49	100.00	34	100.00	95	100.00	131	100.00

Table 23 which correlates family size and family income demonstrates that a sizeable number of families, irrespective of size earns over $7500 a year. Over 30% of each family size group has earnings in this category.

There is a tendency for income to rise as family size rises, probably due to the fact that there are more persons working in the larger families. However, there are some reversals to this trend, most likely occurring in families composed of parents with young children. Therefore, the chi square is not significant.

TABLE 23.—FAMILY INCOME AND FAMILY SIZE

Family income	Family size							
	1 person		2 people		3 to 5		Over 6	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under $3,000	14	25.00	13	20.00	17	11.33	4	11.11
$3,000 to $4,500	6	10.71	10	15.38	16	10.67	3	8.33
$4,501 to $6,000	12	21.43	13	20.00	31	20.67	6	16.67
$6,001 to $7,500	6	10.71	6	9.23	14	9.33	7	19.44
Over $7,500	18	32.14	23	35.38	72	48.00	16	44.44
Total (307)	56	99.99	65	99.99	150	100.00	36	99.99

Note: p=0.30.

As we have seen, size of family is not significantly related to family income since there is a trend for more people to be employed in the larger families, thus counteracting the effect of size.

The age of the worker and the number of persons working in a family are as we might expect, related to income.

Respondents aged 16 to 24 tend to make less than $6,000 probably because of the large number who are still in school. Those over 45 also tend to make less than $6,000.

Tables 24 and 25 illustrate the relationship between age and income.

TABLE 24.—AGE AND PERSONAL INCOME

Personal income	Age					
	16 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent
Under $3,000	19	30.16	21	16.54	10	16.39
$3,001 to $4,500	17	26.98	24	18.89	22	36.06
$4,501 to $6,000	21	33.33	37	29.13	14	22.95
Over $6,000	6	9.52	45	35.43	15	24.59
Total	63	99.99	127	99.99	61	99.99

TABLE 25.—AGE AND PERSONAL INCOME

Personal income	Age							
	16 to 19		20 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under $3,000	7	38.89	12	26.67	21	16.54	10	16.39
$3,001 to $4,500	8	44.44	9	20.00	24	18.89	22	36.06
$4,501 plus	3	16.67	24	53.33	82	64.56	29	47.54
Total	18	100.00	45	100.00	127	99.99	61	99.99

Note: p=.001.

Another factor having a strong relationship to income is education. The amount of education which the respondent has is strongly related to his personal and family incomes. Generally, the more education a person has, the greater his income is.

When education and family income are correlated, the most striking fact is the strong probability that respondents with eighth grade educations or less will have incomes under $3,000. Those with education beyond high school are much more likely to have personal and/or family incomes above $6,000.

For education and income, the chi squares are significant beyond .001, enabling us to assume that there is a strong relationship between the two variables.

TABLE 26.—FAMILY INCOME

Family income	Education							
	Under 8		9 to 12		High school diploma		High school and college	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under $3,000	17	39.54	16	14.95	9	9.38	8	12.12
$3,001 to $4,500	6	13.95	17	15.89	8	8.33	3	4.55
$4,501 to $6,000	10	23.25	18	16.82	23	23.96	13	19.69
$6,001 to $7,500	2	4.65	17	15.89	9	9.38	6	9.09
$7,501 plus	8	18.60	36	36.44	47	48.96	36	54.54
Total [1]	43	99.99	107	99.99	96	100.01	66	99.99

[1] Grand total, 312.

Note: p=+.001.

TABLE 27.—PERSONAL INCOME AND EDUCATION

Personal income	Education					
	0 to 12		High school		High school plus	
	Number	Percent	Number	Percent	Number	Percent
Under $3,000	25	25.00	13	15.66	12	17.91
$3,001 to $4,500	24	24.00	27	32.53	11	16.42
$4,501 to $6,000	28	28.00	29	34.94	15	22.38
$6,000 plus	23	23.00	14	16.87	29	43.28
Total	100	100.00	83	100.00	67	100.00

Note: p=−.001.

We were also interested in determining what effect the length of residency in the District influenced income level. The relationship between the two variables we found to be of only very marginal significance.

Statistically there was a non-significant trend toward new immigrants making less than $3,000 while those in middle income groups had longer periods of residency. When the data is divided into two time periods of less than and more than five years, the difference between income and length of residency is marginally significant, with long term residents making over $4,500 more often than chance.

Tables 28 and 29 illustrate this.

TABLE 28.—PERSONAL INCOME ACCORDING TO LENGTH OF RESIDENCY

Personal income (of those working)	Length of residency							
	Over 10 years		5 to 10 years		1 to 4 years		Under 1 year	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under $3,000	30	19.23	4	13.79	12	26.08	4	20.00
$3,001 to $4,500	32	20.51	11	37.93	13	28.26	7	35.00
$4,501 to $6,000	53	33.97	5	17.24	8	17.39	6	30.00
$6,001 plus	41	26.28	9	31.03	13	28.26	3	15.00
Total (251)	156	99.99	29	99.99	46	99.99	20	100.00

Note: p=from 0.10 to 0.25.

TABLE 29.—PERSONAL INCOME ACCORDING TO LENGTH OF RESIDENCY

Personal income	Length of residency			
	More than 5 years		Less than 5 years	
	Number	Percent	Number	Percent
Under $3,000	34	19.43	16	24.24
$3,000 to $4,500	33	18.86	20	30.30
$4,501 to $6,000	58	33.14	14	21.21
$6,000 plus	50	28.57	16	24.24
Total (251)	175	100.00	66	99.99

Note: p=from 0.05 to 0.10.

7. Employment

Respondents were asked (1) whether or not they were presently employed, (2) if employed, they were asked the nature of their job, and (3) how many persons in his immediate household were presently employed. In addition, information was sought about the employment history of the respondent.

We had some problems in ascertaining the rate of unemployment. One difficulty was the large number of respondents (52) who did not answer. Another was in determining exactly which groups of people constituted the labor force. The problem was complicated by the fact that some women, unmarried or separated, with children considered themselves a part of the labor force while others did not. Occasionally it seemed to depend on whether or not the respondent was living with other relatives.

The raw data indicated that only 3.76% of the sample population which was obviously a part of the labor force considered itself unemployed.

However, if we examine the 52 no answers more carefully, pulling out the aged (10), those still in school and mothers with children (16), we are left with 18 able bodied men and women between the ages of 20 to 59, who do not appear to have a source of income. Therefore, we are probably safe in including them among our unemployed.

This gives a total of 7.98% unemployment, considerably higher than the national average.

TABLE 30.—EMPLOYMENT

	Number of respondents	Percent of respondents
Nonlabor force (retired, wives with children, in school, disabled)	92	21.60
Unemployed	16	3.76
Employed	266	62.43
No answer:	52	12.21
Nonlabor force	34	7.98
Labor force presumed unemployed	18	4.22
Total	426	100.00

If we combine the numbers of individuals not responding to the question with those employed persons who both do and do not belong to the labor force, we arrive at a total of $37.56% of the sample which probably is not working.

The fact that large numbers of persons—nearly four out of every ten—do not work is important since employment provides a major avenue of communication with the outside world.

Underemployment is an additional problem among inner city dwellers. 16.43% of our sample listed themselves as unskilled or marginally skilled. The jobs these people had and which were listed on the questionnaires were frequently seasonal occupations such as construction work. Therefore, we are probably correct in assuming that these people constitute the under or sub-employed.

Among those who work, a large number—20.19% are white collar professionals, and an additional 14.08% are white collar clerical help. This is not surprising in a city such as Washington, D.C., where the main business is, of course, government.

Table 31 illustrates the type of work which the respondents do.

TABLE 31.—TYPE OF EMPLOYMENT

	Number of respondents	Percent of respondents	Respondents with no answer removed
Does not work (housewife, student, over age 65, etc.)	92	21.60	24.60
Unemployed; has given up on looking for work	6	1.41	1.60
Unemployed and looking for work	10	2.35	2.67
Unskilled or marginally skilled work	70	16.43	18.72
Skilled blue collar	49	11.50	13.10
White-collar clerical	60	14.08	16.04
White-collar professional	86	20.19	22.99
Self-employed	1	.23	.27
No answer	52	12.21	
Total	426	100.00	[1] 99.99

[1] 374 people.

Previously, when discussing income, we noted that in many large families more than one person works, thus raising the total family income. 40.60% of the respondents indicated that at least one other person besides themselves and living in the same household was employed.

Table 32 illustrates the number of persons employed in each household.

TABLE 32.—NUMBER OF PERSONS EMPLOYED IN THE HOUSEHOLD

	Number of respondents	Percent of respondents
None	61	14.32
1	178	41.78
2	119	27.93
3	43	10.09
4	6	1.41
5 or more	5	1.17
No answer	14	3.29
Total	426	[1] 99.99

[1] 412 people.

The age of the respondent was probably the most important variable related to his employment. Age, of course, is more strongly related to whether or not the respondent is actually employed rather than his type of employment.

Table 33 demonstrates that the aged and the young are most likely to be unemployed. Unemployeds are figured with the housewives removed since they are nonlabor force.

TABLE 33.—AGE AS RELATED TO EMPLOYMENT

Unemployment	Age							
	16 to 19		20 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Unemployed and no answer	9	34.62	8	16.33	22	13.41	29	30.53
Employed	17	65.38	41	83.67	142	86.59	66	69.47
Total (334)	26	100.00	49	100.00	164	100.00	95	100.00

Note: p = between 0.005 and 0.001.

There is only a borderline relationship between age and type of employment. However, there are two major trends evident in Table 34. The first is that people over 45 are less likely than chance to hold white collar jobs. The second is that the 25 to 44 age group is moving up into the white collar jobs, and is much more likely than chance to have such an occupation.

TABLE 34.—AGE AND TYPE OF EMPLOYMENT

Type of employment	Age							
	16 to 19		20 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Unskilled	4	23.53	12	29.27	31	21.83	23	34.85
Blue collar	6	35.29	4	9.76	21	14.79	18	27.27
White-collar clerical	3	17.65	9	21.95	36	25.35	12	18.18
White-collar professional and self employed	4	23.53	16	39.02	54	38.03	13	19.69
Total (266)	17	100.00	41	100.00	142	100.00	66	99.99

Note: p=+.05.

Respondents were asked how many times they had previously been unemployed. Over 55% declared that they had never been unemployed. However, housewives are included in this category.

It is particularly interesting to note that 18.78% had been unemployed two or more times, for periods less than three months. Previously, we mentioned it was probable that the marginally skilled were those who were seasonally and thus underemployed. This would account for their frequent unemployment for short periods of time.

In fact 35.71% of the 70 marginally skilled workers indicated that they had been unemployed more than two times during their working years. Another 17.14% had been unemployed at least once. Finally, 32.65% of the blue collar skilled workers reported unemployment more than twice for varying times.

According to our data as portrayed in

Table 35, underemployment, characterized by relatively short but frequent periods of unemployment, is a significant problem in the District of Columbia.

TABLE 35.—EMPLOYMENT HISTORY

	Number of respondents	Percent of respondents
Never unemployed	235	55.16
Once, short period	46	10.80
Once, long period	15	3.52
2 or more times, less than 3 months	80	18.78
2 or more times, time uncertain	2	.47
2 or more times, at least once over 3 months	42	9.94
No answer	6	1.14
Total	426	99.99

8. Housing

Respondents were asked four questions concerning their housing conditions: (1) whether they owned or rented their dwellings, (2) how much rent they paid, (3) the size of the house or apartment in which they lived and (4) the number of people who resided there.

As might be expected in a large city, the vast majority of persons rent, rather than own their own homes. Only 13.61% of our sample own their own homes.

Not surprisingly, however, a large number 72.3%, when asked what kind of housing they would prefer to live in, responded by saying that they would like to own their own homes. This sentiment and the desire to own a home is very strong in the District. It was most interesting to note that when asked the open ended question, "If you had $1,000 what would you do with it?" 18.75% responded by indicating that they would attempt to buy a home.

Table 36 illustrates the type of housing which respondents actually have, while Table 37 shows the type they would prefer to have.

TABLE 36.—TYPE OF RESIDENCE (OWNED OR RENTED)

	Number of respondents	Percent of respondents
Own free and clear	19	4.46
Own with mortgage	39	9.15
Rent	365	85.68
Other	1	.23
No answer	2	.47
Total	426	99.99

TABLE 37.—TYPE OF RESIDENCE BY CHOICE

	Number of respondents	Percent of respondents
Public housing	7	1.64
Rented	23	5.40
Own home	308	72.30
Rented apartment	57	13.38
Own apartment	18	4.23
Other	6	1.41
No answer	7	1.64
Total	426	100.00

Rents in the three areas where the survey was conducted are relatively high. 36% of the respondents paid more than $100 a month for rent. Only 6.12% of the other paid under $50 a month.

Table 38 illustrates the distribution.

TABLE 38.—AMOUNT OF RENT PAID

	Number of respondents	Percent of respondents	Percent of respondents when N/A included
Under $50	23	5.40	6.12
$50 to $75	59	13.85	15.69
$76 to $100	142	33.33	37.77
$101 to $125	94	22.07	25.00
$126 to $150	44	10.33	11.70
Over $150	14	3.29	3.72
No answer	50	11.74	
Total	426	100.01	[1] 100.00

[1] 376 people.

The median number of rooms in the house or apartment of the sample as a whole is four. 5.16% have only one room while 9.63% have seven or more rooms.

Table 39 shows the distribution.

TABLE 39.—NUMBER OF ROOMS IN HOUSES OR APARTMENTS OF RESPONDENTS

	Number of respondents	Percent of respondents	Percent of respondents with N/A out
1	22	5.16	5.49
2	51	11.97	12.72
3	72	16.90	17.96
4	79	18.54	19.70
5	74	17.37	18.45
6	67	15.73	16.71
7	20	4.69	4.99
8	16	3.76	3.99
No answer	25	5.87	
Total	426	99.99	100.01

Most households in the sample (45.07%) consist of from 3 to 5 persons which is about the national average. 17.61% of the respondents live alone, and 13.61% live in households having over nine persons.

Table 40 shows the numbers of people per household.

TABLE 40.—NUMBER OF PEOPLE LIVING IN EACH HOUSEHOLD

	Number of respondents	Percent of respondents
1	75	17.61
2	92	21.60
3 to 5	192	45.07
6 to 8	47	11.03
9 to 11	11	2.58
More than 11	0	0
No answer	9	2.11
Total	426	100.00

In a normal distribution, we would expect that the number of rooms would increase as the number of inhabitants increased. If this is not so, particularly in a city, then there is indication that crowding exists. Crowding is a definite problem in Washington.

Table 41 demonstrates how severe the housing problem as regards to living space is. Over 45% of the single people in the sample have from 4 to 6 rooms in which to live, while 44.4% of the families with from 9 to 11 members and 37.78% of the families with 6 to 8 members have 4 to 6 rooms in which to live. This is a clear indication of poverty.

One further fact of interest in Table 40, which correlates numbers of persons with numbers of rooms, is that families of two persons are the best off as far as space is concerned; 70.93% of them live in from 4 to 6 rooms.

TABLE 41.—NUMBER OF PERSONS AND ROOMS IN APARTMENTS AND HOUSES

Number of rooms	People									
	Single		2		3 to 5		6 to 8		9 to 11	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1	10	14.08	6	6.98	4	2.21				
2 to 3	25	35.21	16	18.60	58	32.04	15	33.33	1	11.11
4 to 6	32	45.07	61	70.93	104	57.46	17	37.78	4	44.44
Over 6	4	5.63	3	3.49	15	8.29	13	28.89	4	44.44
Total	71	99.99	86	100.	181	100.	45	100.	9	99.99

9. Welfare Characteristics

In order to ascertain what percentage of persons had ever received or were presently receiving either welfare, unemployment or other public assistance funds, respondents were asked (1) whether they had received unemployment funds when and if they were unemployed, and (2) whether anyone in their household had received assistance during the past year.

As can be seen from Table 42, the numbers of individuals receiving public insurance or welfare funds is relatively small. 16.19% receive some public insurance aid—Social Security, Workmen's Compensation or Veteran's Benefits. Some 5.86% presently receive welfare or A.F.D.C. funds.

TABLE 42.—WELFARE, PUBLIC INSURANCE, AND UNEMPLOYMENT FUNDS DISTRIBUTED TO POPULATION WITHIN THE PAST YEAR

	Number of respondents	Percent of respondents	Percent with no answers out
No assistance	282	66.20	71.94
Private sources only, no public aid	16	3.76	4.08
Public insurance-type aid (social security, workman's compensation, veterans' benefits)	64	15.02	16.33
Both private and public sources, but no welfare or AFDC	5	1.17	1.28
Welfare or AFDC	19	4.46	4.85
Welfare or AFDC plus private sources	3	.70	.77
Welfare or AFDC plus public sources	3	.70	.77
All 3 types (private, public welfare, or AFDC)	0	0	0
No answer	34	7.98	
Total	426	99.99	[1] 100.02

[1] 392 people.

The data is more revealing when correlated with the current employment status of the respondent as in Table 43.

Of the individuals (non-labor force such as housewives, veterans or retired persons) 54.76% receive no benefits and 11.90% welfare or A.F.D.C. funds. The preponderant number of those who consider themselves on the labor force but unemployed are not receiving compensatory benefits. 37.50% are currently being paid unemployment compensation.

Finally, of the employed population, 13.06% have members of their immediate families who receive either public insurance or welfare benefits.

TABLE 43.—CURRENT EMPLOYMENT STATUS AND ASSISTANCE FUNDS

Assistance funds to any member of immediate family	Employment					
	Does not work (housewife, retired, etc.)		Unemployed		Employed	
	Number	Percent	Number	Percent	Number	Percent
None	46	54.76	9	56.25	204	83.27
Private	3	3.57	1	6.25	9	3.67
Public insurance (social security, unemployment)	25	29.76	4	37.50	23	9.39
Welfare AFDC	10	11.90			9	3.67
Total	84	99.99	16	100.00	245	100.00

Thus, of the 345 respondents who reported, only 41 (11.88%) persons in the categories of labor force and non-labor force unemployed are currently receiving assistance payments of any kind. This represents 9.62% of the total sample. In addition there are 32 persons in the family of employed individuals who receive public benefits.

Respondents were also asked whether or not they had received public insurance of assistance benefits in the past. Table 49 demonstrates that of those who had been unemployed at some time in the past, 29.78% received either welfare or unemployment insurance payments.

TABLE 44.—UNEMPLOYMENT OR WELFARE BENEFITS WHEN RESPONDENT WAS UNEMPLOYED IN THE PAST

	Number of respondents	Percent of respondents	Percent of respondents with category 8 and 9 out
No; received neither	125	29.34	70.22
Yes; welfare	10	2.35	5.62
Yes; unemployment insurance	43	10.09	24.16

TABLE 44.—UNEMPLOYMENT OR WELFARE BENEFITS WHEN RESPONDENT WAS UNEMPLOYED IN THE PAST—Continued

	Number of respondents	Percent of respondents	Percent of respondents with category 8 and 9 out
Yes; both	0	0	0
Question not asked	233	54.69	
No answer	15	3.52	
Total	426	99.99	[1] 100.00

[1] 178 people.

When the unemployment history of the respondent is correlated with the past payment of assistance funds as in Table 45 some interesting facts emerge. Those individuals who have been unemployed two or more times in the past were much more likely to have received unemployment assistance or welfare. In fact, 37.19% of those who had been employed more than twice in the past did receive assistance, while 15.09% of those unemployed only once received benefits.

TABLE 45.—ASSISTANCE FUNDS COMPARED TO EMPLOYMENT HISTORY

Assistance funds	Employment history					
	Never unemployed		Employed once		Unemployed 2 or more times	
	Number	Percent	Number	Percent	Number	Percent
None	235	100	45	84.91	76	61.81
Welfare assistance			2	3.77	8	6.61
Unemployment assistance			6	11.32	37	30.58
Both						
Total (409)	235	100	53	100.00	121	100.00

In order to determine which individuals would be most likely to presently receive welfare, we correlated past employment history with present welfare and assistance status. The results of statistical significance, are illustrated in Tables 46 and 47.

Table 46 demonstrates the strong relationship between past unemployment and present welfare or assistance status. Individuals who were unemployed in the past are much more likely than chance to presently receive benefits of any kind. Conversely those who have never been unemployed are much more likely than chance, not to be receiving benefits.

TABLE 46.—PRESENT ASSISTANCE STATUS AND PAST EMPLOYMENT HISTORY

Assistance status	Employment history			
	Never unemployed		Unemployed in past	
	Number	Percent	Number	Percent
Not receiving benefits	175	80.65	104	61.18
Receiving benefits	42	19.35	66	38.82
Total (387)	217	100.00	170	100.00

Note: p=+0.001.

Table 47 demonstrates that among persons who were ever unemployed, it is more likely than chance that those who were unemployed for longer periods rather than shorter periods are currently receiving assistance payments.

A relationship between past employment history and the likelihood of present reliance on receipt of assistance benefits can be seen. Individuals who were unemployed previously, and for long periods in other words, the habitually unemployed, are likely to presently be receiving benefits.

TABLE 47.—RELATIONSHIP BETWEEN LENGTH OF PREVIOUS EMPLOYMENT AND PRESENT RECEIPT OF ASSISTANCE

Present assistance	Previous unemployment			
	Short periods		Long periods	
	Number	Percent	Number	Percent
No	77	65.81	27	50.94
Yes	40	34.19	26	49.06
Total (170)	117	100.00	53	100.00

Note: p=—.01.

B. Characteristics of the white population

As has been noted above, our sample population was predominantly Negro. In order to ascertain whether or not there were any major differences between the white and non-white segments of the sample, we isolated the 59 white individuals. Here we will compare them on certain demographic variables with the Negro population. In several cases, when the white and non-white respondents do not differ drastically in characteristics from each other or from the sample as a whole, the Tables illustrate distributions for the group of whites only. Since Negroes constitute such a proportionately large part of the total sample, the percentage distribution of responses is frequently close to that reported in Section A.

1. The White Population

The sample of 59 consists of the 53 Caucasian respondents in addition to the six respondents who were listed as "other" in Section A.

Among the 59 whites in our sample, 33, or 55.93% were female and 26, or 44.07%, were male. This compares with a 57.77% to 42.23% female to male ratio among Negroes.

The age distribution for the two racial groups is given in Table 48.

TABLE 48.—AGES OF THE POPULATION BY RACE

Age	White		Negro	
	Number	Percent	Number	Percent
16 to 19	2	3.39	34	9.26
20 to 24	7	11.86	50	13.62
25 to 44	30	50.85	162	44.14
45 to 59	12	20.34	87	23.71
Over 60	8	13.56	34	9.26
Total	59	100.00	367	99.99

2. Marital Status and Family

In our sample of white, 35.69% were single, 50.89% married and living with spouse, and 13.69% separated, divorced, or widowed. 39.19% reported having children, and 60.9% did not. The percentage of whites who are single is considerably larger than that for Negroes—35.6% to 26.98%.

The percentage having children is much smaller in the case of whites—39.17% of the group as compared to 64.85% of Negro respondents interviewed.

Finally, those reporting separation or divorce from the spouse or his/her death were slightly fewer than that occurring among Negroes—13.6% to 20.71%.

There is only a slight difference between white and non-white segments of the population where either numbers or ages of children are concerned. A very slightly larger percentage of non-whites has five or more children than is true for whites.

Tables 49 and 50 illustrate respectively the distribution of children among white respondents reporting children by number and age of children.

TABLE 49.—NUMBER OF CHILDREN IN WHITE FAMILIES HAVING CHILDREN

	Number of respondents	Percent of respondents
1 child	7	25.00
2 to 4 children	19	67.86
Over 5 children	2	7.14
Total	28	100.00

TABLE 50.—AGES OF CHILDREN IN WHITE FAMILIES HAVING CHILDREN

	Number of respondents	Percent of respondents
All children under 6	8	28.57
All children 6 to 20	7	25.00
All children over 21	8	28.57
Children in 2 or more age categories	5	17.86
Total	28	100.00

There is slight difference between the white group and the sample as a whole either in ages or numbers of children. A slightly larger percentage of the whole sample has five or more children and a larger percentage has only 1 child.

Of the white sample, 7 respondents or 11.86% were females with children living without their husbands because of separation, divorce or death. This corresponds to 23.16% of the non-white sample with a female head of house.

Table 51 illustrates the head of household data for white.

TABLE 51.—HEAD OF HOUSEHOLD IN WHITE FAMILIES

	Number of respondents	Percent of respondents
Male head of household	28	47.46
Female head of household	7	11.86
Individual living alone	24	40.68
Total	59	100.00

3. Origin and Mobility of the White Population

The white portion of our sample does not drastically differ from the nonwhite population in the length of residency in the District of Columbia, in the neighborhood where the interviewing took place, or in the place of origin.

The white respondents can be characterized as being predominantly long time residents of the District, medium length residents of the neighborhood where they presently live, and, for those not born in the District, of coming originally from the South.

As shown in Table 52, the majority (52.54%) of the white respondents have lived in the District for over 10 years. This compares with 71.66% among non-whites.

Quite a large number (32.29%) of white respondents has lived in the District for under four years. The comparable percentage for non-whites is 17.98%.

It could be said, then on the basis of these two facts that the white groups tend to be predominantly composed of either long-term residents or new residents—probably government workers—with relatively few in between.

TABLE 52.—LENGTH OF TIME WHITE POPULATION HAS RESIDED IN THE DISTRICT OF COLUMBIA

	Number of respondents	Percent of respondents
Over 10 years	31	52.54
5 to 9 years	8	13.56
1 to 4 years	13	22.03
Under 1 year	6	10.17
No answer	1	1.69
Total	59	99.99

The greatest difference between white and non-white respondents with regard to place of origin is in the percentage of migrants from places other than the South. White migrants to the District are much better distributed geographically in their places of origin than the non-white respondents. 62.94% of the Negroes in the sample were not born in but migrated to the District. While 74.58% of the white population was not born in the City.

Of the non-white respondents not born in the District the places of origin were as follows: 69.26% came from the South, 14.29% from the North, and 6.06% from the Midwest. The comparable percentages for white respondents are given in Table 53.

TABLE 53.—ORIGIN OF WHITE RESPONDENTS

	Number of respondents	Percent of respondents with category (1) removed
Lifetime resident of District of Columbia	15	
South	17	38.64
North	13	29.55
Middle West	7	15.91
Outside continental United States	7	15.91
Total	59	100.01

There are no great differences in the patterns of length of residency in the neighborhood in the sample as divided by race.

Table 54 illustrates the length of residency in the neighborhood for white respondents.

TABLE 54.—WHITE POPULATION—LENGTH OF TIME IN NEIGHBORHOOD WHERE NOW RESIDING

	Number of respondents	Percent of respondents
Under 6 months	4	6.78
6 months to 1 year	10	16.95
1 to 4 years	19	32.20
5 to 10 years	14	23.73
Over 10 years	11	18.64
No answer	1	1.69
Total	59	99.99

4. Education of the White Population

Education is a variable in which there is a distinct difference between the white population and the sample as a whole—which is, of course, predominantly Negro.

Only 37 persons, or 8.69%, of the whole sample had college degrees. When whites are separated out, we find that 22 of them, or 37.2% of the white sample had completed college.

The difference between white and nonwhite is even more striking if we compute the percentage of Negroes with college degrees. Only 15 individuals or 4.09% of the Negro population in our sample have college degrees.

This disparity is almost as great at the other end of the spectrum. Only 2 whites (3.39%) have had under 8 years of education. However, 63 Negroes, or 17.17% of the non-white population have had under 8 years of school.

From our data, we can only conclude that the whites in our sample are much better educated than the non-whites. When the amount of schooling of whites and nonwhites is divided into three groups for purposes of comparison, it can be seen that nonwhites cluster at the lower end, while whites cluster at the top.

Table 55 illustrates this.

TABLE 55.—EDUCATION LEVELS OF WHITES AND NONWHITES

	Whites		Negroes	
	Number	Percent	Number	Percent
Under 12 years—no high school diploma	11	18.64	198	53.95
High school diploma	14	23.73	111	30.25
Attended college and college degree	32	54.24	57	15.53
No answer	2	3.39	1	.27
Total	59	100.00	367	100.00

Table 56 shows the level of educational attainment for white respondents only.

TABLE 56.—EDUCATION ATTAINMENT OF WHITE POPULATION

	Number of respondents	Percent of respondents
Under 8 years	2	3.39
9 to 12 years	9	15.25
High school diploma	14	23.73
Attended college	10	16.95
College degree	22	37.29
No answer	2	3.39
Total	59	100.00

Among the whites, those who have had additional training after their schooling was completed, are few in number. Only 7, or 11.86% have had training, and 4 of these paid for the classes. Two whites who had not completed college, or 3.39% of the sample, had engaged in training programs.

This number is just as disappointingly small as the number in the sample as a whole who had participated in training programs. However, considering the over-all level of educational attainment among whites, it is not too significant that their participation in such programs is low.

5. Income of the White Population

There is great disparity between the personal incomes of whites and Negroes in our sample population. Fully 40.91% of the 59 white respondents among those reporting incomes earned over $6,000 while only 14.34% of Negroes reporting income earned over that amount.

At the other end of the spectrum 13 respondents answering (including those not working) or 29.55% of the whites earned less than $3,000 a year while 40.90% of Negroes responding earned less than $3,000.

The distribution of personal income among the 59 whites is as follows:

TABLE 57.—PERSONAL ANNUAL INCOME OF WHITE POPULATION

	Number of respondents	Percent of respondents	Percent of respondents with no answer left out
Not working	10	16.95	12.73
Under $1,500	0	0	0
$1,501 to $3,000	3	5.08	6.82
$3,001 to $4,500	6	10.17	13.64
$4,501 to $6,000	7	11.86	15.91
Over $6,000	18	30.51	40.91
Not reported	15	25.42	
Total	59	99.99	100.01

TABLE 58.—PERSONAL INCOME OF NEGRO RESPONDENTS

	Number of respondents	Percent of respondents
Not working	110	29.97
Under $1,500	3	.82
$1,501 to $3,000	44	11.99
$3,001 to $4,500	57	15.33
$4,501 to $6,000	65	17.71
Over $6,000	48	13.08
Discrepancy	8	2.18
Not report	32	8.72
Total	367	100.00

TABLE 59.—FAMILY ANNUAL INCOME OF THE WHITE POPULATION

	Number of respondents	Percent of respondents	Percent of respondents with no answer left out
Under $1,500	0		
$1,501 to $3,000	4	6.78	10.00
$3,001 to $4,500	3	5.08	7.50
$4,501 to $6,000	6	10.17	15.00
$6,001 to $7,500	4	6.78	10.00

TABLE 59.—FAMILY ANNUAL INCOME OF THE WHITE POPULATION—Continued

	Number of respondents	Percent of respondents	Percent of respondents with no answer left out
Over $7,500	23	38.98	57.50
No answer	19	32.20	
Total	59	99.99	100.00

Size of family would seem in the case of whites to be even less related to income than is true for the sample as a whole. A majority of families in each family size group earns over $7,500 annually.

This was not the case for the sample as a whole, nor is this true for the Negro population. For the sample as a whole and for Negroes the family income rose sharply as the family size increased levelling off after the 3–5 group.

Among whites the percentage earning higher incomes rises when there are two persons in a family—probably because both work. However, in families with 3–5 persons, the same percentage makes over $7,5000.

Tables 60 and 61 illustrate the relationships between family income and family size for whites and Negroes respectively.

TABLE 60.—FAMILY INCOME AND FAMILY SIZE AMONG WHITES

Family income	Family size							
	1 person		2 persons		3 to 5 persons		6 to 8 persons	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under $3,000	1	8.33	2	25.00	1	6.25	0	0
$3,001 to $4,500	1	8.33	0	0.	2	12.50	0	0
$4,501 to $6,000	2	16.67	0	0.	2	12.50	1	50.00
$6,001 to $7,500	1	8.33	1	12.50	2	12.50	0	0
Over $7,500	7	58.33	5	62.50	9	62.25	1	50.00
Total	12	99.99	8	100.00	16	100.00	2	100.00

TABLE 61.—FAMILY INCOME AND FAMILY SIZE AMONG NEGROES

Family income	Family size							
	1 person		2 persons		3 to 5 persons		6 to 8 persons	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under $3,000	13	29.55	11	19.30	16	11.94	4	11.76
$3,001 to $4,500	5	11.36	10	17.54	14	10.45	3	8.82
$4,501 to $6,000	10	22.73	13	22.81	29	21.64	5	14.71
$6,001 to $7,500	5	11.36	5	8.77	12	8.96	7	20.59
Over $7,500	11	25.00	18	31.58	63	47.01	15	44.12
Total (269)	44	100.00	57	100.00	134	100.00	34	100.00

Tables 62 and 63 correlate family income and number in the family working, for white and Negroes respectively. Most of the white families (50% of those reporting income) have only one wage earner in the family. Slightly over half of the families in this category make over $7500. Of families with two or more persons working, 72.73% have incomes over $7500. There thus does seem to be a relationship between number working and income.

46.27% of the Negro families reporting income have only one wage earner, while 42.5% have two or more. In the latter type of family 64.04% earn over $7500 while only 27.42% of the Negro families with one wage earner bring home over $7500.

TABLE 62.—NUMBER WORKING AND FAMILY INCOME REPORTED AMONG WHITES

Family Income	Number working							
	0		1		2		3 or more	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under $1,500								
$1 501 to $3,000	1	25.00	2	10.00	1	9.09		
$3,001 to $4,500	1	25.00	1	5.00			1	20.00
$4,501 to $6,000	1	25.00	3	15.00	1	9.09	1	20.00
$6,001 to $7,500			3	15.00	1	9.09		
Over $7,500	1	25.00	11	55.00	8	72.73	3	60.00
Total	4	100.00	20	100.00	11	100.00	5	100.00

TABLE 63.—NUMBER WORKING AND FAMILY INCOME REPORTED AMONG NEGROES

Family income	Number working							
	0		1		2		3	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under $1,500	6	20.00	2	1.61	3	3.49	1	3.57
$1,501 to $3,000	15	50.00	9	7.26	7	8.14	2	7.14
$3,001 to $4,500	5	16.67	20	16.13	5	5.81	1	3.57
$4,501 to $6,000	3	10.00	39	31.45	10	11.63	4	14.29
$6,001 to $7,500	1	3.33	20	16.13	6	6.98	2	7.14
Over $7,500	0	0	34	27.42	55	63.95	18	64.29
Total	30	100.00	124	100.00	86	100.00	28	100.00

As with the sample as a whole, education appears directly related to personal income. Among the whites, 63.16% of those with college degrees earn over $6,000 while only 16.67% with high school diplomas earn comparable amounts. Table 64 illustrates the relationship.

TABLE 64.—EDUCATION AND PERSONAL INCOME AMONG WHITES

Personal income	Education									
	Under 8 years		9 to 12		High school diploma		Attended college		College degree	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Not working	1	100.00	3	50.00	4	33.33	0	0	2	10.53
Under $3,000	0	0			1	8.33	1	16.67	1	5.26
$3,001 to $4,500	0	0	1	16.67	3	25.00	1	16.67	1	5.26
$4,501 to $6,000	0	0	1	16.67	2	16.76	1	16.67	3	15.79
Over $6,000	0	0	1	16.67	2	16.67	3	50.00	12	63.16
Total	1	100.00	6	100.00	12	100.00	6	100.01	19	100.01

6. Employment of the White Population

The employment profile among whites is quite similar to that of the survey population as a whole. Perhaps the only feature which distinguishes the white population from the non-white population is the less number of non-labor force who are unemployed.

Table 65 indicates employment among whites. Among Negroes 22.89% of the non-labor force population is not working compared to 13.56% among whites.

TABLE 65.—EMPLOYMENT OF WHITE POPULATION

	Number of respondents	Percent of respondents
Nonlabor force (housewives, etc.):		
Not working	8	13.56
Unemployed	3	5.08
Employed	38	64.41
No answer	10	16.95
Total	59	100.00

When the type of occupation is considered, some difference between the white sample and the non-white sample is discernible. The most noticeable difference is in the number of marginally skilled workers and the white collar professionals.

18.80% of the Negro population are individuals who are marginally skilled workers, and an additional 12.26% hold skilled blue collar jobs.

In the white population, the percentage holding blue collar jobs of both the skilled and unskilled types is only 10.20%. Over 50% of the white workers responding to the question are white collar professionals. This is more than twice the percentage in this category for non-whites.

Table 66 lists the categories of jobs which white respondents hold.

TABLE 66.—TYPES OF EMPLOYMENT (NO ANSWER REMOVED)

	Number of respondents	Percent of respondents
Nonlabor force unemployed	8	16.33
Unemployed	3	6.12
Unskilled	1	2.04
Skilled blue collar	4	8.16
White collar (clerical)	7	14.29
White collar (professional)	26	53.06
Total	49	100.00

When compared with the sample as a whole, the employment history of the white population shows little difference. Nor is there much change when the white population is compared to the Negro population. The employment histories of the two groups are portrayed in Table 67.

TABLE 67.—EMPLOYMENT HISTORY OF WHITE AND NEGROES

	White respondents		Negro respondents	
	Number	Percent	Number	Percent
Never unemployed	32	54.24	203	55.31
Unemployed once	7	11.86	54	14.71
Unemployed more than once	18	30.51	106	22.88
No answer	2	3.39	4	1.09
Total	59	100.00	367	99.99

Among the sample as a whole, and among Negroes in particular, the heaviest rate of past unemployment falls in the ranks of those currently unemployed, and those marginally skilled and engaging in jobs which are often seasonal in nature.

For whites, however, the picture is quite different. As can be seen from Table 68, the largest number of those respondents with past unemployment falls in the white collar professional category of jobs. It would seem thus that the two variables are unrelated among Negroes. Negroes are more likely than whites to be employed in blue collar occupations, and it is these very types of jobs which often lay people off. Whites are more likely to hold white collar professional jobs than Negroes and to report past unemployment. However, this is probably due to something different such as looking for better jobs.

TABLE 68.—UNEMPLOYMENT HISTORY AND CURRENT EMPLOYMENT (AMONG THOSE EVER UNEMPLOYED)

	White respondents		Negro respondents	
	Number	Percent	Number	Percent
Currently unemployed	4	14.81	36	23.23
Unskilled	1	3.70	35	22.58
Blue-collar clerical	1	3.70	23	14.84
White-collar clerical	3	.11.11	16	10.32
White-collar professional	16	59.27	24	15.48
No answer	2	7.40	21	13.55
Total	27	99.99	155	100.00

7. Housing Among Whites

Six of the 59 white respondents, or 10.17% owned their own homes in the District of Columbia. This is less even than the 14.19% of Negroes who own their own homes. Most whites would prefer to own, but few are as concerned about it as Negroes seem to be. Only 3 or 5.08% of the white sample responded to the question, "What would you do if you had $1,000?" by saying that they would put it as a down payment for a house. The lack of concern is probably explicable in terms of the relative ease with which the higher income whites could move to the suburbs and buy homes when they so desired.

The rent paid for housing by white respondents roughly follows the same distribution of that for the sample as a whole, with the exception that there are fewer whites who pay less than $75. It is most interesting to note, however, that most whites pay between $76—$100 a month for rent—just as most of the respondents in the entire sample and Negro respondents do.

This is important when we consider the income-wise white respondents are much better off than the sample as a whole and Negroes in particular. However, they pay no more rent per month than the rest of the sample. This is yet another indication of the fact that whites are financially better off than Negroes in the District. Table 69 illustrates the rent distribution among whites.

TABLE 69.—RENT PAID BY WHITES

	Number of respondents	Percent of respondents
Under $50	1	1.69
$50 to 75	4	6.78
$76 to $100	22	37.29
$101 to $125	11	18.64
$126 to $150	6	10.17
Over $150	9	15.25
No answer	6	10.17
Total	59	99.99

Whites do not differ significantly from nonwhites in the number of rooms per household. The average white respondent has 3–4 rooms as does the Negro respondent. There are fewer whites with one or two rooms and slightly more with over four rooms. Table 70 illustrates this.

Table 71 shows the distribution for whites.

TABLE 71.—NUMBER OF PERSONS AND ROOMS IN WHITE HOUSEHOLDS

Number of rooms	People per household					
	Single		2		3 to 5	
	Number	Percent	Number	Percent	Number	Percent
1	3	21.43				
2 to 3	5	35.71	3	27.27	7	29.17
4 to 6	6	42.86	7	63.64	12	50.00
Over 6			1	9.09	5	20.83
Total	14	100.00	11	100.00	24	100.00

Since there is no evidence of severe overcrowding among whites, we would assume that what problem we saw for the sample as a whole is a problem for Negroes only.

Table 72 shows the number of rooms which Negro families of three persons and over have to live in.

TABLE 72.—NUMBER OF ROOMS IN HOUSEHOLDS OF 3 OR MORE PERSONS AMONG NEGRO FAMILIES

Rooms	Persons					
	3 to 5		6 to 8		9 to 11	
	Number	Percent	Number	Percent	Number	Percent
1	4	2.55				
2 to 3	51	32.48	15	33.33	1	11.11
4 to 6	92	58.60	17	37.78	4	44.44
Over 6	10	6.37	13	28.89	4	44.44
Total	157	100.00	45	100.00	9	99.99

TABLE 70.—NUMBER OF ROOMS IN HOUSEHOLD FOR WHITES

	Number of respondents	Percent of respondents
1 room	4	6.78
2 rooms	5	8.47
3 rooms	13	22.03
4 rooms	12	20.03
5 rooms	8	13.56
6 rooms	8	13.56
7 rooms	3	5.08
8 or more rooms	4	6.78
No answer	2	3.39
Total	59	99.99

We noticed that for the sample as a whole, there was evidence of severe crowding of large numbers of people into small households. This same trend is not evident among white respondents.

Table 71 compares the number of people in each household with the number of rooms. Among persons responding, there is no household with more than 5 persons. Almost a majority of each category—single, 2 persons or 3–5 persons has from 4–6 rooms in which to live. There were no respondents having over five persons living in a household.

8. Welfare Among the White Population

Fourteen persons or 23.73% of the white population reported that someone in their immediate family received either public insurance benefits or welfare payments during the past year.

There is a larger percentage of the white population reporting public insurance and welfare than there is of the Negro population. 21.8% of the Negroes in the sample are receiving such benefits.

Among the whites, six persons received social security benefits and the remainder reported veterans' disability, unemployment compensation or welfare payments. Table 73 illustrates the payment by type.

TABLE 73.—WELFARE PAYMENTS TO WHITE RESPONDENTS DURING THE PAST YEAR

	Number of respondents	Percent of respondents
No assistance	35	59.32
Private sources	6	10.17
Public insurance	12	20.34
Welfare or AFDC	2	3.39
No answer	4	6.78
Total	59	100.00

Six persons out of the 27 or 22.22% who reported ever having been unemployed, received unemployment compensation at that time. This compares with 27.33% of the Negro population.

C. Characteristics of the poor

In this section we will examine the characteristics of that portion of our sample which lives in poverty. The same format as that used for the "Characteristics of the Sample as a Whole" will be followed to as great an extent as possible.

1. Standards for Determining the Poor

Sixty-eight respondents (15.96%) of those sampled can be classified as hard-core poor. In forming the group of 68, we used the most stringent poverty standards. The old Social Security standard $3,000 for a family of four was applied.

When the exact amount of income was in doubt, family size, type, fact of employment, and for welfare status was noted.

There were many others in the sample who undoubtedly suffer severe economic hardship. Since borderline cases were not classified as poor, poverty is probably considerably more widespread than our figures would indicate.

Who are the poor? In three areas of Washington, D.C., which we sampled, the poor had definite characteristics which separate them from the remainder of the population.

2. Age, Sex, and Race of Poor

Our sample of poor consisted of 48 women and 20 men, or in other words was 70.59% female and 29.41% male. Two of the women and two of the men were white. 94.12% of those living in poverty were Negro.

Table 74 shows the age distribution among those living in poverty.

TABLE 74.—AGES OF RESPONDENTS

	Number of respondents	Percent of respondents
16 to 19	6	8.82
20 to 24	6	8.82
25 to 44	20	29.41
45 to 59	19	27.94
60 to 64	7	23.53
Over 65	9	--------
No answer	1	1.47
Total	68	99.99

3. Marital Status of the Poor

The marital status profile for the poor is almost exactly the opposite of that of the sample as a whole. While 51.17% of the total population was married and living with spouse, 51.47% of the poor were married but not living with spouse due to separation, divorce, or death.

Table 72 shows the marital status of the poor respondents.

TABLE 75.—MARITAL STATUS OF POOR

	Number of respondents	Percent of respondents
Single	11	16.18
Married, living with spouse	21	30.88
Married, but not living with spouse, separated, divorced, or widowed	35	51.47
No response	1	1.47
Total	68	100.00

Only 22.06% of the sample of poor reported having no children. The 77.94% or 53 poor respondents who have children, on the average have between 2 and 4 children of varying ages. This is similar to the sample as a whole, except that the poor more often have 4 children rather than 2 or 3 and a larger percentage have 5 or more than in the total sample population.

Table 72 illustrates the numbers of children per family or individual among the poor.

TABLE 76.—NUMBERS OF CHILDREN IN FAMILIES OF POOR

	Number of respondents	Percent of respondents
1 child	12	22.64
2 to 4 children	28	52.83
5 or more children	9	16.98
No answer	4	7.55
Total	53	100.00

The ages of the children of the poor respondents vary considerably. The biggest difference between the poor population and the sample as a whole is the large percentage of individuals who report that all their children are grown. This is undoubtedly due to the fact that there are a large number of individuals in the upper age categories among the poor.

TABLE 77.—AGES OF CHILDREN AMONG POOR

	Number of respondents	Percent of respondents
All children under 6	13	24.53
All children 7 to 20	12	22.64
All children over 21	16	30.19
Spread over several categories	12	22.64
Total	53	100.00

Information gained about marital status and children is perhaps most relevant when put together to determine the sex of the head of the household. Among the poor, the results are striking.

Fully 32% of the total number of households are headed by females having children as dependents. The twenty-two female head of households constitute 41.51% of all households where children are present. This is an extremely large percentage.

In addition there are fewer households with male heads, but no spouse. This brings the total of households with children but only one part to 49.1%.

Table 78 illustrates this.

TABLE 78.—HEAD OF HOUSEHOLD AMONG THE POOR

	Number of respondents	Percent of respondents
Female head of house children present	22	32.35
Male head of house no spouse children or relative present	4	5.88
Married male head of house	21	30.88
Single live alone male (7) and female (8)	15	22.06
Single live with family male (3) and female (2)	5	7.35
No response	1	1.47
Total	68	99.99

It can be said definitely that broken homes are characteristic of the poor. And, in addition, almost half of the poor families in the three areas of Washington surveyed have children being brought up by only one parent—in most cases the mother.

4. Origin and Mobility of the Poor

It is apparent from our data that the poor of our sample are drawn predominantly from the ranks of the long term residents of the District. 51 of the 68 poor, or 75%, have resided here all their lives, Although a majority did migrate to the District, most did so during their youth.

Of those who migrated to D.C., nearly 77% came from the South. This represents 48.53% of the total sample of poor in the three areas surveyed. These figures do not differ substantially from those of the total population.

Tables 79 and 80 show the distributions.

TABLE 79.—LENGTH OF RESIDENCE IN WASHINGTON, D.C AMONG POOR

	Number of respondents	Percent of respondents
More than 10 years	51	75.00
5 to 9 years	5	7.35
1 to 4 years	8	11.76
Under 1 year	4	5.88
Total	68	99.99

TABLE 80.—ORIGIN OF POOR POPULATION

	Number of respondents	Percent of respondents
Lives in District of Columbia all life	25	36.76
Migrated from the South	33	48.53
Migrated from the North	7	10.29
Migrated from the Middle West	1	1.47
Outside continental United States	2	2.94
Total	68	99.99

Earlier, we hypothesized that it was likely the poor tended to become locked into neighborhoods after moving to Washington. From looking at the data in Table 81 we can see that this is obviously not the case. A majority of the poor have lived in the neighborhoods in which they now reside for less than four years.

TABLE 81.—LENGTH OF RESIDENCE IN NEIGHBORHOOD AMONG POOR

	Number of respondents	Percent of respondents
Less than 6 months	6	8.82
7 months to 1 year	15	22.06
1 to 4 years	18	26.47
5 to 10 years	17	25.00
Over 10 years	12	17.65
Total	68	100.00

The relationship between length of residency in the District and in the neighborhood is clarified when the two variables are correlated as in Table 82.

The poor, especially the long term residents are no more "locked in" to neighborhoods than the population as a whole. The largest number 35.29% of those long-term residents have made at least one move and have resided where they live for only 5 to 9 years. This is similar to 37.34% of the total population in the same category.

TABLE 82.—LENGTH OF RESIDENCE IN DISTRICT OF COLUMBIA ACCORDING TO RESIDENCY IN NEIGHBORHOOD AMONG THE POOR

Time in neighborhood	Time in District of Columbia							
	10 years		5 to 9 years		1 to 4 years		Under 1 year	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
10 years	12	23.53						
5 to 9 years	18	35.29						
1 to 4 years	11	21.57	2	40.00	5	62.5		
Under 1 year	10	19.61	1	20.00	3	37.5	4	100.00
Total	51	100.00	5		8	100.00	4	100.00

5. Education of the Poor

The poor differ greatly—as did whites—from the sample as a whole in their level of educational attainment. However, the poor are at the opposite end of the spectrum from the whites.

The poor are the largest contributors to the under 8 years of education category. Almost half of them have had less than a grade school education. The number who went on to high school drops sharply, and in each succeeding category as the level of attainment rises, the number of poor drops considerably.

It can truly be said that lack of education characterizes the poor. The fact that one-half of the poor never finished grade school and one-half of those who did continue dropped out of high school is a tragic indictment of the school system they faced during their formative years.

Table 83 indicates the distribution of educational attainment among the poor.

TABLE 83.—EDUCATION OF THE POOR

	Number of respondents	Percent of respondents
Under 8 years	31	45.59
9 to 12 years	15	22.06
High school diploma	14	20.59

TABLE 83.—EDUCATION OF THE POOR—Continued

	Number of respondents	Percent of respondents
Attended college	2	9.42
College degree	4	5.88
No answer	2	2.94
Total	68	100.00

The indictment against the schools would be less severe, and the plight of the poor less tragic if there were occasion for cautious optimism about the progress of the younger poor respondents. Unfortunately, however, the picture is bleak for poor in all age categories. Nearly one-half of the poor in each age category have failed to complete the eighth grade. In the poor children of today, it appears, there is no more hope than there was for their parents to escape the cycle of poverty.

An even more distressing note is the fact that 3 of the 16 poor aged over 60 (18.75%) who had attended college and probably held productive jobs during their working years, are now retired and living in poverty.

Table 84 illustrates the education by age among the poor.

TABLE 84.—EDUCATION BY AGE AMONG THE POOR

Years of school completed	Age							
	16 to 24		25 to 44		45 to 59		Over 60	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under 8 years	6	50.00	7	35.00	10	52.63	8	50.00
Not finished high school			8	40.00	4	21.05	3	18.75
High school degree	4	33.33	4	20.00	5	26.32	1	6.25
Attended college	1	8.33					1	6.25
College degree	1	8.33	1	5.00			2	12.50
No response							1	6.25
Total	12	99.99	20	100.00	19	100.00	16	100.00

We could close this section on an optimistic note if it could be reported that some of the uneducated poor were being trained in city, Federal or private programs to hold jobs. Unfortunately, this is not the case. Only 3 persons among the poor have participated in either private or governmental training programs.

Table 85 illustrates the degree of participation in post-school training.

TABLE 85.—PARTICIPATION OF THE POOR IN TRAINING PROGRAMS AFTER LEAVING SCHOOL

	Number of respondents	Percent of respondents
No participation	45	79.41
No answer	9	
Vocation high school or adult education	8	11.76
Paid for classes	3	4.41
Private training program	1	1.47
Federal job training	2	2.94
Total	68	99.99

It is interesting to note which of the poor have received extra training of any kind. Of the eight who attended vocational education classes or adult education courses, four had earned high school diplomas and four had completed grades 9 to 12.

There were three who paid for additional classes. Of these one had attended college, one had a high school diploma, and one had had under 8 years of education.

All three who participated in governmental programs had had from 9 to 12 years of education.

In other words only *one* person with less than 8 years of education had had additional training, and he had paid for it himself! Apparently the city and Federal job training programs have not been at all successful in reaching the hard-core poor of the three areas in Washington, D.C., which we surveyed.

6. Income of the Poor

Income level is a primary criterion in the determination of poverty. Since a number of respondents (between 9% to 11% of the sample as a whole) did not respond to the two questions concerning personal and family income, we were forced to consider variables other than income level to isolate those in poverty from the rest of the sample. For example, those receiving welfare, low social security benefits, unemployed men with families, and unemployed mothers living without spouse were included as part of the group living in poverty even if they had not specified income.

The percentage of poor who refused to respond to the questions of personal and family income was extremely high—between 30% and 40%. It is our feeling based on the comments and observations of the interviewers that many respondents were ashamed of their economic status and were either embarrassed or did not honestly know their actual income because it fluctuated from week to week. Many of the answers tabulated as "no response" were actually "don't know."

The high percentage of "no responses" limits the relevance of tables showing a distribution of family and personal income. Nevertheless, they provide a good starting point for an analysis of income among the poor.

Table 86 shows the family income levels for poor respondents in the sample.

TABLE 86.—FAMILY INCOME OF POOR RESPONDENTS

	Number of respondents	Percent of respondents
Under $1,500	13	19.12
$1,501 to $3,000	20	29.41
$3,001 to $4,500	6	8.82
$4,501 to $6,000	2	2.94
Welfare	1	1.47
No answer	26	38.24
Total	68	100.00

Table 87 illustrates the personal income level among the poor respondents in the sample.

TABLE 87.—PERSONAL ANNUAL INCOME OF POOR RESPONDENTS

	Number of respondents	Percent of respondents
Not working at all	24	35.29
Earnings under $1,500	4	5.88
$1,501 to $3,000	7	10.29
$3,001 to $4,500	8	11.76
$4,501 to $6,000	2	2.94
Welfare	1	1.47
No answer	22	32.36
Total	68	99.99

The two largest categories in Table 87 ("Not Working At All" and "No Answer") can be examined in closer detail.

The 24 respondents in the category "not working at all" consist of individuals who indicated they did not work and thus did not list personal income. Basically, these individuals fall into three groups: those with income from private sources, those on welfare or public insurance, and those with no personal income but were living in a family which had an income under the poverty threshold of $3,000 per year for a family of four.

There was only one individual who had an income from a private source. He was an elderly gentleman with a small private pension as his only source of income.

There were fifteen individuals receiving welfare or public insurance. Of these, five were older Americans receiving small social security benefits and five were receiving workman's compensation. The remaining five received either welfare general assistance or welfare AFDC.

There were eight individuals with no personal income and were living in a family which had an income under the poverty threshold. Four of these lived in families which had an annual income of less than $1,500 a year. Three lived in families which had an annual income under $3,000 a year.

Finally, one individual seemed to have no source of income whatever.

Table 88 shows the source of income for poor respondents not personally working.

TABLE 88.—OUTSIDE INCOME FOR POOR INDIVIDUALS NOT PERSONALLY WORKING

	Number of respondents
Small outside pension	1
Social security	5
Workmen's compensation	5
Welfare of AFCD	5
Live in family where income is under $1,500	4
Live in family where income is under $3,000	3
No source of income	1
Total	24

The second largest category in Table 87 consists of the 22 respondents who provided "No Answer" to the question concerning personal income. They generally fell into two categories—those on welfare and those with other sources of income.

Sixteen of the 22 respondents who did not answer the personal income question received income from public sources; six received social security; three received workman's compensation; and seven received AFDC.

Table 89 illustrates the outside income for the twenty-two poor respondents who did not answer the personal income question.

TABLE 89.—OUTSIDE INCOME FOR POOR INDIVIDUALS GIVING NO RESPONSE TO QUESTION OF PERSONAL INCOME

	Number of respondents
Social security	6
Worker's compensation	3
A.F.D.C.	7
Living in family where income is under $1,500	2
Living in family where income is under $3,000	1
No visible means of income	3
Total	22

Among the 68 poor in our sample, the majority (55.88%) were dependent upon income from public sources. Of these, public insurance type programs (social security, workman's compensation VA pensions, etc.) provided assistance to 29.4% and welfare provided the source for 26.47%.

Table 90 illustrates the sources of income among all of the poor in the sample.

TABLE 90.—INCOME SOURCES AMONG THE POOR

	Number of respondents	Percent of respondents
No welfare	23	33.82
Private pensions	4	5.88
Social security	12	17.65
Unemployment compensation or veterans	8	11.76
Welfare and/or AFCD	18	26.47
No answer	3	4.41
Total	68	99.99

7. Employment of the Poor

In this section concerning the employment of the poor, we will briefly consider the type of employment (if any), the employment history and the number of persons who work in the families of the poor.

Since almost a majority of the poor do not work, a consideration of these variables has little comparative value. However, the employment status of the poor according to age categories will serve to be more descriptive of the characteristics of the poor.

Twenty-four of the 68 poor respondents indicated that they themselves did not work, but were non-labor force. Seven considered themselves actually unemployed, and twelve refused to answer. At least half of the twelve are labor force unemployed. Of the 25 who do list occupations, the majority are unskilled or marginally workers. Interestingly enough, one respondent owns a small business which is on the verge of collapse.

Table 91 shows the type of employment of the poor.

TABLE 91.—TYPE OF EMPLOYMENT OF POOR

	Number of respondents	Percent of respondents
Nonlabor force, does not work	24	35.29
Labor force, unemployed	7	10.29
Unskilled work	13	19.12
Skilled blue-collar work	2	2.94
White-collar clerical	7	10.29
White-collar professional	2	2.94
Self-employed	1	1.47
No answer	12	17.64
Total	68	99.99

We noted that in the total sample population, a large percentage of respondents reported that 2 or more persons in their household worked—in fact, 40.60%. Only 20.59% of the poor families had more than one person working. This is but another indication of the difficulty the poor have in securing employment. Moreover, having more than one person employed has undoubtedly made the difference between poverty and non-poverty for many.

Table 92 illustrates the number of persons in the household of the poor who are employed.

TABLE 92.—NUMBER OF PERSONS EMPLOYED IN THE HOUSEHOLD

	Number of respondents	Percent of respondents
None	34	50.00
1	18	26.47
2	9	13.24
3	2	2.94
4	2	2.94
5 or more	1	1.47
No response	2	2.94
Total	68	100.00

The unemployment history of the poor is interesting but not very informative. 58.82% consider that they have never been unemployed. This compares to only 55.16% in the whole sample. Most of these respondents, however, are women with children who have probably never held a job and thus consider themselves out of the labor force. As we would expect, a majority of those who have ever been unemployed, have reported repeated job loss. Table 93 illustrates this.

TABLE 93.—EMPLOYMENT HISTORY OF THE POOR

	Number of respondents	Percent of respondents
Never employed	40	58.82
Unemployed only once	5	7.35
Unemployed 2 or more times for varying periods	22	32.35
No answer	1	1.47
Total	68	99.99

For the purpose of considering employment, we divided the poor into four age groups: Those 16–24, those 25–44, those 45–59, and those over 60. None of the 16 respondents over 60 was employed, so they will not be further considered in this section.

Table 94 shows the employment of poor youths age 16 through 24. Nine of this group reported having been unemployed for a long period of time in the past. Of these 9, six were females—(three married with children, three unmarried with children) and three were unmarried males. Six were currently employed.

TABLE 94.—*Employment of poor youths age 16 to 24*

	Number respondents
Unemployment	6
(Nonlabor force)	
(Females with children)	3
Labor force	3
Employed	6
Unskilled	3
Clerical	2
Professional	1
Total	12

Table 95 shows the employment of poor who were between the ages of 25 and 44. Twenty respondents were in the group aged 25–44. Eighteen were females and two were males. Of the women, nine declared that they had never been unemployed in the past (probably because they have children and have never worked). But they are all currently not working.

Six women declared that they had been unemployed in the past. Four had children, but no husbands, and two had children but lived with their husbands.

Of the two males, one was a long term unemployed with a family, and the other a young Negro male separated from his wife and with a college degree who was unable to find work. Nine persons presently hold jobs.

TABLE 95.—*Employment of poor age 25 to 44*

Consider self:	*Number respondents*
Unemployed:	
Nonlabor force	9
Labor force	2
Employed:	
Marginally skilled	4
Unskilled	3
Self-employed	1
White-collar professional	1
Total	20

Nineteen respondents were in the 45–60 age group. Ten declared that they had never been unemployed in the past. Seven reported sporadic unemployment. Of these, four were unskilled males, one a disabled veteran, and two housewives. Presently, 9 are employed, and 10 unemployed. Four of the ten are labor force males.

TABLE 96.—*Employment of poor age 46 to 59*

	Number respondents
Unemployed	10
Nonlabor force	6
Labor force	4
Employed	9
Unskilled	5
Blue Collar	1
Clerical	2
Professional	1
Total	19

8. Housing of the Poor

None of the poor owns a house. All however, would like to do so. Twelve persons or 17.65% of the poor responded to the general question, "What would you do if you had $1000?" by saying that they would use it to buy a house.

Poor respondents tend to pay less rent than the sample as a whole. The largest percentage of poor pays between $50 and $75 per month, while the comparable rate for the sample as a whole is $76–$100. Almost half of the poor pay under $75 per month, while 60% of the whole population pays from $76–$125 per month.

Table 97 illustrates the distribution of the amount of rent paid by the poor.

TABLE 97.—AMOUNT OF RENT PAID BY POOR

	Number of respondents	Percent of respondents
Under $50	13	19.12
$50 to $75	18	26.47
$75 to $100	13	19.12
$101 to $125	11	16.18
$126 to $150	1	1.47
Over $150	4	5.88
No answer	8	11.76
Total	68	100.00

Table 98 shows the number of rooms in the households of the poor. The poor respondents tend to have about as many rooms as the whole population sample. There are a few more percentagewise who have only one room, but as in the sample as a whole, the largest number of families have 4 rooms.

TABLE 98.—NUMBER OF ROOMS IN POOR HOUSEHOLDS

	Number of respondents	Percent of respondents
1 room	7	10.29
2 rooms	7	10.29
3 rooms	7	10.29
4 rooms	16	23.53
5 rooms	11	16.18
6 rooms	11	16.18
7 rooms	3	4.41
8 rooms	1	1.47
No response	5	7.35
Total	68	99.99

Table 99 shows the distribution of individuals living in poor households. Surprisingly, the poor do not differ much from the sample as a whole in the number of persons living in each household.

TABLE 99.—NUMBER OF INDIVIDUALS LIVING IN POOR HOUSEHOLDS

Persons	Number of respondents	Percent of respondents
1	11	16.18
2 to 3	15	22.06
4 to 5	30	44.12
6 to 8	8	11.76
9 to 11	4	5.88

When number of persons and number of rooms in each household are correlated in Table 100, we do not see evidence of tremendous crowding of large numbers of people into smaller quarters.

On the surface, the poor do not seem to be too badly off as regards to housing. They do not show indication of crowding and they pay lower rents than the sample as a whole. This data, however, does not reveal the condition of the dwellings in which these people reside. The complaints of the poor, about the condition of their housing should help to evaluate this. We will discuss this in the next two seasons.

D. Division of the sample by area

The Prouty Survey was taken in three designated areas of Washington, D.C.—Upper Cardozo, Southeast, and Neighborhood Development Center Area #1 (NDC #1). One hundred and fifty interviews were conducted in each area and each sub-sample was stratified by age and sex. (See Section A for detail).

TABLE 100.—NUMBER OF ROOMS IN HOUSEHOLD BY NUMBER OF PERSONS LIVING THERE AMONG POOR

Number of rooms	Number of people									
	Single		2 to 3		4 to 5		6 to 8		9 to 11	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1	6	54.55	1	6.67						
2	2	18.18			4	15.83				
3	1	9.09			4	15.83	1	12.50		
4	2	18.18	8	53.33	4	15.83	1	12.50		
5			1	6.67	8	30.77	2	25.00		
6			4	26.67	6	23.08	1	12.50	2	66.67
7			1	6.67			2	25.00		
8							1	12.50	1	33.33
Total	11	100.00	15	100.01	26	99.99	8	100.00	3	100.00

The difference in the racial make-up of each area is interesting. As seen in Table 101, the percentage of Negro population varies from 73.9% in Upper Cardozo to 95.8% in Southeast.

We were surprised to find such an absence of whites in Southeast. In addition, the difference of 14.8% in the Negro population of Upper Cardozo and NDC #1 was surprising. However, upon closer examination of our survey records, we discovered that this difference was in large part artificial. We kept careful account of the persons who refused to be interviewed, and discovered a substantial number of white individuals in NDC #1 who did not wish to take part in the survey.

The true composition of the NDC #1, according to race, we feel, is closer to that of Upper Cardozo than the data demonstrates. For this reason, the relationship between area and race was not statistically tested.

TABLE 101.—RACIAL COMPOSITION OF THE 3 AREAS

[In percent]

Area	Race				
	Negro	White	Oriental	Other	Total
NDC No. 1 [1]	88.7	11.3	0	0	100.0
Cardozo	73.9	21.8	2.1	2.1	99.9
Southeast	95.8	4.2	0	0	100.0

[1] The high percentage of Negroes in NDC No. 1 may reflect refusal of many whites to be interviewed.

In this section, we will discuss how the three areas differ from each other demographically. The section will be divided into two parts. In the first, we will discuss the demographic variables of marital status, origin and mobility, education, and housing, in which the three areas surveyed differ substantially and with statistically measurable importance from each other. Second, we will briefly consider the variables of employment, income, and welfare, in which the three areas differ slightly but not significantly.

(1) Statistically Significant Demographic Divisions by Area

1. Marital status and family

Cardozo, Southeast, and NDC #1 differ from each other significantly in marital status, number and ages of children, and head of household. Southeast, as can be seen from Table 102, has the least number of single individuals and the most married couples of the three areas. In fact, it has fewer in the first category and more in the second than one would expect by chance distribution. On the other hand, Cardozo has significantly more single individuals than would be expected by random occurrence.

TABLE 102.—MARITAL STATUS OF INDIVIDUALS BY AREA

Area	Marital status							
	Single		Married		Separated, widowed or divorced		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	41	28.87	71	50.00	30	21.13	142	100
Cardozo	52	36.62	65	45.77	25	17.61	142	100
Southeast	27	19.29	82	58.57	31	22.14	140	100

Note: T=424; p=—0.02.

With regard to number and ages of children, it is again Southeast which distinguishes itself from the remaining two areas. Respondents in Southeast are much more unlikely than chance occurrence would indicate to be childless. NDC No. 1 residents are slightly more likely not to have children than to have them.

Table 103 illustrates the distribution of children in families among the three areas.

TABLE 103.—CHILDREN (022)

Area (C74)	Children and education									
	No kids		Kids, but no kids in school		All kids between 6 to 18		Some kids, should be, but not in school		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	58	38.1	42	30.2	40	28.8	4	2.9	139	100
Cardozo	67	48.6	38	27.5	29	21.0	4	2.9	138	100
Southeast	29	20.6	50	35.4	56	39.7	6	4.3	141	100

Note: p=—0.001.

Our data concerning head of households reveals that there are fewer males who are head of households that is, males with families, in Southeast than one would expect to find by chance. Table 104 reveals the relationship.

However, there were so many no response answers, particularly in NDC #1 (30.3%) and Cardozo (37.3%) that we found it necessary to go back to the actual questionnaires to attempt to ascertain how to categorize the "no response" individuals.

TABLE 104.—HEAD OF HOUSE BY AREA

Area	Single male or female		Female head of house with dependents		Male head of house with dependents		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	9	9.1	13	13.1	78	77.8	99	100.00
Cardozo	2	2.2	15	16.8	72	80.9	89	100.00
Southeast	13	17.7	21	16.2	86	66.2	130	100.10

Note: p=between 0.01 and 0.001.

All of the "no response" individuals in Southeast were women with children but no husband. In Cardozo and NDC #1, it was the number of single respondents which increased. Table 105 indicates this.

TABLE 105.—HEAD OF HOUSEHOLD BY AREA

Area	Single, male or female		Female HOH with dependents		Male HOH with dependents		Male or female living with family, not married		Unknown		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	27	19.01	39	27.46	73	51.41	2	1.41	1	0.70	142	99.99
Cardozo	32	22.53	16	11.27	59	41.55	18	12.68	17	11.98	142	100.00
Southeast	72	9.15	37	26.06	86	60.56	1	.70	5	3.52	142	99.99

T=426.

On the basis of the data discussed above (Table 105), it is evident that of the three areas, Southeast has the most families, largest number of children, and fewest number of single residents.

2. Origin and mobility

The three areas differ significantly according to the length of time residents living there have lived in Washington and in that particular neighborhood. They show very little difference, however, in the origin of respondents.

Of the three neighborhood areas, Cardozo has the largest percentage of residents who have lived in the District of Columbia for less than 4 years. NDC #1, on the other hand, has the largest number of long term (10 years or more) residents in the District. Cardozo has fewer long term District residents than one would expect by chance, and NDC #1 has fewer newer residents than would be expected by chance occurrence. Southeast, however, has a normal distribution of residents in all categories.

Table 106 illustrates the length of time individuals have resided in the District of Columbia by area.

TABLE 106.—LENGTH OF RESIDENCE IN WASHINGTON

Area	Length of time							
	10 years or more		5 to 9 years		Under 4 years		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No 1	118	83.1	4	2.8	20	14.1	142	100
Cardozo	83	58.4	15	10.6	52	31.0	142	100
Southeast	107	75.3	13	9.2	22	15.5	142	100

Note: p=−0.001.

As might be expected because of the large number of long term District residents in NDC No. 1, the largest percentage (41.84%) of residents have lived in that area from 5–10 years. Adding those residents who have been there over 10 years, we have 56.02%—or over half.

In both Cardozo and Southeast, the largest number of respondents had resided in their respective neighborhoods from 1–4 years. In each case, well over half of the respondents had lived in the neighborhood for under 4 years. Table 107 demonstrates this.

TABLE 107.—LENGTH OF RESIDENCE IN NEIGHBORHOOD BY AREA

Area	Under 1 year		1 to 4 years		5 to 10 years		Over 10 years		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	27	19.15	35	24.82	59	41.84	20	14.18	141	99.99
Cardozo	41	29.50	44	31.65	33	23.74	21	15.11	139	100.00
Southeast	42	29.58	48	33.80	34	23.94	18	12.68	142	100.00

Note: T=422; p=−0.01.

About all that can be gleaned from this information is the fact that NDC No. 1 appears to be the most settled and "secure" neighborhood since it contains the highest percentages of both long term District and long term neighborhood residents. New migrants to the District tend to settle in Cardozo more than any other of the three areas. In both Cardozo and Southeast, residents are less likely to be long term inhabitants of their present dwellings than in NDC No. 1.

There is very little difference between the three areas in the place of origin of respondents. There are fewer residents in Cardozo who were born in the District than in the other two areas. The majority of migrants to the District now residing in each of the three sample areas came from the South.

Table 108 illustrates the place of origin of the respondents by area.

TABLE 108.—PLACE OF ORIGIN BY AREA

Area	South		North		Midwest		Outside United States		Born in District of Columbia		Total
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
NDC No. 1	54	38.03	15	10.56	6	4.23	4	2.82	63	44.37	142
Cardozo	63	44.37	16	11.27	9	6.34	10	7.04	44	30.99	142
Southeast	53	37.32	15	10.56	6	4.23	1	0.70	67	47.18	142

Note: T=426.

3. Education

There are quite significant difference among the three sample areas in the levels of educational attainment of the respondents. The modal group of responses in NDC #1 is in the 9–12 category; that in Southeast also in the 9–12 category; and that in Cardozo in the category of high school graduates.

Using the modal point does not enable us to differentiate between the areas in a meaningful way. In this grouped distribution, however, we can compute the median level of education in each area. This is the point at which one half of the cases fall below the lower end of the 9–12 category.

One half of the respondents in NDC #1 have had less than 12 years of education—one quarter have had less than 8. In Southeast, the median level of education falls at the top of the 9–12 category. The average respondent has had from 9–12 years of education; most have probably had close to 12.

In Cardozo, the median level of education falls in the category of high school graduates. An equal number have had more education as have had less.

NDC #1 is clearly the area in which residents have typically had the least amount of education. Cardozo residents are the most educated, while respondents in Southeast fall in the middle. Table 109 indicates the distribution.

TABLE 109.—EDUCATION

Area	Under 8		9 to 12		High school graduate		High school+		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	32	22.9	57	40.7	35	25.0	16	11.4	140	100
Cardozo	19	13.4	28	19.7	48	33.8	47	33.1	142	100
Southeast	14	9.9	59	41.8	42	29.8	26	18.4	141	100

Note: p=+0.001.

There are so few respondents in any of the three areas who have had additional training since leaving school, that it is not worth comparing the three areas.

4. Housing

Although there is no great difference between the three sample areas in the numbers of respondents who own or rent—the vast majority in each area renting [2]—there are differences in amount of rent paid by respondents, the number of rooms in each house, and the number of persons who live in each residence.

Cardozo and NDC #1 demonstrate the most deviation from chance in the amount of rents paid monthly by respondents living in those areas. As we have seen with the variable of education, NDC #1 has the largest percentage of the three areas of residents paying less than $75 monthly and the smallest percentage of respondents paying over $125. Cardozo, on the other hand, has the smallest percentage of the three, of respondents paying less than $75 per month and the largest percentage paying over $125. The distribution in Southeast is about what one would expect to find by chance.

Note in each area, according to Table 110, that the modal and median rent is in the $75–$125 bracket.

TABLE 110.—MONTHLY RENT BY AREA

Area	Under $75		$75 to $125		Over $125		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	37	29.1	81	63.8	9	7.1	127	100.0
Cardozo	18	14.9	73	60.3	30	24.8	121	100.0
Southeast	27	21.1	82	64.1	19	14.8	128	100.1

Note: T=376; p=0.001.

In both Cardozo and Southeast, the largest number of respondents lived in households with from 4–6 rooms. In NDC #1, however, those having from 1–3 rooms slightly outnumber those having from 4–6 rooms. NDC #1 as well, has slightly more respondents having over 7 rooms than one would expect by chance distribution. Southeast has less residents living in either large or small houses than chance would predict and more living in medium size residences. In NDC #1, exactly the opposite is true with more falling in the two extreme categories than in the middle range. Cardozo demonstrates very little deviation from chance.

Table 111 shows the number of rooms in living units occupied by respondents by area.

TABLE 111.—NUMBER OF ROOMS BY AREA

Area	1 to 3 rooms		4 to 6 rooms		Over 7 rooms		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No 1	59	44.7	57	43.2	16	12.1	132	100
Cardozo	45	33.3	77	57.0	13	9.6	135	100
Southeast	41	30.6	86	64.2	7	5.2	134	100

Note: T=401; p=0.001.

There are also some interesting differences between the three areas when the number of persons living in households is considered. The difference is such that it is statistically significant. (See Table 112)

TABLE 112.—NUMBERS OF PERSONS LIVING IN HOUSEHOLD BY AREA

Area	1 to 2		3 to 5		Over 6		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	51	37.2	56	40.9	30	21.9	137	100
Cardozo	65	48.5	59	44.0	10	7.5	134	100
Southeast	47	33.1	77	54.2	18	12.7	142	100

Note: T=413; p=0.001.

Southeast has the largest percentage—more than chance would predict—of respondents with families numbering from 4 to 6 persons. Cardozo has more respondents living alone or with 1 other person than chance would predict, and fewer with over 6 persons. NDC #1 has the largest percentage of families with 6 or more persons (21.9%), far more than would occur by chance.

Interestingly enough, a number of respondents in each area indicated their interest in owning a house. The percentage of those responding to the open ended question, "If you had $1000, what would you do with it?" by saying that they would put it in a house varied from 11.9% of the sample in Cardozo to 26.6% in Southeast.

Table 113 illustrates the distribution among respondents by area concerning what they would do with $1,000 cash.

TABLE 113.—RESPONSES TO THE QUESTION, "IF YOU HAD $1,000, WHAT WOULD YOU DO WITH IT?" BY AREA

Area	Put in house		Bills		Buy a specific item		Other		Save		Total		No response
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
NDC No. 1	23	16.8	33	24.1	32	23.4	15	10.9	34	24.8	137	100	5
Cardozo	16	11.9	26	19.4	30	22.4	16	11.9	46	34.3	134	100	8
Southeast	37	26.6	22	15.8	18	12.9	14	10.1	48	34.5	139	100	3

Note: T=410.

(2) Insignificant Demographic Division

The differences between NDC #1, Cardozo, and Southeast in the variables of employment, income, and welfare are not of statistical significance. However, it is interesting to see what small variation there is (if any) between the three areas; or to note how similiar they are. It should be emphasized, however, that the differences are minor and cannot be weighted heavily in the final analysis.

1. Employment

There are three small variations of note between the employment and job patterns of the three areas. Table 114 demonstrates these. Cardozo has the largest percentage of white collar professional workers of the three areas, and the least number of nonlabor force unemployeds. The numbers of persons in both of these categories are respectively more and less than one would expect to find by chance. In NDC #1, there are fewer respondents holding white collar professional jobs than one would expect to find by chance.

TABLE 114.—EMPLOYMENT BY AREA

Area	Does not work, including housewife students		Unemployed		Unskilled		White-collar clerical		White-collar professor or self-employed		Skilled blue		Total
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Percent
NDC No. 1	42	36.9	7	4.9	22	15.5	23	16.2	23	16.2	15	10.6	100.0
Cardozo	39	27.5	4	2.8	25	17.6	19	13.4	37	26.1	18	12.7	100.1
Southeast	53	37.3	5	3.5	23	16.2	18	12.7	27	19.0	16	11.3	100.3

Note: p=×0.50.

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[2] In NDC #1, 17 persons own their own homes. In Cardozo, 23 persons own, and in Southeast, 18 persons own.

When the number of persons per household holding jobs is calculated, a few trends are apparent. In NDC #1, there are more respondents reporting three or more persons employed in the family than chance would predict. In Southeast, there are fewer persons reporting no unemployment and fewer reporting 3 or more persons working per family than predictable by chance.

Table 115 shows the number of people working full time per household by area.

TABLE 115.—NUMBER OF PEOPLE WORKING FULL TIME IN THE HOUSEHOLD

Area	None		1		2		3 or more		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	23	16.7	57	41.3	34	24.6	24	17.4	138	100
Cardozo	22	16.3	55	40.7	41	30.4	17	12.6	135	100
Southeast	16	11.5	66	47.4	44	31.7	13	9.4	139	100

Note: T=412; NR=14; p=0.30.

The unemployment history of respondents in each of the three areas is illustrated in Table 116. There is a slight trend for more Cardozo respondents to have been unemployed more than once than for workers in other areas. The number is not significant, however, considering the larger percentage of workers in the area.

TABLE 116.—UNEMPLOYMENT HISTORY BY AREA

Area	Never unemployed		Unemployed once		Unemployed more than once		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	86	61.0	19	13.5	36	25.5	141	100
Cardozo	72	52.6	18	13.1	47	34.3	137	100
Southeast	78	54.9	24	16.9	40	28.2	142	100

Note: p=−0.50.

2. Income

The variation in the three areas according to personal income is not very significant. There is a slight trend for respondents in NDC #1 to report no earned income because of not being employed. In addition, slightly more respondents in Cardozo than chance would predict earned from $3001 to $4500 or over $6000. Table 117 illustrates the distribution.

TABLE 117.—PERSONAL INCOME BY AREA

Area	Not working		$3,000		$3,001 to $4,500		$4,501 to $6,000		Over $6,000		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	37	33.6	16	14.5	18	16.4	20	18.2	19	11.3	110	100.0
Cardozo	29	24.4	16	13.4	27	22.7	22	18.5	25	21.0	119	100.0
Southeast	28	24.1	18	15.5	18	15.5	30	25.9	22	19.0	116	100.0

Note: p=+0.50.

There are differences of borderline significance between the three sample areas when family income rather than personal income is taken into consideration.

When "no responses" are left in, as in Table 118, there are trends for NDC #1 respondents to be more likely than chance to earn under $3000 and less likely to earn $3001–$6000. Southeast respondents are more likely than chance would predict to belong to families with incomes between $3000 and $6000.

TABLE 118.—FAMILY INCOME BY AREA

Area	Under $3,000		$3,001 to $6,000		Over $6,000		No response		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	22	15.5	27	19.0	53	37.3	40	28.2	142	100.05
Cardozo	13	9.2	28	19.7	55	38.7	46	32.4	133	99.99
Southeast	15	10.6	33	31.0	57	40.1	26	18.3	123	100.00

Note: p=+0.02.

When "no response" answer is removed, these differences are slightly accentuated. (See Table 119)

TABLE 119.—FAMILY INCOME BY AREA

Area	Under $3,000		$3,000 to $6,000		Over $6,000		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	22	21.5	27	26.5	53	52.0	102	100.0
Cardozo	13	13.5	28	29.2	55	57.3	96	100.0
Southeast	15	12.9	44	37.9	57	49.1	116	100.0

Note: p=+0.10.

3. Welfare

The distribution of welfare and public assistance among respondents of the three areas is virtually the same as chance would predict. Table 120 illustrates this.

TABLE 120.—RECEIPT OF PUBLIC ASSISTANCE DURING THE PAST YEAR BY AREA

Area	No assistance		Private sources		Public insurance social security and so forth		Welfare AFDC		N.R. number	Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent		Number	Percent
NDC No. 1	92	64.8	4	2.8	26	18.3	9	6.3	11	7.7	99.9
Cardozo	100	70.4	6	4.2	21	14.8	7	4.9	8	5.6	99.6
Southeast	90	63.4	6	4.2	22	15.5	9	6.3	15	10.6	100.0

Note: p=0.90.

The variation between areas on the variable of receipt of unemployment insurance when unemployed is again slight. Table 121 illustrates the distribution.

TABLE 121.—RECEIPT OF WELFARE OR UNEMPLOYMENT FUNDS WHEN UNEMPLOYED

Area	Neither		1		Total	
	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	34	64.2	19	35.8	53	100.0
Cardozo	46	75.4	15	24.6	61	100.0
Southeast	45	70.3	19	29.7	64	100.0

Note: T=178; p=0.50.

PART IV. A COMPARISON OF LIFE ATTITUDES BETWEEN RESIDENTS IN TWO CITIES

Background

I had a strong feeling after reviewing the analyzed data that the population in the three areas surveyed in Washington, D.C., was no different in attitudes from any other predominantly middle class community in the United States. However, since there was no simultaneous testing in other communities, my "feeling" was based upon pure conjecture.

I was therefore delighted when opportunity presented itself to make a comparative analysis. In November, 1965, a survey was conducted in Burlington, Vermont, by a group at the University of Vermont. In designing my questionnaire my staff used five questions contained in their survey. When the Director of the Burlington Social Survey learned that our survey had contained similar questions, she made the results of her survey available to me.

On the basis of the similar results to five questions asked respondents in Burlington, Vermont, and in three areas of Washington, D.C., it can be said that the populations are very similar in general attitudes about life.

1. The Questions Asked and the Populations Surveyed

Respondents in both cities were asked five questions designed to demonstrate their general life attitudes. Two of the questions measured the degree to which individuals held optimistic or pessimistic views about life and the trend of events. Two other questions measured the degree of feeling which individuals had about their own possibility of shaping the future and controlling events. The final question demonstrates the general level of present time orientation of the respondents.

All questions were constructed so the respondents were to respond by agreeing or disagreeing with a statement read by the interviewer. Responses were rated on a five point scale from Strongly Agree to Strongly Disagree. The Washington questions also included a no response category.

Two of the statements were constructed as control questions. While the original statements are phrased positively, the control questions are phrased negatively so as to require the opposite response from that in the previous question to be consistent with it.

The most important thing to note about the two sets of responses is that they are incredibly similar. If anything, Washington respondents tended to be slightly more optimistic than the residents of Burlington, Vermont. This is an extremely important finding.

The Washington respondents were as had been noted predominantly Negro and all were living in three areas of Washington's inner city. The Burlington respondents, on the other hand, were all white, and represented a complete cross section of the city. Burlington is a small city of 36,000, located in northwest Vermont. It is a college and university city, with those institutions generating the most jobs. (Appendix A contains a brief description of Burlington.)

We might suppose that an inner city predominantly Negro population which suffers from the disadvantage of living in or from proximity to the slums with its multitudes of problems would exhibit markedly different attitudes from those expressed by a middle class white New England population. We might expect pessimism or despair to be prevalent among Washington respondents, but this is not the case.

Mrs. Caryl J. Stewart, Director of the Burlington Social Survey, underscored the important fact that both populations were optimistic, when she said:

"But surely the significant finding is in the over-all similarity of response and its positive quality. This tends to indicate that the ghetto Negro retains a basic faith in this country and his life chances in it—encouraging at a time when some militants are saying it is already too late to redeem this faith."

The similiarity of results to these questions by two such different population groups suggests that optimism and faith in the ability of the individual are traits which are exhibited by all Americans. It is perhaps a cultural phenomenon, and it is encouraging to note that minority groups still hold strongly to these beliefs.

2. Optimism in general life attitudes

It is even more interesting to examine the results question by question. The statements, "Things are what they are and probably won't ever be better" and "Life has its ups and downs but things are getting better in the long run" were included for the purposes of determining how optimistic respondents were about life in general. The first acts as a control upon the second. To be consistent, respondents should reject the first and agree with the second or vice versa.[3]

Respondents in both Washington, D.C. and Burlington, Vermont, demonstrate a high degree of optimism. Well over a majority of Burlington respondents (79%) disagree or strongly disagree with the statement, "Things are what they are." Surprisingly, an even greater percentage of Washingtonians (83.1%) also rejected the statement.

Table 122 demonstrates the distribution.

TABLE 122

Things are what they are and probably won't ever be better.

	Washington respondents		Burlington respondents	
	Number	Percent	Number	Percent
Strongly agree	10	2.35	4	1.3
Agree	40	9.39	49	15.8
Disagree	295	69.25	192	61.9
Strongly disagree	59	13.85	53	17.1
None	22	5.16	12	3.9
Total	426	100.00	310	100.0

Similar numbers in both cities agreed with the control statement—"Things are getting better in the long run." Here, 76% of the Burlington respondents and 87.13% of the Washington respondents agreed or strongly agreed with the question.

Table 123 illustrates this.

TABLE 123

Life has its ups and downs but things are getting better in the long run.

	Washington respondents		Burlington respondents	
	Number	Percent	Number	Percent
Strongly agree	48	11.27	18	5.8
Agree	324	76.06	218	70.8
Disagree	21	4.93	50	16.2
Strongly disagree	10	2.35	4	1.3
None	23	5.40	18	5.8
Total	426	100.01	308	99.9

These results indicate that large percentages of the population of the areas interviewed are basically optimistic in the way in which they view life. They feel, sometimes strongly, that life is improving and will continue to improve over time.

We might wonder why Washingtonians are more optimistic than the Vermonters interviewed. Mrs. Stewart advanced one hypothesis—the Burlington Social Survey in covering the entire city may have contained a greater cross section of the population including large numbers of sophisticated persons who disdain such idealistic remarks. It could also be that the Washington, D.C., inner city population holds fast to the 19th century concept of success and forces itself in the face of all adversity to uphold a basic belief that conditions in America will continue to improve.

3. Belief in the Power of the Individual

The next set of questions measures the depth of the belief that the individual can control his own fate and achieve if he but makes an attempt to do so. Respondents were asked to disagree or agree with these statements: "You can't change things no matter what you do," and "You can get almost anything you want if you just try hard enough." The second again acted as a control on the first.

Respondents in both cities rejected the first statement and accepted the second by large margins. 83.8% of the Washington respondents disagreed or strongly disagreed with the concept that the individual cannot himself have an effect. 72% of the Burlington respondents felt the same way.

Table 124 shows the distribution of responses.

TABLE 124

You can't change things no matter what you do.

	Washington respondents		Burlington respondents	
	Number	Percent	Number	Percent
Strongly agree	7	1.64	6	1.9
Agree	34	7.98	68	21.9
Disagree	298	69.95	176	56.8
Strongly disagree	59	13.85	47	15.2
None	28	6.58	13	4.2
Total	426	100.00	310	100.0

On the other hand, 81.9% of the Washingtonians agreed or strongly agreed that an individual's success was limited only to the extent that his own efforts were limited. 74.9% of the Vermont population interviewed agreed or strongly agreed.

Table 125 illustrates the distribution.

TABLE 125

You can get almost anything you want if you just try hard enough.

	Washington respondents		Burlington respondents	
	Number	Percent	Number	Percent
Strongly agree	48	11.27	38	12.3
Agree	301	70.66	194	62.6
Disagree	36	8.45	63	20.3
Strongly disagree	11	2.58	9	2.9
None	30	7.04	6	1.9
Total	426	100.00	310	100.0

This second set of questions really is a logical extension of the first. If a person believes that things will ultimately work out for the better, it is probable that he feels he can help things along by doing something to improve things. It is also logical for optimistic individuals who have some problems to believe that things could be changed if they only had time to make an effort to do so. Most important, however, both feelings of general optimism and the importance of the individual are deeply rooted in the American cultural tradition. Both populations in strongly reaffirming their faith in these basic tenents reaffirm their faith in the American system and civilization.

The final question which is compared here, is the one which measures the degree of present time orientation. The similarity of results between the two populations may be surprising.

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[3] The degree of consistency in the Washington sample was extremely high. Over 92.93% of those who disagreed with the first statement, agreed with the control statement.

4. Present time orientation

The responses to the statement, "It is best to live for today because you don't know what tomorrow will bring," are divided almost exactly between those who agree and those who disagree in the two populations. A very slight majority (52.34%) Washingtonians agree, while 47.4% of the Vermonters interviewed agree.

It is interesting to note the almost equal percentage of agreement and disagreement with this particular statement. We did not attempt to fathom the reasons for this division. Perhaps our national culture, our religious beliefs, our historical past or merely individualistic tendencies, account for the result.

However, the important fact to note for the purposes of this comparison is that respondents in Burlington, Vermont and respondents in the inner city of Washington, D.C. reacted similiarly.

Table 126 illustrates the distribution of responses.

TABLE 126

It is best to live for today because you can't tell what tomorrow will bring.

	Washington respondents		Burlington respondents	
	Number	Percent	Number	Percent
Strongly agree	22	5.16	30	9.8
Agree	201	47.18	115	37.6
Disagree	148	34.74	103	33.7
Strongly disagree	21	4.93	48	15.7
None	34	7.98	10	3.3
Total	426	99.99	306	100.1

[Appendix A.]

BRIEF DESCRIPTION OF BURLINGTON, VERMONT

Burlington, Vermont, has a population of about 36,000. Its non-white population is under 100.

Geographically, it is located on Lake Champlain in the northwestern part of the State. It is 36 square miles in area.

In this book *Vermont*, Ray Bearse provides an accurate thumbnail sketch of the city. He says: [4]

"The Queen City, long the state's largest city, has had a 40 percent population increase since Pearl Harbor. The expanding University of Vermont student body, with an increased faculty together with the location in the Greater Burlington area of branch plants of International Business Machines Corporation and General Electric Company, has brought in ten thousand people. The population has gradually lost its homogeneous nature through the influx of French Canadians, German, Italians, and other races, until Burlington is the most cosmopolitan of Vermont cities."

The Burlington Social Survey of 1965, demonstrates that between 23% and 29% of the families in the city have incomes below the poverty level. This represents a "hidden poverty" since the city has few slum areas in the stereotyped sense.

PART V. ATTITUDES OF THE SAMPLE POPULATION

In this Part, the attitudes of the sample population will be discussed. The opinions held by respondents and their feelings about life and their environment will be examined.

The questionnaire contained questions designed to reveal the attitudes of the sample population in several different areas. One set of questions—those discussed in Part IV—sought information about the attitudes of the respondents toward life in general. Another set was devised to elicit feelings about specific problems and environmental conditions.

An attempt was made to discern to what degree the respondents were disposed to take action to change their environment. Much of this information, dealing with predilection toward violence was released in my Preliminary Report "Inner City Attitudes Toward Riots" issued in July.

Finally, consideration was given to recent possible changes in the attitudes of the sample population which have taken place.

Part V is subdivided into four sections. In Section A, the answers to each of the four sets of attitudinal questions given by the sample as a whole are presented and discussed.

In Section B, the sample population is subdivided by race and the responses of white and Negro respondents are examined in an effort to determine the effect of race on the formation and maintenance of attitudes.

In Section C, the hard-core poor are isolated from the sample as a whole, and their responses to attitudinal questions are examined.

In Section D, an attempt is made to discover what factors have been most influential in the formation of attitudes among the inner city residents of Washington, D.C. The variables of age and area of the city are those which seem to be the most important.

A. General Survey Results

1. General Life Attitudes

Some researchers who have undertaken studies of the "poor" in several societies speak of a "culture of poverty" which pervades the village or ghetto and shapes the attitudes of its residents. Individuals who live in this type of environment are often said to have certain characteristics by which they can be distinguished. These include: a present time orientation, a pessimistic outlook verging on fatalism and feelings of helplessness. One of the aims of this study is to determine to what extent these are characteristics of inner city residents in the Nation's capitol.

During the early part of this year, several studies based on random sample survey were published which suggested that the attitudes of ghetto residents were rather different. Contrary to what the pollsters expected, the residents of the poverty areas surveyed were optimistic about opportunities for personal betterment and the eventual alleviation of slum conditions.

We began the survey with rather mixed feelings. The data, we hoped, would indicate which type of world view—optimistic or pessimistic—the average Washington, D.C. respondent held.

As noted in Part IV, the sample of inner city residents exhibited a remarkable optimism about the way life was progressing and their ambition to change things.

Respondents were asked a series of seven questions designed to measure their level of optimism or pessimism about the world in general, their time orientation and their ability to change things. They were asked whether or not they agreed or disagreed with statements such as "It is best to live for today because you can't tell what tomorrow will bring." Responses were scaled from strongly agree to strongly disagree. The results seem to be valid because the responses are consistent. The number of persons agreeing with the optimistic statements is virtually the same as those disagreeing with the pessimistic ones asked as control questions.

The first set of questions measured the level of general optimism which the respondent exhibited in viewing the future. It was necessary to agree with the first statement that "life is getting better in the long run" and to disagree with the statement life "probably won't even be better" in order to be consistent.

Tables 127 and 128 demonstrate that the respondents generally view life optimistically and believe that the future will bring improvements. As can be seen, the vast majority of the population (87.33%) agreed or strongly agreed with the statement that, "Life has its ups and downs but things are getting better in the long run." At the same time, 83.10% disagreed or strongly disagreed with the statement, "Things are what they are and probably won't even be better."

TABLE 127

Life has its ups and downs but things are getting better in the long run.

	Number of respondents	Percent of respondents
Strongly agree	48	11.27
Agree	324	76.06
Neutral	13	3.05
Disagree	21	4.93
Strongly disagree	10	2.35
No answer	10	2.35
Total	426	100.01

TABLE 128

Things are what they are and probably won't ever be better.

	Number of respondents	Percent of respondents
Strongly agree	10	2.35
Agree	40	9.39
Neutral	15	3.52
Disagree	295	69.25
Strongly disagree	50	13.85
No answer	7	1.64
Total	426	100.00

The second set of questions was designed to indicate the degree to which a respondent felt that he could succeed in life through his own efforts. To be consistent, an individual had to accept the statement that success would come "if you just try hard enough" and disagree that "you can't change things no matter what you do."

A large majority of respondents felt that they could succeed in life if they tried hard enough. 81.93% of the sample agreed or strongly agreed that, "You can get almost anything you want if you just try hard enough." 83.80% disagreed or strongly disagreed with the remark that, "You can't change things no matter what you do." Tables 129 and 130 disclose these facts.

TABLE 129

You can get almost anything you want if you just try hard enough.

	Number of respondents	Percent of respondents
Strongly agree	48	11.27
Agree	301	70.66
Neutral	23	5.40
Disagree	36	8.45
Strongly disagree	11	2.58
No answer	7	1.64
Total	426	100.00

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[4] Ray Bearse, *Vermont: A Guide to the Green Mountain State* (Boston: Houghton Mifflin Company, 1966), p. 201.

TABLE 130

You can't change things no matter what you do.

	Number of respondents	Percent of respondents
Strongly agree	7	1.64
Agree	34	7.98
Neutral	18	4.23
Disagree	298	69.95
Strongly disagree	59	13.85
No answer	10	2.35
Total	426	100.00

One additional question was asked which was designed to measure the degree of future optimism. Respondents were asked, "What would you like your children to do when they grow up?"

The response to this question was disappointing in terms of what the question was designed for, but revealing in a different way. Apparently, inner city Washington residents' belief that children must choose their cwn career and lead their own lives is a sentiment more prevalent than the desire for children to follow a specific job.

Fully 73.24% of the respondents refused to designate a specific career saying—"It is up to them." Of those who did specify the career they wished their children to follow, 18.78% indicated a professional, white collar job. Table 131 shows the distribution.

TABLE 131

What kind of work would you like your child(ren) to do when they grow up?

	Number of respondents	Percent of respondents
None; girls should stay home	2	0.47
None, other than above: "as little as possible," etc	0	0
Don't care what type work, must make money, have job, etc	11	2.58
Farmer	0	0
Armed services	0	0
Skilled crafts; blue collar	5	1.17
White-collar clerical; subprofessional	16	3.76
Professional, college grad	80	18.78
It's up to them	312	73.24
Total	426	100.00

As noted in the introduction, ghetto residents and the poor, according to some researchers, have often exhibited a high degree of present time orientation as well as pessimism. Although respondents in inner city areas could not be characterized by pessimism, they were distinguished to a certain degree by a feeling that one must live for today because of an uncertainty about the future.

Two questions were asked which were designed to measure the degree of present time orientation among respondents. The first was a statement with which respondents were asked to agree or disagree. The second was an open-ended question.

A majority of respondents showed a marked propensity for thinking in terms of living in the present without regard for the future. 52.54% agreed or strongly agreed with the statement, "It is best to live for today." Table 132 reveals this.

TABLE 132

It is best to live for today because you can't tell what tomorrow will bring.

	Number of respondents	Percent of respondents
Strongly agree	22	5.16
Agree	201	47.18
Neutral	22	5.16
Disagree	148	34.74
Strongly disagree	21	4.93
No answer	12	2.82
Total	426	99.99

When asked what they would do with $1,000, four out of every ten respondents gave answers which could be classified as immediate gratification responses. A small majority (52.35%) indicated that they would use the money in the future either investing it in a house, education, or by putting it in the bank to save. Obviously, when a specific thing such as money is involved, respondents consider the future more carefully.

Table 133 discloses the distribution of responses.

TABLE 133

If you had $1,000 what would you do with it?

Answers	Number of respondents	Percent of respondents
Downpayment on a house	58	13.62
Pay off bills	81	19.01
Live off it	47	11.03
Move to a better neighborhood	18	4.23
Buy specific item (TV, etc.)	17	3.99
Buy car	12	2.82
Blow it on treating kids, going out with friends, etc	13	3.05
Save it	128	30.05
Other	4	.94
Education	13	3.05
Give it to others	13	3.05
Improve home	4	.94
Start own business	2	.47
No answer	16	3.76
Total	426	100.01

2. Specific Environmental Attitudes

In addition to asking respondents how they felt about the world in general, questions were asked which were designed to reveal how the residents of the inner city felt about their immediate environment, and what type of action they would be likely to take, if any, to effect change in their living conditions.

Respondents were asked specifically whether or not they had problems with their housing, trash collection, police service, grocery stores, and schooling for their children. These questions were designed to gauge the level of dissatisfaction residents felt with city conditions.

A majority of respondents, when asked about problems with trash collection, housing, schools, police brutality, and other general problems, indicated that they had no particular problems. In addition, most were unable to list specific problems and dismissed the question by giving no indication that a problem existed. Only when respondents were asked to rate the quality of service or the severity of a problem was there a notable response.

For example as seen in Table 134, 85.21% of the respondents could not list one or more problems with the schools their children attended (or that were in the neighborhood). However, when asked to rate the quality of the schools (Table 135), 71.36% of the sample responded—while 28.64% declined comment. (Insert 134, then Table 135.)

TABLE 134

Response to request to name a specific problem with schools.

	Number of respondents	Percent of respondents
No problems	363	85.21
1 problem	32	7.51
2 or more problems	31	7.28
Total	426	100.00

TABLE 135

Do you think that the schools in this neighborhood or that your children attend are very good, good, fair, poor, or terrible?

	Number of respondents	Percent of respondents
Very good	25	5.87
Good	87	20.42
Average	128	30.05
Poor	49	11.50
Terrible	15	3.52
No opinion (but has or lives with kids who go to school)	18	4.23
Not applicable (does not have or live with kids in school)	51	11.97
No answer	53	12.44
Total	426	100.00

When asked about the existence of police brutality in Washington, D.C., 61.03% of the respondents indicated that there was very little, none, or declined comment. However, when asked to rate the quality of police service, only 6.10% felt that the police did a good or excellent job. Tables 136 and 137 illustrate these facts.

TABLE 136

Existence of police brutality in Washington.

	Number of respondents	Percent of respondents
A lot	56	13.15
Some	110	25.82
Only a little	144	33.80
None at all	44	10.33
Don't know	72	16.90
Total	426	100.00

TABLE 137

Rate the job Washington, D.C. police do.

	Number of respondents	Percent of respondents
An excellent or good job	26	6.10
Fair or OK job	283	66.43
Poor job	82	19.25
No answer	25	8.22
Total	426	100.00

Most respondents indicated some dissatisfaction with their present housing arrangements and expressed a strong desire to own their own homes. Yet, when asked to specify exactly what complaint or difficulty they had with their housing, 52.35% had no answer. Table 138 discloses this.

TABLE 138

What is the biggest problem you have with your housing right now?

	Number of respondents	Percent of respondents
No problem or no answer	233	54.70
House falling down, dilapidated	50	11.74
Poor plumbing	11	2.58
Rent too high	20	4.69
Noisy, crowded neighborhood	29	6.81
Landlord won't fix place up	21	4.93
Cannot get into public housing	1	.23
Can't move into the suburbs	0	.00
Sanitation	29	6.81
Rats	16	3.76
Inspection not strict enough	1	.23
Other	15	3.52
Total	426	100.00

When asked whether there was a problem with trash or trash collection in the neighborhood, 63.85% of the respondents indicated that there was none (Table 139).

TABLE 139

Is there a problem with trash in this neighborhood?

	Percent of respondents	Percent of respondents	Percent of respondents with no answer removed
Yes	139	32.63	33.82
No	272	63.85	66.18
No answer	15	3.52	
Total	426	100.00	[1] 100.00

[1] 411 people.

When respondents were asked to rate the quality of merchandise sold in grocery stores and to evaluate the price, however, there was more of a response. Only 17.37% refused to answer or dismissed the question by saying that the store was good in both respects.

A large number indicated dissatisfaction with either price or quality of groceries sold in neighborhood stores. (Tables 139 and 140 show the distribution)

TABLE 140

How would you rate the grocery stores in this neighborhood as to quality and price?

	Percent of respondents	Percent of respondents	Percent of respondents with no answer removed
Both prices and quality good	54	12.68	13.30
Quality good, prices too high	41	9.62	10.10
Prices good, quality poor	7	1.64	1.72
Prices too high, quality just fair	81	19.01	19.95
Fair on both counts	159	37.32	39.16
Poor on both counts	64	15.02	15.76
No answer	20	4.69	
Total	426	99.98	[1] 99.99

[1] 406 people.

Finally, all persons interviewed were asked to list problems other than the ones discussed about which something should be done. Again, a large number (46.48%) could list none. Table 141 demonstrates this.

TABLE 141

What neighborhood problems, other than those we have already discussed, does this neighborhood have that something should be done about?

	Number of respondents	Percent of respondents
No problems mentioned	198	46.48
1 problem	168	39.44
2 or more problems	60	14.08
Total	426	100.00

As demonstrated above there was a marked difference in the responses elicited to the two types of questions asked. Questions requiring open-ended responses concerning problems had a large number of "no response" answers. Questions which asked the respondent to rate the quality of a particular service, however, elicited a larger number of responses.

The difference in results between the two types of questions could be attributed to the nature and phrasing of the questions themselves or to the nature of the person being interviewed. There is no definitive proof inherent in the data that either assumption is correct.

The responses to other open-ended questions in the questionnaire were excellent For example, only 16 persons or 3.76%, did not answer the "If you had $1,000, what would you do with it?" question. For this reason, the seeming inability of respondents to list specific grievances may well be indicative of their inability to come to grips with definite and individual problems. They feel a general dissatisfaction with their living conditions, the services provided by the city, and by business, yet they are incapable of determining just *what* is wrong or just *what* should be corrected.

Perhaps this can be attributed to apathy or anomie. However, totally apathetic citizens would not indicate any dissatisfaction. The respondents in our survey have problems but are unable to articulate them. This is a significant (though not definitely proven) finding. The inarticulateness of inner city residents may be the most severe problem of all.

The respondents felt general optimism about the future and general dissatisfaction about their surroundings, but were unable to articulate specific grievances. Since they believed improvements in the city were necessary and inevitable, we were interested in learning how they felt change could be effected. Specifically, we were interested in determining whether or not respondents believed in violent change.[5]

The Preliminary Prouty Survey Report issued in July dealt with the views of inner city Washington residents toward violence and violent change at some length. It was noted in that Report that quite a significant minority of respondents believed that riots and violence were beneficial and even necessary to bring about change. Those findings are summarized here.

While a majority of respondents were not committed to a philosophy of violence, excluded violence as being necessary for change to occur, and generally condemned riots as being bad, a significant minority felt differently. Respondents were asked three questions designed to gauge opinion about the efficacy of rioting and one question about the preference of Negro leaders. The latter question was intended to reveal the amount of philosophical commitment to violence.

Only 11.26% of the respondents interviewed favored militant leaders. However, there were a large number of respondents who did not choose to answer the question. The survey was taken during February before the death of Dr. Martin Luther King and it should be noted that the great majority of the respondents, 61.03%, favored his leadership.

TABLE 142

Who do you feel is the most effective leader and spokesman for Negroes?

	Percent of respondents	Percent of respondents	Percent of respondents with no answer
Whitney Young	8	1.88	2.37
Roy Wilkins	22	5.16	6.51
Martin Luther King	260	61.03	76.92
Stokely Carmichael	24	5.63	7.10
Floyd McKissick	2	.47	.59
Rap Brown	18	4.23	5.33
Dick Gregory	3	.70	.89
Mohammed Ali (Cassius Clay)	1	.23	.30
No answer	88	20.66	
Other	0	0	0
Total	426	99.99	[1] 100.01

[1] 338 people.

When asked whether or not they approved or disapproved of rioting as a means of bringing about change, nearly 37% of the respondents saw at least "some" good in riots. Nearly 23% felt that rioting was necessary in order to effect change.

TABLE 143

Answers to question, "Are riots good, bad or what?"

	Number of respondents	Percent of respondents	Percent of respondents with no answer removed
Good, only way to get change	34	7.98	8.40
Some good, some bad	67	15.73	16.54
Some good, mostly bad	34	7.98	8.40
Bad, serve no purpose, should not be used	270	63.38	66.67
No response	21	4.93	
Total	426	100.00	[1] 100.01

[1] 405 people.

As a final question, respondents were asked to evaluate the effect that riots have had in the cities where they have taken place. The question was worded so as to require a reaction to the statement that riots have brought about improvements. Nearly a majority—48.59%—either agreed or strongly agreed that riots have been beneficial in places where they have occurred. Tables 142 through 145 demonstrate these facts.

TABLE 144

Do you think that it is necessary to riot in order that things be changed?

	Percent of respondents	Percent of respondents	Percent of respondents with no answer
Yes	67	15.73	16.38
No	329	77.23	80.44
No answer	17	3.99	
Depends	13	3.05	3.18
Total	426	100.00	[1] 100.00

[1] 409 people.

TABLE 145

Riots have brought about long-delayed improvements in the cities where they have occurred.

	Number of respondents	Percent of respondents
Strongly agree	17	3.99
Agree	190	44.60
Neutral	61	14.32
Disagree	113	26.53
Strongly disagree	21	4.93
No answer	24	5.63
Total	426	100.00

3. View of Change Over Time

Respondents were asked four questions designed to indicate whether or not the residents of the three areas surveyed felt that there had been changes in their environmental conditions during the past few years.

First, respondents were asked about changes in housing conditions and job opportunities. Next, they were asked if in general, the War on Poverty was doing some good. Finally, they were asked if the neighborhood development center serving them was "accomplishing any good."

Over 70% of the respondents felt that

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[5] Keep in mind that the survey was conducted and the data analyzed *before* the April disturbances in Washington, D.C. Therefore, the report is written with no references to events subsequent to February. Nor is this report in any way an attempt to assess why the Washington riots did occur. A more complete analysis of this subject is contained in the Special Preliminary Report, a copy of which is attached to this Part of the Report.

job opportunities were now better or much better than they had been a few years ago. Fewer in the sample (41%) felt the same way about housing. Conversely, only 14% felt that job opportunities had decreased, while 31% said that housing had become worse. Tables 146 and 147 illustrate the distributions.

TABLE 146

Do you think the chances of getting a job at all or of changing jobs are better or worse now than a year or so ago?

	Number of respondents	Percent of respondents
Much better	14	3.29
Better	291	68.31
Same	33	7.75
Worse	56	13.15
Much worse	4	.94
No answer	28	6.57
Total	426	100.01

TABLE 147

Do you think housing in this city has improved or gotten worse in the last couple of years?

	Number of respondents	Percent of respondents
Much worse	15	3.52
Worse	117	27.46
Same	73	17.14
Better	151	35.45
Much better	26	6.10
No answer	44	10.33
Total	426	100.00

A majority of respondents indicated a belief that the War on Poverty was doing some good. 54.23% felt that it did "some" good, while 10.80% felt it was doing "a lot of good." Table 148 shows this.

TABLE 148

Do you feel that the war on poverty is doing any good?

	Number of respondents	Percent of respondents	Percent of respondents no answer out
A lot of good	46	10.80	12.37
Some good	231	54.23	62.10
Not much good	28	6.57	7.53
No good	67	15.73	18.01
No answer	54	12.68	
Total	426	100.01	[1] 100.01

[1] 372 people.

Respondents were also asked whether or not any neighborhood group was involved in trying to improve conditions. Unfortunately most people (308, or 72.3%) were unaware that there was any group or organization working on neighborhood problems. Of the 90 persons aware of the existence of such a group, and responding to the question, the majority (67.78%) felt that the organization was doing "very" good work. Table 149 shows this.

TABLE 149

Do you think that the group working on problems in this neighborhood is doing any good?

	Number of respondents	Percent of respondents	Percent of respondents no answer out
Very much	61	14.32	67.78
Quite a bit	11	2.58	12.22
Some, so-so	10	.47	11.11
Very little	2	1.41	2.22
None	6	4.69	6.67
Not asked [1]	316	74.18	
Not clear	20	0	
Total	426	100.00	[2] 100.00

[1] Question not asked because respondent knew of no such group.

[2] 90 people.

It can be stated that the respondents felt that there had been change over time in particular problem areas as well as in their general environments. This is consistent with the feeling of general optimism described in subsection 1.

On the other hand, given the opportunity to assess the conditions of several problems over a period of time, there were fewer respondents who saw improvement in housing than in other areas.

4. Inclination of Population Toward Action

As discussed in subsection 2, while respondents felt that there were things wrong with their environment, they were unable to articulate specific problems. Given this state of affairs, one would expect that these people might not do much to solve their problems. Our data supports this assumption.

It might be assumed that groups of Washington residents should be more likely to work to improve conditions in their neighborhoods if they banded together under strong leadership. Therefore, a question aimed at establishing whether or not there were leaders to unite behind was asked. Table 150 discloses that 64.32% of the population answered in the negative.

TABLE 150

Do you know of any leaders in this neighborhood or city?

	Number of respondents	Percent of respondents
No leaders at all	274	64.32
No leader in neighborhood, some in city	82	19.25
Leaders in both neighborhood and city	43	10.09
Leader in neighborhood, not in city	16	3.76
Do not know or no response	11	2.58
Total	426	100.00

Next, respondents who indicated knowledge of the existence of a neighborhood development center were asked if they had ever participated in any of the activities of the center. Only 33.57% of the sample was aware of the existence of a neighborhood center. (Table 151 indicates this). Of those who did know, only 19.58% had ever participated in any of the center activities or worked with others to help solve the problems of the community. Table 152 illustrates this.

TABLE 151

Since or/if you have learned about the neighborhood center, have you joined in any of its activities?

	Number of respondents	Percent of respondents
Attended meetings of block clubs	22	5.16
Passed on information to others	1	.23
Volunteered time to work with the center	4	.94
Given money, helped raise money	1	.23
More than 1 of above	0	0
Nothing	115	27.00
Question not asked [1]	271	63.62
No answer	12	2.82
Total	426	100.00

[1] Respondent knew of no such group.

TABLE 152

Respondents who know about center and have joined in activities.

Type of activity	Number of respondents	Percent of respondents
Attended meetings	22	15.83
Passed on information	1	.70
Volunteered time	4	2.80
Given money, helped to raise money	1	.70
Nothing	115	80.42
Total	143	100.00

Finally, respondents were asked whether or not they personally had done something about a particular problem—in this case housing. Here, we had more successful responses, for 58.33% of those who indicated some problem with housing, were doing something about it. Table 153 discloses these facts.

TABLE 153

Are you doing anything about your housing problem?

	Number of respondents	Percent of respondents	Percent among those with problems
No problems	233	54.69	
Problems, but doing nothing	80	18.78	41.67
Problems, doing something	112	26.29	58.33
No answer	1	.23	
Total	426	99.99	[1] 100.00

[1] 192 people.

It appears that groups as yet have not mobilized nor have the residents of Cardozo, NDC #1, or Southeast begun to participate in large numbers in development center efforts. The only activity appears to take place on an individual level.

As a last question in this area, respondents were requested to indicate who in their opinion should run poverty agencies. Although the largest number—35.45%—did not know, 23.94% felt that the people should be responsible. Another related question to determine who respondents felt was ultimately responsible for solving the problems of the community was asked. Unfortunately, however, the question was badly worded, and we were unable to code responses. There was also some confusion on the part of respondents as to whether they or the "government" should bear primary responsibility.

B. Attitudes of the white and Negro portions of the sample

1. General Life Attitudes

There is no marked difference between the Negroes and the whites in our sample in the way in which they view life. Most differences pointed out are extremely minor ones and are not statistically significant.

In general, both white and Negro respondents exhibited optimism about the way life was going and about their ability to succeed in life. Negro respondents were slightly more optimistic if anything, than the white respondents.

Tables 154 and 155 reveal that a large majority of both groups feel that "things are getting better" and reject the thought that things will never be better.

TABLE 154

Life has its ups and downs but things are getting better in the long run.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Strongly agree	4	6.78	44	11.99
Agree	42	71.19	282	76.84
Neutral	3	5.08	10	2.72
Disagree	5	8.47	16	4.63
Strongly disagree	1	1.70	9	2.45
No answer	4	6.78	6	1.64
Total	59	100.00	367	100.00

TABLE 155

Things are what they are and probably won't ever be better.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Strongly agree	0	0	10	2.72
Agree	1	1.70	39	10.63
Neutral	3	5.08	12	3.27
Disagree	41	69.49	254	69.21
Strongly disagree	11	18.64	48	13.08
No answer	3	5.08	4	1.09
Total	59	99.99	367	110.00

Tables 156 and 157 disclose the fact that both Negro and white respondents believe that they can succeed in life through their own efforts. A larger percentage of Negroes than whites accept this premise. Likewise, a large majority of both groups reject the thought that the individual cannot succeed no matter how great his endeavor.

TABLE 156

You can get almost anything you want if you just try hard enough.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Strongly agree	6	10.17	42	11.44
Agree	35	59.32	266	72.48
Neutral	3	5.08	20	5.45
Disagree	10	16.95	26	7.08
Strongly disagree	1	1.70	10	2.72
No answer	4	6.78	3	.82
Total	59	100.00	367	99.99

TABLE 157

You can't change things no matter what you do.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Strongly agree	1	1.70	6	1.63
Agree	5	8.47	29	7.90
Neutral	3	5.08	15	4.09
Disagree	35	59.32	263	71.66
Strongly disagree	13	22.03	46	12.53
No answer	2	3.40	8	2.18
Total	59	100.00	367	99.99

A majority of both groups of respondents answered the question—"What would you like your children to be when they grow up?"—with the remark—"It's up to them." The next largest percentage (slightly more Negroes than whites) indicated they wished their children to be white collar professional workers. Table 158 demonstrates this.

TABLE 158

What kind of work would you like your child(ren) to do when they grow up?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
None, girls should stay home	1	1.70	1	0.27
Just have a job	2	3.40	9	2.45
Skilled crafts	0	0.00	5	1.36
White collar clerical	1	1.70	15	4.09
Professional	7	11.86	73	19.89
It's up to them	48	81.35	264	71.93
Total	59	100.01	367	99.99

The Negro respondents indicated a more marked inclination toward present time orientation than the whites. Almost 60% of the Negroes agreed or strongly agreed that "It is best to live for today" because of the uncertainties of the future. In contrast, only 5.08% of the white respondents responded in this manner. Conversely 52.55% of the white respondents disagreed with the premise as compared to only 37.59% of the Negro respondents. Table 159 illustrates this.

TABLE 159

It is best to live for today because you cannot tell what tomorrow will bring.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Strongly agree	0	0	22	5.99
Agree	3	5.08	198	53.95
Neutral	20	33.90	2	.54
Disagree	30	3.40	118	32.15
Strongly disagree	1	49.15	20	5.44
No answer	5	8.47	7	1.92
Total	59	100.00	367	99.99

The responses of the two groups to the other question—"What would you do if you had $1000?"—designed to measure present time orientation—were similar. Slightly more Negroes than whites gave immediate gratification responses, but in general answers were similar to those for the sample as a whole. Table 160 discloses the breakdown.

TABLE 160

If you had $1,000, what would you do with it?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Immediate gratification	22	37.29	148	40.33
Save it	21	35.59	107	29.16
Invest in house, education	9	15.25	86	23.43
Other or no response	7	11.86	26	7.08
Total	59	99.99	367	100.00

2. Specific Environmental Attitudes Among Negroes and Whites

When the sample population is divided according to race with the attitudes of Negroes and whites toward specific environment conditions compared, one finds only slight differences between the two groups. If anything, the whites were even more reticent about rating the quality of institutions and services than Negroes. Further, both subsamples exhibit the same dichotomy between a realization that there are problems and an inability or unwillingness to articulate them as the population in the entire sample.

Both white and Negro respondents, for example, in just about precisely the same percentage as for the sample as a whole could not describe or list a specific problem with the schools in their neighborhood (86% and 85% respectively).

When asked to rate the quality of the schools, however, a far greater percentage of the respondents in each group answered. (75% of the Negro respondents and 50% of the white respondents.)

Almost 45% of the Negro respondents (over 60% of those who answered) rate the schools as average or poor in quality. The corresponding percentage among whites is 35%. Tables 161 and 162 illustrate these points.

TABLE 161

Response to request to name a specific problem with schools.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
No problem	51	86.44	312	85.01
1 problem	5	8.47	27	7.63
2 or more problems	3	5.08	28	7.63
Total	59	99.99	367	100.00

TABLE 162

Do you think that the schools in this neighborhood or that your children attend are very good, good, fair, poor, or terrible?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Very good	1	1.69	24	6.54
Good	8	13.56	79	21.53
Average	15	25.42	113	30.79
Poor	5	8.47	44	11.99
Terrible	1	1.69	14	3.81
No opinion	2	3.39	16	4.36
Not applicable	13	22.03	38	10.35
No answer	14	23.74	39	10.63
Total	59	99.99	367	100.00

Over 60% of both Negro and white respondents indicated that there was only slight police brutality, none at all, or declined comment. Slightly more Negroes than whites (13.9% to 8.5%) claimed that there was "a lot" of police brutality. Refusals to answer ran as high as 15.8% among Negroes and 23.7% among whites.

TABLE 163

Police brutality according to race.

	Race			
Police brutality	White		Negro	
	Number	Percent	Number	Percent
A lot	3	7.50	51	16.50
Some	15	37.50	94	30.42
Only a little	14	35.00	129	41.75
None	8	20.00	35	11.33
Total (349)	40	100.00	309	100.00

Note: $p=0.10$ to 0.20.

However, when asked to rate the quality of service given by the D.C. police, only 9.3% of the Negroes and 1.7% of the whites refused to comment. While the majority of each group classified the quality of service as "fair" or "okay", over 15% of both Negroes and whites felt that the D.C. police did a poor job.

TABLE 164

White and Negroes rate the job District of Columbia police do.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
An excellent or good job	3	5.08	23	6.27
Fair or OK job	45	76.26	238	64.85
Poor job	10	16.95	72	19.62
No answer	1	1.69	34	9.26
Total	59	99.99	367	100.00

There was also a distinct tendency for Negroes to feel more strongly than whites that there was police brutality. 7.5% of white respondents felt that there was "a lot" of police brutality while 16% of the Negroes felt this way.

When asked to list a specific problem with present housing, 53% of the Negro respondents and 47% of the whites declared that they had no problems. 47% of the whites, however, and 45% of the Negroes were able to list or describe a particular problem. Table 165 illustrates this.

TABLE 165

Specific problems of whites and Negroes with housing.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Problem	28	47.46	165	44.96
No problem	28	47.46	195	53.13
No answer	3	5.08	7	1.91
Total	59	100.00	367	100.00

When asked about trash and garbage problems, both whites and Negroes (over a majority of each) in the same numbers as the sample as a whole indicated that no problem existed. Table 166 demonstrates this.

TABLE 166

Do you have a problem with trash?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Yes	16	27.12	123	33.51
No	41	69.49	231	62.94
No answer	2	3.39	13	3.54
Total	59	100.00	367	99.99

As with the sample as a whole, there was a better response to the question which asked respondents to rate the quality and prices of food than there was to the question about problems with trash. 11% of the Negro respondents and 20% of the white respondents felt that both prices and quality of foods sold in their neighborhood stores were "good." The largest percentage of each group considered both prices and quality of food "fair." Table 167 indicates the distribution.

TABLE 167

Rate the quality and prices of food in the grocery stores in you neighborhood.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Prices and quality good	12	20.34	42	11.44
Quality good, prices high	4	6.78	37	10.08
Prices good, quality poor	2	3.39	5	1.36
Prices high, quality fair	12	20.34	69	18.80
Fair	20	33.89	139	37.87
Poor	7	11.86	57	15.54
No answer	2	3.39	18	4.90
Total	59	99.99	367	99.99

Finally, when asked to list other problems in their neighborhoods, a large number of both Negro and white respondents had nothing to report. Table 168 discloses this.

TABLE 168

Other neighborhood problems reported by whites and Negroes.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
No problems	27	45.75	171	46.59
One problem	25	42.37	143	38.96
Several problems	7	11.86	53	14.44
Total	59	99.99	367	99.99

The only consistent (although never overwhelmingly significant) difference between the Negro and white respondents in the sample with respect to attitudes toward specific environmental conditions is the reluctance of whites in greater numbers than Negroes either to articulate problems or to rate the quality of city services, institutions, and living conditions which might possibly cause problems. Since the whites as revealed in Part III of the Prouty Survey Report have higher levels of educational attainment and more "white collar" jobs than the Negroes, communication and articulation should not be as much of a problem. Whites, we would expect, would be more capable of describing problems, more willing to criticize, than Negroes. There are several possible explanations as to why they were not.

It must be kept in mind that our interviewers were inhabitants indigenous to the areas surveyed. They were bright intelligent and hardworking youngsters, but the fact that they were young Negroes may have made white respondents reluctant to discuss things with them. We do not believe this is the whole answer, however.

It was apparent from the demographic data, that whites were less concerned about owning their own homes or moving than Negroes. There we proffered the suggestion that this was so because whites living in the District were free to leave at any time and move to the suburbs. Many of the white respondents were either single (35.6%) or if married, without children. For this reason, it is possible to hazard a guess that many white respondents live in the District because of proximity to their place of work. Many will probably move to the suburbs to raise a family. Thus they show lack of concern for problems not only because they may have fewer, but because they know that they will have to cope with them only temporarily. The explanation cannot, of course, be proven, but it is worthy of consideration.

The final matter to be considered is the predilection for violence as a means for change among white and Negro respondents. There are slight, but *not statistically significant* differences between white and Negro respondents as regards either their preference for Negro leaders or their acceptance of riots as a means of change. As with the sample as a whole, a significant minority of both groups condone violence.

Whites were considerably more reluctant than Negroes to express their preferences of Negro leaders. 38% refused to answer. Of those who did, 63.9% expressed a preference for Martin Luther King with 19.44% (only 7 persons) feeling that a more militant leader was the best spokesman for Negroes. 78.5% of the Negroes responding to the question felt that Martin Luther King was the most effective leader, while 14.6% (or 44 persons) preferred a more militant leader. Table 169 illustrates this.

TABLE 169

Preference of Negro leaders among white and Negro.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Whitney Young	2	3.39	6	1.63
Roy Wilkins	4	6.78	18	4.90
Martin Luther King	23	38.98	237	64.58
Stokely Carmichael	5	8.47	19	5.18
Floyd McKissick	0	0	2	.54
Rap Brown	2	3.39	16	4.36
Dick Gregory	0	0	3	.82
Cassius Clay	0	0	1	.27
No answer	23	38.98	65	17.71
Total	59	99.99	367	99.99

While an absolute majority of both Negroes and whites condemned riots as "bad" and refused to admit that they were useful as a means of effecting change, some people in both groups felt differently. More Negroes than whites (16% to 8%) said that riots were necessary to bring about change. Over 25% of the whites and over 31% of the Negroes felt that there was some good in rioting. Tables 170 and 171 illustrate this.

TABLE 170

Negroes and white answers to question, "Are riots good, bad, or what?"

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Good, only way to get change	3	5.08	31	8.54
Some good, some bad	6	10.17	61	16.62
Some good, mostly bad	6	10.17	28	7.63
Bad	40	67.80	230	62.67
No response	4	6.78	17	4.63
Total	59	100.00	367	100.00

TABLE 171

Are riots necessary in order that things be changed?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Yes	5	8.47	62	16.89
No	47	79.66	282	76.84
No answer	0	0.00	17	4.63
Depends	7	11.87	6	1.63
Total	59	100.00	367	99.99

Finally, as in the sample as a whole, a majority of both groups of respondents felt that riots had brought about long delayed improvements in the cities where they have occurred. Table 172 illustrates this.

TABLE 172

Riots have brought about long-delayed improvements in the cities where they have taken place.

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Strongly agree	0	0	17	4.63
Agree	50	84.74	201	54.77
Neutral	6	10.17	107	29.16
Disagree	0	0	21	5.72
Strongly disagree	3	5.08	21	5.72
Total	59	99.99	367	100.00

3. View of Change Over Time According to Negroes and Whites

There was also very little difference between Negro and white respondents in their views of whether or not there had been change for better or worse in environmental conditions during the past few years. If anything, Negroes in slightly larger numbers than whites tended to feel that job opportunities and housing conditions had improved and that the War on Poverty was achieving its purpose. As might be expected, due to their large number, the Negro respondents' answers were almost identical to those for the sample as a whole.

Table 173 demonstrates the distribution among Negroes and whites about opinions concerning improvements in job opportunities. Well over a majority of each group believed chances of getting or changing jobs were better or much better than a year or so ago.

TABLE 173

Do you think that the chances of getting a job at all or of changing are better or worse now than a year or so ago?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Much better	3	5.08	11	3.00
Better	33	55.93	258	70.30
Same	9	15.25	24	6.54
Worse	10	16.95	46	12.53
Much worse	0	0	4	1.09
No answer	4	6.78	24	6.54
Total	59	99.99	367	100.00

A larger percentage of whites (54%) than Negroes (47%) believed that housing conditions had worsened or remained unchanged over the past year or so. 38% of the Negroes indicated that housing conditions had improved. Table 174 illustrates this.

TABLE 174

Do you think housing in this city has improved or gotten worse in the last couple of years?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Much worse	1	1.69	14	3.81
Worse	17	28.81	100	27.25
Same	14	23.73	59	16.08
Better	11	18.64	140	38.15
Much better	4	6.78	22	5.99
No answer	12	20.34	32	8.72
Total	59	99.99	367	100.00

It is notable that there was a tendency for both white and Negro respondents to view housing conditions as having undergone less improvement than job opportunities.

Over 60% of both white and Negro respondents felt that the War on Poverty was doing some good. These facts are disclosed in Table 175.

TABLE 175

Do you feel that the war on poverty is doing any good?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
A lot of good	10	16.95	36	9.81
Some good	30	50.85	201	54.77
Not much good	6	10.17	22	3.99
No good	10	16.95	57	15.53
No answer	3	5.08	51	13.90
Total	59	100.00	367	100.00

Quite a large percentage (32.3%) of the white than Negro (19.35%) respondents were aware that there was a group working on problems in the neighborhood in which they lived. As with the sample as a whole, however, a larger percentage of each group of respondents who were aware of the existence of such a group, felt that it was doing some good. Table 176 illustrates this.

TABLE 176

Do you think that the group working on problems in this neighborhood is doing any good?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Very much	12	20.34	49	13.35
Quite a bit	2	3.39	9	2.45
Some	1	1.69	9	2.45
Very little	1	1.69	1	.27
None	3	5.08	3	.82
Not asked	36	61.02	280	76.29
Not clear	4	6.78	16	4.36
Total	59	99.99	367	99.99

4. Inclination of Whites and Negroes Toward Action

There is little difference between white and Negro respondents with regard to their participation in programs or organizations which are working to improve neighborhood conditions. Neither white nor Negro respondents are very much aware of any leaders in the city of Washington or their neighborhoods. Table 177 illustrates this.

TABLE 177

Do you know of any leaders in this neighborhood or city?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
No leaders	36	61.02	238	64.85
Some leaders, neighborhood and city	20	33.90	121	32.97
Don't know	3	5.08	8	2.18
Total	59	100.00	367	100.00

63% of the Negro respondents and 62% of the whites were not aware of the existence of a neighborhood development center in their particular neighborhood. A very small number of both Negro and white respondents (24 Negroes—4 whites) had ever participated in any center activities. We could expect that fewer whites would participate in view of their disinterest and better economic condition. However, it is interesting to note that just as many Negroes were unaware of organizations which might help in the solution to their problems. Table 178 discloses these facts.

TABLE 178

Since or if you have learned about the neighborhood center, have you joined in any of its activities?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
Attended meetings	2	3.39	20	5.45
Passed on information	0	0	1	.27
Volunteer work	1	1.69	3	.82
Given money	1	1.69	0	0
More than 1	0	0	0	0
Nothing	15	25.42	100	27.25
Question not asked	37	62.72	234	63.76
No answer	3	5.08	9	2.45
Total	59	99.99	367	100.00

Relative to personal, rather than group action to solve problems, slightly more white respondents (32%) than Negro (25%) said they were doing something about a problem which they had with their housing. Table 179 illustrates this.

TABLE 179

Are you doing anything about your housing problem?

	White		Negro	
	Number of respondents	Percent of respondents	Number of respondents	Percent of respondents
No problems	30	50.85	203	55.31
Problems, but doing nothing	9	15.25	71	19.35
Problems, doing something	19	32.20	93	25.34
No answer	1	1.69	0	0
Total	59	99.99	367	100.00

Action among both Negro and white respondents seems to be limited to personal action rather than group action.

C. Attitudes of the poor

1. General life attitudes

The poor respondents exhibit little difference from the sample population as a whole with respect to their level of optimism and faith in their ability to succeed through personal effort.

Large majorities of poor respondents affirm the fact that "things are getting better" and reject the idea that life will never improve. Tables 180 and 181 illustrate this fact.

TABLE 180

Life has its ups and downs but things are getting better in the long run (Poor respondents only)

	Number of respondents	Percent of respondents
Strongly agree	10	14.71
Agree	46	67.65
Neutral	2	2.94
Disagree	4	5.88
Strongly disagree	4	5.88
No answer	2	2.94
Total	68	100.00

TABLE 181

Things are what they are and probably won't ever be better (poor respondents only).

	Number of respondents	Percent of respondents
Strongly agree	1	1.47
Agree	9	13.24
Neutral	5	7.35
Disagree	41	60.29
Strongly disagree	10	14.71
No answer	2	2.94
Total	68	100.00

Almost all—83.83%—of the poor feel that success can be achieved if the effort made is intense enough. This is close to the percentage for the sample as a whole. Almost as many—80.88%—reject the belief that they, themselves, cannot succeed no matter what they do. Tables 182 and 183 disclose these facts.

TABLE 182

You can get anything you want if you just try hard enough (poor respondents only).

	Number of respondents	Percent of respondents
Strongly agree	9	13.24
Agree	48	70.59
Neutral	3	4.41
Disagree	6	8.82
Strongly disagree	1	1.47
No answer	1	1.47
Total	68	100.00

TABLE 183

You can't change things no matter what you do (poor respondents only).

	Number of respondents	Percent of respondents
Strongly agree	2	2.94
Agree	4	5.88
Neutral	3	4.41
Disagree	40	58.82
Strongly disagree	15	22.06
No answer	4	5.88
Total	68	99.99

When pressed to be specific about what lies in store for their children, however, the poor respondents were considerably more pessimistic than the sample as a whole. Over 90% of the poor gave answers such as "none—girls should stay home," "as little as possible," and "don't care—any job." This response leads us to conclude that the optimism about the future held by the poor is almost blind faith. When forced to look realistically and specifically ahead to the future with regard to the careers of their children, they are unable to foresee great advances or changes. *Table 184 demonstrates this.*

TABLE 184

What kind of work would you like your child(ren) to do when hey grow up (poor respondents only)?

	Number of respondents	Percent of respondents
None—Girls should stay home	12	17.65
As little as possible	30	44.12
Don't care—Any job	20	29.41
Farmer	1	1.47
Skilled craft	1	1.47
Clerical	1	1.47
Professional	3	4.41
Total	68	100.00

The poor respondents do not differ from the sample as a whole in the belief that "It is best to live for today" because of the uncertainties of the future. However, with respect to the expenditure of money, a larger percentage of poor, than the sample as a whole gave immediate gratification responses to the question "What would you do if you had $1000?" Undoubtedly, this is true because the poor are more deprived. Tables 185 and 186 illustrate these facts.

TABLE 185

It is best to live for today because you don't know what tomorrow will bring (poor respondents only).

	Number of respondents	Percent of respondents
Strongly agree	7	10.29
Agree	29	42.65
Neutral	7	10.29
Disagree	19	27.94
Strongly disagree	4	5.88
No answer	2	2.94
Total	68	99.99

TABLE 186

If you had $1,000, what would you do with it (poor respondents only)?

	Number of respondents	Percent of respondents
Immediate gratification response	31	45.59
Save it	17	25.00
Invest it in house, education, business	15	22.06
Other, no answer	5	7.35
Total	68	100.00

2. Specific Environmental Attitudes of the Poor

If we were to adopt the hypothesis that the poor live in "a culture of poverty", we would assume that the 68 hard-core poor individuals whom we are considering here are even more unable to articulate their problems and unwilling to rate the quality of city services, housing, or institutions than the sample as a whole.

We noted in Subsection 1 that the poor in our sample were only *slightly* but not significantly more pessimistic in their general attitudes about the world and their ability to succeed. Attitudes toward particular problems also fail to reveal a greater degree of apathy among the poor than the sample as a whole. If anything, the poor are slightly more vocal about their specific problems than the group as a whole.

To three questions which asked about specific problems, a larger percentage of poor than the total population responded. However, it should be reiterated that the size of the poor sample is small (68) and thus the percentages based on the responses of this particular group are subject to possible exaggeration. The most important thing to note is that the poor are *no more* apathetic or uncommunicative than the population as a whole.

Twenty-two per cent of the poor respondents as compared with 14% of the sample as a whole were able to mention specific problems with the schools in their neighborhood, or that their children attend. When rating the quality of the schools, however, the poor respond very similarly to the way the population as a whole answered. Tables 187 and 188 demonstrate this.

TABLE 187

Response of poor to request to name a specific problem with schools.

	Number of respondents	Percent of respondents
No problem	53	77.94
1 problem	6	8.82
2 or more problems	9	13.24
Total	68	100.00

TABLE 188

Do you think that the schools in this neighborhood or that your children attend are very good, good, fair, poor, or terrible? (Poor respondents only)

	Number of respondents	Percent of respondents
Very good	4	5.88
Good	16	23.53
Fair	19	27.94
Poor	7	10.29
Terrible	2	2.94
No opinion	4	5.88
Not applicable (no children)	7	10.29
No answer	9	13.24
Total	68	99.99

With regards to both questions about the police—the existence of policy brutality and the quality of the service given by police—the poor respondents did not give answers noticeably different from those given by the respondents in the sample as a whole. Tables 189 and 190 illustrate this.

TABLE 189

Existence of police brutality in Washington, D.C. (Poor respondents only.)

	Number of respondents	Percent of respondents
A lot	9	13.24
Some	13	19.12
Only a little	27	39.71
None at all	5	7.35
Don't know	14	20.59
Total	68	100.01

TABLE 190

Poor evaluate job police do.

	Number of respondents	Percent of respondents
Excellent	6	8.82
Fair	37	54.41
Poor	13	19.12
No answer	12	17.65
Total	68	100.00

A majority of the poor respondents (57.35%) as compared with 45.3% of the sample as a whole, indicate that they had a particular problem with their housing. Table 191 discloses this.

TABLE 191

Problems poor have with housing.

	Number of respondents	Percent of respondents
Problem	39	57.35
No problem	28	41.18
No answer	1	4.41
Total	68	100.00

In addition, more poor respondents than respondents in the sample as a whole had a definite problem with trash. A majority (54.41%) responded affirmatively to the question, "Is there a problem with trash in their neighborhood?" Table 192 illustrates this.

TABLE 192

Is there a problem with trash in this neighborhood? (Poor respondents only.)

	Number of respondents	Percent of respondents
Yes	37	54.41
No	28	41.18
No answer	3	4.41
Total	68	100.00

The poor rate the quality and prices of food in the grocery stores of their neighborhoods much as the respondents in the sample as a whole do. Table 193 discloses this.

TABLE 193

Poor rate grocery stores as to quality and price.

	Number of respondents	Percent of respondents
Prices and quality good	8	11.76
Quality good, prices too high	11	16.18
Prices good, quality poor	1	1.47
Prices high, quality fair	12	17.65
Fair	25	36.76
Poor	7	10.29
No answer	4	5.88
Total	68	99.99

A large group, but not quite a majority of the poor respondents, can list no other problem other than those discussed which trouble them. (Table 194.) This is close to the results for the sample as a whole.

TABLE 194

Poor mention other problems.

	Number of respondents	Percent of respondents
No problems	30	44.12
1 problem	23	33.82
More than 1 problem	15	22.06
Total	68	100.00

The poor respondents do not appear to be any more or less militant in philosophy or inclined to favor violence as a means for bringing about change than the whole sample population. About the same proportion—over one-half—favored Martin Luther King as the most effective Negro leader. Table 195 shows the preference for Negro leaders among the poor.

TABLE 195

Poor indicate preference for Negro leaders.

	Number of respondents	Percent of respondents
Whitney Young	1	1.47
Roy Wilkins	4	5.88
Martin Luther King	37	54.41
Stokely Carmichael	4	5.88
Rap Brown	3	4.41
Dick Gregory	2	2.94
No answer	17	25.00
Total	68	99.99

The answers of poor respondents to questions about the necessity of rioting for change to occur and the degree of approval they gave to riots indicate that these individuals accept or reject nothing in as great numbers as the sample as a whole. Tables 196 and 197 demonstrate this.

TABLE 196

Do you think in general it is necessary to riot in order that things be changed (poor respondents only)?

	Number of respondents	Percent of respondents
Yes	11	16.18
No	54	79.41
No answer	3	4.41
Depends	0	0
Total	68	100.00

TABLE 197

Answers of the poor to question, "Are riots good, bad, or what?"

	Number of respondents	Percent of respondents
Good	5	7.35
Some good	11	16.18
Some good, mostly bad	4	5.88
Bad	46	67.65
No response	2	2.94
Total	68	100.00

Finally, in response to a request to agree or disagree with the statement that, "Riots have brought about long delayed improvements in the cities where they have occurred," slightly but only slightly fewer poor responded affirmatively. Table 198 shows the distribution.

TABLE 198

Riots have brought about long-delayed improvements in the cities where they have occurred (poor respondents only).

	Number of respondents	Percent of respondents
Strongly agree	4	5.88
Agree	28	41.18
Neutral	8	11.76
Disagree	19	27.94
No answer	9	13.24
Total	68	100.00

3. View of Change Over Time Among Poor

Poor respondents tended to be slightly, but not significantly more pessimistic about change in environmental conditions over time. Over 60% felt that job opportunities had improved over time compared with over 70% in the sample as a whole. As in the whole sample, poor respondents were more pessimistic about housing conditions. Tables 199 and 200 demonstrate the distributions.

TABLE 199

Do you think the chances of getting a job at all or of changing jobs are better or worse now than a year or so ago (poor respondents only)?

	Number of respondents	Percent of respondents
Much better	2	2.94
Better	40	58.82
Same	5	7.35
Worse	11	16.18
Much worse	1	1.47
No answer	9	13.24
Total	68	100

TABLE 200

Do you think housing in this city has improved or gotten worse in the last couple of years (poor respondents only)?

	Number of respondents	Percent of respondents
Much worse	4	5.88
Worse	19	27.94
Same	10	14.71
Better	16	23.53
Much better	9	13.24
No answer	10	14.71
Total	68	100.01

Poor respondents were more pessimistic than the total sample population about the success of the War on Poverty. Fifty per cent of the poor felt that some good or a lot of good had been achieved by poverty programs, while 64% of the whole sample gave those responses. Table 201 shows this.

TABLE 201

Do you feel that the war on poverty is doing any good (poor respondents only)?

	Number of respondents	Percent of respondents
A lot of good, some good	34	50.00
Not much good	0	0
No good	16	23.53
No answer	18	26.47
Total	68	100.00

Only 20.59% of the poor were aware of the existence of a group in the neighborhood which was doing something about neighborhood problems compared to 27.7% of the sample as a whole. All of those who were aware of such organization, however, felt in varying degrees that it was doing some good. Table 202 illustrates this.

TABLE 202

Do you think that the group working on problems in this neighborhood is doing any good (Poor respondents only)?

	Number of respondents	Percent of respondents	Percent of respondents with not asked out
Very much	10	14.71	71.43
Quite a bit	1	1.47	7.14
Some	3	4.41	21.43
Not asked	49	72.06	
Not clear	5	7.35	
Total	68	100.00	100.00

4. Inclination of the Poor Population Toward Action

While we would expect that the poor would be less likely to act either individually or in concert with others to change their environment and better themselves, we might hope that as a result of poverty programs already in effect a greater number of the poor would be participating particularly in group efforts to effect change. Actually, the poor do not differ to any great degree from the sample population as a whole in either individual or group efforts for change. For example, Table 203 discloses that slightly fewer of the poor are aware of any leaders in the city as a whole, or in their neighborhoods, than do the respondents in the total sample.

TABLE 203

Do you know of any leaders in this neighborhood or city (poor respondents only)?

	Number of respondents	Percent of respondents
No leaders	48	70.59
Some in city or neighborhood	18	26.47
No response	2	2.94
Total	68	100.00

Extremely small numbers of the poor are aware of the existence of groups in their neighborhoods or of neighborhood development centers designed to work to alleviate poverty. Only five poor persons of the 21 who were aware of such groups in existence had ever participated in any activity sponsored by that group. Table 204 illustrates this.

TABLE 204

Have you ever participated in any neighborhood development center activities (poor respondents only)?

	Number of respondents	Percent of respondents
Attended meetings	4	5.88
Volunteered time	1	1.47
Nothing	16	23.53
Question not asked (not heard of center)	47	69.12
Total	68	100.00

Slightly more of the poor than respondents in the population as a whole indicated that they had definite problems with their housing. And of these, approximately half were doing something about their particular problem. Table 205 shows this.

TABLE 205

Are you doing anything about your housing problem (poor respondents only)?

	Number of respondents	Percent of respondents
No problems	29	42.65
Problems—Doing nothing	18	26.47
Problems—Doing something	21	30.88
No answer	0	0
Total	68	100.00

5. Summary

In Section A of Part V, the survey results were illustrated. Sections B and C disclosed results for small segments of the whole sample population—whites, Negroes and poor.

In general, the attitudes of the three groups were remarkably similar to the population sample as a whole. It appears that race and the condition of extreme poverty are not important determinants of attitudes either in general or about specific conditions. In other words, the residents of the three areas which were surveyed regardless of their race or their poverty status resemble each other in their attitudes and opinions.

The next section in Part V is divided into two parts. The first part, section D–1, examines factors influencing attitudes such as age, income and education. The second part, section D–2, examines the influence that the particular poverty area has on the formation of attitudes.

D–1. Factors influencing attitudes

1. Introduction

Before beginning a discussion about factors which influence attitudes, it is perhaps appropriate to issue a few caveats about the information and analysis to follow. The findings included in Section D–1 are the most tentative of any in the Prouty Survey Report.

In attempting to analyze *why* people hold the opinions they do rather than merely presenting the opinions and identifying the person by demographic type, we are going far beyond the usual random sample survey into a relatively uncharted and unexplored area. The use of statistical tests to show not only relationships between variables, but to predict results and demonstrate causality is a relatively new area of social psychology and statistics. Nevertheless, it represents a useful procedure for obtaining a better understanding of problems facing our communities.

Working, as we have, with a time restriction, we have only begun to apply all possible tests to the data. Thus it is important to indicate the limitations and tentative nature of our findings. Hopefully these tentative results will be useful in indicating directions for further research, both with data from this survey, and with that which others may collect in different areas of the United States in the future.

In Subsection C, we noted that race did not seem to be an important factor. In this section we will consider the influence of age, education, income, employment and area on attitude formation.

Realizing that there was often a difference in the sample between world views and views concerning the personal environmental conditions surrounding the respondents, we attempted to discern what effect the one attitude had upon the other.

In order to test these relationships, we relied heavily upon two tests—the "chi square" to indicate the existence of a relationship and the "lambda" to indicate the strength and direction of the relationship. Obviously more of both tests should be performed before our results can be considered conclusive.

The numerous borderline and near borderline results from chi square tests, however, indicate that control tests should also be performed, since another variable may be unduly influencing the results. Specifically, area, age, and education should be controlled, then two other variables tested. We did not have the time or labor force to embark upon such a lengthy project.

2. AGE

We divided the respondents into three groups—those under age 25, those between 25 and 45, and those over 45 for the purposes of analysis.

Although definitely significant chi square results were obtained from only a few correlations between age and attitudes, the number of tests which were near the borderline significance and demonstrating the same trends, leads us to assume that age is somewhat influential, but the effect is perhaps lessened by the even stronger influence of another variable such as education. To prove this, control tests should be performed. Nevertheless, the age of the respondent is significantly related to both his general life attitudes and his specific environmental attitudes.

Most respondents of all ages agreed with statements indicating general optimism and disagreed with those demonstrating pessimism. However, young people under 25 are more likely than chance to either disagree or agree *strongly*. Middle aged respondents distribute about as chance would predict but with slightly larger percentages disagreeing but not strongly. Older respondents were much more likely than chance to be neutral. The main significance of this is not the actual difference of opinion about life in general, which remain optimistic, but the strength of feeling.

Table 206 discloses that while a great majority of all respondents feel that "you can get almost anything you want if you just try hard enough," youthful respondents are more likely than the other two groups to feel strongly that this is so.

TABLE 206

You can get almost anything you want if you just try hard enough.

	Age					
	16 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent
Strongly agree	21	22.58	16	8.38	11	8.15
Agree	52	55.91	140	73.30	109	80.74
Neutral	5	5.38	10	5.24	8	5.93
Disagree, strongly disagree	15	16.13	25	13.09	7	5.19
Total	93	100.00	191	100.01	135	100.01

Note: p=Beyond 0.001.

Table 207 illustrates that respondents of all ages disagreed with the statement, "You can't change things no matter what you do." However, again in this case, young people were much more likely than chance would predict to strongly disagree than older respondents. In addition, those over 45 were much more likely to be neutral than younger respondents.

TABLE 207

You cannot change things no matter what you do.

	Age					
	16 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent
Neutral to strongly agree	7	7.61	21	11.34	31	33.63
Disagree	61	66.30	143	76.47	94	68.61
Strongly disagree	24	26.09	23	12.30	12	8.76
Total	92	100.00	187	100.00	137	100.00

Note: p=+0.001.

Responses to the statements "things are what they are and probably won't ever be better" and "life has its ups and downs but things are getting better in the long run" showed no deviation from chance.

While not statistically significant, the correlation between age groups and answers to the question, "What would you like your children to be when they grow up?" shows some interesting trends. Those respondents under age 24 and over age 45 were *less* likely than chance would predict to say that they hoped their children would hold white collar jobs, but those in the middle age range were *much more* likely than chance to indicate a job preference. Table 208 indicates this.

TABLE 208.—AGE—WORLD VIEW

What would you like your children to be when they grow up?

	Age					
	16 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent
White-collar profession	12	13.04	47	25.41	21	15.44
It is up to them	75	81.52	128	69.19	109	80.15
Clerical, blue collar	5	5.43	10	5.41	6	4.41
Total	92	99.99	185	100.01	136	100.00

Note: p=0.10.

Respondents of all ages exhibited present time orientation, but there was significant difference in the strength of the feeling among the three age groups. Young people were more likely than chance to strongly agree with the statement, "It is best to live for today because you don't know what tomorrow will bring." Fewer old people were neutral or disagreed and more of them agreed with the statement than any other group. It was the middle aged group, however, who were much more likely to be neutral or disagree. A majority, or 54.79% of respondents aged 25–49, rejected present time orientation. Table 209 illustrates this.

TABLE 209

It is best to live for today because you don't know what tomorrow will bring.

	Age						Total
	16 to 24		25 to 44		45 plus		
	Number	Percent	Number	Percent	Number	Percent	
Strongly agree	9	9.78	8	4.26	5	3.73	22
Agree	44	47.83	77	40.96	80	59.70	201
Neutral, disagree, strongly disagree	39	42.39	103	54.79	49	36.57	191
Total	92	100.00	188	100.01	134	100.00	414

Note: p=0.01.

The differences between age groups on the second question designed to measure present time orientation was not statistically significant. However, the differences were extremely interesting because the distribution follows the same trend as in the previous table.

Young people under 25 were much more likely than chance would predict to give answers to the question, "If you had $1,000, what would you do with it?" that could be construed as immediate gratification responses. Older respondents also exhibited some present time orientation by giving answers such as "we would pay bills" or "we would live off it." Middle aged respondents, however, as Table 210 indicates, were much more future oriented, being more likely than chance to invest in a house.

TABLE 210

If you had $1,000, what would you do with it?

	Age						Total
	16 to 24		25 to 44		45 plus		
	Number	Percent	Number	Percent	Number	Percent	
Buy or furnish house	19	21.84	48	26.23	22	16.67	89
Pay bills, live off it	24	27.59	56	30.60	48	36.36	128
Immediate gratification	15	17.24	17	9.29	10	7.58	42
Future or savings oriented	29	33.33	62	33.88	52	39.39	143
Total	87	100.00	183	100.00	132	100.00	402

Note: p=0.10.

We noted in subsection A.2 that there was a better response given to questions requiring an estimation or a rating of the quality of specific institutions or services than there was to questions requiring respondents to enunciate a particular problem. As we might expect, the greater and more significant differences among age groups occurred in questions of the former type.

For example, there was but a slight difference between age groups when asked, "What is the main problem with the schools?" Table 211 illustrates this.

TABLE 211

What is the main problem with the schools?

	Age						Total
	16 to 24		25 to 44		45 plus		
	Number	Percent	Number	Percent	Number	Percent	
No problem	75	80.65	165	85.99	123	87.23	363
1 problem specified	10	10.75	12	6.25	10	7.09	32
Several problems	8	8.60	15	7.81	8	5.67	31
Total	93	100.00	192	100.00	141	99.99	426

Note: p=Between 0.50 and 0.70.

However, when respondents are asked to rate the schools according to their quality, differences between age groups were more striking. Table 212 discloses that respondents under 24 are much more likely than chance would predict to rate the schools as poor or terrible in performance, while older respondents were less likely than chance to say poor or terrible. The middle aged group distributes very much as chance would predict, with slightly more than expected giving either very good, good, or average responses.

TABLE 212

How are the schools in your neighborhood?

	Age					
	16 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent
Very good or good	16	19.28	53	27.60	43	30.50
Average	22	26.51	59	30.73	37	26.24
Poor or terrible	21	25.30	27	14.06	16	11.35
No answer	24	28.92	53	27.60	45	31.91
Total	83	100.01	192	99.99	141	100.00

Note: p=0.10.

The same relationships hold true for the questions dealing with attitudes toward the police held by the respondents as divided by age. The correlation between age and opinion of police brutality is not quite significant. However, young people are more likely than chance would predict to say that there is "a lot" of police brutality. Over half of the respondents under 24 believed that there was either a lot, or some, police brutality. Less of the middleaged respondents believed that there was a lot of brutality and more that there was some, or only a little. Table 213 illustrates the distribution.

TABLE 213

Existence of police brutality.

	Age						Total
	16 to 24		25 to 44		45 to 60 plus		
	Number	Percent	Number	Percent	Number	Percent	
A lot	21	25.61	18	10.96	17	15.74	56
Some	21	25.61	56	34.15	33	30.56	110
Only a little	32	39.02	63	38.41	49	45.37	144
None at all	8	9.76	27	16.46	9	8.33	44
Total	82	100.00	164	99.98	108	100.00	354

Note: p=between 0.05 and 0.10.

When respondents were asked to rate the quality of the police force, there were significant differences between those of the varying age groups. Young people under 25 were much more likely to think that the police did a poor job and people over 60 to believe that the police do an excellent job. The middle group, again, exhibits no dramatic differences from chance. Table 214 discloses these facts.

TABLE 214

Job Washington police do.

	Age							
	16 to 24		25 to 44		45 to 59		60 plus	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Excellent	3	3.53	8	4.37	7	7.87	8	23.53
Fair	54	63.53	139	75.96	67	75.28	23	67.65
Poor	28	32.94	36	19.67	15	16.85	3	8.82
Total	85	100.00	183	100.00	89	100.00	34	100.00

Note: p=+0.001.

There are no differences between respondents according to age that are statistically significant or near the significance level on the attitude of variables of opinion toward housing, trash, and grocery store problems.

When we come to a consideration of the prospect of change, particularly violent change, there is once again a distinct difference in the views of respondents according to their ages. Since young people have been more willing to articulate problems and feel more strongly both about the inadequacies of schools and the job the police do as well as definite optimism about the opportunities for change in the future, we might expect that they—in frustration—would believe more in the efficacy of riots and violence than their elders. This is in part true.

There is a trend for young people in larger numbers than respondents who are older to prefer more militant leaders, believe that riots are necessary for change, and indicate more approval of the use of riots to bring about change. However, none of the contingency tables in which the age groups are compared with predilection toward violence questions have significant chi squares.

Table 215 discloses that while respondents from age 25 through 44 tend to gravitate in largest numbers towards a preference for Martin Luther King as the most favored Negro leader, those younger and older favor more militant and less militant Negro leaders respectively more than chance would predict. The largest and most significant contribution to the chi square comes from the respondents aged 16 to 24 who favor more militant leaders.

TABLE 215

Preference of Negro leaders.

	Age					
	16 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent
Less militant	6	7.89	13	8.33	13	12.26
Martin Luther King	55	72.37	126	80.77	79	74.53
More militant	15	19.74	17	10.90	14	13.21
Total	76	100.00	156	100.00	106	100.00

Note: p=0.30 to 0.50.

The numbers of those aged 24 and under who feel that there is "some good", and "some bad" or "some good but mostly bad" in riots are significantly more than chance would predict. Those believing that riots are "all bad" are fewer in number than predictable by chance. The middle age group distributes more or less predictably, as do the older respondents. Table 216 demonstrates the distribution.

TABLE 216

Are riots good, bad, or what?

	Age						Total
	16 to 24		25 to 44		45 plus		
	Number	Percent	Number	Percent	Number	Percent	
Good	9	10.11	16	8.65	9	7.44	34
Some good, some bad	22	24.72	26	14.05	19	15.70	67
Some good, mostly bad	11	12.36	15	8.11	8	6.61	34
All bad	47	52.81	128	69.19	85	70.25	260
Total	89	100.00	185	100.00	121	100.00	395

Note: p=0.20.

More youths under 24 and surprisingly more older respondents over 60 than expected by chance feel that riots are necessary for change. Table 217 demonstrates the distribution.

TABLE 217

Do you think riots are necessary to change things?

	Age							
	16 to 24		25 to 44		45 to 59		60 plus	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Yes	18	21.69	27	15.70	13	13.68	9	34.68
No	65	78.31	153	85.00	82	86.32	29	76.32
Total	83	100.00	180	100.00	95	100.00	38	100.00

Note: p=0.30.

Finally, and perhaps most interesting, when respondents are asked whether they agree or disagree with the statement that, "Riots have brought needed improvements," there is what appears at first glance to be a reversal.

Less young people than chance would predict feel that riots have resulted in improvements and more are neutral or disagree. Among respondents aged 25–44, many more than chance agree that riots have been beneficial and less disagree. Of those over 45, exactly the reverse is true. This can probably be explained in several ways.

It is likely that the younger, more militant, respondents are not satisfied with the change which riots have precipitated in the cities such as Newark, where they have occurred. The change for them was probably too little and too late. Middle aged respondents, on the other hand, may feel that some beneficial changes have come about even though they may disapprove of riots in principle. We can only conjecture that the general negativism of respondents over 45 (excepting of course those over 60 who do approve of riots) is so pervasive as to carry over into and color their feelings about the beneficence of riots.

Table 218 illustrates the assessment of benefits accruing from riots among the three age groups.

TABLE 218

Riots have brought needed improvements.

	Age					
	16 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent
Strongly agree, agree	14	50.57	93	76.86	70	53.44
Neutral	19	21.84	11	9.09	18	13.74
Disagree, strongly disagree	24	27.59	17	14.05	43	32.82
Total	87	100.00	121	100.00	131	100.00

Note: p=0.01.

As far as attitudes indicating change toward the better over a period of time or predilection toward action were concerned, there was little significant difference between the three age groups.

The only question in which trends were evident that measured change of attitude, was the one in which respondents were asked whether or not the War on Poverty was doing any good.

A majority of each age group believed that *some* progress was being made. However, much of the variance between groups is accounted for by the fact that youths under 24 in large numbers believe that nothing is being accomplished.

There is a split among those over 45. More believe that a "lot is being accomplished" and that "not much is being accomplished" than chance would predict. This might be due to the fact that some of the respondents in this age category are elderly poor on welfare or Social Security. Table 219 demonstrates the distribution.

TABLE 219

Is the war on poverty doing any good?

	Age					
	16 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent
A lot	9	10.71	19	10.86	81	15.93
Some	48	57.14	119	68.00	64	56 64
Not much	6	7.14	10	5.71	12	10.62
None	21	25.00	27	15.43	19	16.81
Total	84	99.99	175	100.00	113	100.00

Note: p=0.20.

Youth apparently were more aware of the existence of leaders in their neighborhoods than were respondents in other age groups. More were also aware of more than one leader than chance would predict; this was the largest contributor to the variance. Table 220 illustrates this.

TABLE 220

Do you know of any leaders in this neighborhood or city?

	Age					
	16 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent
None	56	62.96	125	66.11	93	67.88
1 leader	17	19.10	47	24.87	34	24.82
More than 1 leader (at least 1 each in city and neighborhood)	16	17.98	17	8.99	10	7.30
Total	89	100.00	189	100.00	137	100.00

Note: p=0.10

What then does the division by age demonstrate? Only a few of the contingency tables had chi square values significant beyond .001, which clearly indicates an important relationship. Moreover, lambda tests were consistently near zero, indicating that our respondents neither had or held attitudes solely because of age nor could the attitude of a respondent be predicted on the basis of his age. There was no discernible causal link between age and attitude.

However, there were consistent trends evident, particularly among the respondents aged under 25. And, time after time and in relationship after relationship, the distribution of attitudes among those between the ages of 25 and 44 was about as chance would predict. This suggests several things.

One is that the consistently predictable distributions among middle aged respondents acted to lower the chi square thereby diminishing the effect of the deviations of the younger group. Another is that a different variable is perhaps responsible more than age for the shaping of the opinions of this group. Only a controlled test could prove this conclusively.

However, because of the consistency in the deviation trends of youth and to a lesser extent among respondents over 45, we believe that we can tentatively advance some observations about the nature of this group. It is likely that control tests performed on this group would indicate more significantly the fact that their attitudes correspond to their ages and set them off from older respondents.

How, then, can we differentiate between the three age groups? In Part III we noted several demographic differences. Respondents aged 25-44 were more likely to be working than those in the other age groups, more likely to be making $6,000 a year or more, more likely than predictable by chance to have completed high school, and were the most likely group to hold white collar professional jobs.

Respondents aged 45 and over were more likely to own their own homes, to be unemployed, not to be living with a spouse, and less likely to have received additional job training than respondents in other age groups. Since many in this group were over 65 and retired, these deviations from chance are about what we would expect.

The young respondents were less likely to earn $6,000 than the 25-44+, more likely to be unemployed undoubtedly because many are still in school. Among those 20-24, a significant number had had a job training experience since leaving school.

These demographic results are about what we might expect for respondents of the three age groups. The differences between the groups according to attitude are much more striking—particularly among respondents under 25.

Just how are the youth of Washington, D.C. set apart from their elders? They are set apart in several ways—by the depth of their feeling, by their greater degree of articulateness concerning the existence of problems, by their pessimism about the degree of change which has occurred, and finally by their predilection in larger numbers than any of the other groups toward expressing a preference for violence as a means of precipitating change.

The young are strongly optimistic about the future and about their ability to shape future events through their personal action. However, they are also dissatisfied with deteriorating conditions in their surrounding inner city environment. And, they feel in relatively large numbers that programs such as the War on Poverty are not having the effect of ameliorating these conditions. It is probably, then, a result of the feelings that conditions should be changing but are not, that makes the younger respondents seem more inclined toward violence, and specifically riots, as a means of change than respondents in the other two age groups.

Very little can be said about the middle age group. They distribute so very much as chance would predict that there is very little evidence that their age is a factor influencing their attitudes.

The group of respondents over 45 years of age is occasionally but not always set apart from the other two age groups in their attitudes. It should be noted that just as the respondents 25-44 could best be characterized by use of demographic variables and the youth characterized by their attitudes, the older respondents, particularly the elderly, can best be described by their responses to questions asked to discern the degree to which respondents were associated with poverty programs.

These responses will be included in Part VII of the Prouty Survey Report. As a result of these responses, we characterized the elderly as social isolates. There is some clue as to the reasons we did so in their responses to attitudes.

The elderly are more pessimistic than the young about their ability to change things, more oriented toward the present than the middle aged groups. In addition, they are more likely than other respondents to be neutral, or have no responses, or to see conditions as remaining about the same rather than changing for better or worse.

In summary, our evidence and partially analyzed data reveals that of the three age groups it is probable that the youth or respondents under 25, have attitudes which set them apart from the older respondents. Age would seem in their case to be a factor in influencing their attitudes.

3. Education

There are other demographic variables besides that of age which are apparently related to attitude. Education is one which ranks high in importance.

A number of tests have been performed to ascertain what relationships do exist between this variable and attitude. The fact that many contingency tables are not included, however, does not exclude the possibility that further significant relationships exist.

Education is related to some, but not all of the general world view attitude questions. For example, there is little deviation from chance distribution in contingency tables comparing education with either the statement which says, "Life has its ups and downs, but things are getting better in the long run," or "You can get anything you want if you just try hard enough."

On the other hand, however, there are significant relationships between education and the statements, "You can't change things no matter how hard you try," and "It is best to live for today because you don't know what the future will bring."

Very few people agreed with the thought that "You can't change things." Combining the categories of strongly agree, agree, and neutral, however, a few trends appear. Those respondents with less than eight years of education are much more likely than chance would predict to agree that personal effort alone is not enough to insure success or change.

High school graduates are most likely *not* to agree with the statement with most simply disagreeing.

There is a strange reversal which occurs among those respondents with a higher level of education than a high school degree. These individuals hold strong opinions and are more likely than chance would predict to either agree strongly with the statement or to disagree with it.

This suggests that at least among half of these respondents the answer to the question is based more upon personal life experience than with education *per se*. Those who disagree strongly, for example, might be those who expected success after receiving a good education, and who are now bitter about life since they have not achieved the goal they set.

Table 221 illustrates the distribution of responses to the statement, "You can't change things no matter what you do," by educational level of respondents.

TABLE 221

You can't change things no matter what you do.

	Education									
	Under 8		9 to 12		High School		Post High School		College	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Neutral to strongly agree	15	24.59	20	13.99	8	6.65	11	21.57	3	8.33
Disagree	42	68.85	110	76.92	95	77.87	27	52.94	23	63.99
Strongly disagree	4	6.65	13	9.09	19	15.57	13	25.49	10	27.78
Total	61	100.00	143	100.00	122	100.00	51	100.00	36	100.00

Note: p=+0.001.

Education apparently has more connection with the level of present time aspiration than with the other life attitude questions. Both questions dealing with degree of present time orientation demonstrate strong relationships—no reversals—with the education variable.

Less education goes with being more likely to agree that "it is best to live for today." Over 65% of the respondents having less than a high school education agree or strongly agree, compared with only 38% of those having more than a high school education. Table 222 discloses this.

TABLE 222

Best to live for today.

	Education					
	Less than high school		High school		High school plus	
	Number	Percent	Number	Percent	Number	Percent
Strongly agree	13	6.34	6	5.00	3	3.49
Agree	121	59.02	48	40.00	30	34.88
Neutral	7	3.41	11	9.17	4	4.65
Disagree	59	28.78	51	42.50	37	43.02
Strongly disagree	5	2.44	5	3.33	12	13.95
Total	205	99.99	120	100.00	86	99.99

Note: p=+0.001.

Our belief that level of education is strongly related to degree of present time orientation is strengthened by comparing education and responses to the "What would you do if you had $1000?" question, as in Table 223.

TABLE 223

If you had $1,000, what would you do with it?

Responses	Education							
	Under 8		9 to 12		High school		High school plus college	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Home oriented, spending	13	26.53	33	23.91	25	21.01	9	10.34
Immediate gratification responses	31	63.27	65	47.10	53	44.54	32	36.78
Investment in future	5	10.20	40	28.99	41	34.45	46	32.87
Total	49	100.00	138	100.00	119	100.00	87	99.99

Note: p = +0.01.

The pattern of the previous question is repeated. 63% of those respondents with less than an 8th grade education, indicate present time orientation by giving immediate gratification responses. On the other hand, 52% of those respondents with education beyond high school suggest that they would use the money to plan for the future.

Of the test made between the variable of education and specific environmental attitudes, it was only in two areas that the results were slightly significant. These were in the area of police brutality and in view of riots as a means of change.

There was no neat pattern or trend to responses given to questions about the quality of the police force, or the existence of police brutality.

There was no consistent pattern between level of education and opinion of the quality of police service. Most of the deviation from chance occurrence was contributed by the large numbers of college graduates who believe that the police are doing a poor job. Table 224 indicates this.

TABLE 224

Job police do.

	Education									
	Under 8		9 to 12		High school		Post high school		College	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Excellent	2	3.85	11	8.03	5	4.31	5	10.42	2	5.56
Fair	42	80.77	92	67.15	91	78.45	34	70.82	23	63.89
Poor	8	15.38	34	24.82	20	17.24	9	18.75	11	30.56
Total	52	100.00	137	100.00	116	100.00	48	100.00	36	100.01

Note: p=0.30 to 0.50.

When police brutality is considered, as in Table 225, there is again, no consistent pattern. High school graduates, and those with less than a high school education, tend to say that there is some police brutality a little more often than chance would predict.

TABLE 225

Police brutality.

	Education									
	Under 8		9 to 12		High School		Post High School		College	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
A lot	9	18.75	23	18.40	13	12.15	6	13.64	5	17.24
Some	8	16.67	39	31.20	43	40.19	12	27.27	8	27.59
A little	26	54.17	54	43.20	35	32.71	15	34.09	13	44.83
None	5	10.42	9	7.20	16	14.95	11	25.00	3	10.34
Total	48	100.01	125	100.00	107	100.00	44	100.00	29	100.00

Note: p=—.025.

College graduates tend to say that there is *no* police brutality more often than chance—although the cell is extremely small. It is possible that a meaningful relationship is being obscured by a connection with age and perhaps income. Youth, as we have seen, believed that a great deal of police brutality existed.

Education is apparently not significantly related to opinions about the value of rioting or the need for rioting in order to bring about change. There is an apparent trend, however, for the percentage of respondents favoring Martin Luther King as most effective Negro leader to decrease as education level increases. Finally, respondents who have received education beyond the high school level tend to favor either less militant or more often more militant leaders to a greater degree than predictable by chance. Table 226 demonstrates this.

TABLE 226

Preferred leader.

	Education								
	Index 8		9 to 12		High school		Post high school		Total
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Less militant	4	8.33	7	5.74	11	10.68	10	15.38	32
Martin Luther King	40	83.33	100	31.97	78	75.73	42	64.62	260
More militant	4	8.33	15	12.30	14	13.59	13	20.00	46
Total	48	99.99	122	100.01	103	100.00	65	100.00	338

Note: p=0.10 to 0.20.

There was no significant difference between respondents on the basis of education when they were asked whether riots were good or necessary.

However, when asked to agree or disagree with the statement that "Riots have brought long delayed improvements . . .", there was a significant relationship between level of educational attainment and type of response. Less education seemed to go with the belief that riots have brought improvements. While 54.55% of those respondents with less than a high school education agreed or strongly agreed that riots had had worthwhile effects, only 39.29% of those who had an education beyond high school felt that way. (See table 227.)

TABLE 227

Riots have brought about long-delayed improvements.

	Education					
	Less than high school		High school		High school plus	
	Number	Percent	Number	Percent	Number	Percent
Strongly agree	11	5.56	5	4.42	1	1.19
Agree	97	48.99	60	50.85	32	38.10
Neutral	27	13.64	19	16.10	14	16.67
Disagree	57	28.79	25	21.19	31	36.90
Strongly disagree	6	3.03	9	7.63	6	7.14
Total	198	100.01	118	100.01	84	100.00

Note: p=—0.025.

There were no trends apparent when the level of educational attainment among respondents and their responses to questions asking about who should run the poverty programs, and whether or not they were doing anything about housing were compared.

Neither was there much variance between respondents when they were asked to assess their job chances as being better or worse than they had been previously. High school graduates appeared the most satisfied that opportunities were better, while respondents with less than a high school education were more pessimistic. Most of the variance was contributed by the larger-than-chance-would-predict group of respondents receiving education beyond the high school level, who tended to say that job opportunities had remained the same. Table 228 demonstrates this.

TABLE 228

Job chances.

	Education					
	Less than high school		High school		High school plus	
	Number	Percent	Number	Percent	Number	Percent
Much better, better	150	79.37	97	82.91	57	68.67
Same	11	5.82	8	6.84	14	16.87
Worse, much worse	28	14.81	12	10.26	12	14.46
Total	189	100.00	117	100.01	83	100.00

Note: p=—0.02.

What can be said, then about the variable of education as a factor in influencing attitudes. Educational attainment was, as far as can be demonstrated from the tests actually performed, less important than the age of the respondent. However, it is possible to make several comments about the trends in the relationships discovered.

The first is so obvious as to be a truism. The education variable tended (as did the variable of age, in fact) to be more of a factor in the formation of attitudes of respondents at either end of the attainment continuum rather than in the middle. While the responses of high school graduates tended to distribute time and time again as chance would predict those with less education and more education exhibited some deviation from chance.

Second, attitude difference according to educational level appeared to be most manifest in areas of general attitudes or world view philosophies rather than in areas of specific problems. The most highly significant difference between respondents grouped according to educational level occurred in questions measuring present time orientation.

Trends are present in a number of questions, but there are not always consistent patterns to the responses. This leads us to believe that education is an important variable but probably only in conjunction with other variables such as income. Further detailed analysis and some control tests would probably substantiate this hypothesis.

4. Income

Respondents, as noted in Part III were asked the amounts of both their personal and family incomes. Some tests were made correlating both of these income variables with some of the attitude questions.

As was true with the education variables, there seems to be a connection between amount of income and degree of present time orientation. In addition, there is a slight trend for those with lower personal incomes—under $4500 a year—to agree or agree strongly that "You can get almost anything you want if you just try hard enough." This is illustrative again of the strong optimism which pervades the ranks of inner city residents—particularly among the poor and disadvantaged.

Among people in middle income brackets, the optimism levels off, probably a reflection of the difficulties those individuals have in advancing beyond a particular point. Then, in the higher income categories, optimism rises, a reflection of success. Table 229 illustrates this.

TABLE 229

You can get almost anything you want if you just try hard enough.

	Personal income among those working							
	Under $3,000		$3,001 to $4,500		$4,501 to $6,000		Over $6,000	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Strongly agree, agree	43	87.76	56	88.89	55	76.39	52	81.25
Neutral, disagree, strongly disagree	6	12.24	7	11.11	17	23.61	12	18.75
Total	49	100.00	63	100.00	72	100.00	64	100.00

Note: T=248; p=0.10 to 0.20.

There are significant relationships between personal and family income and degree of present time orientation as demonstrated in Tables 230 and 231.

TABLE 230

It is best to live for today because you don't know what tomorrow will bring.

	Personal income among those working					
	Under $4,500		$4,500 to $6,000		Over $6,000	
	Number	Percent	Number	Percent	Number	Percent
Strongly agree, agree	37	60.66	31	44.29	24	36.92
Neutral, disagree, strongly disagree	24	39.34	39	55.71	41	63.08
Total	61	100.00	70	100.00	65	100.00

Note: T=196; p=—0.02.

TABLE 231

It is best to live for today because you don't know what tomorrow will bring.

	Family income					
	Under $3,000		$3,001 to $7,500		$7,500 plus	
	Number	Percent	Number	Percent	Number	Percent
Strongly agree, agree	33	67.35	72	55.38	51	40.16
Neutral	5	10.20	4	3.08	6	4.72
Disagree, strongly disagree	11	22.45	54	41.54	70	55.12
Total	49	100.00	130	100.00	127	100.00

Note: T=306; p=+0.001.

Respondents with lower family or personal incomes are more likely to agree or strongly agree with the statement that "It is best to live for today" than respondents of families with higher incomes. The higher the income, the fewer the respondents who agree. For example, while 60% of the respondents with personal incomes under $4500 agree with the statement, only 36% of those with incomes over $6000 do so.

There is a less significant relationship between family income and the type of responses elicited by the question, "If you had $1000, what would you do with it?"

Those respondents with incomes between $4500 and $7500 are more likely than chance would predict to mention using the money to buy a house. The largest percentage of poor gave immediate gratification responses, but the distribution was about as chance would dictate. It is possible that level of education has more effect on the type of response than does amount of income.

Table 232 illustrates this distribution.

TABLE 232

If you had $1,000, what would you do with it?

Response	Family income									
	Under $3,000		$3,000 to $4,500		$4,501 to $6,000		$6,001 to $7,500		Other	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
House orientated	7	14.89	6	17.65	17	28.81	12	36.36	20	15.87
Immediate gratification	21	44.68	15	44.12	26	44.07	13	39.39	55	43.65
Future orientated	19	40.43	13	38.24	16	27.12	8	24.24	51	40.48
Total	47	100.00	34	100.01	59	100.00	33	99.99	126	100.00

Note: T=299; p=0.10 to 0.20.

Using personal income (and considering only those actually working) the result is even less significant. Table 233 discloses this.

TABLE 233

If you had $1,000, what would you do with it?

	Personal income among those working							
	Under $3,000		$3,001 to $4,500		$4,501 to $6,000		Over $6,000	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
House oriented	8	16.67	10	15.87	12	17.39	10	15.38
Immediate gratification	25	52.08	30	47.62	33	47.83	28	43.08
Future oriented	15	31.25	23	36.51	24	34.78	27	41.54
Total	48	100.00	63	100.00	69	100.00	65	100.00

Note: p=0.95 to 0.98.

There were no significant trends in comparisons made between income and opinions about whether riots were bad in principle and whether there had been changes for the better as a result of riots. However, there were notable differences between income groups concerning the question, "Is it necessary to riot in order to get change?"

When only those respondents who were working and who responded to the question in yes or no form are considered, there are the following significant variations from chance. Those respondents with incomes under $3000 were much more likely than chance would predict to agree that riots are necessary. Respondents in the middle income ranges were more likely than chance to answer negatively. There was a small reversal above the $6000 income level with those making over $6000 slightly more likely than chance to say that "yes, riots are necessary." (See Table 234)

TABLE 234

Are riots necessary for change?

	Personal income							
	Working but under $3,000		$3,000 to $4,500		$4,500 to $6,000		$6,000 plus	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Yes	14	29.17	9	15.79	3	4.62	12	20
No	34	70.83	48	84.21	62	95.38	48	80
Total	48	100.00	57	100.00	65	100.00	60	100

Note: T=230; p=+0.005.

At first glance it seems incorrect and unreasonable that lower income respondents would favor riots as a means of change. We saw previously that only 11% of the hard core poor favored the use of riots in order to bring about change.

In attempting to understand why those making under $3000 and working tend to favor riots as a strategy for change it will perhaps be helpful to reiterate several previous findings. We noted that youth under age 24 were more likely than chance would dictate to be tolerant of riots. According to our demographic findings, young people are more likely to earn less money than older respondents. Therefore, it is reasonable to assume that many of the lower income respondents were young people earning small amounts of money.

The reversal of opinion which occurs above the income level of $6000 is also understandable in the light of other findings of the Prouty Survey. The correlation between level of educational attainment and the present "riot" question under consideration was not printed because it was not significant statistically *in toto*.

However, the same reversal of opinion occurs among those respondents who have attained college. A majority of highly educated respondents did not favor the use of riots. However, slightly more than predictable by chance did agree that riots were necessary, while fewer responded negatively.

TABLE 235

Is it necessary to riot in order to get change?

	Respondents educated beyond high school	
	Actual number of respondents	Number of respondents by chance distribution
Yes	14	13.7 plus.
No	66	67.6 minus.

It is probably reasonable to assume then that some of the respondents having higher incomes are among the better educated, more successful respondents who are "arm chair" militants.

The same pattern is apparent when responses to the question asking preference of Negro leaders are correlated with income level. There was again a trend among lower income respondents to prefer more militant leaders, although the variance was not sufficient to make the relationship between the two variables significant.

TABLE 236

Preferred Negro leader.

	Personal income			
	Under $4,500		Over $4,500	
	Number	Percent	Number	Percent
Less militant	8	8.51	11	10.09
Martin Luther King	67	71.28	85	77.98
More militant	19	20.21	13	11.93
Total	94	100.00	109	100.00

Note: T=203; p=0.20 to 0.30.

Again, many of those in the lower income brackets who favor more militant Negro leaders are the younger respondents.

The only other tested question in which there was a significant relationship with income level, was that which asked whether the War on Poverty was doing any good. Respondents with lower incomes are more likely to say that the War on Poverty is not succeeding than chance would dictate. This group is probably composed of the young and perhaps the genuinely poor who have not benefitted from the War on Poverty.

TABLE 237

Is the war on poverty doing any good?

	Family income									
	Under $3,000		$3,000 to $4,500		$4,501 to $6,000		$6,001 to $7,500		$7,500 plus	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
A lot	25	64.10	23	76.67	41	68.33	25	86.21	103	83.74
Not much, some	14	35.90	7	23.33	19	31.67	4	13.79	20	16.26
Total	39	100.00	30	100.00	60	100.00	29	100.00	123	100.00

Note: T=281; p=0.05 to 0.10.

In summary, it can be said that income by itself probably does not affect attitude to any great degree. However, in combination with such other variables as education, age and jobs, it has some effect.

5. Employment and Attitudes

Several variables including type of present employment and employment history were correlated with various attitude questions. In only one of the comparisons tested, was there a significant relationship between employment and attitude. In several cases, there were interesting trends apparent, but for the most part there were no clear patterns.

Whether or not the respondent was ever unemployed, for example, apparently had no influence upon either that respondent's general world views or his environmental attitudes. Employment history was correlated with responses to the following questions:

"You can't change things no matter what you do."

"You can get whatever you want if you just try hard enough."

"It's best to live for today because you don't know what tomorrow will bring."

The probability that the distribution of responses could have been obtained by chance was very high. No trends were apparent.

In addition, whether or not a person had ever been unemployed was not related to opinions about current job opportunities or the respondent's view about the progress of "the War on Poverty."

The one question in which there was an interesting trend was the one in which previously unemployed persons who had received and not received unemployment compensation were asked what they would do if given $1000. Those who had received welfare or unemployment were more likely than chance to give immediate gratification responses. Table 238 illustrates this.

TABLE 238

If you had $1,000, what would you do with it?

Responses	When unemployed, did you receive welfare or unemployment insurance?			
	No		Yes	
	Number	Percent	Number	Percent
House oriented	29	23.77	9	17.31
Immediate gratification	52	42.62	31	59.62
Future oriented	41	33.61	12	23.08
Total	122	100.00	52	100.00

Note: T=174; p=0.10 to 0.20.

Next, respondents were divided into groups of persons presently working and those not employed. The responses of each group were correlated with several attitude questions.

There was no indication that significant relationships existed between the two variables. Whether or not a respondent was working or not working had no relationship to his views on the statements. "It is best to live for today because you don't know what tomorrow will bring", or "You can get almost anything you want if you just try hard enough." Nor does lack of employment have a significant connection with a respondent's view of the value of riots.

Responses to several attitude questions were also correlated with groupings of respondents according to their job occupations.

There is a borderline relationship between type of occupation and responses to the statement, "It is best to live for today, because you don't know what tomorrow will bring." As disclosed in Table 239 unskilled workers and blue collar workers are most likely to agree with the statement.

TABLE 239

It is best to live for today.

	Occupation of employed									
	Unskilled		Blue collar		White collar clerical		Professional		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Strongly agree	40	57.97	33	67.34	29	51.78	36	42.35	138	53.28
Agree		28.98		23.91		21.01		26.08		99.98
Neutral, disagree	29	42.02	16	32.65	27	48.21	49	57.64	121	46.71
Strongly disagree		34.96		13.22		22.31		40.49		99.98
Total	69	99.99 26.64	49	99.99 18.91	56	99.99 21.62	85	99.99 32.81	259	99.99 99.98

Note: p=−0.02.

When occupation is correlated with opinion about riots, there is no significant relationship but a trend exists toward blue collar workers being more likely to say that riots were good than any other groups. Table 240 illustrates this.

TABLE 240

Are riots good, bad, or what?

	If you work, what kind of work do you do?							
	Unskilled		Blue collar		White collar clerical		Professional	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Good	6	8.82	7	15.91	4	6.90	6	7.14
Some good	12	17.65	9	20.45	7	12.07	14	16.67
Mostly bad, bad	50	73.58	28	63.64	47	81.03	64	76.19
Total (254)	68	100.00	44	100.00	58	100.00	84	100.00

Note: p=0.50 to 0.70.

The negative results gleaned in this section, are in large part more important than the positive results. The fact that by themselves (as far as can be determined from the tests made) the variables of education, income and employment have little effect on attitudes is important. It is indicative of the fact that attitudes are more often influenced by a combination of factors rather than just one.

Also, from the data in this section, we can begin to see that the way an individual views present conditions is not necessarily affected by his past or even his present actual conditions. For example, we noted above that a respondent's views about increased job opportunities were not influenced by his past employment history.

We will examine this further with regard to other variables. It is entirely possible that attitudes about specific environmental conditions are influenced by a complex number of factors, and may not be much related to real experience.

6. Length of Time in District of Columbia

One other variable which we thought might influence attitudes was that of length of time the respondent had resided in the District. As we noted in Part III those who had been in the District a longer time tended to be slightly economically better off than newer residents. Respondents living in the District for over five years tended to make $4500 a year more often than chance would predict.

Length of residency was correlated with general life attitude questions, but with few findings of significance. Length of residency is not related to opinion about the kind of aspiration one has for one's own children, nor does it seem related to the level of present time orientation. Further, residency was not related to responses made to the statement that, "You can get almost anything you want if you just try hard enough."

In only two questions was there a pattern to responses. Although the relationship of length of residency to responses to the statement, "Life is getting better in the long run", is not statistically significant, there was a trend for longer term residents to agree more often and thus be optimistic.

Finally, responses to the statement, "Things are what they are and won't ever get any better", demonstrated that newer residents were more pessimistic than more long term residents, but only slightly so.

Table 241 illustrates the distribution.

TABLE 241

Things are what they are.

	Length of time in District of Columbia			
	Over 5 years		Under 5 years	
	Number	Percent	Number	Percent
Strongly agree	4	1.20	6	7.06
Agree	36	10.81	4	4.71
Neutral	11	3.30	4	4.71
Disagree	235	70.57	59	69.41
Strongly disagree	47	14.11	12	14.12
Total (418)	333	99.99	85	100.01

Note: p=—0.01.

D–2. Area and Attitude

1. Introduction

In this subsection the relationship of one additional demographic variable to the formation of attitudes will be discussed. We wish to ascertain if the area of the city in which a respondent lives influences his attitudes.

As demonstrated in Part III, there were significant demographic differences between the residents of the three areas in which the interviewing took place. Due to this, some differences in attitudes, particularly those concerning specific environmental conditions might be expected.

2. General Life Attitudes

Since most of the respondents were optimistic about their chances in life, we might expect only minor deviations between persons interviewed in the three areas. In general, this is true. Nearly 90% of the respondents in Upper Cardozo, NDC #1, and Southeast agreed that life is getting better in the long run and disagreed with the statements that "you can't change things," and that "life won't ever be better" in the same numbers. The distributions for the three areas were just about as chance would predict.

However, when the respondents in the three areas were asked to comment about the statement, "You can get anything you want if you just try hard enough," there was enough difference between the responses of the residents of NDC #1 and Southeast to give the relationship marginal statistical significance. Although the responses of residents of Cardozo distribute as chance would predict, those of NDC #1 and Southeast residents do not. Residents of NDC #1 were more likely than chance would predict to disagree with the thought that they could succeed through their own efforts and less likely to disagree. A total of 85% of those respondents in NDC #1 strongly agreed or agreed with the statement, compared with 88% in Cardozo and 93% in Southeast. Table 242 indicates this.

TABLE 242

You can get almost anything you want if you just try hard enough.

	Strongly agree		Agree and neutral		Strongly disagree and disagree		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	9	6.42	110	78.57	21	15.00	140	99.99
Cardozo	16	11.59	106	76.81	16	11.59	138	99.99
Southeast	23	16.31	108	76.59	10	7.09	419	----------

Note: p=0.05.

While the relationship between area and responses to the statement, "It is best to live for today" is not significant, there was a trend for more residents of Southeast than in any other area (or than chance would predict) to demonstrate present time orientation.

As Table 243 demonstrates, 59% of the respondents in Southeast compared with 51% in NDC #1 and 50% in Upper Cardozo, agreed or strongly agreed that "It is best to live for today."

TABLE 243

It is best to live for today because you do not know what tomorrow will bring.

	Strongly agree and agree		Neutral		Strongly disagree and disagree		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	72	51.79	6	4.31	61	43.88	139	99.98
Cardozo	67	50.00	10	7.46	57	42.53	134	99.99
Southeast	84	59.57	6	4.25	51	36.17	141	99.99

Note: T=414; p=between 0.30 and 0.50.

The findings about present time orientation philosophically are not totally consistent with the results to the specific question, "If you had $1000, what would you do with it?" However, we noted the predilection of respondents to exhibit present time orientation in general but to be more cautious when money was involved in subsection A.1.

Southeast residents were *more* likely than chance—or than residents of the other two areas—to say that they would buy a house, and the *least* likely to give immediate gratification responses. NDC #1 residents were the *most* likely to give immediate gratification responses and the *least* likely to indicate that they would save the money. Table 244 indicates this.

TABLE 244

If you had $1,000, what would you do with it?

	Put in house		Bills		Buy special item		Other		Save it		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	23	16.78	33	24.08	32	23.35	15	10.94	34	24.81	137	99.96
Cardozo	16	11.94	26	19.40	30	22.38	16	11.94	46	34.32	134	99.98
Southeast	37	26.61	22	15.82	18	12.94	14	10.07	48	34.53	139	99.97

Note: p=0.02.

3. Specific Environmental Attitudes

There were a number of important differences among the residents of the three areas surveyed over specific environmental attitudes. There were significant differences among respondents according to the area of the city in which they lived concerning their attitude toward the problems of stores, existence of police brutality and housing problems.

Residents of NDC #1 were more likely to believe that there was a lot or some police brutality than residents of the other two areas, although a number also felt this way in Cardozo. Of the three areas, it was Southeast residents who were least likely to state that there was no police brutality. Table 245 discloses this.

TABLE 245

Police Brutality.

	A lot		Some		A little		None		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	20	16.80	47	39.49	42	35.29	10	8.40	119	99.98
Cardozo	18	15.38	41	35.04	45	38.46	13	11.11	117	99.99
Southeast	18	15.25	22	18.64	57	48.30	21	17.79	118	99.98

Note: T=354; p=0.01.

When respondents in the three areas were asked to rate the quality of police service, there was no significant deviation from chance distribution. There was a trend, however, for residents of Southeast to be more satisfied with the job that police do. Only 16% of the respondents in Southeast felt that the police did a poor job, while approximately 23% of the residents of both NDC #1 and Cardozo felt that way. Table 246 indicates this.

TABLE 246

Rate the job police do.

	Excellent		Fair		Poor		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	8	6.29	90	70.86	29	22.83	127	99.98
Cardozo	8	6.10	92	70.22	31	23.66	131	99.98
Southeast	10	7.51	101	75.93	22	16.54	133	99.98

Note: p=0.70 to 0.50.

There was some difference among respondents living in the three areas surveyed over opinions concerning the price and quality of foods sold in neighborhood grocery stores. There was also a small difference between respondents about the existence of a trash problem.

23% of NDC #1 respondents felt that both the quality and the price of foods sold in neighborhood stores were poor. This was higher than in Cardozo or Southeast. More Cardozo residents (19%), than those in other areas, felt that stores in their neighborhoods were good with regard to both quality and price of food. Southeast residents tended to find some fault with one or other aspects and most commonly rated both quality and price as "fair." Table 247 discloses this.

TABLE 247

Rate the grocery stores in your neighborhood as to price and quality of food.

	Both good		1 good, 1 poor		1 good, 1 fair		Both fair		Both poor		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	13	9.35	11	7.91	29	20.86	54	38.85	32	23.02	139	99.99
Cardozo	26+	19.12	17	12.50	24	17.65	57	41.91	12	8.82	136	100.00
Southeast	15	11.45	20	15.27	28	21.37	48	36.64	20	15.27	131	100.00

Note: T=406; p=between 0.02 and 0.01.

While a majority of the residents of all three areas felt that there was no problem with trash collection, more respondents in Southeast and NDC #1 indicated that it was a problem, than in Cardozo. Table 248 indicates this.

TABLE 248

Is there a problem with trash in this neighborhood?

	Yes		No		No answer		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	51	35.92	86	60.56	5	3.52	142	100.00
Cardozo	37	26.06	99	69.72	6	4.23	142	100.01
Southeast	51	35.92	87	61.27	4	2.82	142	100.01

Note: T=426; p=0.50 to 0.30.

With regard to difficulties with housing, Southeast residents listed more problems than residents of other areas. A majority listed problems in order of severity—of severe dilapidation, refusal of landlord to make repairs, and poor location. Residents of NDC #1 and Cardozo reported considerably more problems with rats and sanitation in general. Table 249 illustrates this.

TABLE 249

What is the biggest problem you have with your housing?

	Dilapidated		Landlord won't fix		Location		Sanitation and rats		No answer; no problem		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	20	14.08	12	8.45	15	10.56	18	12.68	77	54.23	142	100
Cardozo	15	10.56	8	4.63	11	7.75	18	12.68	90	63.38	142	100
Southeast	26	18.31	22	15.49	19	13.38	9	6.34	66	46.48	142	100

Note: T=426; p=between 0.02 and 0.01.

Finally, it was residents of NDC No. 1, more than residents of Cardozo and Southeast who reported two or more additional problems in their neighborhoods. Cardozo was not far behind NDC No. 1, however. Table 250 illustrates this.

TABLE 250

What problems (other than the ones discussed) does this neighborhood have?

	No problems mentioned		1 problem		2 or more problems		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	65	45.77	50	35.21	27	19.01	142	99.99
Cardozo	64	45.07	58	40.85	20	14.08	142	100.00
Southeast	69	48.59	60	42.25	13	9.15	142	99.99

Note: T=426; p=0.20 to 0.10.

A significant minority of the residents in all three areas were not satisfied with their living conditions or with some of the services provided by the city. In other words, a notable number expressed dissatisfaction with the conditions of their environment. They appeared to be aware of the problems of inner city life.

In order to see how strongly they felt about violence and riots as a means of ameliorating these conditions, we correlated several of the questions dealing with riots with area. Two of the relationships were statistically significant, but all showed some interesting trends.

A majority of the respondents in all three areas designated Martin Luther King as the most effective spokesman for Negroes. However, the size of that majority varied significantly. In NDC #1, for example, there were far fewer supporters of both less and more militant leaders than one would expect to find by chance. Fully 85% of the respondents in that area favored Dr. King. In Cardozo, just the reverse was true. There, leaders of both more and less militant types were favored at the expense of Dr. King.[6] The distribution for Southeast showed little difference from chance.

TABLE 251

Preferred Negro leader.

	Less militant		Martin Luther King		More Militant		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	5	4.03	106	85.48	13	10.48	124	99.99
Cardozo	15	13.88	72	66.66	21	19.44	108	99.98
Southeast	10	9.43	82	77.35	14	13.20	106	99.98

Note: T=338; p= −0.01.

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[6] One possible reason for the variance in Cardozo is that we interviewed massively in that area at later dates than in the other two areas, at a time when plans for the Poor People's March on Washington had been publicized and Dr. King had been to Washington. It is possible that the trend away from Dr. King had existed all along, but it is also possible that these results show a temporary swing away from him.

The relationships between area and the questions "Riots have brought long delayed improvements" and "Is it necessary to riot in order to get change?" were definitely non-significant, but both showed interesting trends.

Both NDC #1 and Southeast had more respondents reacting favorably to the statement that "riots have brought improvements" than was true in Cardozo. There were more individuals in Southeast who agreed or agreed strongly and less who disagreed strongly than one would expect to find by chance. There were also more respondents in agreement with the statement in NDC #1 than predictable.

TABLE 252

Riots have brought about long-delayed improvements.

	Strongly agree or agree		Neutral		Disagree		Strongly disagree or no answer		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	71	50.00	20	14.07	33	23.23	18	12.67	142	99.99
Cardozo	64	45.07	20	14.08	41	28.87	17	11.97	142	99.99
Southeast	72	50.70	21	14.78	37	27.46	10	7.04	142	99.98

Note: T=426; p=between 0.50 and 0.70.

More individuals in NDC #1—18.80%—(followed closely by Southeast) agreed that it was necessary to riot in order to bring about change. Table 253 discloses this.

TABLE 253

Is it necessary to riot to get change?

	Yes		No		Total	
	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	25	18.80	108	81.20	133	100
Cardozo	19	14.50	112	85.50	131	100
Southeast	23	17.42	109	82.58	132	100

Note: T=396; p=0.50 to 0.70.

The final question dealing with riots was the one which asked respondents whether riots were good or bad. The relationship between this question and area *was* statistically significant.

Table 254 demonstrates that NDC #1 had by far the fewest respondents (56%) willing to condemn riots as totally "bad". It was Cardozo residents who were most likely to do so. Altogether about 33% of the population in NDC #1 saw a great deal of good in riots. Southeast residents were least likely to say riots were all "good."

TABLE 254

Are riots good, bad, or what?

	Good		Some good, some bad		Mostly bad		Bad		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	17	12.78	26	19.55	15	11.28	75	56.39	133	100.00
Cardozo	10	7.35	17	12.50	10	7.35	99	72.79	136	99.99
Southeast	7	5.15	24	17.65	9	6.62	96	70.59	136	100.01

Note: T=405; p=0.10 to 0.05 level.

In light of recent events in Washington, it is perhaps appropriate to add a note about these findings.

We have emphasized all along that a majority of the respondents both in the sample as a whole and in each area has been opposed to the concept of riots. The fact that a majority feels a certain way, however, is of little consequence when there is a significant minority capable of—or actually acting in a different way. Thus it is important to note the size of the group in each area which constitutes the minority.

Of the three areas, it is NDC No. 1 which had the most respondents consistently favoring riots *per se*. It is up to others to determine what is an intolerable level of potentially violent dissension in society, but over 30% of the populace in any one area seeing little bad about riots should be a warning.

4. Perceived change over time

There was little significant difference between areas in degree of perceived change over time. Over 30% of the respondents in all areas and close to 40% in NDC No. 1 thought that the housing situation in the area had become worse over the last year. Residents of NDC No. 1 were more likely to say that housing conditions had remained the same and less likely to say that they had improved than expected by chance. Southeast residents surprisingly were more likely to say that housing had improved than expected by chance.

Table 255 shows the distribution.

TABLE 255

Has housing gotten better or worse?

	Worse and much worse		Some better		Better		Much better		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	48	37.20	34	26.35	38	29.45	9	6.97	129	99.97
Cardozo	42	34.14	25	20.32	47	38.21	9	7.31	123	99.98
Southeast	42	32.30	14	10.76	66	50.76	8	6.15	130	99.97

Note: T=382; p=—0.01.

Respondents living in NDC #1 were more likely than those in the other areas to feel that job opportunity had become worse over the past year or so. In Cardozo, respondents were the most optimistic. However, fewer respondents in all three areas were as pessimistic about job opportunities as they had been about housing conditions. Table 256 discloses this.

TABLE 256

Do you think the chances of getting a job at all or of changing jobs are better or worse than a year ago?

	Better and much better		Same		Worse and much worse		Tota	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	96	72.18	12	9.02	25	18.79	133	99.99
Cardozo	106	80.30	12	9.09	14	10.60	132	99.99
Southeast	103	77.44	9	6.76	21	15.78	133	99.98

Note: T=398; p=0.50 to 0.30.

It was also the respondents in NDC #1, who in numbers larger than expected by chance, indicated that they felt the War on Poverty had done *no* good at all. Southeast respondents were the most optimistic while Cardozo residents were more pessimistic. Table 257 illustrates this.

TABLE 257

Is the war on poverty doing any good?

	A lot		Some		Not much		None		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	16	13.33	69	57.50	9	7.50	26	21.67	120	100.00
Cardozo	17	13.60	74	59.20	14	11.20	20	16.00	125	100.00
Southeast	13	10.24	88	69.29	5	3.94	21	16.54	127	100.01

Note: T=372; p=0.20 to 0.30.

5. Predilection for action

There seemed to be little possibility for action of an organized sort in any of the areas since very few indicated that they had participated in any organized activities designated to bring about change to ameliorate inner city conditions. The poverty program and development center activities will be discussed in Part VII.

6. Summary

As has been mentioned, NDC #1 residents seemed to be the most consistently pessimistic and had the most predilection for violence as a means of change. Of course the numbers of persons fitting this category may be grossly over-exaggerated because of the refusals of whites to be interviewed. However, perhaps this exaggeration will serve to emphasize the needs for improvements in NDC #1.

The potential for violence has already been realized. The burned out shells of buildings on 7th Street are a testimony to that fact. Only a more up-to-date survey would indicate whether the mood of violence has become more or less prevalent since February.

[Appendix to Part V]

SPECIAL PRELIMINARY REPORT OF THE PROUTY SURVEY—"INNER CITY ATTITUDES TOWARD RIOTS"—SELECTED PRELIMINARY RESULTS OF A RANDOM SURVEY IN THREE DESIGNATED POVERTY AREAS OF WASHINGTON, D.C.

(By Senator WINSTON PROUTY, Republican, of Vermont, July 1968)

(Special note concerning the author

(Senator Winston Prouty, a native of Newport, Vermont, first entered public service as mayor of that city in 1938 and was at that time the youngest mayor in the United States. In 1941, he was elected to the Vermont State Legislature and served as Speaker of the House for that body in 1947. In 1950, Senator Prouty waged a successful campaign for the sole Vermont seat in the U.S. House of Representatives where he served four terms. He was elected to the U.S. Senate in 1958 and was re-elected in 1964.

(Senator Prouty presently is ranking Republican member of the Employment Manpower and Poverty Subcommittee and the Education Subcommittee of the Senate Labor and Public Welfare Committee, and ranking Republican on the Senate District of Columbia Committee, and a member of the Commerce Committee.

(He has been responsible throughout his terms in the Senate for bringing about increased social security benefits and coverage and is the author of a bill presently pending which will guarantee an annual income for all older Americans.

(Although he comes from a rural State whose largest city has a population of only 37,000 and whose statewide Negro population is less than 600, Senator Prouty strongly believes that the burden of solving the urban crises in the United States must fall on all Americans alike—urban and rural.)

A word of caution

I am releasing this section of the Prouty Survey Report at this time only because I believe it is of special interest in light of the Supplemental Studies for the National Advisory Commission on Civil Disorders which were released July 28th. In September I shall release the complete Prouty Survey Report in accordance with my original plans.

This Special Preliminary Report covers but a limited number of facts and analysis from the Prouty Survey. Following is a list of the parts of the Prouty Survey Report scheduled for September release.

The complete Prouty Survey Report scheduled for release in early September, will consist of the following parts: Part I, Reason for and Methodology Used in the Prouty Survey; part II, Simple Tabulation of Survey Results; part III, Demographic Findings for the Three Areas Surveyed; part IV, Comparison of Selected Life Chance Attitudes Between the Inner City Sample and a Sample Taken in a Small Vermont City; part V, the Attitudes of Inner City Residents; part VI, Problems of City Living Perceived by Inner City Residents; part VII, the Effectiveness of the War on Poverty in the Inner City.

Background

Three things motivated me to undertake this survey:

(1) The general scarcity of accurate facts showing the nature, extent and effects of poverty in this country;

(2) The obvious breakdown of effective communications between citizens and community leaders;

(3) The conviction that it was possible to obtain accurate facts concerning problems felt by citizens in urban as well as rural communities.

The general scarcity of accurate facts concerning the poverty program was apparent to me as ranking minority member of the Subcommittee on Employment, Manpower and Poverty of the Labor and Public Welfare Committee.

The obvious breakdown of effective rational communication between citizens and community leaders was apparent to everyone following the massive civil disorders in major urban centers around the country. An investigation by my staff of a poverty program in Newark, New Jersey, during June and July 1967 reenforced my suspicion of ineffective communication between citizens and community leaders. This suspicion was doubly reenforced when I was in Detroit during the 1967 riot.

Finally, I was convinced that we could obtain better communication through a more accurate knowledge of community needs and attitudes by using the random sample survey technique in a more comprehensive and localized way.

The questionnaire utilized in the survey is divided into a series of questions concerning demographic data, problem information, attitudes and the effectiveness of the existing program. The questionnaire was pre-tested in the Near Northeast section of Washington, D.C. during August 1967.

The survey was conducted during February 1968 in three areas of Washington, D.C. designated as "poverty areas" by the United Planning Organization (the local Community Action Agency). The three areas—Upper Cardozo, Neighborhood Development Center #1 and South East—had a total population of over 100,000 as estimated by the Census Bureau in 1965. All were inner city areas having predominantly Negro populations.

The sample consisted of 426 individuals (142 in each area). It was randomly selected and stratified by sex and age.

Interviewers were young Negro residents of the areas and were trained by the staff of the Training Corporation of America, located in Falls Church, Virginia.

When I release the complete Survey Report in September, I shall describe in greater detail the survey methodology utilized.

This Special Preliminary Report is of particular interest at this time because of the studies released by the National Advisory Commission on Civil Disorders last Sunday.

The report and tables presented herein represent only a small fraction of the data obtained and analyzed in my survey.

Special Preliminary Report

The Prouty Survey Report was to have been released in its entirety early in September. Part IV of the Report was to have dealt with various perceptions of inner city Washington residents, including attitude toward violence and propensity to violence.

In the Draft of the Prouty Report we note that "a majority of the respondents interviewed was not committed to a philosophy of violence, excluded violence as being necessary for change to come about, and generally condemned riots as being bad and as serving no purpose." At the same time, however, we were cognizant of the fact that a sizable minority of our population did not condemn, reject, or exclude riots or violence as a means to achieve change.

Our concern grew after the outbreak of the April riots, but we hesitated to release the results to the questions dealing with riots and violence without in-depth analysis of those results in the context of the Report as a totality. Events, however, have overtaken us. On Sunday, July 26th, the President's National Advisory Council on Civil Disorder released a preliminary report based on surveys undertaken in fifteen cities.

Since the results obtained in the Prouty Survey clearly substantiate the findings of the Advisory Council, we feel that it will be useful at this time to make selected data concerning these issues available to the public in a preliminary form.

We cannot emphasize too strongly that these results are only partial and will be dealt with at greater length and in more depth in subsequent Parts of the Prouty Survey Report.

It should be pointed out that our questionnaire was not exclusively designed for the purpose of measuring perceptions and attitudes of violence among residents of the District of Columbia.

We did, however, pose four questions at various points within the interview which approached the use of rioting from several directions.

Our first question, which focused on Negro leaders, required respondents to select one from among eight prominent Negro personalities listed as "the most effective leader and spokesman for Negroes".* Our purpose in posing this question was to measure the support of prominent Negro personalities among inner city residents of Washington, D.C., and we wished to determine the prevalence of more militant and separatist views. The next two questions (posed at a later point in the interview) were directed toward ascertaining the degree to which residents in inner city areas of Washington, D.C., would advocate the use of rioting as a means of bringing about change. The first of these questions asked respondents to indicate whether or not they considered riots to be a "good", partially good or bad method to utilize in order to achieve change. The second question required a simple yes or no response about whether or not the individual personally felt that rioting was a necessary recourse in order to stimulate change. The first question required approval or disapproval of rioting as a means or method in the abstract while the second sought an indication of whether or not the respondent felt it necessary to actually apply the technique in his own city.

The final question connected with rioting was posed still later in the interview. The respondent was asked to agree or disagree with a statement which read, "Riots have brought about long delayed improvements in the cities where they have occurred." In other words, we hoped to learn whether or not the respondent who advocated violence did so because he perceived certain advantages accruing to those who had already rioted.

The results of these four questions were informative, especially when analyzed and correlated with various socioeconomic variables. Several interesting trends and patterns developed which will be discussed briefly below. These data also pointed up the inadequacy of our questions in some respects and for this reason cannot be viewed as being totally conclusive.

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*NOTE.—This survey was conducted in February 1968 before Rev. Dr. Martin Luther King's tragic death.

For example, it was evident from both coded and uncoded responses that many Negroes did not perceive of "riots" in the same terms as whites. One man objected to our second question by saying "the white man calls them riots." We were aware of the fact that the term "riot" itself had both positive as well as negative connotations for some of our respondents which undoubtedly influenced, if not biased, their responses. We could only note this peripherally, however, without measuring the actual degree of influence of the wording.

A simple tabulation of responses to the four riot-connected questions revealed that while a majority of inner city Washington residents condemned and rejected rioting, a substantial minority ranging from 11% to 23% not only approved of such violent means but advocated the use of rioting as a form of protest. Our interviewing took place in February, 1968 so that we had no means of knowing at that time whether or not those who advocated rioting were themselves potential rioters. The events of April, 1968 would seem to be an indication that some, if not all potential rioters became actual participants in riots.

In considering these findings, then, it is important to note that the numbers of potential rioters in inner city Washington are not minuscule either in percentage points or actual numbers. 11% of over 100,000 residents represents a substantial minority in real numbers. We must thus ask ourselves at what point a minority poses a threat to the stability of an entire community.

Tables 1-4 demonstrate the distribution of responses to the four riot related questions.

While 61% of the populations of the three areas surveyed expressed the opinion that Martin Luther King was the most effective leader and spokesman for the Negro people, over 11% of the respondents preferred a more militant leader. Stokely Carmichael and H. Rap Brown were the two most commonly mentioned in that category.

Question asked: "Who do you feel is the most effective leader and spokesman for Negroes?" (Question 58 on Prouty Survey Questionnaire)

TABLE 1.—TABLE SHOWING WHO RESPONDENTS FELT WAS THE MOST EFFECTIVE LEADER AND SPOKESMAN FOR NEGROES

	Number responding	Percent responding	Percent responding with no answer out
Whitney Young	8	1.88	2.37
Roy Wilkins	22	5.16	6.51
Martin Luther King	260	61.03	76.92
Stokely Carmichael	24	5.63	7.10
Floyd McKissick	2	.47	.59
Rap Brown	18	4.23	5.33
Dick Gregory	3	.70	.89
Mohammed Ali (Cassius Clay)	1	.23	.30
No answer	88	20.66	
Other	0	0	0
Total	426	99.99	100.01

338 people

The second question was structured so as to give respondents an opportunity to approve or condemn the riot as a protest form in part or in entirety. While only 8% of the respondents indicated complete approval of riots, an additional 16% believed that riots were more good than bad. While respondents in this second category admitted that there might be some "bad" things about riots and rioting, there was the clear implication that the good outweighed the bad. When 24% of a population condones such activity and feels that it can be useful, that represents a very substantial minority.

Question asked: "Are riots good, bad or what?" (Asked as the second part of Question 60 on Prouty Survey Questionnaire.)

TABLE 2.—TABLE SHOWING HOW RESPONDENTS FELT CONCERNING THE EFFECT OF RIOTS

	Number responding	Percent responding	Percent responding (no answer out)
Good, only way to get change	34	7.98	8.40
Some good, some bad	67	15.73	16.54
Some good, mostly bad	34	7.98	8.40
Bad, serve no purpose, should not be used	270	63.38	66.67
No response	21	4.93	
Total	426	100	100.01

405 people

When asked in the third question whether or not they felt actual rioting was necessary, 16% of the respondents replied that it was. This represents a decrease from the number of persons indicating approval of riots in the abstract in the previous questions. However, when 16% of a population is willing to state with no qualifications that it is necessary to employ violent means to achieve an end—namely change—that represents a distinct threat to stability. This is especially true when those 16% have tacit approval of an additional 8% of the population.

Question asked: Do you think in general it is necessary to riot in order that things be changed. (Question 60 on questionnaire but coded as Question 73)

TABLE 3.—TABLE SHOWING WHETHER RESPONDENTS THOUGHT IT NECESSARY TO RIOT IN ORDER THAT THINGS BE CHANGED

	Number responding	Percent responding	Percent responding no answer out
Yes	67	15.73	16.38
No	329	77.23	80.44
No answer	17	3.99	
Depends	13	3.05	3.18
Total	446	100.00	100.00

409 people

An extraordinary 48% of the persons interviewed expressed the conviction that riots have had beneficial results in other areas of the country. Only 4% of the respondents "strongly agreed" that riots had brought about improvements in places where they had occurred but 44% agreed with the statement.

Question asked: "Here are some statements about which people feel very differently. Would you tell me whether you strongly agree, agree, disagree or strongly disagree with them." The statement in Question 67 of the Prouty Survey Questionnaire was: "Riots have brought about long delayed improvements in the cities where they have occurred."

TABLE 4.—TABLE SHOWING RESPONDENTS' DEGREE OF AGREEMENT WITH THE STATEMENT: "RIOTS HAVE BROUGHT ABOUT LONG-DELAYED IMPROVEMENTS IN THE CITIES WHERE THEY HAVE OCCURRED"

	Number of respondents	Percent of respondents
Strongly agree	17	3.99
Agree	190	44.60
Neutral	61	14.32
Disagree	113	26.53
Strongly disagree	21	4.93
No answer	24	5.63
Total	426	100.00

These simple tabulations of raw data reveal only that a substantial minority of the sample population demonstrated a propensity to violent actions. They tell us nothing about who these individuals are or suggest factors which have influenced their attitudes.

While correlations between perceptions and attitudes about riots and various socio-economic variables present some interesting patterns and trends, no absolutely clear relationships emerge. An in-depth analysis reveals that a wide range of the other attitudes, experiences and perceptions are associated with the advocacy of violence. Here we will only treat the trends revealed in comparison of riot questions with several of the socio-economic (demographic) variables.

There are definite trends apparent when age is correlated with the riot-related questions although the relationship is rarely statistically significant. This suggests that a combination of variables are related to the attitudes rather than merely one. Tables 5-8 illustrate the relationship of age to each of the four riot questions.

There is a trend for young people to express a preference for more militant leaders and to indicate approval in the use of riots and to believe that riots are necessary for change in larger numbers than would be expected by chance prediction and in proportionately largely numbers than older respondents.

For example, as the age of the respondent increases, so does the probability that he favors a less militant leader than Martin Luther King. Respondents under 24 constituted the largest group (19.74%) favoring more militant leaders, and fewer supported Martin Luther King than was true for those in other age categories.

Question asked: Who do you feel is the most effective leader and spokesman for Negroes. (Question 58 on Prouty Survey Questionnaire)

TABLE 5

	Age					
	16 to 24		25 to 44		45 plus	
	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding
Less militant	6	7.89	13	8.3	13	12.26
Martin Luther King	55	72.37	126	80.77	79	74.53
More militant	15	19.7	17	10.90	14	13.21
Total	76	100.00	156	100.00	106	100.00

Note: p=.30 to .50.

Nearly one half (47%) of the respondents aged 16 to 24 perceived riots as having some useful purpose. 10% believed that there was nothing whatsoever wrong with riots and rioting, 25% stated that the good outweighed the bad, and an additional 12% saw some good (but more bad) in the use of violence. These numbers are greater than chance would predict for each category. Only 53% of the youthful respondents totally condemned rioting as compared with 69% of those in the middle age ranges and 70% in the upper age categories.

Question asked: "Are riots good, bad or what?" (asked as the second part of Question 60 on Prouty Survey Questionnaire)

TABLE 6.—TABLE SHOWING COMPARISON OF ANSWERS BY AGE TO QUESTION: "ARE RIOTS GOOD, BAD, OR WHAT?"

	Age 16-24		Age 25-44		Age 45 plus		Total
	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding	
Good	9	10.11	16	8.65	9	7.44	34
Some good, some bad	22	24.72	26	14.05	19	15.70	67
Some good, mostly bad	11	12.36	15	8.11	8	6.61	34
All bad	47	52.81	128	69.19	85	70.25	260
Total	89	100.00	185	100.00	121	100.00	395

Note: p=0.20.

When questioned about the necessity for actual rioting in order to bring about change, youth under 24 and older respondents over age 60 stated in largest numbers that such action was necessary. Over 20% of the respondents in both of these age categories were willing to state without qualification that rioting was necessary.

Question asked: "Do you think in general it is necessary to riot in order that things be changed?" (Question 60 on Prouty Survey Questionnaire but coded as Q. 73.)

TABLE 7.—TABLE SHOWING COMPARISON OF RESPONSES BY AGE CONCERNING WHETHER IT IS NECESSARY TO RIOT IN ORDER THAT THINGS BE CHANGED

	Age 16 to 24		Age 25 to 44		Age 45 to 59		Age 60 and over	
	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding
Yes	18	21.69	27	15.70	13	13.68	9	23.68
No	65	78.31	153	85.00	82	86.32	29	76.32
Total	83	100.00	180	100.00	95	100.00	38	100.00

Note: p=0.30.

There is what seems at first glance to be a strange reversal when age is correlated with responses to the question which asks about the effect riots have had in other cities. Here it is the youth (and older respondents) who disagree with the thought that riots have been effective in bringing about change.

Less young people than chance would predict agree that riots have resulted in improvements and more are neutral or disagree. Among respondents aged 25–44, many more than chance would predict agree that riots have been beneficial and less disagree. Of those over 45 exactly the reverse is true. This can probably be explained in several ways.

It is likely that the younger more militant respondents are not satisfied with the change which riots have precipitated in cities such as Newark where they have occurred. The change to them was probably too little and too late. Middle age respondents, on the other hand may feel that some beneficial changes have come about even though they may disapprove of riots in principle.

Question asked: Here are some statements about which people feel very differently. Would you tell me whether you strongly agree, agree, disagree or strongly disagree with them. The statement in Question 67 of the Prouty Survey Questionnaire was: "Riots have brought about long delayed improvements in the cities where they have occurred."

TABLE 8.—TABLE SHOWING RESPONDENTS' DEGREE OF AGREEMENT BY AGE WITH THE STATEMENT "RIOTS HAVE BROUGHT ABOUT LONG-DELAYED IMPROVEMENTS IN THE CITIES WHERE THEY HAVE TAKEN PLACE"

	Age					
	16 to 24		25 to 44		45 plus	
	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding
Strongly agree and agree	44	50.27	93	76.86	70	53.44
Neutral	19	21.84	11	9.09	18	13.74
Disagree and strongly disagree	24	27.59	17	14.05	43	32.82
Total	87	100.00	121	100.00	131	100.00

Note: p=0.01.

Level of education attainment is apparently not significantly related to opinions about the value of rioting or the need for rioting in order to bring about change. There is an apparently strong trend, however, for the percentage of respondents favoring Martin Luther King as the most effective Negro leader to decrease as the level of educational attainment increases. 83% of the respondents with under eight years of education favored Dr. King, while only 64% of those with education beyond the high school level preferred Dr. King. Conversely, 20% of the most highly educated preferred more militant leaders while only 8% of the least educated did so.

Question asked: "Who do you feel is the most effective leader and spokesman for Negroes?" plus "How many years of school have you completed?" (Questions 58 and 14 on Prouty Survey Questionnaire)

TABLE 9.—TABLE SHOWING WHO RESPONDENTS FELT WAS THE MOST EFFECTIVE LEADER AND SPOKESMAN FOR NEGROES BY EDUCATION

	Under 8		9 to 12		High school		Post-high school		Total
	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding	
Less militant	4	8.33	7	5.74	11	10.68	10	15.38	32
Martin Luther King	40	83.33	100	81.97	78	75.73	42	64.62	260
More militant	4	8.33	15	12.30	14	13.59	13	20	62
Total	48	99.99	122	100.01	103	100.00	65	100.00	338

Note: p=0.10 to 0.20.

There was no significant difference between respondents on the basis of education when they were asked whether riots were good or necessary. However, when asked to agree or disagree with the statement that "Riots have brought about long delayed improvements . . .", there was a significant relationship between level of educational attainment and type of response. Less education seemed to go with the belief that riots have brought improvements. While 54.55% of those respondents with less than a high school education agreed or strongly agreed that riots had had worthwhile effects, only 39.29% of those who had an education beyond high school felt that way.

Question asked: "Here are some statements about which people feel very differently. Would you tell me whether you strongly agree, agree, disagree or strongly disagree with them." The statement in Question 67 of the Prouty Survey Questionnaire was: "Riots have brought about long delayed improvements in the cities where they have occurred."

TABLE 10.—TABLE SHOWING RESPONDENTS' DEGREE OF AGREEMENT BY EDUCATION WITH THE STATEMENT: "RIOTS HAVE BROUGHT ABOUT LONG DELAYED IMPROVEMENTS IN THE CITIES WHERE THEY HAVE OCCURRED"

	Education less than high school		Education high school		Education high school plus	
	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding
Strongly agree	11	5.56	5	4.24	1	1.19
Agree	97	48.99	60	50.85	32	38.10
Neutral	27	13.64	19	16.10	14	16.67
Disagree	57	28.79	29	21.19	31	36.90
Strongly disagree	6	3.03	9	7.63	6	7.14
Total	198	100.01	118	100.01	84	100.00

Note: p = −0.025.

In order to measure the effects of poverty and low income upon the attitudes and perceptions of the poor, we isolated from the total sample 68 respondents who were definitely living in abject poverty. Tables 11-14 demonstrate the distribution of responses of these poor respondents to the four riot related questions.

The poor respondents do not appear to be much more militant in philosophy or inclined to favor violence as a means of bringing about change than the total sample population. Slightly fewer poor respondents favor Martin Luther King and slightly more indicate preference for the more militant leaders.

Question asked: "Who do you feel is the most effective leader and spokesman for Negroes?" (Question 58 on Prouty Survey Questionnaire.)

TABLE 11.—TABLE SHOWING THE PREFERENCE FOR NEGRO LEADERS AMONG THE POOR

	Number responding	Percent responding
Whitney Young	1	1.47
Roy Wilkins	4	5.88
Martin Luther King	37	54.41
Stokely Carmichael	4	5.88
Rap Brown	3	4.41
Dick Gregory	2	2.94
No answer	17	25
Total	68	99.99

This trend holds for the remaining questions with the exception of the last. Slightly fewer of the hard core poor feel that riots have resulted in actual improvements than is true for the sample as a whole.

Question asked: "Do you think in general it is necessary to riot in order that things be changed?" (Question 60 on Prouty Survey Questionnaire but coded as Q. 73)

TABLE 12.—TABLE SHOWING THE RESPONSES OF THE POOR TO THE QUESTION "DO YOU THINK IN GENERAL IT IS NECESSARY TO RIOT IN ORDER THAT THINGS BE CHANGED?"

	Number responding	Percent responding
Yes	11	16.18
No	54	79.41
No answer	3	4.41
Depends	0	0.00
Total	68	100.00

Question asked: "Are riots good, bad or what? (Asked as the second part of Question 60 on Prouty Survey Questionnaire.)

TABLE 13.—TABLE SHOWING HOW POOR RESPONDENTS FELT CONCERNING THE EFFECT OF RIOTS

	Number responding	Percent responding
Good	5	7.35
Some good	11	16.18
Some good, mostly bad	4	5.88
Bad	46	67.65
No response	2	2.94
Total	68	100.00

Question asked: "Here are some statements about which people feel very differently. Would you tell me whether you strongly agree, agree, disagree or strongly disagree with them." The statement in Question 67 of the Prouty Survey Questionnaire was: "Riots have brought about long delayed improvements in the cities where they have occurred."

TABLE 14.—TABLE SHOWING POOR RESPONDENTS' DEGREE OF AGREEMENT WITH THE STATEMENT: "RIOTS HAVE BROUGHT ABOUT LONG DELAYED IMPROVEMENTS IN THE CITIES WHERE THEY HAVE OCCURRED"

	Number responding	Percent responding
Strongly agree	4	5.88
Agree	28	41.18
Neutral	8	11.76
Disagree or strongly disagree	19	27.94
No answer	9	13.24
Total	68	100.00

Actual personal income level was also correlated with responses to the riot related questions.

There were no significant trends in comparisons made between income and opinions about whether riots were bad in principle or whether there had been changes for the better as a result of riots. However, there were notable differences between income groups concerning the question, "Is it necessary to riot in order to get change?"

When only those respondents who are working and who respond to the question in yes or no form are considered, there are the following significant variations from chance.

Those respondents with incomes under $3,000 were much more likely than chance would predict to answer negatively. There is a small reversal above the $6,000 income level with those making over $6,000 slightly more likely to say, "yes, riots are necessary."

Questions asked: "Do you think in general it is necessary to riot in order that things be changed?" plus "How much do you make on the average?" (Question 30 on Prouty Survey Questionnaire).

TABLE 15.—TABLE SHOWING COMPARISON OF RESPONSES BY INCOME CONCERNING WHETHER IT IS NECESSARY TO RIOT IN ORDER THAT THINGS BE CHANGED

	Working but under $3,000		$3,000 to $4,500		$4,500 to $6,000		$6,000 plus	
	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding
Yes	14	29.17	9	15.79	3	4.62	12	20
No	34	70.83	48	84.21	62	95.38	48	80
Total	48	100.00	57	100.00	65	100.00	60	100

Note: p = +0.005. 230 people.

At first glance it seems incorrect and unreasonable that lower income respondents would favor riots as a means of change. We saw previously that only 11% of the hard core poor favored the use of riots in order to bring about change.

In attempting to understand why those making under $3,000 and working tend to favor riots as a strategy for change it will perhaps be helpful to reiterate several previous findings. We noted that youths under age 24 were more likely than chance would dictate to be tolerant of riots. According to our demographic findings young people are more likely to earn less money than older respondents. Therefore, it is reasonable to assume that many of the lower income respondents are either militant students or young people, earning small amounts of money.

The reversal of opinion which occurs above the income level of $6,000 is also understandable in the light of other findings of the Prouty Survey. The correlation between level of educational attainment and the present "riot" question under consideration was not printed because it was not significant statistically *in toto*. However, the same reversal of opinion occurs among those respondents who have attended college. A majority of highly educated respondents do not favor the use of riots. However, slightly more than would be predictable by chance agree that riots are necessary, while fewer respond negatively.

It is probably reasonable to assume that some of the respondents having higher incomes are among the better educated, more successful respondents who are "arm chair" militants.

The same pattern is apparent when responses to the question asking preference of Negro leaders are correlated with income level. There is again a trend among lower income respondents to prefer more militant leaders.

Question asked: "Who do you feel is the most effective leader and spokesman for Negroes?" (Question 58 on Prouty Survey Questionnaire)

TABLE 16.—TABLE SHOWING WHO RESPONDENTS (BY PERSONAL INCOME) FELT WAS THE MOST EFFECTIVE LEADER AND SPOKESMAN FOR NEGROES

	Under $4,500		Over $4,500	
	Number responding	Percent responding	Number responding	Percent responding
Less militant	8	8.51	11	10.09
Martin Luther King	67	71.28	85	77.98
More militant	19	20.21	13	11.93
Total	94	100.00	109	100.00

Note: p=0.20 to 0.30. 203 people.

Race is one other important variable to be considered. Several facts about composition of our sample should be noted, however, before the relationship of race to attitudes about riots is discussed.

First, we must bear in mind that in absolute numbers our sample of white respondents (59) is small compared to the number of Negroes interviewed (367).

Second, the white respondents are only representative of the whites living in the three areas of the inner city where the interviewing took place. They are not necessarily representative of the whites living throughout the greater Washington area or in the nation as a whole.

There are some differences between Negro and white respondents with regards to attitudes about perception of riots. Negroes in larger numbers than whites believe that riots are both good and necessary. They do not see changes in other cities as having resulted from riots to the extent that whites do.

Whites were considerably more reluctant than Negroes to express their preference of Negro leaders. 38% refused to answer. Of those who did, 63.9% expressed a preference for Martin Luther King with 19.44% (only 7 persons) feeling that a more militant leader was the best spokesman for Negroes. 78.5% of the Negroes responding to the question felt that Martin Luther King was the most effective Negro, while 14.6% (or 44 persons) preferred a more militant leader.

Question asked: Who do you feel is the most effective leader and spokesman for Negroes. (Question 58 on Prouty Survey Questionnaire)

TABLE 17.—TABLE SHOWING THE PREFERENCE OF NEGRO LEADERS AMONG WHITE AND NEGROES

	White		Negro	
	Number responding	Percent responding	Number responding	Percent responding
Whitney Young	2	3.39	6	1.63
Roy Wilkins	4	6.78	18	4.90
Martin Luther King	23	38.98	237	64.58
Stokely Carmichael	5	8.47	19	5.18
Floyd McKissick	0	0	2	.54
Rap Brown	2	3.39	16	4.36
Dick Gregory	0	0	3	.82
Cassius Clay	0	0	1	.27
No answer	23	38.98	65	17.71
Totals	59	99.99	367	99.99

Approximately the same percentage of both groups (11%) favored more militant spokesmen.

Almost twice as many Negroes as whites believed that there was more good to be had in rioting than bad. 15% of the white respondents felt this way compared to 23% of the Negroes.

Question asked: "Are riots good, bad or what?" (asked as the second part of Question 60 on Prouty Survey Questionnaire).

TABLE 18.—COMPARISON OF NEGRO AND WHITE ANSWERS TO QUESTION, "ARE RIOTS GOOD, BAD, OR WHAT?"

	White		Negro	
	Number responding	Percent responding	Number responding	Percent responding
Good, only way to get change	3	5.08	31	8.45
Some good, some bad	6	10.17	61	16.62
Some good, mostly bad	6	10.17	28	7.63
Bad	40	67.80	230	62.67
No response	4	6.78	17	4.63
Total	59	100.00	367	100.00

When asked whether or not it was actually necessary to riot, however, only 8% of the white respondents answered affirmatively while 17% of the Negro respondents did so.

Question asked: "Do you think in general it is necessary to riot in order that things be changed?" (question 60 on Prouty Survey Questionnaire but coded as Q. 73)

TABLE 19.—COMPARISON OF RESPONSES FROM WHITES AND NEGROES CONCERNING WHETHER IT IS NECESSARY TO RIOT IN ORDER THAT THINGS BE CHANGED

	White		Negro	
	Number responding	Percent responding	Number responding	Percent responding
Yes	5	8.47	62	16.89
No	47	79.66	282	76.84
No answer	0	0	17	4.63
Depends	7	11.87	6	1.63
Total	59	100.00	367	99.99

Note: p=between 0.10 and 0.20; df=2.

Finally, when asked to accept or reject the hypothesis that riots had brought about substantial change for the better in other cities, whites were much more likely to agree than Negroes. 85% of the whites thought that the riots had resulted in change while only 60% of the Negroes interviewed felt this way. In addition a large (25%) number of the Negro respondents strongly rejected the idea that improvements had come about.

Question asked: "Here are some statements about which people feel very differently. Would you tell me whether you strongly agree, agree, disagree or strongly disagree with them." The statement in Question 67 of the Prouty Survey Questionnaire was: "Riots have brought about long delayed improvements in the cities where they have occurred."

TABLE 20.—TABLE SHOWING NEGRO AND WHITE DEGREE OF AGREEMENT WITH THE STATEMENT: "RIOTS HAVE BROUGHT ABOUT LONG-DELAYED IMPROVEMENTS IN THE CITIES WHERE THEY HAVE TAKEN PLACE"

	White		Negro	
	Number responding	Percent responding	Number responding	Percent responding
Strongly agree	0	0	17	4.63
Agree or neutral	50	84.74	201	54.77
Disagree	6	10.17	107	29.16
Strongly disagree	0	0	21	5.72
No answer	3	5.08	21	5.72
Totals	59	99.99	367	100.00

When responses to the various riot questions are compared, some extremely interesting and significant relationships emerge.

The first comparison, between the two questions asking opinions about the riot as a means of violence and that which asks whether or not it is necessary to resort to the method, substantiates what we might suspect. Those who believe that there is more good than bad in the method of rioting are much more likely than chance would predict to recommend a resort to violence ($p = .001 r = .23$) 78% of those respondents who believe that riots are "good" believe that they are necessary. There is a linear relationship between the two variables.

Question 60 of the Prouty Survey Questionnaire: "Do you think in general that it is necessary to riot in order that things be changed?"

Question 73 of the Prouty Survey Questionnaire: "Do you think it is necessary to riot in order that things be changed?"

TABLE 21.—COMPARISON OF RESPONSES TO 2 QUESTIONS ASKING WHETHER RIOTS ARE GOOD OR BAD AND WHETHER OR NOT THEY ARE NECESSARY IN ORDER TO BRING ABOUT CHANGE

	Good		Riots are (good or bad)—				Bad		Total	
			Some good		Mostly bad					
	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding
Are riots necessary to bring about change?										
Yes	25	78.12	27	45.76	4	12.90	9	3.43	65	16.92
No	7	21.87	32	54.23	27	87.09	253	96.56	319	83.07
Total	32	99.99	59	99.99	31	99.99	262	99.99	384	99.99

Note: p=0.001: r=0.23.

The second finding revealed in these cross-correlations is that for a number of the most militantly oriented respondents, riots are not viewed as a means of implementing change or improving society, but as destroying it.

Table 22 compares the responses to the question which indicated preference of Negro leader with perception of the results of rioting. It is quite apparent that a number of those who disagree with the fact that riots have indeed been a catalytic agent of change in the cities where they have occurred are those who are more militant in their philosophical outlook. 52% of those respondents who favored leaders more militant than Martin Luther King believe that riots did not cause changes to occur. For these militants violence may be no longer visualized as a means for bringing about change, but only as a mechanism by which to destroy society in retribution for its abuses.

Question 58 of Prouty Survey Questionnaire: "Who do you feel is the most effective leader and spokesman for Negroes?"

Question 67 of Prouty Survey Questionnaire: "Riots have brought about long delayed improvements in the cities where they have occurred."

TABLE 22.—COMPARISON OF RESPONSES TO PREFERENCE FOR NEGRO LEADER AND THE STATEMENT "RIOTS HAVE BROUGHT ABOUT LONG-DELAYED CHANGES IN PLACES WHERE THEY HAVE OCCURRED"

	Preferred Negro leader							
	Less militant		Martin Luther King		Militant		Total	
	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding
Riots have brought about long-delayed changes?								
Agree and strongly agree	14	46.66	135	53.78	16	38.09	165	52.08
Neutral	9	30.00	34	13.54	4	9.52	47	14.55
Disagree and strongly disagree	7	23.33	82	32.66	22	52.38	111	34.36
Total	30	99.99	251	99.98	42	99.99	323	99.99

Note: p=—.01.

In Table 23, which correlates leader preference with a question designed to measure the degree to which a person feels he can succeed through his own efforts, there is yet another indication that the most militant respondents have given up attempting to effect change and have probably opted instead to destroy.

27% of the more philosophically militant respondents did not believe that they could succeed in life through their own efforts.

Questions asked: "Who do you feel is the most effective leader and spokesman for Negroes?" and "Here are some statements about which people feel very differently. Would you tell me whether you strongly agree, agree, disagree or strongly disagree with them. Statement: You can get almost anything you want if you just try hard enough." (Questions 58 and 63 on Prouty Survey Questionnaire)

TABLE 23.—TABLE SHOWING COMPARISON OF RESPONSES TO PREFERENCE FOR NEGRO LEADER AND STATEMENT THAT "YOU CAN GET ALMOST ANYTHING YOU WANT"

	Less militant		Martin Luther King		More militant		Total	
You can get almost anything you want	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding
Strongly agree	1	3.12	26	10.11	9	20.45	36	10.81
Agree	26	81.25	190	73.92	23	52.27	239	71.77
Neutral, disagree, and strongly disagree	5	15.62	41	15.95	12	27.27	58	17.41
Total	32	99.99	257	99.98	44	99.99	333	99.99

Note: p=—.02.

Table 25 compares perception of the efficacy of riots with the question which asks whether riots should in fact be utilized. Here again there is evidence that a militant minority recommends the use of violence even though such action accomplishes nothing.

Question 67 of Prouty Survey Questionnaire: "Riots have brought about long delayed improvements in the cities where they have occurred."

Question 73 of Prouty Survey Questionnaire: "Do you think it is necessary to riot in order that things be changed?"

TABLE 24.—COMPARISON OF RESPONSES TO 2 QUESTIONS ASKING WHETHER RIOTS ARE NECESSARY FOR CHANGE AND WHETHER THEY HAVE BROUGHT ABOUT IMPROVEMENTS IN PLACE WHERE THEY HAVE OCCURRED

	Riots have brought about improvements									
	Strongly agree		Agree		Neutral		Disagree		Strongly disagree	
	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding	Number responding	Percent responding
Are riots necessary for change?										
Yes	4	23.53	25	14.37	9	15.25	20	18.69	6	33.33
No	13	76.47	149	85.63	50	84.75	87	81.31	12	66.67
Total	17	100.00	174	100.00	59	100.00	107	100.00	18	100.00

Note: p=.20 to 30.

PART VI. PROBLEMS AS PERCEIVED BY INNER CITY RESIDENTS

In Part V, many of the questions dealing with the city problems were discussed under the headings of "Specific Environmental Attitudes" and "Change of Attitude Over Time." This was done since the way an individual views such things as housing conditions in the community, the facility with which he can secure a job, and the manner in which the schools are run reflect his attitude toward the environment in which he lives. By expressing his approval or disapproval of services provided by the city in which he lives, he tells us about himself. Previously we were interested in the attitudes of the respondents interviewed and an attempt was made to ascertain what influenced those attitudes.

This Part, which deals exclusively with city problems is a logical extension of Part V. In Section A the general problem areas, covered previously with more emphasis on the problem than on the attitude of the person interviewed will be reviewed. Data gathered from several questions not yet discussed will be analyzed.

Unfortunately, some of the data which could have logically been discussed in this part were not coded. Eventually, we will tabulate the uncoded responses written on the questionnaires and issue a supplementary report.[7]

In Section B the meaning of respondent's opinions about city problems will be assessed. One of the main purposes of this survey was to demonstrate that a city government can utilize a random sample survey to communicate with the residents of that city. Through statistical tests and analysis of the responses and communications of the respondents interviewed, we will attempt to assess the meaning of the facts gathered and to put them into perspective.

Q. 43: What Neighborhood Problems other than those which we have already discussed does this neighborhood have that something should be done about?

(Coded as—mentioned or did not mention a problem.)

Q. : If you think there is a lot of police brutality in Washington, tell what kind. Why do you feel the way you do about the police?

(Untabulated.)

Q. 71: If you feel that the schools your children go to (or in your neighborhood) are less than very good, why do you feel that way?

(Coded as—mentioned or did not mention a problem.)

Q. 70: What are you doing about your problem with housing?

(Coded as—no problem; problem but not doing anything; problem, doing something.)

Q. 56: Do you have or take any of the following? Daily Newspaper, T.V., Radio, Weekly Newspaper, Weekly Magazine, car, or telephone?

(Coded for number of items.)

A. Major inner city problems

Respondents were asked questions covering six possible problem areas: housing conditions, schools, police-community relations, jobs, trash collection, and quality of merchandise in grocery stores.

In addition, we asked all respondents to say which of all the problems we had discussed during the course of the interview they felt to be the most severe. As might have been expected from the results of the summer in Near Northeast, housing was the largest single problem cited by the sample as a whole. The next two largest problem areas were police and crime and city services. The problems are listed in the following table.

WORST PROBLEMS

Problems	Number of respondents	Percent of respondents
1. Housing	86	20.1
2. City services	83	19.4
3. Police and crime	81	19.0
4. Stores	42	9.8
5. Schools	34	7.99
6. Jobs	22	5.16
7. Other	30	7.04
No response	48	11.27
Total	426	100.00

There were significant differences between residents of the three neighborhoods surveyed to the worst problem as conceived by residents of those areas. As can be noted in Table 258 the people of Southeast area are most likely than chance to feel that housing is the worse problem and were less likely to feel that crime was a severe problem. Nearly 27% indicated that housing was the most severe problem.

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[7] There were six questions dealing with city problems which did not have exact responses tabulated. They were:

TABLE 258

Biggest Problem in Neighborhood by Area

Area	Jobs		Schools		Housing		Stores		Services		Police		Crime		Other		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	3	2.46	12	9.84	31	25.41	15	12.30	27	22.13	8	6.56	10	8.20	16	13.11	122	100.01
Cardozo	12	9.52	8	6.35	20	15.88	10	7.94	32	25.40	20	15.88	16	12.70	8	6.35	126	100.02
Southeast	7	5.38	14	10.77	35	26.92	17	13.08	24	18.46	20	15.38	7	5.38	6	4.62	130	99.99
Total	22	5.82	34	8.99	86	22.75	42	11.11	83	21.96	48	12.70	33	8.73	30	7.94	378	100.00

Note: p=+.01.

A large number of the residents of NDC #1—25%—also thought housing was the most severe problem. In addition, NDC #1 residents were more likely than chance would predict not to list a problem, less likely than chance would predict too believe police were a difficulty.

Respondents in Cardozo felt that city services was the area in which the most crucial problems were. 25% of the upper Cardozo residents listed this as the most severe difficulty. In addition, people of this area were more likely to list jobs or police as a bad problem and less likely than chance would predict to say housing or stores.

1. Housing

Since the results of the survey in Near Northeast indicated that respondents considered housing to be the worst problem in their neighborhood, the questionnaire for use in NDC #1, Southeast, and Cardozo, contained several questions concerning the housing situation.

As was noted, housing was cited most often as the severest problem by inner city residents interviewed.

Respondents in all three areas indicated a degree of concern about housing facilities. The vast majority of all respondents would prefer to own a home rather than live in a rented dwelling as most do presently.

45% of all respondents had a major complaint about their present housing. The fewest number of complaints about housing were given by Upper Cardozo residents—of whom 37% reported a serious problem with housing. 46% of the residents of NDC #1 reported a serious problem. A majority of all respondents in Southeast, however, 54%, reported a serious problem with housing. There are a large number of public housing projects in Southeast.

The largest single defect reported among residents with a complaint was overall dilapidation of housing. The next two biggest problems were those of sanitation and general condition of the neighborhood. Table 259 illustrates the distribution.

TABLE 259

What is the biggest problem you have with your housing right now?

	Number of respondents	Percent of respondents
House falling down, dilapidated	50	25.91
Poor plumbing	11	5.70
Rent too high	20	10.36
Noisy, crowded neighborhood	29	15.03
Landlord won't fix place up	21	10.88
Cannot get into public housing	1	.32
Sanitation	29	15.03
Rats	16	8.29
Inspection not strict enough	1	.52
Other	15	7.77
Total	193	100.01

By area, there were significant variations in the housing problem considered to be the worst. General dilapidation was cited by residents of Southeast as being the most severe problem by 34% of the respondents noting a problem. NDC #1 residents also cited dilapidation as the major problem (31%). In Cardozo, however, residents cited rats and sanitation as the worst problems. (28% of the respondents there gave that answer.) A majority of inner city residents interviewed felt that housing problems are either worsening or remaining the same in the District rather than improving. Table 260 indicates this. This marked pessimism in addition to the concern voiced by residents about housing conditions, underscores the necessity for making housing a top priority item in the District.

TABLE 260

Do you think housing in this city has improved or gotten worse in the last couple of years?

	Number or respondents	Percent of respondents
Much worse	15	3.52
Worse	117	27.46
Same	73	17.14
Better	151	35.45
Much better	26	6.10
No answer	44	10.33
Total	426	100.00

2. Police and Crime

In Part V, we have discussed in some detail the responses of the sample population to the two questions concerning the existence of police brutality and the job done by Washington, D.C. police. It was noted in the sample as a whole nearly 60% of the respondents felt that there was "some" or "a little" police brutality, and that over 66% felt that the police did a "fair" or "okay" job in their work. In addition, it was demonstrated that Negroes and younger respondents tended to feel that there was more evidence of police brutality and tended to rate the police less favorably in performance than white or older respondents.

Finally, it was shown that residents of the three areas surveyed differed in their views about police brutality and performance. Southeast residents were the least likely to believe in the existence of police brutality while respondents in NDC #1 were most likely to state that there was some. Residents of Southeast were also more likely to feel that the police did excellent or fair work than respondents in the other areas.

Unfortunately, we do not have a complete tabulation for the other two questions asked respondents. Each was a follow-up to the two coded questions. Those individuals who believed that there was some police brutality were asked why they thought this was so. And, after rating the performance of the police, respondents were asked why they felt the way they did.

As the questionnaires were completed during the first week of surveying in Southeast, Washington, a hand tabulation was kept of responses to both of the follow-up questions. Since responses to both questions were added together, the total percentage is more than 100%. The results are as follows:

27.1% felt that police protection was inadequate because there were not enough policemen.

33.3% felt that police did not adequately or quickly respond to calls for help.

22% of the respondents indicated that there was inadequate police protection because crime was so widespread.

Over 80% of the individuals responding felt that there was *not enough* police protection. They felt that this was so because of a shortage of policemen and an increasing crime rate. Others were critical of the response of the police without indicating why the protection was inadequate. Apparently, however, most of these Southeast respondents feel that more rather than less police protection is needed.

Almost equal number of respondents had criticism as had praise for the police. 25% indicated that there was altogether too much police brutality. 6% specifically stated that the police in Southeast treated Negroes more unfairly than they would whites.

On the other hand, 27% praised the police for doing well, "considering what they are up against." And 6% thought that more police brutality was needed to prevent crime.

Criticism of the police in Southeast was for one of two reasons—due to alleged brutality or more commonly, because of the inadequacy of their service. It should be noted that brutality figures less prominently in responses than the need for greater numbers of policemen, more prompt responses to calls, and more visibility in the streets. Since no questions were asked concerning who should control the police, we have no information on this matter.

A sampling of some of the other remarks made to the supplementary questions yields some other interesting information. A number of respondents for example, believed that there was a lot of police brutality "from what I read in the newspapers."

Younger respondents seemed to feel that they were particularly being victimized by police. One respondent accused police of "unmerciful killing of unarmed teenagers." It should be noted, however, that a common comment of older respondents was that teenagers without respect for policemen precipitated violence. One man said that the police were afraid of teenagers.

A number of individuals complained about police apathy and voiced the need for better "community relations." No one, however, suggested how improvements in community relations might come about.

3. City Services

Although this figured largely in people's responses as a crucial problem, there was only one question concerning a specific "city service." Most individuals who cited city services as a problem meant trash collection and the concomitant rat and vermin troubles.

In the sample as a whole, nearly 34% of the respondents felt that there was a definite problem because of insufficient trash collection in their neighborhoods. Residents of NDC #1 and Southeast were most likely to feel that this was a problem.

4. Stores

Only one question concerning stores was included in the questionnaire. At the time that the interviewing took place, there was a good deal of discussion about the high prices of groceries in inner city areas. Only one question dealt with this problem, and it did not touch on credit problems or other types of merchandise.

Nearly 44% of the respondents felt that prices of groceries were definitely too high in their neighborhood stores. Of these, 28.6% felt that the quality of the goods was "good" or "fair" even if prices were high. 15%, however, felt that the quality of the overpriced merchandise was poor.

Only 13% thought that groceries sold in their neighborhood stores rated "good" as to both quality and price. 37% thought merchandise should be rated as "fair" on both counts.

Of the three areas, NDC #1 residents were most likely to rate both prices and quality of groceries as poor. Southeast residents were next, with respondents living in Cardozo apparently most satisfied.

5. Schools

Respondents were asked to rate the quality of the schools in their neighborhood or that their children went to and to describe the faults of that school. Few individuals as rated in Part V, could cite a specific problem with the schools.

A number of respondents declined to comment about the schools on the ground that they had had no children and/or experience with the schools. Of those 304 individuals who did rate the quality of the District schools, however, nearly a majority thought that they could be termed as "average." Over 21% thought that they were poor or terrible in performance. Table 261 demonstrates this.

TABLE 261

Do you think that the schools are very good, good, fair, poor, or terrible?

	Number of respondents	Percent of respondents
Very good	25	8.22
Good	87	28.62
Average	128	42.11
Poor	49	16.12
Terrible	15	4.93
Total	304	100.00

The response varied somewhat by area. Respondents in Southeast were much more likely to rate the schools in their area as "very good" compared to 6% in NDC #1 and Cardozo. Nearly 27% of the respondents in NDC #1 rated their schools as "poor" or "terrible" compared to 19% in Cardozo and 16% in Southeast. Most, in all three areas, however, fell in the category of "average." Table 262 indicates the distribution.

TABLE 262.—QUALITY OF SCHOOLS BY AREA

Area	Quality of schools											
	Very good		Good		Average		Poor		Terrible		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	6	5.94	31	30.69	36	35.64	22	21.78	6	5.94	101	99.99
Cardoza	6	6.19	30	30.93	42	43.30	14	14.43	5	5.15	97	100.00
Southeast	13	12.26	26	24.53	50	47.17	13	12.26	4	3.77	106	99.99

6. Jobs

Respondents were asked one (tabulated) question which dealt with the problem of finding jobs. They were asked to assess their chances of finding a job now as compared to a year or so ago. In other words, we hoped to discover whether or not the inner city residents thought it more difficult now than in the past to find a job.

Surprisingly, a large majority of respondents (68%) felt that job chances were improving. An additional 3% felt that opportunities for finding jobs were much better.

There was some variance according to area. NDC #1 residents were the most likely to be pessimistic—19% thought job opportunities worse and 9% thought them unchanging.

7. Other

Respondents' listings of "other" problems have not been tabulated.

There was one other question designed to reveal information about "problems." The question, "Do you often leave your neighborhood?" was designed to give some information about inner city mobility and to perhaps elicit some comments about transportation problems. Poverty officials in Southeast had been particularly concerned about lack of transportation to other areas.

The great majority—nearly 80% of respondents indicated that they often left their neighborhoods. Table 263 illustrates this. There was some variation by area, however. More residents of Southeast than in the other areas indicated that they rarely left that area. One reason for this may indeed be bad transportation, but this cannot be disclosed from the data. Table 264 demonstrates the breakdown by area.

TABLE 263

Do you leave your neighborhood often?

	Number of respondents	Percent of respondents
Yes	337	79.11
No	82	19.25
No answer	7	1.64
Total	426	100.00

TABLE 264

Responses by area to question: Do you leave your neighborhood often?

Area	Response					
	Yes		No		Total	
	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	111	80.43	27	19.57	138	100
Cardozo	117	83.57	23	16.43	140	100
Southeast	109	77.30	32	22.70	141	100

B. Attitudes of Inner City Residents Concerning City Problems

In Section A of this part some of the things considered by the residents of Upper Cardozo, NDC #1, and Southeast to be problems of varying degrees of severity were discussed. Previously, these problems which residents face as a part of city living were discussed as we considered people's attitudes towards their environment. It was cited in Section A that the respondents *in toto* considered housing to be the most severe problem. And, we noted the general rundown and dilapidated condition of inner city dwelling units which disturbed the occupants. Moreover, the condition of these dwellings and of the housing situation in general was perceived by a large majority to be remaining the same or worsening rather than improving.

We have stressed throughout this Survey Report the importance of a random sample survey in providing essential information about the condition of city life, the desires, and feelings of the residents of a city to those who have the responsibility of governing that city. A survey can serve as a channel of communication between the ordinary citizen-resident and the governing official.

Straight demographic data or lists of problems, however, may be of limited usefulness. Unanalyzed data may give an incorrect impression. Straight facts can often be interpreted in different ways. The finding that the largest single group of respondents interviewed believe housing to be the most crucial problem facing the District of Columbia is, by itself, of limited use. Officials should note that although the largest single group of respondents is worried about housing, this group consists of only 20% of the sample population. Eighty percent of the respondents feel strongly that improvements are needed in other areas besides housing.

This statistic suggests what urbanologists have suspected—that there is no quick and easy way to satisfy frustrated inner city residents. Correction of one of the multiple problems of the inner cities will change neither the attitudes of the residents or the face of the city overnight. The war against poverty must consist of attacks on many fronts at once.

The official, given lists of problems in their perceived order of priority, compiled after an accurate random sampling of public opinion has been made, then, still does not have all of the information that he needs.

Told that housing is the most severe problem in the city, an official should ask some of the following questions to which mere tabulation of the survey results will not supply the answers:

Will frustrations and tensions in the city be lessened if a massive effort is made to improve housing conditions?

Can this city safely spend 80% of its budget to improve one problem without alienating some of the residents?

Does the discontent in this city have its origin in dissatisfaction with present efforts to improve the city?

If a great improvement in housing comes to pass, will residents be convinced that all of their problems will soon be solved?

If a person is a potental rioter, will helping him with his most severe difficulties make him less militant?

Further analysis of the data could provide him with information which will help him to understand *why* people feel the way they do and *how* they will react to actions taken by governing officials to bring about change.

1. Conclusions About the Findings

After doing additional statistical tests on the data gathered, we have found some extremely interesting patterns and trends which make the findings of this Part and the previous Part more meaningful.

In general, the major finding was as follows. In Parts IV and V, the high level of optimism towards life in general among inner city residents was noted. The Prouty Survey released in July, made it clear, however, that a large minority of these same residents were ready to condone violence and rioting as a means of effecting change. Since the respondents were optimistic about their life chances, it must be assumed that they are pessimistic and unhappy to some extent about their specific environmental conditions. A large minority of respondents cited severe problems in several areas.

On the surface, it would seem that the frustration respondents feel about the conditions of their housing, lack of job opportunities, poor schools, inefficient provision of city services, and rising crime does not affect their general life attitudes. When cross correlations between environmental problem variables and general life attitudes are made, it can statistically be demonstrated that the two *are not* related.

In other words, general optimistic feelings about the direction life will take are not related in any statistically measurable way to responses to questions about job opportunities, housing, and schools. Whether or not a person is unemployed, for example, is not significantly related to whether or not he believes that job opportunities are better or worse than they used to be. Or, if a person believes that housing conditions have improved, we could not predict that the War on Poverty has been a success.

This is an important finding. Lack of predictive power between such items indicates several things. If real experience is not related to opinion about problems, then an improvement in, for example, housing conditions will not necessarily convince inner residents that the housing problem in particular or the urban renewal effort in general is a success. In one sense then, the lack of predictive power could be indicative of the existence of a sense of hopelessness about the prospects for change in the environment of the inner city.

Mere infusion of dollars or massive efforts on one or two problem fronts will not alleviate the frustrations, cause the dissolution of militant activist groups or convince people overnight that the city will be renovated. The sense of hopelessness about environmental conditions has evolved for a complex number of reasons and can only be alleviated over a period of time after complex and substantial change in various areas. We are dealing with pathological complexities.

In another sense, however, we can take hope from the fact that specific environmental problems are not related in a causal fashion to general life attitudes. Despite the fact that environmental living conditions have worsened in the city of Washington and may continue to worsen before they are improved, the residents have not lost their belief in the American ideals—that life can be better and that individual efforts will be rewarded. The inner city resident may feel that the conditions which surround him are hopelessly bad, but he personally feels that there can be a better life if he tries hard enough.

2. Examples of the Findings

The first finding noted above was that actual life experience was not often significantly related to attitudes about life chances or to feelings about the possibility or actuality of change.

Question 32 which asked the respondent to assess his chances of getting a job now as compared to a year or so ago was correlated with Question 33 which required the respondent to indicate his past employment history. Three tests were performed to see if there was any relationship between any previous unemployment and opinion about job opportunities; frequency of part unemployment and opinion about job opportunity; and duration of past unemployment and opinion about job opportunities. None of the above was related in any statistically measurable way to Question 32. (p=respectively .30 to .50, .20 to .30, and .30 to .50.) Tables 265 through 267 demonstrate the distributions.

TABLE 265.—RELATIONSHIP OF OPINION ABOUT JOB OPPORTUNITIES TO EMPLOYMENT HISTORY

Previous unemployment	Job chances							
	Much better		Better		Same		Worse and much worse	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
No	9	64.29	164	57.54	16	48.48	29	49.15
Yes	5	35.71	121	42.46	17	51.52	30	50.85
Total	14	100.00	285	100.00	33	100.00	59	100.00

Note: $T=391$; $p=0.30$ to 0.50.

TABLE 266.—RELATIONSHIP OF OPINION ABOUT JOB OPPORTUNITIES TO FREQUENCY OF PAST UNEMPLOYMENT

Frequency of unemployment	Job chances					
	Much better and better		Same		Worse and much worse	
	Number	Percent	Number	Percent	Number	Percent
Never	173	57.86	16	48.48	29	49.15
Once	43	14.38	8	24.24	7	11.86
More than once	83	27.76	9	27.27	23	38.98
Total	299	100.00	33	99.99	59	99.99

Note: $p=0.20$ to 0.30.

TABLE 267.—RELATIONSHIP OF OPINION ABOUT JOB OPPORTUNITIES TO LENGTH OF TIME UNEMPLOYED

Frequency of unemployment	Job chances					
	Much better and better		Same		Worse and much worse	
	Number	Percent	Number	Percent	Number	Percent
Never	173	57.86	16	48.48	29	49.15
Short period	85	28.43	13	39.39	17	28.81
Long period	41	13.71	4	12.12	13	22.03
Total	299	100.00	33	99.99	59	99.99

Note: $p=0.30$ to 0.50.

At first glance, there seems to be a relationship between whether or not a person was ever unemployed and whether he considers the job situation to be the biggest problem in his neighborhood. As Table 268 discloses, only 4% of the respondents who had never been unemployed considered jobs to be the biggest problem, while 11% of those who had previously been unemployed felt that way. ($p=.01$.) However, knowing a person's employment history will not enable us to predict his answer to the "what is the biggest problem?" question. Nor will knowing the response enable us to predict job history. ($\lambda=0$ in each case.)

TABLE 268.—EMPLOYMENT HISTORY AND CONCEPTION OF MOST CRUCIAL PROBLEM

Biggest problem in neighborhood	Were you ever unemployed?			
	No		Yes	
	Number	Percent	Number	Percent
Jobs	8	3.82	14	11.02
Another problem	201	96.17	113	88.97
Total (336)	209	99.99	127	99.99

Note: $p=0.01$; $\lambda=0$.

Therefore, while there is some small relationship between employment history and picking jobs as the biggest problem area in that those who have been previously unemployed tend to say jobs are a problem more often than predictable by chance, the relationship is not a causal one. It is not predictable.

Similarly, whether or not a person is working (or the number, if any, of persons working in a family) is not related to that person's feelings about the success or failure of the War on Poverty or his preference in choice of militant or non-militant Negro leaders. There is only small deviation from chance in the relationship and no predictability. Tables 269 and 270 demonstrate the distributions.

TABLE 269.—EMPLOYMENT IN FAMILY COMPARED TO TELLING ABOUT SUCCESS OF WAR ON POVERTY

War on poverty doing good?	How many work full time in family?						
	None		1		2 or more		Total
	Number	Percent	Number	Percent	Number	Percent	
Lot	9	17.65	25	15.82	11	7.28	45
Some	27	52.94	93	58.86	102	67.35	222
Little	5	9.80	12	7.59	11	7.28	28
None	10	19.61	28	17.72	27	17.88	65
Total	51	100.00	158	99.99	151	99.99	360

Note: $p=0.20$ to 0.30.

TABLE 270

Working and not working as related to choice of Negro leader.

Preferred leader	Working or not working			
	Not working		Working	
	Number	Percent	Number	Percent
Less militant leader	3	4.11	19	9.36
Martin Luther King	63	86.30	152	74.88
More militant leader	7	9.59	32	15.76
Total (276)	73	100.00	203	100.00

Note: $p=0.01$ to 0.02.

The second point made was that knowledge of general life attitudes would not predict attitudes toward specific environmental conditions (or vice versa).

For example, when the question asking the respondent whether or not housing conditions have improved recently is compared to the question about the War on Poverty, it appears at first as though there may be a strong relationship between the responses. As disclosed in Table 271 thinking that housing has improved definitely goes with thinking the War on Poverty is doing "a lot" of good. In addition, thinking that housing has gotten worse goes with thinking that the War on Poverty is accomplishing very little. The relationship is so strong ($p=.001$) that it would seem that there might be a causal relationship between the two variables.

TABLE 271

Opinion about improvements in housing conditions as compared to feeling about success of war on poverty.

Success of poverty program	Housing condition		
	Much worse; worse	Same	Much better; better
A lot	12	7	21
Some	56	38	117
Not much	11	8	6
None	33	10	18
Total (337)	112	63	162

Note: $p=$ beyond 0.001; $\lambda=0$; $\lambda=11.4$ percent.

However when the lambda test is performed ($\lambda=0$), it can be seen that the prediction of a respondent's opinion about the success of the War on Poverty is not improved by knowing how he feels about improvements in housing conditions. Thus housing cannot be said to be a causal factor in shaping opinions about the War on Poverty.

Instead if a person has an opinion about the amount of good the Poverty War is accomplishing other than the modal "some" response, that knowledge will improve (slightly) a prediction made about his opinion of housing conditions. ($\lambda=11.4\%$.) This would indicate that both questions measure relative optimism about the world better than they measure objective observations about the world.

When another question—that which asks the respondent to assess the chances of getting a job—is compared to opinion about the War on Poverty, the relationship between the two items is less clear. ($p=.30$ to .50.) There is a trend similar to that manifested in the previous example towards respondents' thinking positively or negatively on both questions. However, the relationship is not significant and there is no predictability between variables.

Table 272 demonstrates the distribution.

TABLE 272.—COMPARISON OF OPINIONS ABOUT JOB CHANCES AND THE PROGRAM OF THE WAR ON POVERTY

War on poverty doing any good?	Job chances					
	Much better or better		Same		Worse or much worse	
	Number	Percent	Number	Percent	Number	Percent
Lot	33	12.13	4	12.50	6	11.54
Some	174	63.97	21	65.63	25	48.08
Not much and none	65	23.90	7	21.88	21	40.38
Total (356)	272	100.00	32	100.01	52	100.00

Note: $p=0.30$ to 0.50.

PART VII. EFFECTIVENESS OF POVERTY PROGRAMS IN THE INNER CITY

One of the major aims of this study was an analysis of the effectiveness of the Poverty Program currently in operation in the District of Columbia.[8] The areas where the interviewing occurred are geographical areas demarcated by the United Planning Organization and designated as target areas for the implementation of Poverty Programs.[9] Each of the three areas—Cardozo, NDC #1, and Southeast—has a Neighborhood Development Center, which sponsors a variety of Poverty Programs.

In this Part, we were interested in ascertaining what effect the existence and operation of Poverty Programs have had on the residents of the three areas. First, an attempt was made to measure the degree to which the development centers and the community action agency have succeeded in their outreach functions. In order to establish the degree of successful outreach, respondents were questioned about their awareness of the existence of the development centers and/or programs and their relationship with the center.

Second, the degree to which the residents of the three areas have actually participated in the various programs and activities of the center was considered.

Finally, the attitudes of the residents of the areas towards the Poverty Programs were considered in order to determine whether or not the Washington anti-poverty effort has had a significant impact on the citizens it is attempting to aid. Of particular interest were the comparative successes of the poverty organizations in the three areas surveyed. Each area, as previously noted, has a different type of development center.[10]

A development center, if it functions effectively, should achieve the following goals: local outreach, an integration of local interests, maximum feasible participation of the target population, and significant change.[11]

A random sample survey can be particularly useful in measuring the degree of outreach and participation. Integration of interests and change can only be perceived by examining other groups in the community as well as the activities of the Community Action Center. Here we will be predominantly concerned with the measurements of outreach and participation. A thorough evaluation of the role of the three development centers is not attempted.

This part of the Prouty Survey Report is divided into four sections.

Section A contains a simple tabulation of results to the basic questions asked each respondent in the sample.

Section B contains an analysis of the results for the poor respondents in the sample.

Section C contains an analysis of the results on an area basis.

Finally, in Section D, some comparisons between various related questions will be made and the implications of the results of some statistical tests performed on the data is discussed.

A. Tabulation of results for the sample as a whole

1. Outreach

Outreach can be considered very simply to be a "reaching out" to contact the poor residents of a neighborhood by some institution. If outreach has been achieved, there should be an awareness on the part of the target population of the institution (or activities of the institution) which makes the contacts.

Respondents were asked two sets of questions designed to measure the degree to which they were aware of the existence of Poverty Programs and development centers or had been reached by representatives of the Poverty Program. Realizing that people may well have been contacted or received services without being aware of exactly who was supplying the services, we probed both directly and indirectly about each respondent's knowledge of available services.

There were four questions in the questionnaire which referred indirectly to the Poverty Program services. All respondents were asked where they would go in order to get help for the following things: to get a loan of $100, to procure food or clothing (on an emergency basis), and to secure legal assistance.[12] In addition, all participants were asked whether or not they knew about the existence of "any group" which was trying to do something about neighborhood problems.

All four questions were open-ended, with the interviewer instructed to both jot down the exact answer and to decide in which precoded category the response should be placed.

If the responses to these questions were any indication of the level of awareness the respondents had of the existence of services provided or the degree to which they utilized these services, then it must be said that the outreach of the Poverty Programs in all three areas has been extremely limited. More people indicated that they would utilize a poverty-sponsored service to secure financial assistance than for any other type of aid.

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[8] As a part of this end, the local CAP agency, UPO, was studied and its activities evaluated. This study of the United Planning Organization is contained in Appendix A to this part.

[9] Description of the three areas is contained in Appendix A of Part I.

[10] NDC #1 is run directly by the CAP Agency UPO, while the CHANGE, Inc. development center is controlled by a community based corporation. A settlement house directs the neighborhood program in Southeast.

[11] A complete analysis of all four factors was made in the case of the Neighborhood Development Center (CIC) in Near Northeast Washington. This is contained in Appendix B of this Part. It contains the results of the survey conducted there last summer as well as a thorough evaluation of the development center as of that time.

[12] Respondents were also asked where they would seek assistance in finding a job (C 31) Unfortunately, by some error, this question was not coded and tallied so that the results are not available at this time.

When asked where they would go if and when they needed a loan of $100, only 29 respondents, or nearly 7%, indicated that they would go to a credit union run in conjunction with a development center. A majority of respondents gave answers such as "a bank" or private loan company. Table 273 demonstrates this.

TABLE 273

When or if you ever need a loan, of say of $100 or so, where would you go to get it?

	Number of respondents	Percent of respondents
Poverty organized credit union	29	6.81
Where you work, boss	33	7.75
Bank	149	34.98
Profit credit union, loan company	105	24.65
Friend or relative	58	13.62
Minister or local leader	2	.47
No one	17	3.99
Other	5	1.17
No answer or don't know	28	6.57
Total	426	100.01

Close to a majority of respondents designated "friends or relatives" as a source of aid for emergency supplies of food and clothing. The next largest number, 17%, indicated that they would seek aid from D.C. Welfare. Not quite 4% of the respondents said that they would seek assistance from Settlement House, UPO, or a neighborhood poverty center.

Of course, development centers, *per se*, are not designed to provide such services as food or clothing. Old-line settlement houses and church groups have typically supplied this kind of assistance. However, since these items are so basic and the need for items is widespread, it is probable that needy families would go to whatever service they were aware of to secure something in time of need.

Table 274 illustrates the distribution.

TABLE 274

If you needed some clothes or food, or some kind of help, where would you go?

	Number of respondents	Percent of respondents
Settlement house	7	1.64
UPO	5	1.17
Neighborhood poverty center	5	1.17
Church group	17	3.99
District of Columbia welfare	73	17.14
Friends or relatives	209	49.06
Nowhere	17	3.99
Other	49	11.50
No answer	44	10.33
Total	426	99.99

The third question we asked presented respondents with a hypothetical situation designed to force them to designate where they would go in order to get legal assistance or advice. In answer to the question, "Where would you go for help if you bought a T.V. set and it was no good?" 45% of the respondents indicated that they would go to the Better Business Bureau. The next largest group, 38%, said they would go to a private lawyer. Less than 1% indicated an awareness of Neighborhood Legal Service or another poverty organization. Table 275 illustrates the distribution.

TABLE 275

If you bought a TV set or something like that and it was no good, and the store or person you bought it from wouldn't do anything about it, who would you go to for help?

	Number of respondents	Percent of respondents
Police	28	6.57
Lawyer	163	38.26
Better business bureau	192	45.07
Friend or relative	4	.94
Community poverty organization	1	.23
Church minister, local leader	3	.70
Wouldn't do anything, give up	9	2.11
Other	7	1.64
No answer	19	4.46
Total	426	99.98

Although 72% of the respondents were not aware of the existence of any "group in the neighborhood organized to do something about city problems," 25% were able to name at least one group. Almost 10% were able to identify a UPO or poverty program sponsored organization at work in the specific neighborhood. 6% of the respondents referred to Church groups or Settlement Houses—of which there is at least one in each of the three areas surveyed.

Table 276 discloses this information.

TABLE 276

Do you know of any group in this neighborhood that is doing anything about these problems?

	Number of respondents	Percent of respondents
No	308	72.30
Yes, private (church group, settlement house, etc.)	26	6.10
Yes, UPO group, Federal poverty program	42	9.86
Yes, both private and UPO groups	7	1.64
Yes, unclear whether public or private sponsored	31	7.28
No answer	10	2.35
Other	2	.47
Total	426	100.00

In another series of questions, respondents were asked directly whether or not they were aware of the existence of the UPO and Neighborhood Development Center in their area of the city. They were also asked whether or not they had heard about PRIDE, Inc., which has had a great deal of publicity.

All but 10% of the persons interviewed were aware of the existence of the United Planning Organization. Nearly 75% of the respondents indicated an awareness of PRIDE. When asked directly if there were a neighborhood development center or settlement house running a poverty program in the neighborhood, the respondents answering in the affirmative numbered 62% of the sample.

Table 277 shows the responses to the question asked about PRIDE, Inc.

TABLE 277

Have you ever heard of Pride, Inc.?

	Number of respondents	Percent of respondents
Yes	317	74.41
No	75	17.61
No answer	34	7.98
Total	426	100.00

Our hypothesis that respondents might be aware of the existence of an organization which supplied useful service but would be unable to identify that organization by name was incorrect. The data just presented demonstrates that the reverse was true. Many respondents had heard of the *names* of UPO, PRIDE, etc., but they did not associate these organizations with particular service functions. It might be assumed, then, that the knowledge of the Poverty Program is only surface deep in Washington. In addition, it is perhaps true that publicity in newspapers, on the radio, etc., has made residents of the inner city cognizant of the existence of these organizations, but the organizations themselves have not made an impact on the person.

To determine what the source of a person's knowledge was, respondents who knew of UPO were asked how they came about this knowledge. Almost 43% said that it had been through the mass media—newspapers, radio, television. The next largest group, 35%, listed neighbors or friends as the source of information. Only 5% had been informed by poverty workers. Table 278 demonstrates the distribution.

TABLE 278

Source of knowledge about UPO if respondent is aware of organization.

	Number of respondents	Percent of respondents
Not aware of UPO	41	9.62
Neighbors or friends	148	34.74
Poverty worker	23	5.40
Newspaper, radio, TV, etc	182	42.72
Cooperating neighborhood group	4	.94
Local group set up by UPO	6	1.41
Other	15	3.52
No answer	7	1.64
Total	426	99.99

Community Action Agencies and development centers hire community organization assistants to contact the poor in their neighborhoods. Other than publicity through use of the mass media, this is the main tool utilized in performing the outreach function. Only 5% of the respondents said that their awareness of UPO stemmed from information given by a community organization worker. However, over 18% of the persons interviewed reported having been visited at least once by a poverty or block worker. 9% reported more than one visit. Table 279 illustrates this.

TABLE 279

Has a poverty worker or a block worker ever visited you? If so, how many times?

	Number of respondents	Percent of respondents
Never	344	80.75
Once	34	9.39
Several times	32	7.51
Regularly	7	1.64
No answer	3	.70
Total	426	99.99

2. Participation

Obviously, awareness of the existence of poverty organizations and programs is not enough. In order to have any effect, poverty organizations must involve the target population in activities or, at the very least, provide them with needed services. The target population must *participate* in development center activities.

In Section A.1., we saw that the outreach of UPO and related organizations had been limited. The mass media had been the source of most knowledge about the poverty organizations. There is no way of knowing whether the population was informed because UPO had been involved in controversy and received headlines or because UPO itself had successfully advertised its services. Since most respondents were unaware of specific services available, we might assume that the former was true. This seems plausible when we consider the very small numbers of persons who have actually participated in programs sponsored by the poverty organizations.

There were nearly 160 respondents of the 426 interviewed in all three areas who were aware of the existence of a neighborhood development center. These individuals were asked first, whether they had ever been to or visited a neighborhood development center. In addition, they were asked whether or not they had ever received any assistance from or joined in the activities of such a development center.

Of those who knew about a neighborhood center, only 33.33% had ever visited that center. Table 280 discloses this.

TABLE 280

Do you know of a development center in your neighborhood? If so, have you ever visited it?

	Number of respondents	Percent of respondents
Didn't know of existence of center	267	62.68
Never been there	106	24.88
Been there at least once	49	11.50
Been there often or several times	4	.94
Total	426	100.00

Those individuals who were aware of the existence of a development center were also asked whether or not they had received any assistance from it. Only 13 individuals had gotten any assistance. Table 281 illustrates this.

TABLE 281

Have you gotten any help from the neighborhood center? (Question was asked to 159 people who know of a neighborhood center.)

	Number of respondents	Percent of respondents
Nothing (question not asked)	119	74.84
Food, clothes, emergency help	5	3.14
Job location	6	3.77
Legal aid, help with landlord	1	.63
Family services, counseling, etc	0	0
Information or referrals about existing services	0	0
Don't think so	27	16.98
2 or more services	1	.63
Total	159	99.99

A few more respondents, although still a small number, indicated that they had joined in development center activities. Of those who were aware of the center, 28 persons or 18%, had participated in some form of activity sponsored by the center. Table 282 demonstrates this.

TABLE 282

Since you learned about the neighborhood center, have you joined in any of its activities?

	Number of respondents	Percent of respondents
Attended meetings of block clubs, etc	22	13.84
Passed on information to others	1	.63
Told people about the center	0	0
Volunteered time	4	2.52
Given money or helped raise money	1	.63
More than 1 of the above	0	0
Nothing	119	74.84
No answer	12	7.55
Total	159	100.01

It is important, since the actual numbers of persons participating in the poverty programs were small, to note which individuals were most likely to become involved. It is also important to discover how the individuals who have participated in the center activities happened to do so. In this way, information can be gathered which will indicate which methods of outreach are more successful and which segments of the population are most receptive.

Our data demonstrates that there was a strong tendency for individuals who have learned about poverty organizations on a personal contact basis were more likely to visit a development center. This underscores the importance of poverty workers.

When the question asking how the repondent became aware of the existence of UPO is compared with the question asking whether he has visited a development center, it can be seen that those respondents who learned about the Community Action Agency by word of mouth (friends or a poverty worker) were more likely than chance would predict to have visited a development center. Table 283 shows the comparison.

TABLE 283

Knowledge about and visiting of development center	Knowledge of UPO: Learned from friend		Learned from poverty worker		Mass media	
	Number	Percent	Number	Percent	Number	Percent
Don't know	84	56.76	20	60.60	118	64.84
Aware of center, never been there	42	28.38	7	21.21	44	24.18
Visited center	22	14.86	6	18.18	20	10.99
Total	148	100.00	33	99.99	182	100.01

Note: T=363; p=0.30 to 0.50.

Since there was a trend for persons who learned about the existence of UPO by word of mouth to be more likely to have visited a development center, it might be assumed that the same individuals would be more likely to join center activities. The same trend was apparent when source of knowledge about UPO was compared to the response to the question on participation in center activities. There was again a trend for those who had heard about UPO by word of mouth to be more likely than chance to join center activities, while those informed through mass media were less likely to have been active. Table 284 shows the relationship.

TABLE 284.—COMPARISON OF PARTICIPATION IN CENTER ACTIVITIES WITH SOURCE OF KNOWLEDGE ABOUT UPO

Center activities	Knowledge about UPO: Word of mouth		Mass media	
	Number	Percent	Number	Percent
Participated	16	25.00	11	14.86
Did nothing	48	75.00	63	85.14
Total	64	100.00	74	100.00

Note: T=138; p=0.20 to 0.30.

Finally, when the question asking individuals who knew about the center whether or not they have participated in activities is compared to the question which asks whether they have received aid from the center, the results are as we might have anticipated. Those who get help from the center were more likely to participate in activities and vice versa. In other words, once a person has some association with a development center, he is likely to continue to remain associated with it and to become more involved. Unfortunately, the majority of our sample population had no knowledge of development centers, or even if they had, did not associate with them. Table 285 illustrates this.

TABLE 285.—RECEIPT OF HELP FROM CENTER AND JOINING OF ACTIVITIES IN THE CENTER

Center activities	Help from center: No help from center		Received help from center	
	Number	Percent	Number	Percent
Not participated	93	84.55	5	41.66
Participated	17	15.45	7	58.33
Total	110	100.00	12	99.99

Note: T=122; p=0.005.

In order to discover some of the characteristics of the few individuals who did actually join in center activities, the question asking about center participation was correlated with several of the demographic variables. There were no statistically significant findings, but some interesting trends appeared.

When participation in center activities is correlated with family income as in Table 286, it can be seen that respondents having family incomes over $6000 annually were more likely to have joined center activities. 21% of the respondents having family incomes over $6000 had joined center activities (this percentage is figured from a base of the 110 respondents who *knew* about the center) while only 12% of those with family incomes less than $6000 had participated.

TABLE 286.—PARTICIPATION IN CENTER ACTIVITIES BY FAMILY INCOME

Joined NDC activities	Family income: Under $6,000		Over $6,000	
	Number	Percent	Number	Percent
Yes	6	12.24	13	21.31
No	43	87.76	48	78.69
Total	49	100.00	61	100.00

Note: T=110; p=0.30 to 0.50.

When personal rather than family income is used, there was a very slight trend for respondents with less than $4500 income annually to be more likely than chance would predict to join center activities. Respondents with over $4500 income were slightly less likely to join center activities. The base here is 88 persons, however—those *working* respondents who knew about the center in the first place. Table 287 indicates this.

TABLE 287.—PARTICIPATION IN CENTER ACTIVITIES BY PERSONAL INCOME

Joined center activities (Q. 51)	(Q. 30) Personal income among those working: Under $4,500		Over $4,500	
	Number	Percent	Number	Percent
Yes	8	21.05	7	14
No	30	78.95	43	86
Total	38	100.00	50	100

Note: p=0.50 to 0.70.

Among respondents who knew about the existence of a center, the fact that an individual was employed had no relationship to his participation or non-participation in development center activities. Table 288 indicates this.

TABLE 288.—PARTICIPATION IN CENTER ACTIVITIES BY EMPLOYMENT

Joined center activities (Q. 51)	(Q. 29) Do you work?			
	Yes		Not working	
	Number	Percent	Number	Percent
Yes	17	18.89	11	20.75
No	73	81.11	42	79.25
Total	90	100.00	53	100.00

Note: T=143; p=0.95 to 0.98.

Type of occupation was only slightly related to participation in center activities. There was a trend for blue collar workers to be *more* likely (and white collar workers to be *less* likely) than chance would predict to participate. Table 289 discloses this.

TABLE 289.—PARTICIPATION IN CENTER ACTIVITIES BY TYPE OF EMPLOYMENT

Joined center activities (Q. 51)	(Q. 29) Among those working (occupation)			
	Blue collar		White collar	
	Number	Percent	Number	Percent
Yes	9	23.08	8	15.69
No	30	76.92	43	84.31
Total	39	100.00	51	100.00

Note: T=90; p=0.50 to 0.70.

This data indicates that there was a trend for blue collar, lower to middle personal income level individuals who know about development centers to be more likely to join in activities than for individuals with higher incomes and white collar jobs. Respondents having higher *family* incomes were more likely to join activities than respondents reporting lower family incomes. However, this is probably because many families living in borderline poverty often had two or three working individuals in them. The trend is then for what might be termed lower middle class respondents to be more likely than chance would predict to have joined center activtes.

Actual employment versus unemployment was not related to participation.

All of this data strengthens the impression we have had that middle and upper class respondents are more easily contacted—and of these, some near poor can be encouraged to join development center activities. It is more of a problem, however, as revealed by other data in this Part, to first reach and second, to involve the hardcore poor.

One additional question was asked to determine the level of participation among respondents in poverty programs in operation in the District of Columbia. As we noted in Part V, Section A, the number of persons who had participated in special job training or education programs since leaving school was extremely small. This table is printed again as Table 290.

TABLE 290

Since you left school, have you had any special job training such as adult education, vocational education, or Federal programs such as MDTA?

	Number of respondents	Percent of respondents
No	294	69.01
Yes, vocational high school, adult education	33	7.75
Yes, paid-for classes	8	1.88
Yes, apprenticeship	1	.23
Yes, special classes for housewife such as nutrition	3	.70
Yes, but no federally paid programs	2	.47
Yes, Federal program such as Job Corps, NYC, MDTA, OJT	7	1.64
Yes, Federal programs plus others	0	0
No answer	71	16.67
Yes, but not clear where, etc.	7	1.64
Total	426	99.99

3. Opinions

Respondents were asked three questions designed to indicate their feeling about poverty programs in the District. They were asked, in general, whether they thought the War on Poverty was doing any good and, in particular, whether any local "groups" which they knew about were accomplishing anything. Finally, they were asked who, in their opinion, should be responsible for running the Poverty Programs.[13]

We had the problem of having chosen bad categories for the second question, "Who do you think should take care of the problems in this neighborhood?" Answers could not be tabulated.

As we noticed before in Part V, a majority of the respondents felt that the War on Poverty was accomplishing "some" good. The Table is reprinted here as Table 291.

TABLE 291

Do you feel that the war on poverty is doing any good?

	Number of respondents	Percent of respondents
A lot of good	46	10.80
Some good	231	54.23
Not much good	28	6.57
No good	67	15.73
No answer	54	12.68
Total	426	100.01

Knowledge about the existence of an organization designed to combat poverty is significantly related to an individual's opinion about how that effort is progressing—although there does not seem to be a causal link between the two. Respondents who had heard about UPO were much more likely to believe that the War on Poverty was doing "a lot" or "some good" than those who were not aware of the agency's existence. Almost 77% of the persons interviewed who knew of UPO said that the War on Poverty was having beneficial effect. Table 292 demonstrates this.

TABLE 292.—COMPARISON OF KNOWLEDGE ABOUT UPO WITH OPINION ABOUT WAR ON POVERTY

Is the war on poverty doing any good?	Heard of UPO			
	No		Yes	
	Number	Percent	Number	Percent
A lot of good, some good	14	48.27	259	78.85
Little good, no good	15	51.72	78	23.15
Total	29	99.99	337	100.00

Note: T=366; p=0.005.

When the source of an individual's knowledge about UPO is compared with his opinion about the success of anti-poverty efforts in general, as in Table 293 an interesting fact is revealed. Although the relationship between the variables is not significant, there is a trend for those who knew of UPO through friends, neighbors, a poverty worker, to be more pessimistic about the success of the War on Poverty than those whose only knowledge of UPO has come from the mass media. Table 293 also illustrates this.

TABLE 293.—COMPARISON OF SOURCE OF KNOWLEDGE ABOUT UPO WITH OPINION ABOUT WAR ON POVERTY

Is the war on poverty doing any good?	Source of knowledge about UPO			
	Word of mouth		Mass media	
	Number	Percent	Number	Percent
A lot	18	11.39	24	14.55
Some	101	63.92	108	65.45
A little	10	6.33	11	6.67
None	29	18.35	22	13.33
Total	158	99.99	165	100.00

Note: T=323; p=0.50 to 0.70.

There was no apparent relationship between a person's view of the success or failure of the War on Poverty and whether or not he had participated in a development center activity. Table 294 reveals this.

TABLE 294

Participation in development center activities and opinion about success of war on poverty.

War on poverty doing any good?	Has joined center		Has not joined center	
	Number	Percent	Number	Percent
Lots or some	22	81.48	78	76.47
Not much or none	5	18.52	24	23.52
Total	27	100.00	102	99.99

Note: T=129; p=0.30 to 0.50.

The next question has limited relevance since so few people, 26% of the sample, were aware of the existence of any group in their neighborhood working to alleviate city problems. Of those knowing of such a group in their neighborhood, however, only 7% thought that it was doing "very little" or "no good." Table 295 demonstrates this.

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[13] Two other related questions were included in the questionnaire. One asked, "What do you think should be the purpose of the Poverty Program?" This was an open ended question, but contained precoded responses for the interviewer to check. As the written responses did not fit the precoded responses, we were unable to code the question and thus do not have tabulated responses for purposes of analysis.

TABLE 295

Do you think this group is doing any good?

	Number of respondents	Percent of respondents	Percent of respondents with no answer out
Very much	61	14.32	55.45
Quite a bit	11	2.58	10.00
Some	10	2.35	9.09
Very little	2	.47	1.82
None	6	1.41	5.45
Not asked	316	74.18	
Not clear	20	4.69	18.18
Total	426	100.0	[1]99.99

[1] 110 people.

The response to the last question in this series was particularly interesting since one of the aims of the War on Poverty is to encourage people to help themselves. When asked who should run poverty agencies, the largest number of responses (35%) was in the "don't know" category. Of those who did have an opinion, however, the largest number (102 persons, 24%) of the sample believed that control should be exercised by "the people." Table 296 illustrates this.

TABLE 296

Lately there has been a lot of discussion about who should run poverty agencies. Who do you think should run them?

	Number of respondents	Percent of respondents
The people of the area	102	23.94
Local corporations	14	3.92
Federal Government	63	14.79
City governments	46	10.80
Business	4	.94
Private, nonprofit organization	8	1.88
Other	28	6.57
Don't know	151	34.45
Both people and government together	10	2.35
Total	426	100.01

When this question is compared with the question which asked the source of an individual's knowledge about UPO, there is a significant result. Those respondents who indicated that "government" should be in charge of operating poverty programs were more likely than chance would predict, to have heard about UPO only through the mass media. On the other hand, those respondents who believed that responsibility should lie with the people were more likely to have gleaned their knowledge of UPO from neighbors, friends, or poverty workers.

This finding is important for two reasons. First, it substantiates our impression that accounts of UPO in the newspapers or on television and seen by respondents, were often sensationalized and pessimistic in outlook. Second, and more important, it reinforces the belief that contact with a poverty worker is essential if people are to become involved in poverty programs. The connection between source of information and feeling about management responsibility suggests that where workers have made contact with inner-city residents, they have succeeded, at least partially, in indicating the teaching that people must help themselves, and bear responsibility and manage the organization designed to help them. Table 297 discloses these facts.

TABLE 297

Source of knowledge about UPO compared with belief about who should run poverty agencies.

Who should run poverty programs?	Source of information					
	Neighbor or friend		Mass media		Poverty worker	
	Number	Percent	Number	Percent	Number	Percent
The people	47	46.53	48	39.67	12	54.54
The Government	38	37.62	58	47.93	4	18.18
Other	16	15.84	15	12.40	6	27.27
Total	101	99.99	121	100.00	22	99.99

Note: T=244; p=.05.

B. The poor and poverty programs

1. Outreach

It is clear from the responses of our small sub-sample of hardcore poor in the three areas surveyed, that the poor have not been reached in any greater proportion than the population as a whole by the poverty organizations. If anything, the poor respondents demonstrate less knowledge about the availability of services and facilities and more of a tendency to give negative replies than do the respondents in the sample as a whole. Our information and data underscores the fact that for the poor as well as for the total population of the sample areas, the outreach of the various poverty organizations has been extremely limited.

The poor respondents were asked questions which both indirectly and directly sought to reveal the extent of their awareness about the availability of services and at the same time, to measure the extent of outreach of those poverty organizations attempting to serve the local population.

The responses to the four indirectly worded questions demonstrate two things. First, there is a small trend for a very slightly larger proportion of poor respondents than respondents in the sample as a whole to say that they would go to poverty sponsored credit unions or development centers for aid. On the other hand, a larger proportion of poor than other respondents demonstrate pessimism and despair by giving answers such as "no one" or "don't know."

When asked where they would go if they needed a loan, 7.35% of the poor respondents said a poverty credit union. However, nearly 20% said "no one" or "don't know." Table 298 demonstrates this.

TABLE 298

Poor answer question, "When or if you ever needed a loan, of say $100, where would you go to get it?"

Answers	Number of respondents	Percent of respondents
Poverty Credit Union	5	7.35
Where you work	3	4.41
Bank	18	26.47
Profit Loan Co., Credit Union	15	22.06
Friend or relative	7	10.29
Minister or local leader	3	4.41
No one	6	8.82
Other	4	5.88
No answer, don't know	7	10.29
Total	68	99.99

Nearly 6% of the poor respondents said that they would go to a Settlement House, to the United Planning Organization, or to a development center to get assistance if they needed food or clothes. However, again over 20% could think of no one to whom they might turn. Table 299 illustrates this.

TABLE 299

Poor answer question, "If you needed some clothes or food, where would you go for help?"

	Number of respondents	Percent of respondents
Settlement House	2	2.94
UPO	1	1.47
Neighborhood Development Center	1	1.47
Church	2	2.94
District of Columbia Welfare	23	33.82
Friends or relatives	20	29.41
Nowhere	6	8.82
Other	5	7.35
No answer	8	11.76
Total	68	99.98

Fewer poor respondents than non-poor would ask the police or the Better Business Bureau for assistance if cheated by a store on a purchase. The largest number, surprisingly, 44%, would seek help from a lawyer. 139 indicated that there would be no place to turn for help. Table 300 discloses these facts.

TABLE 300

Poor answer question: If you bought a TV set or something like that, and it was no good, and the store or person you bought it from wouldn't do anything about it, who would you go to for help?

	Number of respondents	Percent of respondents
Police	4	5.88
Lawyer	30	44.12
Better business bureau	22	32.35
Friend or relative	0	0
Private organization	1	1.47
Church minister or local leader	1	1.47
Give up	2	2.94
Other	1	1.47
No answer	7	10.29
Total	68	99.99

The number of poor respondents who are aware of the existence of a group in their neighborhood organized to work on neighborhood problems is very much the same as that of the non-poor respondents. As seen in Table 301, twenty-five per cent of the poor respondents knew of some group working on problems in their neighborhoods.

TABLE 301

Poor responses to question asking knowledge of existence of group in neighborhood which works on problems.

	Number of respondents	Percent of respondents
No	50	73.53
Yes	17	25.00
No answer	1	1.47
Total	68	100.00

When poor respondents were asked directly whether or not they were aware of the existence of UPO, a Neighborhood Development Center, a PRIDE, Inc., the proportion indicating some awareness was even smaller than that for the sample population as a whole.

While 90% of the total sample population was aware of the existence of UPO, only 82% of the poor respondents recognized the name. 68% of the poor contrasted with 75% of the total population indicated an awareness of PRIDE. And, finally, only 34% of the poor, compared to 62% of the total sample, knew about the existence of a Neighborhood Development Center in their own neighborhoods. This last figure is quite a large drop-off from the one for the sample as a whole.

Table 302 shows the responses to the questions asked about PRIDE, Inc.

TABLE 302

Poor responses to question, "Have you ever heard of Pride, Inc.?"

	Number of respondents	Percent of respondents
Yes	46	67.65
No	18	26.47
No answer	4	5.88
Total	68	100.00

The trend which we noted in Part A holds true for the poor respondents as well. There are more individuals who can recognize the names of the poverty organizations than are aware of the services and aid promoted by them. It is extremely disappointing to note, however, that the percentages of poor respondents demonstrating an awareness of the poverty organizations are so low.

There are several possible explanations for this. In Section A, we proferred the suggestion that the knowledge of the poverty organizations in Washington by the individuals living in the areas surveyed was only surface deep. We suggested that what knowledge there was came from exposure to the mass media. This would explain familiarity with the names, but not the services.

We might expect, although we have no evidence as proof, that the poor respondents would be less likely to read as many newspapers or to listen as closely to the news broadcasts as other respondents. If this were the case, then it might follow that they would have less familiarity with the names of the poverty organizations.

When we examine the responses to the question asking how the individual learned about UPO, as disclosed in Table 303, there is some support for the above hypothesis. While 42% of the total population learned about UPO through the mass media, only 32% of the poor respondents listed newspapers, radio, or television as a source. Almost 37% listed friends or relatives and 7% listed poverty workers.

TABLE 303

How poor respondents learned about existence of UPO.

	Number of respondents	Percent of respondents
Are not aware of UPO	12	17.65
From neighbor or friends	25	36.76
From poverty worker	5	7.35
From mass media	22	32.35
From neighborhood group	2	2.94
No answer	2	2.94
Total	68	99.99

There is apparently more transference of information through persons than by the mass media among poor respondents. For this reason, it is extremely important to discover how many of the poor respondents have been contacted by community organizations workers.

In the sample as a whole, with the poor removed, 9% of the respondents had been visited once by a block worker and 7% had been visited more than once.

Among poor respondents, however, 10% had been visited once, and a large 25% had been visited more than once. This is an encouraging sign in one respect, but discouraging in another. Although a large percentage of the poor have been contacted by community organizations workers, they simply have not yet learned enough from those workers to make the connection between the name of the organization sponsoring the visits and the other facilities and services available through the same organizations.

Table 304 shows the number of poor respondents contacted by poverty workers.

TABLE 304

Poor respondents answer question asking whether or not they have been visited by a poverty or block worker.

	Number of respondents	Percent of respondents
Never	44	64.71
Once	7	10.29
More than once	17	25.00
Total	68	100 00

2. Participation

We noted in Section B.1. that although few poor respondents were aware of services provided by the poverty organizations, nearly 35% had been contacted at least once by poverty workers. We might hope that a number of these would have been encouraged to visit their development centers and to participate in activities which would help them learn how to help themselves.

Unfortunately, this does not seem to be the case. Poor respondents in slightly less proportion than the total sample (with the poor removed) have been to development centers in their neighborhoods. Of the 68 poor respondents, only 8, or under 12%, had ever visited the center. Only 4 poor respondents had ever gotten any assistance from the neighborhood centers and only 4 had ever participated in any form of activity sponsored by a neighborhood development center. This means that under 6% of the hardcore poor—a shockingly low percentage—have actually *participated* in any activity which might help them to alleviate their economic hardship.

Tables 305 to 307 illustrate these facts.

TABLE 305

Number of poor respondents who know about existence of a development center in their neighborhood.

	Number of respondents	Percent of respondents
Not aware of any	45	66.18
Know, but never visited it	15	22.06
Know, and have visited	8	11.76
Total	68	100.00

TABLE 306

Number of poor respondents receiving aid from neighborhood development center.

	Number of respondents	Percent of respondents
No aid	19	27.94
Food and/or clothes	3	4.41
Several services	1	1.47
Question not asked	45	66.18
Total	68	100.00

TABLE 307

Number of poor respondents who have participated in development center activities.

	Number of respondents	Percent of respondents
Attended meetings	4	5.88
Nothing	16	25.53
No answer	3	4.41
Question not asked	45	66.18
Total	68	100.00

These shocking statistics verify what was suggested earlier in Part I, when we noted that only 2 poor individuals had participated in Federally sponsored job training programs since leaving school. This table is represented here as Table 308.

TABLE 308

Participation of poor in training programs after leaving school.

	Number of respondents	Percent of respondents
No participation	45 } 54	79.41
No answer	9	
Vocational education adult high school	8	11.76
Paid for classes	3	4.41
Private training programs	1	1.47
Federal job program	2	2.94
Total	68	99.99

3. Opinions

Although a majority of the poor respondents felt that the War on Poverty was doing "a lot" or "some" good, 24% felt that it was doing "no good" and 26% declined comment. The poor were thus more pessimistic than the sample as a whole.

Since so few of the poor respondents knew about a group in the neighborhood working on the problems, the number of those willing to evaluate the effectiveness of such a group was exceedingly small. Again, a great many refused to comment.

Tables 309 and 310 show the responses to these questions.

TABLE 309

Poor responses to question asking results of poverty war.

	Number of respondents	Percent of respondents
Doing a lot or some good	34	50.00
Not much good	0	0
No good	16	28.53
No answer	18	26.47
Total	68	100.00

TABLE 310

Poor respondents' opinion of how neighborhood group is functioning.

Answers	Number of respondents	Percent of respondents	Percent respondents with not answered removed
Group doing a lot of good	10	14.71	43.48
Quite a bit, some	4	5.88	17.39
No answer	9	13.24	39.13
Question not asked	45	66.18	
Total	68	100.01	

Note: T=23.

Approximately as many of the poor respondents as individauls in the sample as a whole felt that "people" should be active in and be responsible for running the poverty agencies. Fewer of the poor felt that a "gov-

ernment" should run the poverty agencies. The largest number, however, and in fact a majority, expressed no opinion whatsoever. This too is a discouraging fact. Table 311 indicates this.

TABLE 311

Poor responses to question asking who should run the poverty program.

	Number of respondents	Percent of respondents
People of the area	15	22.06
Federal Government	6	8.82
City government	2	2.94
Other	1	1.47
Don't know	44	64.71
Total	68	100.00

C. The poverty programs in three areas of the inner city

When this study was begun, it was my aim to gather evidence about the relative merits and effectiveness of the three different types of neighborhood development centers operating under the aegis of the United Planning Organization in the District of Columbia. I suspected, perhaps because of my own bias towards the town meeting type of community organization, that a community corporation organized on a geographic basis, and to which all residents of a neighborhood belonged, would most effectively mobilize its members to action. The converted settlement house and development center run directly by the mammoth Community Action Agency, I believed, might be less successful than a community corporation in its outreach efforts.

I discovered, however, in examining the three sample populations together, that only a small number of individuals either knew about, or had participated in activities sponsored by the CAP. Therefore, any breakdown by area of those respondents, of necessity, results in very small numbers of people. Nevertheless, in order to compare areas, responses were grouped in several different ways.

Our expectation of higher awareness of Poverty Organizations and programs in Cardozo, where the Community Corporation, CHANGE, Inc., manages the various poverty programs, was not borne out by the data. The highest degree of awareness seemed to be in Southeast, where the development center is managed by Southeast Settlement House. One reason for this, however, is the fact that Southeast Settlement House has been functioning in the area since 1955, while CHANGE, Inc. and NDC #1 are of newer vintage. However, it was only with the advent of the Economic Opportunity Act in 1964, that the sphere of activities of Southeast House was greatly expanded.

Responses to both direct and indirect approaches to securing knowledge about respondents' awareness of poverty programs were broken down by area. On many of these area comparisons, chi square tests were performed.

When asked where they would go for assistance under various circumstances, the residents of Southeast were significantly more likely to give responses which indicated an awareness of poverty-affiliated organizations than respondents living in either NDC #1 or Cardozo.

When asked where they would go if they needed a loan of $100 or so, nearly 12% of the respondents of Southeast answered by indicating a poverty organization sponsored credit union. This compares with 5% and 3% giving the same response in NDC #1 and Cardozo respectively. NDC #1 residents were the most likely of the three groups to indicate that they would have "no one" to turn to. Nearly 15% gave this response. Table 312 illustrates the distribution.

TABLE 312.—RESPONSES TO QUESTION, "WHERE WOULD YOU GO TO GET A LOAN OF SAY $100" BY AREA

Area	Poverty organization credit union		Authority figure		Friend or relative		Profit loan company		No one		Bank		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC	8	5.63	8	5.63	23	16.70	28	19.72	21	14.79	54	38.03	142	100.00
Cardozo	5	3.52	19	13.38	20	14.08	29	20.42	15	10.56	54	38.03	142	99.99
SE	16	11.27	13	9.15	15	10.56	48	33.80	9	6.34	41	28.87	142	99.99
Total	29	6.81	40	9.39	58	13.61	105	24.65	45	10.56	149	34.98	426	100.00

Note: p=0.01 to 0.001.

Over 26% of the residents of Southeast contrasted with 21% in NDC #1 and 11% in Cardozo indicated that they would go to a poverty organization or development center if they needed emergency clothes or food. This is significantly more than chance would predict. For this question, it was Cardozo which had the largest percentage of respondents (18%) who indicated that there was no one to turn to. These facts are disclosed in Table 313.

The results of the third question as broken down by area are less revealing and not statistically significant. When asked where they would seek help if cheated by a store, most Southeast residents responded either by indicating they would go to a lawyer or to the Better Business Bureau. Extremely few (3%) listed the police. Table 314 indicates the distribution.

There was very little difference between areas in responses to the question which asked whether there was any group in the neighborhood which was working on problems. Nearly 28% of the residents interviewed in Cardozo were aware of the existence of age group organized to help eliminate inner-city conditions. This compares with 25% in Southeast, and 24% in NDC #1. Table 315 shows this.

These results are quite interesting. While a few more persons in Cardozo than the other areas are aware that there is "some group" working on problems, there are more persons in Southeast who know specifically where to go when problems arise or under certain conditions.

When respondents living in the three areas were asked directly about their knowledge of poverty organizations, there were also some interesting results.

Well over a majority of respondents in all three areas were aware of the existence of **PRIDE, Inc.**, and there was little variation in responses.

The great majority of respondents in all three areas had heard of UPO. Over 92% of the population sampled in Cardozo and Southeast were familiar with Washington's Community Action Agency. Surprisingly, however, in NDC #1, where UPO is located, only 86% of the residents had heard of it.

Fewer of the residents of each area, however, were aware of the existence of a Neighborhood Development Center. 65% of the respondents in Southeast and 64% of the respondents in Cardozo were unaware of a development center in their neighborhoods. In NDC #1, 59% did not know of a center.

TABLE 313.—RESPONSES BY AREA TO QUESTION: IF YOU NEEDED CLOTHES OR FOOD OR HELP, WHERE WOULD YOU GO?

Area	Poverty organization		District of Columbia welfare		Friend or relative		Nowhere		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	30	21.13	26	18.31	66	46.48	20	14.08	142	100
Cardozo	16	11.27	20	14.08	81	57.04	25	17.61	142	100
Southeast	37	26.06	27	19.01	62	43.66	16	11.27	142	100

Note: T=426; p=0.05 to 0.02.

TABLE 314.—RESPONSES BY AREA TO QUESTION: IF YOU BOUGHT A TV AND IT WAS BROKEN, WHERE WOULD YOU GO?

Area	Police		Lawyer		Better Business Bureau		Other		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Per cent
NDC No. 1	15	11.11	49	36.30	63	46.67	8	5.93	135	100.01
Cardozo	9	6.77	51	38.35	65	48.87	8	6.02	133	100.00
Southeast	4	2.98	63	45.32	64	46.04	8	5.76	139	100.00

Note: p=0.20.

TABLE 315.—KNOWLEDGE OF GROUP IN NEIGHBORHOOD WORKING TO SOLVE PROBLEMS, BY AREA

Area	No group		There is a group		Total	
	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	104	75.91	33	24.09	137	100.00
Cardozo	99	72.26	38	27.73	137	99.99
Southeast	105	75.	35	25.	140	100.00

Note: p=0.70 to 0.80.

It is surprising, in the light of other responses, that the greater percentage of respondents aware of a center's existence were to be found in NDC #1. However, that center has been embroiled in some controversy since the beginning of the year. Table 316 discloses these facts.

TABLE 316.—RESPONSES TO QUESTION ASKING ABOUT EXISTENCE OF A NEIGHBORHOOD DEVELOPMENT CENTER, BY AREA

Area	No knowledge		No, haven't been there		No, been there at least once		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	84	59.15	40	28.17	18	12.68	142	100
Cardozo	91	64.08	30	21.13	21	14.79	142	100
Southeast	92	64.79	36	25.35	14	9.86	142	100

Note: p=0.50 to 0.70.

There are some interesting variations between the three areas in the manner in which respondents learned of the existence of UPO. The largest percentage of respondents in NDC No. 1 (41%) learned of UPO through friends. In both Cardozo and Southeast, however, the largest group (51% and 44% respectively) learned through the mass media. More persons in NDC No. 1 than would be anticipated by chance occurrence were informed about UPO by Poverty Workers. Table 317 discloses these facts.

TABLE 317.—HOW RESPONDENT LEARNED ABOUT EXISTENCE OF UPO, BY AREA

Area	No, never heard of it		Friends		Poverty worker		Mass media		Other		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	20	14.08	58	40.80	11	7.75	48	33.80	5	3.52	142	100.00
Cardozo	10	7.04	42	29.58	5	3.52	72	50.70	13	9.15	142	99.99
Southeast	11	7.75	48	33.80	7	4.93	62	43.66	14	9.86	142	100.00

Note: T=426; p=0.02.

Although fewer numbers of respondents in NDC #1 than the other areas were aware of UPO, more knew about their neighborhood development center. We suggested earlier that this might have been due to the great deal of publicity which the center has had. The other data does not support this, however, but rather leads to a different conclusion. Table 302 discloses that more individuals had learned of UPO through poverty workers than was true for any of the other areas, and that in addition, fewer had learned of the center by the mass media. If indeed it is true that Community Organization workers have contacted proportionately more residents of NDC #1 than respondents in other areas, the responses to the next question should reflect this.

Table 318 discloses that this is in fact the case. Significantly more respondents in NDC #1 had been visited at least once by poverty workers. Slightly over 34% of the NDC #1 population had been contacted—a figure twice as high as that for Cardozo.

TABLE 318.—VISITS BY POVERTY WORKERS, BY AREA

Area	No		Yes		Total	
	Number	Percent	Number	Percent	Number	Percent
Cardozo	120	85.71	20	14.29	140	100
Southeast	131	92.25	11	7.75	142	100
NDC No. 1	93	65.96	48	34.04	141	100

Note: p=+0.001.

2. Participation

Since considerably more residents of NDC #1 than of Cardozo and Southeast had been contacted by poverty workers, we might hope that there would be a larger number of respondents who had been encouraged to participate in development center activities. Unfortunately, however, this does not seem to be the case.

As Table 318 discloses, slightly more respondents in NDC #1 than in the other areas are aware of the existence of a development center, but have not visited the center. More respondents in Cardozo (15%) had visited the center than any of the other areas.

As Table 319 demonstrates, the number of respondents receiving aid from development centers in any of the three areas was minuscule—from three to five residents, or under 4% of the sample population.

TABLE 319.—ANY HELP RECEIVED FROM NEIGHBORHOOD CENTERS, BY AREA

Area	Nothing		Some help		Question not asked		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	38	26.67	5	3.52	99	69.72	142	100
Cardozo	37	26.06	3	2.11	102	71.83	142	100
Southeast	44	30.99	5	3.52	93	65.49	142	100

Note: p=0.80 to 0.70.

When participation in development center activities is examined by area, we do find that the largest proportion of respondents (12, or 81.5%) who had been involved in some kind of center activity were from NDC #1. Tables 320 and 321 demonstrate this. The activities cited were mainly the attendance of block meetings.

TABLE 320.—PARTICIPATION IN CENTER ACTIVITIES, BY AREA

Area	Some		None		Total	
	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	12	25.53	35	74.47	47	100
Cardozo	9	18.75	39	81.25	48	100
Southeast	7	14.58	41	85.42	48	100

Note: T=143; p=0.50 to 0.30.

TABLE 321.—PARTICIPATION IN CENTER ACTIVITIES, BY AREA

Area	Some		Nothing		Don't know of center; not asked		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	12	8.54	35	24.64	95	66.90	142	99.99
Cardozo	9	6.33	39	27.46	94	66.19	142	99.98
Southeast	7	4.92	41	28.87	94	66.19	142	99.98

Note: T=426; p=0.80 to 0.70.

Table 322 indicates the numbers of respondents in the three areas who have participated in supplementary education or job training programs since leaving school. Most respondents who had had any kind of supplementary training had participated in vocational education or adult education classes. Southeast and NDC #1 each had 20 persons who had participated in any such program or gone to classes.

TABLE 322

Participation in Education or Job Training Programs Since Leaving School, by Area.

Area	None		Vocational education or adult education		All other programs		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	108	84.38	12	9.38	8	6.25	128	100.01
Cardozo	91	86.67	11	10.48	3	2.86	105	100.01
Southeast	95	82.61	10	8.70	10	8.70	115	100.01

The real number of participants in any of the poverty programs are so small that it is difficult to find any meaningful differences by area.

3. Opinions

The table previously printed in Part V which discloses respondent's views about the progress of the War on Poverty by area is printed here as Table 323. As we noted earlier, respondents in NDC #1 seemed to be most pessimistic about the anti-poverty efforts, although not significantly so.

TABLE 323.—IS THE WAR ON POVERTY DOING ANY GOOD? BY AREA

Area	A lot		Some		Not much		None		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NDC No. 1	16	13.33	69	57.50	9	7.50	26	21.67	120	100.00
Cardozo	17	13.60	74	59.20	14	11.20	20	16.00	125	100.00
Southeast	13	10.24	88	69.29	5	3.94	21	16.54	127	100.01

Note: T=372; p=0.20 to 0.30.

NDC #1 residents knowing about the existence of a group in the area organized to work on problems were also slightly more pessimistic about the progress of that group than residents in Cardozo and Southeast.

From the data gathered, very little can be concluded about the relative and comparative failure or success of poverty programs in each of the areas surveyed. The main reason for this was the extremely small number of individuals who had been reached by the poverty organizations in those areas. In this respect, all three development centers have failed. Even of those individuals contacted, very few have been actively involved in center activities. Perhaps, it was too soon in the history of CHANGE, Inc., NDC #1 and Southeast to measure outreach. All that can be said is that outreach has been extremely limited. It is impossible to say which type of development center has been more successful since all have had such limited impact.

One small trend is apparent, however. In NDC #1, where the most respondents had been contacted by poverty workers, there was also the most pessimistic view about the success of the poverty efforts. This is a tiny shred of evidence to support the hypothesis that anti-poverty efforts thus far have tended to raise the level of aspiration without fulfilling expectations.

There seemed to be little possibility for action of an organized sort in any of the areas since very few indicated that they had participated in any organized activities designated to bring about change to ameliorate inner-city conditions. The poverty program and development center activities will be discussed in greater detail in Part VII.

As has been mentioned, NDC #1 residents seemed to be the most consistently pessimistic and had the most predilection for violence as a means of change. Of course, the numbers of persons fitting this category may be grossly over exaggerated because of the refusals of whites to be interviewed. However, perhaps this exaggeration will serve to emphasize the needs for improvement in NDC #1. The potential for violence has already been realized. The burned out shells of buildings on 7th Street are a testimony to that fact. Only a more up-to-date survey would indicate whether the mood of violence has become more or less prevalent since February.

D. The poverty program—some cross correlations

When several of the demographic and attitudinal variables are correlated with the poverty questions, some interesting trends are apparent which shed further light on the operation and effectiveness of the anti-poverty efforts in the District of Columbia.

1. Education

When level of education is correlated with the question asking about awareness of UPO as in Table 324, it is interesting to note that awareness increases as the level of education rises. Respondents with less than eight years of education are the least likely group of individuals to have heard of UPO. Less than 72% of them were informed about UPO. Awareness rose to 94% of the respondents who had had a high school education, then fell to 92% of those with more than a high school education.

TABLE 324.—LEVEL OF EDUCATIONAL ATTAINMENT COMPARED WITH KNOWLEDGE OF UPO

Heard of UPO?	Education									
	Under 8		9 to 12		High school		High school plus		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Yes	18	28.13	9	6.38	7	5.69	7	7.95	41	9.86
No	46	71.88	132	93.62	116	94.31	81	92.05	375	90.14
Total	64	100.01	141	100.00	123	100.00	88	100.00	416	100.00

Note: p=+0.001.

Since individuals with the least amount of education are those most likely to need assistance, it is significant that they are the least likely to be informed. This is an indication that poverty programs are not reaching the hardcore poor.

When we compare education level with the manner in which the respondents learned of UPO, some other interesting patterns become evident. A majority of individuals with less than a high school education had heard about UPO from friends. Those with a high school education or beyond, were most likely to have learned about UPO from the mass media.

Earlier in this Section, we hypothesized that poorer respondents would be less likely to read the newspapers or to listen closely to radio or television than more well-to-do respondents. Since education level is related to poverty (the 68 poor individuals as demonstrated in Part II had definitely lower levels of educational attainments than the sample as a whole), the importance of contacting people personally in order to inform them of existing programs is underscored. See Table 325.

TABLE 325.—LEVEL OF EDUCATIONAL ATTAINMENT AND MANNER IN WHICH KNOWLEDGE OF UPO WAS OBTAINED

How they learned	Education											
	Under 8		9 to 12		High school		High school plus		College		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Friends	22	53.66	66	57.89	42	39.25	9	23.08	8	30.77	147	55.96
Newspapers	19	46.34	48	42.11	65	60.75	30	76.92	18	69.23	180	55.05
Total	41	100.00	114	100.00	107	100.00	39	100.00	26	100.00	327	100.00

Note: p=+0.001

What we suspected has been substantiated. The hardcore poor have not been reached to any great degree by anti-poverty efforts here in the District.

Table 326 provides further indication of this fact. Respondents with less than eight years of education are the least likely individuals to be aware of or to have visited a neighborhood development center. College graduates were the most likely to have visited a center, while respondents with from 9–12 years of education were the most likely to know of a center's existence but not to have visited it.

TABLE 326.—COMPARISON OF LEVEL OF EDUCATIONAL ATTAINMENT WITH AWARENESS OF NEIGHBORHOOD CENTER

Is there a neighborhood center in your area?	Education											
	Under 8		9 to 12		High school		High school, plus		College		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Don't know	50	76.92	79	54.86	82	65.60	32	61.54	21	56.76	264	62.41
Vaguely know, never been there	10	15.38	50	34.72	23	18.40	14	26.92	9	24.32	106	25.06
Know, been there	5	7.69	15	10.42	20	16.00	6	11.54	7	18.92	53	12.53
Total	65	99.99	144	100.00	125	100.00	52	100.00	37	100.00	423	100.00

Note: p=—0.01.

2. Age

We have mentioned previously that the group of respondents over 45 could be seen in some respects as social isolates. The reason for this becomes clearer if several of the questions dealing indirectly with the poverty programs are correlated with age.

Table 327 correlates the age of the respondent with the answer given to the question, "Where would you go if you needed a loan?" Respondents over age 45 were more likely than any other age group to give the answer "no one."

TABLE 327.—WHERE RESPONDENT WOULD SEEK AID FOR A LOAN COMPARED WITH AGE

Where go for a loan	Age							
	16 to 24		25 to 44		45 plus		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Poverty or credit union	4	13.8	17	58.6	8	27.6	29	100
Boss	5	15.2	16	48.5	12	36.4	33	100
Profit credit union	24	22.9	51	48.6	30	28.6	105	100
Bank	26	17.4	67	45.0	56	37.6	149	100
Friend or relative	24	41.4	22	37.9	12	20.7	58	100
Other, no one	3	12.5	7	29.2	14	58.3	24	100

Older respondents when queried about where they would go if they needed clothes or food, were much less likely than chance would predict to say friends or relatives and more likely to indicate "no one" or "nowhere." Table 328 indicates this.

TABLE 328.—PLACE WHERE RESPONDENT WOULD SEEK ASSISTANCE, BY AGE

If need help, where go?	Age					
	16 to 24		25 to 44		45 plus	
	Number	Percent	Number	Percent	Number	Percent
Group organization 1 to 4 UPO, etc.	3	3.61	16	9.04	15	12.30
District of Columbia welfare (5)	7	8.43	32	18.08	34	27.87
Friends or relatives (6)	62	74.70	101	57.06	46	37.70
Other, nowhere	11	13.25	28	15.82	27	22.13
Total	83	99.99	177	100.00	122	100.00

Note: T=382; p=+0.001.

Although these respondents are few in number, they do represent a group of lonely older individuals who may be in need of assistance but who have no family or friends and do not know where to even look for help.

3. Interrelated Attitudes

Previously, in Part V, we discussed the fact that although there was often a relationship between a person's attitude about progress in general (i.e. success of the Poverty War) and his attitude about progress in a specific area (such as housing), there was no evidence of a causal link. In other words, the same people who believed that housing had improved might believe that the War on Poverty was achieving something, but there was no evidence that the one belief had in any way influenced the other. Results from lambda tests were all negative, suggesting that indeed neither viewpoint influenced the other.

When several of the poverty program-related questions are correlated with opinions about the success of the War on Poverty the same patterns appear. For example, whether or not an individual has heard about UPO is related to his opinion about the War on Poverty. As Table 329 discloses, the vast majority of respondents who have heard of UPO also believe that the War on Poverty is doing "a lot" or "some" good. In addition, a slight majority of those who have not heard about UPO believe that the War on Poverty is doing "little" or "no" good. However, although there is a relationship between the two items, it is not a causal one.

TABLE 329.—OPINION OF WAR ON POVERTY COMPARED WITH AWARENESS OF UPO

How is war on poverty doing?	Ever heard of UPO?					
	No		Yes		Total	
	Number	Percent	Number	Percent	Number	Percent
A lot of good, some good	14	48.28	259	76.85	273	74.59
Little or none	15	51.72	78	23.15	93	25.41
Total	29	100.00	337	100.00	366	100.00

Note: p=+0.005.

The lambda test when applied to the contingency distribution is again negative, indicating that neither variable influences the other. In other words, knowing whether or not a person is aware of the existence of UPO will not enable us to predict his opinion about the efficacy of the War on Poverty.

A further example is provided when an opinion about the War on Poverty is correlated with the results to the question asking whether or not the respondent has been contacted by a poverty worker. Once again there is a relationship between the two variables. Individuals who have been contacted by poverty workers are more apt to feel that the War on Poverty is achieving "some" or "lots" of good than those who have not been visited. Again, however, the lambda tests yield negative results strangely suggesting that a visit by a poverty worker doesn't influence the way in which a person views the influence of the War on Poverty. Table 330 illustrates the distribution.

TABLE 330

War on poverty doing any good?	Poverty worker visited					
	Never		At least once		Total	
	Number	Percent	Number	Percent	Number	Percent
Lots	31	10.33	15	21.13	46	12.40
Some	187	62.33	44	61.97	231	62.26
Not much or none	82	27.33	12	16.90	94	25.34
Total	300	99.99	71	100.00	371	100.00

p=−0.01.

The implication of these findings are several. It would perhaps be nice if we could prove that either knowledge about the activities of an anti-poverty organization or contact with it could influence a person's general outlook. If this were so, knowledge that people are concerned with wiping out poverty and have been making an effort to at least contact the poor, should be sufficient to satisfy many individuals. In fact, the opposite may be true. Some knowledge may arouse new desires or in fact, raise levels of aspiration. When immediate solutions to all problems are not forthcoming—or even if some problems are solved—individuals may not be satisfied. The problem is much more complex.

Attitudes, satisfaction levels, and expectation are influenced by a number of different factors. The innercity residents of Washington, D.C. will not be persuaded that all of the solutions to their problems are at hand if they are aware of the fact that some persons are concerned about solving these problems. Nor will they be convinced that the city is drastically improving where housing conditions are temporarily alleviated.

Washingtonians believe that eventually life will improve and that they can play a role in making life better. They are realistic enough to know however, that the many local problems will not be solved immediately, and they do not let progress or failure in their areas influence their total outlook.

This finding, however, is a two-edged sword. We can take hope in the fact that inner city Washingtonians are optimistic in the long run about progress and life, and that temporary unhappiness and difficulty will not destroy their hope in the future. On the other hand, however, the inner city residents are not naive enough to be influenced by tokenism or one-sided approaches to city life. The whole spectrum of problems, no doubt including political ones as well, will have to be attacked *simultaneously* before the D.C. residents feel that real progress is being made.

[Appendix A]

THE UNITED PLANNING ORGANIZATIONS WASHINGTON'S COMMUNITY ACTION AGENCY—SUMMER, 1967

In the District of Columbia, the organization designated by O.E.O. to perform the function of a Community Action Agency is the United Planning Organization (UPO). UPO was originally incorporated in 1962 as a private non-profit corporation after a study undertaken jointly by the Health and Welfare Council, The Washington Center for Metropolitan Studies, The Brookings Institute, and Resources for the Future, which recommended a "united" effort against poverty. UPO was envisioned as an organization whose primary function was to plan and coordinate anti-poverty efforts. It was funded primarily by private foundations including the Ford Foundation and by the Federal Office of Juvenile Delinquents and Youth Development. In 1964, however, after passage of the Economic Opportunity Act, UPO was selected as the Community Action though designated and funded primarily by O.E.O., H.E.W., Department of Labor. The organization was greatly and necessarily expanded to accommodate its expanded activities and its changed purpose. UPO was given responsibility not only for long range and short range planning and coordination but for supplying needed services to the District and establishing neighborhood centers.

The concept behind the Economic Opportunity Act and the CAA in general was an innovative one and different from the old welfare agency approach. For the first time the involvement of the poor (in the decision-making process) was sought. Fundamental to this was the thought that the poor, through pressure and innovation would effect changes in existing institutions. Support was also solicited from various other segments of the community. The structure of UPO reflects these ideas.

The lines of authority in UPO flow from the Board of Trustees down through the Executive Director and his staff, outward to ten N.D. Centers. The Board of Trustees is composed of 45 members who are selected in the following manner: 4 designated by the President of the United States, 5 selected by Metropolitan Washington Council of GWH; 4 nominated by Health & Health Council designated by the Greater Washington Labor Council; 2 selected by the Metropolitan Washington Board of Trade; 1 chosen by Washington Center for Metropolitan Studies, 1 designated by the National Capitol Planning Commission; 10 selected by Metropolitan Citizens Advisory Council (MCAC) and 9–11 members are selected by other members of the Board. The 10 MCAC members fulfill the one-third membership of the poor requirement established by OEO. The Board has ultimate authority over programs.

The MCAC, itself consisting of 5 members from each of the 10 Neighborhood Advisory Councils was established to act in an advisory capacity to the Board. It reviews progress and either endorses activities or suggests changes to the Board.

UPO has a large staff of over 100 individuals. A schematic representation of staff organization is printed following this memorandum. Research, planning and public information components are directly under the Executive Director. A Deputy Executive Director is directly in charge of such divisions as Personnel, Administration and Finance, while the Director of Operations is concerned with the operation of NDC and city-wide program components in the manpower, education, business, transportation and legal services areas.

Funding for UPO after 1964 came predominantly from OEO, but is steadily shifting toward Department of Labor funds. The budget for the fiscal year 1967 was nearly $20 million.

The above, very simply, is the organization of the CAA in Washington, D.C. In structure UPO resembles other private, nonprofit Community Action Agencies throughout the Country. The prescribed functions of the CAA in Washington, D.C. are identical to those of every other CAA as established by OEO as follows:

"Community Action Agencies carry out their responsibility for organizing, coordinating and improving the focus of anti-poverty programs in a number of ways. CAA's may operate programs directly or may delegate them to local public and private agencies. They assist existing agencies to more effectively direct their efforts to helping the poor by providing supporting and gap filling services and by providing a linkage between complementary programs. By operating at the neighborhood level, CAA's are able to involve a large number of poor in the programs. Representatives of the poor on CAA governing boards helps to assure that the anti-poverty programs are responsive to the real needs of the poor. And by surveying community needs and resources, planning and evaluating programs, and establishing area and project priorities, the Community Action Agency is able to maximize the total effectiveness of programs in the community."

The difficulties which UPO has faced and is continuing to face are generated in part by the set of circumstances and situations unique to Washington, D.C., but in other ways are similar to problems CAA has been faced with elsewhere.

At this point, it should perhaps be noted that UPO is a relatively new organization, given a monumental task to perform, and that it is perhaps too early to judge its long run impact.

One primary disagreement seems to be over the extent to which UPO should function as an innovator, an instigator of change in existing institutions and a stimulator of community activity in the various forms it may take from community participants in organizational activity to participation in demonstrations, sit-ins and the like.

Up until mid-1966 UPO was active in encouraging city-wide and neighborhood action committees to make demands upon city officials such as the police, the school board, urban renewal boards, public housing authorities and others, and if they were rebuffed and the authorities did not respond, to organize sit-ins or picketing. The first Executive Director was in favor of such tactics provided they were of a peaceful nature, and recently retired director, Mr. Hal Witt, has stated:

"Demonstrations do have a place in a community organization program. No question about that."

Members of the Board of Trustees, however, particularly those drawn from the business community or associated with previous welfare organizations are opposed to such activities. One member of the Board described the CA program as follows:

"I think it fair to say that the psychology of protest—protest simply for the sake of protest, became all important. . . . There is a group of people being motivated, I felt, to destroy, to march in protest, in unacceptable manners, on the theory that this was the only way you could call attention to the real need to get something done about it."

Criticism about these tactics was also forthcoming from "powers that be" with OEO and from the D.C. government. There resulted a change of emphasis from more militant to a more passive form of protest including the filing of petitions and meeting together to discuss issues. Thus the problem has been tabled for the moment.

However, the question of technique involved in protest has not been resolved. Further conflict seems built-in since the Board members and the staff of UPO have different outlooks. This issue must be resolved for eventually UPO will have to determine what interests it does represent and exactly how far it will go in attempting to fulfill both its function of providing services and instituting changes in existing structures. These two goals may well be incompatible since on the one hand cooperation and integration with existing agencies is necessary to provde services and on the other hand protest is often directed at these same agencies. Scientific Resources, Inc. which completed a study of several community action agencies noted that this was one of the most apparent difficulties which the CAAS faced. It said:

"It now appears that it could have been well had the original EOA distinguished between what can be called community action or community development and the task of coordination and integration. By putting the two tasks together the role of OEO and its Community Action Agency as integrators has been minimized."

This question is but one indication of far more fundamental difference of opinion between staff and Board members of UPO as to the real meaning of community action. OEO has established a statutory requirement that 1 of the participants on the Board of any CAA be from the ranks of the poor. UPO has complied with these regulations. The past director and the present director have indicated that they feel these poor should participate fully—utilizing the channels provided for them by the organization. Hal Witt has said:

"And we think that one of the ways to avoid unlawfulness, unruly behavior is to have orderly channels for people to express themselves in ways which would prove effective. And proper responsiveness of the society to peaceably expressed grievances is essential in our view, to prevent disorder. If you continue to frustrate people, if you continue to show them the way they're supposed to behave, it does not produce results for problems that there have to be some results for, then you're going to have a problem."

According to the staff of UPO, the needs of the poor should be met. The policy of UPO, according to the staff is as follows:

1. Help the poor to recognize their problems and learn to solve them.
2. To achieve institutional change through control of contracts with service agencies.
3. Reshape policy direction of official bodies so they serve more fully the needs of the urban poor.

The director-staff of UPO, OEO, and the representatives on MCAC seem to be in agreement with the fact that the needs of the poor must be met and that *full* participation by the poor is required to accomplish this—although there is a divergence of view as to the nature and type of participation—which we have discussed above. There is some doubt however, as to whether or not the Board members, excluding MCAC representatives are fully agreed upon this principle.

Much criticism has been voiced by Board members about the "block voting" of MCAC representatives, and there was particular resentment about the fact that at one meeting recently the MCAC delegates, voting together, cast the deciding ballots in opposition to the continuation of the Model School Program.

One Board member raised the question as to whether "the Board will represent constituents or whether it represents its own best interests." This, in our opinion, is indicative of a lack of understanding of one of the basic concepts involved in the CA approach—that the poor themselves should assess their needs and determine the direction of the poverty program. The poor have not been represented at all until recently, and it is unlikely that they have the experience or the ability to individually participate the way the other Board Members can. It is likely that the poor, in seeking more and more representation for themselves will continue to act in concert. The necessity and importance of group action is not understood by other Board members, who until recently were involved in traditional welfare programs with a paternalistic view toward the poor. The old welfare approach was one of generosity but coupled with firm direction from above. In this context the following remarks of Board members are clear:

"People need a sense of their own power which should better be defined as a sense of their own worth, as a shoulder to shoulder kind of thing—and I think *individually* . . . I became convinced that this sense of power got going off in directions that were more destructive in the long range than constructive."

And:

"UPO has been very responsive to the public which is very good, but at the same time it hasn't given the public enough leadership."

One manifestation of this divergence of opinion has been the circumvention of the Board by the staff and director of UPO. Reports such as the Ford Foundation Report on the activity of UPO have noted that the Board is not fully participating, but no one has suggested why this is the case or what could be done to change this. If the organization is to remain structured as it is currently, then of course it would be beneficial to have the full participation of the Board. The fact that, as a member of the Board has stated, "the staff feels the Board of Trustees is a hinderance right now," had led to disinterest and absenteeism on the part of Board members. Absenteeism was the reason why 15 members of the MCAC voting together could carry the vote in a board of 45. Much more participation is necessary, especially from members of the business community who need to be drawn into the poverty program. The answer to the dilemma, however, is more complex than simply finding a new director more interested in utilizing the Board.

Board members have been severely critical of the lack of planning and evaluation in UPO. The Ford report also suggested a disengagement from service activities and a concentration on planning a long range project. Concentration of effort along these lines could alleviate present situations.

UPO has implemented several poverty programs on a city-wide level and is currently engaged in running several promising demonstration projects. The predominant amount of UPO's grant money has been utilized for housing, employment, education and legal services programs as well as the community organization programs which will be discussed elsewhere.

Housing remains a severe problem if not the number one problem in the city today. We have heard complaints in all sectors of the city of the shortages in housing, the inadequacy of public housing, the dislocation problems that erection of new schools and urban renewal mean to the residents of a neighborhood. Yet this is the area in which the least has been accomplished.

Recently there has been some pressure placed upon D.C. officials to insure that the housing code is enforced.

UPO should be given credit for its efforts in establishing the Housing Development Corporation. Their plan of assisting nonprofit cooperative sponsors is a good one.

Educational needs are also great in the District. The Model School Program, sponsored by UPO—which achieved very little while in operation—has been discontinued. According to some reports, much of the problem over the program was due to difficulties with the School Board.

The Day Care and Headstart programs have by all measurements been successful, but all areas of the city have not yet been served. In fact, only 360 of 15,000 children were accommodated in Headstart last year.

The Neighborhood Legal Services Programs have apparently been a great success. However, perhaps WLSP has not done enough to carry out the ideal of challenging existing structures and causing changes in existing institutions.

Employment along with education and housing are surely the most serious socio-economic problems to be met in the District. The U.S. Employment Service in the District indicated that there were 24,600 unemployed in 1965. An even more acute problem is that of underemployment. The Manpower Division of UPO has developed a program with 9 components to help find and train individuals of various ages. The progress thus far has been slow as indicated by the following figures: From February 1966 until April 1967, the UPO Manpower Information System listed 17,800 applicants for some 30,000 jobs, but placed only 6,000 persons.

The most impressive program which has come to our attention is that of the Department of Labor's Concentrated Employment Program which was recently begun here in the District under the aegis of UPO. All sorts of supportive services and encouragements will be given to the job applicant so that he can gradually adjust himself to a working life and maintain gainful employment.

Much of the difficulty in employment programs has come about because of lack of coordination between various agencies. Special difficulty arose this summer when NYC enrollees were forced to register with several agencies in order to gain employment. One Neighborhood Center alone lost 359 youths of 360. Every effort should be made with these programs to simplify application processes.

Cooperation between USES and UPO has not been exemplary. The two organizations do not share job listing. There needs to be a great deal of cooperation between USES organizations in the District and those in Maryland and Virginia, since the great reservoir of manpower is found in the former and many jobs in the latter.

As we stated earlier, UPO is a new organization which has been forced to expand rapidly to handle a large program and to perform many functions which it was not originally intended to perform. Therefore, it is perhaps too soon to evaluate the organization. However, it is not too soon to suggest directions in which it should move.

Our primary suggestion is that UPO should become more of a planning and research organization rather than an administrator of programs which could be run just as well under the aegis of existing agencies. The cooperation and active support of other organizations, businesses, and individual citizens in the poverty effort must be solicited if the effort is to be effective. To accomplish this task of coordination, a delineation of power and responsibility should be made—with neighborhood centers or preferably corporations having ultimate authority in their particular areas—and with more utilization made of the Board of Trustees in setting UPO policy in the planning aspects of UPO activity.

We would also suggest the utilization of UPO as an agent to encourage changes in various other agencies along the lines considered in UPO research and planning sessions to be important.

[Appendix B]

THE ANALYSIS OF A NEIGHBORHOOD DEVELOPMENT CENTER

(The Near Northeast, Washington, D.C., Summer 1967)

The policy aims of a Community Action Agency such as UPO can be formulated and articulated at a city-wide level, but can only be translated into effective action at the neighborhood level. Thus it is necessary to examine the various types of neighborhood development centers in operation under the auspices of UPO in order to determine which kind of structure most suitably enables the disadvantaged people of an area to both receive services and organize to better themselves. In many cases, neighborhood centers have not been in operation long enough to enable one to make a complete evaluation. However, one should be able to discern whether or not the direction in which the organization is moving will ultimately facilitate the implementation of the end goals of service and organization set by the Office of Economic Opportunity.

There are ten designated poverty areas in the District of Columbia proper, and three distinct types of neighborhood development centers which operate programs. UPO operates two of the centers directly. Three centers have been contracted out to welfare groups, or community organizations such as the Urban League which operated in the area before the establishment of UPO.

Near Northeast is unique because while it is now operated by a Community Corporation (The Community Development Corporation—CIC) the contract to operate was held for a time by Hospitality House, a settlement house. Hospitality House did not succeed in either winning popular support or effectuating the aims of OEO as regards community organization, and the contract was not renewed. Policy issues were raised as a result of this experience which have as yet not been totally resolved.

After a brief description of the geographical area in which the development center operates and the structure of the present organization, we will consider how effectively CIC has been functioning.

The Near Northeast area, geographically, is a large, sprawling area bounded by South Capitol Street, the Anacostia River, New York Avenue and the B&O Railroad track. Consisting of ten U.S. Census tracts, the Near Northeast is roughly comparable to the area encompassed in Police Precinct #9. The population is not totally homogeneous since it includes such diverse groups as Negro ghetto dwellers on Parker Street and white collar Caucasian Congressional employees who live in town houses on Capitol Hill.

According to the 1960 U.S. Census there were almost 82,000 inhabitants of which 75% were Negro. Ten years ago 15% of the more than 25,500 dwellings were classified as "dilapidated" and 5% lacked plumbing facilities. Indications are that while the portion of Near Northeast encompassed in Census Tract 82 and extending into 81 has had many dwellings renovated and has become predominantly a white neighborhood, conditions in the remaining eight tracts, have deteriorated.

The population of tracts 79, 80, 83, 85, 88.1, 88.2, and 89 has greatly increased due to an influx of persons displaced by Urban Renewal projects in Cardozo and Southwest. We estimate the total population of Near Northeast at near 90,000—and excluding Census Tract 82, 90% of the population is Negro.

Data collected from a partially completed random sample survey of 125 persons, living in the Near Northeast, presently being conducted enables us to characterize the typical inhabitant of the area. The average adult interviewed was a Negro 40 years of age, who although born in the South, had lived in the District for 10 years. The average person earned $3,200 (15% had incomes less than $1000) and was employed. 14% of the persons categorized as employable, however, were without jobs. Characteristically, the person interviewed had less than 12 years of education—only 33% had completed high school. 45% were unskilled workers.

Our tentative results reveal a poor, rather apathetic community, seven percent of whose residents are on welfare and one in seven of whom are unemployed. They are not very optimistic about their future and don't feel federal programs have helped them much. While many of them have "good" jobs (55% in the skilled labor force) up to 14% are unemployed. Our present local poverty programs are not reaching them. The residents of Near Northeast have mixed feelings about adequacy of schools, medical services and garbage and rental rates, and 50% are not looking for a better job. They do not seem to be radicals, yet 25% do not believe that riots are harmful.

The Near Northeast is a greatly oversize "neighborhood" the largest target area in the District both geographically and population-wise. The high population includes a middle income group—14% of the inhabitants had incomes over $6,000 and 6,000 families which could be classified as desperately poor. Any neighborhood development center attempting to function under the limitations imposed by lack of cohesiveness of the territory, physical dispersion of population, the great amount of deprivation and need contrasted to the small amount of operating funds was destined to have severe difficulties.

These "natural" physical conditions must be kept in mind when evaluating the effectiveness of the center. Size can be a crucial factor. The Community Corporation which has been considered a pilot project in the field—that of ECCO in Cleveland, Ohio —had a target population of 7,000. One of the developers of the project suggested that an increase beyond 25,000 would not be feasible.

Before the advent of UPO, two settlement houses, Christ Child and Hospitality, worked to combat poverty in the Near Northeast. A great deal of bitterness was generated at Christ Child House by the awarding of the UPO contract to Hospitality House, and to this date, there has been little cooperation between UPO and Christ Child House. The director of the Poverty Program chosen by UPO was a man of social work background who was assisted by the Director of an old line settlement house. The latter's approach was predominantly a service-oriented one. More emphasis was placed on alleviation of immediate need—a welfare agency concept—rather than on the stimulation of community initiative.

This approach, seemingly at odds with the concepts developed by OEO, and the tight administrative control wielded by the Director, rankled community leaders. Citizens participating in the Community Action Council (CAC)—an advisory organization composed of members chosen by block representatives and members of community organizations—determined that the inhabitants of the area should control their own war on poverty. Therefore, the idea of CIC was conceived in 1965, and developed during that year. It received the contract to administer the poverty program in September, 1966, from UPO.

The CIC, which represents all citizen of Near Northeast, is governed by a Board of Directors. The Board members previously numbering 30, but now set at 40, are chosen from among representatives sent by citizen block organizations and from business, church, and civic groups in the area. The Officers of the CIC are elected by the Board of Directors, acting in concert with the Board. The officers have the power to hire a Director and Assistant Director of the Neighborhood Service Center and to vest him with the authority to hire workers to implement component parts of the poverty program.

The CAC remains as a parallel organization. Its membership was recently expanded to include automatically *all* members of the community. The CAC elects officers who represent the area on the Metropolitan Citizens Advisory Council. Primarily, the CAC is to function as a supervisory body—designed to advise CIC and the Director of the Neighborhood Center and to criticize and suggest changes. Actually, however, as it has developed, many of the CIC Board members are also officers of the CAC. Thus, the effectiveness of the CAC as a supervisory body is diminished.

The actual Neighborhood Development Center was designed to have several component parts: community organization, consumer action, education and neighborhood housing programs. In addition, branches of the city-wide organizations of Neighborhood Legal Services, Day Care were located in Near Northeast and a Credit Union was established.

Originally, there were designated housing and consumer action advisers who had worked under them to disseminate information and stimulate activity in these areas. After a reorganization of the center staff—promoted by a cut-back in funds by UPO, however, the posts of housing and consumer action advisors were abolished and distinction was made only between the general category of neighborhood worker and the supervisory category of community action organizers. As a result of this, what special efforts there were previously in housing and consumer areas were abandoned and there seems to be no designated workers concerning themselves with these vital questions.

The structure of the neighborhood center of NNE, then, as discussed above, consists of the CIC, (the corporation formed of representatives of all the residents of the area) the CAC (a parallel and advisory structure to which all inhabitants automatically belong), the staff and the director of the center. The policy and guidelines under which the center operates are set somewhat vaguely by OEO, and articulated in terms not much more specific by UPO. As we have seen, there is confusion as to the role which UPO itself should play. We described this conflict as one of fundamental disagreements between groups within UPO—namely, staff and Board—as to whether UPO should function merely as a coordinating body for the provision of services or whether it should function as an innovator and an instigator of change.

There were and still are policy disagreements of a like nature at the Near Northeast Neighborhood Center. A conflict, which originated at the Settlement House holding the UPO contract, between the Director of the Center and several of the Board members of CIC (previously CAC officers), has erupted into a major battle for control of the center.

The struggle in NNE can be characterized partially as a policy struggle between a director and his associates who came originally from the social worker milieu, and some of the citizens of NNE. It is also a political struggle, for the citizens of NNE wish autonomy and authority. They have not yet proven that they can administer their own program and advise a Director of their own choosing. The outcome of the struggle in NNE will be of greatest importance for it will determine whether or not the CIC can have and utilize authority. It will establish lines of authority—now not well defined—between citizens, CIC, CAC, and the center staff. The battle has resulted in a virtual cessation of activity at the center, but will be of ultimate benefit if basic policy questions are resolved.

It is difficult to evaluate the manner in which the poverty program has functioned in NNE for several reasons. First, as has been noted, there have been two "administrations" since the advent of the program. Second, there is a lack of established criteria by which to judge the activities of a neighborhood center. Neither UPO nor OEO has set down clear guidelines. Most reports done for OEO or for the Poverty Subcommittee have not developed a worthwhile approach.

The one exception is a report done by Kirschner Associates in a study completed in December, 1966, and entitled *A Description and Evaluation of Neighborhood Centers*. Therein is presented a framework for evaluation of neighborhood centers which can be most usefully applied in a case study such as this. The report suggests utilization of five criteria for evaluation as follows:

Criterion 1. Local Outreach. Centers are considered to be mechanisms for reaching out in a neighborhood to contact the poor residents. There is a belief that the poor do not have adequate contacts with the organizations representing the social, political and economic structure and with each other. The center is conceived of as an important institution to overcome this deficiency. All concepts of the proper center role tend to hinge on the ability of centers to create a clientele of poor people who have some kind of continuing relationship with the center. The nature and extent of the outreach of centers is clearly an important consideration in their evaluation.

Criterion 2. Integration. The CAA is supposed to be a device to integrate a wide variety of interests so that they will deal constructively, efficiently and comprehensively with the problem of poverty in the community. The neighborhood center is to carry out this same role at the neighborhood level—the level affording the most direct contact with the poor.

Criterion 3. Maximum Feasible Participation. Title II of the Economic Opportunity Act defines a community action program as one which, among other things, "is developed, conducted and administered with the maximum feasible participation of residents of the areas and members of the groups served." Although this mandate is interpreted in a wide variety of ways, it is clear that centers should be organizations where the maximum feasible participation is taking place.

Criterion 4. Significant Change. One of the basic postulates underlying the entire OEO effort is that there should be changes in the ways existing institutions relate to the poor and the ways in which the poor relate to these institutions and other aspects of their environment. Thus, it is clear that centers must be agents for change.

Criterion 5. Reasonable Cost. A criterion for considering any program or institution is that its costs bear some reasonable relationship to the results it is achieving and that alternative approaches do not offer equivalent solutions at considerably less cost.

Outreach

The stated purpose of CIC in its contract with UPO is "to fight the feelings of hopelessness that often characterize the poverty population in the urban environment by demonstrating that people working together can bring about changes in a community." In order to do this, of course, it is imperative that the individual person be contacted and provided with both the opportunities and the motivation for change. The quantity of people contacted, and the quality of the contacts need to be examined.

The staff of Near Northeast maintains that *all* poor families have been contacted—visited at least once by neighborhood workers—and that ½ of the nearly 6,000 desperately poor families benefit from one or more services. The monthly reports from Near Northeast indicate that from 1,000 to 4,000 persons per month either are contacted or receive services and participate in CAC or block meetings. However, there is no means of determining how many of these are new contacts and how many are repeats.

We attempted, by conducting a random sample survey of NNE residents, to discover how extensive the outreach of CIC has been. Although all of the data has not been collected and tabulated, the following trends appear. Fully 56% of the people interviewed in NNE were not aware of the existence of the CIC-run neighborhood service center. 88% of those interviewed did not know the location of the center. 88% declared that CIC had not performed any services for them and 83% acknowledged that they did not participate in any CAC–CIC activities. Thus, quantity-wise, the outreach according to our statistics has not been as great as had been thought. Part of this is undoubtedly a function of the fact that CIC is a new organization.

On a question which asked inhabitants where they would go for help, 3% declared they would go to Hospitality House, 4.6% to Christ Child House, 21.5% to D.C. Welfare, 23% to their own church, and only 1.5% to the CIC center.

The quality of the outreach is also important, but more difficult to gauge. By this we mean the ability of programs to reach the hard-core poor rather than the upper levels of the poverty groups. When income is correlated with knowledge of the location of UPO, and with utilization of services, we find that of those who know the location of the CIC Center, 77% had incomes under $6,000. Of those utilizing one or more services of the Center, 80% had incomes of under $6,000. Those citizens participating in activities of CAC–CIC were about equally distributed between lower and higher income groups. Thus it seems that the small number of inhabitants given services are probably disadvantaged but that smaller numbers of those participating in community organization activities are actually hard-core poor.

The Development Center has a staff of 36, including 21 neighborhood workers. However, 21 workers to cover 387 blocks is an inadequate number. These workers are drawn from the ranks of the hard-core poor—over 50% did not have employment previous to their present job, and thus, theoretically are more capable of reaching similarly disadvantaged through NNE.

Integration

One of the greatest problems the poverty program has faced at all levels from Federal agency to neighborhood center has been the difficulty in coordinating and integrating all existing programs and services to give maximum advantage to the poor. It is particularly important that all available resources be utilized at the neighborhood level because this is both the place where the amount of money available is in shortest supply and where the real confrontation with poverty takes place.

The Near Northeast Center still has not been able to effectively work with pre-existing organizations. The original bitterness engendered by the award of a UPO Contract to one settlement house rather than another remains. This is the fault of both sides. The Directors of both settlement houses, however, cannot totally accept either the philosophy behind the CAC programs which prescribes maximum participation of the poor, or the aim of community organization rather than provision of services as a primary goal. The Center, on the other hand, has not given adequate attention to suggestions for more efficient means of operation proffered by welfare agencies. The Center constantly refers people to the various settlement houses for aid and assistance, yet does not attempt to work with the directors of these organizations to coordinate activities. There is no reason why older settlement houses could not have active representation in CIC and coordinate their service efforts with the Center.

The Kirschner Report points out that traditional agencies have been most successful in coordinating with neighborhood centers when their efforts have been focused on "case" coordination. The Report also notes that, "although there may be some changes in traditional ways of doing things, there are not yet changes in the traditional ways of thinking" in these pre-existing organizations. If a conscious decision is made to integrate and coordinate the case efforts in a circumscribed area of activity of these organizations into the structure of a center, accommodation can take place and the attitude of the agency becomes a "moot point."

One settlement house director deplores the poor organization and communication network of NNE. This is a bone of contention common to many agency-center relationships. As the Kirschner Report notes:

"Nevertheless, highly structural traditional agencies are now interacting with loosely structured centers and, while each is influenced by the other, the result has not yet been an effective integration of effort to solve the problem of neighborhood poverty."

Maximum feasible participation

In a previous section of this report where the *Outreach* of the Center was discussed, we noted that the numbers of people either receiving aid or actually participating in the poverty program is small. Our data tends to indicate, further that although hard-core poor receive services, they are less likely to continue to participate in the activities of the center or of neighborhood organizations. Thus, it can be said that the NNE Center like many others throughout the country has not in the early stages of its existence succeeded in involving the poor except on an emergency basis.

If "maximum feasible participation" has not yet occurred, we must attempt to discern whether or not it is likely to occur. In order to do this it is necessary to consider how those people who are presently involved are acting to change their environment and how they themselves are changing as a result of their participation.

The "involved" poor in NNE—who can be categorized as belonging for the most part to the upper strata of poor—participate as CIC and CAC members and officers and as staff members. CIC and CAC officers in NNE are the active, articulate members of the community who would have become involved in any organizational work. They are for the most part a dedicated, active group, anxious to do what is necessary to enable their neighborhood residents to learn how to improve their community.

There is some frustration among several of these leaders about the caliber and inefficiency of some of the paid workers. One example cited was that of the Credit Union. When originally organized it was run by people chosen as much as possible from the ranks of the hard core poor. Unfortunately, these people had had little experience with the handling of funds. The Credit Union lost considerable money until one CAC official asked permission to restaff and reorganize it. She hired a few people who had had experience in financial affairs to manage the Credit Union and to direct the other less knowledgable employees. Since that time the Credit Union has been a financial success and has had considerable growth. This incident underscores the importance of the participation of a few more educated and experienced poor in leadership positions. It is important that the poor should have responsibility and authority as soon as possible, but their abilities and training must be commensurate with the positions they are to fill. On the other hand the more advantaged should only be allowed to retain control until proper training of the disadvantaged can take place. An ideal situation would be for some kind of tutorage relationship between the managers of a Credit Union and less educated employees to be established with the managers stepping aside as soon as possible.

Some of the settlement house staff members in NNE have criticized the hiring of hard core poor as neighborhood workers and organizers on the grounds that they were inefficient workers and poor organizers. OEO and UPO have recommended hiring the extremely disadvantaged, however, as one means of improving the condition of some in the neighborhood and also as a means of facilitating contact with the hard core poor. In NNE the neighborhood workers did not seem to be operating as effectively as are workers in other neighborhood centers examined. The most serious problem is lack of training. The workers in NNE have had very little effective instruction. The program has been further hampered by rapid turnover of community organizers who supervise the workers. We were most encouraged to find that the most recently hired community organizer was a dynamic young ex-Vista volunteer who has had training in this type of activity.

The neighborhood workers do not seem to have become more "middle class" oriented as a result of their positions. In fact the characteristics of workers as revealed in a survey seem to parallel those of the more disadvantaged people living in the NNE. They were, if anything, more conservative in their outlook. The workers are 100% Negro, 83% female. Fifty percent are over 30 and 50% under 30. Seventy-six percent did not graduate from high school. Only 10% thought that riots would not hurt people. A majority (58%) of neighborhood workers similar to the residents of NNE felt that the most important problem the neighborhood faces is that of inadequate housing.

This type of person if adequately trained could effectively reach the poor women of NNE. Whether or not a neighborhood worker of this nature could stimulate men or teenagers to participate is questionable.

Significant change

There are perhaps three dimensions to poverty—socio-economic, psychological, and political. It is perhaps in the latter—the political realm—that the greatest changes in NNE have occurred. The first event of significance was the formation of the CIC by citizens of the area. The second change is in the process of occurring now and concerns the power struggle between the CIC and the Director. At least some of the citizens are deeply involved in the poverty program and have the desire to control the program themselves. They are committed capable people and once lines of authority between the various component parts of the poverty administration is provided they can move more rapidly toward a solution of the other problems.

Milton Kotler, who has written at length about the benefits of community corporations, feels that political authority held collectively by poor within a neighborhood is a pre-requisite for advances in other spheres. If this theory is correct, then an effective neighborhood organization which represents the individual and gives him political authority can be a catalystic device hastening progress economically, socially, and attitudinally.

The NNE Center has been less effective in stimulating people to organize for change than has CHANGE, Inc. which will be discussed later, mainly because it has developed no great issue around which people could rally. Attempts by the Center staff to demonstrate at the White House against budget cuts in OEO funds were a failure. At a later date, however, protest workers organized by the CAC Chairman were a success. This suggests that the CAC and CIC officials are more closely in touch with the citizens than is the Director.

Two other events support this view. Over one-half of all individuals and staff interviewed in NNE believe that housing is the most crucial and pressing problem in the neighborhood. The Director, however, believes that employment, education and citizen apathy are most important. Most of the effort of the Center will be directed in these areas. Although they as well as housing are important, it is indicative of a lack of communication between citizen and Director. Last winter a large portion of the staff of the Center resigned to protest the fact that they were not being informed of what was occurring within the organization. The Director is a diligent, hard working man, but he is obviously out of touch with the desires of those whom he is supposed to be serving.

The economic and social conditions and institutions of NNE remain as yet relatively unchanged by the poverty program. People in the community are slowly becoming aware of the various programs and aspects of the "War on Poverty" however and are volunteering services. We inspected one example of joint community-center effort. An industry donated an old building to the Center to be utilized as a youth center. A summer program was established with volunteer plumbers, carpenters, electricians and the like permitted by unions to supervise neighborhood boys in the remodeling of the building. The boys ranging from 14 to 18 years were paid the minimum wage and learned various skills while building themselves and their friends a gathering place. More such programs which bring business and the disadvantaged together would be beneficial. Major problems such as housing, education, unemployment and crime remain unsolved, however, in NNE.

It is difficult to ascertain whether or not there have been attitudinal changes among the citizens of NNE since there exists no pre-poverty war study. It is clear that the majority of the citizens have not been reached and motivated to participate in community affairs. The employees of the center are probably those who have changed the most since they believe that their fellow inhabitants of NNE should be stimulated to become involved in communty organization rather than merely provided with services. They feel that ther jobs are important and that they can be effective in encouraging others to better themselves. With better training, they perhaps could.

Neighborhood workers have organized block clubs in many sections of the NNE. There are not great numbers of people who regularly participate, but usually from 20 to 30 people attend each meeting. Noticeably most are women. Men have still to be contacted and convinced that their presence is required.

Reasonable cost

At NNE as in most other centers the predominant portion of the budget is utilized for the payment of salaries. $245,000 out of a total of $279,000 for the year budget for 1967–68 is for salaries. This amount pays 36 persons, most of whom did not have previous employment. As the Kirschner study notes these people are at least provided with decent work and income and: "are developing positive attitudes about their own roles in society and are gaining some competence to cope successfully with their environment. Thus, the center experience is a training program for these workers and, as such, may not be more costly than other forms of training."

While the staff members themselves are provided with employment, the employment of small numbers of poor is not the major purpose of a center and its staff. We must consider whether or not the center through its staff performs the functions of outreach service, and community action. Outreach, as the Kirschner study states is an expensive process since it involves personal contact. Out reach has not been exceptionally high in NNE, but considering the mitigating circumstances of the power struggle, the area to be covered, budget cutbacks, and the short length of time the program has been in operation it is not too bad.

More referreal work rather than service is performed by the Center. Coordination with existing agencies has not been as effective as it could be, but many case referrals are made to the settlement houses which indicates some contact.

Community action has been more effectively generated by the CAC and CIC officials than by the staff as noted before in the case of the protest marches. There has been more block participation in meetings since the power struggle began. This suggests that volunteers can be as good if not more effective, than paid employees. It also suggests that when questions of political power and authority are involved as well as economic and social concerns, more interest is generated.

If we consider the small number of socio-economic changes in NNE and the limited outreach of the Center, then it would perhaps be fair to say that the cost of paying the salaries of the center staff has been excessive. Surely, the unpaid citizen officials of CIC and CAC have accomplished more. There have been numerous programs, however, such as the coffee house effort this summer, the youth center building and neighborhood youth corps workers which have been successful. If minor successes such as these continue and the staff encouraged by a director who adheres to the wishes of the people expressed through CIC can expand its outreach and community action efforts, then the cost will not in the future be unreasonable.

Summary

The Kirschner Report summarizes its findings with the statement that:

"It is suggested here that the role of the neighborhood center is to afford local residents a meaningful opportunity for participation and self-development. It is to provide the poor person with the power that most other citizens have and through this means to alter the relationship of the person to his environment. . . . It is suggested that neither of these roles (service and community action) has any new meaning unless the poor residents of the neighborhood have some legitimate power to change services or to act in concert."

This is consonant with the theory of community corporation proferred by Milton Kotler. Our study indicates that of the three alternatives—contracts to existing organizations, direct control by CAA, and contracted autonomy to corporations—the latter form is best, provided that it is well organized, is truly representative of the citizens and has authority.

All sides should make every effort to resolve the conflict as quickly as possible before the delay in action is detrimental to the effect of programs so that the CIC can move forward to better perform its functions of outreach, service and community action.

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. SCHERLE. Mr. Speaker, this is the 255th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

GRADUATE EDUCATION ACT OF 1969

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. FRASER. Mr. Speaker, today I have introduced a bill, H.R. 20189, to help finance university costs of training graduates for Ph. D. degrees. The bill is entitled the Graduate Education Act of 1969. It provides for the distribution of $300 million a year among 40 accredited universities according to the number of Ph. D. degrees they have awarded during the past 3 years. The program would be administered by the Director of the National Science Foundation. A Graduate Education Council would be established to advise the Director.

This bill, Mr. Speaker, was drafted with the help of five professors at the University of Minnesota. They are Hyman Berman, associate professor of history; Maurice M. Kreevoy, professor of chemistry; Rufus W. Lumry, professor of chemistry; Alfred O. C. Nier, regents professor of physics; and Maurice B. Visscher, regents professor of physiology. These professors have issued the following statement on the bill:

A PROGRAM OF FEDERAL SUPPORT FOR GRADUATE EDUCATION IN UNIVERSITIES AND COLLEGES

The future of the nation depends on strong programs of graduate education. In national defense, urban problems, medicine, research, management, education, or the creative arts, the complexity of the problems requires a high level of talent, education, and understanding. The days when trial and error methods could cope with the major problems facing the country are gone forever. Since World War II, graduate education has been the fastest growing part of the university, the trend is continuing, and needs to be accompanied by a comparable growth in quality.

Graduate education is truly a national responsibility. Graduate education is highly specialized. The graduate student can learn his skills only from a scholar active in the student's proposed research area. To achieve this graduate students usually choose institutions remote from their homes. The employment they ultimately accept, because of its highly specialized nature, is most frequently in still another community—the location of a particular industry, government laboratory or agency, or university or college requiring individuals having unique training. This mobility contributes to the overall efficiency of the educational machinery, but it makes state, local, or regional financing very difficult to justify. *The whole nation benefits. The whole nation should pay at least part of the expense of graduate education.*

THE PRESENT POSITION

Prior to World War II, Federal support for graduate education was almost non-existent and occurred mainly as incidental in agriculture or medicine. World War II demonstrated the value of high level education in fields of basic natural science. Radar, sonar, atomic energy, antibiotics and vaccines against viral diseases showed what could be accomplished if well-educated men and women were turned loose on urgent problems calling for solutions.

Federal aid to fundamental research, distributed through the "project grant" system, and more recently supplemented with training grants and institutional grants, has enabled American science to achieve and maintain a position of worldwide leadership during the last 20 years.

However, the large gaps in this system, and the disparity they have created between activities eligible for support and those not eligible, have had a number of undesirable effects.

First, these gaps have tended to separate research from teaching, because the former was not supposed to be supported with Federal funds. This is inconsistent with all University experience, which demonstrates that teaching and research interact strongly and positively.

Second, Universities have tended to lose their ability to set their own priorities, based on their overall objectives. The areas of Federal emphasis have varied widely from year to year, and the grants have often been made too late for an orderly transition. Meanwhile the Universities have been forced to concentrate their own limited funds in these same areas, because the Federal grants have not covered the full cost of the research.

The very useful system of training grants has been largely limited to health-related areas.

THE PROPOSAL

Financial needs vary widely from one field to another and even within one field, but certain *minimum* costs must be met for each graduate student and each college or university teacher. The student, now an adult, can no longer call on his family to help pay for his schooling, and because of the exacting nature of graduate education, he does not have the time to work outside, as is practical for many undergraduates.

Because of the much more individualized instruction necessary in graduate education, the teacher cannot handle a large number of students as is possible in the teaching of undergraduates. The institution must therefore employ a larger faculty than is required in a purely undergraduate school. Libraries, laboratories, and other working spaces are required by both the teachers and the students. These needs must be met year after year. Worthwhile programs take a long time to develop, and an efficient operation demands continuity.

We now propose sustaining grants to each accredited college and university to help meet these costs.

THE FUTURE OF PRESENT PROGRAMS

The proposed program is not intended to replace, but to supplement the present programs of the National Science Foundation, National Institutes of Health, Department of Defense, National Aeronautics and Space Administration, and other agencies. The "project grant" programs which are presently at a low ebb, in any event, will still be needed to provide extra support for research which is especially meritorious and especially expensive. Freed from their present need to support the largest possible number of research projects, these programs will be able to concentrate on truly outstanding science as was originally intended.

The training grants which cover the *full* cost of educating certain kinds of specifically needed specialists should certainly be continued.

DETAILS OF THE PROPOSAL

1. Degrees to be funded

Funds should be based on the number of Ph.D.'s granted by each University.

These degrees are qualitatively different from most other University degrees, and far more expensive to the institutions. They require expensive research facilities, either library or laboratory or both. They take unusual amounts of staff time because of the highly individualized instruction involved. They require staff of the very highest quality, since this staff must bring the student to the immediate fringe of human knowledge. They usually require more student time than the other degrees granted by the University. The Ph.D. alone is not a "course work" degree. It is, therefore, more logical to single these out for special treatment than to try to separate other secondary and tertiary degrees from undergraduate degrees.

2. Areas to be funded

All properly accredited programs of higher education except those in sectarian theology should be funded.

The needs are not limited to physical and social scientists. Well-educated arts and humanities students are also in demand for a wide variety of teaching, management, social service, research, and communications jobs. These needs are growing rapidly and are not accurately predictable. In the long run, the working of the job market will be a better regulator of the relative size of the various fields than government channeling. Therefore, the common, fundamental, needs of all the fields should be financed.

3. Accreditation

Funding should be limited to institutions properly accredited by the several regional accrediting associations.

Without this provision weak graduate programs could proliferate. It should not be the object of this program to encourage more or larger programs at the graduate level. These are already growing at least fast enough to fill the demand for their graduates. The object should be to improve the quality of the programs offered.

4. Funding

The initial program should be $300,000,000.

The University of Minnesota has been receiving about $27,000,000 per year in Federal research and traineeship grants in recent years. The areas *not* supported by such grants are probably larger, though genuinely less expensive, than those supported. (Both the relative sizes and the relative costs of existing programs are influenced by present funding policies, so that it is hard to know exactly what they would be in a "free market".) Improving the presently unsupported areas to the level of the presently supported areas will certainly require a significant fraction of the present support level. The suggested figure would provide the University of Minnesota about $6,000,000, about 22 percent of its present grants.

Following another line of reasoning—in the last few years the University of Minnesota has been granting about 400 Ph.D's per year. They require about 4 years of full-time student effort, on the average, and their *minimum direct cost* must be about $24,000 each. This includes student stipends (about $3,000 year minimum after payment of tuition) laboratory and/or library resources (about $500 per year) and staff time (at a ratio of one senior staff member to each six students and an average staff cost around $15,000 per year, about $2,500 per year). This comes to nearly $10,000,000 per year, and includes none of the special requirements of individual programs which should continue to be financed by project research grants. Some of this cost can be met with teaching assistantships and other state financed devices, but a significant traction surely should be financed by the national government under this bill. The suggested figure would provide about 60 percent of the cost of producing 400 Ph.D's a year.

5. College and university requirements

Colleges and Universities, to maintain eligibility, should be required to maintain spending from non-Federal sources, in constant value dollars, per student, at a level not lower than that in the year preceding enactment.

They should also be required to maintain a *separate account* of the monies they receive under this bill, to facilitate retrospective examination of its effects.

I wish to emphasize, Mr. Speaker, that the funds made available under H.R. 20189 would be "institutional grants" to help the universities cover the costs of graduate programs in all fields. Existing programs would not be cut. Congress should continue and expand the "project grant" currently issued to individual scholars for research largely in the natural sciences by such Federal agencies as those referred to in the statement of the professors. The bill I introduced earlier this year for a National Foundation for the Social Sciences will still be necessary for funding specific research projects.

Education at the Ph. D. level is much more expensive to the institution than most other degrees. As the professors point out in their statement, Ph. D. degrees require expensive research facilities and large amounts of staff time.

H.R. 20189 includes financing for degrees in the arts and humanities as well as in the natural and social sciences. Federal support has been concentrated too heavily in the natural sciences, in my judgment. We need to balance this by supporting research into human and social problems. We need to encourage and support outstanding scholarship in such fields as history, philosophy, or music, just as vigorously as we have supported research in physics and chemistry and engineering in the past.

Mr. Speaker, the text of the Graduate Education Act of 1969 follows:

H.R. 20189

A bill to promote higher education at the graduate level through a national program of institutional grants to the colleges and universities of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Graduate Education Act of 1967".

DECLARATION OF PURPOSE

SECTION 1. The Congress hereby finds and declares—

(1) that support of and investment in higher education at the doctor of philosophy level are essential to the security and welfare of the United States and to its economic, social, and material progress;

(2) that the project grant and contract method through which the Federal Government now supports higher education at the doctor of philosophy level needs to be supplemented by additional means of financing;

(3) that, to meet this need, there is hereby established an institutional grants program for the support of and investment in education and research at the doctor of philosophy level.

AUTHORIZATION OF APPROPRIATIONS AND ALLOTMENTS

SEC. 2. (a) To carry out the purposes of this Act, there is authorized to be appropriated the sum of $900,000,000 for the fiscal year 1970 and for each of the succeeding four fiscal years, and such sums as may be necessary for each succeeding year thereafter, to be allocated to institutions of higher education in the United States granting doctor of philosophy degrees in accordance with the following formula:

(b) The funds appropriated under this Act shall be allocated to institutions of higher education in proportion to the ratio that the total number of doctor of philosophy degrees (except degrees in sectarian theology) awarded by the institution to citizens or permanent residents of the United States during the immediately previous three years bears to the total number of such degrees awarded by all institutions of higher education within the United States.

(c) There is hereby authorized to be appropriated to the Director of the National Science Foundation such sums as may be necessary for direct expenses in administering this Act.

ADMINISTRATION

SEC. 3. (a) The institutional grants program shall be administered by the Director of the National Science Foundation who shall consult frequently with the chairman of the National Endowment for the Humanites and the chairman of the National Endowment for the Arts.

(b) There is hereby established the Graduate Education Council.

(1) The Council shall be composed of twenty-one members, including the Director of the National Science Foundation, the Director of the National Institutes of Health, the United States Commissoner of Education, the Chairman of the National Endowment for the Humanities, the Chairman of the National Endowment for the Arts, and eighteen members, three each of whom shall be appointed by the following national associations representing American institutions of higher education: American Council on Education, National Association of State Universities and Land-Grant Colleges, Association of American Universities, Association of State Colleges and Universities, and Association of American Colleges. Each appointed member shall hold office for a term of three years, except that (1) of the members first taking office from each association, one shall be appointed to serve for a term of one year, one shall be appointed to serve a term of two years, and one shall be appointed to serve a term of three years; and (2) any member appointed to fill a vacancy shall serve for the remainder of the term to which his predecessor was appointed. No appointed member shall be eligible for reappointment during the three-year period following the expiration of two consecutive terms of the Council. The Director of the National Science Foundation shall serve as Chairman of the Council.

(2) Members not otherwise employed by the Federal Government shall, while serving on the business of the Council, be entitled to receive compensation at rates fixed by the Director, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(3) The Council shall advise the Director in the preparation of general regulations and with respect to matters arising in the administration of this Act and other programs providing institutional grants-in-aid. The Council shall review the effectiveness of the program and, at least one year prior to the expiration of the initial authorization limitation, make recommendation to the President and Congress as to needed changes in the program, if any, and as to level of appropriations required to make the program fully effective. For these purposes, the Council shall meet on call by the Chairman of the Council but no less than once each year.

(4) The Director shall engage such technical assistance and make available to the Council such secretarial, clerical, and other assistance and such pertinent data as it may require to carry out its functions.

(c) Institutions receiving grant-in-aid under this Act may be required to report on their use of the funds provided, and shall be encouraged to anticipate future funding in order to design long-range plans for the development, maintenance, and expansion of research and educational programs for the achievement of such national goals and objectives as the expansion of educational opportunities and the improvement in the quality of the educational and research programs provided.

(d) The Director shall adopt policies and procedures designed to assure that Federal funds made available under this Act for any fiscal year will be used to supplement, and not supplant, funds which are available from State and other sources for purposes of conducting and improving higher education at the graduate level.

DEFINITIONS

SEC. 4. As used in this Act—

(a) The term "Director": means the Director of the National Science Foundation.

(b) The term "project awards" means grants-in-aid for projects where the awards are based on the merit of a proposal submitted by an individual member of the staff or faculty of an institution of higher education and on an evaluation of the competence of the individual to carry out the work required, as opposed to awards of grants-in-aid made to institutions as such.

(c) The term "institutions of higher education granting doctor of philosophy degrees" means those colleges and universities whose doctoral programs are accredited by the several regional accrediting associations.

RESULTS OF QUESTIONNAIRE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. EILBERG. Mr. Speaker, last June I polled my constituents on a number of vital issues facing our Nation and the Congress. Some 12,000 of them were kind enough to answer and share their feelings with me.

Within the next few days, the compilation of the answers to this questionnaire will be sent to my constituents, along with a brief report on the record of the past 2 years in the Congress.

I insert here a copy of this newsletter to my constituents so that my colleagues will have an opportunity to see the results of my questionnaire:

DEAR FRIEND: This newsletter is being prepared for you in what appears to be the waning days of the 90th Congress. Therefore, I believe it is incumbent upon me to present to you a brief report on my accomplishments during this two-year period as your personal representative to your Federal Government.

Space limitations restrict this report to a short description, but I shall expand on this in other publications which you will be receiving soon.

As far as statistics are concerned, permit me, with due modesty, to be somewhat proud of my record as a freshman, or first-term Congressman. In all, 33 bills which I sponsored or co-sponsored became law through passage of both Houses of the Congress and signature by the President.

Four others are in conference between the House and Senate to iron out differences between the bills passed by each House, and I have every expectation that they, too, will have become law by the time you receive this.

Eight other bills have been passed by the House of Representatives and are awaiting Senate action. Hopefully, these, also, will become law before adjournment.

Three additional bills with my sponsorship were reported favorably by a House committee and are awaiting further action. In these cases, I am not optimistic of action this year—but still hopeful.

Of course, legislation is just one phase of a Congressman's duties, albeit an important one. Legislation is the indirect method of aiding people. The direct method is another way in which your Congressman functions.

We do not keep an accurate numerical account, but literally thousands of letters come to my desk each year asking for aid; from individuals seeking intervention with the Executive Branch for personal assistance; from organizations and city and state governments and agencies asking their Congressman's help in projects and plans.

Let me assure you, that as your representative, I make every effort to seek that these requests are fulfilled.

Many thousands of other letters come from constituents—individuals and organizations—expressing their views on pending legislation. The Gun Control Bill is a good example; I received 192 letters opposing strict gun controls and 609 letters and 11 petitions urging strong controls.

Your Congressman does read these letters and they make a deep impression upon him.

Within the context of history, I feel personally that the 90th Congress has been an especially productive one. I hope you will agree.

Sincerely,

JOSHUA EILBERG.

HERE ARE THE RESULTS

Back in June, I invited you and my other constituents to respond to a questionnaire based on many points of national importance. The response was encouraging and interesting.

It was encouraging because of the vast numbers of citizens—more than 12,000—who took their time to help their Congressman with their opinions. It was interesting because of the diversity of stands taken on many issues; and many of these stands showed an intelligent, effective grasp of national issues.

These results do not show the results in the Presidential preference questions simply because space does not permit a complete compilation. Secondly, because the national political conventions are complete, the answers are academic.

[Results in rounded percent]

Realizing the importance of the Vietnam war both nationally and internationally, I think the United States should—

A. Continue its present policy toward a negotiated peace while continuing military operations	41
B. Continue its present policy toward a negotiated peace but halt all military operations in the interim	13
C. Withdraw unconditionally from South Vietnam	14
D. Intensify military operations, utilizing all weapons available, including nuclear	15
E. Other	17

Recognizing the serious threat of inflation, I would prefer my Government to—

A. Impose the 10-percent surcharge asked by the Administration accompanied by a substantial cut in spending demanded by the Congress	52
B. Impose new taxes instead	6

C. Do nothing	4
D. Other	37

I think the present Selective Service System is—

A. Doing a good job and should be continued as it presently operates	29
B. Antiquated and in need of a major reevaluation and revision	52
C. Other	18

Concerning gun control legislation, I think—

A. Strict regulations are needed on registration of all arms and mail-order sales of weapons	71
B. Handguns should be regulated but not rifles and shotguns	6
C. Nothing should be done because it would be an infringement on constitutional rights	9
D. Other	14

I think social security benefits are—

A. Too low when one considers the high cost of living and the high cost of dying. Increases should be made in pensions, survivors' benefits, and death benefits	60
B. Satisfactory in their present form	23
C. Other	17

I recognize the importance of the space program—

A. And I think it should continue without interruption	33
B. But I think it should be curtailed until the fiscal picture brightens	24
C. But I think the money could be used for a better purpose at this time for programs for people	34
D. Other	9

Mental health is an important problem—

A. But I think it is a province of the states and the Federal Government should not be involved	33
B. And requires more and intensive participation by the Federal Government	53
C. Other	14

As an honest and law-abiding citizen, I am concerned with the rapidly growing crime rate in the Nation—

A. But while law enforcement must be encouraged and aided, personal liberties must not be tampered with through the use of "bugging" and "tapping" devices	16
B. And every available weapon must be given to law enforcement agencies, regardless of possible infringement upon personal liberties	38
C. But "bugging" and "tapping" devices should be used only in the investigation of matters concerning national security and then only with judicial supervision	35
D. Other	11

I am concerned with the upheavals in our cities and I would favor combatting the situation—

A. By strict, impartial and immediate police action to quell any disturbance, including the shooting of looters and arsonists	50
B. By attacking the causes of the disturbances through the creation of new homes, jobs and educational opportunities for the unemployed and underemployed	38
C. Other	12

I think veterans' benefits are:

A. All right the way they are now and nothing should be changed	42
B. Too low to be realistic and increases are needed	35
C. Other	22

JAN HENRY GROENEN

REMARKS

OF

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. GUBSER. Mr. Speaker, 20 years ago a man who is now my constituent, Mr. Jan Henry Groenen, arrived in the United States. A native of the Netherlands, he wore wooden shoes, spoke no English, and for possessions had only a penny in his pocket and the clothes on his back. At a reception last May celebrating his fifth anniversary as a citizen of the United States, the 20th anniversary of his arrival in America, and his 39th birthday, Groenen was presented with a California State Assembly Rules Committee resolution commending "his outstanding academic achievements, and his dedication to the education of our young men and women, particularly in the vital area of American government and institutions."

The accomplishments of this remarkable man are a tribute not only to him but to the challenge and opportunity which our country offers to a determined individual. In this regard, I believe it will be of interest to describe Mr. Groenen's background.

Born Johannes—Jan—Franciscus Petrus Groenen in Bladel, NB, the Netherlands, Groenen arrived in the United States on his 19th birthday, May 1, 1948. He was granted citizenship on April 12, 1963, at which time he legally changed his name to Jan Henry Groenen.

Groenen learned English while earning his high school diploma in Spokane, Wash., from 1948 to 1949. He then went to Washington State University where he received his B.A. in 1952, and to the University of Southern California where he earned his M.A. in 1959.

Additional graduate studies were pursued at Vanderbilt University, San Diego State College, and the University of California extension in San Diego, Calif. Groenen received a lifetime California standard junior college credential in 1964, with teaching majors in political science, history, and sociology.

While at Vanderbilt, Groenen was granted both foreign study and graduate study scholarships, and he held a teaching and research assistantship at Vanderbilt's Institute of Social Science Research. At the University of Southern California, Groenen was the Rufus B. Van Kleinsmid Fellow and a teaching assistant, as well as the recipient of a graduate study scholarship. Groenen received summer fellowships for the American Friends International Affairs Institute, Spokane, Wash., 1949, and the American Friends International Affairs Seminar, Milton, Mass., 1952.

My constituent served as instructor in world history at the University of Southern California from 1958 to 1961, and from 1962 to 1965, as instructor in political science and history at Southwestern College. Since 1965 he has been instructor in American government and institutions at San Jose City College. He has also taught in the Torrance Unified School District, the Los Angeles city schools, and the Sweetwater Union High School District.

In addition to his teaching career, Groenen has served as budget supervisor for Shell Oil Co., in Canada, owner-manager of Field Office Service Co., in Canada, foreign representative of the International Soil Reclamation Co., in Tennessee, and bookkeeper of the events in progress section of the University of Southern California accounting department. Groenen has also assisted in athletic game management at Washington State University, Vanderbilt University, and the University of Southern California.

Long active in educational and political organizations, my constituent is a member of Alpha Kappa Delta, Pi Sigma Delta, and the California Teachers Association. He is an associate member of the California State Republican Central Committee, political advisor to the Junior Statesmen of America, and a member of the California Republican League. Groenen served as education adviser to former San Francisco Mayor George Christopher during the California Republican gubernatorial primary in 1966 and at the same time was a member of California Assemblyman George Milias' executive campaign committee. In 1953, Groenen acted as personal emissary to the Dutch Royal Family for the late U.S. Senator Estes Kefauver and Tennessee State Senator Regar Motlow.

Such a history of a successful immigrant is worthy of special mention as a typical American success story.

So, Mr. Speaker, I would like to introduce into the CONGRESSIONAL RECORD the full text of California Legislature Assembly Rules Committee Resolution No. 139, which follows:

RESOLUTION RELATIVE TO COMMENDING JAN HENRY GROENEN

Whereas, Jan Henry Groenen, a distinguished educator, was born in the Netherlands on May 1, 1929, arrived in the United States on his 19th birthday, and was granted American citizenship on April 12, 1963; and

Whereas, A brilliant scholar and the recipient of numerous scholarships and academic honors, he received a bachelor of arts degree from Washington State University in 1952, the master of arts degree from the University of Southern California in 1959, and undertook additional graduate studies as a teaching and research assistant with the Institute of Social Science Research at Vanderbilt University; and

Whereas, A noted expert in the fields of political science, history, and sociology, he has taught at the University of Southern California as an instructor in world history, at Southwestern College as an instructor in political science and history, and at San Jose City College since 1965 as an instructor in American Government and Institutions; and

Whereas, He is affiliated with numerous academic societies and professional organizations, including Alpha Kappa Delta, Pi Sigma Delta, and the California Teachers Association; now, therefore, be it

Resolved by the Assembly Rules Committee, That the Members hereby commend Jan Henry Groenen for his outstanding academic achievements, and for his dedication to the education of our young men and women, particularly in the vital area of American

Government and Institutions; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Jan Henry Groenen.

WILLIAM E. C. SPEARE RETIRES FROM FEDERAL SERVICE

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. McDADE. Mr. Speaker, last Friday William E. C. Speare retired from Federal service after spending 38 years as a Federal probation officer in the Middle District of Pennsylvania. He was honored on that occasion by a gathering of notables in the city of Scranton, where just and proper tribute was paid to this remarkable man who had become the second-most-senior probation officer in the service.

I have known "Doc" Speare for many years. I have known of the countless patient hours he spent in counseling men and women on probation or parole. I have known of the immense respect with which his advice was received by every Federal judge in the Middle District who was faced with the problem of sentencing those convicted of Federal crimes. I have known also of the remarkable good work Doc has done through his church and through the Rotary Club.

In the 38 years during which Doc Speare was a probation officer, the Federal Probation Service became an outstanding model in this field, studied by other men and women from all over the Nation and all over the world. It became so through the devotion and intelligence of such men as Doc Speare. I know all of my colleagues here in the Congress will want to join me in saluting Doc Speare on this occasion. He has served our Nation well.

Under unanimous consent I submit an article concerning this which appeared in the Scranton Tribune of last week for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Scranton Tribune, Sept. 28, 1968]

HONORED BY COLLEAGUES—JURIST LAUDS SPEARE AT RETIREMENT PARTY

William E. C. "Doc" Speare was honored at a retirement party at the Scranton Elks Club Friday and heard himself described as one who "has labored long in the vineyard, patiently, fairly, compassionately and justly."

About 110 federal employes, friends and relatives of Speare turned out to honor him as he stepped down as chief probation officer for the Middle Pennsylvania District after more than 31 years of federal service.

Federal Judge William J. Nealon described Speare as "truly one of justice's unsung heroes. He has labored long in the vineyard, patiently, fairly, compassionately and justly. He is a man of great courtesy, wit and charm and we shall all miss him."

U.S. Marshal Frank W. Cotner described Speare as "a truly dedicated public servant" and wished the Clarks Green resident "many happy years of retirement." He spoke in behalf of his office staff which was present.

Bernard J. Brown, U.S. attorney for the Middle District, lauded Speare's accomplishments down through the years in wishing "Doc" many happy years of retirement. Brown spoke for his entire staff which was in attendance.

Clerk of the U.S. Courts T. Harold Campion said Speare "performed his duties efficiently and with honor and dispatch.

"He has made many distinctive contributions to the federal probation system and by his leadership, patience and understanding many persons under his supervision, with unstable background, have been carefully guided and are now contributing members of our society," he added.

Campion said Speare "has been loyal to his superiors, dedicated to his position, he has been a very humane person, firm, honorable and a perfect gentleman."

Speare "has exhibited great strength in preserving his individuality. He has never deviated from time proven values. He has fulfilled his commitments to our legal and social changes, many of which were long overdue," Campion added.

Speare's reputation for leadership in both his personal and professional life was noted by the speaker.

Dr. Malcolm E. Musser, a member of the Bucknell University staff—Speare graduated from that institution—spoke and said Speare had the "milk of human kindness in his soul." They were classmates in high school and college. Dr. Musser noted Speare was an outstanding athlete and captained the Bucknell tennis team in his senior year.

Eugene Curtis, an assistant probation officer under Speare, was master of ceremonies.

Assistant U.S. Atty. Carlon M. O'Malley Jr. handled dinner arrangements.

Atty. Walter W. Hill Jr., a personal friend of long standing spoke of Speare's achievements in life.

No successor as yet has been named for Speare. Headquarters for the Middle District, in the probation service, are in this city.

MILESTONE IN EDUCATION FOR SPANISH-SPEAKING AMERICANS

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. MORRIS of New Mexico. Mr. Speaker, I am pleased to know that the House and Senate have been able to resolve their differences in conference and have given approval to an appropriation of $7.5 million to implement bilingual education programs which will benefit elementary and secondary school students to whom English is a second language.

In the last session of this Congress, I was one of the many Members of this House who introduced legislation that would offer this Nation's 2 million non-English-speaking children a better chance to realize their full educational aspirations. This bill, which became the Bilingual Educational Opportunity Act, is an effort to develop the kind of local-State-Federal cooperative approach necessary to meet the special educational needs of the large number of students in the United States who, before they begin their formal education, speak languages other than English.

This $7.5 million will enable us to assist local school districts in setting up new and imaginative systems of bilingual education, individually tailored to meet the specialized needs of Spanish-speaking students living mainly in the Southwest, New York, and Florida; French-speaking youngsters in certain areas along the United States-Canadian border; as well as other non-English-speaking children residing in widely scattered sections of the country.

I have long supported bilingual education, inasmuch as I believe it to be a most essential program. There is a pressing need for programs of this kind in my own area of the Southwest. Many of the handicaps afflicting non-English-speaking youngsters have language problems as their source. I have great hopes that these programs will prove effective and workable in correcting educational deficiencies, for our democracy rests on the foundation of education. This $7.5 million is very welcome, for language, as the essence of communication, should never be a barrier to progress and success. These funds for bilingual education programs can encourage a truly productive spirit for one of our Nation's hidden resources, the non-English-speaking child.

CONGRESSWOMAN MARTHA W. GRIFFITHS REPORTS TO THE PEOPLE OF THE 17TH DISTRICT OF MICHIGAN

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mrs. GRIFFITHS. Mr. Speaker, at the end of each Congress, I have sent a report to my district.

The 90th Congress is now drawing to a close. The last 2 years have been difficult, overshadowed by the Vietnam war and by pressing social and fiscal problems.

With increasing Vietnam expenditures and a fiscal 1968 budget deficit of $25 billion, economy quickly became a dominant theme. Congress struggled to meet commitments at home and abroad and weighed national priorities.

A 10-month debate preceded enactment of the 10-percent surtax requested by the administration to help reduce the budget deficit and curb impending inflation. As passed by Congress, the tax bill also required a $6 billion cut in Government spending for fiscal 1969 and called for the reduction of Federal employees to mid-1966 levels. I voted against the bill for several reasons. First, while it required a spending cut, it did not specify where these cuts were to be made. Since Vietnam defense spending, social security, and veterans' benefits, and certain other areas were exempted from the expenditure limitation, it appeared to me the brunt of the reduction would be forced on education, health, housing, and manpower programs—programs vital to our cities and the needs of our people. Cuts in education force a heavier burden on local property owners. Second, I felt reducing Federal employment to 1966 levels would jeopardize the performance of many essential Government services. Third, the impact of the act will eliminate 800,000 jobs from the economy. Forcing people out of work does fight inflation, but it is not a good way to accomplish that objective. There is nothing wrong with this country that an increase of 1 or 2 percent in the unemployment level would not make far worse.

A provision of the Revenue and Expenditure Control Act requires the President to submit to Congress a list of proposals for comprehensive reform of the Internal Revenue Code. The Ways and Means Committee, of which I am a member, will review these and other proposals in the next Congress. One proposal, which is attracting considerable attention, is extending head-of-household tax benefits to single persons, who now bear a disproportionate share of the Federal income tax burden. With the heavy burden of taxation today, we need to take a close look at the Internal Revenue Code to assure a fair and equitable tax structure for all citizens.

The following is a summary of some of the major enactments of the 90th Congress. Its work is not complete, but the record is one of substantial progress toward meeting our problems, refining many of our existing programs, and more fully implementing the promise of a better America:

The Social Security Amendments Act of 1967 provided a 13 percent increase in benefit payments for 23 million Americans, raising the minimum monthly benefit from $44 to $55 and the average monthly payment to a retired couple from $145 to $165. Major changes effected by the amendments extend benefits for the first time to 65,000 disabled widows and widowers between the ages of 50 and 62; increase the special payment made to uninsured individuals aged 72 and over from $35 to $40 a month; and liberalize the retirement test, allowing a beneficiary to earn $1,680 a year or $140 a month without loss of benefits and up to $2,880 a year with only partial loss of benefits.

At my urging, the social security amendments include a provision enabling the children of woman workers who retire, die, or become disabled to draw monthly benefits on the same basis as the children of men workers. Heretofore, 18 months after a woman had left the work force, her children could not draw on her benefits. Unfortunately, my proposal that working couples be permitted to combine their social security credits and draw higher benefits on the basis of these combined credits was not adopted. My proposal that a widowed father with minor children be permitted to draw monthly benefits on his wife's account also was rejected, as was my proposal that dependency be eliminated as a requirement for husband's or widower's benefits. However, I intend to keep pushing for these changes in the law. I also intend to push to see that a man retiring at 62 has his credits figured as a woman's are so that he will draw the same amount.

Amendments to the aid to families with dependent children program incorporated into the social security legislation require States to establish work-incentive and work-training programs for AFDC recipients and to provide day-care services for children whose mothers are being trained or are working under these programs. In addition, the amendments limit the proportion of children in each State who can receive AFDC payments in the future. The objective is to help cut rising welfare costs and break the cycle of dependency on welfare for 1.2 million American families. The States have had for many years the authority to do this but they have not acted. Now, they must act or lose the Federal share of welfare payments. At the present time, 5 percent of all children are reared on ADC. Unless arrangements are made to enable the mothers to work, within a brief time 10 percent of all children will be reared on ADC.

The Older Americans Act was extended, intensifying efforts to make the retirement years more comfortable and rewarding. This act provides funds for development of community programs such as employment and health referral services for citizens over 65.

The Age Discrimination Act prohibits employers, labor unions, and employment agencies from engaging in arbitrary employment practices which have the effect of denying jobs, employment benefits, and other privileges to persons between the ages of 40 and 65.

Congress pursued a challenge to afford greater protection to the American consumer. A growing marketplace has made many of our laws obsolete and created the need for new remedies and safeguards to protect the consumer against unsafe products, misleading information, and deceitful business practices.

The Wholesome Meat Act updates a 60-year old Federal meat inspection law, raising meat inspection standards and providing a Federal-State program for improved meat inspection in the slaughter and packing plants of the Nation. The Wholesome Poultry Products Act places under Federal or State inspection an estimated 1.6 billion pounds of poultry, previously excluded each year from such inspection. The States had 60 years in which to improve their inspection laws. Most of them did nothing.

The Flammable Fabrics Act amendments increase protection against the sale of deadly flammable garments and materials. For the first time all items of wearing apparel and fabrics used in household furnishings will be covered by flammability standards.

A National Products Safety Commission was established by Congress to identify categories of products that may be unreasonably hazardous to the consumer because of improper design or defective manufacture and to determine the effectiveness of State and local product safety laws. Already, the Commission has selected 200 products for study. Home accidents involving electric knives, washing machines, power mowers and other appliances injure millions each year.

The long-sought truth-in-lending bill passed requiring lenders to show how much credit costs in terms of dollars and cents. The new law also limits the rights of creditors to garnishee wages.

Staggering rates of death and property loss from fire prompted action to develop a national fire research and safety program, making federal financial resources available for the support of expanded investigation into the causes of fires and their prevention and control. Congress also authorized the Department of Transportation to conduct a comprehensive study into the auto insurance industry.

To guard against inaccuracy in medical diagnostic tests, Congress required clinical laboratories doing business in interstate commerce to be licensed and to comply with minimum standards in the performance of laboratory procedures.

To help protect against the potential danger of explosion from gas pipeline failure, the Natural Gas Pipeline Safety Act will set up minimum federal safety regulations to cover the more than 800,000 miles of gas pipeline stretching across the country linking the Nation's gas producing fields to the consumer.

Congress moved to insure healthier and better lives for all Americans. The Health Manpower Act sustains the federal commitment to alleviate critical shortages of professional health personnel. Today our needs for physicians, dentists, nurses, and other professional health workers are approaching emergency proportions. Only 20 states train as many physicians as they employ and even fewer states train a sufficient number of dentists. The act extends several major programs enacted in the last 5 years which provide training grants for medical and allied health personnel; construction grants for medical schools; and student loans and scholarships for our doctors, dentists, and nurses of tomorrow. Since 1965, the Nurse Training Act has awarded 65,000 loans and scholarships to nursing students and nurses.

The 1967 Mental Health Amendments extend the matching grant program for the construction of community health centers. Since 1963, 286 centers throughout the country have been built offering specialized mental health services to 47 million people. Congress also reaffirmed concern for 6 million mentally retarded Americans. Existing grant programs for the construction of mental retardation facilities were extended and a new program of matching grants to meet initial costs of staffing these facilities was approved.

The Partnership for Health Act authorized $589 million in fiscal 1968–70 to assist States in providing comprehensive health planning and services. This sum included $40 million for rat control programs.

With more than 400,000 blind persons in the United States and with 32,000 persons losing their sight each year, Congress created a National Eye Institute responsible for the conduct and support of research for new treatment and cures relating to blinding eye diseases. A Radiation Control Act has passed the House and Senate, which would set controls on radiation emissions from electronic products such as color televisions and microwave ovens.

Both the House and Senate extended the regional medical centers program to help provide physicians and their patients with the latest scientific knowledge in diagnosis and treatment of heart disease, cancer, and stroke. A new grant program was approved authorizing funds for the construction and staffing of facilities for the treatment of alcoholics. The Senate further made provision for extension of the Hill-Burton program of Federal aid for hospital construction and modernization to keep pace with growing demands made by our population on hospital care.

Congress continued support of programs to improve the quality of education and to guarantee opportunity of learning. The Elementary and Secondary Education Act of 1965 was extended for 2 years. Approximately 90 percent of the 51 million schoolchildren in this country have benefited from this legislation which has authorized aid to local school districts for projects to meet the special needs of children from low-income families and programs to assist the States in the purchase of textbooks, library resources, and other instructional materials for the benefit of all children.

Fine teachers and school administrators are crucial to our educational efforts. Congress authorized continuation of an existing program of graduate fellowships for elementary and secondary school teachers; established new training programs for teachers and other educational personnel; and extended the Teacher Corps, a program under which teams of interns headed by experienced teachers serve in poverty areas.

Four major programs of aid to higher education are being extended and amended by Congress: the National Defense Education Act, which offers fellowships for graduate students and loans for undergraduate students; the Higher Education Facilities Act, which provides Federal loans and grants for construction and improvement of facilities at both public and private colleges; the Higher Education Act, which authorizes Federal scholarships for exceptionally needy college students, federally-guaranteed loans for college students from families with low and moderate incomes, matching funds for work-study programs for college students and funds for college libraries; and the Vocational

Student Loan Insurance Act, which provides assistance to students in business, trade, and technical schools. Over 1 million college students are being helped by these programs of financial aid. However, legislation this year would bar Federal funds to students convicted of unlawful acts in campus disorders.

To spur development of the rich possibilities for educational broadcasting, Congress approved creation of a public corporation to provide financial assistance to noncommercial educational radio and television. It also extended the life of the National Foundation on the Arts and Humanities, which supports cultural development in our communities.

To prepare young people who do not go to college with the skills demanded in the working world and to broaden their occupational aspirations, Congress expanded vocational education programs. Since 1963, nearly 1,000 of these schools have been approved for construction or expansion. Congress also extended programs to help the States provide basic education programs for adults, many of whom because of educational deficiencies have difficulty holding jobs or being trained for jobs. In Michigan, 41,765 persons have benefited from adult education.

Congress acted to strengthen vocational rehabilitation programs providing training for the handicapped. For the first time, training services were made available to persons whose disabilities are educational or cultural rather than physical. Many thousands of handicapped persons have been restored to productive lives through this training. Present estimates indicate that nearly 4 million physically disabled persons are in need of this training today if they are to become employable.

The House passed legislation authorizing extension of the Manpower Development and Training Act. This program, operating since 1962, has helped men and women of all ages, the unemployed and under-employed, gain the skills necessary to get jobs. The target now is to put 100,000 persons on the job by June 1969 and 500,000 by 1971 through this type of training.

The anti-poverty program was extended by Congress and a number of amendments were made to tighten administrative and fiscal controls over the program. Since its establishment, it has helped America's poor with jobs, work-training, education, and specialized services. The program has helped prepare 2 million pre-schoolers for school in Headstart programs with medical and teaching services; provided work-training for 1.2 million young men and women in the Neighborhood Youth Corps helping them stay in school, earn money to go back to school or gain the experience needed to find and hold jobs; offered training and new learning experiences to 23,000 teenagers, who are now college aspirants through Upward Bound; provided 168,000 youths with training in the Job Corps; sent 3,700 men and women of all ages, giving of their skills and talents to help in poverty areas; established 41 neighborhood health centers bringing medical care to poor neighborhoods; and extended legal services to 2 million persons in need.

Congress extended the food stamp program, which increases the food-buying power of low-income families through Government subsidy, and authorized expenditure of $315 million in fiscal 1969 and $340 million in fiscal 1970 for this purpose. I cosponsored legislation to authorize whatever sums might be necessary for this program to feed those Americans in need of food rather than authorizing a specific sum; this proposal was accepted in the House but rejected in conference with the Senate.

With urban America swallowing up the countryside and the by-products of technology and industry attacking vital natural resources, continued attention was devoted toward developing a conservation program of restoration and innovation. To cope with the program of air pollution, Congress voted to expand Federal responsibilities and monies for air pollution control, authorizing designation of air quality regions throughout the country; the establishment of air quality standards; and expanded research on pollution caused by fuels combustion.

Additional revenues were provided the land conservation fund which exists to help the Federal Government acquire and the States plan and develop recreational land. A growing population is placing demand for more recreational space for the enjoyment of the outdoors. In 1967, 1.7 million acres were preserved for conservation and recreation. Legislation was passed to create a Redwood National Park in Northern California to preserve some of the world's tallest and oldest trees. A study was approved to aid in the prevention of injury to fish and wildlife from the use of insecticides, herbicides, and pesticides.

Congress also authorized creation of a National Water Commission, composed of persons outside the Government, to consider ways to meet our water requirements including reduction of water pollution.

The $5 billion housing bill enacted into law this August reaches toward the goal of putting up 6 million units of new or rebuilt housing in 10 years. New programs include a Federal subsidy to help low-income families in the range of $3,000 to $7,000 buy their own homes and rent apartments; a Federal reinsurance program which would encourage private companies to increase the availability of insurance to persons in ghetto areas; and a joint Federal-private program to make flood insurance available to homeowners and small business in flood-prone areas.

The Civil Rights Act of 1968 protects persons exercising specified federally-guaranteed rights such as voting, jury duty, school attendance, employment, and use of public facilities. The act also contains an open housing provision. A recent Supreme Court decision that an 1866 law forbids all racial discrimination, public and private, in the sale or rental of property, however, goes far beyond the provision in the act, which exempts single-family homes sold without the aid of an agent.

In other areas, Congress extended the life of the Civil Rights Commission, which studies and reports on civil rights problems, and passed a bill prohibiting discrimination in the selection of Federal juries on grounds of race, color, religion, sex, national origin, or economic status.

At the time of this writing, the Occupational Safety and Health Act is awaiting House floor action. The measure would authorize the Secretary of Labor to prescribe standards to assure safe and healthful working conditions. Statistics report that 14,500 workers are killed on the job each year and 2.2 million injured.

Crime has become a serious problem in the country directly affecting every citizen. The Crime Control and Safe Streets Act, the major anticrime bill enacted this year, authorizes $100 million in federal aid the first year and $300 million the second year to help State and local law enforcement agencies develop methods and equipment to strengthen law enforcement procedures; improve recruitment and training of police officers; construct law enforcement facilities; and create State-wide planning agencies to develop State-wide law enforcement plans. The act, in addition, bans the interstate mail-order sales of pistols and handguns and attempts to overturn several Supreme Court decisions on the rights of defendants, namely the Mallory and Miranda cases.

The gun control measure passed by the House and Senate expands the ban on the interstate mail-order sales of handguns to rifles, shotguns, and ammunition. The legislation would prohibit the sale of firearms to minors, fugitives, felons, persons under indictment, narcotics users, and mental incompetents. Rejected were amendments requiring the registration and licensing of firearms.

To curb spreading use of narcotics and dangerous drugs, among all segments of the population, the House passed a bill which would sharply increase penalties for illegal trafficking in LSD and other drugs and would make illegal possession of dangerous drugs a misdemeanor subject to fine and imprisonment. Misuse of drugs is a daily contributor to deaths on our highways, suicides, juvenile delinquency and crime.

Today, 15-year-olds commit more serious crimes than any other age group with 16-year-olds close behind. The Juvenile Delinqency Prevention and Control Act authorizes $150 million over the next 3 years for the development of State programs to prevent juvenile delinquency and to rehabilitate youthful offenders.

This year our district, among other areas of the country, was subjected to a flood of unsolicited sex-oriented advertisements sent through the mail. To curb this type of advertisement coming into homes and into the hands of children, Congress authorized the Postmaster General to order the sender to discontinue mailings to a certain address if the addressee requests this action. Failure to comply would result in appropriate court action.

To help deal with smut peddling, Congress created a Commission on Obscenity and Pornography to study the increase of traffic in obscene materials and to recommend laws and action necessary to effectively regulate this traffic without interfering with constitutional rights.

Some 730,000 postal workers and 1.1 million classified Federal workers benefited from a pay raise enacted by Congress during the first session. The goal is to make Government salaries more equal to pay for comparable work in private industry and to assure that we are able to recruit and retain competent people in our public service.

Following intensive debate on proposals for draft reform, Congress passed the Military Selective Service Act of 1967. The act extends the military draft 4 years and approves a plan to reverse the current "oldest first" order of induction to call 19-year-olds before older men—this plan has not been implemented. It continues student undergraduate deferments for full-time college students.

For our military personnel, Congress increased the monthly pay of servicemen by 4.5 percent effective October 1, 1967. Provision was made for automatic military pay raises in the future to correspond to salary increases for Federal civilian employees. Congress also enacted legislation to permit packages weighing up to 30 pounds to be airlifted to and from military personnel overseas at low surface mail rates.

Congress also gave added recognition to the problems and needs of veterans and their families. The Veterans' Pension and Readjustment Assistance Act of 1967 provides an average 5.4 percent cost-of-living increase in pensions for veterans and their dependents and extends wartime benefits not previously provided to returning Vietnam veterans. Congress increased the income limitation and rate structure of the non-service connected pension program permitting payment of pension for the first time to 10,275 persons, and permitting pensioners to receive greater amounts of income such as from social security without incurring pension reductions. A bill I had introduced would have excluded social security payments completely as an income determinant. Other measures enacted provide a $100 monthly increase in benefits for service-connected totally-disabled veterans and an 8 percent increase for those partially disabled; increase GI home loans from $7,500 to $12,500; extend educational benefits to widows of veterans who died as a result of service-connected injury or disease and wives of service-connected totally-disabled veterans; and permit service-disabled veterans to undertake vocational rehabilitation training on a part-time as well as full-time basis. A resolution also was adopted by Congress expressing the feeling that Vietnam veterans should be given employment preference in the Federal Government and private industry.

The issues before this Congress have stirred debate throughout the country. My thanks to all of you who wrote or phoned me to express your views and voice your concern. Knowing how you feel is important and helpful to me in serving you. As you may be aware, my Detroit office is at 14615 Grand River; it is open 9 to 12 a.m. and 1 to 5 p.m. daily except Saturday. When I am home in Detroit, I am available in my Detroit office by appointment. The Detroit office phone number is 273-9151; the Washington office phone number is 202-225-4961. If I ever can be of help, please let me know.

CHRISTMAS IN JULY PROGRAM OF DUBUQUE SOS CLUB A GREAT SUCCESS

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. CULVER. Mr. Speaker, earlier this year I expressed my strong support and appreciation for the Support Our Servicemen Club, a club for Dubuque parents and wives of servicemen in Vietnam.

I described then the "Christmas in July" program which SOS had organized to demonstrate in a concrete way to the servicemen from the Dubuque area serving in Vietnam, the gratitude of the people back home. Under this program, the SOS Club sends gift boxes to every serviceman in Southeast Asia from the Dubuque area.

As this is an idea, in which other parents and wives of servicemen serving in Vietnam may be interested, I was very pleased to be advised by Mrs. Jayne Chapman, public relations chairman of SOS about how well received the "Christmas in July" packages were by the area servicemen. I would like to share with others parts of some of the letters of appreciation that arrived throughout the month of July at the SOS Club. The wives and/or parents have graciously given permission for their publication.

Following are quotations from several letters received:

From Army Sp/4 Ronald Kramer, "I wish to thank the SOS Club for the package that I received, it made me so happy to think people in Dubuqueland think of the men in Vietnam. I intend to be a booster for the SOS Club when I get home in August." (Ronald's parents are the Louis Kramers, Dyersville, Iowa).

From Army SP/4 John W. Saffran, "I can't say just how much it was appreciated. Over here, lemonade and such things like that to put in our canteens to kill the taste of muddy stream water, are pure heaven." (John's wife and baby daughter live at 2580 Chaney Road, Dubuque. His parents are the Sr. John Saffrans, 805 Kirkwood, Dbq. Rotation: 4–'69).

From 1st Lt. Hope A. Daack, Army Nurse at 93rd Evacuation Hospital, "I am very anxious to be back in Dubuque and I'd enjoy attending one of your meetings if possible. You are truly serving Dubuque and America and I'm proud to be remembered by you." (Hope is the daughter of the Raymond Daacks, 2107 Jackson, Dbq. Rotation: 12–15–'68).

From Army Sp/4 Arnold L. Grutz, "Getting a box in July over here is just like Christmas. At this time I would like to send my thanks and also for the many other GI's that haven't time to write. Keep up the good work." (Arnold's wife lives on R. No. 1, Dubuque. Rotation: 3–15–'69).

From Air Force A1C John S. O'Neill, "I received your package and it makes me feel good to be a part of Iowa and to know we have such great people backing us over here. Sure makes a guy feel good to receive a package like this." (John's parents are the Steve O'Neills, Harpers Ferry, Iowa. (Rotation: 1–10–'69).

From Marine S/Sgt. LaVerne Vondran, "It gives all of us in Vietnam, who are from the Dubuque area a sense of being and accomplishment, to have the support and good wishes from our friends and neighbors in our own home town. We all feel that the existence of such an outstanding club should be publicly known nationwide, so other areas of the country can follow the outstanding example that you fine ladies have displayed." (LaVerne is currently serving his second tour of duty in Vietnam as a Military Advisor. His wife, Sherry, and two young sons are residing on Route #1, Dbq He is the son of Mrs. Russell Lyons, 100 Euclid St., Dubuque. Rotation: 3–28–'69).

From Keith E. Kelly, EOHCN, Navy MCB, "I really appreciated the package of goodies that your club has sent me. I should rephrase that to we all appreciated your package. There is approximately 38 people on this detachment, I must say we all were very happy to get your package. Signed: Keith E. Kelly and the men of MCB #4, (A) Co." (Keith's parents are the Leo Kellys, 636 Jefferson St., Dbq. Rotation: 10–15–'68).

From Navy RM2 Robert L. Jennings, "Please tell the Trappestine Sisters that their caramels were greatly appreciated by all those fortunate enough to get one." (Robert's parents are the Noel Jennings', 1458 Mt. Pleasant, Dubuque. Rotation: 3–'69).

From Army Sp/4 Dennis M. Carthew, "We need a lot of moral support and cards, like the one I received, express your sincerity. If each and every one of us 500,000 soldiers could receive what I did the 4th of July, you would definitely realize the importance of your organization. They call us "grunts" here in Vietnam because we hump the mountains, swamps and sands but I'm carrying your package of thought with pride. Those who are immediately associated with me are now wondering, where is Dubuque and why did they send a package? It's something to talk about and I appreciate the chance to brag society when something decent is done." (Dennis is the son of Mrs. Charles Bastian, 621 No. Jackson St., Cuba City, Wisc. Rotation: 5–'69).

From Army Sp/4 Kenneth J. Lyons, "If everyone in the world cared as much as you fine people maybe there wouldn't be a war in Vietnam now. I want you to know this is one of the happiest Christmases I've ever had, even if it is in July. I know it's one Christmas I'll never forget as long as I live. I'm only too glad to be over here for you fine people. And I believe I'm the one that should be proud of you fine people, not you proud of me. You're all in my prayers and may God Bless everyone of you, I know He will." (Ken's parents are the Lester Lyons, Route 2, Cascade, Iowa. Rotation: 3–30–'69).

From Marine 1st Lt. Mark J. Sullivan, "Naturally, I shared the 'goodies' with my men which they all enjoyed. I only wish you could have seen the expressions on their faces when they saw the Christmas wrapping and also when I read the part of your card which said 'Happy Christmas in July.' Your club is a wonderful club and I sincerely hope you continue with it. The Christmas in July aspect is simply out of this world. You have achieved a rare thing and that is: making these young men totally forget their surroundings. Perhaps more important is the fact we know you are behind us all the way. We are all very proud to serve Americans such as you." (Mark's parents are the Kenneth Sullivans, 101 No. Grandview, Dbq. Rotation: 10–'68).

From Army Sp/4 Raliegh Herrald, Jr. (was wounded 3–29–'67, a patient at General Leonard Wood Hospital, Fort Leonard Wood, Mo.). "I received your wonderful package today and it was something I will not soon forget. Although I have been in the hospital for several months, thousands of miles from the war, I know how every man who received a package from you must feel. Believe me it's a beautiful feeling to know that someone not only cares, but shows their appreciation of the fact that we are fighting the war in Vietnam with the protection of the American way of life foremost in mind. Signed: Forever thankful somebody cares." (Raliegh was married last November 25th, his wife, Mary, lives at 63 Croydon Crest, Dbq. His parents are the Sr. Raliegh Herralds, 467 Bluff St. Dubuque.)

From Marine Cpl. Richard S. Osborne, "As you probably know, we share everything, so your package was distributed among 10 or 15 people. Everything has been devoured with smiles. Course I haven't found any cold milk for the frosted shakes, but we make do with warm water if we can't wait to get to the rear area at Camp Carroll to drink them. As I said before, we not just I, really appreciated your thoughtfulness." (Richard's parents are the Sr. Richard Osbornes, 99 No. Grandview, Dubuque. Rotation: 11–5–'68).

From Marine Cpl. Theodore J. Loetz, Jr., "How much trouble you nice people go through to help us over here in Vietnam. My home town is McGregor, Iowa and I'm sure somebody has heard of that small town. I would really love to know more about your program (SOS) and would like to visit when I get home." (Ted is the son of Mrs. Theodore J. Loetz, Sr., McGregor, Iowa. Rotation: 9–22–'68).

From Army Pfc. Jack Sawvel, "All I can say is 'Thank You' and your club is one of the best I have heard of for the men in service." (Jack's mother, Mrs. Donald Sawvel lives at 2600 No. Grandview, Dubuque. Rotation: 2–'69).

From Army Sgt. Thomas M. McMahon, "I received your package and card today and wish to say thanks to you and your organization as the items that you sent, every serviceman can use them over here. You must have got with someone who was here." (Thomas' mother is Mrs. Elizabeth McMahon, 1416 Lincoln Ave., Dbq. Tom is due home, on leave this summer, then will return to Vietnam for 6 months).

From Army Sgt. Robert Gaulke, "Mom, tell all those people in the SOS Club that a guy really appreciates what they are doing for us. It makes a guy feel good to know that people do care enough to try to help. I am proud to have my Mother president of such a club." (Bob is the son of Retired Army Major and Mrs. Edward Gaulke, 920 Hiawatha Drive, East Dubuque, Ill. Sgt. Gaulke arrived home on August 5th and will be married August 17th).

From Army Sp/4 Leonard J. Westemeyer, "I want to take this opportunity to thank you so very much for the package of things which are taken for granted at home and dearly treasured in my present situation. It is organizations like yours that remind us of our purpose." (Leonard's parents are the Linus Westemeyers, 1420½ Central Ave., Dubuque. Rotation: 8–12–'68).

From Army WO Gary A. Maus, "What does a package from people like you mean to a soldier in Vietnam? Of course it's nice to get all those goodies from home but it isn't that. You see when a guy sees this it means many things to him. We soldiers realize that you all not only think about us, but that you are behind us. Gosh folks isn't it wonderful to know that the people that you never hear about are behind you. And maybe, just maybe if we can stop them here we'll never have to worry about Dubuque, Iowa." (Gary's parents are the Al Maus', 1075 Tresca, Dubuque, Rotation: 11–18–'68).

From Army Sp/4 Terrance L. Gassman, "It's really nice to know that someone back home thinks about us over here. The rest of my buddies thought it was really something that I would get a package from perfect strangers, but I told them that our town was like that, the best town in the United States." (Terry is the son of the Milton Gassmans, 1665 Washington St., Dubuque. Rotation: 4–'69).

JUDGE JAMES D. BURNS

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. ULLMAN. Mr. Speaker, my State of Oregon has lost one of its most distinguished public servants.

When Judge James D. Burns died last month at age 88 he left a legacy of long and dedicated service to his fellow man.

He was not one to seek the spotlight, but for 50 years he worked with extraordinary insight and ability as mayor of his city, as county judge, in appointive State positions, and in the inner councils of the Democratic Party on the State and national level. He holds the unique distinction of having served as elected county judge longer than any other man in Oregon history.

His memory will be revered by all who saw in him those qualities of selfless service that have helped to build America.

I am including at this point in the RECORD the announcement of Judge Burns' death:

VETERAN JUDGE BURNS DIES AT 88

James D. Burns, who gained political attention by being elected Gilliam County judge for 37 years, died in a local hospital Wednesday following a short illness.

Judge Burns, a Condon resident for over 70 years, was elected to the bench in 1926 and served continuously until 1962, when he retired.

He was born in Midland, Mich., Aug. 21, 1880, and educated in the public and private schools of Toledo, Ohio. He came to Condon by stagecoach in 1898. A few years later he purchased a store, which he operated in partnership with a brother until 1946.

Judge Burns was active for many years in Democratic Party affairs. He served for a time on the executive committee of the Oregon state party organization and was mayor of Condon from 1913–1915. In 1928 he was a delegate to the Democratic National Convention in Houston, Tex., being one of those selected to serve on the notification committee which delivered the nomination to New York Al Smith.

He served on Oregon's first Liquor Control Commission for seven years.

Survivors include three sons, James and Frank of Condon and John of Portland; a daughter, Frances O'Connor of Klamath Falls; three sisters, Loretta Kelly of Rhode Island, Grace Slick of Mt. Angel and Julia Racette of Portland; and 14 grandchildren.

Recitation of Rosary will be at 7:30 p.m. Friday at St. John's Catholic Church in Condon and funeral will be there at 10 a.m. Saturday.

AMERICAN IMAGE IN EUROPE SINKS TO LOWEST LEVEL

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. DERWINSKI. Mr. Speaker, the political campaign is warming up, and one of the most hysterical voices raised has been that of former U.N. Ambassador George Ball. It is proper to point out that one issue which appeared in the 1960 campaign is just as prominent today. I refer to the American image abroad.

Since George Ball, Vice President HUBERT HUMPHREY, and President Lyndon Johnson have all played major roles in failing to maintain our image abroad, an article appearing in the September 16 edition of the Joliet Herald-News by the widely read international columnist of the Copley Press, Mr. Dumitru Danielopol, is of special significance.

The article follows:

AMERICAN IMAGE IN EUROPE SINKS TO LOWEST LEVEL

(By Dumitru Danielopol)

WASHINGTON.—"The struggle in Vietnam has engendered a great deal of animosity," said Vice President Humphrey when he was questioned on the American image abroad.

During the 1960 campaign the Democrats made American prestige abroad a campaign issue. Tumultuous Japanese protests and angry crowds in Latin America were cited as reasons to reject the Eisenhower record.

Humphrey says the "animosity" created by the Vietnam War is due in part to "very effective propaganda against us."

But he said, ". . . as the elements of prestige relate to your economic strength, your military strength, the strength of the society, I believe that there is still respect—a great deal of respect, for the United States."

I'm afraid I have to disagree with the vice president.

After traveling widely in Europe in the last five years, I must report that American prestige is lower than it has ever been to my knowledge, perhaps lower than at any time in the history of the United States.

Communist propaganda is only partly responsible and some of this could have been overcome if American counter-propaganda had not been inept, inefficient and sometimes reluctant.

The image of America in the eyes of knowledgeable Europeans—many of whom have great affection for the United States—is pathetic.

Too often, the United States looks like a country in distress, a ship without a rudder, with a virtual civil war in her cities, an unfinished war in Asia and an uncertain economic future.

Like it or not, that's what many Europeans think of us.

Andre Francois Poncet, the French academician, former ambassador to Germany and a political writer for Le Figaro, told me:

"I'm very pessimistic, it looks as if the gendarme of the free world, the United States, is sick."

I don't believe it serves any purpose to delude ourselves.

Old confidence in American military strength has been gradually eroded by the often feeble, irresolute use of that power.

Starting with the Bay of Pigs fiasco, the inconclusive settlement of the Cuban missile crisis (which many Europeans regard as a Communist victory), an apologetic attitude toward our involvement in Vietnam, the apparent inability or unwillingness to win in Vietnam, the Pueblo incident, the uninspiring handling of the present Berlin crisis, adds up to a picture of weakness rather than strength.

The apparent impotence in the face of rioting, looting, arson, crime, draft-card burning, anti-war demonstrations, sit-ins, etc.—all given exaggerated coverage by news media abroad—give the impression of a country divided against itself.

The increasing signs of isolationism, defeatism and appeasement coming from presidential hopefuls and leaders inside and outside Congress raise doubts about Americans' willingness to accept the burdens of world power.

Statements promising "no more Vietnams" or "the last Vietnam," appear to many Europeans to be ostrich-like invitations to aggression.

The troubled F–111 raises questions about our weapon superiority.

Huge budget deficits, the dollar crisis and our modest counter-attack raise doubts as to the soundness of our economic strength.

The tax increase and the limit of spending will help but Europe is watching closely our determination in fiscal matters.

Now the lame duck status of Mr. Johnson gives an impression that leadership will be lacking until January.

Europeans do not understand either how Americans can fight communism in Vietnam and at the same time supply communism in Europe with many products of use in the war effort, and even urge an increase of trade with the Reds.

"Never before in our history have U.S. positions and interests abroad come under such sustained, deliberate assault and provocations," said Gov. Ronald Reagan of California. "Never before was an American government less sure of itself."

Unfortunately, too many Europeans agree.

A MEMORIAL TO THE LATE SENATOR ROBERT F. KENNEDY

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. FRIEDEL. Mr. Speaker, I should like to have an opportunity to extend my remarks and include in the RECORD a memorial which was written by a member of my congressional staff in memory of the late Senator Robert F. Kennedy. It is a wonderful tribute to the late Senator, and I want every Member to have an opportunity to read it.

The memorial follows:

IN MEMORIAM: ROBERT FRANCIS KENNEDY, 1925–68

(By Reba M. Shoaf)

What is this so-called Festival of Life? Plato long ago said there is nothing in life worth a struggle.

Life is full of pain, and the pangs of the flesh gnaw at the mind and rout its calm. In countless ways fate intercepts and thwarts our hopes. Contentment is not to be relied on, and even wisdom cannot preserve us from the treachery and insecurity of the perceptions.

Today our lives are filled with stanza after stanza of enervating sadness; our souls are sorrow laden, and we seemed to have supped sorrow with a long spoon. Our Nation reflects the soul of tragedy in the celebrated loneliness of man. Even the echo cries out in the same note of accentuated despair. It is not too difficult for us to feel that life holds more pain than pleasure. "We wander through life, restless and tormented—at each successive station, we think that happiness dwells at the next, but when we reach it, happiness is no longer there. Discontent stands in haunting constancy before us, and there are those who are cheated from birth to the overcharge on their coffins."

Life is not an affliction to those who are, and who can remain young; there are some who without any waters of youth, remain so until age has sapped the foundation of their being; and it is from such as they that the greatest cheer is obtained. But to those who live, so to speak, in the thick of the fight, who see hope after hope fall with a crash, and illusion after illusion vanish into still air, to the intelligent, to the observer, and especially to him who is forced against his will to struggle in the van, life is an affliction.

There is no standard of personal dignity except independence. It is precisely in solitude where each of us is dependent upon his own resources where we are brought face to face with our individuality. No work is ever done collectively, by a majority decision. Every creative job is achieved under the guidance of a single individual thought. An architect requires a great number of people to erect his building, but he never asks him to vote on his design.

The mind is a muscle and it's just as much fun to exercise it, and you get just the same glow, as you do when you exercise the body. The reasoning mind cannot work under any form of compulsion. It cannot be curbed, sacrificed or subordinated to any consideration whatsoever. It demands total independence in function and motive.

We live in an intellectual world. One of the characteristics of the human mind is its unwillingness to rest content when we have seen, felt, heard and tasted. Determination to understand is a fundamental of our intellectual constitution and is responsible for some of our most glorious achievements.

Teachers are usually the ones who conserve the values of the past and pass them on to future generations. They are the conservatives. Prophets are the ones who demand that those values be applied to wider and wider situations in the present and future. They are the radicals. Each has a function in human society. Between the tension of the two all progress is made. If we were all conservative, we would dry up. If we were all radicals, we would "bust" up. But between the pull back of the conservative and the pull ahead of the radical, we make progress in a middle direction.

We are living in the midst of a vast revolution of change, and we must be willing to adapt ourselves to constant change. There is a crying need for reformation throughout the country—at the moment, we have nothing more than the politics of hysteria.

The moral courage of Robert Francis Kennedy has not been excelled since the days of Voltaire. Bobby Kennedy did not succumb to the herd instinct. He removed himself from the domination of the herd and he outstepped all his companions which indicated that he was listening to a different drummer. He represented to the new generation what Voltaire did to the 18th Century—its reason and its liberty. Bobby Kennedy was the fountainhead of the 20th Century.

He possessed that rare combination of the vim and vigor of a fresh approach and the wit and wisdom far beyond his years. He uttered words of wisdom that seemed always to be peering down and sounding bottom in unfathomed depths of the human heart. He spoke with brilliant reasoning, such blistering invective, and showered a continent with impassioned protests as he poured the acid of his scorn upon a system capable of such cruelty and savagery. He employed every weapon in the arsenal of the mind: logic, invective, irony, paradox.

He spoke with an Aristotelian philosophy, and as we all know, Aristotle governs most of our modern-day thinking. His theory of ethics begins with kindness of the heart and stems from nothing more than truth and goodness.

Robert Kennedy was a mighty warrior, and with dauntless courage, he stood on the precipice of life as if he anticipated the cry of the wailing banshee.

As the soul of Robert Francis Kennedy takes its flight from the shore of sound into the realm of silence, we ask God to help us in the orientation of our thoughts toward a wider appreciation of human affairs that we might better grasp the unalterable fact of the success of man's destiny over and above the cultural differences of the various people who inhabit this planet. We also ask God to help us discern the peculiar dangers and delusions with which our age is replete and the strength to meet them in Him whose example and teachings we are endeavoring to follow. We pray to God that we shall never lose sight of our courage as we stand fast by our own convictions for we know that nothing lies beyond the reach of prayer except that which lies outside the will of God. We pray that we shall always remember that our religion is the inborn longing of the human soul for God.

LET US SEIZE THE U.N. OFFER

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. DOW. Mr. Speaker, entered below is a letter I addressed on September 25 to Secretary of State Dean Rusk. I have not been able to enter it in the Record until today. The letter speaks for itself and expresses my own views, and probably those of many others, who long for an end to the hostilities in Vietnam.

I have not received the Secretary's answer but feel certain that he will reply. By entering the letter in the Record now I do not mean to prejudice in any way, whatever reply the Secretary is able to make.

My letter follows:

September 25, 1968.

Hon. Dean Rusk,
Secretary of State,
Washington, D.C.

Dear Mr. Secretary: This Congressman has regularly favored bolder efforts to end the hostilities in Vietnam. I am dismayed to read in the press that the United States representative at the U.N. has protested a very generous suggestion of the U.N. Secretary General for an end of the bombing of North Vietnam. The Secretary General believes the U.S. Assembly would pass a resolution that calls for an end of the bombing. I strongly urge that the United States declare a willingness to abide by such a vote in the U.N. Assembly.

It is well-known, Mr. Secretary, that our nation, a U.N. member, has all along chosen to act in Vietnam without U.N. authorization. Unfortunately, we have acted that way in spite of our long-standing American endorsement of collective action. Collective action has been the principal theme of the U.N. and the principal reason for our membership in it.

It is appalling that our representative at the U.N. during a continuing world crisis should enter a protest because the door of collective action has been opened again by the U.N.

Mr. Secretary, I strongly urge you to seize the opportunity to accept the wishes of the community of the nations. The United States should agree that if it is the will of the majority, we will stop the bombing. There is little doubt that such action would result in a settlement of the hostilities in Vietnam.

Respectfully yours,

John G. Dow.

A PLAN FOR VIETNAM

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. HAMMERSCHMIDT. Mr. Speaker, no subject occupies our Nation more than Vietnam. It is our dilemma.

Retired Air Force Lt. Col. George T. Suderman, a constituent who resides in Mena, Ark., has made public a plan he believes feasible for bringing an end to the conflict.

Knowing of my colleagues' deep interest in this subject, I submit Lieutenant Colonel Suderman's proposals, as carried in the Mena, Ark., Star, August 1, 1968, for inclusion at this point in the Record.

How To Conclude Our War in Vietnam Quickly and Honorably

Today the U.S.A. has more than two million battle tested veterans because of our war in Vietnam. That is a decided plus factor.

Today the U.S. military establishments are best equipped of any in the world. We have practically a new Navy, Air Force and Army. And the Marines are better than ever.

Today this country has demonstrated that it did and will again go "all out" to stop any aggression anywhere, no matter what it's called. Our fighting in the rat holes of Vietnam proves this beyond any doubt.

Today to continue this war no longer makes any real sense. The time has come when the United States must extricate itself from further land battles in South Vietnam. We have demonstrated our will and ability to match and out-match the enemy. By this time South Vietnam military forces should be able to undertake the defense of their own country against aggression. Their leaders now tell us they can do this. The alternatives are neither pretty nor do they spell out the hopes of true American interest. Thus, the time to propose a new course of action for the United States is here.

PROPOSALS

1. The new American President declares all U.S. Military forces will leave the territories of South Vietnam by June 1, 1969, sine die, without consultation, discussion, arguments, or agreements with the enemy in Hanoi, Peking or Moscow.

2. The U. S. A. expects Hanoi to remove from the territories of South Vietnam, Laos, and Cambodia all its military and para-military forces by June 1, 1969.

3. The U. S. A. reserves rights to:

a. Bomb or shell all North Vietnam targets of its own choosing to within 20 kilometers of Red Chinese frontiers or territories should Hanoi continue its military operations, or fail to clearly demonstrate a programmed withdrawal of its fighting units prior to June 1, 1969.

b. The United States also reserves the rights of a belligerent to place under air and sea blockade all North Vietnam coastal areas short of 20 kilometers from Red Chinese frontiers or territories.

4. The U. S. A. will provide sufficient military equipment, munitions, petrol and other necessary supplies to permit South Vietnam the conduct of defensive activities against foreign aggressors until such time when international agreements no longer necessitate this aid. The U. S. A. declares all military aid to South Vietnam will terminate should its military forces cross the D.M.Z. for attack against North Vietnam.

5. The U. S. A. reiterates its willingness to discuss directly or indirectly with bonafide representatives of Hanoi, or intermediaries, any promising proposals leading towards just settlements of outstanding problems in all of Southeast Asia. However, the United States will not indefinitely continue diplomatic discussions once it's established that they are not in good faith and promise no clear agreement, nor is the United States interested in providing a propaganda forum to the enemy.

The proposals outlined above will bring our men home. The U. S. A. regains a lost diplomatic initiative. Our country can stop begging the enemy for peace. In turn, it will be the enemy who will be asking peace. And we can once more be proud Americans.

It is true Hanoi may accede to American demands and remove its forces from South Vietnam by June 1, 1969, which would cause the United States to stop bombing and to lift the blockade, thus permitting Hanoi the choice of avoiding diplomatic discussions or settlements. However, this may be just as well, for Communists seldom keep even solemn promises.

GEORGE T. SUDERMANN,
Lt. Col. U.S.A.F. Ret.

P.S.—These are private opinions only—GTS.

FIXING AND ADJUSTING RATES OF COMPENSATION FOR EMPLOYEES OF THE WAGE BOARD

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, on May 15, 1968, I introduced H.R. 17304 to provide an equitable system for fixing and adjusting rates of compensation of wage board employees. That bill was referred to the Committee on Post Office and Civil Service. The Civil Service Commission has published a new coordinated Federal wage system, but there is still an imperative need for legislation in this area. I would like therefore to comment further on this matter.

I am of the firm opinion that the system of determining and adjusting the rates of wage board employees should not be under the jurisdiction of the Civil Service Commission but rather under a committee or board established under the prestige of a law enacted by the Congress. If a law had been enacted originally there would have been no need to replace the old wage board system with a new coordinated Federal wage system. There have been numerous legitimate complaints made against the system of determining and adjusting the compensation of wage board employees and legislation affords more opportunity for the expression of divergent views through public congressional hearings.

In the case of legislation enacted by the Congress, it is possible and indeed, it is a matter of policy, to secure hearings from time to time by the appropriate committees to determine the effectiveness of the law and to amend it as experience and circumstances indicate. On the other hand, a system such as that instituted unilaterally by the Civil Service Commission affords no such opportunity. In this connection, I call to your attention the situation which has developed under Executive Order 10988. Although in urgent need of modification, no action was taken by the executive branch to review its effect for more than 5 years and then only as a result of persistent pressure on the President and the Civil Service Commission.

My bill, H.R. 17304, will go far in modernizing the wage board pay structure. A constructive, progressive modernization of the present system is necessary. I therefore urge the House to pass legislation on this subject at an early date so that Federal wage board employees may have an equitable system for fixing and adjusting their rates of pay.

POSTMASTER GENERAL WATSON ADDRESSES POSTMASTERS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. DULSKI. Mr. Speaker, Postmaster General W. Marvin Watson has been in charge of the Nation's postal system for only a little over 5 months, but in that relatively brief period he already has acquired an excellent understanding of what makes the Post Office Department tick and of many of its problems. General Watson has visited 156 post offices to see the problems and conditions in the field and to talk with many of the workers. This is the mark of a good executive.

Recently the President's Commission on Postal Organization, headed by Mr. Frederick R. Kappel, made its report to the President. The report now is under study by the Department.

General Watson is convinced that the Department is ready now to make some dramatic changes in the postal service, some of them as a result of the Commission's recommendations.

In an address at the National Association of Postmasters convention here on October 2, General Watson discussed these matters which I believe will be of interest to the Members.

Following is the text of his address:

There are, of course, many things which a Postmaster General might say to you tonight.

For one thing, the very title of Postmaster General would indicate that I might discuss national politics.

Well, in such a critical year, I must admit the temptation is very great—for although since March 31st I have not been as deeply involved, I still reserve a certain partisanship for the Democratic Party.

So, I am a non-political Postmaster General at this time—but as our President is fond of saying, I used to be in politics myself.

But we are gathered here tonight as Americans representing all segments of our society. And, since we represent all aspects of our nation, there must be in this room supporters of every political philosophy.

Therefore, I will not speak out on partisan politics—although I wish to make one point very clear.

I am a Democrat and a proud Democrat.

I am exceptionally proud that in the past four years I have been associated with a man whom I think will go down in history as one of the greatest Presidents the United States has ever had.

I am equally proud to support Hubert Humphrey for the Presidency of this nation—and I am certain that when the records of the two major parties are compared the proper choice will be made for the good of this nation.

And so much for another tradition of Postmaster General Benjamin Franklin.

Do not, my friends, think that I dismiss this subject lightly—but since we are Postmasters together, gathered here as free men and women, I think my subject tonight should touch on common problems which we jointly face—problems which we will be facing for several years to come—the problems of the United States Postal Service.

For I think we must face up to the fact that there are problems in the Post Office Department, just as there are problems in America.

And indeed I think we should also be aware that the Post Office Department more than any other national organization most truly reflects the culture of our times—both the good and the bad of it.

We as postmasters have an even greater understanding of this because there are 32,237 of us reaching into every city and town. The mail—this vast river of mail which so truly reflects our social and economic life—is the one item which touches every person. The only other element which has the same effect is the weather—and you know that everyone complains about that as well.

Well, I am one of those who can understand the complaints. But I am also one who believes that to a great degree the United States Post Office Department is doing a good job . . . . and I am also pledged to make certain that we do even better.

I have now been Postmaster General for five months and five days. Certainly, that is not long enough for me to pose as an expert. But I think I can now adopt the posture of one who has a sound knowledge of this Department, for in the 71,000 miles of my inspections through 156 post offices I have seen more of this system than any man in recent years—and my travels are not over yet. So many more of you will be seeing me in the months which lie ahead.

These travels—coupled with the decisions which have been made in Washington—have been based on one premise.

That premise is that the Post Office Department as a cornerstone of our land requires the best leadership we can give it.

The decisions are not always easy ones. Sometimes they are controversial. But always they are intended to further our joint aim of moving the Post Office Department forward.

And everywhere I have gone, I have spoken out for the Post Office Department and for our 750,000 workers. For I am convinced that for too long we have overlooked the most vital ingredient of our service—our people.

People such as yourselves and those people who work for you.

For too long we have not spoken out in our own behalf. For too long we have not been proud of what we stand for and what our contribution has been. For too long we have not understood that unlike many other government agencies the Post Office Department is a human element.

For the movement of mail—this vast flow of mail which entrusts us each day with a trillion dollars in commerce and 276 million daily letters of love, education, communication—is really based on the human race.

Thus we in the Post Office Department are a human mechanism.

We reflect in our own way the very culture of our country, the commerce of our country, and our hopes and dreams for the future of our country.

We pick it up, we carry it, we sort it, and we deliver it.

And if we are 99 and 99 one billionths successful there is still that one slim factor out of 84 billion pieces of mail which will be lost or misplaced.

And that slim percentage can result in 84,000 justified complaints every year—and that is the human element as well.

Well, just like the weather, we have to understand this and sympathize with it . . . and we have to try to do better.

I am convinced that we can and that we will.

I am also convinced that we are ready now to make some dramatic changes in the postal service.

Some of these changes will result from the President's Commission on Postal Organization. Just how many will reflect that report is difficult to say at this time.

The report, as you know, required 18 months to prepare. Some of its suggestions can readily be adopted and others if adopted will require major changes in our constitutional mission.

There were two other commissions, as you know, which studied the Post Office Department—the Hoover Commissions of 1947 and 1953, and little change resulted.

This most recent commission is cut of a different cloth, however, I had more than passing knowledge of its formation at the White House in 1967 when President Johnson determined that such a commission should be created.

And obviously, I have had more than a little involvement in studying the report since.

When the report was delivered to the President in June, he asked that the Post Office Department undertake with the Bureau of the Budget separate studies on the recommendations.

There are many who have apparently thought that we were thus sweeping the Kappel Commission under the rug. Let me assure you that this is not so. I am not prepared at this time to announce what our final decisions will be on that report, but I am prepared to tell you that the Post Office Department formed the highest level task force to study in depth all the recommendations. The Bureau of the Budget is also making its independent study and very shortly both of our departments will present these to the President.

And, after the President has studied it, suitable recommendations will be made to Congress.

I point this out because I wish to make it clear that the proposals for the reorganization of the Post Office are not being easily dismissed. Rather, they must be closely studied—for when the final decisions are made by Congress they will have a lasting effect on every person in our nation.

Also, let me make it clear in this one statement—I'm not certain that the concept of a public corporation is the best idea.

It is one of several. It is reasonably thought out and like all ideas created by men of purpose and vision it has its good points and its bad points.

But the report of the President's Commission on Postal Organization was accepted willingly and with thanks for the determined effort provided by the members of the commission.

It has not been swept under the rug—and it will be the basis for further recommendations.

All of our recommendations will ultimately go forward to the next Congress—and that is why I say you will play a most important part over these next years in our final decision-making.

The final decisions made before we submit this to the Congress will be nonpolitical, since the President as the President of all the people seeks only to do what is right and proper for the long term growth of the country.

Certainly, we have problems in an organization as large as this. Our product—the United States mail—is going through a period of mail explosion which marches hand in hand with the population explosion.

And still, the mail is going through—going through swiftly and going through thanks to the dedication of persons such as yourselves and our 750,000 fellow workers.

Our problems, as I have found them to be, are basic—we need new buildings, we need new machinery, we need better training for our employees, we need better opportunities for advancement.

Well, I think we're going to have them sooner than you might think.

When I came to the Post Office Department I was determined that I would not sit on my hands and cry chaos and catastrophe. I was determined that with your help I would get out and see what really makes the Post Office run—whether it be in the huge systems of New York, Chicago and Los Angeles or in the smaller offices such as Norfolk, Bismarck and San Diego.

Well, I have been there. I have seen. And I have been making decisions—some of these you have heard about and some you will hear about shortly. These will include ideas for new machinery and tying existing machinery into a pattern rather than letting it all sit as scattered little islands on the workroom floor. That new machinery already exists, you know—the problem has been that no one has ever put all the people together who know how to build it.

I found one manufacturer who makes a machine which will fit magnificently into our future patterns. He is an American and his machine is manufacturered in America—but he has only sold it in England, Sweden and Belgium. When I asked him why he didn't offer it here, he said he couldn't be bothered because there was too much red tape.

Well, I have tried to cut some of that red tape. And I also put together some other manufacturers with their engineers and their lawyers and have asked them now to work together to create the entire system.

I have also been convinced for a long time that we need one test post office which will be the ideal—where all the machinery and all the techniques can be employed. That seemed like a dreamer's idea, I know. But last week, we finally pulled together the concept of this post office and we are preparing now to put it on the drawing boards—and the next man who sits in the chair of the Postmaster General in January will have available to him guidance in making decisions on whether to move forward with this concept. For that has always been a problem. Postmasters General come and go and leave little behind to guide the next man.

One thing I have learned from President Johnson—and one thing that President Johnson is determined will happen—is that there will be a continuity of government, that the petty jealousies between men and political parties will not interfere with the orderly transition of government.

So when the next Postmaster General replaces me, he will have available everything at my command—every bit of guidance that my staff and I can give him.

For there are other plans besides machinery and buildings and organizational structure being developed.

We are moving now to create better training systems for our people—at all levels, from Postmasters to the man working in the loading docks of parcel post. We have developed a new Equal Employment Opportunity program with teeth in it—and despite those who doubted when we announced it last June, we have found that our program is working and working well.

We are creating a better climate between the unions and the Postmasters and the Post Office Department. Certainly it will be controversial at times—because that is the way of labor and management. But we are now involved in greater dialogues than ever before—and these dialogues and these decisions can only help to make a better Post Office for all.

We have installed a new management information center, which shortly will be fully operable—and this is the first step towards the 21st century for this area of the Post Office. This management information system will work—and it will provide us with an immediate grasp of all the problems in the major post offices—and the net result will be that there will never be again a Chicago as there was two years ago.

We have found a way to more efficiently manage our finances—so efficient that yesterday I was able to notify Budget Director Zwick that we have already saved 182.2 million dollars—and that we have saved this with no cutback in efficiency.

For remember this, my friends. We can never be so efficient that we overlook the human element—for the human element is the heart of the post office.

Certainly, we have many additional decisions to make. Certainly, we have major problems on which to focus. But I am certain that we are going to achieve the goals we have set for ourselves.

Even when we finally complete modernization, there will still be a few who will run through those familiar and tired cliches about the post office—and there will still be some letters which will be lost. A handful only but a handful which will be vocal and rightly so.

But our cause is not lost—our cause is service to America and we are providing that service. We are providing it because we have good postal people such as yourselves and because we are working in the common cause of service to America.

So I would say to you tonight to be proud and to have purpose and to point out the Post Office Department's progress.

I have never had a prouder period than this when I have been able to work with you and to serve with you.

There are 32,237 of you postmasters.

You touch every part of this land.

In many places you are the only representative of the federal government.

And everywhere, the mail is continuing to go through.

And that, my friends, is no accident—it is because you are doing the job.

THE SURTAX INCREASES LIVING COSTS

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. PODELL. Mr. Speaker, it is disheartening to read accounts of statements made by Members of this House and the august Senate that it will be necessary to extend the surtax beyond its June 30, 1969, expiration date. It is disheartening because even at this early date the predicted evils of the law imposing the surtax and spending limitations are already beginning to reflect themselves in adverse and dangerous economic consequences.

Some of the most vigorous advocates of the surtax and spending limitations law insisted that its enactment was essential to curb inflationary pressures in our economy; that its enactment would reduce the cost of living; and that its enactment would be blessed by persons on social security, by pensioners, and by wage earners—all of whom would benefit because this law purportedly would save the pensions and wages from erosion by spiralling prices. Indeed, some of us were led to believe that the Nation's bankers and the Nation's monopoly business interests were prepared to make the supreme sacrifice in behalf of persons on social security, pensioners, and wage earners. Some of us choked on this tripe and voted against that bill. The facts thus far prove that our opposition was thoroughly justified.

On Thursday, September 26, 1968, the Honorable Herbert Bienstock, the distinguished regional director of the Bureau of Labor Statistics for the Middle Atlantic region made public the regional Consumer Price Index for August 1968. The index showed that prices in this region increased by 0.8 percent over July. It further showed that living costs in this region for the first 8 months of this year increased at the fastest pace in 20 years. Cost-of-living increases were reflected not only in this region but throughout the United States. As against the 0.8-percent increase in this region, the increase in August over July for the Nation amounted to 0.3 percent.

The Nation's banking community was most strident in its demands for the surtax and for budget cuts to curb inflationary pressures. Nonetheless, it is hardly surprising that the item which showed the greatest single increase in the Consumer Price Index for the region was housing which reflects sharply the increase in mortgage interest rates.

At the 1968 session of the State legislature, the legal maximum interest rates by banks was increased from 6 percent to 7.5 percent, an increase of 25 percent, an increase forced upon the legislature by a boycott by the banks against lending mortgage money. Pursuant to its authority, the State banking department set an interest rate ceiling at 7.25 percent for an effective rate increase of approximately 20 percent. Under the circumstances, it is hardly surprising that while the total Consumer Price Index showed an 0.8-percent increase, the housing item showed an increase of 1.5 percent.

The fact that the surtax would increase living costs rather than reduce them was predictable and predicted. Essentially, the intent of the surtax was to slow down the economy. The evidence abounds the prices tend to rise during a period of economic stagnation. This is the view of economists with such diverse approaches as Prof. John Kenneth Galbraith of Harvard and Leon H. Keyserling, Chairman of President Truman's Council of Economic Advisers.

There are practical reasons for the paradox of rising prices in a stagnant economy. Ours is an economy of administered prices and those who control prices increase them during recession periods to compensate for a reduced volume of business by obtaining excessive returns on per-unit sales. This phenomenon clearly revealed itself in the countermovement of prices during the 1953–54 recession and during the 1957–58 recession. There was no reason to expect a different result where the economy is deliberately retarded by tax manipulation.

Dramatic successes by the administration in forcing the steel industry and the automobile industry to roll back price increases are of only minimal help to the consumer. The consumer is more seriously affected by price increases imposed by producers and distributors of consumer products and services whose pricing practices are not as visible as those in the steel and automobile industries.

In addition, there is a clear intent upon the part of industry to pass the surtax on to the consumer rather than pay it out of profits. Applications filed by utility companies for rate increases based on their higher tax rates under the surtax is a persuasive demonstration of this intent on the part of industry. If utility rates were not governed by public service commissions, the consumer would now be paying higher prices for light and heat so that the utility companies would completely escape imposition of the surtax.

It is clear that what needs to be done is to repeal the surtax and expenditure limitation law and proceed with what is urgently needed—a wholesale reform of our tax laws to remove the tax sanctuaries for the hobby farmer, for the oil industry, and for all others who enjoy special tax privileges.

MEALS FOR MILLIONS FOUNDATION

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. HANNA. Mr. Speaker, I am, today, introducing legislation which provides for the granting of a congressional charter to the Meals for Millions Foundation.

This organization, through its dedication to humanitarian principles and its outstanding contributions toward the solution of the problem of world hunger, has already proved that it merits congressional support.

Meals for Millions, a nonprofit organization, was established in 1946 through the efforts of Mr. Clifford Clinton of Los Angeles and Dr. Henry Borsook, a professor of biochemistry at the California Institute of Technology. The program objective of the foundation was and is the relief and prevention of starvation.

When Meals for Millions began operating, its goal was to send multipurpose foods to countries throughout the world in order to meet hunger emergencies. Since 1946, Meals for Millions has distributed over 15 million pounds of multipurpose food in more than 125 countries of the world.

The directors of this program have decided that it is not enough just to help feed people in agriculturally backward nations; it is also necessary to help these people feed themselves. To this end, a long-range program has been successfully launched, in which Meals for Millions assists developing countries in producing and distributing their own high-protein food on a self-sustaining basis. It shows the people of these countries how to create, process, and distribute the food, using their own resources and doing their own work.

The processing employed often utilizes byproducts of oilseeds—materials which would usually be discarded or utilized as food for livestock. This is fortified with essential vitamins and minerals and becomes a food supplement which provides vital nutrients which are missing from the normal diet of most people in underdeveloped regions.

Meals for Millions takes great care to adapt programs to local conditions. The end product varies from a basic high protein product in powder form to its incorporation in traditional foods such as noodles. Thus the problem of changing lifelong food habits is practically eliminated.

Groups voluntarily formed to propagate the Meals for Millions movement have established affiliates and committees in Brazil, Burma, Japan, Korea, Ceylon, India, Mexico, Taiwan, Pakistan, the Philippines, Tanganyika, Thailand, Indonesia, and Hong Kong.

A training division has been established to provide applied technical training for foreign technicians, as well as a research program for development of prototype machinery which will fit the needs and investment abilities of developing countries.

A few current examples of successful programs initiated by Meals for Millions are:

Northeast Brazil and Talca, Chile—preschool children receive flavorful high-protein soy beverages dispensed from colorful bicycle-propelled "Good Humor" type carts.

Aganda, East Africa—Cooperating with Africa Basic Foods, Inc., to develop a local soy milk production plant which will replace the undependable supply of cow's milk.

Iran: A Meals for Millions team has just completed a study indicating the feasibility for local production of a soy-based, multipurpose food to fortify flour for bread, a staple which constitutes 60 percent of the Iranian diet.

Daule, Ecuador: Sharecroppers have become shareholders by financing the majority of a fortified noodle industry, organized with assistance from the foundation. They acquire stock in the corporation by small payments. Also, Meals for Millions is helping them form 11 cooperatives to buy land for farms.

Chili: People in the country areas that are protein deficient eat what they call "harine tostada." It is a toasted blend of wheat and sugar, lacking any amount of protein value. It presents a primary opportunity for an economic use of fishmeal. The foundation has offered to build a pilot plant for producing a protein supplement of sunflower seed, soy and fishmeal. When this is added to harina tostads, it acquires food value and tastes good.

In conclusion, Mr. Speaker, Meals for Millions Foundation, while national in origin, is international in its humanitarian endeavors and is an important facet in this Nation's effort to alleviate world hunger.

Text of my bill follows:

H.R. 20204

A bill to grant a Federal charter to the Meals for Millions Foundation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

INCORPORATION

SECTION 1. Clifford E. Clinton, Los Angeles, California; Edmund J. Clinton, San Marino, California; Ernest R. Chamberlain, South Pasadena, California, and their successors, are hereby created and declared to be a body corporate by the name of the Meals for Millions Foundation (hereafter in this Act referred to as the "corporation"), and by such name shall be known and have perpetual succession. Such corporation shall have the powers and be subject to the limitations and restrictions contained in this Act.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in section 1 of this Act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of bylaws, and the doing of such other acts as may be necessary to complete the organization of the corporation.

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the corporation shall be to relieve and prevent the world's number one problem—hunger, and to that end to offer a helping hand rather than a handout.

CORPORATE POWERS

SEC. 4. (a) The corporation shall have power—

(1) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(2) to adopt, alter, and use a corporate seal;

(3) to appoint and fix the compensation of such officers and employees as its business may require and define their authority and duties;

(4) to adopt and amend bylaws, not inconsistent with this Act or any other law of the United States or any State in which it is to operate, for the management of its property and the regulation of its affairs;

(5) to make and carry out contracts;

(6) to charge and collect membership dues, subscription fees, and receive contributions or grants of money or property to be devoted to the carrying out of its purposes;

(7) to acquire by purchase, lease, or otherwise, such real or personal property, or any interest therein, wherever situated, necessary or appropriate for carrying out its objects and purposes and subject to the provisions of law of the State in which such property is situated (A) governing the amount or kind of real or personal property which similar corportaions chartered and operated in such State may hold, or (B) otherwise limiting or controlling the ownership of real or personal property by such corporations;

(8) to transfer, lease, and convey real or personal property;

(9) to borrow money for its corporate purposes, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject to all applicable provisions of Federal or State law; and

(10) to do any other acts necessary and proper to carry out its objects and purposes.

(b) For the purpose of this section, the term "State" includes the District of Columbia.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in Santa Monica California, or in such other place as may later be determined by the board of directors, but the activites of the corporation shall not be confined to that place, but may be conducted throughout the United States.

(b) The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the corporation. Service upon, or notice mailed to the business address of, such agent, shall be deemed notice to or service upon the corporation.

MEMBERSHIP

SEC. 6. Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this Act, be as set forth in the bylaws of the corporation.

BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

SEC. 7. (a) Upon enactment of this Act, the membership of the initial board of directors of the corporation shall consist of the persons named in the first section of this Act.

(b) The inital board of directors shall hold office until the first election of a board of directors. The number, manner of selection (including filling of vacancies), term of office, and powers and duties of the directors shall be set forth in the bylaws of the corporation. The bylaws shall also provide for the selection of a chairman and his term of office.

(c) The board of directors shall be the governing board of the corporation, and a quorum thereof shall be responsible for the general policies and program of the corporation and for the control of all funds of the corporation. The board of directors may appoint committees to exercise such powers as may be prescribed in the bylaws or by resolution of the board of directors.

OFFICERS; ELECTION OF OFFICERS

SEC. 8. The officers of the corporation shall be those provided in the bylaws. Such officers shall be elected in such manner, for such terms, and with such duties, as may be prescribed in the bylaws of the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director or be distributable to any such person during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the corporation's board of directors.

(b) The corporation shall not make loans to its members, officers, directors, or employees. Any director who votes for or assents to the making of such a loan, and any officer who participates in the making of such a loan, shall be jointly and severally liable to the corporation for the amount of such a loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation and its officers and directors as such shall not contribute to, support, or otherwise participate in any political activity or in any manner attempt to influence legislation.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock nor to declare or pay any dividends.

BOOKS AND RECORDS: INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having authority under the board of directors, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. The provisions of sections 2 and 3 of the Act of August 30, 1964 (36 U.S.C. 1102, 1103), entitled "An Act to provide for audit of accounts of private corporations established under Federal law" shall apply with respect to the corporation.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with this Act, the bylaws of the corporation, and all other Federal and State laws applicable thereto.

EXCLUSIVE RIGHT TO NAME, EMBLEMS, SEALS, AND BADGES

SEC. 16. The corporation shall have the sole and exclusive right to use the name "Meals for Millions Foundation". The corporation shall also have the exclusive and sole right to use, or to allow or refuse the use of, the emblems, seals, and badges which have been used by the Meals for Millions Foundation, a corporation chartered in California in carrying out its programs, and which have been transferred to the corporation under this Act. Nothing in this section shall be construed to interfere or conflict with established or vested rights.

TRANSFER OF ASSETS

SEC. 17. The corporation may acquire the assets of the Meals for Millions Foundation chartered in California, upon discharging or satisfactorily providing for the payment and discharge of all the liabilities of such corporation and upon complying with all laws of California applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 18. The right to alter, amend, or repeal this Act is expressly reserved.

THE REVITALIZATION OF RURAL AMERICA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following text of the seventh in my series of radio broadcasts to Ninth District residents on the issues facing the Nation in this election year:

The forgotten man in America today is the man who lives in rural America.

We have forgotten him because a new focus threatens to distort this nation's public thought.

We are inclined to level all our attention on the city,

We are inclined to say that life in rural America is a thing of the past;

We are inclined to assume that all that ails America is what ails the urban slum.

For more than a century America was a rural land.

It was a rural people that gave birth to this nation and it was a rural people that made the new Democracy work.

We cannot forget that the story of the United States in the 19th century was the story of an expanding frontier, a dynamic ruralism.

But the 20th century brought a new day. Instead of going West, the people began going to the cities.

And the history of the 20th century became the story of people trekking from the farm to the city.

Today the crisis in our cities—*and in our rural towns*—is, in large part, the result of that historic trend.

But America *cannot* deal effectively with its present social problems if it focuses only on the final destination of those who made this massive 20th century march.

To understand contemporary rural—and urban—America, we must understand this great migration, know its causes and effects, investigate its beginnings and its end, and seek to contain it and control it for the benefit of all Americans whether they live in the cities *or* in rural towns.

We must first recognize that the great march is not over. The migration of our people from farm to city may have slowed down but it has not ended.

In the years 1960–66, rural America lost about 800,000 persons a year.

In 1940, 30.5 million persons, or 23 percent of the nation's population, lived on the farm. In 1966, only 14.3 million persons, or 6.4 percent of the population, lived on the farm.

Who are these people who are marching out of rural America? Why do they leave their homes? Where do they go?

Two groups of people account for most of the migration. They are the young who have a promising future and the unskilled who can't find a job.

Until recently, industry for economic reasons located itself almost exclusively in urban areas. And where industry is in the 20th century, that's where the jobs are.

Every statistical indication says there is less opportunity to find a good job in rural America than in urban America.

Farm jobs are declining at a rate of 300,000 a year;

The unemployment rate in rural America is almost twice as high as in urban America;

And the jobs that do exist in rural America are more likely to be seasonal, underpaid, or part-time.

When a man can't find a job, he leaves. And he goes to where the jobs are.

He goes to the city—often to the urban slum.

It is estimated that 1000 displaced farmworkers pour into Watts in Los Angeles every month.

Rural America is also losing the most promising of its young people—those with the best education, those with the best job skills, those with the most to contribute to community affairs.

These young people also go to the city because they can find challenging jobs there, because their rural home town has no place for them to use their skills, because the urban environment is most stimulating.

In short, the best hopes of rural America—its young—leave because rural America cannot provide the modern benefits of affluent America.

On almost every indicator of material well-being rural America does not measure up to urban America.

Currently about 5 million, or ⅓, of all occupied rural homes need major repairs;

Today, 35,000 rural communities need water systems, and 45,000 need sewage disposal systems.

Almost all of America's 10,000 one room schoolhouses are in rural America.

And where there are 195 doctors for every 100,000 people in urban America, there are only 53 doctors for every 100,000 people in the countryside.

And so the trek from town to the city goes on. Each person who joins the march hopes to find a better life.

But in the city, we find growing discontent because the great urban centers are unable to meet the accelerating demands of more and more people. Antiquated governmental structures, depleted resources, and decreasing tax bases, are turning our cities into misery and shame.

And rural America is also unable to provide its citizens with the benefits of modern American know-how.

And the two problems—city and rural—are linked by this great migration.

I believe we can deal more effectively with the problems of both urban and rural America if we stop—and reverse—the people's march to the cities.

To do so, we must make rural America economically and culturally attractive.

And to revitalize rural America; we must take the following steps.

First, we must begin by attracting new industry to rural America because new industry means new jobs.

I advocate tax incentives, loans, insurance and grants to industry which locate in rural America. I advocate tax incentives to industry which trains the unemployed to hold a job.

The rate of these tax incentives should be graduated—credit programs must be expanded to include a higher tax break for industries that build in more depressed areas and who train greater numbers of previously unemployed workers.

In other words, public policy should offer greater rewards to those industries which perform greater social services.

Second, we must take steps to insure adequate health and education facilities in rural America.

No industry will locate where schools and hospitals are substandard.

So I recommend that federal loans and scholarships be used to encourage teachers, doctors and nurses to settle in rural areas.

I recommend amendments to all existing federal student loan programs in the fields of medicine and education. These amendments would create incentives for young teachers and doctors to work in rural areas.

All, or part, of their loans would be cancelled for working after graduation in rural areas that need their services.

Third, we need to increase the government's development of rural water and sewage systems. Without water and sanitation no community can expect to grow and prosper.

Fourth, we need to insure that poverty funds should be spent at the same per capita level in rural America as in urban America.

Fifth, in order to slow the migration of rural people to urban centers, we should remove the discrepancies in welfare payments that exist throughout the country and thereby reduce the incentive for the poor to move from the farm to the city.

Sixth, government programs to aid rural America should be designed to encourage regional planning. State and local government modernization is a necessity to meet effectively the problems of rural America.

Seventh, manpower policies must be overhauled with better job information made available and improved job training and counseling for rural America.

These steps could be the beginning of a new rural America. These steps would surely create a climate attractive to new industry. And new industry means new jobs. And new jobs is the key to the future of rural America.

For new jobs, bring new people, new tax revenues and new schools and parks.

When rural America has the jobs, the flow of people from the rural towns to the cities will reverse.

And then, we will truly have a chance to attack the problems of urban America, because we will be using the resources and people of rural America—our nation's oldest and greatest asset.

IMPRESSIVE EXERCISES AT LEOMINSTER

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. PHILBIN. Mr. Speaker, I recently spoke at the memorial services for five young heroes of Leominster, Mass., in my district, who lost their lives in Vietnam.

The occasion was exceptionally well arranged by the Franco-American veterans of that great city, with the distinguished leader of its Veterans Services, Mr. Victor Leger, in charge.

The occasion moved me very deeply, and it emphasized very realistically the terrible toll of war and the urgency of finding some way to end the carnage in Vietnam and restore total peace, an objective to which I have so insistently given my most urgent attention and efforts since before this tragic engagement first commenced, and which I have increased with deepest dedication.

As I have stated before, we must intensify our efforts to find a proper formula, whether it be by stopping the bombing as we have done so many times before, or searching even more urgently, if that be possible, for some formula by which we can persuade Hanoi to negotiate in Paris in good faith to bring these hostilities, to an end in some honorable manner, taking into account the safety of our boys, the security of our Nation, and the precious freedoms we enjoy as Americans, and that people of the free world enjoy with us.

In my remarks, I referred to the impressive, very sorrowful exercises to pay reverent tribute to these immortal young men of Leominster, who so nobly offered their blood, their sacrifices, and their lives on the altar of American patriotism. They died for us and for the principles and values of this Nation. They also died for human freedom.

I also suggested that, as we so inadequately, but so sincerely, pour out our feelings of gratitude for these supreme sacrifices, and our profound sympathy for their dear ones, it is a time for us once again, from our sorrowing hearts, to pledge ourselves to intensify our labors for peace in Vietnam, and in the world, at the earliest possible moment it can be achieved, with the security and freedom for which these young heroes died. And let us ask Divine guidance and help in reaching our goals to stop the fighting and secure lasting peace.

Truly, the sacrifices of these fine, young men can never be forgotten. May their loved ones find comfort, resignation, and peace in their sustaining faith, their pride, their love of country, and may the good Lord guide and keep them.

The search for honorable peace must be pursued with all our hearts, all our vigor, and all our attention, and we must not cease, until we have stopped the fighting and restored peace in Vietnam, and hopefully, in every part of the world, that is now threatened by aggression, insurrection and tragic violence and, restlessness.

CULVER CALLS NORDIC FEST A MOST MEMORABLE EVENT

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. CULVER. Mr. Speaker, in July of this year I had the privilege of attending a most interesting and unique event in my congressional district, the second annual Nordic fest of the city of Decorah.

Through the Nordic fest, the people of Decorah not only combine the efforts of many of their yearly celebrations into one united community effort, but they also give community recognition to the Norwegian heritage which has played so important a role in their history.

Decorah has for more than 100 years been a center for Norwegian and Scandinavian interest, and its cultural heritage has had a friendly and stimulating effect on the cultural efforts of other groups.

Its warm welcome to King Olaf of Norway during his visit to this country in May of this year, the granting of an honorary degree by Luther College in Decorah to Crown Prince Harald of Norway in 1955, and above all the Nordic fest, are very much in keeping with this tradition. I, myself, have had the privilege of personally sharing in this tradition when as a member of the House Foreign Affairs Committee and the Subcommittee on Europe, I headed a study mission to the Soviet Union and Scandinavia last fall, and had the opportunity to meet with Crown Prince Harald and other top officials and public figures in Oslo and Bergen.

During the Nordic fest, citizens of all national origins displayed their civic, artistic, and culinary talents, and Decorah's wonderful spirit was evident everywhere. Indeed, the national rosemaling competition and exhibition, the truly fine collection of immigrant artifacts in the Norwegian-American museum, the beautiful window displays in all of the downtown store windows and the excellent smorgasbords in the churches as well as many other activities made this a truly outstanding event for the thousands of visitors, including my wife who, being of Norwegian descent, particularly enjoyed herself.

I wish to congratulate at this time everyone who helped in the conception and execution of this most memorable event. Efforts of this kind of civic cooperation can well serve as a model for other communities everywhere in our country.

For those who might be interested in initiating a similar kind of community event, I am including a schedule of events as well as a list of Nordic fest founders and sustaining members:

FRIDAY, JULY 26, 1968

9:00 a.m.–9:00 p.m. Scandinavian Booths Open, Telephone 382–4567.

9:00 a.m.–9:00 p.m.—Scandinavian Booths Open, serving Norwegian Food Specialties—Museum Volunteers, Beta Sigma Pi, The Gladd Company.

9:00 a.m.–5:00 p.m. Arts & Crafts Center—Thomas Roberts School. No charge. Orville Running Art Show; auspices Monday Club. Second National Rosemaling Exhibition; auspices Norwegian-American Museum. Modern Norwegian Design, auspices Norwegian-American Museum. Handiwork Demonstrations; auspices Museum Volunteers; 2–4 p.m. Rosemaling Demonstrations by Sigmund Aarseth; auspices Norwegian-American Museum; 10–12 noon; 2–4 p.m. Choir Room. Illustrated Talk—Norwegian Furniture, by Jon Embretsen, Director Norwegian Information Service; 1 p.m. Film—Modern Norwegian Design; 10 a.m. & 3 p.m.

9:00 a.m.–5:00 p.m. Norwegian-American Museum open. Adult, child and family rates. Demonstrations; Woodcarving, carding, Spinning, Working Miniature Farm Machines; 10–12 noon; 2–4 p.m.

11:00 a.m. Parade of Children in costume traditionally held in celebration of Norwegian national freedom. Route: From Museum East on Water St.

12:00 noon–12:30 p.m. "Nordic Dancers" Exhibition—Courthouse Square.

11:00 a.m.–3:00 p.m. Sidewalk Cafe, auspices Sarah Winneshick Hospital Unit—Courthouse Square.

1:00 p.m. Scenic Bus Tour, including Spillville & Ft. Atkinson; airconditioned buses. Tickets & itinerary available at Information Booth.

1:00 p.m.–5:00 p.m. Strolling Musicians—Business District.

1:00 p.m.–4.00 p.m. Pony Rides, sponsored by Malanaphy Riding Stables—Behind City Hall. 10¢. (Guided Trail Rides at Malanaphy Stables 9 a.m.–9 p.m.

1:00 p.m.–5:00 p.m. Norse Culinary Arts Demonstrations; Rosettes—Museum Office, 517 W. Water St. Kringle—Peoples Natural Gas, 300 W. Water St. Krumkake—Minowa Appliance Center, 218 W. Water St. Flatbrod—Western Auto Associate Store, 212 W. Water St. Lefse—Kjome's Hardware, 121 E. Water St.

1:00 p.m.–4:00 p.m. Fairy Tale Doll Show with Hild Hildahl—Congregational Center, Adults 25¢; under 12–15¢.

1:00 p.m.–5:00 p.m. Porter House Grounds; elegant historic home owned by Winn. Co. Hist. Soc.; miniature garden, unique rock wall, costumed hostesses, music; auspices Porter House Board.

2:00 p.m.–4:00 p.m. Netting Demonstration—Interstate Power Co., 110 Winnebago St.

3:00 p.m. Decorah Town Tour; airconditioned buses. Tickets & itinerary available at Info Booth.

4:00 p.m.–5:00 p.m. Norse Dialect Humor Show—V.F.W. Hall, 311½ W. Water St. No charge.

4:00 p.m.–7:00 p.m. Washington Prairie (rural) Church Supper. Road marked.

4:30 p.m.–7:30 p.m. Smorgasbord—Decorah Lutheran Church.

4:30 p.m. Decorah Town Tour; airconditioned buses. Tickets & itinerary available at Info Booth.

7:00 p.m. & 9:00 p.m. Film, "Heroes of Telemark"—Lyric Theatre. Admission.

7:30 p.m.–8:15 p.m. Vespers—Washington Prairie (rural) Church. Road marked.

8:00 p.m.–8:30 p.m. "Nordic Dancers" Exhibition—Courthouse Square.

8:15 p.m.–9:00 p.m. Washington Prairie (rural) Church Supper. Road marked.

8:30 p.m.–12:00 p.m. Street Dancing: Old Time; Music by Crescent Trio—Central Business District. No charge. Square Dance; Caller; Russ Hansen—Central Business District. No charge. YHO Teen Dance; Music by The Paper Lightbulb—Thomas Roberts School Parking Lot. $1.

9:00 p.m.–9:30 p.m. Luren Singing Society Concert—Courthouse Square.

10:00 p.m.–10:20 p.m. Aarseth Folk Dance Exhibition, by Sigmund & Ingebjorg Aarseth—Central Business Dist.

SATURDAY, JULY 27, 1968

8:30 a.m.–9:00 p.m. Information Booth Open. Telephone 382–4567.

9:00 a.m.–9:00 p.m. Scandinavian Booths Open, serving Norwegian Food Specialties—Museum Volunteers, Beta Sigma Pi, The Gladd Company.

9:00 a.m.–5:00 p.m. Arts & Crafts Center—Thomas Roberts School. No charge. Orville Running Art Show; auspices Monday Club. Second National Rosemaling Exhibition; auspices Norwegian-American Museum. Modern Norwegian Design Exhibition; auspices Norwegian-American Museum. Handiwork Demonstrations; auspices Museum Volunteers; 1–5 p.m. Rosemaling Demonstrations by Sigmund Aarseth; auspices Norwegian-American Museum; 10–12 noon; 2–4 p.m. Illustrated Talk—Norwegian Furniture, by Jon Embretsen, Director Norwegian Information Service; 1 p.m. Film—Modern Norwegian Design; 3 p.m.

9:00 a.m.–5:00 p.m. Norwegian-American Museum Open. Adult, Child & Family Rates. Demonstrations: Woodcarving, Carding, Spinning, Working Miniature Farm Machines; 10–12 noon; 2–4 p.m.

9:00 a.m. Decorah Town Tour: airconditioned buses. Tickets & itinerary available at Info Booth.

10:00 a.m. "This Is Norway"—Parade with Mobile Displays. Route: From Museum East on Water St. to Rock Island Park. "Nordic Dancers" Exhibition following Parade—Courthouse Square.

11:00 a.m.–5:00 p.m. Norse Culinary Arts Demonstrations: Rosettes—Museum Office, 517 W. Water St. Kringle—Peoples Natural Gas, 300 W. Water St. Krumkake—Minowa Appliance Center, 218 W. Water St. Flatbród—Western Auto Associate Store, 212 W. Water St. Lefse—Kjome's Hardware, 121 E. Water St. Smorgasbord Sandwiches—Donlon's Rexall Drugs, 201 W. Water St.

11:00 a.m.–7:00 p.m.—Stetke Höns (chicken barbecue); Decorah Jaycees—Courthouse Square.

11:30 a.m.–4:30 p.m. Smorgasbord—St. Benedict's Church.

1:00 p.m.–4:00 p.m. Pony rides, sponsored by Malanaphy Riding Stables—Behind City Hall. 10¢. (Guided Trail Rides at Malanaphy Stables 9 a.m.–9 p.m.)

1:00 p.m.–3:00 p.m. Children's Film Festival; auspices Nisse Nursery School Board—Jr. High School Auditorium. 35¢.

1:00 p.m. Scenic Bus Tour, including Spillville & Ft. Atkinson; airconditioned buses. Tickets & itinerary available at Information Booth.

1:00 p.m.–5:00 p.m. Strolling Musicians—Business District.

1:00 p.m.–4:00 p.m. Fairy Tale Doll Show with Hild Hildahl—Congregational Center. Adults 25¢; under 12—15¢.

1:00 p.m.–5:00 p.m. Porter House Grounds; elegant historic home owned by Winn. Co. Hist. Soc.; miniature garden, unique rock wall, costumed hostesses-guides, music; auspices Porter House Board.

1:00 p.m.–5:00 p.m. Open House at three Distinctive Homes; auspices Tuesday Evening & Scandia Hospital Units. Tickets at Information Booth; $1 includes all homes.

1:00 p.m.–5:00 p.m. Quilting Bee & Heirloom Quilt Display—Good Shepherd Lutheran Church. No charge.

1:00 p.m.–3:00 p.m. Norwegian-American

It was a rural people that gave birth to this nation and it was a rural people that made the new Democracy work.

We cannot forget that the story of the United States in the 19th century was the story of an expanding frontier, a dynamic ruralism.

But the 20th century brought a new day. Instead of going West, the people began going to the cities.

And the history of the 20th century became the story of people trekking from the farm to the city.

Today the crisis in our cities—*and in our rural towns*—is, in large part, the result of that historic trend.

But America *cannot* deal effectively with its present social problems if it focuses only on the final destination of those who made this massive 20th century march.

To understand contemporary rural—and urban—America, we must understand this great migration, know its causes and effects, investigate its beginnings and its end, and seek to contain it and control it for the benefit of all Americans whether they live in the cities *or* in rural towns.

We must first recognize that the great march is not over. The migration of our people from farm to city may have slowed down but it has not ended.

In the years 1960–66, rural America lost about 800,000 persons a year.

In 1940, 30.5 million persons, or 23 percent of the nation's population, lived on the farm. In 1966, only 14.3 million persons, or 6.4 percent of the population, lived on the farm.

Who are these people who are marching out of rural America? Why do they leave their homes? Where do they go?

Two groups of people account for most of the migration. They are the young who have a promising future and the unskilled who can't find a job.

Until recently, industry for economic reasons located itself almost exclusively in urban areas. And where industry is in the 20th century, that's where the jobs are.

Every statistical indication says there is less opportunity to find a good job in rural America than in urban America.

Farm jobs are declining at a rate of 300,000 a year;

The unemployment rate in rural America is almost twice as high as in urban America;

And the jobs that do exist in rural America are more likely to be seasonal, underpaid, or part-time.

When a man can't find a job, he leaves. And he goes to where the jobs are.

He goes to the city—often to the urban slum.

It is estimated that 1000 displaced farmworkers pour into Watts in Los Angeles every month.

Rural America is also losing the most promising of its young people—those with the best education, those with the best job skills, those with the most to contribute to community affairs.

These young people also go to the city because they can find challenging jobs there, because their rural home town has no place for them to use their skills, because the urban environment is most stimulating.

In short, the best hopes of rural America—its young—leave because rural America cannot provide the modern benefits of affluent America.

On almost every indicator of material well-being rural America does not measure up to urban America.

Currently about 5 million, or ⅓, of all occupied rural homes need major repairs;

Today, 35,000 rural communities need water systems, and 45,000 need sewage disposal systems.

Almost all of America's 10,000 one room schoolhouses are in rural America.

And where there are 195 doctors for every 100,000 people in urban America, there are only 53 doctors for every 100,000 people in the countryside.

And so the trek from town to the city goes on. Each person who joins the march hopes to find a better life.

But in the city, we find growing discontent because the great urban centers are unable to meet the accelerating demands of more and more people. Antiquated governmental structures, depleted resources, and decreasing tax bases, are turning our cities into misery and shame.

And rural America is also unable to provide its citizens with the benefits of modern American know-how.

And the two problems—city and rural—are linked by this great migration.

I believe we can deal more effectively with the problems of both urban and rural America if we stop—and reverse—the people's march to the cities.

To do so, we must make rural America economically and culturally attractive.

And to revitalize rural America; we must take the following steps.

First, we must begin by attracting new industry to rural America because new industry means new jobs.

I advocate tax incentives, loans, insurance and grants to industry which locate in rural America. I advocate tax incentives to industry which trains the unemployed to hold a job.

The rate of these tax incentives should be graduated—credit programs must be expanded to include a higher tax break for industries that build in more depressed areas and who train greater numbers of previously unemployed workers.

In other words, public policy should offer greater rewards to those industries which perform greater social services.

Second, we must take steps to insure adequate health and education facilities in rural America.

No industry will locate where schools and hospitals are substandard.

So I recommend that federal loans and scholarships be used to encourage teachers, doctors and nurses to settle in rural areas.

I recommend amendments to all existing federal student loan programs in the fields of medicine and education. These amendments would create incentives for young teachers and doctors to work in rural areas.

All, or part, of their loans would be cancelled for working after graduation in rural areas that need their services.

Third, we need to increase the government's development of rural water and sewage systems. Without water and sanitation no community can expect to grow and prosper.

Fourth, we need to insure that poverty funds should be spent at the same per capita level in rural America as in urban America.

Fifth, in order to slow the migration of rural people to urban centers, we should remove the discrepancies in welfare payments that exist throughout the country and thereby reduce the incentive for the poor to move from the farm to the city.

Sixth, government programs to aid rural America should be designed to encourage regional planning. State and local government modernization is a necessity to meet effectively the problems of rural America.

Seventh, manpower policies must be overhauled with better job information made available and improved job training and counseling for rural America.

These steps could be the beginning of a new rural America. These steps would surely create a climate attractive to new industry. And new industry means new jobs. And new jobs is the key to the future of rural America.

For new jobs, bring new people, new tax revenues and new schools and parks.

When rural America has the jobs, the flow of people from the rural towns to the cities will reverse.

And then, we will truly have a chance to attack the problems of urban America, because we will be using the resources and people of rural America—our nation's oldest and greatest asset.

IMPRESSIVE EXERCISES AT LEOMINSTER

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. PHILBIN. Mr. Speaker, I recently spoke at the memorial services for five young heroes of Leominster, Mass., in my district, who lost their lives in Vietnam.

The occasion was exceptionally well arranged by the Franco-American veterans of that great city, with the distinguished leader of its Veterans Services, Mr. Victor Leger, in charge.

The occasion moved me very deeply, and it emphasized very realistically the terrible toll of war and the urgency of finding some way to end the carnage in Vietnam and restore total peace, an objective to which I have so insistently given my most urgent attention and efforts since before this tragic engagement first commenced, and which I have increased with deepest dedication.

As I have stated before, we must intensify our efforts to find a proper formula, whether it be by stopping the bombing as we have done so many times before, or searching even more urgently, if that be possible, for some formula by which we can persuade Hanoi to negotiate in Paris in good faith to bring these hostilities, to an end in some honorable manner, taking into account the safety of our boys, the security of our Nation, and the precious freedoms we enjoy as Americans, and that people of the free world enjoy with us.

In my remarks, I referred to the impressive, very sorrowful exercises to pay reverent tribute to these immortal young men of Leominster, who so nobly offered their blood, their sacrifices, and their lives on the altar of American patriotism. They died for us and for the principles and values of this Nation. They also died for human freedom.

I also suggested that, as we so inadequately, but so sincerely, pour out our feelings of gratitude for these supreme sacrifices, and our profound sympathy for their dear ones, it is a time for us once again, from our sorrowing hearts, to pledge ourselves to intensify our labors for peace in Vietnam, and in the world, at the earliest possible moment it can be achieved, with the security and freedom for which these young heroes died. And let us ask Divine guidance and help in reaching our goals to stop the fighting and secure lasting peace.

Truly, the sacrifices of these fine, young men can never be forgotten. May their loved ones find comfort, resignation, and peace in their sustaining faith, their pride, their love of country, and may the good Lord guide and keep them.

The search for honorable peace must be pursued with all our hearts, all our vigor, and all our attention, and we must not cease, until we have stopped the fighting and restored peace in Vietnam, and hopefully, in every part of the world, that is now threatened by aggression, insurrection and tragic violence and, restlessness.

CULVER CALLS NORDIC FEST A MOST MEMORABLE EVENT

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. CULVER. Mr. Speaker, in July of this year I had the privilege of attending a most interesting and unique event in my congressional district, the second annual Nordic fest of the city of Decorah.

Through the Nordic fest, the people of Decorah not only combine the efforts of many of their yearly celebrations into one united community effort, but they also give community recognition to the Norwegian heritage which has played so important a role in their history.

Decorah has for more than 100 years been a center for Norwegian and Scandinavian interest, and its cultural heritage has had a friendly and stimulating effect on the cultural efforts of other groups.

Its warm welcome to King Olaf of Norway during his visit to this country in May of this year, the granting of an honorary degree by Luther College in Decorah to Crown Prince Harald of Norway in 1965, and above all the Nordic fest, are very much in keeping with this tradition. I, myself, have had the privilege of personally sharing in this tradition when as a member of the House Foreign Affairs Committee and the Subcommittee on Europe, I headed a study mission to the Soviet Union and Scandinavia last fall, and had the opportunity to meet with Crown Prince Harald and other top officials and public figures in Oslo and Bergen.

During the Nordic fest, citizens of all national origins displayed their civic, artistic, and culinary talents, and Decorah's wonderful spirit was evident everywhere. Indeed, the national rosemaling competition and exhibition, the truly fine collection of immigrant artifacts in the Norwegian-American museum, the beautiful window displays in all of the downtown store windows and the excellent smorgasbords in the churches as well as many other activities made this a truly outstanding event for the thousands of visitors, including my wife who, being of Norwegian descent, particularly enjoyed herself.

I wish to congratulate at this time everyone who helped in the conception and execution of this most memorable event. Efforts of this kind of civic cooperation can well serve as a model for other communities everywhere in our country.

For those who might be interested in initiating a similar kind of community event, I am including a schedule of events as well as a list of Nordic fest founders and sustaining members:

FRIDAY, JULY 26, 1968

9:00 a.m.–9:00 p.m. Scandinavian Booths Open, Telephone 382–4567.

9:00 a.m.–9:00 p.m.—Scandinavian Booths Open, serving Norwegian Food Specialties —Museum Volunteers, Beta Sigma Pi, The Gladd Company.

9:00 a.m.–5:00 p.m. Arts & Crafts Center —Thomas Roberts School. No charge. Orville Running Art Show; auspices Monday Club. Second National Rosemaling Exhibition; auspices Norwegian-American Museum. Modern Norwegian Design, auspices Norwegian-American Museum. Handiwork Demonstrations; auspices Museum Volunteers; 2–4 p.m. Rosemaling Demonstrations by Sigmund Aarseth; auspices Norwegian-American Museum; 10–12 noon; 2–4 p.m. Choir Room. Illustrated Talk—Norwegian Furniture, by Jon Embretsen, Director Norwegian Information Service; 1 p.m. Film—Modern Norwegian Design; 10 a.m. & 3 p.m.

9:00 a.m.–5:00 p.m. Norwegian-American Museum open. Adult, child and family rates. Demonstrations; Woodcarving, carding, Spinning, Working Miniature Farm Machines; 10–12 noon; 2–4 p.m.

11:00 a.m. Parade of Children in costume traditionally held in celebration of Norwegian national freedom. Route: From Museum East on Water St.

12:00 noon–12:30 p.m. "Nordic Dancers" Exhibition—Courthouse Square.

11:00 a.m.–3:00 p.m. Sidewalk Cafe, auspices Sarah Winneshick Hospital Unit—Courthouse Square.

1:00 p.m. Scenic Bus Tour, including Spillville & Ft. Atkinson; airconditioned buses. Tickets & itinerary available at Information Booth.

1:00 p.m.–5:00 p.m. Strolling Musicians—Business District.

1:00 p.m.–4.00 p.m. Pony Rides, sponsored by Malanaphy Riding Stables—Behind City Hall. 10¢. (Guided Trail Rides at Malanaphy Stables 9 a.m.–9 p.m.

1:00 p.m.–5:00 p.m. Norse Culinary Arts Demonstrations; Rosettes—Museum Office, 517 W. Water St. Kringle—Peoples Natural Gas, 300 W. Water St. Krumkake—Minowa Appliance Center, 218 W. Water St. Flatbrod —Western Auto Associate Store, 212 W. Water St. Lefse—Kjome's Hardware, 121 E. Water St.

1:00 p.m.–4:00 p.m. Fairy Tale Doll Show with Hild Hildahl—Congregational Center, Adults 25¢; under 12–15¢.

1:00 p.m.–5:00 p.m. Porter House Grounds; elegant historic home owned by Winn. Co. Hist. Soc.; miniature garden, unique rock wall, costumed hostesses, music; auspices Porter House Board.

2:00 p.m.–4:00 p.m. Netting Demonstration—Interstate Power Co., 110 Winnebago St.

3:00 p.m. Decorah Town Tour; airconditioned buses. Tickets & itinerary available at Info Booth.

4:00 p.m.–5:00 p.m. Norse Dialect Humor Show—V.F.W. Hall, 311½ W. Water St. No charge.

4:00 p.m.–7:00 p.m. Washington Prairie (rural) Church Supper. Road marked.

4:30 p.m.–7:30 p.m. Smorgasbord—Decorah Lutheran Church.

4:30 p.m. Decorah Town Tour; airconditioned buses. Tickets & itinerary available at Info Booth.

7:00 p.m. & 9:00 p.m. Film, "Heroes of Telemark"—Lyric Theatre. Admission.

7:30 p.m.–8:15 p.m. Vespers—Washington Prairie (rural) Church. Road marked.

8:00 p.m.–8:30 p.m. "Nordic Dancers" Exhibition—Courthouse Square.

8:15 p.m.–9:00 p.m. Washington Prairie (rural) Church Supper. Road marked.

8:30 p.m.–12:00 p.m. Street Dancing: Old Time; Music by Crescent Trio—Central Business District. No charge. Square Dance; Caller; Russ Hansen—Central Business District. No charge. YHO Teen Dance; Music by The Paper Lightbulb—Thomas Roberts School Parking Lot. $1.

9:00 p.m.–9:30 p.m. Luren Singing Society Concert—Courthouse Square.

10:00 p.m.–10:20 p.m. Aarseth Folk Dance Exhibition, by Sigmund & Ingebjorg Aarseth—Central Business Dist.

SATURDAY, JULY 27, 1968

8:30 a.m.–9:00 p.m. Information Booth Open. Telephone 382–4567.

9:00 a.m.–9:00 p.m. Scandinavian Booths Open, serving Norwegian Food Specialties—Museum Volunteers, Beta Sigma Pi, The Gladd Company.

9:00 a.m.–5:00 p.m. Arts & Crafts Center—Thomas Roberts School. No charge. Orville Running Art Show; auspices Monday Club. Second National Rosemaling Exhibition; auspices Norwegian-American Museum. Modern Norwegian Design Exhibition; auspices Norwegian-American Museum. Handiwork Demonstrations; auspices Museum Volunteers; 1–5 p m. Rosemaling Demonstrations by Sigmund Aarseth; auspices Norwegian-American Museum; 10–12 noon; 2–4 p.m. Illustrated Talk—Norwegian Furniture, by Jon Embretsen, Director Norwegian Information Service; 1 p.m. Film—Modern Norwegian Design; 3 p.m.

9:00 a m.–5:00 p.m. Norwegian-American Museum Open. Adult, Child & Family Rates. Demonstrations: Woodcarving, Carding, Spinning, Working Miniature Farm Machines; 10–12 noon; 2–4 p.m.

9:00 a.m. Decorah Town Tour: airconditioned buses. Tickets & itinerary available at Info Booth.

10:00 a.m. "This Is Norway"—Parade with Mobile Displays. Route: From Museum East on Water St. to Rock Island Park. "Nordic Dancers" Exhibition following Parade—Courthouse Square.

11:00 a.m.–5:00 p.m. Norse Culinary Arts Demonstrations: Rosettes—Museum Office, 517 W. Water St. Kringle—Peoples Natural Gas, 300 W. Water St. Krumkake—Minowa Appliance Center, 218 W. Water St. Flatbród—Western Auto Associate Store, 212 W. Water St. Lefse—Kjome's Hardware, 121 E. Water St. Smorgasbord Sandwiches—Donlon's Rexall Drugs, 201 W. Water St.

11:00 a.m.–7:00 p.m.—Stetke Höns (chicken barbecue); Decorah Jaycees—Courthouse Square.

11:30 a m.–4:30 p.m. Smorgasbord—St. Benedict's Church.

1:00 p.m.–4:00 p.m. Pony rides, sponsored by Malanaphy Riding Stables—Behind City Hall. 10¢. (Guided Trail Rides at Malanaphy Stables 9 a.m.–9 p.m.)

1:00 p.m.–3:00 p.m. Children's Film Festival; auspices Nisse Nursery School Board—Jr. High School Auditorium. 35¢.

1:00 p.m. Scenic Bus Tour, including Spillville & Ft. Atkinson; airconditioned buses. Tickets & itinerary available at Information Booth.

1:00 p.m.–5:00 p.m. Strolling Musicians—Business District.

1:00 p m.–4:00 p.m. Fairy Tale Doll Show with Hild Hildahl—Congregational Center. Adults 25¢; under 12—15¢.

1:00 p.m.–5:00 p.m. Porter House Grounds; elegant historic home owned by Winn. Co. Hist. Soc.; miniature garden, unique rock wall, costumed hostesses-guides, music; auspices Porter House Board.

1:00 p.m.–5:00 p.m. Open House at three Distinctive Homes; auspices Tuesday Evening & Scandia Hospital Units. Tickets at Information Booth; $1 includes all homes.

1:00 p.m.–5:00 p.m. Quilting Bee & Heirloom Quilt Display—Good Shepherd Lutheran Church. No charge.

1:00 p.m.–3:00 p.m. Norwegian-American

Folk Festival; Jam Session—Odd Fellows Hall, 206½ W. Water St. No charge.

2:00 p.m.–4:00 p.m. Netting Demonstration—Interstate Power Co., 110 Winnebago St.

2:00 p.m. Grieg Music Concert—Methodist Church. No charge.

2:00 p.m.–3:30 p.m. Rock Throw—See Map. Small entry fee for contestants only.

3:00 p.m. Decorah Town Tour; airconditioned buses. Tickets & itinerary available at Info Booth.

3:30 p.m. Water Fight & Tug-of-War: Decorah Fire Dept. vs. Waukon Fire Dept.—Courthouse Square.

3:30 p.m.–5:30 p.m. Norwegian-American Folk Music Festival; Folk & Old Time (TV recording session)—Jr. High School Auditorium. No charge.

4:00 p.m.–5:00 p.m. Norse Dialect Humor Show—V.F.W. Hall, 311½ W. Water St. No charge.

1:00 p.m.–4:00 p.m. Fairy Tale Doll Show with Hild Hildahl—Congregational Center. Adults 25¢; under 12—15.

1:00 p.m.–5:00 p.m. Porter House Grounds; elegant historic home owned by Winn. Co. Hist. Soc.; miniature garden, unique rock wall, costumed hostesses-guides, music; auspices Porter House Board.

1:00 p.m.–5:00 p.m. Open House at three Distinctive Homes; auspices Tuesday Evening & Scandia Hospital Units. Tickets at Information Booth; $1 includes all homes.

1:00 p.m.–5:00 p.m. Quilting Bee & Heirloom Quilt Display—Good Shepherd Lutheran Church. No charge.

1:30 p.m. Band Concert of Norwegian Music, under the Direction of A. P. Branae—Phelps Park. No charge.

2:00 p.m.–4:00 p.m. Netting Demonstration—Interstate Power Co, 110 Winnebago St.

2:30 p.m. Exhibition Soccer Match: Norwegian-American Athletic Assn. of Chicago vs. The Scandinavian Soccer Team of Minneapolis—Thomas Roberts Athletic Field. Freewill offering.

3:00 p.m. Decorah Town Tour; airconditioned buses. Tickets & itinerary available at Info Booth.

3:00 p.m.–3:30 p.m. "Nordic Dancers" Exhibition—Courthouse Square

3:30 p.m.–4:30 pm. Grieg Music Concert—Methodist Church. No charge.

4:00 p.m.–5:00 p.m. Norse Dialect Humor Show—V.F.W. Hall, 311½ W. Water St. No charge.

4:00 p.m and on Glenwood (rural) Church Lawn Supper. Road marked.

4:30 p.m. Decorah Town Tour: airconditioned buses. Tickets & itinerary available at Info Booth.

4:30 p.m.–5:45 p.m. Norwegian-American Folk Music Festival; Sorenson Family Concert, Guest Artist, Anund Roheim—Jr. High School Auditorium. No charge.

4:00 p.m. and on. Country Ice Cream Social & Supper—Big Canoe (rural) Church. Road marked.

4:30 p.m. Decorah Town Tour; airconditioned buses. Tickets & itinerary available at Info Booth.

7:00 p.m.–8:30 p.m. Norwegian-American Folk Music Festival; Folk & Old Time (TV recording session)—Jr. High School Auditorium. No charge.

7:00 & 9:00 p.m. Film, "Heroes of Telemark"—Lyric Theatre. Admission.

8:00 p.m.–8:30 p.m. "Nordic Dancers" Exhibition—Courthouse Square.

8:30 p.m.–12:00 p.m. Street Dancing: Old Time; Music by George Krumm—Central Business District. No charge. Square Dance; Caller: Howard Ellsworth—Central Business District. No charge. YHO Teen Dance; Music by The New Congress—Thomas Roberts School Parking Lot. $1.

9:00 p.m.–11:00 p.m. Norwegian-American Folk Music Festival; Folk & Old Time (TV recording session)—Jr. High School Auditorium. No charge.

10:00 p.m.–10:20 p.m. Aarseth Folk Dance Exhibition, by Sigmund & Ingebjorg Aarseth—Central Business Dist.

11:30 p.m. Bonfire—East of City Hall.

SUNDAY, JULY 28, 1968

7:30 a.m.–11:00 a.m. Fly-In, Drive-In Breakfast; auspices Luren Singing Society. Everyone Welcome—Airport.

8:30 a.m.–5:00 p.m. Information Booth Open. Telephone 382–4567.

9:00 a.m.–5:00 p.m. Norwegian-American Museum Open. Adult, Child & Family Rates. Demonstrations: Woodcarving, Carding, Spinning, Working Miniature Farm Machines; 10–12 noon; 2–4 p.m.

9:00 a.m.–5:00 p.m. Arts & Crafts Center—Thomas Roberts School. No charge. Orville Running Art Show; auspices Monday Club. Second National Rosemaling Exhibition; auspices Norwegian-American Museum. Modern Norwegian Design Exhibition; auspices Norwegian-American Museum. Handiwork Demonstrations; auspices Museum Volunteers; 1–5 p.m. Rosemling Demonstrations by Sigmund Aarseth; auspices Norwegian-American Museum; 10–12 noon; 2–4 p.m. Illustrated Talk—Norwegian Furniture, by Jon Embretsen, Director Norwegian Information Service; 1 p.m. Film—Modern Norwegian Design; 10 a.m. & 3 p.m.

9:00 a.m. Decorah Town Tour; airconditioned buses. Tickets & itinerary available at Info Booth.

10:00 a.m.–7:00 p.m. Scandinavian Booths Open, serving Norwegian Food Specialities—Museum Volunteers, Beta Sigma Pi, The Gladd Company.

11:00 a.m.–7:00 p.m. Stekte Höns (chicken barbecue); Decorah Jaycees—Courthouse Square.

11:30 a.m.–2:30 p.m. Smorgasbord—First Lutheran Church.

1:00 p.m.–4:00 p.m. Pony Rides, sponsored by Malanaphy Riding Stables—Behind City Hall, 10¢. (Guided Trail Rides at Malanaphy Stables 9 a.m.–9 p.m.)

1:00 p.m.–3:00 p.m. Children's Film Festival; auspices Nisse Nursery School Board—Jr. High School Auditorium. 35¢.

1:00 p.m. Scenic Bus Tour, including Spillville & Ft. Atkinson; airconditioned buses. Tickets & itinerary available at Information Booth.

1:00 p.m.–5:00 p.m. Strolling Musicians—Business District.

1:00 p.m.–5:00 p.m. Norse Culinary Arts Demonstrations: Rosettes—Museum Office, 517 W. Water St. Kringle—Peoples Natural Gas, 300 W. Water St. Krumkake—Minowa Appliance Center, 218 W. Water St. Flatbrod—Western Auto Associate Store, 212 W. Water St. Lefse—Kjome's Hardware, 121 E. Water St. Smorgasbord Sandwiches—Donlon's Rexall Drugs, 201 W. Water St.

1:00 p.m.–4:00 p.m. Norwegian-American Folk Music Festival; Jam Session—Odd Fellows Hall, 206½W. Water St. No charge.

NORDIC FEST FOUNDERS

Mr. and Mrs. Charles Altfillisch, Mr. and Mrs. B. B. Anundsen, Mr. and Mrs. Roy Carlson, Mr. and Mrs. G. F. Dahly, Mr. and Mrs. Robert Houlihan, Mr. and Mrs. William Johnson, Judge and Mrs. Joseph Keefe, Dr. and Mrs. Lester Larson, Atty. and Mrs. Frank Miller, Dr. and Mrs. Marion Nelson, Mr. and Mrs. Carl Nichols, Mr. and Mrs. Robert Olson, Mr. and Mrs. John Running.

Dr. and Mrs. Harold Svanoe, Decorah DeLuxe Motel, Decorah Jaycees, Decorah Newspapers, Decorah State Bank, Hotel Winneshiek, Interstate Power Company, Luther College, Northwestern Bell Telephone Co., Norwegian-American Museum, Peoples Natural Gas, Security Bank and Trust, Scenic Broadcasting Company, Decorah Chamber of Commerce.

NORDIC FEST SUSTAINING MEMBERS

Mr. and Mrs. Maynard E. Aaker, Mr. and Mrs. L. Dale Ahern, Mr. and Mrs. F. R. Alberts, Mr. and Mrs. Durwin D. Algyer, Mr. and Mrs. John G. Amdahl, Alma Amundson, Mr. and Mrs. Palmer O. Anderson, Dr. and Mrs. T. R. Anderson, Mr. and Mrs. Ahlert Anfinson, Telford Ansten, Mr. and Mrs. John Anundsen, Gladys H. Arness, Ernest Ask.

Mr. and Mrs. Wm. Ask, Mr. and Mrs. Oscar Aspenson, Sr., Mr. and Mrs. Howard Bakken, Mabel Lee Bale, Bandbox, Mrs. Wm. E. Beard, Belz Electric, Mr. and Mrs. Robert Bernatz, L. C. Bolson Co., Mr. and Mrs. Ransome Bolson, Mr. and Mrs. A. J. Bowlus, Mr. and Mrs. A. P. Branae, Mr. and Mrs. R. J. Brandt.

Mr. and Mrs. Larry Brantner, Bruening Rock Products, Dr. and Mrs. James Bullard, Mr. and Mrs. Wayne Burns, Mr. and Mrs. Bartlett R. Butler, Mr. Fritz Carlson, Mrs. Helen A. Carlson, Mr. and Mrs. R. E. Carlson, Mr. and Mrs. John Christianson, Mr. and Mrs. Max Clark, Coast-to-Coast Store, Cobie Office Supply, Mr. and Mrs. A. R. Coffeen.

Coin Dry Cleaners, Darling Drug, Decorah DeLuxe Motel, Decorah Veterinary Clinic, Mrs. Myrtle Dickman, Mr. and Mrs. Joseph Donlon, Dorothea Dreng, Mildred Drew, Dr. and Mrs. Terry Dynes, Mr. and Mrs. Clifford Ellingson, Mr. and Mrs. Wm. A. Emerson, Mr. and Mrs. H. Engbertson, Mr. and Mrs Lowell P Erdman, Mr and Mrs. Arthur Erickson.

Mr. and Mrs. N. L. Fadness, Farmers Implement Store, Dr. and Mrs. H. P. Field, Mrs. Helen Figge, Mr. and Mrs. Vernon Finholt, Ruth Gavle, Mr. and Mrs. Donald Gloe, Grahams Department Store, Mr. and Mrs. Donald L. Gray, Mr. and Mrs. Knut Gundersen.

Dr. and Mrs. Edward Hagen, Mr. and Mrs. Dudley Hale, Mr. and Mrs. Olav Hemre, Mr. and Mrs. Paul Hardy, Mrs. O. W. Harris, Mr. and Mrs. Clayton Haugen, Mr. and Mrs. Tjeran Heggen, Mr. and Mrs. Sander Helgeland, Mr. and Mrs. Abner Hendrickson, Mr. and Mrs. Jack Hendrickson, Mr. and Mrs Lloyd Henning, Ruth B. Hewett.

Mr. Paul Hexom, Mr. and Mrs. D. W. Hinz, Mr. and Mrs. Victor Hoeg, Mrs. John Hegg, Sr., Holmberg & Erickson, Rev. and Mrs. Virgil Hougen, Mr. and Mrs. Robert Houlihan, Mr. and Mrs. R. C. Hunt, Mr. and Mrs. Robert Hunt, Mr. and Mrs. Erling Innvik, Mr. and Mrs. Charles Istad, Angeline Jacobson, Jaycee-Ettes, Johnson Service Station, Mr. and Mrs. W. N. Johnson, Dr. H. G. Juffer.

Mr. and Mrs. R. W. Kaster, Kephart's Music Center, Mr. and Mrs. George Kjome, Mr and Mrs. Vern Koenig, Mr. and Mrs. E. C. Landswerk, Mr. and Mrs. Forrest Lang, Mr. and Mrs. Jerry Lang, Mrs. N. Astrup Larsen, Dr. and Mrs. Lester Larson, Mrs. J. Norman Lee, Mr. and Mrs. Ronald Lillegraven, Mr. and Mrs. W. G. Linnevold, Mabel LaFleur, Mr. and Mrs. Martin Luren, Mr. and Mrs. Thomas C. Lynch, Mabel's Lunch Room, Mr. and Mrs. P. T. Mears.

Meyer and Hoeger, Minowa Appliance Center, Minowa Sales Co., Mode Millinery, Mode O'Day, Mr. and Mrs. Albert Moen, Jr., Dr. and Mrs. Donald Moore, Mr. and Mrs. Erling O. Naeseth, Rev. and Mrs. Allen Nelson, Rev. and Mrs. John M. Ness, Neuhring's Friendly Service, Mr. and Mrs. C. F. Nichols, Mr. and Mrs. Keith Noack, Weston Noble, Norb's True-Value Hardware, Mr. and Mrs. Dave Norris, Celia Novak, Mr. and Mrs. Edward Nugent, Mr. and Mrs. Carl Nystrom.

Mr. and Mrs. Harry Olson, Jr., Mr. and Mrs. Robert B. Olson, Mr. and Mrs. Roger M. Olson, Mr. and Mrs. Lloyd Peterson, Fridolph Peterson, Sr., Mr. and Mrs. Pete Peterson, Mr. and Mrs. Cleve Phelps, Mr. and Mrs. Ellis C. Pilgrim, Mr. and Mrs. O. W. Qualley, Mr. and Mrs. David Rambo, Mr. and Mrs. Kenneth Reeves, Mr. and Mrs. Hale C. Reid, Mr. and Mrs. Alvin Renaas, Rosary Society, Helen L. Rubie.

R. G. Sandager, Mr. and Mrs. Edsel Schweizer, Mr. and Mrs. Robert Seegmiller, Mr. and Mrs. Lars Seim, Mr. and Mrs. Eugene Simenson, Mr. and Mrs. Ernest Sivesind, Mr. and Mrs. N. B. Smith, Mr. and Mrs. Floyd Sollien, Steine-Olson Funeral Home, Mr. and Mrs. Carl W. Strom, Sugar Bowl, Lydia B. Sundby, Mr. and Mrs. Carroll O. Sunde, Mr.

and Mrs. Sverre Svenson, Mr. and Mrs. Don Symonds, Dr. and Mrs. Rolf A. Syrdal.

Ted's Tobacco Store, Tieskotter Oil Co., Mr. and Mrs. Lawrence Tjossem, Town and Country, Mr. and Mrs. Ed Ulen, Mrs. Gladys Usgaard, V. F. W. Auxiliary, Vanberia Scandinavian Imports, Mr. and Mrs. F. C. Verner, Viking Theatre Corp., George Weflen, Weis Buick Rambler Co., Mr. and Mrs. C. J. Welgos, West Side Study Club, Rev. A. P. White, Mr. and Mrs. B. L. White, Dr. and Mrs. Vincent Williams, Winneshiek Title and Abstract Co., Mr. and Mrs. Grant Woldum, Mr. and Mrs. J. W. Ylvisaker.

The committee extends its thanks to the other supporters too numerous to list.

OPERATION GRATITUDE

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. MARSH. Mr. Speaker, recently the Berryville-Clarke County Jaycees undertook a program called Operation Gratitude, which had as its main purpose to recognize those men of Berryville and Clarke County who served in the Vietnam war.

As a part of this program, the Jaycees presented to veterans of that war a handsome plaque in recognition of their service.

One man from Clarke County, Lewis F. Jenkins, was killed in action while serving with the 1st Infantry Division in Vietnam. He was awarded, posthumously, the Bronze Star. At this time, I would like to insert in the RECORD a summary of his military background, and his Bronze Star citation, because I think it reflects great credit upon not only this soldier, but upon all of our men who have served our country in Vietnam.

Lewis F. Jenkins enlisted in the Army July 25, 1966, and took his basic training at Fort Jackson, S.C. He received his advanced training at Fort Knox, Ky. Upon completion of his training, he was assigned as an instructor at Fort Knox. He volunteered for Vietnam duty and was sent on April 30, 1967. Arriving in Vietnam on May 3, he was assigned to the 1st Infantry Division.

On July 11, 1967, Private First Class Jenkins was serving as a member of a tank crew in the vicinity of Tuan Loi. The unit was at base camp while attacked and suddenly subject to intense Vietcong mortar attack. Private Jenkins unhesitatingly rushed through the impact area of the mortar attack to his vehicle. Once on board, he kept all guns loaded and firing until the basic load of ammunition was depleted. With complete disregard for his personal safety, he then left the relative safety of his vehicle and moved through the vicious enemy fire to procure additional ammunition. He soon returned with the essential supplies and again began to load the weapons and point out hostile targets for the vehicle's gunners. Despite the nearby mortar explosions and heavy fire directed at him, Private Jenkins continued his mission until he was mortally wounded by enemy recoilless rifle fire. His courageous action during the violent battle was instrumental in enabling his unit to win a decisive victory over the enemy force. Private Jenkins' outstanding display of aggressiveness, devotion to duty and personal bravery is in keeping with the finest traditions of military service and reflects great credit upon himself, the 1st Infantry Division and the U.S. Army.

By direction of the President the Bronze Star Medal for heroism was awarded to Pfc. Louis F. Jenkins, US 52677689, for heroism in connection with military operation against a hostile force in the Republic of Vietnam.

Private Jenkins also received the Purple Heart, the Army Commendation Medal, and an award from the Secretary of the Army. In addition, two medals were awarded by the Republic of Vietnam—Military Merit Medal and Gallantry Cross with Palm.

It is my feeling that this program of the Berryville-Clarke County Jaycees is a noteworthy one, and that they are deserving of the highest praise for their support of our forces in Vietnam.

THE CONGRESS AND ITS ROLE

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. HANNA. Mr. Speaker, as the 90th Congress draws to a close and we review the happenings in these last 2 years I think there are a number of factors that have become increasingly clear about the character of this Congress; factors which require our consideration before we go back to face the voters in November. We have seen during this session of Congress a record volume of legislative business. We have seen more public laws enacted, more public bills introduced and more private legislation considered than in any Congress before in the history of the United States. In addition, Mr. Chairman, we have seen legislative business of a complexity which only a few decades ago would have exceeded the imagination of most students of government. This Congress has enacted an omnibus housing bill of over 300 pages in length. It has enacted legislation on crime control which in total volume would cover well over a thousand pages. I offer these comments about the volume of business and the complexity of business before this Congress as a preface to my remarks about the present challenges confronting the Congress.

We are fast approaching the 200th anniversary of the signing of the Constitution of the United States, the epic document which established our framework of government. In the almost 200 years that have passed since the signing of the Constitution, we have seen radical changes in the character of two of the three coequal branches it established. We have seen the executive branch grow from a small body of men surrounding the President to a vast armada of experts on almost every topic imaginable. We have seen a few small agencies rise in number and in stature to a host of large and strong departments. We have witnessed the growth of a large number of agencies and independent regulatory bodies all of which report to the Chief Executive and which have great influence on the manner in which the business of our country is conducted. The Courts have developed at an equally rapid pace. We have witnessed a series of acts expanding and strengthening the organization of the Federal courts. Likewise we have seen increasingly more rigid standards applied for the selection of those men who are to serve upon those bodies. We have, in fact, seen a whole system of Federal appellate and district courts established by act of Congress. But what have we seen in terms of development of the legislative branch? Regretably very little. What is the import of the fact that the legislative branch has not developed at the same pace that the executive and judicial branches have grown? It would seem in logic, at least, that the consequence of the growth of the two of the three branches of our system would be that the remaining member possibly would experience a relative decline in strength. The detractors of the legislative branch, and there are many, would certainly agree with the conclusion that this has been the case. But let us not rely on logic alone. Instead let's look at some experience which is immediate and before us. As we look around us we notice that with a certain degree of sadness the fact that there are a number of Members retiring from this Congress. Several of the Members retiring are doing so out of frustration with the antiquated system. They are registering unwillingness to accept the delay which is so much a part of the seniority system and anxiety with the constant tension imposed by a system which requires each Member in the Congress to stand for election each 2 years.

In short, it would seem that there is something wrong. We find many of our most able Members deserting this body either to retire or to seek office elsewhere. We learn that many of our junior Members are deeply frustrated by the immense patience required to survive a system founded singularly on seniority. But it is not my purpose, today, to decry the inadequacies of the Congress. Rather it is my role today to try to make some constructive comments about the proper place of Congress in our great representative democracy. And also to suggest steps that are required to insure that the Congress realizes that position.

A PLACE OF RESPECT

In the last 4 years we have seen and heard all too much of three very regretable occurrences. The sordid affair of Bobby Baker, the tangled record of THOMAS DODD and the disturbing Adam Clayton Powell incident. These three personalities and the evidences of their misconduct which were spread across the public record have caused us all to pause over the standards of conduct which are set for Congressmen and Senators. Some outside of the Congress have felt that these incidents gave them a license to criticize all because a few were found to be guilty of wrongdoing. May I say to those individuals that this feeling is ill founded. That the Congress of the United States is a body of great integrity. That the Congress of the United States is made up of honorable men. Of the veracity of these statements I have no doubt. Unfortunately, the conclusion of those skeptics and critics has been buttressed by slowness in acting on legislation which would insure public confidence in the integrity of the Congress. From my experiences with other Members of Congress it is my impression that the slowness is a product not of desire to deny the public information, but rather a feeling that the mere questioning of their integrity is in some way beneath the dignity of their character and office. I do not believe this position is justified. Rather I would prefer to follow the injunction of an ancient proponent of rectitude in the public service, Cicero, who stated in ringing terms:

> True law is right reason in agreement with nature . . . unchanging and everlasting. We cannot be freed from its obligations by Senate or people, and we need not look outside ourselves for an expounder or interpretor of it. And there will not be different laws of Rome and at Athens, or different laws now and in the future, but one eternal and unchangeable law will valid for all nations and all times.

Cicero was referring to a law of integrity in public service. Since absolute honesty is the rule, I would contend there is no risk in opening our conduct to full public view.

Earlier this session I introduced two measures, one which would require the establishment of a Committee on Standards of Official Conduct in the Congress of the United States. That measure was aimed at providing a body to oversee and enforce high standards of conduct. I am proud to be able to say that House Resolution 418, which was passed by the House of Representatives on April 13, 1967, was patterned very closely after the measure I had introduced almost 2 months previously.

The second measure was intended to establish requirements that each Congressman, Senator, and their senior staff members would be required to make a full and public disclosure of their financial standings each year. My sponsorship of this bill again this year marked the third time that I had brought this bill before the Congress of the United States. I had previously introduced it during the 88th Congress and 89th Congress.

The Committee on Standards of Official Conduct in a report rendered to the House of Representatives on May 14 of this year recommended that all Members of Congress, the Senate and their principle staff be required to file with the Committee on Standards of Official Conduct a report disclosing certain financial information. This measure was subsequently adopted by the House. Although this bill provided for full disclosure to the committee, giving it a basis for judging whether any alleged misconduct might have transpired, there is no provision made within this legislation for full and public disclosure by Members of Congress as to their financial holdings. While there is no requirement in this bill or in any bill that I, as a Member of Congress, disclose my financial assets, it is my conviction that this should and must be made mandatory if public respect for the Congress of the United States is to be insured. Therefore, I am setting forth, below, a current statement of my income for the last taxable year, my assets, liabilities, and net worth. I would like to point out to the Members of this body that I intend to distribute this information to each and every constituent in my district so that there shall be no doubt about my willingness to make public my financial standing. This should leave no doubt that I stand ready to defend not only my public conduct, but also my private business conduct.

Mr. Speaker, my financial statement is as follows:

STATEMENT OF FINANCIAL CONDITION OF CONGRESSMAN RICHARD T. HANNA—PERSONAL INCOME FOR 1967

Income:	
Wages	$30,000
Interest income	1,885
Partnership, Launer, Chaffee & Hanna	5,482
Speaking honorariums	1,879
Loss on rental property	−3,672
Long-term capital gains	10,534
Adjustments to income	−4,076
Gross income	42,032
Deductions	13,500
Net income	28,532

ASSETS

	Shares	Market value	
Cash in banks and notes receivable:			
First Western Bank, Westminster, Calif			1,098
Sergeant at Arms, Washington, D.C			592
Note receivable, Big Six Land Co			3,000
Accrued interest, Big Six Land Co			1,282
Note receivable, G. J. Orman			864
Credit union, Washington, D.C			113
Total			6,949
Investments:			
Modern Foods	505	$5.00	2,525
Spectra Strip [1]	17,380	15.00	260,700
Occidental Savings and Loan [1]	800	20.00	16,000
Mercury Savings and Loan [1]	100	12.50	1,250
Big Six Land Co.[1]	115	10.00	1,150
Gibralter Finance [1]	1	31.00	31
131 West Wilshire Building [1]	66	65.00	4,290
S. M. Vacu Pak	37,000	1.60	59,200
S. M. Vacu Pak debentures, 6 percent	20	500.00	10,000
Launer, Chaffee & Hanna, partnership [1]			7,000
Total			362,146
Real estate and personal property:			
Home—Fairfax, Va			56,000
Furniture			4,000
Home—Huntington Beach, Calif			57,000
Furniture			5,000
1967 Pontiac station wagon (Bonneville)			4,000
1964 Pontiac (Catalina)			1,600
Total			127,600
Other assets: Life insurance, cash surrender value			6,200
Total assets			502,895

LIABILITIES

Notes and mortgages payable:	
F & M Bank, Garden Grove, Calif	12,000
First Western Bank, Westminster, Calif	600
Guardian Federal Savings & Loan, Washington, D.C.: Virginia home, $223.27 month at 6 percent	30,060
Mutual Savings & Loan, Pasadena, Calif.: Huntington Beach home, $226 month at 6 percent	35,212
Huntington Harbor Construction Co. 2TD: Huntington Beach home, $102 at 6¾ percent	8,462
Launer, Chafee & Hanna, partners, 5 percent due on 131 West Wilshire Bldg. stock	740
Union Bank, Santa Ana, Calif	23,000
Total liabilities	110,074
Net worth	392,821

[1] Acquired before November 1962, the date when Congressman Hanna was first elected to the House of Representatives.

Source: Form 1040, U.S. Individual Income Tax Return.

A ROLE OF RESPONSIBILITY

On the first Tuesday after the first Monday in each even numbered year each of the 435 Members of the Congress of the United States must stand for reelection. It is so ordained by law. In recent years this practice has been increasingly criticized by persons both in and out of Government. The President of the United States in his state of the Union message in January of 1966 recommended action to insure 4-year terms for Members of Congress. Eminent bodies of lawyers, political scientists, concerned public officials, and citizens have repeatedly expressed their fear that the increasing requirements to campaign each 2 years is depriving the Congress of the time it requires to legislate effectively. It also is sapping the energy of many of its most able Members. It would be constructive, Mr. Speaker, to review the typical Congressman's schedule during a 2-year election period. In doing so, let me allude to my own schedule, I think it represents what a typical Member of Congress from a large urbanized State may expect in terms of time distribution. A Member of Congress is elected in November. He has 24 short months to legislate effectively on the problems of the most complex, the most prosperous, the most advanced, and the best educated Nation the world has ever known. Of those 24 months he spends the first 3, November, December, and January preparing to go into session and recovering from the sapping process of standing for election.

Congress is slow getting started on major legislation. It usually requires 4 to 6 months of its time to get its committees rolling on major legislative proposals and to get these proposals to the floor of the House or the Senate. Hence we see that the incoming Congressman will spend 9 to 10 of 24 months in office before he begins to vote on measures of importance to the country. So let us assume that in mid-August of the first year of his term major legislation begins to move to the House floor for action. In the next 9 months, that is, until spring of the even-number year in which he must again seek reelection, the Congressman must accomplish the lions share of his legislative work. For in the months between April and November of that even-numbered year he will be deeply involved in political campaigning. The necessity to gain reelection will require him to spend nearly every weekend in his district; it will frequently place him in the position of having to choose between an appearance in his district which may be necessary to insure his reelection, and presence on the floor of the House of Representatives to vote for a bill which is in the general interest. Let me add parenthetically a fact with which most of my colleagues are acquainted: I have been on record on over 98 percent of all votes taken during this, the 90th Congress. So looking back over the schedule what do we see? We see that the typical legislator is able to spend approximately 40 percent of his time in office during the 2 years of his term engaged in what his office is about; that is, legislating on the problems before his country by representing effectively the interest of his constituents. That is not to say that Congressmen do not endeavor during all of their 24 months to serve effectively. It is merely to point out that the demands of standing for election each 2 years require the Congressman to divide his already scarce time between the business of helping his constituents with their problems, legislating effectively on the Nation's needs, and campaigning for reelection.

Let me go on to point out that another major burden of a system which requires each and every one, 435 Members of Congress, to stand for reelection each 2 years is that it requires an immense expenditure of funds to support the campaign in a hotly contested district. It is reliably reported that candidates for seats in some districts are spending upward of a quarter of a million dollars. Beyond the question of whether or not this is an efficient expenditure of funds there is an even more fundamental question. A question which goes to the very root of our democratic form of government. That question is: Is politics a rich man's game? Is politics to be limited to those whose personal wealth allows them to participate? Is politics a game to be limited to those who have rich friends or who are willing to make concessions to interest groups which are in a position to contribute heavily to their campaigns? Certainly it is time that consideration be given to the immense expense of political campaigning and thought be given to the burdens that raising the funds necessary to stand for reelection imposes upon those candidates who wish to hold public office. Legislation to provide financing for political campaigns from nonpartisan sources has been suggested, effective legislation to limit campaigning expenditures to reasonable amounts fixed by law has also been suggested. We all know that current legislation on the topic leaves much to be desired. I would hope that at some time in the very near future the Congress would take cognizance of this grave problem and would act affirmatively. Time is short. As we look around us on every side seeing rich men dominating politics who can but wonder what the future will hold if we continue to allow unbridled expenditures on political campaigns.

The fact that the Congress can only spend a fraction of its time on constructive legislative pursuits because of campaigns every 2 years argues for a constitutional amendment providing representatives to the U.S. House of Representatives be elected every 4 years. In considering such legislation there are a number of factors which must be weighed carefully. First we must look to the considerations which the constitutional fathers bore in mind when they recommended that Members of the House of Representatives serve the term of 2 years. A fair reading of our constitutional history would seem to indicate that the Constitution's authors were concerned that the Congress be made responsive to the wishes of the people.

No one would quarrel with that aim. Nor would they argue with the fact that it remains as applicable today as it was in the past. One might question, however, whether the system's 2-year terms actually makes the Congressman effective in his response to the people because of his inability to spend a larger share of his time concentraitng on their problems and the legislation bearing upon their interests. It would certainly be possible to maintain this responsiveness on a system of 4-year terms for Congressmen if a number of qualifications were added to the constitutional amendment. First it would be necessary to require that only half of the Congressmen should stand for election at any given time. The fact that half were standing would insure that the Congress was a continuously operating body for 12 months a year. This would be possible because the 220-odd Members not standing for reelection could conduct the business of state in the absence of their colleagues, allowing, of course, for certain recesses when it would be impossible for their colleagues to be present and making provision for this by arranging committee schedules so that the committee business short of final action could be conducted in the absence of the colleagues seeking reelection. This procedure would enable the Congress to perform the role of continuing legislative initiative and scrutiny of the activities of the other separate and coequal branches of Government. By providing that at least half of the Congressmen would not be elected in the same year as the President of the United States it would insure that the President of the United States would not have the ability to assert that his candidacy carried the members of his party into office and thereby entitled him to exercise a degree of suasion over their performance in the House of Representatives.

This development would have the advantageous effect of creating a situation in which at least half of the Congressmen had no clear presidential allegiance and therefore would be directly responsive to their constituents' needs and wishes and the constituent would have no reason to fear the President and the authority of his office were causing the elected representative to vote in a manner other than that representative of their wishes. I think additional safeguards to insure the representative quality in the House and its responsiveness to the citizenry are also needed. Further safeguards to insure responsiveness would be greater use of the recall procedure whereby candidates of the House of Representatives could under State law be recalled by their electorate for misconduct. I think that it would be appropriate if State legislatures in considering moves to increase from 2 to 4 years the terms of candidates to the House of Representatives would liberalize State laws providing for recall of candidates and spell out in greater detail the procedures under which these recalls are to be undertaken. It would also be appropriate if we are to go from 2- to 4-year terms that an added safeguard be imposed by prohibiting Members of the House of Representatives when they are not standing for election in even numbered years to run against Members of the U.S. Senate. Let me elaborate my concern, if the situation is created where Members of the House of Representatives can run against their counterparts in the Senate with impunity there will be wholesale campaigning in each election year. This is the purpose we are seeking to avoid. We cannot allow this purpose to be diverted by enabling Congressmen to use this "free ride" for the purpose of challenging Members of the U.S. Senate. I might add parenthetically that absent this provision it would seem rather unlikely that the Senate would concur in such a constitutional amendment.

Since the purpose of such a constitutional amendment would be to make the Congress a more effective body and allow it to spend more of its time on legislative business and in service directly to its constituents it would seem appropriate if the Congress should agree on regular working schedules like everyone else. I would suggest that the Congress agree to operate in Washington at least 8 of the 12 months of the year. That it further agreed to spend 3 months of that 12-month period in their offices in the districts which they have the honor to represent. During the 3-month periods the Members of Congress could deal directly on a face-to-face basis with the citizens who elected them. In addition I would suggest that the Congress during its period of time in session here in Washington hold business in a regular manner on each of the 5 days of the week.

If the 4-year term for Representatives is accepted by way of a constitutional amendment and if these qualifications that I have suggested are added I believe that the Congress will have the time to build its role as a responsible and separate coequal branch of our Government.

A PLACE OF POWER

We have already seen how the Congress can find the time required to assume the place of responsibility which it must if our system of government is to continue to operate effectively. Let us now turn our attention to how the Congress can be enabled to more effectively utilize that time. To the outsider the NBC "Special" on Congress and the several recent books penned by experts including my eminent colleague, Congressman BOLLING, of Missouri, must seem curious. That television program which was widely viewed and those publications point up the antiquated nature of the manner in which the Congress does its business. They also explain why many students of Congress have been able to say with complete correctness that the initiative in our Government has passed from the legislative branch where it was intended to reside by our constitutional fathers to the executive branch.

It is with a great deal of disappointment that I see this Congress about to adjourn without taking affirmative action on the legislative reform measure which so many of us saw as a first step in the direction of making Congress a more effective body. As you know, this measure has languished in committee for almost 18 months without any appreciable action, in spite of the best efforts of many Republicans and Democrats alike to get this important measure out for a vote.

Why did this bill not come up for a vote on the floor of the House? Because a few members of one committee saw fit to block it. Not because the majority of the House opposed it. Not because there was a lack of public interest in the legislation. Not because of any paucity of need. It has been stymied because our system can be manipulated by a few to frustrate the wishes of the majority.

A number of fundamental reforms must, sooner or later be made. Specifically, I believe the following reforms in the Congress are long overdue:

First. That all hearings be open to the public except those dealing with national security.

Second. That the committee chairman's life-or-death power over bills be eliminated.

Third. The General Accounting Office, the arm of the Congress, be made a more effective agency for assisting the Congress in overseeing the operations and expenditures of the executive branch.

Fourth. The House Rules Committee be required to make a recommendation to the House on or before 21 days have passed since a bill has been reported to it by a legislative or appropriations committee.

Fifth. That all patronage appointments be eliminated and that instead a bipartisan committee be established to oversee a congressional office of placement in office management to recommend employees for employment in the Capitol.

Sixth. That the congressional role in the appointment of postmasters be terminated and that all postmasters shall be subsequently appointed by the Postmaster General.

Seventh. That the regulation of the Lobbying Act be greatly strengthened—specifically that the Comptroller General, be charged with responsibility for requiring registration of all groups having a "substantial" rather than a "principal," as it now stands, interest in influencing legislation.

Eighth. Make specific provisions that both radio and television be entitled, as a matter of right, to cover and publicize all congressional hearings except those determined to deal with the national security.

Ninth. To restrict outside employment of House, Senate officers, and full-time employees; and to make specific provisions for dealing with conflict-of-interest situations.

The adoption of these nine reforms which I have suggested will go a long way toward restoring to Congress the power it appropriately requires to function as a separate and coequal branch of our Government. It will have gained a high degree of public understanding by way of making public its operations. The public cannot be expected to understand what the Congress is saying if the Congress does not make it clear. The one way we can insure this is by making all activities of the Congress, to the fullest extent possible, open to the public's scrutiny. The second thing required to restore Congress to a role of power and authority appropriate to its lofty position is to give it the capability to deal with the executive branch on a coequal standing. In order to obtain that coequal standing it is necessary that the Congress have the ability to more adequately oversee the totality of the vast operations of the executive branch. To do this it is obvious that a greatly strengthened Accounting Office is required. It is also obvious that the Congress must greatly strengthen the staff resources in terms of both quality and quantity available to it.

CONCLUSION

If our representative democracy is to continue to flourish, if our Government is going to continue to render quality of service which the people of our great Nation so richly deserve, it is essential that the Congress of the United States takes these steps to insure itself a place of respect, a place of responsibility, and a place of power.

CALIFORNIA NEGRO HISTORY

HON. THOMAS H. KUCHEL

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Friday, October 4, 1968

Mr. KUCHEL. Mr. President, on Thursday, October 3, 1968, I placed the first three of 10 articles entitled "California Negro History" in the RECORD. This series was published by the San Francisco Examiner and written by Mr. Harry Johanesen.

I ask unanimous consent that an additional three articles be printed in the Extensions of Remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the San Francisco (Calif.) Examiner, July 25, 1968]

CALIFORNIA NEGRO HISTORY: A CRUEL LIFE FOR SLAVES

(By Harry Johanesen)

Negro slaves from the South endured cruel conditions of living in California before and after the Golden State was admitted to the Union in 1850.

Some attained heartwarming triumphs in the strange new land, but victory over their oppressors never came easy.

Their almost incredible experiences were recorded by Delilah L. Beasley in The Negro Trail Blazers of California, a little known book published in 1919.

The late Mrs. Beasley, a Negro who was fiercely proud of her race, spent eight and a half years gathering material for and writing her book.

Among numerous carefully documented cases, she cited these:

In September, 1852 Justice Shephard of San Francisco issued a warrant for the arrest of a young woman of African ancestry as a fugitive slave claimed by I. J. Smith of Missouri.

Smith had brought the woman to California with several other slaves in 1850 and she had run away from him to marry a free Negro.

The slave owner swore out a warrant after he learned his missing property was aboard the Flying Cloud, a clipper ship about to sail for the Atlantic coast from San Francisco.

The "fugitive" Negro bride was arrested on the ship, given into Smith's possession, and taken back into slavery.

An Alabamian who had brought a boy slave to California in 1849 planned to return to his native state and decided not to take the boy with him.

ADVERTISED

The homesick slave owner advertised his property as the object of an auction sale and the boy was purchased on the block for $1000 by Calib T. Fay, an ardent Abolitionist, who gave the boy his freedom. (Mrs. Beasley failed to pinpoint the place where the sale took place, but some modern historians believe it was in San Francisco.)

On May 23, 1850, a Negro woman named Margaret, who had been hired out to service by a white man named William Marr, was married to a colored man named Lawrence.

Early the following morning, Marr, who claimed the woman as his slave, forced her at gunpoint to leave her husband and go with him. Then he offered to release her on payment of $1000. (Placer Times, May 27, 1850.)

Slave Daniel Rogers was brought to California via the overland route from Yell County, Arkansas, in 1849. During the day he toiled in the gold mines in Sonora for his master and then worked for himself at night, until he had earned $1101 to buy his freedom.

Soon afterward, his master returned to Little Rock, taking Rogers with him. Rogers expressed a desire to return to California on his own with his wife and family.

ON AUCTION BLOCK

The slave master, who had not obtained formal Freedom Papers for Rogers, retaliated by putting him on the auction block. A group of sympathetic white men, who liked Rogers and were aware of what had happened, raised a purse and bought him into freedom.

In 1852, Mrs. Mary Ann Israel-Ash of Sonoma County mortgaged her home and borrowed additional money to raise $1100 demanded by a slave owner for the freedom of an entire family of slaves he was about to return to bondage in the South.

William Pollack and his wife came to California during the Gold Rush and settled in the Sierra town of Cold Springs with their master from North Carolina.

Pollack washed clothes for gold miners at night while his wife sold doughnuts to the fortune seekers day and night until they had the Carolinian's price for their freedom—$1000 for him, $800 for her.

After buying out of slavery and obtaining Freedom Papers, the Pollacks moved to Placerville and entered the catering business.

STATUS NOT CLEAR

The precise status of the black miner in California is not clear to present day historians.

State and local law enforcement agencies rarely interfered with the practice of slavery, although it was prohibited by State law and had been illegal under the laws of Spain and Mexico for 19 years before California was admitted to statehood.

In most mining camps the miners had laws of their own. They refused to allow a man to hire or control another man's labor because the use of hired workers or slaves gave those who employed such tactics an advantage over competitors who had no slaves.

Some slave owners got around this prohibition by either congregating together in certain camps or by making it appear that their slaves were individual miners working their own claims.

Early photographs and diaries indicate that individual Negro miners were tolerated in some areas throughout the mining period. But the general tendency of white miners was to drive non-whites away from desirable locations. Cases are recorded where Negro claims were jumped by whites.

GAVE UP MINING

As a consequence, more and more Negroes gave up gold mining for occupations they tended to dominate—cooks, waiters, barbers and general laborers.

The black exodus from the gold fields did not embrace all of these miners. Some Negro-organized mining companies and individual Negroes managed to remain in the gold region and make profitable discoveries.

James P. Beckwourth, a famed Afro-American mountain man and scout who had been an associate of both Jim Bridger and Kit Carson, was among the first Gold Rush settlers in Plumas County. No one dared give him any trouble.

Beckwourth later discovered a route through the Sierra in what is now Plumas and Lassen counties and he built the first house in Sierra Valley, where he set up a trading post doing business with immigrant travelers.

The route, incorrectly called Beckworth Pass for many years, was officially renamed Beckwourth Pass in 1950 by the U.S. Board of Geographic Names. This was done on the insistence of the California Historical Society.

HONORARY CHIEF

Beckwourth Pass is today's Sierra Valley route of the Western Pacific Railroad and U.S. Highway 70.

Before coming to Plumas, Beckwourth had spent many years as a fur trapper in the Rockies and as an honorary chief among the Crow Indians, who accorded him great respect for his exploits.

Comedian Bill Cosby, in a recent CBS–TV network program devoted to Negro history, also saluted this black mountain man who was the Virginia-born son of a white father and a Negro slave.

Cosby correctly called Beckwourth a man worthy of inclusion in U.S. history books because of his deeds as a scout for the Army between Missouri and California and as a "pony express" mail carrier between Monterey and southern California.

Beckwourth died a natural death in 1866 at a Crow Indian camp in the New Mexico-Colorado region.

[From the San Francisco (Calif.) Examiner, July 26, 1968]

CALIFORNIA NEGRO HISTORY: SAN FRANCISCO SLAVE WON FREEDOM, RICHES

(By Harry Johanesen)

Not all the southerners who headed for California with their Negro slaves in the mid-1800s were thinking about gold in the hills.

Some saw riches to be reaped in other ways. At the gambling tables in San Francisco for example.

One such man was Green Dennis, a slave trader from Mobile, Ala.

Dennis set out for California with his slave, George Washington Dennis, in the summer of 1849. At New Orleans he joined a group of gamblers for the journey to San Francisco via Panama.

Dennis had to pay $350 for his slave's passage, a fare much higher than average. Ship captains didn't like to carry slaves as passengers.

CHANGES OWNERS

Dennis and his high rolling friends gambled all the way. In one poker game Dennis put up George as a bet, and lost. The winner bet his new chattel in another game, and lost. In a third game Dennis won his slave back again.

The party arrived in San Francisco September 17, 1849—and where George Washington Dennis was to show he had more on the ball than any of the men who had gambled with his life.

The gamblers soon established Hotel El Dorado in the vicinity of Portsmouth Square and put George to work as a porter in the gambling casino.

Dennis, who had found to his surprise that slavery was an unpopular practice in San Francisco, offered George his freedom for $1000, the going price tag on a ticket out of slavery at that time.

OFFER ACCEPTED

George accepted eagerly.

In an incredibly short time, the Hotel El Dorado porter had saved the $1000, mostly in nickels and dimes swept up from the floor of the gambling casino while on the job.

Then he saved an additional $1000 and sent the money to Alabama with a white friend to buy his mother out of slavery and bring her to San Francisco.

After mother and son were reunited, George rented a restaurant concession in the hotel for his mother who soon averaged $200 a day selling hot meals to the gamblers.

George, meanwhile, accumulated $18,000 which he invested in a parcel of property on Montgomery Street. He sold this land six months later for $32,000 and then bought the blocks bounded by Post, O'Farrell, Hyde and Larkin Streets, an area now crowded with hotels and apartment buildings.

Next he purchased the block bounded by Post, Sutter, Scott and Divisadero Streets, which is the present location of Mount Zion Hospital.

Dennis's other business ventures included The City's first livery stables at Sansome and Washington Streets and its first wood and coal yard on Broadway near Montgomery.

LOST OPPORTUNITY

Slave trader Green Dennis would have done better with George Washington Dennis as a full partner.

George Dennis and his wife, Margaret Ann, a free Negro who came to San Francisco with her mother and father from Baltimore, lived in a home he built at 2507 Bush Street.

They had ten children, the eldest of whom, Edward, became San Francisco's first Afro-American policeman.

George Dennis knew Mary Ellen (Mammy) Pleasant, a Georgia-born slave who achieved wealth and influence after she came to San Francisco from Boston as a free woman of 37 in 1849.

Much has been written of Mammy Pleasant with emphasis largely on her activities as a madam who operated a string of bordellos for the high and mighty of San Francisco's golden era.

RIGHTS PIONEER

But this is misplaced emphasis, according to some historians who today regard Mammy Pleasant as "The Mother of Civil Rights in California."

These historians now stress Mammy Pleasant's connection with John Brown in the fanatical abolitionist's audacious though abortive raid on the Federal arsenal at Harper's Ferry.

On January 4, 1904, the San Francisco Call put the accent on Mammy Pleasant's part in John Brown's raid in this obituary:

"The remains of Mammy Pleasant, who died early Monday morning at the Home of Lyman Sherwood, on Filbert Street, will rest tonight under the soil of the little cemetery in the town of Napa, to which her body was taken this morning.

A FRIEND

"One last request of Mammy Pleasant was that there be placed above her grave a tombstone bearing her name, age, nativity, and the words: 'She was a friend of John Brown's.'

"With the money inherited from her first husband (in Boston), she came to California and was here in 1858 when the first news of John Brown's efforts to free the slaves of the South was conveyed to San Francisco.

"Being in full sympathy with the movement, she conceived the idea of lending Brown financial assistance for the undertaking, and April 5, 1858, found her eastward bound with a $30,000 United States Treasury draft, which had been procured for her through the aid of Robert Swain, John W. Coleman and Mr. Alford.

MEETS BROWN

"Reaching Boston, Mrs. Pleasant arranged for a meeting with John Brown in Windsor, Canada. Before leaving Boston, she had her draft exchanged for Canadian paper, which she converted into coin and finally turned over to Brown.

"After a conference in Canada, it was agreed between them that he should not strike a blow for the freedom of the Negro until she had journeyed to the South and had aroused the feelings of rebellion among her people.

"Disguised as a jockey, she proceeded to the South, and was engaged in her part of the plot when she was startled by the news that Brown had already made his raid on Harper's Ferry and had been captured.

"Learning that the authorities were in pursuit of Brown's accomplice, Mrs. Pleasant immediately fled to New York and, after remaining in hiding for some time, assumed another name and made her way back to California.

"When Brown was captured, there was found on his person a letter reading: 'The ax is laid at the root of the tree. When the first blow is struck, there will be more money to help.' The message was signed 'W.E.P.'

"For months the authorities vainly searched for the author of the message. In latter years it developed that Mrs. Pleasant had written the letter, but in signing it she had made her first initial look like a W.

"Mrs. Pleasant always blamed John Brown for hastening his attack at Harper's Ferry, which she claimed cost her in all over $40,000."

Mammy Pleasant, unlike George Dennis, died poor. She had lived for years in the home of quicksilver tycoon Thomas Bell at Bush and Octavia Streets, but Bell did not remember her in his will.

Her grave in the Tucolay Cemetery in Napa is visited annually by members of the San Francisco Historical and Cultural Society. The headstone identifies Mammy Pleasant as: "Mother of Civil Rights in California. Friend of John Brown."

[From the San Francisco (Calif.) Examiner, July 29, 1968]

CALIFORNIA NEGRO HISTORY: THE UNWANTED WITNESS TO A SAN FRANCISCO MURDER

(By Harry Johanesen)

Only a few months after California became the U.S. Flag's 31st star in 1850, the new state flagged down prospects of freedom for the growing black population within her borders.

The boisterous Legislature, reflecting its own as well as citizen pro-slavery sentiment, enacted a law prohibiting the acceptance of Negro testimony in civil and criminal cases involving white persons.

This statute was piled on top of previous anti-black legislation. One earlier law limited membership in the militia to "free white males" and another made it possible for Negroes who came to California before 1850 to be seized by anyone who claimed them as fugitive slaves.

LONG DEBATE

In addition to these laws, the Afro-American community had to worry through frequent legislative debate on the question of whether free Negroes should be barred forever from entering the state.

On more than one occasion Governor Peter H. Burnett, a native of Tennessee, came close to convincing the Legislature that California should have such an anti-immigration law.

But the law excluding Negro witnesses from state court proceedings aroused and embittered black pioneers more than any other discriminatory act of the Legislature.

Its application had tragic consequences that spurred the San Francisco Negro community to organize The Franchise League and launch what turned out to be a lengthy campaign for the right to testify in courts of law.

A MURDER

The murder of Gordon Chase in his Niantic Hotel barber shop at Bush and Sansome Streets brought the issue to the fore.

Chase was shot to death by a white man who came into the shop to demand an apology from the black barber's sister.

The white man complained that Chase's sister had run after him on the street the night before, yelling, "Stop, thief! Stop, thief!"

This Chase's sister had actually done, after she had caught the white man robbing the cash box in her nearby millinery shop.

Now the robber wanted her to take back calling him a thief and when Chase denied any knowledge of the affair the white man shot the barber down as he stood next to a chair occupied by Robert Cowles, a citizen of part-African ancestry with skin almost white.

The defense in the case contended that Cowles was a Negro and demanded a medical examination to prove it and thus prevent him from testifying against the killer.

ONE-SIXTEENTH

After the examination, physicians testified that the texture of Cowles' hair revealed him to be 1-16th African and the case was thrown out of court.

The barber shop murder was the most flagrant of many cases in which Negroes had been excluded as witnesses. Some had even been excluded as witnesses in defense of white defendants who needed their testimony.

In the first concerted move by the first Negro rights organization in California, 16 members of the newly formed Franchise League volunteered to go to Sacramento and lobby for repeal of the testimony law.

On May 22, 1852, they finally got a sympathetic legislator to present a petition from the San Francisco black community.

VOTED DOWN

But the Legislature didn't even consider it. By a vote of 47 to 1, it said: "Resolved, that the House, having heard the petition read, do decline to receive it or entertain any petition on such subject from such source."

Next year the same plea to repeal the law was tried again. Bancroft's History of California made this record of what happened:

"At the legislature session of 1853, W. C. Meredith, a Democrat from Tuolumne, presented a memorial to the Assembly signed by Negroes, asking the repeal of the clause prohibiting Negro persons from testifying in the courts where white persons are concerned.

"Instantly one member moved to throw the memorial out of the window; another did not want the Journal tarnished with such an infamous document.

EFFORTS CONTINUE

"The chair reluctantly ruled the motion out of order, and an appeal was taken finally in the greatest excitement. The petition was rejected and the clerk instructed not to file it."

The Franchise League's black pioneers were not discouraged. They continued to hold regular meetings, enlisted white support to their cause, and finally decided to hold a statewide meeting.

A call urging representation at the First State Convention of the Colored Citizens of the State of California went out to all black communities. It said:

"Your state and condition in California is one of social and political degradation; one that is unbecoming to a free and enlightened people.

"In view of these wrongs, which are so unjustly imposed upon us, and the progress of the enlightened spirit of the age in which we live and the great duty that we owe to ourselves and the generations that are yet to come, we call upon you to lay aside your various avocations and assemble yourselves together on Tuesday, the 20th day of November, A.D. 1855, in the city of Sacramento, at 10 A.M., for the purpose of devising the most judicious and effectual ways and means to obtain our inalienable rights and privileges in California."

DELEGATES MEET

Black communities in 10 counties financed and sent 49 delegates to the three-day convention, which was held in Sacramento's Colored Methodist Church. William H. Yates of San Francisco was the chairman.

The delegates adhered to their single purpose: They adopted a resolution, couched in the politest terms, asking the Legislature to authorize Negro people to give testimony under oath in California courts.

The resolution branded the law as unjust, oppressive to every class of people, and as one "intended to protect white persons from a class whose intellectual and social condition was supposed to be so low as to justify the depriving them of their testimony."

Delegate J. H. Townsend, addressing himself to the people of California, delivered the main address.

GOOD FIGHT

Townsend pointed to substantial Negro casualties suffered in the War for Independence and in the War of 1812. He said the black soldiers had fought in those wars with every reason to suppose they were taking part in "the good fight for liberty." He concluded:

"You have enacted a law excluding our testimony in the courts of justice of this state, in cases of proceedings wherein white persons are parties; thus openly encouraging and countenancing the vicious and dishonest to take advantage of us: a law which, while it does not advantage you, is a great wrong to us.

"At the same time you freely admit evidence of (foreign-born) men in your midst who are ignorant of the first principles of your government—who know not the alphabet.

EDUCATED MEN

"Many colored men who have been educated in your first colleges are not allowed to testify, and why? (Because) our Divine Father has created us with a darker complexion.

"People of California, we entreat you to repeal that unjust law. We ask it in the name of humanity, in the enlightened age in which we live, because of the odium it reflects upon you as a free and powerful people."

The resolution and Townsend's plea fell on deaf ears again.

THE COMMUNITY COLLEGE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. PUCINSKI. Mr. Speaker, recently I delivered an address to the Council of Community Colleges in Chicago, which I would like to include in the RECORD.

My address centered around the growing importance of the community college in our country today, and I feel that many of my colleagues will find the substance of my speech of interest.

The text of my address follows:

REMARKS OF CONGRESSMAN ROMAN PUCINSKI, BEFORE THE COUNCIL OF COMMUNITY COLLEGES, SEPTEMBER 14, 1968

Rodin, the French sculptor whose work graces many American parks and public buildings, once said that a true work of art lives on; it never needs rediscovery. Likewise, the relatively young vision of the community college has already won a significant place in the milieu of American education. And this creative concept will, no doubt, continue to nourish itself as an indispensable component of our permanent social institutions.

Community colleges are a living embodiment of the American dream—of the promise that every individual shall enjoy an equal opportunity to develop himself, through education, to his fullest capacity. Therefore, I am especially pleased to be addressing this inspired gathering of community college board members.

You have dedicated a part of your lives, unselfishly and unceasingly, to revitalizing and enriching the work of some great Americans. Thomas Jefferson, Horace Mann, Henry Barnard, Andrew Jackson, John Dewey and, in our own day, Presidents John Fitzgerald Kennedy and Lyndon Baines Johnson.

All these men have done battle in the cause of American education. Their victories have opened new doors, broadening and intensifying the welcome of our educational institutions to all Americans in every part of the nation. From every social and economic stratum. At all levels of ability. With every type of hope and ambition.

Now you, too, are making your own special contribution to this important cause. And while many of your respective names may escape the attention of future historians, let me assure you that your fine efforts are being recognized at this very moment.

They are appreciated by the millions who have passed through, or will have passed through, the portals of community colleges—and by their parents, their husbands and wives and families, as well. On this occasion I want to add my own personal tribute, in commendation of your outstanding efforts in the community college movement.

Perhaps no single fact more succinctly attests to your fine accomplishments than the rapid proliferation in numbers of community colleges throughout the nation. In March 1967 approximately 840 such institutions were operating, with new ones being established at the rate of one a week.

Actually, the growth rate is even higher. Nearly 200 new community colleges are now getting started—which makes them the most rapidly expanding type of educational institutions in the United States. Edmund J. Gleezer, Executive Director of the American Association of Junior Colleges, predicts that within the next five years, enrollments in community colleges will double, reaching about 3 million.

If any single attribute of the community college stands out, it is the *flexibility* of this institution—to respond meaningfully to a host of educational needs at the local level. The community college is inclusive, rather than exclusive. It stands ready to meet the growing demands for full time and part time study for the young—and the not-so-young—in the community.

Students at a community college are a particularly ambitious, dynamic group. Many of them have had to surmount personal and financial crises in order to attend college. Often, they have not enjoyed all the special advantages of their counterparts at 4-year institutions—according to a report published by the Educational Testing Service.

Findings in this report are based on the research of four organizations—the Center for Research and Development in Higher Education, the American Council on Education, the American Testing Program, and Project TALENT of the University of Pittsburgh.

They conclude that community college students have to struggle to make it. Specifically:

They are less likely than students at 4-year colleges to have had good books and magazines at home, to have had their own room, or to have received parental encouragment to attend college.

They are less confident of their academic abilities.

And they tend to be more financially self-sufficient—relying on personal savings, part time employment, and summer jobs for support.

Hence, the very existence of community colleges more than doubles the chances for bright, persevering students from lower socioeconomic background to continue their education. I want to congratulate the community colleges of this nation for their enterprise and ingenuity in providing the kind of environment, experiences, and opportunities that can stimulate persons from less advantaged circumstances to continue their education and fulfill their dreams.

The community college has proven itself uniquely capable of meeting the diverse needs of three distinct groups:

First, by providing academic courses for those planning eventual transfer to a 4-year college or university.

Second, by offering terminal, general education for those who want only two years' education beyond high school.

And finally, by designing vocational and semiprofessional programs for those who want a salable skill.

At this time I want to focus particular attention on the role of the community college in this third area—vocational and technical education. As one of the principal authors of the Vocational Education Amendments of 1968, I am convinced that community colleges can play a decisive role in meeting the national need for career training.

In the important field of technical education alone, community colleges have an unusual opportunity to make a lasting contribution to the work force, the economic well-being of the country, and the human welfare of millions of Americans.

Engineering and science technicians and draftsman comprise one of the most rapidly growing occupational fields. A technician, according to the Bureau of Labor Statistics in the Department of Labor, is one who works directly or indirectly in support of scientists and engineers in designing, developing, producing and maintaining the nation's machines and materials.

The training of such specialists is an important but complicated undertaking, because it must combine the best of two seemingly opposite yet complementary worlds—the theoretical and the practical.

By integrating technical training into their curriculum, community colleges are providing a valuable public service. Yet, the need for technical manpower continues to outdistance the supply.

In 1963, approximately 845,000 technicians were employed in the United States. But, according to a Labor Department study, nearly 1,500,000 technicians will be needed by 1975—at an average annual rate of 86,000 new workers.

The 1968 Report of the Task Force on the Technician specifies that for every new scientist and engineer who enters the labor force, 6 skilled craftsmen will be needed to maintain and repair what they have created.

However, latest estimates indicate the strong probability of a shortage of new entrants to the labor market from post-secondary, technical training programs.

The community college faces a formidable task when it enters the technical training field. It usually takes a minimum of 5 years and considerable financial assistance to plan a technical training program, assemble and orient the staff, equip the facilities, and graduate the first class or two.

Complicating the picture, community colleges must contend with the problem of finding competent staff, who are always in short supply.

Recruitment of qualified students presents another major obstacle. The entrance requirements for two-year technical programs usually replicate those for a bachelor of science or engineering degree. However, many potential community college students have difficulty qualifying, because they lack the necessary preparation in math, science or languages.

One possible solution is being tested by a number of community colleges. They are offering up to a full year of pretechnical training, to enable unprepared students to make up their deficiencies.

The Vocational Education Amendments of 1968, which passed the House by the overwhelming vote of 289–0, provide an unprecedented opportunity for community colleges to develop such new programs—as well as help establish the goals and priorities for vocational programs throughout the state.

This legislation—which now awaits action by the House-Senate Conference—reserves 25 per cent of the total monies for post-secondary education.

The bill also creates State Advisory Councils on Vocational Education. These newly constituted bodies will bring representatives of junior colleges into regular contact with management, labor, manpower, training agencies, secondary schools, and the public to develop more effective, unified programs on a statewide basis.

A third major provision calls for graduate fellowships and leadership development awards. They are designed to improve teaching in vocational programs at the community college level.

The bill also reserves 25 per cent of new monies and not less than 15 per cent of total available funds for educating the disadvantaged—thus opening the doors of our community colleges ever wider to all segments of the population.

Finally, these amendments will provide substantial amounts for exemplary new programs and for work experience programs which combine formal classroom instruction with related on-the-job training.

At the same time, I want to remind you of the multitude of other laws benefiting community colleges—all of which I strongly supported and many of which I co-sponsored—which have been passed by Congress. They strengthen the ability of community colleges to respond to the needs of their constituencies and to society in general for a broad range of educational opportunities.

Some of these laws are history. Others are brand new contributions of the 90th Congress. Let me enumerate them briefly for you:

1. *The National Defense Education Act of 1958:* Title VIII granted funds to the states, on a matching basis, for the training of highly skilled technicians "necessary for national defense." Programs funded under this act grew from 260 schools enrolling 48,500 students in 1959 to 880 schools with 220,000 students in 1964.

More than half the enrollees were employed adults who wanted to improve their technical competence through special courses. Today, the state and local investment amounts to more than $2 for every federal dollar spent.

Also under this legislation, NDEA loans have made a dramatic contribution to expanding the opportunities for Americans to attend college. Since the program began 10 years ago, 1.3 million students have borrowed over $1 billion. In 1967–68 alone, over 400,000 students received such loans.

2. *The Vocational Education Act of 1963* provided, for the first time, for construction of facilities, as well as teacher salaries, libraries, laboratories, and equipment, research, and needed materials and services for vocational and technical programs. This act removed the restriction that funds had to be used to train technicians "for national defense" only.

3. *The Higher Education Facilities Act of 1963* authorized money for the construction of facilities in public and nonprofit, private colleges. Approximately 24 per cent of available funds are earmarked for construction in two-year public community colleges. They are eligible for federal funds equivalent to 40 per cent of the state expenditure. In 1968, such two-year institutions are receiving approximately $67 million.

4. The Higher Education Act of 1965 applies to community colleges in a variety of ways. Title I provides grants for community service and continuing education programs. Title II reserves funds for library materials and for developing institutions. Pursuant to this provision, the Office of Education has granted $585,000 to help 87 developing junior colleges plan their futures.

Title IV concerns student assistance. Grants of $200 to $800 are available to students in exceptional financial need. Programs of insured loans and work-study are also included. In 1968, approximately 215,000 college students participated in the work-study program during the spring semester. More than half of them were from low-income families.

5. *The Nurse Training Act* was passed to help increase the supply of trained and qualified nurses. Community colleges with two-year nursing programs are eligible to apply for funds.

6. The Allied Health Professions Act helps provide training in paramedical, health-related fields—such as medical laboratory technicians. A federal grant of $500 per student goes to the college to cover the operating costs of instruction. Grants are also available for construction, advanced traineeships, and other purposes.

7. The College Library Assistance Act helps community colleges to expand their libraries.

8. The Education Professions Development Act, passed by this session of Congress, will aid in the training of additional community college teachers. It funds preservice and inservice education of teachers in community colleges and post secondary vocational programs. Grants are also available both to institutions and students for shorter-term institutes and seminars. Congress has authorized $21 million for 1969 and $36 million for 1970 under EPDA.

9. The new Anti-Crime Bill will include large programs for training and upgrading law enforcement officers, especially in community colleges.

10. The New Careers legislation, authorized under the Office of Economic Opportunity and funded through local Community Action Programs, also applies to community colleges. Its purpose is to recruit and train the undereducated, unemployed and underemployed for entry-level jobs in human services occupations, such as teacher aides, with built-in opportunities for career mobility.

Junior colleges are currently involved in or are planning to participate in the training programs of about 10 major cities.

11. *The Manpower Development Training Act* was a response by Congress to the need for realistic, meaningful job training for the hard-core unemployed. With an estimated 2 million unemployed and 10 million under-

employed in this nation—including 500,000 hard-core unemployed—junior colleges have great potential for helping bridge the gap of education and training for gainful employment.

In this area, Chicago City College is proving very productive and, in a relatively short time, has achieved some impressive results on a pilot program basis.

For example, last month 13 students completed a special 8-week intensive data processing course at the Loop Campus. They all had something in common. They were unemployed. Some had families. But none had worked for years, and all were on relief. Through their successful participation in this training program, they can look forward to dignified, remunerative employment—and, what is most important, renewed confidence in and respect for themselves.

In another program, 11 students—all adults on welfare—learned tracing as a trade at the South Side Wilson campus and found employment. All are now off the relief rolls and on the tax rolls.

The North Lawndale Health Clinic houses two projects in the Allied Health Program in cooperation with Presbyterian-St. Luke's Hospital, Chicago State Hospital, and the Mile Square Health Center. In July they began to train students for careers as community health and dental health aids.

In a fourth program, the College's Urban Skills Academy is teaching a hundred adults to read and write and even do simple mathematics. Their experience has shown that adults whose reading ability is equivalent of a third-grader's can be taught to read at the 9th grade level within 6 months. All members of the class are now on welfare. Yet, by learning to read, write, and count, they may soon become independent, economically productive members of society.

I am gratified to learn that 114 post-secondary institutions have begun their first technical programs within the last two years—initiating a total of 490 new programs in that period. The list of new programs which were reported in 1966 covers a variegated array of exciting fields. Let me name just a few of them for you:

Biological lab assistant, good processing, forestry, horticulture, mortuary science, police science, technical illustrations, metallurgical technology, libraries for technical education, marine technology, fluid power, graphics technology, urban planning assistant, water and wastewater technology, petroleum technolgy, textile technology, and numerical programming.

More than 100 programs are offered in Illinois' 34 public community colleges. Among the eight Chicago City College campuses, four major categories of occupational programs are represented—business and office services, health occupations, industrial and engineering technology, and public and human services. About two-thirds of those programs are funded under the Vocational Education Act of 1963.

Throughout the nation, a number of community colleges have been striking out in new directions—designing ingenious training for occupations in newly created fields. Let me give you some examples:

Orange Coast College in California has developed a curriculum petroleum technology, which includes training for both laboratory and field jobs. The college has full-scale drilling and producing equipment on campus.

Metropolitan Junior College in Kansas City, Missouri, is offering a program in aviation in response to the new airport being constructed there which will handle supersonic transports.

The Community College of Philadelphia has a special program for 300 employees of the city's Department of Licenses and Inspection, to give them better knowledge of the problems confronting landlords, tenants, and homeowners in the city.

A program in New York combines the resources of Manhattan Community College with those of 3 hospitals to provide training as inhalation therapists for persons who might ordinarily be considered unemployable or only marginally employable.

The East Bay Skills Center in Oakland, California—a branch of the junior college system of that state—operates an MDTA program to provide training and employment opportunities for several thousand people, many of them illiterate or nearly illiterate and all lacking any basic job skills.

These programs are already in operation. But the constancy, immediacy, and rapidity of technological change and scientific advancement will require a never-ending search to meet the growing needs for technically trained personnel. Community colleges are facing this challenge in several ways.

Through research funds granted under the Vocational Education Act of 1963, several programs are now being developed in brand new technical fields. They cover a variety of fascinating areas.

One is biomedical equipment technology—a field arising from the remarkable advancements made in medical transplants. Such technicians will repair heart, lung, and artificial kidney machines.

Another new career area is that of concrete technician, a type of specialist at construction sites. Students training in this field will study the principles of mechanical strength and the chemistry of concrete, among other subjects.

Other new occupational areas include fire prevention and fire-fighting, library technology to automate research and retrieval, electro-optics and laser technology, aerospace technicians to design micro-miniaturized components for space vehicles, and electromechanical technicians for computers and business machine technology.

Amidst the frenzy of rapid expansion and development of star-studded programs in new technologies, the community college is proving itself a vital, moving force in American education. But the institution has not survived without its critics.

Christopher Jencks and David Riesman, in their new book, The Academic Revolution, have raised some serious issues with regard to the community college—especially its faculty. "While community colleges have not been tied to traditional academic definitions of appropriate qualifications for teaching," they write, "neither have they been especially imaginative in utilizing new kinds of instructors. Like their public school cousins, they have often insisted on just enough academic certification to bar the employment of gifted amateurs from other occupations."

They also accuse community college faculty of generally perpetuating what they term "a quite rigid pattern of instruction." They say: "Most community college instructors continue to teach what they were taught in four-year colleges, immunized from new ideas both by isolation and by the prestige of the models they are emulating."

Finally, what is to me their most serious indictment of community colleges relates to vocational education. "While the community college may in principle exist to serve new sorts of students and offer new sorts of programs," Jencks and Riesman conclude, "Most faculty and administrators are still primarily interested in traditional academic programs and in students who will eventually transfer to a four-year college."

You, as board members of community colleges, are obviously closest to your own home situations and thus in the best position to judge the relative weight that should be given to these criticisms. However, in this very early stage in the development of community colleges, your voices can be a powerful impetus to give courage to those who will break with the past, provide new directions of leadership and imagination in teaching—whether or not they have the coveted degrees and necessary publications required of the traditional system. I hope you will take the time to re-examine your own biases regarding staffing policies.

Walter Lippmann has called the most pressing unfinished business of the nation "the gigantic work of adjusting our way of life to the scientific revolution of this age and to the stupendous growth of the population." The challenge lies before all of us, and particularly before you, in strategic positions to guide and influence the future of the American junior college movement. May you bring wisdom, courage, dedication, and decisiveness, and action to your deliberations. May the milestones of your past accomplishments provide the beacons of hope and inspiration for your future success. And may you always walk proudly and confidently, secure in the knowledge that you have, indeed, been part of the process to realize the "impossible dream."

PI KAPPA PHI RESOLUTION

HON. A. S. HERLONG, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. HERLONG. Mr. Speaker, because of the great amount of unrest that seems to be prevalent on many college and university campuses in the United States at this time, I think it is of great significance that at the 32d supreme chapter meeting of my college fraternity, Pi Kappa Phi, the undergraduate delegates present at the convention adopted a resolution supporting the right of dissent and demonstrations within proper and reasonable limits, but also calling on all other such organizations to join with them in a concerted effort to provide constructive leadership on all college and university campuses toward the goal that student controversies may be presented within the bounds of established school procedures and with due regard for the rights of fellow students.

I commend these undergraduates for this action and include a copy of the resolution in the CONGRESSIONAL RECORD:

PI KAPPA PHI FRATERNITY

Whereas, Pi Kappa Phi Fraternity is deeply concerned about the serious disorders occurring on American and foreign college and university campuses; and

Whereas, such disorders disrupt the progress of the vast majority of students who seriously seek an education; and

Whereas, such activity on the part of a few students reflects unfavorably on the majority who come to learn and not to burn; and

Whereas, such activity not only endangers our educational system, but also our economic and governmental systems; and

Whereas, Pi Kappa Phi Fraternity supports the right of dissent and demonstrations within proper and reasonable limits;

Be it therefore resolved, that Pi Kappa Phi Fraternity urges other Greek organizations to join our Brotherhood in a concerted effort to provide constructive leadership on our college and university campuses toward the goal that student controversies may be presented within the bounds of established school procedures and with due regard for the rights of fellow students; and

Be it further resolved, that when student pleas and complaints are properly presented, Pi Kappa Phi Fraternity will support and defend the right of students to have fair hearings and equitable consideration by appropriate school officials.

CHARLES TOM HENDERSON,
National President.
W. L. BRINKLEY, Jr.,
National Secretary.

THE INDIAN ARMS BUILDUP

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. SIKES. Mr. Speaker, the Foreign Minister of Pakistan, Mian Arshad Husian, on July 13 issued this statement at Rawalpindi. It provides needed information about the military buildup which has taken place in India despite the extreme poverty of the country and its people. Since we are continuing to provide economic assistance to India, it is well to keep in mind the fact that India, although it claims to be unable to help its own people, is able to purchase and produce arms which certainly are not needed for peaceful coexistence with her neighbors. The Minister's statement follows:

THE INDIAN ARMS BUILDUP

"Speaking in Calcutta on July 9, 1968, the Indian Prime Minister has expressed concern over reports that the USSR may supply arms to Pakistan. She stated that the Soviet decision was "fraught with danger as this might incite Pakistan into launching fresh offensive against India." Mrs. Ghandi is also reported to have said "We have doubts whether the Soviet Union would be able to control Pakistan."

"The Indian Prime Minister's reaction is not surprising. This is the usual Indian line. A veritable propaganda campaign along these lines has been let loose in the Indian press, no doubt under official inspiration.

"While India considers it as its inherent right to all sophisticated weapons, it does not consider that Pakistan has a similar right to acquire even small quantities of defence stores. Even Indian publicists noticed this contradiction. For instance, the Indian weekly, "Weekend Review" of New Delhi observed in its issue of August 12, 1967 that while Pakistani arms purchases are given full publicity, for diplomatic and security reasons, the Defence Ministry keeps facts about Indian arms purchase as quiet as possible. While the fact of purchase and assembly of MIGs and other Soviet and Czech equipment is now general knowledge, the quantities purchased certainly are not. There may be other deals being struck which have so far not been published.

"Who does not know that since 1962, India has been acquiring huge quantities of modern weapons from abroad and has vastly expanded and augmented the indigenous production of military hard-ware? Her armed forces' budget has risen from about Rs. 300 crores ($630 million) in 1961–1962 to nearly Rs. 1,600 crores ($3,360 m) in 1968–1969. This figure is characterised by Indian spokesmen as exaggerated, since published figure in the budget stands only at Rs. 1,100 crores ($2,310 million), but if amounts earmarked for military purposes but shown under other heads are taken into accounts, this figure of Rs. 1,600 crores, $3,360 million) is quite near the mark.

"India's standing army has almost doubled in the last five years and is little short of the one million mark. It is backed by large territorial and para-military forces.

"The air force stands at 45 squadrons and is now being equipped with supersonic interceptor aircrafts and latest fighter-bombers.

"The strength of India's navy has also gone up to over 45,000 persons and a two-ocean navy is being created.

"India has added six big complexes to some twenty five ordnance factories already in operation and indigenous production of military equipment has assumed substantial proportions.

"What India has acquired from abroad is known to the world. The latest acquisitions embrace over a hundred of the latest fighter-bombers and 4/6 submarines. It has received 400 or more tanks from Eastern European countries. It is also known that 60 Sea-Hawk naval aircraft were received from a Western European country and some Hawker fighter-bombers came to India through another West European country. India is also reported to be interested in acquiring a second aircraft-carrier.

"Beginning from 1964 in 5 years India has spent more than Rs. 5,700 crores ($11,970 million) on its Armed Forces and their equipment.

"To justify this enormous build up the Indian Prime Minister has raised the bogey of a threat from Pakistan. Let us turn over the pages of history and see who has been the aggressor in the sub-continent and which of us two has resorted to force to solve disputes. Who occupied Junagadh and Hyderabad by force? Who sent in and is keeping Armed Forces in Kashmir and denying the people the right of self-determination? And, who crossed the international frontiers on September 6, 1965 and launched an attack against Lahore and Sialkot? It is Pakistan which has been the victim of aggression in the past and it is Pakistan which has to reckon with the possibility of its repetition in the future."

"The Indians have employed pressure tactics, propaganda and false accusations in order to prevent Pakistan from getting defence supplies, and I note with regret that in some cases India has succeeded in blocking some of the deals. If powers continue to yield to India's insistence this is likely to produce such a military imbalance in the sub-continent, that India may take advantage of it and try to impose its will on Pakistan in respect of unresolved disputes. This would have serious consequences which may not remain localised. A grave responsibility, therefore, rests on those powers, who are freely and so willingly supplying arms, including offensive weapons, to India, and denying supplies to Pakistan. I, once again, draw their attention to the disposition of Indian forces. Are not the bulk of these poised against the borders of Pakistan in an aggressive posture? It is time that such powers realised the danger in which they are placing the smaller neighbors of India and the need for redressing the military imbalance."

"Pakistan does not want to enter into an arms race with India but must have deterrent capacity, knowing as we do the propensity and the record of our neighbor in the use of force."

"As the President of Pakistan has so many times reiterated, Pakistan is a peace loving nation and has no aggressive designs against any one. We have nothing but goodwill towards our neighbors. We want to live in peace and friendship with them. Nothing would please us more than to see that the two neighboring countries devote their resources to the economic progress and social uplift of their peoples. Unfortunately, this aim cannot be realised so long as India continues to remain obdurate over the Jammu and Kashmir, Farakka Barrage and other disputes.

"In spite of our repeated offers to sit at a conference table and settle all our disputes through negotiations, India has not responded. I repeat this offer of peaceful and negotiated settlement of all disputes. If, however, India persists in pursuing its present course, Pakistan has no alternative but to remain vigilant and be in a position to defend itself. We are fully prepared to repel any aggression which may be launched against us. Let no one make a mistake on that score."

WE CANNOT AFFORD A LARGE SPACE GAP

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. TEAGUE of Texas. Mr. Speaker, a recent editorial in the Fort Worth Star-Telegram of September 24, 1968, is yet another voice calling the United States to heed the advances and the preeminence which the Soviet Union is determined to achieve in space. This excellent editorial warns the Nation of the Soviet intent in space and warns us that we must protect the security of our Nation through a strong national space effort. I commend this important editorial to your reading:

WE CANNOT AFFORD A LARGE SPACE GAP

The Soviet Union's achievement in space precision of sending its Zond 5 around the moon and back to earth is being regarded by experts in the West as a long step toward victory in the race to a manned landing on the moon.

Sir Bernard Lovell, Britain's Jodrell Bank Observatory director, said the Russians had taken the lead over the Americans.

"It makes it highly probable," he said, "that a Russian will get a closeup look at the moon quite a long time before an American does."

James E. Webb, head of the U.S. National Aeronautics and Space Administration, said the Russians had made "the most important demonstration of total space capability up to now by any nation."

A loss to the Russians in a race to the moon would be a loss in prestige, the value of which is doubtful. Since space exploration still is in its early stage, we cannot now know what else we would lose by being second in the race to the moon. It might be important.

More than the race to the moon, however, is involved in the development of space capability. A more disturbing comment by Dr. Webb was that he had no doubt that the Russian technology was being developed to the fullest military advantage.

"Any time you master new technology" he said, "the power equation changes."

We have seen since the Soviet Union developed its power in nuclear weapons that the United States was the only free world nation able to deter the Soviets in the use of this power for Communist aggression. We have expected and urged our allies to help match the Soviet conventional military power, but we have known that it would be very dangerous to allow the Soviets to get ahead of us in nuclear weaponry.

We also are the only ones able to challenge the Soviets in space capability. We have treaties providing for peaceful uses of outer space—forbidding military establishments on celestial bodies and the placement of nucelar weapons in space. But what good is a treaty that cannot be enforced?

We can no more afford to allow the Soviet Union to get too far ahead of us in space capabilities than we can afford to allow Soviet nuclear domination of earth. If we do not keep up we will be in the position of depending, for our national security and that of the free world, upon the promises and the good will of the Soviet Union. That would be a poor prospect.

YOUTH AND AMERICA

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. DUNCAN. Mr. Speaker, today I would like to place in the RECORD an original essay, indeed an outstanding patriotic composition, by a young lady from my district. Miss Virginia Ann Evans, of Lenoir City, who is a student at the University of Tennessee is the honored author. She won first place in the local and Appalachian District Civitan contests. "Youth and America" won her seventh place in international competition, also.

This young lady has a message for youth and for Americans of all ages:

YOUTH AND AMERICA

Throughout the history of Man. The Voice has spoken to The Heart, and The Heart has listened. The Voice told The Heart that Man was created by God and that Man was free, and he should serve, worship, love, and build. The Voice spoke to Cave man, telling him to come out of his cave, and Man listened. The Heart and The Voice became part of Man, and the communication between them continued.

Finally, The Voice said, "Man must find a new home. He must cross the great ocean and find a place where he can be free." Again, Man listened, and The Voice became known as "The Voice of America." The Voice still speaks; have you heard that Voice? I have.

I heard The Voice of America speak when I saw soldiers marching away to war—young, brave men who knew they might never return. I heard it when the Stars and Stripes were raised to the top of the flagpole, and I felt a great wave of pride because I am an American. I heard it when a great president was killed, and a nation mourned.

I am proud as America is proud. Just as America serves the world, I must serve America. The Voice calls to all Americans, regardless of race, color, religion, or age, and The Voice calls especially to America's youth. Do you hear The Voice, Youth? Do you listen and know how much your country needs you? Are you willing to make any sacrifice for America?

Was that an American youth I heard say, "I owe America nothing. I was born free!"? Yes, unfortunately, it was Youth, but then I heard the Voice of America speak these words: "You are quite wrong, my young American. You owe me everything. I was founded by the people and for the people. You have the richest heritage of any person who has ever lived. You are an American citizen, and you should realize all of the privileges that you have. However, responsibilities are part of the privileges which you enjoy. Bear these responsibilities well, American youth. I have given you the right to speak freely, to write freely, to worship as you choose, and to assemble. For nearly two hundred years Americans have fought and died to preserve the freedom which I offered them. They have made many sacrifices in time, money, and even their lives. Now that sacred trust is yours."

Youth looks rather unconcerned by what The Voice has said. His only emotion is an expression which seems to reveal his desire to be left alone by The Voice. He is rather annoyed because The Voice calls to him and demands that he listen.

Then, The Voice continues. "In return for the many privileges that I offer you, I expect you to take an active part in my affairs. I expect you, Youth, to begin to bear the responsibilities which will be entirely yours in a few years. I, America, must survive, and how I do is dependent upon you, Youth. I have many problems which your forefathers faced, and you must now face these problems and accept them."

I see a look of skepticism on Youth's face, and he says, "These responsibilities of which you speak do not really concern me. I have my freedom, and as long as I do, I do not want to be bothered by duties and obligations to you, America."

Again The Voice speaks, trying earnestly to make Youth aware. "Youth, you have said that you do not want responsibilities; you want only your freedom. What you do not understand is that unless you protect and build upon your freedom, you will lose it; others who do not want you to be free will take what you do not use or seem to want."

I see Youth become slightly aroused, but only slightly. He still clings to his unconcerned attitude. Youth then says, "What you have said may be true, America; but, who cares? Why should I be a good citizen?"

The Voice of America speaks once again. "Youth, you must have respect for me; you seem to have none. Good citizenship begins with good character, and good character leads to wisdom and strength. With your good character, strength, wisdom, and respect working for me, I, America, cannot fail. You can be a good American citizen only when you have strength, wisdom, and respect. Unless you respect me, you will not obey my laws or care about what happens to me. You are the guide to my future. Youth; therefore; it is vital to me that you care.

"Your responsibilities to me are much more than simply respecting me. You have the duty to vote when you are old enough. People came to my shores many years ago in search of the right to rule themselves, and they fought for that right. By voting, you will be exercising the freedom which so many people have wanted—a freedom which I have given you."

There is a look of new, but not complete, understanding on Youth's face. He is still not totally willing to forsake his attitude of indifference. However, he is becoming more aware of the meaning of American citizenship; therefore, Youth listens intently as The Voice of America continues to speak to him.

"While you are still young, you can be of great service to me, Youth. One of the most important aspects of citizenship is being a member of the armed forces because, as such, you would be protecting yourself, as well as me."

A look of defiance is evident on Youth's face. I can see by his expression that he intends to challenge The Voice of America. Youth cries out his feelings. "I cannot be a member of your armed services, America! I do not agree with many of your policies. How can you expect me to fight for something in which I do not believe?"

"You may not always agree with my policies, but, as a good citizen, you will answer my call with your whole heart because I am your country. Whether you feel that I am right or wrong, you owe me a great deal. Your forefathers did not always agree with my policies, either, but they supported me, their country. Accept this challenge! Always remember to uphold the democracy I offer you. Hear my call, Youth, and heed it," The Voice answers.

I see a transformed Youth, and I hear him say, "Yes, America, I hear, and I accept your challenge. We shall not fail; I, Youth, give you my best."

The older Americans hear Youth and are thankful because they know that it is enough to keep America strong. They feel hope for the future and pride in Youth, as well as pride in America. Youth has realized the full meaning of American citizenship, and he is now ready to take his position in American life.

The Voice spoke to Cave Man, and he listened; many years later, The Voice once again spoke to Man, and he listened. Throughout the centuries, Man has been guided by the Voice, and even now, the communication between The Voice and Man continues. As long as Man listens, there is hope for a good future.

GENERAL SPAATZ AWARD

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1968

Mr. OLSEN. Mr. Speaker, last evening I presented the Gen. Carl A. Spaatz Award to David B. Bitzel of my district in Montana.

In presenting this award, I reviewed some of the accomplishments of this young man's life. I place my remarks in the RECORD at this point:

Good evening, ladies and gentlemen. It is an honor and a privilege for me to be with you today to present the General Carl A. Spaatz Award to David B. Ditzel.

The Spaatz Award is the second highest achievement that can be obtained in the Civil Air Patrol and it does not come easy. Of course, neither have the other accomplishments which have marked this talented young man's life.

This award marks the successful completion of the third phase of the four phase Civil Air Patrol cadet program. Since January of 1961, David has accepted and met a battery of challenges designed to test his thinking ability, his leadership ability, his physical ability and certainly his determination.

David received the General Billie Mitchell Award in February of 1965 at the completion of the second phase of this strenuous program. He went on to receive the Amelia Earhart Award in June of 1965 and a Meritorious Award in August of 1966.

He has attended six Civil Air Patrol cadet summer encampments and, since 1965, has served either as Camp Commander or Deputy Camp Commander. This year he trained under the Civil Air Patrol's third lieutenant program.

But David's accomplishments have not been limited to the Civil Air Patrol, but indicate a healthy range of interests.

He is photo editor of *The Exponent*, student publication at Montana State University here. In addition, he serves as program director of the student radio station here at the University.

In addition, he holds membership in the Professional Photographer's Association and the Aircraft Owner and Pilot Association.

The Civil Air Patrol Cadet Program is designed to develop dynamic Americans and aerospace leaders.

As I present this award to you tonight, David, I wish you well in everything you do in the future. Certainly everyone here joins me in that wish.

Your accomplishments in your short life indicate a capacity for learning and leadership and, with confidence in your ability, I urge you to continue to set your goals high. Perhaps we will meet here again one day to present you with the Civil Air Patrol's highest achievement, the Falcon Award. Half of the Civil Air Patrol goal for you has been accomplished, for indeed you are a dynamic American.

If it is your goal and if you apply yourself, I know you will accomplish the other half and become an aerospace leader as well.

For, as we all have learned in the last exciting decade, the sky is no longer the limit.

Good luck to you, David, and congratulations!

"THE VULNERABLE RUSSIANS," AND A SPECIAL HOUSE COMMITTEE ON CAPTIVE NATIONS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. DERWINSKI. Mr. Speaker, the brutal invasion of Czechoslovakia by imperiocolonialist Moscow and its puppet allies is a political measure of numerous significant facts. One is the obvious fear by the Russian imperialists of the captive peoples in Czechoslovakia and their pressures for freedom and genuine independence. Another fact is their equal fear of the repercussions of any such development in the captive nations throughout Eastern Europe and in the Soviet Union. A third important fact is the gross miscalculation of our policymakers who, contrary to all reality, have created the false image of reasonable and mellowed Russian Communists, the illusion of a fragmenting empire, and the myths bearing on "bridges of understanding."

This sordid event, more than any other in the recent period, makes it all the more imperative for us to establish in the House a Special Committee on the Captive Nations, which would cling to the facts in the Red Empire and enable us to avoid such illusions and myths. These illusions and myths have been ably exploded in the current book on "The Vulnerable Russians," which also explains why such a congressional committee is indispensable to our security. Authored by Dr. Lev E. Dobriansky, who is a professor at Georgetown University and also the chairman of the National Captive Nations Committee, the work shows with vivid effect the shortcomings and failures of our antiquated foreign policy.

The book is now available at the Georgetown University Bookstore, White Gravenor, Georgetown University, Washington, D.C. The reviews of the work indicate the novel and informative quality of the book. The following review in the widely read lay Catholic organ, "The Wanderer," should be of considerable interest to prospective readers of "The Vulnerable Russians."

"THE VULNERABLE RUSSIANS," BY LEV E. DOBRIANSKY

There is no such thing, says the author, as a "Soviet citizen." The U.S.S.R. is not a nation, but an amalgam of nations held together against their will. They were forced into the Soviet Union by conquest; and no Soviet government would dare allow the citizens to vote on the matter of whether they wish to remain in the U.S.S.R. or to be independent.

Russian empire-building, however, the author points out, is not of recent origin. It predated the Soviet regime by several centuries. Most of the present captive nations had been conquered by the Tsarist government; gained their independence during World War I; and were reconquered a few years later by the Russian Communists, to be forcibly incorporated into the U.S.S.R. The idea of "Pan-Slavism" is not of Marxist origin, either, but a carryover from the ideology behind Tsarist imperialism. Engels termed it—with surprising accuracy—"a smokescreen for world domination, appearing in the cloak of nonexistent Slavic nationality."

It is important, says Dr. Dobriansky, to know the past history of Russian aggression, and to recognize the fact that the Free World's real enemy is an imperialistic, colonialist system which simply makes use of the ideology of Communism as a weapon of deception.

Our initial mistake, the author believes, was in not supporting the independence of the nations that had thrown off the Russian yoke in the wake of World War I. These were not insignificant countries; the Ukraine alone has a population of forty-five million. The independent republics were conquered after they had been softened up by infiltration, subversion, ideological deception, and other techniques of revolution. Many of the same techniques have been in use throughout the Free World.

Dr. Dobriansky points out some of the principal weaknesses in the Soviet system—the bankruptcy of the Communist ideology, the disparity of income and status between the people and the ruling elite, and, in particular, the existence of the captive non-Russian nations. The fact of the captive nations, he says, is something the Soviet Government is extremely anxious to keep concealed, as witnessed by its agitation when the Captive Nations Week Proclamation was made in 1959.

The destruction of the *Ersatz* Russian image, insists Dr. Dobriansky, is one of the most pressing necessities challenging U.S. propaganda efforts. The superiority of Soviet Russian propaganda is based on our failure to understand the true situation. It is paradoxical that the Russians charge others with being imperialistic and colonialistic.

The author discusses specific failures in U.S. policy, and gives recommendations for averting a devastating global war.

Dr. Dobriansky, who authored the Captive Nations Week Resolution, received his Ph.D. from Fordham University; is presently teaching at Georgetown. A professional political economist, he has written several hundred published articles, and has held high-level appointments in Government circles.—EDITH MYERS.

A BILL TO AMORTIZE HIGHER EDUCATIONAL EXPENSES

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. CURTIS. Mr. Speaker, I am introducing today a bill which will provide for an amortized deduction of the education expenses of a taxpayer taking courses leading to a degree at an institution of higher education. The bill also provides that another taxpayer may deduct expenses which he pays for the education of a dependent also on an amortized basis. My basic purpose is to introduce in legislative form the concept that educational expenses in our society should be treated as capital expenditures. With this bill I hope to contribute to a national dialog on improved ways to economically increase the total investment by our society in education by easing the financing of educational cost to everyone, while at the same time minimizing political interference in the educational system. The greater part of the wealth of a nation consists in the knowledge and skills of its people; accordingly if we are to increase our national wealth we must modernize our tax treatment of educational expenses.

A REVIEW OF ELEMENTARY AND SECONDARY EDUCATION FINANCING

Because my bill is offered as an alternative, rather than an extension of our present law, I think it would be helpful to review briefly some background in order to put my proposal in context.

Financing education for our young people remains one of our foremost problems and requires for its solution an understanding of what we have been able to do in the past in this area. I am not referring to the administration's education bill in 1965 because I think that the presumptions in that bill are erroneous and have led us off the track. The President's message of 1965 implied that the whole area of public support for education had been less than satisfactory because the Federal Government had been unable to supervise more closely and regulate the funds. The plan of the administration was to ram through a bill, which if examined calmly would probably have been rejected. We should look through the rhetoric that is still clinging to our educational policy when we plan now for the future.

The facts are that under a system based upon non-Federal financing we have made tremendous progress in education, and many of the problems we now have to solve are the results of the progress and not of lethargy. In the 1950's, for example, we were able to get on top of the quantity problem brought on by the postwar baby boom. We are educating more people for longer periods of time than any society past or present. Yet a dozen years ago the schools of this Nation began to face an unprecedented increase in school-age children—the so-called baby boom. This put 17 million children in public elementary schools in this country since the early 1950's. The propaganda would have us believe that this increase could only be handled by increased Federal funds and control. However, the actual statistics which I placed in the CONGRESSIONAL RECORD, volume 111, part 4, page 5113, showed that the percentage of Federal contribution during the years between 1953 and 1963 had actually dropped from 4.5 to 3.5 percent while the percentage of State contributions had increased, and local contributions, while dropping somewhat, remained at well over 56 percent of the total. With this combination of financing the school system was able to weather the crisis that existed in the 1950's, and now the child population has leveled off.

To be sure, there are problems for low-income groups that still exist today which cry out for relief. Yet the best course to take to solve these remaining problems would seem to be to expand upon that system that has brought us so much success in the past. Those who oppose building upon success should bear the burden of proof that the basic system we have is unable to meet the remaining problems. Failure to consider these successes and possible extensions from them into new areas is one of major regressive steps of this administration. The problems of the low-income groups that exist today are capable of being remedied on the State level by improving State and local equalization laws and by modernizing our real estate property tax laws. School districts, as well as communities, rely primarily upon local property taxes—taxes on wealth, not on incomes for the revenues to meet the cost of these programs. These taxes are open and visible and therefore more subject to popular discipline. They produce an upward spiral effect in wealth as the programs which they finance enhance the value of the very property they tax. See CONGRESSIONAL RECORD, pages 9357–9363, April 9, 1968, "Toward a Better Understanding of Urban America."

It is remarkable to view the high percentage of school bond issues—over 70 percent—proposed that the people have approved by their votes in the past decades and those that fail are usually restructured and improved and later passed making the percentage figure much higher. Local financing is also more economical. As I have pointed out—CONGRESSIONAL RECORD, volume 113, part 1, pages 1119–1122, the current theory that the Federal income tax is healthy, and local and State taxation mechanisms are not, is a falsity. Our Federal income tax rates are still too high and beyond the point of diminishing returns, and even so they have been unable to give us the Federal programs and the Federal Government continually resorts to deficit financing. It is uneconomic to send tax dollars to Washington only to be returned to the State and local governments for expenditure. The dollar gets clipped by about 25 percent when it reaches the environs of the Potomac River. Furthermore, it weakens expenditure discipline to have one unit of government impose a tax while another unit spends the proceeds. Nor can there be a complete abandonment by the taxing unit of government of control over how the money is spent by the other unit. This too is a false aspect of the theory of Federal income sharing with the States.

For many years I have proposed what I felt was a better way to finance education, including elementary and secondary education. It is based upon the belief that local money should be left in the community by reducing the Federal tax rate and that the primary source for local educational expenditures aside from the parent taxpayer is and should be the real estate property tax properly modernized and kept up to date. Consequently, on March 16, 1965, I introduced H.R. 6357—CONGRESSIONAL RECORD, volume 111, part 4, pages 5113–5114—and on February 16, 1967, I reintroduced the bill in the 90th Congress as H.R. 5598—CONGRESSIONAL RECORD, volume 113, part 3, pages 3571–3573. This bill provides that each Federal income taxpayer would have an alternative. The first alternative would be a credit against his Federal income tax up to $100 for State and local taxes paid for educational purposes, or the types specified in the education section of the Internal Revenue Code. A renter of property could claim that portion of the real estate tax paid by the landlord which might be allowable to him as an individual renter as part of his tax credit. The second alternative is a credit against Federal personal income tax for each allowable dependent who attends school, equal to $50 per student but limited to $200.

Although this bill was part of the Republican Educational Incentives Act of 1965, presented as a better alternative to the administration's Elementary and Secondary Education Act of 1965, the gag rule employed by the Democratic leadership prevented all discussion and debate on the floor of the House on this competing concept. I took the floor of the House to protest that the tax reduction approach could not be considered by the House as a better alternative to the expenditure approach under the closed rule presented by the Rules Committee and adopted by the Democratic majority. See CONGRESSIONAL RECORD, volume 111, part 5, pages 5730–5731.

Recently I introduced a bill I had been developing for many years to have the Federal Government pay in lieu of local property taxes for the real estate holdings it held in the communities. After all, the Federal Government as property owner gets all the benefit from local revenues such as fire and police protection, sewers, streets, and education. Why should not its holdings be included in the local tax base. This would generate on a proper cost accounting basis probably about $2 billion additional revenues to the local school boards and communities.

A REVIEW OF HIGHER EDUCATION FINANCING

There are several alternative ways in which higher education can be financed in the United States. The first alternative is that the institutions themselves can be subsidized by the government, Federal, State, or local, or by private individuals or groups. Contributions to educational institutions from private sources should be encouraged, as has always been done very properly under our Federal income tax laws. See section 170, IRC, 1954, which allows a deduction for such contributions up to 30 percent of taxpayer's adjusted gross income. I strongly support this principle and add only that the figures may need to be revised from time to time.

Our higher educational needs probably cannot be met by private contributions to educational institutions totally. However, it is folly to permit private sources to dry up. This in fact happens to a great extent when we begin to talk in terms of governmental obligations to education. When government or public money comes in, private money tends to go out. This is what I have often referred to as "Curtis Corollary" to Gresham's law—bad money drives out good. So Federal Governmental money tends to drive out local and State money. This phenomena does in fact occur and must be considered when analyzing the source of educational finances.

In 1960, when then Senator John Kennedy was running for the presidency, he suggested in his campaign speeches that our society will have to double its investment in education in the next decade. My response then was the same as it is now: "why slow down?" The facts are that in the decade of the 1950's through local governmental and private sources, we, as a society, trebled our investment in education. As the 1960's come to a close we can see now that Kennedy's campaign statement was in fact a prophecy, as with an increase in Federal expenditures usurping local governmental and private responsibility our total rate of spending in education has in fact slowed down. See CONGRESSIONAL RECORD, volume 111, part 15, pages 19931–19933. Public money, particularly Federal expenditures, has driven out private money and the net aggregate is less.

In addition to private sources, financing the educational institution itself can be achieved, as I have mentioned, by looking to government. We have had a great deal of experience with this form of assistance in recent years, not all of it happy by any means. On June 28, 1967, I placed in the CONGRESSIONAL RECORD—CONGRESSIONAL RECORD, volume 113, part 13, pages 17809–17814—a fascinating article entitled "Life with Uncle" which appeared in the Dartmouth Alumni magazine, and recounted the dangers and drawbacks of the growing reliance of our educational institutions upon Federal grants and programs. Few realize as this article points out, that 25 percent of the total budget for higher education comes from the Federal Government. The strong pull of this amount of money can adversely affect the freedom and growth of our colleges and universities.

Another general alternative then is to assist the student himself rather than the institution which he attends. Again, we have had experience with some forms of student assistance programs. The national defense education loan program is a primary example. Also, the national science fellowships, and the most venerable of them all, the GI bill, which is excellent in concept and has helped many Americans obtain an education they might not have had because of financial need.

This area of providing assistance for the individual student I think offers the greatest promise of new and beneficial extensions of our past successful educational assistance policies. If expenditures for education are treated as capital expenditures for Federal tax purposes then these assistance programs can be structured away from subsidies to good cost accounting investments. It is in this area then I am offering two ideas for further consideration. First, the concept of a deferred payment plan, which is part of the second idea that education is a capital investment in a human being and should be accounted for accordingly.

The deferred payment concept was further stimulated in my thinking by a speech by Mr. Kingman Brewster, president of Yale University. He and I have corresponded on this subject and I feel that his correspondence and parts of his speech delivered at Stanford University on May 11, 1967, outline this concept very well. Accordingly, I am inserting them in the RECORD at this point:

JULY 31, 1967.

Mr. KINGMAN BREWSTER,
President, Yale University,
New Haven, Conn.

DEAR PRESIDENT BREWSTER: I recently examined an article explaining an idea of yours regarding the financing of higher education. Enclosed is a copy of that article which appeared in the New York Times on May 12, 1967.

I believe that money spent for higher education should be regarded as a capital investment. It has the effect of improving our most vital "asset," our people. As presented in the article your idea could serve as a fair assist for someone desiring collegiate study, but otherwise unable to finance it. It has the additional advantage of keeping federal regulation of the educational institution at a minimum.

You may be interested in some bills that I sponsored this year relating to the financing of higher education. I have introduced similar bills since 1958. Enclosed are three of these bills with my remarks as printed in the CONGRESSIONAL RECORD.

I would enjoy hearing from you about the ideas presented in the enclosed article. Any comments that you can make concerning your plan would be appreciated, or any further papers you may have prepared on the subject would be most interesting.

With best wishes.

Sincerely,

THOMAS B. CURTIS.

YALE UNIVERSITY,
New Haven, Conn., September 12, 1967.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CURTIS: I am naturally very pleased with your interest in my proposals for the financing of higher education, and admire your own efforts to find ways of investing the nation's savings in the education of the oncoming generation in some way which minimizes red tape, administrative discrimination, and the danger of political interferences.

Recent reports indicate that a task force on educational innovation headed by Professor Zacharias at M.I.T. has now publicly espoused a plan for deferred payment of the cost of education, with payments in proportion to the student's career income. In substance this proposal is like the one I mentioned last spring, except that the Zacharias plan would create a new federal lending agency whereas I would use existing private financial savings and lending institutions. I may win the prize for minimizing administrative and political overhead, but his proposal is much more helpful than mine on the economic and actuarial projections of how the whole thing would work and what it might cost over the cycle of a generation.

My preference for the deferred payment proportionate to income rather than tax credits or deductions for either parents or teachers really has much more to do with my opinions about tax policy than it does with any educational position. I think the relative evenhandedness of United States Internal Revenue exactions has a lot to do with the willingness of our people to support the enormous defense, health, and welfare requirements of a modern society. If we go further down the tax exception line as an instrument of economic policy, I would worry about an erosion of public faith in tax equity. Admittedly, we have gone pretty far already for our Texas friends in percentage deletion and a host of other windfalls, but surely there should be a presumption against this sort of thing.

There is some indication that a White House Task Force on Education may sometime soon come out with a series of imaginative proposals. I hope so, because we run a real risk of being squeezed between the threat of insolvency on the one hand and the threat of political domination of the educational economy on the other.

Again, warm applause for your most constructive interest. Do let me know if I can be of any further help. I will gladly send you any materials developed up here.

Sincerely,

KINGMAN BREWSTER.

The ideal we seek, therefore, would be some way in which the society could invest in the full cost of educating its oncoming generations up to the full measure of their potential talent in a way which met the following conditions:

First. It would not impose a hardship on those receiving assistance which was disproportionate to their personal benefits.

Second. It would not be resorted to except by those who needed it.

Third. It would not cost more over the span of a generation than the society received in return for its investment.

Fourth. It would not involve new bureaucratic establishments.

Fifth. It would not require the Federal Government to deal with or choose among either students or institutions.

Sixth. It would not significantly alter the competitive drawing power of the private and the tax-supported institutions.

This is a tall order. However, for the past 6 years a proposal has been examined and discussed which would seem to meet most of these requirements. Only recently has it received official acknowledgment; and only recently has it been subjected to professional economic and financial analysis.

The essence of the proposal is to permit any student to draw down an advance equal to the cost of his education, on the understanding that he would in return have to pay a proportionately larger income tax for the balance of his life.

In terms of the desiderata I just itemized:

First. The financial burden of a college education would still fall on the needy more heavily than upon those who could afford it out of pocket; but the burden would be spread over a lifetime and would be proportionate to affluence. In short, the student would have the privilege of investing in his education by borrowing against his future earnings, with the assurance that to the extent those earnings did not materialize he would be relieved of this obligation.

Second. Because of the prospective increased tax liability for the indefinite future, it would be relatively certain that the advance would not be resorted to except by those who found it difficult to meet educational expenses currently.

Third. There is no reason why over the span of a generation the cost of the advance, plus interest, could not be returned to the national exchequer if the incremental tax obligation has been correctly calculated for this purpose.

Fourth. It would be unnecessary to establish any incremental lending or collection institution if it were provided that in return for documents proving an authorized advance any savings or lending institution would be eligible to receive from the U.S. Treasury an equal amount in the form of a negotiable Government bond. Collection over the individual's lifetime could be through the Internal Revenue Service, relying on voluntary self-declaration of the obligation on the same basis and subject to the same penalties as the income tax.

Fifth. If the advance were made by private lenders on the assurance of Treasury reimbursement then it would be unnecessary for the Government to deal with individual students or institutions beyond the determination of classes of eligible recipients.

Sixth. Since the advance would be geared to cost of education it would be available for room and board charges in both public and private institutions. Although it would be available to meet tuition costs as well, this should not grossly favor the tuition charging institutions since the student would not welcome the contingent future liability for repayment unless he thought that for some reason the cost was worth it.

Calculations made by a group working on a similar plan would indicate that if for every $3,000 advanced every recipient undertook to pay 1 percent of his income for the rest of his life, the scheme would be self-liquidating over the cycle of a generation. With this modest burden proportioned to a person's actual earnings it should be possible to charge somewhere near the full cost of education without excluding anyone worthy of admission.

A society in which most channels of fact and opinion are concentrated in giant chains and networks and larger organizations and interest group blocs must undergird and protect the free university as a safe haven for the critic and the skeptic and the heretic. If these last sanctuaries lose their freedom we will run the risk of atrophy either from a conformity made voluntary by smugness or coerced by fear of change.

The academic process would be sapped of much of its vitality if centralized planning at best, political patronage at worst were to replace free competition for faculty, students, and quality. If there were no independent yardstick both excellent and autonomous, public as well as private centers of learning would degenerate into a quest for patronage which would corrupt the quest for truth.

If individual self-determination were swayed or distracted or frustrated by the need to please the patron the chance of finding a new and better truth would be diminished. The ultimate threat of total dependence on a selectively administered program of public support would be the loss of the crucial freedom to follow the inner gleam of curiosity, restrained only by the inner force of conscience.

Surely a tradition of ingenuity which has created great state institutions in the land-grant tradition and which has sustained private charitable enterprises through the charitable tax deduction can develop and support a system which will allow the Nation to invest in the education of its young up to the full potential of their talent without destroying the competitive freedom and self-determined integrity of its educational institutions.

THE TAX AMORTIZATION APPROACH

The bill that I am introducing today embodies the concept that education is a capital expenditure and is similar in principle to a deferred payment plan. In my work on the House Ways and Means Committee I have urged consideration of the social consequences of our tax laws in many areas. President Brewster of Yale has expressed opposition to this use of the tax laws. I respect this position, but disagree. In my view our tax laws should conform to our social goals. In other words, we should not tax income which is being spent to achieve social purposes, for which the Federal Government otherwise might have to spend the money itself. I think that most would agree that education is one of those social purposes, although there is often disagreement on others. When viewed in this light as not taxing income spent for social purposes, we are more accurately removing an impediment in our tax laws rather than giving a special tax benefit to a particular group of people.

In addition, conforming our tax laws to remove impediments to educational spending has many positive aspects. In the words of Prof. Roger A. Freeman of the Hoover Institution on War, Revolution, and Peace, Stanford University, in testimony before the House Education and Labor Committee's Subcommittee on Education in 1965:

> The tax credit approach offers several decisive advantages over the grant in aid approach. It does not threaten to impose federal controls because it involves no contract between federal, state, and local school authorities. The most attractive feature of the tax credit approach, however, is that it provides a method by which the federal government can help the public schools financially without incurring the charge that it unfairly discriminates between the children attending public and private schools. The church state issue which has been a main obstacle to federal action for many years would not be involved in the tax credit approach. No federal funds would be allocated to either public or private schools and all taxpayers would be treated alike.

Nonetheless, the differences in the proposals of President Brewster and myself do not run deep, and are easily overshadowed by their agreements in this context of financing education. Both proposals stand for the principle that an individual in our society today should be allowed a certain set amount for his education if he can use it. Whether this be achieved by a tax amortization scheme as I have proposed or be a deferred payment plan proposed by President Brewster is important, but is fundamentally a choice of means.

The bill I am introducing today is the result of study which went into several bills I have introduced in this area in the past decade. My interest in introducing legislation in this area began with questioning the policies prohibiting a tax deduction for educational expenses by teachers. Section 162 of the Internal Revenue Code allows a deduction from gross income for all expenses "ordinarily and necessarily" incurred in carrying on a trade or business. The question has been whether expenses paid by a teacher for education are ordinary and necessary business expenses, or personal expenses. If they are personal expenses they are nondeductible.

In my judgment, a reasonable interpretation would allow a deduction for teachers' education costs as necessary expenses to practice the profession. The Internal Revenue Service has consistently held a different view. Prior to 1958 the IRS had a variety of interpretations of this provision, and each were considered on an ad hoc basis with few promulgated guidelines. The IRS almost always won any dispute over the allowance of a deduction by default because teachers made small salaries, the deductions then would be correspondingly small, and court costs were great. The IRS interpretations were usually based upon the personal-business distinction, whether the educational courses were taken voluntarily or involuntarily, and whether or not they led to a degree. The first of these criteria has always been foggy. The second usually meant whether the teacher needed the further course to maintain his job or to obtain a better one. This could easily be circumvented by the proper letter from a sympathetic principal. The third criterion, whether or not a degree is acquired, was meant as a guideline to determine whether or not the expense was personal, because if the degree was acquired, that was deemed a personal benefit, but if no formal degree was bestowed, no personal benefit was said to have accrued to the teacher.

In 1958, I introduced legislation to clarify the policy in this area. My bill, H.R. 10804, would make it clear that "the expenses incurred by a teacher for education may be deducted even though the expenses are incurred voluntarily, and even though the courses taken carry academic credit or result in an increase in salary or promotion." Although legislation of this type had bipartisan support, none was enacted in 1958 because the Treasury Department promised that new regulations would be issued soon which would clarify the problem. Regulations were issued (T.D. 6291) but they were adverse to the teachers' interests and in the opposite direction from the legislation introduced. The regulations, under which we have been operating, until just recently, allow expenditures to be deducted only if they are required for maintaining one's job. They do not allow a deduction for the expenses of improving one's job or obtaining a job in the first instance.

Because of the continued confusion in this area, the Treasury proposed two additional regulations in July 1966. They were in fact more regressive than the 1958 regulations in that they purported to make it clear that no deduction would be allowed for any educational expense that qualifies a person for the minimum requirements for his job, and no deduction will be allowed for any expenses for courses which leads to a degree. Following this regressive step, I again introduced legislation to halt this action and move forward in the other direction. (See H.R. 17890, CONGRESSIONAL RECORD, vol. 112, pt. 17, p. 23460). In October 1966 the Treasury Department reconsidered and retracted their July proposals, and issued new more positive ones which would allow deductions for courses either required or voluntary which may or may not lead to a degree. The Internal Revenue Service seemed to have been somewhat persuaded, and I am enclosing a copy of a letter I received from Assistant Secretary Stanley S. Surrey, indicating this:

> TREASURY DEPARTMENT,
> *Washington, D.C., October 1, 1966.*
>
> Hon. THOMAS B. CURTIS,
> *House of Representatives,*
> *Washington, D.C.*
>
> DEAR MR. CURTIS: Since you have sponsored legislation which would affect the Federal income tax treatment of educational expenses incurred by teachers, I thought you would be interested that the Treasury Department has withdrawn its proposed regulations in this area and has issued a revised proposal in its place. This action resulted from a careful re-evaluation of the proposed rules in the light of the many comments we have received and the important issues involved. In this regard, the views you have expressed and the points raised in your bill were helpful to us. I am attaching a memorandum which explains the revised proposal in some detail.
>
> Sincerely yours,
> STANLEY S. SURREY.

However, this was merely a short step in the right direction in my judgment, and there is a great distance yet to go. The revised regulations of October 1966, while improved vastly over those of July 1966, still do not allow deductions for educational expenses for the minimum requirements of the profession, nor for courses in any other profession, trade, or business. I was pleased to see the concessions made to teachers because our shortage of good people in that profession is severe. Yet I feel that the same considerations should be expanded and applied across the board to all costs of training, retraining, and education.

Concurrent with my proposed legislation regarding deduction of teachers' educational expenses, I have offered since 1958 a proposal which would allow a tax credit for the expenses of college education on a sliding scale up to $325 per college student. These figures may now require adjustment in light of vastly increased educational costs and needs. This proposal was contained in the Educational Incentives Act of 1965—see CONGRESSIONAL RECORD, volume 111, part part 4, pages 5113–5114—received the endorsement of the House Republican leadership, and was reintroduced in the 90th Congress as H.R. 5598—see CONGRESSIONAL RECORD, volume 113, part 3, pages 3571–3573. I am pleased to note that this proposal has some bipartisan support, and one of its chief sponsors in the Senate is former Secretary of HEW, Senator ABRAHAM RIBICOFF.

The concept of removing impediments

in our tax laws is not necessarily limited to expenses borne at the college or university level. Vocational education and job training should also be aided in this fashion. In the 89th Congress and again in the 90th Congress I introduced the Human Investment Act—H.R. 4574, see CONGRESSIONAL RECORD, volume 113, part 2, pages 2401–2405—which provides a 10-percent tax credit to the employers for the expenses of their training programs. This bill has now received the support of over 130 of my House Republican colleagues. Corresponding to the Human Investment Act, which removes tax impediments upon the employer, is H.R. 5045—see CONGRESSIONAL RECORD, volume 113, part 3, page 3070—which provides that training expenses borne by the employee can be deducted from his income tax. This bill is an expansion into the vocational job training area of the bill I had introduced since 1968 with regards to allowing teachers a deduction for their educational expenses.

The bill I am introducing today joins together the two themes I have been developing in this preceding discussion. First, it expands the concept that our tax laws should be made to conform with our social goals by removing the impediments in our tax laws to any higher education expenses. Second, it achieves this through treatment, taxwise, of educational expenses as a capital investment. Expenses for education is in fact a capital investment, one which pays great dividends both to the individual and to the whole society. In fact the investment in people, the skills of human beings, is perhaps the wisest investment we as a society can make today.

ANALYSIS OF THE BILL TO AMORTIZE HIGHER EDUCATIONAL EXPENSES

The bill provides for both the amortized deduction and the current deduction, but not a double deduction for the same expense. An individual may not take a deferred deduction for education expenses paid or incurred by one who may claim the individual as a dependent.

Under the bill a taxpayer may deduct the education expenses which he pays or incurs for a student dependent. The deduction in any year may not exceed $3,000 for a dependent. Any education expenses in respect of a dependent in excess of $3,000 which are not deductible in the year paid or incurred are never deductible.

The student who pays his own education expenses may treat the expenses as deferred expenses and deduct the aggregate of these expenses ratably over a 10-year period. The deferred expenses may not exceed $3,000 in any calendar year. Any expenses not deferrable in the year paid or incurred are never deductible. The 10-year period of amortization begins with the first month after the third consecutive year in which the taxpayer is no longer a full-time day or night student for at least 5 calendar months. The 3-year timelag effects two purposes. One, it results in the bill providing the same treatment for a student who works and attends school in alternative years; that is, deferring the deduction until the student completes his education. Two, the timelag results in the bill deferring any deduction until a student is earning a substantial income against which he may claim the amortized deduction and receive a tax benefit.

As I previously mentioned, the bill only allows a deduction for the education expenses of a student taking courses leading to a degree at an institution of higher education. The bill defines the term "education expenses" as including only the excess of the reasonable expenses for tuition and fees, books, supplies, and other materials required for courses, traveling expenses, and meals and lodgings, over the sum of any scholarship or fellowship not includible in gross income and any education and training not includible in gross income and any education and training allowance or educational assistance allowance under the veterans benefit provisions.

The bill applies with respect to education expenses paid or incurred after the date of enactment.

THE CIVILIAN ATOMIC ENERGY PROGRAM

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. CARTER. Mr. Speaker, for a number of months I have been drawing attention to the shortcomings of the civilian atomic energy program. With other colleagues, I have become convinced that the direction of our atomic energy activities is misdirected and no longer serves the public welfare.

As I have said on many occassions, I cannot fault the assumption made by the Congress in 1946 when it established the Atomic Energy Commission and gave to it unparalleled authority and financial support. Nor, Mr. Speaker, can I seriously object to the decision of the Congress to permit private enterprise to participate in nuclear growth. However, we now appear to have reached a point where the proliferation of atomic powerplants is becoming injurious to public health and safety and threatening the reliability of our electric power system.

A recent article in Science, a magazine of the American Association for the Advancement of Science, makes this specific point. The article, entitled "Nuclear Power—Rosy Optimism" clearly points to the way in which promise has run afoul of harsh realism.

Without objection, I would like to insert this article into the RECORD so that my colleagues and the American people may be aware of the growing disenchantment with atomic power. I feel, Mr. Speaker, that major legislation introduced by me and 26 of my colleagues for a review of the Atomic Energy Commission is strengthened by this article and many others like it which are appearing with increasing frequency in the press of the United States:

NUCLEAR POWERS ROSY OPTIMISM AND HARSH REALITY

(By Philip H. Abelson)

A dramatic confrontation between rosy optimism and harsh reality is now gripping the attention of the electrical power industry. During 1966 and 1967, in a bandwagon atmosphere, large numbers of nuclear power plants were authorized. As of 1 April 1968, about 35 percent of scheduled additions to electrical capacity were nuclear. Recent events, however, have caused some observers to fear that optimism was overdone. The utilities have gambled heavily on unproven equipment, some of which will be brought on line far behind schedule. Power shortages could result.

A conspicuous example is the installation at Oyster Creek, New Jersey, which is now about a year and a half behind schedule. During field hydrostatic testing of the reactor pressure vessel on 29 September 1967, a leak was detected. A dye-penetrant test revealed that the leak was the result of flaws in a field weld made to join a control rod housing to a stub tube in the pressure vessel. Detailed examination revealed localized intergranular cracking in 123 of 137 stainless steel stub tubes, and welding defects in each of the 137 field welds joining the stub tubes and the control rod housings.

Many of the defects found were minor, and it seems unlikely that complete failure of a weld would have occurred had the weaknesses not been discovered. Even had such failure occurred, there would not have been a violent nuclear accident. However, if a leak or a weld failure had occurred after the reactor had operated for some time, the difficulty of repairing the defect would have been great, owing to intense radioactivity.

Before the Oyster Creek facility can be operated, it must be licensed. Three different groups will pass on the matter. First, there is the Division of Reactor Licensing of the Atomic Energy Commission, then the statutorily constituted Advisory Committee on Reactor Safeguards, and finally the Atomic Energy Commission itself. These bodies cannot be expected to act hastily. Defects in one aspect of the plant raise specters of other, yet undetected, flaws, and it is not certain that procedures used for repair of the defects will be acceptable. When the Oyster Creek generating plant will become operational is anybody's guess, but it could be in the distant future.

These delays will be costly in money and prestige. The Oyster Creek plant represented a courageous gamble by the General Electric Company, which, in 1963, undertook to guarantee delivery of a completed plant involving new design features at a stunningly low price. Announcement of the contract for the plant was widely regarded as signifying that nuclear power had come of age.

Following this event, other large nuclear installations were authorized at an increasing rate. Then came a great outcry against air pollution associated with coal-fired plants. The move toward nuclear power became a stampede. Delays at the bellwether Oyster Creek plant will have a sobering effect. An additional deterrent is the fact that costs of nuclear installations have increased by 40 percent during the last 2 years. Nuclear plants also have been tagged as important potential contributors to thermal pollution, since they are relatively less efficient thermally than coal-fired plants.

All of these difficulties will be surmounted, and nuclear power one day will furnish a substantial fraction of this country's electrical energy. How distant that day will be will depend mainly on how long it takes industry and labor to achieve new and higher standards of design excellence and quality control.

EDUCATION: FIRST AND FOREMOST

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 26, 1968

Mr. HALPERN. Mr. Speaker, in a special message to Congress on January 28, 1957, then President Dwight D. Eisenhower said:

> In a Nation which holds sacred the dignity and worth of the individual, education is first and foremost an instrument for serving the aspirations of each person. It is not only the means for earning a living, but for enlarging life—for maintaining and improving liberty of the mind, for exercising both the rights and obligations of freedom, for understanding the world in which we live.

Mr. Speaker, the Higher Education Amendments of 1968 are an embodiment of that principle so nobly expressed by General Eisenhower. It is with a great deal of pleasure that I rise to congratulate the House on the passage of these amendments. As one of the original cosponsors of the bill, I have worked with my colleagues in this body to secure approval of many of the new and innovative programs which the bill contains—programs which are destined to shape the minds and future of a generation of America's youth.

It is not possible, in so few words, to do justice to the limitless opportunities which these amendments open for the college student of today, but I would like to mention briefly some of the major additions we have made to higher education legislation. It is not immodest, I believe, to assert that they are the forerunners of a new era in education—an era in which education will truly be for "enlarging life."

Under the new "Networks for Knowledge" title, funds will be available to help colleges and universities pool technical or educational resources for the establishment and operation of closed-circuit television or electronic computer networks and for joint use of such facilities as libraries, laboratories and related instructional materials. Such consortia will greatly increase the scope and depth of learning experiences which a university may offer its students.

To encourage qualified and capable young men and women to enter the service of their State, local, or Federal Government and to improve the quality of education they receive is the objective of another new program under the amendments—"Education for the Public Service." The need for such a program is critical. In 1964, according to the Carnegie Corp., only 400 men and women received graduate degrees in public administration while the Nation needed 4,000 to 5,000 with such training. Two years later the number had only increased to 768. With the grants and fellowships offered by the program, we shall begin to meet this need in the next few years.

Improving the education and educational opportunities of the disadvantaged student is another area of concern under the new amendments. The existing programs for identification of capable high school students—Talent Search—and for providing summer studies to strengthen their backgrounds—Upward Bound—are to be combined with a new program of counseling and guidance for the students once they have entered college in hopes of improving their retention rate. Because they come from a deprived background many of them need more than average help in adjusting to college life.

For the first time, grants and contracts will be available to assist colleges and universities establish programs in cooperative education. Under this program a student works part of the year and studies the other part. It has already proved its workability at such schools as Pratt Institute of Technology in Brooklyn and offers the student, in addition to financial assistance, valuable work experience related to his field of major interest.

Two other new programs added by the 1968 amendments aim at improving graduate education in our schools. One—the law school clinical experience program—offers valuable in-service training to students in law schools; the other—a program of grants to improve, strengthen, and expand graduate programs leading to a doctoral degree in any field—will help greatly to increase the quality programs of graduate study in this country.

Taken as a whole, these new programs provide one of the most comprehensive attacks on ignorance and inequality of opportunity ever mounted by any government. Their promise—that every citizen may now receive as much education as his abilities, not his means, dictate—will surely strengthen and sustain our democracy in years to come.

STUDENT FINANCIAL AID

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mrs. MINK. Mr. Speaker, for the interest and information of my colleagues of this House, I wish to insert in the RECORD, copies of letters I have received from several heads of universities on the matter of denying to certain student protestors benefits under the National Defense Education Act loan program, the educational opportunity grant program, the college work-study program, and the fellowships under the Higher Education Act and the National Defense Education Act. These letters set forth very clearly why the House provisions would have been harmful to the orderly administration of these programs, and support fully my vote in the House against these provisions. I invite the attention of my colleagues to these letters:

UNIVERSITY OF HAWAII,
Honolulu, Hawaii, September 4, 1968.
Hon. PATSY T. MINK,
U.S. House of Representatives,
Washington, D.C.

DEAR MRS. MINK: I write in relation to the "Anti-Disruption Amendments" in the Senate and House versions of the Higher Education Bill (S. 3769). While the differing versions of this Bill are in the Senate-House conference, I want to file with you—and I hope you will distribute to the conferees and other members of the House Committee on Higher Education—my reactions as a university president who would have to administer the provisions of these bills. As a university administrator who has been involved with an intensive sit-in and near total disruption of the University's activities for an extended period, I want to say that I am greatly concerned about the desirability of eliminating disruptive activities on campus. I am not so confident as to believe this will occur, but I do feel that we must eliminate all those situations which help to stir the pot of activism and which maintain the mood of frustration and despair which breeds sit-ins and other forms of violence.

For us to deal effectively with these disturbances we must have the utmost flexibility to assess a range of disciplinary actions and penalties which will be appropriate to each situation for each individual. Our ultimate objection is not so much punitive as it is to encourage co-operation in support of the effort of the University in trying to carry out its educational mission. We must at all costs protect the freedom of expression and inquiry on our campuses, but make a real effort to try to eliminate those circumstances which deny freedom to all but those who would disrupt the campus and thus play right into the hands of those whom we are attempting to discipline. Thus I do not believe that we, the administrators, should be required to impose automatically rather drastic penalties on all recipients of Federal funds regardless of the nature and severity of their offense. I can assure you this only makes the disruptive offenses more drastic the next time around. There is nothing that a militant would like better than to be able to demonstrate clearly our obvious miscarriage of justice in the assessment of a penalty.

I fully realize that the Senate version, which indicates that there is nothing in the Act to prevent us from refusing to extend a Federal assistance program to any individual because of his misconduct, is not necessarily a great step forward. As a matter of fact, we could do that at the present time under our present rules. However, the alternative mechanism written into the House budget, I believe, is totally untenable, and I hope that you will work strongly against its acceptance in the Conference Committee.

Sincerely yours,

ROBERT W. HIATT,
Acting President.

WASHINGTON STATE UNIVERSITY,
Pullman, Wash., August 26, 1968.
Hon. PATSY T. MINK,
House Office Building,
Washington, D.C.

DEAR MRS. MINK: I am writing you in regard to two legislative items of extreme importance to higher education in the United States. One has to do with the restrictions on the freedom of colleges and universities and courts to decide what penalties may be assessed against those involved in campus disturbances. The second is related to the NDEA Title IV Doctoral Fellowships.

The position of this institution on this important matter is contained in the following statement by the Executive Committee of the National Association of State Universities and Land-Grant Colleges:

1. Responsible college and university authorities are *even more concerned* than members of Congress about the desirability of eliminating disruptive activities on campus.

2. In order to deal with such disturbances effectively, both higher education authorities and the courts must be free to assess a range of disciplinary actions and penalties appropriate to each situation, in such manner as will encourage cooperation with and *support of the actions of university and civil authorities.*

3. Congressional action to require the automatic imposition of certain rather drastic penalties on all recipients of Federal funds (regardless of the character or severity of their offense) may stimulate rather than diminish campus disruptions. For example: Take the case of two students, one an active and inflammatory inciter of campus disturbances, the other one involved in a minor way by emotion, excitement, and immaturity. Justice may call in the one case for expulsion by the university after a hearing, the other for temporary probation or a warning. In the courts one may call for rather severe penalties, financial and otherwise, after an extended trial and long appeal process; the other properly may involve only a plea of guilty and a minor penalty. If *both* activities carry with them *mandatory* exclusion from financial assistance essential to college attendance, neither university authorities nor the courts can assess penalties appropriate to the offense. Nothing could better suit the purpose of the militants who wish to disrupt our campuses, or enlist mistaken support for their activities, than the *clear miscarriage of justice* in the assessment of penalties.

I hope that you will give serious consideration to allowing the university administrators some leeway in the interpretation of both the extent of the involvement of a student in disruptive activities and his consequent punishment.

On the other point, the NDEA Title IV Doctoral Fellowships, I wish to express my concern about the drastic cut in this fellowship program and the effect on the future supply of college and university teachers and the present programs in the institutions. I hope that you will do what you can to initiate action to grant the full amount of the budget request for this item.

Sincerely yours,

GLENN TERRELL,
President.

UNIVERSITY OF KENTUCKY,
Lexington, Ky., August 28, 1968.

Hon. PATSY T. MINK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSWOMAN MINK: As a member of the House Committee on Education and Labor, I should like to express to you the deep concern which the administration of the University of Kentucky feels over the differences which exist between the House and Senate versions of Higher Education Amendments of 1968, now known as S. 3769, with respect to restrictions on the freedom of colleges and universities and courts to decide what penalties may be assessed against those involved in campus disturbances.

We strongly favor the Senate version which leaves the university free to assess appropriate penalties (including loss of financial aid) by clarifying their legal authority with respect to federal financial aid. To date the University of Kentucky has been successful in handling student unrest under a recently adopted Student Code which provides a legal basis for action against students engaged in disruptive activities. We feel that if the House version should be adopted our present policies would be placed in jeopardy and it might result in stimulating rather than diminishing campus disruptions.

Any assistance which you may give toward maintaining the freedom of colleges and universities and courts to decide what penalties may be assessed against those involved in campus disruptions will be deeply appreciated.

Sincerely,

A. D. KIRWAN,
Interim President.

DARTMOUTH COLLEGE,
Hanover, N.H., June 10, 1968.

Hon. PATSY T. MINK,
House of Representatives,
Washington, D.C.

DEAR MRS. MINK: We should like to bring to your attention the enclosed statement related to H.R. 16729 which was approved by a unanimous vote of the Faculty of Dartmouth College on June 3, 1968.

We hope that this statement will aid you in the consideration of this bill and, particularly, the amendment sponsored by Representatives Scherle, Wyman and Smith.

Sincerely,

JOHN B. COPENHAVER,
Chairman, Committee on Organization and Policy.

FACULTY STATEMENT ON H.R. 16729

The Faculty of Dartmouth College wishes to make known its opposition to certain amendments to H.R. 16729, a bill passed by the House of Representatives to authorize the continuance of Federal financial-aid programs for college and university students. The amendments in question were sponsored by Reps. William J. Scherle (R-Iowa), Louis C. Wyman (R-N.H.), and Neal Smith (D-Iowa). In essence, all deny eligibility for Federal funds to students who have engaged in riotious and disruptive activities.

The Faculty of Dartmouth College also finds riotous behavior deplorable and has made this position clear in a policy statement issued by its Executive Committee to all members of the College community:

"Dartmouth College prizes and defends the right of free speech, and the freedom of the individual to make his own decisions, while at the same time recognizing that such freedom exists in the context of law and of responsibility for one's actions. . . . Protest or demonstration shall not be discouraged, so long as neither force nor the threat of force is used, and so long as the orderly processes of the College are not deliberately obstructed. Violations of these, the most basic principles of a free academic community, by faculty or students will be treated as a most serious violation of college regulations."

The Faculty fears, however, that the Scherle, Wyman and Smith amendments would prove less a help than a hindrance to the continuing effort to provide education for all qualified students within the context of a free and open, though orderly, community. By imposing Congressionally defined standards and penalties, these amendments represent an unwarranted Federal intrusion on academic affairs, one that limits the range of institutional response to student disorders. Moreover, insofar as these amendments provide penalties only for needy students receiving Federal aid, they really do no more than to impose double penalties on those least able to afford such financial loss while providing no sanctions against those students financially more fortunate. This double standard is unjust.

Lastly, the faculty fears that the vague and ambiguous wording of these provisions would have unfortunate consequences. Some of the clauses appear to have retroactive intent, and all of them are so all-inclusive in language that Federal funds could easily be denied to students guilty only of relatively inconsequential misdemeanors, even when committed long in the past. As a result, these amendments run counter to the basic purpose of the legislation itself, which is to provide educational funds for the needy and disadvantaged. Education can help change anti-social behavior and make past or present rioters into useful, self-supporting members of society, committed to the peaceful advancement of that society.

In light of these considerations, the Faculty of Dartmouth College condemns the amendments in question and urges that the Senate of the United States remove them from its version of H.R. 16729. To attain this legislative end, and to give these views the widest possible publicity, the Faculty directs its Committee on Organization and Policy to send copies of this present statement to such members of the Congress and to such news media as the Committee shall deem appropriate.

SUPPORT MEDICAID

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. PODELL. Mr. Speaker, last week the U.S. Senate embarked upon a course of action which can be described only as an unconscionable breach of faith, not only with millions of medically indigent families but also with the sovereign States without whom this Union could not exist. I refer to the action of the Senate in slashing Federal appropriations for the medicaid program.

The action taken by the Senate in cutting from 50 percent to 25 percent Federal reimbursement under the Federal medicaid program is regressive and improvident, inhuman, and irresponsible. Its impact on the health of the American people will be catastrophic. Even more destructive will be the loss of faith among the people of our Nation in the integrity of our Government and in the legislative process.

During the past several months, every one in this House and I assume every Member of the Senate was plagued with a deluge of letters protesting a mythical bill whose intent was to destroy the entire social security system. The extent to which so many of the public were prepared to believe such an outrageous rumor clearly demonstrates that many Americans question the good faith of their Government in all its branches. The action taken by the Senate will confirm the fears of these people that our social security program and other similar programs are supported by nothing more substantial than congressional whim.

For the people of the State of New York, the Senate action will amount to a loss of more than $90 million. What is particularly vicious about this action of the Senate is that this is the second time Congress is cutting back on so vital a program which has hardly even gotten off the ground. The first congressional cut obliged the State of New York to retreat on the finest program designed to bring quality medical care to the medically indigent people of our State. What the Senate proposes now will all but destroy that program.

I suspect, Mr. Speaker, that too many Senators have been so preoccupied as students of pornography that they can no longer recognize an obscenity when they perpetrate it.

I strongly urge, Mr. Speaker, that if the Senate does not under its own power rescind its unconscionable, irresponsible action, then this House should make it crystal clear to that august body that under no circumstances will that medicaid budget cut be agreed upon in conference.

If House conferees do in fact submit to Senate blandishments and agree to this outrage, I want to serve notice on this House that in that event I shall be obliged to voting against and oppose any such conference report. I am confident that a sufficient number of Members of this House will join together in a vigorous attempt to defeat any such conference report. This is an issue on which we cannot temporize nor compromise. Too many lives are at stake for us to accept what the Senate proposes.

CULVER COMMENDS PATRIOTISM OF YOUTHFUL CONSTITUENT

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. CULVER. Mr. Speaker, recently I received a letter from a constituent of mine, Mr. Clyde E. Buerge, stating that he thought it most unfortunate that publicity about young people is primarily of an uncomplimentary nature, and that good and patriotic deeds of young people receive little or no attention.

I, too, have always thought this most regrettable, and have tried, therefore, whenever possible to commend publicly young people who have engaged in particularly constructive activities or performed noteworthy deeds.

I was, therefore, very pleased to be advised by Mr. Buerge of the patriotic actions of his young neighbor, 16-year-old Steven Bahsen of Clinton, Iowa. Steven, to show his respect for the flag of this great Nation, has erected a 16- or 18-foot flagpole in his front yard, and every morning, weather permitting, he hoists the flag and respectfully lowers it in the evening.

I would like to commend both Mr. Buerge and Steven for their actions. Mr. Buerge, a member of the Sons of the American Revolution, disturbed about the lack of recognition of responsible and respectful behavior of most young people, has asked that one of his organization's Sterling Silver Good Citizens Medal and Certificate be given to Steven. Mr. Buerge is thus practicing what he is preaching.

Steven is to be highly commended for giving quiet but public demonstration of respect for the flag of his country. As I stated in my letter to him, the strength of our country rests in its people. Ever since the founding of this great Nation, the vast majority of the American people have worked quietly and often courageously to build a strong and prosperous and free and just America, and when necessary they have fought bravely to defend their land and to help others escape tyranny. Steven's actions and my own personal observations during my visits to every high school in the Second District have convinced me that the vast majority of our youth are continuing this tradition.

WHY VICE PRESIDENT HUMPHREY MERITS THE SUPPORT OF THE AMERICAN PEOPLE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD an excellent editorial appearing in the Nashville Tennessean, a distinguished newspaper of broad distribution and influence, endorsing the candidacy of Vice President HUBERT HUMPHREY.

That excellent editorial entitled "Of the Three, Only Mr. HUMPHREY Offers Qualities Nation Will Desperately Need" sets forth with great clarity the reasons why Vice President HUMPHREY merits the support of the American people in the high office he seeks.

OF THE THREE, ONLY MR. HUMPHREY OFFERS QUALITIES NATION WILL DESPERATELY NEED

As voters look to the November election in the troubled and turbulent year of 1968 there is a cloud of uneasiness and unrest settling over the land.

The war in Vietnam threatens world peace and drains the domestic economy. Warfare in the cities threatens order and drains national self-confidence.

Old people seem unable to communicate with the young; young people say they don't trust anybody over 30. White people are hostile to black people because of riots in the cities; black people are hostile to white people because of justice too long denied; the well-to-do and the middle class think of the poor as shiftless and lazy; the poor think of the rich as arrogant and the middle class as unfeeling.

In this environment the voters enthusiastically respond to overworked political cliches as they look for too-simple solutions to the most complex equations in the history of man.

A candidate says, "let us have law and order," and this evokes an emotional outburst as if the crying needs of the cities suddenly had been met.

A candidate says, "let us get all the way in the war in Vietnam, or get all the way out," and there are cheers and ovations as if the critical conflict in Southeast Asia has been won.

It is because these simplistic, cut-and-dried statements express what people want to do—not what can be done—that Richard M. Nixon now leads in all the public opinion polls in the race for the presidency and George C. Wallace has found such widespread favorable voter sentiment.

Mr. Nixon is the master of mixed generalizations. Mr. Wallace is the master of specific generalization. In ordinary times the vague utterances of Mr. Nixon would be uninspiring and the direct slams of Mr. Wallace would be a joke.

In the current campaign there is not a single issue which Mr. Nixon has met head-on; not a single problem area for which he has offered a clear-cut, positive workable program.

And there is not a single issue for which Mr. Wallace hasn't offered a positive answer—invariably the wrong one.

In the early days of the campaign Mr. Nixon's strategy has been to obscure the issues in a smokescreen of meaningless rhetoric. Mr. Wallace has had a different approach. He has sought to set fire to the issues and let reason burn. But at some point the voters of the nation must come to see through the smoke and fire and view the future of the country in terms of what must be done and what can be done realistically.

And there is but one candidate in the race for the presidency who has demonstrated a recognition that it will take more than campaign oratory to make a successful presidency.

Hubert H. Humphrey, the public opinion polls indicate, is not ahead in the political popularity contest.

He has not sought to become an "easy answer" candidate. He knows and admits there are no easy answers. Beyond that his personality, his wisdom, his compassion and his conviction have been submerged over a period of trying years in the fog of unpopularity which has surrounded the administration of President Lyndon Johnson.

Too few people have come to see him as his own man.

But as the few remaining weeks pass before the election, the voters of the nation are going to have to ponder the true nature of the world in which they live. They are going to have to look honestly at the three men who ask for their votes and decide which one of the three can best be trusted with the trying and tremendous power of the presidency. They must ask: Can Richard Nixon be trusted? Should George Wallace be trusted?

The voters must look at each man as an individual and judge not what the man promises he will do, but what can be done to take the nation through a terribly difficult time.

It is easy to promise—as Mr. Nixon does—that he will end the war and that in the meantime he will prosecute it more effectively. It is easy to promise—as Mr. Wallace does—that he will "win the war or get out."

It is easy to promise—as Mr. Nixon does—that rioting in the streets will end when he becomes President because law and order will prevail. It is easy to promise—as Mr. Wallace does—that rioters will be shot.

It is more difficult and less popular to say candidly to the American people—as Mr. Humphrey does—that it will require still more patience, more determination and a greater effort than ever before to find a way to peace in Vietnam. It is more honest—if less attractive—to say to the American people that more and better trained and better paid police officers are needed to fight crime—but to admit that the riots and violence in the slums of the cities won't go away until conditions which create unrest are wiped out.

These are not words most Americans want to hear. Mr. Humphrey is challenging the nation at a time when its people want to turn away from reality and seek shelter from pressure and tension. But this is no time to dodge or hide.

Throughout his career Mr. Humphrey has been the apostle of the unpopular cause. If one figure in American politics has been willing to stand up against the storm and tide of extremism it has been Mr. Humphrey.

When the nation was hung up on witch hunts, and Mr. Nixon was leading the way, Mr. Humphrey was working to put down false fears and to protect the rights and reputations of innocent citizens.

When the nation was hung up on racism and Mr. Wallace was leading the way, Mr. Humphrey was working to provide laws to bring about equal justice and opportunity for every citizen.

He has been a progressive mayor, a thoughtful senator, a party leader dedicated to reform and opposed to blind reaction. If, as Vice President he has been part of an administration which seems to have been too much influenced by the military, the question now for the voters is which of the three candidates has the fortitude and integrity to break away from a course of militarism?

The answer is Hubert Humphrey.

If he has been part of an administration during which riots have developed in the streets, the question now for the voters is which of the three candidates has the judgment and compassion to find the long-range answers to social disorder?

The answer is Hubert Humphrey.

And which of the three candidates has the insight to recognize the forces at work in the world and has the capacity to deal with those forces in the search for peace?

Again, the answer is Humphrey.

Which of the three candidates has the intellect and balance and self-confidence to hold in his hands the awesome power of the nuclear bomb? That is the ultimate and dangerous question.

Certainly the answer is Hubert Humphrey.

It is true there have been some experiences that have eluded him. He never appeared on national television with a pet puppy dog to explain away questionable campaign contributions. That was Mr. Nixon's major acting role. He never appeared on national TV standing in a schoolhouse door in an effort to keep Negro students out of school. That was Mr. Wallace's scene.

Mr. Humphrey's record is not marked by scandal or stupidity and it gives insight to the sort of man he is: honest, a fighter, intelligent, loyal to a fault.

True today he seems unpopular. He is harassed and heckled. But he is no quitter.

It is in the nature of the American citizen to analyze and reflect soberly before deciding on matters of great consequence.

The coming election is of the greatest consequence. What is needed is leadership that is willing to deal with determination and conscience in the years ahead, attracting—not dismissing—the best brains available and the best talent available to move the country on a sensible and sound course.

The times are perilous. Wishing they would change and putting false hopes in phantom leaders will only make the future more difficult.

The nation needs Hubert Humphrey to be president more than Hubert Humphrey needs the office to climax a career of distinguished service.

He is the candidate who can be trusted. This newspaper endorses his candidacy, pleads his cause and urges his election.

ASSOCIATED IN-GROUP DONORS-UNITED GIVERS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. HANNA. Mr. Speaker, I would like to pay tribute to a most outstanding humanitarian organization, the Associated In-Group Donors-United Givers of southern California.

Formed in 1951 by a group representing industry, labor, and the public, AID-United Givers was organized to assist in collection and distribution of funds to major health and welfare causes in the Los Angeles area. Since that time AID-United Givers has collected and distributed more than $140 million to approximately 3,000 different charitable health and welfare organizations throughout the Nation.

A few of the major recipient organizations are the American Cancer Society; American Red Cross; Arthritis Foundation; Braille Institute of America, Los Angeles; City of Hope, Los Angeles; community chests and united funds; Crippled Children's Society; Heart Association; Hospital Charity Fund, Los Angeles; National Multiple Sclerosis Society; John Tracy Clinic, Los Angeles; and United Cerebral Palsy Association.

The board of directors of AID-United Givers is composed equally of representatives of labor, management, and the general public. The dedication, work, and superior leadership of the individuals connected with this program are evident in its steady growth from $1½ million collected in 1951 to almost $15 million in 1967.

A number of the men responsible for this growth are:

Mr. Harry J. Volk, who served as AID's president from 1951 to 1954. He was one of the group of pioneering leaders of management, labor, and the general public who brought AID into being and guided it in the collection and distribution of its first year's $1½ million.

Mr. Justin W. Dart served as president in 1954 to 1955. During his term AID reached 100,000 givers and collected more than $3 million.

Mr. Robert J. Cannon also served a 1-year term, 1955–56, and during his presidency AID collections exceeded $5 million, and divisions of AID were established in Orange County, Pasadena, and San Bernardino County.

Mr. Charles Luckman was president from 1956 to 1958. During his term the organization's production exceeded $7 million annually for the first time, and a new division was launched in Santa Barbara.

Mr. Charles Ducommun served 2 years, 1958–60 as AID's president. Over $8 million was collected and distributed annually during this time period and a new division was established in San Luis Obispo.

Mr. Thomas Pitts served a 1-year term as president, 1960–61. During his tenure, AID reached a record 300,000 givers and 2,000 chapters.

Mr. John Mage, 1961–62 president, guided AID over the $10 million a year collection and distribution mark. AID now had nine divisions, strung throughout southern California.

Mr. Charles Fleishman served as AID president in the 1962–64 period. AID membership during his term advanced to the 350,000 mark. Collection and distribution exceeded $11 million a year.

Mr. Edward T. Shedlock, AID's 1964–66 president, led the organization's drive in which annual production exceeded $13 million and the first million dollar a year chapter, Douglas Aircraft Co. employees, became a reality.

Mr. Joseph M. Lowery, AID president for 1966–68, guided AID over the $14 million a year mark and a contributing membership of over 400,000.

Mr. George F. Elmendorf, current president of AID, was elected for a 2-year term ending in 1970. He has already evidenced the dedication and judgment for the task of leading AID-United Givers to new heights.

Mr. John T. Wolfe, vice president and general manager of AID-United Givers, has for a number of years provided the continuity and very able direction for the AID-United Givers program.

Mr. Speaker, it is through the unselfish dedication to humanitarian principles of men such as these and the thousands who have worked with them, that the concerned citizens of this Nation are able to reach and assist the truly underprivileged and needy individuals of this country.

AID-United Givers, and the individuals working with and contributing to the organization are worthy of our praise and the program is certainly deserving of our support.

TIME FOR ACTION

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mrs. BOLTON. Mr. Speaker, extreme radical groups, who have adopted Nazi storm trooper tactics in heckling the presidential candidates, have publicly announced their intention to stage demonstrations at polling places on election day.

Having been forewarned by these self-declared revolutionary groups, there is a clear need for action by the Department of Justice to prevent a small and irresponsible minority from disrupting our country's orderly electoral process.

There is a clear line between such dissent and freedom of speech. The recently enacted civil rights law empowers the Attorney General to take legal action against those who cross State lines for the purpose of fomenting civil disorder.

The time has come—indeed, it is overdue—for the Justice Department to take such action and provide assistance to State and local officials who are faced with the disruptive problems caused by self-proclaimed revolutionary groups.

Twentieth-century history points out that totalitarian groups first try to immobilize, then destroy the orderly processes of democracy. This was true in Germany in the late 1920's and early 1930's when Hitler's storm troopers succeeded in bringing down the Weimar Republic.

We must not permit this to happen in America.

If, as some say, there is fear abroad in our land today, it is a consequence of the inaction of top-level authorities in the face of increasing disorder and defiance of the law. For although the American people, throughout our history, have recognized the right to dissent, we have also understood the need to maintain our lawful, orderly process of government.

The first responsibility of officials sworn to uphold the Constitution is to protect our Nation's institutions. History's sternest judgment of the incumbent administration may well be that it failed to do so.

THIS HOSPITAL HOLDS PRICE LINE

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, the Melrose-Wakefield Hospital in Massachusetts has accomplished the impossible—for the third consecutive year in a row this community hospital has managed not to raise its prices on room rents. Now, as in 1965, the room rent for a semiprivate accommodation is $43, less than any comparable community hospital in the area. While other hospitals in the area have been raising their room rents by an average 10 percent per year, how has Melrose-Wakefield managed to hold the cost line?

According to the hospital's general director, Mr. William Nellis, the key is in a new approach to management that the hospital initiated a few years ago. In essence the new approach embodies the concepts of systems management and applies cost-cutting techniques adapted from American industry to hospital administration.

Through the use of such industrial management techniques as space utilization, position control studies and budget controls, great savings have been effected. As one who has long been interested in the application of such systems management techniques to the solution of public problems, I am greatly pleased to see the successful application of them in this vital area. I think it proves that there is a great deal of merit in the systems approach.

Mr. Speaker, I place in the RECORD an article outlining this achievement which appeared in the Boston Globe of October 1, 1968:

THIS HOSPITAL HOLDS PRICE LINE

(By Herbert Black)

Melrose-Wakefield Hospital is NOT raising its $43 room rents today while most hospitals in its class are going up from $2 to $6 per day.

In fact, this is the third Oct. 1 in a row that Melrose-Wakefield has held the line. During this same period most hospital rates have gone up 30 percent.

How has this community hospital managed to halt spiraling costs while prices at similar hosptals have been going up an average 10 percent each year?

William L. Nellis, general director, says the key to this feat is a new approach to hospital administration that applies the cost-cutting techniques of American industry to hospital operations.

He gave much credit to the trustees, "who recruited individuals from industry, running the gamut from electronics, manufacturing and air force systems." He said five of the top eight administrative positions are staffed by non-hospital people.

The five administrators are headed by Nellis, who received a degree in business administration from University of California at Los Angeles, became an administrator in the oil business in Canada and Turkey, worked as a unit management director at Beth Israel Hospital before going to Melrose-Wakefield in 1966.

Other members of the team from industry: Richard L. Flynn, fiscal services director, from Sylvania; William J. Hegarty, director of development and public relations, from Western Electric; Donald M. Silliter, house services director, former U.S. Air Force lieutenant colonel and specialist in administrative services; Keldon J. Tenaglier, director of personnel, from Boston Mutual Life and General Motors.

Melrose-Wakefield is charging $43 per day for semiprivate rooms. Had the annual 10 percent increase common to most hospitals been put into effect over the past three years the rate starting today would have been $55.

This figure would indicate Melrose-Wakefield was a little high three years ago when the business management team took over to stop rising costs. With increases in effect today, charges at some other community hospitals are: South Shore, $47; Norwood, $51; Malden, $51; Lawrence Memorial in Medford, $49; Beverly, $53; Winchester, $46.

Charges of community hospitals cannot accurately be compared with those at Boston teaching hospitals, which care for many acutely ill patients referred to them by community hospitals. Room rates in the teaching hospitals are roughly $75 per day.

The managers at Melrose-Wakefield said that they believe they have demonstrated that cost-volume-profit ratios of industry can be made to apply to many parts of hospital operation. They said success of such efforts depends on cooperation of the medical staff, which they have received.

NEW CONTROLS

Savings have been effected in various areas through introduction of industrial concepts. For example, both space and beds are being utilized with increased efficiency. Position control studies allow fewer people to perform necessary tasks. Budget controls have been extended to cost accounting systems for individual departments. New services have been added that increase income, such as a home care program that provides medical care after a hospital stay.

"The home care program has allowed Melrose-Wakefield to cut down average hospital stays from eight to 6.5 days. This saves money for the patient and the increased volume of patients increases hospital income."

The administration has obtained more efficient use of operating rooms, has achieved increased efficiency in scheduling nurse staffs in operating rooms, has reduced housekeeping costs and started a management training program for people in middle management areas.

Two programs that have helped both the community and the hospital are the Surgical Day Care Program and the Emergency Care Program. The surgery program allows patients with uncomplicated surgery to be treated in a single day without occupying a hospital bed.

This saves the patient money, allows beds to be used for more seriously sick patients and saves the hospital money by increasing the patient volume, Nellis said.

The emergency service last year served over 21,000 patients. Ten years ago the same service treated 3700 persons. The hospital is making money through increased volume from the emergency ward, whereas a few years ago this service was one of the most costly to the institution.

LUCAS COUNTY SHERIFF WILLIAM HIRSCH

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. ASHLEY. Mr. Speaker, I call your attention to the retirement from public service of a great and beloved man in my city of Toledo, Ohio. He is Lucas County Sheriff William Hirsch.

Bill Hirsch is known throughout this country. Not by the newspapers or other communications media but by word of mouth. In practically every city in the United States there lives a man or a woman who has known Bill Hirsch, who loves Bill Hirsch and who is indebted to him. They are in all walks of life, some rich and some modestly employed, some in the factories and some in the professions. They are among the thousands of men and women who, if not for Bill Hirsch, might today be in our jails, if they escaped the electric chair. Today they are fathers and mothers and great citizens of their communities and country.

For 35 years as a so-called law enforcement officer in the Toledo House of Correction and as sheriff of Lucas County, Bill Hirsch has given that responsibility a new dimension. He has always been his brother's keeper and his abiding task has been to restore to society those humans who reject its responsibilities. His career is a testament to the truth of his own belief in his fellow man for, while he has never carried a gun or handcuffed a prisoner, he has never lost one in violence or broken word. Yet Bill Hirsch has been responsible for well over 100,000 prisoners.

The man and the heart in that man are the result of an all-absorbing love of his country. Bill Hirsch himself, in his autobiography, states that "I was born at the age of 13" when his parents brought him to America from their native Rumania. His lifetime pattern has been to serve that country through its people who have momentarily forgotten the blessings of their land. In his belief, a realization of the full meaning of our country to the individual is sufficient to prompt his restoration to the habits of responsible citizenship.

Bill Hirsch is retiring to a most deserved rest. In behalf of the many thousands who must remain silent, it is fitting that this body record a country's gratitude to a man who has restored to happiness and to full citizenship so many fellow humans. It is fitting, too, that we copy the prayer of another great humanitarian from Toledo, Danny Thomas who asked:

We beg Thee, Lord, give us more men who care, men like Bill Hirsch. Amen.

Finally, Mr. Speaker, it is my pleasure to insert at this point in the RECORD an editorial from the Toledo Blade which affirms the high esteem and affection that tens of thousands of citizens have for Bill Hirsch:

THE PUBLIC'S LOSS

When Bill Hirsch steps down as Lucas County sheriff on Jan. 1, as he announced he will do, his exit will leave a void in public office in this community that will be difficult to fill.

Toledo, and no less, Lucas County, will lose the dedication and unselfish contributions of a man who has spent 34 years rendering service to the public—first as superintendent of the Toledo workhouse, where he won national acclaim for rehabilitation work among prisoners, and for the past 15 years as sheriff.

The multitude of local organizations and causes to which Bill Hirsch always gave unstinting support will miss his compassion, his charity, and his humane touch and direction.

And lastly, the Republican party will be bereft of a name on the ballots that proved to be the top vote-getter in election after election. Perhaps then a real measure of the value of Bill Hirsch as a vote-pulling candidate will be felt by the party whose upper crust has always treated this humble refugee from Canton Street in a cavalier manner, and not as one of its most popular elected representatives.

The only beneficiary when Bill Hirsch steps down, really, will be Bill himself. The increasing years, the pressures of office, and the profound grief he has borne since the death of his beloved wife, Rose, three years ago all make his reluctant decision most understandable. By yielding to the earnest persuasion of his family and friends that he step aside, Bill will be giving up an office he loves and has served well. But he will be gaining the freedom and opportunity to enjoy the devotion and companionship of a bountiful family which he obviously loves even more.

How better to crown a long and dedicated career?

RED TRACTON'S STORY: A LESSON IN SELFLESSNESS

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. CHARLES H. WILSON. Mr. Speaker, I have long been privileged to count among my closest personal friends Mr. "Red" Tracton, a noted restaurant owner in Los Angeles. While I, along with Red's many other friends, have always known him to be a man or rare stature and courage, his pivotal role in helping the FBI and the Stanley Stalford family of Los Angeles save kidnaped Stanley Stalford, Jr., and capture his abductor brought Red widespread city and national attention in late August.

The story is a dramatic one. On a summer day late in August, 4-year-old Stanley Stalford, Jr., son of the chairman of the Fidelity Bank of Beverly Hills, was abducted from his home by Robert L. Dacy, a 39-year-old ex-convict. Dacy, who wanted $250,000 in ransom for the child, called three restaurant owners and asked them to act as intermediaries for the Stalford family. These three unidentified men all begged off with the thin excuses that, in essence, said, "We don't want to get involved."

But Red Tracton never shirked involvement; and, as the fourth person telephoned by young Stanley's abductor, he readily agreed to perform this dangerous role. During the next few days, he kept close touch with the FBI while he was making contact with the criminal by telephone. On August 29, the evening before the boy was rescued, Tracton had 15 separate telephone conversations with the kidnaper who, before instructing him where to bring the ransom money, led him on a wild goose chase from phone booth to phone booth. During these conversations, Red Tracton took care to determine whether or not the child was still alive by asking Dacy personal questions such as the name of the boy's dog.

Unarmed, Red Tracton, carrying a heavy bag containing the ransom money, drove to meet the kidnapper and his captive in a lonely road near a city dump. All the while he kept the FBI informed of his destination. Yet, immediately after Red had placed the money beside Dacy's car, Dacy, alarmed by the approach of another car, drove off with the boy without stopping to pick up the ransom. A short while later, an FBI auto deliberately rammed Dacy's car and pulled young Stanley free.

When Red Tracton was later asked whether or not he was frightened at the climatic meeting with the kidnapper, he replied:

> It's funny but all I could think about was the kid. I never had a fear, and, believe me, I am not a brave fella. I have a daughter. All I was thinking about was the kid.

This kind of reaction is typical of Red Tracton. Red's success in the very precarious restaurant business is in no small part due to his concern about the comfort, satisfaction, and welfare of others, and this quality of generosity and selflessness, of truly caring about other people, is what makes Red Tracton such a remarkable person.

In these days when we hear all too often of the Kitty Genoveses who can be murdered while fearful neighbors look on, it is immensely reassuring to hear about a man such as Red Tracton. Here is a man who would risk involvement; and, because of his integrity and courage, one family has been spared a great tragedy.

AMERICA'S GREATEST NEED

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. DORN. Mr. Speaker, it was my great privilege to attend the Haven of Rest Mission's eighth anniversary dinner on Saturday night, September 21, 1968, at the Holiday Inn, Anderson, S.C.

My warm personal friend, the Reverend Hugh Parsons, founder and superintendent of the Haven of Rest Rescue Mission and Children's Home has the answer to poverty, disease, and moral decay so evident in our country today. His mission is a classic example of what can be done and what is right and good about America. Mr. Parson's anniversary banquet was an occasion I will long remember. My friend Rev. Robert Martin was master of ceremonies. Many distinguished political leaders, ministers, and members of the mission's board were present to hear the following outstanding and timely address by Dr. B. R. Lakin of Fort Gay, W. Va.:

AMERICA'S GREATEST NEED

"The Lord liveth, in truth, in judgment, and in righteousness; and the nations shall bless themselves in Him, and in Him shall they glory."—Jeremiah 4: 2.

In these days of national strife and international confusion when the seeds of hatred are being cultivated in the hotbeds of Communism and radicalism, let us throw back our shoulders, double up our fists—rough with the callouses of honest toil, and stand up for true, fundamental, Godly Americanism.

The Bible teaches patriotism, and patriotism was the light that burned in the hearts of the faithful in the midnight gloom of the dark ages. It was the torch that lighted the fires of the Reformation. It was the rock upon which the stones of Western civilization was founded. And if our Civilization survives the onslaught of the Red Scourge, it will be Christian patriotism that will fuel the lamps of truth, and provide morale for the fight for freedom.

America has many privileges, but it also has great responsibilities, just as our Freedom was obtained at Great Price. Our First Responsibility is to God, but we are Duty-bound to our Beloved County.

"Let every soul be subject unto the higher powers. For there is no Power but of God; the powers that are ordained of God."

With Man-made creeds forgotten, we find common ground in the sublime truths of the "Old Book." And in the spirit of those brave men who crossed the seas in search of a free land, in which they could worship their God according to the dictates of their hearts, we enjoy the benefits of a land founded in faith, baptized in blood, and dedicated to the freedom of worship. I would like, by the help of the Spirit, to revive within our hearts some of the great ideals that have made America the Hub, the very center upon which the World revolves. I would like to stir up our souls with a renewed national zeal and a closer National walk with God, without whom no Nation can succeed.

We need a sense of gratitude. One day in every year we celebrate Thanksgiving. But one day in 365 is not enough. Americans should thank God every day that we live in the land of the Four Freedoms. Every day we should thank God for the sacrifice of blood, sweat, privation and even death on the part of the multiplied thousands of our heroic dead.

Had it not been for their standing between us and the iron hand of Fascism and Nazism we might not be commemorating their sacrifice. Let us bow our heads in humility. And let us bow our hearts in Reverence and Gratitude to a Merciful God, who has brought us National Deliverance. And for this, let us be sincerely grateful.

We should be grateful for the righteous birth of our native land. Other nations were born in the blood of plundering conquest—But not America. This nation was conceived in the noble hearts of courageous, righteous men. It was born in the throes of Holy Prayer at Plymouth Rock. It was cradled by the strong hand of Stalwart Faith and nourished at the bosom of living, vital, sincere religion. It was fed on the wholesome food of the highest ideals and developed to its towering stature under the smiling approval of Almighty God.

America stands today—a fortress of freedom. Loved by all free men. Respected by the Liberty-loving peoples of the Earth. Feared by the enemies of God and Human Liberty. And with the shadows of Communism deepening upon every Continent America holds high the torch of faith and light and hope for the down-trodden peoples of the world.

We should be grateful for our natural, industrial, and scientific resources with which we have been blessed. Because of our giving God His rightful place at the outset of our national life. God smiled, and gold poured from the rocky grais of the Golden West.

God smiled and wide acres of grain sprang from the soil of the Middle West.

God smiled and the picturesque hills of the East yielded black gold in ample abundance to warm our hearths and turn the wheels of industry.

God smiled and the automobile, the aeroplane, and a thousand and one industrial miracles took place before our very eyes.

God smiled and has seen to it that Old Glory has never dipped her colors to any Atheistic, God-hating, man-enslaving Country.

God smiled and our scientists brought into being the atomic bomb, which is destined to be that paradoxical instrument of destruction to save men from destruction.

Today, we stand in a precarious position in regard to our national life. We, as a Nation, must do nothing to invoke the frown of Almighty God upon us. Our course must be such as to keep Heaven's smile upon our beloved Country. We stand at the crossroads. To the left, lie the bogs of extreme liberalism, socialism, and the inevitable drift into communism. To the right lie the time-worn swamps of ultra-conservatism, which lead to monopolies of certain groups at the expense of other groups. We must keep in the middle of the road and prayerfully seek the guidance of God or our nation will go the way all other nations in past history, into oblivion.

It is the approval of God that makes a country great—

"Not the genius of statesmen,
Not merely the form of Government,
Nor the energy of its people,
But the level of the national morals
And the depth of the national faith in God.
Not serried ranks with flags unfurled,
Not armoured ships that gird the world,
Not hoarded wealth nor busy mills,
Not cattle on a thousand hills,
Nor sages wise, nor schools, nor laws
Not boasted deeds in freedom's cause—

"All these may be, and yet the state
In the eye of God be far from great.
That land is great which knows the Lord,
Whose songs are guided by His word;
Where justice rules 'Twixt man and man,
Where love controls in Art and plan:
Where, breathing in His native air,
Each soul finds joy in praise and prayer—
Thus may our country, good and great,
Be God's delight—man's best estate."

And last, we should be thankful for our homes. Though many of our citizens have brought a reproach on the American home by their selfish and loose living, it still remains our greatest American heritage. The meaning of the word—Home is so foreign to some people of the world—that the equivalent of the word is not even in their language. The American traveler abroad, when he sees the condition existing in some foreign families, comes into a new appreciation of our home life in this country.

Henry Van Dyke once wrote—after a trip abroad:

"So it's home again, and home again,
America for me!
My heart is turning home again and there
I long to be,
In the land of youth and freedom, beyond
the ocean bars,
Where the air is full of sunlight,
And the flag is full of Stars."

I thank God for a part in guiding the American home in spiritual things. For years, every morning, a radio poll showed, I spoke to 800,000 people over the nation's family prayer period. People from all walks of life, gathered before their radios at the beginning of the new day to—"Look into His face" and listen to His word.

We need a greater consciousness of our responsibility. Our greatest sin as a nation is the sin of complacency. Smugness is the forerunner of indifference and indifference is the predecessor of National deterioration. As the old saying goes—"A chain is no stronger than its weakest link." It can be truthfully stated that America is no stronger than its weakest citizen. This truth puts a tremendous responsibility upon every one of us. The Forces of Anti-Americanism and Anti-Christianity are at work in our Beloved Land.

Most of their work is sinister and undercover. But, like leaven, they seek to eventually leaven the whole lump of our way of life, and supplant regimented, centralized totalitarianism for old fashioned, Red-blooded, stalwart Americanism. This leaven of Atheism is found in high places as well as low. No Nation ever survived a moral collapse.

When Rome was in the Zenith of Her power and Glory, sin started to eat like a canker at the heart of Her national morals. Her politicians became weak, flabby and spineless. She became morally weak, and spiritually depraved. One night while the Roman politicians were engaged in a shameful, drunken orgy in the resort town of Pompeii, the Fires of God's judgment were raging not far distant in the bowels of famous old Mt. Vesuvius, the Volcanic Mountain. As the night wore on the sin and debauchery became more pronounced in Pompeii. There came a weird, sickly rumbling from the adjacent mountain.

For years Vesuvius had been quiet and asleep, But the hour of God's judgment had arrived. As the Revelers continued their sinful indulgence, Vesuvius quivered with a mighty quake, and the top of the volcano was blown completely away. As a surging river of flaming, molten rock poured down the mountain in a death-dealing torrent, there was no hope of escape. The door of God's Mercy was closed for these Roman renegades as the lava swiftly overwhelmed the city; 25,000 people were buried beneath the flood of molten rock. This was the beginning of Rome's end as a nation. But it all began when sin and lust supplanted the love for God, and when gratification of the lower appetities took the place of noble character.

Egypt was once the center of world culture and their scientists were way ahead in scientific knowledge and research. But, Egyptian civilization foundered upon the rocks of immorality and depravity. And today she lags behind other nations which have striven to give God His rightful place in their national development. One has only to walk the streets of Cairo and note the lust and the sin on every hand to see the reason for Her utter lack of national prosperity and integrity. A nation can raise no higher than the average moral level of its average individual. Every American—in these days of confusion and moral crisis—has an individual responsibility to God and to His country.

Not only do we have our own souls to save, but we have a great country to protect from the fate which has overtaken civilization just as strong as ours. And last, America needs a higher, a nobler, and a more sincere faith in God.

"Righteousness exalteth a nation, but sin is a reproach to any people."—Prov. 13: 34.

What we are—as a nation—we owe to our under-lying faith in God. The Pilgrims at Plymouth Rock on their knees, Washington at Valley Forge praying for guidance and strength in the crisis of battle, Lincoln calling the country to national repentence in the midst of civil conflict, these are memorable portraits of our basic faith in God as a nation. And if we have any success as a nation we must attribute the glory—the honor—and the praise to a benevolent God who has guided with an omnipotent hand the course and destiny of our fair land.

In most of our wars many of our greatest generals were professed Christians. And their decisions and strategy were mingled with sincere prayer and dependence upon Almighty God. It is significant that our enemies as far as is known could not boast of one Christian general in their military personnel.

And Germany with her atheistic Nazi Leaders did not have one military commander who sought the wisdom of God in their military endeavors—and today none of our enemies as far as I know are Christians. Could any fair individual say the prayers offered by devoted mothers and by the churches all over America had nothing to do in bringing about victory for our Armed Forces. Suffice it to say, the enemy forces which refused to honor God by seeking His wisdom through prayer went down into bitter defeat. And their systems vanished into oblivion.

As all civilizations have which left God out of their Program Abraham Lincoln struck a key-note when He once said, "The important thing is not that we have God on our side, but that we make sure we are on His side." Oh, the danger we are in now! Faith in God often becomes the balance of power when two matched forces are joined in combat. Or, more often—the victory often goes to inferior forces when God's power and blessing is upon their efforts.

As Moses said, "How should one chase a thousand, and two put ten thousand to flight, Except their Rock had sold them, and the Lord had shut them up."—Deuteronomy 32: 30.

David: When David as a lad dared to face the Giant Goliath, he trusted not in swords and staves, but His trust was in the Lord. He faced the towering giant of the Philistines—undaunted and unafraid and said:

"Thou comest to me with a sword, and with a spear, and with a shield, But I come to Thee in the Name of the Lord God of Israel who thou hast defiled. This day will the Lord deliver thee into mine hand; and I will smite thee, and take thine head from thee; and I will give the carcasses of the Host of the Philistines this day unto the fowls of the Air, and to the Wild beasts of the Earth; that all the Earth may know that there Is a God in Israel."—1 Samuel 17:45, 46.

We need to know as a Nation that adequate military equipment is insufficient to win a war. Germany had superior planes—tanks—and men. But they lost the war. We must not become smug and complacent because of our monopoly of the atomic bomb. The atomic bomb without the blessing of God upon our nation could never win a war. The most potent weapon in existence is the inward conviction that we are on God's side. And that our cause is just and right. We not only need a greater faith in God as a nation, but we as individuals need to know God in personal Christian experience.

Lieutenant Whitaker speaking of his experience on the Rickenbacker raft said: "At forty years of age, I had never been inside a church for any reason whatsoever."

But, out there on a raft in the middle of the Pacific I met God. I heard Bill Cherry pray and a rain cloud that had passed us. turned around and came back over us and drenched us with water when we were about to die of thirst. It was there, that I saw God and learned to say "I believe." These words are from a hardened military man who found God the hard way. Many of us will never have the unique experience of meeting our Lord under those unusual circumstances. But we can know Him nevertheless.

We can prove his adequacy in the crucible of human experience and know that He is the Christ, of every crisis. We can learn to say with Paul:

"I know whom I have believed and am persuaded that He is able to keep that which I have committed unto Him against that day!" I would rather the citizens of our beloved America should know Christ personally than for America to have the greatest military might in the world. I would rather have it said that we are a people who love God—and worship Him than for us to have the security of the ownership of the atomic bomb. I would rather that Americans should be reverent and humble in their attitude toward Jesus the Son of God than to have the rest of the world acclaim us as the mightiest of the Nations. I want to bring this to a close in the Spirit of that touching little poem:

"I MET THE MASTER

"I had walked life's way with an easy tread,
Had followed where comforts and pleasures led,
Until one day in a quiet place
I met the Master face to face.

"With station and rank and wealth for my goal,
Much thought for my body but none for my soul,
I had entered to win in life's mad race,
When I met the Master face to face.

"I met Him, and know Him and blushed to see,
That His eyes full of sorrow were fixed on me,
And I faltered and fell at His feet that day
While my castles melted and vanished away.

"Melted and vanished, and in their place,
Naught else did I see but the Master's face;
And I cried aloud, 'Oh, make me meet
To follow the steps of thy wounded feet.'

"My thought is now for the souls of men;
I have lost my life to find it again,
E'er since one day in a quiet place
I met the Master face to face."

AGREEMENT BY LAKE MICHIGAN BASIN STATES

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert into the CONGRESSIONAL RECORD an excellent statement of agreement signed by the fine conservation departments of the States of Illinois, Indiana, Michigan, and Wisconsin on the use of pesticides within the boundaries of those States.

The agreement is brought about in large part due to the contamination of Lake Michigan by pesticide residues from spraying and agricultural runoff.

The potential hazard of this contamination of one of our great natural reservoirs cannot be overstated.

The agreement and the reasons underlying it merit the most careful consideration and emulation by all agencies dealing with natural resources in the United States.

The statement follows:

JOINT STATEMENT OF AGREEMENT BY LAKE MICHIGAN BASIN STATES: ILLINOIS, INDIANA, MICHIGAN, AND WISCONSIN

POLICY ON PROTECTION OF THE LAKE MICHIGAN ENVIRONMENT FROM UNCONTROLLED USE OF PERSISTENT PESTICIDES AND SIMILAR ECONOMIC POISONS

Preamble

Lake Michigan is the only one of the five Great Lakes located completely within the boundaries of the United States. A unique natural asset of vast dimension—it belongs to all citizens and all must therefore share in the responsibility for bequeathing it, in a useful condition, to future generations. Perpetual purity is the goal and it is to this end that this policy is now formulated.

Waters from one-third of the land area of Illinois, Indiana, Michigan, and Wisconsin drain into Lake Michigan. The lake itself measures 22,400 square miles with, 1,661 miles of shoreline. Maximum depth is 923 feet. Some 80 percent of the shoreline has potential for outdoor recreation and the variation in habitat makes the lake inherently capable of supporting a wide range of aquatic life. It is significant as both a sport and commercial fishery. Species like lake trout, whitefish, sturgeon, walleye, herring, steelhead trout, and coho and chinook salmon should thrive in its waters. An extensive bird fauna is dependent upon them.

Lake Michigan is a principal source of drinking water—1.5 billion gallons daily. Industry uses another 4.25 billion gallons. It is a major international seaway. Since Lake Michigan is the dominant natural water feature of our four-state area and the source of both economic growth and environmental health, protecting it from contamination is a resource management job of fundamental priority.

It is the consensus of the four states adopting this policy that irreparable contamination is imminent. Recent findings that DDT was the most probable cause of death of nearly one million coho salmon fry hatched from Lake Michigan-nurtured eggs has brought the problem into sharper focus. We believe that unless timely steps are taken to control persistent pesticides and other economic poisons, Lake Michigan's usefulness will shrink to a fraction of its potential—indeed to the point of disaster. Illinois, Indiana, Michigan, and Wisconsin therefore, adopt the following action program to counteract present trends:

Objectives

(1) To prevent pollution of the environment by certain chlorinated hydrocarbons and other persistent pesticides, the principal ones being aldrin, chlordane, DDT, dieldrin, endrin, heptachlor, and lindane. These chemicals have a half-life of at least two years duration and a tendency to build up in the food chain of aquatic plants and animals thereby affecting their life and reproductive potential. Other chemicals with similar characteristics should be included in this list.

(2) To strengthen interstate and intrastate water quality standards aimed at uniformity in this regard and to assure full recognition of the danger of persistent pesticides to the aquatic habitat and subsequent possible detrimental effects on human welfare and well-being.

(3) To urge revision of laws, rules and regulations as may be desirable and necessary to adequately control use of these or similar new chemical poisons released to the environment in any way and in any quantity, through creation of pesticide use control authorities or procedures for labeling, reporting, registering, licensing, training operators, or similar methods.

(4) To encourage cooperation by everyone concerned in order to meet this challenging threat—the individual citizen, the farmer, the municipalities, industrial users, and the chemical manufacturers themselves.

(5) To stimulate understanding the problem by the press, radio and television and by civic and conservation groups, and to enlist their support for a cleaner environment.

Recommended action programs

Immediate action aimed at reversing the present trend of contamination by persistent pesticides in the Lake Michigan basin is imperative. The following programs should be implemented as soon as possible:

(1) Inventory of all possible sources of pollution of the Basin's waters—and especially of Lake Michigan—by persistent pesticides and similar economic poisons used in industrial processes, municipal Dutch elm disease or mosquito control, and both agricultural and gardening activities and halting the introduction of these polluting pesticides into the environment.

(2) Monitoring of watercourses entering Lake Michigan as well as urban industrial shoreline areas and regions of special crop production where these types of economic poisons may be in common use, to detect their movement into Lake Michigan.

(3) Intensified enforcement of all administrative rules, regulations, and laws relating to control of the use of these substances in any manner which would allow them to escape into the environment or watercourses.

(4) Accelerated research in the engineering, biological, and chemical fields to find new processes and techniques and especially less detrimental chemical pesticides so far as natural environments are concerned.

(5) Assessment of benefits and damages to present and future natural resources values—including the all-important intangible values associated with outdoor recreation, fish and other wildlife and natural scenic beauty—as related to release of persistent pesticides and similar economic poisons in the environment.

(6) Planning towards the prevention of further pollution of Lake Michigan now and in the future, and towards restoration of high water quality through wise management of the entire watershed.

This Interstate Policy Agreement has been promulgated by the Conservation and Natural Resource agencies of the four states in the Lake Michigan basin and herewith is endorsed by signatures of the administrative heads and by the citizen members of the several boards and commissions responsible for protection and management of the natural resources.

(For the Illinois Department of Conservation)
WILLIAM T. LODGE, *Director*.

(For the Indiana Department of Natural Resources)
JOHN A. HILLENBRAND II,
Chairman, Natural Resources Commission.
JOHN E. MITCHELL, *Director*.

(For the Michigan Department of Conservation)
HARRY H. WHITELEY,
Chairman, Conservation Commission.
RALPH A. MACMULLAN, *Director*.

(For the Wisconsin Department of Natural Resources)
R. G. LYNCH,
Chairman, Natural Resources Board.
L. P. VOIGT, *Secretary*.

HON. HORACE R. KORNEGAY

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. HAGAN. Mr. Speaker, in tribute to an esteemed colleague, I want to take this opportunity to congratulate the Honorable HORACE R. KORNEGAY on his retirement from the U.S. House of Representatives.

My memorable association with Congressman KORNEGAY forms a fundamental part of my early years in the House, since both of us initially served in the 87th Congress. Throughout the ensuing years, Congressman KORNEGAY has been a constant source of encouragement to me. I have developed a particular admiration for him as a remarkably skillful lawyer and as an equally proficient legislator.

His inspired convictions and his indomitable will place Congressman KORNEGAY among those whose characters have built, and will continue to build, the greatness of this country. He is the type of man who acknowledges that God is in His Heaven and all things can be right with the world, if we will only make it so.

Congressman KORNEGAY will be sorely missed in the House. Those of us who know him well will feel an inevitable emptiness. He imparted a vital sense of purpose to those issues on which he worked and we will reluctantly accept his absence. His markedly superior qualities have established him as distinguished among us.

It is my sincere desire that Congressman HORACE R. KORNEGAY enjoy good health and happiness as he continues profoundly affecting whatever matters he concerns himself with, and whatever challenges he might meet.

DALE AHERN'S RETIREMENT A GREAT LOSS TO DECORAH

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. CULVER. Mr. Speaker, Dale Ahern, the distinguished editor and general manager of Decorah's two weekly and former rival newspapers, the Republican Public Opinion and the Democratic Journal has announced that he is retiring.

While one can well appreciate his desire for a more relaxed life after so many years of dedicated service, Dale Ahern's resignation from both his positions is a great loss not only to Decorah's newspapers but to the community as well.

His has been a record of distinguished and dedicated service to responsible and effective journalism as a high school journalism teacher at Alleman, Leon, and Winterset as part-time staff columnist and subscription promoter for the Winterset Madisonian, as editor of the Cherokee Courier and later of the Decorah Public Opinion, and finally as both editor and general manager of the consolidated Decorah Public Opinion and Journal. Indeed, his editorial experience dates back to 1928 when he was editor of the Ottumwa high school newspaper and yearbook, and later when he was literary editor of the Times-Delphic at Drake University, from which he graduated in 1932.

Testimony to his success as editor is not only the healthy subscription rate of both Decorah newspapers, but also the numerous awards they have received. The Iowa Press Association this year again named the Public Opinion first in general excellence, and the master columnist award again went to Dale Ahern.

However, even more characteristic of Dale Ahern's editorship is his concern about and his service to the welfare of the community. He provided Decorah not only with newspapers that reported and interpreted the news accurately and responsibly, but that also sought to show their readers how things might be improved.

Thus, the idea of the now successful Decorah "Nordic Fest" was promoted first in his editorial columns. This event under the leadership of the Decorah Jaycees combines the many yearly events of Decorah's civic groups into one united community effort. To mention only a few other achievements, he has also encouraged improvements in Decorah's public school system and he was instrumental in the lifting of a censorship order imposed on the Iowa State Prison publication, the Presidio, by the Iowa Board of Control. The Presidio expressed its gratitude by naming him its "Man of the Year in 1958."

His effective and innovative service to Decorah as editor and general manager, is due in part to his own active involvement as both a citizen and leader in the concerns and activities of his community. Presently, as president of the board of trustees of the Porter House Museum in Decorah, he is deeply involved in the efforts to open the museum in 1969 so that the many rare articles collected by the late A. F. Porter may be properly displayed. He is also a past member of the Winneshiek County Fair Board, past chairman of the Winneshiek County civilian defense corps and of the Winneshiek County chapter of the Iowa Good Roads Association, past president of the Decorah Lions Club, and past president of the Decorah Development Co. He is also a member of the Decorah Methodist Church.

He married Doris Milligan in 1932, and they have two daughters and a son.

Dale Ahern's retirement is not likely to be a quiet one. In addition to pursuing his farming interests, he will continue to serve his profession by making available his great expertise and talents to any "needy" newspaper. To those of us who know of and who have witnessed both his deep commitment to excellence in journalism and his vigorous efforts for a better community, this is most welcome news.

A POINT WORTH SHARING

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. RHODES of Arizona. Mr. Speaker, it is my pleasure to insert in the RECORD the correspondence I have had with Miss Judy Finkelstein, a young constituent of mine from Phoenix, Ariz. Because I felt her experience was so well-portrayed and relevant to our times, and she had made a point worth sharing, and because I thoroughly enjoyed exchanging ideas with her, I want to bring her letters to the attention of my colleagues.

PHOENIX, ARIZ.,
September 10, 1968.

Hon. JOHN J. RHODES,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: I'm writing you today about a problem that is really bothering me. I think this is a problem that has been over-talked and is still bothering millions of other Americans. This problem being that of civil rights. I am white, I live in an all white neighborhood, and I go to a school that is 98% white. It was very easy for me to say that I had no prejudices and that I believed in equal rights for all men.

This summer, I was a counselor at a white, Jewish camp. I worked with thirteen year old children. During the month of August we had sixty black thirteen year olds' come to camp and live with us for three days. These children were of the same income bracket as the white children in camp. We rearranged the bunks and mixed everyone up—white and black together. Before the black children came, I myself had, I thought, many hang-ups. I thought everything would be so strange, living with black people. The experience turned out to be one I will never forget.

The first day all the kids were so polite, it was sickening. But, whenever people are facing a new situation they are on their best behavior. By the second day everyone was back to normal. As a counselor, I saw the same reactions to many activities from the black kids as I saw from by white campers. It wasn't any different. The schedule was such that the white Jewish campers had their Hebrew classes and prayers as usual and the black kids had discussions and classes on Black history and such. In three days, we proved that white and black could live together sharing the same eating table, working and playing together, yet each keeping their own identity. It all was so simple and easy.

We had discussions, and the majority of the black children said that they preferred to be referred to as Black or Afro-American. None of them liked to be called colored. Questions were brought to the black kids asking if they would like a white family moving into an all black neighborhood. Individual prejudices were brought out between white and black alike. I have never been in a discussion like this. After it was all over, all the kids unanimously said that they liked the discussions and getting their feelings out in the open. Some of the black kids asked if they could come to our camp again next summer and stay for a whole month. They taught us things such as songs and dances and in turn we taught them songs and dances in hebrew. We all sang songs together in English. It was fantastic!

I realize that this was somewhat of a superficial situation. The activities we had planned all came out perfect. All the counselors were white and jewish, it would've been better to have had some black counselors too. Everyone was aware that the situation was temporary—only for three days. But, the fact remains, we did live together peacefully. Each keeping our own identity and being proud of it. Why can't we in America stop talking, marching, picketing, and rebelling against our fellow man? Everyone seems to be making such a complicated issue out of a problem that seemed to have dissolved so quickly?

I thank you Mr. Rhodes for taking the time to read this letter and I hope you will find time to answer me and tell me your ideas and what you think of my experience. We get your newsletters all the time and I find they are very good and informative.

Thank you again for reading this letter. I am looking forward to hearing from you.

Sincerely,

JUDY FINKELSTEIN.

SEPTEMBER 16, 1968.

Miss JUDY FINKELSTEIN,
Phoenix, Ariz.

DEAR JUDY: I cannot tell you how grateful I am for your letter of September 10. It is extremely well written, and in my opinion, your experience was certainly worth relating.

I believe in complete equality among all persons, regardless of race, color and creed. I think a person should be allowed to use all public facilities, and to do as he wants to do and go where he wants to go, provided he accomplishes all of this within the law. I believe that every person should have an equal opportunity to pursue his life's work, and to provide the good things of life for himself and his family. This means, of course, that I am for equal educational opportunities, against discrimination in hiring, and in fact, opposed to discrimination in all things.

With this background, my comments on your experience may be easier to understand. I am thrilled by your experience, but not greatly surprised. I have always felt that the so-called "racial issue" was really a "discrimination issue," or stated otherwise, an "equal opportunity" issue.

Because some segments of our society have had fewer opportunities than other segments, they find it difficult to commingle with persons outside their own group. In other words, there is a cultural gap which exists between groups of our citizens, largely based on the opportunities each group has had to become educated and culturally developed. Therefore, I think one of the most relevant parts of your letter is the statement that "These children were of the same income bracket as the white children in camp." Presumably these children had about the same backgrounds then, culturally, economically and educationally. This being the case, I am not at all surprised that the difference in the color of their skins made very little if any difference. I think this situation would have persisted had the program been launched for thirty days instead of only three.

I am pleased that the black American is becoming proud of his heritage. He has a heritage of which he can be very proud. I never liked the obsequious nature of the plea of those who wanted to "become integrated" merely for the sake of being near white people. To me, it was demeaning, and showed a lack of pride in their race which I found completely distasteful. To me, integration will be achieved, but it will be achieved only among those of any race who have something in common, and can therefore meet on a common ground. Isn't this actually true of persons of the white race, and also persons of the black race? We are inclined to choose our friends among those who are on about the same level as we occupy culturally and educationally.

I think you have discovered a very important truth. I hope you will share your experience with as many people as you possibly can. Now, I would like you to do me a favor. I would like you to write me again and give me your reaction to my own feelings on this matter. If it meets with your approval, I may insert your letter, my answer, and the answer I hope to receive from you in the Congressional Record.

Yours sincerely,

JOHN J. RHODES.

SEPTEMBER 29, 1968.

Hon. JOHN J. RHODES,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR MR. RHODES: Thank you so much for taking the time to answer my letter. First let me tell you that I thought if you even answered my letter it would be a dittoed copy. I feel very honored and pleased that you take a personal interest. As for your letter, I agree with you completely. I too, believe in complete equality for all people.

In your letter you said, "integration will be achieved only among those of any race who have something in common and can therefore meet on common ground". To me that statement practically sums up the whole racial problem. Education is the key to this problem. I think a lot of people realize this but, there are lots of ways to acquire one's education. First everyone must have equal opportunity to receive a formal education. As this becomes more and more the cultural gap will become lesser. When the day comes that everyone has an equal opportunity to formal education, that is the day when we are one step closer to racial equality. Besides formal education there is the personal experience part. One cannot and should not base his likes or dislikes on a situation which he has not yet been faced with.

I know, that having those sixty black kids in camp and experiencing a "real living" experience, I could not have gotten a better education from a good book. Right now we in the United States must have peace between ourselves before we can even hope for peace in the world. But, this peace, this equality, is not everything dumped into one melting pot and divided evenly between us. This peace and equality is living next to your neighbor, learning about your neighbor yet keeping your own identity. A person without an identity is not a person at all. I hope that the coming years will bring peace and equality for all people.

Sincerely,

JUDY FINKELSTEIN.

NO MORE FIREARMS LEGISLATION

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 2, 1968

Mr. RANDALL. Mr. Speaker, as we near the end of this second session of the 90th Congress, I take this opportunity to express my position on H.R. 17735, the firearms measure passed by the House in July.

Today we hear so frequently the expression "over reaction." I cannot recall a better illustration of the application of this attitude than the conditions that brought about enactment of two firearms laws by Congress in 1968. The public quite rightly demanded something be done to control our spiraling rate of crime. These demands were accentuated by events in April—King—and June—Kennedy. Many well-meaning people believed a proper objective to control crime was the further restrictions on firearms.

I sincerely believe that additional gun controls are not the real solution to growing violence and increasing crime. Notwithstanding, it is a fact two firearms bills were passed by the House this year. If either of these become as effective as their advocates have argued, there will be little or no crime next year. Yet I am sure most persons recognize there are many ingredients involved in the control of crime other than firearms legislation.

The record is clear. I supported the safe streets and omnibus crime control bill enacted in June 1968 which contained certain restrictive provisions on handguns. However, the measure also contained several inseparable provisions for fighting crime. It established a program of assistance to local law enforcement agencies. It provided funds for training and equipping State and local law enforcement officers. Moreover, this measure had the effect of setting aside a Supreme Court decision that had limited the admissibility of voluntary confessions into evidence. It made illegal the possession of handguns by convicted felons, mental incompetents, aliens illegally in this country and persons under 21 years of age. These provisions seemed reasonable. Overall, the bill seemed to be a good package to help control increasing crime in this country.

On the other hand, the very title of H.R. 17735, "State Firearms Control Assistance Act"—the long gun control bill—was, in my opinion, false and misleading. It, in fact, discourages the States from enacting their own laws because it reserves to the Federal Government enforcement of all firearms bills.

Following is a brief history of the course of H.R. 17735 in the House. Debate commenced on July 17. It was not until July 19 the Casey amendment invoking mandatory and severe penalties was debated. The RECORD will show at page 22244, I spoke in favor of the Casey amendment arguing that our people are not interested in control of firearms alone but, rather, in a law that will serve as a deterrent to crime. The stiff penalties of 10 years for the first offense and 25 years for the second offense would have served as a strong deterrent. We failed to have the amendment adopted. It was watered down by the Poff amendment, providing 1 year for the first offense with 5 years for the second offense.

Also on July 19 at page 22259, I spoke out strongly against the passage of the McClory amendment which set up a program of gun registration. I pointed out that if registration is required, criminals would simply steal guns for their activities. I made the point if guns are registered, such lists would be available, to provide criminals with full information as to who was armed and who was not armed and thus without protection for themselves against criminal activity. I walked through the teller count to vote against gun registration which was defeated by a vote of 89 to 168 as shown at page 22267.

On July 22, the amendment to license owners of guns was introduced. Again I walked through the teller line in opposition. This too was defeated 184 to 17 as shown on page 22324.

Debate ended on July 24. In my concluding remarks on the floor of the House I then reviewed all of the extreme gun control proposals, ranging from outright prohibition of ownership of firearms to the ridiculous suggestion for a Federal depository for firearms to be deposited and withdrawn like books in the library.

At the conclusion of debate I emphasized the bill for the most part merely restated existing law, enacted in 1934 and 1938. I proceeded to point out that if the strict mandatory penalties of the Casey approach had been adopted, I could support such a bill. Because such penalties were deleted, this left a bill directed against firearms only and not against the criminal to effectively reduce crime and violence. Page 23096 of the CONGRESSIONAL RECORD will show I voted against final passage.

It was a source of great regret to me that the Casey amendment was defeated. I wanted to support legislation that would strike at the cause of crime and violence. Mandatory prison sentences without probation, parole, or suspension would strike hard at the lawbreaker. Equally important, this kind of provision would not encroach upon the right of private citizens.

There are those who argue the bill accomplishes some good. However, these same proponents cannot deny the bill contains some anomalisms that go beyond oversight and amount to real blunders. For example, while there is a restriction against assembled guns being subject to mail-order purchase, there is not one thing contained to restrict the shipment of component parts of firearms. This permits a tremendous boon to the do-it-yourself buff. They can now turn their talent and devote their entire time to unrestricted buying of parts to build the more bizarre types of weapons.

Another imperfection that is a serious oversight is found at the point where the bill barred serial numbers on firearms without containing a single provision that serial numbers must be placed on firearms in the first place.

Yet another discrepancy which is a real bungle is to be found in the provision of the bill which makes it a crime to sell a firearm to a fugitive from justice, but without stating one word of penalty against the possession by fugitives of rifles or shotguns, whether possession was prior or subsequent to this act. Can anyone be serious in the belief a wanted man will care whether or not it is against the law to buy a rifle or shotgun so long as he has ways to come into possession of guns?

It is not hard for an observer to see that the main objective or principal thrust of the bill as passed is to require criminals to acquire firearms and ammunition in a lawful manner. The early or even eventual accomplishment of such an objective is so remote as to be ridiculous and even laughable. Criminals get their guns in the same way they get the automobiles they use in criminal activities. That is, they steal them or obtain them through underground channels.

The long-gun bill actually accomplishes nothing meaningful, but at the same time it does infringe upon the second amendment to the Federal Constitution and may therefore be unconstitutional. Even if the present unpredictable U.S. Supreme Court should ever rule the Federal Constitution accords no right to bear arms, most State constitutions are very clear, including article I, section 23 of the Missouri constitution. The passage of this bill does violence to the Missouri constitution due to the fact the 10th amendment of our Federal Constitution provides that the powers not delegated to the Federal Government are reserved to the States respectively or to the people. This bill, then, as passed, inhibits the right to bear arms guaranteed to the people of Missouri under their own constitution.

Another sufficient reason to be against this long-gun bill is because of the abundance of legislation already on the books directed against lawlessness involving use of guns. To illustrate, the National Firearms Act of 1934 controls automatic weapons and provides for a system of recordkeeping for both long-gun and ammunition sales. The Federal Firearms Act of 1938 goes even further along these lines. The real heart of our problem is not a lack of statutory authority to control misuse of guns, but laxity in the enforcement of the laws we already have.

Supplementing the 1934 and 1938 acts and even before the House passed the long-gun bill, the Post Office Department issued regulations requiring extensive identification of packages moving through the mail containing firearms. The Department required that chief law enforcement officers in the community where a package is sent be notified. The airlines followed the example of the Post Office Department and adopted similar regulations relating to the air shipment of guns. In my judgment these two regulations working in unison with the 1934 and 1938 acts provide all the tools that will ever be needed for firearms control.

I voted against the passage of the long-gun bill, innocuous as it may seem, because it contains the principle of unwarranted Federal intervention into affairs that could be much more effectively regulated by the State. Careful research will show not one single Federal enactment involving firearms, going back to 1914 and including the one just passed by the House, which contains a prohibition against carrying either a concealed weapon or the possession of weapons by an intoxicated person. Missouri has strong enforceable statutes in both instances, and Federal encroachment in this field can only discourage the States from enacting their own gun laws or adequately enforcing those they already have.

To recapitulate, I have and will support any legislation that will really control crime and check the growing crime rate. But I will not be a party to further cluttering the statute books with meaningless and ineffective legislation misleading the public into believing they have legislation that simply will not do the job that needs to be done to deter the criminal rather than placing restrictions upon our law-abiding citizens.

I will enthusiastically support restrictions against the sale of destructive devices including bazookas, mortars, and hand grenades just as the law now regulates machineguns. It is noteworthy no provisions against such destructive devices were contained in either of the recent measures passed by the House. I intend to continue to oppose any ban against the possession of firearms by law-abiding citizens with no previous criminal record.

I will remain strongly opposed to Federal registration and licensing because such would require great numbers of Federal police to enforce. Such a force once in existence could lead to a police state. Moreover, registration and licensing is a steppingstone to potential confiscation by the Government. My considered views are that a gun is only the instrument of crime. The penalty should be against the criminals who go about today operating in an atmosphere of permissiveness with total arrogance toward the law. On the other hand, crime could be quickly brought under control if we would adopt the kind of a measure that will lead to swift apprehension followed by severe mandatory penalties against those who violate the law while armed.

Voluminous statistics are trotted out by the advocators of gun restrictions to prove their point. One statistic in which I believe we can place reliance in is that of all violent crimes, guns were used in fewer than 4 percent. We should also note carefully that long guns are used in only 1.5 percent of violent crimes. There should be included in this brief summary of the record a quote from a police captain in Washington, D.C., our Nation's Capital, which, I hate to have to acknowledge, is also a capital of crime, who said:

> It isn't the mail order guns or those bought from reputable dealers that bother us. It is those $6.00 jobs that can be bought on the streets of Washington most anytime. More gun laws won't get rid of these. New laws might raise the price and give us another headache chasing underworld traffickers and cheap stolen guns. It is already illegal to shoot a person. Gun laws will not rid us of the criminal's guns.

To repeat or recapitulate my position, I am not in favor of more firearms legislation until there is evidence of enforcement of the Federal legislation we already have. I am definitely in favor of legislation to control crime by mandatory sentences. I will not support a law to make it more difficult for law-abiding citizens to secure firearms to protect themselves, their families, and their property in these times of rising crime. We all want a safe America. But it will be less safe if our people are estopped from securing firearms for their personal protection. America can become a much safer place once our courts can be weaned away from rendering decisions which protect the criminal to the detriment of the vast majority of our good citizens.

I believe that those good people who in complete sincerity and good conscience demanded additional firearms controls were in their hearts really asking for better law enforcement and better control of crime. It is my judgment that the treatment of these latter problems solely through the enactment of additional gun controls would not only be ineffective but perhaps also unconstitutional. Moreover, these controls would not only be unwise but also unfair to those who own and use their firearms in lawful ways.

HON. PAUL FINO

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. BELCHER. Mr. Speaker, I regret that I was unable to be present on the floor on October 1 when my colleagues paid tribute to my friend, PAUL FINO. But I do not want to let the opportunity pass to congratulate him upon his appointment to the New York Supreme Court and to say that this House as well as his constituents in the 24th District of New York will feel very keenly the loss of his able service. This Chamber will certainly be less colorful.

Paul has been an articulate, resourceful, dedicated, and hard-working legislator whose high principles are as much respected as they are strongly held. While he has been ever sensitive to the wishes and interests of his district, his skilled legislative efforts have always bespoken a deep concern for and awareness of the best interests of our whole country. It is this quality, the hallmark of statesmanship, which makes his departure from Congress a loss to the entire Nation.

Nevertheless, Paul is eminently qualified to serve on the highest judicial body of his native State, and it is not difficult to understand or appreciate his desire to accept so singular an appointment. I know that he will serve the people of New York well in that capacity and I wish him every success and satisfaction in his new career on the bench.

CAPT. EDDIE RICKENBACKER: A GREAT AMERICAN FOR 1968

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Friday, October 4, 1968

Mr. TALMADGE. Mr. President, each year the Dixie Business magazine, whose editor and founder is Hubert F. Lee, of Decatur, Ga., pays tribute to a great American. For 1968, the editors of Dixie Business have selected Capt. Eddie Rickenbacker, who rose to the position of president of Eastern Air Lines, Inc. I invite the attention of the Senate to an article entitled "A Great American for 1968," written by Hubert Lee.

Also, in his "Aces of Aviation" series, Colonel Lee featured Delta Airlines' outstanding president, Capt. Charles H. Holson, in the winter 1966 issue of Dixie Business. Colonel Lee quoted in the feature something he had written about Capt. Eddie Rickenbacker in 1938—30 years ago—when Rickenbacker advanced to president of Eastern Air Lines.

I ask unanimous consent that both articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Capt. Eddie Rickenbacker: A Great American for 1968

(By Hubert F. Lee)

The editors of Dixie Business have named Capt. Eddie Rickenbacker as the "A Great American" for 1968.

In selecting Capt "Eddie," we also salute the 40th Anniversary of Eastern Air Lines, Inc.

Donald Douglas, Sr. was the "A Great American" for 1967.

E. K. Gaylord, publisher of the Oklahoma City Oklahoman, who is on the Ballot for the "Man of the South" was the "A Great American" for 1966.

When the Eastern Air plane crashed a few thousand feet from my father's farm near Morrow, Ga., in 1941, one of the passengers followed "Tige" his dog to get help and give the alarm.

The National Aviation Hall of Fame, of which I am a Charter Member, in 1965 enshrined Eddie at Dayton, Ohio.

I had the thrill in 1966 of seeing my old Army Air Service boss enshrined at Dayton by General John P. McConnell, Air Force Chief of Staff. Billy Mitchell, Jr. gave the Air Force Museum his father's medals. They were accepted by General McConnell.

When Rickenbacker, an Autobiography came out as a "Best Seller," it was acclaimed by the greats of the World:

"*Rickenbacker* is the fascinating uninhibited autobiography of a great American. . . ."—James H. Doolittle, Lieutenant General (retired), United States Air Force.

"This book tells a fascinating story of a great American whose outstanding record in war and peace has made an invaluable contribution to the nation's welfare. Suspense and adventure, humor and down-to-earth philosophy—all these ingredients combine in this book to make it not only an important historical and biographical account but also a most interesting and delightful volume of wide public appeal."—J. P. McConnell, General, Chief of Staff, USAF.

Past honorees of the "A Great American" selections include:

Dr. Chas. F. Kettering, 1955; Cecil B. deMille, 1956; Helen Keller, 1957; Tom D. Spies, M.D., 1958; Lister Hill, M.S., 1959; Oveta Culp Hobby, 1960; R. Manton Wilsom, M.D., 1961; John H. Glenn, Jr., 1962; Bernard M. Baruch, 1963; Carl Vinson, 1964; The American Fighting Man in Vietnam, 1965; E. K. Gaylord, 1966; Donald Douglas, Sr., 1967; Eddie Rickenbacker, 1968.

Aces of Aviation: Delta Chief Executive

(By Hubert F. Lee)

Charles H. Dolson, president of Delta Air Lines, has helped change the image of aviation during his 40 years in aviation, from a barnstorming daredevil sport for the reckless to a major segment of the transportation industry.

His is in the Horatio Alger tradition, without the rags to riches bit.

Dolson picked Delta in 1934 as the best spot for advancement and has had destiny flying with him ever since.

I phoned Dolson on Oct. 30, 1965 when Mr. C. E. Woolman advanced to chairman and Dolson was picked as president.

"It was all a surprise to me," he ejaculated.

"Nobody knew about it, as far as I know.

"Mr. Woolman is still the boss.

"I will take it easy and let the ball bounce where it will."

Mr. Woolman died Sept. 11, 1966.

The wheel of chance, fixed by Dolson in 1934, pointed to Dolson as the man to run Delta Airlines in fact as well as in title.

I already knew that it was his high esteem, respect and loyalty that Mr. Woolman had hand picked Mr. Dolson to take on a heavier load and someday become president.

Mr. Woolman was featured in the 1946 Spring issue of Dixie Business after his election as president of Delta in 1945.

And in 1949, when Dixie Business selected the South's "50 Foremost Leaders", Mr. Woolman was one of the 50.

He was to have been picked as the "A Great American" for 1965 but was passed over to honor the "American fighting Man."

On Oct. 30, 1965, I also talked with Mr. Woolman about being named chairman. In the Winter 1965 issue, I quoted him.

The great aviation leader C. E. Woolman became chairman of Delta Oct. 29.

He turned over the title of president to Charles H. Dolson who joined Delta as a pilot in 1934.

Mr. Woolman told me he didn't need a title as he ran Delta long before he got the title of president in 1945. See the FALL 1946 issue of Dixie Business for a double page feature I ran.

ON RICKENBACKER'S TEAM

Dolson was a pilot for American Airlines when Capt. Eddie Richenbacker, my friend for many years, was Vice president.

Like Capt. Tom Doe and Ernest Breech, now chairman of TWA, Capt. Eddie gave me passes before the CAB clamped down on guest tickets, on Eastern AL.

Here are a couple of quotes from a feature in Dixie Business after Eddie became president of Eastern Air Lines.

On March 29, 1932 Rickenbacker joined the Aviation Corporation as vice-president of American Airways. On June 1, 1933 he became associated with North American Aviation, Inc., as vice-president and on January 1, 1935 was made general manager of Eastern Air Lines.

In April, 1938 Eastern Air Lines Division was sold by North American Aviation, Inc. to Kunn, Loeb & Co. and Smith, Barney & Co. At that time Capt. Rickenbacker was made president and general manager of the company to be known as Eastern Air Lines, Inc.

DOLSON BECOMES CHIEF EXECUTIVE OFFICER

On Sept. 14, 1966, Delta Directors named Charles H. Dolson chief executive officer. They left the post of chairman vacant.

Dolson was standing back of Jim Farley when the mail contracts were being awarded.

When he spotted the contract being awarded to Delta, he applied for a pilot's job and got it.

Delta carried less than 50 tons in 1934 when Capt. Dolson began flying the mail.

Delta had begun flying passengers in 1929 but had no mail contract until 1934 when Dolson joined Delta. He and Captain Lee McBride came to work at the same time.

Who's Who in America lists Mr. Dolson:

"Dolson, Charles Herbert (dōl'son), air line exec.; b. St. Louis, May 13, 1906; s. Frank Edward and Hattie Mae (Harbison) D.; B.S. in civil engring., Washington U., 1928; m. Bonnie Gooch, May 27, 1935 (dec.); m. second Clara Allison, August 30, 1962. Test pilot Curtiss-Wright Airplane Co., St. Louis 1930–31; pilot Am. Airlines, Inc., 1931–34. Delta Air Lines, Inc., Atlanta, 1934–40, chief pilot, 1940–42, 1945–47, operations mgr., 1947–48, v.p. operations, 1948–59, exec. v.p., 1959——; dir., 1955——. Served as lt. comdr. USNRF, 1928–30, 42–45. Mem. National Aviation Club, Society of Automotive Engrs., Alpha Tau Omega, Elk. Home: 660 W. Conway Dr. N.W., Atlanta 30327. Office: Delta Air Lines, Inc., Atlanta Airport, Atlanta."

FORTY YEARS IN AVIATION

Dolson was a student at Washington University in St. Louis, his home town, when the Navy started a program of training students to fly.

His first flight was on June 6, 1926 at the Navy's Great Lakes Primary Training Center, Chicago.

Between his Junior and Senior years he went to Norfolk for advanced training.

In 1929, in the Naval Reserve he was sent to Pensacola.

After his stint in the Navy, he got a job with Curtiss-Wright as test pilot. He flew Curtiss Juniors, Robins, Hawks, Kingbirds, Traveler Coupes and Travel Air Sedans.

In 1931, American Airways, now American Airlines, offered him a job flying the mail—until Jim Farley cancelled the mail contracts in 1934.

"Lee McBride and I chiseled passes to Cincinnati and on to Washington."

And that is how the wheel of chance spun his destiny. He went with Delta to build seniority and success.

NEWS REPORT TO NEW YORK'S 13TH CONGRESSIONAL DISTRICT ON CURRENT ISSUES

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. PODELL. Mr. Speaker, as national election day nears those of us privileged to serve in the House of Representatives are looked to for our views on the many hard issues facing our people and their candidates. My views on some of the paramount issues were stated in a recent news report to my constituents.

The report follows:

CONGRESSMAN BERT PODELL REPORTING FROM WASHINGTON, SEPTEMBER 1968

DEAR FRIEND: The termination of the Congressional recess coincides with the completion of my first six months as your Representative in Congress. This circumstance provides a convenient plateau from which to report to you on my activities and accomplishments as your Representative.

These past six months have been a period of historic, tragic and dramatic events. It was a period that witnessed the start of negotiations for an honorable peace in Vietnam and then saw these negotiations bog down in a series of charges and counter-charges. America was shocked by the assassination of Rev. Martin Luther King, Jr., and then again when Senator Robert F. Kennedy was struck down by an assassin's bullet, at the very moment of his triumph in the California Presidential Primary.

With the customary frenetic activity, the major political parties nominated their candidates for President and Vice-President, at a time when Soviet troops had invaded and were stationed in Czechoslovakia, where the light of freedom was snuffed out again by guns and tanks from Soviet bloc nations.

PRIMARY VICTORY

On a personal note, I won the Democratic Party nomination for re-election to Congress over two opponents on Primary Day. I am grateful to the enrolled Democrats in our District for their vote of confidence. I look forward to another victory on Election Day, and to the opportunity to serve you once again, during these challenging times, in Congress, as faithfully and as vigorously as I had represented many of you in the past as a member of the State Assembly.

THE CHICAGO CONVENTION

I was not a Delegate to the National Democratic Nominating Convention but attended the proceedings in Chicago as an observer. It is indeed unfortunate that so much of the proceedings were dominated by riots and violence in the streets of Chicago. No doubt the controversy will range for a long time over security precautions maintained in Chicago, whether Mayor Daley and the police over-reacted to provocation by demonstrators, and the possible role of television in stimulating violent reaction. From my observation of the scene, I am among those who feel that Mayor Daley over-reacted to the needs of the situation. I also disagree sharply with those who hold the Democratic Party responsible for the unfortunate events. Blaming the Democratic Party is no different from racist charges of guilt by association, where a vast group is held responsible for the misconduct of a few.

LEGISLATION I SPONSORED

During this period of six months, I sponsored a constructive and progressive legislative program designed to improve the health, welfare and education of our people. Copies of all the bills I introduced are available at my office, and I shall be happy to send you a copy of any bill you may request. Space does not permit me to detail the full scope of my legislative program, but following are some of the highlights:

Social security: I introduced legislation to increase Social Security payments; to tie Social Security benefits to cost of living increases; to permit higher earnings in gainful employment by Social Security recipients without losing Social Security benefits; to extend coverage for drugs and pharmaceuticals under the Federal Medicare program; for a White House conference on the Aging to expand geriatric research and to coordinate cultural and training programs for the aged; for expanded programs of Senior Citizen housing and for rent and mortgage subsidies to reduce rental costs of the aged.

Youth participation: As I did as a member of the State Assembly, I am the sponsor of a proposed Constitutional Amendment to reduce the voting age to 18 years. I am also a co-sponsor of the Youth Participation Act, which is designed to open broad new areas for participation of our young people to participate actively and meaningfully in the shaping of government policy.

The war in Vietnam: In order to bring an early and peaceful end to the War in Vietnam, I am sponsor of a Resolution to require the appropriate Congressional Committees to report to Congress on such action as may be required to bring about a peaceful solution. I am also sponsor of a bill to prohibit the use of atomic weapons in Vietnam, and a bill to investigate the extent of chemical warfare employed in Vietnam. I have also introduced a bill to bring sense and order out of the chaotic uncertainties inflicted upon our young men by the Selective Service Law, and to insure that two members of a single family do not both serve in Vietnam.

Control of crime: I am sponsor of legislation to require registration of all firearms and the licensing of gun owners. Although amendments to accomplish these objectives have been defeated in the House of Representatives, I shall continue to fight vigorously for such legislation in the days ahead. I am also sponsor of a Resolution for a study and investigation of violence on television.

Education: I am sponsor of legislation to provide Federal aid to local Boards of Education to stimulate and support more effective school programs; to provide Federal grants and loans for school construction programs; to initiate new Federal programs for the education and training of handicapped children; for expanded Federal aids, grants and loans to students attending the Nation's institutions of higher learnings; and for Federal grants and loans to expand construction of facilities at our universities, colleges and community colleges.

Health and welfare: I am sponsor of legislation to investigate the extent of hunger in our Nation; to expand the use of the food stamp program into areas of poverty in which food stamps are not available; to provide for full employment; for a Federal $2.00 minimum wage law; and for participation by the United States in International Health, Education and Welfare programs.

Peace in the Middle East: A resolution I initiated in the House to sell Phantom Supersonic Jet Fighters to Israel, in order to preserve the balance of military power in the Middle East, has been approved both in the House and in the Senate as amendments to the pending Foreign Aid Bill.

Immigration: Pending before the House Judiciary Committee are two important bills I am sponsoring in connection with immigration. One of these would establish a special quota for victims left without homes, jobs, or farms as a result of earthquakes in Sicily in January of this year. The other would establish a new quota for immigrants from Ireland, who are unfortunately discriminated against by the Immigration Law adopted three years ago. It is my hope that these bills will be acted on before the 90th Congress finally adjourns.

Consumer protection: I am sponsor of an amendment to the Federal Constitution to establish a Federal Consumer Department at the Cabinet level, designed to protect the consumer with respect to quality and price of consumer products and services.

HOUSE DEBATES

I have participated vigorously and actively in House debates on a wide variety of legislative items. The text of the various statements I made are available at your request in my office. Again space does not permit full details of my activities, but following are some of the highlights:

Opposition to Cross-Brooklyn Expressway.
For Better Health Services.
For Peace in Vietnam.
For a Treaty on Chemical Warfare.
For Peace in the Middle East.
In Oppostiion to the Surtax.
On the Fight Against Crime.
For Freedom in Czechoslovakia.
To Prevent Hunger in America.
For More Effective Schools.
In Support of Effective Gun Control Laws.
For Reduction in the Voting Age.
For Aid to Sicilian Earthquake Victims.
For Irish Immigration.
For Air and Water Pollution Preventions.
In Support of Firearms Registration.
In Support of Licensing of Gun Purchasers.

PUBLIC OPINION POLL

We received almost 20,000 replies to The Public Opinion Poll we took in our District a short while ago. In view of the large volume of returns and the number of questions in the poll, the task of tabulating your responses has been a considerable one. However, the job is almost finished, and the results should be ready for distribution to you within 10 days to two weeks.

OUR ADVISORY COMMITTEE

The response to our request for persons interested in serving on our Advisory Committee has been most enthusiastic. We have subdivided the Committee into various subcommittees, such as education, health and welfare, labor and industry. Others who wish to serve on this Committee should write to me, either to my Washington or Brooklyn Office. Service on this Committee will give you an opportunity to participate actively and constructively in the legislative process.

TRIBUTE TO A PUBLIC SERVANT: STATES RIGHTS FINLEY RETIRES FROM POWER BOARD

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. BROCK. Mr. Speaker, after a long career of public service, Mr. States Rights Finley has retired as chairman of the Electric Power Board of Chattanooga. In recognition of his distinguished service, the following article appeared in the September issue of Public Power. I include it in the RECORD:

STATES RIGHTS RETIRES

The retirement of States Rights Finley as chairman of the Electric Power Board of Chattanooga leaves a significant void in the public power ranks.

There is much more that is unusual about States Rights than his name, which was given to him by his father, a South Carolina Congressman who was a staunch believer in states' rights.

In the days when the very life or death of TVA depended upon the outcome of battles before the Congress, States Rights gave outstanding leadership to TVA's cause. He had a keen perception of the issues, and by his quiet, courtly and ingratiating manner he became one of the most persuasive advocates of TVA. His warm personality and good humor charmed even the bitterest of opponents, and statements that would seem unusually strong if they came from the lips of others were readily accepted when they were spoken by States Rights.

Although TVA has been his principal interest, he has followed closely the progress of public power in virtually every section of this land, and has addressed public power groups in the North, East and West—as well as the South.

Many organizations are indebted to States Rights for his active leadership, but none more than APPA. He was one of the founders of this Association, and his strong support and guiding hand were instrumental in establishing APPA as a going concern.

I, particularly, am indebted to him. It was during his term as president of APPA in 1950–51 that the position of APPA general manager became available because of the resignation of the then-general manager, Carlton L. Nau, and Mr. Finley advocated my selection for this position. Through the years States Rights has been a source of much good advice and encouragement, and I am but one of hundreds who have benefited from his counsel.

At age 70, States Rights has the vitality, sparkling good humor, and keen interest in the affairs of his community and Nation that give him a youthful spirit. His countless friends throughout the country share my hope that he will continue to play an active part in the many organizations to which he has contributed so mightily in the past.

THE HOOVER-TYPE COMMISSION

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. RUPPE. Mr. Speaker, the Hon. Charles "Mac" Mathias will be leaving the House of Representatives at the end of this session as he seeks election to the Senate. The loss of one of our most able colleagues is very much regretted. We all recognize Congressman Mathias as being an outstanding legislator, and I wish to take this opportunity to focus upon one of his specific legislative efforts in recognition of his far-reaching contributions to this body—his effort to establish a Hoover-type Commission.

The first Hoover Commission completed its massive investigation of the Federal bureaucracy in 1949, recommending over 200 changes for updating Federal departments and agencies. Three years later, in 1953, the second Hoover Commission was created to again bring economy and efficiency to the Federal Government.

Thirteen years have elapsed since that investigation and the Federal bureaucracy has swelled into a maze of agencies, bureaus and departments. The Federal Government of 1953 is quite removed from the complex and growing structure we must face today. The responsibilities of the Federal Government have more than doubled, the Federal budget has tripled, and the Government now employs over 500,000 more civilian personnel than it did in 1953.

All this has resulted in confusion, inefficiency, and ineffective intergovernmental communications. Numerous examples of overlapping and duplication were cited by my colleague William Roth of Delaware on July 16. He included these examples:

> 56 water conservation and control programs spread among seven different departments and agencies.

Over 470 education programs spread among 20 executive agencies and departments, with

> 69 manpower training and vocational education programs spread among the Office of Education, the Social and Rehabilitation Service in the Department of Health, Education and Welfare and seven other departments and agencies.
>
> 112 programs related to providing assistance of direct relevance to the poor spread among Health, Education, and Welfare and eight additional departments and agencies.
>
> 74 economic and business development programs spread among ten separate departments and agencies.

How do we increase efficiency in Government and reduce this duplication, inefficiency, and waste? How do we best set our priorities among the many diversified demands of our Nation's resources? My friend and colleague, Charles McC. Mathias, has provided the leadership needed in this endeavor as he has done so many times within the past 8 years in Congress while serving on the Judiciary and District of Columbia Committees. Cognizant of the massive structure of the Federal Government and the need for reform, Congressman Mathias introduced legislation in the 89th Congress to establish a Hoover-type Commission that would revamp and modernize the Federal bureaucracy. On the first day of the session of the 90th Congress, Congressman Mathias reintroduced his bill, urging Congress to take the initiative and provide the American people with a bureaucracy that would efficiently serve their needs. Over 40 other Congressmen, myself included, have joined Congressman Mathias in his effort.

Congress has the responsibility of meeting the demands which the future will place upon us. Congressman Mathias introduced legislation to establish the Hoover-type Commission and I propose that, as a tribute to this fine legislator, we procrastinate no longer and get on our way in thoroughly reorganizing the Federal governmental structure in an effort to design what will be an effective instrument for the American people.

RUSSIA SEEKS NAVY BASE IN INDIA

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1968

Mr. SIKES. Mr. Speaker, rumor persists that the Russians are receiving encouragement from the Government of India in their efforts to obtain a navy base on Indian territory on the shores of the Indian Ocean. It is well that the people of America be alerted to this possibility and to its very serious consequences to the Western defense effort. The withdrawal of British forces from that part of the world is a serious enough blow. The injection of a sizable Russian force into the Indian Ocean would produce a delicate situation indeed. It is not a subject to be treated lightly and passed over by U.S. diplomats as inconsequential.

The presence of a modern Russian fleet in the Mediterranean, plus the dramatic expansion of Russian influence in the Middle East, points up the determination of the Russians to expand their control into new parts of the world.

Russia is a major contributor to India's growing war machine. Foreign aid to India from the United States has served to free Indian assets for the purchase of military equipment from the Russians. There have also been very sizable contributions from Russia to the Indian economy, such as the establishment of a MIG factory and other defense plants. Russia is seeking to capitalize on this picture to obtain a navy base on Indian territory in an area hitherto denied to Russian forces.

MARGARET DURHAM ROBEY—EDUCATOR

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. MARSH. Mr. Speaker, I am sure many Members of the House are familiar with the Horatio Alger Awards, an annual recognition program of the American Association of Secondary Schools.

I have a particular sense of pride however, in calling to the attention of my colleagues the awards of this year, as they include Mrs. Margaret Durham Robey, who, for so many years, has headed one of the outstanding junior college establishments in the United States.

The Southern Seminary Junior College is located in the city of Buena Vista, Va., and it has been a matter of pride in that community, through a succession of generations, that this school has held high ranking for its educational programs and for the character development of the young ladies who have attended.

Although she relinquished, relatively recently, the active and formal direction of the school, it has been well known, not only in the area but also throughout the community of educators working in the secondary schools and junior colleges, that the prestige in scholarship and general development of students achieved by this school in Buena Vista have been creditable, largely, to the diligent supervision of Mrs. Robey, with of course, the dedicated assistance of her husband, H. Russell Robey, in the essential management matters of an educational establishment of this kind.

I take pleasure, at this time, therefore, in bringing to the attention of the House the concept of the Horatio Alger Awards, together with the citation awarded to Mrs. Robey:

THE 22D ANNUAL HORATIO ALGER AWARDS

Some years ago the American Schools & Colleges Association, being concerned about the trend among young people towards the mind-poisoning belief that equal opportunity was a thing of the past, developed a new approach to this problem which has proven to be quite successful. This particular approach consisted of selecting living individuals who by their own efforts had pulled themselves up by their bootstraps in the American tradition. Therefore, this living proof indicates the American Way of achieving success still offers equal opportunity to all.

Each year medals are awarded to nine or ten Americans whose careers typify the results of individual initiative, hard work, honesty and adherence to traditional ideals. Hundreds of names of business and professional leaders from all walks of American life are submitted to the nominating committee by various persons. After screening by the committee, some 18 or 20 of these names are usually presented to about 3,000 campus leaders in more than 500 colleges and universities. These young leaders vote to select those whose careers reflect the spirit of achievement in spite of obstacles. The purpose for taking this vote at the college level is to impress upon young people everywhere how these basic principles are still working in the lives of contemporary leaders in American life.

Beyond the effect upon the students of the 500 colleges is the fact that the Horatio Alger Awards are given wide publicity and hence are encouraging to a great mass of young people who in these difficult days are inclined to question whether the doors of opportunity are still open.

In the past twelve years of awards, it has seemed useful to publish pictures and brief biographies of winners as "Living Proof of the opportunities in our American Way of Life." The purpose is to remind young people that these opportunities still exist. Copies of "Opportunity Still Knocks" are distributed free to the Libraries of American Colleges and to History Department heads of Secondary Schools in the U.S., who request them for use in their classes. Thus, the ideal of equality of opportunity is at work to reach youth, dedicated to the American Way, as opposed to foreign ideologies, and to train leaders. The Horatio Alger Awards Committee is dedicated to the belief that the American Way is the highest type of human relationship conceived by the mind of man.

MARGARET DURHAM ROBEY

For the past 50 years Margaret Durham Robey has been working to make a dream come true. She took care of her ailing mother and got an education. Having made sacrifices and moves in search of health for her mother, she and her father took the opportunity to buy a small boarding school in Virginia with borrowed money—"on the cuff." For years it was a struggle to build up the School, but today Southern Seminary is a fully accredited two year college for women with a value in excess of $2 million and an endowment of $500,000, many handsome buildings on a beautiful campus, and an enrollment of 350. For the past 25 years Dr. Robey has been President of Southern Seminary and her husband, H. Russell Robey, Treasurer and Business Manager. In 1958, they gave Southern Seminary to a non-profit board of control and have been working for the School without remuneration since. This success story exemplifies free enterprise and individual initiative, since the school has received no church, State or federal funds. Holder of the A.B. degree from Duke University, the M.A. from the University of Virginia, and an honorary doctorate from Emory and Henry College, Dr. Robey has served in many positions of educational responsibility at national and regional levels. In World War II she represented Junior College Women of America on the President's Committee on Education and Defense.

JACKSONVILLE NO. 1

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. BENNETT. Mr. Speaker, I am very proud of my hometown, Jacksonville, Fla., as it became the largest city by population in Florida on October 1, and the largest city in the world by area. This was the result of combining the city government with the previous county government, this in itself a stride forward in potentially more efficient government. The following articles on this event are of interest:

[From the Jacksonville (Fla.) Journal, Oct. 1, 1968]

TANZLER: "LET'S TAKE THE FLOODTIDE"

(By Thatcher Walt)

Mayor Hans G. Tanzler Jr. urged Jacksonville citizens today to take the floodtide to "fame and fortune" and the Gateway City inaugurated its grand experiment of consolidation.

Billed as a "state of the city" address, Tanzler's remarks covered the waterfront of the community's problems and opportunities.

He saw the day "neither the beginning nor the end of all that is good or bad."

"But rather today marks a milestone—today is the day the challenge is totally joined, the temper of steel is struck," Tanzler told his audience at the civic auditorium.

The mayor ticked off the "pluses" of Jacksonville: "Our climate, the St. Johns River, the Beaches and expanses of open ground for future growth and development. We have our new airport, our mushrooming port development, a bulging shipbuilding industry, a solid finance and insurance center, our well established naval installations, a population large enough to provide the diversity necessary for a metropolitan community. Race relations, cultural opportunities, and employment have all been improving with giant steps."

But Tanzler also looked beneath "the glitter."

Calling it a "tiring redundancy" to recount problems such as school disaccreditation, collapsing sewer lines and streets, extensive water and air pollution, high crime rates, ghetto conditions "in too many neighborhoods," the mayor said:

"Nevertheless, it is important that we not forget them. The sharper we can focus on our shortcomings, the quicker we will be spurred to correcting them."

Tanzler said he views consolidation as the "cornerstone of a community renaissance" but not as a "panacea for all our problems."

"The true measure of consolidation's success will be directly proportionate to what each of us . . . puts forth in effort, participation and enthusiasm," he said.

The mayor "reminded" his audience that "you will receive a lower tax bill this year than you received last year."

"Not only will the tax bite be lower, but services in the first year will show some marked improvements," he said.

He predicted that the collection of the data processing systems of the old government in one department will expand services while cutting costs in half.

But Tanzler also alluded to future sewer and water service charges "reluctantly arrived at by the council and myself."

He pledged that the new charges will be used in a plan "now under study" to correct the city's sewage problems and "make our city pollution free."

"But all the improvements we want and need will not come overnight," said the mayor. "And therein lies a great danger if too many people expect too much too soon."

Present enthusiasm for the new government must not be lost, he said.

MESSAGE TO CITY FROM L. B. J.

President Lyndon Johnson wired Mayor Hans Tanzler his congratulations today for this city and county's "spirited example" in adopting consolidated government.

The telegram read:

"I am happy to congratulate the people of Jacksonville and Duval County on this milestone in your history. Better, more efficient government on the county and city level is one of the nation's most urgent needs. The nation is indebted to you for your spirited example."

[From the Florida Times Union, Oct. 2, 1968]

BOLD NEW CITY: THE NEXT 10 YEARS WILL SEE UNBELIEVABLE GROWTH

(By W. Ashley Verlander)

Jacksonville, the Bold New City of the South, should now be ready to take its rightful place as the regional city of the South. For many years, the national business community has looked at Jacksonville as a city on the brink of greatness; but it has never quite been able to realize that greatness.

Certainly, it is blessed with all the natural resources and assets that any city could desire; and with the new consolidated form of government—which was approved so overwhelmingly by its citizens—we should now step forward into this greatness.

With the new boundaries, Jacksonville will now be the largest land area city in the free world and have the largest population within its city limits of any city in the great State of Florida. These statistics make for strong reading by industrial research teams in selecting the Southern city as the site of industrial expansion.

Let's examine the evidence. We have a stable economy spread over a wide industrial, military, financial and agricultural base. We have the largest port on the South Atlantic, and it is located farther west than any other port city on the Atlantic Seacoast. It has been described to us by national corporations as by far the best port on the Atlantic Seaboard.

The ports of Europe, Africa and Central and South American are within easy reach. The fact that Jacksonville imports more coffee than any other port in the Southeast is indicative of the potential which exists for our area.

The Cross-Florida Barge Canal is certain to boost our economy. Not just the City of Jacksonville, but every person in Northeast Florida will benefit.

The opening of the Jacksonville International Airport will further enhance our already promising transportation picture.

Our multi-million dollar Expressway system is years ahead of most cities. The improvements made during the last 10 years in our city, such as the Civic Auditorium, the Coliseum, the Library, the new City Hall and new Courthouse, have completely changed the face of Jacksonville.

Our Naval operation here is the hub of a vast complex including massive overhaul and repair shops, a carrier and destroyer basin, and a major master jet base. The local Navy facilities employ approximately 35,000 people, and the servicemen alone receive an annual payroll in excess of $200 million. In addition, nearly $25 million is expended annually for the purchase of materials in the local market.

Jacksonville, with the only branch of the Federal Reserve Bank of Atlanta in the state, is the financial capital of Florida. It is a center of two growth industries—banking and insurance. All of which adds up to money, which means investment capital for companies desiring to locate and expand here.

The next 10 years will see unbelievable growth in payrolls, tax base and other items so important to the financial condition of a municipality.

One of the most important results of consolidation will be the tangible and intangible benefits to be derived by our citizens in a more efficient, economical form of local government. As a side benefit, Jacksonville's accomplishment has attracted the interest and fancy of other cities all over the country.

Literally dozens of cities have written for details on what we did and how we did it. During coming months, many of these cities will be sending delegations here to get a first hand look at the home-grown product.

A milestone? Certainly. But also a gigantic challenge to us all to make it work for us in the way it was intended by its creators.

The national business community has been waiting for Jacksonville to achieve one great unifying triumph; and certainly the consolidation victory was it. We are now on the way. Nothing can stop us!

[From the Tampa (Fla.) Tribune, Oct. 1, 1968]

JACKSONVILLE'S NO. 1

Jacksonville today celebrates its emergence as Florida's largest city in population and the largest in the United States in land area.

These distinctions are enough to gladden the heart and loosen the tongue of every civic booster. But Jacksonville's most significant achievement is neither of these: it is the consolidation of City and County governments into one administration covering most of Duval County.

Jacksonville is not the first in the nation to accomplish this kind of unified government but it is one of very few metropolitan areas to do so. No other in Florida has taken so great a step in governmental reform.

A three-year campaign, fought in the Legislature, in local elections and in the courts, succeeded last year when citizens voted 2 to 1 for consolidation. The change was made effective October 1 to allow time for the transition.

Now the old overlapping, duplicating and often-bickering governments will be merged into one structure covering all of Duval County except four small municipalities.

Mayor Hans Tanzler, elected without opposition, will be the $30,000-a-year executive. A 19-member Council will serve as legislative and budget-making body.

Collectively, they take over the powers formerly held by the County Commission and by a hydra-headed Jacksonville city government composed of both a City Commission (which wielded executive authority) and a City Council.

The Jacksonville-Duval consolidation is similar to a proposed Tampa-Hillsborough merger which was rejected by voters in June, 1967.

There are various reasons why one succeeded and the other failed. The main one, in the opinion of most analysts, is that the governmental situation was so much worse in Jacksonville than in Tampa at the time. Jacksonville had failed to annex its suburbs, it was losing population in its congested central city, and it was beset by scandals in administration. Moreover, the city governmental structure was a monstrosity of a kind which every progressive municipality had long ago discarded.

"The attitude of the people", said one Jacksonville official, "was that any change was bound to be for the better".

The governments of Tampa and Hillsborough are not to be compared with the old administrations in Jacksonville-Duval. Some progress has been made here in piece-meal consolidation of City-County functions; the general level of efficiency has been raised in recent years.

Still, there is unavoidable waste in operating two governments which overlap in many functions. There is also constant difficulty in attempting to meet the needs of fast-developing urban areas, outside Tampa's limits, with a County government designed for a rural constituency.

The case for consolidation here has the same logic, if not the emotion, as Jacksonville's.

Citizens of Jacksonville have every reason to close down the schools and dance in the streets today. We join them in spirit—and hope that Tampa one day will be able to join them in progress.

AIR AND WATER POLLUTION STIR JUDICIAL NOTICE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. EILBERG. Mr. Speaker, an example of what can be done toward effective action to combat irresponsible pollution of our air and water is the subject of a recent editorial by WCAU radio, in Philadelphia, Pa. I offer my congratulations to Judge Isaac Garb and Judge Joseph Gold for the decisions rendered in these cases. I am pleased to insert this editorial at this point in the RECORD:

AIR AND WATER POLLUTION STIR JUDICIAL NOTICE

The public has found at least two friends in court in recent days. Bucks County Judge Isaac Garb has given a chemical firm sixty days in which to clear up a long-standing water pollution problem or pay a $10,000.00 fine. The jurist found the company guilty of contempt of court for non-compliance to two earlier court orders enjoining it to stop polluting nearby streams in Bucks County. Tempering justice with mercy, Judge Garb told the company that, if it abates the pollution, he will consider dropping the stiff fine.

Here in Philadelphia, Judge Joseph Gold fined a chronic housing, fire and air pollution code violator $16,000.00 for failure to rectify long-standing complaints. The offender operates numerous real estate rental properties and has been getting away with paying small fines for several years.

In New Jersey, during the first six months of this year, prosecutions for air pollution violations resulted in more than $15,000.00 in fines.

WCAU Radio believes the courts are at long last taking judicial notice that the public is fed up with business and industry, as well as individuals, fouling our air and water. And we hope that the courts continue to take the hard line with chronic offenders.

NEEDED: A REVIEW OF THE UNITED NATIONS CHARTER

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. PODELL. Mr. Speaker, in terms of the longevity of human institutions, the United Nations is of relatively recent origin. Younger than the great powers that ultimately shape its destiny, the United Nations is nonetheless older than much of its constituent nation membership. This simple fact gives rise to a serious question: Can the United Nations Charter written almost a quarter of a century ago by the victorious allies in the Second World War serve as an effective instrument for the maintenance of world peace and security in a world suffering from ideological conflict, characterized by a dying colonialism and by the birth of new nations in Africa and in Asia heralding the awakening of these two vast continental areas?

In 1944, representatives of the United Kingdom, the United States, the Union of Soviet Socialist Republics, and the Republic of China met at Dumbarton Oaks and drew up a series of proposals leading to the organization of the United Nations. The United Nations Charter was drawn up at a conference in San Francisco in 1945 and when the agreements became effective on October 24, 1945, 51 nations became the initial group of members.

On Tuesday, September 24, 1968, the United Nations Assembly convened for its 23d annual session. Instead of just 51 members, this session of the Assembly will include delegates from 125 member nations.

Despite some failures, the United Nations in the face of many organizational shortcomings and obstacles has nonetheless justified existence as a viable instrument for the promotion of world peace and security. Despite the war in Vietnam, Soviet terror in Czechoslovakia, mounting tensions in the Middle East and in other areas, the United Nations remains the only international body with the moral power and authority to speak out against war. Indeed the United Nations is the sole repository of the hopes of people throughout the world for international peace and security. According to its charter that is, in fact, its primary objective.

The initial concept of the United Nations envisaged a General Assembly to function in an advisory and consultative capacity. It further envisaged a Security Council to consist of the United States, the United Kingdom, the Soviet Union, the Republic of China, and France. Subsequently, the Security Council was enlarged by the addition of six states to be elected for 2-year terms by the General Assembly. Executive power was lodged in the Security Council with authority to investigate and settle disputes by persuasion or by force. The permanent members of the Security Council could effectively block action through the exercise of the veto power.

This structural organization was never adequately tested in the crucible of either time or events. The nicely laid-out blueprint for international law and order was abruptly and crudely ripped to bits and pieces with the Soviet rapes of Poland, Hungary, and Czechoslovakia and by the creation of NATO as a countervailing force.

The resulting polarization of power, into two great and competing groups, added a dimension to international relations that was beyond the power of control within the framework of the United Nations structure. Inevitably, the new, have-not, unalined nations were obliged to turn to either of the two colossi for such economic and military aid that they required. Inevitably, too, with the appetites of the have-not, nonalined nations insatiable, blackmail became the common coin of international affairs. Client nations could always squeeze further aid from one of the two great powers simply by an announcement that they would be obliged to turn to the opposing power for further aid. Unfortunately, this advice has been successfully employed not only in the economic sphere but even more significantly in the military sphere. As a consequence, the United States and the Soviet Union have become the world's merchants of death, selling armaments in response to importunities of client nations, thereby adding fuel to the fires of international insecurity.

The United Nations has nonetheless demonstrated its capacity for containing war. It has established an uneasy truce in the Middle East and stopped the shooting in Cyprus. Its contributions to the promotion of international health standards is little short of monumental.

The 23d session of the General Assembly has an opportunity to reexamine the United Nations Charter with a view toward strengthening the United Nations as a force for world peace. A number of areas clearly and imperatively call for review. Some of these are:

First. Whether the Republic of China with its tarnished and tattered oriental splendor should remain one of the five permanent members of the Security Council.

Second. Whether in view of the many new nations that have been admitted to United Nations membership the General Assembly should not be strengthened so that it would function not only as an advisory or consultative body, but also vested with power to impose limited sanctions. It is clear to me that the recently created states should have greater voice in shaping international affairs.

Third. Consideration should be given to the question of imposing limitations upon the exercise of great veto power in the Security Council. Clearly the veto power has been abused and has stalemated Security Council action in spheres of vital concern.

Fourth. Plans should be explored for more realistic financing of the United Nations operations so that nonpayment of dues can no longer be used as a play to intimidate, coerce, and frustrate United Nations programs.

Fifth. The role of the Secretary General should be more clearly defined. Unfortunately, Mr. U Thant suffers from both tumescence of ego and inflation of mouth. The unseemly haste with which U Thant withdrew United Nations troops from United Arab Republic territory and Gaza on May 18, 1947, without consultation and on his own authority in violation of agreements between Dag Hammerskjold and Premier Nasser clearly ignited the Middle East War on June 6, 1967. His intemperate remarks on Vietnam have so completely destroyed his personal and official prestige and integrity so as to make impossible a significant role for the Secretary General as a mediator to break the negotiations impasse in Paris. World peace is threatened by the arrogance of power as exercised by its dominant nations and is threatened also by the arrogance of office as exercised by U Thant. Nor is there anything inspiring about the Secretary General's announcement of votes in the General Assembly like a troglodyte Tammany district leader even before the General Assembly has convened.

Those whose daily activities are intimately involved with the operations of the United Nations are acutely aware of other shortcomings in the United Nations Charter and structure which require critical examination and review. In my judgment, all of these should be explored to the end that the United Nations may become a more effective instrument for the maintenance of peace, not in a world of a quarter century ago, but in a world as it is today in the light of technological advances and of scientific progress, a world of new nations and rising expectations among the oppressed peoples of the earth.

The continuing war in Vietnam, the Soviet invasion of Czechoslovakia, starvation and war in Biafra, the uneasy truce in the Middle East, tensions in other parts of the world—all point to the necessity for a critical evaluation of the strength and weakness of the United Nations. This great hope for world peace should no longer be permitted to flounder in a sea of discord, buffeted by the winds of competing powers.

THE HONORABLE CHARLES A. HALLECK

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. ROGERS of Florida. Mr. Speaker, I join with my colleagues in expressing tribute to a friend and a leader, CHARLES A. HALLECK of Indiana.

For 34 years he has served this House, his district, and the Nation in exceptional fashion. For that reason, we honor him not for his length of service—although it is considerable—but for what he has accomplished during that period.

CHARLES HALLECK has been a legislative leader who has always been concerned with the proceedings of the House.

As a member of the Armed Forces Committee, he has sought out what is the best for the Nation and has seen to it that the defense posture of the Nation is equal to the demands put upon it.

We will all miss the warmth and personal manner of CHARLES HALLECK. My wife, Becky, and I wish him and his wife, Blanche, the best in the coming years.

HON. RICHARD L. ROUDEBUSH REPORTS FROM WASHINGTON

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. ROUDEBUSH. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter which I have sent to my constituents in the Fifth District of Indiana:

DEFEAT OF FORTAS NOMINATION CLEARS WAY FOR ADJOURNMENT

The Senate defeat of Abe Fortas as President Johnson's nominee for Supreme Court Chief Justice clears the path now for Congressional adjournment which could come within a week or ten days despite considerable work remaining to be done.

Fortas' defeat came as no surprise with opposition to his nomination growing each day.

It was a tremendous victory to have Fortas rejected, but he still remains on the Court as an Associate Justice. In the light of all the information that has emerged during his consideration as Chief Justice, it would be good for the public's confidence in the Court for him to resign from the Court altogether.

There is growing opposition to the new census form which is being planned for use in 1970. The original purpose of the census was to find out how many people lived in the United States. Under the new plan, the Federal Government would require all American families to answer hundreds of questions about themselves and how they live which I consider highly personal and not the legitimate concern of the government. Opposition to the census form is hardening in Congress, and I intend to introduce corrective legislation in the 91st Congress. Some of the questions asked on the present form range from what is your monthly rent to why did you not work last week.

Humphrey's "stop the bombing" telecast hit Congress with all the impact of an autumn leaf spinning to the ground. For four years Humphrey has gone along with Johnson policy without a whimper of opposition. And, for all intents and purposes the bombing has stopped since last March when the President announced the U.S. would not bomb north of the 20th parallel, and inasmuch as 95% of the military targets of North Vietnam are above the 20th parallel, the bombing we are now doing is rather one of form than substance. And, while the restrictions on our fliers continue, the communists rebuild their roads and highways and expand the harbor facilities. It appears that the North Vietnamese accepted the peace talk invitation so that they could have a breathing spell to regroup, rearm and rebuild the morale of their people. U.S. bombing in the north, even though carried out under wraps with many important targets put off limits by McNamara and Johnson, had taken some fight out of the Reds. Competent military experts believe that if we had used our air and naval capability to the required level, U.S. goals would already be achieved. Now, there seems to be doubt that any good will come out of the Paris talks, particularly so long as Humphrey and others talk about further reduction in air strikes.

WHAT THE DEMOCRATS ARE SAYING

"I was shocked and amazed to learn that the Vice President is reported as having proposed a halt in the U.S. bombing of military targets in North Vietnam near the demilitarized zone. This is an unbelievable proposal as it would hamstring and limit the only real superiority we have over the enemy—air power and sea power. The best protection for our men fighting communist aggression in South Vietnam is our absolute control of the sky and the sea lanes."—Congressman Dorn (D–S.C.), Congressional Record, October 1, 1968, Page H 9347.

"Too many recent appointees to the U.S. Supreme Court are judicial activists who appear to interpret the Constitution not according to what it says but according to what it would have said if they had written it. I voted for Mr. Fortas when he was appointed to the Court in 1965, but the words and votes of Mr. Fortas put him among the judicial activists, who toy with the Constitution as though it were their personal plaything instead of the organic law which is the priceless legacy of all Americans."—Senator Byrd (D–W. Va.), Congressional Record, September 30, 1968, Page 28785.

Write Congressman Roudebush.

POLITICAL ADVERTISING TELECASTS

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. **NIX.** Mr. Speaker, today I am introducing a concurrent resolution pertinent to the television broadcasting industry and hopefully expressing the sense of the Congress with respect to the proper presentation of paid political television broadcasts.

So that there be no mistaking my intentions in presenting this resolution, it is aimed generally at those political advertising telecasts that make as inconspicuous as possible that line at the end that labels such broadcast as a paid political ad.

But specifically, Mr. Speaker, this resolution is aimed at those advertisements of the Republican candidate for the Presidency whose commercials simulate newscasts and actual news happenings, and unless you have excellent eyesight and the ability to read faster than light the most inconspicuous print available, the fact that these are advertising is lost.

In the interest of raising the presidential race and all political contests to the highest level of ethical behavior, I urge my colleagues to act hastily in passing this resolution.

FIRST ORTHODOX CHURCH IN AMERICA

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. BURTON of California. Mr. Speaker, the year 1968 marks the 100th anniversary of the establishment of the first Orthodox Church in America. In celebration of this event, 3 days of festivities will be held in the city of San Francisco, beginning tomorrow and continuing through Sunday. Included in these observances will be the meeting of all Orthodox bishops belonging to the Metropolia of the United States and Canada. Presiding over these events will be His Eminence, the Most Reverend Ireney, Archbishop of New York, Metropolitan of America; and His Grace, the Most Reverend Archbishop John Shahovskoy of San Francisco and western United States. The services at the Holy Trinity Russian Orthodox Cathedral in San Francisco will serve as a visible symbol to all of the community of the contribution of the Eastern Orthodox Church to the culture and development of our society. As one of our newspapers, the San Francisco Examiner, commented:

> This anniversary occasion demonstrates the durability of man's search for the understanding and knowledge that nourish his spirit.

I know my colleagues join me in extending congratulations to the members of the Orthodox Rite on the reaching of this milestone.

H. H. H. IS HUBERT-COME-LATELY ON SOCIAL SECURITY

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. MESKILL. Mr. Speaker, Mr. HUMPHREY is late in proposing increases in social security benefits, but, nonetheless it is good to have his support. I just wonder where he was last year.

Last year, when I first came to Congress, I introduced bills proposing to make increases in social security benefits automatic with increases in the cost-in-living index, as H. H. H. now wants to do. Another bill of mine removes the ceiling on outside earnings so that elderly beneficiaries may work all they wish without losing any of their social security benefits.

While it is good to have the support of the Vice President who is now the head of the Democratic Party, it is sad to think that if he had given this support last year perhaps these important proposals might now be law. It is a sad thing for our elderly citizens that the Johnson-Humphrey administration prefers, instead, to substitute promises for performance.

I am sure our elderly citizens will decide to vote for a Republican 91st Congress—a Congress they can count on.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. SCHERLE. Mr. Speaker, this is the 256th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

HOUSE OF REPRESENTATIVES—*Monday, October 7, 1968*

The House met at 12 o'clock noon.

Rev. Norman K. Morgan, pastor of the First Presbyterian Church, Logan, W. Va., offered the following prayer:

Eternal God, we thank You for this day, for life, for Your daily provision for our needs, and for our Nation. We pray that Your divine forgiveness will rest upon us for every sin which we have committed or have been party to.

Inspire us with a prophetic insight into the needs of our world, so that every decision made in this legislative body will reflect a just judgment, a high sense of moral value, and an acute awareness of human need.

Give us courage and wisdom to act in keeping with Your will even above party loyalty, personal gain, or the pressure of a clamoring constituency for the good of America and the peace of the world. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, October 3, 1968, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On September 30, 1968:

H.R. 18786. An act to amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, and for other purposes.

On October 1, 1968:

H.J. Res. 1461. Joint resolution making continuing appropriations for the fiscal year 1969, and for other purposes.

On October 2, 1968:

H.R. 5910. An act to declare that the United States holds certain lands in trust for the Pawnee Indian Tribe of Oklahoma.

On October 4, 1968:

H.R. 17023. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1969, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 551. An act to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes;

H.R. 13480. An act to make the proof of financial responsibility requirements of section 39(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia inapplicable in the case of minor traffic violations involving drivers' licenses and motor vehicle registration;

H.R. 17787. An act to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes;

H.R. 19136. An act to amend title 5, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation; and

H. Con. Res. 838. Concurrent resolution authorizing the Secretary of the Senate to make a correction in the enrollment of S. 698.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 14096. An act to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes;

H.R. 15971. An act to increase the participation of law officers and counsel on courts-martial, and for other purposes;

H.R. 18248. An act to amend the act of August 9, 1955, relating to certain common carrier operations in the District of Columbia;

H.R. 18707. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes; and

H.R. 19908. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 19908) entitled "An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. HOLLAND, Mr. McGEE, Mr. PROXMIRE, Mr. YARBOROUGH, Mr. ALLOTT, Mr. YOUNG of North Dakota, and Mr. MUNDT to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 910. An act for the relief of the estate of Patrick E. Eagan;

S. 945. An act to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes;

S. 2439. An act to increase the number and salaries of judges of the District of Columbia court of general sessions and the juvenile court of the District of Columbia, the salaries of the District of Columbia Court of Appeals and the District of Columbia Tax Court, and for other purposes; and

S. 3227. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in Indian Claims Commission dockets numbered 88, 330, and 330-A, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 18707) entitled "An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RUSSELL, Mr. HILL, Mr. McCLELLAN, Mr. STENNIS, Mr. PASTORE, Mr. SYMINGTON, Mr. YOUNG of North Dakota, Mr. MUNDT, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 698) entitled "An act to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic congressional review of Federal grants-in-aid, to permit provision of reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of development assistance programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes."

The message also announced that the Senate agreed to the amendment of the House to the amendment of the Senate, numbered 1, to the bill (H.R. 13844) to amend title 5, United States Code, to provide additional leave of absence for Federal employees in connection with the funerals of their immediate relatives who died while on duty with the Armed Forces and in connection with certain duty performed by such employees as members of the Armed Forces Reserve components or the National Guard, and for other purposes.

The message also announced that the Senate receded from its amendment to the bill (H.R. 1411) to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2969. An act for the relief of David E. Alter III, and his parents, Mr. and Mrs. David E. Alter, Jr.;

S. 3174. An act to establish a National Memorial to Woodrow Wilson;

S. 4062. An act to amend title 13, United States Code, relating to census questions; and

S. 4120. An act to amend title 5, United States Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight tonight to file a privileged report on the supplemental appropriation bill for 1969.

Mr. JONAS. I reserved all points of order on the bills.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 18707, DEPARTMENT OF DEFENSE APPROPRIATIONS, 1969

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 18707) making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. MAHON, SIKES, WHITTEN, ANDREWS of Alabama, FLOOD, SLACK, ADDABBO, LIPSCOMB, LAIRD, MINSHALL, RHODES of Arizona, and JONAS.

APPOINTMENT OF CONFEREES ON H.R. 19908, FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATIONS, 1968

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 19908) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to inquire of the distinguished gentleman from Louisiana if it is the intent on the part of the conferees and the managers for the House to maintain the position of the House, and, second, if my information—admittedly obtained from the news media—is correct, that this is over $300 million more, as it comes from the other body, than as passed by the House?

Mr. Speaker, I would like to know if the gentleman would like a "letter of marque" from the House in addition, to defend the action taken by the House when it passed this body, toward maintaining our position.

What is the intention of the chairman of the subcommittee which has handled this and which did pare this, in this time of economic stress, down to $1.6 billion, of foreign aid?

I yield to the gentleman for that purpose.

Mr. PASSMAN. I thank the distinguished gentleman from Missouri for his penetrating question.

I certainly would be pleased if the gentleman from Missouri would ask the House not to instruct the conferees and instead give us an opportunity to have a free conference.

May I further assure the gentleman from Missouri, so far as I am concerned, that I am going to do everything that is humanly possible and use all the prerogatives of my chairmanship to try to maintain the position of the House. Of course, as the gentleman well knows, it takes a majority of the votes of the conferees on the House side to maintain that position.

Mr. HALL. Mr. Speaker, the gentleman's words are very assuring. We know that the gentleman is a doughty and loyal fighter for the House managers in these battles of the past. I feel happy about this.

Of course, I well understand the rules of the conference, but I would hope that the gentleman would make his outstanding and historical influence felt with all the other conferees.

Does the gentleman feel that his influence will be prevailing in that conference so far as maintaining the position of the House is concerned?

Mr. PASSMAN. I was hopeful that that question would not be asked. But inasmuch as the gentleman has asked it, I shall answer it forthrightly.

This is a most difficult bill to handle in conference.

It would appear, according to history, that the other body generally reports the bill with a substantial increase. Then they expect the House to split the difference down the middle.

As far as I am concerned, I would rather have as many meetings as necessary with the conferees of the other body rather than to go with the attitude that we are going to have to split the increases down the middle.

I would hope, if necessary, we would delay the adjournment of Congress before we yield to the other body, since there has been absolutely no justification for such an increase.

If the gentleman will yield further, your subcommittee spent hundreds of hours in hearings on the program, and it is my understanding that the Members of the other body had approximately 10 hours of hearings and then marked up the bill.

For that reason I am not going to be easy to get along with in the conference.

Mr. HALL. I thank the gentleman. I would add my thanks to the gentleman for his efforts in that area, and suggest he has additional basis for standing fast predicated upon the Economic Assistance Act of 1968, and now the supplemental appropriation bill which we have just authorized to be reported out of the committee. I would like to comment on that further—as I understand it would exempt the Commodity Credit Corporation personnel, so far as that is concerned and we must not pass on this debt to posterity further—I have been through the hearings, and now from the colloquy and debate—to say nothing about the huge pipeline of foreign aid funds that we have, I certainly hope the gentleman will persevere in his stand.

Mr. PASSMAN. It is a fact that if you add up the slices that have been removed from the mutual security program and scattered throughout the President's budget and bring them back into title I, the mutual security appropriation, this is one of the highest budget requests since the inception of the foreign aid program.

I assure the gentleman again that we shall do everything within our power to maintain the position of the House, even though it may require several meetings with the conferees on the part of the other body.

Mr. HALL. Mr. Speaker, the gentleman is correct. This is used as a sweetener technique, as we all know. So far as Southeast Asia is concerned, that portion has been removed. I believe its jurisdiction and surveillance is properly in the Committee on Armed Services.

Again, Mr. Speaker, with the realization and the concurrence of the distinguished chairman that a motion to instruct would be in order at the time the report of the conferees comes back, I will withdraw my reservation at this time.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? The Chair hears none, and appoints the following conferees: Messrs. PASSMAN, ROONEY of New York, Mrs. HANSEN of Washington, Messrs. COHELAN, LONG of Maryland, MCFALL, MAHON, SHRIVER, CONTE, Mrs. REID of Illinois, and Messrs. RIEGLE and BOW.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 19908, FOREIGN ASSISTANCE APPROPRIATION, S. 1969

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 19908) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. HALL. Mr. Speaker, reserving the right to object, do I interpret the intent of the distinguished chairman of the Subcommittee on Appropriations for Foreign Assistance correctly, in that he is asking permission to file by unanimous consent, which does away with all rules, in anticipation of an early foregathering of the conference and a satisfactory conclusion for the conferees on the part of the House?

Mr. PASSMAN. Mr. Speaker, will the distinguished gentleman yield?

Mr. HALL. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I would like to say to the gentleman that the first conference is scheduled for 2 p.m. today. That would give us 10 hours in which to complete our conference. As I understand the rules of the House, unless we do reach an agreement, we would not be able to file the conference report.

Mr. HALL. I am not sure that would be a loss to this Nation or to the world in general, in view of the singular and now obvious, lack of success of this program.

Mr. Speaker, in the hope of adjourning sine die by tomorrow evening, I will not object because I feel the rights of the Members and the national interest, will be protected by the distinguished gentleman from Louisiana.

Mr. PASSMAN. I shall do everything within my power to protect the position of the Members of this body.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ABBREVIATED 1-MINUTE SPEECH

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. By their vice-presidential candidates shall ye know them.

ENTHUSIASM FOR VICE PRESIDENT HUMPHREY IN WEST VIRGINIA

Mr. KEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. KEE. Mr. Speaker, last Thursday, October 3, the Vice President of the United States, Mr. HUMPHREY, started in my home city of Bluefield a completely successful daylong tour of my congressional district. During the past 35 years I have never seen such an attentive, such a warm response and enthusiastic reception given to any candidate for public office. Over 10,000 southern West Virginians turned out in the rain to show for all to see their respect, their wholehearted support for this dedicated public servant. This was a tribute that came from the heart of the residents of southern West Virginia, a tribute never before given to any distinguished son of America.

THE RADIATION CONTROL ACT

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, the Radiation Control for Health and Safety Act of 1968, H.R. 10790, which this House approved without dissent earlier this year, was passed by the Senate last Wednesday.

Until recently radiation was thought to be a danger to the public health only in the case of atomic warfare or overexposure from medical X-ray devices. However, as testimony before the House Committee on Interstate and Foreign

Commerce, of which I am a member, and the Senate Committee on Commerce has made clear, the public can be exposed to needless and harmful radiation from defective microwave ovens, color televisions, lasers, and electronic products used in industry. Depending on dosage, unnecessary radiation can cause acute effects, such as reddening of the skin, or chronic effects, such as leukemia, cataracts, and abnormalities in the offspring of those exposed.

The Radiation Control for Health and Safety Act of 1968 would give the Government authority to establish a program to protect the public against those dangers. Since only a small percentage of the electronic products now manufactured are estimated to be hazardous, the danger to the public is not yet great.

However, with the expected increase in the sale of electronic products capable of emitting harmful radiation, the problem will become more serious. In 1967, five and a half million color televisions were sold in this country. Nearly 40,000 microovens have been purchased this year, and a half-million are expected to be sold in the coming year. For this reason, it is important that the bill be brought into conference as soon as possible, passed and sent to the President.

ANNUAL REPORT OF OFFICE OF ALIEN PROPERTY FOR FISCAL YEAR 1967—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The **SPEAKER** laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I am pleased to transmit the Annual Report of the Office of Alien Property for Fiscal Year 1967.

Not all government agencies grow and expand. Some effectively perform their mission and decrease in size.

The Office of Alien Property is such an agency. As the property under its custody diminished, its independent status was terminated. Today only $64 million remain under the control of the Office, and its duties are performed by personnel of the Department of Justice.

I commend this report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 4, 1968.*

PARLIAMENTARY INQUIRY RE FOUR BILLS IMPROPERLY REPORTED

Mr. **HALL**. Mr. Speaker, relating to our program for today, a number of bills are slated to be considered under suspension of rules in the House. There are four bills from the Committee on Post Office and Civil Service which, from evidence I have, were reported in violation of rule XI, clause 26(e) which states:

> (e) No measure or recommendation shall be reported from any committee unless a majority of the committee were actually present.

The evidence I have is that H.R. 17954 and H.R. 7406 were ordered reported from the Committee on Post Office and Civil Service in executive session on August 2, 1968, without a quorum present.

Additional evidence reveals that S. 1507 and S. 1190 were ordered reported from the Committee on Post Office and Civil Service in executive session on September 3, 1968, without a quorum present. I further cite from Jefferson's Manual, section 408:

> A bill improperly reported is not entitled to its place on the calendar; but the validity of a report may not be questioned after the House has voted to consider it, or after actual consideration has begun.

Mr. Speaker, I submit that the bills S. 1507, S. 1190, H.R. 17954, and H.R. 7406 all were improperly reported. Mr. Speaker, my parliamentary inquiry is this: At what point in the proceedings would it be in order to raise the question against these bills as being in violation of rule XI, clause 26(e) inasmuch as they are scheduled to be considered under suspension of the rules, which would obviously suspend the rule I have cited?

Mr. Speaker, I ask the guidance of the Chair in lodging my point of order against these listed bills so that my objection may be fairly considered, and so that my right to object will be protected. Mr. Speaker, I intend to do so only because orderly procedure must be based on compliance with the rules of the House which we have adopted.

The **SPEAKER**. The Chair will state that any point of order would have to be made when the bill is called up.

The Chair might also advise or convey the suggestion to the gentleman from Missouri that the bills will be considered under suspension of the rules, and that means suspension of all rules.

Mr. **HALL**. Mr. Speaker, a further parliamentary inquiry. Would it not be in order, prior to the House going into the Consent Calendar or suspension of the rules, to lodge the point of order against the bills at this time?

The **SPEAKER**. The point of order could be directed against such consideration when the bills are called up under the general rules of the House. The rules we are operating under today as far as these bills are concerned concerns suspension of the rules, and that motion will suspend all rules.

Mr. **HALL**. Mr. Speaker, if I may inquire further, is it not true that, until such time as we go into that period of suspension of the rules, a point of order would logically lie against such bills which violate the prerogatives of the House and of the individual Members thereof, to say nothing of the committee rules? My belief that a point of order should be sustained is based on improper committee proceedure and addresses itself to the fact that the bills are improperly scheduled, listed, or programed on the calendar, or rule of suspension, and so forth.

The **SPEAKER**. The Chair will state, as to points of order, at the time the Chair answered the specific inquiry of the gentleman from Missouri, a point of order would not lie until the bill is reached and brought up for construction.

Mr. **HALL**. Mr. Speaker, may I be recognized at that time to lodge such a point of order, and will this Member be protected?

The **SPEAKER**. The Chair will always protect the rights of any Member. The Chair has frankly conveyed to the gentleman that we are operating under a suspension of the rules procedure today, and that suspends all rules.

Mr. **ARENDS**. Mr. Speaker, a further parliamentary inquiry.

The **SPEAKER**. The gentleman will state it.

Mr. **ARENDS**. Do I correctly understand the ruling of the Chair that suspending all the rules pertains to more than just the House; it pertains to the rules of committee action likewise?

The **SPEAKER**. The gentleman from Illinois is correct.

Mr. **ARENDS**. I thank the Speaker.

WE MUST KEEP THE YOUNG PEOPLE IN SCHOOL

Mr. **DAVIS** of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. **MADDEN**. Mr. Speaker, despite a growing national commitment to education, we have not been able to keep millions of young citizens from dropping out of high school before they get their diploma.

Most of these youth are committing economic suicide. That diploma is a minimum requirement for most jobs. More often than not, the lack of education and training means joblessness and limited hope for the future.

About 800,000 young men and women will drop out of school this year unless something is done about it. If this trend continues, by 1975 there will be some 23 million persons over the age of 25 without a high school diploma.

Each of us can help. We can counsel young people to complete their education. We can, in some cases, provide the part-time job that a young person needs to stay in school.

All of us—parents, teachers, citizens—can work to insure that the schools in our community provide opportunities that make education interesting and significant for all our young people.

Convincing a young person to stay in school is often a difficult task. But it is worth all the effort we can put into it.

PERSONAL ANNOUNCEMENT

Mr. **MADDEN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. **DAVIS** of Georgia. Mr. Speaker, I was absent during rollcall No. 368 on October 3, 1968, on account of illness in my family.

Had I been present I would have voted "nay."

CALL OF THE HOUSE

Mr. ANDERSON of Illinois. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 369]

Abbitt
Adair
Addabbo
Anderson, Tenn.
Andrews, Ala.
Ashley
Ashmore
Aspinall
Bates
Belcher
Bell
Berry
Bevill
Blackburn
Blanton
Boggs
Bolling
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Button
Byrne, Pa.
Cabell
Cahill
Celler
Clark
Clausen, Don H.
Cleveland
Conyers
Corman
Cowger
Curtis
Daddario
Daniels
Delaney
Denney
Dent
Dickinson
Diggs
Donohue
Dwyer
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Flood
Ford, William D.
Frelinghuysen
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Giaimo
Gray
Green, Pa.
Gross
Gurney
Hagan
Haley
Halleck
Halpern
Hanna
Hansen, Idaho
Hardy
Harvey
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Irwin
Jacobs
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
King, Calif.
Kleppe
Kornegay
Kupferman
Laird
Landrum
Leggett
Long, La.
Lukens
McCarthy
McClure
McMillan
Macdonald, Mass.
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
Michel
Mills
Minish
Mink
Minshall
Monagan
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich
Olsen
O'Neill, Mass.
Passman
Patman
Pepper
Philbin
Pickle
Poage
Pollock
Pryor
Purcell
Quillen
Railsback
Rarick
Reid, N.Y.
Reifel
Resnick
Roberts
Robison
Rodino
Rogers, Colo.
Roudebush
Roybal
Ruppe
Ryan
St. Onge
Sandman
Satterfield
Scheuer
Schweiker
Scott
Selden
Shipley
Sikes
Sisk
Smith, Calif
Smith, N.Y.
Smith, Okla.
Snyder
Stafford
Staggers
Stratton
Sullivan
Teague, Tex.
Tenzer
Tunney
Ullman
Utt
Vander Jagt
Vigorito
Waldie
Walker
Watson
Whitener
Wiggins
Wilson, Charles H.
Yates
Zwach

The SPEAKER. On this rollcall 245 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day.

The Clerk will call the first bill on the Consent Calendar.

WAIVER OF CLAIMS FOR OVERPAYMENT OF PAY

The Clerk called the bill (H.R. 17954) to correct certain inequities and relieve certain liabilities arising out of overpayments of compensation to Goverment employees as a result of administrative error in the application of certain provisions of the Classification Act of 1949, the Federal Employees Salary Act of 1964, and other provisions of law, and for other purposes.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ALLOWANCES FOR ARMY CORPS OF ENGINEER CIVILIAN EMPLOYEES ENGAGED IN FLOATING PLANT OPERATIONS

The Clerk called the bill (H.R. 7406) to authorize the furnishing of subsistence and quarters or per diem allowance to employees of the Corps of Engineers engaged in floating plant operations.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

ALLOWANCE FOR EMPLOYEES ASSIGNED TO DUTY AT REMOTE WORKSITES

The Clerk called the bill (H.R. 12881) to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, and for other purposes.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AUTHORIZING THE ERECTION OF A STATUE OF BENITO PABLO JUAREZ ON PUBLIC GROUNDS IN THE DISTRICT OF COLUMBIA

The Clerk called the Senate joint resolution (S.J. Res. 191) authorizing the erection of a statue of Benito Pablo Juarez on public grounds in the District of Columbia.

There being no objection, the Clerk read the Senate joint resolution, as follows:

S.J. Res. 191

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to select an appropriate site for the location of a statue, including pedestal therefor, of Benito Pablo Juarez, a gift of the Government of the United States of Mexico, on grounds now owned by the United States of America in the District of Columbia, and the erection thereof is hereby authorized, such authority to terminate five years from the effective date of this joint resolution unless erection of the statue is begun within that time: *Provided,* That the choice of the site and the design of the statue shall be subject to the approval of the Commission of Fine Arts and the National Capital Planning Commission: *Provided further,* That the erection of the statue and proper landscape treatment of the site, including walks, shall be without expense to the United States of America, except for necessary maintenance after completion.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVOLVING FUND OF U.S. CIVIL SERVICE COMMISSION

The Clerk called the bill (H.R. 16558) to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with functions and services of the Commission, to facilitate improvements in program administration and financial management, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to know whether this bill comes within the criteria of the Consent Calendar agreed on by the House and as far as the million-dollar limitation is concerned?

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Speaker, this bill does not involve the expenditure of any money at all, as the gentleman is aware, I am sure. It simply confirms and authorizes this revolving fund which is already in existence. Rather than it costing any money, it is the belief of the sponsors of the bill that it will save money.

Mr. HALL. Mr. Speaker, I understand and I appreciate the gentleman's statement. What is the current amount of the revolving fund?

Mr. UDALL. Mr. Speaker, I am advised it is $4 million at the present time.

Mr. HALL. To what amount does this increase that revolving fund?

Mr. UDALL. It does not increase the fund at all. It keeps the fund at the present level. It simply confirms in law the practice and the size of the amount they already have.

Mr. HALL. Mr. Speaker, this is simply making legitimate that technique and the funds, which we have been using?

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 16558

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1304(e) of title 5, United States Code, is amended to read as follows:

"(e) A revolving fund is available to the

Commission, without fiscal year limitation, for financing—

"(1) investigations, training, and such other functions as the Commission is authorized or required to perform on a reimbursable basis; and

"(2) such other services performed by the Commission involving internal programs, procedures, and practices of the Commission in connection with administration, operation, financial and accounting control, amortization and carryover of costs, relationships of operational costs to income, and other internal matters, as the Commission determines may be performed more advantageously through financing by the fund.

However, the functions and services which may be financed in any fiscal year by the fund are restricted to those functions and services which are covered by the budget estimates submitted to the Congress for that fiscal year. The capital of the fund consists of the aggregate of—

"(A) appropriations made to provide capital for the fund; and

"(B) the sum of the fair and reasonable value of such supplies, equipment, and other assets as the Commission from time to time transfers to the fund (including the amount of the unexpended balances of appropriations or funds relating to activities the financing of which is transferred to the fund) less the amount of related liabilities, the amount of unpaid obligations, and the value of accrued annual leave of employees, which are attributable to the activities the financing of which is transferred to the fund.

The fund shall be credited with—

"(i) advances and reimbursements from available funds of the Commission or other agencies, or from other sources, for those services and supplies provided at rates estimated by the Commission as adequate to recover expenses of operation (including provision for accrued annual leave of employees and depreciation of equipment); and

"(ii) receipts from sales or exchanges of property, and payments for loss of or damage to property, accounted for under the fund.

Any unobligated and unexpended balances in the fund which the Commission determines to be in excess of amounts needed for operations financed by the fund shall be deposited in the Treasury of the United States as miscellaneous receipts.".

With the following committee amendments:

Page 1, line 5, immediately following the word "fund" insert "of $4,000,000";

Page 1, strike out line 6 and all that follows down through the period in line 10 on page 2, and insert in lieu thereof the following: "without fiscal year limitation, for financing investigations, training, and such other functions as the Commission is authorized or required to perform on a reimbursable basis."

Page 2, lines 11 and 13, strike out the words "and services";

Page 2, immediately following the period in line 14, insert "To the maximum extent feasible, each individual activity shall be conducted generally on an actual cost basis over a reasonable period of time."

Page 2, line 16, strike out "(A)" and insert in lieu thereof "(1)";

Page 2, line 18, strike out "(B)" and insert in lieu thereof "(2)";

Page 3, line 4, strike out "(i)" and insert in lieu thereof "(A)";

Page 3, line 11, strike out "(ii)" and insert in lieu thereof "(B)"; and

Page 3, line 17, strike out "receipts.'." and insert in lieu thereof the following: "receipts. The Commissioner shall prepare a business-type budget providing full disclosure of the results of operations for each of the functions performed by the Commission financed by the revolving fund, and such budget shall be transmitted to the Congress and considered, in the manner prescribed by law for wholly-owned Government corporations. The Comptroller General of the United States shall, as a result of his periodic reviews of the activities financed through the revolving fund, report and make such recommendations as he may deem appropriate to the committees on Post Office and Civil Service of the House of Representatives and the Senate at least once every 3 years."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND EXCHANGE IN THE COMMONWEALTH OF MASSACHUSETTS

The Clerk called the bill (H.R. 19753) to authorize the Secretary of the Army to acquire and convey to the Commonwealth of Massachusetts certain lands in Essex County, Commonwealth of Massachusetts, in exchange for certain other lands, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, with regard to the location of a site for the Sentinel missile, I am curious as to whether, in the case of Massachusetts, this particular site was given consideration so far as the criteria which were given to me by the gentleman from Florida [Mr. SIKES], the ranking member of the Subcommittee on Armed Services of the Committee on Appropriations; namely, that it have community approval and, second, that it avoids the locating of one of these sites in a heavily populated area.

Mr. BENNETT. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Florida.

Mr. BENNETT. I might say that this has been worked out on both matters, and it is agreeable.

The purpose of the bill is to authorize the Secretary of the Army, first, to acquire certain privately owned lands in Essex County, Mass., and, second, to convey these lands to the Commonwealth of Massachusetts in consideration for the conveyance to the United States by the Commonwealth of department of natural resources lands in Essex County, required by the Federal Government as part of the site for the construction of the Boston Sentinel missile defense complex. If the properties involved in this exchange are not of equal value, the values shall be equalized by payment of cash to the Secretary of the Army or the Commonwealth of Massachusetts, as the circumstances require. Exact descriptions and acreages are to be determined by surveys.

As part of the Sentinel deployment plan announced in September 1967, the Department of the Army is preparing to establish a Sentinel system missile defense complex near Boston, Mass. For this purpose it is necessary to acquire sites for the construction of a perimeter acquisition radar—PAR—and a missile site radar—MSR—which will comprise the Sentinel system missile defense complex. The Sentinel system plan provides for the deployment throughout the United States of 15 to 20 Spartan batteries. The plan also provides for the use of Sprint missiles to further defend PAR sites. The PAR and MSR sites are carefully selected to provide overlapping, contiguous missile defense coverage for the entire continental United States. There exists a definite relationship between the PAR and MSR sites, which must be maintained, in order to successfully accomplish the assigned mission.

Land acquisition for the Boston facility has been authorized and funded under the military construction program. The facts concerning the proposed real estate transaction were reported to the respective Armed Services Committees pursuant to section 2662 of title 10, United States Code, on July 31, 1968. The site selected for the Boston PAR consists of approximately 295 acres of brush, woodland, and marshland, situated in the town of North Andover, Essex County, Mass., about 20 miles north of Boston. It will be necessary to acquire fee title to an additional 32 acres, including 4.2 acres of Commonwealth land, for the construction of an access road from State Highway 114 to the PAR site. The total fee land requirements for the PAR site are approximately 327 acres, including approximately 160 acres of forest land owned by the Commonwealth. The area selected for the Boston MSR site consists of approximately 275 acres of unimproved land, situated within the north confines of Camp Curtis Guild in Middlesex and Essex Counties, and about 12 miles north of Boston. The estimated fee acquisition costs are $221,000 for the PAR and $715,000 for the MSR sites. Easements for utilities may be acquired over additional lands for both the PAR and MSR.

The Commonwealth of Massachusetts Department of Natural Resources, has indicated that it does not oppose the planned Federal land acquisition program, but desires that, in acquisition of lands for the PAR site, replacement lands be obtained in order to prevent depletion of its forest reserves in Essex County. It appears doubtful as to whether the Commonwealth could obtain replacement lands by utilizing funds received for lands to be acquired from it by the Federal Government, without a special authorizing act by the State legislature. The objection of the Commonwealth to this procedure arises from the time element which could delay its replacement acquisition for possibly a year or more. For this reason, the Commonwealth prefers to exchange lands with the Federal Government, rather than receive a monetary payment.

Both the United States and the Commonwealth of Massachusetts have requisite authority to effect the exchange. Because there are no available lands under military control in this area, it would be necessary for the United States to acquire replacement lands selected by the Commonwealth for this purpose. It is considered that this acquisition would require specific statutory authorization. Approximately 160 to 200 acres of Commonwealth forest lands may be acquired for the PAR site. In an exchange of lands, the United States would convey approximately the same acreage to the Commonwealth. Any difference in value of the exchanged lands would be offset by a monetary payment, as provided in the bill.

It is necessary to commence site clearing and construction during the month of September 1968. Since the department of natural resources is without authority to grant rights of entry for construction, by mutual agreement a condemnation proceeding has been filed in the local U.S. district court requesting an order granting immediate possession of the required land. Since title to the land is not transferred by this action, there is sufficient time to develop the manner of compensation for the land, either by monetary payment or by exchange as provided in this legislation.

The Department of the Army desires to be cooperative with the Commonwealth insofar as possible without jeopardizing the Sentinel program. The immediate requirements of the Department of the Army have been satisfied under procedures outlined above. In the event this bill is enacted into law, replacement lands can be acquired by the United States, concurrently with other lands being acquired for the Boston defense complex, without undue delay. Since the enactment of the bill would result in no adverse effect on the construction schedule for this site, the Department of the Army, on behalf of the Department of Defense, interposes no objection to H.R. 19753.

Since funds appropriated for acquisition of land for the Boston Sentinel system missile defense complex would be utilized, under the terms of this bill, to acquire replacement lands in lieu of making a monetary payment for Commonwealth lands, and no additional costs would be anticipated through the exchange proceedings provided in the bill, enactment of the measure would cause no change in the budgetary requirements of the Department of the Army.

Mr. **PELLY**. The reason I raise the question is because consideration is presently being given to a site for the Sentinel in my congressional district. In this connection it seems the Defense Department may be ignoring these criteria and leaning heavily toward locating one of these sites in a heavily populated area and very much against the wishes of the local community.

This one, I understand, meets those criteria.

Mr. **BENNETT**. This one, I understand, does.

Mr. **PELLY**. Mr. Speaker, I withdraw my reservation.

The **SPEAKER**. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 19753

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to facilitate the construction of the Boston Sentinel Missile Defense Complex, preserve the integrity of forest lands and effect an exchange of lands, the Secretary of the Army is hereby authorized to acquire by purchase, condemnation, donation, exchange, or otherwise, on behalf of the United States, certain real property located in Essex County, Massachusetts, and described in section 4 of this Act, for the purpose of providing replacement of State forest lands. Any military construction funds now appropriated, or hereafter available to the Department of the Army may be obligated for this purpose.

SEC. 2. Upon the acquisition by the United States of the real property referred to and described in sections 1 and 4 of this Act, the Secretary of the Army is hereby authorized to convey to the Commonwealth of Massachusetts, subject to the terms and conditions hereinafter stated, and to such other terms and conditions as the Secretary shall deem to be in the public interest, all right, title, and interest of the United States in and to such real property.

SEC. 3. In consideration for the conveyance by the United States of the aforesaid lands, the Commonwealth of Massachusetts shall convey, or provide for the conveyance to the United States of certain lands and real property interests therein located in Essex County, Massachusetts, and described in section 4 of this Act, acceptable to the Secretary of the Army for use in connection with the Sentinel system perimeter acquisition radar site: *Provided*, That if the Commonwealth of Massachusetts is unable to convey to the United States unrestricted fee simple title to said real property, the Secretary of the Army may acquire such real property by condemnation proceedings on behalf of the United States. The property thus acquired shall be considered satisfactory for the purposes of this exchange.

SEC. 4. The real property authorized to be exchanged and referred to in the preceding sections is located in Essex County, Massachusetts.

(a) The property to be conveyed to the United States referred to in section 3 of this Act comprises approximately one hundred and sixty acres of land, located within the confines of the Massachusetts forest land preserve, and generally depicted on the real estate project map, Sentinel PAR site, Sharpners Pond, Massachusetts, on file in the office of the Division Engineer, United States Army Engineer Division, New England, Waltham, Massachusetts.

(b) The property to be acquired by the Secretary of the Army and conveyed to the Commonwealth of Massachusetts, referred to in sections 1 and 2 of this Act shall be designated by the Commonwealth of Massachusetts, and shall comprise the approximate same number of acres of land as are conveyed to the United States.

(c) The exact descriptions and acreage are to be determined by accurate surveys as mutually agreed upon between the Commonwealth of Massachusetts and the Secretary of the Army.

SEC. 5. The exchange authorized by this Act shall not be made unless the Secretary of the Army determines that the values of the properties so exchanged are approximately equal, or if they are not equal, the values shall be equalized by the payment of cash to the Secretary of the Army or the Commonwealth of Massachusetts as the circumstances require. Any cash payment received by the Secretary shall be credited to the appropriation used to acquire the property under section 1 of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND SALE TO VILLAGE OF CENTRAL, N. MEX.

The Clerk called the bill (S. 3736) to authorize the Secretary of Agriculture to sell the Village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.

There being no objection, the Clerk read the bill, as follows:

S. 3736

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to section 2 of this Act, the Secretary of Agriculture is authorized and directed to sell, in tracts of not less than 40 acres and at market value as determined by him, and to convey to the Village of Central, State of New Mexico, for the purpose of residential and business development, the following described lands formerly part of the Fort Bayard Military Reservation, Grant County, New Mexico, comprising approximately one hundred and seventy-seven acres situated in section 35, township 17 south, range 13 west, New Mexico principal meridan, more particularly described by metes and bounds as follows:

Beginning at the southwest corner of the parcel herein described, being a point on the northerly right-of-way line of United States Highway Numbered 260 (New Mexico State Highway Department project numbered F–013–1(3)), whence the 2-mile corner on the south boundary of the Fort Bayard Military Reservation (concrete monument in place) bears south 02 degrees 20 minutes 30 seconds east, 366.78 feet distance:

thence north 01 degree 16 minutes 00 seconds west, 439.75 feet distance to a point;

thence north 80 degrees 06 minutes 10 seconds east, 496.21 feet distance to a point;

thence north 14 degrees 22 minutes 10 seconds west, 500.58 feet distance to the northwest corner of the parcel herein described;

thence north 37 degrees 22 minutes 30 seconds east, 1,003.60 feet distance to a point;

thence north 13 degrees 48 minutes 30 seconds east, 439.35 feet distance to a point;

thence north 47 degrees 39 minutes 10 seconds east, 703.80 feet distance to a point;

thence north 48 degrees 30 minutes 00 second east, 490.75 feet distance to a point;

thence north 48 degrees 59 minutes 00 second east, 602.85 feet distance to a point;

thence north 49 degrees 39 minutes 00 second east, 235.52 feet distance to the northeast corner of the parcel herein described, being a point on the westerly line of the old Highway Numbered 180–260 (road to Fort Bayard);

thence south 44 degrees 13 minutes 10 seconds east, 289.71 feet distance along said westerly line of road to Fort Bayard to a point;

thence south 28 degrees 21 minutes 00 second east, 2,267.83 feet distance continuing along said westerly line of road to Fort Bayard to a point;

thence south 11 degrees 27 minutes 00 second east, 355.34 feet distance continuing along said westerly line of road to Fort Bayard to a point;

thence south 03 degrees 08 minutes 50 seconds west, 514.23 feet distance continuing along said westerly line of road to Fort Bayard to a point;

thence south 09 degrees 47 minutes 20 seconds west, 112.40 feet distance continuing along said westerly line of road to Fort Bayard to the southeast corner of the parcel herein described, being identified as the intersection of said westerly line of road to Fort Bayard with the northerly right-of-way line of new United States Highway Numbered 260 (Project Numbered F–013–1(3));

thence north 88 degrees 35 minutes 00

second west, 906.91 feet distance along the northerly right-of-way line of United States Highway Numbered 260 to the T-rail right-of-way marker on P.T. station 351+062.2;

thence southwesterly 2,435.21 feet distance continuing along said northerly right-of-way line of United States Highway Numbered 260 along the arc of a curve bearing to the left and having a long chord bearing south 83 degrees 25 minutes 00 second west, 2,427.30 feet distance to the T-rail right-of-way marker on P.C. station 327+00;

thence south 75 degrees 25 minutes 00 second west, 594.40 feet distance continuing along said northerly right-of-way line of United States Highway Numbered 260 to the southwest, and beginning corner of the parcel herein described.

SEC. 2. The conveyance authorized by this Act (1) shall protect existing valid rights, (2) shall reserve easements for existing facilities such as roads, telephone line, pipelines, electric power transmission lines, or other facilities or improvements in place, and shall reserve such easements for roads as the Secretary of Agriculture finds necessary to assure access to lands of the United States or to meet public needs, (3) shall reserve to the United States all mineral rights, including gas and oil, in the land so conveyed, and (4) may contain such additional terms, conditions, reservations, and restrictions as may be determined by the Secretary of Agriculture to be necessary to protect the interests of the United States.

With the following committee amendments:

Page 1, line 3, strike out "section 2" and insert in lieu thereof, "other provisions".

Page 5, beginning on line 3, strike out "(3) shall reserve to the United States all mineral rights including gas and oil, in the land so conveyed, and (4)" and insert in lieu thereof, "and (3)".

Add four new sections to the bill as follows:

"SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land sold pursuant to this Act shall be conveyed to the Village of Central, State of New Mexico, or its successors in title by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of $1. In other areas the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

"SEC. 4. Each application made under the provisions of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

"SEC. 5. The term 'administrative costs' as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

"SEC. 6. Amounts paid to the Secretary of the Interior under the provisions of this Act shall be paid into the Treasury of the United States as miscellaneous receipts."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING MANPOWER DEVELOPMENT AND TRAINING ACT RELATING TO SEASONAL UNEMPLOYMENT IN CONSTRUCTION INDUSTRY

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15990) to amend the Manpower Development and Training Act of 1962, as amended.

The Clerk read as follows:

H.R. 15990

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the Manpower Development and Training Act of 1962, as amended, is further amended, by adding, at the end thereof, a new title, as follows:

"TITLE IV

"SEASONAL UNEMPLOYMENT IN THE CONSTRUCTION INDUSTRY

"SEC. 401. (a) The Congress finds that seasonal unemployment represents a substantial portion of the unemployment in the construction industry; and a significant portion of all unemployment; that seasonal unemployment results in economic hardship for construction employees, employers, and for the consumers of construction services; that such unemployment constitutes unnecessary and wasteful misuse of the Nation's manpower resources; that stabilization of construction operations may be expected to have a correspondingly stabilizing effect on construction employment and costs; and that it is highly desirable from the standpoint of the economy as a whole, and manpower policy in particular that positive and expeditious action be taken by public authorities and private groups to regularize construction employment.

"(b) It is therefore, the purpose of this title to provide for the conduct of a study of seasonality in the construction industry, with special attention to its implications for national manpower policy.

"SEC. 402. The Secretary of Labor, in cooperation with the Secretary of Commerce, shall study, investigate, conduct research, and prepare a report containing his findings and recommendations concerning means to achieve stabilization of employment in the construction industry and the diminishment of seasonality of employment in such industry, with special attention to its implications for national manpower policy, and shall transmit such report to the President no later than December 31, 1969.

"SEC. 403. Matters which the Secretary of Labor, in cooperation with the Secretary of Commerce and after consultation with other officials of Federal agencies, and with engineers, architects and representatives of labor and management in the construction industry, shall consider, shall include, but not necessarily be limited to, the extent to which seasonal unemployment in the construction industry can be reduced without substantial increases in construction costs by means such as—

"(a) the application of modern techniques to reduce the influence of weather on construction activity;

"(b) the resolution of technical problems which have not been solved by existing research and development activities;

"(c) possible changes in contract procedures in allocation cycles; and

"(d) improved planning and scheduling of construction projects."

The SPEAKER. Is a second demanded?

Mr. STEIGER of Wisconsin. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. PERKINS. Mr. Speaker, the bill, H.R. 15990, to provide for a study of the problem of seasonality in the construction industry, is very clear in its purpose and very simple. It was supported by spokesmen for management, labor, and the Government; and it was approved unanimously by our committee.

Under its terms, the Secretary of Labor, in cooperation with the Secretary of Commerce and after consultation with other officials of Federal agencies and with engineers, architects, and other representatives of labor and the construction industry, shall consider the extent to which seasonal unemployment can be reduced without substantial increases in construction costs.

The report from such a study must be transmitted to the President no later than December 31, 1969.

The legislation does not authorize specific appropriations and it is intended that the cost of the study would come out of the usual funds available to the Secretary of Labor for administrative purposes. We expect the cost to be in the neighborhood of $300,000.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I would like to associate myself with the remarks of the distinguished chairman of the committee and point out that this is an extremely important bill. The construction industry of this country is one of three key props of our economy. This study will try to determine how we can use this important segment of our economy in a much more effective way so as to spread out the work in order to avoid peaks and valleys.

I congratulate the gentleman from Kentucky for bringing this very, very significant legislation before the House today and urge its passage.

Mr. PERKINS. Mr. Speaker, let me say to my distinguished colleague from Illinois that the gentleman from Michigan [Mr. O'HARA] is the sponsor of this legislation. Also, the gentleman from Wisconsin [Mr. STEIGER] has been very much interested. I know of no opposition from anyone to the bill.

Mr. STEIGER of Wisconsin. Mr. Speaker, I want to indicate that as far as the minority on the committee is concerned the bill came out of the committee unanimously, as the gentleman from Kentucky, the chairman of the committee, indicated. Testimony was received from both the Building and Construction Trades Department, AFL–CIO, and from Mr. William E. Naumann speaking for the Associated General Contractors. In his testimony Mr. Naumann did indicate that an amendment, which was thereafter adopted by the committee, was necessary to enable the Secretary of Commerce to cooperate with the Secretary of Labor in making this study, and to provide for consultation therein with the representatives of both labor and management in the construction industry. It is quite clear, as the testimony before the committee indicates, that there is a need for a study of seasonality in the construction industry. This is something which has long been overlooked. In obtaining this legislation we show that we believe this ought to be done and the bill ought to be supported.

Mr. PERKINS. Mr. Speaker, I yield to the distinguished gentleman from Michigan [Mr. O'HARA].

Mr. O'HARA of Michigan. Mr. Speaker, H.R. 15990 is a noncontroversial proposal for a study of one of the most bothersome phenomena confronting the construction industry. I refer to the problem of seasonal shutdowns and accompanying seasonal unemployment.

The bill calls simply for a study, to be conducted by the Secretary of Labor, in cooperation with the Secretary of Commerce, and with consultation involving construction industry management and labor, with architects and engineers, and other Federal agencies as appropriate. The study, which is to be completed by December 31, 1969, would examine ways and means of achieving greater stability of employment in the construction trades, the application of modern techniques to reduce the influence of weather on construction activity, and possible alterations in contracting procedures and construction planning. The recommendations of the study may well be applicable to both the public and the private sectors, and, if the study produces positive results, it is to be hoped that the lessons learned therefrom would be given very careful attention by the agencies of this Government which are involved in contracting for construction work.

From the materials presented in the hearings, Mr. Speaker, it is obvious that the construction worker and the contractor alike have a stake in this legislation. The average construction laborer, for example, works only a third of the normal work year. Other construction craftsmen enjoy longer periods of employment but they, too, often fall far short of a year's work in a 12-month period. The contractor, for his part, faces the problem of having his capital investment inactive over a significant part of the year, and he faces in some areas, serious problems in holding together a permanent work force.

I am delighted, Mr. Speaker, to be able to assure the House that this is one bill affecting the construction industry on which labor and management are generally in agreement.

Mr. William Naumann of the Associated General Contractors, testified before our subcommittee during the hearings on this legislation to the effect that his organization supports the purpose of H.R. 15990, with some amendments. One of his proposed amendments would be to have the Secretary of Labor and the Secretary of Commerce both involved in this study. This bill, as reported by the committee, does precisely that. He suggested that other departments of Government be involved, as appropriate, and that it would be useful for management and labor in the construction industry to be consulted. The bill provides for that. Mr. Naumann finally stated that in his opinion, the original March 31, 1969 deadline was "unrealistic" and that "the deadline should allow at least a year following its enactment." The amended and reported bill sets a new deadline at December 31, 1969.

Seasonality in the construction trades is a very serious problem, Mr. Speaker. As I have said above, it affects the employer and the employee alike, and in many ways it raises the costs of construction to the ultimate consumer, of whom the U.S. Government is one of the most significant. There is already underway within the executive branch consideration of an executive order which would explore the possibilities of scheduling Government construction contracting to offset seasonal patterns of shutdowns and layoffs. Though the consideration of an Executive order toward the same objective, they are certainly not incompatible. The committee, in reporting the bill, emphasized that:

> Nothing in the bill should serve to delay any of the steps currently being contemplated. Nor should the fact that a study is underway serve in any manner to justify delay in adopting positive policies within the scope of Federal contracting authority.

I would like to reemphasize that thought today, on behalf of the committee.

H.R. 15990, Mr. Speaker, should gain the unanimous approval of the House. I urge that the House suspend the rules and pass this bill.

Mr. STEIGER of Wisconsin. Mr. Speaker, I yield to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Speaker, I rise in support of the legislation.

I wish to commend those members of the subcommittee that handled this bill for the manner in which they dealt with it. I hope that the chairman and myself will be able to improve on it in the next session.

Mr. FEIGHAN. Mr. Speaker, I urge favorable action of H.R. 15990. This bill calls upon the Secretary of Labor, in cooperation with the Secretary of Commerce, to conduct a study of seasonal unemployment in the construction industry and to make the appropriate recommendations to alleviate the serious problems which seasonality presents.

The construction industry presently experiences an unemployment rate of nearly twice that of other industries in the United States. A major portion of the high unemployment rate in this industry is the direct result of seasonality. This results in economic hardship to the construction worker and his family. He enjoys periods of relative prosperity and then earns nothing for months at a time. During the unemployed periods, he is often forced to receive unemployment compensation. He has no absolute assurance of when he will again be employed and earning a salary.

In addition to the hardships of the seasonal construction worker, the taxpayer also suffers as a result of seasonality. The taxes paid by the construction worker as a result of yearly unemployment are quite low. Tax losses caused by seasonal unemployment has been estimated to be millions of dollars, perhaps as much as $100 million. Moreover, the cost of unemployment compensation on the State level is much greater.

The most adequate solution to the problem caused by seasonality will be determined as a result of the study. It appears that year-round construction work will be in the foreground of consideration. Canada and the Soviet Union have had impressive success through such deseasonalization.

Mr. PERKINS. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky that the House suspend the rules and the bill, H.R. 15990, as amended.

The question was taken.

Mr. STEIGER of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 265, nays 0, not voting 166, as follows:

[Roll No. 370]

YEAS—265

Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ayres
Baring
Barrett
Battin
Bennett
Betts
Biester
Bingham
Blatnik
Boland
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brotzman
Broyhill, N.C.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Byrne, Pa.
Byrnes, Wis.
Cahill
Carter
Casey
Cederberg
Chamberlain
Clancy
Clawson, Del
Cohelan
Collier
Collins
Colmer
Conable
Conte
Corbett
Cramer
Culver
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Derwinski
Devine
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Erlenborn
Esch
Eshleman
Fallon
Farbstein
Feighan
Findley
Fino
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Griffin
Griffiths
Grover
Gubser
Gude
Hagan
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Harrison
Harsha
Hathaway
Hawkins
Hays
Hechler, W. Va.
Hicks
Horton
Hosmer
Howard
Hunt
Hutchinson
Ichord
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, N.C.
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kluczynski
Kuykendall
Kyl
Kyros
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, Md.
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Minish
Mize
Monagan
Montgomery
Moore
Moorhead

Morgan
Morse, Mass.
Morton
Murphy, Ill.
Myers
Natcher
Nedzi
O'Hara, Mich.
O'Konski
O'Neal, Ga.
Ottinger
Passman
Patten
Pelly
Perkins
Pettis
Philbin
Pike
Pirnie
Podell
Poff
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Rumsfeld
St Germain
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Shriver
Skubitz
Slack
Smith, Iowa
Springer
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vanik
Waggonner
Wampler
Watkins
Watts
Whalen
Whalley
White
Whitten
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Young
Zablocki
Zion

NAYS—0

NOT VOTING—166

Abbitt
Adair
Andrews, Ala.
Ashley
Ashmore
Aspinall
Bates
Belcher
Bell
Berry
Bevill
Blackburn
Blanton
Boggs
Bolling
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Button
Cabell
Carey
Celler
Clark
Clausen, Don H.
Cleveland
Conyers
Corman
Cowger
Cunningham
Curtis
Daddario
Daniels
Denney
Dent
Dickinson
Diggs
Dwyer
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Flood
Frelinghuysen
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Giaimo
Green, Pa.
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harvey
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Irwin
Jacobs
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
King, Calif.
Kleppe
Kornegay
Kupferman
Laird
Landrum
Leggett
Long, La.
Lukens
McCarthy
McClure
McMillan
Macdonald, Mass.
Martin
Mathias, Calif.
Michel
Mills
Mink
Minshall
Morris, N. Mex.
Mosher
Moss
Murphy, N.Y.
Nelsen
Nichols
Nix
O'Hara, Ill.
Olsen
O'Neill, Mass.
Patman
Pepper
Pickle
Poage
Pollock
Purcell
Quillen
Railsback
Reifel
Resnick
Roberts
Robison
Rodino
Rogers, Colo.
Roudebush
Roybal
Ruppe
Ryan
St. Onge
Sandman
Satterfield
Scheuer
Schweiker
Scott
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Stafford
Staggers
Stratton
Stuckey
Sullivan
Taylor
Teague, Tex.
Tenzer
Tunney
Utt
Vander Jagt
Vigorito
Waldie
Walker
Watson
Whitener
Wiggins
Willis
Wilson, Charles H.
Yates
Zwach

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Aspinall with Mr. Laird.

Mr. O'Neill of Massachusetts with Mr. Smith of California.

Mr. Hébert with Mr. Adair.

Mr. Celler with Mr. Stafford.

Mr. Macdonald of Massachusetts with Mr. Bates.

Mr. Ashmore with Mr. Utt.

Mr. Dent with Mr. Nelsen.

Mr. Evins of Tennessee with Mr. Martin.

Mr. Eilberg with Mr. Watson.

Mr. Giaimo with Mr. Robison.

Mr. Flood with Mr. Belcher.

Mr. Daddario with Mr. Cunningham.

Mr. Rogers of Florida with Mr. Gross.

Mr. Boggs with Mr. Halleck.

Mr. Andrews of Alabama with Mr. Quillen.

Mr. Leggett with Mr. Broomfield.

Mr. Rodino with Mr. Roudebush.

Mr. Brooks with Mr. Michel.

Mr. Staggers with Mr. Reifel.

Mr. Pickle with Mr. Don H. Clausen.

Mr. Daniels with Mrs. Dwyer.

Mr. Kornegay with Mr. Brock.

Mr. Purcell with Mr. Minshall.

Mr. Holifield with Mr. Mathias of California.

Mr. St. Onge with Mr. Frelinghuysen.

Mr. Roberts with Mr. Kleppe.

Mr. Whitener with Mr. Snyder.

Mr. Stratton with Mr. Mosher.

Mr. Teague of Texas with Mr. Edwards of Alabama.

Mr. Murphy of New York with Mr. Wiggins.

Mr. Charles H. Wilson with Mrs. Heckler of Massachusetts.

Mr. Bevill with Mr. Berry.

Mr. Waldie with Mr. Blackburn.

Mr. Abbitt with Mr. Burke of Florida.

Mr. Sikes with Mr. Sandman.

Mr. Carey with Mr. Bell.

Mr. Karth with Mr. Brown of Ohio.

Mr. Tunney with Mr. Cleveland.

Mr. Vigorito with Mr. Broyhill of Virginia.

Mr. Brown of California with Mr. Harvey.

Mr. Blanton with Mr. Brown of Michigan.

Mr. Edwards of Louisiana with Mr. Cowger.

Mr. Edwards of California with Mr. Kupferman.

Mr. Everett with Mr. Buchanan.

Mr. Fisher with Mr. Lukens.

Mr. Galifianakis with Mr. McClure.

Mr. Sisk with Mr. Button.

Mr. Shipley with Mr. Pollock.

Mr. Satterfield with Mr. Curtis.

Mrs. Sullivan with Mr. Railsback.

Mr. Selden with Mr. Denney.

Mr. Fulton of Tennessee with Mr. Ruppe.

Mr. Green of Pennsylvania with Mr. Schweiker.

Mr. Stuckey with Mr. Dickinson.

Mr. Hull with Mr. Scott.

Mr. Gallagher with Mr. Smith of New York.

Mr. Haley with Mr. Vander Jagt.

Mr. Taylor with Mr. Smith of Oklahoma.

Mr. Hanna with Mr. Zwach.

Mr. Roybal with Mr. Hansen of Idaho.

Mr. Henderson with Mr. Gurney.

Mr. Pepper with Mr. Gardner.

Mr. Olsen with Mr. Nix.

Mr. Nichols with Mr. O'Hara of Illinois.

Mr. Evans of Colorado with Mr. Diggs.

Mr. Mills with Mrs. Mink.

Mr. Cabell with Mr. Corman.

Mr. Long of Louisiana with Mr. McMillan.

Mr. Walker with Mr. Willis.

Mr. Kastenmeier with Mr. Karsten.

Mr. Ashley with Mr. Conyers.

Mr. McCarthy with Mr. King of California.

Mr. Clark with Mr. Hungate.

Mr. Fascell with Mr. Hardy.

Mr. Irwin with Mr. Helstoski.

Mr. Jacobs with Mr. Jones of Alabama.

Mr. Moss with Mr. Herlong.

Mr. Yates with Mr. Scheuer.

Mr. Morris of New Mexico with Mr. Landrum.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

WATER QUALITY IMPROVEMENT ACT OF 1968

Mr. BLATNIK. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3206) to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes, as amended.

The Clerk read as follows:

S. 3206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Water Quality Improvement Act of 1968."

SEC. 2. Section 8 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466e), is amended—

(1) by redesignating subsections (f) and (g) as (g) and (h);

(2) by inserting after the word "grant" in clauses (1), (3), (4), and (5) of subsection (b) the words "or contract"; and after the word "grantee" in clause (3) of subsection (b) the words "or contractee";

(3) by inserting after the word "appropriated" wherever it appears in the second and third sentences of subsection (c) the words "for grants under subsection (b) of this section";

(4) by inserting after "subsection (b) of this section" in the first sentence of redesignated subsection (g) a comma and the following: "or the amount contracted for under subsection (f) of this section," and by striking out in such sentence "the amount of such grant" and inserting in lieu thereof "such amount";

(5) by inserting after "grants" in redesignated subsection (h) the following: "or contracts"; and

(6) by inserting a new subsection after subsection (e) to read as follows:

"(f) (1) For the purpose of this subsection, the term 'contracting party' means a State, municipality, or intermunicipal or interstate agency.

"(2) For the purpose of providing an additional method of financing treatment works under this Act, the Secretary, within limits to be established in appropriation Acts for the fiscal years 1969 and 1970, which limits shall not exceed in any such year twice the amount appropriated in excess of $100,000,000 for grants under subsection (b) of this section for such fiscal year, and within limits to be established in appropriation Acts for fiscal year 1971 which limits shall not exceed in such year an amount equal to the amount appropriated in excess of $100,000,000 for grants under subsection (b) of this section for such fiscal year, may enter into contracts, in accordance with the provisions of this subsection, with any contracting party to make payments over a period of not to exceed thirty years from the date of the contract to cover the Federal share of construction costs of treatment works that meet the applicable requirements of subsection (b) of this section and the first sentence of subsection (c) of this section. The principal sum available for contracts under this subsection for each fiscal year beginning after June 30, 1968, shall be allotted by the Secretary in accordance with the ratio that the population of each State bears to the population of all the States. Sums allotted to a State which are not obligated within six months following the end of the fiscal year for which they were allotted shall not be reallotted and shall lapse, except that sums allotted to a State in fiscal year 1969 shall be available for obligation therein for eighteen months from the effective date of this subsection. The total of such principal sum and the amount actually appropriated for grants under subsection (b) of this section for fiscal years 1969, 1970, and 1971 shall not exceed the sums authorized to be appropriated for grants for such fiscal years. The Secretary shall, upon the request of any State, enter into such contracts for treatment works approved by him since June 30, 1966, constructed or under construction with no Federal grant under this section or with a partial Federal grant under this section.

"(3) The Federal share for treatment works with respect to which a contract is entered into under paragraph (2) of this subsection shall be the same percentage as would be the case if a grant were being made for such works under subsections (b) and (g) of this section.

"(4) In any case where the contracting party uses payments made to it under a contract entered into under paragraph (2) of this subsection to pay bonds or other financial obligations issued by it to pay construction costs of treatment works, no payment made under such a contract shall exceed the amount which the contracting party agrees to use within sixty days of the date it receives such payment to reduce the principal amount of such bonds or other obligations.

"(5) Each contract shall include such reasonable terms and conditions as the Secretary deems appropriate."

SEC. 3. Section 8(d) of the Federal Water Pollution Control Act, as amended, is amended to read as follows:

"(d) For the purposes of making grants and payments on contracts under this section, there is authorized to be appropriated $700,000,000 for the fiscal year ending June 30, 1969; $1,000,000,000 for the fiscal year ending June 30, 1970; and $1,250,000,000 for the fiscal year ending June 30, 1971. At least 50 per centum of the first $100,000,000 so appropriated for each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under. There is authorized to be appropriated such sums as may be necessary to make payments after June 30, 1971, on contracts entered into under subsection (f) of this section. Sums appropriated to carry out this section shall remain available until expended."

SEC. 4. Section 5 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c), is amended—

(1) by redesignating subsection (h) as subsection (k);

(2) by inserting after subsection (g) three new subsections to read as follows:

"(h) The Secretary is authorized to enter into contracts with, or make grants to, public or private agencies and organizations and individuals for the purpose of developing and demonstrating new or improved methods for the prevention, removal, and control of natural or manmade pollution in lakes, including the undesirable effects of nutrients and vegetation.

"(i) The Secretary is authorized to make grants to, or enter into contracts with, public or private agencies and organizations and individuals to carry out any project which, in his judgment, will demonstrate feasible and practical techniques of eliminating or controlling acid or other mine water pollution.

"(j) The Secretary shall engage in such research, studies, experiments, and demonstrations as he deems appropriate relative to the removal of oil from any waters and to the prevention and control of oil pollution, and shall publish from time to time the results of such activities."

(3) by changing in subsection (g)(4) the words "and June 30, 1969," to "June 30, 1969, and June 30, 1970,"; and

(4) by changing in redesignated subsection (k) the period after "1969" to a comma and adding the words "and for the succeeding fiscal year."

SEC. 5. (a) Section 6 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c-1), is amended—

(1) by changing in subsection (e)(1) the word "three" to "four"; and

(2) by changing in subsection (e)(2) and (3) the word "two" to "three".

(b) Section 7 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466) is amended by inserting after subsection (j) the following new subsection:

"(k) For the purpose of improving the operation of treatment works on which construction was initiated after the enactment of this Act above its optimum design efficiency to achieve a substantial immediate improvement in effluent quality through the use of new methods or devices, other than additional construction, the Secretary is authorized to make grants annually to any State, municipality or intermunicipal or interstate agency in an amount not to exceed 25 per centum of the cost of operating such treatment works, but in no event more than 50 per centum of the cost of improving such operation during the twelve-month period for which application is made. No grant shall be made unless the State water pollution control agency certifies, and the Secretary finds, that the operation of the treatment works with the new methods or devices will achieve the intended improvement in effluent quality. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, and for each of the next two succeeding fiscal years, the sum of $25,000,000 per fiscal year for the purpose of this subsection. Sums so appropriated shall remain available until expended."

SEC. 6. Sections 17 and 18 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466m and 466n), are amended to read as follows:

"AREA ACID AND OTHER MINE WATER POLLUTION CONTROL DEMONSTRATIONS

"SEC. 17. (a) The Secretary, in cooperation with other Federal agencies, is authorized to enter into agreements with any State to carry out one or more projects which will demonstrate methods for the elimination or control, within all or part of a watershed, of acid or other mine water pollution resulting from active or abandoned mines. Such projects shall demonstrate the engineering and economic feasibility and practicality of various abatement techniques which will contribute substantially to effective and practical methods of acid or other mine water pollution elimination or control.

"(b) The Secretary, in selecting watersheds for the purposes of this section, shall (1) require such feasibility studies as he deems appropriate, (2) give preference to areas which have the greatest present or potential public value for use for recreation, fish and wildlife, water supply, and other public uses, and (3) be satisfied that the project area will not be affected adversely by the influx of acid or other mine water pollution from nearby sources.

"(c) Federal participation in such projects shall be subject to the conditions—

"(1) that the State shall pay not less than 25 per centum of the actual project costs which payment may be in any form, including land or interests therein that is needed for the project, personal property, or services, the value of which shall be determined by the Secretary; and

"(2) that the State shall provide legal and practical protection to the project area to insure against any activities which will cause future acid or other mine water pollution.

"(d) There is authorized to be appropriated $7,500,000 to carry out the provisions of this section, which sum shall be available until expended. No more than 25 per centum of the total funds appropriated under this section in any one year shall be granted to any one State.

"CONTROL OF SEWAGE FROM VESSELS

"SEC. 18. (a)(1) As soon as possible after the enactment of this section, the Secretary, after consultation with the Commandant of the Coast Guard and after giving appropriate consideration to available technology and economic costs, shall promulgate Federal standards of performance for marine sanitation devices (hereinafter referred to as 'standards') which shall be designed to prevent the discharge of untreated or inadequately treated sewage into or upon the navigable waters of the United States from new vessels and existing vessels, except (A) existing commercial fishing vessels forty-five feet or under in length, and (B) new or existing recreational vessels. Such standards shall be consistent with maritime safety and the marine and navigation laws and regulations and shall be coordinated with the regulations issued by the Commandant of the Coast Guard under this subsection. The Commandant of the Coast Guard shall promulgate regulations, which are consistent with the standards under this section and with maritime safety and the marine and navigation laws and regulations, governing the design, construction, installation, and operation of any marine sanitation device on board such vessels.

"(2) Any existing vessel equipped with a device or devices installed pursuant to the requirements of State statute, regulation, or recommended levels of control set forth in the Handbook on Sanitation and Vessel Construction (Public Health Service, 1965) prior to the effective date of initial standards and regulations required by this section shall be deemed in compliance with this section until such time as the device or devices are replaced or are found not to be in compliance with such State statute, regulation, or recommended level.

"(b)(1) Initial standards and regulations under this section shall become effective for new vessels two years after promulgation, but not earlier than September 1, 1970, and for existing vessels five years after promulgation.

"(2) The Secretary and the Commandant of the Coast Guard, with regard to their respective regulatory authority established by this section, may distinguish among classes, types, and sizes of vessels as well as between new and existing vessels, and may waive applicability of standards and regulations for such periods of time as necessary or appropriate for classes, types, and sizes of vessels, and, upon application, for individual vessels.

"(c) The provisions of this section and the standards and regulations promulgated thereunder apply to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security. With respect to vessels owned and operated by the Department of Defense, regulations under subsection (a) and certifications under subsection (f)(2) of this section shall be promulgated and issued by the Secretary of Defense and not by the Commandant of the Coast Guard.

"(d) Before the standards and regulations under this section are promulgated the Secretary and the Commandant of the Coast Guard shall consult with the Secretary of State; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Secretary of Commerce; other interested Federal agencies; and the States and industries interested; and otherwise comply with the requirements of section 553 of title 5 of the United States Code.

"(e) After the effective date of this subsection, no State or political subdivision thereof shall adopt or enforce any statute or regulation with respect to the use of any marine sanitation device on any vessel subject to the provisions of this section.

"(f) (1) No manufacturer of a marine sanitation device shall sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States for sale or resale any marine sanitation device manufactured after the effective date of the standards and regulations under this section unless such device is in all material respects substantially the same as a test device certified under this subsection.

"(2) Upon application of the manufacturer, the Commandant of the Coast Guard shall certify a marine sanitation device if he determines, in accordance with the provisions of this paragraph, that it meets the appropriate standards and regulations promulgated under this section. The Commandant shall test or require such testing of the device in accordance with procedures set forth by the Secretary as to standards of performance and for such other purposes as may be appropriate. The Secretary, upon notification of the results of such tests, shall determine if such results are in accordance with the appropriate performance standards promulgated under this section and shall notify the Commandant of his determination. Upon such notification the Commandant, if he determines that the device is satisfactory from the standpoint of safety and any other requirements of maritime law or regulation, and after consideration of the design, installation, operation, material, or other appropriate factors, shall certify it. Any device which is in all material respects substantially the same as the certified test device shall be deemed to be in conformity with the standards and regulations established under this section.

"(3) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary or the Commandant may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this section and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary or the Commandant, permit such officer or employee at reasonable times to have access to and copy such records. All information reported to, or otherwise obtained by, the Secretary or the Commandant or their representatives pursuant to this subsection which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this section.

"(g) After the effective date of standards and regulations promulgated under this section it shall be unlawful—

"(1) for the manufacturer of any vessel subject to such standards and regulations to manufacture for sale, to sell or offer for sale, or to distribute for sale or resale any such vessel unless it is equipped with a marine sanitation device certified pursuant to this section;

"(2) for a vessel subject to such standards and regulations to discharge sewage into or upon the navigable waters of the United States in violation of such standards and regulations or to be operated on such waters with an installed marine sanitation device not certified pursuant to this section or otherwise in compliance with regulations;

"(3) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information required under this section; and

"(4) for any person, prior to the sale or delivery of a vessel subject to such standards and regulations to the ultimate purchaser, wrongfully to remove or render inoperative any certified marine sanitation device or element of design of such device installed in such vessel.

"(h) The district courts of the United States shall have jurisdiction to restrain violators of subsection (g) of this section. Actions to restrain such violators shall be brought by, and in, the name of the United States. In any such action, subpenas for witnesses who are required to attend a district court in any district may run into any other district.

"(i) Any person who knowingly violates either clause (1) or (4) of subsection (g) of this section shall, upon conviction, be fined not more than $2,500 or imprisoned for not more than one year, or both. Each violation shall constitute a separate offense.

"(j) Any person who violates a provision of this section or any regulation issued thereunder shall be liable to a civil penalty of not more than $1,000 for each violation. The Commandant of the Coast Guard may assess and collect any such penalty and may remit or mitigate any penalty imposed under circumstances he considers appropriate.

"(k) The provisions of this section shall be enforced by the Commandant of the Coast Guard, and he may utilize by agreement with or without reimbursement law enforcement officers or other personnel and facilities of the Secretary or other Federal agencies to carry out the provisions of this section.

"(l) Anyone authorized by the Commandant of the Coast Guard to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(m) In the case of Guam, actions arising under this section may be brought in the district of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

"(n) For the purpose of this section, the term—

"(1) 'new vessel' includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed after promulgation of standards and regulations under this section;

"(2) 'existing vessel' includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed before promulgation of standards and regulations under this section;

"(3) 'commercial fishing vessel' means a vessel engaged in the business of taking of fish, mollusks, or crustaceans for subsequent sale;

"(4) 'public vessel' means a vessel owned and operated by the United States, by a State, or by a foreign nation, except where such vessel is engaged in commercial activities;

"(5) 'recreational vessel' means any vessel operated for noncommercial recreational purposes;

"(6) 'person' means an individual, partnership, firm, corporation, or association, but does not include an individual on board a public vessel;

"(7) 'United States' includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands;

"(8) 'sewage' means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

"(9) 'manufacturer' means any person engaged in the manufacturing, assembling, or importation of marine sanitation devices or of vessels having installed on board such devices; and

"(10) 'marine sanitation device' means any equipment for installation on board a vessel designed to receive, retain, treat, or discharge sewage."

SEC. 7. The Federal Water Pollution Control Act, as amended, is amended by redesignating section 19 as section 20 and by inserting after section 18 a new section to read as follows:

"CONTROL OF OIL AND OTHER HAZARDOUS POLLUTING MATTER FROM VESSELS

"SEC. 19. (a) As used in this section, the term—

"(1) 'oil' means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil;

"(2) 'owner or operator' means any individual or organization owning, operating, or chartering by demise, a vessel;

"(3) 'vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water;

"(4) 'public vessel' means a vessel owned and operated by the United States, or by a State or by a political subdivision thereof, or by a foreign nation, except where such vessel is engaged in commercial activities;

"(5) 'discharge' means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil or matter;

"(6) 'United States' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(7) 'remove or removal' refers to the taking of reasonable and appropriate measures to mitigate the potential damage of the discharge to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, shorelines, and beaches;

"(8) 'matter' means any substance of any description or origin, other than sewage, oil, and dredged spoil, which, when discharged from a vessel into any waters in substantial quantities, presents, in the judgment of the Secretary, an imminent and substantial hazard to the public health or welfare, including fish, shellfish, and wildlife, and shorelines and beaches; and

"(9) 'contiguous zone' means the entire zone established or to be established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

"(b) Except in case of an emergency imperiling life or property of substantial value, an act of God, war, or sabotage, or an unavoidable accident, collision, or stranding, or except as otherwise permitted by regulations issued by the Secretary under this section, or except where not prohibited under the provisions of article IV of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended, whoever discharges or permits the discharge of oil from a vessel by any method, means, or manner into or upon the navigable waters of the United States or adjoining shorelines and beaches of the United States, or into or upon the waters of the contiguous zone if such oil threatens to pollute or contribute to the pollution of the territory or the territorial sea of the United States, shall be punished in accordance with the provisions of this section.

"(c) Any owner or operator of a vessel, other than a public vessel, who willfully violates the provisions of subsection (b) of this section or any regulation issued thereunder, shall, upon conviction, be punished by a fine not exceeding $2,500, or by imprisonment not exceeding one year, or by both, for each offense.

"(d) Any vessel, other than a public vessel, which willfully or negligently causes the discharge of oil in violation of subsection (b) of this section, or any regulation issued thereunder, shall be liable for a civil penalty of not more than $10,000. Clearance of a vessel liable for this penalty from a port of the United States may be withheld until such penalty is paid or until a bond or other surety satisfactory to the Secretary is posted. Such penalty shall constitute a maritime lien on such vessel which may be recovered by action in rem in the district court of the United States for any district within which such vessel may be found.

"(e) The owner or operator of any vessel who willfully or negligently discharges or willfully or negligently permits, causes, or willfully or negligently contributes to the discharge of oil or matter into or upon the navigable waters of the United States or adjoining shorelines or beaches or into or upon the waters of the contiguous zone shall immediately notify the Secretary or his delegate of such discharge and shall remove such discharged oil or matter immediately from such waters, shorelines, and beaches in accordance with regulations prescribed under subsection (h) of this section. If such owner or operator fails to so act for any reason, or if the source of the discharge is unknown, or if the discharge occurs in waters beyond the contiguous zone and threatens to pollute or contribute to the pollution of the waters of the territorial sea of the United States, the Secretary may remove the oil or matter or arrange for its removal, and such owner or operator and, as appropriate, the vessel shall be liable to the United States, in addition to the penalties prescribed in this section, for the full amount of the actual costs reasonably incurred by the United States under this subsection for removal of any oil or matter which is willfully or negligently discharged, except that there shall be no such liability, in the case of discharges beyond the waters of the contiguous zone. In the case of discharges into the waters of the contiguous zone, there shall be no such liability unless the Secretary determines that the discharge threatens to pollute or contribute to the pollution of the territory or the territorial sea of the United States. The aggregate liability under this subsection for the cost of removal of discharged oil or matter shall not exceed $5,000,000, or $67 per registered gross ton of such offending vessel, whichever is the lesser amount. Clearance of a vessel, other than a public vessel, liable for such costs from a port of the United States may be withheld until such costs are paid or until a bond or other surety satisfactory to the Secretary is posted. Such costs shall constitute a maritime lien on such vessel which may be recovered by action in rem in the district court of the United States for any district within which such vessel may be found. In carrying out the provisions of this subsection, the Secretary shall immediately, by agreement, delegate to the Secretary of the Department in which the Coast Guard is operating, the authority on a reimbursable basis to coordinate the removal of such oil or matter, including planning, directing, and controlling such removal, in the coastal and contiguous zone waters, ports and harbors, Great Lakes and major inland navigable waterways, and in other areas where the Coast Guard has the capability to effect such removal. Authority shall be delegated to other appropriate Federal agencies, subject to their agreement, in such other areas where the Secretary of the Department in which the Coast Guard is operating advises the Secretary that the Coast Guard lacks capability. Both Secretaries shall, whenever possible, utilize with or without reimbursement the personnel, services, and facilities of other Federal agencies.

"(f) In any action instituted by the United States under subsections (d) or (e) of this section, evidence of a discharge of oil or matter from a vessel shall constitute a prima facie case of liability on the part of the owner or operator thereof and the burden of rebutting such prima facie case shall be upon such owner or operator. The United States shall also have cause of action under subsection (e) of this section against any owner or operator of a vessel whose willful act or negligence is found to have caused or contributed to the discharge of oil or matter from a vessel involved in a collision or other casualty. The burden of rebutting the prima facie case of liability which the United States shall have against a vessel or the owner or operator thereof from which the oil or matter is discharged shall in no way affect any rights which such owner or operator may have against any other vessel or owner or operator or other persons whose willful act or negligence may in any way have caused or contributed to such discharge. An owner or operator who removes oil or matter discharged pursuant to subsection (e) of this section shall be entitled to reimbursement from any other owner or operator or vessel for the reasonable costs expended for removal when such discharge resulted from the willful act or negligence of such other owner or operator or vessel.

"(g) There is hereby authorized to be appropriated to a revolving fund established in the Treasury not to exceed $2,500,000 to carry out the provisions of subsection (e) of this section. Any funds received by the United States in payment of any actual costs incurred by the Secretary pursuant to said subsection and any penalties collected for any violation of this section shall also be deposited in said fund for such purposes. All sums appropriated to, or deposited in, said fund shall remain available until expended.

"(h) Within 180 days after the effective date of this subsection—

"(1) the Secretary shall issue regulations, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws and regulations establishing water quality standards in removing discharged oil and matter, including criteria relative to the methods and means of removal, from any waters, shorelines, or beaches.

"(2) the Secretary of the department in which the Coast Guard is operating shall issue regulations, in consultation with the Secretary, which will establish procedures, methods, and equipment (A) to prevent discharges of oil and matter from vessels, and (B) to implement the regulations of the Secretary relative to removing discharged oil and matter.

"(i) The Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws and regulations, may issue regulations which authorize the discharge of oil or matter from a vessel in quantities, under conditions, and at times and locations deemed appropriate by him, after taking into consideration various factors such as the effect of such discharge on applicable water quality standards, recreation, and fish and wildlife.

"(j) The provisions of this section and the regulations issued thereunder shall be enforced by the Secretary of the department in which the Coast Guard is operating. The Secretary and the Secretary of the department in which the Coast Guard is operating may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency in carrying out the provisions of this section and the regulations issued thereunder, including those relating to enforcement.

"(k) Anyone authorized by the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(l) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

"(m) The Secretary of Transportation, in consultation with the Secretaries of Interior, State, Commerce, and other interested Federal agencies, and representatives of the merchant marine, oil, and insurance industries, and of other interested individuals and organizations, shall conduct a study of the need for and to the extent determined necessary, measures to provide financial responsibility and limitations of liability with respect to vessels using the navigable waters of the United States for the cost of removing discharged oil and paying all damages resulting from the discharge of such oil. The Secretary of Transportation shall submit a report, together with any legislative recommendations, to Congress and the President by January 1, 1970."

SEC. 8. Section 14 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466k), is amended by deleting the following: "the Oil Pollution Act, 1924, or".

SEC. 9. The Oil Pollution Act, 1924 (43 Stat. 604), as amended (80 Stat. 1246–1252), is hereby repealed.

The SPEAKER. Is a second demanded?

Mr. CRAMER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BLATNIK. Mr. Speaker, I yield such time as he may require to our distinguished and respected chairman, the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Speaker, S. 3206, which was unanimously reported by your Committee on Public Works, is designed to stimulate and accelerate the construction of waste treatment works; to extend the important water pollution control research program; to provide an expanded program of lake pollution control; to conduct new programs of research and demonstration to control acid mine water pollution from active and abandoned mines; to provide for the adequate treatment of sewage from vessels; and to strengthen our ability to prevent oil discharges and to cope with oil spills that threaten our shorelines, water supplies, and natural resources.

In 1966, the Congress enacted the Clean Water Restoration Act of 1966. That legislation authorized a sorely needed expansion of assistance to our cities and towns in their efforts to control water pollution through the construction of waste treatment works. That legislation authorized a $3.45 billion program over a 5-year period. We have not, however, been able to achieve the projected level of 1966. To date, only $567 million over 3 fiscal years has been appropriated for this program out of a total authorization of $1.3 billion.

Over 40 States and other jurisdictions have had their water quality standards approved under the Water Quality Act of 1965. To meet these standards will require a greater investment of public funds—Federal, State, and local. Failure to comply with the schedules set forth in the standards may result in future enforcement under the 1965 act. Your committee does not want the States or local governments to use the failure of the Federal Government to meet its 1966 commitment as a reason for failing to comply with these schedules.

S. 3206 will provide an additional financing approach to enable the States and local communities to meet their responsibilities. It is complementary to the grant program and it is temporary, for your committee does not want to see this approach used as a substitute for the grant program.

Mr. Speaker, I urge unanimous approval of this important and far-reaching Water Quality Improvement Act of 1968—this third of three major water pollution bills to come before the Congress in the past 4 years. It is a conservation measure that deserves the support of every Member of Congress.

Let me conclude by paying tribute to the members of the Committee on Public Works, my colleagues who have worked so diligently, so hard and so long on this legislation which is before us today. I would particularly commend the ranking member of the committee, one of the leaders in the field of water pollution control, my good friend from Minnesota, the Honorable JOHN A. BLATNIK, and all the other members of the committee on the other side of the aisle.

I urge passage of this legislation.

Mr. BLATNIK. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BLATNIK. Mr. Speaker, I rise on the floor of the House today to urge passage, by an overwhelming vote, of S. 3206, the Water Quality Improvement Act of 1968. S. 3206 embodies within its provisions the main policies of several pieces of legislation which were passed individually by the other body and on which the Committee on Public Works held hearings for 4 days in late April and early May of this year. As a result of these hearings the committee directed the staff of the Committee on Public Works to prepare and combine a new draft for consideration by the committee of the main features of the Senate passed bills. The bill before you embodies what the committee believes to be the best possible modification and change in the Senate version covering the following important provisions:

First. Additional financing for the water pollution control program in the field of construction costs for waste treatment works;

Second. A continuing of research in this important field as well as provisions for demonstration programs to control lake pollution and acid and other mined water pollution;

Third. An authorization for the Secretary of the Interior to carry out an oil pollution control research program;

Fourth. A program to be managed jointly by the Secretary of the Interior and the U.S. Coast Guard who has control of sewage discharges from all vessels except recreational vessels and commercial fishing vessels of 45 feet or less in length;

Fifth. Strengthening of the ability of the Secretary of the Interior and the Coast Guard to prevent discharges of oil into U.S. waterways and contiguous zones;

Sixth. An authorization of a revolving fund of up to $2.5 million for a cleanup of oil and other spills, and

Seventh. Direction for a most important study to be carried on by the Secretary of Transportation of the need for and measures to provide financial responsibility and limitations on liability with regard to vessels using U.S. waterways. The result of this study is to be reported to the Congress by January 1, 1970.

These are the highlights of S. 3206. S. 3206 is another step forward in the program to preserve the waters of our country which began some 20 years ago and which has been carried forward, I am happy to say, certainly and progressively by all those who realize the need for and the value of one of our greatest natural assets—clean water. It is another step in a program which has been recommended by the present administration whose direction and recommendations were concurred in by the Congress when the important 1965 and 1966 water pollution acts were enacted into law. It shows once again the care and concern that this administration, as well as all sound thinking citizens and individuals feel for the need to emphasize the high priority support which must be given to the water pollution control program. The fiscal situation which now exists has forced what, I hope, will be a temporary cutback in our grant program. The financing section contains language which allows the Secretary of the Interior to enter into up to 30-year contracts to pay the Federal share of the construction costs of waste treatment works for the fiscal years 1969, 1970, and 1971. Although temporary, it is a bold, imaginative device to provide the necessary financing to those many States who are in the process of construction of efficient treatment works to control water pollution.

The bill before us today comes to you some 5 months after public hearings were concluded by the Committee on Public Works. The reason for this is because members of the committee on both sides of the aisle had deep concern about many facets of this legislation because they felt that all parties involved in the legislation—governmental as well as private—should be fully consulted and their views embodied in the legislation and because of the fact that the committee felt that this type of legislation required the intensive staff work which was needed to resolve complex and controversial problem matters and to accommodate as much as possible objections raised by the minority and some members on our side. Whether it is brought up in the regular order or at the present time I am sure it will receive the overwhelming support it will get today. No one who understands the nature of this problem, and I believe that covers every Member of this body as well as all those interested in preserving water for both private and industrial use, could possibly take the position that legislation of this type should not be considered carefully and deliberately as it has been to achieve the results which are before us today.

I would be remiss in these opening comments if I did not pay proper commendation to my colleagues on the Committee on Public Works who have labored hard and diligently this year to bring this legislation before you. I particularly acknowledge at this time the fine support of the gentleman from Maryland, the chairman of the committee, my friend, GEORGE H. FALLON, and such outstanding colleagues and workers in the field of water pollution as BOB JONES, of Alabama; JIM WRIGHT, of Texas; ED EDMONDSON, of Oklahoma; and JIM HOWARD, of New Jersey; and in particular those gentlemen who have been so helpful to us in our recent executive session, the gentleman from California, BIZZ JOHNSON; the gentleman from Louisiana, EDWIN EDWARDS; the gentleman from West Virginia, JIM KEE; and the gentleman from New York, MAX MCCARTHY; I could give you the entire roster of the committee and I do. May I also thank the staff on both sides of the aisle who labored so hard and diligently under the committee's direction to bring before you what I consider to be a fine bill.

I urge its immediate and overwhelming support by this body. Under leave to extend my remarks I include a brief synopsis of the highlights of the legislation before you:

Brief Synopsis of the Principal Provisions of S. 3206, as Ordered Reported by Committee on Public Works, October 1, 1968

A. *Section 2—Waste Treatment Works.* The bill would:

1. authorize the Secretary of Interior to enter into up to 30 year contracts to pay the Federal share of construction costs during fiscal year 1969, 1970 and 1971;

2. provide that, before entering into any contract, the Appropriation Acts for those years would establish the contract limit which cannot exceed twice the amount appropriated in excess of $100 million (the sum available for municipalities of 125,000 population or less) for grants in fiscal years 1969 and 1970 and in fiscal year 1971 such limits cannot exceed the sum appropriated in excess of $100 million for grants. For example:

	Appropriation authorization	Sum appropriated for grants	Sum available for contracts	Total grants, contracts
Fiscal year 1969	$700,000,000	$214,000,000	$228,000,000	$442,000,000
Fiscal year 1970	1,000,000,000			
Fiscal year 1971	1,250,000,000			

3. provide that the contract sum be alloted to the States in the same manner as grants, and that at the end of the 18 month period of availability such sums shall lapse;

4. direct the Secretary of Interior, upon the request of a State, to enter into contracts covering works which have been approved by him since June 30, 1966, but which have received no Federal grant because of a lack of funds or which have received only a partial grant because of a lack of funds;

5. require that the principal sum for contracts and the sum appropriated for grants shall not exceed the total appropriation authorization for that fiscal year.

B. Sections 4, 5 and 6—Research. The bill would:

1. authorize Interior to carry out a program of research and demonstration, by contract or grant, to develop and demonstrate new methods to control lake pollution;

2. authorize Interior to carry out a research program on the control of oil pollution;

3. extend the present water pollution control research program from June 30, 1969 to June 30, 1970, at the present funding authorization level;

4. authorize a research and demonstration program to control or eliminate acid or other mine water pollution, authorize $7.5 million therefor, and require that the States pay at least 25 percent of the costs of the demonstration program; and

5. authorize grants for the purpose of improving the operation of treatment works on which construction was initiated after 1956 above its optimum design efficiency to achieve a substantial immediate improvement in effluent quality.

C. *Section 6—Vessel Pollution.* The bill would:

1. apply to all vessels, except recreational vessels (it is expected that the States under their water quality standards program will adopt uniform measures of control of these vessels) and commercial fishing vessels of 45 feet or less in length (there are over 6,000 commercial fishing vessels over 45 feet in length);

2. direct Interior to issue Federal standards of performance for marine sanitation devices on board vessels to prevent the discharge of untreated or inadequately treated sewage into U.S. navigable waters;

3. direct the Coast Guard to issue regulations re: design, construction, installation, and operation of such devices;

4. provide that devices installed under PHS recommended standards or State law or regulation prior to effective date of Federal standards shall be in compliance until replaced or found not in compliance by a State;

5. provide that new standards will be effective for new vessels two years after promulgation and for existing vessels five years after promulgation;

6. provide that, after enactment of the bill, State or local governments shall not issue standards for covered vessels;

7. provide for a system of certification of devices by Coast Guard;

8. provide civil and criminal penalties and injunctions; and

9. provide that enforcements be carried out by Coast Guard.

D. *Section 7—Oil Pollution.* The bill would:

1. prohibit the discharge of oil from any vessel into the navigable waters of the U.S. or into the nine mile zone contiguous to our territorial sea;

2. provide for enforcement by the Coast Guard;

3. provide criminal penalties for willful violations of up to $2,500 or one year imprisonment, or both;

4. provide civil penalties of up to $10,000 for each offense against the vessel for discharges willfully or negligently caused;

5. require the owner or operator who willfully or negligently discharges oil to clean up, and limit liability to $5 million, of $67 per gross ton, whichever is less.

6. authorize the Secretary of the Interior or his delegate to clean up discharged oil or other hazardous substances if the owner or operator fails to act or if the discharge was not willful or negligent;

7. authorize the Secretary to recover the cost of clean-up in appropriate cases, and provide that the fact of a discharge is prima facie evidence of liability;

8. direct the Secretary of the Interior to delegate the clean up authority to the Coast Guard and other appropriate Federal agencies;

9. authorize an appropriation of $2.5 million to carry out the clean up responsibility; and

10. direct the Secretary of Transportation to carry out a 15 month study of the need for and measures to provide financial responsibility and to limit liability with respect to vessels using U.S. waters and report to Congress by January 1, 1970.

Summary Highlights of the Federal Water Pollution Program Leading Up to the Water Pollution Improvement Act of 1968

Though we have had some setbacks in the national fight for clean water, the program has forged ahead even with the budget limitations made necessary by the threat of a large deficit as well as other economy moves.

Since its inception eleven years ago, the program has generated the construction of over five billion dollars' worth of waste treatment plants. This means that for every Federal dollar spent on these plants, it has helped create $5.00's worth of pollution control. Over 39 states have had water quality standards approved. A total of 44 enforcement conferences have been held in 41 states. These are some of the highlights in a progress report. Let us look in more detail:

The water quality standards program—a blueprint for victory in the battle against water pollution—is now underway.

Under the landmark Water Quality Act of 1965 passed by Congress, all the states, territories and other affected jurisdictions were given the option of preparing water quality standards for their interstate streams, rivers and lakes or having the Federal Government do it for them. All 50 states and the other jurisdictions involved elected to draft their own water quality standards which, under the law, are subject to the approval of the Secretary of the Interior.

At the present time (September 27, 1968), the standards of 39 states, two territories and the District of Columbia have been approved, in whole or in part, by the Secretary of the Interior.

These standards will provide the most effective tools we have ever had to help clean up America's rivers and lakes. In addition, the standards program provides for the protection of fishing streams and other waters now of high quality.

The standards program is the first systematic nation-wide strategy we have ever had for water quality management. Emphasis of the program is to prevent pollution before it occurs rather than waiting to curb pollution after it has defiled a waterway.

Limits on such pollutants as bacteria, toxic materials and taste and odor producing substances in the water are set by the standards. A key part of the standards package submitted by each of the states is a plan showing how these standards are to be achieved and enforced, including schedules for construction of treatment facilities by cities and industries.

The standards approved by the Department of the Interior will protect waters used for fishing, boating, swimming, municipal, industrial and agricultural supplies. In addition, these standards provide for upgrading water quality so that more waterways will be available for desirable uses.

States and other jurisdictions whose standards have been approved, in whole or in part, so far (September 27, 1968) are:

Georgia, Oregon, New York, North Dakota, South Dakota, Arkansas, Idaho, Massachusetts, Maryland, Indiana, Washington, Wisconsin, Texas, Michigan, Illinois, Rhode Island, Missouri, Louisiana, Alabama, Connecticut, Alaska, Montana, Oklahoma, Tennessee, Ohio, Delaware, New Jersey, Hawaii, North Carolina, Mississippi, Pennsylvania, the Territory of the Virgin Islands, the Delaware River Basin Commission, the District of Columbia, West Virginia, Maine, Guam, Vermont, Minnesota, Nevada, New Mexico, New Hampshire, and Arizona.

The Department of the Interior's Federal Water Pollution Control Administration is now discussing with the remaining States strengthening of their standards so that they can also be approved by the Secretary of the Interior.

RESEARCH

Water pollution control research by the Federal Government in cooperation with states, industries and universities has twin objectives. One is to improve the present methods of treating wastes. Equally important is the search for new methods and means to solve the pollution problems that will catch up with us tomorrow.

For its part, the Federal Government has awarded 3,057 grants, contracts and fellowships, totaling $122,588,346, since the program began in fiscal 1962.

CONSTRUCTION GRANTS

Each Federal dollar made available to communities to construct or improve waste treatment plants has helped create $5 worth of pollution control.

But our booming population and industry, especially in the urban areas, demand that even more be done.

Since the Federal program began 11 years ago, 8,611 Federal grants totaling $1,145,600,000 have helped to build $5,155,300,000 worth of waste treatment facilities.

ENFORCEMENT

Enforcement is a key element in the cooperative national water pollution control program. Federal enforcement assistance is made available to abate pollution of interstate or navigable waters which endangers the public health or welfare.

The enforcement authority is invoked either on State request, or on the basis of reports, surveys, or studies indicating that such pollution is occurring.

A total of 44 enforcement conferences have been held involving 41 states and the District of Columbia, over 1,250 municipalities, more than 1,750 industries, about 100 Federal installations and 75 or more state and private institutions. They have covered lake and coastal waters as well as more than 11,000 miles of streams. Twenty-eight actions have been instituted on Federal initiative, 11 at state request and five on a joint basis.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from New York.

Mr. HORTON. I thank the gentleman for yielding. And I wish to indicate to the gentleman my support of this bill. However, I do have a question which I would like to ask the gentleman.

I have received some correspondence in the earlier part of the year and particularly a letter form the chairman of the County of Monroe Pure Waters Agency which is an agency of the State of New York. This is in my congressional district. This is a letter addressed to me but which refers to an earlier bill which was considered by the committee, H.R. 15907.

I would like to ask the chairman if he would comment as to whether or not these provisions have been taken of? In a letter I received in the early part of the year the chairman of this committee said that the bill H.R. 15907 would kill the present provision which permits the Federal Government to reimburse the States if they prefinance the Federal share of sewage projects. This is the heart of the New York State pure waters program. Prefinancing has permitted communities in New York to receive 60 percent aid—30 percent State, 30 percent Federal—although Federal appropriations cover less than 2 percent of the cost of projects now.

Has that provision been taken out of the bill so that that is no longer a problem with regard to localities such as the one I have indicated here?

Mr. BLATNIK. I am not quite clear as to the import of the gentleman's question. However, I shall be happy to yield to the gentleman from Florida [Mr. CRAMER] for a response to the question.

Mr. CRAMER. In answer to the gentleman's question, I would like to say that we heard from many people, particularly in New York, the Mayor of New York, and what have you, in opposition to taking away the grant authority that was in the Senate bill. We deleted that authority which, in effect, retains the present authority, meaning the States and the local communities can continue to have advanced financing repaid at a later date

Mr. HORTON. I thank the gentleman for his response and I wish to indicate my enthusiastic support of this legislation.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Connecticut.

Mr. MONAGAN. Mr. Speaker, I rise in support—and very enthusiastically so—of this bill and wish to congratulate the distinguished gentleman from Minnesota and the Committee on Public Works for the interest which it has taken in extending the scope of this legislation to other fields of antipollution activities.

Mr. BLATNIK. I appreciate the remarks of the gentleman.

I would like at this point to comment briefly on the meaning of the definition "owner or operator" in the new section 19 of the bill. By this term, your committee means to cover all persons, including organizations or agents thereof, in charge of the vessel or having a financial or other interest therein, but it does not include employees of the owner or operator on board the vessel, such as the master and crew.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the distinguished gentleman from Ohio.

Mr. FEIGHAN. Mr. Speaker, I urge the Members of the House to act favorably upon S. 3206. The purpose of this bill is to amend the Federal Water Pollution Control Act to authorize the Secretary of the Interior to enter into 30-year contracts to pay the Federal share of the construction costs of waste treatment works during fiscal years 1969, 1970, and 1971.

Other significant provisions of this act would authorize research and demonstration programs to control lake pollution and acid and other mine water pollution, research programs for oil pollution control, a joint Department of the Interior and Coast Guard program to control sewage discharges from all vessels, and a joint Department of the Interior and Coast Guard program to prevent discharges of oil into U.S. waterways; it would also direct the Secretary of the Interior upon request of any State to enter into contracts covering works which have been approved by him since June 30, 1966, but which have not been fully funded through the present grant program.

I feel that this is one of the most important pieces of legislation before Congress this session. It is essential that pollution be overcome. The Clean Water Restoration Act of 1966 was a significant step toward adequate Federal participation in pollution abatement. However, appropriations for the construction of waste treatment works fell far below the stated authorizations. In fiscal year 1969, for instance, the appropriation was $214 million whereas the authorization was $700 million. This bill will provide another source of funding for the waste treatment construction program which other source of funding for the waste will bring the total appropriation closer to the authorization and, thus, enable the States to meet the schedules under the water quality standards program.

This bill is of particular importance to Cleveland in its efforts to save Lake Erie. The long-awaited report of the Federal Water Pollution Control Administration on pollution in Lake Erie was released just last week. The report stated that Lake Erie is not "dead" yet, but what is needed immediately is a monumental effort beyond anything presently being done in the Lake Erie Basin. The report cited municipalities' neglect in dumping untreated or partially treated sewage into the Lake as the main cause of pollution. S. 3206 will provide the Federal funding necessary to enable municipalities, such as Cleveland, to construct more adequate waste treatment facilities.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I am happy to yield to the distinguished gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I wish to commend the gentleman for his statement and I wish to certainly commend the committee for the work which it has done on this bill.

Mr. Speaker, I would like to ask if the provision relating to oil pollution goes to the problem of oil pollution resulting from oil drilling in bodies of water like the Great Lakes?

Mr. BLATNIK. If the gentleman would withold that question for just a moment, I am sure that the distinguished gentleman from Texas [Mr. WRIGHT] will cover that point.

Mr. VANIK. I thank the gentleman.

Mr. CRAMER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to support this legislation. Similar to the last two major water pollution control bills that have come before this Congress in 1965 and 1966, we are proud to bring this bill before the Congress.

Similarly to those bills it is deserving of and should receive the same unanimous, 100 percent support of the Members of the House, as it did those of the committee, and, as a matter of fact, the conference report as well. Both the majority and minority members have labored over this bill for many, many weeks. Many weeks of staff and executive branch meetings—meetings of the members were held. There were numerous discussions of the bill that passed the other body. It is obvious the bill that passed the other body was not in the form that the majority on our side believed would do the job and do it properly.

We particularly had problems with regard to contract control and financing. We had problems as in the bill from the other body in doing away with the local community tax exemption status as it relates to water pollution control. We had trouble with regard to shore installations as relating to oil pollution control. There were numerous problems in other areas. Time does not permit me to detail all of them. But I will say this: that with the atmosphere of a willingness on the part of both sides to give and take we came out with a bill that I for one and, in fact, the minority unanimously support.

We are concerned with the fact that even though the 1966 act called for an authorization this fiscal year of 1969 of $700 million the administration's budget request was a mere $225 million. Many local communities relied on our authorization. Many local applications based on our authorization are sitting on the shelf and will continue to sit there until Federal matching funds are eventually made available. This is due to the fact that the administration apparently decided that water pollution control was entitled only to a low priority. It resulted in an appropriation request of only $225 million with $700 million authorized—and I could hastily compare that to the highway beautification request of 100 percent or $85 million—so that not giving this water pollution control program adequate priority resulted in less than one-third of the amount authorized being actually appropriated. Therefore, the effect of the Federal participation in the grant program has been, rather than a stimulus to local communities to have and build much-needed sewage treatment plants, a deterrent. It has been a substantial deterrent in view of the fact that many communities waiting on Federal aid, anticipating appropriation of the full authorization, are actually getting nationally only one-third of that authorization, and thus it has resulted in a slowdown rather than an acceleration of water treatment plant construction.

With this facing us, the question is what do we do about it? The contract authority approach was finally resolved upon under strict safeguards. That is before us. Of course, the Committee on Appropriations will have complete control over to what extent that authority shall be used within the guidelines written into the legislation.

So I say to my colleagues we have a bill here today that we can, I believe, wholeheartedly support, and that will help do the job of cleaning up the streams of America. It will attack a problem that we have become faced with, and that is the problem of oil spillage and oil pollution. Many of the Members, I am sure, recall the tremendous disaster off the coast of England when the *Torey Canyon* tanker broke up. They will recall, no doubt that just this year a substantial oil spillage took place off the coast of Puerto Rico, and they will remember the efforts that were necessary to clean up the beaches. They are aware of the risk of such incidents occurring in the future. The tremendous damages done to the coast of North Carolina, where we now have some beaches that look like tar, and have an oil content, with no relief in sight, and no regulation of such spillages in the future serve as another example.

This bill does something about it. It makes a start which I believe is in the right direction.

As those Members who have had an opportunity to read the report may know, the present bill is a vast improvement over the proposals of the administration and over the bill passed by the other body. There are many who feel that the timing of this bill deprived the House of the opportunity to improve it even further. Nevertheless, there is little question that this bill, if enacted into law as reported, would benefit our water pollution control efforts.

The financing provision is needed because, quite simply, the construction program which Congress approved will die of starvation if it is not funded. We feel that the grant program has been neglected by inadequate budget requests. It has been subordinated to lower priority programs for money.

The legislation contains safeguards which we hope will prevent the new contract program from pushing aside the grant program as Congress originally enacted it. This is done by a formula which preserves for grants the first $100,000,000 of annual authorizations and permits a portion of the remaining authorizations to be made available for contract authority in ratio to the funds over $100,000,000 appropriated for grants.

Another change in S. 3206, as passed by the other body, made for the purpose of preserving the grant program, establishes a ceiling on the amount of authorized funds which can be used for the 30-year contract proposal. Without this change, the existing grant program could have been entirely eliminated by the substitution of a contract program.

In addition, the bill, as reported by the committee, establishes that the Appropriations Committee will have final determination as to the amount of authorized funds to be used for the supplemental contract authority. The language is abundantly clear that the purpose of the act is to provide a supplemental authority which is not to supplant the grant program. By these provisions, Congress clearly retains control over the amounts to be expended under the contract authority and clearly states that the contract authority is not available unless and until the Committee on Appropriations has acted and Congress has established a dollar ceiling on the amounts available for such construction.

The changes that were made by the Committee on Public Works in the legislation proposed by the administration include the elimination of the obligation upon the Federal Government to guarantee payment of principal and interest on bonds or other obligations issued by a State or local government for the purpose of financing both the Federal and non-Federal costs of sewage treatment works. Moreover, as originally proposed, the interest on such bonds or obligations would not be exempt from Federal income taxation. These features were eliminated because of the obvious difficulty that would arise over the Federal guarantee of a local obligation and the deleterious effect it would have on marketability of other bonds issued by State and local governments.

In order to protect those States that might find themselves unable to put a contract program into effect within 6 months following the end of the fiscal year for which contract funds were allotted, the reallotment provision was eliminated from the bill passed by the other body. This provision, which is now applicable to funds allotted to the grant program, has no relevancy to the contract program. In fact, if funds that were unobligated by one State were reallotted to other States who then obligated them in future years, the contract obligations of these latter States would have prior claim upon funds available for financing the sewage treatment works construction program. Thus, a State that could not utilize a contract program, not only would be deprived of Federal assistance under that program now, but would suffer because lesser amounts would be available to it in the future.

The provisions of existing law to permit local communities to undertake construction of sanitary treatment works before funds are made available, and obtain reimbursement at a later date when funds become available, would have been cut off on June 30, 1968, under the administration's proposal. As passed by the other body, S. 3206 provides that reimbursement would be eliminated for a fiscal year if the total of the amounts appropriated for grants and contracts for that fiscal year equals the authorization for that fiscal year. If the sum of grant and contract appropriations is less than the authorization for a fiscal year, the State would be required to choose between reimbursement and contract.

The reimbursement provision of existing law is not limited by the bill, as reported by the committee, and the new contract authority has been made available to reimburse the States as well.

The possibility for a State or local government to obtain Federal payments in excess of amounts needed to meet current principal payments on bonds and thus to make a profit by investment of the excess amounts has been eliminated.

In the area of oil pollution control some very substantial improvements have been made to the bill. I would like particularly to call the attention of the House to the provisions pertaining to financial responsibility and limitation of liability. Recognizing that this legislation is in the nature of a first step that may well serve as a guide to other nations throughout the world, and recognizing the need for further information concerning the impact of this legislation upon the merchant marine and marine insurance industries, the committee has directed the Secretary of Transportation, in consultation with the Secretaries of Interior, State, Commerce, and other interested agencies, to conduct a study of a need for measures to provide financial responsibility and limitation of liability for the cost of removing discharged oil and paying all damages resulting from the discharge of oil. This report is to be submitted to the President and to the Congress by January 1, 1970. In the interim, the bill provides a limitation on liability for payment of costs for removal of oil. This limitation is $5,000,000 or $67 per gross ton, whichever is less.

I wish to emphasize that these matters are extremely complex. The members of the committee and the committee staff have made a strong bipartisan effort to produce a good piece of legislation. We recognize, however, because of the complex matters and the lateness of the season that there are problems. We are convinced, however, that this bill is a great improvement over that which was enacted by the other body and over those which we received here. Consequently, I strongly urge unanimous support of this legislation so that, as in 1965 and again in 1966, we may present a united front to the other body in support of the House version of this bill.

Mr. Speaker, I would like before concluding my brief remarks, to ask the gentleman from Minnesota, the chairman of the subcommittee, a question with regard to the procedure at this late hour. Recognizing, and hopefully, that this may be the last week of this session, and recognizing the time exigency with which we are faced, and recognizing the tremendous number of differences and the rather controversial nature of those differences between the House-approved or committee-approved bill which we have before us, as compared to the Senate-passed bill, it would be my hope that both the majority and the minority would resolve that in order to get a meaningful water pollution control bill in this session at this late date that probably the best approach would be hopefully to suggest, and hopefully that the other body would accept, the House bill as we expect it to be passed today.

Would the gentleman from Minnesota care to comment on this time problem with which we are faced?

Mr. BLATNIK. I would certainly share the hope of the gentleman from Florida that the Senate version, as amended by the House, would be agreed to by the Senate—not on the ground that it is a super perfect bill at all, but that we really have had some problems and as we have done in the past in the interest not only of resolving those problems in a very realistic, workable, and practical manner and at the same time getting as broad unanimity as possible. We just have to spend a lot of time especially on the staff work as the gentleman well knows and during this course we have kept, especially in recent weeks, the Senate staff members informed what we were doing and what some of our problems were.

So with that understanding, the bill hopefully will be passed and meet agreement by Members of the other body or the committee of the other body and we fully respect the fact that they may have some other opinions on some aspects of this bill. Hopefully, we can perhaps continue that in a more efficient manner in the next session when we have more time rather than being crowded.

I think so far as this bill is concerned, I think it is an excellent piece of work and it is the best we could produce and it is the result of the combined judgment of all Members on this bill.

Mr. CRAMER. I thank the gentleman. I trust that will be the approach taken on this legislation.

I am very fearful that as it goes to conference, in view of the length of time taken to try to iron out this question of the difference, it would work against the bill being brought back to the House in time to be acted upon—but more important the likelihood that we would end up with no needed water pollution program bill in this session of the Congress. This is particularly pressing with regard to the sewage problem on the Great Lakes and with regard to water pollution in many other areas. This bill is needed now.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. HARSHA. Mr. Speaker, this legislation will give a needed shot in the arm to our construction program for treatment works, a program that has been permitted to lapse into a deplorable condition, despite our efforts here in the House to emphasize the need for the construction of treatment works as the basic step to be taken to clean up our rivers and lakes.

The supplementary contract authority, hopefully, will permit construction of sewage treatment plants sufficiently to overcome the lack of funds appropriated for the construction grant program. Naturally, there is no need to increase the total authorization because that total authorization would, as far as we can judge, do the job if grant funds were appropriated. I am hopeful that this will assist in the preservation of our rivers, our natural waterways, and the ecology dependent upon them. Consequently, I join with those who urge the passage of this bill in the form reported by the House Committee on Public Works.

In the area of vessel pollution control, we recognize that our technology has not yet provided the answer to the problem of keeping of waterways clean. Here we have taken a first step toward the elimination of pollution by sewage from vessels. Hopefully, the time will come when our technical knowledge will permit us to extend control of pollution to small vessels, as well as the larger ones provided for.

I would like to praise the very extensive efforts made by the members of this committee and by the staff of this committee in attempting to resolve the many difficult problems involved in this legislation. I feel that the many long hours of diligent and knowledgeable study and plain hard work is reflected in the great improvement that this bill contains, as compared to the version proposed by the administration as passed by the other body.

Mr. CRAMER. Mr. Speaker, I thank the gentleman. Of course, the gentleman did a tremendous amount of work with reference to this legislation as did the other minority and majority members on our committee.

Mr. McEWEN. Mr. Speaker, will the the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. McEWEN. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I, too, rise in support of this legislation. I think that there is much that commends this bill for passage. I share the gentleman's views. I am hopeful that the other body will accept this bill at this time in this session of the Congress so that we can have this as a matter of new law.

I am particularly pleased with the provisions directed to the study of pollution in our lakes, particularly as it affects the runoff of nutrients. In the waters of many of our lakes, we see too frequently the increase of algae and the problems that it creates.

There is also the sections of the bill that direct the control of sewage from vessels and the study of standards for marine sanitation devices for treating wastes from vessels. This, I think, is extremely significant. Also, on the subject of oil pollution control, in committee we worked out a clear recognition of the important role of the U.S. Coast Guard, as is indicated in this legislation, for their responsibility in dealing with oil discharges in our navigable waters.

Mr. CRAMER. I thank the gentleman for his statement and for the tremendous amount of work that he did as a member of the committee and the subcommittee on this legislation.

I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. First, let me commend the gentleman in the well for the work which he and other members of the committee on his side of the aisle have done on this bill, because I believe that the remarks that are included as the views of the minority express the hope of what can happen with this bill.

I have one question: In view of the fact that the Secretary of the Interior is given the authority to establish standards, does this bill in any way change the law that is now on the books which authorizes the 50 States to establish standards for water quality?

Mr. CRAMER. This bill does not affect in any way, or change the basic 1965 and 1966 acts under which water quality standards are being established with the States in conjunction with the Federal Government, except by providing an additional financing instrument by which sewage treatment plant construction can really get underway so that the governmental authorities can do their share of the job expeditiously.

Mr. SAYLOR. I think this is a tremendous advantage, and I want to commend the gentleman for that statement.

I want to ask one further question with regard to oil pollution: Is it only intended to take care of the oil pollution that comes from oil discharged from vessels?

Mr. CRAMER. That is correct. The other matter would be subject to a study, in that it was not possible to reach agreement relating to all phases concerning such things as installation discharge, which actually is subject to the standards which would be set anyway. But it was not possible to resolve that problem at this time. So there was added to the bill a section under which a study can be made of this problem in order that we may have more information to guide us.

Mr. SAYLOR. I thank the gentleman.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Minnesota.

Mr. LANGEN. Mr. Speaker, I rise in support of the legislation.

I wish to commend the Committee on Public Works for directing attention to the growing problems of lake pollution during its consideration of the Water Quality Improvement Act of 1968, which is before us today from the Senate.

I refer to section 4, which would authorize a program to develop and demonstrate new ways of controlling and preventing natural and manmade pollution in lakes.

This section is similar to the provisions contained in my own clean lakes bill, introduced last year, although my own bill was a bit more comprehensive and called for greater Federal involvement in the lake control program.

Our beautiful lakes constitute one of the great natural resources that this Nation is privileged to have in generous quantity, and preservation of this resource is of utmost importance. I am pleased that the basic provisions of my bill are contained in this legislation before us.

I note that the Secretary of the Interior would be authorized to enter into contracts with, or make grants to, public or private agencies and organizations and individuals for the purpose of developing and demonstrating new methods for attacking the growing lake pollution problem. This will provide needed cooperation between local, State, and Federal authorities.

As the population continues to grow, the importance and demand for our lakes will grow in equal proportion. The clean lakes proposal in this bill will go a long way toward the prevention of further deterioration of our lakes. Through this legislation we can learn to manage and preserve for future generations the health-providing and relaxing opportunities that Nature has offered through the many well-established lake areas of the country, including my native Minnesota.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Wisconsin, who appeared before our committee and made a very fine case with regard to the need for legislation to clean up the Great Lakes.

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin.

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, I rise in support of S. 3206.

This is a proud day for Congress. As we close the session, we have the opportunity to pass this important legislation. I will admit I had almost given up hope that the House would consider amendments to the Federal Water Pollution Control Act.

I wish to pay tribute to the Committee on Public Works for persevering and making possible our action today. The gentleman from Minnesota [Mr. Blatnik] has long been recognized for his leadership in our efforts to combat pollution. The chairman of the committee, the gentleman from Maryland [Mr. Fallon], and the distinguished ranking minority member, the gentleman from Florida [Mr. Cramer], both have contributed much to this work, and I want to pay tribute to them.

While this legislation we are considering today contains many significant sections which will assist in the fight to preserve and enhance our water resources, I will concentrate on that one section in which I have a special interest.

On August 31, 1967, I introduced H.R. 12759, the Clean Lakes Act. This legislation was reviewed and approved by the Department of the Interior and certain amendments were suggested which I incorporated in H.R. 13312. On April 23, 1968, I had the honor to appear at the Public Works Committee hearing chaired by the distinguished gentleman from Texas [Mr. Wright], to testify in support of the need to enact a specific authorization for grants to provide research and demonstration projects for cleaning up the Nation's inland lakes.

Section 4 of S. 3206 amends section 5 of the Federal Water Pollution Control Act by creating a new subsection (h) in which the authority provided in H.R. 13312 is included in this bill.

This small subsection in S. 3206 is critically important. For the first time we will be specifically authorizing the Secretary of the Interior to move forward on a program of "developing and demonstration of new or improved methods for prevention, removal and control of natural or manmade pollution in lakes."

In my testimony before the Public Works Committee I pointed out:

> In the recent publication, "Water Pollution Control 1969–73—The Federal Costs," there is identified a total of only 58 million dollars for the research effort in 1969. FWPCA has planned expenditures in 1968 for eutrophication control amounting to 5.5 million dollars. These figures are striking when compared to amounts spent on other programs especially when we consider the publicity given to the needs and the unknowns of pollution control technology. One small part of our space effort, the Surveyor Program, was to land only seven instrument packages on the moon, yet this cost 350 million dollars—more than the annual budget for our total pollution control efforts.
>
> If we are to make any sense of the figures above, we must have a breakdown by program on how these funds are to be spent, so that a reordering of priorities can be made. By merely looking at the magnitude of the figures for each agency, it is obvious by any measurement that little emphasis is being put into pollution control research. An argument that present expenditures are the maximum possible at this time is hard to defend, considering the greater costs of waiting. The bill that I have proposed is not the total dollar answer, but in view of the Vietnam war it offers a reasonable alternative for FY 1969.
>
> HR 13312 gives the Secretary of the Interior authority to initiate research and demonstration programs of new or improved methods for preventing, removing, and controlling pollution of the nation's lakes whether caused by natural or artificial processes. It is essential that we make this beginning. Present knowledge of eutrophication and the techniques for lake reclamation is too limited, and our financial resources are too limited, to begin on a full scale a program of federal involvement. But there must be federal support for research efforts across the nation to insure a more coordinated attack on the problem and to insure that the necessary level of effort is applied. This will mean that funds allotted for treatment facilities will go toward effective long-range plants for accomplishing the job, not to plants already out-of-date for today's waste problems.
>
> If we are to identify the answers to algae blooms in eutrophic lakes, we must have an interdisciplinary approach to pollution. The complexity of the condition requires knowledge from diverse fields of research.
>
> Preventing America's lakes from dying appeals to all of us. It combines the conservation of economic values, public health, prudent husbanding of natural resources, protection of wildlife, restoration and preservation of natural beauty, the recapture of recreational and sport opportunities, and a decent regard for cleanliness. But what is the cost? The real cost is measured not only in physical facilities such as waste control plants, but in decreasing use of water, fewer jobs, and deferred production.
>
> It is not possible to restore all bodies of water to their virgin condition. Today the state of the art of cleaning up the nation's water is such that we have few alternatives. Research must give us new alternatives. If the cost for clean water over the next five years is 26 billion dollars, as estimated by the FWPCA, then it is obvious—regardless of the qualification on this amount—we need a better technological base from which to accomplish the job efficiently.
>
> There has been a breath of fresh air in government, with the recent advent of cost/effectiveness techniques. The application of the PPB system to a tanglible, quantitative assurance that projects are selected on their merits and pursued at the most economical rate. Without this assurance, I would not recommend action. The kind of program I envision is one that halts this irreversible degradation of our lakes in its tracks, that proceeds vigorously, promptly, comprehensively, to build a system of protection and restoration. I would hope that this program would be accompanied by a longer range research effort, to yield an understanding of these processes, so that we can in the future design our civilization and our technology in ways that do not harm our environment. An ounce of prevention is worth a pound of cure. For the present, let us spend without delay enough to do the job. For the future, let us establish the facts and the policies, so that we do not repeat the mistakes of the past.

On February 10, 1968, I had the pleasure of holding an informal hearing on the Clean Lakes Act in Neenah, Wis.

Much of the testimony given during that hearing was extremely relevant and pertinent to the House consideration of this bill.

For the benefit of my colleagues I will include at this point the statements of some of the witnesses who appeared at that time.

I hope this information will be of value to all who review it and bring added understanding of the magnitude of the problem we face; a perspective of the work already underway; and a reflection of citizen concern for this serious problem:

STATEMENT OF DR. EDWARD J. MARTIN, CHIEF, POLLUTION CONTROL ANALYSIS BRANCH, DIVISION OF ENGINEERING DEVELOPMENT, FEDERAL WATER POLLUTION CONTROL ADMINISTRATION, DEPARTMENT OF THE INTERIOR

PHOSPHORUS REMOVAL

Currently, phosphorus removal units for municipal waste treatment are being sold which guarantee at least 80 percent removal and normally yield much higher removal. Sufficient data from laboratory, pilot plant, and full-scale operations has been published (see list of references) to allow design of such processes with reasonably reliable cost and performance projections.

Many different approaches to phosphorus removal have been studied, most yielding more than 80 percent removal, with some removing more than 95 percent. Table 1 lists the various processes and reported performance in experiments. Briefly, the processes are categorized into chemical, biological, combined (chemical-biological), and miscellaneous. Several advanced waste treatment processes are found in the latter group. Currently, the chemical processes offer the greatest confidence in design, construction, and operation, although combined processes will soon be applicable.

Chemical treatment, as a unit process, may be applied independently or in conjunction with other processes. Figure 1 shows it as a tertiary process in series with a conventional municipal treatment plant. Chemical treatment units may also be inserted in supernatant recycle lines coming from sludge digestors and thickeners to reduce the amount of phosphorous returned to the system.

Lime, alum, iron salts and mixtures thereof are the commonly used chemicals. Phosphorous removal plants using these chemicals normally achieve better than 90 percent removal. The principal advantage of the chemical process is the close process control that can be maintained. The rapid response of the system to adjustments in dosage allows effectiveness to be maintained when subjected to possible fluctuations in preceding treatment processes, thereby providing more uniform effluent quality. Another advantage is that laboratory experiments can reliably predict chemical dosage levels and clarifier settling rates. An additional benefit from chemical processes is the reduction of organic and inorganic turbidity, COD, BOD, and bacterial content that occurs concomitantly with phosphorous removal. Appendix A contains summaries of successful full scale chemical phosphate removal plants.

Combined chemical-biological processes have the advantage of utilizing existing conventional biological treatment equipment for reaction and settling. Chemicals may be added before or after the primary settling unit. In the first case, most removal occurs in the primary tank, but residual removal continues in the biological reactor.

Buzzell and Sawyer (1967) showed that lime treatment of raw wastewater can remove 80 to 90 percent of influent total phosphorous. In a laboratory study, Albertson and Sherwood (1967) indicated that even better performance is attained when solids are recycled around the primary unit. Recycling improved clarification and BOD removal in addition to increasing phosphate removal. Recovery of chemicals from waste sludges may improve the economy of the process. Several new plants will be using this primary dosage combined treatment process, e.g., Rochester, New York.

Chemicals may also be added to the aeration tank wherein phosphorous precipitates are formed. Experience has shown that commonly employed aluminum and iron salts do not hinder biological activity and, in fact, improve settling characteristics of sludges so that no additional volume is observed. The mixing and residence times in the aeration tank as designed for the biological reactions have been found to be adequate for precipitation of the phosphorous, negating the need for any further design considerations. Barth and Ettinger have referred to this aeration tank dosage combined process as "mineral addition."

The mineral addition process was studied by FWPCA at the Xenia, Ohio wastewater treatment plant which serves a population of 20,000. Phosphorous removal, about 20 percent during normal operations, was increased to the range of 85 to 92 percent when sodium aluminate was added to the aeration tank in an aluminum to phosphate ratio of 1.8:1. Chemical cost was five cents per thousand gallons. Permanent installation of proven equipment would be expected to improve performance over that observed in this temporary field study.

Further full scale operational data will be available within the year.

A status summary of operational biological, chemical, or combined phosphorus removal systems in the United States may be found in Appendix B. The Federal Water Pollution Control Administration has actively participated in demonstration of phosphorus removal systems through research and development grant funds as evidenced by Appendix C.

Available cost data indicate that for either tertiary chemical or combined chemical-biological processes, the current total cost will be five cents per thousand gallons or less for 90 to 95 percent removal in a typcial 10 MGD plant. Tertiary chemical treatment costs are dependent on sludge handling and disposal, effluent neutralizations, and effluent filtration requirements which vary with locality. While the combined process has not been thoroughly demonstrated yet, it appears that much lower costs will result due to the integration of the process with existing biological treatment systems including sludge handling and disposal.

In either process, recovery and reuse of chemicals is a significant economical factor. Currently, lime recovery by recalcination offers greater savings than alum recovery schemes.

Table 2 gives component costs for various sizes of tertiary chemical plants, using lime and iron salts. Over 50 percent of total cost is for chemicals, but total cost can be reduced by 25 percent with lime recovery by recalcination.

SUMMARY

Operational experience in the United States has demonstrated that teritiary chemical treatment unit processes will reliably remove 90 to 95 percent of the total phosphorus from municipal waste streams at a cost of $0.05 per 1,000 gallons or less, depending on local waste and cost variations. Other pollutants are substantially reduced in the process as an extra benefit. Economics and performance are expected to improve as further experience is gained. Either the cold lime or alum process may be used, the choice depending on local economic factors. Brief laboratory studies provides adequate design information for a given waste stream.

While not as thoroughly demonstrated as the tertiary chemical process, the combined chemical-biological processes are expected to be as effective and more economical since they utilize existing treatment facilities with minimum modifications.

Considerable research is now being supported by FWPCA in order to further demonstrate phosphorus removal techniques and obtain additional operating data.

TABLE 1.—PHOSPHATE REMOVAL EFFICIENCIES FOR VARIOUS TREATMENT PROCESSES

[Maximum attainable efficiency unless range is indicated]

Process	Scale	Total [1] phosphorus removal (percent)	Reference
Chemical:			
Lime	Lab	93.5 (PO_4)	Rand and Nemerow (1965).
	Lab	99	Lea et al. (1954).
	Lab	77.7–90.7 [2]	Sawyer and Buzzell (1962).
	Lab-pilot	92–100 (PO_4)	Bishop et al. (1965).
Alum-lime	Lab	95	Lea et al. (1954).
Alum	Lab	97	Rand and Nemerow (1965).
	Lab-pilot	94	Lea et al. (1954).
	Lab	99 (Sol. PO_4)	Rohlich (1961).
	Lab-pilot	96–100 (PO_4)	Bishop et al. (1965).
Iron	Lab	99 (Sol. PO_4) [3]	Rohlich (1961).
Biological:			
Activated sludge	Full	47.1 (PO_4) [4]	Wirtz (1966).
	Lab		Culp and Slechta (1966).
	Lab		Ludzack and Ettinger (1962).
	Lab	80 (ortho PO_4)	Levin and Shapiro (1965).
	Full	10–30 (ortho PO_4)	Do.
	Lab	25–38 (ortho PO_4)	Feng (1962).
	Full	37–77 (PO_4)	Hurwitz, et al. (1965).
	do		Johnson (1968).
	Lab		Johnson and Schroepfer (1964).
Algae	Lab	70	Gates and Borchardt (1964).
	Full	41.3	Rand and Nemerow (1964).
	Lab	44.4–95 [5]	Rand and Nemerow (1965).
	Lab	85 (PO_4) [6]	Fitzergerald and Rohlich (1964).
	Pilot	100 [7]	van Vuuren, et al. (1965).
	Lab	90	Bogan (1961).
Activated sludge	Pilot	99	Priesing et al. (1967).
	Full	99	Do.
Combined:			
Activated sludge—chemical	Lab	95 (approximate) [8]	Tenney and Stumm (1965).
	Pilot	74–98	Barth and Ettinger (1967).
	Lab	80–85 (primary stage only)	Dorr-Oliver, Inc. (1967).
	Pilot	87–99	Eberhardt and Nesbitt (1967).
Chemical (lime)—algae	Lab	97 (approximate)	Sawyer and Buzzell (1962).
	Lab	80–90	Buzzell and Sawyer (1967).
Miscellaneous:			
Ion exchange	Lab	98.5–99.6	Rand and Nemerow (1965).
	Lab-pilot	95	Eliassen et al. (1965).
	Lab		Culp and Slechta (1966).
Electrodialysis	Lab-pilot	50(PO_4)	Stephan (1965).
	Pilot-plant	29 [9]	Brunner (1967).
Effluent spraying on land [10]	Full	76–93	Foster and Ward (1965).

[1] Except where indicated.
[2] On raw sewage.
[3] Ferrous or ferric sulfate.
[4] Average of monthly averages, December 1965 and February 1966.
[5] Cultivation time from 4 to 37 days.
[6] pH dependence reported.
[7] Flocculation and algae flotation.
[8] At optimum alum-polyelectrolyte dose.
[9] Based on treatment for 40 percent demineralization.
[10] Dependent on soil loading and climatological conditions.

TABLE 2.—TOTAL COST OF PHOSPHATE REMOVAL

[Cents per 1,000 gallons]

	Size of plant			
	1 m.g.d.	10 m.g.d.	100 m.g.d.	1 d.g.d.
Capital amortization	0.97	0.79	0.65	0.53
Land amortization	.09	.09	.09	.09
Operating and maintenance	.41	.14	.08	.07
Cost of chemicals:				
Lime	1.75	1.75	1.75	1.75
Iron salt	.87	.87	.87	.87
Cost of sludge disposal by hauling to landfill, 25-mile, 1-way trip	.67	.67	.67	.67
Total	4.76	4.31	4.11	3.98
Savings if sludge can be recalcined	−.96	−.96	−.96	−.96
Total with recalcining	3.80	3.35	3.15	3.02

APPENDIX A—OPERATING CHEMICAL PHOSPHORUS REMOVAL UNITS

LAKE TAHOE, CALIF.

The Lake Tahoe tertiary treatment plant started operation in the summer of 1965 at 2.5 MGD capacity. Secondary effluent from an activated sludge plant was renovated using 200 ppm of alum added just ahead of two mixed-media filter beds operated in series and followed by granular activated carbon contactors. In addition to reducing ABS, BOD, and COD to potable water standards, phosphate reduction from 25 ppm to less than 1 ppm was consistently achieved. The plant was recently expanded to 7 MGD capacity, and has started operation at 4 MGD using the same alum tertiary process, however, they will soon convert to the use of the cold line process using a lime dose of 400 ppm total, divided between the primary and tertiary systems. The tertiary precipitation step will be followed by recarbonation and filtration through two mixed-media filter beds in series, and activated carbon. Again the effluent phosphate content is anticipated to be reduced to levels of 1 to 0.1 ppm while the bulk of the lime will be recovered and re-used. The cost for the cold lime process, *including filtration* of the recarbonated effluent, is projected at 10.46¢/1000 gallons at 7.5 MGD using a total lime dose of 400 ppm. It should be noted that the cost of lime and other costs at Lake Tahoe is appreciably greater than in most communities. The original alum process (with separation beds), experienced costs of 9.8¢/1000 gallons at the 2.5 MGD scale.

LANSDALE, PA.

Cooling water makeup (0.3 MGD using secondary sewage effluent is being utilized at Lansdale, Pennsylvania. The process for conditioning the water, prior to use as cooling water makeup, consists of alum addition followed by separation beds. This is essentially the same technique as demonstrated at Lake Tahoe. In addition to improving the general quality of the water, phosphate removal efficiencies of 90 per cent are being readily achieved.

LAS VEGAS, NEV.

In Las Vegas, Nevada, the Nevada Power Company has two wastewater renovation plants which treat nearly 4 MGD of secondary effluent in a clarification operation. These facilities have been in operation since 1961. The cold lime treatment process is used to reduce phosphate to acceptable levels for cooling water use, with a lime dose of 180 ppm. Well over 95 per cent removal of phosphates is achieved.

AMARILLO, TEX.

In the southwestern and western parts of the United States, several industrial enterprises and public utilities are renovating secondary effluents from municipal sewage plants, as water conservation economics suggest. In Amarillo, Texas, the Southwest Public Service Company is using the cold lime process as tertiary treatment for removing scale forming phosphate from the effluents prior to use as cooling water. Acidification for pH reduction after precipitation is accomplished by sulfuric acid addition in lieu of recarbonating as contemplated at Tahoe. More than 4 MGD of effluent is processed daily to produce a 1 ppm phosphate cooling water. This represents an average phosphate removal efficiency of nearly 98 per cent, and requires a lime dose of 300 ppm to assure consistent removal.

PISCATAWAY, MD.

A newly constructed 5 MGD activated sludge plant in the Potomac River Basin is to be expanded shortly to include tertiary treatment. The tertiary process will consist of lime precipitation, recarbonation with clarification, filtration, and activated carbon treatment. As in Tahoe both spent lime and activated carbon are to be regenerated. Costs and performance are also anticipated to be similar. However, there will be significant design differences in the carbon contactors (downflow) and filtration beds used (upflow, single parallel beds).

Routing of the regenerated phosphate lime is also to be different. It is currently anticipated to beneficially waste a portion of the regenerated phosphate lime to the sludge dewatering system. Also means of artificially adding hardness to the secondary effluent is planned in order to demonstrate the optimum conditions for phosphate removal. While 400 ppm lime dosage is scheduled for use at Tahoe, only 200 ppm of lime will be used initially at Piscataway. The cost of the phosphate removal tertiary system, excluding the filtration operation, at Piscataway is anticipated to result in a total cost of less than 5¢/1000 gallons.

APPENDIX B

SELECTED OPERATIONAL PHOSPHATE REMOVAL PROCESS EXPERIENCE IN THE UNITED STATES

Location	Status	Size, MGD	Type	Process	Actual or projected cost at 10 to 20 MGD (cents per 1,000 gallons)	Actual or projected phosphate removal efficiency
Lake Tahoe, Calif	Operational	2.5 to 4	Chemical	Alum tertiary with separation beds	<9	>95 (0.1 to 1 p.p.m. effluent).
Nassau County, Long Island, N.Y.	Operational since 1965	0.6	do	do	<5	>80.
Pomona, Calif	Operational	3	Chemical-biological.	Alum secondary with activated sludge	<5	>80.
Wayne, Mich	Operational for short period	45	do	Alkaline waste, calcium chloride to raw sewage		>80 (jar test).
Lake Tahoe, Calif	Startup February 1968	4 to 7.5	Chemical	Lime tertiary with separation beds	<9	>95 (0.1 to 1 p.p.m. effluent).
Las Vegas, Nev	Operational since 1961 (2 sites)	4	do	Lime tertiary with single clarifier	<4	>95 (0.5 p.p.m. effluent).
Washington, D.C	Operating	Pilot plant	do	Lime tertiary with dual clarifier and lime recovery.	<4	>95.
South-central region	Prior operations (5 sites)	Pilot plant	Biological	Activated sludge, phosphate uptake	<1	<87.
Black River plant, Baltimore	Operational test	20	do	do	<1	>90.
Irvine, Calif	Operational	Pilot plant	do	Activated sludge, phosphate uptake, acid elutriation, chemical removal.	<5	>90.

APPENDIX C

FWPCA SPONSORED RESEARCH AND DEVELOPMENT PROJECTS IN PHOSPHATE REMOVAL (CURRENT)

Location	Scale (MGD)	Type	Description
Washington, D.C	0.1	Chemical	Lime process. Precipitation-clarification, recarbonation, clarification, and filtration polishing. Startup 1967.
Lake Tahoe	7.5	do	Lime process. Precipitation-clarification, recarbonation, filtration polishing. Operational early 1968.
Piscataway, Md	5.0	do	Lime process (as in 1 above). Startup 1969.
Detroit, Mich	.1	do	Lime process. Applied to activated sludge desorbed liquor. Also to test ferrous phosphate precipitation from liquor.
Irvine, Calif	1	Chemical-biological	Activated sludge phosphate uptake and acid elutriation of sludge concentrate. Alum precipitation of leach liquor phosphate.
Wayne, Mich	.1	do	Alkaline calcium industrial waste effects on phosphate removal from raw sewage. Prior experience showed phosphate removal in primary system.
Trenton, Mich	.1	do	Optimize activated sludge phosphate uptake. Testing of aluminum ferric, ferrous, and calcium salts for phosphate precipitation.
Ada, Okla		Biological	General studies and tests on activated sludge parameters affecting phosphate uptake by bio mass.
Milwaukee, Wis	115	do	Optimize activated sludge phosphate uptake. Parameters for joint municipal-industrial plant.
Chino, Calif	3	do	Activated sludge phosphate uptake in high organic loaded system.
Cincinnati, Ohio	.002	Chemical-biological	Aluminate addition during aeration.
Lebanon, Ohio	.075	Miscellaneous	Electrodialysis of secondary activated sludge effluent.
Xenia, Ohio	1	Chemical-biological	Aluminate addition during aeration.

STATEMENT OF MR. THOMAS G. FRANGOS, DIRECTOR, BUREAU OF WATER RESOURCES, DIVISION OF RESOURCE DEVELOPMENT, WISCONSIN DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources supports the "Clean Lakes Act" (H.R. 13312) under discussion here today. The State of Wisconsin has been a pioneer in the area of research relating to pollution and eutrophication of inland lakes. The University of Wisconsin has developed a world-wide reputation for its work in eutrophication. This past summer an International Symposium on the subject was conducted in Madison. Our Madison lakes have been called "the most studied lakes in the world." We have learned much about the intricate relationships within the lake systems. However, many questions remain unanswered. A tremendous increase in our research efforts is required if our lakes are to be restored.

The following documents are submitted for the record:

"Manual of Policy and Practice for Aquatic Nuisance Control," Wisconsin Department of Natural Resources, Madison, 1968.

"Excessive Water Fertilization," Natural Resources Committee of State Agencies, Madison, 1967.

STATEMENT OF MR. GROVER COOK, GREAT LAKES REGIONAL OFFICE, FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

As you all know, the Conference on Lake Michigan held in Chicago last week, has recessed. One of the major accomplishments of this conference was to focus attention on the great need for answers to the problem of lake pollution. It is heartening to be a witness at this informal hearing and to see the expression of local concern, and the source of future effort to get this job done.

Statement of Mr. William Threinen, Division of Conservation, Wisconsin Department of Natural Resources

The fact that so many of Wisconsin's lakes are shallow has helped to exaggerate the problem of eutrophication that we are concerned about here today. For example, Lake Winnebago is only 21 feet deep at its deepest point. Other lakes are as shallow as 6 feet.[1] Eutrophication is accelerated when nutrients from farms, towns, and other activities of man, drain into these shallow pools; in some cases, such as Fox Lake, the result is a winter kill of fish. These lakes can be rejuvenated or restored at considerable cost. With more emphasis on research as proposed in H.R. 13312, these costs might be greatly reduced, or new technology may be developed to reduce the problem.

Statement of Casey Kendziorski, Jr., Consulting Engineer, Milwaukee, Wis.

Part of the large increase needed in our research efforts must be allocated for demonstration projects. Such projects will allow new approaches to be tested and their feasibility proven. One such project to rehabilitate a small lake near Milwaukee in order to improve its recreational resources is presented here by the summary below:

SUMMARY OF FINDINGS

Little Muskego Lake is rapidly dying due to sediments and encroachment of vegetation.

Little Muskego Lake will become completely useless as a recreational resource if corrective actions are not taken.

Permission for removing muck and sediment deposits can be obtained from the Resource Development Department.

Average depths of the muck and sediments are 6 to 11 feet.

There are 2,400,000 cubic yards of muck which should be removed from the lake.

A hydraulic dredge can best remove the muck and sediments.

Deposit areas are available within reasonable distance from the lake.

Contracting out the project will cost approximately 30 to 50 cents per cubic yard. Total project cost estimated at $720,000 to $1,200,000. With federal assistance 50% is $13.60 to $22.80 per shoreline foot.

Leasing of a dredge by the city is not economical. A suitable dredge with all required accessories can be purchased for $390,000.

Operating costs of a purchased dredge would be 8 to 18¢ per cubic yard, with cost per foot of shoreline $11.50 per foot of shoreline without federal assistance, $5.75 per foot of shoreline with federal assistance.

The Lake can be dredged in a two year period.

Sounding of the Lake and application for approval is the next step to implement the project.

The property owner will benefit in having a healthy recreational water body, in which he can swim, ski, fish, etc. It will substantially increase his property value.

The community will benefit in having a healthy recreational environment, with benefits to business, industry, and all residents. Property value will increase on and around the Lake, and will bring increased tax revenues.

Major problem will be the coordination of the community government, the property owners, the city residents, the contractors and the federal and state agencies. Lack of positive and courageous steps could defeat the project.

State and federal assistances are available, if a comprehensive plan is established on a larger scale such as a watershed association or city bureau of lakes and streams.

Selection as a federal demonstration project would be advantageous to all Muskego Lakes.

RECOMMENDATIONS

Perform the soundings of Little Muskego Lake.

Apply for approval from the Resource Development Department.

Establish a city "Bureau of Lakes and Streams."

Coordinate the efforts of all committees and groups.

Develop long-range plans for all water bodies.

Apply for classification as a Demonstration Project.

Purchase a dredge for use by all the city's water bodies and streams.

Pay for the Little Muskego Project by assessing the property owners on and near the Lake for the operating costs of the dredge.

Projects such as these provide a valuable use of local resources in improving local environments. These projects need encouragement. Bills such as HR 13312 can provide the required stimulus to make more local efforts a reality.

Statement of Mr. James E. Kerrigan, Assistant to the Director, Water Resources Center, University of Wisconsin, Madison

(Note.—An evaluation of the needs for research and demonstration programs for lake management was prepared by Prof. Gerard A. Rohlich, Director of the Water Resources Center of the University of Wisconsin and presented by James E. Kerrigan.)

RESEARCH AND DEMONSTRATION PROGRAM NEEDS FOR THE MANAGEMENT OF LAKES

The values associated with lake environments in providing for the essential and aesthetic needs of man have been well recognized for many years. These values have encouraged investigators to develop an understanding of the ecology of lakes and lake-related land environments. The conclusions reached by these investigators informs us that the aging of a lake is a continuous process that can be accelerated by man's activities. The process of enrichment of lake waters poses a real threat to this primary resource base in many regions of the country and, in fact, throughout the world. Recently there has been an increasing awareness by the general public to the serious problems associated with excessive growth of aquatic plants in lakes and the unwise development of the related lands.

In general, as a lake ages it undergoes change, and a "natural" or "normal" process of maturation takes place. Precipitation and natural drainage from forest or plain areas contribute nutrients which support and enhance the growth of phytoplankton and littoral (in-shore) vegetation, but the activities of man in altering the landscape by agricultural development, urbanization, and the discharge of sewage, industrial wastes, and waste treatment plant effluents increase the amounts of nutrient input to a lake and the organic and inorganic sediments. The processes of enrichment and sedimentation that occur naturally are thus frequently accelerated by man's activities and the quality of the water may change materially and often at a relatively rapid rate.[1]

Despite the unprecedented activity in the last decade, directed toward an understanding of the enrichment process and the measurement of changes which occur in lakes and streams, there is not as yet a simple relationship between the maturing process and the amount of nutrients present or entering the receiving body of water or to other variables in the terrestrial and aquatic environment. The interrelationships of climatic, physical, chemical, and biological factors which affect the metabolism of a lake are indeed complex. As illustrated by Rawson the morphology of the basin, the geological nature of the surroundings, temperature, the nutrient input, and the many other variables which influence the trophic nature of the lake "makes it difficult to bring them . . . [the number of environmental factors involved] . . . into a single picture."[2]

The process of enrichment of waters with nutrients is referred to as euthrophication. The literal meaning of eutrophication stems directly from the Greek *eu* meaning "well" and *tropheín*—"to nourish." Thus, *eutrophy* means "well nourished." In the minds of some, little distinction has been given to the differences between the terms eutrophication and pollution. These terms are not synonymous, although it is true that the discharge of waste materials often adds nutrients to receiving streams and lakes which increase the production of both free floating plants, such as algae, as well as other forms of planktonic growth.

An obvious benefit of eutrophication is the increase in the biomass which can be supported in a body of water. Additional nutrients usually result in increased growth of microscopic organisms and a consequent increase in fish production. In terrestrial situations, the increase in the yield of a crop after fertilization is desirable; but with the exception of special fish ponds, where increased nutrients may be desirable, the effects of eutrophication are often undesirable. Aesthetic values may be lowered because of increase in algal growth and production of floating algal scums which are a nuisance to those who wish to use the water for recreational purposes. When water supplies are taken from lakes or streams which are undergoing eutrophication, the algae affect treatment plant operations such as clogging of filters and may cause undesirable tastes and odors. Because of the development of anaerobic conditions in the bottom waters quality is impaired.

A recent survey of the literature on eutrophication has been published which reviews the scientific literature available on the subject.[3] The results of this survey and others have identified a number of questions that warrant support for additional research.

Research programs must include major contribution by researchers in botany, zoology, geology, soils, bacteriology, water chemistry, hydraulics, and sanitary engineering, and meteorology in the physical sciences and resource economics, regional economics, political science, and law in the social science area. Integrated studies should be established in controlled areas so that it is possible to identify the hydrology, chemistry and biology in the system. However, it is essential to take a detailed analytical look at the process of public action as related to lake and shoreland management, including such questions as management for water and shoreline quality, effects of multi-layers of government, problems and advantages of multiple-use of water and land, the process of decisionmaking and matters related to law.

The following is a summary list of research and demonstration topics that warrant consideration:

I. Evaluation of Present Status and Objectives.
  1. Lake inventories.
  (a) condition and characteristics.
  (b) use.
  2. Information Exchange.
  (a) assemblage of existing data.
  (b) data distribution system.
  3. Experimental design.
  (a) significant measurements.
  (b) comparability of data sources.

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[1] The impact of enrichment is therefore greater, and the usual symptoms of eutrophication, such as excessive rooted plants and algae, much more evident.

4. Prediction of Future Lake Use Demands.

(a) estimation techniques.

(b) definition of essential data required

(c) quantification of resource values.

(d) definition of lake requirements to satisfy future demands.

II. Understanding Aquatic Ecosystems.

1. Nutrient Influx and Efflux in Lakes.

(a) ground-water exchange.

(b) marshland contributions.

(c) identification of nutrient sources.

2. Internal Nutrient Cycles.

(a) magnitude and mechanism of exchange from bottom muds.

(b) identification and measurement of usable nutrient forms.

3. Ecology of Aquatic Plants.

(a) definition of nutrient requirements.

(b) temperature and light needs.

(c) nitrogen fixing capabilities.

4. Plant Response to Nutrient Changes.

(a) nutrient storage capabilities.

(b) bio-assay tests.

5. Fishery Research.

(a) management and utilization of undesirable species.

(b) management of stunted populations.

6. Thermal Additions.

(a) define resulting heat budget modifications.

(b) evaluate biological response.

III. Development and Evaluation of Management Techniques.

1. Demonstration Lakes.

(a) land use management.

(b) direct lake management.

(c) monitoring program.

2. Lake Enrichment Prevention.

(a) nutrient removal from wastes.

(b) significance of urban runoff.

(c) significance of rural runoff.

(d) source and significance of nutrient contributors.

3. Nutrient Removal from Lakes.

(a) dredging.

(b) harvesting aquatic plants and animals.

(c) hypolimnion withdrawal.

4. Reduction of Nutrient Availability.

(a) physical barriers.

(b) biochemical interferences.

(c) chemical precipitation.

5. Relieving Undesirable Lake Conditions.

(a) the role of toxicants.

(b) biological controls.

(c) physical water manipulation.

6. Management of Resource Users.

(a) zoning.

(b) use regulation and limitation.

(c) role of local government and private groups.

In the State of Wisconsin alone there are more than 8,000 lakes which must meet future demands resulting from a growing population in the Midwest and the increased desire of that population for high-quality water related recreation. It would indeed be unfortunate if the professional advice, agency control, and judicial decisions affecting the development of the lake areas were inadequate for their protection and preservation because of limited factual information and analysis. Since it is well recognized that the state of the art in providing for the protection and rehabilitation of lake environments is sketchy and virtually untested under comprehensive monitoring, additional research and demonstration projects would be of major importance in establishing improved management procedures.

REFERENCES CITED

[1] Hasler, A. D. Eutrophication of lakes by domestic drainage. *Ecology* 28: 383–395, 1947.

[2] Rawson, D.C. Some physical and chemical factors in the metabolism of lakes. *A.A.A.S. Bull.* 10: 9–26, 1939.

[3] Stewart, K. M. and Rohlich, G. A. Eutrophication—A Review. A report submitted to the State Water Quality Control Board, California, 1967.

Documents submitted in support of the statement included:

Water Chemistry Research, University of Wisconsin, 1967–68 (a list of current research projects).

Measurements of Eutrophication and Trends, by G. A. Rohlich, and others, WPCF August 1966.

Research proposal, "The Eutrophication of Natural Waters," submitted to the FWPCA by University of Wisconsin, Water Resources Center, Madison.

Eutrophication—A Review, State of California, State Water Quality Control Board, Publication #34, 1967.

Statement of Dr. William E. Sloey, Department of Biology, Wisconsin State University, Oshkosh

Lake Winnebago and its associated upriver lakes represents one of the largest shallow "hypereutrophic" pools to be found anywhere, and we believe it is representative of lakes of this kind. Such lakes are common throughout the mid-region of our country and frequently appear as reservoirs near our larger cities, and because of their accessibility, they are of major economic and recreational value. Yet, they remain unstudied from a limnological standpoint in comparison to the deeper lakes such as Lake Mendota. As the term "hypereutrophic" denotes, such lakes are extremely fertile and contain quantities of decaying organic materials as well as living organisms at every level of the trophic scale (viruses, bacteria, algae, invertebrates, fishes, etc.) far in excess of that present in the more studied lake types.

These lakes are in the most advanced stage of eutrophication and are proceeding toward extinction at a very high rate through production from within and siltation from without. Because of their unique morphometry with a high surface to volume ratio and exposure to high wind stress, they probably will never express the classical signs of dystrophy (high ammonia and phosphate levels, low pH and little or no oxygen in the lower levels). Studies do indicate, however, that under snow covered ice (freezeout) and during calm periods in the summer the dystrophic conditions can appear and a large portion of the habitat becomes unsuitable to many forms.

It is apparent, then, that little is known concerning the rates and changes in rates of nutrition, aging and sedimentation of shallow highly fertile lakes. For instance, we do not know if, or in what way man's activities have accelerated these processes. In Lake Winnebago there appears to be little or no difference in the plankton forms that were present at the turn of the century and those present now. Once having surpassed a certain point, it is possible that man's activities have little effect, and the aging continues to accelerate regardless of man's efforts to the contrary. It is essential, then, that we try to determine if and at what point such a "threshhold" exists and if man's best efforts at hygiene through sewage treatment, siltation and flood control are sufficient to arrest or even slow down the process. It seems that one of the best places to study over-fertility is in the shallow waters of the Winnebago pool. It is toward this end that we intend to direct our major attention in the foreseeable future. Detailed, interdisciplinary studies by geologists, biologists, chemists and geographers on core samples of the lake bottom as well as ongoing processes should give considerable insight to the historical changes in lake conditions and enable us to identify some of the problems and recommend remedial actions.

Statement by Mr. R. M. Billings, Kimberly-Clark Corp., Neenah

We believe that this bill should be supported. It supplies an essential link in the chain being forged to prevent further deterioration of the nation's lakes.

Bill H.R. 13312 would provide funds for demonstration projects. No present research funds go beyond financing the laboratory or small pilot plant stage development. We in industry are only too familiar with the dangers involved in attempting to scale up a laboratory development into a commercial scale facility without first working out problems in an intermediate-sized installation. Such a step, we believe, is absolutely essential in the matter of lake eutrophication.

H.R. 13312 fills a void which must be filled before current and future research can be applied to current and future problems.

The paper industry is particularly interested in the matter of eutrophication of lakes since much of our water supply has a lake system as a source. Deterioration of this lake system adds to our problem of water supply. Findings that will reverse the lake deterioration problems may also be applicable to certain of our effluent problems and thus the beneficial effect will be multiplied to all water uses.

Statement by William D. Rice, Director of Research and Development, Bergstrom Paper Co., Neenah

Following on the heels of the Federal Water Pollution Control Administration's Lake Michigan Water Pollution Conference of the past two weeks (or 1/31–2/4), it seems quite appropriate to consider here the plight and problems of the smaller lakes, one of which we adjoin. That Lake Winnebago is a prime candidate for the growing eutrophication list ought not be questioned. Those conditions which make it renowned sturgeon waters are the same conditions building toward its death. High nutrient, tremendous algae bloom, muck bottom and red-worm-lake-fly all relate to a complexity of causes, natural or environmental, which cry for broad and extensive study.

Industry and municipality alike are seeking best answers and making sizable inroads on their waste problems—cannot now like effort be directed at the many natural and other causes of the ill-health of these lakes and others like them?

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Massachusetts, who likewise has shown an interest in this legislation.

Mr. KEITH. Mr. Speaker, I thank the gentleman from Florida for yielding. I share his enthusiasm for this step in the right direction toward solving a very serious problem.

I would like to ask one question: Is any effort made in this legislation to deal with the problem that might be caused by the drilling for oil off our shoreline, off the 12-mile fishery zone, or off the 3-mile territorial waters, where oil drilling is occasionally done, and sometimes adversely affects either the recreational or the conservation interests of the area?

Mr. CRAMER. That is within the scope of the same question asked by the gentleman from Pennsylvania [Mr. SAYLOR], and I will say to the gentleman that section 5(j) of the bill provides for a study with regard to oil pollution. In this regard I would like to invite the gentleman's attention to page 16 of "Oil Pollution—A Report to the President," prepared jointly by the Secretaries of Interior and Transportation and published last February. It says and I quote:

> The Outer Continental Shelf Lands Act (43 U.S.C. 1331–1343), authorizes the Secretary of Interior to require the prevention of pollution in offshore oil or mining operations. In the implementation of this act, a requirement for compliance with antipollution regulations could be made a condition of any lease, with failure to comply making the lease revocable.

That is a matter that we expect to have before the Congress sometime in the near future.

Mr. KEITH. I would advise the gentleman and my colleagues in the House that I have filed a bill to provide for certain areas to be set aside as zones primarily for recreation and conservation purposes, where, after study, it would be determined it was not necessary to search for oil in those areas—a sort of wilderness area concept along our coastline in certain areas vital to our recreation and conservation interests.

Mr. CRAMER. I thank the gentleman. I am sure he realizes that at this late date in the session we cannot solve all those problems, although we are aware of them.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Speaker, I rise in support of the Water Quality Improvement Act of 1968. I commend the gentleman in the well and the chairman of the committee for their leadership in this matter.

Mr. HOWARD. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Jersey.

Mr. HOWARD. Mr. Speaker, I commend the gentleman from Florida for his remarks and especially his objection to the low priority given as shown by cutting the funds back to $225 million. There are a lot of projects, as the gentleman stated, still on the shelf. Although my amendment to restore the funds was not successful, I am happy the gentleman brought up this inequity and the feeling that water pollution control is not a so-called nonessential domestic expenditure. I hope in the future we will be able to back up the authorization with proper appropriations.

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Mr. Speaker, I have heard several Members indicate there was some dereliction of duty on the part of the Appropriations Committee as far as this legislation was concerned. I think the gentleman from Florida will agree that the funds for this program have not been obligated, that there was a huge carryover of funds after last fiscal year was over, and the Appropriations Committee actually has appropriated funds each year in excess of appropriations for the preceding year. The Appropriations Committee has paid very great attention to this program. It feels a very great sense of urgency for this program, as does the Public Works Committee, and when the agency downtown gets around to giving this program the emphasis Congress wants them to give the program, then the Appropriations Committee will appropriate funds necessary for the program.

Mr. CRAMER. Mr. Speaker, I thank the gentleman for his statement, which I think is consistent with my statement, which is that the agency requested only $225 million, which is one-third of the authorization. Therefore, it has not given this program adequate priority, particularly as compared to some programs such as highway beautification, where they wanted 100 percent of funds. That is why I say they are caught with lack of proper authority for other parts of the program.

Mr. MILLER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Ohio.

Mr. MILLER of Ohio. Mr. Speaker, the measure now before us, S. 3206, is long overdue.

The residents of southeastern Ohio, and much of the Nation, are keenly aware of the problems of water pollution. They continue to see the problem grow and very little being accomplished to clean up the waters of our country.

The development and enhancement of our water resources for municipalities, industries, agriculture, recreation, and fish and wildlife purposes has been one of the most difficult areas of concern in the history of the United States.

There is almost unanimous agreement that watching our water resources deteriorate has been a painful experience.

The State and local governmental authorities charged with the responsibility of water pollution control have relied upon appropriations of the Congress. The result of inadequate appropriation has made it necessary to look for supplemental funding methods. Not to accomplish this would mean that sewage treatment construction programs would be deterred rather than helped by Federal participation.

It is indeed unfortunate that this important legislation had to be left until the waning days of Congress before coming up for consideration. But that is in the past, and we must look to the future. And we hope to be able to look to a future of clean rivers and lakes and streams.

I supported this measure in committee and I urge support here on the floor of the Water Quality Improvement Act of 1968.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I rise in support of this act. I think anyone must realize that proper use of water and proper quality control is paramount as far as the welfare of our Nation.

Mr. Speaker, I understand this bill has been cleaned up properly in the House, and we all know the art of the possible. Can we have the assurance of the chairman and the chairman of the subcommittee that the bill as improved in this body is the bill we will have or that possibly we will have no bill at all in these waning days of this session of Congress?

Mr. CRAMER. Mr. Speaker, I will say to the gentleman that I addressed myself to this, and the chairman of the subcommittee also. As far as I am concerned, I believe it is this bill or none. As far as the gentleman from Minnesota indicates, he supports this legislation and he hopes it will pass. It is up to the other body whether they want a conference. I think a conference will kill it.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Speaker, I want to comment on one aspect of water pollution control for the RECORD. I think the RECORD should show that in the hearings on this legislation, which we held last spring, the Secretary of the Interior, Mr. Udall, assured the committee that the State agencies most directly involved in this whole problem of cleaning up our water and the local communities would be consulted in connection with these legislative proposals.

I regret to say to the Members of the House that the people of my State knew nothing about this legislation whatsoever. William A. Healy, executive director of the New Hampshire Water Supply and Pollution Control Commission, told me personally that he had neither been told that this legislation was going to be brought up, nor advised as to its details. The same is true of the New England group that is charged with clearing up the water of New England. I think it is regrettable and a breach of faith on the part of the Secretary, that no followthrough was made, especially since the Secretary himself assured the Public Works Committee that the State agencies involved would be consulted and advised. These assurances were made during the hearing on H.R. 15906 and related bills, held on April 23, 24, 25, and May 2, and can be found on pages 621–24 of the printed committee hearings. They read, in part, as follows:

CONSULTATION WITH STATE AND LOCAL GOVERNMENTS

> Since, as you said, Mr. Hughes, you had gone over this matter with cities, counties, and States, and sat down with them, your implication was at least that you had some expression of support from them, I think the Secretary would be interested in a letter I received from Mr. Healy, executive director of the New Hampshire Water Supply and Pollution Control Commission. He writes me as follows, under letter dated April 25:
>
> "You might be interested to know, too, that this measure was reviewed at the New England Interstate Water Pollution Control Commission meeting in Portland, Maine, on Tuesday of this week. At the conclusion of the review, the Commission members unanimously voted to recommend that the bill be rejected. There are so many defects in it that this seems to be the preferred course of action, rather than any attempt to offer appropriate amendments. I am sure you, and the other members of the various New England delegations, will be receiving formal notice of the Interstate Commission action from the Executive Secretary, Alfred Peloquin."
>
> Now, with a rather critical letter like that before us and now in the record, I raise the question as to just how much ground work was laid with State, municipal, and county governments before 15907 came up here before this committee?
>
> Mr. HUGHES. Well, I think the State,

county, and city organizations obviously can and should speak for themselves.

For the record we did meet very extensively with them, discussed the bill on several occasions and in considerable detail. Their reactions were understandably mixed and—

Mr. CLEVELAND. Excuse me. You said "mixed." Was there anybody who was for it in that group?

Mr. HUGHES. My answer is yes. I think, though, they should speak for themselves, because their positions have shifted from time to time.

Mr. CLEVELAND. Are there available to this committee State authorities to come before this commilttee and say this is our bill and we are for it?

Mr. HUGHES. I do not know that I can answer that, Mr. Cleveland. I certainly am not here speaking for the State, local, or city organizations.

The question Mr. Cramer asked and the one I was responding to was related to work done with them and what the possibilities were for resolving this tax exemption question. And we certainly are aware of the problem and have worked closely with and tried to keep the State and local organizations fully informed as to our problems, and we have tried to be acquainted with their problems.

We certainly are aware we have not resolved all of them.

Mr. CLEVELAND. You have not resolved—I think that is a euphemistic way of stating it.

It would appear to me, from this letter and from what you told me, although you have talked to these people, it was more in the nature of a warning. It did not sound to me like any kind of partnership, cooperative effort.

If I have heard it once, I have heard it 100 times—I know the Secretary feels this way—if we are going to lick this water pollution problem in this country, it has to be done on a cooperative partnership basis by the Federal Government, State, and local governments. I have heard that so many times.

It is very distressing to me that a bill like this was never apparently discussed in advance, never had any acceptance from not only my own State, but all of the New England States.

Mr. HUGHES. Mr. Cleveland, the bill was discussed with the organizations of State, county, and local people and we would be pleased to meet with the New England people to talk about it, about their particular problems. But it was discussed extensively and in no sense on a notice-giving basis.

We were trying honestly to acquaint them with some of the problems we saw in the guaranteeing of tax exempt obligations and to seek ways of cooperatively dealing with this problem.

UNAWARE OF OPPOSITION IN NEW ENGLAND STATES TO ENACTMENT OF H.R. 15907

Secretary UDALL. Congressman, I would like to say, if I may, because I was disturbed by the letter that you read, our conversations, of necessity because when we are drafting new legislation of this kind, we cannot go into the regions, are with the national organizations, the organization of counties, the municipal or league of cities, and the mayor's organizations. We did confer with them.

Now, we have been aware all along that there were differences and objections that they had to certain details. But all of our conversations at the national level have indicated that everyone was of the view, although there are still differences on the bill, that we could work out a bill and get satisfactory legislation. And I am very surprised to find the New England people say they want the bill thrown out.

I know that certainly is not Senator Muskie's view.

If they have some particular objections, I wish they would come to Washington and sit down with you and with us, and I am sure we can work any questions out. Because I do not see any disagreements so deep here that this committee cannot do as it has in the past and write a workable bill.

Mr. CLEVELAND. I wondered if you or any member of your staff were aware of that meeting?

Secretary UDALL. It came to me as quite a shock to hear you read a letter like that, because I was not aware there was this kind of concern by any of the State groups. Nothing has come to my desk that would indicate that.

Mr. CLEVELAND. I was equally surprised to read the letter when I first saw it on my desk, because I assumed, of course, that legislation of this import, and far-reaching impact, that at least appropriate members of your Department would have touched bases with at least the State authority. I cannot break it down, in the first instance, to the city and municipal level, but I would think at least with the far-reaching impact of this legislation, that at least you would have touched bases with the State water supply and pollution control commissions.

Secretary UDALL. Congressman, as you know, we have a direct line of communication on water pollution control with all of the States. We have very good relations with most of them.

As a result of what you brought up this morning, I am going to ask Assistant Secretary Edwards and Commissioner Moore to get in touch with them by phone today, find out if meetings can be set up, and let's get this clarified. Because it has not come to my attention that any group of States had such serious reservations about the legislation. We have had very good reaction generally.

Mr. CLEVELAND Thank you, Mr. Chairman.

Last Friday, October 4, I sent Secretary Udall a telegram objecting to the way the Water Quality Improvement Act (S. 3206) had been handled by the Department of the Interior and the Public Works Committee. The text of my telegram was as follows:

Hon. STEWART L. UDALL,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.:

In testimony before the Committee on Public Works on May 2, 1968, you testified you had a direct line of communication on water pollution control with all of the States and have good relations with most of them. On October 2, 1968, Commissioner Joe G. Moore, Federal Water Pollution Control Administration, testified that the Department of Interior favored enactment of the committee print of S. 3206 then being marked up by the committee. Mr. Moore further testified that the views of affected State officials with respect to the committee print S. 3206 had not been obtained. In my opinion, this is a breach of faith with the State and local officials responsible for administering the water pollution program.

JAMES C. CLEVELAND,
Member of Congress.

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. HOWARD. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from New Jersey.

Mr. HOWARD. I thank the gentleman for yielding.

I wish to comment on the statement previously made by the gentleman from Arizona that there was a great deal of money left over, not being used in water pollution control, and the fact that the administration recommended only about $225 million, much less than the $450 million which had been authorized by the bill from the Public Works Committee.

I should like to say that State after State in this Nation informed us, before the appropriation bill came up, that they were ready and had met all the requirements to use their State's allocation of funds. We were very certain at that time, if the money authorized, the $450 million, had been appropriated, the States were ready and had met requirements and could go ahead with their water pollution control programs.

The State of New Jersey, for one, had been slated to get about $14 million. It stated it had met all the requirements and was ready for $14 million, but it was cut back to $5 million.

If we look throughout the country we can see we could have used much more money effectively than the House appropriated; and, to be fair, much more money effectively than the House appropriation.

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Of course the gentleman realizes his quarrel is with the Bureau of the Budget. The Appropriations Committee does not normally increase appropriations over the request of the Bureau of the Budget to that extent. I would suggest the gentleman talk to the people in charge of the Bureau of the Budget and try to get them to increase the budget estimates. At that time the Appropriations Committee will give every consideration it possibly can to the request. We feel just as much urgency about this program as the gentleman does.

Mr. HOWARD. I thank the gentleman.

I do not believe the quarrel is with the Bureau of the Budget, because an amendment was offered on the floor by me to replace the funds. So the quarrel is possibly with the House, if with anyone.

Mr. BLATNIK. Mr. Speaker, I yield to the gentleman from Texas [Mr. WRIGHT] who has played a very important role in all the water pollution control legislation.

Mr. WRIGHT. Mr. Speaker, I rise in support of S. 3206, which has been reported unanimously by the Committee on Public Works. In 1966 Congress enacted the Clean Waters Restoration Act which authorized a program of $3.45 billion for the construction of waste treatment works over a 5-year period. Three years have passed since that authorization, and less than half of the authorization for those 3 years has been appropriated thus far. The States and local communities have need of the Federal funds to enable them to construct the waste treatment works that are essential to carry out their obligations under the water quality standards program.

S. 3206 authorizes the Secretary of Interior to enter into long-term contracts up to 30 years to pay the Federal share in installments during fiscal years 1969, 1970, and 1971. The amount of the contract limitations will be established by the Appropriations Committee and shall not exceed twice the amount appropriated for the grant program in excess of $100 million during fiscal years 1969 and 1970. In 1971 the contract sum will be on a 1-for-1 basis, that is, equal to the sum appropriated for grants in excess of $100 million.

In addition, the bill will continue the present reimbursement features which were attached to the program in 1966 and will direct the Secretary of Interior to enter into contracts with the States upon the States request covering treatment works that have been built since June 30, 1966, but which have received no Federal funds or only partial Federal funds because of a lack of appropriations.

In addition to this supplemental financing program, the bill would authorize a new lake pollution control research and demonstration program, a new acid mine water pollution control demonstration program, and a program of research into the control of oil pollution and the removal of discharged oil.

The bill would also provide control for the treatment of sewage from all vessels, both foreign and domestic, except recreational vessels and commercial fishing vessels of 45 feet in length or less.

The enforcement of this new program will be carried out by the Coast Guard after the Secretary of Interior establishes standards of performance for marine sanitation devices to be installed on board these vessels.

The bill would strengthen the Federal Government's ability to control discharges of oil from vessels into the navigable waterways of the United States and contiguous zones. It would provide criminal penalties for willful violations and civil penalties for negligent or willful discharges. In addition to this, it would require the owner or operator of a vessel who willfully and negligently discharges oil or other matter to clean it up and, if he fails to do so, it would enable the Secretary of the Interior or his delegate which, in most cases, would be the Coast Guard, to clean up the oil and to recover the cost thereof from the negligent owner or operator. It would limit the vessel's owner or operator's liability to $5 million or $6 per gross registered ton, whichever is less. It would authorize a revolving fund of up to $2.5 million to be used by the Federal Government in cleaning up discharged oil or other matter.

Finally, the bill would direct the Secretary of Transportation to carry out a study relative to the need for and measures to provide financial responsibility and limitations on liability with respect to vessels using U.S. waterways.

Permit me to express the very sincere hope that the other body will accept this bill as amended in the House. Due to the lateness of the session, this seems extremely vital to the end that this constructive legislation may pass in the present session of Congress.

Mr. Speaker, I urge unanimous approval of this most important pollution-control legislation.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to my colleague from Ohio.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. Of course I yield to my colleague from Ohio.

Mr. VANIK. I would like to ask the gentleman whether or not there is any provision in this legislation to take care of the oil pollution problem which results from drilling in the Great Lakes.

Mr. WRIGHT. I will respond to that question as my distinguished colleague from Florida [Mr. CRAMER] responded to similar questions. The question of drilling is covered under existing legislation. It is my very distinct impression that quite stringent requirements are being imposed under the law by the Department of the Interior when it permits leave for drilling. The Department of the Interior is already under a mandate by the Congress to require very high standards of operation and cleanliness and the removal of any discharges. Additionally, I think that question would properly fall within the purview of the study being created by this bill. We would hope to address ourselves to any necessary additions to that law in subsequent legislation.

Mr. BLATNIK. Mr. Speaker, I yield to the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the gentleman from Minnesota yielding to me.

I wish to ask a question, but I would like to lay the groundwork for the question first. Governor Romney and the Michigan Legislature have put on our ballot this November a $330 million expedited water pollution control program where the State of Michigan will move more rapidly than they could have under any other program to solve the problem of water pollution in our State. In the retirement of the State bonds it was anticipated that the Federal payments that would come at a subsequent date could be used for the purpose of contributing to the retirement of the bonds. Is there anything in this bill that precludes us from proceeding more rapidly in the solution of Michigan's water pollution problem and still getting that benefit of whatever Federal payments would subsequently come from this Federal program for the retirement of our State water pollution control bonds?

Mr. BLATNIK. There is nothing in this bill that would preclude your State from getting benefits to expedite construction projects as fast as possible. Your State is to be commended for taking a course of action which our committee for a number of years has encouraged States to undertake. This bill will enable municipalities, under the laws of their respective States, to construct pollution abatement control facilities which meet the criteria spelled out by the Congress and the directives of the Secretary, and during the course of a period of 30 years they will be reimbursed for the Federal share to which they are justifiably entitled.

Mr. GERALD R. FORD. I compliment the Committee on Public Works. I think this is good legislation and hope that the House version becomes law.

Mr. BLATNIK. Mr. Speaker, I yield to the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. I thank the gentleman from Minnesota for yielding to me.

Mr. Speaker, I rise in support of S. 3206, reported by the Committee on Public Works, of which I am privileged to be a member. May I, at this time, pay particular tribute to the floor manager of the legislation and the champion of water pollution control in this country, the gentleman from Minnesota, Congressman JOHN A. BLATNIK, to my great and good friend, the chairman of the Public Works Committee, Congressman GEORGE H. FALLON, and two such outstanding figures in this field, JIM WRIGHT and ED EDMONDSON, and a fine young member of the committee, JIM HOWARD, of New Jersey. May I also acknowledge the fine work done by the minority on this legislation and pay particular tribute to the gentleman from Florida, the ranking minority member, the gentleman from Florida [Mr. CRAMER].

S. 3206 embodies some of the most important steps taken in recent years and supplements and continues the great programs established by the 1965 and 1966 water pollution control acts, of which I am proud to say this administration made the basic recommendations, as it has for the legislation before us today. I am particularly gratified to see in this legislation language which would embody in essence a further study and hopeful solution of the problems affecting the degradation of our lakes, which would cover the Great Lakes. I have a particular interest in this provision of S. 3206 because of Lake Michigan, which is adjacent to my hometown of Chicago.

I am also pleased to find within this legislation which is pending before us today for the first time language to take positive steps to help solve the problem of pollution of water by vessels and also the overall question of oil pollution from vessels. I know there is still much more to be done in both fields, but I am happy to see action being taken at this time by this body.

I would like to say that one of the highlights of the bill, in my opinion, is the constructive effort being made here by the Congress and the sponsors of this legislation to provide new, needed, additional financing as a substitute for and an addition to the present provisions of law as they relate to water pollution. The program for contract financing is the finest part of the bill before us today.

This is a good bill. I have supported the water pollution control program since I became a Member of Congress and will continue to join the fight for improved water quality until the day the waters of America are restored to their pristine glory.

Mr. BLATNIK. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Speaker, I thank the gentleman for yielding to me.

You have provisos here pertaining to commercial fishing vessels. Will the small commercial fishing vessels, which are, nevertheless, more than 45 feet in length and spend very little time in inland waters have to construct a sewage system? Their present sewage facilities are adequate and the public health and safety is not threatened.

Mr. BLATNIK. We have exceptions for these vessels which are recreational craft and commercial fishing vessels under 45 feet in length. They would not be subjected to any of these directives.

Mr. KEITH. We have 100 vessels or more in New Bedford which are larger than 45 feet in length but are still small vessels. They are financially hard pressed. Actually there is no need for additional sewage treatment facilities on these vessels because they do not discharge their sewage into navigable waters now. They spend their time at sea. They go into port, unload, and the crew goes ashore. They do not live on board when they are in port.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, for a further reply to the question posed by the gentleman from Massachusetts [Mr. KEITH], section 18(2) as contained on page 29 of the committee report specifically provides a grandfather clause for those vessels presently in existence, not requiring conformance until such time as these devices are replaced or found not to be in compliance with State statutes. So there is a grandfather clause which does take into consideration the problem that obviously exists about which the gentleman is concerned.

Mr. KEITH. I thank the gentleman from Florida very much.

Mr. SCHADEBERG. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Wisconsin [Mr. SCHADEBERG].

Mr. SCHADEBERG. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the Water Quality Improvement Act of 1968.

Mr. Speaker, no section of this Nation is in more dire need of action on water pollution than my own State of Wisconsin and neighboring States where the great inland waterways and streams provide prime recreation areas for all Americans.

For this reason I vote "yes" today on S. 3206 as amended by the House of Representatives, and for the reason that the halfhearted attempts of the administration to get action on water pollution will, with the passage of this measure, now go into high gear.

It is not a perfect bill, Mr. Speaker, but not because the Committee on Public Works has failed in its attempt to make it so. In fact, the House version of the Water Quality Improvement Act of 1968, though late in reaching the floor of the House, injects some reality into the facts of life about our decaying streams, rivers, and lakes. For far too long the experimenters and researchers, the commissions and study groups, appointed by the administration and lavished with taxpayer cash, have kept the solution to dying waters in the laboratory. Even at this late date, Mr. Speaker, the administration asked for only $225 million to tackle this nationwide problem, when the existing law authorizes appropriations of $700 million for fiscal year 1969 and upward to $1.25 billion for fiscal year 1971.

I repeat, Mr. Speaker, by our action today, which I heartily support, we are serving notice that we are fed up with days and months and years of dilly-dallying over the problem of water pollution.

We have seen this problem—or the study of it—reorganized, redirected, shuffled from one agency to another, until it has gotten so that State and local governments are confused and disgusted with Federal indecision.

Now, Mr. Speaker, let us proceed to conference with this bill. Let us encourage our conferees to press for our amendments and then, Mr. Speaker, for the sake of the Nation, its conservationists, its sportsmen, and the ordinary, forgotten Americans who have been footing the bill these many years, will have something clean, decent, and usable for the dollars they have been investing.

Mr. SCHWENGEL. Mr. Speaker, I rise to announce my enthusiastic support of the bill on water quality improvement. It is a long step forward and a vast improvement to the legislation already enacted. As has been noted already this would authorize the Secretary of the Interior to enter into up to 30-year contracts to pay the Federal share of the construction costs of waste treatment works during fiscal years 1969, 1970, and 1971.

The bill would provide that, before entering into any contract the appropriation acts for those years would establish contract limits which in fiscal years 1969 and 1970 cannot exceed twice the amount appropriated in excess of $100 million—the sum available for municipalities of 125,000 population or less—for grants in those fiscal years and in fiscal year 1971 such limits cannot exceed the sum appropriated in excess of $100 million for grants;

It would strengthen the ability of the Secretary of the Interior and the Coast Guard to prevent discharges of oil into U.S. waterways and the contiguous zone;

It would enable the Federal Government to cope with the discharge of oil spills into the U.S. waterways and the waters of the contiguous zone and into the waters beyond the contiguous zone;

It would authorize the Secretary of the Interior to carry out an oil pollution control research program;

It would authorize research and demonstration programs to control lake pollution and acid and other mine water pollution;

It would direct the Secretary of the Interior upon request of any State to enter into contracts covering works which have been approved by him since June 30, 1966, but which have not been fully funded through the present grant program;

It would authorize the Secretary of the Interior and the Coast Guard to jointly carry out a program of control of sewage discharges from all vessels, except recreational vessels and commercial fishing vessels of 45 feet or less in length; and

It would authorize a revolving fund of up to 2.5 million for the cleanup of oil and other matter spills and would direct the Secretary of Transportation to carry out a 15-month study of the need for and measures to provide financial responsibility and limitations on liability with respect to vessels using U.S. waterways and to report to Congress by January 1, 1970.

In the history of the United States it should be noted that President Theodore Roosevelt played a great part in originating and planning this type of legislation and it is significant to note this was the real beginning of the conservation movement of which this bill is a part.

The development and enhancement of our water resources for municipalities, industries, agriculture, recreation, and fish and wildlife purposes, pollution control is one of the most difficult areas of concern that we have had to face. In 1966 Congress enacted the Clean Water Restoration Act of 1966 which streamlined the present water pollution control program and authorized additional funds to carry out that program. That act authorized appropriations for the construction of waste treatment works in fiscal year 1968 of $450 million, in fiscal year 1969 of $700 million, fiscal year 1970 of $1 billion, and fiscal year 1971 of $1.25 billion. Appropriations have fallen far short of the stated authorizations of 1966. For example, in fiscal year 1969 the authorization was $700 million, but only $214 million was appropriated.

The Water Quality Improvement Act of 1968 is designed to provide an additional method of financing the waste treatment construction program in order to bring us closer to the projected authorizations of 1966 and to enable the States to meet the schedules set forth under the water quality standards program. At the same time this legislation is designed to get at other sources of pollution such as the control of lake pollution, the control of acid and other mine water pollution, the control of oil pollution, and the control of sewage from vessels using our waterways.

Particular emphasis should be placed on the contract approach that is provided in this legislation for financing the waste treatment construction program. The Committee of Public Works, of which I am a member, considers this approach as an additional and temporary measure of financing the program. The committee was greatly concerned that the contract approach not be used to supplant the ongoing grant program and we believe that every effort should be made in the future to increase the appropriations available for the basic grant program.

Mr. Speaker, I also want to join my colleagues to pay tribute to the chairman of the subcommittee, the gentleman from Minnesota [Mr. BLATNIK], and the minority leadership of the gentleman from Florida [Mr. CRAMER], under whose guidance we were successful in getting several amendments to this legislation for improving it and which will enhance the advancing to the goal to eliminate as much as possible the pollution problem.

Mrs. BOLTON. Mr. Speaker, I am happy to support S. 3206, to amend the Federal Water Pollution Control Act. Among other things this will authorize the Secretary of the Department of Health, Education, and Welfare to enter into contracts for the construction of sewage treatment works with any State, municipality, intermunicipal, or interstate agency that serves 125,000 people or a standard metropolitan statistical area.

No more important single issue faces our country today than the problem of good water. The steadily increasing pollution of the once-clean waters of the United States has been a problem of immediate concern to all citizens. The magnitude of this problem is so great that a solution must be found in short order, and such a solution will require the concentrated action of all levels of government, as well as private industry.

In my own State of Ohio, on November 5, we will have the opportunity to vote on State issue No. 1 which calls for the issuance of bonds in the amount of $120 million for water management. Of this amount, $100 million will be used for State matching funds for Federal grants. The other $20 million is for development of plans on a statewide level for combating water pollution. Passage of this bond issue will provide needed funds at the local level.

The problem of water pollution is of particular concern to my own 22d District, since we are immediately east of the Cuyahoga River which feeds much pollution into Lake Erie. Also much of the 22d District borders on Lake Erie, which is aging faster than the other Great Lakes because of pollution and also because of its particular characteristics such as shallowness, and its black organic shale bottom.

Many miles of waterways within the Greater Cleveland-Akron area are grossly polluted. Most waterways throughout the metropolitan park systems are either esthetically objectionable or constitute a definite health hazard. In places the waters are chocked with debris, rotting organic masses, oils, garbage, and other municipal and industrial waste.

Cleveland needs extensive repairs and maintenance of its sewer system. Private industry is in the process of installing additional pollution abatement equipment, but all of this will take much money and time. It is uncertain that Lake Erie can feasibly be returned to its preexisting state of aging, that condition which existed prior to man's appearance, or even to the condition which existed at the turn of the century. But the rate of aging, now accelerating rapidly, can be brought back to near the natural rate. Most important is that changes will result in a major improvement in water quality and that quality will be sustained.

In this connection, the passage of S. 3206 will be an important step and I am glad to support it.

Mr. MONAGAN. Mr. Speaker, I enthusiastically support this legislation and I want particularly to compliment the gentleman from Minnesota and the committee for the work that they have done in extending the scope of this legislation to cover areas of water pollution control additional to those in the original legislation.

In particular I am pleased about the inclusion of the authorization for the Secretary of the Interior to carry out an oil pollution control research program. We have had experience on the Connecticut shore with the injurious effects of oil pollution and I have introduced legislation in this area myself. I am pleased that this area of pollution has been given attention. The provision for financial responsibility and limitations on liability for oil vessels using U.S. waterways shows that the committee is abreast of the problems created in recent years by the increase in oil transport by vessel.

I am also gratified to note that the Secretary of the Interior and the Coast Guard have been authorized to carry out a program of control and sewage discharges from vessels. Since the inspection of Connecticut pollution in 1963 by the Jones committee, on which I serve, I have been acutely aware of this problem and it is satisfying to find that this need has also been appreciated by the committee.

Of particular interest is the method of providing authority for the Secretary of the Interior to enter into contracts up to 30 years to pay the Federal share of waste treatment works. This method permits an increase in the capacity of local governmental units to construct plants without requiring an abnormal increase in appropriations which as a matter of history have never approximated the authorizations in this area.

I do hope that it may be possible to increase the appropriations in this field, even though I am well aware of the general need to keep our governmental spending within our national capacity to pay.

Mr. REID of New York. Mr. Speaker, I rise in strong support of S. 3206, the Water Quality Improvement Act of 1968, and I commend the initiative of the gentleman from Florida [Mr. CRAMER], the chairman of the Committee on Public Works, the gentleman from Maryland [Mr. FALLON], and the gentleman from Minnesota [Mr. BLATNIK], who introduced the bill.

This legislation is a constructive approach to the problems caused by a reduction in Federal expenditures. Its principal provisions seek to preserve the momentum achieved in the last several years in water pollution control despite a cutback in the amount of Federal assistance available in the forthcoming fiscal years.

In the Clean Water Restoration Act of 1966, the Congress provided for a vastly increased program of Federal assistance for municipal waste treatment plant construction, growing from an authorization of $150 million in fiscal year 1967 to $1.25 billion for 1971. In addition, the 1966 law permitted a full 30-percent Federal contribution to eligible projects and increased the maximum grant to as high as 55 percent under certain circumstances.

Maintenance of the projected level of Federal assistance is critical to the implementation of projects under the water quality standards established under the Water Quality Act of 1965.

It is estimated, for example, that we need about $6 billion for grants to States alone in order to clean up our water resources nationwide. Secretary Udall cites as one frequently used measure, that to restore our water to its natural state and keep it that way, we would need $100 billion between now and the end of the century.

More specifically, about $1.4 billion in Federal assistance is needed to meet the water quality applications presently in process, with an additional $800 million required to fund projects approved but not completed and those eligible for reimbursement.

However, the Congress and the administration have kept pace neither with their pledge made in 1966 nor with the obvious need. The administration sought and Congress appropriated only $203 million of the $450 million authorized for fiscal year 1968. Only $225 million of the $700 million authorized for fiscal year 1969 was requested, and the public works appropriation bill reduced this to $214 million for waste treatment grants; $18 million of this will go to New York State.

Yet the budget estimate for space research for fiscal year 1969 is $4.6 billion—and it is expected that the total obligations for Federal highway construction will be the same amount. In other words, we are spending 20 times as much for space and highways as we are to clean up the water we drink, swim, and boat in, and take fish from. This, to me, reflects a complete misconception of the needs of this Nation, a clear example of our upside-down priorities.

The bill before us today attempts to deal with this situation, so that localities do not use the failure of the Federal Government to provide sufficient funds as an excuse for failure to move forward with their water quality standards and projects thereunder. The intent of the legislation is to permit communities to finance the Federal share of the cost of waste treatment works with repayment assured from the Federal Government.

This would be achieved through the use of contracts between the Secretary and the localities. The total amount of contracts will represent twice the amount appropriated in excess of $100 million for grants in fiscal years 1969 and 1970, and for fiscal year 1971, the contract sum will be that amount appropriated in excess of $100 million. Authorizations are set by existing law at $700 million in fiscal year 1969, $1 billion in fiscal year 1970, and $1.25 billion in fiscal year 1971.

The contract will obligate the United States to pay, over a maximum period of 30 years, the grant covering the Federal share which would be subject to the same percentage limitations now applicable to direct grants.

Under the present reimbursement program, a locality would undertake a waste treatment construction project with no guarantee that the Federal Government would pay its share. This legislation would allow the Secretary to enter into contracts for those projects authorized by him since 1966 which have not been fully funded.

In addition, this legislation established programs to deal with other sources of water pollution—such as control of lake pollution, control of acid and other mine water pollution, the control of oil pollution, and the control of sewage from vessels.

Mr. MATHIAS of Maryland. Mr. Speaker, the Water Quality Improvement Act of 1968 is a measure of major importance to the welfare of our Nation. Adequate supplies of pure water are essential to our agricultural and industrial development and to our national health and security. The increasing pollution of our Nation's supply of water is assuming critical proportions.

Inadequate appropriations for projects to control water pollution have been the major obstacles to progress in this area. It is important, therefore, not only to make the Federal share of costs more adequate but also to aid States like Maryland which have acted with initiative under the reimbursement provisions of existing law. For example, this provision enabled Maryland to arrange a financing scheme combining Federal and State funds to eliminate all backlog needs for municipal sewage treatment plants by 1971, in spite of small Federal contributions to such projects. I commend the House Public Works Committee for their foresight in retaining this provision.

One important aspect of the problem is control of pollution from acid mine drainage. Acid mine drainage comes from abandoned coal, lead, zinc, and other ore mines. Many of these abandoned mines are in areas of serious unemployment. The economic and social costs of pollution abatement in such regions are so comparatively high as to discourage adequate local efforts to prevent pollution. The problem is particularly acute in Maryland on the North Branch of the Potomac River, including the area above the Bloomington Dam. It would seem appropriate that one of the demonstration projects authorized by this act should be initiated in this area. I have long advocated action on the North Branch and I hope this act will provide the impetus to achieve some long-awaited results.

I wish to include for the RECORD letters I received from Governor Spiro T. Agnew, of Maryland, and from Mr. Dale Anderson, a Baltimore County executive, which summarize the importance of this act and its reimbursement provisions to the State and to one of our largest counties:

BALTIMORE COUNTY, MD.,
Towson, Md., October 2, 1968.

Hon. GEORGE H. FALLON,
Chairman, Public Works Committee,
House of Representatives, Washington, D.C.

DEAR CONGRESSMAN FALLON: Your committee is now considering S. 3206, amended and recently passed by the Senate. This Bill and its companion, H.R. 15907, amend the Federal Water Pollution Control Act and are known as the "Water Quality Improvement Act of 1968."

Baltimore County, with its multitude of small streams and waterways emptying into the Chesapeake Bay, has enormous water pollution problems. It has been the purpose of this administration to launch a full-scale attack on these problems and with the combined assistance of the Federal and State anti-pollution programs we have done just that.

Maryland has taken the lead among the fifty states in appropriating $150 million within the past two years to match Federal and local funds in the water pollution abatement program. In addition to matching Federal funds, Maryland has been advancing a large portion of the Federal share on these projects because of the present restricted funds situation. The funds are advanced by the State under the provisions of present legislation for reimbursement of the State by the Federal government.

There has been much discussion of eliminating the reimbursement provision and the amended Senate Bill proposes to do this. Not only will this be a breach of faith on the part of the Federal government, but it will lead to a great deal of confusion and is bound to result in marked slackening of Maryland's water pollution control effort. It follows, unfortunately, that our efforts in Baltimore County will likewise suffer.

The proposal to institute a contractual arrangement whereby the Federal government enters into a binding agreement to repay the principal sums advanced by State or local governments to cover the Federal share of the construction costs of treatment works should prove encouraging to those States who have hesitated to act under the present reimbursement provisions.

We have no objection to the contractual arrangement, but we urge the reimbursement provision be retained and extended and an equitable formula be adopted for retiring reimbursement obligations as well as any new contractual obligations. The Maryland State Legislature has seen fit to assume the burden and risks under the reimbursement program and the Federal government should not break faith with them.

Sincerely,

DALE ANDERSON,
County Executive.

EXECUTIVE DEPARTMENT,
Annapolis, Md., August 2, 1968.

Hon. EDMUND S. MUSKIE,
Chairman, Subcommittee on Air and Water Pollution, Committee on Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR MUSKIE: With great interest, I have followed the progress of the "Water Quality Improvement Act of 1968," S. 3206. I laud the primary purposes of the Act: to close the gap between the amounts authorized for support of sewage treatment works and the actual money appropriated by Congress; and to institute a contractual arrangement whereby the Federal Government enters into a binding agreement to repay the principal sums advanced by State or local governments to cover the Federal share of the construction costs of treatment works.

I am also appreciative of the work done in the Senate Committee on Public Works to eliminate many of the bothersome restrictions that were contained in the original draft of the bill. Insistence on the right of the Federal Government to tax income from bonds sold for the purpose of financing sewage treatment plants would have made the program unworkable. Some of the other restrictive provisions eliminated by the Committee from the original version of the bill would have been troublesome, and the contract provision will be more effective without those restrictions.

In spite of the improvements over the original version, one glaring flaw remains. I refer to the proposal to eliminate the reimbursement provision after August 31, 1968. This seems to be an outright breach of faith on the part of the Federal Government. If the reimbursement provision is eliminated, it will cause confusion and most certainly retard *Maryland's water pollution control effort.*

I am gravely concerned because I believe that water pollution control must be a coordinated Federal-State-local effort if our desire for clean water is to be accomplished with any semblance of efficiency. Maryland has entered wholeheartedly into a pattern of Federal-State relations whereby our water pollution control program is geared by State law to the Federal effort. Unpredictable, undependable, vacillating actions at the Federal level will most certainly destroy the efficiency we strive to promote.

To this point the construction grant program of the Federal Water Pollution Control Administration has been highly successful. Although money appropriated to support the Federal grant program never has been great enough to even approach the willingness of Maryland's communities to construct abatement facilities, the grants have had a powerful, stimulating effect.

The 1966 amendments, for which you were largely responsible, have been particularly helpful. The provision for reimbursement of State funds advanced to cover deficiencies in Federal grant offers made it possible for us to arrange a financing scheme combining Federal and State funds, with the purpose of eliminating all backlog needs for municipal sewage treatment plants by 1971.

This goal is possible because Maryland is advancing the full amount of both Federal and State grants as soon as municipalities are willing to proceed with the construction of modern sewage treatment plants. When the Maryland General Assembly considered prefinancing of Federal grants, the reimbursement provisions added by the Clean Water Restoration Act of 1966 proved a powerful incentive.

In 1967, the General Assembly authorized $50 million and, in this last session, an additional $100 million was added to a sanitary facilities fund. From this fund, when a Federal grant offer is made, money is made available to cover the outright State grant and any deficiency in the Federal offer.

Should future Federal appropriations be sufficient to reimburse the money advanced, the reimbursement would go back into the sanitary facilities fund to be used to finance still more sewage treatment works. With only a moderate degree of optimism, we believe that the fund will permit us to catch up with our backlog needs by 1971 and provide financing for growth needs into the early 1980's.

You might be interested in an analysis of the first year's experience under the prefinancing arrangement. A total of $42 million from the first $50 million authorized in the State fund has been firmly committed for sixty-three new sewage treatment projects. The remaining $8 million is being held in reserve for possible increases in the final cost of construction as opposed to the estimates on which the offers were made.

The grant eligible portion of these sixty-three projects was approximately $79 million, but only $6.4 million was available to the State from Federal allotments. These figures illustrate the point very well. If construction were limited to that which could be financed with the $6.4 million in Federal money available, Maryland would have constructed approximately $12.8 million worth of treatment works, less than one-sixth of the $79 million worth of works actually placed under construction using the prefinancing provision. Even if the Federal appropriation had equaled the amount authorized in the Act for fiscal year 1968, our construction would have been limited to approximtaely $15.2 million, less than one-fifth of the actual need.

Without the reimbursement provision, construction at the State level will be held to a maximum ceiling stemming from the amount of money authorized in the Federal Water Pollution Control Act for construction grants. That ceiling would permit us to keep up with our anticipated growth needs, but it would take many years to overcome the backlog needs and still keep up with growth under those conditions.

It was my hope that the reimbursement feature would be renewed when it expired in 1971. To terminate it on August 31, 1968, as proposed in the Senate version of the amendments, would be a cruel blow to the effective Federal-State program which we have worked so hard to develop in Maryland.

It is my understanding that the companion House Bill, H.R. 15907, is still in the House Committee on Public Works. I have reason to hope that the reimbursement provision will be retained in the House version. If so, and should the House version be passed with the reimbursement provision intact, I strongly urge you to use your prestige and influence to see that the reimbursement provision is retained in the version reported out of joint conference and finally passed by the Congress.

Sincerely,

SPIRO AGNEW,
Governor of Maryland.

Mr. DADDARIO. Mr. Speaker, the Nation owes a great deal to the gentleman from Minnesota [Mr. BLATNIK] for his concern about the environment within which we live. I recall his pioneer efforts in that legislation which allowed municipalities to band their resources together in order to build bigger and better sewage treatment plants—and there are some outstanding examples throughout the country proving how successful his efforts have been in that regard. He has now placed before us another landmark bill which deserves our support. Again it affects our environment by providing funding for water pollution control programs in the field of construction costs for waste treatment, research, and demonstration programs to control lake pollution, oil pollution control research, control of oil discharge into our waterways, and a whole series of other activities in this overall area.

His contribution today goes beyond the subject matter with which the bill deals. Having seen this program affected by budget cuts—as many other important programs have—and recognizing that this work needed to go on before pollution becomes even more prevalent than now and to take advantage of local support for bonding programs stimulated by the hope that this legislation has engendered, Mr. BLATNIK has, together with his committee colleagues, developed an imaginative financial formula for our consideration.

Recognizing that the original amount authorized for fiscal year 1969 in the amount of $700,000,000 for grants was matched by only $214,000,000 appropriated, he presents a formula which will add to that amount an additional $228,000,000 available for contracts. This means that $442,000,000 in grants and loan support will be made available under the program with special provisions affecting communities of 125,000 people or less.

We should, of course, be doing much more in this vital area, and it is hoped the situation will improve in the years ahead. But what the gentleman from Minnesota has done here today is to allow for more progress than we might have otherwise expected and it will be of immense help to many of our towns and cities.

Mr. HANLEY. I rise in support of S. 3206, a bill to amend the Federal Water Pollution Control Act. I want to take this opportunity to congratulate the House Public Works Committee for giving us this opportunity to vote on these amendments.

One of the provisions of S. 3206 authorizes the Secretary of the Interior to enter into contracts with, or make grants to, public or private agencies and organizations and individuals for the purpose of developing and demonstrating new or improved methods for the prevention, removal, and control of natural and manmade pollution in lakes, including the undesirable effects of nutrients and vegetation.

The Government Operations Committee of the House issued a report in August of 1967 entitled "To Save America's Small Lakes." This report makes a strong case for much greater attention to what is happening to our lakes, and it recommends the enactment of legislation to promote an expanded research and demonstration program to find ways to retard the degradation of our lakes and to promote their restoration.

We know that municipal and industrial wastes will inflict greater damage on a lake than on a stream, and this is particularly true where a lake is small and has a long detention period. Over the years, lakes which had served a number of purposes were unable to cope with the imposition of such wastes, and now their usefulness is severely limited.

The American people are looking toward water-related recreational facilities, and lakes which were once able to support many forms of water-related recreation are no longer visited. I want to see the Department of the Interior taking an active and ambitious role in the restoration of the water quality, and the usefulness of America's lakes.

Congress has seen fit in the past to recognize the need for special legislative tools to cope with several of the special problems associated with water pollution control and abatement. The Department of the Interior is now promoting research and demonstrations in the areas of advanced waste treatment, joint municipal-industrial wastewater treatment, and the treatment of wastewater from combined storm and sanitary sewers.

It would seem to me that a special program dealing with the special problems of lakes would be a natural extension of this policy. The hydrologic characteristics of lakes suggest that water quality problems are going to persist even after the construction of sound municipal and industrial waste treatment facilities, particularly in cases where the lakes have experienced a long history of degradation. Even highly cleansed wastes will have a difficult time, when combined with clean water from tributaries, in neutralizing the self-polluting condition of such lakes. In short, the condition of the receiving body will demand just as much attention as the waters which flow into it.

The Government Operations Committee report, referred to earlier, comments on a lake situated within my congressional district. Onondaga Lake was described by the Federal Water Pollution Control Administration in 1966 as being the most serious pollution problem in the Lake Ontario Basin. It said:

> Literally used up, its waters are extremely degraded, and in the south end in particular, the lake is an ugly eyesore.

The south end of the lake lies within the city of Syracuse.

"To Save America's Small Lakes" comments favorably on a community consensus that the lake can and should be rehabilitated. Local government has already taken advantage of the opportunity to demonstrate the advantages of joint industrial-municipal waste treatment by applying for and receiving a grant under the section 6 program.

The program envisioned in S. 3206 will enable local communities, working in cooperation with the Federal Government, to find the answers to the basic questions about the feasibility of restoring degraded lakes. In New York great efforts are underway to upgrade the quality of waste treatment entering the State's waters, and the investment of millions of dollars in waste treatment facilities must be justified in terms of the improvements it will make in the quality of the waters of the State.

A body of water's usefulness is determined by its quality, and with certain lakes, the quality of waste water is but one factor which will determine the quality of the lake's waters. Substantial investment in treatment facilities must be justified in terms of providing public benefits, and I believe that the expenditure of funds for facilities without taking into account other relevant factors will be wasteful.

Of course, there is the difficulty in determining what should be the reasonable use of a certain body of water. Obviously, some lakes will never again be able to support the full spectrum of water-related recreation, but they might be able to serve as a source of supply for industries and municipalities. They may also be able to support certain forms of fish and wildlife. It seems to me that the citizens of an area, in the last analysis, will make the determination as to the future uses of a body of water, and hopefully, their decision will be based on knowledge of what is feasible and what costs are involved. This is why I believe that it is important to conduct the research and the demonstrations needed to discover, test, and cost out the approaches to improving water quality of the Nation's lakes.

Mr. VANIK. Mr. Speaker, I rise in support of S. 3206, the Water Quality Improvement Act of 1968.

It is my hope that the future legislation on water pollution will be more substantially directed to the grave problem of the pollution of the Great Lakes, particularly Lake Erie. While this legislation provides broad Federal incentives to meet the pollution problem, it leaves the determination of Federal grant priority to the individual State. In Ohio, this has resulted in a grant program of Federal funds primarily to rural areas and new urban area industrial and residential developments.

This program should not be converted entirely into a new area development program. New area developments must be planned to properly handle their own pollution problems. New developments should be permitted only where plans for pollution control meet acceptable standards.

The substantial thrust of this program should be directed to clean up existing sources of pollution. Threatened sources of pollution by new developments should be prohibited before they are developed.

Ohio is currently considering a $120 million bond issue to provide eligibility for Ohio governments seeking a 50-percent Federal grant, with a State 25-percent contribution under this program.

My grave fear is that this $120 million and the millions in Federal funds which Ohio expects will be contributed by the Federal Government over the next several years will be utilized entirely on rural projects and projects in newly developed urban areas. This would provide practically no hope for the Lake Erie problem.

I hope that Congress will make special provisions next year for national pollution problems such as the pollution disaster which threatens Lake Erie and the Great Lakes Basin. Legislation and appropriations to meet this critical problem cannot be overlooked any longer.

This legislation considered today insures that Ohio will receive a basic grant of approximately $9.5 million in the next fiscal year and receive a contract grant commitment for approximately another $12 million.

During the discussion on this bill, I raised the question of the additional threat to Lake Erie's water quality from oil drilling in the lake bottom. The committee assured me that research and studies authorized under this bill would attempt to meet this problem.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Minnesota has expired. All time has expired.

The question is on the motion offered by the gentleman from Minnesota [Mr. BLATNIK] that the House suspend the rules and pass the bill S. 3206, as amended.

The question was taken.

Mr. GERALD R. FORD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 277, nays 0, not voting 154, as follows:

[Roll No. 371]

YEAS—277

Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ayres
Baring
Barrett
Battin
Bennett
Betts
Bevill
Biester
Bingham
Blatnik
Boland
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brotzman
Brown, Mich.
Broyhill, N.C.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Bush
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Casey
Chamberlain
Clancy
Clark
Clawson, Del
Cleveland
Cohelan
Collier
Collins
Colmer
Conable
Conte
Corbett
Cramer
Culver
Cunningham
Daddario
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Dent
Derwinski
Devine
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Erlenborn
Esch
Eshleman
Fallon
Farbstein
Feighan
Findley
Fino
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Gathings
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Griffin
Griffiths
Grover
Gubser
Gude
Hagan
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Harsha
Hathaway
Hawkins
Hays
Hechler, W. Va.
Hicks
Horton
Hosmer
Howard
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, N.C.
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kluczynski
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
MacGregor
Machen
Maddon
Mahon
Mailliard
Marsh
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Minish
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morse, Mass.
Morton
Murphy, Ill.
Myers
Natcher
Nedzi
O'Hara, Mich.
O'Konski
O'Neal, Ga.
Ottinger
Passman
Patten
Pelly
Perkins
Pettis
Philbin
Pike
Pirnie
Podell
Poff
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Rumsfeld
St Germain
St. Onge
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Shriver
Skubitz
Slack
Smith, Iowa
Springer
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vanik
Waggonner
Wampler
Watkins
Watts
Whalen
Whalley
White
Whitten
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Young
Zablocki
Zion

NAYS—0

NOT VOTING—154

Abbitt
Adair
Anderson, Tenn.
Andrews, Ala.
Ashmore
Aspinall
Bates
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolling
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Button
Cabell
Cederberg
Celler
Clausen, Don H.
Conyers
Corman
Cowger
Curtis
Daniels
Davis, Ga.
Denney
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Flood
Frelinghuysen
Fuqua
Galifianakis
Gallagher
Gardner
Gettys
Giaimo
Green, Pa.
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harvey
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Jacobs
Jones, Ala.
Jones, Mo.
Karsten
Karth
King, Calif.
Kleppe
Kornegay
Kupferman
Landrum
Long, La.
Lukens
McCarthy
McClure
McMillan
Macdonald, Mass.
Martin
Mathias, Calif.
Michel
Mills
Mink
Minshall
Morris, N. Mex.
Mosher
Moss
Murphy, N.Y.
Nelsen
Nichols
Nix
O'Hara, Ill.
Olsen
O'Neill, Mass.
Patman
Pepper
Pickle
Poage
Pollock
Purcell
Quillen
Railsback
Reifel
Resnick
Roberts
Robison
Rodino
Rogers, Colo.
Roudebush
Roybal
Ruppe
Ryan
Sandman
Satterfield
Scheuer
Schweiker
Scott
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Stafford
Staggers
Stephens
Stratton
Sullivan
Teague, Tex.
Tenzer
Tunney
Utt
Vander Jagt
Vigorito
Waldie
Walker
Watson
Whitener
Wiggins
Willis
Wilson, Charles H.
Yates
Zwach

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Halleck.
Mr. Aspinall with Mr. Smith of California.
Mr. Hébert with Mr. Adair.
Mr. Evins of Tennessee with Mr. Cederberg.
Mr. O'Neill of Massachusetts with Mr. Bates.
Mr. Celler with Mr. Martin.
Mr. Eilberg with Mrs. Dwyer.
Mr. Brooks with Mr. Belcher.
Mr. Rogers of Colorado with Mr. Reifel.
Mr. Daniels with Mr. Frelinghuysen.
Mr. Ashmore with Mr. Berry.
Mr. Rodino with Mr. Mosher.
Mr. Giaimo with Mr. Robison.
Mr. Holifield with Mr. Harvey.
Mr. Abbitt with Mr. Roudebush.
Mr. Sikes with Mr. Broomfield.
Mr. Stratton with Mr. Stafford.
Mr. Nichols with Mr. Utt.
Mr. Hull with Mr. Sandman.
Mr. Pickle with Mr. Brown of Ohio.
Mr. Satterfield with Mr. Brock.
Mr. Shipley with Mr. Harrison.
Mr. Purcell with Mr. Blackburn.
Mr. Staggers with Mr. Railsback.
Mr. Teague of Texas with Mr. Wiggins.
Mr. Evans of Colorado with Mr. Kupferman.
Mr. Fascell with Mrs. Heckler of Massachusetts.
Mr. Anderson of Tennessee with Mr. Kleppe.
Mr. Murphy of New York with Mr. Nelsen.
Mr. Green of Pennsylvania with Mr. Pollock.
Mr. Andrews of Alabama with Mr. Quillen.
Mr. Roberts with Mr. Smith of Oklahoma.

Mr. Whitener with Mr. Ruppe.

Mr. Davis of Georgia with Mr. Cowger.

Mr. Mills with Mr. Gross.

Mr. Galifianakis with Mr. Gurney.

Mr. Macdonald of Massachusetts with Mr. Kuchel.

Mr. Brown of California with Mr. Bell.

Mr. Cabell with Mr. Broyhill of Virginia.

Mr. Flood with Mr. Burton of Utah.

Mr. Hanna with Mr. Don H. Clausen.

Mr. Edwards of Louisiana with Mr. Dickinson.

Mr. Fisher with Mr. Scott.

Mr. Haley with Mr. Gardner.

Mr. Henderson with Mr. Hansen of Idaho.

Mrs. Sullivan with Mr. Zwach.

Mr. Selden with Mr. Vander Jagt.

Mr. Patman with Mr. Snyder.

Mr. Pepper with Mr. Schweiker.

Mr. Morris of New Mexico with Mr. Minshall.

Mr. Olsen with Mr. Mathias of California.

Mr. Moss with Mr. Lukens.

Mr. Karth with Mr. McClure.

Mr. Long of Louisiana with Mr. Burke of Florida.

Mr. Kornegay with Mr. Curtis.

Mr. Hungate with Mr. Smith of New York.

Mr. Jacobs with Mr. Button.

Mr. Jones of Alabama with Mr. Denney.

Mr. Tenzer with Mr. Diggs.

Mr. Tunney with Mr. Conyers.

Mr. Charles H. Wilson with Mr. Nix.

Mr. Corman with Mr. O'Hara of Ilinois.

Mr. Edwards of California with Mr. McCarthy.

Mr. Fuqua with Mr. McMillan.

Mr. Vigorito with Mr. Karsten.

Mr. Yates with Mr. King of California.

Mr. Waldie with Mr. Helstoski.

Mr. Walker with Mr. Herlong.

Mr. Everett with Mr. Gettys.

Mr. Stephens with Mr. Hardy.

Mrs. Mink with Mr. Landrum.

Mr. Blanton with Mr. Sisk.

Mr. Scheuer with Mr. Gallagher.

Mr. Ryan with Mr. Roybal.

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to amend the Federal Water Pollution Control Act, as amended, relating to the control of oil and hazardous substances; financing the construction of waste treatment works; to the conduct of water pollution control research; to the control of sewage from vessels, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. **BLATNIK**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

GUAM DEVELOPMENT FUND ACT OF 1968

Mr. **CAREY**. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15151) to promote the economic development of Guam, as amended.

The Clerk read as follows:

H.R. 15151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Guam Development Fund Act of 1968".

PURPOSE

SEC. 2. For the purpose of promoting economic development in the territory of Guam, there is hereby authorized to be appropriated to the Secretary of the Interior to be paid to the government of Guam for the purposes of this Act the sum of $5,000,000.

SEC. 3. Prior to receiving any funds pursuant to this Act the government of Guam shall submit to the Secretary of the Interior a plan for the use of such funds which meets the requirements of this section and is approved by the Secretary. The plan shall designate an agency or agencies of such government as the agency or agencies for the administration of the plan and shall set forth the policies and procedures to be followed in furthering the economic development of Guam through a program which shall include and make provision for loans and loan guarantees to promote the development of private enterprise and private industry in Guam through a revolving fund for such purposes: *Provided,* That the term of any loan made pursuant to the plan shall not exceed twenty-five years; that such loans shall bear interest (exclusive of premium charges for insurance, and service charges, if any) at such rate per annum as is determined to be reasonable and as approved by the Secretary, but in no event less than a rate equal to the average yield on outstanding marketable obligations of the United States as of the last day of the month preceding the date of the loan, adjusted to the nearest one-eighth of 1 per centum, which rate shall be determined by the Secretary of the Treasury upon the request of the authorized agency or agencies of the government of Guam; and that premium charges for the insurance and guarantee of loans shall be commensurate, in the judgment of the agency or agencies administering the fund, with expenses and risks covered.

SEC. 4. No loan or loan guarantee shall be made under this Act to any applicant who does not satisfy the agency or agencies administering the plan that financing is otherwise unavailable on reasonable terms and conditions. The maximum participation in the funds made available under section 2 of this Act shall be limited (a) so that not more than 25 per centum of the funds actually appropriated by the Congress may be devoted to any single project, (b) to 90 per centum of loan guarantee, and (c) with respect to all loans, to that degree of participation prudent under the circumstances of individual loans but directly related to the minimum essential participation necessary to accomplish the purposes of this Act: *Provided,* That, with respect to loan guarantees, the reserves maintained by the agency or agencies for the guarantees shall not be less than 25 per centum of the guarantee.

SEC. 5. The plan provided for in section 3 of this Act shall set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement, repayment, and accounting for such funds.

SEC. 6. The Governor of Guam shall make an annual report to the Secretary of the Interior on the administration of this Act who shall then forward copies of such reports to the Speaker of the House of Representatives and the President of the Senate.

SEC. 7. The Comptroller General of the United States, or any of his duly authorized representatives, shall have access, for the purpose of audit and examination, to the books, documents, papers, and records of the agency, or agencies, of the government of Guam administering the plan that are pertinent to the funds received under this Act.

The **SPEAKER** pro tempore. Is a second demanded?

Mr. **SAYLOR**. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. **CAREY**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 15151 authorizes the appropriation of $5 million to establish a revolving economic development fund which will be administered by the territorial government of Guam. The purpose of the fund is to promote the development of private enterprise and private industry in Guam.

The bill does not in any way duplicate or overlap the provisions of the Guam Rehabilitation Act which was enacted in 1963 and amended in this Congress. The Rehabilitation Act was directed primarily to the rehabilitation or construction of public facilities, particularly those that were damaged by typhoon Karen in 1962. H.R. 15151, however, is intended to provide the credit necessary to stimulate the development of private enterprise and private industry in the territory.

I can summarize the bill as follows: The economic development fund may be used either for direct loans by the Territorial government or to insure or guarantee loans made by commercial banks and lending institutions. No loan may be made, insured, or guaranteed, however, unless the applicant offers convincing evidence that financing cannot be obtained otherwise on reasonable terms and conditions.

Before the fund is established, the government of Guam must submit for approval of the Secretary of the Interior a plan that sets forth in detail the policies and procedures to be followed in the administration of the fund.

The bill limits loans to a maximum period of 25 years, and requires all loans to bear interest at a rate approved by the Secretary of the Interior. The rate may not be less, however, than the cost which the United States must pay when it borrows money. This cost is determined by the Secretary of the Treasury.

In the case of commercial loans that are insured or guaranteed by the fund, a premium must be charged that will be commensurate with the expenses and risks involved. Although some flexibility is allowed, the committee intends that the charges must be fixed with a bona fide intention that they will cover both expenses and probable losses.

In order to prevent concentration on one or two large projects, and to spread the money around, the bill prohibits a loan for any one project that exceeds 25 percent of the funds actually appropriated by Congress. And in order to require proper caution and loan servicing in the case of commercial loans, the bill limits a loan guarantee or insurance to 90 percent of the loan. The commercial lender must assume the risk on 10 percent of the loan.

The need for developing a viable civilian economy in Guam was recognized in section 6 of the Guam Rehabilitation Act, which authorized $200,000 for a long-range economic study. That study was made and submitted to Congress in 1966.

Neither the government of Guam nor the local financial institutions have been able to provide the long-term investment capital that is needed to stimulate the development of private enterprise. That capital can be made available from the revolving loan and loan guarantee fund established by this bill. I call my colleague's attention to the fact, however, that the fund can be used only after all other sources of financing have been exhausted, that interest must be charged at rates that involve no subsidy, and that insured loan premiums must be adequate to cover probable losses. These provisions are consistent with the terms Congress has imposed on other lending programs in recent years. If the program goes as anticipated and the loans made are sound, the United States should recover its investment.

I urge the enactment of the bill. It is endorsed by the Department of the Interior and by the government of Guam. I know of no opposition.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this piece of legislation.

Congress has provided for the rehabilitation and construction of public facilities that were sorely needed in this territory of ours after World War II and once again after the very destructive typhoon that they had in 1962. If Congress in its wisdom had been farsighted enough to have passed this act shortly following the end of World War II, the moneys which we expended after the typhoon in 1962 and again in 1964 would not have been necessary because the people in Guam realize that they live in an area which is subject to many typhoons. Unfortunately, sometimes Congress becomes dollar-minded when they look at things that are not readily accessible to them. Because of the tremendous distance out to Guam, many people felt that they were doing the right thing when the Committee on Appropriations authorized the kind of construction in Guam that took place in the continental United States.

Now, this is fine if you did not have typhoons. But unfortunately when these typhoons came along, with winds in excess of 150 miles an hour, they leveled everything that was there and all of our moneys which we spent following World War II and following the typhoon in 1962 had to be spent again, in addition to funds to clean up after the typhoon.

Now, Mr. Speaker, the real purpose of this bill is to see to it that this money is given to the government of Guam and thereby made available for loans.

Now, we have placed some restrictions upon this. We have said that if there is money available from commercial sources, this fund cannot be used. If it is not available from commercial sources, interests which are no less than the government of Guam has to pay to the Federal Government for this loan will be charged.

In addition, we have required as one means of security that there be insurance so that these loans will be repaid.

The basic effect of what we are doing is to set up a revolving fund which will go to the government of Guam and will be kept under the supervision of your Committee on Interior and Insular Affairs and the corresponding committee of the other body so that we will have our fingers on this business and be able to report to you if there is anything that happens to these funds that is not in accordance with your wishes.

Mr. Speaker, I sincerely express the hope that if we continue to say to the world that we believe that the people in the territories of our country are entitled to all the economic benefits to which we are entitled on the mainland, then we must provide the actual means whereby they can borrow and repay all of these loans, which they will be required to do in accordance with the provisions of this bill.

I sincerely hope as a basic result of this revolving fund which we are proposing to establish under this legislation that this will do much to encourage the people of Guam to continue with the great strides which they have made in the government in Guam and the progress which has taken place in that territory in the last few years.

Mr. MORTON. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Maryland.

Mr. MORTON. Mr. Speaker, I would very much like to associate myself with the remarks of my colleague, the gentleman from Pennsylvania [Mr. Saylor] and the remarks of our chairman of the Subcommittee on Insular Affairs, the gentleman from New York [Mr. Carey].

I would just like to add this one point: In the territories we sometimes reach the point where we have got to take drastic action in order to correct a long accumulated set of circumstances that we have allowed to exist over a period of time.

The entire purpose of this Guam economic development program is to bring Guam into an economic climate so that we do not have at some future date to pour vast sums of money into Guam in order to correct the situation after an inequity has developed. It is my opinion that this represents a very good utilization of the money.

I thank the ranking minority member of our great committee for giving me this opportunity to express my views upon this piece of legislation.

It is just as important here I believe that we make this investment in the Pacific or in Guam as any of the other things we have had to do in that area of a different nature.

At the present time the base for the economy in Guam is Government employment and the construction industry, which is largely Government financed. The exceptions are of trivial importance, and are in the nonbasic industries. In order to provide a rising standard of living for the rapidly growing population, Guam's civilian community must earn an increasing supply of dollars from off-island sources with which to finance imports, because most of the goods consumed on the island are imported. The development of new basic activities offers the greatest promise, because for every six jobs created in basic industry in Guam about four more jobs will be generated in local service industries. Advantage should be taken of this multiplier effect.

Local sources of finance have been inadequate. While outside investors can get credit elsewhere, the local businessman must rely on local sources. Although local credit conditions have eased somewhat in recent years, credit is still tight and expensive.

The enactment of H.R. 15151 should contribute significantly to increased economic development. The revolving fund can be used to insure loans made by local lending institutions and in that way open the door to private capital that is now unavailable to many local potential businessmen. The insurance program will be operated on a sound basis, with premiums based on the risks involved. Since the funds must keep a reserve of only 25 percent of the insured loans, the credit generated should be about four times the dollars appropriated.

If credit is not available under the insured loan program, direct loans can be made from the revolving fund.

It should be emphasized that this program involves no subsidy. Every dollar appropriated is expected to be repaid. Interest on loans must be charged at a rate that is no less than the charge to the U.S. Treasury when it borrows money, and loan insurance premiums must be fixed at a figure that will cover both administrative expenses and probable losses.

It should also be noted that the program will not supplant ordinary commercial loans. Loans from the revolving fund can be made only if other sources of credit are not available. Insurance on loans is limited by the same requirement. The insurance part of the program will, of course, stimulate the use of private credit, but even so the private lender must assume a part of the risk. No loan can be insured in full.

I believe that the economic development fund can make a sound contribution to the economy of Guam, and I urge the enactment of H.R. 15151.

Mr. SAYLOR. I thank my colleague, the gentleman from Maryland [Mr. Morton] for his contribution and wish to say to him that, after all, Guam is an outpost of the United States insofar as the Pacific is concerned, and the entire Pacific and the Orient are looking to see how we treat this territory and the trust territories, which is the next bill scheduled for the consideration of the House.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate

the gentleman yielding. I am in favor of this bill. I have been to Guam many times, in good times and bad. I see absolutely no objection to this revolving fund device, and I appreciate the statement that the gentleman from Pennsylvania has made in the well of the House.

I do have one question for the general information of the Members. That is, in the report on page 2, near the bottom of the page, considerable emphasis is given to the effect of the shortage of capital in the development of the tourist industry. My question is simply this: How much tourist potential is there in this remote outpost of the Pacific, and second, if there is a potential there, why do not some of the hotel chains like Hilton or others make this investment as they usually do under like circumstances?

Mr. SAYLOR. I might say to my colleague that there is a potential because all of the major airlines, not only in this country, but a number of other world airlines, have filed applications with the FAA to take people into Guam.

Now, I believe if these permits are granted that the hotel chains will put money into Guam, and this revolving fund will be made available only if private funds are not available.

Mr. HALL. In other words, Mr. Speaker, if the gentleman would yield further, the 150-room hotel for $2.8 million provided herein from taxpayers' moneys, if these other franchises are granted, would not come out of U.S. Treasury funds, but the authorization for the appropriation would be reduced that much in the revolving fund; is that correct?

Mr. SAYLOR. That is correct.

Mr. HALL. I thank the gentleman for yielding.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. KYL. I thank the gentleman for yielding.

Mr. Speaker, there is no one who can answer the question of the gentleman from Missouri completely. All we do know is that Guam has all of the physical features and the kind of people which best lend themselves to the development of a good tourist trade. Guam is a delightful place, and the people of Guam are wonderful.

If this transportation does develop, I do not believe there is any question but that Guam will be a good tourist attraction, and not just a stopoff place.

Mr. Speaker, I would like to add to the comments made by the gentleman from Pennsylvania by saying that what we contemplate doing in this bill is just good business.

The SPEAKER. The question is on the motion offered by the gentleman from New York [Mr. CAREY] that the House suspend the rules and pass the bill H.R. 15151, as amended.

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 279, nays 0, not voting 152, as follows:

[Roll No. 372]

YEAS—279

Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ayres
Baring
Barrett
Battin
Bennett
Betts
Bevill
Biester
Bingham
Blatnik
Boland
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brotzman
Brown, Mich.
Broyhill, N.C.
Buchanan
Burke, Mass.
Burton, Calif.
Bush
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Casey
Chamberlain
Clancy
Clark
Clawson, Del
Cleveland
Cohelan
Collier
Collins
Conable
Conte
Corbett
Cramer
Culver
Cunningham
Daddario
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Dent
Derwinski
Devine
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Erlenborn
Esch
Eshleman
Fallon
Farbstein
Feighan
Findley
Fino
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.

Fulton, Tenn.
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodling
Green, Oreg.
Griffin
Griffiths
Grover
Gubser
Gude
Hagan
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Harrison
Harsha
Hathaway
Hawkins
Hays
Hechler, W. Va.
Hicks
Horton
Hosmer
Howard
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kluczynski
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Minish
Mize
Monagan
Montgomery
Moorhead
Morgan
Morse, Mass.
Morton
Murphy, Ill.
Myers
Natcher
Nedzi

O'Hara, Mich.
O'Konski
O'Neal, Ga.
Ottinger
Passman
Patten
Pelly
Perkins
Pettis
Philbin
Pike
Pirnie
Podell
Poff
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Rumsfeld
St Germain
St. Onge
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Shriver
Skubitz
Slack
Smith, Iowa
Springer
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vanik
Waggonner
Wampler
Watkins
Watts
Whalen
Whalley
White
Whitten
Widnall
Williams, Pa.
Willis
Wilson, Bob
Winn
Wolff
Wyatt
Wydler
Wylie
Wyman
Young
Zablocki
Zion

NAYS—0

NOT VOTING—152

Abbitt
Adair
Anderson, Tenn.
Ashmore
Aspinall
Bates
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolling
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burleson
Burton, Utah
Button
Cabell
Cederberg
Celler
Clausen, Don H.
Colmer
Conyers
Corman
Cowger
Curtis
Daniels
Denney
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Flood
Frelinghuysen
Fuqua
Galifianakis
Gallagher

Gardner
Giaimo
Gray
Green, Pa.
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harvey
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Jacobs
Jones, Ala.
Karsten
Karth
King, Calif.
Kleppe
Kornegay
Kupferman
Kuykendall
Landrum
Long, La.
Lukens
McCarthy
McClure
McMillan
Macdonald, Mass.
Martin
Mathias, Calif.
Michel
Mills
Mink
Minshall
Moore
Morris, N. Mex.
Mosher
Moss
Murphy, N.Y.
Nelsen
Nichols
Nix
O'Hara, Ill.

Olsen
O'Neill, Mass.
Patman
Pepper
Pickle
Poage
Pollock
Purcell
Quillen
Railsback
Reifel
Resnick
Roberts
Robison
Rogers, Colo.
Roudebush
Roybal
Ruppe
Ryan
Sandman
Satterfield
Schweiker
Scott
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Stafford
Staggers
Stratton
Sullivan
Teague, Tex.
Tenzer
Thompson, N.J.
Tunney
Utt
Vander Jagt
Vigorito
Waldie
Walker
Watson
Whitener
Wiggins
Wilson, Charles H.
Wright
Yates
Zwach

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Halleck.
Mr. Aspinall with Mr. Smith of California.
Mr. Hébert with Mr. Adair.
Mr. Evins of Tennessee with Mr. Cederberg.
Mr. O'Neill of Massachusetts with Mr. Bates.
Mr. Celler with Mr. Martin.
Mr. Eilberg with Mrs. Dwyer.
Mr. Brooks with Mr. Belcher.
Mr. Rogers of Colorado with Mr. Reifel.
Mr. Daniels with Mr. Frelinghuysen.
Mr. Ashmore with Mr. Berry.
Mr. Thompson of New Jersey with Mr. Mosher.
Mr. Giaimo with Mr. Robison.
Mr. Holifield with Mr. Harvey.
Mr. Abbitt with Mr. Roudebush.
Mr. Sikes with Mr. Broomfield.
Mr. Stratton with Mr. Stafford.
Mr. Nichols with Mr. Utt.
Mr. Hull with Mr. Sandman.
Mr. Pickle with Mr. Brown of Ohio.
Mr. Satterfield with Mr. Brock.
Mr. Shipley with Mr. Kuykendall.
Mr. Purcell with Mr. Blackburn.
Mr. Staggers with Mr. Railsback.
Mr. Teague of Texas with Mr. Wiggins.
Mr. Evans of Colorado with Mr. Kupferman.
Mr. Fascell with Mrs. Heckler of Massachusetts.
Mr. Anderson of Tennessee with Mr. Kleppe.
Mr. Murphy of New York with Mr. Nelsen.
Mr. Green of Pennsylvania with Mr. Pollock.
Mr. Ryan with Mr. Quillen.
Mr. Roberts with Mr. Smith of Oklahoma.
Mr. Whitener with Mr. Ruppe.

Mr. Burleson with Mr. Cowger.
Mr. Mills with Mr. Gross.
Mr. Galifianakis with Mr. Gurney.
Mr. Macdonald of Massachusetts with Mr. Michel.
Mr. Brown of California with Mr. Bell.
Mr. Cabell with Mr. Broyhill of Virginia.
Mr. Flood with Mr. Burton of Utah.
Mr. Hanna with Mr. Don H. Clausen.
Mr. Edwards of Louisiana with Mr. Dickinson.
Mr. Fisher with Mr. Scott.
Mr. Haley with Mr. Gardner.
Mr. Henderson with Mr. Hansen of Idaho.
Mrs. Sullivan with Mr. Zwach.
Mr. Selden with Mr. Vander Jagt.
Mr. Patman with Mr. Snyder.
Mr. Pepper with Mr. Schweiker.
Mr. Morris of New Mexico with Mr. Minshall.
Mr. Olsen with Mr. Mathias of California.
Mr. Moss with Mr. Lukens.
Mr. Karth with Mr. McClure.
Mr. Long of Louisiana with Mr. Burke of Florida.
Mr. Kornegay with Mr. Curtis.
Mr. Hungate with Mr. Smith of New York.
Mr. Jacobs with Mr. Button.
Mr. Jones of Alabama with Mr. Denney.
Mr. Tenzer with Mr. Diggs.
Mr. Tunney with Mr. Conyers.
Mr. Charles H. Wilson with Mr. Nix.
Mr. Corman with Mr. O'Hara of Illinois
Mr. Edwards of California with Mr. McCarthy.
Mr. Fuqua with Mr. McMillan.
Mr. Vigorito with Mr. Karsten.
Mr. Yates with Mr. King of California.
Mr. Waldie with Mr. Helstoski.
Mr. Walker with Mr. Herlong.
Mr. Everett with Mr. Moore.
Mr. Roybal with Mr. Hardy.
Mrs. Mink with Mr. Landrum.
Mr. Blanton with Mr. Sisk.
Mr. Colmer with Mr. Watson.
Mr. Gray with Mr. Wright.
Mr. Gallagher with Mr. Resnick.

Mr. RANDALL changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. CAREY. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 1763) to promote the economic development of Guam.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1763

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Guam Development Fund Act of 1967".

PURPOSE

SEC. 2. For the purpose of promoting economic development in the territory of Guam, there is hereby authorized to be appropriated to the Secretary of the Interior to be paid to the government of Guam for the purposes of this Act the sum of $5,000,000.

SEC. 3. Prior to receiving any funds pursuant to this Act the government of Guam shall submit to the Secretary of the Interior a plan for the use of such funds which meets the requirements of this section and is approved by the Secretary. The plan shall designate an agency or agencies of such government as the agency or agencies for the administration of the plan and shall set forth the policies and procedures to be followed in furthering the economic development of Guam through a program which shall include and make provision for loans and loan guarantees to promote the development of private enterprise and private industry in Guam through a revolving fund for such purposes: *Provided,* That the term of any loan made pursuant to the plan shall not exceed twenty-five years; that such loans shall bear interest (exclusive of premium charges for insurance, and service charges, if any) at such rate per annum as is determined to be reasonable and as approved by the Secretary, but in no event less than a rate equal to the average yield on outstanding marketable obligations of the United States as of the last day of the month preceding the date of the loan, adjusted to the nearest one-eighth of 1 per centum, which rate shall be determined by the Secretary of the Treasury upon the request of the authorized agency or agencies of the government of Guam; and that premium charges for the insurance and guarantee of loans shall be established at rates which will be adequate to cover expenses and probable losses related to the loan guarantee program.

SEC. 4. No loan or loan guarantee shall be made under this Act to any applicant who does not satisfy the agency or agencies administering the plan that financing is otherwise unavailable on reasonable terms and conditions. The maximum participation in the funds made available under section 2 of this Act shall be limited to 25 per centum of the available funds to any single project, to 90 per centum of loan guarantee, and, with respect to all loans, the degree of participation prudent under the circumstances of individual loans but directly related to minimum essential participation necessary to accomplish the purposes of this Act.

SEC. 5. The plan provided for in section 3 of this Act shall set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement, repayment, and accounting for such funds.

SEC. 6. The Governor of Guam shall make an annual report to the Secretary of the Interior on the administration of this Act.

SEC. 7. The Comptroller General of the United States, or any of his duty authorized representatives, shall have access, for the purpose of audit and examination, to the books, documents, papers, and records of the agency, or agencies, of the government of Guam administering the plan that are pertinent to the funds received under this Act.

AMENDMENT OFFERED BY MR. CAREY

Mr. CAREY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAREY: Strike out all after the enacting clause of S. 1763 and insert in lieu thereof the provisions of H.R. 15151, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 15151) was laid on the table.

CONTINUANCE OF CIVIL GOVERNMENT FOR THE TRUST TERRITORY OF THE PACIFIC ISLANDS

Mr. CAREY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 18205) to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of June 30, 1954 (68 Stat. 330), as amended, is amended by deleting "and $35,000,000 for each of the fiscal years 1968 and 1969," and inserting in lieu thereof a comma and the following: "for fiscal year 1969, $5,000,000 in addition to the sums heretofore appropriated, for fiscal year 1970, $50,000,000 and for fiscal year 1971, $50,000,000".

SEC. 2. The Act of June 30, 1954 (68 Stat. 330), as amended, is amended by adding a new section 3 as follows:

"SEC. 3. There are hereby authorized to be appropriated such sums as the Secretary of the Interior may find necessary, but not to exceed $10,000,000 for any one year, to alleviate suffering and damage resulting from major disasters that occur in the Trust Territory of the Pacific Islands. Such sums shall be in addition to those authorized in section 2 of this Act and shall not be subject to the limitations imposed by section 2 of this Act. The Secretary of the Interior shall determine whether or not a major disaster has occurred in accordance with the principles and policies of section 2 of the Act of September 30, 1950 (64 Stat. 1109), as amended (42 U.S.C. 1855a)."

The SPEAKER. Is a second demanded?

Mr. MORTON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CAREY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill H.R. 18205 authorizes the appropriations at $50 million for each of the fiscal years 1970 and 1971 for the government of the trust territories.

The enactment of an authorization bill is necessary because the present appropriation authorization expires with fiscal year 1969. Unless this authorization is enacted the money cannot be appropriated to run the trust territory government after the present fiscal year.

The Department had asked for a 3-year appropriation authorization. Our committee felt, however, Mr. Speaker, that a 2-year authorization would permit a more exhaustive examination of the program to be made by each succeeding Congress, and the committee amended the bill accordingly.

We expect to take a careful look at the progress made with the moneys authorized by the report.

Mr. Speaker, I wish at this time to pay a tribute and a commendation to all the members of the subcommittee which it has been my privilege and honor to chair in this Congress, the subcommittee which has jurisdiction over our far flung territorial responsibilities—and this is without regard to which side of the aisle the subcommittee derived its membership. In all cases there was diligence, there was zeal, and a great deal of devotion to the affairs of these vital areas under our control that are spread from the Virgin Islands in the Atlantic to the Trust Territories in the Pacific. The latter, the members should be reminded, we hold under the United Nations trusteeship.

Our efforts were immeasurably aided by very competent staff work on the part of the staff members of our subcommittee, who again are working without regard to partisanship.

I believe that our responsibilities under the trusteeship agreement are a matter of concern and interest to all the Members of this House. These areas, without overstressing these words, are a matter of vital strategic concern to our overall security. This has been documented and amply demonstrated to the subcommittee again and again by the Defense authorities involved.

What we do in this area, both for ourselves as Americans and for the people who live there who are dependent upon us in a very large way, determines what will be the outcome of American interests and the interests of these people in the Southwest Pacific.

This year in a very trying, tedious trip, the members of the subcommittee, nine in number, went through this area, an area which is quite challenging in terms of lack of adequate accommodations for shelter, for potable water, for food and for communications. In every way they tried to study and establish for their own satisfaction in order that they could inform the membership of the House on how well we are doing, or how badly we are doing in terms of our responsibility to ourselves and to those entrusted to our care under the trusteeship.

Mr. Speaker, as a result of this I want to state at this time that the subcommittee feels that a continuation and improvement of the several governments of the trust territories as authorized in this legislation is imperative before we do anything else with regard to the eventual resolution of the status of this area which is now under the flag of the United Nations under the trusteeship of the United States.

We feel, as a subcommittee, that we can in the future address the whole question of the status of this area with a great deal more authority and responsibility once the executive branch, and whoever may be the administration, has demonstrated to the satisfaction of the Congress that the moneys we are authorizing and appropriating for this area are being wisely used to build an infrastructure, and a socioeconomic system in this area that will be both stable and viable for all purposes in the future, as far as we can see.

I wish to commend my ranking colleague on the minority side because he has been most insistent throughout our jurisdictional hearings on this subject to see that all we expect, that might be done in this area, is being done to the best of the ability of those to whom the government of the area is entrusted.

I would emphasize in the report and in our statement here today, it would be the hope of our subcommittee members, whoever may chair this committee in the future, that we will keep a very close and watchful eye on the development, economic and otherwise, of this area because we feel this is a high calling and a high responsibility with regard to the future security of the United States.

Mr. Speaker, H.R. 18205 authorizes the appropriation of $50,000,000 for each of the fiscal years, 1970 and 1971, for the government of the Trust Territory of the Pacific Islands. The enactment of an appropriation authorization bill is necessary because the present appropriation authorization expires with fiscal year 1969. Unless a new appropriation authorization is enacted, money cannot be appropriated to run the trust territory's government after the present fiscal year.

The Department of the Interior asked for a 3-year appropriation authorization. Our committee felt, however, that a 2-year authorization would permit a more exhaustive examination of the program to be made by each succeeding Congress, and the committee amended the bill accordingly. We expect to take a careful look at the progress made before the next authorization bill is reported.

The appropriation authorization was $7,500,000 in 1954; it was increased to $17,500,000 in 1964, and to $35,000,000 in 1968. Actual appropriations have ranged from $4,271,000 to $30,000,000.

Our efforts to bring these islands from the chaos and destruction of World War II to social and economic prosperity have fallen short of our goals. The trust territory is of strategic importance to the United States, and greater efforts need to be made. A nine-member inspection team from our committee visited the territory in January of this year. They found serious problems that deserve immediate attention. The problems have been discussed with the High Commissioner and with the Department. Corrective actions have been and will be taken. Nevertheless, our committee intends to exercise its oversight responsibilities carefully during the next several years.

Our need is great. Our responsibility is great. We cannot afford to fail. Higher appropriations undoubtedly will be needed in the future, along with better coordinated executive leadership. The needs for the next 2 fiscal years have been examined carefully, and I am convinced that the appropriation level proposed in H.R. 18205 is reasonable and fully justified. The committee report sets forth in some detail the proposed uses of the money.

The bill maintains the present $35 million authorization for the present fiscal year 1969. Only $30 million has actually been appropriated, and the provision in the bill that authorizes an additional $5 million is merely for the purpose of retaining the $35 million authorization that is in the present law.

The bill also authorizes an appropriation of not to exceed $10 million in any one year to alleviate suffering and damage resulting from major disasters. The trust territory is particularly subject to typhoon damage. The typhoon in April 1968 caused an estimated $16 million damage to public and private facilities and left thousands of people homeless. Disasters of this kind cannot be met from funds planned for normal government.

H.R. 18205 should be enacted now in order to permit the normal appropriation process for the trust territory to function next year.

Mr. MORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, one need only cast a mind's eye across the map of the western Pacific and see the area which is occupied by the trust territories of the Pacific to realize how important this area is to the United States. There is not much dry land involved, but it is spread over a territory or section of the world geography bigger than the continental United States.

I rise in support of the bill, H.R. 18205, and I would commend to this House the report on the bill.

The chairman of the subcommittee has well emphasized the fact that this bill and this whole subject has been one of intense study by the subcommittee without any partisan difficulties whatsoever.

The Committee on Interior and Insular Affairs has been dissatisfied somewhat with the way in which the Trust Territory of the Pacific Islands has been administered. Despite the strategic importance of the territory to the United States, there has been a serious lack of coordinated leadership and planning by the executive agencies involved. The administrative responsibility is lodged in the President. Until 1962 that responsibility was divided between the Secretary of the Navy and the Secretary of the Interior. In May of 1962 full responsibility was transferred to the Secretary of the Interior, where it is today.

The Department of Defense and the Department of State, however, have direct and often conflicting interests, and no cohesive executive policy has been evolved by the executive branch.

It is against this background that the Committee on Interior and Insular Affairs decided that more intensive legislative oversight is needed. The amount of money required to administer the territory has been increasing rapidly during the past 8 years, and it will continue to increase in the future. The accomplishments, however, have been disappointing. In 1967, at the request of our committee, the Congress doubled the appropriation authorization, increasing it from $17,500,000 to $35 million. At the same time, however, it changed the appropriation authorization from an indefinite and continuing one to a 2-year authorization which will expire at the end of this 1969 fiscal year.

The reason for this change was to permit the Congress to consider at 2-year intervals; that is, to permit each new Congress to consider the level at which appropriations should be authorized.

The Department has responded to this approach and has submitted in considerable detail its plans for the next 2 years.

I do not believe anyone would question the need to accelerate our efforts to bring the people of the trust territory into the 20th century. It is equally clear that this effort will cost more money. If the money is wisely spent, however, the benefits will be worth many times the cost.

Again I would refer to the geography and refer to where these islands are. It does not take a great deal of deduction to realize how important they are to us.

Our committee has examined the Department's plans very carefully. We are convinced that a $50 million appropriation level for the next 2 years is justified.

I would like to point out at this point that we were not convinced that a $50 million authorization for appropriations was justified ad infinitum.

We specifically felt that a 2-year cutoff in the planning phase should be carried out by the administration. This does not mean that they cannot tender long-range plans, plans that call for projects that will take far longer than 2 years to develop. But we would like to see those long-range plans, and we would like to have the responsibility of exercising some congressional oversight in this area while the plans are being developed.

The details of the program I think are well put out in the committee report. At the end of 2 years it is the intention of the committee to evaluate carefully both the accomplishments that the administration has been able to make and the plans they have submitted.

I would like to say that I feel a comfortable sense of confidence in the personality of the High Commissioner of the Trust Territory, Mr. Norwood, who in my opinion has taken well to the suggestions that this committee has made, and who I think is carrying out to a high degree the suggestions and those plans which were agreed upon by the committee and the administration. He is doing an excellent job. If we can do as good a job here in the Congress I think all will be well for the trust territory.

I urge all my colleagues to support this bill. We have given a great deal of study to it.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. MORTON. I yield to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. I wish to commend both the gentleman in the well, the gentleman from Maryland, and the gentleman from New York for the statements they have made.

I think that this is one of the most important pieces of legislation affecting the trust territory that will be considered in the 90th Congress, and I sincerely hope that this bill is passed with a unanimous vote.

As I called attention when I discussed the Guam bill as to what can happen in these islands with the typhoons that occur, in just two of the islands; namely, in Koror and Saipan, in the last year there has been an estimated $21 million of damages to the installations that have been put there by Congress over the past number of years. It is only if we will look forward to installing typhoon-type installations that repeated destruction of the facilities are not going to occur. Sure it is expensive. But if you look, as was said, to the tremendous territories that must be taken in, this is a real bargain in the amount of money, and the 2-year period we have established in this bill I think is excellent. I sincerely hope that the succeeding Congresses will continue to look at this territory every 2 years and review it and increase or decrease as requirements are needed for the advancement of the trust territory.

Mr. MORTON. I sincerely thank the ranking minority member of the full Committee on Interior and Insular Affairs for his contribution.

I would just like to say to him that we appreciate the work that he has given to this subject in his capacity as the ranking minority member. The subcommittee certainly appreciates it.

Does the gentleman from Pennsylvania [Mr. FULTON], wish me to yield?

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MORTON. I yield 2 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Speaker, I wish to thank the gentleman from Maryland for this time. May I add my compliments and congratulations for this legislation to the subcommittee and the committee on both sides.

The territory of the Pacific Islands is one of our most strategic areas or possessions that we have in the United States. These islands are spread over a territory over 3 million square miles between the Philippines and Hawaii. This area is a protection and a defense in depth to the whole western coast of the United States. To me it is absolutely necessary for the Hawaiian Islands that the United States retain indefinitely these Trust Territorial Islands in the Pacific.

As some Members may remember, I was elected to the Congress from the Pacific when I was a Navy lieutenant on a carrier, and I came back to take my seat in Congress in February of 1945 from World War II.

My last day on the carrier, the last evening, with a group of the officers on board the carrier, near one of the Admiralty Islands—I believe it was Manos—we went ashore to a small frame building built at water's edge, which was designated "Officers' Club." There they all said, "JIMMIE, when you go back to Congress, there is one thing you must do—make sure no new generation has to take these islands again." I promised to do my best. Being very new and having served only in the Pennsylvania Legislature, I thought a Member could probably do things like that.

In the House, as a new member of the House Foreign Affairs Committee, I kept talking the strategic importance of the Pacific, and the necessity to control the Japanese mandated islands previously held under a League of Nations mandate or trusteeship by Japan, and in uncertain status after U.S. occupation in World War II.

In 1947, I put in the resolution to authorize the President of the United States, President Truman, to take these islands under a United Nations trusteeship. This trusteeship as authorized is a sole trusteeship not under the United Nations General Assembly as other U.N. trusteeships, but under the Security Council of the United Nations with the right of the United States to defend.

The House Foreign Affairs Committee unanimously reported out the resolution under the leadership of Congressman Charles Eaton, of New Jersey, chairman. The House of Representatives passed the resolution unanimously, so it has been really a bipartisan interest in the Trust Territory of the Pacific Islands from the beginning. The U.S. Senate unanimously approved the trusteeship under the leadership of Senator Vandenberg, of Michigan, and President Truman made it the statutory law.

It should be specifically remembered that this is a sole trusteeship under the U.N. Security Council with the United States having the power of the veto. It was not patterned on the settlements in Europe where there were four-power arrangements, nor was the U.S.S.R. nor any other power in the Pacific permitted to join, although the U.S.S.R. had joined the war in the Pacific against Japan.

I hope as long as we Members all live, we will protect the freedom and liberties of the fine peoples of the islands of the trust territory of the Pacific and vote to sustain and preserve this Security Council trusteeship under the United Nations, until these people are in a position for self-determination and progress on their own. I favor strongly a new State in the United States in the future composed of the oceanic islands of the Pacific and their peoples.

The problem becomes, Shall the United States permit these islands to be an international pawn in power politics because of their important strategic position and have the peoples of these islands—who are very fine people—be subject to the sway of international tension and international wars?

I hope the committee and the Members of the U.S. Congress will always remember that these peoples helped America in World War II and helped us fellows who were out there. We owe them a deep debt of gratitude, because, in every case where they could, they helped the United States as our forces were occupying these islands. I hope the Members will also remember all our U.S. servicemen and allied forces in the Pacific who did not come back and who paid for the freedom of these peoples, of the Philippine people, and all the peoples of the west and southern Pacific, with their lives. I hope the Congress will also remember the people still in hospitals who were servicemen and women in that area in World War II. This area as the stepping stones toward victory, on larger scale, was almost a forgotten area in World War II, and was almost forgotten here in America. This committee and the House are to be congratulated on this action of assistance and remembrance today. Passage of this bill today is indication of our legislative intent to sustain the peoples of Trust Territory of the Pacific Islands.

I must say I am very proud of that resolution, that it went through the U.S. Congress with such unanimity. I am proud that President Truman acted as he did in assuming the U.S. trusteeship under the United Nations Security Council.

It is a matter of deep satisfaction that this committee has worked so long and hard on progress and development for these islands, and I hope it will continue to do so. I thank the gentleman for yielding and I pay my sincere compliments to the committee.

Mr. CAREY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Speaker, I thank the gentleman for yielding. I too, commend the gentleman and his subcommittee for their very diligent work, including the arduous trip they made to the trust territory and for bringing this bill before the House.

I am heartily in support of this bill. I think the matter is of the utmost importance.

I hope the trust territory will remain in association with the United States. However, we must remember the territory's people have the right at some stage to make that decision for themselves. We are obligated to give them self-determination. I, for one, am sorry that the committee has not seen fit to recommend action to move along the political road simultaneously with the economic development, so that we can make some progress toward the day when the people of Micronesia will determine their own political future.

Mr. CAREY. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. ROGERS].

(By unanimous consent, Mr. ROGERS of Florida was allowed to speak out of order.)

ROGERS WANTS SOVIET VISIT CANCELED

Mr. ROGERS of Florida. Mr. Speaker, it has come to my attention that the United States plans to host a delegation of Soviet scientists at Cape Kennedy this month as part of a 15-day trip.

I have written the Secretary of State protesting this visit and urge that my colleagues join with me to make sure that so long as 82 Americans are in a North Korean prison as a result of Soviet-inspired piracy; and that so long as Soviet money continues to prop up the Communist satellite of Cuba 90 miles from our shores; and so long as Soviet troops occupy Czechoslovakia; and so long as Soviet guns and bullets and financing is used to support the armies of North Vietnam, we will not host Soviet scientists nor any representative of that Government in any manner other than the necessary diplomatic channels.

I would also add that the most recent FBI report states that Russia and her satellites and Red China have stepped up their espionage activities in the United States. This proposed trip to Cape Kennedy would be a blatant disregard of the FBI warning and would, indeed, expose one of our most important scientific and military bases to unnecessary risk.

Secretary of State Dean Rusk personally deplored the Russian invasion of Czechoslovakia, yet the only protest we have registered in the way of action has been the cancellation of the Minnesota marching band's proposed trip to Russia. I do not think this properly expresses in strong enough terms what I feel should be our reaction to the Russian invasion.

Indeed, this visit would indicate almost an approval of the Czech invasion at the highest levels of our Government—and I strongly object to this.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I am glad to yield to the minority leader.

Mr. GERALD R. FORD. I am shocked that this has been given approval by the present administration, the Johnson-Humphrey administration, and I believe corrective action should be taken.

Mr. ROGERS of Florida. I would not want to put it just on a political basis. I would hope we could put it on the basis of the fact that the American people are concerned about this. I am sure without some of the approval given in the other body on various agreements it would not take place, and I am sure that came from both sides of the aisle.

I have never heard of any of our scientists being invited to visit the Soviet space center at Tyuri Tam.

The SPEAKER. The question is on the motion offered by the gentleman from New York that the House suspend the rules and pass the bill H.R. 18205, as amended.

The question was taken.

Mr. MORTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 278, nays 0, not voting 153, as follows:

[Roll No. 373]

YEAS—278

Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ayres
Baring
Battin
Bennett
Betts
Bevill
Biester
Bingham
Blatnik
Boland
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burton, Calif.
Bush
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Casey
Chamberlain
Clancy
Clark
Clawson, Del
Cleveland
Cohelan
Collier
Collins
Colmer
Conable
Conte
Corbett
Cramer
Culver
Cunningham
Daddario
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Dent
Derwinski
Devine
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Erlenborn
Esch
Eshleman
Fallon
Farbstein
Feighan
Findley
Fino
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodling
Green, Oreg.
Griffin
Griffiths
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Wright
Yates
Zwach

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Halleck.

Mr. Aspinall with Mr. Smith of California.

Mr. Hébert with Mr. Adair.

Mr. Evins of Tennessee with Mr. Cederberg.

Mr. O'Neill of Massachusetts with Mr. Bates.

Mr. Celler with Mr. Martin.

Mr. Eilberg with Mrs. Dwyer.

Mr. Brooks with Mr. Belcher.

Mr. Rogers of Colorado with Mr. Reifel.

Mr. Daniels with Mr. Frelinghuysen.

Mr. Ashmore with Mr. Berry.

Mr. Thompson of New Jersey with Mr. Mosher.

Mr. Giaimo with Mr. Robison.

Mr. Holifield with Mr. Harvey.

Mr. Abbitt with Mr. Roudebush.

Mr. Sikes with Mr. Broomfield.

Mr. Stratton with Mr. Stafford.

Mr. Nichols with Mr. Utt.

Mr. Hull with Mr. Sandman.

Mr. Pickle with Mr. Brown of Ohio.

Mr. Satterfield with Mr. Brock.

Mr. Shipley with Mr. Vander Jagt.

Mr. Purcell with Mr. Blackburn.

Mr. Staggers with Mr. Railsback.

Mr. Teague of Texas with Mr. Wiggins.

Mr. Evans of Colorado with Mr. Kupferman.

Mr. Fascell with Mrs. Heckler of Massachusetts.

Mrs. Sullivan with Mr. Kleppe.

Mr. Murphy of New York with Mr. Nelsen.

Mr. Green of Pennsylvania with Mr. Pollock.

Mr. Edwards of California with Mr. Quillen.

Mr. Roberts with Mr. Smith of Oklahoma.

Mr. Whitener with Mr. Ruppe.

Mr. Burleson with Mr. Cowger.

Mr. Mills with Mr. Gross.

Mr. Galifianakis with Mr. Gurney.

Mr. Everett with Mr. Keith.

Mr. Hanna with Mr. Mathias of California.

Mr. Pepper with Mr. Michel.

Mr. Edwards of Louisiana with Mr. Burke of Florida.

Mr. Roybal with Mr. Don H. Clausen.

Mr. Flood with Mr. Denney.

Mr. Fisher with Mr. Snyder.

Mr. Hays with Mr. Minshall.

Mr. Ryan with Mr. Curtis.

Mr. Cabell with Mr. McClure.

Mr. Blanton with Mr. Lukens.

Mr. Barrett with Mr. Bell.

Mr. Karth with Mr. Burton of Utah.

Mr. Hungate with Mr. Scott.

Mr. Long of Louisiana with Mr. Dickinson.

Mr. Macdonald of Massachusetts with Mr. Smith of New York.

Mr. Fuqua with Mr. Watson.

Mr. Haley with Mr. Gardner.

Mr. Miller of California with Mr. Button.

Mr. Olsen with Mr. Hansen of Idaho.

Mr. Henderson with Mr. Zwach.

Mr. Sisk with Mr. Schweiker.

Mr. Selden with Mr. Moore.

Mr. Jacobs with Mr. Conyers.

Mr. Corman with Mr. Nix.

Mr. Gray with Mr. Diggs.

Mr. Patman with Mr. O'Hara of Illinois.

Mr. Morris of New Mexico with Mr. McCarthy.

Mr. Moss with Mr. King of California.

Mr. Jones of Alabama with Mr. Tenzer.

Mr. Vigorito with Mr. Charles H. Wilson.

Mr. Wright with Mr. Yates.

Mr. Walker with Mr. Tunney.

Mr. Waldie with Mr. Hardy.

Mr. Brown of California with Mrs. Mink.

Mr. Helstoski with Mr. McMillan.

Mr. Landrum with Mr. Kornegay.

Mr. Karsten with Mr. Herlong.

Mr. Resnick with Mr. Willis.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. CAREY. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 3207) to amend section 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3207

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of June 30, 1954 (68 Stat. 330), as amended, is amended by deleting "and $35,000,000 for each of the fiscal years 1968 and 1969," and inserting in lieu thereof a comma and the following: "$35,000,000 for each of the fiscal years 1968 and 1969, and $120,000,000 for the three fiscal years 1970, 1971, and 1972,".

SEC. 2. The Act of June 30, 1954 (68 Stat. 330), as amended, is amended by adding a new section 3 as follows:

"SEC. 3. In the event of a major disaster in the Trust Territory of the Pacific Islands, there is hereby authorized to be appropriated such sums, not to exceed $10,000,000 for any single disaster, as the Secretary of the Interior may find necessary to assist the public and private sectors. Such sums shall be in addition to those authorized in section 2 of this Act and by other provisions of law, and shall not be subject to the limitations imposed by section 2 of this Act."

AMENDMENT OFFERED BY MR. CAREY

Mr. CAREY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAREY: Strike out all after the enacting clause of S. 3207 and insert in lieu thereof the provisions of H.R. 18205, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 18205) was laid on the table.

FEDERAL MILK MARKETING ORDER AMENDMENTS

Mr. FOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 19910) to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes, as amended.

The Clerk read as follows:

H.R. 19910

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) The Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended by striking in subparagraph (B) of subsection 8c(5) all that part of said subparagraph (B) which follows the comma at the end of clause (c) and inserting in lieu thereof the following. "(d) a further adjustment, equitably to apportion the total value of the milk purchased by any handler, or by all handlers, among producers and associations of producers, on the basis of their marketings of milk during a representative period of time, which need not be limited to one year, and further adjustments to provide for the accumulation and disbursement of a fund to encourage seasonal adjustments in the production of milk, and (e) a further adjustment, equitably to apportion the total value of the milk purchased by any handler, or by all handlers, among producers and associations of producers, on the basis of their marketings of milk during a representative period of time, which need not be limited to one year and which may be either a fixed period of one or more years, or a moving average of one or more years, as provided in the order, and which basis may be adjusted, and readjusted from time to time, to reflect the utilization of producer milk by any handler or by all handlers in any use classification or classifications. In the event a producer holding a base allocated under this clause (e) shall reduce his marketings, such reduction shall not adversely affect his history of production and marketing for the determination of future bases, or future adjustments of bases, except that an order may provide that, if a producer reduces his marketings below his base allocation in any one or more use classifications designated in the order, the amount of any such reduction shall be taken into account in determining future bases or future adjustments of bases. Bases allocated to producers under this clause (e) may be transferable under an order on such terms and conditions as may be prescribed in the order of the Secretary of Agriculture determines, in connection with such order, that transferability will be in the best interest of the public, existing producers, and prospective new producers. Provision shall be made in the order for the allocation of bases under this clause (e) to new producers and for the alleviation of hardship and inequity among producers and prescribing terms and conditions under which new producers may obtain bases on an equitable basis with old producers. Producers holding bases so allocated or obtained shall thereafter participate pro rata in the market in the same manner as other producers. In the case of any producer who during any accounting period delivers a portion of his milk to persons not fully regulated by the order, provision may be made for reducing the allocation of, or payments to be received by, any such producer under this clause (e) to compensate for any marketings of milk to such other persons for such period or periods as necessary to insure equitable participation in marketings among all producers. Notwithstanding the provisions of section 8c(12) and the last sentence of section 8c(1) of this Act, order provisions under this clause (e) and the first phrase of clause (d) shall not be effective in any marketing order unless separately approved by producers in a referendum in which each individual producer shall have one vote and may be terminated separately whenever the Secretary makes a determination with respect to such provisions as is provided for the termination of an order in subparagraph 8c (16)(B). Disapproval or termination of such order provisions shall not be considered disapproval of the order or of other terms of the order."

(b) Such Act is further amended (1) by adding to subsection 8c(5) the following new paragraph:

"(H) Marketing orders applicable to milk and its products may be limited in application to milk used for manufacturing."; and (2) by amending subsection 8c(18) by adding after the words "marketing area" wherever they occur the words "or, in the case of orders applying only to manufacturing milk, the production area".

(c) The legal status of producer handlers of milk under the provisions of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 137, as amended, shall be the same subsequent to the adoption of the amendments made by this Act as it was prior thereto.

The SPEAKER pro tempore. Is a second demanded?

Mr. GOODLING. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. FOLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FOLEY. Mr. Speaker, is the bill reported with amendments?

The SPEAKER pro tempore. That is correct.

Mr. FOLEY. Mr. Speaker, I yield 5 minutes to the author of the bill, the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Speaker, I shall not take the full 5 minutes.

Mr. Speaker, I would like to report to the Members of the House that this is the bill which we passed as an amendment to the Agricultural Act of 1965 and which was knocked out in the conference.

There are some minor changes in this bill from the other one, but the points of contention, Mr. Speaker, have been eliminated, and I think we can go in with a bill on which there is very little disagreement.

Mr. Speaker, I also would like to point out what I feel to be a very important fact, and that is that this is permissive legislation. It requires a two-thirds vote of the dairy producers to adopt on an individual basis—and that was one of the amendments which was agreed to, that is individual voting in all instances—and one-half vote to repeal. It extends permanently the present type of base program and the Louisville plan. It provides a new type of rolling base which can be changed without regard to the present type, which is a fixed base. It allows new producers to fill the base, and it allows old producers to share in the base. The importance of this, I think, Mr. Speaker, lies in the permanency of this legislation.

That is because in building these base plans, if the Seattle milk marketing area is any indication, it took them almost 18 months to have one of these plans adopted. If we do not have a long period of time during which they can adopt their plans the legislation really will be meaningless.

In conclusion, Mr. Speaker, I would say that this legislation has the support of all the responsible dairy representatives of which I am aware. It has the support of the chairman and of the committee. I believe it will help the dairy farmers of this Nation. It will not raise the price of milk. It will save money in respect to surpluses, and will add to the stability of the milk market. I believe the House should adopt it.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GOODLING. Under a suspension of the rules procedure, are amendments in order?

The SPEAKER pro tempore. No; amendments can be included in the motion, but other amendments are not in order.

Mr. GOODLING. If amendments are presented, can a rollcall be had on the amendments?

The SPEAKER pro tempore. No rollcall can be had on the amendments; only on those amendments which are submitted with the bill and which are included in the motion.

Mr. GERALD R. FORD. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from Pennsylvania yield for a parliamentary inquiry?

Mr. GOODLING. I yield to the minority leader.

Mr. GERALD R. FORD. As I understand it, there is a committee amendment which would be included or was intended to be included in the motion, at the time the motion was made to suspend the rules.

Mr. FOLEY. Mr. Speaker, will the gentleman yield to me?

Mr. GOODLING. I yield to the gentleman from Washington.

Mr. FOLEY. In response to the question of the distinguished gentleman from Michigan, the bill includes amendments.

One amendment would require that additional allowances be made for new producers who wish to come in without any waiting period to earn a base. Equitable treatment has to be given to new producers who wish to come in.

Second, the bill provides that section 2, which deals with dues checkoff for promotion research will be taken out in its entirety. That section will be eliminated from the bill.

A third amendment would insure that there would be individual voting in each of the base plan elections authorized under the bill. There will be no block voting.

Mr. GERALD R. FORD. Is my understanding correct that the gentleman from Washington, or someone representing the committee on the majority side, intends to include in the motion to suspend the rules the latter two amendments just described?

Mr. FOLEY. Mr. Speaker, will the gentleman from Pennsylvania yield further?

Mr. GOODLING. Mr. Speaker, I refuse to yield to the gentleman any further. The gentleman has time of his own, and I suggest he use his own time.

Mr. FOLEY. I will take my own time, if the gentleman will yield the floor.

Mr. GOODLING. I refuse to yield any further.

Mr. GERALD R. FORD. Mr. Speaker, would the gentleman from Pennsylvania yield so that the gentleman can answer the question I asked? I am sure the gentleman from Washington will make a corresponding time allowance for any time the gentleman from Pennsylvania loses. These are two crucial questions, and I would want an answer from the gentleman from Washington.

Mr. GOODLING. The point I am trying to make is that he has time, and I would prefer to have him use his own time.

Mr. GERALD R. FORD. I believe the gentleman from Pennsylvania would be given that additional time.

Mr. GOODLING. Mr. Speaker, I yield further to the gentleman from Washington.

Mr. FOLEY. In answer to the question of the gentleman from Michigan, I included those amendments which I have just enumerated to the gentleman from Michigan at the time I moved to suspend the rules. They are in effect incorporated in the motion to suspend the rules. If the House does suspend the rules and does adopt the bill, it will be with the amendments I have just enumerated.

Mr. GERALD R. FORD. I thank the gentleman from Washington.

Mr. GOODLING. Mr. Speaker, we are operating under very strange procedures here today. We appear to be suspending all rules.

Here we have a highly controversial bill, and it should not, in my opinion, be considered under a suspension of rules procedure.

This bill was just recently introduced. There have been no adequate hearings on it. We held 1 day of hearings. There were 12 or 14 witnesses, and the individual members of the committee had very little if any time to question any of those witnesses. The hearings on the bill have not been printed.

I should like to ask the gentleman, when he has the time, to explain why, if this is such an important bill and if his amendments are so important, were these amendments not offered when this bill was reported out of the committee. We talked about these amendments, but they were never offered officially and never voted upon, as I recall.

There is another reason why this bill should not be considered today. The present law will operate until the last day of 1969 and, if the President signs the farm bill which is on his desk at the present time, it will extend it to December of 1970.

I have no doubt that the amendments that are going to be offered will improve this bill, but I see no emergency at this time and see no reason why his bill should be considered under this procedure. This bill should be considered early in the 91st Congress when sufficient time will be allowed to have adequate hearings. As I stated, we did not have adequate hearings on this particular bill. I venture to say that not 5 percent of the milk producers in the entire United States know anything about this bill at the present time. My contacts indicate that there is a very wide divergence of opinion among my people in Pennsylvania.

Mr. Speaker, there is one other thing I would like the gentleman to explain when he takes the floor. I want to know why, if this bill is so important and since it has been in effect for 3 years, only one area has taken advantage of the bill. This is the Puget Sound area. If this is a good bill and people want it, why did not more people take advantage of this law?

To me the choice is very clear. H.R. 19910 should not be approved by this House today.

Mr. Speaker, I reserve the balance of my time.

Mr. FOLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not wish to delay the consideration of this bill. I think the House is ready to vote. But I think it is appropriate for me to answer some of the questions raised by the gentleman from Pennsylvania.

This bill was considered by the House in somewhat different form in the debate on the extension of the Food and Agriculture Act of 1965. Members will recall that this is the only amendment that the House adopted to that bill. It is the so-called Meeds amendment. Subsequently the amendment was considered by the House and the Senate conferees on the Food and Agriculture Act, and it was decided that the House would recede from the Meeds amendment, which was the only amendment it proposed to the farm bill, and the Senate would recede from a number of amendments they had offered. So, in a manner of speaking, the so-called Meeds amendment was sacrificed in order to bring the cleanest possible bill back to the House for a vote. The House did adopt the conference report and the Committee on Agriculture felt obliged not only to Mr. Meeds but to the dairy producers of the country to give the House an opportunity to reassert its will on the Meeds bill.

In the consideration of the Meeds bill before the Committee on Agriculture last week a number of witnesses were heard who objected to two features of the Meeds bill as it was originally adopted by the House.

One feature was the use of the word "earned" in describing these bases and new producers coming into the program.

The committee adopted an amendment which is incorporated in the bill today to make it clear—to make it crystal clear—that new producers do not have to go through any period of time in order to earn bases. They are to be treated equitably with the old producers. This was suggested by a number of witnesses, including the Milk Producers Foundation.

Second, the report contained language to make it clear that section 8c(5) would not be affected in any way by the passage of these amendments. That is the section that prohibits milk marketing orders being used in restraint of trade. That language is contained in the report, and by passage of this bill it does not add any additional provision onto the existing law. This recommendation was contained in testimony of the Milk Producers Association and other witnesses.

Mr. Speaker, many Members were fearful of opposition to this bill because of section 2 which provides for a dues checkoff system. The bill as presented today contains an amendment to strike out section 2 entirely. In order to remove that remaining controversy about the bill, the bill has been presented without the checkoff and with an amendment to require all elections under this bill to be conducted on an individual rather than on a group basis.

Mr. Speaker, as the bill now stands I know of no opposition either from the producers or from the handlers or from any facet of the milk industry.

One of the farm groups that had opposed the bill opposed it chiefly on the basis of the checkoff system which is now removed. And, I would say to the gentleman from Pennsylvania that most of the amendments or a greater part of the amendments were considered by the committee and adopted by the Committee on Agriculture, and the others have been offered here solely for the purpose of removing any further objection to the bill.

Mr. Speaker, the gentleman from Pennsylvania asked the question as to why only one area had adopted this procedure, for a class 1 base plan—the Puget Sound milk producing area. The 1965 act contains defects which this legislation is designed to correct. One of those defects made it impossible for existing producers with bases to share in the expanded milk market. This discouraged milk producers and caused them to oppose the class D plan.

Mr. Speaker, as this bill is now presented to the House, I think it has virtually unanimous support of the dairy producers and farmers in the United States and I know it is one in which most dairy farmers have a very strong interest.

I would hope that the committee would give to this legislation its unanimous support.

Mr. HUTCHINSON. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. I would like to have the able gentleman explain to me something as to how the seasonal plans work. In reading the report I understand that a producer who delivers milk in the spring does not get paid for it until the fall. If that is so, who has the use of the money in the meantime? Does the producer earn any kind of interest on that money between the spring and the fall?

Mr. FOLEY. I shall yield to the author of the bill, the gentleman from Washington [Mr. MEEDS] to answer that question.

Mr. MEEDS. The general response to the gentleman's question is this: The general use of the seasonal leveling plan is that they will pay themselves less. The milk goes into a pool and they receive returns from the pool. They pay themselves less during periods of heavy production so that the tendency is for them to raise production at some period of time, normally slack periods, so that they can compensate for this. That procedure has a tendency to level the price of milk. It does not mean that they do not get paid at all but they get paid less from their pool during a specific period of time.

Mr. HUTCHINSON. Mr. Speaker, if the gentleman will yield further, the effect of it is that a producer does not get paid for several months for some milk that he delivered, is that correct?

Mr. MEEDS. If the gentleman will yield, I do not believe that would be the effect, it depends upon the plan they adopt, of course. We are talking about a plan which would have to be adopted by them on a two-thirds vote of single voting, so that would be the type of program that they wanted, but the effect of the Louisville plan has been to level the price out more so that they tend to build up production in the slack periods, and level it off on high production. They might pay themselves less, but it is not that they do not pay themselves at all.

Mr. HUTCHINSON. I thank the gentleman for yielding.

Mr. MAYNE. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Iowa.

Mr. MAYNE. I thank the gentleman for yielding.

Mr. Speaker, I have asked the distinguished gentleman from Washington [Mr. FOLEY], who handled this bill for the majority in the committee and who is now handling it for the majority here on the floor today, for this time so that I might ask the gentleman a few further questions to show the legislative intent in connection with this bill and particularly with reference to any possible effect that it might have on section 8c(5) (G) of the Agricultural Marketing Agreement Act of 1937.

The gentleman has already touched upon that in his remarks here today, but I would like in this colloquy to bring that out a little further, and to ask the gentleman if this bill which we are considering today will have any effect at all on section 8c(5) (G)?

Mr. FOLEY. The committee desired that the legislation have no effect whatever on the validity of section 8c(5) (G), which remains in full force and effect as a portion of the Milk Marketing Act.

Mr. MAYNE. There may be some of our colleagues who are not familiar with the provisions of that amendment, which was known as the Andresen amendment, and if the gentleman would yield further, since the section is quite brief, I would like to read it to the Members. It is as follows:

> (G) No marketing agreement or order applicable to milk and its products in any marketing area shall prohibit or in any manner limit, in the case of the products of milk, the marketing in that area of any milk or product thereof produced in any production area in the United States.

Now, I believe from what the gentleman has already stated to the House that we have the assurance of the gentleman that it was not the legislative intent of the Subcommittee on Agriculture in favorably reporting this bill, nor is it the legislative intent in offering the bill for passage today to weaken or change the effect of section 8c(5) (G) in any way. Am I correct in that?

Mr. FOLEY. The gentleman is correct. The committee did not desire to repeal or supersede the section the gentleman has just read, and the policy expressed in the section which the gentleman has just read remains in effect.

Mr. MAYNE. Am I then correct in assuming that there is no legislative intent in this bill to prohibit or in any manner limit the free marketing of milk or any product thereof produced in any production area of the United States?

Mr. FOLEY. I would say to the gentleman that whatever the policy expressed in that section is interpreted to be remains in full force and effect. The committee did not desire to change that provision in the Milk Marketing Act in any way.

Mr. MAYNE. I thank the gentleman from Washington for yielding.

Mr. GOODLING. Mr. Speaker, will the gentleman yield for one question?

Mr. FOLEY. Certainly I will yield to the gentleman.

Mr. GOODLING. I believe I asked this in my previous presentation, and that is: Why, if these amendments are so important, were they not offered in committee in order that those people back home who are affected by this bill would have had some chance to learn what is in the bill? As it is now, they do not know.

Mr. FOLEY. If I may say to the gentleman, the first of the amendments which I described, which changes the word "earned" to "obtain" in describing new producers obtaining bases was fully considered by the committee and adopted by the committee.

There was a full discussion, and the report contains the language which the gentleman from Iowa just discussed. It was very clearly discussed by me and by the gentlewoman from Washington [Mrs. May].

The desirability of removing section 2 of the bill to remove any further controversy about the bill is clear. The provision on individual voting has been widely discussed in the House on many occasions. Those who are familiar with marketing orders have full cognizance of it.

So I do not think there is anything in the way of surprising proposals in the amendments involved here.

The sole purpose of adding these amendments is to remove objections from various quarters to the passage of the bill. The House might consider on another occasion the desirability of adding the dues checkoff system.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington [Mrs. May].

Mrs. MAY. Mr. Speaker, this legislation is needed to make the existing class 1 base law more flexible, and more equitable for producers participating in class 1 base plans. So far, only one class 1 base plan has been implemented under the 1965 law. This is in the Puget Sound area in my State, and it is obvious from the experience obtained there that a number of improvements in the law are badly needed to correct some serious problems which have arisen.

Under the present law, the U.S. Department of Agriculture has used a fixed, single representative period in determining the production history of a producer for allocation of a permanent base. In effect, this "freezes" the new base, does not allow sufficient recognition of individual marketing histories, and does not accommodate adjustment of bases to changing supply and demand conditions in the milk market.

In addition, the participation of new producers in the markets of class 1 sales is limited to increases in those sales based on market growth, except when new producers purchase bases.

These restrictions under the current class 1 base plan authority are inequitable to producers. A farmer who does not have a history of marketings during the representative period has no alternative but to participate as a new producer, unless he obtains a marketing history through transfer or purchase. As a new producer, he is dependent upon market growth for his income. Old producers are denied a share of the market growth, and thus do not have the opportunity for the increased income which such growth could provide.

Under this legislation, bases may be adjusted and readjusted from time to time to reflect market changes. Specific authority is given for the order to allow adjustments on the basis of more than one year or on a moving average of one or more years. New producers could obtain bases on an equitable basis with old producers, and market growth would be shared by both. New producers could obtain the same status as other producers in the market through a fair and orderly procedure.

Mr. Speaker, I urge my colleagues to support this legislation, because it is important and is needed by dairymen.

Mr. GOODLING. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. Quie].

Mr. QUIE. Mr. Speaker, I am happy that the two gentlemen from Washington [Mr. Foley and Mr. Meeds] would propose these amendments because it will enable the House, I believe, to pass H.R. 19910 and get it on to acceptance by the other body. Section 1 which will be the remaining language with an amendment on line 25 adding the words "and the first phrase of clause (d)" leaves the present law the same as it pertains to bloc voting and remedies the inequity which existed for allocating bases to old and new producers.

I have worked with the gentleman from Washington [Mr. Meeds] for sometime on the Committee on Education and Labor. We worked together in developing vocational technical legislation this year, which was adopted without a dissenting vote here in the House. I think that with this bipartisan effort to develop good legislation, we in the end assist all of the people of this country—in this case the dairy farmer, in the case of vocational technical education the young people who need to learn a skill.

I urge all my colleagues to support H.R. 19910 as amended. Whether you are for or against marketing orders or the class I base plan, this is still a good bill since it will permit the program to function more equitably.

If anyone questions the meaning of the first phrase of clause (d), it is these words "equitably to apportion the total value of the milk purchased by any handler, or by all handlers, among producers and associations of producers, on the basis of their marketings of milk during a representative period of time, which need not be limited to one year,".

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Washington.

Mr. FOLEY. I would just like to say to the gentleman that I appreciate his remarks about the gentleman from Washington [Mr. Meeds] who has spearheaded this amendment, and who has pushed for it. If there are two experts on this subject in the House, they are the gentleman from Washington [Mr. Meeds] and the gentleman in the well. I am delighted he is supporting the legislation.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. QUIE I am glad to yield to Wisconsin dairymen's best friend.

Mr. LAIRD. I thank the gentleman from Minnesota for yielding to me. I believe that H.R. 19910 has been very much improved with the inclusion of the amendments that were adopted in the committee.

I would like to insert in the Record at this point, Mr. Speaker, a copy of the letter which I wrote to Chairman Poage outlining several of the amendments requested by the Wisconsin Cooperatives which were included in the markup of this bill by the committee:

September 24, 1968.

Hon. W. R. Poage,
Chairman, Agriculture Committee,
Rayburn House Office Building,
Washington, D.C.

Dear Mr. Chairman: I understand you had some difficulty with Wisconsin Co-ops on the language of the Meeds Amendment as revised and reintroduced as H.R. 19910.

I have checked with the Wisconsin Co-ops and they are agreeable to the Amendment to the bill which provides as follows: Page 3, H.R. 19910, starting in line 10, strike out the words, "earn bases" and substitute this language: "obtain bases on an equitable basis with old producers." Line 11, strike "earned" and substitute "obtained".

With best wishes and kindest personal regards, I am,

Sincerely yours,

Melvin R. Laird,
Member of Congress.

Mr. Speaker, we have two additional amendments that have been offered by the gentleman from Washington, and I believe that those remove all controversy as far as this legislation is concerned. I know of no one who does not support this approach with the three amendments. I hope that the bill is passed this afternoon.

Mr. QUIE. I thank the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Wisconsin [Mr. Steiger].

Mr. STEIGER of Wisconsin. I appreciate the gentleman yielding. I support this legislation, H.R. 19910. I think the Committee on Agriculture was wise in taking the action it did in adopting these amendments. Certainly from the Wisconsin standpoint, the Pure Milk Products Cooperative and the other producers in Wisconsin, Consolidated Badger, and so forth, which have an interest in this class I basing plan and are concerned with the Laird amendment being adopted, are now in a position in which the new producers can share on an equitable basis, instead of being foreclosed, as the original Meeds amendment language in the 1965 act might make possible.

I want to include at this point, Mr. Speaker, the testimony of Pure Milk Products Cooperative made at the hearing on this bill on September 25 which resulted in the amendment adopted by the Committee on Agriculture:

STATEMENT OF PURE MILK PRODUCTS CO-OPERATIVE, FOND DU LAC, WIS., TO THE HOUSE AGRICULTURE COMMITTEE, SEPTEMBER 25, 1968

Pure Milk Products Co-operative is an Organization of dairy farmers numbering some 14,000. They are located in Illinois, Wisconsin and Michigan. About half are Grade A farmers and half Grade B Wisconsin farmers delivering milk to manufacturing milk plants.

With respect to H.R. 19910, Pure Milk Products Co-operative is vitally concerned that any extension of Class I base legislation provide equitable treatment to all producers. We cannot accept provisions which reserve the entire Class I proceeds of a particular market to a special group of producers because they happen to have been supplying milk to handlers in that market during a specified base period. We see such provisions used as a tool for the exclusion of new producers from the market to the detriment of both consumers and those producers who are excluded. Even though such exclusion may not be the stated intent, it is, in our opinion, bound to be a by product of such legislation unless specifically prohibited or limited in the legislation by the U.S. Congress.

We are living in an age of change. Industrial concentration is a daily occurrence as smaller firms fall by the wayside and their business is transferred to larger and growing firms. Dairying is no exception. Small processors or bottlers cannot compete with the industrial or corporate giants. Consequently it is with regularity that they cut off their farm milk supplies and either close their doors or become distributors for larger companies generally located in or near the large population centers of the Nation. This trend is occurring all over the country. An example of this nationwide trend is illustrated by what happened in our own home town.

In the latter half of the 1950's, there were seven local dairies in the Fond du Lac community in which our headquarters is located. Each packaged milk received directly from local farms and distributed it to the local community and nearby city people with whom the producers of the milk regularly did their trading.

Today there is not a single processor and bottler of fluid milk in the Fond du Lac area. Some merely gave up in the distribution business and closed their doors leaving their customers to be served by the remaining distributors. Others cut off their producers and continued as distributors of Class I milk packaged in other areas. In either case, the local dairy farmers lost their outlet. The entire distribution of milk in the area is now packaged in large bottling plants located within a radius of 150 miles. The milk now distributed in the area originates on the farms of the producers supplying those large distant processors and bottlers instead of the farms of the community.

Such changes are a very common and continuing trend. They are not limited to any particular area of the U.S. They are happening on a national basis as shown by the following U.S. statistics on fluid milk sales, taken from the 1967 Statistical Abstract of the United States:

Number of companies processing fluid milk: 1958, 5,008; 1963, 4,030.

Thus, we lost nearly a fifth of the firms in the 5 year period.

Any Class I base plan which reserves the Class I proceeds of a given market to those producers who supplied milk to the handlers of the market during a specified base period can only work to the detriment of those producers who have been selling milk to the handlers forced out of business and whose business is transferred or gone to provide the growth of the large handlers of the more populous areas.

It is apparent that the large handlers can be expected to need more milk to meet their growing needs as they pick up the business of discontinued firms and expand their ever growing area of distribution. In the interest of equitable treatment to producers whose outlets are being eliminated, and manufactured grade producers moving to Grade A, liberal and sensible provision must be made for new producers to share in the Class I sales of the larger processors or handlers.

Wisconsin had long been a producer of high quality milk. Although only 40% to 45% of the total milk marketed by Wisconsin farmers has been sold as Grade A much more is of sufficiently high quality to meet Grade A requirements with little more than formal inspection and approval by Grade A inspectors. The minimum standards for Wisconsin manufacturing Grade B milk are very close to most states' and cities' Grade A standards.

There have been cases in which some farmers who had been selling milk to handlers outside the state and under Grade A supervision of neighboring state health departments have lost their markets as those handlers discontinued bottling operations. It was a shock to some of those producers to discover that they did not meet Wis. minimum manufacturing milk requirements even though they had previously been in good standing on an out-of-state Grade A market.

Current reports show that well over half of all Wisconsin dairy farms are now shipping bulk tank milk. In February, 1968, the Wisconsin State Department of Agriculture reported 51.8% of all producers (68,000 dairy farms) supplying milk to Wisconsin dairy plants to be shipping milk from farm bulk tanks. Since bulk tank producers are known to be large compared with the remaining can producers it can be assumed that bulk tank sales probably approach two-thirds of the total Wisconsin milk production. Many of these farmers have invested large sums of money and have practically completed the process of Grade A qualification. They must not be prohibited access to Grade A markets.

We urge that any continuation of *Class I base legislation include absolute and unequivocal assurance that new producers entering a market after the establishment of any Class I base plan be permitted the right to a fair and equitable base in not more than 60 days*. Such provision is absolutely necessary to protect the dairy farmers who have already been, or may in the future be, left without their regular market and many have to develop distant outlets if they are to receive the Grade A milk prices necessary to continue dairy farming.

On the matter of the use of Federal Order market pool funds for advertising, education promotion and research, we believe this permissive legislation is desirable. The decision of a two-thirds majority of producers is appropriate as a measure to require equitable sharing of all producers in the cost of building and development of better markets. Since all producers would share in the expanded Class I proceeds, it is reasonable and proper that all share in the cost of such promotion if the proposition is given the two-thirds approval in a referendum.

However, in our opinion, both Class I bases and use of pool funds for promotion are auxiliary provisions that may be included as special beyond those necessary for orderly marketing and the assurances of adequate and permanent supplies of pure and wholesome milk for consumers.

Therefore, we believe the establishment of both *Class I base plans and promotional funds within Federal Orders should be adopted by special referendum of individual dairy farmers without danger of loss of the other or basic provisions of a Federal Order.* In other words, we believe that if there is such substantial opposition among producers that more than a third as individuals oppose either a Class I base plan or a compulsory promotional fund in their Orders, they should be permitted to vote against those particular provisions without killing the remainder of the Federal Order.

We believe provisions are most desirable in order that bases should not be over valued or become capitalized at such excessive rates as to make it impossible for new producers to purchase existing bases or otherwise acquire the necessary Grade A market outlets. High capitalization of bases may be a windfall to present day farmers, but a large and efficient dairy farm already requires huge capital outlays. We must be careful not to bring about unreasonable increases in these capital requirements by giving huge windfall profits to a particular group of individuals who by chance are supplying milk to established, growing and large bottlers on a particular date. Therefore, we urge that any Class I base authorization be on a temporary basis for a period of from one to not more than four years.

In conclusion we recommend that H.R. 19910 be changed as follows:

Amend line 10 on page 3 to read: "terms and conditions under which new producers *shall be assigned to bases.*"

Replace the sentence beginning on line 11 of page 3 and ending on line 13 to read as follows: "Producers, within 60 days after commencing shipments to the markets, shall be assigned or allocated bases and shall thereafter participate pro rata in the market on the same manner as other producers."

We do not believe the interstate movement of milk should be restricted by Federal Order provisions. The basic intent of the legislation is to provide for the orderly marketing and movement of milk. It is in the interest of orderly marketing that provisions of orders not be a barrier to the opportunity of producers to market their milk in any area of the U.S.A.

The bill in its present form does not include the checkoff for advertising and promotion which has the support of many. I received the following telegram from Lake-to-Lake Cooperative which I want to share with my colleagues:

MANITOWOC, WIS.,
September 24, 1968.

Congressman WILLIAM E. STEIGER,
House Office Building,
Washington, D.C.:

Urge your support of House bill (H.R. 19910) with provisions for the class one base plan changes and the authorization for use of producer funds in Federal milk marketing order areas for advertising and promotions. We back the position of the National Milk Producer who will be testifying in our behalf.

Thank you.

TRUMAN TORGERSON,
General Manager, Lake-to-Lake Dairy Co-op.

I appreciate the Agriculture Committee's handling of this bill so that it could be considered here today. I urge its passage.

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. GOODLING. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from Washington that the House suspend the rules and pass the bill H.R. 19910, as amended.

The question was taken.

Mr. GOODLING. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 202, nays 76, not voting 154, as follows:

[Roll No. 374]

YEAS—202

Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashbrook
Ashley
Ayres
Battin
Betts
Bevill
Biester
Bingham
Blatnik
Bolton
Brademas
Brasco
Brinkley
Brotzman
Broyhill, Va.
Buchanan
Burton, Calif.
Bush
Byrne, Pa.
Byrnes, Wis.
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Cohelan
Colmer
Conable
Cramer
Culver
Cunningham
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Dent
Derwinski
Devine
Dole
Dorn
Dow
Dowdy
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Esch
Farbstein
Feighan
Findley
Flynt
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gathings
Gettys
Gilbert
Gonzalez
Gray
Green, Oreg.
Griffin
Gubser
Hagan
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Harsha
Hathaway
Hawkins
Hicks
Horton
Ichord
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, N.C.
Kastenmeier
Kazen
Kee
Kelly
Kirwan
Kluczynski
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lloyd
McClory
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
MacGregor
Machen
Madden
Mahon
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Miller, Ohio
Montgomery
Moorhead
Morgan
Morse, Mass.
Morton
Murphy, Ill.
Natcher
Nedzi
O'Hara, Mich.
O'Konski
O'Neal, Ga.
Ottinger
Pelly
Perkins
Podell
Poff
Price, Ill.
Price, Tex.
Pryor
Quie
Randall
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Riegle
Rivers
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
St Germain
Saylor
Schadeberg
Scherle
Scheuer
Schwengel
Shriver
Skubitz
Slack
Smith, Iowa
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Taft
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Wampler
Watts
Whalen
Whalley
White
Whitten
Widnall
Winn
Wright
Wylie
Young
Zablocki
Zion

NAYS—76

Arends
Baring
Bates
Bennett
Boland
Bow
Bray
Brown, Mich.
Burke, Mass.
Cahill
Clawson, Del
Cleveland
Collier
Collins
Conte
Corbett
Daddario
Dingell
Donohue
Downing
Dulski
Erlenborn
Eshleman
Fino
Ford, Gerald R.
Fulton, Pa.
Gibbons
Goodling
Griffiths
Grover
Gude
Harrison
Hechler, W. Va.
Hosmer
Hunt
Hutchinson
Irwin
Joelson.
Keith
King, N.Y.
Lipscomb
Long, Md.
McCloskey
Mailliard
Marsh
Meskill
Minish
Mize
Monagan
Myers
Passman
Patten
Philbin
Pike
Pirnie
Rarick
Reid, Ill.
Reinecke
Rhodes, Ariz.
Rodino
Rosenthal
Rumsfeld
St. Onge
Schneebeli
Springer
Talcott
Teague, Calif.
Vanik
Waggonner
Watkins
Williams, Pa.
Wilson, Bob
Wolff
Wydler
Wyman
Yates

NOT VOTING—154

Abbitt
Adair
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolling
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Burke, Fla.
Burleson
Burton, Utah
Button
Cabell
Celler
Clausen, Don H.
Conyers
Corman
Cowger
Curtis
Daniels
Denney
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Fisher
Flood
Frelinghuysen
Fuqua
Galifianakis
Gardner
Giaimo
Green, Pa.
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harvey
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jacobs
Jones, Ala.
Jones, Mo.
Karsten
Karth
King, Calif.
Kleppe
Kornegay
Kupferman
Landrum
Long, La.
Lukens
McCarthy
McClure
McMillan
Macdonald, Mass.
Martin
Mathias, Calif.
Michel
Miller, Calif.
Mills
Mink
Minshall
Moore
Morris, N. Mex.
Mosher
Moss
Murphy, N.Y.
Nelsen
Nichols
Nix
O'Hara, Ill.
Olsen
O'Neill, Mass.
Patman
Pepper
Pettis
Pickle
Poage
Pollock
Pucinski
Purcell
Quillen
Railsback
Reifel
Resnick
Roberts
Robison
Rogers, Colo.
Roudebush
Roush
Roybal
Ruppe
Ryan
Sandman
Satterfield
Schweiker
Scott
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Stafford
Staggers
Stratton
Sullivan
Taylor
Teague, Tex.
Tenzer
Tunney
Utt
Vander Jagt
Vigorito
Waldie
Walker
Watson
Whitener
Wiggins
Willis
Wilson, Charles H.
Wyatt
Zwach

So (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Burleson and Mr. Pickle for, with Mr. Hébert against.

Mr. Smith of Oklahoma and Mr. Brown of Ohio for, with Mr. Adair against.

Mr. Blanton and Mr. Miller of California for, with Mr. Railsback against.

Mr. Eilberg and Mr. Barrett for, with Mr. O'Neill of Massachusetts against.

Mr. Green of Pennsylvania and Mr. Holifield for, with Mr. Macdonald of Massachusetts against.

Mr. Sikes and Mr. Nichols for, with Mr. Giaimo against.

Until further notice:

Mr. Boggs with Mr. Halleck.

Mr. Aspinall with Mr. Smith of California.

Mr. Brooks with Mr. Martin.

Mr. Rogers of Colorado with Mr. Belcher.

Mr. Morris of New Mexico with Mr. Minshall.

Mr. Evins of Tennessee with Mr. Nelsen.

Mr. Pucinski with Mr. Harvey.

Mr. Edwards of California with Mr. Don H. Clausen.

Mr. Teague of Texas with Mr. Stafford.

Mr. Hungate with Mr. Utt.

Mr. Murphy of New York with Mr. Frelinghuysen.

Mr. Daniels with Mrs. Dwyer.

Mr. Charles H. Wilson with Mr. Brock.

Mr. Cabell with Mr. Berry.

Mr. Moss with Mr. Broomfield.

Mr. Tenzer with Mr. Robison.

Mr. Mills with Mr. Gross.

Mr. Kornegay with Mr. Burton of Utah.

Mr. Corman with Mr. Michel.

Mr. Long of Louisiana with Mr. Blackburn.

Mr. Abbitt with Mr. Dickinson.

Mr. Vigorito with Mr. Lukens.

Mr. Edwards of Louisiana with Mr. Burke of Florida.

Mr. Ashmore with Mr. Gurney.

Mr. Evans of Colorado with Mr. Pollock.

Mr. Brown of California with Mr. Mathias of California.

Mr. Pepper with Mr. Curtis.

Mr. Fascell with Mr. McClure.

Mr. Hull with Mr. Kleppe.

Mr. Celler with Mr. Mosher.

Mr. Roberts with Mr. Snyder.

Mr. Whitener with Mr. Denney.

Mr. Staggers with Mr. Smith of New York.

Mrs. Sullivan with Mr. Bell.

Mr. Waldie with Mr. Wyatt.

Mr. Henderson with Mr. Cowger.

Mr. Tunney with Mr. Button.

Mr. Purcell with Mr. Gardner.

Mr. Jacobs with Mr. Hansen of Idaho.

Mr. Karth with Mr. Zwach.

Mr. Olsen with Mr. Roudebush.

Mr. Fuqua with Mr. Quillen.

Mrs. Mink with Mr. Kupferman.

Mr. Hays with Mrs. Heckler of Massachusetts.

Mr. Roybal with Mr. Sandman.

Mr. Galifianakis with Mr. Reifel.

Mr. Ryan with Mr. Pettis.

Mr. Haley with Mr. Watson.

Mr. Satterfield with Mr. Schweiker.

Mr. Selden with Mr. Ruppe.

Mr. Shipley with Mr. Vander Jagt.

Mr. Patman with Mr. Moore.

Mr. Flood with Mr. McMillan.

Mr. McCarthy with Mr. Conyers.

Mr. Jones of Alabama with Mr. Hardy.

Mr. Hanna with Mr. Nix.

Mr. Roush with Mr. Diggs.

Mr. Landrum with Mr. Karsten.

Mr. Everett with Mr. Fisher.

Mr. Helstoski with Mr. Howard.

Mr. Herlong with Mr. Taylor.

Mr. Stratton with Mr. Sisk.

Mr. Resnick with Mr. Willis.

Mr. Walker with Mr. King of California.

Messrs. MONAGAN, BOLAND, DONOHUE, SPRINGER, BURKE of Massachusetts, and IRWIN changed their votes from "yea" to "nay."

Messrs. GARMATZ and REID of New York changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

CONTROL OF NOXIOUS PLANTS

Mr. FOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2671) to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government.

The Clerk read as follows:

S. 2671

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the heads of Federal departments or agencies are authorized and directed to permit the commissioner of agriculture or other proper agency head of any State in which there is in effect a program for the control of noxious plants to enter upon any lands under their control or jurisdiction and destroy noxious plants growing on such land if—

(1) such entry is in accordance with a program submitted to and approved by such department or agency: *Provided,* That no entry shall occur when the head of such Federal department or agency, or his designee, shall have certified that entry is inconsistent with national security;

(2) the means by which noxious plants are destroyed are acceptable to the head of such department or agency; and

(3) the same procedure required by the State program with respect to privately owned land has been followed.

SEC. 2. Any State incurring expenses pursuant to section 1 of this Act upon presentation of an itemized account of such expenses shall be rembursed by the head of the department or agency havng control or jurisdciton of the land with respect to which such expenses were incurred: *Provided,* That such reimbursement shall be only to the extent that funds appropriated specifically to carry out the purposes of this Act are available therefor during the fiscal year in which the expenses are incurred.

SEC. 3. There are hereby authorized to be appropriated to departments or agencies of the Federal Government such sums as the Congress may determine to be necessary to carry out the purposes of this Act.

The **SPEAKER.** Is a second demanded?

Mrs. MAY. Mr. Speaker, I demand a second.

The **SPEAKER.** Without objection, a second will be considered as ordered.

There was no objection.

(Mr. FOLEY asked and was given permission to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, S. 2671 would authorize and direct Federal agency heads to permit State agencies to enter Federal lands and destroy noxious plants and weeds. Before such a State agricultural agency could gain access to Federal property for this purposes, certain conditions would have to be met.

The first condition would be that the entry upon Federal lands would be for the purposes of destroying the noxious plants through a program approved by the agency in charge of the lands.

Second, the means by which the plants were controlled would have to be acceptable to the head of the Federal agency.

Third, the State agency would have to follow the same procedure with respect to privately owned lands that was requested to be followed or employed on the Federal lands. Finally, before any such agency could enter into an agreement with the Federal department for the purposes of destroying or controlling noxious plants, an agreement would have to be reached as to the cost of such efforts. Once agreement to the expenses and other conditions have been met and the weed control procedures applied, the States could be reimbursed by the Federal agency to the extent that funds had been appropriated specifically for that purpose and were available in the fiscal year in which the expenses were incurred.

This bill is nearly identical to H.R. 14158. The other body added an amendment recommended by the Department of the Army that no entry be permitted by State weed control crews which was inconsistent with national security. It does not affect other provisions of the bill which still require that the control program or method be approved by the administering officer or head of the agency.

This problem of weed control has been one of longstanding duration. The Department of Agriculture has recognized the need for adequate noxious plant controls on both public and private properties. Control efforts are being pursued where possible on national forests, national grasslands, and other lands under the jurisdiction of the Department of Agriculture, but many other Federal reservations have little or no such efforts.

In those areas of the United States with good administration of adequate noxious plant control laws, the failure to employ suitable means within Federal properties has defeated attempts outside Federal reservations to solve this problem. Farmers and ranchers are spending huge sums of money annually only to find their efforts to control perennial weeds negated by the reinfestation caused by water and wind borne contamination from untreated areas on Federal lands.

Such plants as Canada thistle, leafy spurge, Johnson grass, quack grass and others pose serious threats to the production of cultivated crops and to hay and pasture lands. It is estimated that farmers in the State of Maryland alone spend over $600 thousand per year for chemicals used in weed control. This effort is pointless when the weeds are allowed to grow freely on Federal property that is inaccessible.

The need for this legislation to help bring about control of noxious weeds is obvious. It will become more important as farmers fight an all-out war against weeds of all types that lower agricultural production and add to its costs.

I hope the House will give its support to this legislation, which is most necessary to protect vital agricultural crops. I dare say that the Federal Government has a minimum obligation to farmers and ranchers in this country, which is the obligation to make the individual efforts of those farmers and ranchers to control weeds effective by not reinfesting lands by contamination from Federal sources. I urge a favorable vote on S. 2671.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I think I am in agreement with the intent of this bill. I compliment the gentleman and his committee for bringing this out. As I understand it, basically this would allow the State agricultural agencies to impinge on Federal lands, such as a forest reserve, to eliminate noxious weeds such as Johnson grass and Canadian thistle or locoweed or any other noxious weed. Some of those seeds are airborne and we cannot prevent them from flying out of the Federal reserve onto the State or privately owned land. Is there any provision for a private owner who happens to have property juxtaposed with the Federal land to enter Federal land to destroy noxious weeds?

Mr. FOLEY. Through the State agency?

Mr. HALL. Yes.

Mr. FOLEY. The law presumes that the State agency would be the administering agency in order to establish a program of weed control which is consistent, but I know of no reason why private efforts could not be made, as long as it had the approval of both the State agency, if one exists, and the Federal agency head, who under the bill must give approval to any such effort.

Mr. HALL. Mr. Speaker, I appreciate the gentleman making this legislative history.

I wonder if the gentleman can give us an estimate of the cost that might be involved? Of course, the report lists none, and I would presume it is not a matter for the Federal Treasury if the States are simply authorized this power. Is there any cost involved to the Federal taxpayer?

Mr. FOLEY. There could be a cost involved. The bill would authorize reimbursement of the State agencies by the Federal Government only to the extent the Appropriations Committee would assign funds for that purpose and if they were expended within the fiscal year. I think the gentleman understands it is hard to give an estimate on this, because we do not know what applications would be made for clearing these Federal lands. It would depend on what efforts are made in scattered localities. It really lies with the State agencies as to what program they wish to initiate.

Mr. HALL. But it is not the plan of the Department of Agriculture that the Federal taxpayer would subsidize every effort made by the State agency—at least not beyond matching funds?

Mr. FOLEY. The intent of this legislation is that the Federal Government would pay for the State action only to the extent it is taken on Federal land and only to the extent to which funds are assigned by the Appropriations Committee for that purpose, if the funds are expended during that fiscal year.

Mr. HALL. I thank the gentleman.

Mrs. MAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us is important to the area of Washington State which I have the privilege of representing, and it is important to many other areas in the United States in which the Federal Government owns or has jurisdiction over large land holdings.

Control of the spread of noxious weeds is highly necessary, not only to all types of agriculture, but to just about every kind of land use you can think of—gardens, parks, grazing lands, and so on.

This legislation would allow State agriculture or other proper agencies to destroy and control noxious weeds on lands under Federal jurisdiction, and receive reimbursement from available Federal funds for this activity. Of course, the Federal agency involved would have to give its approval of the control methods used, and consent for entry to the land concerned.

The U.S. Department of Agriculture, in reporting on the bill, stated that they recognize the need for adequate noxious plant control on both public and private lands, and conduct both research and control programs to this end. However, the Department concedes that local officials in States with good administration of adequate noxious plant control laws may have cause for concern because it has not always been possible to devote sufficient Federal funds to this purpose, and thus an effective control program has not been realized in some areas. The Department feels that this legislation would be beneficial in supporting State programs for noxious plant control.

Mr. Speaker, I support this bill and urge my colleagues in the House to do the same.

For the information of my colleagues who live in urban areas, I might say I could explain the need for this, by pointing out that those of you who have lawns on which you are attempting to control, a noxious weed like crabgrass know that if your neighbor makes no attempt to control his weeds, you are fighting a losing battle.

With this legislation we are doing our best to correct the situation which exists every place where the State, the private agency, the local private people may be doing all they can to control the devastating effect of weeds on their agricultural production but, because they are next to or near large tracts of Federal land, where this control has not been adequate, they fight a constantly losing game.

Mr. Speaker, in our committee Mr. Lowell Purdy, who is commissioner of agriculture at Montana, was quoted by Dr. Charles Ellington, who appeared before our committee. Dr. Ellington is director of agriculture for the State of Maryland. These two gentlemen have done a great deal of weed research on the part of the National Association of State Departments of Agriculture pursuant to a resolution which had been adopted by that group.

In the hearing record before our committee Dr. Ellington submitted to us a summary of the situation as it existed throughout the Nation. Dr. Ellington, in quoting Mr. Purdy, said it had been pointed out that farmers and ranchers in most of the counties in his State, Montana, have weed district laws and have been and are spending considerable sums of money annually to control perennial weeds only to find their efforts are negated by reinfestation caused by water and wind-borne contamination from the untreated areas of the Federal land.

He further states that unless we control perennial weeds on federally owned lands the time will come when farmers and ranchers will be unable to afford to own the lands because the cost of perennial weed control will be prohibitive.

Also from our hearing record is a table of weed infestation, a comparison between the years of 1957 and 1967. I should like to call to the attention of Members, from this hearing record, the fact that as to Canada thistle the acreage infested increased from 324,000 acres in 1957 to 489,000 in 1967. This is in spite of efforts by farmers and ranchers to control that weed.

In the eastern part of the United States the problem is certainly no less severe and no less complicated. We do have a different situation, and of course different types of weeds. In the eastern United States Johnsongrass, quackgrass, and Canada thistle are the ones that pose serious threats to the production of cultivated crops and to our hay and pasture lands.

I might say that in the State of Maryland alone, Mr. Ellington's testimony showed that in 18 years there has been a tremendous increase of Johnsongrass. This one weed alone costs close to $1 million a year loss to farmers in income plus the cost of their attempts to control it. In the State of Maryland, $600,000 a year is spent by farmers just for chemicals. This points out, I believe, what a highly neglected area weed control is.

We have certainly made marvelous progress in many of the animal disease control programs and in many programs dealing with insects and other diseases, but we are just now beginning to realize the problem and the potential for action in weed control. In the East individual farmers are powerless to control weeds on their own land, if on additional land, federally or privately owned, weeds are allowed to go to seed and then spread and reinfest croplands. In the State of Maryland a suggested law has been drafted by the agricultural leaders there. This law would require the control of Johnsongrass on all lands in the State in an attempt to control it and eventually eradicate it. One of the biggest factors in this infestation is that there are a number of military and nonmilitary federally owned installations in Maryland which have caused this situation to worsen.

Mr. HALL. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I am very glad to yield to the gentleman.

Mr. HALL. I certainly appreciate the learned testimony that the gentlewoman has given here to the Members. I am familiar with this problem. I am vitally interested in it. As I said before, in talking to the gentleman handling the bill for the majority, I appreciate this bill being brought to the floor. I understand, in addition to the information given—and I had to step off the floor for just a minute and it may have been touched on, and please do not repeat it if it has been stated before—I understand there is such a thing as skeleton weed that is spreading from State to State. I wonder if the gentlewoman has information on that or, if not, if she would yield to someone for information to be furnished on it.

Mrs. MAY. I believe the gentleman from Missouri is talking about skeleton weed. In the hearings this was mentioned by Mr. Ellington. I do not have the exact quote on it, but he listed it in this comparison chart to which I have just referred.

Mr. FOLEY. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I am glad to yield to the gentleman from Washington.

Mr. FOLEY. I think the gentleman from Missouri has brought up an important point. The gentlewoman from Washington and I are quite aware of the problems of skeleton weed, which is beginning to infest areas in western parts of the United States. It has been a terrible problem in Australia, and it is one of the most difficult things to eradicate of all the agricultural weeds. Once it gets a foothold it becomes very tenacious and blights many agricultural areas. I guess this is one of the main reasons why we want support of this legislation.

Mr. HALL. I appreciate the information and, if the gentlewoman will yield further, I would like to ask this question: Does this involve anything besides noxious weeds? For example, anything like rodents or fire ants.

Mrs. MAY. No. This is absolutely confined just to the control of noxious weeds.

The SPEAKER. The question is on the motion offered by the gentleman from Washington that the House suspend the rules and pass the bill S. 2671.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ADDITIONAL LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to announce a change in the program.

Mr. Speaker, the bills S. 1507, to include firefighters within the provisions of law relating to the retirement of Government employees engaged in certain hazardous occupations; S. 1190, to provide for the inclusion of certain periods of reemployment of annuitants in computing annuities of surviving spouses; H.R. 17954, to correct inequities arising out of overpayments of compensation to Government employees; H.R. 7406, authorizing the furnishing of subsistence to certain employees of the Corps of Engineers; and H.R. 12881, to authorize allowances to defray commuting expenses of civilian employees at remote work sites; are being taken off the list of suspensions, and the chairman of the Committee on Post Office and Civil Service, the gentleman from New York [Mr. DULSKI], has advised that he will seek to call up these bills under unanimous-consent request at some day later in the week.

ESTABLISHING A NATIONAL MEMORIAL TO WOODROW WILSON IN THE SMITHSONIAN INSTITUTION

Mr. THOMPSON of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 19988) to establish a national memorial to Woodrow Wilson in the Smithsonian Institution, as amended.

The Clerk read as follows:

H.R. 19988

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Woodrow Wilson Memorial Act of 1968."

DECLARATION OF POLICY

SEC. 2. The Congress hereby finds and declares—

(1) that a living institution expressing the ideals and concerns of Woodrow Wilson would be an appropriate memorial to his accomplishments as the twenty-eighth President of the United States, a distinguished scholar, an outstanding university president, and a brilliant advocate of international understanding;

(2) that the Woodrow Wilson Memorial Commission, created by joint resolution of Congress, recommended that an International Center for Scholars be constructed in the District of Columbia in the area north of the proposed Market Square as part of the Nation's memorial to Woodrow Wilson;

(3) that such a center, symbolizing and strengthening the fruitful relations between the world of learning and the world of public affairs, would be a suitable memorial to the spirit of Woodrow Wilson; and

(4) that the establishment of such a center would be consonant with the purposes of the Smithsonian Institution, created by Congress in 1846 "for the increase and diffusion of knowledge among men."

THE CENTER AND THE BOARD OF TRUSTEES

SEC. 3. (a) There is hereby established in the Smithsonian Institution a Woodrow Wilson International Center for Scholars and a Board of Trustees of the Center (hereinafter referred to as the "Center" and the "Board"), whose duties it shall be to maintain and administer the Center and site thereof and to execute such other functions as are vested in the Board by this Act.

(b) The Board of Trustees shall be composed of fifteen members as follows:

(1) the Secretary of State;

(2) the Secretary of Health, Education, and Welfare;

(3) the Chairman of the National Endowment for the Humanities;

(4) the Secretary of the Smithsonian Institution;

(5) the Librarian of Congress;

(6) the Archivist of the United States;

(7) one appointed by the President from time to time from within the Federal Government; and

(8) eight appointed by the President from private life.

(c) Each member of the Board of Trustees specified in paragraphs (1) through (7) of subsection (b) may designate another official to serve on the Board of Trustees in his stead.

(d) Each member of the Board of Trustees appointed under paragraph (8) of subsection (b) shall serve for a term of six years from the expiration of his predecessor's term; except that (1) any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the trustees first taking office shall begin on the date of the enactment of this Act, and shall expire as designated at the time of appointment, two at the end of two years, three at the end of four years, and three at the end of six years. No trustee of the Board chosen from private life shall be eligible to serve in excess of two consecutive terms, except that a trustee whose term has expired may serve until his successor has qualified.

(e) The President shall designate a Chairman and a Vice Chairman from among the members of the Board chosen from private life.

POWERS AND DUTIES OF THE BOARD

SEC. 4. (a) In administering the Center, the Board shall have all necessary and proper powers, which shall include but not be limited to the power to—

(1) appoint scholars, from the United States and abroad, and, where appropriate, provide stipends, grants, and fellowships to such scholars, and to hire or accept the voluntary services of consultants, advisory boards, and panels to aid the Board in carrying out its responsibilities;

(2) solicit, accept, and dispose of gifts, bequests, and devises of money, securities, and other property of whatsoever character for the benefit of the Center; any such money, securities, or other property shall, upon receipt, be deposited with the Smithsonian Institution, and unless otherwise restricted by the terms of the gift, expenditures shall be in the discretion of the Board for the purposes of the Center;

(3) obtain grants from, and make contracts with, State, Federal, local, and private agencies, organizations, institutions, and individuals;

(4) acquire such site as a location for the Center as may subsequently be authorized by the Congress;

(5) acquire, hold, maintain, use, operate, and dispose of any physical facilities, including equipment, necessary for the operation of the Center;

(6) appoint and fix the compensation and duties of the director and such other officers of the Center as may be necessary for the efficient administration of the Center; the director and two other officers of the Center may be appointed and compensated without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and chapter 51 and subchapter III of chapter 53 of title 5 of the United States Code; and

(7) prepare plans and specifications for the Center, including the design and development of all buildings, facilities, open spaces, and other structures on the site in consultation with the President's Temporary Commission on Pennsylvania Avenue, or its successor, and with other appropriate Federal and local agencies, such plans to include an exterior classic frieze memorial to Woodrow Wilson.

(b) The Board shall, in connection with acquisition of any site authorized by Congress, as provided for in paragraph (4) of subsection (a) of this section, provide, to businesses and residents displaced from any such site, relocation assistance, including payments and other benefits, equivalent to that authorized to displaced businesses and residents under the Housing Act of 1949, as amended. The Board shall develop a relocation program for existing businesses and residents within the site and submit such program to the government of the District of Columbia for a determination as to its adequacy and feasibility. In providing such relocation assistance and developing such relocation program the Board shall utilize to the maximum extent the services and facilities of the appropriate Federal and local agencies.

ADMINISTRATION

SEC. 5. The Board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations as it deems necessary for the administration of its functions under this Act, including, among other matters, bylaws, rules, and regulations relating to the administration of its trust funds and the organization and procedure of the Board. A majority of the members of the Board shall constitute a quorum for the transaction of business.

APPROPRIATION

SEC. 6. There are hereby authorized to be appropriated to the Board such funds as may be necessary to carry out the purposes of this Act: *Provided,* That no more than $200,000 shall be authorized for appropriation through fiscal year 1970 and no part of that appropriation shall be available for construction purposes.

RECORDS AND AUDIT

SEC. 7. The accounts of the Board shall be audited in accordance with the principles and procedures applicable to, and as part of, the audit of the other Federal and trust funds of the Smithsonian Institution.

The SPEAKER. Is a second demanded? The Chair hears none.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, I have the honor to offer for the consideration of the House a bill to establish a national memorial to Woodrow Wilson. The purpose of the bill is to establish within the Smithsonian Institution a Woodrow Wilson International Center for Scholars as a living memorial to the 28th President of the United States.

President Wilson was born in Virginia and, following a distinguished academic career, became President of Princeton University, which is located in the congressional district which I represent. He became Governor of the State of New Jersey and, subsequently, as we all know, President of the United States. He was indeed a great man.

For many years, a Commission has been established to decide upon an appropriate memorial to Woodrow Wilson. It is my judgment that the establishment of the International Center for Scholars as decided upon is the most fitting memorial to a President noted for his scholarship and international understanding. We are in debt to the distinguished Senator from Rhode Island, the Honorable CLAIBORNE PELL, to Senator HARRISON A. WILLIAMS, of New Jersey, and to Representative

PETER H. B. FRELINGHUYSEN, of New Jersey, and to Representative CORNELIUS E. GALLAGHER, of New Jersey, among others, for their efforts in this direction.

The bill H.R. 19988 differs slightly from that which was passed by the other body on October 3, 1968, The distinguished Senator from Kentucky, the Honorable JOHN SHERMAN COOPER, amended the original version slightly and, in the usual course of events, the differences between the two pieces of legislation could easily be resolved.

The parliamentary circumstances in which we find ourselves today are such that, upon the adoption of the bill H.R. 19988, I shall ask unanimous consent that the House take the bill S. 3174, strike all after the enacting clause, and substitute therefor the language of the House bill.

In order that the necessary planning and other action required to begin the actual establishment of the Wilson memorial take place, it is my earnest hope that the other body will accept the results of our legislative effort today. If there are substantive differences with respect to procedures, I am certain that they can be easily resolved in the 91st Congress without delaying any further the establishment of this memorial to one of the great men of our history.

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in support of H.R. 19988, to establish a memorial to Woodrow Wilson. Some time ago, I joined with my colleague from New Jersey [Mr. GALLAGHER] in cosponsoring legislation similar to that being considered today.

I had the distinct honor and pleasure to serve as a member of the Woodrow Wilson Memorial Commission, a group charged with the responsibility of developing plans for an appropriate memorial to our 28th President. I might add that it was the distinguished Speaker of the House who appointed me to the Commission.

The creation of a living memorial, such as the Center for Scholars being proposed, is a most fitting tribute to the memory of Woodrow Wilson. For Wilson, himself, was a distinguished scholar, an outstanding president of one of this Nation's great universities, and a tireless advocate of international understanding.

During the hearings of the Memorial Commission to determine the most appropriate type of memorial, Dr. Robert Goheen, president of Princeton University, noted that there has been a "remarkable convergence of academic and cultural interests in support of a center for scholars who need to work on the incomparable assemblages of materials here in Washington relating to the study of American history and the analysis of public and international affairs."

There is no question in my mind, Mr. Speaker, of the accuracy of this statement.

The proposed Center for Scholars would, in my judgment, symbolize Woodrow Wilson's success in strengthening the ties between the world of learning and the world of public affairs.

His dedicated and tireless efforts to attain a lasting peace have won for him the gratitude of the American people and it is altogether fitting that we honor him with the dedication of a suitable memorial.

The SPEAKER. The question is on the motion offered by the gentleman from New Jersey that the House suspend the rules and pass the bill (H.R. 19988), as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 3174) to establish a National Memorial to Woodrow Wilson.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3174

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Woodrow Wilson Memorial Act of 1968."

DECLARATION OF POLICY

SEC. 2. The Congress hereby finds and declares—

(1) that a living institution expressing the ideals and concerns of Woodrow Wilson would be an appropriate memorial to his accomplishments as the twenty-eighth President of the United States, a distinguished scholar, an outstanding university president, and a brilliant advocate of international understanding;

(2) that the Woodrow Wilson Memorial Commission, created by joint resolution of Congress, recommended that an International Center for Scholars be constructed in the District of Columbia in the area north of the proposed Market Square as part of the Nation's memorial to Woodrow Wilson; and

(3) that such a center, symbolizing and strengthening the fruitful relations between the world of learning and the world of public affairs, would be a suitable memorial to the spirit of Woodrow Wilson.

THE CENTER AND THE BOARD OF TRUSTEES

SEC. 3. (a) There is hereby established in the Smithsonian Institution a Woodrow Wilson International Center for Scholars and a Board of Trustees of the Center (hereinafter referred to as the "Center" and the "Board"), whose duties it shall be to maintain and administer the Center and site thereof and to execute such other functions as are vested in the Board by this Act.

(b) The Board of Trustees shall be composed of fifteen members as follows:

(1) the Secretary of State;

(2) the Secretary of Health, Education, and Welfare;

(3) the Chairman of the National Endowment for the Humanities;

(4) the Secretary of the Smithsonian Institution;

(5) The Librarian of Congress;

(6) The Archivist of the United States;

(7) one appointed by the President from time to time from within the Federal Government; and

(8) eight appointed by the President from private life.

(c) Each member of the Board of Trustees specified in paragraphs (1) through (7) of subsection (b) may designate another official to serve on the Board of Trustees in his stead.

(d) Each member of the Board of Trustees appointed under paragraph (8) of subsection (b) shall serve for a term of six years from the expiration of his predecessor's term; except that (1) any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the trustees first taking office shall begin on the date of the enactment of this Act, and shall expire as designated at the time of appointment, two at the end of two years, three at the end of four years, and three at the end of six years. No trustee of the Board chosen from private life shall be eligible to serve in excess of two consecutive terms, except that a trustee whose term has expired may serve until his successor has qualified.

(e) The President shall designate a Chairman and a Vice Chairman from among the members of the Board chosen from private life.

POWERS AND DUTIES OF THE BOARD

SEC. 4. (a) In administering the Center, the Board shall have all necessary and proper powers, which shall include but not be limited to the power to:

(1) appoint scholars, from the United States and abroad, and, where appropriate, provide stipends, grants, and fellowships to such scholars, and to hire or accept the voluntary services of consultants, advisory boards, and panels to aid the Board in carrying out its responsibilities;

(2) solicit, accept, and dispose of gifts, bequests, and devises of money, securities, and other property of whatsoever character for the benefit of the Center; any such money, securities, or other property shall upon receipt, be deposited with the Smithsonian Institution. The Board shall have the sole authority to make expenditures from such funds for carrying out the purposes of this Act, unless otherwise restricted by the terms of the gift;

(3) obtain grants from, and make contracts with, State, Federal, local, and private agencies, organizations, institutions, and individuals;

(4) acquire such site as a location for the Center as may subsequently be authorized by the Congress;

(5) acquire, hold, maintain, use, operate, and dispose of any physical facilities, including equipment, necessary for the operation of the Center;

(6) appoint and fix the compensation and duties of the director and such other officers of the Center as may be necessary for the efficient administration of the Center; the director and two other officers of the Center may be appointed and compensated without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and chapter 51 and subchapter III of chapter 53 of title 5 of the United States Code; and

(7) prepare plans and specifications for the Center including the design and development of all buildings, facilities, open spaces, and other structures on the site in consultation with the President's Temporary Commission on Pennsylvania Avenue, or its successor, and with other appropriate Federal and local agencies, such plans to include an exterior classic frieze memorial to Woodrow Wilson.

(b) The Board shall, in connection with acquisition of any site authorized by Congress, as provided for in paragraph (4) of subsection (a) of this section, provide, to businesses and residents displaced from any such site, relocation assistance, including payments and other benefits, equivalent to that authorized to displaced businesses and residents under the Housing Act of 1949, as amended. The Board shall develop a relocation program for existing businesses and residents within the site and submit such program to the government of the District of Columbia for a determination as to its adequacy and feasibility. In providing such relocation assistance and developing such relocation program the Board shall utilize to the maximum extent the services and facilities of the appropriate Federal and local agencies.

ADMINISTRATION

SEC. 5. The Board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations, as it deems necessary for the administration of its functions under this Act, including, among other matters, bylaws, rules, and regulations relating to the administration of its trust funds and the organization and procedure of the Board. A majority of the members of the Board shall constitute a quorum for the transaction of business.

APPROPRIATION

SEC. 6. There are hereby authorized to be appropriated to the Board such funds as may be necessary to carry out the purposes of this Act: *Provided*, That no more than $500,000 shall be authorized for appropriation through fiscal year 1970 and no part of that appropriation shall be available for construction purposes.

RECORDS AND AUDIT

SEC. 7. The accounts of the Board shall be audited in accordance with the principles and procedures applicable to, and as part of, the audit of the other Federal and trust funds of the Smithsonian Institution.

AMENDMENT OFFERED BY MR. THOMPSON OF NEW JERSEY

Mr. THOMPSON of New Jersey. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of New Jersey: Strike out all after the enacting clause of S. 3174 and insert in lieu thereof the provisions of H.R. 19988, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 19988) was laid on the table.

SALARY INCREASES FOR CERTAIN MEMBERS OF THE POLICE FORCE OF THE LIBRARY OF CONGRESS

Mr. WAGGONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10725) to amend the act of August 4, 1950 (64 Stat. 411), to provide salary increases for certain members of the police force of the Library of Congress, as amended.

The Clerk read as follows:

H.R. 10725

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of August 4, 1950 (64 Stat. 411; 2 U.S.C. 167) is amended to read as follows:

"(a) The Librarian of Congress may designate employees of the Library of Congress as special policemen for duty in connection with the policing of the Library of Congress buildings and grounds and adjacent streets and shall fix their rates of basic pay as follows:

"(1) Private—not to exceed the rate for GS–5, Step 5;

"(2) Sergeant—not to exceed the rate for GS–6, Step 5;

"(3) Lieutenant—not to exceed the rate for GS–7, Step 5;

"(4) Senior Lieutenant—not to exceed the rate for GS–9, Step. 5; and

"(5) Captain—not to exceed the rate for GS–10, Step 5.

"(b) The Librarian of Congress may apply the provisions of subchapter V of chapter 55 of title 5, United States Code, to members of special police force of the Library of Congress."

SEC. 2. Section 5102(c) of title 5, United States Code, is amended by—

(1) striking out "or" at the end of paragraph (25);

(2) striking out the period at the end of paragraph (26) and inserting "; or" in place thereof; and

(3) inserting the following new paragraph after paragraph (26);

"(27) members of the special police force of the Library of Congress whose pay is fixed under section 167 of title 2."

SEC. 3. The amendments made by this Act shall take effect on the first day of the first pay period which begins on or after the date of enactment of this Act. Nothwithstanding any provisions of this Act, no rate of basic pay shall be reduced by reason of the enactment of this Act.

The SPEAKER. Is a second demanded? The Chair hears none.

Mr. WAGGONNER. Mr. Speaker, as amended, H.R. 10725 would remove all ranks of the Library's Special Police Force from the provisions of law that apply the classification standards issued by the Civil Service Commission to those positions, and would confer upon the Librarian of Congress authority to fix higher salaries for all the ranks with a maximum limit commensurate with the rate of pay of GS–5, GS–6, GS–7, GS–9, and GS–10. The present grade structure runs from GS–3 through GS–8. The limitation restricts the Librarian to the first five steps in each grade in contrast to 10 steps in the present pay schedule.

Mr. BROYHILL of Virginia. Mr. Speaker, I rise in support of H.R. 10725, to adjust the salaries of the members of the special police force at the Library of Congress.

As our colleagues know, on Capitol Hill we have the U.S. Capitol Police; the Supreme Court Police; and the Library of Congress Police. The salaries payable to the Library of Congress Police Force are considerably lower than those received by members of the other organizations, and in many instances their duties are identical.

During the past several months we have faced repeated assaults on the Capitol Hill complex by one group or another of agitators, and our police have been required to perform with the highest competence. We cannot hope to attract the high caliber of men who can be entrusted with protecting the Capitol Hill complex unless we can offer pay at least comparable to that offered others performing similar work.

Mr. Speaker, my bill, H.R. 14430, which is presently under consideration in the Committee on the District of Columbia, could finally and permanently resolve the problem with which we are faced in our continuing readjustments of the salaries of one group of law enforcement officers to make them again comparable to another group which is raised under different legislation. I urge enactment of H.R. 10725, as it is urgently needed, but I also urge my colleagues to give careful consideration to the many benefits which could be gained by consolidation of all police forces in the District of Columbia under a single commissioner who could insure that those performing comparable duties would be compensated equally.

The SPEAKER. The question is on the motion offered by the gentleman from Louisiana [Mr. WAGGONNER] that the House suspend the rules and pass the bill H.R. 10725, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend the act of August 4, 1950 (64 Stat. 411), entitled 'An act relating to the policing of the buildings and grounds of the Library of Congress' to provide salary increases for members of the police force of the Library of Congress, and for other purposes."

A motion to reconsider was laid on the table.

SALARIES OF THE POLICE FOR THE NATIONAL ZOOLOGICAL PARK

Mr. WAGGONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7195) to amend the act of October 24, 1951, in order to insure that the salaries of the police for the National Zoological Park shall equal those of members of the U.S. Park Police having comparable duties, as amended.

The Clerk read as follows:

H.R. 7195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled That (a) subchapter VI of chapter 53 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 5365. Police force of National Zoological Park

"(a) The Secretary of the Smithsonian Institution shall fix the per annum rates of basic pay of positions on the police force of the National Zoological Park in accordance with the following provision:

"(1) Private—not more than the rate for GS–7, Step 5;

"(2) Sergeant—not more than the rate for GS–8, Step 5;

"(3) Lieutenant—not more than the rate for GS–9, Step 5;

"(4) Captain—not more than the rate for GS–10, Step 5.".

(b) The table of sections of subchapter VI of chapter 53 of title 5, United States Code, is amended by adding—

"5365. Police force of National Zoological Park."

immediately below—

"5364. Miscellaneous positions in the executive branch.".

SEC. 2. (a) Section 5102(c)(5) of title 5, United States Code, is amended by adding, immediately after the semicolon at the end thereof, the following: "and members of the police force of the National Zoological Park whose pay is fixed under section 5365 of this title;".

(b) Section 5109(c) of title 5, United States Code, is repealed.

(c) The first section of the Act entitled "An Act relating to the policing of the buildings and grounds of the Smithsonian Institution and its constituent bureaus", approved October 24, 1951 (65 Stat. 634; Public Law 206, Eighty-second Congress; 40 U.S.C. 193n), is amended by striking out "That the Secretary" and inserting in lieu thereof

"That, subject to section 5365 of title 5, United States Code, the Secretary".

SEC. 3. (a) The foregoing provisions of this Act shall become effective at the beginning of the first pay period which commences on or after the date of enactment of this Act.

(b) No rate of basic pay shall be reduced by reason of the enactment of this Act.

The **SPEAKER**. Is a second demanded? The Chair hears none.

Mr. **WAGGONNER**. Mr. Speaker, the proposed bill removes the zoo police force from the provisions of law that apply the classification standards to those positions, and would confer upon the Secretary of the Smithsonian Institution authority to adjust salaries of all ranks of the zoo police force with a limit commensurate with the rate of pay of GS-7, GS-8, GS-9, and GS-10 up to step 5. The present grade structure runs from GS-5 through GS-8 with 10 steps.

Mr. **BROYHILL** of Virginia. Mr. Speaker, I rise in support of H.R. 7195, to adjust pay scales for the members of the police force at the National Zoological Park.

Frankly, Mr. Speaker, I do not believe this bill goes far enough. I am most hopeful that my bill, H.R. 14430, which would consolidate all of the police forces operating in the District of Columbia under a single police commissioner, will be enacted, if not during the current session of Congress, during the next. My bill would eliminate the need for the piecemeal legislation we are considering today both with regard to this measure and H.R. 10725, to adjust the salaries of members of the Library of Congress Police Force. I think the need for consolidation of the various forces in the District of Columbia is pointed up by the fact that the Committee on House Administration, in reporting each of these measures, acknowledges that even with the increases provided in the legislation, the pay figures for these two groups will be less than the salaries currently paid other police organizations.

The need for H.R. 7195 is indeed acute. The National Zoological Police Force has had considerable difficulty in attracting capable men to fill the vacancies on its 32-man force, and this step toward more equitable compensation will alleviate that problem to some degree. I therefore urge its enactment. But at the same time, I hope the recurring need to make these piecemeal adjustments for our many overlapping police forces will be a convincing argument for enactment of the legislation I have proposed when the 91st Congress convenes in January.

The **SPEAKER**. The question is on the motion offered by the gentleman from Louisiana that the House suspend the rules and pass the bill H.R. 7195, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to revise the pay structure of the police force of the National Zoological Park, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. **WAGGONNER**. Mr. Speaker, I ask unanimous consent that I may be permitted to revise and extend my remarks on the two bills just passed, and further, Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days within which to extend their remarks on the two bills just passed.

The **SPEAKER**. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

GOODWILL INDUSTRIES OF CLEVELAND CELEBRATES HALF CENTURY OF PROGRESS

Mr. **FEIGHAN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **FEIGHAN**. Mr. Speaker, I am proud to bring to the attention of my distinguished colleagues that this year an organization in Cleveland, Ohio, celebrates its 50th year of service to the physically handicapped, mentally retarded, emotionally disturbed, and older persons: Goodwill Industries for the Handicapped.

It was a hot, dusty day 50 years ago when a group of concerned men and women, interested in doing something to help the large number of Cleveland area persons handicapped by reason of disease, accident or other disability, gathered at the Methodist Deaconess Home on Bridge Avenue.

Had they been blessed with extrasensory perception in 1918, they still could not have envisioned the wide acceptance and tremendous growth of Goodwill's unique self-help rehabilitation program—a development moving from service to a handful of persons in 1918 to 522 deserving handicapped individuals in 1967.

It is doubtful if they could have predicted expansion from a purely workshop operation to one involving multifaceted services embracing work evaluation, adjustment, and skill training; vocational counseling and social casework; competitive job placement; and sheltered employment.

The most unique aspect of Goodwill's vocational rehabilitation program is the fact that its clients receive wages while they are undergoing the rehabilitation process. Last year, service wages paid to Goodwill's handicapped workers amounted to more than $498,000.

There is no single factor of greater influence or therapeutic value to a client than to receive wages for his efforts.

Such remunerative employment—and I must cite the fact that these handicapped unfortunates also paid some $65,000 in Federal income and social security taxes—enables the handicapped to become self-sufficient, taxpaying individuals—instead of tax burdens.

Great strides have been made, new ideas adopted, in Goodwill's never-ending search to better serve the handicapped. Despite cramped working conditions, budgetary problems and the like, Goodwill has meant hope for many who might otherwise have never known the joy of self-sufficiency.

The vocational rehabilitation agency's half century of service is now history. Today, it begins a new era and looks to the future as a period of continued growth, increased services, and greater opportunities for the handicapped.

Best of all, Goodwill Industries of Cleveland stands on the threshold of an exciting, fresh phase of its existence. A new facility, planned for erection at the corner of East 55 and Central Avenue, long a cherished dream, is now in process of becoming an encouraging reality.

It will form the broad cornerstone of a great rehabilitation center complex, joining together a number of agencies all ministering to the handicapped of the Cleveland area, and making possible more effective service to them, and on a more efficient cost basis. This latest planned development signals the advent of greatly expanded resources to mend and restore the less-privileged and disadvantaged to full, rewarding lives.

HON. JAMES E. WEBB, OUTSTANDING STEWARD OF A GREAT FEDERAL AGENCY

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. **ALBERT**. Mr. Speaker, NASA Administrator James E. Webb has been an outstanding steward of a great Federal agency. On this his retirement date, we regret to see him leave the Government service. As he departs, he leaves behind him a record of 7 years of magnificent achievement in perhaps the most vital and progressive technological and scientific programs of modern times. He has literally launched America into the space age. The National Aeronautics and Space Administration has carried the principal responsibility for keeping our country abreast and ahead of her competitors in space exploration. Jim Webb took over this agency under a mandate to put the United States "out front" in space flight. This he has done. In giving an account of his stewardship, he can point with pride to such accomplishments as the manned space flights of the Gemini series, to the Mariner IV space probes and the first closeup photographs of Mars, to the innovation of manned orbiting space laboratories, to the Ranger shots which took thousands of photographs of the lunar surface, and the beginnings of a nuclear space propulsion system to meet the space needs of the 1970's. The Apollo 7 flight scheduled for Friday, October 11, crowns an impressive list of successes with the first of several manned flights aimed at qualifying the spacecraft and the three-man crew for the trip to the moon. The Apollo 7 will carry a television camera in the capsule area and live TV pictures will be transmitted to two U.S. ground stations. This flight, which could last up to 11 days, will rendezvous and execute some of the most sophisticated techniques and maneuvers of manned space flight to date. The purpose of this mission is to demonstrate the command service module's crew performance and the command service module's rendezvous capability. An automatic deorbit and reentry is planned with recovery of the command module in the Atlantic Ocean, approximately 300 nautical miles northeast of Bermuda.

These feats called for the leadership of a man of special executive talent and foresight. While exceptional in all respects, they are no more than any of us who know him expected of James Webb. Jim is a former Oklahoman. Oklahomans feel a particular pride and satisfaction in his success. In fact, in 1967 he was elected to Oklahoma's Hall of Fame. He was the first president of Oklahoma's Frontiers of Science Foundation, and still serves as a member. If I take a somewhat possessive attitude about Mr. Webb's ties with my State, I recognize that he also has extensive ties with the business, professional, and governmental community throughout the country; Mr. Webb has been almost superactive in the range and scope of his interest and participation in all these areas. He has had an extraordinarily extensive background which includes distinction in education, the Armed Forces, business, and government. He was the ideal leader to rally wide-ranging support for NASA programs of scientific research and development. He is undoubtedly one of the finest administrators in the history of this country.

Our Government cannot adequately thank the men and women who sacrifice themselves, their families, and their personal desires, to serve in its high and lonely places of great responsibility. Certainly there is in our Government no more demanding job than that of heading our great space agency. Particularly this has been true during the past 7 years of Mr. Webb's tenure when we were making the maximum effort to assure U.S. leadership in space. I am certain that Administrator Webb has felt the burdens and demands of his job. I feel equally certain that he was happy to give it the maximum effort and dedication which has made possible the superiority in space flight which our country enjoys today. Mr. Webb is entitled to take away with him the satisfaction of a stewardship kept faithfully and well and the thanks of his Government. I admire him as a great doer and a great leader. I appreciate him as a devoted friend. I personally extend him my congratulations, my deep appreciation, and my hope for a less taxing but equally satisfying life in the future. And for today, my best wishes on his birthday and for many happy returns.

ESSENTIALITY OF IMPROVING CITY STREETS

Mr. MATHIAS of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, I take this opportunity to call on the Department of Transportation to consider a crash program for improving city streets as one essential step in improving the quality of urban life in America.

I am today asking Secretary of Transportation Alan Boyd to determine how badly we have lagged in repairing and improving city streets—and whether we need a special Federal-State program to catch up.

The question is more urgent because we have not made a really meaningful commitment to improving mass transit.

While we have been concentrating on building interstate highways to speed travelers from one city to another, traffic within the cities has become hopelessly snarled. Street congestion restricts access to jobs, retards commerce, and accelerates the migration of people and jobs to the suburbs.

I call attention to the fact that Federal funds for urban streets are provided under the C part of the ABC highway program. It has seemed more profitable for a State to focus its matching funds on the 90–10 interstate program than on the 50–50 ABC program. It is time now to restore balance to our highway programs.

I am asking the Secretary of Transportation to provide the facts on which to base an intelligent attack on urban traffic snarls. The problem cannot be solved simply by building more freeways. We need streets in better repair, with more rational systems for controlling and directing traffic.

Even if mass transit projects were started now on a massive scale, results would not be seen for several years. Meanwhile, if present trends continue, our city streets—and our cities—could be choked to death by traffic jams.

THE HONORABLE ARCH A. MOORE, JR., OF WEST VIRGINIA

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. Collier] is recognized for 30 minutes.

Mr. COLLIER. Mr. Speaker, I have requested this time this afternoon to pay deserved tribute to one of our colleagues who is retiring from the House of Representatives at the end of this 90th Congress. He is Arch A. Moore, Jr., of West Virginia, whom I have known and respected both as a legislator and a personal friend since we entered Congress together in January of 1957. Congressman Moore has served his district, his State, and his Nation well and I am confident that he will continue to render this same fine public service when he is elected Governor of the sovereign State of West Virginia in November.

The voters of our respective districts have supported us in substantial majorities in recent years, but as we all know, there is a vast difference in the political complexion of congressional districts and I have been amazed and impressed by the way Congressman Moore has increased his margin of victory since he first won his seat in the House in November of 1956.

There probably is not another Member of the House of Representatives who can present the eloquent testimony to his popularity as an outstanding legislator as can the Representative of the First District of West Virginia.

In 1956, with President Eisenhower as the popular leader of the Republican Party, Arch squeaked through and was elected by three-tenths of a percent of the vote. He increased this in 1958 in the face of substantial Republican losses to 54.6 percent of the vote. By 1964 he had captured 61.4 percent of the vote of his district and drew an amazing 70.9 percent of the vote in 1966.

Had he chosen to run for a seventh term in the House, I am confident that he would have broken his own record and secured an even greater percentage of the votes. Instead he decided to seek the governorship of his State. I know that he will be successful in this endeavor as he has in so many others and that his service as Governor of West Virginia will be as brilliant and constructive as his service in this body.

Although he is still in the prime of life at 45, Arch Moore has already had a lengthy and fruitful career of service to his community, his State, and his country.

He was one of the heroes of World War II, when he won the Purple Heart for wounds that he received during the fighting in Europe. Mr. Speaker, I believe that Arch Moore is a better inspiration for our young people than some of the examples that are being held up for the generation that will follow us.

Following his war service our future colleague finished his interrupted schooling and entered upon the practice of law. A few years later he decided to widen his horizon by running for Congress. His ventures in the political arena turned out as successful as his efforts in other fields.

Since coming to Congress, Arch Moore has looked after the interests of his constituents with a dedication and devotion that all the rest of us could emulate, but he has also looked after the interests of his wider constituency, the United States of America. In the same manner, he will look after the interests of the people of West Virginia from the day that he takes the oath as its chief executive.

Today, as the second session of the 90th Congress speeds toward its close, we are sorry to see Arch Moore break from the ranks, but we are happy to know that our loss is likely to be West Virginia's gain and that she has men to match her mountains.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman.

Mr. HECHLER of West Virginia. Mr. Speaker, although I cannot share the optimism of the gentleman now in the well, I do cherish my personal friendship with our colleague, his wife, and his family.

Mr. COLLIER. I can understand that.

Mr. TAFT. Mr. Speaker, it is indeed a pleasure to join with my colleagues in honoring my good friend, the Honorable Arch A. Moore, Jr.

Arch has spent 12 distinguished years in the House, building a reputation and a record that is admired by many.

As he is about to embark a new and even more challenging career, I know that the best wishes of his colleagues go with him. Arch will be missed in the House, but his talents and energies are needed in the State of West Virginia.

Mr. GERALD R. FORD. Mr. Speaker, today we pay tribute to an exceptional Member of the U.S. House of Representatives, a man I believe is destined to be the next Governor of the State of West Virginia. I personally believe Representative Arch Moore will make the best Governor West Virginia has seen in many years. I say that because Arch has excellent ideas. He works hard. He is a dedicated man. He loves his State, and he loves his people. The record shows that his people also love him, just as we in this House have come to have great affection for Arch. Best proof of the regard in which voters in West Virginia's First Congressional District hold Arch is that he has won reelection by consistently larger margins in every election since he first came to the Congress in January 1957. Mr. Speaker, the voters of West Virginia's First District revere Arch Moore because he has given them the most splendid service it was possible to render. He has taken his congressional office to his district, and the amount of casework he has performed is prodigious. The First District will be losing a most able and worthy Congressman, but the entire State of West Virginia will be gaining a leader. Arch is the leader who had a large hand in writing the Indigent Defender Act and the first general revision of our immigration laws in decades. He is the leader who greatly accelerated progress on badly needed dams for his district. He is the kind of leader who serves all of the people—Democrats and Republicans—and serves them well. The House will miss Arch Moore. I commend him to the people of West Virginia.

Mr. DEVINE. Mr. Speaker, as the 90th Congress draws to a close, I am happy to acknowledge the great public service rendered to the Nation by the talented Congressman from the First District of West Virginia, Arch A. Moore, Jr.

Congressman Moore is completing his sixth term—12 years of valuable service to his State and Nation. During that time he has demonstrated his great dedication and loyal patriotic service on behalf of his constituents, his colleagues and, indeed, his Nation.

Arch Moore is known in the Congress for his hard work, particularly in his committee assignment, as one of the key ranking members on the important Committee on the Judiciary, as well as his affable generosity in aiding his fellow Members of the Congress, in the many tasks they face daily.

Congressman Moore, regretfully, is leaving the greatest legislative body in the world, and undoubtedly will become the chief executive of the State of West Virginia. I am happy to join his many colleagues in wishing him continued success in his new chosen field of endeavor. He carries with him the respect, admiration, and best wishes of the Members of Congress.

Mr. KLEPPE. Mr. Speaker, it has been my privilege to know Arch Moore for less than 2 years, since this is my first term in Congress. With so many Members in the House, it is obvious that one learns to know some considerably better than others. Arch was one of the first senior Members I became acquainted with, and I liked him right from the beginning.

It is a great personal pleasure for me to join in paying tribute and special recognition to Arch Moore, Jr. upon his retirement from the House. He is seeking the governorship of his native State of West Virginia, and I know his qualifications and true patriotism, and his beliefs in our system, will afford the citizens of that State a special commendation when they elect him Governor.

I have nothing but the highest respect and regard for Arch as a colleague, as a citizen, and more importantly, as a personal friend.

Good luck and best wishes to him in his future operations.

Mr. CONTE. Mr. Speaker, as we near adjournment, the tributes paid to retiring Congressmen treble in volume, and superlatives abound. From sheer repetition, adjectives such as outstanding, distinguished, and unequalled lose their force and meaning. How then can I adequately honor one of the most valuable Members of the House of Representatives, the gentleman from West Virginia, Arch A. Moore, Jr.?

To call him an excellent Congressman and a fine human being would be an understatement.

His record over the past 12 years speaks for itself. Arch Moore has served on the House Judiciary Committee; he has been the ranking minority member on the House Select Small Business Committee and the Joint Committee on Immigration and Nationality Policy; he has been a U.S. delegate to the Intergovernmental Committee on European Immigration; and he has served as the ranking minority member of the Special Committee To Investigate Adam Clayton Powell.

His resounding victories in his congressional campaigns, consistently defeating his opposition by 2-to-1 margins, are the best evidences of his constituents' faith in his ability to represent their best interests.

I can, however, convey my deep gratitude for the privilege of serving with Arch Moore on the House Select Small Business Committee. His experience and expertise have been invaluable to me in our committee work, and in countless other matters as well.

The discussions of "The Acorns" have been enriched by the presence of Arch Moore. His gift for proper perspective and his logical approach to the problems of our times have helped to make his fellow members of "The Acorns" better Congressmen.

The Small Business Committee, "The Acorns," and the House of Representatives as a whole will miss the guiding spirit of Arch Moore. His successor from the First Congressional District of West Virginia has a high standard of public service to equal. It is with heartfelt regret that I say goodby to Arch A. Moore, Jr.

Mr. BELL. Mr. Speaker, it is with great pleasure that I join today in paying tribute to our distinguished colleague from West Virginia, Arch A. Moore, Jr.

As on similar occasions, mixed feelings predominated today: regret that we will not have the benefit of Arch's leadership and wit in the next Congress, and pride that the experience he has gained during his 12 years in Congress will enhance his further service to the people of West Virginia.

Long considered one of the most outstanding Members of the Judiciary Committee, Arch has also distinguished himself as a leader in seeking solutions to the problems of poverty and blight in our Nation.

Arch and I share a commitment in one area deserving of special mention: that is, the critical importance of improving the quality of education as a long-run means of overcoming unemployment and its attendant human tragedies.

Mr. Speaker, our loss of Arch Moore's talents is the people of West Virginia's gain. I am sure we all wish him the best of luck in his future career.

Mr. LAIRD. Mr. Speaker, I am pleased to join my colleague from Illinois [Mr. Collier] in the salute to the distinguished gentleman from the First Congressional District of West Virginia, the Honorable Arch A. Moore, Jr.

I have had the privilege of working closely with Arch since his election to the 85th Congress in 1956. He has played an active role in many congressional committees concerned with the law and the judicial process. Thus, he is now a ranking member of the House Committee on the Judiciary. He is also a ranking member of the Select Committee on Small Business and the Joint Committee on Immigration and Nationality Policy.

In the present Congress Arch was assigned what must have been one of his most challenging roles—that of ranking minority member of the Special Committee to Investigate Adam Clayton Powell.

Arch has also been a loyal, hardworking leader for the Republican Party. He serves as a vice chairman of the Republican Congressional Campaign Committee, and in other positions of party leadership.

In this, and in all of his other work for the Congress, Arch has performed with complete and total integrity. This is the one word which I think most clearly sums up the many accomplishments of the distinguished gentleman from West Virginia. He has been the personification of integrity and of dedication during his tenure in the House of Representatives.

I sincerely hope that the people of his State will give Arch Moore the opportunity to serve them all as he gives up a secure congressional post to seek the position of Governor of the Mountain State.

Mr. SMITH of California. Mr. Speaker, it is with mixed emotions that I join with my colleagues today in paying tribute to my good friend Arch Moore. I sincerely hate to see him leave the House of Representatives where he has served so ably over these past 12 years. However, I look forward to seeing him become the next Governor of the great State of West Virginia. Arch and I both are members of the "85th Club," and over these many years I have seen him display the fine leadership and statesmanship qualities that will be sorely missed here in Congress, but will equip him for greater things as Governor of West Virginia. Arch takes with him the high regard and respect of all who have served with him as well as the knowledge that he has made warm and lasting friendships during his service in Congress. I wish for him an overwhelming victory in November and many more years of outstanding service to his fine State of West Virginia.

Mr. MESKILL. Mr. Speaker, one of the great pleasures and privileges I have enjoyed during my first term in Congress is my friendship with the Honorable Arch A. Moore, Jr.

He has been a guide and mentor on the Judiciary Committee where we both serve. His good humor and wise counsel will be sorely missed on the committee and in the House.

To be sure, he is going on to other, wider service to his great State of West Virginia. He will make a great Governor. When he finishes his service as Governor I hope he will return to Congress.

In any event, I want to take this opportunity to wish the gentleman all the good fortune in the world and to express my thanks to him for the pleasure of his company and the value of his counsel.

Mr. REINECKE. Mr. Speaker, to know a man well, we must observe him, listen to him speak, and evaluate his actions. I have had the privilege of thus getting to know the distinguished Representative from West Virginia who is retiring this month. Arch Moore is a fine American who has been an excellent Congressman.

He has proved himself to be such through his patience, foresight, training, and skill, and by his ability to grasp problems quickly and frame solutions painstakingly and carefully. His character and his energy will be greatly missed.

Congressman Moore has been willing to do more than his fair share of work. He has always prepared thoroughly for each task at hand, and he has never failed to put himself so heartily into whatever he was doing that success was assured.

In private life he will continue to do so. I wish him the very best of luck in the years ahead.

Mr. FEIGHAN. Mr. Speaker, our colleague, Arch Moore, has proven his ability as an effective Representative; he is an able and articulate gentleman, and I have enjoyed serving with him, not only here on the floor, but in the Committee on the Judiciary, where he has impressed the members with his legal talent and his oratorical ability. He has represented the First District of West Virginia for 12 years, and it was his own decision to seek new fields to conquer. There is no question but that the capabilities of our distinguished colleague will be recognized and fittingly rewarded in any office he may hold and on which he may concentrate his energies. Arch is a versatile gentleman and when he departs, I want him to know that he takes with him my warm regards and very best wishes.

Mr. RUMSFELD. Mr. Speaker, today, we salute the Representative of the First District of West Virginia, the Honorable Arch Alfred Moore, upon his retirement from the U.S. House of Representatives. Congressman Moore retires in such a way as to carry on one of the great traditions of the House. He leaves the House because he is the Republican candidate for the office of Governor of his native State of West Virginia, and I wish him success in this undertaking.

Arch Moore has been an outstanding legislator. Following service as an infantryman in the European theater during World War II, where he had been awarded the Purple Heart Medal, he studied at the West Virginia University. He received an A.B. degree in 1948 and his law degree in 1951. As a practicing attorney he managed to make time to be active in the professional organizations of the bar, his church, and the community service organizations in his hometown of Moundsville. He was also active in the Republican Party. And, from 1953 to 1955, he served in the State house of delegates.

His activities and energy resulted in his being nominated to run for the Congress in 1956, and he was first elected to the House on November 6, 1956. He has served the people of the 13 counties of his district well. Arch Moore has earned the respect and esteem of the people of his congressional district and of his State by always placing their interests and their well-being ahead of partisan considerations. He has sacrificed personally in order to serve with excellence and with distinction, and, in the process, has won the continuing allegiance of the voters of the First District. He has been returned to Congress in five successive congressional elections.

We, his colleagues in the House, know him for the thoughtful work he has done as a member of the Committee on the Judiciary, the Select Committee on Small Business, and the Joint Committee on Immigration and National Policy. His knowledge of immigration matters earned him an appointment as a U.S. delegate to the Intergovernmental Committee on European Migration.

Upon his departure, Arch Moore leaves the House of Representatives with the respect, admiration, and affection of his colleagues.

Mr. McCULLOCH. Mr. Speaker, the Congress of the United States suffers a great loss as Arch Moore leaves us in answer to the call of the office of chief executive of his State of West Virginia. His place in the councils of the House will be most difficult to fill.

As an able and skillful lawyer, Arch A. Moore, Jr., has served his State and this country with distinction for 12 years. As the ranking member of the House Committee on the Judiciary, it has been my pleasure to observe his outstanding contribution to the work of that committee.

It is particularly in the difficult and highly technical field of immigration and nationality that Arch has contributed so much. He early in his congressional career became learned in this important field of law. His quick grasp of the intricacies of immigration law early marked him as an authority in the field. His application to his duties as the ranking member of the Immigration Subcommittee reflects credit to himself, to the Judiciary Committee, to his district, and to his State.

Thorough and penetrating in his questions during committee hearings, and persuasive in debate in committee, in the House and in conferences, Arch Moore has been notably successful in improving and promoting legislation which he undertook to support. His mark was made most significantly on the 1965 Immigration Act, the most important amendment and modification of the U.S. immigration policy in the last 50 years. Largely due to the work of Arch Moore, in committee, in the House, and in joint conference with the other body, the transition from a national origins quota system to a restricted and limited worldwide, nondiscriminatory immigration system was accomplished with overwhelming congressional support. First and foremost, Arch Moore has been motivated by the high purpose of protecting the best interests of his country, as he exercised his talents, abilities, and skills upon immigration legislation and policy. This high purpose has been achieved with the inclusion of numerous provisions in our immigration laws which Arch Moore initiated.

In addition to his contribution to the work of the Judiciary Committee, Arch Moore has served with great credit and distinction as a member of the Select Commission on Western Hemisphere Immigration as a delegate to the International Committee for European Migration, the international organization to administer refugee movements. His wise counsel and expert technical knowledge have contributed to the resolution of worldwide immigration problems.

For a number of years, it was my pleasure also to serve with Arch Moore on the House Select Small Business Committee. Arch was always a stanch defender and advocate of the interests of small business. As a member of the Special Subcommittee on State Taxation of Interstate Commerce, Arch was instrumental in the passage by the 90th Congress of a most significant and comprehensive bill, H.R. 2158, to reform the present system for taxing interstate commerce. This much-needed legislation, when enacted into law, will assure for the small business community continued access to national markets.

We will sorely miss Arch Moore on the Judiciary Committee and in the halls of Congress. He has contributed much in all such posts of duty and as he answers the call to high responsibilities and service in the State of West Virginia, we wish him well.

Mr. BOB WILSON. Mr. Speaker, I am pleased to join my colleagues here today to pay tribute to a great Congressman, Arch Moore. While we all are sorry to see him leave the House, we can temper our regrets with the prospect that he will become the next Governor of West Virginia. I am sure he will be just as great a Governor as he was a Congressman.

During his 12 years in the House, Arch has been an outstanding Member of that body. He has been a stanch worker for the Republican Party, and has served on the executive board of our Republican congressional committee. He has led a Republican resurgence in West Virginia and earned the respect and friendship of his House colleagues on both sides of the aisle. By entering the gubernatorial race, he has assumed the responsibilities of leadership and the challenge of a statewide campaign.

It has been a pleasure to have served with Arch Moore in the House, Mr. Speaker, and I pass along to him the best wishes of Republicans everywhere—with our thanks for his outstanding service to State and Nation. We will miss him here in Washington.

Mr. STEED. Mr. Speaker, I am glad to join in paying tribute to our colleague, Hon. Arch A. Moore, Jr., who has represented the First District of West Virginia for the last 12 years.

When Arch Moore first came to Congress in 1957, the late Speaker Sam Rayburn appointed him as a member of the House Select Committee on Small Business, on which I have served for many years. It is in our work on this committee that I have come to know him best.

The Small Business Committee seeks to operate in a bipartisan way in behalf of fair economic conditions for the Main Street businesses of our country. Arch Moore and I are from different sides of the aisle, but we have shared interest in many problems.

In 1961, we worked together on the Subcommittee on Small Business Problems created by petroleum imports, of which I was chairman and Mr. Moore the ranking minority member. His able and conscientious work helped us to conduct comprehensive hearings that are still a basic source of information on this issue which is of such great importance to our national security as well as to the domestic economy of West Virginia, Oklahoma, and many other States.

During the 89th and 90th Congresses Arch Moore has served as ranking minority member of the Small Business Committee. His steady application to its work has been a valuable contribution.

He leaves us to seek the governorship of his State as the nominee of his party. Our association has been pleasant and, I believe, constructive. I join in extending him warmest regards and best wishes for future health and happiness.

Mr. CHAMBERLAIN. Mr. Speaker, it has been my good fortune to have had the opportunity to become well acquainted with Congressman Moore, since we came to the House of Representatives together for the 85th Congress in January 1957. At that time, both of us had been elected by very narrow majorities, as a matter of fact, only a fraction of a percent, and neither of us at that time could find many who thought we would be reelected, let alone have the privilege of serving our respective districts for these past 12 years.

Through the years, I have developed a deep respect for Arch Moore. He is an able lawyer. He is devoted to the cause of good government. He has well represented the citizens of the First District of West Virginia during his years in the Congress. Of course, it is not possible to recite his many achievements as a member of the Judiciary Committee. However, as an attorney myself, I can say that Arch Moore is held in the highest esteem by the lawyers of the House of Representatives for his years of outstanding and constructive service on that committee. Frankly, I will miss his presence for time and again I have gone to him for his advice and counsel on many legal legislative matters. In addition, the House of Representatives will also miss his able service as the ranking Republican member of the Select Committee on Small Business to which he was named in 1957. He has always been deeply concerned about the problems of small businessmen and has done much to promote and encourage small business enterprise throughout our country, believing that the small businessmen have had a historic and very special place in the economic fabric of America.

While Arch Moore certainly will be missed here in the House of Representatives, I salute him for his decision to become a candidate for the governorship of the State of West Virginia and sincerely hope that the citizens of that State will name him to that high office for which he is so eminently well qualified. I know that as he directs his energies and his outstanding leadership to the problems of that great State, his talents will be recognized in wider areas and prove to be of lasting benefit to those he serves.

I value his friendship highly and wish both Arch Moore and his family the very best for all the years ahead.

Mr. RHODES of Arizona. Mr. Speaker, the House of Representatives will greatly miss Congressman Arch A. Moore, Jr., in the next session of Congress, for his leadership abilities and his warmth of personality which enabled him to secure the support of his fellow Members of both parties for the causes in which he strongly believed. His 12 years of public service in the U.S. Congress, I am sure, will make Arch Moore a great Governor for the State of West Virginia.

Congressman Moore is a fraternity brother of mine, and a real friend. I know he will be as effective in the State capitol at Charleston, W. Va., as he has been in the House of Representatives, and although the people of his First District are losing an excellent Representative in Congress, they are gaining an outstanding Governor for their State.

Congressman Arch Moore has my best wishes for every future success and fulfillment.

Mr. MICHEL. Mr. Speaker, it is very appropriate that those of us who came to the Congress and into this House in the same election with our good friend, Arch Moore, should take the lead today in expressing our regret that another member of our class will not be serving with us after this session, but we are filled with pride knowing that he is well on his way to becoming the next Governor of his home State of West Virginia. There was never any doubt in my mind that Arch Moore was destined to make a name for himself in this House and to go on to bigger and better things. All the more notable is the fact that in his six races for Congress he has always faced overwhelming odds so far as political registration is concerned. Obviously, his appeal has a very broad horizon and people in all walks of life and political persuasion in his home State of West Virginia like what Arch Moore has been doing for the folks back home.

In fulfilling his obligations and responsibilities on the important Judiciary Committee, he has come to be known as the foremost authority in the Congress on immigration matters. He also serves with distinction on the Small Business Committee of the House.

I have always known Arch Moore to be very thorough in all of his undertakings. No one works harder nor with more dedication to a cause. He has the knack and ability to attract good coworkers and I am confident that when he is elected as Governor of West Virginia he will surround himself with administrators, department heads, and subordinates of extremely high caliber.

Mr. Speaker, I just hate to see Arch leave this body, for he has been a very dear personal friend over the years and we are going to miss his close association, both personally and officially, but we wish him well and Godspeed in the big race ahead and in all that he chooses to do thereafter.

Mr. CRAMER. Mr. Speaker, it is with mixed emotions that I join in the tribute to the Honorable Arch A. Moore, Jr. I regret that the House is losing one of its ablest and most respected Members, but I look forward to the pleasure of congratulating Arch Moore when the State of West Virginia elects him as its next chief executive, being fully confident that they will do so by an overwhelming vote. The First District of West Virginia has been most fortunate to have had the quality representation Arch Moore has provided them for 12 years in the House, and the State will be fortunate in gaining a great Governor of his ability and stature. The high quality of Arch Moore's leadership and his accomplishments in the House is indisputable. He has long commanded the respect of his colleagues on both sides of the aisle. Having had the privilege of serving with him on the House Judiciary Committee, I can personally attest to the many outstanding contributions he has made as one of that committee's leading members, and as the ranking minority member of the Immigration Subcommittee. During our years on the Judiciary Committee, I sat next to Arch Moore and my respect for and appreciation of his qualifications and his ability grew stronger as I observed first hand both the man and the legislator. I have the very highest personal regard for Arch Moore, as a friend and as a colleague. The excellence of his service in the House of Representatives will now become history but the future for Arch Moore is surely destined to be brillantly successful, beginning first with his election as Governor of West Virginia.

Mr. BROYHILL of North Carolina. Mr. Speaker, it is with a bit of sadness that I pay tribute to Arch Moore, an able legislator and good friend. The ability and dedication Arch has displayed during the past 12 years have shown him to possess the qualities that raise the word "politician" to the high status it should have.

Arch Moore has established a record of outstanding public service. His work here in the House and in committee is of the highest standard. Arch undertakes his responsibilities with energy and sees each problem through to the end. The Judiciary Committee has benefitted from Arch's knowledge of the law, his good sense, and his voice of réason. I personally have seen the benefits of his untiring efforts on the Select Committee on Small Business, where he has served as ranking minority member. It is these qualities of hard work, leadership, and reason that will be sorely missed when Arch retires.

In addition to the loss of an able legislator many of us will lose a close personal friend and a wise counselor. Many times Arch's advice and leadership have been invaluable to me. His interest and informative remarks have aided many of us in our careers here in the House. Arch's great wit has also helped us along in many situations.

These numerous qualities that Arch possesses will be sorely missed in the next Congress. I hope, however, that the people of West Virginia will have the opportunity to benefit from our loss. Arch Moore will make an excellent Governor. The qualities he has and the ability with which he exercises them are proof that he is an outstanding public servant.

Arch will be missed but he leaves with our best wishes and the hope he will carry on the outstanding personal tradition for excellence in public life that he has established here in the House.

Mr. DORN. Mr. Speaker, this body will be losing a distinguished Member due to the resignation of my good friend, Arch Moore, of West Virginia.

This fine gentleman from the First District of West Virginia first took his seat in this Chamber nearly 12 years ago at the tender age of 33.

He brought with him a zest for public service that has intensified with the years. Serving on the Judiciary and the Small Business Committees, Arch Moore brought to each assignment his very considerable energy and intelligence.

Arch Moore is known back in West Virginia as a zealous worker for the party on the other side of the aisle from where I sit. Nevertheless, he has proven to be one who always put the Nation's interests ahead of party interests. I admire such a man. We will miss him in the House.

I wish for him continued success.

GENERAL LEAVE TO EXTEND REMARKS

Mr. COLLIER Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the Record with reference to our colleague, the gentleman from West Virginia [Mr. Moore].

The SPEAKER pro tempore (Mr. Thompson of New Jersey). Without objection, it is so ordered.

There was no objection.

THE GREATNESS OF THE AMERICAN REPUBLIC: PRESERVE AND PROTECT, OR DEFAME AND DESTROY?

The SPEAKER pro tempore (Mr. Thompson of New Jersey). Under previous order of the House, the gentleman from Indiana [Mr. Bray] is recognized for 30 minutes.

Mr. BRAY. Mr. Speaker, within a few days the 90th Congress will come to an end. In 3 months the country will have elected a new Congress and a new President, and both will have taken office. In these 3 months there is time for a breathing space, for all of us—private citizens and public officials alike—to look back over the last few years and see where we have been, where we stand today, how we got there and, most important of all, where we are going in the future. We should go back to the very core of our greatness and stand this greatness side by side with the picture presented to us today. The picture, unhappily, is dark in many aspects.

DREAMS, IDEAS, WORDS, DEEDS

It began with dreams, our Republic, that led to noble ideas. From the ideas came words in phrases of their own special majesty. From the words came the inspiration that made the deeds.

The words are in the preamble to the Constitution of the United States:

> We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the blessings of Liberty to ourselves and our Posterity.

And in the Declaration of Independence:

> We hold these truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness.

And in the Pledge of Allegiance to the Flag:

> One nation, under God, with liberty and justice for all.

Timeless words, for an enduring Republic, but today, the words seem to be mocked.

> America, America . . . Thine Alabaster Cities Gleam.

The gleam is fouled by the smoke and flame, death and destruction, that has spared few metropolitan centers. In one hideous week alone, April 4–11, 1968, 125 cities in 29 States exploded; 39 died, 3,500 were injured, 20,000 were arrested, $45 million in property was destroyed, and 68,887 troops had to be called out to contain violence.

In 1967 there was one auto theft every 48 seconds; three burglaries; two larcenies, one violent crime and seven serious crimes per minute; every 2 minutes there was an aggravated assault; every 2½ minutes a robbery; every 19 minutes a forcible rape and every 43 minutes a murder.

And for the first 6 months of 1968, crime overall rose 21 percent over that of the first 6 months of 1967.

But what else can we expect, when screams about "Police brutality" have not only drowned out but received more attention than the screams of the criminal's victims?

> When freeman shall stand, between their loved home and the war's desolation.

On January 20, 1961, there were less than 700 American troops in South Vietnam. On April 16, 1961, the fiasco at the Bay of Pigs, in Cuba, when the administration refused to permit air cover of the invasion, showed our watching enemies that we would not follow through with something we had started. On December 21, 1961, the first American soldier was killed in Vietnam.

On June 22, 1968, the Vietnam war became the longest in our history. Three months before this, on March 14, 1968, the casualty rate had passed the mark set by 3 years' fighting in Korea. On September 5, 1968, after 6 years and 8 months of fighting, American casualties in Vietnam passed the 200,000 mark. This figure had not been reached in World War II until the early months of 1944.

The Vietnam war is now the longest; it is the fourth bloodiest in casualty terms.

Blindly, the administration did not see the war for what it was: part and parcel of a never-ending Communist offensive against the free world.

Shortsightedly, the administration did not pursue it with an announced will to win.

Tragically, this has meant dissension at home, suspicion abroad, and confidence on the part of our enemies that our will to win is gone.

The fruits are bitter: a President who did not dare attend his own party's convention; a ship belonging to the world's largest navy seized with impunity by one of the world's smallest navies; and, playing on our appearance of weakness and indecision, the Soviet military juggernaut rolled over Czechoslovakia and lurched to an ominous stop of uncertain duration at the gates of West Berlin.

Napoleon Bonaparte, who knew something about it, had this to say: "Hesitation and half measures lose all in war."

> I can read His righteous sentence by the dim and flaring lamps.

The dim and flaring lamps today cast their flames on the black flag of anarchy and the red flag of revolution. Carried aloft and advanced by a small yet vocal and active minority, they are in the van of a frontal assault on all aspects of the American Republic.

We are told there are no more absolutes of morality, and human conduct is to be governed by the individual, the time, and the occasion. Pornography, written and filmed, is peddled as "art" or "literature" in a never-ending stream.

Our own country is denounced in an incredible litany of hatred and incitation to violence: The United States is "the Fourth Reich." American soldiers are "murderers and torturers." "The family is the American fascism." "You call yourselves revolutionaries? How many white folks have you killed today?" "Morality, like politics, starts from the barrel of a gun." "Jesus was a revolutionary, like the Vietcong." "Violence is a Christian duty."

Is this dissent? Is this protest? The country where generations of schoolchildren learned Nathan Hale's "I regret I have but one life to give for my country," now hear its 20th century perversion: "I regret I have but one country to defile, and to deliver to its enemies."

IF LEADERS FAIL TO LEAD

Was there leadership in this country with enough courage and moral fiber to openly and boldly denounce this cancerous growth for what it was, as soon as it appeared? To speak against it; to mobilize sentiment in opposition to it? To enforce the laws on the books, and ask for new ones if needed, in order to put down what was in many cases call for open insurrection and in others enough to warrant charges of high treason?

There was not; our national leadership not only tolerated those who drove these wide cracks in the wall of decency, but even tacitly encouraged them, and indulged their actions and statements. At first it was smiled upon; then it got out of hand.

And the bitter, bitter heritage, bitter as wormwood, choking as gall, that came to be thrust down the throat of a nation. The incredible obscenity of the march on the Pentagon in October 1967; a Nation that had once thrilled to the ringing phrase "Millions for defense but not one damned penny for tribute" paid a tribute of $1 million—the estimated cost to the Government of the march—as within sight of the green hills of Arlington and the white marble Tomb of the Unknown Soldiers, thousands proclaimed their intent to destroy what the Unknowns had died to save.

Did anyone learn from this? Obviously not; regarding the Chicago riots in August, which attempted to destroy the convention of the National Democratic Party, one "liberal" wrote: "Those were our children in the streets," and another "liberal" said: "They're killing the best kids in America."

Kids? Children? Consider some of their "toys" in Chicago: bags of human excrement, cans of urine, rocks, bricks, 2x4's, dart guns, golf balls with nails impaled in them, potatoes with razors hidden inside, live black widow spiders, molotov cocktails, pieces of metal with tenpenny nails driven through them, and baseball bats inscribed "cops are pigs."

Lines from three of America's most beloved and stirring songs were deliberately chosen to set off these sketches of the three main concerns in our Republic today. The passive, handwringing, careless attitude that allowed them to develop have defiled the grandeur of words generations of Americans have proudly sung or thrilled to hear.

And it has reached right into the heart of the Nation itself. I was present in Washington last April when riots tore apart the Capital City, and following were part of my thoughts, recorded at that time:

> A plundering, rioting, burning mob, sweeping down to within two blocks of the heavily-guarded White House. Television cameras filmed their depredations while the woefully undermanned and understaffed police could only look on. The D.C. city government had told the police not to "provoke" incidents and delayed asking for Federal troops.
>
> Over 900 business establishments were affected; over 600 buildings were damaged; and overall damage covered over 500 city blocks.
>
> The great white dome of the Capitol building itself, symbol of freedom and democracy to all the world, silhouetted against the thick, black, greasy smoke that rose from gutted and burning buildings.
>
> Alas, alas, that great city.

In truth, at times, it appears as if the very stars in the American flag, one by one, are fast going out.

BUT AMERICANS SHOULD BE PROUD

We live in troubled times. Totalitarian forces, from within and without, are attempting to subvert our country. We must not minimize the seriousness of these attacks, but at the same time we must consider them for what they really are.

It is difficult to understand the thinking of an American who would work to destroy his own country, what it stands for, and the hopes of its citizens. I will not even try; this is not a speech on psychology or psychiatry, and very likely the New Left mentality would baffle even those skilled in these sciences.

There is room in any free country, as in the United States, for dissent and disagreement with what the Government does. But there is a wide gulf between disapproval and destruction. There are many proper methods of dissent but the greatest and most effective is the ballot box. And when the New Left speaks of destruction of existing society, it means the ballot box will go to the flames with everything else.

It is true that the hate America campaign is loud and vocal, and is making effective use of communications media to achieve its goals. But at the same time, we must remember, the actual number is relatively small. Many years ago, my father told me a story about a farmer who had a pond full of noisy frogs. He planned to drain the pond, and, counting the frogs by noise alone, contracted to sell a carload. But when the pond was emptied there were only six frogs.

With one watchful eye cocked for the New Left frogs in the nihilistic pond, however, the great majority of Americans remain busy working, caring for their homes and families, paying taxes to support their communities and their country, and to help take care of those who cannot or will not take care of themselves. They are busy—being good citizens—and have no time to downgrade their society. They make no noise, and, sad to say, they have become the forgotten people of their country.

Let me cite one example: The report of the National Advisory Commission on Civil Disorders, prepared at the request of the President, is 425 pages long. In those pages and tens of thousands of words, the American taxpayer who supports his country and will be called on to pay for the report's recommendations is mentioned twice. He is vaguely referred to in two instances and both of these hint, not too subtly, of the need for more taxes.

So the frogs continue to croak, and berate this forgotten American in every fashion imaginable. They operate on the principle of: "He whom we would destroy, we would first make ashamed." It is a brazen campaign, an insidious campaign, to depict the country as a vicious Shylock, a racist, a destroyer of others, a despoiler of hopes and dreams, and a rampaging imperialist brandishing the chains of slavery.

The tactic is not new; the New Left has copied from Adolf Hitler the use of the big lie. Repeat it loud enough and long enough, and it will be the truth, so the theory goes. But the best answer is the real truth, told and lived and practiced with the same vigor and strength as our enemies advance the lie.

And every American should be proud, because there is much truth to be told.

GENEROUS—TO A FAULT?

Crime, war, revolution—three ghastly, apocalyptic horsemen, trampling over the face of a nation. It would seem our country is accursed, and forced to pay this horrible penance as a sort of cosmic expiation for a succession of past crimes, individual and collective that are hideous beyond contemplation. But since we are looking back, let us look, once again, at the picture, and see what else is reflected there.

In 8 years, through your taxes—and you who make between $5,000 and $15,000 per year pay 50 percent of all income taxes—your Federal Government has spent $15 billion for education, almost $54 billion for health, education, and welfare, $24 billion on the problems of commerce and transportation, $22 billion on natural resources, and $3 billion on housing and community development.

Add to this the uncounted billions spent for charitable projects by individuals; 50 million Americans involve themselves in civic/charity matters annually; $14 billion for these purposes came from private pocketbooks in 1967 alone, and of this amount, three-quarters was from individuals; the rest was from business and foundations.

In 20 years over $125 billion has gone to 100 different countries in foreign aid.

Between 1949 and 1967 85,000 foreign students and teachers came to this country for higher education at your expense. Today you help support 131 American-sponsored schools in 77 countries with total foreign enrollment of 77,000 students. And if we count foreign students supported both by Government and private funds, the total in our country today is 100,000.

One million one hundred thousand American fighting men are scattered to the four corners of the globe, honoring collective defense agreements made with 43 foreign countries, plus Vietnam. Not a man among them wants anything more than to come home; "empire" is the word farthest from their minds.

There are, no doubt, many things we have been too much of: as individuals and as a country we can be naive, trusting, and altruistic to the point where it is an absolute fault. Also, tolerant; "Tolerance is the weakness of the strong," wrote the Roman poet Catullus, and in our justifiable pride of being tolerant, we have indulged in this, too, to excess, to the point where we have tolerated the growth and existence of those very things which would destroy us.

"REVOLUTION FOR THE HELL OF IT"

This was the title of a June 22, 1968, editorial by William Randolph Hearst, of the Hearst papers. He stated, in part:

> When violent student rebellions erupted all over America and Europe last spring, I was naive enough to go along with a commonly-held liberal view that they were largely a spontaneous manifestation of youthful discontent . . . Far from being natural and spontaneous, the hell-raising was the calculated result of long planning.
>
> The planners, or rather, plotters, are the leaders of a comparatively new world revolutionary movement. Mostly young, they seek nothing less than the total destruction of all existing government order everywhere.
>
> Their heroes are Mao Tse-tung and Che Guevara, although they themselves are not Communists. Communism is too tame for them.
>
> Instead, by their own boastful admission, they are unalloyed anarchists. They are revolutionaries, just for the hell of it.
>
> The now clear fact is that a loosely-organized apparatus of young nihilists did master-mind last term's far-flung student rebellions, just as they master-minded the rioting in Chicago last month.
>
> A so-called International Assembly of Revolutionary Student Movements has been meeting at Columbia University beginning on Wednesday, September 18, 1968. It is cosponsored by the Columbia Strike Committee and the notorious Students for a Democratic Society.
>
> The purpose of the sessions is no secret. A mimeographed schedule states that the purpose is "to talk about where we go from here." Theme of the meetings is given as "the use of reformist demands in making a revolutionary movement." This theme is of exceptionally revealing interest, since it underscores the fact that the demands of the radicals are merely a pretext for stirring up the disorder they hope will result in chaos.

Also in the Indianapolis Star in an editorial on October 5, 1968, entitled "In Pursuit of Revolution":

> The yippies and other organized groups, including but not limited to those which joined in staging the incidents at Chicago, have a much larger target than Congressional committee hearings or even a national political convention.
>
> Rubin and others have threatened violence all over the country on election day, and they have threatened to break up the inauguration of the new President in January.
>
> They intend to disrupt and destroy the entire American governmental system. Their objective is to prevent it from functioning.
>
> This is not a wild conclusion drawn from inferred evidence. It is a fact which has been stated in plain words by leaders of the yippies, Students for a Democratic Society, the Revolutionary Action Movement, the Socialist Scholars Conference and other organizations.
>
> The point is that a revolutionary movement does exist and that it is led by strong and capable individuals who do intend to try to destroy the government.

DISORDER TO CHAOS

Those planning and advocating "revolution for the hell of it" are generally lumped together under the heading of "New Left." A recent FBI report gave a more precise definition:

> A motley variety, including beatniks, hippies, disenchanted intellectuals, young faculty members and some "over-age" students still on the campus.
>
> The concept of violence as an instrument to destroy the existing social order is inherent in the "New Left" as it is in the philosophy of the old line Communists who have worked for years to undermine this Nation.

I cannot help but wonder if it is not more than coincidence that the New Left so openly advertises its plans, as did Adolf Hitler in Mein Kampf. Their actions have moved from simple picketing to disrupting public business in public buildings, lying down in front of troop trains, inducing soldiers to desert, refusing to pay income taxes, outright sabotage, general civic disorder and harassment. Now, three New Left leaders have announced plans for the next 3 months which would culminate on Inauguration Day, January 20, 1969, with the massing of thousands of demonstrators in Washington to disrupt the ceremonies and to prevent the inauguration of the President, which would result in anarchy.

I wrote in a newsletter about this that: "The administration should announce right now and make perfectly clear to all, that all steps will be taken to guarantee a peaceful Washington and a peaceful inaugural in a city where no man need fear another."

When asked what I would recommend, I said "5,000 sharpshooters, if necessary" and for that was attacked for proposing a radical, extremist solution; it was said my statement made a mockery of law and order and would turn the next inaugural into a massacre. I submit the following, taken from the work of a well-known historian, in rebuttal:

> The inaugural day dawned cold and melancholy, with low-hung clouds and a fine powder of rain. The procession was neither long nor brilliant; the foreign embassies shaved their attendance to a bare representation, fearing trouble, and the crowds along the sidewalk were somber. Patrols of cavalry were stationed in the cross-streets as the Presidential carriage passed, exhibiting menacing bright weapons. *The windows of the Capitol were occupied by sharpshooters,* and just visible on the crest of the hill opposite was the muted gleam of a battery of artillery, ready for anything.
>
> Under such auspices, in this atmosphere of passion, ruin and distrust, Abraham Lincoln, sixteenth President of the United States, stood up to pronounce his inaugural address. (Italic supplied.)

It was necessary, and it was done, to preserve the Union once before, and if necessary today, then it must be done again. For make no mistake about it: These are not innocent children. They are those who stored dynamite at Chicago, whose leaders urged them to kill Chicago police; whose same leaders had met and talked with Vietcong representatives prior to the convention, and who will continue to peddle the same incitations to violence, the same philosophy, the same drive toward destruction of all the American Republic and its citizens have worked for, stood for, and attained.

THE "POOR MOUTH" GAME

Defamation of our country is a game common to the parlor intellectuals just as it is among the New Left. On a lesser score, perhaps, but still as intense and fervid, we are constantly hammered over the head with the charge that we have not done anything, are not doing anything, and cannot hope to do anything. The reply to this comes from outside our own country, from a French editor and writer, whose book "The American Challenge" literally shook Europe when it came out not long ago.

Among the details: American industry produces twice as much as the entire Common Market plus Britain, and two and one-half times that of the Soviet Union. With just 7 percent of the earth's surface and 6 percent of its population, U.S. production is one-third as much as the rest of the world combined. Half the passenger-miles flown annually are in U.S. planes; three out of every five world autos are on American highways.

Highest in per capita productivity, we stand 40 percent over Sweden, 60 percent over Germany, 70 percent over France, and 80 percent over Britain.

A study of nine developed countries showed the United States, with roughly the same population, had four times as many college graduates as the Common Market countries.

Of all world students pursuing higher education, one-third are Americans; 43 percent of all Americans between 20 and 24 are in college. For the Soviet Union, it is 24 percent; in Europe it varies between 4.8 and 16 percent

The author's conclusion, in view of all this:

> This *human capital* could easily explain American pre-eminence in the most advanced areas of science and industry. In the United States all the elements come together: equity and efficiency, education and mobility—the mechanics of progress.

THE MEASURE OF AMERICAN PROGRESS

In spite of all the doom shrieking from the poverty cult in this country there are some hard and valid facts to show that what may be a challenge to Europe has also been progress and blessings to our own citizens. The job is not finished within our boundaries; the job is probably never finished; as no country has yet evolved a formula for instant utopia and no country ever will.

A private study, "Hunger USA," released earlier this year, charges that there were 256 "hunger counties" in the United States—that millions were starving. A congressional investigation showed no starvation and only a few cases of hunger. The report itself was condemned by the Institute for Defense Analyses, which said of it, "more of a political polemic than a scientific treatise." At the time of the report's release, 97 percent of all U.S. families had adequate minimum daily diets—in 1920 only 50 percent had adequate diets—and 36 million Americans were receiving food through Federal programs at a cost of over $1 billion a year.

Ninety-nine percent of our households have automatic cooking equipment and electric or gas refrigerators; 92 percent have television, a figure reached in just 15 years. In 1910, only 1 in every 10 families had access to hospitals for childbirth. Today this has gone up to around 99 percent a year.

Of our 5.6 million students enrolled in college, close to 1.4 million of them are helped along by some form of Federal aid to the tune of $1 billion per year. Congress has voted to cut off for 2 years any Federal aid to any student convicted of taking part in a campus disturbance.

In the past, over bitter congressional opposition, and in spite of full knowledge of his past record, the Government gave an $87,500 grant to a college professor who had used Federal funds to visit Moscow, where he denounced his country; who had led attacks on troop trains in California; who had belonged to the Fair Play for Cuba Committee; who had said he hoped for a Vietcong victory to help bring about revolutionary success in America, and who had closely associated with some of the more prominent New Left leaders and agitators.

THE AMERICAN—WHAT HE IS, WHAT HE HAS, WHAT HE GIVES

The American citizen gives much to his country, as has been described in the foregoing lines. He has produced the greatest and strongest Nation on earth, the highest standard of living and greatest degree of freedom of any people. It is his, this national blood and treasure, that has been poured out abroad. The spirit in which it has been given says much for the national character of the country. I know that this idea of national character is one frequently denied and ridiculed, but I believe it does exist, and for the American, he has one distinctly all his own:

He has pride, without arrogance; morality, without dullness; confidence, without conceit; courage, without bluster; compassion, without condescension; nobility, without pomp; hope, without shortsightedness; faith, without cynicism; and determination, without faltering.

He has given, does give, and will continue to give of himself and these qualities in whatever measure, whatever form, at whatever time his country should call for them.

All he asks from his Government is the same, in return. If he receives anything less, it is betrayal of his past, violation of his present, and disastrous for his future.

For the character and greatness found in our citizens and in our country are intermixed. They sustain, support, and draw mutual strength, each from the other. The very fact that we have endured and are strong is testimony to the success of this over the years.

But a leadership must lead a great people with greatness, and not with hesitation, indecision, or fear. In this, our American Republic, it is incumbent on those who possess and are trusted with national power to wield it with the same pride, confidence, and courage it will always find and be able to call upon, in hour of need, among the very people who make up and support the greatness that is, and will remain, ours.

REPORT ON 90TH CONGRESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. MADDEN] is recognized for 30 minutes.

Mr. MADDEN. Mr. Speaker, during my service in Congress I have, at each adjournment, sent to my constituents a factual report on the major legislation considered during the session. The following is a general message on legislative programs affecting the Calumet region of Indiana.

The 90th Congress has fallen far short of accomplishing the great record made by its predecessor, the 89th Congress.

We elected 45 freshmen Democratic Congressmen in 1964 who aided our party in enacting many important legislative programs, which improved the lives of millions of our citizens in all brackets of our economy. In 1966 we lost 47 Democratic Congressmen. Most of them were the freshmen who only served one term. The Republican-Dixiecrat coalition in this 90th Congress defeated progressive measures and refused to fully provide sufficient finances for some of the great programs enacted in the 89th Congress.

REPUBLICAN PARTY DORMANT

During the 8 years of the Eisenhower-Nixon administration, beginning with the Republican 83d Congress in January 1953, economic advances were slackened and our economy was a victim of three major recessions. The younger folks should remember that the first 4 months of 1953 that administration enacted the notorious tidelands oil giveaway bill. This legislation turned over the offshore oil deposits to the larger oil corporations. Our former Secretary of the Interior, Harold Ickes, estimated the value of this oil and gas giveaway would amount to approximately $100 billion over the next quarter of a century. These huge offshore oil deposits were part of our national domain and owned by the U.S. Government. President Harry S. Truman vetoed the so-called tidelands oil bill twice during his administration. The first 2 years of the Eisenhower-Nixon administration, his new Secretary of the Treasury announced three increases in the interest rate which in 15 years siphoned multimillions from the pockets of the American citizens.

The Kennedy-Johnson administration, in January 1961, started an upward trend in our economy. Prosperity has continued to expand from 1961 to the present day. Three weeks ago the Labor Department announced the highest rate of employment in the history of our Nation.

AMERICAN YOUTH REAPS BENEFIT

To refresh the minds of our young citizens, I wish to mention but a few of the Democratic legislative programs enacted in the 89th Congress over Republican opposition.

EDUCATION

During the 8 years of the Eisenhower-Nixon administration, educational legislation was at a standstill. In 1954, the Republican-Dixiecrat coalition, under Ike and Nixon, defeated a major Federal aid for education bill in the House of Representatives by the close margin of four votes. Legislation to aid our youth came 7 years later when the Kennedy-Johnson administration, with the aid of Democratic Congresses, started the legislative drive which enacted the greatest school expansion programs in the history of any nation on the globe.

COLLEGE AND UNIVERSITY FOR ALL

Today, every American boy or girl can receive a college or university education if they apply themselves, regardless of the financial status of their parents.

Approximately 10 million needy elementary and secondary schoolchildren have been helped—one and a quarter million college and university students from needy families have received Federal grants and loans to finish and complete college for any life career they may choose.

MEDICARE AND HOSPITAL

Approximately 4½ million older Americans have had their hospital bills paid and about 5 million have had their doctor bills paid.

POVERTY

Almost 5½ million Americans have been lifted from the poverty level and many today are taxpayers instead of tax dependents.

EMPLOYMENT

About 6 million of our formerly unemployed and young folks have been added to our labor force and this record has continued to increase since the Democratic Party rescued the economy from the Eisenhower-Nixon depressions of 8 years ago.

MINIMUM WAGE

The new minimum wage legislation has increased the income for 9 million workers who formerly worked on substandard wages.

MODEL CITIES

Last year a Democratic Congress overcame major Republican opposition and passed legislation to aid the restoration of the blight-stricken areas in many of our cities over the Nation.

IMMIGRATION

The 89th Congress made remarkable progress on improving our complex immigration laws and abandoning the old discrimination of national origin and replaced it with the American system. This extends open opportunity for relatives and other qualified applicants to come within the borders of our great land of opportunity.

CONSERVATION

Laws have been enacted which will protect our public domain for future generations, and has added almost one million acres to our national parklands and seashores for the recreation of present and future American citizens.

CONSUMER PROTECTION

Every American housewife has experienced the cheating and packaging tricks used by some of our wholesale and retail food dispensers. We enacted legislation which has closed the door to the false weight and inferior products racket used by many manufacturers and packagers.

We have improved the Auto and Health Safety Act through amendments, which over the years will protect millions of our traveling citizens.

We have acted against the money lenders and the pawnshop sharpies who victimize the poor and unwary by their concealing and hiding false interest charges.

We have passed the Flammable Fabrics Act which means that your home and family will be safe from clothing that could blaze without warning.

SOCIAL SECURITY

The majority of our young folks nowadays consider social security, medicare, housing, education expansion, and so forth, as something that their fathers and grandfathers enjoyed in their youth. Nothing could be further from the truth. It has only been in the last 25 years that our American older folks and youth, especially, have been provided for in all the great programs, which I have just outlined in my remarks.

The social security program probably has brought about the greatest progressive change in our history. Millions of American citizens were given an opportunity to share in our abundant economy. It is well to outline just a few items which brought about this great economic advancement:

Approximately 95 out of every 100 children can now get benefits if the provider or the head of the family should die,

Approximately 9 out of 10 women past 65 years of age are now getting benefits or will secure them when their husband retires, and

About 87 out of 100 in the ages between 25 and 64 have disability insurance protection.

In this session of Congress, I supported and voted for the legislation which was enacted that gives a substantial increase in social security benefits.

The bill which recently passed the House calls for an across-the-board increase of 12½ percent for every beneficiary on the social security rolls. In certain cases, some beneficiaries are eligible for more than 12½ percent.

POOR FARMS AND ORPHANS HOMES

Older people remember the panic, the destitution, the unemployment, the breadlines of the early 1930's. We can vividly recall the absence of income protection for families against the hazards of old age, death, disability, or illness. Older folks can appreciate how recently the "poor farm" and the "orphans home" represented society's organized way of meeting the problems of dependency.

Today, 30 years later, we have a strong, comprehensive, and national system of social security or social insurance which has changed the economy of America. Today the retired, aged, widows, orphans, the totally disabled, and the unemployed have an orderly system for providing income security and protection.

As you know so well, social security insurance is designed to prevent poverty rather than relieve it after it occurs. The right to benefits grows out of work. The individual earns protection as he earns his living. People can and do build upon their basic social security to achieve a higher standard of living. The American youth should certainly appreciate the successful battles which have been won through intense struggles to make life more comfortable for them now and in their future years.

President Franklin D. Roosevelt, with the help of Democratic Congresses, enacted into law the original social security legislation 30 years ago. Presidents Truman, Kennedy, and Johnson, and Vice President HUMPHREY, with the help of Democratic Congresses, have been the sponsors of all expansions and increases intervening to the present day.

EMPLOYMENT AND PROSPERITY

Our Nation has employment and prosperity. Let us keep it. Real income per person gained 32 percent during the 8 years of the Kennedy and Johnson administrations. Real income per person gained 9 percent in the 8 years of Ike and Nixon. We had three depressions in the 8 years of Ike and Nixon—today 10 million jobs against 4 million during Ike and Nixon.

POLLUTION

The 89th and 90th Democratic Congresses succeeded in passing water and air pollution legislation to protect the health and physical welfare of folks living in both metropolitan and rural areas. In a short time all our families can breathe clean air and drink pure water.

REPUBLICAN RECORD

The young folks over the Nation should review the voting record of the vast majority of the Republican Members in the Congress on most of the above-outlined legislation; 68 percent of the Republican Members of the House voted to kill our education legislation; 90 percent voted to kill the poverty bill; 93 percent voted to kill the medicare bill; 80 percent voted to kill funds for congested ghettos in our metropolitan cities under the model cities legislation; 90 percent voted to kill all funds for the housing and rent supplement act; and 72 percent voted to kill the minimum wage bill.

On June 16, 1965, 96 percent of the Republican House Members voted against legislation which would establish a Cabinet-level Department for Urban Affairs.

Seventy-one percent of our population now live in urban areas.

Eighty percent of the House Republicans voted against the legislation which will provide funds to exterminate rats and other vermin from the ghetto areas of our cities.

Ninety percent of the House Republicans, on August 19, 1965, voted to kill a bill to authorize funds for the Economic Opportunity Act, which provided basic programs for the poor such as training our youth for better paying jobs and educating them along lines that will encourage them to take educational programs and elevate their future living status. A vast majority of the Republican House Members voted against requiring States to contribute to aid for dependent children and also against providing funds for operation Headstart.

Eighty-one percent of the House Republicans voted to eliminate the food stamp program rather than provide the necessary funds to feed destitute families.

Ninety-five percent of the House Republicans opposed the creation of a special agency to deal, on a nationwide basis, with the alarming growth of traffic in narcotics and other concoctions in our colleges and universities.

VETERANS AND SENIOR CITIZENS HEALTH AND WELFARE

The Democratic Congresses, through the cooperation of Presidents Kennedy and Johnson, made a major drive to help senior citizens, including veterans, on mental health, consumers, and medicare legislation. We passed a special aid bill for the returning Vietnam veterans. We enacted legislation for benefit increases for veterans from World War I, World War II, and Korea.

Republican political critics constantly mislead the public by complaining about our national debt. They fail to mention the stupendous expansion of our economy and gross national product. They discount Democratic prosperity. Let us compare the year 1946 with 1968:

[In billions]

1946 gross national product	$201.6
1946 public debt	269.9
1968 gross national product	826.7
1968 public debt	352.5

These same figures of other years during the 1940's compared to the middle 1960's will show the same relative comparison of the terrific expansion of the gross national product as compared with the increase of our public debt. In other words, in the last 20 years our gross national product has increased approximately $625.1 billion, while our national debt has increased approximately $82.6 billion.

The highly financed Republican National Committee is spending multimillions of dollars on television, radio, and other advertising to hide their opposition and failures to support our domestic problems.

PEOPLE SHOULD NOT REPEAT PAST MISTAKES

The Republican National Committee, after World War I, used the same "scare the public" political strategy, and we got 12 long years of low wages, unemployment, Teapot Dome, and Veterans' Administration scandals, and so forth. Their 12 years of corporate mergers and fabulous profits were ended by history's most devastating depression in 1929 and the early 1930's period.

After World War II they used "scare the voters" political strategy, and in 1946 elected the Republican 80th Congress. They immediately started to amend and emasculate some of the great programs of F. D. R.'s New Deal. They succeeded, and curbed some of the rights which labor and working men and women had won. That Congress lasted only 2 years. In 1948, President Harry Truman exposed the Republican 80th Congress in whistlestop campaigning over the Nation and won a great victory for the people.

The Republican leaders again supported the "scare and calamity" political propaganda after the Korean war, and in 1952 we got the Republican 83d Congress under Eisenhower and Nixon, which was followed by reactionary legislation and stagnation, plus three major recessions in 8 years. Thanks to the good sense of the American voter, the 83d Congress only lasted 2 years.

We are now enjoying the fruits of 8 continuous years of unprecedented employment and prosperity under the administrations of Presidents John F. Kennedy and Lyndon B. Johnson.

Vice President HUBERT H. HUMPHREY, Senator EDMUND MUSKIE, and four Democratic Congresses supported these great leaders. The 89th Congress, 2 years ago, enacted the greatest program of legislation for the common people in the history of any country on the globe.

Millions are being spent in this campaign by big corporate institutions, industries, tax-exempt industrial foundations, oil monopolies, and other special-privilege groups to curb the progress of the common folks in our Nation. I hope the rank-and-file voters are not fooled again, as they were on five occasions in the last 50 years, by big money and organized propaganda. The people have won these victories.

Let us keep them on November 5.

HEMISFAIR ENDS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, yesterday was a very nostalgic day in San Antonio for October 6 brought the close of this year's world's fair.

We who had helped to bring the world to the Southwest United States for the first time in one wonderfully beautiful 6-month promenade of cultures, industries, and countries, could not help but feel very said that it would be no more.

There will be other world's fairs, to be sure, but there will never be another HemisFair conceived and built with a particular creative genius which will never be repeated—because life is like this, full of unique and individual people, events, and happenings which are never really duplicated again.

Just 7 years ago HemisFair was just a dream and a famous and important San Antonio businessman was calling me a "dreaming fool." Just 3 years ago, opponents of the feasibility study for U.S. participation in the Fair of the Americas on the House floor dubbed it a "county fair."

I am sure that the more than 6 million persons who shared in the experience of enjoying HemisFair can bear witness to the fact that it was very much a reality and very much a world's exposition of the highest quality.

Although the exhibits, boutiques, and restaurants of the various countries from throughout the world are primary ingredients of any world's fair, it was well worth all the years of work just to provide the impetus for the State of Texas to develop its wonderful pavilion of Texas cultures.

For those of you not particularly imbued with love for the Lone Star State, this might seem to be a braggadocious statement, but if you should ever get the chance to see this pavilion—now a permanent exhibit, a State museum—you will know what I mean.

The Texas pavilion gave to the world for the first time a comprehensive and beautifully arranged and written testimony to the peoples of every ethnic background which settled it. In so many ways, most of them subtle, it moved mountains in dispelling everything that has been considered as being "bad" which has come out of or been associated with Texas. In short, what this pavilion did was to help all of our country, to bring its peoples closer together, and consequently closer with the peoples of the world.

Although it was controversial, the film "US" at the U.S. pavilion was a masterpiece, and won the praise of a multitude of foreign visitors and put a lump in the throats of many Americans, who were proud of its beautiful but courageous portrayal.

The U.S. exhibit was good, and, of course, HemisFair would not have been a world's fair sanctioned by the Bureau of International Expositions headquartered in Paris had it not had the full endorsement and sanction of the Federal Government, which most of you here in Congress made possible.

I want to thank again all of you, Mr. Speaker, and my distinguished colleagues, for the foresight you had in giving HemisFair your support, and for the faith which you placed in me and my district to fulfill this pledge.

Mr. Speaker, in addition to a feasibility study by the Department of Commerce, this Congress authorized $6.75 million for the handsome U.S. exhibit and for the widely acclaimed film, "US." Because of this contribution, I feel it is proper to give an accounting of the financial picture of HemisFair as it closes. I wish to include here the detailed report which appeared in the September 26 publication of the San Antonio Chamber of Commerce written by Mr. William R. Sinkin, who served as vice chairman of the board for HemisFair.

HEMISFAIR: GREATEST SINGLE PROGRESSIVE FORCE

(By William R. Sinkin, vice chairman of the board, HemisFair '68)

(NOTE.—William R. Sinkin is Vice Chairman of the Board of Directors for HemisFair '68. In the early stages of development, he served as the first President of the Fair. In private business Mr. Sinkin is President of N. Sinkin Department Stores. The summary of the San Antonio World's Fair which is printed here was presented by Mr. Sinkin at a press conference on September 18, 1968.)

HemisFair '68, San Antonio's World's Fair, was culturally, economically and politically the greatest single progressive force ever experienced by our community. As we draw to a close, it is imperative that certain positions and certain facets of the operation of this project be put into proper focus. A discussion of various broad facets of the Fair would be helpful in determining an area of understanding for anyone who has an interest in its program, its policies, its operations and its results.

ORGANIZATION

San Antonio Fair, Inc., is a nonprofit corporation organized in 1964 to operate HemisFair. It is directed by an Executive Committee of 20 members who have served for as long as seven years without pay or compensation in any manner whatsoever.

HemisFair operates under the strictest "no conflict of interest" policy ever adopted by any major exposition. No member of the Executive Committee can do business with the Fair directly or indirectly. This policy has never been violated during the entire history of this exposition.

The Executive Committee is responsible for the policy decisions and management is responsible for carrying out the policy decisions. The ultimate responsibility rests with the Executive Committee.

UNDERWRITING

Through a program of underwriting the business community of San Antonio guaranteed the loans to San Antonio Fair, Inc., by underwriting approximately $8 million worth of guarantees for a $4½ million loan from all of the banks of San Antonio who participated as a group.

There were three underwritings because of the lack of operating capital generated by the first underwriting, and for the sake of brevity we will not detail each of the underwritings but suffice it to say that the private sector of this community, and not the city nor the taxpayer, will absorb approximately a $5½ million loss.

The first underwriters will probably lose about 10% of their commitment.

The second underwriting, different from the first and the third in that it involved the purchase and repurchase of tickets, will project a loss of approximately 60% to 70% of those involved.

The third underwriting, as it appears now, will probably be a total loss for everyone who signed and here it must be pointed out that those who participated in the third underwriting just 60 days before the Fair was closing, knew full well the total risk that they were taking and yet, because they believed in the Fair and its contribution to the community, pledged $3 million to keep the Fair going and help pay its bills.

This was an unparalleled declaration of confidence that must truly be a touch-stone of courage for the business community of San Antonio.

TOWER OPERATION

Recently there has been a great deal of discussion about the Tower operation and the monies due the City of San Antonio from San Antonio Fair, Inc., for tickets redeemed by the Fair out of bonus books sold before the Fair opened.

The Tower occupies approximately 36,000 sq. ft. of space on the Hemisgrounds and at the going rental of $7.00 per sq. ft. (the actual cost to HemisFair for preparation, etc.) this would mean that the Tower was occupying approximately $250,000 worth of income producing land. No rent was received by the Fair for this area.

In terms of monies due to the city by the Fair for the redeemed tickets, there is no question. However, the amount is not $303,000, but approximately $215,000 because in a letter dated September 19th, 1967, the Fair went on record committing itself to redeem the adult tickets at 75 cents and the children's tickets at 37½ cents.

It should be pointed out also that the Fair promoted the bonus books at approximately a 40% discount in order to increase the sale and, as a result only makes back approximately 60 cents on the adult tickets and 30 cents on the children's tickets.

As of August 23rd, the Fair Corporation owed the city $215,527 and on that date it began to pay the city all of the current redemptions. There was never any formal agreement putting the monies due the city in trust and it would be fitting to point out some other pertinent statistics regarding the relation between the Tower operation and HemisFair '68. The Tower cost approximately $5½ million.

VISITOR IMPACT

It should be pointed out further that the Tower would never have enjoyed the economic impact of approximately two million visitors without HemisFair having spent over $2½ million for a total promotion of the Fair, including the Tower.

Freely admitting that the Fair owed the city $215,000 for the Tower operation, what is the taxpayer's position if this amount is not paid? Certainly it should be taken into consideration that the Tower occupied land worth $250,000 in rental during the Fair. Furthermore, the Fair received no percentage whatsoever from the food sold in the Tower, although the Fair's promotional effort brought it nearly two million visitors.

After the Fair, the cost of operating the

Tower based on feasibility studies made earlier indicate that there will be about $875,000: $518,000 for principal and interest, and $357,000 for operational cost.

It is estimated that approximately 950,000 visitors will come to the Tower after the Fair, and within a few short years, because of HemisFair, the city will have an asset which will clear $500,000 or more annually for the taxpayers. The city will not only have a striking and permanent tourist attraction, but a substantial source of revenue.

URBAN RENEWAL

Because HemisFair generated the most exciting and accelerated urban renewal program in the South, untold additional benefits yet to be counted will accrue to San Antonio.

There was a $2 million urban renewal item in the bond issue which generated land acquisition expenditures approximately in the amount of $12.5 million. 395 families were relocated with 206 families going into private rentals and 136 families buying their own homes. Only 3 families went back to other slum areas.

There were 268 businesses re-located and their particular re-location generated over $3 million worth of new buildings.

Furthermore, HemisFair generated an additional $2 million worth of credits for the city by the work it did on the waterways, the paving, the lighting, the land-scaping and other items, so that this $2 million in turn will produce another $4 million urban renewal activity.

This means that the city will gain additional credits for such programs as Rosa Verde, Vista Verde and approximately $3 million for Model Cities.

ECONOMIC BENEFITS

When one begins to analyze the economic benefits against the debt that the Fair owed the city, the long range result is immeasurable.

When the Fair closes its doors on October 6th, it will turn over approximately $12 million worth of renovations, land-scaping, water ways, improvements and buildings on the Fair grounds. These were paid for by the Fair Corporation without resorting to any tax dollars.

The city will receive additional urban renewal credit of $2 million and as indicated by the story in the newspapers of Saturday, September 14th, a tremendous increase for sales tax funds. An amount of $1,757,489.96 was paid to the city and this represented nearly $400,000 more than anticipated and certainly this and more can be attributed to HemisFair.

Based on this first payment, the increased sales tax revenue to San Antonio directly attributed to the Fair will be close to $1 million.

One of the most significant economic contributions that the Fair has made is that it stopped the deterioration of the central section of the City of San Antonio and laid a foundation for tremendous thrust of new building and construction.

One need only point to the new $7.5 million Palacio del Rio Hotel, La Posado, or La Quinta to come up to a total of approximately $10 million worth of new housing facilities in the downtown section of San Antonio.

Also such major facilities as Joske's of Texas spent nearly $2 million furbishing for the Fair.

Add to this the tremendous renovation and beautification done by other private entities and their total would come to close to $13 or $14 million, which would include the vast improvements on the River.

Six years ago, downtown property taxes were drastically reduced because of the lack of economic activity. Within the past year and a half, the city has increased tax valuations as much as 60%.

All this means that there is an increased tax base now available to produce more money for the City of San Antonio. No one can safely predict how many hundreds of thousands of dollars additional this represents.

Add the fact that there has been, since 1964, approximately $50 million worth of new construction directly attributed to the Fair; add the fact that the equivalent of 10,000 new jobs for four years was created contributing more than $20 million to the wage earners; and add the fact that approximately 6,000,000 visitors came to one of the great expositions of this century and will carry the message of this artistic success everywhere in the world.

Add all of this against the debt due the city and who can challenge the contribution of HemisFair '68 to the economic future of San Antonio, and who can question the tremendous return that the city is getting in the form of nearly $100 million worth of economic assets for an investment of $600,000.

And speaking of the city, no story of HemisFair could be complete without emphasizing the total cooperation which HemisFair received from the City Council. From the beginning, they realized the importance, the significance and the dimension of this great project and gave unstintingly of their confidence and their support. Without the city leadership HemisFair could not have been built.

TOWER COSTS

A very pertinent fact should also be underscored. The debt to the city for maintenance and rent for the Tower tickets out of bonus books and for utilities will probably be close to $800,000. If not a single penny were paid against this debt, it would mean that each taxpayer of Bexar County paid approximately one dollar out of their pocket to produce this magnificent project. It should be pointed out, however, that this debt will be reduced and that any accusation that HemisFair will eventually cost the taxpayer money is fallacious and misleading.

INCALCULABLE ASSETS

The new jobs the visitors, the new construction, the tremendous amount of cultural participation by so many countries of the world, the new thrust and confidence are incalculable assets that have no price.

The estimated attendance for HemisFair was 7.2 million. We will probably get 6 million people through the gates, a respectable amount but short of our goal. HemisFair will probably show a loss of about $6,400,000 and there are two major items contributing to this loss.

There was an over-run on construction of approximately $3 million which came from the utter necessity of getting the Fair ready to open on time as there could be no delay in this.

Attendance falling short by approximately 1.5 million people which would have meant another $3 million or more to the Fair.

A combination of these two factors made it difficult, if not impossible, for the Fair to meet all of its obligations, including the city's on time or in full.

And it should be emphasized again, because of the myopic position of a disgruntled few, that whatever loss occurs from the total operation, be it six million or more, 95% of it will be borne by the private sector of this community and not the taxpayer. Again, this was not a taxpayer's loss, but was a loss borne by the business and financial community of San Antonio.

OPTIMISM

Based on many discussions and upon the revelation of many attitudes, it is safe to say that the financial psyche of this community has not been damaged one bit. There is an optimism and a determination to see that the economic and cultural thrust produced by the Fair will continue to surge forward in order to insure that our place in the sun will be permanent, exciting and meaningful.

It is appropriate that some kudos be given to those who played such an irreplaceable part in HemisFair.

It has been my privilege to serve with the 20 men and women of the Executive Committee and I am proud of my association with them. To my knowledge, there has never been a more dedicated group in this community who have served with such commitment to an idea.

Men like Marshall Steves did a remarkable job in our underwriting and carried on with such tremendous vigor and purpose when he succeeded me as President. Mr. H. B. Zachry who stepped in at a time of crisis and gave an element of stability when it was so badly needed. And Mr. Tom Frost Jr., a courageous captain of the third underwriting, who was able to accomplish a near miracle in getting the additional $3 million committed.

CITY COUNCIL

Then there was the City Council who never faltered in their support of HemisFair.

The Mayor and Congressman Henry B. Gonzalez served as Honorary Co-Chairmen and without their support and their determination, this magnificent project could not have come to fruition. The City Council deserves the thanks of this community for having produced a tax base for the taxpayer which will accrue to their benefit for years and years to come.

Finally, the media deserves a great accolade.

From the beginning, the press, the radio and the television have been unfailing in their support and unstinting of their time in an effort to project the image, the excitement and the value of HemisFair. It has been a great seven years and when HemisFair closes on a note of optimism and positive results, we shall go on to other commitments to make San Antonio, this wonderful city of St. Anthony, one of the jewels of this continent.

The San Antonio newspapers had interesting wrapups of our world's fair in yesterday's editions, which I would like to share. In the San Antonio Light, Lloyd Larrabee analyzed the "respectable" attendance of HemisFair, and Susan Bauernfeind reminisced on how well HemisFair fulfilled its function in reversing a general "lack of exposure to other cultures of the world."

Kemper Diehl in the Sunday Express & News examines the pluses of the fair. In one article, entitled "Fair Ends—Was It Worth It?" he reports on all the indicators that economic vitality has surged, and lists the economic legacies of HemisFair. In a second article, the psychic pluses are mentioned in interviews with Gov. John B. Connally, HemisFair Board Chairman H. B. Zachry, Mayor W. W. McAllister, and myself.

The articles follow:

[From the San Antonio Light, Oct. 6, 1968]

"RESPECTABLE" ATTENDANCE: FAIR HAD TO TAKE THE BAD DAYS WITH GOOD

(NOTE.—Lloyd Larrabee headed the Light's team of reporters which covered HemisFair during its six months of festive existence. Here is Larrabee's analysis of the fair's attendance in relation to projections and forecasts.)

(By Lloyd Larrabee)

HemisFair is closing with a "respectable," attendance of more than 6 million.

And while there have been many disappointing days, when the turnstiles barely seemed to click at all, there have been many big days that will long be remembered by San Antonians, days when there was no doubt that this was truly the World's Fair of 1968.

The final count can be put in the 6.3 million range, depending on Sunday's closing day crowd. Closing days always draw heavily at the gate, as people rush to see the last of the one-time-only event.

FIGURE RAISED

HemisFair's own pre-fair estimate of attendance was pegged at 7.5 million, the so-called "break-even" point for underwriters who pledged to pay off a $4.5 million bank loan.

Events since the estimate have shown this estimate to be purely academic, because of the onrush of higher-than-expected construction costs to get the fair built so it could open on April 6.

A realistic attendance figure that would have enabled the fair to finish in the black would have to be put at upwards of 8 million or 9 million.

Five and a half years ago, Economics Research Associates (ERA) of Los Angeles, Calif., made a feasibility study for the fair's planners and came up with a gate estimate of 7,224,000.

MIDDLE POINT

This was a middle point between ERA's "low estimate" of 5,952,100, which the fair topped, and a "high estimate" of 8,496,100.

Reasons for HemisFair's failure to attain the desired goal might be interpreted in some quarters as excuses, but there are reasons nevertheless.

On the Thursday night before the fair opened on Saturday morning, Dr. Martin Luther King was assassinated in Memphis, Tenn., and the nation was plunged into gloom and the fear of riots. The first Sunday of HemisFair came on a national day of mourning.

The rains came, too, and there were 33 days in the first two months of the fair when rains fell on the grounds.

Again, in June, national tragedy struck with the assassination of Sen. Robert F. Kennedy in Los Angeles. Again, on a Sunday at HemisFair, the nation observed a day of mourning.

Yet, the fair managed to climb above the million mark for attendance in the peak vacation period of the summer months—1,066,505 in June, 1,186,403 in July, and 1,285,113 in August.

The turnstile count for April was 651,571, and in September it was 920,791.

From opening day attendance of 51,395, the crowds slacked off in the opening weeks except on Saturdays and Sundays, until the June vacation surge. The biggest one-day crowd to that point came on May 18, Armed Services Day, when 62,273 fairgoers roamed the grounds.

GATE RECORDS

Some records were set in July and August that still stand as daily marks for the fair, such as the Thursday high of 54,271 on July 4 when President Johnson visited the fair, the Friday peak of 44,287 on July 5, the Tuesday mark of 45,471 on July 9 and the Wednesday high of 44,195 on July 10. The Monday record of 41,518 was reached on Aug. 12.

Until the closing weekend, the high for a Sunday was reached on Aug. 25, the first two-for-one day, when the magic 100,000 mark was exceeded by 497.

In some respects, HemisFair attendance has equaled or bettered estimates made by Economics Research Associates. ERA figured there would be one day of 90,000 and over, and the fair exceeded ERA's highday estimate of 95,000.

ERA thought there would be two days of 81,000 to 90,000, and Hemis-Fair had one on Sept. 15, another two for one ticket day, with 89,778.

GOOD DAYS

Other HemisFair high-level gates came a week ago on Sept. 28, with 79,721, and last Sunday, Sept. 29, with 78,598.

There just weren't enough days in the 55,000 to 60,000 range to move HemisFair into the higher brackets.

But the fair didn't fall to the lowest levels ERA estimated. ERA said in its report that the fair would have five-days with attendance of less than 9,000 a day. HemisFair's lowest single day was Friday, Sept. 5, with a count of 12,262.

HemisFair has been compared, since its inception, with the 1962 Seattle World's Fair, which drew 9,609,969 admissions.

One primary reason for this was the comparable size of the two—HemisFair's 92.6 acres and Seattle's 75 acres.

Some officials at HemisFair have long contended this comparison was unfortunate. For one thing, when the Seattle fair was staged in 1962, there had been no major international exposition in this country since the 1939 New York World's Fair.

BIG ADVANTAGE

Seattle thus capitalized, it appeared, on the curiosity of a whole new generation of citizens, as well as those who hadn't seen a fair in more than 20 years.

Another factor, which became painfully apparent to HemisFair leaders, is that Seattle has a somewhat higher economic base than San Antonio. People in the Seattle area have more money to spend.

Whatever the reason for HemisFair's lower-than-hoped attendance, San Antonio has become known throughout the United States as the 1968 World's Fair city.

In recent weeks, according to a report delivered to the fair's executive committee this week, the homefolks are turning out in larger numbers. A survey for the period Sept. 16-Oct. 2 showed a 39.6 percent of fairgoers were from Bexar County, and 31 percent from other parts of Texas.

And Sunday is the last day.

[From the San Antonio (Tex.) Sunday Light, Oct. 6, 1968]

Fair Has Been Real Friend in San Antonio

(Note.—HemisFair, in a very real sense, was a "close friend" to Light reporter Susan Bauernfeind. From its start to its close, Miss Bauernfeind was a regular observer, searching out behind-the-scenes features, interviewing pavilion staffs:, taking a tour of this world-within-a-world. It is with deep personal feeling that her "farewell" has been written.)

(By Susan Bauernfeind)

How does one say goodbye to an old friend? Especially when there's no chance of ever meeting again, not in this place and not in this way.

HemisFair HAS been a good friend to San Antonio, for it gave more than it received. Philosophically speaking thought, it's not important the fair didn't financially come out ahead.

What is important is the realizing of a wonderful theme—the Confluence of Civilizations, a United Nations of sorts.

Lack of exposure to other cultures of the world, and with it lack of understanding, has caused innumerable conflicts throughout history. Think what it means for the people of San Antonio and all those who traveled here, to have seen firsthand as many nations as are represented at HemisFair.

SOUTH KOREA

Take, for example, the country of South Korea. Before the Korean conflict, little was known about the nation by the majority of Western peoples.

After the war, soldiers returning home, having experienced life at its most bitter moments, brought few positive impressions with them. A generally negative attitude was adopted toward the small nation as far as beauty, history and culture.

How untrue it was. More than 2,000 years of recorded history preceded the construction of the Korea Pavilion at HemisFair '68. That history included the design and use of the first moveable metal printing type, 200 years before the time of Gutenberg.

It also included the earliest known iron-clad ship, in 1593, and the oldest astronomical observatory remaining in the world, one built in the year 647.

Korea, in fact, had been marked by a glorious and thriving culture intermittently interrupted by encroachments from other lands.

RICH CULTURES

Long after HemisFair is gone, visitors will remember the brightness and modernization Korea displayed in its pavilion. And perhaps someday those visitors will be called on to say, "now wait a minute. I SAW Korea at HemisFair '68."

Korea is only an example. In varying degrees, Americans have had difficulty in comprehending the rich cultures of Spain, Mexico, Japan, the countries of Central and South America and all the others which have represented themselves so well at the fair.

Those visitors who made more than a cursory visit to HemisFair found meaning in the Confluence of Civilizations theme. They found that without these lands, more familiarly called the "old countries," in which each of us had our origin, there would be no United States and no one would have called US great.

Those visitors who not only looked but saw, learned that people all over the world are basically the same. We have the same wishes for freedom, education and "the good life." How much richer life is when ideas are shared among internationals and how small prejudice is when respect is gained through comprehension.

"RICH" CITY

Think also what it means for the delegates of these nations to have lived for six months in an old and historically important city.

San Antonio is a beautiful city which has kept its tradition while moving in the space age. These delegates have seen it.

San Antonio is a city which has had its problems like other American cities. They've seen that, too.

San Antonio is also a city which opened its arms to all these people, and called them "welcome."

How many pavilion representatives have said, "It's so wonderful. I walk on the street and people I don't even know say 'hello' to me." Or, "Before I came here I thought all that Americans cared about were new cars and television sets."

These people learned Americans basically are kind, concerned and hospitable. They also learned that many are more interested in a beautiful book than a beautiful car.

They learned that while we make mistakes, we are willing to admit them and try again, that while we often don't speak another language, we want to communicate.

PROJECT Y

Think of the fabulous opportunity the children have had in Project Y, where youngsters of many countries met together for two weeks at a time to think, play and talk, sign language or otherwise.

With them they take to their homes in San Antonio or in Honduras, in an Eskimo village of Canada or a high-rise apartment in Mexico City, impressions unmarked by predilection, understanding without intolerance, something only children can completely have.

With the modern age has come the computer, sometimes referred to as the "people eliminator." Huge industries which govern our material lives seem to be cold and totally incomprehensible. These industries came to HemisFair to let us know they are not cold and that people are always behind the machine.

These industries, too, are a part of America and many brought not only their most recent achievements, but their earliest ones, like the progression of automobile manufacturing.

HemisFair has been fun. There were carnival rides, lagoon cruises, skyrides, games. Flying Indians and puppet shows, and lots of good places to sample foods from all over the world.

ALL HAVE GAINED

Remember when "Don Carlo" came to the fair? And "Man of La Mancha," the Bolshoi Ballet, Herb Alpert, Dale Robertson, Vikki Carr and all the others?

Remember when "you never had it so good?" That was the time when HemisFair came to San Antonio.

If you missed it, that's your great loss. If you ran through the pavilions without stopping to think about the greatness and contributions of that country or industry, you missed the point.

The wife of a fair executive once commented, "How will we ever go back to being just San Antonians?"

We will because San Antonio is a fine city and all the finer because of what HemisFair has brought to us. We will because we have much to do to incorporate what we have learned from this Confluence of Civilizations.

HemisFair, we salute you!

Fair Ends—Was It Worth It?

(By Kemper Diehl)

Was HemisFair worth it? No less than 45,000 San Antonio area workers and their families would be inclined to answer with an enthusiastic "yes."

They represent the gain in employment shown by the San Antonio metropolitan area during the past three years when the full impact of HemisFair was felt by the local economy.

And this gain in employment is the basic fact that emerges in any survey of the financial impact of the San Antonio world's fair.

The facts are these: From 1960 to 1965 total non-agricultural employment moved from 200,400 to 230,100—or about 6,000 jobs per year. From 1965 to August, 1968, it surged to 275,100—or 15,000 jobs per year.

During the same period the average unemployment rate for the first six months of the year climbed from 3.8 per cent in 1960 to 4.5 per cent in 1968 and then dropped to 3.4 per cent this year.

Economic experts, backed by batteries of studies, have repeatedly warned that the creation of solid jobs is the No. 1 problem facing San Antonio as its huge post-war generation comes of age and as thousands of agricultural workers migrate to the city from rural areas of South Texas.

The level of unemployment has now reached the "frictional" point below which it is not likely to drop, the Texas Employment Commission has announced, while predicting a continuation of a booming economy in the area.

The boom, of course, is being felt in all areas. Here are some samples:

Average weekly earnings of industrial workers—up from $88.61 in November, 1967, to $99.16 in August, a gain of $10.55 a week.

Value of first six months building permits this year—$73.5 million, a value greater than any previous full year before 1966 and up 33 per cent from the record breaking pace set in 1967 when the final full-year value was $114.8 million.

Retail sales—Up $163.6 million for the first seven months as compared with 1966 and reaching a total of $819.2 million, a gain of 25 per cent.

Airline traffic—Up from an average for 44,730 passengers per month in 1966 to 58,822 during the first six months of 1968.

Bank deposits—Reported at $1.182 billion on June 29, a gain of $152.6 million from Dec. 21, 1965.

Perhaps the most significant figure is the measure of business activity as reported by the University of Texas Bureau of Business Research. With the period of 1957–59 set as 100, this gauge shows San Antonio activity rose to 148.4 during the first six months of 1965 and then jumped to 211.0 by this August.

While little attention has been given to reports of such economic gains, San Antonians have ceaselessly debated the subject of the HemisFair deficit and whether there will be a net cost of any sort to the city.

HemisFair Vice Chairman William Sinkin in a recent statement predicted a $5.5 million loss would be sustained in HemisFair's operations and declared that this would be absorbed by the fair's three groups of underwriters—primarily the third group who participated in the $3 million underwriting this summer to insure continuation of the exposition when it ran into rough financial waters.

Sinkin, one of the group, says: "Every one of us knew we would lose every dollar. But we knew it was imperative for the fair to stay operating, that it was imperative for the fair to end in a blaze of glory, on an upbeat note."

Though estimates of fair losses have ranged as high as $10 million, executives at the highest echelons of the management predict that final figures in about 60 days will show a figure of near $5.5 million.

"We will pay all our bills," says Board Chairman H. B. Zachry.

The famed construction man who took the helm of HemisFair at its low financial ebb, concedes some creditors may press suits "because they refuse to accept the settlement plan agreed upon by all the others." The board asked contractors who were owed money to apply 10 percent of their contract to the third underwriting. Most had enjoyed cost-plus-10 per cent contracts.

But he is ironclad in his contention that the city will not lose under the settlement negotiated for $339,000 owed it on tower admissions and convention center rentals. The fair is turning over to the city equipment and furnishings which originally cost $589,489.

The city has announced it will not determine the final credit for this until the property is thoroughly appraised by independent evaluators.

However, Zachry reports:

"I told them (the city negotiators) very plainly, 'Take a choice. If you don't want it, I'll sell it and pay you in cash.' "

Similar negotiations have ensued with utilities.

The City Public Service board appears satisfied it will "come out even with the hounds" when its business is completed with the fair. As of last week it appeared the fair might owe the CPSB $70,000 in cash, but the board is negotiating to take over the electrical system installed by the exposition, much of which it will need to provide service in the post-fair uses envisioned by the city.

CPSB executives are confident the plus and minus factors will cancel out.

Some $300,000 was owed by the City Water Board earlier this month, largely for services provided to various exhibitors. Much of this will be collected, since several major amounts involve pavilions which are certain to pay. If the payments on the accounts receivable do not erase the bill and HemisFair cannot provide the difference in cash, the CWB will receive any remains of the city's settlement of its bill with HemisFair via the transfer of HemisFair property.

Take these hotel-motel projects alone: Hilton Palacio del Rio, Menger Hotel addition, La Posada, La Quinta and the Holiday Inn. Together they have been placed on the city tax rolls at $6,345,840.

The city assessing department figures that even considering the loss of values which accompanied the clearing of the urban renewal tract which was used for the fair, these hotels alone account for a gain of at least $5 million in values. This will mean some $100,000 a year to the city alone—and when all taxing units of local government are considered, welcome to well over $200,000 per year in revenue.

The rise in values promoted by the fair and convention center area has caused the city assessor to increase his land valuations along South Alamo Street by amounts ranging from 90 per cent to 186 per cent. The valuations along Durango Street from Alamo to IH 37 have been given a 300 per cent jolt.

Thus, from a standpoint of immediate cash expenditures and revenue, it would appear that San Antonio's governmental units, including the city, have come out ahead.

From a long-range viewpoint the situation is even rosier.

The city is gaining from HemisFair buildings, waterways, landscaping and other improvements valued at $12 million.

In addition there is the legacy of the $10 million Institute of Texan Cultures and the U.S. pavilion which was financed by a $6.75 million federal appropriation.

If plans of Gov. John Connally and R. Henderson Shuffler, director of the institute, are adopted by the legislature the institute will become a part of the University of Texas system and will operate on an annual budget in the range of $900,000.

The economic benefits of HemisFair have, of course, spread out over the area and state.

The state line tourist bureaus conducted by the Texas Highway Department have provided services to 30.4 per cent more people this year than at the same time last year.

Patronage at Aquarena Springs is up 70 per cent. Tours of the state capitol in Austin in June, July and August totalled 67,172 visitors, while in all of fiscal 1967 they totalled only 65,000.

A separate story is that of the board's chilled water plant, launched to serve the Convention Center-HemisFair area with a $6 million revenue bond issue. Construction cost came to $5.2 million and $800,000 is held in reserve.

CWB General Manager Robert VanDyke reports that the plant has proved a thoroughly self-supporting "jewel" and is attracting technical visitors from places as far apart as Houston and Japan.

Then there is police overtime. This came to $334,375 for HemisFair-related duties by Sept. 1.

On the other hand, the city has gained cash income which probably more than balances any outlays.

The city, for example, had net receipts of $125,278 from HemisFair parking activities through July 31 with two months of heavy traffic remaining.

It had gained $122,766 from the controversial hotel room occupancy tax of 1 per cent with most receipts in through August.

The city's initial sales tax receipts—for a period corresponding with the first half of the fair—came in $472,590 above estimates. A substantial amount of this bonus must be credited to the attraction of millions of visitors to the fair, and a similar gain remains to be reported for the sales tax collections of July, August and September.

The fair has also launched the controversial Tower of the Americas into what appears to be a career of money-making for city hall. Through August the $5.5 million land mark had grossed $1,225,711 with operating expenses amounting to only $157,068.

By the close of the fiscal year July 31, the operation had met $216,593 in debt service requirements and tucked away $552,378 into the city's interest and redemption fund for reduction of outstanding city debts. The figures do not include the $215,000 in admission fees owed by the fair corporation and being settled through the transfer of property.

Then there are major buildings which have been constructed almost wholly because of the impetus of HemisFair and which have gone on the tax rolls for substantial figures.

The surge of more than 2 million HemisFair visitors to the state has had a direct effect on state revenue from gasoline and sales taxes.

From the standpoint of the community at large, HemisFair and its exhibitors this summer provided jobs for some 8,000 persons and the fair corporation's payroll alone came to $3.2 million for the year.

It has been impossible to gauge the full value of the tremendous advertising fall-out that has accrued to San Antonio all over the world.

But a September report which placed a price tag on tie-in advertising over the nation of which HemisFair was aware came to $11.5 million.

No less than 650 representatives of the press visited the fair during its opening period alone and articles which shed a glowing light on San Antonio in general appeared in such publications as Holiday, House Beautiful, Mademoiselle, Business Week, Newsweek, Look, Life, Time, Sunset, Popular Photography, Vogue and the major newspapers of the United States.

Now that it is all over. Now that the more than 6 million visitors and the kings and ministers and potentates have departed from San Antonio's 250th birthday party, it is logical to ask what HemisFair has meant to the city and will mean in the future. Express-News Staffer Kemper Diehl has pursued this question with both leaders and critics of HemisFair as well as with those who follow economic trends.

His reports on this page underline some of these "pluses" the city has gained from the fair:

An air of vitality, optimism and "can do" spirit.

Net gain in valuation in the Hemis-area from hotels alone: $5 million (meaning $100,000 a year in taxes to the city alone).

Receipts of $122,766 in hotel room tax (through August)

Net profit of $125,278 in parking fees on Hemis-lots through July (not counting August and September).

$12 million in buildings, waterways and landscaping transferred to city from HemisFair.

A bonus increase in sales tax receipts.

[From the Sunday San Antonio Express & News, Oct. 6, 1968]

VISITORS DISCOVER TEXAS REALITIES AND BEAUTY

Was HemisFair worth it? Ask people like Gov. John B. Connally, HemisFair Board Chairman H. B. Zachry, Mayor W. W. McAllister and U.S. Rep. Henry B. Gonzalez

"I never enter the gates to HemisFair but what I swell with pride when I realize what has been contributed by so many," says Gov. Connally.

In the view of many Texans one of the great contributions of HemisFair has been it's influence in changing the image of the state for millions of visitors.

Those who have seen the fair can no longer accept the stereotyped picture of the typical Texan as a big-rich, vulgar braggart with little concern for the problems of the less fortunate.

The Governor seems to speak for this view when he says that HemisFair has presented Texas as a state which is "proud of its past, humble in its present and with faith in its future."

HemisFair has portrayed "for the first time what we Texans are and what the future holds for us," he firmly believes. Both visitors and native Texans have learned that "we are a mixture of many races, many peoples from many lands" and not a separate class of people.

In short, the governor is convinced that millions of Americans have discovered the realities of Texas and the beauties of San Antonio as a result of their visits to HemisFair, as well as from the wide-ranging publicity given the exposition—and he feels the city and the state are much richer for this.

The future which San Antonians will build from the legacy illuminated by HemisFair is bright, all of these leaders agree.

"This will be the beginning of a new era for San Antonio," says Zachry.

The "most creditable creation and operation" of the fair "in spite of great odds," Zachry predicts, "will create a spirit that anything can be done by San Antonians who have the courage and the will to work."

"We've pointed a way here," says the famed construction executive who took the helm of HemisFair during a time of trial. "We've done something nobody believed could be done."

Zachry points to the construction boom which has continued and gained momentum in the months following the completion of work on HemisFair. He points to a faster pace being set by the area in the development of industrial jobs—up nearly one-fourth in three years.

"HemisFair's accomplishment," he says, "has created confidence. When things get started and get moving, people will follow. People are afraid to stick out their necks alone."

At the same time the business leader cautions against any feeling that the legacy of HemisFair can be reaped without an expenditure of effort in the future.

San Antonio's citizens should realize, he warns, "that jobs—created by industry with workers initially trained through a still finer school system supported by a strong and capable city and county government—offer the only worthwhile future for the individual."

And in an apparent reference to the probability that controversy may follow on the heels of HemisFair, Zachry, who holds the respect of both City Hall and its foes, observes:

"The politicians will better realize that the planks on which they run must lead to city-building, not to its destruction. . . . That to reach for power you must stand on foundations of concrete and not on ashes."

Zachry leaves no doubt but that he feels that now is the time for the community to build on the very positive and substantial achievements of HemisFair and not to bicker over incidental mistakes of the past.

Some of the most heart-warming influences of HemisFair may not be appreciated fully for many years. Zachry touches on this possibility when he muses:

"You'll never be able to know how a visit to the fair may have motivated some youngster . . . gotten him out of his rut . . . given him a chance to see the wonderful future that lies ahead."

"HemisFair is a success. It is all that its progenitors hoped it would be," says Gonzalez, who triggered the official drive to build an "Inter American Fair."

The Congressman recalls that "San Antonio was a city that needed a shot in arm." For 30 years, he points out, it had been growing only at a very slow pace, and had declined in importance to a "position far behind that of Houston, Dallas and Ft. Worth."

He continues:

"Not only had the economy lagged, but the city had been torn by a chronic political divisiveness, and had developed a tired, fatalistic outlook.

"Few people believed San Antonio had a future; not many appeared to care."

Gonzalez at the start saw four missions for HemisFair:

That HemisFair "would convince the city after 30 years of malaise that it could conceive of and carry out a big project. It would erase the fatalism that the community developed after having lost the Texas Centennial to Dallas in 1936."

That HemisFair "would be something everyone could support, something that would heal the divisiveness that had for many years prevented community progress . . ."

That HemisFair "would bring in enormous revenues and raise the general level of San Antonio's economy—wages would be higher, sales higher, building construction higher, and the general level of prosperity much greater."

That HemisFair "would produce the momentum the city had lost in the 30s, and must have in order to become the great city it had been and should be today, and must be tomorrow."

As HemisFair closes Gonzalez is convinced that it has fulfilled these aspirations.

"People became excited, and wanted to get involved," he relates. "They wanted to help and they were willing to pay for it. A spirit of optimism, of belief that San Antonio could do something big and in a big way was born . . . fatalism and divisiveness were swept away."

He continues:

"HemisFair did bring in enormous revenues. There was a construction boom—$150 million in building projects went up as a direct result of the fair.

"Six million people visited HemisFair and most of them would have never come to San Antonio at all in 1968 had it not been for HemisFair. Thousands of new jobs opened up. For the first time labor became a commodity in short supply."

Gonzalez recalled that when he was elected to Congress in 1961 the "Help Wanted" advertisements in the Express and News "ran less than a half page, seldom more than three-quarters." Today, he notes, they run "two and three pages."

The Congressman points out the city has, meanwhile, realized enormous revenues from sales taxes and small towns all around San Antonio are enjoying a HemisFair boom.

Pointing out that the general level of economic activity in San Antonio has progressed far more in the past five years than in any previous comparable period, he declares:

"Finally, HemisFair did create a momentum that San Antonio has long missed. There is a vibrant air about the city, a confidence in the future. The confidence is based on the knowledge that we have done something big, and that the future holds nothing but good for us.

"Those new homes, new shopping ventures, new hotels and restaurants, that new river development, and all the rest would never have existed without HemisFair. San Antonio is moving now!"

Concluding, the congressman argues that "there is more to HemisFair than a balance sheet," and he asserts:

"If there are losses, they will be covered by the underwriters of the fair, not the taxpayers of the city. The risks were recognized by the underwriters, but when they signed their agreements they were, as I was, looking not at the ledger but at the future.

"I don't think that there are any regrets."

Praising HemisFair as an aesthetic success which "was unique in its theme and outstanding in its makeup," is U.S. Sen. Ralph Yarborough who predicts:

"San Antonio will doubtless continue to

reap tourism and other benefits from HemisFair even after it is closed."

"The fair," the senior senator concludes, "has been a real asset for Texas."

Yarborough finds it "unfortunate" that the fair had turnouts that were "sometimes disappointing."

An insight into the "image-making" values of the fair is provided by Julian Read, one of the ranking public relations executives of the Southwest who has had broad contact with both the great and the small of the press and TV.

"The fair," he relates, "has helped rivet the attention of outsiders who have never been charmed by Texas on the river, San Antonio and the fair is an entity. In the future national image of the city the river is an integral part."

Read continues:

"I've spent lots of time this summer with those cynical rascals from the East and that river disarms them. That is part of the image they have of San Antonio now—a plus that is an endearing thing."

Mayor W. W. McAllister paused during a round of the fair last week to capsule his own appraisal of what it has done for the city.

"Specifically," he observes, "one of the greatest benefits San Antonio has received and will be enjoying for years and years is the first completely cooperative effort of the whole citizenship in a move that all recognized as having a tremendous potential for the city . . .

"Never before in the history of our city has there been such unified and enthusiastic support for a move that has such potential for the future growth and development of our city."

The mayor points out that studies show that more than 2 million visitors have come to HemisFair from outside of the state and "practically without exception they left as friends and enthusiastic about San Antonio."

The mayor reports that he has received several hundred letters from happy visitors who were impressed not only with the beauties and design of HemisFair, but have also "appreciated the charm of San Antonio, the beauty and development of the river and the friendliness of the citizens."

McAllister feels that special commendation is due the city's police department for "the careful way in which protection was afforded our citizens and visitors and the unfailing courtesy they offered all of those who contacted them for information or help."

Finally, referring to the HemisFair buildings which will remain on the site, the mayor concludes:

"The physical legacy to the City of San Antonio is worth millions of dollars and will inspire uses that probably could never have been developed if improvements of this kind had been submitted to the voters as a bond issue."

Mr. Speaker, I believe that everyone who visited HemisFair was entertained and enlightened and just plain impressed by that they saw. Most of my colleagues in the Texas delegation were able to attend. Several of my good friends are unable to be on the floor at this time, but they have given me some of their impressions of HemisFair and I include their statements at this point. I would also like to include a statement from that fine Representative from Illinois, Mr. Barratt O'Hara, the "Mexican Shamrock":

Statement by Mr. Fisher

I join with my colleague, Mr. Gonzalez, in praising the accomplishments of the World's Fair which was just concluded in San Antonio, Tex. While the number of visitors fell a little short of expectations, the exposition will go down in history as a truly great success.

For this fact much credit is due our colleague Henry Gonzalez, the great mayor of San Antonio, Walter McAllister, and literally scores of other civic leaders in the Alamo City who contributed so much, financially and otherwise, to the success of the fair. The Governor of Texas, Hon. John Connally, played an important role, and played it well.

This is not the proper time or place to list the names of those who should be credited with major roles in HemisFair 68. I simply join in paying my respects to the citizens of San Antonio who did the utmost in unified efforts to make that great exopsition a success. They can take pride in what was accomplished on this the 250th anniversary of San Antonio—the cradle of Texas liberty.

Statement by the Honorable Earle Cabell

It is my pleasure to join with my distinguished colleague from Texas, Mr. Gonzalez, in his praise of HemisFair.

And may I preface my remarks by saying that the success of this undertaking was due in no small part to the untiring and effective efforts of Mr. Gonzalez.

It has been Mrs. Cabell's and my pleasure to have attended many fairs and expositions, both within and without the United States. But never have we attended a more interesting or more carefully planned one than HemisFair '68.

Every conceivable attention was given to the comfort and convenience of those in attendance. The grounds were spotlessly clean, the design and decor of the buildings were colorful and in keeping with the charm and traditions of old San Antonio with its Spanish and Mexican traditions.

HemisFair accurately and beautifully depicted the theme of "The Confluence of Cultures of the Americas."

It was a credit not only to San Antonio and Texas, but also to our Nation, and its contribution to international good will will pay dividends for many years to come.

Statement by Mr. Patman

HemisFair '68 closed on October 6 after a wonderfully successful run of 184 days. As one who had the privilege of attending this splendid exposition, I was able to witness first-hand its outstanding cultural and recreational benefits which alone would have justified its existence. But more important than this is the remarkable contribution which HemisFair '68 has made in fostering international understanding and goodwill. This great fair was an invaluable exercise in friendship among all of the countries of the Americas—North, South, and Central—and I am certain that the investment of time, effort and financial resources which made it possible will continue to pay rich dividends for many years to come.

The nations of the Western Hemisphere are bound together, not only by geography, but by a common background and common goals. We are the nations of the New World—all having been formed very recently when measured against the time-frame of world history. It is altogether fitting and proper that we were able to join with our fellow nations in this eventful year to share the best of our arts, our technologies, our ideas, and our hopes for the future. For 184 days the theme of HemisFair '68 was magnificently realized—the Confluence of Civilizations in the Americas. It is my hope that this meaningful event will mark the beginning of a new awareness and appreciation of our neighbors to the north and to the south.

I would like to take this opportunity to extend my special congratulations to the Honorable Henry B. Gonzalez who represents the host city for HemiFair '68, San Antonio. His untiring efforts on behalf of the exposition helped to make it so successful, and his fine contributions to this productive gathering of nations of the Americas merit the thanks of all our citizens.

Statement by Mr. O'Hara of Illinois

I am happy to join with my good friend from Texas, Mr. Gonzalez, and others of my colleagues in giving expression of the national joy and pride in the success of HemisFair 1968. At a time when there was so much unrest and uneasy struggle in the world, it was indeed heartening that people in such large numbers, coming from every state in the Union and many foreign countries, visited San Antonio, pilgrims as it were to a shrine of peace and good will.

HemisFair 1968 marked with dramatic emphasis the realization of a dream of 400 years ago that from South to North America there should be a highway and thus, as the peoples of two cultures got to know one another, there would be that peace and understanding that come only when there is a brotherhood dedicated to a common interest.

HemisFair 1968 was the only world's fair approved for 1968 by the Bureau of International Expositions, and it is proper that today we in the Congress of the United States should express our appreciation to the Bureau.

The City Council of San Antonio authorized and the voters approved a $30 million bond issue to finance HemisFair 1968, and it is proper that today we in the Congress of the United States should express our appreciation to the city council and to the people of San Antonio.

The State legislature of Texas appropriated $10 million, and to the State legislature goes the appreciation of the House of Representatives of the Congress of the United States.

Finally, the Congress acted and gave the go-ahead command. Too much credit cannot be given to the gentleman from Texas, Mr. Gonzalez. On November 20, 1967, I said from this well: "I doubt, despite the great worthiness of the project, whether it would have received the backing of this body had it not been for the great popularity of Mr. Gonzalez."

Now, at the close of the fair, when we celebrate its outstanding success, I would repeat that observation. In the long years of my service in this body, I have known of no Member who enjoyed a higher measure of respect. He is modest and unassuming, is thoroughly dedicated to the task of representing truly and well his constituents, is able in debate and the discharge of his legislative duties and is so industrious and hard working that his office seems to have no closing time."

To the city of San Antonio, to those who built and managed HemisFair 1968, and to our colleague, Mr. Gonzalez, our hearty congratulations.

Statement by Mr. Kazen

I rise to join my colleague from Texas, Mr. Gonzalez, in paying tribute to all the people who contributed to the realization of a great dream—a World's Fair in San Antonio. Now that HemisFair '68 has officially closed its gates we can look back with pride to the contribution made by so many individuals and organizations. This magnificent spectacular drew millions of people from this country, and, indeed, from all over the world. They came to San Antonio to see a great World's Fair and they were not disappointed. The theme of this fair, as you know, was the "Confluence of Civilizations in the Americas." It portrayed very vividly the history of the New World, where we have been, where we are and a glimpse into where we are heading. Those who were fortunate enough to visit this great Worlds Fair understand a little better why we take such great pride in being Americans, and I believe that our sister nations in the Western Hemisphere can appreciate us a little more for the good neighbors that we strive to be.

It also gave people an opportunity to see this part of the great Southwest, to meet its friendly people, and to mingle freely and sense, feel, live, and be a part of this tremendous culture which they undoubtedly had heard about but never had the opportunity of relishing.

The success of this international spectacular was due in no small measure to the efforts of my colleague from Texas for his untiring work in its behalf in the Halls of Congress and elsewhere. To the distinguished Governor of Texas, the Honorable John B. Connally, who served as the commissioner general of the fair, who gave so greatly of his time and talents and who left no stone unturned to insure the successful culmination of this project. To the mayor of San Antonio and the city council, the officers and members of the board of directors of HemisFair, to Senators YARBOROUGH and TOWER, to Ambassador Ed Clark, to the Members of the Congress and of the Texas Legislature, to the exhibitors, to the news media, and those men of vision and faith who underwrote the entire production and, finally, I want to commend the people of San Antonio and south Texas for putting their best foot forward in a great cooperative venture which will continue to bring them praise and honor for years to come.

STATEMENT BY HON. CLEMENT J. ZABLOCKI

The distinguished gentleman from Texas, HENRY B. GONZALEZ, indeed deserves to be included in the tribute we pay here today to HemisFair '68. Certainly his unflagging efforts have had much to do with HemisFair's tremendous success.

As a member of the House Foreign Affairs Committee which considered the legislation providing for Federal participation in the HemisFair, I can attest to the fact that Congressman GONZALEZ was instrumental in securing its approval in committee and its ultimate passage in the House of Representatives.

He persuaded the members of the Foreign Affairs Committee and the Congress of the United States of the constructive and positive effect that HemisFair would have on relations with our neighbors in this hemisphere. His predictions were truly borne out for the HemisFair has indeed promoted better relations and closer cooperation among nations of the Western hemisphere.

The people of San Antonio—and the entire State of Texas—are to be congratulated for their successful efforts in providing the United States and the Republics of the Americas with such a fine international meeting place as HemisFair 1968.

Our colleague, Congressman GONZALEZ, deserves special commendation for his vision and energy in making the HemisFair possible.

STATEMENT BY MR. ROYBAL

I want to take this opportunity to add a personal note of congratulations to my good friend and colleague from the State of Texas, U.S. Representative HENRY B. GONZALEZ, on the achievement of his magnificent dream of HemisFair, 1968, San Antonio's international exposition.

Originally proposed by HENRY GONZALEZ in 1962 to celebrate the 250th anniversary of the founding of San Antonio, HemisFair, 1968, carried out the theme: "The Confluence of Civilizations in the Americas"—a unique and distinctive world's fair keyed to telling the hemispheric story of our heritage of freedom and dignity.

As a member of the House Committee on Foreign Affairs, I had the honor of supporting the resolution authorizing HemisFair, 1968, both in committee and when it came before the House for consideration.

Under the dynamic leadership provided by Congressman GONZALEZ, this proposal was endorsed by the Congress as a showcase of the diversified cultures of Pan America—history, art, industry, commerce, and economic development of each of the nations of this hemisphere, and the significant contributions to its development from Europe, Asia, and Africa.

I believe that President Johnson caught much of the meaning and spirit behind HENRY GONZALEZ' dream project when he stated:

"The New World nations are brothers in history, friends in commerce, and partners in aspiration. San Antonio's 'Fair of the Americas', HemisFair 1968, will celebrate this partnership. Dedicated to the advancement of the social, economic, and cultural well-being of all peoples of the Americas, it will be a living example of our nation's policy of Inter-American cooperation."

Because of the outstanding success of HemisFair 1968, I would like to include in the RECORD at this point an article which appeared in the San Antonian on September 26, 1968, written by Mr. William R. Sinkin, vice chairman of the board, HemisFair '68, and outlining the many immediate and long range achievements of Henry Gonzalez' dream project:

"HEMISFAIR: GREATEST SINGLE PROGRESSIVE FORCE

"(By William Sinkin)

"HemisFair '68, San Antonio's World's Fair, was culturally, economically and politically the greatest single progressive force ever experienced by our community. As we draw to a close, it is imperative that certain positions and certain facets of the operation of this project be put into proper focus. A discussion of various broad facets of the Fair would be helpful in determining an area of understanding for anyone who has an interest in its program, its policies, its operations and its results.

"Organization

"San Antonio Fair, Inc., is a nonprofit corporation organized in 1964 to operate HemisFair. It is directed by an Executive Committee of 20 members who have served for as long as seven years without pay or compensation in any manner whatsoever.

"HemisFair operates under the strictest 'no conflict of interest' policy ever adopted by any major exposition. No member of the Executive Committee can do business with the Fair directly or indirectly. This policy has never been violated during the entire history of this exposition.

"The Executive Committee is responsible for the policy decisions and management is responsible for carrying out the policy decisions. The ultimate responsibility rests with the Executive Committee.

"Underwriting

"Through a program of underwriting the business community of San Antonio guaranteed the loans to San Antonio Fair, Inc., by underwriting approximately $8 million worth of guarantees for a $4½ million loan from all of the banks of San Antonio who participated as a group.

"There were three underwritings because of the lack of operating capital generated by the first underwriting, and for the sake of brevity we will not detail each of the underwritings but suffice it to say that the private sector of this community, and not the city nor the taxpayer, will absorb approximately a $5½ million loss.

"The first underwriters will probably lose about 10% of their commitment.

"The second underwriting, different from the first and the third in that it involved the purchase and repurchase of tickets, will project a loss of approximately 60% to 70% of those involved.

"The third underwriting, as it appears now, will probably be a total loss for everyone who signed and here it must be pointed out that those who participated in the third underwriting just 60 days before the Fair was closing, knew full well the total risk that they were taking and yet, because they believed in the Fair and its contribution to the community, pledged $3 million to keep the Fair going and help pay its bills.

"This was an unparalleled declaration of confidence that must truly be a touch-stone of courage for the business community of San Antonio.

"Tower operation

"Recently there has been a great deal of discussion about the Tower operation and the monies due the City of San Antonio from San Antonio Fair, Inc., for tickets redeemed by the Fair out of bonus books sold before the Fair opened.

"The Tower occupies approximately 36,000 sq. ft. of space on the Hemis-grounds and at the going rental of $7.00 per sq. ft. (the actual cost to HemisFair for preparation, etc.) this would mean that the Tower was occupying approximately $250,000 worth of income producing land. No rent was received by the Fair for this area.

"In terms of monies due to the city by the Fair for the redeemed tickets, there is no question. However, the amount is not $303,000, but approximately $215,000 because in a letter dated September 19th, 1967, the Fair went on record committing itself to redeem the adult tickets at 75 cents and the children's tickets at 37½ cents.

"It should be pointed out also that the Fair promoted the bonus books at approximately a 40% discount in order to increase the sales and, as a result, only makes back approximately 60 cents on the adult tickets and 30 cents on the children's tickets.

"As of August 23rd, the Fair Corporation owed the city $215,527 and on that date it began to pay the city all of the current redemptions. There was never any formal agreement putting the monies due the city in trust and it would be fitting to point out some other pertinent statistics regarding the relation between the Tower operation and HemisFair '68. The Tower cost approximately $5½ million.

"Visitor impact

"It should be pointed out further that the Tower would never have enjoyed the economic impact of approximately two million visitors without HemisFair having spent over $2½ million for a total promotion of the Fair, including the Tower.

"Freely admitting that the Fair owed the city $215,000 for the Tower operation, what is the taxpayer's position if this amount is not paid? Certainly it should be taken into consideration that the Tower occupied land worth $250,000 in rental during the Fair. Furthermore, the Fair received no percentage whatsoever from food sold in the Tower, although the Fair's promotional effort brought it nearly two million visitors.

"After the Fair, the cost of operating the Tower based on feasibility studies made earlier indicate that there will be about $875,000: $518,000 for principal and interest, and $357,000 for operational cost.

"It is estimated that approximately 950,000 visitors will come to the Tower after the Fair, and within a few short years, because of HemisFair, the city will have an asset which will clear $500,000 or more annually for the taxpayers. The city will not only have a striking and permanent tourist attraction, but a substantial source of revenue.

"Urban renewal

"Because HemisFair generated the most exciting and accelerated urban renewal program in the South, untold additional benefits yet to be counted will accrue to San Antonio.

"There was a $2 million urban renewal item in the bond issue which generated land acquisition expenditures approximately in the amount of $12.5 million. 395 families were re-located with 208 families going into private rentals and 136 families buying their own homes. Only 3 families went back to other slum areas.

"'There were 268 businesses re-located and their particular re-location generated over $3 million worth of new buildings.

"Furthermore, HemisFair generated an additional $2 million worth of credits for the city by the work it did on the waterways, the paving, the lighting, the land-scaping and other items, so that this $2 million in turn will produce another $4 million urban renewal activity.

"This means that the city will gain additional credits for such programs as Rosa Verde, Vista Verde and approximately $3 million for Model Cities.

"Economic benefits

"When one begins to analyze the economic benefits against the debt that the Fair owed the city, the long range result is immeasurable.

"When the Fair closes its doors on October 6th, it will turn over approximately $12 million worth of renovations, land-scaping, waterways, improvements and buildings on the Fair grounds. These were paid for by the Fair Corporation without resorting to any tax dollar.

"The city will receive an additional urban renewal credit of $2 million and as indicated by the story in the newspapers of Saturday, September 14th, a tremendous increase for sales tax funds. An amount of $1,757,489.96 was paid to the city and this represented nearly $400,000 more than anticipated and certainly this and more can be attributed to HemisFair.

"Based on this first payment, the increased sales tax revenue to San Antonio directly attributed to the Fair will be close to $1 million.

"One of the most significant economic contributions that the Fair has made is that it stopped the deterioration of the central section of the City of San Antonio and laid a foundation for tremendous thrust of new building and construction.

"One need only point to the new $7.5 million Palacio del Rio Hotel, La Posado, or La Quinta to come up to a total of approximately $10 million worth of new housing facilities in the downtown section of San Antonio.

"Also such major facilities as Joske's of Texas spent nearly $2 million furbishing for the Fair.

"Add to this the tremendous renovation and beautification done by other private entities and their total would come to close to $13 or $14 million, which would include the vast improvements on the River.

"Six years ago, downtown property taxes were drastically reduced because of the lack of economic activity. Within the past year and a half, the city has increased tax valuations as much as 60%.

"All this means that there is an increased tax base now available to produce more money for the City of San Antonio. No one can safely predict how many hundreds of thousands of dollars additional this represents.

"Add the fact that there has been, since 1964, approximately $50 million worth of new construction directly attributed to the Fair; add the fact that the equivalent of 10,000 new jobs for four years was created contributing more than $20 million to the wage earners; and add the fact that approximately 6,000,000 visitors came to one of the great expositions of this century and will carry the message of this artistic success everywhere in the world.

"Add all of this against the debt due the city and who can challenge the contribution of HemisFair '68 to the economic future of San Antonio, and who can question the tremendous return that the city is getting in the form of nearly $100 million worth of economic assets for an investment of $600,000.

"And speaking of the city, no story of HemisFair could be complete without emphasizing the total cooperation which HemisFair received from the City Council. From the beginning, they realized the importance, the significance and the dimension of this great project and gave unstintingly of their confidence and their support. Without the city leadership HemisFair could not have been built.

"Tower costs

"A very pertinent fact should also be under-scored. The debt to the city for maintenance and rent for the Tower tickets out of bonus books and for utilities will probably be close to $800,000. If not a single penny were paid against this debt, it would mean that each taxpayer of Bexar County paid approximately one dollar out of their pocket to produce this magnificent project. It should be pointed out, however, that this debt will be reduced and that any accusation that HemisFair will eventually cost the taxpayer money is fallacious and misleading.

"Incalculable assets

"The new jobs, the visitors, the new construction, the tremendous amount of cultural participation by so many countries of the world, the new thrust and confidence are incalculable assets that have no price.

"The estimated attendance for HemisFair was 7.2 million. We will probably get 6 million people through the gates, a respectable amount but short of our goal. HemisFair will probably show a loss of about $6,400,000 and there are two major items contributing to this loss.

"There was an over-run on construction of approximately $3 million which came from the utter necessity of getting the Fair ready to open on time as there could be no delay in this.

"Attendance falling short by approximately 1.5 million people which would have meant another $3 million or more to the Fair.

"A combination of these two factors made it difficult, if not impossible, for the Fair to meet all of its obligations, including the city's, on time or in full.

"And it should be emphasized again, because of the myopic position of a disgruntled few, that whatever loss occurs from the total operation, be it six million or more, 95% of it will be borne by the private sector of this community and not the taxpayer. Again, this was not a taxpayer's loss, but was a loss borne by the business and financial community of San Antonio.

"Optimism

"Based on many discussions and upon the revelation of many attitudes, it is safe to say that the financial psyche of this community has not been damaged one bit. There is an optimism and a determination to see that the economic and cultural thrust produced by the Fair will continue to surge forward in order to insure that our place in the sun will be permanent, exciting and meaningful.

"It is appropriate that some kudos be given to those who played such an irreplaceable part in HemisFair.

"It has been my privilege to serve with the 20 men and women of the Executive Committee and I am proud of my association with them. To my knowledge, there has never been a more dedicated group in this community who have served with such commitment to an idea.

"Men like Marshall Steves did a remarkable job in our underwriting and carried on with such tremendous vigor and purpose when succeeded me as President. Mr. H. B. Zachry who stepped in at a time of crisis and gave an element of stability when it was so badly needed. And Mr. Tom Frost Jr., a courageous captain of the third underwriting, who was able to accomplish a near miracle in getting the additional $3 million committed.

"City council

"Then there was the City Council who never faltered in their support of HemisFair.

"The Mayor and Congressman Henry B. Gonzalez served as Honorary Co-Chairmen and without their support and their determination this magnificent project could not have come to fruition. The City Council deserves the thanks of this community for having produced a tax base for the taxpayer which will accrue to their benefit for years and years to come.

"Finally, the media deserves a great accolade.

"From the beginning, the press, the radio and the television have been unfailing in their support and unstinting of their time in an effort to project the image, the excitement and the value of HemisFair. It has been a great seven years and when HemisFair closes on a note of optimism and positive results, we shall go on to other commitments to make San Antonio, this wonderful city of St. Anthony, one of the jewels of this continent."

AIRLINE PILOTS SPEAK OUT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. HECHLER] is recognized for 20 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, it stands to reason that airline pilots ought to know more about safety than anybody else. In the last analysis, it is the pilot who is ultimately responsible for bringing his planeload of passengers safely in for a landing, and piloting the plane to its destination. The pilot who regularly flies commercial airlines in and out of airports also is in a very good position to judge objectively the advantages and disadvantages of various existing airports, and to appraise their relative safety.

In all of the debate over how to improve air service for West Virginia in the future, we have heard from practically everyone except those who fly more and know more about safety than anyone else—the pilots. Recently, the 30,000-member Airline Pilots Association officially canvassed their pilots who fly in and out of the Charleston airport. Their comments are very illuminating, and are contained in the following article from the October 4 Charleston Gazette, statements by the president and officials of the Airline Pilots Association, and the transcript of a television discussion by the Airline Pilots Association:

[From the Charleston (W. Va.) Gazette, Oct. 4, 1968]

PILOTS COMPLAIN: CITY'S AIRPORT "ONE OF THE WORST"

(By John W. Yago)

WASHINGTON.—Commercial airline pilots who regularly use Kanawha Airport have condemned it as unsafe and incapable of being sufficiently improved.

The Air Line Pilots Assn. (ALPA) recently completed a survey of its members, who rated Kanawha as one of the most unacceptable airports in the country from a safety standpoint.

"Almost every pilot who has flown commercial airlines in and out of the Charleston airport complains about the lack of safety, the obstructions and the weather handicaps," Charles H. Ruby, president of the 30,000-member association said Thursday.

"It would seem safer for the passengers and the people in the area to look for a new airport at a different location, where the communities can pool their efforts and get better jet service which is safer," Ruby added.

"There can be no doubt that this is one of the worst in the country," echoed Theodore G. Linnert, director of engineering and safety for the ALPA.

Linnert, a former United Air Lines pilot, endorsed the Putnam County site proposed for a midway airport as ideal to serve Charleston and Huntington.

Kanawha Airport now violates all of the safety standards of the ALPA, Linnert said, and its location prevents it from ever meeting them.

Present improvement plans, he said, are inadequate. "Small jets will need a minimum of 6,500 feet, dry and with adequate areas for under-run and over-run," Linnert said. "This is not possible at the present site."

Plans for airport improvement center around lengthening the main runway from 5,600 feet to 6,300 feet.

W. H. Jay, chairman of ALPA's safety committee, indicated that this planned lengthening was not all gain. Part of the ground for the extra runway length will be taken from grassy areas now used for over-run, reducing this safety area. In addition, Jay said, the "touch down points" will be moved back 100 feet at each end of Kanawha's main runway, meaning that pilots will have to put their wheels on the ground 100 feet closer to the end of the runway and the edge of the steep embankment that surrounds the airport.

Kanawha's main problem, Jay said, is that the runway can't be lengthened enough to overcome its deficiencies. About 7,000 feet of runway are needed for reliable jet operations, he said.

Linnert also was critical of Kanawha's fire-fighting equipment and its lead-in lighting system which he said is deceptive on days of poor visibility.

United Air Lines already has announced that Kanawha can expect a sizeable percentage of fly-overs when it starts restricted jet service there next month and the proposed improvements won't alter this situation.

Howard Kelly, an ALPA staff member and former Piedmont Airlines pilot, also endorsed the midway airport proposal.

"A new regional airport is the only answer to getting first class air service for the Charleston-Huntington area," said Kelly, who learned to fly at Charleston in 1935 and helped select the site for Kanawha Airport.

"If I had known then what I know now, I would have, as a pilot, objected strenuously," he said.

The ALPA officials agreed that aircraft developments have left Kanawha Airport behind but that it would be a valuable asset to serve general, noncommercial aviation in the future.

"You can't use a DC9 at DC3 airports," Linnert said.

"The Air Line Pilots Assn. is definitely against any amount of money going into that airport because it is money going down the drain and it won't serve the safety needs of the passengers," Kelly said.

Individual airline pilots have the choice of whether to attempt a landing at an airport, and the decision to fly over is theirs.

In one case, pilots for one airline recently refused to operate any jets into the Hartford, Conn., airport. As a result, the airline canceled jet service and resumed operation of prop-jet Electras at Hartford.

The ALPA officials revealed their pilots survey Thursday after they testified before Rep. Ken Hechler's House space subcommittee which ended hearings on the nation's aeronautical research needs.

Ruby complained to the subcommittee that there are no national standards for airport construction, only sets of guidelines issued by the Federal Aviation Administration covering some phases of airport design.

AIRLINE PILOTS URGE CONSTRUCTION OF REGIONAL AIRPORT AT MIDWAY SITE

WASHINGTON.—Because of the hazards of weather, terrain and poor visibility almost all airline pilots using Kanawha Airport strongly support the construction of a new regional air facility midway between Huntington and Charleston.

Charles H. Ruby, President of the 30,000 member Air Line Pilots Association, said Kanawha Airport was rated among the pilots who fly in and out of it regularly as "one of the most unacceptable airports in the country from a safety standpoint."

The Air Line Pilots Association president, himself a former chief pilot at National Airlines, revealed the results of a survey taken among his members. Here are some of the comments:

"WORST IN THE COUNTRY"

"There can be no doubt that this is one of the worst in the country."

"After having flown through Charleston, West Virginia, both as first officer and captain for Capital and United Air Lines, I wholeheartedly agree on a site midway between Charleston and Huntington as a favorable site for a better and more modern West Virginia airport."

"Compared to the rest of the airports in the United States into which we operate, going into Charlie West is like going through an obstacle course, even in an over-powered airplane."

Howard Kelly, former Piedmont Airlines Captain before joining the ALPA staff, and who learned to fly in 1935 at Charleston, said its geographical location puts Kanawha in the path of ground fog and industrial smoke and haze.

REGIONAL AIRPORT THE ONLY ANSWER

Kelly said the Airline Pilots "are strongly against any amount of money going into Kanawha Airport because it is money going down the drain and it won't serve the safety needs of the passengers. A new regional airport is the only answer to getting first class service from the Charleston-Huntington area."

Theodore G. Linnert, Engineering and Safety Director for ALPA, said the coming of the jets will always mean restricted air service for Kanawha, even if the main runway were lengthened.

"Obviously such air carrier service will not be reliable and would not be in the best interest to the public nor would spending any federal funds or any other funds on this unsafe airport be justified," he declared.

STEEP DROPOFFS DANGEROUS

Captain W. H. Jay, who is ALPA Safety Chairman and also an active pilot, expressed concern about the steep drop offs at the ends of the runways. "The nature of the terrain around Charleston is not favorable for an airport," Jay said.

Because of the hazards from the ground fog, smoke and haze and the fact that Kanawha has no capability of being enlarged with ample over-runs and under-runs, the airline pilots came out for a new regional airport, letting Kanawha and Tri-State serve general aviation purposes.

"Surely a regional airport is the logical solution from a standpoint of safety and economics," Captain Jay said.

ALPA President Ruby took this view:

POOLING EFFORTS TO GET BETTER SERVICE

"Almost every pilot who has flown commercial airlines in and out of Charleston complains about the lack of safety, the obstructions and the weather handicaps. It would seem safer for the passengers and the people in the area to look for a new airport at a different location where the communities can pool their efforts and get better jet service which is safer. Many other areas throughout the country have done this."

The strong stand of the Airline Pilots Association for a regional airport midway between Huntington and Charleston backs up a decision announced May 15, 1967, by the Federal Aviation Administration that the long-range airport requirements are best met and the public interest best served by the development of a midway regional airport.

TRANSCRIPT OF TELEVISION DISCUSSION OF WHAT THE AIRLINES PILOTS THINK ABOUT FLYING IN AND OUT OF THE CHARLESTON AIRPORT, OCTOBER 2, 1968

Participants: Charles H. Ruby, president of Airline Pilots Association; Capt. W. H. Jay, chairman of ALPA Safety Committee; and Howard Kelly, ALPA staff and former Piedmont Airlines pilot who learned to fly in Charleston in 1935.

RUBY. I'm Charles H. Ruby, President of the Air Line Pilots Association. I have with me today Capt. Howard Kelly on our right and Capt. Bill Jay on the left, both of whom are active airline pilots. Bill, have you got any comments with regard to the Charleston airport?

HAZARDS OF TERRAIN

JAY. Sure have Charley. We surveyed our airline pilots many of whom are currently flying through Charleston, W. Va. and quite a few more who have flown through Charleston, W. Va., over the past several years, and it's a rather difficult airport to operate in. The nature of the terrain around Charleston is not favorable for an airport. I mean by that we have mountains and valleys and these give us some very difficult wind conditions. We get updrafts and downdrafts and there's a mental hazard associated with operating into the Charleston airport due to the fact that it is on the top of a hill. There's always the possibility that some unforeseen incident can arise—the wind can be different from what it's forecast, the runway can be a little slicker than normal and if you go off the end of a runway or fall short into Charleston, you're in real trouble, Charley.

RUBY. Howard, you've been around that area for a long time. In fact I think you learned to fly in West Virginia. What's your view?

KELLY. Well, as a matter of fact, Charley, I did. I learned to fly in Charleston in 1935 and I don't know whether I'm proud at this moment or not. I walked over the terrain the Charleston airport is on now, when it was decided that's where the airport would be built.

SMOKE, HAZE, AND FOG

If your foresight was as good as your hindsight we would have foreseen a lot of difficulties in those days which we recognize today. Number one, the geographical location of the airport being to the northeast, as an example, of all the industrial section keeps it continually in smoke and haze; the proximity to the Kanawha River and the Elk River plus the valleys around it seem to bring in the early morning ground fog to envelop the airport. It certainly has no capability of being enlarged to what we are going to have to have for tomorrow's or even today's transport aircraft. I think a perfect example is the last accident that happened at Charleston. If the airport had been adequate there would have been ample overrun and underrun on the airport which certainly can't be put in there. It would be much simpler to go out and spend the money on a brand new airport and have what you want to start with.

ADVANTAGES OF REGIONAL AIRPORT

RUBY. Seems to me that the cost factor would make it rather prohibitive to enlarge the present Charleston airport where it could even come close to meeting the minimum criteria. And I would say in light of the overall situation and the requirement for longer runways and more overrun area that probably the sensible thing to do would be to pool the efforts of the communities and go into a regional airport concept. Do either of you people have any view on that?

Jay. Charley, the Greenville-Spartanburg airport has been eminently successful in that respect. There were originally two little airports—Greenville, S.C., had its own airport and Spartanburg, S.C., had its own airport. Then those people went together and they built a better airport than either community had. Now as a net result these communities are getting more and better service than they ever had under their own airport.

JET PLANES REQUIRE BETTER AIRPORTS

Ruby. You know this is one of the advantages in a regional setup. In the event there are population centers that are sufficiently close together, they can provide a large, well-populated total participation in an airport. Obviously regionalization won't work successfully if the geographical distance is too great to make it practical to have a regional airport concept. On the other hand I think in West Virginia there's a good site that could be developed into an airport that is located where it would be satisfactory for all concerned. But I think, getting back to a pilot's viewpoint, the necessary safety factor from our standpoint is absolutely an adequate runway and runways that will fit the wind directions. This means not only the prevailing wind but other directions where you get strong wind components. Present day jet airplanes require a better airport facility than the old piston-engine airplane did and in light of that we cannot tolerate just a make-do facility any longer. We get back in to what is the basic need for an airport. Honestly, except for what would amount to commuter operations with the rail services, the long haul rail service is almost nonexistent anymore. If you are going any place today of any consequence you either have to fly or drive your own automobile. Well in the areas that we are speaking of, which are in the mountainous terrain, you can drive many miles to go what would amount to by direct air distance a relatively short distance. It's my judgment that this is going to require good air service reachable by every community in the future if we are really going to do the job the public demands. Now Howard you've lived in that area and flown in that area, would you disagree with that or have any other comments to offer.

GOOD SITE SELECTED FOR MIDWAY AIRPORT

Kelly. No, I certainly wouldn't disagree, Charley. In the years that I lived there about the only way to get in and out of that section of the country was by road or by train. All of it was anywhere from six to eight hours to get anywhere you wanted to go. If I remember correctly, a good location for a regional airport has been picked, roughly half way between Charleston and Huntington, to the east of Huntington and to the west of Charleston. The new site has the land capabilities to put in a beautiful airport, with ample underruns, ample overruns, runways in any direction that we wanted them, and a big margin for safety. As an example, at the site I'm thinking about there in that area we could very easily with that terrain and the runway layout put together make a real safe airport to give first class air service to the public.

Ruby. I think the pilots would buy that.

Kelly. They certainly would. And what if you drive, let's put it, 25 miles to get to the airport, with the speed of the jets it offsets anything that you had in the days of the DC 3. Where the distance to the airport used to make a great deal of difference in the trip, today it doesn't. And you have the interstate highway to the airport too. So I really believe as I pointed out before that a new airport is about the only thing that would give the people in West Virginia the air transportation they so badly need and so readily deserve.

Ruby. Well, it seems to me in light of the rapid expansion and the demand for our air service that any community that does not prepare promptly for the necessary ground facilities and all associated navigational facilities—not just on a make-do basis but on something that enables accurate and regular service to be provided—is simply missing the boat. Now you have flown in there to Charleston, Bill, for quite a while. I'm sure that the number of misses there due to the weather and size of the airport contribute substantially to sometimes relatively poor service. Is this so or not?

DANGEROUS ASPECTS OF PRESENT CHARLESTON AIRPORT

Jay. It certainly is, Charley. In fact the FAA landing minimums at the Kanawha Airport at Charleston, W. Va., are twice as high as the standard. As you recall, we have the 200-foot height. In other words an airplane can go down to 200 feet and he's supposed to be contacted at that time. But now at Charleston the minimum is 400 feet. Now that is due to the nature of the airport there, and the terrain has a lot of effect on that. They can't fit the Instrument Landing System on to the airport, Charley. That is what causes the big problem. Now that contributes quite a bit to it. The industry around Charleston causes quite a bit of smoke generated there and it is a problem. I think that any airport around Charleston would need all the help it can get in the way of landing minimums. You know there is another thing to what we are talking about. One of the major airlines has proposed jet service. In fact, it has no choice in getting rid of the propeller airplanes like all the airlines, and we are going to have 100% jet planes before long. Now this airline notified the city of Charleston that it could not provide any better than a 60% margin of service into Charleston. That's not very good service. One of these days in the not too distant future we're going to see all the props gone and we're going to have all jet airplane and jet standards, and we are going to have to refuse service to some of the communities.

MUST HAVE SUFFICIENT SIZE AND SAFETY

Ruby. 60% service is simply not good enough. I know many pilots and every one I know does everything they can think of to accomplish regularity of service. But they are not going to do this if there is jeopardy to safety. So all in all I think the whole industry today and the communities involved are faced with the necessity to build sufficient airports of sufficient size, and sufficient safety capabilities to get into business. It reminds me of the bygone era where some area in the Midwest wasn't on a railroad it died on the vine pretty rapidly. This same general situation can apply to highways and airports today.

Kelly. Charley, if I might add one thing to Bill's statement a moment ago. He was talking about the minimums and the fact that they were twice as high in Charleston as they were in most places. I'd like to add that this is with the same equipment that is being used at Washington National Airport or at Cincinnati or at Pittsburgh. The identical equipment finds the terrain and the airport position so bad that with this sophisticated equipment they still can't bring the minimums any lower.

Ruby. In other words, Howard, you mean if we move the equipment on the Kanawha Airport to a better airport we'd then have the standard minimums. In other words, it would just cut the landing minimums in half.

Kelly. At least in half. And as I say I think that a different location for a combined airport stands a good chance of making an airport safe for the public.

Ruby. Well, I sure hope we can get a regional airport in West Virginia. It would be of benefit to everybody.

Kelly. Well, frankly from a pilot's standpoint we want more and better airports every place and West Virginia would be a real good place to start.

Jay. I think you're 100% right there.

THE RIGHT TO PERSONAL SAFETY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PRICE] is recognized for 15 minutes.

Mr. PRICE of Illinois. Mr. Speaker, the American people are deeply troubled, and rightly so, about the level of crime and violence in our Nation. It affects their daily lives, and in our urban areas where 80 percent of our people live and work, dusk brings a curfew on the activities of honest citizens.

As a public official and as a private citizen, I am appalled by the situation confronting my fellow Americans. I feel very strongly that the citizens of our Nation must not be intimidated by fear, by violence, by crime. Our cities and suburbs cannot become reservations isolated from each other but for the grace of daylight.

We cannot permit our society to become an urban wasteland at a time when we should be enjoying the full benefits of urban life.

To me, it is eminently clear that the individual has the unquestioned right to personal safety. The issue of crime and violence means just that. The private citizen acting within the dictates of society does not have to compromise his right to personal safety.

He should have every assurance of full and equitable protection of the law. He should have the comfort of knowing that the local law enforcement on which he depends for protection is fully equipped, trained, and supported for maintaining public safety and public order.

We must steer a prudent but determined course in our unrelentless pursuit of guaranteeing personal safety. Excesses by the belligerent cannot be condoned; nor can overzealous law-enforcement efforts be accepted. We must be moderate but unfailing in our quest for a just society.

The nature of the crime is multifaceted. There are many causes, manifestations, and effects. But the ultimate victim is the individual. And it is the individual as a citizen of a highly technical, urban, industrial society with whom we must be concerned. Our society will not function as it should when a guerrilla war is waged against it by criminal elements; nor will it function as a competent and humane society if we allow the development of a police state.

As the issue of crime and violence has become increasingly discussed, the question has been raised as to what role the Federal Government should play.

Clearly, it is for the Federal Government to act directly in matters of interstate crime. By the same token, the Federal Government's role must be limited in keeping with our constitutional precepts against direct involvement in local crimes—unless requested by local authorities. It would be a dangerous thing for the Federal Government to develop a strong national police force. Too many nations have permitted the development of such a force at the expense of personal liberty.

But there are ways the Federal Government can aid our local law-enforcement agencies. It can help finance research and development efforts in criminology. It can assist in developing new technological innovations for combating crime.

The Federal Government can and does help in the training of local police. It can help equip and assist local police financially with no strings attached. And it can continue to push the fight against organized crime.

I am pleased that both the 89th and 90th Congresses have moved in these directions. We have adopted several measures to expedite the judicial process. We have enacted several juvenile delinquency control acts. We have voted the Law Enforcement Assistance Act and the Omnibus Crime Control and Safe Streets Act to help local law-enforcement agencies in their law-enforcement efforts.

The Congress approved bank and savings and loan association protection legislation to provide improved safeguards for our financial institutions. We adopted riot control legislation, making it a Federal crime to travel in interstate commerce to incite a riot.

Congress also adopted legislation proving disability and death benefits to State and local law-enforcement officers disabled or killed while apprehending persons violating Federal law. I was pleased to cosponsor this legislation.

We are also in the process of enacting gun control legislation which is clearly aimed at the criminal element. It is not designed to inhibit the sportsman or the legitimate gun collector or infringe on their rights.

This list is an impressive array of what Congress has accomplished. But more needs to be done.

First. We must make certain our police departments are fully manned. We must attract and retain the best possible officer. One way is to have policemen draft exempt. Police work carries every hazard of military service and should be recognized as such.

Second. Clarification of criminal procedure is needed. The Supreme Court should define methods of apprehension, detention, indictment, trial, custody, and sentencing. Guidelines are clearly needed in what is now one area of the law where serious controversy exists.

Third. Access to courts in our urban areas needs to be strengthened. They should set evening hours so that the judicial machinery can begin to work promptly.

Fourth. Police work must have public support. Improved police-community relations are essential. While police directives must always be fair and reasonable, the question of their validity must be tested in the courtroom, not the street. Civil disobedience must not replace the lawful redress of grievances.

The points I have raised and the activities of Congress I have cited will not provide all the answers. The individual is still the cornerstone of our society. As the individual relates to his society, the society will rise or fall.

Today, we are concerned about crime and violence. But oddly enough, we spend more in travel abroad and cosmetics a year than we do on law enforcement. Last year we spent nearly $4 billion on crime control, yet Americans spent $4.2 billion on foreign travel and more than $4.8 billion on self-beautification.

We must question ourselves as to how serious we are about crime control, when we spend only $14.20 per individual in support of our law-enforcement agencies.

The matter of personal safety, the value of human life is worth far more than $14.20. I would hope that all America will not only continue to express concern about crime and violence but will be prepared to adequately support the efforts being made to meet the existing threat to personal safety.

MORE ON S. 2658—THE TRUCKERS BILL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 30 minutes.

Mr. SCHWENGEL. Mr. Speaker, the newspapers from all over the United States are continuing to write about S. 2658, the truckers bill. Universally they are against the bill and write eloquently and fluently on the subject. They are proving beyond question that those of us who fought the bill were right. It is my hope that the Members will read those that I have selected for the RECORD today, which follow:

[From the Gainesville (Ga.) Times, Aug. 1, 1968]

TRIPLE WHAMMY TRUCKS

A U.S. Senate-approved bill opens the way for triple-trailer trucks, the trains on wheels, to use the Intertsate Highway system.

These will weigh up to 69 tons.

Whether Georgia laws will permit them to use the Interstate in this state we don't know but we have one forlorn hope that they will not. The heavy trucks will load roads and bridges above their designed limits and will increase maintenance costs of the roads.

And in congested areas, especially our capital city's expressway system they will make an impossible situation absolutely horrible. Not too many Northeast Georgians have to drive on the Atlanta expressway system, we hope, but those who do would rather not. The trucks on it now add to the danger and clutter; a line of triple trailers to slow traffic, jack knife two different ways and terrify drivers might send all passenger cars back to the old streets.

[From the Springfield (Ill.) State Journal, Aug. 1, 1968]

ENFORCE TRUCK ORDINANCE

Springfield in common with many other cities has a problem in keeping its streets in adequate state of repair. There is never enough money to build needed new streets or even to keep all existing ones in a condition to be desired.

It is therefore of great importance that everything possible be done to prevent or slow wear and tear. This can be done to a major extent by enforcing existing laws governing their use.

One notes in casual driving about Springfield a flagrant violation of ordinances that limit the weight of trucks on many streets. Even along those streets clearly posted as to weight limits giant trucks, sometimes even flat-bed combinations hauling giant earth-graders.

Pounding of a surfaced street by overweight trucks can destroy a repair job in a short time. It would seem that time and effort spent by the city street authorities and the police department could mean a big saving in the cost that would eventually be required to repair a damaged street.

Weight-limit ordinances should be enforced.

[From the Lewiston (Idaho) Tribune, Aug. 25, 1968]

NEW HIGHWAY BILL IS A NASTY BUSINESS

A bill is slipping through Congress which is an outrageous waste of your tax money and a danger to your lives. It is not directly a service bill, yet servicemen as taxpayers and as frequent users of the nation's highways have a big stake in it.

It is S. 2658, which would allow heavier, wider and length-without-limit trucks including triple-trailers, on the interstate highways.

The American Automobile Association opposes the bill. So does the United States Conference of Mayors. So do many state highway officials. Yet so powerful are the truckers' lobbies that the Senate passed the bill and the House Public Works Committee approved it after 40 minutes of consideration.

The Department of Transportation estimates that it will require 2.8 billion dollars in highway and bridge upgrading work if every state "takes advantage" of the proposed increase in truck size limits.

That's out of the taxpayer's pockets. There is no requirement in the bill for added road taxes on truckers.

More important is the safety factor. Service people, like all automobile drivers, already have their frustrations behind big trucks. How much more dangerous will it be passing trucks so wide there are only 18 inches to spare, or having a triple-trailer practically under one's rear bumper when one is trying to keep reasonably close to speed limits.

We do not mean all trucks operate this way. But every motorist knows that many do. What he may not know is that, according to some House committee members, heavy trucks were involved in 11.6 per cent of 1964's highway deaths while traveling 5.33 per cent of the miles.

S. 2658 is a nasty bit of business.—The Army Times.

[From the Evansville (Ind.) Press, June 5, 1968]

TAXPAYER HIT AGAIN—SENATE ACTION OPENS DOOR FOR BIGGER BOXCARS ON ROADS

When it comes to persistence the big truck operators in this country are prime candidates for first prize. For years they have been persuading state legislatures to increase the legal sizes of the vehicles they run over the highways, and they constantly press for more—and still more.

Now before Congress is another bill to boost the size and weight limits on trucks. The Senate has passed the bill—without dissent—on the theory that the bill is merely permissive and restricted to the federally financed interstate highway system.

The states, according to the sponsors, could accept the higher new maximums or not as they choose. According to the report of the Senate Public Works Committee, the bill merely is "a statement of policy that permitting such weights will not do violence to the federal interest in the development of a nationwide network of major traffic service highways."

But the ultimate result, as usual, will be still bigger trucks on the interstate system and, as some senators feared, these boxcars inevitably will be finding their way onto lesser routes.

One of the permissive features of the bill would broaden the use of "triple bottoms"—three trailers hooked to a tractor, or highway locomotive, 95 feet long altogether. Maximum weight limits would be hoisted more than a third, to 105,500 pounds, or more than 52 tons (about the same as one of the Army's Patton tanks).

The usual arguments are made that these giant vehicles are necessary to meet the "needs of an expanding economy," trucks are the "life-line" of commerce, etc. True enough.

But the heavier trucks admittedly will enormously boost the cost of building and maintaining highways, and bridges even more.

Federal Highway Administrator Lowell Bridwell agreed in hearings that the big trucks "would result in higher costs and a reduced life of the highway system." He said the truckers ought to pay higher taxes to compensate for this.

But the trucks, even at present rates," do not pay their total share of the highway cost," according to Ross G. Stapp, vice-president of the American Association of State Highway Officials.

Nothing in the bill says anything about raising taxes on these boxcars. No mention is made of the hazards and exasperations of trying to drive a passenger car on routes used by these rubber-tired trains.

The Senate ignored all these things. The House ought to be a little less cavalier about such problems.

[From the Cedar Rapids (Iowa) Gazette, Aug. 9, 1968]

POINT NEED OF FAIRER TAX SPREAD—TRUCK BILL WILL SHORTEN ROAD LIFE

(By Martin Wiley)

The proposed size and weight increases for trucks now in the house of representatives will mean increased maintenance cost, shorter pavement life, and possible bridge failures if passed.

Should congress liberalize the size and weight limits for the Interstate system, the pressure will be great on state legislatures to do the same. The legislation proposed creates a double standard of authority and use that cannot stand. Either the increased size and weight standards should apply to all federal-aid highways or it should apply to none.

The trips of these trucks begin and end on highways and streets and county roads that are off the Interstate system. . . . Unless the size and weight limits applied to all the federal-aid state highways it would discriminate against Iowa-based truckers, for example, 50, 60 or more miles from the Interstates who would want the same advantages as their Interstate shipping competitors.

FOOLISH IDEA

The idea that the size and weight limitations are to be applied to the Interstate system only and do not affect existing state laws or other highways is foolish.

The effect of increased loads on probable life of pavements has been analyzed. A flexible pavement would experience a reduction of 25 percent in its life of serviceability. A rigid pavement constructed to a thickness of 9 or 9½ inches would experience about the same degree of failure in five years of service that our engineers now anticipate in the first 20 years.

We have about 3,000 bridges on the Iowa primary road system. . . . Of these, 46 percent are 24 feet or less in width. The proposed 102-inch width of trucks would certainly be a safety consideration. Only 43 percent are capable of handling a 20-ton truck, and 57 percent are designed for lesser loading. The mileage death rate for all motor vehicles in 1966 was approximately 5.7 deaths per 100 million vehicle miles of travel. A Bureau of Motor Carrier Safety study reveals that the mileage death rate for inter-city movements of heavy commercial carriers was 12.4 deaths per 100 million miles.

The public is not yet fully aware, nor are lawmakers generally, of the great importance of tests conducted by the highway research board of the National Academy of Sciences' National Research Council. Sponsored by the American Association of State Highway Officials, the tests were carried out near Ottawa, Ill., from November 1958 to December 1960. They provide the finest research results yet obtained on the effect of axle loadings on pavement designs. . . .

CONVERSION METHOD

Passenger cars have axle loads of about 2,000 pounds; trucks and buses may have axle loads of almost any magnitude up to the legal limits and beyond. The AASHO Road Test findings provide a method for converting the effect which any axle load will have on the pavement into the proportionate effect produced by an 18,000 pound single-axle load. . . .

The American Association of State Highway Officials has used a pavement serviceability definition developed in the road test for pavement life to compare the effects of various legal axle load limits. These data show that for the nation as a whole the average life expectancy of pavements will be reduced 21.6 percent if the maximum load limits are increased to 20,000 pounds for single axles and to 34,000 pounds for tandem axles. If the limits were increased to 22,000 pounds for single axles and 36,000 pounds for tandem axles, pavement life expectancy would be decreased about 40 percent.

This information was included in studies to determine differential-costs responsibility among vehicles. . . . It shows that the larger trucks, even at their present sizes and weights, and not those that would be allowed under the bill now in Congress, do not pay their share of the highway cost. . . .

NEED EQUALIZATION

The average daily traffic of commercial vehicles on Interstate 80 in 1967 between Davenport and Des Moines was 2,974. This number of vehicles generated 7,145 equivalent 18,000-pound single-axle loads. These daily axle loads of commercial vehicles are equivalent to 17,000,000 passenger cars daily in wear and tear on the pavement.

It grows more and more obvious, since truck registration fees have not been increased in Iowa since 1949 while the passenger car registration fee is up 50 percent over 1950, that . . . fair truck equalization taxes are necessary if heavy trucks are to pay a more equitable share of the cost which their use of the highways entails.

Assessing a proper share of the cost responsibility should be done at the national and state levels before increasing size and weight limits. Until this is done we cannot catch up on the backlog of long-deferred, urgently needed construction or keep up with the growing need for modern highway construction.

Mr. Speaker, I placed in the RECORD a statement by Mr. H. N. Kirkman, director of the Department of Public Safety for the State of Florida on September 5, 1968, which he would like to have amended. So I am very glad to file his letter in the CONGRESSIONAL RECORD to reflect his reviewed or amended feelings about the matter of size and weight limits on trucks. It follows herewith:

DEPARTMENT OF PUBLIC SAFETY,
STATE OF FLORIDA,
Tallahassee, Fla., September 13, 1968.

Re Federal legislation, S. 2658, size and weight limits on trucks and buses using interstate highways.

Representative SCHWENGEL,
Member of Congress, Iowa, House Office Building, Washington, D.C.

DEAR REPRESENTATIVE SCHWENGEL: My attention has been directed to your statement printed in the Congressional Record, Page 25851, dated September 5, 1968, specifically to quotation made by me relating to subject legislation, which was as follows:

"We feel that vehicles which would exceed these (55 foot) limits on our present highway system would not be in the best interest of safety on our highways."

The above is correct. However, this statement was made in reference to our state system of two-lane highways and should not be interpreted to apply to the interstate system.

The above answer was in reply to a questionnaire circulated by you recently concerning the legislation in question. The questionnaire was handled in a routine manner like numerous others that we receive each week. I now have been fully informed about S. 2658 and if at the time your questionnaire was presented had I known *that no state would be required to make any changes in existing vehicle size and weight laws unless they elect to do so, and, further, that subject proposed legislation applies only to the Interstate Highway System,* I certainly would have elaborated by qualifying my answer as relating *only* to minimum standard state highways that are presently restricted to prohibit use by any vehicle exceeding gross weight of 40,000 pounds.

I am firmly convinced that our state legislatures in their wisdom will refrain from enacting any legislation increasing vehicle size or weights that would jeopardize the safety of other highway users in any way or damage existing highway facilities, state or interstate.

I was personally informed by Cecil Webb of Florida, the original sponsor of the interstate system, that the interstate defense highway system was designed and constructed to accommodate much larger and heavier vehicles than are now using these facilities or will be using same any time in the foreseeable future.

I, therefore, respectfully request that you accord me the courtesy of entering this letter in the Congressional Record as a matter of clarification to my prior statement.

Thanking you in advance for your anticipated honesty and courtesy in complying with this urgent request.

Sincerely yours,
H. N. KIRKMAN,
Director.

REPORT ON THE 90TH CONGRESS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include certain tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, as soon as possible at the end of each Congress, I summarize the activities of the Congress for the 2-year period, reprint it from the CONGRESSIONAL RECORD at my expense and mail it to constituents in Iowa.

As of today, a few days remain in the session but for all practical purposes the

House has concluded its business and is just waiting for the Senate to catch up.

Of course, all of the hundreds of bills cannot be described, but at least the following are those of the most interest to the people in Iowa.

ANTICRIME AND ENFORCEMENT

Although the Constitution reserves police power to the States and therefore severely limits the intrastate Federal legislation that can be passed, several anticrime bills were passed dealing with the interstate aspects of crime and to help local governments to do a better job in the area that is reserved to them. They are as follows:

Public Law 90-351, the Omnibus Crime Control and Safe Streets Act, authorizes Federal aid to encourage State and local governments to do a better job of recruiting and training police officers, provide riot control training and secure more effective electronic equipment and nonlethal weapons. It also includes a prohibition against interstate mail-order sales of handguns except to licensed dealers, and over-the-counter sales to persons under 21. Convicted felons, the mentally incompetent, and aliens illegally in this country would be prohibited from possessing firearms. This bill also changes the laws interpreted by some recent Supreme Court decisions concerning confessions by suspects.

The National Crime Information Center was also implemented and funded with $1.4 million to provide local police officers with information within seconds from other parts of the country. Under the program a policeman spotting a suspicious out-of-State car, for example, can determine if it has been stolen in time to take proper action. The Des Moines Police Department has been included as a part of the network.

The State firearms control assistance bill prohibits interstate mail-order sales of rifles, shotguns, and handgun ammunition to nonlicensed individuals and over-the-counter sales to persons under 18.

Public Law 90-445, the Juvenile Delinquency Prevention and Control Act, authorizes Federal grants to States to assist them in developing programs to prevent juvenile delinquency and to rehabilitate delinquents.

Public Law 90-371 authorizes technical assistance to State and local governments in improving their criminal correctional systems.

Police Academy: I serve on the subcommittee which recommends appropriations for the FBI. We have for several years been financing a national school at Quantico, Va., to train local police officers who are detailed by the local police department. We funded it so it can now be expanded to handle 1,000 police officers per year.

The Dangerous Drug Control Act provides criminal penalties for the possession of illegally obtained stimulant, depressant, or hallucinogenic drugs, including pep pills, barbiturates and LSD, and increases penalties for illegal trafficking in drugs covered by the Drug Abuse Control Amendments of 1965.

The Forged Travelers' Checks Act makes it a Federal crime to transport in interstate or foreign commerce, with unlawful intent, travelers' checks bearing forged countersignatures.

Public Law 90-389, the Bank Protection Act of 1968, requires the installation, maintenance, and operation of security devices and procedures to discourage robberies and burglaries of national banks and federally chartered savings and loan institutions.

The Auto Theft Prevention Act prohibits the advertising and mailing of motor vehicle master keys except to persons with legitimate reasons for having such keys.

CONSUMER PROTECTION

Public Law 90-201, the Wholesome Meat Act of 1967: About 8.7 billion pounds of meat per year—15 percent of the slaughter and 25 percent of the processing—has not been federally inspected and much of it not inspected by any level of government. This act provides that unless the State provides inspection at least equal to Federal standards within 2 years, the meat must be federally inspected. The previous minimum Federal standards are also strengthened to prohibit mislabeling and to prevent rendering plants from selling meat from diseased and disabled animals to processors of prepared meat products. It also requires imported meat to have been slaughtered and handled under standards at least equal to our Federal standards. I first proposed this bill 8 years ago which illustrates how hard it is to pass consumer legislation.

Public Law 90-492, the Wholesome Poultry Products Act, which I also sponsored, requires most of the 2,000 nonfederally inspected poultry processing plants to come up to Federal standards within 2 years or become subject to Federal inspection, and it provides the same protection against mislabeling and unwholesome products that is in the Meat Inspection Act.

Public Law 90-321, the Consumer Credit Protection Act, requires lenders and retail creditors to provide full disclosure of the terms and conditions of finance charges in most credit transactions.

Public Law 90-313 directs the Secretary of Transportation to conduct a study and investigation of the cost of auto insurance and the reason for delays in processing and paying claims.

Public Law 90-481, the Natural Gas Pipeline Safety Act, provides for minimum safety standards for gas pipelines.

Title XIV of Public Law 90-448, the Interstate Land Sales Full Disclosure Act, is designed to prevent fraudulent interstate sales of subdivided but undeveloped land.

Public Law 90-189 sets Federal safety standards to protect consumers in buying clothing, bedding, and other flammable fabrics which have been responsible for an estimated 3,000 deaths each year.

Public Law 90-146 creates a National Commission on Product Safety to study and recommend action to protect consumers from unsafe products for household use.

The radiation control for health and safety bill provides protection against radiation emissions from electronic products such as the new microwave ovens and color television.

AGRICULTURE

Public Law 90-258 amends the Commodity Exchange Act to guard against fraud and manipulation in the Nation's commodity exchanges.

Public Law 90-288, the Agriculture Fair Practices Act, is intended to prohibit processors from discriminating against a farmer because of his membership in a cooperative. One provision in my opinion authorizes a processor to violate a contract without penalty when prices drop while holding him to the contract when prices rise, so I voted against it.

Public Law 90-436 provides for a 2-year extension of the food-for-peace program under which the United States has exported $2.5 billion worth of food between 1960 and 1967.

The Food and Agriculture Act Extension bill extends the Food and Agriculture Act of 1965 for 1 year, through the 1970 crop. This act includes the feed grains program, wheat program, and the class I dairyman's base plan.

Public Law 90-484 authorizes indemnity payments to dairy farmers whose milk had been condemned due to containing residues of chemicals.

Public Law 90-488 increases the authorization for grants and loans to help finance water and sewer projects in rural communities of 5,500 population or less. If additional appropriations are made, this law will make it possible to fund a great many more of these projects.

ANTIPOVERTY PROGRAM

Public Law 90-222 continues the antipoverty program until next year with maximum authorization at about the same level as last year.

ARMED FORCES AND VETERANS

Public Law 90-40 extends the draft for 4 years; puts 19- and 20-year-olds in the highest priority for induction; provides that college students who have been deferred will be placed in the high-priority group upon graduation; and retains almost complete authority in local draft boards to determine which men are selected. There is a growing opinion in Congress that the administration's proposal for a lottery for all would be more fair, so I think that provision may pass next year. Under a lottery system, about one-fourth of the men with the lowest numbers would be inducted and all young men would be better able to plan their lives.

Public Law 90-77 provides compensation, pensions, and educational benefits to veterans of Vietnam, widows, and surviving children.

Public Law 90-207, the Uniform Pay Services Act, provides a 5.6-percent basic pay increase for servicemen and includes part of my bill to provide injured Vietnam servicemen with a paid vacation trip home upon returning to the United States. My proposal was originally for one trip home per year for all servicemen, but a Senate amendment limits the trips to those injured in Vietnam and on convalescent leave. I have reason to believe that it may be possible to get the rest of the bill passed next year.

Public Law 90–275 increases the income limitations which determine eligibility for the amount of a veteran's disability pension. Pensioners will be able to receive more money from social security without a pension reduction.

Public Law 90–301 increases GI home loans from $7,500 to $12,500.

Public Law 90–344 will assist armed services personnel who vote in Federal elections.

Public Law 90–429 increases the amount that can be loaned to community nursing homes for the care of veterans.

Public Law 90–431 allows disabled veterans to take part in vocational rehabilitation programs on a part-time basis, in order that they may work as they learn new skills.

Public Law 90–432 enables the Federal Government to increase payments to State veterans' homes to meet the rising costs for the care of former servicemen.

Public Law 90–493 provides increases in compensation for the 1.8 million veterans with service-connected disabilities.

The widows education-assistance bill makes education-assistance programs available to widows of veterans who died from a service-connected disability and to wives of veterans with a total permanent disability.

CIVIL RIGHTS

Public Law 90–198 extends the life of the U.S. Civil Rights Commission for 5 years.

Public Law 90–274, the Jury Selection and Service Act, provides for random jury selection and precludes discrimination on account of race, color, religion, sex, national origin, or economic status in the selection of juries in Federal courts.

Public Law 90–284 would make it unlawful to intimidate or injure a person who is exercising such rights as voting, jury duty, school attendance, employment, or use of public facilities and accommodations. It also prohibits discrimination in the sale or rental of housing with more than 4 units and where the owner does not occupy any of the units.

CONGRESSIONAL MATTERS

House Resolution 418 created a new standing Committee on Ethics for the House of Representatives.

House Resolution 1099 establishes a Code of Official Conduct; and requires disclosure of certain outside income and investments by Members and their employees.

House Resolution 1239 creates a five-member special committee to investigate and report on campaign expenditures of candidates for the House of Representatives and complaints under the Corrupt Practices Act. I was named as a member of this committee.

Public Law 90–206 includes my proposal, the Anti-Nepotism Act, to prohibit a Member of Congress or other Government officials from hiring or promoting close relatives on the Government payroll. The relative can work elsewhere in Government but cannot receive the job from or as a result of the related official's position.

EDUCATION

The Higher Education Act Amendments of 1968 extend the programs authorized under the National Defense Education Act, the program for college classrooms and loans and scholarships for college students, and loans to students to go to vocational and technical schools.

The Vocational Education Act Amendments of 1968 continues and expands the programs under the Vocational Education Act. It also consolidates several occupational training programs.

Public Law 90–35 provides for a Teacher Corps program through fiscal year 1970 to provide teachers some special training relating to problems of disadvantaged children. Drake University and some central Iowa school systems have one of the few projects that have been approved.

Public Law 90–129, the Public Broadcasting Act, continues the authorization for Federal matching funds to help finance educational television stations and creates a new Corporation for Public Broadcasting to operate a nonprofit television network for education.

Money was also appropriated to start the program, which will include a domestic satellite, with educational programs beamed to the satellite and then received by local educational stations all over the United States. This is one way it is hoped to increase both the quality and reduce the per pupil cost of education.

The educational appropriations bill for 1969 includes my amendment which prohibits Federal funds from being distributed to college students who have been convicted of a crime involving the use of force to keep other students from their studies and college officials from carrying out their duties. This will help to insure that more loan and scholarship funds, which are in short supply, go to students who really want an education.

Public Law 90–247, the Elementary and Secondary Education Act Amendments of 1967, extends the Elementary and Secondary Education Act for 2 years. This program provides funds to local school districts to increase educational opportunities and to relieve pressure on local property taxes.

Public Law 90–348 extends the life of the National Foundation on the Arts and the Humanities until June 30, 1970.

Public Law 90–538 provides for the development and implementation of preschool and early-education programs for handicapped children.

FOOD PROGRAMS

Public Law 90–302 extends the school lunch program to children in child-care institutions from areas where poor economic conditions exist and to institutions which provide day-care service for handicapped children.

The Food Stamp Extension Act expands the food stamp program so new applications by State and local governments can be approved.

FOREIGN AFFAIRS

Public Law 90–88 authorizes funds for the Inter-American Bank to assist in social and economic progress in Latin America.

Public Law 90–175 continues the authorization for the Peace Corps.

Public Law 90–267 extends the life of the Export-Import Bank for 5 years.

Public Law 90–314 extends the life of the Arms Control and Disarmament Agency for 2 years.

HEALTH AND SOCIAL SECURITY

Public Law 90–31 extends and expands the Community Mental Health Center Act passed in the last Congress.

Public Law 90–42 extends the Older Americans Act passed in the last Congress for community projects and demonstration research projects.

Public Law 90–99 extends for 2 years the authorization for Federal matching grants to States for vocational rehabilitation programs; establishes a National Center for Deaf-Blind Youths and Adults; authorizes projects for rehabilitation services for children of migratory farmworkers.

Public Law 90–170 extends for 2 years the authorization for Federal assistance in construction of centers for the mentally retarded; includes provision for 3-year program of research and training in physical education and recreation for mentally retarded children.

Public Law 90–174 amends the Public Health Service Act to authorize Federal assistance to State and local governments in planning and developing comprehensive health programs.

Public Law 90–248, the Social Security Act Amendments of 1967, provided a 13-percent across-the-board increase for all beneficiaries of the old-age, survivors, and disability insurance program. Minimum benefits were increased from $44 a month to $55. The amount a recipient can earn without a reduction in benefits was also increased.

Public Law 90–489 establishes a National Eye Institute to conduct research for new treatment, cures, and training relating to blinding eye diseases. The Institute would also focus attention on the special health problems and other requirements of the blind.

The Public Health Service Act Amendments extend the program of regional medical centers for heart disease, stroke, cancer, and related diseases. A program for the construction and staffing of facilities for the rehabilitation of narcotics addicts and alcoholics is also authorized by the act.

Public Law 90–490, Health Manpower Act, extends for 2 years five major health programs under which health research is financed and hospitals, medical schools, student nurses, doctors and technical personnel receive loans and assistance.

HOUSING AND URBAN DEVELOPMENT

Public Law 90–448 is the most comprehensive housing legislation ever enacted. It provides Federal assistance to low and moderate income families to enable them to attain homeownership and rental of housing within their means and permits local housing authorities to sell low-rent public housing units to tenants. It also authorizes loans to provide housing for low- and moderate-income families or elderly persons in rural areas.

The act also includes a provision for flood insurance for homes in areas prone to floods, provided the local government prohibits further homebuilding in flood areas.

LABOR

Public Law 90-202, the Age Discrimination in Employment Act, makes it unlawful to exclude applicants between 40 and 65 years of age from employment opportunities solely because of age. It also permits the employer to exclude them from their pension system in many cases and may need to be amended to avoid inequities in pension rights.

Public Law 90-206 provided pay increases for Federal employees. This measure is intended to bring Federal employees up to salary levels that are comparable to non-Federal employees by 1969.

Public Law 90-257 protects against a decrease in railroad retirement benefits for persons who received an increase in social security benefits.

Public Law 90-363 changes the observance of Washington's Birthday, Memorial Day, and Veterans' Day so that each of these national holidays falls on a Monday. In addition, Columbus Day is declared a national holiday which is to be celebrated on the second Monday in October. This act applies only to Federal employees and does not become effective until 1971.

Public Law 90-391 continues Federal grants to States for training service and placement programs for disadvantaged persons as well as handicapped individuals.

The Manpower Development and Training Act Amendments extend various programs of the Manpower Development and Training Act for training persons automated out of a job or capable of being trained for a job that is available.

NATURAL RESOURCES

Public Law 90-148 authorizes securing injunctions against polluting of the air according to certain air quality standards.

Public Law 90-394 directs a study by the Secretary of the Interior to determine the facts relative to the effect of insecticides, herbicides, fungicides, and pesticides upon fish and wildlife.

Public Law 90-401 continues the land and water conservation fund which is used to finance the acquisition of parks and recreational areas. Much of the areas now being acquired by the Iowa Conservation Commission is being financed by this program.

Public Law 90-542, the Wild and Scenic Rivers Act, keeps stretches of certain rivers in their natural free flowing state and authorizes studies of other rivers as potential additions to the national system, including the Upper Iowa River.

Public Law 90-543, the National Trails System Act, establishes a national system of scenic, recreation, and connecting trails and provides methods and standards by which additional trails may be included in the system, including studies of the Mormon Trail and the Mormon Battalion Trail which pass through Iowa.

Public Law 90-545, the Redwood National Park Act, provides for the establishment of a Redwood National Park in California.

DISTRICT PROJECTS

Public Law 90-479 makes appropriation for public works for fiscal year 1969 and includes $1,288,000 to complete construction on the Des Moines River levees and river drive; $5,626,000 for the Red Rock Reservoir; $5,820,000 to continue construction and land acquisition for the Saylorville Reservoir; $160,000 to complete advanced engineering plans for the Ames Reservoir on the Skunk River; and $35,000 for a long-range survey of flood control needs in the Des Moines River Basin.

The Des Moines River road and levee project should be completed next fall. The Red Rock Dam gates can be closed about as soon as the Knoxville waterworks equipment is installed and the reservoir should be filling up next spring; however, additional construction work will be needed to provide recreational facilities adjacent to the reservoir.

A $7 million contract has been awarded for the new Des Moines postal complex, designed to improve mail service in Iowa, and the Weitz Co., a Des Moines construction company, has begun work on the project. The building is scheduled to be completed next fall. It will serve as the main post office for Des Moines, and mail collected from sectional centers throughout Iowa will be sent to the new postal complex for high-speed processing and redistribution around the State.

SMALL BUSINESS

Public Law 90-104 increases the authorization for the Small Business Administration's revolving fund and fixes new minimum requirements for small business investment companies.

TRANSPORTATION

Public Law 90-359 authorizes an investigation and a study to determine a site for the construction of a sea-level canal which would connect the Atlantic and Pacific Oceans.

Public Law 90-495, the Federal Aid Highway Act, continues the authorization for the Interstate Highway System through 1974; provides for an additional 1,500 miles to the Interstate Highway System; increases the authorization for primary, secondary, and urban highways for fiscal years 1970 and 1971; makes relocation assistance available to persons displaced from their homes and businesses by highway construction; and authorizes a program to provide fringe parking facilities adjacent to Federal aid highways in urban areas to be used in conjunction with existing or planned transportation facilities.

MISCELLANEOUS

Reorganization Plan No. 3 provides the District of Columbia with an appointed Mayor and City Council to replace the District Commissioners.

Public Law 90-480 requires that buildings financed by the Federal Government shall be constructed in such a manner as to be accessible to the physically handicapped.

TAX, MONETARY, AND FISCAL MATTERS

Public Law 90-364, the Revenue and Expenditure Control Act, provides that there shall be a reduction of $10 billion in appropriations this year below the budget request; and that payments out, including those for contracts already performed, shall be $6 billion less than anticipated in the budget. It also required a reduction in Federal employment and provides for a temporary 10-percent income tax surcharge.

The estimated net affect is to restore temporarily about one-half of the reduction in Federal taxes made the past 4 years.

The interstate taxation of individuals bill is my bill to protect individuals from double taxation on the same income by two or more States.

BUDGET AND FISCAL MATTERS

Those of us who serve on the Appropriations Committee spend considerable time studying budgets and trying to determine where cuts should be made and the effect our actions will have upon employment and prices.

In the past I have included a table reflecting appropriations made by the Congress upon a basis of what is called the administrative budget. It is called the administrative budget because the Reorganization Act of 1946 defines what shall be in that budget. It is really not a budget as any businessman or corporation would consider their budget, and is very distorted. What it really has been is an itemization of the money going out compared to the money coming in to the General Treasury and also reflects the obligations incurred during the fiscal year. It does not reflect assets accumulated or money going in and out of social security and highway trust funds. It also includes money loaned in excess of loans repaid as an expense rather than showing them as an asset. If banks kept books that way, they would all appear to be bankrupt. The Federal Government makes many loans that will be repaid with interest, and these certainly have a value which is not reflected. So when you hear that we have a deficit or surplus of a certain amount, it really does not mean what it sounds like. I am again showing this budget upon which we make appropriations or what could more accurately be called "authorized obligations" for this fiscal year, but I also am including some other tables which are needed to make a more intelligent assessment of the fiscal situation and the effect upon you.

The national income accounts budget is regarded by all economists as a better guide concerning the effect of Government financing upon prices. It includes money received and disbursed from trust fund accounts such as social security and highway construction. "Federal expenditures" are also considerably different than "Federal appropriations." For example, we will appropriate $72 billion this year to the Defense Department. Of that amount, a considerable percentage is really authorized to contract for weapons, some of which will not be delivered for 5 years nor paid for until delivery. Some of the expenditures made this year are from funds that were appropriated 4 years ago. At the beginning of this fiscal year, over $200 billion had been set aside from previous years to pay for goods that have not yet been delivered. It is the flow of expenditures that affects our economy this year more than appropriations. For example, a reduction of $12.8 billion in appropriations this year will reduce expenditures within this year by less than $5 billion. So the table showing the NIA budget lists the particular year in which the money was actually spent rather than when appropriated. The comparison of such expenditures together with receipts of all taxes—including the social security taxes and Federal gasoline taxes—taken from the economy better shows the net effect that would have upon inflation or deflation or growth in the economy. Of course, in considering these figures one must keep in mind the growth in the population and in the total national product.

"Gross national product compared to taxes" is another pertinent question quite often discussed. How much of our gross national product is collected by the Federal Government and redistributed to State and local governments and used for defense, loans, investments, welfare, and cost of administration is some measure both of Federal activity and the ability to pay for it. The total dollars during the past 15 years have ranged from 17 to 21.1 percent of the gross national product.

"Debt compared to gross national product" is also used as a measure to determine the relative ability to pay debt. Obviously those with greater income can pay a debt easier. For example, General Motors Corp. owes far more money than any other company, but they are not financially worse off because they also have greater income and ability to repay. One table also shows debt compared to gross national product and that has decreased from 62.8 percent in 1958 down to 43.0 percent last fiscal year.

Some people expound their own pet theories of gloom or glee and use whichever statistics support their preconceived conclusion. I am setting forth some of the pertinent data that we on the Appropriations Committee used in considering fiscal matters, so you can give it your own interpretation and arrive at your own opinion.

TABLE I.—APPROPRIATION BILLS, 90TH CONG., 2D SESS.

	President's request	Amount appropriated	Reduction
Treasury-Post Office	$8, 337, 709, 000	$8, 158, 477, 000	$179, 232, 000
Agriculture	6, 923, 979, 800	5, 531, 296, 650	1, 392, 683, 150
Independent office-HUD	16, 953, 717, 300	13, 820, 395, 000	3, 133, 322, 300
Interior	1, 432, 342, 300	1, 284, 989, 300	147, 353, 000
State, Justice, Commerce, and Judiciary	2, 291, 993, 900	1, 986, 721, 500	305, 272, 400
Public Works (and AEC)	4, 908, 657, 000	4, 608, 421, 000	300, 236, 000
Labor-HEW	18, 101, 525, 000	17, 464, 789, 500	636, 735, 500
Legislative	308, 897, 533	298, 151, 396	10, 746, 137
Transportation	1, 637, 032, 000	1, 429, 266, 000	207, 766, 000
District of Columbia (Federal funds)	176, 961, 000	148, 755, 000	28, 206, 000
Defense	77, 074, 000, 000	[1]72, 063, 296, 500	5, 010, 703, 500
Military construction	2, 031, 500, 000	1, 758, 376, 000	273, 124, 000
Foreign assistance	2, 920, 000, 000	[1]1, 775, 725, 000	1, 144, 275, 000
Agencies related to foreign affairs	734, 911, 000	[1]723, 911, 000	11, 000, 000
Total, 1969 bills	143, 833, 225, 833	131, 052, 570, 846	12, 780, 654, 987

[1] Estimated Oct. 7, 1968.

TABLE II.—GROSS NATIONAL PRODUCT COMPARED TO RECEIPTS (MOSTLY TAXES) AND DEBT

[Dollar amounts in billions]

	GNP	Debt as a percent of GNP	Receipts	Percent of receipts to GNP
1953	$358. 9	74. 1	$69. 3	19. 3
1954	362. 1	74. 9	65. 8	18. 2
1955	378. 6	72. 5	67. 2	17. 7
1956	409. 4	66. 6	75. 8	18. 5
1957	431. 3	62. 7	80. 7	18. 7
1958	440. 3	62. 8	77. 9	17. 7
1959	469. 1	60. 7	85. 4	18. 2
1960	495. 2	57. 8	94. 8	19. 1
1961	506. 5	57. 1	95. 3	18. 8
1962	542. 1	55. 1	104. 2	19. 2
1963	573. 4	53. 4	110. 2	19. 2
1964	612. 2	51. 1	115. 5	18. 9
1965	653. 5	48. 8	120. 6	18. 5
1966	718. 7	45. 0	132. 9	18. 5
1967	763. 1	42. 8	147. 6	19. 3
1968	817. 0	43. 0	161. 1	19. 7

TABLE III.—NATIONAL INCOME ACCOUNTS BUDGET

[Dollar amounts in billions]

Fiscal year	Expenditures	Receipts	Surplus or deficit of receipts over expenditures	Percentage of surplus or deficit to expenditures
1953	$75. 8	$69. 3	−$6. 5	8. 6
1954	74. 2	65. 8	−8. 5	11. 5
1955	67. 3	67. 2	−. 1	. 1
1956	69. 8	75. 8	+6. 0	8. 6
1957	76. 0	80. 7	+4. 7	6. 2
1958	83. 1	77. 9	−5. 1	6. 1
1959	90. 9	85. 4	−5. 5	6. 0
1960	91. 3	94. 8	+3. 5	3. 8
1961	98. 0	95. 3	−2. 7	2. 8
1962	106. 4	104. 2	−2. 1	2. 0
1963	111. 4	110. 2	−1. 2	1. 1
1964	116. 9	115. 5	−1. 4	1. 2
1965	118. 3	120. 6	+2. 3	1. 9
1966	131. 9	132. 9	+. 9	. 7
1967	155. 1	147. 6	−7. 5	4. 8
1968 (estimate)	171. 1	161. 1	−10. 0	5. 8
1969 (estimate)	185. 0	182. 5	−2. 5	1. 4

THE CRIME PROBLEM

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, in February of this year a Gallup poll showed that Americans believe crime is the most serious problem facing the Nation. I have discussed this with many of my own constituents personally over the past months.

It is clear that all Americans, wherever we may live, want our country to be a safe place. So the question is: Just exactly what should the Government do about it?

The first requirement is that high Government officials must see that there really is a problem. And yet some leaders in the administration have been very slow to see it. Even today some people in Washington try to minimize the crime situation and fail to understand how much the people are concerned with it.

The Government has already had at least two high-level commissions study the crime problem, and yet we still hear proposals for more study. What we need now is action, not talk.

Street crime is only part of the story. The organized rackets bilk American citizens out of about $50 billion a year. Yet the White House refuses to acknowledge and face up to the issue of organized crime.

To fight the rackets we need far better coordination between the various law-enforcement agencies—local, State, and National. To fight street crime we need stiffer sentences for criminals.

Many of the active criminals of today are out on bail from earlier crimes or have been able to go free entirely on some technicality even when their guilt is clear. We need a revamping of the criminal justice system.

Juvenile crime has been aggravated by the increasing availability of narcotics. A new administration in Washington will give the narcotics problem far greater attention than in the past.

These ideas are not really new—many Congressmen have joined in backing them in Congress already. But there is real hope that next year we will be able to get enough support to put them into action.

The administration's solution to crime has been the same as its ideas for other problems: simply spend more Federal money and give the bureaucrats more control.

But we have to watch out for Federal control of law enforcement. We do not want a Federal police force operating in every community on orders from Washington.

We need to keep local control of law enforcement. Some help from Washington may be needed, but this can be handled by grants to States which can then administer the programs themselves. This will keep control at home where it belongs.

Since 1960 crime in the United States has increased 10 times faster than the population. We will not solve the problem by either ignoring it or by giving Washington more police powers.

Yes, there are ways that a responsible White House and Congress can tighten up the criminal laws at the same time that local law enforcement agencies are encouraged.

Just as important, individual responsibilities and community pride can be revitalized by an administration which itself shows respect for the law in the conduct of its own affairs.

With men of courage and integrity in government, and with strong laws on the books to back them up, we can turn back this tide of crime.

REPORT TO MY CONSTITUENTS ON 90TH CONGRESS, SECOND SESSION

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, under leave to extend my remarks I am inserting three newsletters which I am sending to my constituents to report on the 90th Congress, second session. Part I of the report deals with "Pocketbook Issues"; part II is entitled "Problems of the Cities"; and part III is on "World Peace and Foreign Affairs." The reports follow herewith:

REPORTING FROM WASHINGTON

REPORT TO CONSTITUENTS ON 90TH CONGRESS, SECOND SESSION

(By FRANCES P. BOLTON, Congressman 22d District, Ohio)

As we approach adjournment of this final session of the 90th Congress, I want to review some of the major legislation passed which affects all of us. This week's letter as well as several others concern important legislation which has come before us since last January. I will start with our pocketbooks.

PART I—POCKETBOOK ISSUES

The tax surcharge—Public Law 90–364

By this time most of you will have felt the first effect of the 10% surtax, either by way of a payroll deduction, an increased estimate, or indirectly as your company has had to pick up the tab from the first of the year. *I voted against this tax increase.* If it had been possible that this tax hike, coupled with the proposed limited reduction in Federal spending, would have restored balance to our economy, I would have supported it. We are well into the 1968 fiscal year and so far none of the promised benefits of the surtax, which included a reduction in interest rates, a decrease in the cost of living, and the stopping of inflation, has materialized. Rather, interest rates have edged higher, the cost of living has moved up more than 3/10 of 1%, and the proposed $6 billion cut in Federal expenditures is not in prospect. The tax increase adds to the burden of the truly forgotten men and women of America—those who operate on limited budgets and who are already caught in the inflationary pinch brought on by wasteful Administration spending policies.

Inflation

Today's dollar is under attack at home through inflation and abroad through the drain on U.S. gold resources. The 1939 dollar now is worth only 41 cents. The cost of living is advancing at an annual rate of four percent. Huge deficits and wasteful Federal spending have spurred inflation which cost the American people $26 billion last year. It takes more buying dollars away from the people than anything except the Federal income tax. Congress, at the request of President Johnson, removed the 25 percent gold cover which had backed the U.S. dollar (Public Law 90–269). *I voted against removing the gold cover.* It could delay further the imposition of monetary and fiscal self-restraint by the Federal Government, thereby fanning the fires of inflation and increasing the attack on the dollar. Firm measures must be taken to restore confidence in the dollar. The U.S. budget must be brought under control; fiscal brinkmanship has led the U.S. to the edge of disaster.

Truth in lending

One of the most significant Acts of this Congress was the enactment of the Truth-in-Lending bill (Public Law 90–321). It requires lending institutions and sellers to disclose in easily understandable and uniform terms the cost of credit in any transaction, thereby permitting the borrower and consumer to compare and shop for the credit which is most economical. A Republican-sponsored amendment puts the teeth of Federal enforcement behind state laws prohibiting loan-sharking or lending at illegally high interest rates. *I voted for the truth-in-lending bill as well as the anti-loan-sharking amendment.*

Jobs

Along with many of my Republican Colleagues I sponsored the Human Investment Act (my bill is H.R. 4583), which would encourage private business both large and small to invest in upgrading job skills and training the unemployed for productive jobs. This would be done by providing tax credits to employers for training expenses. It would link private enterprise efforts with those being made by Federal and State governments in this important area. We shall continue to work for enactment of this program as well as others to provide jobs for all. I joined my Ohio colleagues in sponsoring legislation (H.R. 14120) to help protect jobs of steel workers by establishing import quotas for iron and steel mill products. Foreign steel imports rose from 1.2 million tons in 1957 to 10.8 million tons during 1966. When this is translated into impact on our balance of payments, upon reduced employment opportunities and upon the economic health of our steel industry, it is obvious that something must be done. The proposed cutback in steel imports would be moderate, but help in preventing the steady loss of U.S. jobs to import sales. It is my hope that favorable action will be taken in the near future by the House Committee on Ways and Means and the Senate Finance Committee.

PART II—PROBLEMS OF THE CITIES

Law and order—Omnibus crime bill (Public Law 90–351)

The theme of this year's annual Law Day celebration was: "Only a lawful society can build a better society." This is a very timely theme because the No. 1 issue in America at this time is law and order. Law enforcement for the most part is a local function and it must remain there as we do not want to run the risk of creating a police state. However, there are certain steps the Federal government can take. For instance, this Congress made it a Federal offense to cross State lines for the purposes of inciting or participating in a riot. We passed an Omnibus Crime bill which (1) authorizes $400 million in law enforcement assistance grants to state and local governments; (2) reverses recent Supreme Court decisions which limited the use of confessions and identification procedures; (3) authorized the use of electronic surveillance devices under court supervision to apprehend criminals in certain cases, and (4) prohibited mail order sales of handguns and sales of such weapons to minors and out-of-State residents. If we do not have an atmosphere of safety and security on our streets and order in our cities and throughout the land, all our civil rights and freedoms become meaningless.

Gun controls

Following passage of the Omnibus Crime bill, I introduced H.R. 17990 to strengthen gun control provisions. My bill applied the same restrictions to rifles and shotguns as the crime bill applied to handguns. In addition it provided restrictions on interstate sale of ammunition and sales to juveniles. The House has passed a bill similar to mine and added a provision, which I supported, to provide severe penalties for the use of guns in the commission of crimes. The House-passed bill provides the framework of Federal law establishing the incentive for enforceable state regulations. State and municipal gun regulation measures have been relatively ineffective because of the absence of federal curbs on accessibility of weapons through the mail.

Housing and Urban Development Act—Public Law 90–448

The Housing and Urban Development Act of 1968, which I supported, is described as being the most comprehensive housing bill in history. It authorizes some $5.2 billion over the next three years to provide good, decent housing for all citizens. Included among its provisions is the National Homeownership Foundation Act sponsored by most Republican Members of the House and Senate—myself included—to help low income families to own their homes. There is also a provision for Federal reinsurance for property damage policies in ghettos and flood control areas.

The civil rights bill—Public Law 90–284

The Civil Rights bill passed the House originally on August 16, 1967 as a measure to provide penalties for interfering with the rights of another person to vote, to secure employment, to attend school or college, to use the facilities of interstate commerce or to enjoy what we generally call a citizen's civil rights. I supported the bill at that time. The Senate debated the bill for many weeks, adopted numerous amendments, including the "open housing" section and finally passed it on March 11, 1968, having previously invoked cloture to shut off a filibuster. Although I have in the past supported civil rights legislation, it is my firm conviction that such Federal restrictions on the rights of owners of private property will create more problems than they will solve and will not be of help to anyone in obtaining better housing. *Fair housing solutions should be developed and encouraged at the community level—not by mandate and guidelines from Washington.* When the House acted, the Nation's Capital was in a high state of emotion, with troops guarding the Capitol Building itself. Although the Senate has debated the bill for months, the House was given very little time for consideration. Legislation of such far-reaching consequences should not be considered in such an atmosphere of panic and coercion.

PART III—WORLD PEACE AND FOREIGN AFFAIRS

Under our Constitution the President has the primary responsibility for conducting the official relations of our country with other nations. However, the Congress plays an important part in these programs through its responsibility for authorizing and appropriating funds. Congress influences foreign policy also through the device of holding hearings or passing resolutions stating "the sense of Congress." This year, the committee on Foreign Affairs, of which I am the Ranking Minority Member, among other things held hearings on the important subjects of Foreign Aid, Arms control and Disarmament, Peace Corps, Vietnam, and the Middle East Crisis.

Foreign aid bill

The Administration requested $2.96 billion to continue the Foreign Aid program. After hearing some thirty-one government and twenty-five public witnesses and holding several weeks of closed sessions, the Committee reduced the President's request to $2.3 billion. Further reductions were made on the House Floor, paring the authorization down to $1.99 billion. While I supported reductions in the Foreign Aid program, I am glad that a basic program remains in existence as an important foreign policy tool for the new Administration next year. The limitations imposed challenge us to re-evaluate our priorities and to find new ways to stretch our dollars in order to achieve desired results abroad.

Arms Control and Disarmament Agency

We voted to extend this Agency for two years and to authroize a total of $18.5 million to finance operations during those two years, with a limit of $7 million on funds which may be spent for external research. The principal accomplishment of this Agency since its authorization was renewed three years ago, has been the negotiation of a draft treaty to prevent proliferation of nuclear weapons. Recent events have emphasized anew the need for continued efforts to develop effective arms control.

Peace Corps

The Peace Corps was extended for an additional year with a spending authorization of $112.8 million. Some 500 Ohio volunteers are included in the group serving abroad this year. We can be very proud of these Ohioans and the many other young people who are assisting other countries and return to serve in equally vital programs at home.

Vietnam

1968 has brought abundant evidence that the war in Viet Nam is a divisive issue which concerns all of us. I joined many of my colleagues in calling for a Congressional review and independent assessment of our direction in Viet Nam. The reports on the talks in Paris so far show little or no progress but we should continue negotiations as long as they offer any reasonable prospect for a just peace. I participated in drafting the Republican Platform, especially on this vital issue, which stresses the need for turning more of both military and civilian action in Viet Nam over to the South Vietnamese.

Middle East crisis

The acceleration of the explosive situation in the Middle East has been cause for serious concern by the Members of the House Foreign Affairs Committee. Shortly after the June war in 1967 a Special Factfinding Mission was sent by the Committee to this area. In June of this year I joined in sponsoring H. Res. 1267, urging the Administration to sell Phantom Jets to Israel to correct the military imbalance in the Middle East. In July, during debate on the foreign aid bill the House passed an amendment directing the Administration to take steps to sell the jets to Israel. The Republican Party's national convention at Miami approved a strong platform plank, which I endorsed, promising to provide supersonic fighter planes to Israel and recognizing the need of all nations for assured boundaries, freedom of navigation through international waters and independent existence free from the threat of aggression.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Tenzer (at the request of Mr. Rooney of New York), for Monday, October 7, and Tuesday, October 8, on account of Jewish holiday.

Mr. Ryan of New York (at the request of Mr. Bingham), for the week of October 7, on account of illness.

Mr. Holifield, for Monday, October 7, 1968, on account of business in the district.

Mr. Meskill (at the request of Mr. Gerald R. Ford), for October 8, on account of official business.

Mr. Saylor (at the request of Mr. Gerald R. Ford), for Tuesday and Wednesday, October 8 and 9, 1968, on account of matters concerning the Committee on Interior and Insular Affairs.

Mrs. Dwyer (at the request of Mr. Gerald R. Ford) on account of illness in family.

Mr. Mosher (at the request of Mr. Gerald R. Ford), for today, on account of illness.

Mr. Selden (at the request of Mr. Albert), for today through October 25, on account of official business.

Mr. Pepper (at the request of Mr. Albert), for the remainder of the week, on account of official business.

Mr. Tunney (at the request of Mr. Albert), for today, and the balance of the week, on account of official business in the 38th District of California.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ichord, tomorrow, October 8, for 1 hour; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. Collins) to revise and extend his remarks and include extraneous matter:)

Mr. Schwengel, for 30 minutes, today.

Mr. Schwengel, for 30 minutes, October 8, 9, and 10.

Mr. Rhodes of Arizona, for 30 minutes, Thursday, October 10, 1968.

Mr. Cahill, for 30 minutes, Thursday, October 10, 1968.

Mr. Hechler of West Virginia, for 20 minutes, today.

Mr. Price of Illinois, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Hall to insert his report on 90th session of Congress.

Mr. Madden and to include a letter.

(The following Members (at the request of Mr. Collins) and to include extraneous matter:)

Mr. Roth.

Mr. Quillen in four instances.

Mr. Pettis in two instances.

Mr. Schadeberg in five instances.

Mr. Bray in three instances.

Mr. Devine.

Mr. Wyman in two instances.

Mr. Pirnie in two instances.

Mr. Scherle in two instances.

Mr. Hosmer in three instances.

Mr. Shriver.

Mr. Meskill.

Mr. Derwinski in four instances.

Mr. Ashbrook in two instances.

Mr. Mathias of Maryland in five instances.

Mr. Conte.

Mr. Esch.

Mr. Miller of Ohio in two instances.

Mr. Steiger of Wisconsin.

Mr. Railsback.

Mr. Rhodes of Arizona in five instances.

Mr. Brock.

Mrs. Reid of Illinois.

Mrs. Bolton.

Mr. Whalley in two instances.

(The following Members (at the request of Mr. Machen) and to include extraneous matter:)

Mr. Hathaway.

Mr. Giaimo.

Mr. Podell in three instances.

Mr. Long of Maryland.

Mr. Vanik in three instances.

Mr. Dingell.

Mr. Abbitt in four instances.

Mr. Moorhead in two instances.

Mr. Rosenthal in two instances.

Mr. Celler.

Mr. Thompson of New Jersey in two instances.

Mr. Pepper.

Mr. Johnson of California in three instances.

Mr. Annunzio in 10 instances.

Mr. Willis in two instances.

Mr. Gonzalez in three instances.

Mr. Howard.

Mr. Rarick in four instances.

Mr. Stuckey in two instances.

Mr. Ullman in five instances.

Mr. Cohelan in four instances.

Mr. Stratton in four instances.

Mr. Farbstein.

Mr. Fascell in three instances.

Mr. Hamilton.

Mr. O'Hara of Michigan in two instances.

Mr. Van Deerlin in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2969. An act for the relief of David E. Alter III, and his parents, Mr. and Mrs. David E. Alter, Jr.; to the Committee on Foreign Affairs.

S. 4062. An act to amend title 13, United States Code, relating to census questions; to the Committee on Post Office and Civil Service.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1411. An act to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes;

H.R. 9089. An act for the relief of E. Christian Des Marets, Sr.;

H.R. 13844. An act to provide additional leave of absence for Federal employees in connection with the funerals of their immediate relatives who died as a result of wounds, disease, or injury incurred while serving as a member of the Armed Forces in a combat zone; and to provide additional leave for Federal employees called to duty as members of the National Guard or Armed Forces Reserves;

H.R. 17787. An act to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes;

H.R. 18366. An act to amend the Vocational Education Act of 1963, and for other purposes; and

H.R. 19136. An act to amend title 5, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 698. An act to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to permit provision of reimbursable technical services to State and local governments, to establish coordinated intergovernmental policy and administration of development assistance programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to provide for periodic congressional review of Federal grants-in-aid, and for other purposes;

S. 910. An act for the relief of the estate of Patrick E. Eagan;

S. 945. An act to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes;

S. 2439. An act to increase the number and salaries of judges of the District of Columbia Court of General Sessions, the salaries of the District of Columbia Court of Appeals and the District of Columbia Tax Court, and for other purposes;

S. 3227. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in Indian Claims Commission dockets Nos. 88, 330, and 330–A, and for other purposes; and

S.J. Res. 197. Joint resolution to correct certain references in section 4(i) of the act entitled "An act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes," approved May 7, 1968.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President for his approval, bills of the House of the following titles:

H.R. 5117. An act to authorize the Secretary of the Interior to construct, operate, and maintain stage 1 and to acquire lands for stage 2 of the Palmetto Bend reclamation project, Texas, and for other purposes;

H.R. 9089. An act for the relief of E. Christian Des Marets, Sr.;

H.R. 13099. An act to authorize the establishment of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes;

H.R. 13160. An act for the relief of William W. Hiebert;

H.R. 14079. An act for the relief of Lt. (j.g.) Herbert F. Swanson, and others;

H.R. 14098. An act to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended;

H.R. 17273. An act to amend the act of September 21, 1959 (Public Law 86–339) relating to the Reservation of the Agua Caliente Band of Mission Indians;

H.R. 17684. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the pueblos of Cochiti, Pojoaque, Tesuque, and Zuni, in New Mexico;

H.R. 18366. An act to amend the Vocational Education Act of 1963, and for other purposes; and

H.R. 18885. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Seminole Tribe of Oklahoma in dockets Nos. 150 and 248 of the Indian Claims Commission, and for other purposes.

ADJOURNMENT

Mr. MACHEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 2 minutes p.m.), the House adjourned until tomorrow, Tuesday, October 8, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2256. A letter from the Secretary of Health, Education, and Welfare, transmitting the report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes for the quarter ending June 30, 1968, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

2257. A letter from the assistant to the Commissioner, District of Columbia, transmitting a draft of proposed legislation to authorize the District of Columbia Council to fix the amount of fees and travel allowances to be paid witnesses in the District of Columbia court of general sessions, and for other purposes; to the Committee on the District of Columbia.

2258. A letter from the executive director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of August 31, 1968, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

2259. A letter from George H. Jones, Jr., accountant for the American Symphony Orchestra League, transmitting the audit report for the fiscal year May 31, 1968, pursuant to the provisions of Public Law 87–817; to the Committee on the Judiciary.

2260. A letter from the national shipswriter, Navy Club of the United States of America, transmitting the annual audit for the year ending July 31, 1968, and a copy of the minutes of the 1967 annual reunion, pursuant to the provisions of law; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BENNETT: Committee on Armed Services. S. 3615. An act to authorize the Secretary of the Army to convey to the Port of Cascade Locks, Oreg., a certain interest in lands in the State of Oregon for municipal purposes (Rept. No. 1952). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee on Appropriations. H.R. 20300. A bill making supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1953). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLEVELAND:

H.R. 20247. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 20248. A bill to rescind the authorization for certain public buildings projects; to the Committee on Public Works.

By Mr. GUBSER:

H.R. 20249. A bill to direct the District of Columbia Council to prescribe regulations relating to the newspaper advertising of apartments in the District of Columbia as air conditioned; to the Committee on the District of Columbia.

By Mr. HALPERN (for himself, Mr. Dulski, Mrs. Heckler of Massachusetts, Mr. Moorhead, and Mr. Nix):

H.R. 20250. A bill to establish a Department of Peace, and for other purposes; to the Committee on Government Operations.

By Mr. RANDALL:

H.R. 20251. A bill to repeal the requirement for filing income questionnaires in the case of veterans who have attained the age of 72 and have been on pension rolls for at least 2 years; to the Committee on Veterans Affairs.

By Mr. ROONEY of Pennsylvania:

H.R. 20252. A bill to amend the Library Services and Construction Act to extend the benefits of the State institutional library services program to the staffs of State institutions; to the Committee on Education and Labor.

By Mr. MAHON:

H.R. 20300. A bill making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes.

By Mr. SHRIVER:

H.J. Res. 1466. Joint resolution to establish a temporary Commission on Nominations for President and Vice President; to the Committee on House Adminstration.

By Mr. WHALLEY:

H.J. Res. 1467. Joint resolution proposing an amendment to the Constitution of the United States relating to the tenure in office of Justices of the Supreme Court; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 20253. A bill for the relief of Amillo Napolitano; to the Committee on the Judiciary.

H.R. 20254. A bill for the relief of Cristoforo and Maria Perretta Tufano; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 20255. A bill for the relief of Nicholas Bantounas; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 20256. A bill for the relief of Mr. and Mrs. Joseph R. McGarry; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 20257. A bill for the relief of Eftihia Tsavalou; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 20258. A bill for the relief of Maria Augusta Simoes; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 20259. A bill for the relief of Branimir Zivkovic; to the Committee on the Judiciary.

By Mr. BUSH:

H.R. 20260. A bill for the relief of Maj. John W. Hankins (USAF, retired); to the Committee on the Judiciary.

H.R. 20261. A bill for the relief of George William Henry Van Haght and Thelma Mary Van Haght; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 20262. A bill for the relief of Su-Er Chai Lu; to the Committee on the Judiciary.

H.R. 20263. A bill for the relief of Simone Scaduto; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.R. 20264. A bill for the relief of Manuk Yilmaz, also known as Manoog Yilmazian; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 20265. A bill for the relief Dr. Paul Ching Szu Chen; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 20266. A bill for the relief of Maria and Humberto Batista; to the Committee on the Judiciary.

H.R. 20267. A bill for the relief of Vincenzo and Anna Rosa Bozzi; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 20268. A bill for the relief of Vincenzo Grassadonia; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 20269. A bill for the relief of Alberto Aranibar-Zerpa; to the Committee on the Judiciary.

H.R. 20270. A bill for the relief of Martha Horgan; to the Committee on the Judiciary.

H.R. 20271. A bill for the relief of Muhammad A. K. Khalil, Aleemunisa Khalil, Nasreen Khalil, and Mohammad Arshad Khan Khalil; to the Committee on the Judiciary.

H.R. 20272. A bill for the relief of Pablo and Magdalena Paragas; to the Committee on the Judiciary.

H.R. 20273. A bill for the relief of Anon Sudarsan; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 20274. A bill for the relief of Dr. and Mrs. Sirus Amiri; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 20275. A bill for the relief of Luis Nicolas Munoz; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 20276. A bill for the relief of Antonino Badalamenti; to the Committee on the Judiciary.

H.R. 20277. A bill for the relief of Pietro Calvo; to the Committee on the Judiciary.

H.R. 20278. A bill for the relief of Franco Iannace; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 20279. A bill for the relief of Celestina Martorana; to the Committee on the Judiciary.

H.R. 20280. A bill for the relief of Dr. Raymundo S. Sison; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 20281. A bill for the relief of Jose P. Campos; to the Committee on the Judiciary.

H.R. 20282. A bill for the relief of Alfredo S. A. Marfori; to the Committee on the Judiciary.

H.R. 20283. A bill for the relief of Felisa C. Perena; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 20284. A bill for the relief of Mrs. Violeta Q. Sipus; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 20285. A bill for the relief of Mabel Alice Bennett; to the Committee on the Judiciary.

H.R. 20286. A bill for the relief of Falesca Knight; to the Committee on the Judiciary.

H.R. 20287. A bill for the relief of Malka Laufer; to the Committee on the Judiciary.

H.R. 20288. A bill for the relief of Noemi Sbili; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 20289. A bill for the relief of Luigi Di Iorio; to the Committee on the Judiciary.

H.R. 20290. A bill for the relief of Luise Goeringer; to the Committee on the Judiciary.

By Mr. ROGERS of Florida (by request):

H.R. 20291. A bill for the relief of Theodore J. Athanasakes; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 20292. A bill for the relief of Perla Azoulay; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 20293. A bill for the relief of Juan Valladolid Lukban and his wife, Expectacion Lukban; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 20294. A bill for the relief of Jose Fernandes; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 20295. A bill for the relief of Melaine Cohner and Peter Cohner; to the Committee on the Judiciary.

H.R. 20296. A bill for the relief of Sarah Rosemary McParland; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 20297. A bill for the relief of Giorgios Milton Kalimakis; to the Committee on the Judiciary.

By Mr. UTT:

H.R.20298. A bill for the relief of Herta Margarete Helene Monden; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 20299. A bill for the relief of Parvin Gohari; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

405. Mr. HOSMER presented a petition of Rev. L. L. Shipley and certain other residents of the 32d Congressional District of California, who protest the prohibiting of prayer and Bible reading in our schools and request a reversal of this ruling by the Congress; and also request the Congress not to enact any legislation which would possibly remove chaplains from the Armed Forces, remove "In God We Trust" from our currency, remove God's name from the Pledge of Allegiance to the flag, or remove God's name from any part of our American way of life, which was referred to the Committee on the Judiciary.

SENATE—*Monday, October 7, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

Rev. Robert N. Myers, director, Christian Service Corps, Washington, D.C., offered the following prayer:

Almighty God, we worship Thee as a gracious and loving Heavenly Father; as Son, Jesus Christ, one who has made atonement for our sins; and as Holy Spirit, Thy very power and presence in this world. We offer unto Thee, one God, triune God, all worship, honor, glory, power, and dominion both now and forevermore.

We acknowledge that as individuals and collectively as a nation we have sinned grievously against Thee. We have often rejected Thee in our lives and in the life of our Nation. We are a rebellious people. Forgive us.

We would pray for all the affairs and conditions of men, for the weak, the hungry, the oppressed, the persecuted, and for Thy holy church universal. We would also pray for the non-Christian world and all of its forms and kinds of unbelief. We would also pray for ourselves that Thou wouldst give us the light and that we may walk in that light.

We would pray for this legislative body that all of its deliberations and decisions would be just and right. Help us to love our enemies and to be able to enter into dialog with those who would willfully harm us. May war and conflict come to an end. In light of the history of mankind and all our experiences we look forward to hearing the seventh angel blow his trumpet and the loud voices of Heaven saying, "The kingdom of the world has become the kingdom of our Lord and of His Christ, and He shall reign forever and ever." We offer this prayer in the name of Jesus Christ, our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, October 4, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

HUMPHREY FOR PRESIDENT

Mr. MONDALE. Mr. President, last Sunday's New York Times carried a remarkable editorial entitled "HUMPHREY for President." It is a long and searching analysis of the current campaign for the Presidency of the United States. In strong, clear, and analytical terms, the New York Times editorial board states its enthusiastic support for the candidacy of HUBERT HUMPHREY for President of the United States. The editorial concludes as follows:

> This newspaper believes that Hubert H. Humphrey is such a leader, and in the truly critical situation—foreign and domestic—in which this country finds itself, we strongly urge his election of the Presidency of the United States.

Mr. President, I commend this editorial to the attention of my colleagues and to the people of this country. It is one of the best analyses I have seen of the current presidential campaign. It also well summarizes the issues which the people of this country and of the world face. It carries particular importance as the opinion of a highly responsbile, sophisticated newspaper. In support of the Presidency of HUBERT H. HUMPHREY.

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 6, 1968]

HUMPHREY FOR PRESIDENT

In 1960 many independent voters could not see much difference between John F. Kennedy and Richard M. Nixon, two seemingly cool, calculating, ambitious young politicians. However, this newspaper believed that there were significant differences in conviction and outlook. We endorsed Mr. Kennedy.

In 1968 many voters assert that they cannot see much difference between Mr. Nixon and Hubert H. Humphrey, but again this newspaper believes that there are significant differences in conviction and outlook. We endorse Mr. Humphrey.

Mr. Humphrey has superior claims to the Presidency in three critical areas. The first of these is foreign affairs, specifically arms control and the search for peace. The most important international issue today is a slowing of the nuclear arms race. The competition in these deadly weapons is once more spiraling upward and threatens to slip out of human control. No subject will be more important for the next President. For nearly twenty years Mr. Humphrey has devoted himself tirelessly to this problem. He was the author of the bill establishing an independent Arms Control and Disarmament Agency in 1961. In season and out he worked to stop the nuclear tests which were poisoning the atmosphere, efforts that finally resulted in the limited Nuclear Test-Ban Treaty. President Kennedy was indulging in no exaggeration when he said to Mr. Humphrey: "This is your treaty."

Mr. Humphrey is now actively working for the ratification of the Nuclear Nonproliferation Treaty, which would commit the existing nuclear nations not to distribute nuclear weapons to other countries. He would, we believe, dedicate himself wholeheartedly to the search for practical ways of lessening the overwhelming nuclear danger. As the original proponent of the Peace Corps and of the Food-for-Peace Program, he has the talent and the active concern needed to strengthen the United Nations and to build new international institutions.

In contrast, Mr. Nixon took no initiative on disarmament when he was Vice President and showed much less interest in the subject. He is now urging a delay in the ratification of the Nonproliferation Treaty. Even worse, he has resurrected the "missile gap" argument misused by President Kennedy and insists that he will not enter into arms negotiations with the Soviet Union until sometime in the future when this country has reached new and unspecified superiority in nuclear strength. He is busily promising to outstrip the Russians in space and to build a nuclear Navy "second to none." The United States does not need a President intent on speeding up both the arms race and the space race.

In addition to being an internationalist with a broad and imaginative outlook in foreign affairs, Mr. Humphrey is a proven activist in domestic affairs. He was the original sponsor of Medicare and the skillful parliamentary manager for much of the social reform legislation enacted during the Kennedy-Johnson Administrations. He fully understands that the desperately urgent needs of the nation's cities for better housing, higher quality education, cleaner air, improved hospitals and mass transit facilities can only be met if there is vigorous Presidential leadership and coherent public planning.

While Mr. Humphrey attempts to get to the root of urban problems, Mr. Nixon is promising, in effect, to attack the surface signs of social unrest by more energetic use of police measures. His modest proposals for encouraging "black capitalism" through tax incentives are all right as far as they go, but they do not go very far. His is an essentially conservative economic strategy involving deferment of costly new domestic programs for years. This strategy is full of danger, threatening decay and congestion for the nation's hard-pressed cities.

The third area in which Mr. Humphrey is unquestionably preferable to his opponent lies in the quality of his political leadership and in the character of his political support. Mr. Humphrey is the only candidate in this election who has substantial backing in both the white and the Negro communities. He has earned Negro trust because no man in public life has worked harder or longer to achieve equality of opportunity for all citizens. It is a matter for considerable concern whether the next President will be able to communicate effectively with black as well as white citizens and whether in his capacity as a national party leader he sees himself primarily competing with George C. Wallace for reactionary segregationist votes or as heading a liberal-and-moderate coalition drawn from both races.

An endorsement of a candidate is in this instance also a favorable judgment on the personality and character of one man and an adverse judgment on his rival. Mr. Humphrey is a warm, generous, idealistic, open man. Mr. Nixon has gradually risen above the personal abuse and the narrow partisanship of his early campaigns, but he remains slick and evasive on some of the central issues.

We have left until last the perplexing question of Vietnam. As we have made clear in many previous editorials, The Times does not find the statements of either candidate satisfactory on the war issue. But Mr. Humphrey has given unmistakable signals that he intends, if elected, to move away from the errors of the past. It is our judgment, based on an appraisal of the character and public record of the two candidates, that Mr. Humphrey would be more inclined than his opponent to seize the initiative for peace.

It must be borne in mind that the Vice-Presidency is a uniquely awkward office. No man has ever been seen at his best in it. A Vice President is in a weak position because he has no personal mandate from the people separate from that of the President on whose ticket he was elected. Yet he has a constitutional responsibility to serve as the President's standin, a responsibility which he cannot relinquish as easily as a Cabinet officer or lesser official can resign an appointive office.

Like most of his predecessors, Mr. Humphrey has resolved the ambiguities of his office in favor of defending the President's policies in public and trying to influence them in private. Not until the memoirs of the Johnson Administration have been written will it be possible to assess Mr. Humphrey's role in the international policy struggles of this Administration over the "bombing pauses" and other Vietnam decisions. But it is significant that the former members of the Johnson Administration who are rallying to Mr. Humphrey's support include its best-known doves.

Looked at in the perspective of his 23 years in public life, Hubert Humphrey is a humanitarian, an authentic and effective liberal, and a man of proved character, courage and judgment who can be depended upon to lead the nation in the ways of peace.

In the span of the present campaign, proof that his judgment is superior to that of Mr. Nixon has been provided by their respective choices for Vice President. Senator Edmund S. Muskie has experience, dignity and moral force. He is in himself a cogent argument for preferring the Democratic ticket, especially when it is recalled that four Vice Presidents in this century have succeeded to the Presidency on the death of the incumbent.

In the brief period since nomination, Gov. Spiro T. Agnew has already proved from his injudicious, intemperate remarks that he is utterly inadequate.

The sole persuasive argument offered for Mr. Nixon's election is that he might produce a period of calm and consolidation. But this presupposes that he is a popular and widely trusted figure like General Eisenhower, which he manifestly is not, as his divisive and partisan record over the years makes clear. Moreover, the strenuous demands upon America's leadership both at home and abroad do not permit four years of rest and passivity. This critical era calls for a leader with ideas, enthusiasm, energy and a clear moral commitment.

This newspaper believes that Hubert H. Humphrey is such a leader, and in the truly critical situation—foreign and domestic—in which this country finds itself, we strongly urge his election to the Presidency of the United States.

OUR UNWIELDY DEFENSE DEPARTMENT BUREAUCRACY

Mr. YOUNG of Ohio. Mr. President, in South Vietnam, where unfortunately President Johnson has committed 545,000 U.S. combat soldiers and marines, only about 87,000 could be considered engaged in combat activities. Our Military Establishment is overloaded with headquarters staffs and clerks, analysts, officers' drivers, typists, and so forth. Pentagon-east—in other words, the huge U.S. Army headquarters in Saigon—is an immense structure. This two-story building occupying more than 10½ acres and costing nearly $40 million is the largest military headquarters in a foreign country maintained by any nation. In addition to many thousands of so-called soldiers doing clerical work, writing and copying messages and proclamations, filing, typing, and drafting charts, thousands of American civilians are busy with the paperwork of our officers in Saigon and at the numerous Army, Air, and Marine bases in Vietnam and Thailand.

This is reminiscent of the fact that a

year or so following the end of World War I, and the abdication of Kaiser Wilhelm, the President of the Weimar Republic of Germany appointed a commission to study and report the reasons for Germany's defeat in World War I. The commission's verdict was that the tremendous amount of paperwork required by the armed forces destroyed the offensive power of the German Army. The armed forces of Germany were literally buried in paper.

The U.S. Department of Defense has become a vast organizational structure, of ever-increasing civilian employees of the military general staff which has expanded entirely out of proportion. The generals and colonels are so devoted to charts, writing reports, sending messages to each other, and holding briefings that nearly nine of 10 GI's are simply servants, or flunkies, to officers in a vast unmanageable headquarters, and at coastal and other Vietnam bases and at various field headquarters, engaged in so-called logistics, typing, chauffeuring, drafting charts, issuing and filing memorandums and messages, and so forth. This immense growth of bureaucracy should be cut down and the Military Establishment returned to the basic concept of fighting, instead of the present situation, with 450,000 soldiers engulfed in noncombat paperwork, running errands for officers, and so forth, and leaving fewer than 100,000 to do the fighting.

Of the more than 1,500,000 of our finest young men who have been sent to Vietnam in our Armed Forces, the great majority never served in combat but performed needless clerical work instead. One reason that the VC have been able to fire missiles into Saigon killing Americans and Vietnamese near U.S. military headquarters is that thousands of U.S. officers and GI's work in this building instead of being in combat and driving the VC away from Saigon. This is an unconscionable situation and a scandalous misuse of manpower by Pentagon officials.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). What is the will of the Senate? Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Without objection, it is so ordered.

ENROLLED BILLS SIGNED

The President pro tempore announced that on today, October 7, 1968, he signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 913. An act to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes;

S. 1069. An act for the relief of Dr. Chung Chick Nahm;

S. 1652. An act for the relief of Anastasia D. Mpatziani;

S. 2017. An act to authorize the Commissioner of the District of Columbia to enter into contracts for the inspection, maintenance, and repair of fixed equipment in District-owned buildings for periods not to exceed 3 years;

S. 2496. An act to authorize the Commissioner of the District of Columbia to enter into and renew reciprocal agreements for police mutual aid on behalf of the District of Columbia with the local governments in the Washington metropolitan area;

S. 2499. An act to extend the Act of September 7, 1957, relating to aircraft loan guarantees;

S. 2592. An act to amend section 530 of the act approved March 3, 1901, so as to provide notice of the enforcement of a security interest in real property in the District of Columbia to the owner of such real property and the Commissioner of the District of Columbia;

S. 2897. An act for the relief of James T O'Brien;

S. 3769. An act to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963 and related acts;

S. 3986. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to expedite the retirement of Government capital from Federal intermediate credit banks, production credit associations and banks for cooperatives, and for other purposes;

H.R. 5117. An act to authorize the Secretary of the Interior to construct, operate and maintain stage 1 and to acquire lands for stage 2 of the Palmetto Bend reclamation project, Texas, and for other purposes;

H.R. 13099. An act to authorize the establishment of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes;

H.R. 13160. An act for the relief of William W. Hiebert;

H.R. 14079. An act for the relief of Lt. (j.g.) Herbert F. Swanson, and others;

H.R. 14098. An act to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended;

H.R. 17273. An act to amend the act of September 21, 1959 (Public Law 86–339), relating to the Reservation of the Agua Caliente Band of Mission Indians;

H.R. 17684. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the pueblos of Cochiti, Pojoaque, Tesuque, and Zuni, in New Mexico; and

H.R. 18885. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Seminole Tribe of Oklahoma in dockets Nos. 150 and 248 of the Indian Claims Commission, and for other purposes.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 698. An act to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to permit provision of reimbursable technical services to State and local governments, to establish coordinated intergovernmental policy and administration of development assistance programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to provide for periodic congressional review of Federal grants-in-aid, and for other purposes;

S. 910. An act for the relief of the estate of Patrick E. Eagan;

S. 945. An act to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes;

S. 2439. An act to increase the number and salaries of judges of the District of Columbia Court of General Sessions, the salaries of the District of Columbia Court of Appeals and the District of Columbia Tax Court, and for other purposes;

S. 3227. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in Indian Claims Commission dockets Nos. 88, 339, and 330–A, and for other purposes;

H.R. 9089. An act for the relief of E. Christian Des Marets, Sr.;

H.R. 18366. An act to amend the Vocational Education Act of 1963, and for other purposes; and

S.J. Res. 197. Joint resolution to correct certain references in section 4(i) of the act entitled "An act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes," approved May 7, 1968.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. CASE:

S. 4141. A bill to provide that imported household sewing machines be conspicuously marked to show the foreign country of origin; to the Committee on Finance.

By Mr. YARBOROUGH:

S. 4142. A bill for the relief of Jean Rawls Fairbank; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 4143. A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedures," and amending title 26 of the United States Code, "Internal Revenue Code" to provide for exclusive jurisdiction of the U.S. district courts over civil tax refund suits and deficiency redeterminations, and for other purposes;

S. 4144. A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure," and amending title 26 of the United States Code, "Internal Revenue Code," to make the U.S. Tax Court an article III court, to provide for exclusive jurisdiction of the U.S. Tax Court over civil tax refund suits and deficiency redeterminations in taxes imposed by subtitle A, B, C, or D of title 26 of the United States Code, to create a Small Claims Division of the U.S. Tax Court, and for other purposes;

S. 4145. A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure," and amending title 26 of the United States Code, "Internal Revenue Code," to provide for concurrent jurisdiction of the U.S. Tax Court and the U.S. district courts over civil tax refund suits and deficiency redeterminations, and for other purposes;

S. 4146. A bill to improve the judicial machinery by amending title 28, United States Code, to establish a revised procedure for litigating tax disputes, and for other purposes;

S. 4147. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedures," to provide for appeals from decisions of the Court of Claims, and for other purposes;

S. 4148. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," to provide that the Court of Claims should no longer have jurisdiction over civil tax refund suits and to provide that the Court of Claims shall have jurisdiction to review orders of the Renegotiation Board; and

S. 4149. A bill to improve judicial machinery by amending title 28 of the United States Code, section 93 of the act of January 12, 1895, and the Internal Revenue Code of 1954, by establishing a U.S. Court of Tax Appeals, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. TYDINGS when he introduced the above bills, which appear under a separate heading.)

By Mr. **BYRD** of West Virginia (for Mr. CLARK):

S. 4150. A bill for the relief of Arrighi Renato; and

S. 4151. A bill for the relief of Doriano Santalmasi; to the Committee on the Judiciary.

S. 4143 THROUGH S. 4149—INTRODUCTION OF BILLS RELATING TO THE FEDERAL TAX LITIGATION STRUCTURE

Mr. TYDINGS. Mr. President, the Senate Subcommittee on Improvements in Judicial Machinery has recently been conducting hearings on S. 2041, a bill to make the Tax Court of the United States an article III court. During the course of these proceedings we heard testimony from judges of the Tax Court, representatives of the Justice Department, the Internal Revenue Service, and the tax section of the American Bar Association, law professors and others. This testimony revealed numerous and significant defects in existing methods for handling tax litigation, and a pressing need for reform. For this reason, I am introducing today a series of bills offering several alternative methods for restructuring tax litigation. Before explaining these bills, however, let me describe some of the existing difficulties.

There is, of course, much to be corrected in our substantive tax laws which have been steadily evolving toward the epitome of complexity. As noted by Edmund Wilson:

> The question of what ought to be taxed, and how much, and which deductions ought to be allowed has reached the point of fine spun complexity that—working in terms of a different set of values—recalls the far-fetched distinctions of medieval theology.[1]

Yet, there can perhaps be found a justification for the complexities of our substantive tax law in the complexities of the society which we have developed. But, no similar justification exists for the inequities in our present judicial system of resolving tax disputes between our citizens and the Government.

At present, our judicial system for tax litigation discriminates not only against the poor, but against those far from poor who become embroiled in a tax dispute but cannot pay in advance the full amount the Internal Revenue Service claims is due. As I will describe in more detail later, a taxpayer's ability to take his tax dispute to the Federal courts is limited by his financial situation. Yet, in our present system the result of a tax case can turn upon the particular court to which it is taken by the taxpayer. It is anathema to our democratic system to have access to any of our Federal courts barred because a citizen cannot pay in advance the full amount—no matter how much—which an administrative agency claims he owes.

Judicial disposition of tax controversies is presently divided among three forums: the U.S. district courts, the Tax Court, and the Court of Claims. Some 80 percent of the almost 8,000 tax suits filed annually are filed in the Tax Court, and 90 percent of remaining cases are filed with the district courts. Usually the taxpayer does not have his choice among forums, but must litigate in one or another on the basis of the procedural status of the case. The allocation of jurisdiction, where it is not concurrent, does not generally represent a reasoned determination that different courts should be responsible for the application of specific substantive provisions. Rather, the distinction is the result of a piecemeal historical development of the tax litigation structure. Like most similarly evolved systems, when one examines it closely, the present tax litigation structure appears to have very little to recommend it. Trifurcation breeds diverse interpretation and application of the tax laws, causes great delay in the resolution of conflicts, encourages forum shopping, and contributes significantly to the strain on our overburdened judicial system.

Among the most significant difficulties created by the three court system is a broad lack of uniformity in interpretation and application of the Federal tax statutes at the trial court level, which may take years to resolve. This problem is compounded by the fact that the Supreme Court is the only body whose decision is binding on all of the trial level courts which can determine tax questions. The district courts are, of course, subject to the decisions of the courts of appeals for the respective circuits; however, there are 11 circuits, and the Supreme Court will generally not review a tax question until a conflict of decision has arisen among them. Decisions of the Tax Court demonstrate that the Court does not consider itself bound by the opinion of any court of appeals, and the Court of Claims is reviewable only by the Supreme Court on writ of certiorari.

As a result as much as a decade may pass before a dispute among the courts as the meaning of a section of the Internal Revenue Code is ultimately resolved; in the interim, whether it is determined in favor of the taxpayer or the Government in any particular instance will depend on the forum in which the case is brought. The protracted conflict not only undermines taxpayer confidence in the system, but also encourages a multiplicity of suits. The taxpayer will tend to litigate as long as he can get into a forum which has decided the conflict in his favor in prior cases or one which has not yet resolved the question involved. Government counsel will feel obligated to insist on his position regardless of the forum until the Supreme Court has ultimately resolved the conflict against the Government, or the Commissioner of Internal Revenue, faced with numerous adverse decisions, finally acquiesces on the point.

Serious problems exist in the appellate structure as well as at the trial level. First, as I noted earlier, the Court of Claims, which operates as a trial level court, is reviewable only by the Supreme Court. It is very seldom that the Court grants certiorari to hear a case from the Court of Claims—on an average of once a year in the last two decades[2]—so that the latter is, for all practical purposes, both a court of first instance and a court of last resort. Both the district court and the Tax Court are reviewed by the courts of appeals. However, there is frequently a striking lack of unanimity among the courts of appeals in their resolution of highly technical tax questions as well. Therefore, for a definitive resolution of many issues the Supreme Court must grant certiorari. The process is expensive and time consuming, and taxpayers who lose their suits before a conflict among circuits has arisen, and who therefore cannot gain access to the Supreme Court, are irrevocably defeated even though the Court in a subsequent case may decide the question in favor of their position.

Further, the courts of appeals are experiencing a significant expansion of their dockets; the caseload increased by 15 percent in fiscal 1968 and has more than doubled in the last decade.[3] In fiscal 1967 over 400 civil tax cases were taken to the courts of appeals, amounting to over 5 percent of the total number of cases docketed.[4]

The accessibility of various courts is another area of concern. In income, estate, and gift tax cases—and excess profit cases—the full-payment rule, as definitively stated by the Supreme Court in *Flora* v. *United States*, 362 U.S. 145 (1960) requires a taxpayer to pay the full amount claimed due by the Internal Revenue Service for the periods in issue before he can obtain judicial review in the district courts and obtain a jury trial. The same full-payment rule bars access to the Court of Claims for the taxpayer unable to pay in advance. If payment in advance cannot be made only the Tax Court is available.

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[1] E. Wilson, "The Cold War and The Income Tax" (1963).

[2] Miller, Tax Litigation in the Court of Claims, 55 Geo. L. J. 454, 458 (1966).

[3] Annual Report of the Director of the Administrative Office of the United States Courts for Fiscal Year Ended June 30, 1968, II–1 (paperbound).

[4] Annual Report of the Director of the Administrative Office of the United States Courts for Fiscal Year Ended June 30, 1967, at 186, 192–93.

Another peculiarity of our system arises because the Tax Court's jurisdiction is limited to cases involving deficiencies, that is, cases in which the Internal Revenue Service claims that more is due from a taxpayer than he has reported due on his tax return. If a taxpayer has resolved all issues on his tax return in favor of the Government and later finds that he was in error—perhaps due to a decision by one of the various courts now deciding tax cases—he cannot go to the Tax Court. He may only sue for a refund in the district courts or the Court of Claims.

Therefore, we find our system barring from the Tax Court a taxpayer who has filed a tax return which he alleges was erroneous in favor of the Government. On the other hand, a taxpayer who cannot pay up the full amount in dispute is barred from the district courts and the Court of Claims.

Our present system results in a type of forum shopping which discriminates in favor of the wealthy in the most glaring manner by allowing access to our courts to be determined by an ability to lay out cash.

Suppose, for example, that the trial courts are divided as to the resolution of a problem and that the Tax Court has decided it in favor of the Government, while certain district courts have decided for the taxpayer. The taxpayer living in one of these districts who cannot afford to pay out the controverted amount and have it out of pocket for the duration of the period required for litigation has no option; he must litigate in the Tax Court. The wealthy taxpayer, however, can, by paying the tax in advance, literally purchase his way into the forum which is likely to resolve the case in his favor. To expand the hypothetical situation, if he can afford to pay the tax he also has the alternative of suit in the Court of Claims if that forum is more favorable. Essentially, the wealthy taxpayer may have his choice among three forums as opposed to the one practical alternative afforded the taxpayer of insufficient means to pay his tax before litigating. It is very difficult to conceive of any justification for such a distinction.

A third area of difficulty involves the actual conduct of litigation in the different forums. The procedures in the three courts differ considerably and reflect the institutional characteristics of the separate forums. The cases in the district courts follow the procedure applied in all civil cases, familiar enough that I will not outline them in detail here. The case is tried by a single judge, or, on demand by either party, by a jury. It is tried in the judicial district where the taxpayer resides, and the trial is controlled by the Federal Rules of Civil Procedure.

As opposed to the essentially local character of the district court, the Tax Court is a national tribunal located in Washington. Tax Court trials are held in many of the major cities of the Nation. And, the place of trial is usually set with reference to the convenience of the taxpayer and the witnesses. However, since the Tax Court does not sit in every Federal judicial district, there can be considerably more travel and inconvenience for a taxpayer living outside of a major city in a Tax Court case than in a case in the U.S. district court for his home district. In any event, however, pending the appearance of a particular case upon the trial calendar, all motions relating to that case are filed and heard in Washington—unless they are of such a character that they can be referred to the judge handling the trial, upon his arrival—and all the subpenas for the attendance of witnesses are issued out of Washington. The Tax Court judge is ordinarily available to the parties only at the time of trial, and they are expected to prepare the case for trial without his assistance. The trial is conducted by a single Tax Court judge, operating under special Tax Court rules. A tentative opinion is drafted by one Tax Court judge—usually the judge who conducted the trial—and is submitted to the Chief Judge of the Tax Court. The Chief Judge then will either refer the opinion to the entire Tax Court for en banc consideration or will permit the opinion to be issued without review. In an en banc consideration of a decision the original opinion may be completely changed. Occasionally, the judge who originally tried the case and who had an opportunity to observe the witnesses may dissent, with the result that the majority opinion and findings are prepared by another judge who did not try the case.

The Court of Claims is, like the Tax Court, a national tribunal. Cases are initially heard throughout the country by trial commissioners who report to the court, usually in the form of proposed findings of fact and conclusions of law. The judges of the Court of Claims sit only in Washington, do not hear the evidence, and seldom have any contact with the parties to the suit. In effect, a Court of Claims case requires a full trial to a trial commissioner followed by an "appeal" to the judges of the court.

The availability of discovery procedures creates another major difference among the three forums. Discovery aims at full disclosure of the facts, and may substantially reduce the time and expense required for trial. In tax cases, it is ordinarily the taxpayer rather than the Government who has knowledge of the facts surrounding the transaction to which he was a party. Consequently, it is the Government which would be most frequently assisted by discovery. Extensive and effective discovery is available only in the district court. The Tax Court has no procedure by which parties can obtain information for the purposes of discovery as distinct from use as evidence. The Court of Claims occupies a middle position, with some discovery devices available, but even these are considerably more circumscribed than their counterparts in the district courts.

In sum, the inconsistency in application of the law, the protracted conflicts as to interpretation, the discrimination in availability of various forums, and the diversity of procedures employed in the various forums persuaded me that reform was necessary. In trying to determine what direction this reform should take, I sought the views of numerous interested parties to supplement the efforts of my own staff. The result of these efforts has been a series of bills offering several possible solutions to the problems I have been discussing. Some are complementary, while others are inconsistent with each other and must be taken as alternatives.

It should be very clear at the outset that all of these proposals are premised on article III constitutional status having been conferred upon the Tax Court. I do not believe that any reform could be successfully implemented unless the Tax Court were to be given article III status.

Let me just touch on some of the problems now facing the Tax Court. The Tax Court of the United States is currently the only Federal judicial body which is not in the judicial branch of the Government and the only one that is without constitutional status. It is now deemed an "independent agency of the executive branch," and, while its independence in fact is unquestionable, its lack of many of the indicia of a court leads taxpayers to regard it as another branch of the Internal Revenue Service. Among the characteristics which give rise to this misconception is the appointment of judges for 12-year terms rather than for good behavior as is the case with an article III court. Until the court is entirely removed from the executive branch these doubts will remain. In a self-assessment tax system such as ours, it is vitally important that the taxpayer have no doubt as to the court's independence.

The Tax Court's position in the executive branch raises serious theoretical as well as practical difficulties. Constitutional doubts have been raised, and never resolved, as to whether or not the court in its present status violates the doctrine of separation of powers.

The Tax Court has also run into considerable administrative difficulty because of its limited judicial powers. As a nonarticle III court it has no power to enforce its orders—to enforce subpenas, punish for contempt, or exercise other equitable powers inherent in the Federal courts. As I noted before, it does not have available the discovery techniques of the Federal Rules of Civil Procedure, which so expedite the handling of litigation. In sum, it does not offer a truly judicial forum for the taxpayer who can not afford to prepay his contested tax liability, or the efficiency that we should be able to expect from our court system.

Passage of S. 2041 would relieve the defects in the present structure of the Tax Court. If, as several of the proposals I introduce today provide, the Tax Court should be abolished, the cases now before that court would, of necessity, be transferred to another article III forum and the Tax Court judges, as article III judges, could be transferred to a particular court or generally among the forums receiving the tax business. As article III judges, the Tax Court bench could easily be blended into the article III court structure. Without artic[illegible]II status, no such amalgamation woul[illegible] possible.

I do not, however, wish [illegible]uggest that I am endorsing eventual abolition of the Tax Court. In fact, the majority of my alternative proposals would retain the Tax Court. For the moment I have not resolved that any one of the proposals for restructure of the litigation system is preferable for any reason to any other. One purpose in introducing them at this stage is to give Members of Congress, the public generally, and any organizations which might be especially interested an opportunity to study and reflect upon the various measures. I hope to elicit comments and suggestions which would be of assistance in determining which of these alternative solutions—or other solutions not encompassed here—would be most desirable. My intention is to make use of the information thus obtained to frame a proposal or proposals which I will then reintroduce at the next session.

For present purposes I shall briefly describe each of the bills. It should be noted that they are directed at two primary areas of reform: first the trial level jurisdiction and practice, and, second, appellate responsibility over tax litigation. As to trial level jurisdiction, two basic alternatives are proposed: vesting a single system of courts with exclusive jurisdiction, or establishing concurrent jurisdiction in existing tribunals.

The first bill I introduce today would give exclusive jurisdiction over all tax litigation to the district courts, thereby eliminating the Tax Court and a portion of the Court of Claims jurisdiction. The essential changes are achieved by amending the several appropriate sections of title 28, "Judiciary and Judicial Procedure," to indicate original jurisdiction in the district courts, and by changing all references to the "Tax Court" in the Internal Revenue Code of 1954 to "district court." The procedure ordinarily followed in the district courts, including the broad discovery provisions would be applicable to all tax cases. However, certain special powers and procedures of the Tax Court, as provided in the Internal Revenue Code of 1954, have been retained and transferred to the district court. This particular bill would retain the courts of appeals and Supreme Court appellate jurisdiction presently existing over district court decisions. This serves as an example, however, of the fact that the bills presently introduced are not exhaustive of reform possibilities. Vesting of exclusive jurisdiction in the district courts might be thought insufficient to attain a satisfactory degree of uniformity in interpretation without revision of the appellate structure to centralize review in the Tax Court of Appeals, such as is projected by another of the bills I introduce today.

The second bill I introduce today is composed of three distinct titles. The first is essentially the same as S. 2041, as amended by the Subcommittee on Improvements in Judicial Machinery, conferring article III status on the Tax Court. The second title would vest exclusive jurisdiction over tax litigation in the Tax Court, eliminating the jurisdiction of the district courts and Court of Claims. The third title would create a Small Claim[illegible]vision within the Tax Court. Essen[illegible]y the proposal approved by the sectio[illegible]f taxation of the American Bar Association, title III provides that the Commissioners who are to administer the system shall have jurisdiction to render final decisions with regard to disputes over sums not in excess of $1,500 for each taxable year. The jurisdiction is not exclusive, but is invoked at the option of the taxpayer. This bill makes no provision either for specific retention or alteration of existing appellate procedures with regard to decisions of the Tax Court itself.

Senator MAGNUSON has led the way in efforts to provide equitable and swift resolution of small tax disputes with his introduction in the last session of S. 18, to create a Small Tax Division in the Tax Court, a bill of which I am pleased to have been a cosponsor. I think that close comparison will reveal few differences between that measure and the one I have incorporated into my second bill. The variances which do occur are relatively insubstantial and reflect what I would hope are slight refinements of S. 18.

The third and fourth bills I introduce today are both directed to creation of a concurrent jurisdiction between district courts and the Tax Court, and elimination of the trial level jurisdiction of the Court of Claims over tax litigation. The effect of each is to expand the jurisdiction of each system of courts so that it includes what is now exclusively in the domain of the other. The third bill makes no provision for change in Tax Court procedure or in the appellate process. The fourth bill, however, would require the Tax Court to follow, so far as practicable, the procedures employed in the district courts. Further, it would create a single appellate jurisdiction over tax litigation, to be vested in the Court of Claims.

The fifth bill I introduce today attacks a small source of the existing lack of uniformity by making the trial level decisions of the Court of Claims appealable. They would be subject to review by the court of appeals in the same manner that decisions of the district courts and Tax Court may now be reviewed. As presently drafted the bill would render all decisions of the Court of Claims subject to such review, not merely tax cases. However, were it thought that the court's other jurisdiction should remain undisturbed, the bill's effect could be limited by amendment to tax litigation without creating any great difficulties.

The sixth bill I introduce today provides for the elimination of existing Court of Claims jurisdiction over tax litigation. In lieu of this litigation, the Court of Claims would be given the jurisdiction to review orders of the Renegotiation Board, now vested in the Tax Court.

Finally, the seventh bill would create a new judicial body vested with jurisdiction over tax appeals, to be known as the U.S. Court of Tax Appeals. An article III court, consisting of nine judges, would have appellate jurisdiction, exclusive of the courts of appeals, over all civil tax litigation in the U.S. district courts, the Tax Court, and the Court of Claims. It would in most respects realize the ends outlined by the present Solicitor General when, some 25 years ago, he wrote of the great need for the creation of such a specialized court.[5] Again, the bill might be altered if it were thought desirable to more completely follow his suggestions. As presently written, it provides that the U.S. Tax Court of Appeals will be reviewable by the Supreme Court on writ of certiorari. Dean Griswold envisioned a body which would be a court of last resort except as to constitutional questions, which, if "substantial," would be subject to review by the Supreme Court on direct appeal.

As I suggested earlier, we recognize that these proposals are by no means exhaustive. I hope that interested parties will suggest any other means of achieving the objectives set forth which they may arrive at, as well as offering comment and criticism of the bills presently being introduced.

Mr. President, I therefore introduce these bills and ask that they be appropriately referred.

The PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. TYDINGS, were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 4143. A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure," and amending title 26 of the United States Code, "Internal Revenue Code" to provide for exclusive jurisdiction of the United States district courts over civil tax refund suits and deficiency redeterminations, and for other purposes;

S. 4144. A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure", and amending title 26 of the United States Code, "Internal Revenue Code", to make the U.S. Tax Court an Article III court, to provide for exclusive jurisdiction of the United States Tax Court over civil tax refund suits and deficiency redeterminations in taxes imposed by substitle A, B, C, or D of title 26 of the United States Code, to create a Small Claims Division of the U.S. Tax Court, and for other purposes;

S. 4145. A bill to improve judicial machinery by amending title 28 of the United States Code, "Judiciary and Judicial Procedure," and amending title 26 of the United States Code, "Internal Revenue Code," to provide for concurrent jurisdiction of the U.S. Tax Court and the U.S. district courts over civil tax refund suits and deficiency redeterminations, and for other purposes;

S. 4146. A bill to improve the judicial machinery by amending title 28, United States Code, to establish a revised procedure for litigating tax disputes, and for other purposes;

S. 4147. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedures," to provide for appeals from decisions of the Court of Claims, and for other purposes;

S. 4148. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," to provide that the Court of Claims should no longer have jurisdiction over civil tax refund suits and to provide that the Court of Claims shall have jurisdiction to review orders of the Renegotiation Board; and

S. 4149. A bill to improve judicial machinery by amending title 28 of the United

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[5] E. Griswold, "The Need for a Court of Tax Appeals," 57 Harv. L. Rev. 1153 (1944).

States Code, section 93 of the act of January 12, 1895, and the Internal Revenue Code of 1954, by establishing a U.S. Court of Tax Appeals, and for other purposes.

EXTENSION OF CERTAIN PROVISIONS UNDER THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962—AMENDMENTS

AMENDMENT NO. 1018

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (S. 2938) to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended, which was ordered to lie on the table and to be printed.

(See reference to the above amendment when submitted by Mr. Javits, which appears under a separate heading.)

AMENDMENT NO. 1019

Mr. JAVITS (for himself, Mr. Clark, and Mr. Prouty) submitted an amendment, intended to be proposed by them, jointly, to Senate bill 2938, supra, which was ordered to lie on the table and to be printed.

(See reference to the above amendment when submitted by Mr. Javits, which appears under a separate heading.)

AMENDMENT OF INTERNAL REVENUE CODE OF 1954—AMENDMENT

AMENDMENT NO. 1020

Mr. JAVITS (for himself, Mr. Harris, Mr. Ribicoff, Mr. Murphy, and Mr. Goodell) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts, which was ordered to lie on the table and to be printed.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, October 7, 1968, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 698. An act to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to permit provision of reimbursable technical services to State and local governments, to establish coordinated intergovernmental policy and administration of development assistance programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to provide for periodic congressional review of Federal grants-in-aid, and for other purposes;

S. 910. An act for the relief of the estate of Patrick E. Eagan;

S. 913. An act to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes;

S. 945. An act to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes;

S. 1060. An act for the relief of Dr. Chung Chick Nahm;

S. 1652. An act for the relief of Anastasia D. Mpatziani;

S. 2017. An act to authorize the Commissioner of the District of Columbia to enter into contracts for the inspection, maintenance, and repair of fixed equipment in District-owned buildings for periods not to exceed 3 years;

S. 2439. An act to increase the number and salaries of judges of the District of Columbia court of general sessions, the salaries of the District of Columbia Court of Appeals and the District of Columbia Tax Court, and for other purposes;

S. 2496. An act to authorize the Commissioner of the District of Columbia to enter into and renew reciprocal agreements for police mutual aid on behalf of the District of Columbia with the local governments in the Washington metropolitan area;

S. 2499. An act to extend the Act of September 7, 1957, relating to aircraft loan guarantees;

S. 2592. An act to amend section 530 of the act approved March 3, 1901, so as to provide notice of the enforcement of a security interest in real property in the District of Columbia to the owner of such real property and the Commissioner of the District of Columbia;

S. 2897. An act for the relief of James T. O'Brien;

S. 3227. An act to provide for the disposition of funds apropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in Indian Claims Commission dockets No. 88,330 and 330–A, and for other purposes;

S. 3769. An act to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related acts;

S. 3986. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to expedite the retirement of Government capital from Federal intermediate credit banks, production credit associations and banks for cooperatives, and for other purposes; and

S.J. Res. 197. Joint resolution to correct certain reference in section 4(i) of the act entitled "An act to amend chapter 37 of title 18 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes", approved May 7, 1968.

EXECUTIVE SESSION—ASTRONAUT ASSISTANCE AND RETURN AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider Executive J, 90th Congress, second session, an agreement on the rescue and return of astronauts.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the agreement, Executive J, 90th Congress, second session, on the rescue and return of astronauts, which was read the second time as follows:

Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched Into Outer Space

The Contracting Parties,

Noting the great importance of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, which calls for the rendering of all possible assistance to astronauts in the event of accident, distress or emergency landing, the prompt and safe return of astronauts, and the return of objects launched into outer space.

Desiring to develop and give further concrete expression to these duties.

Wishing to promote international co-operation in the peaceful exploration and use of outer space.

Prompted by sentiments of humanity,

Have agreed on the following:

ARTICLE 1

Each Contracting Party which receives information or discovers that the personnel of a spacecraft have suffered accident or are experiencing conditions of distress or have made an emergency or unintended landing in territory under its jurisdiction or on the high seas or in any other place not under the jurisdiction of any State shall immediately:

(a) Notify the launching authority or, if it cannot identify and immediately communicate with the launching authority, immediately make a public announcement by all appropriate means of communication at its disposal;

(b) Notify the Secretary-General of the United Nations, who should disseminate the information without delay by all appropriate means of communication at his disposal.

ARTICLE 2

If, owing to accident, distress, emergency or unintended landing, the personnel of a spacecraft land in territory under the jurisdiction of a Contracting Party, it shall immediately take all possible steps to rescue them and render them all necessary assistance. It shall inform the launching authority and also the Secretary-General of the United Nations of the steps it is taking and of their progress. If assistance by the launching authority would help to effect a prompt rescue or would contribute substantially to the effectiveness of search and rescue operations, the launching authority shall cooperate with the Contracting Party with a view to the effective conduct of search and rescue operations. Such operations shall be subject to the direction and control of the Contracting Party, which shall act in close and continuing consultation with the launching authority.

ARTICLE 3

If information is received or it is discovered that the personnel of a spacecraft have alighted on the high seas or in any other place not under the jurisdiction of any State, those Contracting Parties which are in a position to do so shall, if necessary, extend assistance in search and rescue operations for such personnel to assure their speedy rescue. They shall inform the launching authority and the Secretary-General of the United Nations of the steps they are taking and of their progress.

ARTICLE 4

If, owing to accident, distress, emergency or unintended landing, the personnel of a spacecraft land in territory under the jurisdiction of a Contracting Party or have been found on the high seas or in any other place not under the jurisdiction of any State, they shall be safely and promptly returned to representatives of the launching authority.

ARTICLE 5

1. Each Contracting Party which receives information or discovers that a space object or its component parts has returned to Earth in territory under its jurisdiction or on the high seas or in any other place not under the jurisdiction of any State, shall notify the launching authority and the Secretary-General of the United Nations.

2. Each Contracting Party having jurisdiction over the territory on which a space object or its component parts has been discovered shall, upon the request of the launching authority and with assistance from that authority if requested, take such steps as it finds practicable to recover the object or component parts.

3. Upon request of the launching authority, objects launched into outer space or their component parts found beyond the territorial limits of the launching authority shall be returned to or held at the disposal of representatives of the launching authority which shall, upon request, furnish identifying data prior to their return.

4. Notwithstanding paragraphs 2 and 3 of this article, a Contracting Party which has reason to believe that a space object or its component parts discovered in territory under its jurisdiction, or recovered by it elsewhere, is of a hazardous or deleterious nature may so notify the launching authority, which shall immediately take effective steps, under the direction and control of the said Contracting Party, to eliminate possible danger of harm.

5. Expenses incurred in fulfilling obligations to recover and return a space object or its component parts under paragraphs 2 and 3 of this article shall be borne by the launching authority.

ARTICLE 6

For the purposes of this Agreement, the term "launching authority" shall refer to the State responsible for launching, or, where an international inter-governmental organization is responsible for launching, that organization, provided that that organization declares its acceptance of the rights and obligations provided for in this Agreement and a majority of the States members of that organization are Contracting Parties to this Agreement and to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

ARTICLE 7

1. This Agreement shall be open to all States for signature. Any State which does not sign this Agreement before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Agreement shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

3. This Agreement shall enter into force upon the deposit of instruments of ratification by five Governments including the Governments designated as Depositary Governments under this Agreement.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Agreement, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Agreement, the date of its entry into force and other notices.

6. This Agreement shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE 8

Any State Party to the Agreement may propose amendments to this Agreement. Amendments shall enter into force for each State Party to the Agreement accepting the amendments upon their acceptance by a majority of the States Parties to the Agreement and thereafter for each remaining State Party to the Agreement on the date of acceptance by it.

ARTICLE 9

Any State Party to the Agreement may give notice of its withdrawal from the Agreement one year after its entry into force by written notification to the Depositary Governments. Such withdrawal shall take effect one year from the date of receipt of this notification.

ARTICLE 10

This Agreement, of which the English, Russian, French, Spanish and Chinese texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Agreement shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Treaty.

Done in triplicate, at the cities of Washington, London and Moscow, this twenty-second day of April one thousand nine hundred sixty-eight.

REPRESENTATIVES WHO SIGNED THE AGREEMENT ON THE RESCUE OF ASTRONAUTS, THE RETURN OF ASTRONAUTS AND THE RETURN OF OBJECTS LAUNCHED INTO OUTER SPACE AT WASHINGTON APRIL 22, 1968 [1] THROUGH MAY 7, 1968, INCLUSIVE

For the United States of America:
Dean Rusk
For the United Kingdom of Great Britain and Northern Ireland:
Patrick Dean
For the Union of Soviet Socialist Republics:
A. Dobrynin
For the Somali Republic:
Y Azhari
For the Republic of China:
Chow Shu-kai
For Chile:
J Burr
For Australia:
Keith Waller
For Austria:
Lemberger
For Laos:
Khamking Souvanlasy
For Ghana:
Ebenezer Moses Debrah
For Uruguay:
Juan Felipe Yriart
For Rwanda:
C Kabanda
For Iran:
Hushang Ansary
For Ecuador:
C. Mantilla-O
For the Maldive Islands:
A Sattar
For Hungary:
Sándor Jozan
For Switzerland:
F. Schnyder
For Finland:
Olavi Munkki
For Israel:
Ephriam Evron
For Nepal:
Padma Bahadur Khatri
For Rumania:
C. Bogdan
For Norway:
Arne Gunneng
For El Salvador:
Adalberto Rivera
For Venezuela:
E. Tejera-P
For Denmark:
Torben Rønne
For Portugal:
Vasco Vieira Garin
For Czechoslovakia:
Dr. Karel Duda
For Ireland:
William P. Fay
For Italy:
Giulio Terruzzi
For Bulgaria:
Dr. L. Guerassimov
For Colombia:
H. Echavarria April 23/68
For Yugoslavia:
B. Crnobrnja
For the Congo (Democratic Republic of):
Adoula
For Poland:
Jerzy Michalowski
For the Niger:
A Mayaki
For Argentina:
Alvaro C. Alsogaray
For Bolivia:
J. Sanjines-Goytia
For Nicaragua:
Guillermo Sevilla-Sacasa
For Lebanon:
Soleiman Farah
For Tunisia:
Rachid Driss
For the Dominican Republic:
Hector Garcia-Godoy
For Morocco:
Ahmed Osman
For Iceland:
Pétur Thorsteinsson
For Haiti:
Arthur Bonhomme
For New Zealand:
Frank Corner, 24 April 1968
For Costa Rica:
F. Ortuno, 24 de abril de 1968
For the Philippines:
Salvador P. Lopez, 24 April 1968
For Canada:
A. E. Ritchie, 25 April 1968
For Nigeria:
J. T. F. Iyalla, 3–V–1968

Mr. SPARKMAN. Mr. President, this treaty was reported by the Committee on Foreign Relations without opposition. It is an agreement among many of the nations of the world, including the United States, Great Britain, and the Soviet Union.

It provides for the return of astronauts or space objects that may land on the territory of a country other than the launching country.

I believe this to be a very good treaty, and I hope that the Senate will agree to the resolution of ratification.

The PRESIDING OFFICER. Without objection, the agreement will be considered as having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, which will be read for the information of the Senate.

The bill clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched Into Outer Space, signed on April 22, 1968, at Washington, London, and Moscow on behalf of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics (90th Congress, second session, Executive J)

Mr. MANSFIELD. Mr. President, I have discussed this question with interested Members, and I ask unanimous consent that the vote on the pending treaty occur at 12:30 o'clock tomorrow afternoon.

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[1] Signature affixed April 22, 1968 unless otherwise indicated.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SPARKMAN. Mr. President, I ask unanimous consent, in connection with my brief remarks, that I may include certain excerpts from the report.

The PRESIDING OFFICER. Without objection, it is so ordered.

The excerpts are as follows:

I. PURPOSE AND BACKGROUND

The Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched Into Outer Space is intended to elaborate and expand certain provisions of the Treaty on Outer Space which entered into force on October 10, 1967.

Over the past 5 years the United Nations Committee on the Peaceful Uses of Outer Space has sought to negotiate international agreements on the peaceful uses of outer space.

On December 19, 1966, when the General Assembly commended the Treaty on Outer Space to member governments and expressed hope for the widest possible adherence to its provisions, the U.N. Committee on the Peaceful Uses of Outer Space was requested to continue its work on agreements which would elaborate principles already approved for (1) liability for damage caused by objects launched into outer space and (2) for assistance to and return of astronauts and space vehicles. The portion of this work relating to the return of astronauts and space vehicles has now come to fruition with the signing of the agreement by the United States, the United Kingdom, and the U.S.S.R. on April 22, 1968. Over 70 other states have signed the treaty, which will enter into force when five governments, including those listed above have deposited their instruments of ratification.

II. PROVISIONS OF THE AGREEMENT

The agreement consists of a preamble and 10 articles. The preamble declares that the motivation for the new agreement is to promote international cooperation in peaceful space activities by specifically providing for assistance to astronauts and return of space objects in the event of accident, distress, or emergency landing.

Article I calls for prompt notification procedures by each state ratifying the agreement upon discovery of astronauts who suffer accident, distress, make an emergency, or unintended landing. Notification to the launching authority would also be required if a contracting party received information that astronauts in space were in need of assistance.

Article II sets forth the conditions agreed to by a contracting party if spacecraft personnel land on its territory by reason of accident or emergency of some kind. The state is obligated immediately to take all possible steps toward rescue and assistance, and to inform the United Nations Secretary General and the launching authority of progress. If the assistance of the launching authority would contribute substantially to the effectiveness of rescue, it has the right and duty to cooperate subjects to the direction and control of the contracting party with "close and continuing consultation." The question of assistance to astronauts in orbit who are suffering distress would continue to be governed by article V, paragraph 2, of the Outer Space Treaty, which provides that "In carrying on activities in outer space and on celestial bodies, the astronauts of a state party shall render all possible assistance to the astronauts of other state parties."

Article III require notification of the Secretary General of the United Nations and the launching authority by a contracting party if astronauts alight in some area not under the jurisdiction of a contracting party. If further calls on contracting parties to provide assistance in rescue operations, if necessary.

Article IV extends the coverage of article V in the Treaty on Outer Space which protects astronauts against the contingencies of emergency landings on the territory of another state party to the treaty or on the high seas. In such cases, they must be safely and promptly returned to the state which registered their space vehicle. This new agreement requires, additionally, the astronauts' safe return if found "in any other place not under the jurisdiction of any state," e.g., outer space or Antarctica.

Article V outlines the procedures to be followed when space objects are returned to the authority responsible for their launching. Paragraph 1 requires notification to the launching authority and the United Nations Secretary General whenever a contracting party discovers that a space object (or part of an object) has fallen (1) on the earth in territory under its jurisdiction; (2) on the high seas; or (3) any place not under the jurisdiction of the state which receives the information.

Under paragraph 2, a contracting party must take practicable steps to recover a space object which has fallen on its territory if asked to do so by the launching authority. The assistance of the launching authority may be requested.

Paragraph 3 is comparable to article VIII of the Treaty on Outer Space concerning the return of space objects. Space objects or their component parts found anywhere beyond the territorial limits of the launching authority are to be returned to it or held at the disposal of its representatives. If requested to do so, the launching authority must identify the space object before its return.

Article VI represents an extension of article XIII in the Treaty on Outer Space which states that the provisions of the treaty apply not only to ratifying states but also to international intergovernmental organizations. This meant that such organizations as the European Space Research Organization (ESRO) and the European Launcher Development Organization (ELDO) were subject to the provisions whether or not they had accepted the treaty. The new agreement makes it clear that an international intergovernmental organization can be a launching authority provided it accepts the rights and obligations of the agreement and a majority of the states composing the membership of the organization are parties to this agreement and to the Treaty on Outer Space. Once it has done so, it is entitled directly to the rights and obligations of the agreement.

Articles VII and VIII deal with ratification procedures and amendments. Article IX provides that a withdrawal by a party to the agreement becomes effective 1 year after notification to the depository governments. There is no provision for the settlement of disputes.

III. COMMITTEE ACTION

The agreement was transmitted to the President by Secretary Rusk on May 15, 1968. The President sent the agreement to the Senate on July 15, 1968. On September 19, 1968, the Committee on Foreign Relations received testimony from Leonard C. Meeker, Legal Adviser of the Department of State, Benjamin Forman, Assistant General Counsel for International Affairs of the Department of Defense, and Paul G. Dembling, General Counsel of the National Aeronautics and Space Administration.

These official witnesses agreed that the agreement was in the interests of the United States and will promote the welfare of those astronauts, military and civilian, regardless of nationality, who might find themselves in distress.

The committee received no indications of opposition to the agreement from any source.

The committee was assured that the agreement in no way threatens the security of the United States. The agreement does not permit violations of territorial sovereignty nor does it allow foreign governments to command or control American space or military facilities.

Under the terms of the agreement, the United States would have direction and control of any foreign aircraft operating in the United States.

The agreement provides that the launching nation shall furnish identifying data on space objects if requested to do so by the state where the object landed.

If the United States incurs expenses in recovering a space object, the committee was told the agency responsible for the matter would be the National Aeronautics and Space Administration.

The testimony noted that three conditions must be met if an international intergovernmental organization is to meet the qualifications of a "launching authority." The organization must declare its acceptance of the rights and obligations set forth in the agreement; a majority of the states which are members of the organization must also be parties to this agreement; and a majority of the states which are members of the organization must be parties to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies.

The committee recognizes this agreement to be one of two elaborating provisions of the Treaty on Outer Space; the other being the Convention on Liability for Damages on Space Accidents now being negotiated.

The committee met in executive session on September 24, 1968, and ordered the agreement reported favorably with the recommendation that the Senate give its advice and consent to ratification.

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNREST AT COLUMBIA UNIVERSITY

Mr. JAVITS. Mr. President, the whole Nation was very interested in a series of violent events which took place earlier this year in New York City, at Columbia University. We had riots, we had student seizures of some of the buildings at Columbia, and we subsequently had what the students called busts, to wit, efforts of the police to clear the campus, which were felt to be unduly harsh.

Indeed, I think it is fair to say that Berkeley and Columbia represent the polarization of the feeling of students, of revolt and disorientation from the rest of the community, and their protest against what they consider to be an "immoral war"—these are their concepts of the Vietnam war—and the exclusion which they feel they have been subjected to from the deliberations of campus matters, campus government, free speech on the campus, campus protest, work in neighboring slum communities, and so forth.

I have expressed myself before as feeling that we should consider these students, who represent a very important element of American opinion. There is a great deal that they protest against that we should remedy, including their participation in the affairs of their own colleges and universities, which was especially lacking in Columbia.

Of course, I have had made clear, and I have done so here, that I stand strongly against the violence of disruption which a relatively few led at Columbia and Berkeley.

I deeply believe, and I think many Senators believe, that this violent student action has been an element in building the feeling of many in the United States who are backing George Wallace for President, that the American society has come to a watershed, where people feel we have to look for authoritarian means and the nightstick to maintain order. That presents a very serious issue to our country.

I do not believe Mr. Wallace is going to be elected President, but even if he gets an appreciable vote, it will be a vote on the point of view and attitude in our country by millions of Americans which is so extreme and would be very dangerous to our whole political system for the future as well as for the immediate present.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Therefore, Mr. President, I think all of us would be interested in the report of a very distinguished commission headed by Archibald Cox, who is very well known, and the former Solicitor General of the United States, reporting on the causes of the student uprising at Columbia, pointing out what ought to be done in the reform of the university government and also speaking very strongly and decisively against student disruption—the goal of the revolutionaries who sought to radicalize the Columbia campus.

I think it is of great importance that we understand the issues, because these are our young people, our own children, who are in question and who represent a leadership potential for our country. Thus, I ask unanimous consent that a New York Times editorial of October 7 on the subject together with the text of the report observations be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 7, 1968]

COLUMBIA AUDIT

The Cox Commission report on the causes of the student uprising at Columbia provides depressing confirmation of the extent to which administrative rigidity and obtuseness contributed to academic chaos. It corroborates earlier but more impressionistic judgments which have already set in motion substantial reforms.

The university fell victim to internal weaknesses which made it an ideal target for a tiny but determined group of revolutionaries. The specific issues were shrewdly turned into symbolic slogans to recruit and unite a much larger mass of disaffected but by no means revolutionary students. Excessive police force subsequently accomplished the revolutionaries' goal of radicalizing the campus.

As a vital document, not only for Columbia but for higher education in general, the report must be read on two levels—the reform of university governance and the threat of revolutionary disruption.

The study illustrates the danger of permitting a huge, multi-purpose institution to drift without a shared sense of mission and without persuasive leadership. While the faculty failed to shape a community out of the isolationist fiefdoms of departments, schools and institutes, the administration alternated between distant uninvolvement and spasms of autocratic edicts. Moreover, in a tight national market for academic talent, departments were allowed to slip in stature as salaries became less competitive.

But it would be fatal if the recounting of institutional shortcomings overshadowed the commission's findings on the destructive potentialities of more revolutionary disruption. The failures of the campus community can be corrected, and indeed already have begun to be tackled with considerable energy and promise; but there ought to be no doubt about the hard truth in the report's warning that "the survival—literally the survival—of the free university depends upon the entire community's active rejection of disruptive demonstrations."

The details of institutional reform are legitimately subject to debate and disagreements. But the overwhelming majority of students and faculty must accept as fundamental the commission's conclusion that resort to violence, physical harassment or obstruction "is never an acceptable tactic for influencing decisions in a university."

It is tragic that Columbia's slowness to grasp the lessons that all big urban universities should have learned from Berkeley's undergraduate explosions in 1964 created a void the revolutionaries could and did exploit. Fortunately, the initial steps taken by the trustees, the interim administration and the new coalition of committed students and faculty members give promise that the nature of the past crisis and the opportunities for reform are now widely understood. The commission's fact-finding thus should help clear the way toward a new community of mutual trust and shared purpose to the vast benefit of Columbia and the city.

[From the New York Times, Oct. 6, 1968]

TEXT OF THE OBSERVATIONS SECTION OF THE COX COMMISSION'S REPORT ON COLUMBIA

("General Observations" in the Cox Commission's report on the student disorders at Columbia University last spring)

I

The April uprising started and grew haphazardly. As it developed to the final academic cataclysm, its entire character was altered.

The long series of turbulent demonstrations beginning in 1965, which were tolerated by most of the university community, leaves a tragic sense of the inevitability of the final escalation. Packing the lobby of Hamilton Hall—even the somewhat ambiguous obstruction of Dean Coleman's liberty—was scarcely different from the earlier confrontation in John Hay Hall or the sit-in following the C.I.A. demonstration.

S.A.S.'s [Student Afro-American Society] decision to evict the whites and barricade the doors in a demonstration of black student power—one of the key turning points—was a response to an occasion thrust upon the black students. With each successive day the uprising gathered its own physical and emotional momentum.

We reject the view that ascribes the April and May disturbances primarily to a conspiracy of student revolutionaries. That demonology is no less false than the naive radical doctrine that attributes all wars, racial injustices, and poverty to the machinations of a capitalist and militarist "Establishment."

Student revolutionists within S.D.S. [Students for a Democratic Society] planned turbulent confrontations and revolutionary tactics. They manipulated facts in ways that created distrust and bred unwarranted antagonism. There apparently was occasional talk of wider revolution to overthrow the present political system.

A very few revolutionists may have been in dead earnest. More, we suspect, were half in dreamland, feverishly discussing romantic tactics but hardly contemplating realistic execution. Part of the responsibility for the disturbances rests upon the revolutionaries consciously seeking to subvert and destroy the university but their total number was small—much less than the full S.D.S. membership—and their activities were only the catalyst that precipated a deeper movement.

(By the same token our comments concerning the above group should not be applied to the much larger number who seek fundamental change in the established order without embracing doctrinaire revolutionary theory and tactics.)

II

By its final days the revolt enjoyed both wide and deep support among the students and junior faculty and in lesser degree among the senior professors. The grievances of the rebels were felt equally by a still larger number, probably a majority, of the students.

The trauma of the violence that followed police intervention intensified emotions but support for the demonstrators rested upon broad discontent and widespread sympathy for their position.

The record contains ample proof of this conclusion. The very number of students arrested in the buildings—524 Columbia students in the first police action—is convincing. Many more had been in the buildings earlier. Some of the latter were doubtless curiosity seekers. For others in both groups the affair probably had many of the elements of the once-traditional spring riots and subsequent "panty raids."

But even after discount is made for those elements, the extent of active participation in violent and unlawful protest is significant.

The existence of broad underlying unrest is also shown by the progress of the seizures. The action of the black students in Hamilton Hall was entirely independent of S.D.S.

The seizure of Avery Hall by architectural students was their own movement. The occupation of Fayerweather Hall, in which a large part of graduate study in the social sciences is centered, was apparently spontaneous, no evidences of an S.D.S. connection has come to our attention.

Outside the buildings the militants enjoyed visible support in the form of the thousands who watched from various points on campus, most conspicuously at the sundial.

A campus poll reportedly boycotted by those in the buildings showed that 74 per cent of the participants favored "end gym construction," 66 per cent favored severing ties with I.D.A. (the Institute for Defense Analyses), and 37 per cent even favored amnesty for all students involved in the demonstrations.

The events after the police "bust" point to the same conclusion. The emotions excited by the brutality must have polarized opinion. There would be a tendency to put unjust blame upon those who called for police intervention rather than those—chiefly from S.D.S.—whose deliberate efforts to provoke disruptive turbulence made it almost inevitable that police action would be required.

Despite these complex cross-currents, the extent and persistence of the ultimate reaction against the university administration is adequately explained only by the presence of strong but latent dissatisfaction quickened by the violence of events.

For the future it is equally important to note that the support for the activists has come from the portions of the student body who are most energetically concerned with university and community affairs.

III

The avowed objectives of the April demonstrations, stripped of their context and symbolism, were inadequate causes for an uprising.

The university's I.D.A. affiliation had little practical importance. It was being reviewed by the Henkin Committee as part of a larger study of Columbia's relations to outside agencies. There was not the slightest reason to doubt that the normal academic procedures could produce a reasoned and fairminded decision upon the merits.

The disruptive potential of the I.D.A. affiliation at Columbia, as at other universities, was that it enabled the large part of the intellectual community, especially students, to transfer to the campus their intense moral indignation against the Vietnam war.

The gymnasium issue was more complex, but it too was a symbolic issue. At least some black students freely acknowledge not only that the issue was oversimplified but that the public gymnasium to be built by Columbia would be more beneficial to the community than the 2.1 acres of rocky parkland, *if* the project could be judged upon that aspect alone.

But the project could not be judged out of the context of Columbia's relations with its poorer neighbors and society's treatment of racial ghettos.

The third issue, the discipline of the six I.D.A. demonstrators, had somewhat greater substance. Although most students would probably have agreed that the disruptive manner of conducting S.D.S. demonstrations was becoming intolerable, many students were antagonized by the manner in which the "no indoor demonstration" rule was promulgated and the discipline was administered.

Since the rule came close to the area of free expression stanchly guarded by Columbia's liberal tradition, it was of intense concern to the entire university community.

Nevertheless, the prohibition was promulgated by President [Grayson L.] Kirk without consultation with students, and apparently without prior discussion with faculty members. In fact, the rule ran contrary to the unanimous recommendation of a tripartite committee whose report the president withheld.

The rule, which was an obvious target for militants, was formulated in terms that hampered consistent administration and invited provocation.

Out of the 100 students who engaged in the March I.D.A. demonstration, six S.D.S. leaders were selected for punishment. It was difficult to persuade students that this was not a discriminatory selection even though the dean's office explained that these six and no others were recognized.

The six I.D.A. demonstrators were refused a public hearing and peremptorily punished. Although the older paternalistic procedures probably gave much greater protection to most student offenders, there is wide and justified campus support for the principles (1) that a student is no less entitled to due process of law than one charged with a public offense and (2) that students should share in disciplinary procedures as part of the right of participation in decisions affecting their interest.

IV

Three among the purely internal causes of unrest especially impressed us.

1. At a time when the spirit of self-determination is running strongly, the administration of Columbia's affairs too often conveyed an attitude of authoritarianism and invited distrust.

In part, the appearance resulted from style: for example, it gave affront to read that an influential university official was no more interested in student opinion on matters of intense concern to students than he was in their taste for strawberries.

In part, the appearance reflected the true state of affairs. The machinery of student government had been allowed to deteriorate to a point where Columbia College had no student government. The Report on Student Life was not released for seven months until C.U.S.C. [Columbia University Student Council] members threatened publication.

In addition, government by improvisation seems to have been not an exception, but the rule.

2. The quality of student life was inferior in living conditions and personal association.

3. Columbia, like other universities, has scarcely faced the extraordinary difficulties that faced black students in the transition from a society permeated by racial injustice to one of true equality of opportunity.

We recognize, of course, the difficulty of immediately remedying such deficiencies as the paucity of black teaching and administrative personnel and of appropriate courses and counseling for all students, but the indisputable fact of alienation of our black students, with all that that fact entails, makes a more active and creative search for solutions particularly urgent.

V

The fabric of Columbia was twisted and torn by the forces of political and social revolution outside the university. Columbia's geographic situation symbolizes the relation between white and black, affluence and poverty, youthful reform and established order.

The university's need for physical expansion in an urban center creates inescapable tensions, but its relations with the community had further deteriorated because of its apparent indifference to the needs and aspirations of its poorer neighbors.

The handling of the gymnasium controversy thus came, even somewhat unfairly, to epitomize the conflict between the spirit of the civil-rights movement and the attack on poverty, on the one hand, and, on the other, the ways of an ancient régime.

Energetic and idealistic students, alienated from the older generation by an extraordinarily wide gulf in manners and interests and offended by the plethora of human suffering, were drawn to the side of change.

Where they were frustrated by the massive anonymity of the government and the unmanageability of the social system, they could strike out at the more vulnerable university.

In like fashion, the university became the surrogate for all the tensions and frustrations of United States policy in Vietnam.

The desire for student power, while scarcely articulated as a cause for seizing the campus buildings, was a powerful element of the explosion. Discussion since the uprising has focused upon the methods by which students may exert more influence upon the government of an institution of which they are vital and integral parts.

Participation in self-government is a natural human desire that today's students feel with greater urgency, particularly at institutions with highly selective admissions policies, because they are much better educated than their predecessors, more sophisticated, in many respects more mature, and more interested in social problems than seeking out conventional careers. (Unfortunately, they are also much less disciplined.)

VI

The hurricane of social unrest struck Columbia at a time when the university was deficient in the cement that binds an institution into a cohesive unit.

Again, geography is a factor. The competing attractions of the exciting metropolitan area, coupled with the housing problems that induce a majority of the faculty to live outside Manhattan, operate as centrifugal forces. Yet the dispirited quality of student life outside the classroom is not beyond the university's power of influence.

The formal organization of both the administrative offices and the faculties apparently tends to discourage the cohesiveness that comes from shared responsibility in matters of university concern. We were struck by the constant recital of an opposition between the administration and the faculty as rivel bodies with separate interests, for it would seem to us that on education questions the two should be essentially one.

The lack of a university senate and the division of the professors and other teachers into three or four faculties—quite apart from the professional schools—where other universities have a single faculty of arts and sciences, apparently discourages faculty participation in the formulation of university policy and the improvement of student life.

The central administration to which the full burden of the quality of student life is left is not equipped for the duty. Far too few members of the university family are closely involved, outside the classroom, in the constant informal enterprises and discussions by which the values of an academic community are constantly re-examined and those which stand the test are passed on to the next generation.

Institutional coherence is also affected by the presence or lack of a spirit of institutional self-confidence. Unhappily, despite her inherent strengths, the spring crisis struck Columbia when her self-confidence was shaken by the decline in relative position in A.A.U.P. [American Association of University Professors], rankings of graduate departments, the exclusion from a Ford Foundation grant for improvement of graduate studies, the resignations of a number of senior professors, and the Strickman filter incident.

VII

The scale of the disturbances was greatly enlarged in numbers, intensity and violence by the delay in calling the police—from Thursday night until Monday night—which the Ad Hoc Faculty Group forced upon the university officials. Although perhaps the effort had to be made, there was never a significant chance that the [faculty] group could negotiate a peaceful withdrawal from the buildings.

Forcing the delay, by threats of physical interposition, increased the likelihood of violence and magnified the reaction by lending an air of legitimacy to use of the tactics of physical disruption as means of forcing one view of policy upon those who held another.

VIII

Our next five observations must be taken as a unit. Language requires stating them one at a time, but none can survive unless joined with the others.

A

A university is essentially a free community of scholars dedicated to the pursuit of truth and knowledge solely through reason and civility.

A privately-endowed university depends upon the experienced guidance of wise counselors and managers both inside and outside academic ranks, and also upon the financial and moral support of a large, organized body of alumni and friends.

But their vital contribution must never obscure the essential quality of the institution; the university is a community of scholars, both teachers and students. Any tendency to treat a university as business enterprise with faculty as employees and students as customers diminishes its vitality and communal cohesion.

B

Resort to violence or physical harassment or obstruction is never an acceptable tactic for influencing decisions in a university. This principle does not require notions of property or legality to sustain it. It derives from three considerations.

First, force, harassment, and physical obstruction contradict the essential postulate that the university is dedicated to the search for truth by reason and civility.

Second, resort to such physical coercion tends to set in motion an uncontrollable escalation of violence. This is the plainest lesson of the rising cycle of violence that began at Columbia with the Naval R.O.T.C. demonstration in 1965 and culminated in the brutality of April 30 and May 22. The sequence of steps was not inevitable but each was the readily predictable consequence of those that went before.

Third, the survival—literally the survival—of the free university depends upon the entire community's active rejection of disruptive demonstrations. Any sizable group, left to pursue such tactics, can destroy either the university by repeatedly disrupting its normal activities or the university's freedom by compelling the authorities to invoke overwhelming force in order that its activities may continue.

The only alternative is for the entire community to reject the tactics of physical disruption with such overwhelming moral disapproval as to make them self-defeating.

This vital decision rests with the liberal and reform-minded students. They can save or destroy the institution.

C

The acceptability of the foregoing principle depends upon organization of the scholarly community in ways that produce both loyalty and the relief of grievances. The government of a university depends, even more than that of a political community, upon the consent of all the governed to accept decisions reached by its constitutional processes.

The consent of the dissenters depends partly upon their knowing that their views effectively entered into the process of consensus, even though they did not prevail. They must also be convinced that the opportunities for change are open and the goals and stance of the enterprise are sufficiently right for it to deserve their loyalty despite specific points of disagreement.

Administrative intractability and resistance to change contribute to the breakdown of law and order.

D

The student body is a mature and essential part of the community of scholars. This principle has more validity today than ever before in history. It is felt more keenly by a wider number of students, perhaps because of the increasing democratization of human institutions.

As with all human activities, the wise division of functions and responsibilities must take into account the special skills or limitations of particular groups, as well as efficiency of operation.

The process of drawing students into more vital participation in the governance of the university is infinitely complex. It cannot be resolved by either abstractions or tables of organization. It does not mean that issues must be settled by referenda.

We are convinced, however, that ways must be found, beginning now, by which students can meaningfully influence the education afforded them and other aspects of the university activities.

The activist supporters of reform who voiced the grievances pressed by the rebels included many of the natural leaders among students—both political and intellectual leaders. They were deeply hurt by statements treating them merely as disloyal troublemakers aligned with a small band of rebels.

While their own releases, for reasons of student politics, contributed to the polarization of opinion by their lack of civility, we have not the slightest doubt that the survival of Columbia as a leading university depends upon finding ways of drawing this very large and constructive segment of the student body, which supported the strike, back into the stream of university life where it can share in the process of rebuilding.

With participation, students will surely acquire a more sophisticated understanding of the universities' difficulties and complexities and of the necessary functions of the faculty and administration, the alumni, and the governing body.

In the same process, the latter would come to an understanding they cannot otherwise acquire of the true needs and aspirations of students and values and shortcomings of current educational measures.

E

We add only that the success of those who must follow this difficult course will depend in no small measure upon the willingness of parents, alumni, and friends to recognize that the April crisis is thus being converted into a creative source of renewal.

THE RIGHT TO LIVE ABOVE THE POVERTY LEVEL

Mr. MOSS. Mr. President, Vice President HUMPHREY has proposed a new and basic right for every American, the right to live above the poverty level.

The Vice President feels, and I wholly agree, that this Nation has reached a state of national wealth and national conscience where none of our citizens should have to live in poverty. Everyone who is able to work should have a job, and all people, whether young or old, should have a decent place to live, enough to eat, enough to wear, and the other basic essentials of a reasonable level of existence.

Vice President HUMPHREY outlined how he feels the Nation can reach these minimum goals for all of our citizens in a statement made September 29 entitled "An Adequate Income for Every American." He supported his conclusions with a task force report on "Job Creation and Income Maintenance." I ask unanimous consent that both the statement and report be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

A NEW DAY: AN ADEQUATE INCOME FOR EVERY AMERICAN

(By HUBERT H. HUMPHREY, September 29, 1968)

In the early days of our Republic, the aspirations for the great freedoms—to speak, to think, to write as you please—brought about a society unmatched in ability to learn, and to earn as you please. Today, we aspire to add to individual freedom by creating fuller opportunities in which it can be exercised.

It is an ugly paradox that opportunities are limited for many in our wealthy nation, with its vigorous capacity for growth and change. It is a paradox that some suffer hunger in the midst of surplus, rat-haunted slums exist near comfortable suburbs, willing workers do not qualify for steady, decent jobs in a period of high employment.

For the first time since the world began, a nation—this nation—has the capacity to do away with the conditions of poverty. The Humphrey-Muskie Administration will achieve this long-sought goal.

We are concerned with human beings, not statistics. But statistics tell the tale:

Our gross national product, measured in 1968 prices, increased 45 percent, or more than $265 billion between 1961 and 1968 under Democratic leadership—as compared with 19 percent or less than $100 billion between 1953 and 1960.

The power of the "new economics" of the past eight years is formidable. If we adopt the right policies, total production can increase an average of more than $40 billion each year, and grow larger as time passes. The same is true of federal revenues, which can increase by more than $15 billion each year without changes in tax rates.

Prosperity and economic growth alone will not rid our land of the complex, festering sores of poverty. The attack we must mount will require many weapons. Special efforts of many kinds have begun to help the poor to help themselves—in education and training, in housing, in health and social services, and all the rest. In the Humphrey-Muskie Administration, these will be strengthened and improved.

Yet no man can fully free himself from poverty without an income. The key to opportunity is a decent income received with dignity. *We propose a new and basic right for every American: the right to live above the poverty level. We propose to expand opportunities for all our citizens so that they earn and receive incomes permitting them to reach this goal.*

We will proceed in four major areas.

First, we will provide job opportunities for everyone who is able to work, but who is without a job. We will do more to match workers and jobs—by skill and by location—in a full employment environment.

We will expand training programs for new workers as well as employees whose skills have become obsolete. And we will make appropriate training programs increasingly effective for the hard-core unemployed, the longer-term unemployed, and the underemployed. The man out of work today lacks skill—lacks training—lacks the means to meet the demands of our technology. Both private and public training programs must be geared to help him increase his skills, his capabilities, his mobility.

We will include *built-in incentives* in training programs, so that men and women will be encouraged to earn income from part-time work, while they are in training.

Young people especially will be given opportunities for *practical combinations of formal and on-the-job training programs.* No one's wages will be curtailed, dollar for dollar, just because he has the initiative and drive to supplement his training benefits by part-time work.

We will also finance with federal funds *community programs of useful work* for the hard-core unemployed who still cannot find a steady job, even after training. Such jobs—for local governments and non-profit institutions—will be carefully designed to assure useful results, to provide training, and encourage employees to move on to permanent jobs in indsutry and public service.

Second, we will greatly strengthen our social insurance system to moderate the loss in earnings due to retirement, death, disability and temporary unemployment. We are proud of the contribution our social security system has made to the basic protection of American workers and their families.

Nearly 24 million American men and women are receiving old-age, survivors, or disability checks totalling $2 billion each month. Still, most social security recipients keep body and soul together on an average of just below $100 a month. And the minimum benefits are now only $55 for a single person and $82.50 for a couple.

We must raise these benefits immediately and substantially, and we can afford to do it. In the Humphrey-Muskie Administration, we will propose moving to a $100 per month minimum over the next four years. The first step will be an immediate jump to $70 a month. At the same time we will aim at an across-the-board increase of 50 percent in benefits, starting with at least a 15 to 20 percent rise.

We will strive to increase substantially the amount of annual earnings on which social security contributions and benefits are based.

We will be prepared to supplement funds for social security benefits from the general revenue to finance part of the proposed liberalization of benefits. Payroll taxes paid by those below the poverty level should be refunded out of our general Federal revenues.

We must do more than upgrade the social security system. *We will seek to raise the level of unemployment compensation substantially,* and to set *Federal standards* for it. And we will improve workmen's compensation benefits paid to those who cannot work because of disabilities suffered on the job.

Third, we will take a new, hard look at our public welfare system, changing and reforming it to provide decent, dignified income for those unable to work and earn the means for independence.

Even if we come very close to full employment, even if we train and upgrade our workers—and provide last resort jobs for those who cannot find work—even if we improve social security benefits greatly—there will still be men and women who cannot earn or receive incomes through established channels. The vast majority of those now on public welfare are either very old, or very young, or blind, or permanently and totally disabled.

It will be necessary to overhaul and simplify the public assistance program if all Americans are to rise above the poverty level. Substantial Federal financial help will be needed to achieve an equitable sharing of costs and to relieve tax burdens at the local level.

Let us confirm what was said in the Democratic platform: "Income payments and eligibility standards for the aged, the blind, the disabled and dependent children, should be determined and finance on a Federal basis—in place of the present inequitable underfinanced hodgepodge state plans."

Fourth, the Humhprey-Muskie Administration will give serious and early consideration to such practical alternatives as may be proposed by the President's Commission on Income Maintenance, seeking a system of supplementary income maintenance which assures that no American's income falls below the poverty level.

We are trying to weave a safety net—through increased employment efforts—an improved social insurance system—and a reformed public assistance program—through which no American may fall.

We propose to act promptly on the recommendations of the President's Commission on Income Maintenance, which is examining all practical alternative income maintenance systems. Such an income maintenance system should have built-in incentives encouraging every able-bodied man and woman to contribute as fully as possible to our economy, as well as to share in its benefits.

Our goal: to assure a decent life for every American and for his family; to ensure that no American will have to live in poverty.

[A news release from the Democratic National Committee, Sept. 30, 1968]

JOB CREATION AND INCOME MAINTENANCE FOR THE UNITED STATES

(Task Force Report to Vice President HUBERT H. HUMPHREY by the Job Creation and Income Maintenance Task Force: Chairman, Joseph A. Pechman, Economist, Bethesda, Md.; Members, Otto Eckstein, professor of economics, Harvard University; Herman Somers, professor, Woodrow Wilson School of Public and International Affairs, Princeton University; Richard Lester, professor of economics, Princeton University; Joseph Kershaw, professor of economics, Williams College; James Duesenberry, professor of economics, Harvard University; Robert Lampman, professor of economics, University of Wisconsin)

During the past 30 years the nation has made significant progress in reducing the number of poor people in our midst and in alleviating the impact of poverty on those who continue to be poor. We have eliminated mass unemployment, developed a social security system with almost universal coverage, and recently begun to deal with hardcore unemployment. Nevertheless, at the end of 1966, there were 29.7 million persons living in households classified as poor, with another 15.2 million living in "near-poor" households. The eradication of all poverty in a reasonable period is well within the nation's economic capabilities and, if done wisely, should be within its political capabilities. The first priority of the new administration in the field of domestic policy should be a complete overhaul of federal programs aimed towards the achievement of this goal.

The poor are not a single homogeneous group. Most are poor because the family heads do not earn enough even though they have jobs. Some do not have the education and skills to permit them to participate in our advanced industrial system. Others are the victims of discrimination in education and training, as well as in the jobs that are open to them after they leave school. Still others cannot work because of old age, disability, family obligations, or dependency. No single program will deal with each of these situations. The attack on poverty must be directed at all the causes of poverty, and this will require an offensive on many fronts.

The major thrusts of the anti-poverty program should be to expand the opportunities and incentives for everyone to earn a living by making a productive contribution, and to establish an effective income maintenance program for all who are in need. We must blend training, jobs, and income incentives for those who can work with income maintenance for those who cannot work into one system that will have the capability of eradicating poverty.

The job program should begin with improved placement services to locate jobs for those who are seeking work. Effective training and educational programs combined with job placement must be developed for those potentially capable of working. Finally, the government should strengthen its public employment program to provide as many jobs as are feasible for those who cannot be absorbed into the regular work force.

The work-related social security programs should be strengthened to keep the retired, the dependents of deceased workers, the disabled, and the unemployed out of poverty. Old-age, survivors, and disability benefits should be increased, with particular emphasis on the minimum benefit which is still pitifully inadequate. Benefits under unemployment compensation and workmen's compensation need to be increased, and coverage needs to be broadened, so that all workers under age 65 who are unemployed or injured will receive adequate support payments.

Jobs, training and placement, and better social security will go on a long way to reduce poverty, but these programs will not be sufficient to eradicate it. The earnings of the working poor will need to be supplemented to help them provide a minimum living standard for their families. Many persons who have no present or prior labor force attachment—the disabled, the blind, children—also need help. This residual group of people should be given adequate financial assistance under a national program that will eliminate the demeaning requirements of public assistance as it is now administered and provide work incentives for those who can work.

The existence of poverty is a shameful phenomenon in a time of affluence; it divides and weakens the nation. We must enlarge the employment opportunities for everyone willing and able to work and give decent incomes to those who are unable to work. Elimination of poverty in this way will bring with it a reduction in wasted human potential, crime, and other social costs. At the same time, enchancing the ability of the poor to contribute to society will yield financial returns in higher tax receipts.

JOB TRAINING AND JOB CREATION

Manpower training programs financed by the federal government have expanded rapidly in the last four years. Close to a million persons will be served this year by the Manpower Development and Training Act, the Jobs Corps, and similar programs—at an estimated cost of $2 billion. Many of these workers will receive jobs after they are trained. But there will remain a hard core of unemployed, and underemployed who need specially designed training programs, supplemented by basic education, health services, work experience, and counseling, in order to obtain and hold a job.

The federal government has already initiated a new program of Job Opportunities in the Business Sector (JOBS) to enlist industry in training and hiring unemployed workers and upgrading those who work at meager wages. In addition, the Concentrated Employment Program (CEP) is attempting to identify the hard-core unemployed, and train and find jobs for them in the poverty areas where possible. An expanded effort along these lines, plus a job program for those who cannot find work even after being trained, should be designed to cope with problems of employment for the poor.

The job program would meet the needs of the underemployed as well as the unemployed. This will require a multi-faceted effort specifically designed to solve the problems at various levels of difficulty:

1. The first order of business should be to find employment opportunities for those who have lost their jobs. Placement of unemployed workers should not be limited to local areas; unemployed workers should be encouraged to move to areas where the jobs are located. Where necessary, the worker should be guided to the use of an appropriate training program to assist him in developing new skills and to obtain a new job after these skills have been developed. Moving allowances should be paid to newly-trained workers who make a permanent change of residence to obtain a job.

2. All adult family heads under age 65 should be entitled to receive training or retraining for jobs under a federally financed program. Special programs should also be developed to prepare every young person for participation in the work force.

a. Those who have exhausted their unemployment compensation benefit rights (usually 26 weeks in most states) and cannot find employment should be trained to develop new occupational skills. Training should be available at an earlier stage if the beneficiary elects that option. While they are being trained, trainees should receive benefits structured on an incentive basis so that they could supplement their incomes by working part time; for example, the trainee might be permitted to keep 50 percent of any earnings he might receive for work on a part-time basis during the training period.

b. A supplementary training program should be established for unemployed family heads under age 65 who have not been covered by unemployment compensation. Individuals would be eligible for this training if they had only sporadic employment during the prior six months (say, averaging less than 25 hours a week) or were wholly unemployed for one or two months. Trainees would receive training allowances, and would also be eligible to retain half their earnings for part-time work. Trainees who do not complete a training program and those who cannot be placed in full-time regular jobs, or who lose their jobs despite the training, should be recycled through training or other remedial programs after the reasons for failure have been properly diagnosed.

c. For young persons there would be general support for training beyond high school through on-the-job and other training programs. In addition, opportunities for gaining work experience while in school should be enlarged. The full range of placement services ought to be available to the student entering the labor market to ensure a successful job experience.

3. Even after receiving special training and other services, some of the hardcore unemployed will be unsuited for regular employment, or will be unable to find jobs. This is likely to be the case in slum areas in central cities and in rural pockets of poverty. At the same time, needed public services go unfulfilled. For these people the federal government should provide employment by financing the major part of the cost of unskilled jobs with state or local agencies or with nonprofit institutions like hospitals. Many of these jobs would be at the minimum wage, some above. An important component should be literacy and vocational training, and counseling, so that these people could eventually move into the regular labor market. But until that time they would be performing a productive function in the public or nonprofit sector which is presently badly starved for labor.[1]

STRENGTHENING THE WAGE-RELATED SOCIAL SECURITY PROGRAMS

The nation is justly proud of its social security programs which provide the basic protection to workers and their families against loss of earnings due to old age and retirement, death, disability, or joblessness. Workers are entitled to this protection by virtue of their contributions to the nation's growth through a lifetime of work and to the financing of these programs through the taxes they pay on their earnings. Benefits, which are related to past earnings, are received as a matter of right. In this way, we have avoided the indignities and demeaning constraints that often accompany benefit payments based on need or a means test. Although a good deal of progress has been made in recent years, much remains to be done to improve social security in the United States. Continued strengthening of these programs is an effective, fair, and dignified method of protecting the vast majority of the nation's families against the risk of loss of earnings.

Old-age, survivors, and disability insurance (OASDI). This program has grown from small beginnings in 1935 to occupy a preeminent position among domestic federal activities. In early 1968, 24 million people were receiving old-age, survivors, or disability checks totaling $2 billion each month. Last year, these payments amounted to almost 3.5 percent of all personal income of the nation. But however large the total of benefit payments may be, the average payment to a retired worker is still less than $100 a month.

Although OASDI has strikingly raised the economic status of many people who would otherwise be thrown on to public assistance for support, further steps are needed to protect individuals from severe declines in living standards. There should be total minimum benefits sufficient to keep the retired, disabled, and families of deceased workers out of poverty. Benefits should also provide the average worker in American industry a financial base that will permit him to live in dignity after retirement or disability, and to provide adequate support to his dependents in the event of his death.

A high priority reform needed in the benefit structure is to raise the minimum benefit. The poverty threshold for an aged person living in a city is more than $130 a month; for an aged couple, it is about $165 a month. By contrast, the minimum benefit under the 1967 amendments is $55 for a single person and $82.50 for a couple. These benefits should be raised immediately to $70 for a single person and $105 for a couple, and within four years, to $100 for a single person and $150 for a couple. It would be unwise in the next four years to push the minimum benefits much higher than these levels, because a significant fraction goes to persons who are eligible for benefits under other public retirement programs. Reliance should be placed on a comprehensive income maintenance program (see below, pages 7–9) to provide those with low-wage histories enough income to maintain minimum living standards.

In addition to the increase in the minimum benefit, further across-the-board increases will be required next year to adjust for the increased cost of living since the 1967 amendments were enacted and to increase the earnings replacement ratio. By the time legislation can be considered next year, a general increase of 15 to 20 percent would be warranted.

Other changes are needed to improve the benefits structure:

Average earnings for benefit purposes should be computed on the basis of the highest five or ten years to avoid giving too much weight to years in which past earnings were low. These benefits should then be adjusted upward automatically to reflect changes in the cost of living and the rise in living standards reflecting the growth in the economy.

Benefits should be calculated on the basis of the total earnings of a married couple, up to the maximum ($7,800 in 1968), to reflect the earnings of working wives.

The family maximum should be eliminated to provide large families of deceased workers with adequate benefits.

Disability benefits should be paid beginning with the fourth month of disability rather than the seventh as at the present time, and without regard to how long the disability is expected to last.

Widows' benefits should be raised from 82.5 percent to 100 percent of workers' benefits, since their needs are no less urgent than those of retired workers. Young widows without children should be expected to go back to work after an adjustment period.

The single worker's benefits should be increased proportionately more than the couple's to bring the relationship between the two more in line with budget needs.

There is considerable disagreement about the cutoff point for the calculation of benefits. Today's maximum of $7,800 was roughly equivalent to median family earnings in the United States when it was enacted. This maximum should be increased and then adjusted upward automatically by, say, 5 percent per year to keep in step with the rise in family income; alternatively, the maximum might be adjusted automatically in relation to increases in wages.

All economists believe that a major share of the payroll tax is borne by the wage earner, in his capacity either as worker or consumer or both. Many believe that practically all of it is paid by him direct and through the prices he pays for what he buys. Thus, the social security tax is particularly burdensome on the poor.

General revenues should be used to finance part of the increases in benefits that cannot be financed out of the scheduled payroll tax rates. To help moderate the burden of the payroll taxes on the poor, the income tax law should be amended to provide refunds of social security taxes paid by persons whose earnings did not exceed their personal exemptions plus the minimum standard reduction ($900 for a single person, $1,600 for a married couple, $3,000 for a family of four.) The savings would go almost entirely to households classified as poor. Such a change in the law—which should be financed out of general revenues—would cost approximately $0.7 billion if the exemptions are applied only against the employee tax.[2]

Unemployment compensation and workmen's compensation. Unemployment compensation plays a major role in preventing hardships during periods of unemployment. Workmen's compensation is a major source of support when a wage earner is injured or disabled on the job. Aside from humanitarian objectives, unemployment compensation has the virtue that it is an effective automatic stabilizer during cyclical swings in business activity.

Neither program has lived up to its promise and both are urgently in need of major reform. Ideally, one comprehensive program should be enacted to protect workers against interruption of earnings due to unemployment or injury. However, for the immediate future, greater progress is likely to be made by reforming each program within its own separate framework.

The following improvements should be introduced immediately. (See Appendix B for a more detailed discussion of these programs.)

Coverage should be greatly expanded. The nearly one-fourth of all wage and salary workers now excluded from unemployment compensation should be brought into the program. Workmen's compensation should be mandatory on all firms, regardless of size, and for all occupations including agricultural workers.

Benefits should be increased to assure that the beneficiaries in each state receive weekly benefits in reasonable proportion to their average weekly wages. Maximum benefits should be adjusted to keep pace with increasing wage levels.

To improve the performance of unemployment compensation as an automatic stabilizer, the federal government should be ready to enact a program of extended benefits for an additional 26 weeks for insured workers during periods when weakening demand threatens prosperity and stable growth.

IMPROVING PUBLIC ASSISTANCE

Expanding our training and employment opportunities will enable many persons to escape poverty. Similarly, improvements in the earnings-related social security system will keep many—including most of the aged, temporarily unemployed, survivors, and disabled—from falling into poverty.

However, there will remain two groups of poor, many of whom are likely to be beyond the reach of either job or social security programs. These are (1) the broken families headed by women, and (2) the families headed by able-bodied men who have low-earning capacity relative to the size of their families. These two groups of poor comprised over 22 million persons in 1966, 12 million of whom were children; 15 of the 22 million were in families headed by men.

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[1] The program envisaged here is already authorized on a much smaller scale under the work incentive program (WIN) for AFDC recipients. WIN is intended to assist AFDC families to achieve the maximum possible level of self-support by providing child care and training services for those who wish to work. An attempt will be made to prepare as many persons as possible for employment in the regular labor market through a combination of basic education, vocational and on-the-job training, and work experience. For those who cannot be employed in the regular labor market, the legislation provides for subsidized employment in special work projects or nonprofit agencies. This program shows promise and should be adequately supported with the clear understanding that individuals should not be compelled to participate.

[2] In addition to changes in OASDI, substantial improvements will be required in the Medicare program which is outside the scope of this report.

There is controversy at this time about what modifications in our income maintenance system is appropriate for these two groups. One view is that public assistance should be reformed and expanded to pay benefits to all poor families. A second view is that public assistance should be abandoned and replaced by some variation of a general income maintenance system. It is not very important at this stage to decide between the two approaches nor the exact kind of income maintenance system that is selected. Either, or some combination of the two, would be acceptable; the choice will depend on congressional and public reaction. In the meantime, the major purposes of either approach should be stressed. These include adequacy of benefit levels, inclusion of all the poor, minimization of disincentives to work and save, removal of demeaning eligibility requirements, and substantially larger federal responsibility for the program.

The following suggestions would implement these purposes:

For the existing federally-aided assistance categories, the federal government should set nationwide "standards of need" which are high enough to meet the poverty level as a minimum, and should be prepared to underwrite 100 percent of the financial burden of assistance up to this level. Payments by the states above this level for cost-of-living adjustments or other reasons should be encouraged. Provision of a national standard would automatically eliminate residency restrictions.

Incentives to work should be liberalized by reducing welfare payments to recipients by only 50 percent of any income they might earn.

Assistance benefits should be based solely on income and size of the family. Applicants should be permitted to establish their eligibility by personal statements, which would be subject only to audit along the lines used to audit federal income tax returns.

The freeze on federal aid for dependent children, which was enacted in 1967 and suspended in the new tax bill until July 1, 1969, should be permanently repealed.

As a result of the simplified eligibility rules more emphasis should be placed on improving the social welfare services provided by state and local agencies to the poor and other families and individuals who may wish to avail themselves of these services.

For those among the poor who do not fit into any of the existing federally-aided assistance categories—and it is significant that over half the poor do not—a new program should be introduced to provide allowances directly from the federal government. The formula for these allowances, and the administrative arrangements for paying them, should take account of the fact that the families under consideration are headed by able-bodied men who typically are at work most of the time. Such a program of income supplementation for the working poor was recommended by the Kerner Commission. Some program of supplementing incomes of the working poor should have high priority.

(NOTE.—Appendices describing the nature of the poverty problem are available from Vice President Humphrey's Task Force Coordinator, Robert Nathan, 1100 17th Street, N.W., 202-659-4375.)

RETIREMENT OF PETER A. BOVE AS COMPTROLLER OF THE VIRGIN ISLANDS

Mr. AIKEN. Mr. President, a month ago a fellow Vermonter, Peter A. Bove, of Rutland, Vt., completed 11 years as comptroller of the Virgin Islands. To say the least, this is not the easiest job in the world to carry out but apparently Mr. Bove carried it out successfully and in so doing earned the respect of the people of the Virgin Islands, as is indicated by two editorials, one published in the Home Journal, of St. Thomas, V.I., and the other published in the Daily News, of St. Thomas. Mr. President, I ask unanimous consent that the editorials and an article may be printed in the RECORD. The editorials are very complimentary to my friend and constituent, Peter A. Bove, and they express the feelings and the attitudes of the people of the Virgin Islands.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the St. Thomas (V.I.) Home Journal, Sept. 24, 1968]

PETER BOVE

Government Comptroller Peter Bove has resigned after eleven years in office. There are many Virgin Islanders who feel that his resignation will not terminate his services to the people of the territory.

Mr. Bove was a controversial figure. It is a credit to his objectivity that he was praised and damned throughout his decade of service by both Republican and Democratic governors, who frequently felt that he was invading their constitutional prerogatives.

The Virgin Islands Organic Act specifies the duties of the Comptroller. He is, in effect, a watchdog over governmental expenditures and he is required to call attention to disbursements which he considers wasteful, extravagant, illegal and against the public interest. Mr. Bove has done an effective job. Obviously, department heads whose activities are criticized consider the Comptroller as a meddler, busybody and false alarmist, but over the years his audits have saved the government hundreds of thousands of dollars, eliminated wasteful and unwarranted activities, and improved governmental procedures.

There was nothing vindictive about Comptroller Bove. We believe that his audits, with elaborate proposals for improving procedures, were intended to give the people more for their tax dollars.

There are current reports that if the Republicans win control of the White House in November that Mr. Bove will be among the islanders considered for the governorship. He is the islands' most respected Republican. In experience, he stands head and shoulder above any other possible Republican candidate. As governor, he would have an opportunity to put into effect the numerous changes in governmental procedures that he has proposed. More important, he is the local Republican who gets along with people in all walks of life, and if Nixon becomes President, he may be the only Republican who may be able to govern effectively in the brief period between inauguration and the election of the governor by the people in 1970.

[From the St. Thomas (V.I.) Daily News, Sept. 23, 1968]

THE WATCHDOG

Comptroller Peter A. Bove, who considered himself and his office the "watchdog of Virgin Islands finance"—which, in actual fact, he was—has cleared his desk and left the familiar suite at the submarine base here after 11 years of a 10-year term of service. A Republican, Rove was appointed to his island post by the GOP President, Dwight D. Eisenhower, to serve under a Republican Governor, Walter A. Gordon.

The comptroller, as all good government servants do, have done, and will continue to do, served wisely and well as a non-partisan, impartial financial officer, whose function was to assist the insular government to plug loopholes and monetary drains.

The retiring official states quite emphatically that his role was not that of a critic, but that of a helper. Most department heads and other employees of the Virgin Islands government came to realize this and ultimately appreciated the comptroller's labors, even though facts, at times, seemed harsh and accusing. The fiscal officer was not interested in personalities, but only in a precise and accurate balance in the Virgin Islands treasury.

It is significant that even as he leaves his office and locks his desk for the last time, he has left pending audits in such order that the transition period may be effected with little difficulty, and, furthermore, he has made practical, constructive recommendations for the islands up to the last hour of his final working day.

Mr. Bove, we believe, has a genuine affection for these islands. When controversial issues arose, when his probes touched tender spots in the hierarchy, when he was accused of trying to be a "second governor," he merely quoted the scope of his audit authority and the range of his office. Any appearance of "policy making" was invariably related directly to the saving of funds, the efficient operation of departments and the streamlining of methods which were often antiquated and loaded with costly red tape.

We sincerely hope that as the post continues by congressional fiat, the new comptroller will exercise the same precise, astute, diplomatic and courageous watch over the taxpayers' funds that we have enjoyed over for the past 11 years.

We are grateful to this public servant for the term he has served in the Virgin Islands as a watchdog par excellence.

[From the St. Thomas (V.I.) Home Journal, Sept. 24, 1968]

PETER BOVE EXITS—OR DONS NEW HAT

(By Roy Gottlieb)

The post of Government Comptroller for the Virgin Islands was created by the Revised Organic Act which was enacted by the Congress in 1954.

Richard L. Kraback, a mainland Republican, was the first appointee to the position. He fancied himself a super governor and clashed repeatedly with the Legislature.

In those days the Comptroller's salary and office expenses were paid out of the Virgin Islands treasury. This meant that the Legislature had the responsibility of appropriating the necessary funds to finance the office.

When the civil war between the lawmakers and the federal watchdog got so fierce, Kraback wound up with a reduced budget. Finally he gave up and resigned his job.

Then in the summer of 1957, Interior Secretary Fred Seaton named New Englander Peter Bove to the comptrollership. The post was made wholly federal with the budget being fixed in Washington—and deducted out of the Internal Revenue Funds due to the islands' treasury.

Bove worked hard and produced many important audit reports on the activities of the various agencies of the local government. His staff members worked closely with department heads in devising proper record keeping and fiscal procedures. In many instances Bove's office uncovered irregularities and was instrumental in securing substantial savings to the taxpayer.

On a few occasions the Comptroller overstepped the province of his office and became involved in policy matters, thus generating heated controversies between his office and the executive branch of the Virgin Islands government.

And Gov. Ralph M. Paiewonsky, who has headed the executive branch since the spring of 1961, never hesitated to remind the outspoken Comptroller that "there is only one Governor of the Virgin Islands."

Once Bove clashed publicly with Henry L. Kimelman who served as the islands' first Commissioner of Commerce.

The Comptroller criticized the Commerce Department's advertising policy which he felt was inadequate. He suggested that Kimelman institute a program of giving away miniature bottles of Virgin Islands rum and sharply curtail the other forms of advertisements (i.e. newspaper, magazine, television).

Kimelman hit the ceiling.

He insisted first of all that the Comptroller had no jurisdiction in the matter since it was a question of policy and was not related to his auditing functions. He also stated that it made no sense at all to argue with good results—and the government's advertising program was reaping the desired results.

Moreover, the Commissioner argued that Bove's proposal wasn't "cost effective," to borrow a phrase from former Defense Secretary Robert McNamara.

Eventually Bove backed away and the issue died a natural death.

In another instance, Bove discovered a million-dollar swindle which dated back to the old St. Croix Municipal Council of the '50s. It involved an illegal tax exemption grant to a resident of St. Croix.

Bove pressed the case and U.S. Attorney Almeric L. Christian obtained judgment for the government in the federal courts.

But the true measure of Bove's worth is the position taken by members of the Legislature, the Governor, and other ranking officials of the Virgin Islands government with respect to the Comptroller's office. They are unanimous in their view that it should be retained.

While the members of the Guam Legislature passed a resolution declaring that they would prefer not to have an elected governor if it meant having a federal comptroller imposed on them, the opposite is true in the Virgin Islands.

The attitude in recent years has been that as long as we are entitled to share in federal programs and spend federal monies, it is right and proper to have a federal watchdog here to protect the interests of the federal government.

During Kraback's brief tenure, most Virgin Islanders knew of no good reason for the existence of the Comptroller's office.

Now Bove has finally turned in his badge—or is he merely changing hats? That is the question!

However, the chances are if Dick Nixon succeeds to the White House next January 20, Peter Bove will get an opportunity to put into practice some of the things he's been preaching for the past 11 years.

While State Chairman Omar Brown, and lesser lights like Chuck Senf and Ronald Tonkin knock themselves out, the Republican high-command in Washington may be expected to turn the man they feel best qualified to assume the governorship.

And Peter Bove will gladly come out of retirement on St. Croix to administer the affairs of state from the governor's office in St. Thomas.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. PROUTY. Mr. President, I wish to associate myself with the remarks which have just been made by my distinguished senior colleague.

Peter Bove has been a longtime friend of mine. He is a Vermonter. He has done an outstandingly good job in the Virgin Islands and he commands the respect and admiration of all the people in that jurisdiction.

I thank the Senator for his comments and I thank the Senator for yielding.

Mr. AIKEN. Mr. President, my colleague has expressed the situation very well. I wish to add again that being the comptroller of the Virgin Islands is not the easiest job in the world, to say nothing of handling it successfully for 11 years.

PROGRESS IN VIETNAM

Mr. McGEE. Mr. President, in this emotional and political year, one hears a lot and reads a lot about what is going wrong in Vietnam, but seldom does one hear or read about what is going right.

And among those, such as myself, who attempt to articulate in some reasonable fashion some of the more constructive sides of our Asian policy, a near despair sometimes grips us over the apparent lack of any willingness on anyone's part to listen.

A disinterest in listening, however, does not mean there is not a meaningful story to be told, Mr. President, and at least two individuals who have done so in brief, succinct manners, are Mr. Kenneth Crawford in the October 7, 1968, issue of Newsweek magazine and Mr. Crosby S. Noyes in the October 5, 1968, edition of the Washington Evening Star.

To those who would doubt that significant progress is being made in the conduct of our policy, I commend these articles to their attention. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Newsweek, Oct. 7, 1968]

VIETNAM: ALL IS LOST?

(By Kenneth Crawford)

The consensus wisdom these days is that the war in Vietnam is being lost, that nothing remains for the U.S. but to withdraw, in good order if possible, in disorder if necessary. If this is true, and it may be, then it is because the war is being lost on the playing fields of America. It is not being lost on the battlefields of Asia.

We have lately paid so much attention to hairy youth leaders celebrating the victory of "Ho, Ho, Ho Chi Minh" and to adult journalists claiming these as "our children" and challenging the manhood of Hubert Humphrey because he doesn't embrace them, too, that we have neglected to notice what is going on in Vietnam itself. What is going on there makes celebrations of Ho's triumph on the streets of Chicago and on university campuses at least premature and the U.S. press's defeatism unrealistic.

Wars have been lost before by lack of patience on the home front and this one can be, perhaps is being. The French lost Vietnam more in Paris than at Dienbienphu. Second-echelon officials even in the Johnson Administration no longer have much stomach for perseverance. Many of them are saying that the next President, whoever he may be, must give first priority to liquidation of this distasteful war. Everybody, including President Johnson and Secretary Rusk, concedes that the conflict must be settled not by military victory but by negotiation leading to some kind of political agreement.

AGREEMENT

But what kind of agreement? One that would force Saigon to take the Viet Cong into a coalition government immediately, as proposed by Senator McCarthy? One that would give the VC representation after a cease-fire has been negotiated? Or one that would give all elements in South Vietnam a chance to vote for local officials and Saigon representatives on a basis of one-man, one-vote, as suggested by President Johnson? None of these formulas would be proof against Communist take-over from Hanoi, but Mr. Johnson's would be far better than McCarthy's. Upon the details of the arrangement finally agreed to will depend the future of South Vietnam and possibly of all Southeast Asia.

Conditions of peace will be dictated principally by the situation on the battlefield at the time of negotiation. For the U.S., the South Vietnamese and their allies the situation is now the best it has ever been and improving. For the North Vietnamese and the Viet Cong it is by the same token the worst it has been and deteriorating. The balance could change by the time the next President takes over but there is no indication it will. The incoming President's bargaining position should be one of strength if he can stand up to home pressure to get out at once and at any cost.

OFF BALANCE

Military experts believe the North Vietnamese have been trying for weeks to mount a repeat of the Tet offensive against Saigon and other urban centers but that General Abrams has frustrated these efforts by brilliant use of improved intelligence sources, ground patrols to fix the enemy and air power to harass him and keep him off balance. The North Vietnamese now make up about 80 per cent of the Communist fighting force. They and what remains of the VC have suffered heavy casualties (18,500 killed in action in the last five weeks). They also have lost enormous caches of arms and food supplies. Guerrilla forces have been cut in half by cannibalization to fill the depleted ranks of regular infantry units.

Meanwhile, under President Thieu and Prime Minister Huong, the Saigon government is doing some of the things that should have been done years ago. More than 150 officials have been fired for inefficiency or corruption. No fewer than two dozen province chiefs have been replaced. The Saigon police force is now commanded by a professional civil servant. The new mobilization law has added 220,000 men to the South Vietnamese armed forces, 160,000 of them volunteer, bringing their total strentgh to 755,000. By next year, this country of 17 million will have almost 1 million men under arms.

Yet the thus improving military position of Ho's enemies may not be the worst of his problems. The Soviet invasion of Czechoslovakia has further exacerbated relations between his two principal allies and suppliers, Russia and China. He has sided with Russia, source of 80 per cent of his military equipment, doubtless to the annoyance of China. If the defenders of South Vietnam are now losing the war, so too are the attackers, only more so.

[From the Washington Star, Oct. 5, 1968]

SOME LOGIC BEHIND VIETNAM PEACE OPTIMISM

(By Crosby S. Noyes)

The revived talk of a possible breakthrough in the Paris peace talks on Vietnam is based on deduction rather than hard evidence. So far as can be learned, there has not been the slightest hint from any Communist source to suggest an imminent movement in the stalled negotiations.

Coming largely from Hubert Humphrey's political camp, it is also possible that the talk contains a measure of wishful thinking.

Probably nothing would help Humphrey's flagging election prospects more than a real prospect of early peace.

With all due reservations, however, there is some logic behind the optimism. Within the last few weeks, the military and political equation in Vietnam has changed significantly.

On the military side, the long-predicted Communist summer offensive has failed to materialize. Although North Vietnamese forces in South Vietnam are still strong enough to mount another round of diversified attacks on major population centers, these attacks have not developed on anything like the expected scale.

On the contrary, the Communists have lost the military initiative throughout most of the country. Throwing his forces piecemeal into the battle, the enemy has taken terrible losses—over 20,000 killed in the last two months—with no significant victories to show for it.

At this stage, American military leaders are understandably reluctant to make optimistic estimates of the Communist capacities. But in terms of big-unit actions, there is wide agreement that the military outlook for the North Vietnamese and Viet Cong has become hopeless.

On the political side, the prospects are equally grim.

The hit and run attacks mounted against Saigon and other cities, presumably in an effort to bring down the government of Nguyen Van Thieu, have failed. Far from weakening, Thieu has steadily consolidated and strengthened his regime. American Ambassador Ellsworth Bunker rates it today as more firmly in control than any government since the early days of Ngo Dinh Diem.

But perhaps an even more important factor affecting the leaders in Hanoi and the prospects of the peace negotiations has been the recent political developments in the United States.

For many months, it has been clear that the Communists have been expecting a political collapse in this country similar to the one in France that ended the Indochinese war in 1954.

Claims of an imminent victory followed President Johnson's withdrawal from the presidential race in March. Throughout the summer, as the talks in Paris dragged on, Communist propaganda has been playing up the theme of a powerful swing of American political opinion against the war.

In this situation, the great debate over a bombing halt in this country has been largely meaningless. As long as the Communists could nourish hope of an American political collapse and complete victory in Vietnam, the possibility of a compromise settlement has been almost non-existent.

This hope went aglimmering with the results of the political conventions in August. If the Democrats had nominated Eugene McCarthy—or, more realistically, if the anti-war wing of the party had been able to force through the Vietnam peace plank in the platform—the Communists would have had every reason at least to await the results of the elections in November before making any move in Paris.

They have little reason to wait now. Since the conventions, Hanoi's propaganda has dropped the theme of an impending public uprising against the war in this country. Between what they call the "donkey-head party" and the "elephant-head party," the North Vietnamese profess to see nothing much to choose. As Radio Hanoi put it recently: "As concerns the warlike, progressive policy in Vietnam, Humphrey and Nixon are one."

The leaders in Hanoi, therefore, are now face to face with a very grim choice. They can decide to continue the war at its present pace, taking enormous casualties with no apparent results, or they can settle for what they can get while their forces still represent a significant military threat in the South.

Unfortunately, with the Vietnamese it is never safe to make predictions of any kind. But there is in this picture a reasonable basis for the optimistic talk that is going around.

TELEVISION INTERVIEW WITH SENATOR BYRD OF WEST VIRGINIA ON BIAFRAN CRISIS, ARAB-ISRAELI SITUATION, AND HIGHER CAR PRICES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be printed in the Record a transcript of questions asked me during a television interview October 2, 1968, and my answers thereto.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Q: Senator Byrd, would you comment on the Biafran situation?

A: I have been shocked by England's joint action with the Russians in providing war material to the other tribes of Nigeria so as to enable them to wipe out the Ibo tribesmen by the tens of thousands.

Our own country's subservience to England has often mystified and disconcerted me. On the one hand, we treat the Biafran tragedy as a purely internal and domestic matter, while, on the other hand, we apply rigid sanctions against Rhodesia for purely internal actions every time the English demand that we do so.

I do not suggest military intervention. I would be against that. But I do feel that our government, rather than be content with a few sanctimonious words of regret, should have urgently protested against the English people's traffic in arms in what amounts to mass genocide and mass murder and the elimination of a whole people.

I also believe that, in view of the fact Great Britain is tremendously influential in African affairs, our own country should have urged, and should still urge, that Great Britain still do everything that she possibly can to put a stop to the Biafran tragedy before the last Ibo is wiped out.

Moreover, I think that our government should have sparked, and should yet spark, a vigorous and effective international action in developing a relief operation to bring food and medicine to the tens of thousands of suffering, helpless women and children.

Q: Senator Byrd, international concern continues over the Arab-Israeli situation, from which we seem to be getting conflicting reports. Will you comment on this?

A: The Prime Minister of Israel, Mr. Abba Eban, is scheduled to deliver a policy address before the United Nations on next Tuesday, October 8, in which he is expected to outline the position of Israel. Reportedly, he will make various concessions in an effort to bring about a peaceful settlement with the Arab states.

There has been sporadic fighting between Israel and Egypt and between Israel and Jordan.

The Russians have suggested a four-power guarantee. But Israel is opposed to this, because the nations that would be involved are sovereign and independent nations, and the United States supports this position, but has been trying to get Israel to soften its insistence on direct negotiations with the Arab states.

Reportedly, Israel is ready to yield some of the vast territory which was seized in the six-day war, and she is also prepared to allow the Jordanians to have access to some of the holy places in the old city of Jerusalem, in return for which, Israel would be recognized as a sovereign state, would have access to the Suez Canal, and would also be protected by buffer zones.

I hope that a door is being opened to peace in the Middle East, and that it will not be closed again.

Q: Senator Byrd, what is your comment on the Detroit car manufacturers raising the price of 1969 cars?

A: I take a rather dim view of this move. I think that it is clearly inflationary and unwarranted. The auto manufacturers have thrown a monkey wrench into the economy at a time when the American people are already burdened with the new surtax, which has put a crimp into their pocketbooks.

It is difficult to secure figures which will indicate the kind of profit margin which the auto manufacturers try to work with, but I do recall some figures which recently appeared in the press, and they are rather significant.

I recall the comparable cost between the manufacture of a 6-cylinder engine and an 8-cylinder engine, and there, as I remember, the difference was only $19, and yet the auto manufacturers marked up the engine cost to the local dealer 293%.

This would indicate that the auto manufacturers could absorb some of the costs, such as safety equipment costs, but apparently they have decided to pass these costs on to the consumer, who can ill afford them.

I think, also, that this will create difficult problems for the local dealers, who have already had problems, and they will have a higher-cost product to push. They have already shaved their profits to a minimum, in an effort to remain viable in a highly competitive market.

Announcer: Thank you, Senator Byrd.

VICE PRESIDENT HUMPHREY, THE ELOQUENT CHAMPION OF ALL SPANISH-SPEAKING AMERICANS

Mr. MONTOYA. Mr. President, for many years in our Nation, millions of Spanish-speaking Americans have been denied the enjoyment of traditional and guaranteed rights and privileges. These are my own people, and some of the chapters of their history make sad reading indeed.

I have called them "the silent people." In truth, for many decades, they suffered indignities, frustration, and discrimination in angry silence. Today this is no longer true.

Over the past 20 years, there has emerged one champion who has spoken out forcefully, courageously, and with urgency on their behalf. Their cause has been his cause. Their struggles have been his struggles.

He is now the Vice President of the United States, Mr. Hubert H. Humphrey. Today he is engaged in a drive aimed at placing him in the Presidential office. It is my belief that he will succeed in this effort. It is my conviction that those he has fought for over the years will not forget this time what he has done for them, what he stands for and what he proposes to accomplish on their behalf once in office.

Our Spanish-speaking Americans have striven manfully in recent years for several basic reforms to aid them in their striving for full equality. In each of these campaigns, Hubert Humphrey has lent a warm heart, a willing hand and a strong voice.

Bilingual education is now a viable program, saved in great part by Vice

President HUMPHREY's work. Now thousands of young Spanish-speaking children will receive the type of education they have so desperately needed in order to make a full contribution to this Nation.

He has fought vigorously for full employment opportunity on the part of our National Government for Spanish-speaking citizens. Many of these Americans are now serving our Nation in various posts, recognized and attaining such stature for the first time, mainly because of Mr. HUMPHREY.

He has pledged that a Humphrey-Muskie administration would set a prime example of fair treatment for America's Spanish-speaking citizens. Mr. President, I have faith in what HUBERT H. HUMPHREY says. I believe he will live up to such a pledge, as he has lived up to so many others during his shining career in the service of his Nation.

"The silent people" will have a voice in HUBERT HUMPHREY that they have never had before, once he attains the Presidency. It is my conviction that this country's Spanish-speaking citizens will go to the polls and give him an overwhelming mandate.

He is a man of peace, a man of compassion, a man devoted to the cause of the dignity of the individual. A voice from the darkness of discrimination crying out for help will reach his ear.

Mr. President, one of the Nation's major Spanish-speaking organizations is the American GI Forum. It has fought for equal rights for our Spanish-speaking citizens since 1948, coincidentally the year when Mr. HUMPHREY made such a truly noble stand on behalf of all the dispossessed and persecuted in America. In its midst, Vice President HUMPHREY is welcomed as a warm and beloved friend and brother.

On August 9 of this year, Mr. HUMPHREY spoke to its national convention at Corpus Christi, Tex., the city where this organization was founded. In that address, he expounded upon the theme of the future of this portion of our population. He gave eloquent voice to their aspirations and goals.

I feel every citizen among our millions of Spanish-speaking Americans would gain much in the way of understanding by exposure to this speech. It tells succinctly where Mr. HUMPHREY stands, what his program is, and what he thinks of these citizens and their drive for a full share in America's promise.

For the enlightenment of this body and of our millions of Spanish-speaking American citizens, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

BATTLE IN THE CAUSE OF HUMAN RIGHTS

(Address by Vice President HUBERT H. HUMPHREY, American GI Forum National Convention, Corpus Christi, Tex., August 9, 1968)

My fellow Spanish-speaking Americans, Muy Buenas Noches, Amigos.

This is almost an anniversary for the American GI Forum and myself, because it was about twenty years ago, on a very hot day in Philadelphia, that I stood before the convention of my Party, the Democratic Party, and I asked that Party to take a stand on the question of human rights. I said then what this organization has symbolized ever since. I said: "It is time for this nation to walk out of the shadows of states' rights and into the bright sunshine of human rights." And we did. We made that first step. We opened that door and looked out to a brighter day.

It was in that same year, 1948, that Dr. Hector Garcia was fighting another battle in the cause of human rights. An American soldier, citizen of this land, brave and true to his country, had been killed in action—Felix Longoria—I'm sure you remember him. He had been refused burial in Three Rivers, Texas. And why? Not because he was not a citizen, because he was a citizen. Surely not because he had failed to love his country, for he had given his life for his country. But because of prejudice; because of lack of understanding; and really because of prejudice due to his Mexican American background.

Dr. Garcia fought this unjust action and decision. He made it a national issue. He spoke up not just for a man. He spoke up for a purpose and a principle and he won. He won not only for Felix Longoria, but he won for all Americans. He won for the cause of human decency, and today, the body of Private Longoria rests in Arlington Cemetery, the same place where our beloved President John Kennedy and our good friend, Senator Robert Kennedy, are now buried and resting in peace.

It almost seems impossible that such a thing could happen, but it did. But what was more significant was that somebody cared and somebody had the fortitude and courage to speak up and to rally the sense of goodness that is in this country. And you know, I really believe that there is a great deep sense of basic goodness in America. I believe that that sense of goodness can be aroused. And when it is, that the American people will do the right thing, as they did in the instance of the burial of Felix Longoria.

CRUSADE TO SECURE JUSTICE

This struggle to secure simple justice for one Mexican American boy and family helped convince this good friend of mine, Dr. Garcia, to expand his one man crusade—to expand it against intolerance and inequality wherever he found it. He and his followers—and there are thousands of them now—founded the American GI Forum. They founded it, as I recall, right here in Corpus Christi in 1948. And they chose for their inspiration the philosophy of a great Saint, St. Francis of Assissi. You remember what St. Francis said in his immortal prayer: "Where there is Darkness, Light. Where there is Hatred, Love. Where there is Despair, Hope."

Ladies and Gentlemen, that is the purpose of a free people, and that's the purpose of the American GI Forum. That's the purpose of this country: Where there is darkness, let there be light. Where there is hatred, love; and where there is despair, hope.

SPANISH-SPEAKING AMERICANS NEEDED A VOICE!

The early supporters of the GI Forum came from the cotton fields of South Texas, from the sheep and goat raising lands of Southwest Texas, from the oil country around Midland and Odessa, and, indeed, from the big cities.

It was a local program and a local operation at first. Then it grew, and it grew rapidly across the entire Southwest. And, as we see here tonight, it has grown all across this vast land of ours. Many states are represented—for the Spanish speaking Americans need a voice! They needed to speak in a concert as one. They needed an organization to help them battle those age-old prejudices and discriminations which had haunted their people and haunted this land. And, today, look at what we have, so you can take heart. Today the GI Forum stands as one of America's great national organizations, together with LULAC, the Community Service Organization, and others like MAPA, a political force out in California, not just striving to secure equality and justice for Spanish-surnamed Americans, but striving to secure equality, liberty and justice for all Americans everywhere throughout this country.

You've done something else. You have not only organized the past resolutions, to get together in your conferences and conventions, but you have organized to make your voices heard in political activity.

A COUNTRY OF REPRESENTATIVE GOVERNMENT

Ladies and Gentlemen, you have organized in a country that has representative government; in a country where it is the rule of law that should control; in a nation that is wedded to the principle of government by the consent of the governed, political life, political activity, political participation, political action is vital! I want to commend these organizations, whatever may be your partisan views, whatever your views on candidates, *for taking a stand, for understanding one thing above all:* that your voices must be heard, not only in your towns, in your villages and in your cities, but your voices must be heard in concert in the Halls of Congress, at the White House, in the Governors offices, and wherever there are public officials. That is what we mean by political activity.

VOICE HAS BEEN HEARD

Your voice has been heard in Washington! You've been at it now for 20 years. It's been heard in the states with large Spanish speaking populations, and it will be heard this Fall, if you want it heard; and it can be heard decisively this Fall when the American people elect a President, elect a Congress, and elect their state and local leaders.

PEACEFUL POLITICAL ACTION IS WAY TO REDRESS GRIEVANCES

I believe that this group, the Spanish-surnamed peoples, the Mexican Americans, can set an example for all minorities—an example of peaceful, effective, active political action. This is the way to get things done, and I believe you can do it.

We have a way in this country to redress our grievances. We do not need to take to the streets. We need to take to the ballot box. That's the way to get it done.

When I think of the fact that there are millions of you—and there are—your voice can be the voice of thunder in the political arena. It will be heard, if you want it. And I really call upon you to mobilize and to organize; to speak up for what you want and what you believe in; and to do it in an active and effective manner. Do it in a manner which will engender the respect, and indeed the praise of the American people, when you do it through political action, rather than through violence; when you do it peacefully, rather than through disorder. Oh, what a good experience and what a good example this could be, at a time when we desperately need it. So, do it!

ACCOMPLISHMENTS ARE PRECEDED BY BREAKTHROUGHS

I'm not going to run down the list of what I think we have been able to accomplish these recent years. I can just tell you one thing, the same as many of your leaders can say tonight—we have accomplished more in the last few years than we have in the preceding twenty-five or fifty.

Ladies and Gentlemen, you know what Democracy is? Democracy is the "starts," the "beginnings." Once you make the beginnings, then you get the achievements. You have to make the breakthroughs. You have to make the starts. We have made some beginnings. You have made some wonderful accomplishments these past several years. Mexican

Americans have been appointed to high public offices. They've been elected to office. Many projects have been funded and many injustices have been corrected. We know that more has been done than ever before. But, that isn't enough. We know that even more remains undone. The fact is, that when we're able to do something that helps correct the injustices, it only arouses us to want to do more. You know, when you find that it is impossible to do anything, you lose hope; but when you find that it is possible to do something, you then have hope that you can do everything. And that is the healthy restlessness that I see in the American people.

FERMENT IN AMERICA TODAY

We now know that we can win these old battles against these ancient enemies of man. We now know that we can win the struggle against disease and illiteracy, against fear, discrimination and intolerance. We know we can. We know we can begin to win this war on poverty. And because we know that we can begin to win some victories, we are anxious for a great success. We want to do more than we've ever done before. This is why there is a ferment in America today, not because we're not doing anything. We're restless and we're anxious, and at times we are frustrated because we have been able to do something and we want to do so much more. That's what's happening in our country.

So we have a sense of urgency, and I hope we always will. I don't want this America of ours to become too patient. I don't want us to become timid. I don't want us ever to become self-satisfied. We should never compare ourselves even with others; we must have our own standards.

URGENT TASK OF PEACE IS STOPPING ARMS RACE

The first among all the urgent tasks that confront this nation—and confront everybody—no matter who they are or from whence they come, is this task of peace—a reduction of international tensions which are today drawing far too great a share of the world's resources away from the urgent needs of people—the arms race which consumes our wealth and endangers our very lives.

You did not fight the wars of the past, and your boys are not fighting and dying in Viet Nam today, so that there would be more danger, more misery, and more war. America has fought its wars and built its unparalleled defensive strength to achieve a ground work for lasting peace; not for conquest, not to punish, not to have dominion, but rather for self-determination of nations and for dignity of people.

We can say with great honor and integrity that our men, and the men that are represented here tonight, gave of themselves and some of these families gave everything—not to make America bigger, or richer, or stronger, but to make a world safer—safer for many people.

GUARANTEE OF BASIC FREEDOMS IS ROAD TO PEACE

We have never wanted this world to be made in our image. We have not wanted it stamped: "made in the USA." We wanted this world safe, as the late President Kennedy put it, "Safe for diversity, for differences." But we've wanted it a world in which men and women of every race, creed, and national origin, of every kind, could fashion their own lives without the fear of aggression, or brute force.

My fellow Americans, it is right and noble that a nation that has been blessed as this one, a nation blessed, I'm sure, by Divine Providence, blessed by a great system of government and economy, that this nation should want to see that other people can live in peace, and live without fear.

What a terrible poison is fear and hatred. This great country of ours that you represent, this American GI Forum, so appropriately named, has waged a constant struggle against fear, and hatred, and intolerance, and brutality wherever it may be found. So, you are surely in the spirit of your land.

ONLY THE BRAVE DARE PURSUE PEACE

I believe it is time now to move ahead with equal courage, to seize the rewards of peace. I believe that much of this world of ours today is more ready than ever for reconciliation.

I have called for a new era in American foreign policy based on peaceful engagement rather than containment or hostile confrontation. I believe that humanity is at long last awakening to the fact that war is no longer a suitable means of settling international disputes.

To be more specific, I believe that the time is coming when it will be possible for us to sit down with the Soviet Union, another super-power, to talk about mutual reduction of both offensive and defensive weapons. How important that will be! It means a massive international effort, too, on our part, to start closing the gap here at home, between the rich and the poor.

I also believe that the time is at hand when we must have all possible American initiative; when we must take the first steps for a peaceful world. Why do I say that? Because we have more to lose than anyone else, and we have more to do it with than anyone else.

Remember, that the work of the peacemaker is not the work of a coward. Only the brave dare pursue peace. Only the weak speak in terms of belligerency and anger and hatred. Let us be strong enough to love and not to hate, to seek peace.

THE PROMISE OF AMERICA: JUST AN EQUAL CHANCE

My friends, there are such urgent tasks here at home. So much to do. So much for us to deal with. Oh, what a fortunate people we are. How lucky to be alive at this time. We know there are special problems that are faced by many Americans of Mexican descent, your people; and they are my people too, because we are all Americans. So many have been denied just a chance. We are not talking now about being denied wealth, or privilege. But so many people have been denied just a chance. Just a chance! Remember this, that the promise of America, above everything else, is a chance—your chance—the right to live and to work, to be yourself; the right to make something out of your life. This, above all, is the promise of this land.

AMERICA'S MANY CULTURES AND TRADITIONS MAKE IT A GREAT COUNTRY

As I said at El Paso: "Our purpose is grander than simply guaranteeing every Mexican American the opportunity to achieve a decent American standard of living, even though that is a worthy goal. We are talking about providing a material basis on which a cultural tradition, that is precious to America, can grow and "flourish." It is true, you know, there is something more important than bread or wealth. It is true that man does not live by bread alone. It surely is true that every American ought to have the right of economic opportunity, of a job, of ownership. Yes, those are basic rights that ought to come with the fact of American citizenship. But there's something even more important than that in this wonderful country of ours. And that is, the right to be yourself, to have your own culture, your own religion, your own way of doing things. And that richness of cultural tradition that blesses this land of many people from many, many, many sources, is what makes America not only rich, abundant, and powerful, but is what makes America beautiful.

FEDERAL GOVERNMENT RECOGNIZES IMPORTANCE OF BILINGUAL EDUCATION

This cultural tradition was recognized with the passage of the Bilingual Education Act. That was the first recognition, by your Federal Government, of the special importance of the ability to speak two languages. Being able to speak two languages is to be able to preserve a cultural tradition.

Do you know what happened to that Bilingual Education Act? Well, we had quite a time with it. The President asked for it to be funded and my good friends here at the House, who all worked to help us, know that by only one vote—just one vote—it was lost in the House of Representatives. That tells you how important one man is—one vote.

I was on a trip to the West when I heard about this, and I, as presiding officer of the Senate, wired back to every member of the Senate Committee. I asked the Senate to reverse that action. I asked the Senate to put money into the bill so we could have some money for funding the Bilingual Education Act, and the Senate put in ten million dollars. That bill is in conference now, and we will come out with not as much as we wanted, but we are not going to let it die.

We must launch a major program in this country of bilingual education, including teacher training, scholarships, textbooks, curriculum reform, and research. This will help our country so much, not just for Spanish speaking Americans, but bilingual education everywhere in this country where they need it, or where they want it, even including our Indian reservations. It can be done. And we ought to have it done!

EEOC MUST BE PROVIDED NECESSARY TOOLS

You have tonight, in this audience, two of the Commissioners—and maybe more—but two that I've recognized—of our Equal Employment Opportunity Commission: Vicente Ximenes and Dr. Luther Holcomb, who are with us. These men are dedicated, dedicated to the proposition that any form of discrimination that happens to be in their jurisdiction: discrimination in employment and in employment practices, must go—must be done away with.

We must, therefore, adequately fund—that is, we must provide the tools, the resources, for our Equal Employment Opportunity Commission so that these good men can do their work. That is what I mean by political action, watch every vote in Congress, every vote in the Legislature, watch every agency that is established to help secure these rights.

FEDERAL GOVERNMENT SHOULD BE MODEL EMPLOYER OF MEXICAN AMERICANS

I want to state right now, that if I'm privileged to serve as the President of this land, I pledge here that the Federal Government will be the model employer of Mexican Americans—the model employer—and that means from the White House on down!

We'll open up employment. We've already made some progress. President Johnson has taken some important steps. But, I want it on the record here that the one way to demonstrate to all Americans—to every private employer, to every state government, to every mayor, to every organization—that we really believe in non-discrimination, and that we really have faith in and believe in the capacities and the qualities of our people—and in this instance, of the Spanish speaking people, the Mexican people—the one way to make it ring true is for the highest office of this land, right down to the lowliest office of this land, to practice it; and I will practice it, so help me!

This also includes greater responsibility for the Inter-Agency Committee on Mexican-American Affairs chaired by Commissioner Ximenes, and a specific, detailed program of action for that committee. I might add, Mr. Chairman, a secretariat, that is, a staff to help that committee accomplish its objectives on schedule.

GIVE THE POOR A GREATER VOICE IN PROGRAMS

And it also includes giving the poor a greater voice in the planning and implementation of local community action programs. You know what I mean: these programs are designed to help the poor and one of the best ways to help the poor is to let the poor help themselves. People have to learn how to take responsibility, and if the Federal Government isn't willing to trust the people, then why should the people trust the Government?

I know that there will be mistakes made. And, I want to make it quite clear, as I speak on the public record—I know that if we permit, and if we encourage, the poor to have a greater voice in the planning, the execution, and in the adminstration of local community programs—I know that there are going to be mistakes. I know that some of the money will not be spent as well as if you had some graduate of the Harvard Business School handling your affairs. I know that. I know that the people will not always run the local community action program as well as the AT&T or General Motors run their business. But I want to tell you something: the important thing in a democracy is not that it is 100 percent efficient, but that it is 100 percent just and humane. That is what is important.

You can read the Old and the New Testament, the Declaration of Independence, the Constitution of the United States and the Emancipation Proclamation, and you'll find many words about love, brotherhood, God and country. And you'll find many words about decency and humanity, but you won't find one word that says efficiency. Not once. I happen to believe that you ought to try to be as efficient as humanly possible, but if the price of efficiency is to deny the people the chance to run their own affairs; if the price of efficiency is to deny the people the chance to have something to say about their lives, then I think we had better start re-evaluating what our values are in this country.

I thought I ought to explain what I am thinking about, because I can just hear somebody coming back and saying: "You know what that Vice President said when he was running for President? He went out there and recommended that the poor people have something to say about their lives and to run some of the programs affecting their lives, and look, they wasted some money." Well, Ladies and Gentlemen, I want to tell you something, you don't have to be poor to waste money. In fact, the poor waste less than anybody, because they have less to waste.

JOB OPPORTUNITIES NEEDED FOR MINORITIES

Well, I thought you might be interested in my views. I think that this . . . this new spirit in our country, that's so desperately needed, includes giving able-bodied men the chance to support their families with dignity and pride. And when I say the chance, I mean making that chance, not just saying that there is a chance. If we are half as ingenious in opening up job opportunites to people of the minorites, we'll have a lot of jobs for people of the minorities.

FARMWORKERS MUST HAVE PROTECTION OF NATIONAL LABOR RELATIONS ACT

Just a week ago, I sat in a hotel room on a Sunday morning, eight o'clock, having breakfast with a remarkable man. I had met him before. I had read much about him. I knew that he was giving of his life for the poor people. His name is Cesar Chavez. I'm well aware that he's a man of controversy. Most people that amount to anything are. I sometimes get worried when too many people start to like you all at one time. I listened to this man tell the story of the migrant worker in the Valley. He told me just one thing that rings in my mind tonight. He said: "We want no special favors, Mr. Vice President. We merely want the chance to build a union so that the members can help themselves." That's all they ask for.

I think you ought to know where I stand on this matter. Not where I stand now, but where I've stood, for a long, long time, because I didn't get any of this election religion. Not a bit. I've had it a long, long time.

I happen to believe that the farm workers of America—and I'm not talking about family farmers, I'm talking about those factory farms; we know what we're talking about—tell it as it is. The kids say, and that's what I'm gonna do, tell it as it is—these farm workers of American must have this chance to have their union and to bargain collectively. They must be covered by the National Labor Relations Act and with the full rights under the law to organize—the full rights to organize and to bargain collectively.

EQUAL RIGHTS AND BENEFITS FOR FARMWORKERS

Let me just expand on that for a moment. I do not believe that any person can really enjoy their meal if they know that the food they are eating—and you really pay plenty for it—has been prepared, produced and processed under conditions that are less than fair labor standards. You ought not to be happy eating that kind of food.

I think the present minimum wage coverage for farm workers must be extended. We must push forward to achieve other fringe benefits which other factory workers have enjoyed for a generation.

It is wrong, morally wrong, economically wrong, politically wrong, to exploit anybody. The most exploited worker in America today is the migrant farm worker. We have got to put a stop to it!

All the Government has to do is to permit these people to have the benefits of the law that other workers have.

I have been a friend of the worker for a long time, and, by the way, it hasn't hurt America a bit—not one bit! The American workers made America prosperous.

BRACERO ACT KILLED BUT GREEN-CARD COMMUTER NEW THREAT

I cast the tie-breaking vote, as President of the Senate, when an attempt was made to revive the Bracero Program. Now, we must come to grips with a new problem. It is called the problem of the Green Card Commuter.

Ladies and Gentlemen, these are not difficult problems. They are just simple problems of justice—simple problems of fair play. We are going to have to make up our mind as Americans how we want Americans to live. I don't think I have any right as a public official to stand idly by and let other Americans be exploited while I enjoy the good things of life. I don't intend to do it as a citizen, as Vice President or as President.

DRAFT: NATIONAL LOTTERY SYSTEM

In my campaign, I've already proposed that young men be selected for the draft on the basis of what we call the Fair and Impartial Random System, on a National Lottery. I think that is the fair system.

"LA RAZA" MUST BE REPRESENTED IN DRAFT BOARDS

Let me say something about the draft boards. These draft boards should be fully representative of the local community; and that means where there is a large Spanish surnamed population, *La Raza* must be justly and fairly represented!

FULL BENEFITS OF CITIZENSHIP TO EVERY AMERICAN

All that I have said to you tonight is direct, clear, and indeed, almost simple, because all I have talked to you about is what you want for yourself. I want a fair chance, and I have had it. Why shouldn't somebody else have it? This is not a country for the aristocrats or for the privileged. This is the country in which every American is to have the privilege of the full benefit of American citizenship. In other words, privilege for all, benefits for all, a chance for all. Sometimes I think we complicate things far too much. We talk about legal structures, and we talk about laws, when really what we ought to be talking about is "do unto others, as you would have them do unto you," and that will settle it pretty well.

TWENTY YEARS OF WORKING TOGETHER

So, we join here tonight, really, in a celebration of twenty years of working together, living together, achieving together, planning together, and looking ahead together. And I think these are objectives that we can strive for—that I have talked of tonight—and that we can achieve rather quickly. We can do it, just as we did it when we charged our country with responsibility to implement equal opportunity.

I helped do that twenty years ago in the Democratic Party. It took a long time, and some people are still holding back. But, let us make it crystal clear: segregation, discrimination, intolerance, bigotry, all those evils that have plagued this nation and mankind for so many decades and generations are things of the past. The remnants still hang on. There are a few of them that are still here, but they've had their day. They're dead and gone! The trouble is some of them haven't been buried, and we're going to get at that job!

LET US CONTINUE THIS STRUGGLE TOGETHER

So I ask you to do one thing. Look, this is not a one man job, and it isn't a one organization job. I have had the privilege of working with the American GI Forum since the first time you testified before the committee in the Congress. You may not even remember that I got a little citation from you a long, long time ago. I've cherished that. We've been together for almost, now, twenty years, and I suggest that we can continue this struggle together. And I ask your help.

Gracias, amigos, Gracias.

TRANSPORTATION ACCOMPLISHMENTS OF ADMINISTRATION AND CONGRESS HELP MEET NEEDS OF OUR NATION

Mr. RANDOLPH. Mr. President, of all the contributions of this administration, few achievements are as impressive as its record of success in shaping our transportation system to meet the needs of our people.

Under President Johnson's leadership, the Federal Government took direct action to help reduce the fearful toll of highway deaths. The Federal Government also moved to help cut down the traffic jams on our city streets.

Under this administration and this Congress, the Federal Government, for the first time, acted to eliminate the eyesores of junkyards and billboards from the Nation's highways.

This administration and this Congress, for the first time, took action to minimize the irritation of jet aircraft noise.

Also, the Federal Government is working with the railroads to provide fast and comfortable passenger service.

Again, for the first time, the Government began, in response to thousands of citizens' complaints, a study of automobile insurance.

In our society of the 1960's, these problems are of direct, personal and financial interest to every taxpayer. The way we live, work, and play depends on the availability of good transportation.

This administration has sought to improve and expand transportation.

At the same time, the byproducts of transportation—smog, air pollution, jet noise, highway accidents, and the bulldozer destruction of certain urban areas—are adversely affecting the quality of our day-to-day living and leisure.

President Johnson and the Congress have sought to ameliorate these.

This is the double thrust behind a steady series of transportation bills initiated by this administration and passed by Congress which are now law. The roster is impressive. It includes: Standards for Seat Belts Act, 1963; Highway Safety Act, 1965; High-Speed Ground Transportation Act, 1965; Highway Beautification Act, 1965; Oil Pollution Control Act, 1961, amended 1966; National Traffic and Motor Vehicle Safety Act, 1966; Department of Transportation Act, 1966; Safety of Life at Sea Act, 1966; Air Quality Act, 1967; Aircraft Noise Abatement Act, 1968; Natural Gas Pipeline Safety Act, 1968; and Federal-Aid Highway Act, 1968.

The administration, with the authority granted by this historic group of acts, moved forward to create a transportation system that is safe, clean, efficient, and responsive to the environmental needs of a crowded society.

A most critical transportation need today is to improve safety on the Nation's highways. The loss of 53,000 lives—and injuries to more than 4 million persons—is intolerable in a civilized society. A prime corrective move was the highway accident location program initiated by President Johnson in 1964–65. Under this program, mobile teams of Federal engineers move from State to State identifying and helping to stimulate removal of hazards on dangerous sections of roadway. These improvements are saving lives today.

The administration also has ordered tighter safety performance standards for new cars—shoulder and seat belts, better braking and suspension systems, energy absorbing steering columns, crash padding, and fireproof gas tanks. These, too, will reduce the fatalities on our Nation's highways.

President Johnson also has supported improved driver education programs, and sponsored research on the causes of accidents—research that will lead to future reduction in accidents.

Experts estimate that these measures, and others now contemplated, can reduce traffic deaths and serious injuries by 70 percent within 10 years. We must persevere with these efforts.

This administration also has moved to help cities unsnarl their downtown traffic jams. Under a special program, the Government is assisting cities to modify their streets—improving traffic signals, overpasses, and special turnout areas for loading and unloading trucks. Tests have shown that these and other changes can increase the capacity of city streets from 15 to 25 percent. Under another plan, the Federal Government is assisting cities to build fringe parking lots to tie in with local mass transit systems. These, too, will ease the midtown rush-hour traffic jams.

This administration and this Congress have been the first to pay attention to the social impact of highways on the neighborhoods they threaten. Too frequently, in densely populated urban areas, highways have split communities in half, destroyed homes, and uprooted small businessmen. Federal design teams are now helping communities to plan new highways so as to minimize the destruction of property and of scenic and historic sites.

President Johnson's Highway Beautification Act of 1965 has given us a start toward protection of our priceless scenic heritage.

Overhead, meanwhile, we face another proven hazard to health and comfort—jet engine noise. This year, the President asked for and received from Congress a Jet Noise Abatement Act, which permits the FAA to develop performance standards for jet planes and to test technologies for minimizing this rising nuisance.

Sometime during the next year, high speed trains of a new design hopefully will begin running between Boston and Washington, D.C., saving many hours for regional commuters in the northeast corridor. These trains represent a calculated risk on behalf of new technologies.

The growth of pipelines for the transportation of flammable, toxic, and corrosive gases poses an increasing potential danger to public safety. These pipelines are capable of inflicting communitywide damage, should they ignite in populated areas. To prevent tragedy, the administration requested, and Congress passed in 1968, a Natural Gas Pipeline Safety Act calling for the inspection and regulation of these lines. This law also permits the Secretary of Transportation to enforce compliance with safety procedures through civil penalties and injunctions.

As a capstone of accomplishments during the Kennedy-Johnson years, this administration secured the establishment in 1966 of a new Department of Transportation. The Department was given a mandate by Congress to develop national transportation policies, conduct programs to improve the speed, safety, and convenience of all land and air modes, identify future problems, and promote new technology. This new Department has already won a reputation for vigor and leadership which holds great promise for the future of transportation in this country.

In summary, the foundations of a rational and responsive transportation system for the United States have been established. The Kennedy-Johnson administrations have met the transportation challenge forthrightly, demonstrating that the machines and systems of a progressive transportation network can be employed as a positive force to improve conditions and broaden the perspectives of all Americans. That is the human meaning of what has been accomplished since 1961.

RETIREMENT OF JAMES E. WEBB AS ADMINISTRATOR OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. ANDERSON. Mr. President, today, on his 62d birthday, the Honorable James E. Webb retires from the position of Administrator of the National Aeronautics and Space Administration. He headed NASA for more than 7½ of that agency's first 10 years; therefore, the magnificent record of NASA in aeronautics and space during these first 10 years is very much the record of Jim Webb. The President of the United States has called him one of the ablest administrators in Government and I certainly agree with that assessment. There will be other administrators of NASA but Jim Webb leaves a mighty big pair of shoes to fill.

Jim Webb brought to the position of NASA a great ability for getting the job done, and he never stinted in applying that ability, so far as I know. I am only sorry that at the end of his career as Administrator, NASA's budget has been cut back so drastically because of other demands on the Nation's resources. But this in no way diminishes the excellence of Jim Webb's performance. No man could have fought harder or fairer than Jim Webb did for NASA.

I believe that Jim Webb enjoyed being the Administrator of NASA, and those of us who worked closely with him enjoyed having him there.

Many of us in Congress regret the retirement of Jim Webb, but that retirement is well earned; and on his retirement, we wish him a very happy birthday and the very best of luck and success in whatever he now pursues.

Mr. JORDAN of North Carolina. Mr. President, over the years, many North Carolinians have distinguished themselves in government, science, and the making of history.

It is much rarer for one Tar Heel to have made significant contributions in all three fields.

Such a man is James Edwin Webb.

He is retiring today, on his 62d birthday, after more than 7½ years as Administrator of the National Aeronautics and Space Administration. During that time he has headed a program that has catapulted the Nation into a new age.

Jim Webb and his people have in a very literal sense been pioneers exploring uncharted realms of space and knowledge of the universe.

As he leaves his post, he will have the satisfaction of knowing that one of the major goals of the NASA program—a manned moon landing—may be close to realization.

He has already seen NASA produce breakthroughs in science, medicine, communications, and meteorology that have vast import for the present and future of this country and the world.

Jim Webb served well and effectively in a variety of high business and Government posts before accepting the NASA appointment from the late President Kennedy in 1961, when the agency was a mere 3-year-old fledgling. He will continue to serve as an adviser and consultant even after leaving it now.

I have known Jim Webb for many years and as a friend and fellow North Carolinian, I am very proud of his achievements. I think he has well earned the eternal gratitude of his Government and his country for his contributions to the space age.

Mr. JORDAN of Idaho. Mr. President, today the Honorable James E. Webb is 62 years old and is retiring from the position of Administrator of the National Aeronautics and Space Administration.

I join other Senators in wishing Jim Webb a happy birthday, thank him for the fine service he rendered the Nation as Administrator of NASA, and wish him the very best of luck and success in whatever new endeavors he now undertakes to pursue.

Mr. President, I invite the attention of Senators to a facet of Jim Webb's performance as Administrator of NASA which has not been widely publicized.

His decision, apparently more than a year ago, to retire was accompanied by a determination to see that the management of the agency would be left in good and competent hands. Consequently, he has spent a good portion of his time in the last year in obtaining young, vigorous, intelligent and competent men for NASA and in welding them into a highly efficient management team to carry on the heavy responsibilities of the agency. In some cases, brilliant young men from within NASA have been promoted to important positions, while in other instances, such as the case of Dr. Thomas O. Paine, the Deputy Administrator and now Acting Administrator, top personnel from industry have been recruited.

Moreover, Mr. Webb has assured me that even after retirement his advice and counsel will still be available when needed and at no cost to the Government.

Mr. CURTIS. Mr. President, today marks the retirement of James E. Webb after almost 8 years of dedicated service as Administrator of the National Aeronautics and Space Administration. I congratulate Mr. Webb on the truly outstanding job he has performed at NASA over this period of years.

Prior to assuming this position, Jim Webb had already had an extremely successful business career as well as an outstanding career of public service during which time he served with distinction as Director of the Bureau of the Budget from 1946 to 1949 and as Under Secretary of State from 1949 to 1952.

It was well that Jim Webb had this impressive background when he accepted the position of Administrator of NASA in 1961 for in doing so, he assumed the awesome responsibility for the development of a governmental organization capable of carrying out the goal of a manned lunar landing and return during this decade. That this goal is still within reach of accomplishment at the time of his retirement as the Administrator of NASA is indeed a tribute to Jim Webb's stewardship.

In overseeing the tremendous expansion of our national civilian space program during the past 7½ years, Jim Webb has built an amazingly efficient research and development organization which at its peak has utilized 400,000 people and over 200,000 firms. He has welded together successfully a tremendous team of Government, industrial, and educational institutions which have been responsible for the amazing progress of our Nation's civilian space efforts over a comparatively short period of time.

Mr. President, as a member of the Aeronautical and Space Sciences Committee which supervises the activities of NASA, I have appreciated the association I have had with Jim Webb. There have been times when there have been differences of opinion and this is quite natural but regardless of such differences I am sure that no one on the Space Committee would dispute me for saying that no man has been more dedicated nor has any man worked more diligently or tirelessly in carrying out his responsibilities than James Webb.

Mr. President, today also marks the 62d birthday of Mr. Webb. I mentioned his retirement in my opening remarks, but no one knowing Jim Webb can possibly believe that he is going to retire from anything for very long. So let me extend my felicitations to him on his birthday and my heartiest best wishes for his future.

Mr. HOLLAND. Mr. President, when President Kennedy named the Honorable James E. Webb to head the National Aeronautics and Space Administration in mid-February 1961, our space program was still quite young and just getting underway. Yet to come, was the selection of the specific national goal of placing American explorers on the moon and returning them safely to earth by the end of the decade—the goal which did so much to supply the drive needed to move the United States ahead in space.

In the brief span of less than 8 years, Jim Webb and the staff of able people he assembled have put together a team of Government, industrial, and university space experts which is unequaled in the peacetime history of our people. They have had to face and solve problems in management never before faced by men in Government or industry. They have, in addition, built permanent national assets in physical plants at Cape Kennedy and Houston which can launch and direct manned flights to the moon.

These are not the only accomplishments in which Jim Webb and his staff can take justifiable pride.

He hands over to his successor an outstandingly competent record of sound achievements in space science, in useful applications in space, in manned space flight, in sharing our knowledge in the new field of space sciences with the world. It was NASA which pioneered in space satellite communications and in weather satellites, both of which have become great systems benefiting nations and people around the globe. The Mercury and Gemini programs, and now Apollo, are giving this country a strong position as a spacefaring nation, a capability having an important bearing on our peacetime uses of space and possible military requirements of defense.

Jim Webb has pressed forward a program of international cooperation in space activities which has brought more than 70 foreign countries and territories, or their scientific communities, into NASA programs, either as direct participants or in aid of them. This NASA program has formed another link binding together diverse peoples into cooperative efforts which bring greater understanding as well as the fruits of space science to all.

The national space program has been an outstanding accomplishment of management. It has resulted in advancing our concepts and techniques of management far beyond levels previously existing in Government agencies or, for that matter, in industry. Because of the immensity of the program, its complexity and interlocking technical disciplines, and the vast numbers of people engaged in a project which demands excellence in all its aspects and millions of parts, a large pioneering effort was required. Many times Jim Webb himself has asked:

> Where is the guidance for decision-making for administrators of such large government programs?

But there was no guidance, for no precedent existed, and no experience had been gained from which to draw guidelines.

In view of this, that they were breaking new ground in management, Jim Webb and his associates have been remarkably successful in bringing the United States to the threshold of achieving one of the greatest, most difficult goals ever sought by the American people. Not many agencies, nor many administrators, have had to work in the full glare of publicity on so momentous a project in which the prestige of our country was so visibly on the line.

I believe that the appreciation of all Americans for Mr. Webb's outstanding abilities and accomplishments in the service he has performed has been well expressed by President Johnson in these words:

> Your modesty, humbleness, your great executive ability, your great courage, your Marine spirit and determination have made us the envy of the world, Mr. Webb, and we salute you publicly.

SUPPORT FOR NUCLEAR NONPROLIFERATION TREATY

Mr. McGEE. Mr. President, I support—firmly support—the proposed Nuclear Nonproliferation Treaty which lies before this body and express the hope that Senators will not let the fact that this issue has become a political football obscure their judgments on the overall merit of the treaty.

An editorial in the Washington Post this morning puts in proper perspective, I believe, the real issue at stake—whether or not we shall live up to our responsibilities to inhibit as best we possibly can the spread of nuclear weapons, or whether we shall adopt an isolationistic attitude of petulance and implied threat.

As the editorial points out, the reasons why this was a good treaty before the political conventions are no different than the reasons which still make this a good treaty. Were we to let the emotions and motivations which were triggered by those conventions cause us to forfeit an opportunity to better all mankind we would be guilty of gross—perhaps fatal—lack of judgment.

Mr. President, I urge Senators to weigh heavily the implications spelled out in the editorial and ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Treaty in Limbo

It is already hard to remember the complacency with which everyone talked about Senate ratification of the nuclear nonproliferation treaty before Congress recessed for the political conventions. Unlike the test ban treaty, which inhibited the development of U.S. nuclear weaponry to some degree, the NPT would cost the country little and it is in line with Congress's traditional chariness about sharing or spreading U.S. nuclear weapons and their technology abroad. Public opinion polls on the treaty at that time showed that in this instance anyway Congress was also faithfully reflecting popular sentiment.

The invasion of Czechoslovakia caused some Senators to fear that a vote for the treaty now might be misunderstood (by their constituents, not by the Czechs or the Soviet Union), and Mr. Nixon in one of the most ill-advised moves of his campaign raised their apprehensions to the status of philosophy. Despite Mr. Nixon's urging that the ratification be delayed, however, several Senate Republicans voted to report the treaty favorably to the floor. That is where it languishes now, and apparently the Demcoratic leadership intends to let it lie there—without any action in this session. At least that is the talk on the Hill. The word, which is open to question, has gone out that the treaty might fail to be ratified were it called up now.

Senate leaders and the fainthearted within the Administration should be under no illusions about what greater risk they take by running away from the lesser risk now. At the United Nations, Secretary Rusk called on the member states to support the treaty. How can his urging have any force when the United States is in the process of backing off for what are known to be superficial, unsubstantial, public relations reasons? Already U.S. reluctance is undermining support for the treaty by governments abroad. The danger is that the result of five years of highly complicated and sensitive multilateral negotiation will begin to come apart. Nor is it easy to grasp the argument that somehow in January the time will be right for ratification. Surely nothing Mr. Nixon has said on this subject indicates ground for hope that if he is elected he will encourage his Party to act on the treaty with speed. On the contrary, the Republican candidate has said he has reservations about some sections of the treaty, and any effort by him to reopen negotiation on a document already signed by over eighty nations would certainly set the agreement back more or less to its beginnings.

At the present time, the treaty is hanging on in the Senate by a thread. It is quite possible that it could be saved in this session were the Administration and the Democratic leadership to try. The defeatism, public handwringing, and evasiveness of the treaty's alleged friends in these high places may in the end prove as damaging to its chances as the opposition they profess to fear.

"LEST WE FORGET"—A TRIBUTE TO HARRY FLOOD BYRD, SR.

Mr. MUNDT. Mr. President, a great former Senator of the United States, Albert W. Hawkes, of New Jersey, has asked me to place in the Congressional Record a personal tribute to another great and outstanding Senator—the distinguished former Senator of Virginia, Harry Flood Byrd, Sr., who died on October 20, 1966. All of us who knew him well, and share with Senator Hawkes the high regard in which Senator Byrd was universally held, continue to realize marked the passing of a very great American.

I join former Senator Al Hawkes in his expressions of tribute to Harry Flood Byrd, and ask unanimous consent that the statement prepared by Mr. Hawkes be printed in the Record.

There being no objection, the tribute was ordered to be printed in the Record, as follows:

Lest We Forget

Harry F. Byrd, senior United States Senator from Virginia for considerably more than a quarter of a century, and respected and beloved by a vast number of his fellow Americans, was called home by the Father of us all on October 20, 1966. He was truly one of our great Americans of the 20th century and gave his fellow Americans most valuable advice as to our obligations and responsibilities, if we are to keep our freedoms and opportunities under a government of laws rather than a government of men. In this short tribute to him, I wish to call attention to two statements he often made, for our consideration:

1. He always emphasized the fact that a public office is a public trust and that no man should seek or accept public office unless he was willing, while serving in that public office, to put the welfare of the people ahead of his own personal desires and objectives. He often said, "The welfare of the people is vastly more important than the welfare or particular desires of any individual citizen."

2. Frequently he emphasized the fact that a nation is just like a family in many respects, but particularly with reference to its expenditures made to gratify its desires. Frequently he called attention to the fact that no nation can continue to spend more than its income from all available sources, either to satisfy its own desires or to help others, without ending in disaster. When making this comment he would often refer to the statement made by Chief Justice John Marshall, when the Chief Justice said, "The power to tax is the power to destroy."

In these troubled times facing our nation where both of these most important statements are involved, we can pay no greater tribute or respect to our beloved friend, the Honorable Harry F. Byrd, of the great State of Virginia, than to remember these simple statements of fact and make every effort to apply them to our way of life so that we may preserve our precious heritage, not only for ourselves, but for posterity.

I can think of no man of my acquaintance to whom the little poem "A Comrade Rides Ahead", written by Douglas Malloch in 1924, is more applicable than to our beloved friend, Harry F. Byrd. I repeat that poem herewith in memory of our comrade who rode ahead:

"Time brings not death, it brings but changes;
  I know he rides, but rides afar,
Today some other planet ranges
  And camps tonight upon a star
Where all his other comrades are.

"For there were those who rode before him,
  As there are those he leaves behind:
Although from us time's changes bore him,
  Out there our comrade still will find
The kinship of the comrade mind.

"Time brings us change and leaves us fretting;
  We weep when every comrade goes—
Perhaps too much, perhaps forgetting
  That over yonder there are those
To whom he comes and who he knows.

"I would not hold our loss too lightly;
  God knows, and he, how deep the pain;
But, friends, I see still shining brightly
  The brightest link in all our chain
That links us with a new domain.

"Time breaks no circle such as this.
  For this I swear, because believing:
However hurt, however grieving,
  However much a friend we miss
  Between the worlds is no abyss.

"For friendship binds the worlds together—
  World over there, world over here.
From earth to heaven is the tether
  That brings the earth and heaven near
And makes them both a bit more dear.

"Not weaker now our chain, but stronger;
  In all our loss and all our ill
We now shall look a little longer
  At ev'ry star above the hill
And think of him, and have him still.

"Whatever vales we yet may wander,
  What sorrow come, what tempest blow,
We have a friend, a friend out yonder,
  To greet us when we have to go—
Out yonder someone that we know.

"To all eternity he binds us;
  He links the planet and the star;
He rides ahead, the trail he finds us
  And where he is and where we are
Will never seem again so far."

—*Albert W. Hawkes.*

COMPULSORY SERVICE SYSTEMS

Mr. HART. Mr. President, I ask unanimous consent to have printed in the Record a perceptive article entitled "For a Continuing Dialog on the Draft," written by June A. Willenz, and published in the Forensic Quarterly.

Miss Willenz is the executive director of the American Veterans Committee, an organization which has made a significant contribution to the dialog on the draft and to efforts to put equity into a basically inequitable draft system.

There being no objection, the article was ordered to be printed in the Record, as follows:

For a Continuing Dialog on the Draft[*]

(By June A. Willenz)[†]

The American Veterans Committee (AVC), an organization of veterans of World War I, World War II, the Korean War, and the Viet Nam War, has long been concerned with the draft system. Many of the members of AVC are former draftees themselves and therefore bring a special interest and understanding to the questions of compulsory military service.

Meeting in Convention just last month, AVC, on the 25th anniversary of its founding, reaffirmed its views on the present Selective Service System:

"AVC recognizes the necessity for the United States to maintain adequate military forces in present world circumstances. It also recognizes the citizen's obligation to military service and recognizes a selective service system as an appropriate mode of raising military manpower. We object, however, to the inequalities of the draft system as presently administered, especially the deferment of students, the lack of uniform guidelines, and the lack of fair representation of the citizenry, especially for minority groups, on the draft boards."

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[*] Prepared for *Compulsory Service Systems: The Forsenic Quarterly*, Vol. 42 (August 1968). Copyright 1968. All rights reserved.

[†] Miss Willenz is Executive Director of the American Veterans Committee and edited *Dialogue on the Draft*, a series of reports growing out of the National Conference on the Draft in November, 1966.

The draft system today continues as one of the most controversial institutions in American society. The inequities of the draft system have existed for a long time. During the Korean War, there had been some restiveness about the inequities of the draft system, but it has not been until the increase of draft-call enrollments with the Viet Nam War that dissatisfactions with the draft system reached public awareness. No doubt the unpopularity of the war in Viet Nam contributes greatly to the resentments concerning the draft. The abuses had been there, but as long as draft calls were very low, they were not noticed by those who are most vocal.

The House Armed Services Hearings in the summer of 1967 brought forth the storm of discontent as group after group, organizations, and individuals testified against the arbitrary, inefficient, and inequitable manner in which the draft system worked. These hearings were held preparatory to the expiration of the Selective Service Act in 1967.

The American Veterans Committee was very much concernd that a new draft law would go into effect without a national debate and without adequate study and thought given to how it might be altered or if alternatives could be worked out. The members of AVC felt that a thorough review of the entire question of military manpower needs in the context of the other needs of the nation as well as its human resources was in order. AVC early in 1966 called for creation of a blue-ribbon Presidential Commission to give this subject the thorough research and attention it deserves. When the President appointed the National Advisory Commission on Selective Service in July, 1966, the AVC hailed this as a necessary first step in bringing about much-needed reforms of the draft law.

PLANNING FOR THE AVC NATIONAL CONFERENCE ON THE DRAFT

But AVC felt that a much more far-reaching national debate was in order, one that involved not just the executive and legislative branches of government, but one that gave the public, which is so often sidestepped when far-reaching decisions about their lives are made, a chance to make its views known.

To initiate a genuine national dialogue, the American Veterans Committee sponsored a National Conference on the Draft in November, 1966. The Conference was planned by AVC together with a number of leaders from such groups as the National Student Association, the United States Youth Council, the National Council of Churches, the National Catholic Welfare Conference, the Industrial Union Department of the AFL-CIO, the Americans for Democratic Action, and the American Association of University Professors.

The Conference, the first of its kind, was attended by over 200 persons, representing over 100 national organizations from the private sector and more than a dozen government agencies. Business; labor; the religious and fraternal groups; the professions—law, medicine, dentistry; the sciences and the arts; minority and women's groups; youth groups; vocational and counselling groups, listened to the facts and interpretations and debated the issues among themselves for two full days.

Among the many organizations represented at the Conference were: American Civil Liberties Union, AFL–CIO, American Association of Junior Colleges, American Bar Association, American Council on Education, American Institute of Architects, American Medical Association, American Personnel and Guidance Association, Association of American Law Schools, American Federation of Teachers, B'nai B'rith, College Young Democrats, Institute of Life Insurance, Episcopal Church, Friends Committee on National Legislation, International Voluntary Services, Japanese-American Citizens League, NAACP, National Congress of Parents and Teachers, National Council of Catholic Women, National Council of Jewish Women, National Council of Negro Women, National Education Association, Reserve Officers Association of USA, United Auto Workers, United Presbyterian Church, University Christian Movement, and Youth Committee Against Poverty.

The entire range of opinion and thought on a selective service system, on alternative service, on a voluntary army, on a lottery system, on national service were considered at the Conference. The opposing views of the Selective Service System and the Department of Defense regarding which men to draft and how to choose them were presented. Arguments for and against student deferments, a review of the status of conscientious objectors, the effects of the draft upon education with comments on the "channelling process," alternative national service and national service systems, were discussed. The deficiencies of the draft system itself were demonstrated in case histories. The Samuel Friedman case, concerning an Ann Arbor student sit-in, highlighted the lack of due process for the individual that the Selective Service System sets up. Also, a very detailed analysis of how the Selective Service System functions in the State of Illinois was presented to the conferees.[1]

Five workshops established

Recognizing the wide impact of the draft system, the Planning Committee of the Conference set up five Workshops to come to grips with different facets of that institution.

"The Draft and the Individual" focused on how the individual draft registrant is denied counsel, sufficient information, adequate appeals procedures—in other words, due process. The limited time that a draft registrant has to appeal, the rigid system whereby draft records cannot be transferred to another board when an individual moves, the lack of information about his rights, the lack of mandatory national standards, and the autonomy of the local draft boards which results in different adjudications of similar cases, were discussed in this workshop. Also, the particular problems of the conscientious objector and the narrow interpretations given to "religious belief" despite the Seeger case were concerns of this Workshop. The question of the "selective objector" was also considered.

"The Draft and the Group" Workshop gave emphasis to the impact of the draft system on minority groups and the disadvantaged. A suggestion was made that a "Human Resources Act" be enacted which would provide alternative services which offered opportunities for education and job training for those not accepted into the armed forces. It was pointed out that one of the major sources of discrimination against Negroes was the Armed Forces Qualification Test. One view held by the Negro community, it was reported, was that the draft was siphoning off those Negroes with skills and leadership qualities from the civilian community.

"The Draft and Society" Workshop was concerned with such questions as "what does the draft mean for a democratic society" and "how does the draft influence foreign policy." How does one balance the needs and rights of the individual against demands of the state? One view expressed was that the less interference with the liberties of the individual, the stronger the democracy. Another view was that military service was one of the obligations of citizenship and that a civilian army was less of a threat to democratic liberties than a professional force. Some of the polls on attitudes towards the draft were discussed and analyzed at this Workshop.

"The Draft and Education" Workshop zeroed in on the thorny question of student deferments and whether they were necessary for the future welfare and progress of the nation. The view was expressed that the long-term picture indicated that it was necessary to keep a continuing pool of well-educated young people in the sciences and other occupational areas. In the long run, this viewpoint maintained that not to keep student deferments—graduate and undergraduate—would threaten the very fabric of our society. Also, if student deferments were abolished, the impact on education would be catastrophic. It was conjectured also that students would be drafted out of proportion to their numbers.

The principal theme of the workshop on "The Draft and Human Resources" was the relationship of military manpower to other needs for manpower and specialized talent in our society. Student and occupational deferments were favored because certain skills were absolutely essential for the complex workings of a technologically based society and that therefore those human resources must be cherished rather than put into the military. For the good of the nation as a whole, the admittedly inequitable student and occupational deferments were supported as necessary. An opposite view was that while men were being removed from occupations and training, other men would be coming back. Further, it was suggested that the advantages of sharing the burden of service and not disproportionately placing it upon those who were less educated and disadvantaged, outweighed other factors.

Investigation of other systems

During the Workshops, attempts were made to analyze the effects upon the individual, the group, the society, our educational system, and our human resources if other systems were used instead of a selective service system—i.e., universal military service, universal national service, alternative or volunteer national service, or the voluntary army system.

Since the format of the Conference was educational in nature—the participants listened to the facts, absorbed the viewpoints expressed, and joined in probing discussions. Then they went back to their orzanizations to continue the debate. The Conference itself took no positions, nor did it come to any conclusions. But many participants later were key persons in formulating positions and testimony that called for reform of the draft. AVC was one of them; after listening to the arguments and probing in depth the issues, AVC formulated a searching indictment of the present system and supported legislation to that effect, which will be discussed later. The Conference Report was published as *Dialogue on the Draft* to make the information and insights developed at the Conference available to the public and to continue the debate.[2]

OBJECTIONS TO THE DRAFT AS PUNISHMENT

As further background to the testimony which the American Veterans Committee presented to the House Armed Services Committee in May, 1967, let me review some other AVC history in connection with the Selective Service System. At the time of the Michigan sit-ins in 1965, AVC protested the use of the

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[1] June A. Willenz, ed., *Dialogue on the Draft* (Washington, D.C.: American Veterans Committee, 1967), pp. 25–29.

[2] Copies are available from the National Office, American Veterans Committee, 1830 Jefferson Place, N.W., Washington, D.C., $1 for an individual copy, 50c for 25 or more purchased in bulk.

"classification procedure" as a punishment device. AVC wrote to General Lewis Hershey on December 14, 1965:

"It is our understanding that the Selective Service Act was designed to provide our nation with manpower for military defense purposes and not as a law enforcement agency. If violation of the Selective Service Act or any other law occurs, our Constitution and laws provide adequate procedures and agencies to bring transgressors to justice. No other agency or appointed body would use their defined power to penalize or punish.

"The suggestion that reclassification is quicker at stopping sit-ins than some indictments that take effect six months later, it seems to us, is in complete opposition to the spirit and letter of American justice. Further, it is an open invitation to side-step our carefully evolved institutions established by the Constitution and Bill of Rights to protect the rights of individuals. We have complete confidence in the United States Attorneys of the various districts and the Department of Justice for law enforcement.

"We do not believe it was the intent of the Congress to give local draft boards authority to penalize or punish through their powers of classification and calling up priorities for induction. We therefore call upon you as the Director of the Selective Service Administration to issue clear and strong guidelines to the local boards indicating that they are not to overstep their authority and jurisdiction with regard to citizens exercising their rights to free speech and assembly. The public respect for the integrity of the entire Selective Service System with its emphasis on local autonomy would be called into question if such abuses were condoned."

When no such action was taken by the Director of Selective Service, AVC wrote to the Department of Justice, requesting an interpretation. The Assistant Attorney General Fred Vinson wrote to AVC on February 1, 1966:

"As you noted, the Department of Justice feels that the sanctions of the Universal Military Training and Service Act may not be used in any way to stifle constitutionally protected expressions of view. Furthermore, the President has consistently demonstrated his belief in the principle that our society cannot tolerate legal sanctions which abridge the legitimate exercise of freedom of speech."

Again, late last year the Selective Service System indicated its intention to use induction as a punishment for students who protested or demonstrated against the draft. AVC again strongly protested this illegal use of the draft and called upon the Department of Justice and the President to demand that the Selective Service System "cease and desist" from such illegal use of an administrative agency. AVC was joined by a great many groups and individuals who strongly protested this latest illegal action.

AVC wrote General Hershey on November 17, 1967:

"While not condoning or supporting demonstrations that are illegal or infringe upon the rights of others, we feel there are adequate agencies to enforce our laws and that an administrative agency has no business in law enforcement. We think that it is fundamental for our democratic form of government that due process be observed at all times. We maintain that the Selective Service System must *not* be used for punitive purposes. It was designed to provide our nation with manpower for military defense purposes, and *not* as a law enforcement agency.

"If there are transgressions of the law—whether it be the draft law or any other law, we have adequate procedures and agents to bring violators to justice under due process. We have full confidence in our laws and law enforcement agencies to cope with infractions of the law.

"But we also maintain that the right to dissent is a basic right guaranteed by our Constitution and Bill of Rights, and that the draft system should not be used to punish or stifle legally expressed dissent."

After consultation a joint statement was issued on December 9, 1967, by General Hershey and Attorney General Ramsey Clark to the effect that local draft boards would not pass upon the legality of acts of demonstrators and use the classification process for punitive purposes. Shortly thereafter General Hershey repudiated the statement and declared that local draft boards would continue to use the classification process to induct demonstrators. AVC then called upon the President to dismiss General Hershey "as unfit to head the Selective Service System."

Local draft boards not representative

Another major abuse of the draft system that AVC called attention to in early 1966 was the lack of representation of minority groups on local draft boards. In January, 1966, the National Board of AVC demanded that local draft boards be made representative of the communities which they purport to service. AVC pointed out that even in Southern states the local boards had only token, if any, representation by Negroes. The Marshall Commission made this one of its recommendations. Even though the new law made a mandatory retirement age for board members and some new appointments have been made, there is still little evidence that the draft boards are truly representative of the communities which they purport to serve.

In its testimony to the House and Senate Armed Services Committees in May, 1967, AVC called for a thorough and sweeping revision of the Selective Service Act. First of all, AVC hailed the report of the Burke Marshall Commission, *In Pursuit of Equity: Who Serves When Not All Serve?* We commended the Marshall Commission for making "a significant contribution towards clarification of the issues involved." AVC's testimony endorsed many of the criticisms and recommendations of the Marshall Commission.

RECOMMENDATIONS FOR REFORMS OF THE DRAFT

In its testimony before the Congress, AVC set forth what it believed to be the basic requirements of a military manpower procurement system:

It must be fair and equitable as possible;

It must protect the rights of the individuals involved;

It must not interfere with the other crucial manpower needs of the nation;

It must not disrupt the economy; and

Most important, it must be consistent with our ideals of equal sharing of the obligations as well as the privileges of citizenship.

AVC suggested it was obvious that some kind of military manpower procurement system would be with us for a long time, because for the foreseeable future a standing army remained a reality of life. Also, with a vastly increasing manpower pool, barring a total national emergency, only small numbers of men were going to be required to serve in the military. How, then, were they to be chosen?

Keeping the above criteria in mind, the AVC made the following suggestions for reforming the Selective Service System.

The problems of local draft boards as they are now set up related not only to the wide leeway they are given in interpreting the national guidelines set out by the Selective Service System, but to the fact that boards are unrepresentative of their communities. Not only do most Southern draft boards have no Negroes but many local board members in the South and elsewhere were appointed twenty or more years ago and are in their 80's. The methods of operation of the boards are highly suspect. One study [3] revealed that the draft boards perform mostly ceremonial functions and that the actual decisions regarding classification are made by low-paid clerks. Also, this study revealed the boundaries of local draft board districts to be administrative devices having little to do with "explicit demographic characteristics or traditional identifications as a community."

Changes in local draft board functioning

AVC suggested that the following changes be made in the local draft board structure: terms of office of draft board members should be fixed and limited; boards must be representative of the communities they serve; women should be allowed to serve; and the number of local boards (over 4,000 today) should be reduced. With regard to the latter suggestion, AVC recognized that reducing the number of local draft boards might work a hardship on those who cannot easily travel long distances to regional offices. Therefore, AVC suggested that consideration must be given to maintaining local offices where individuals can register and obtain information easily.

AVC also seconded the Marshall Commission's recommendation that a draft registrant should be allowed to change his registration under appropriate regulations, when he changes his residence. The present rigid system causes a great many hardships and inconveniences without any real justification except that this is the way the system is set up.

The wide latitude of interpretation of vaguely worded directives from the national headquarters of the Selective Service System has resulted in tremendous variation in the classification of registrants. To minimize this lack of uniformity, AVC urged the establishment of uniform mandatory guidelines to reduce the arbitrary and autonomous actions of local boards. Another reform urged by AVC was a national manpower pool or a system of geographical quotas based on relevant demographic factors. This would insure that a registrant is not being penalized because he is registered in a particular state. The way the system has worked, state quotas have often reflected how efficient or inefficient the local boards are, rather than any relevant factors. As a result the resident state of a draft registrant can determine his induction.

Protection of due process

One of the major reforms that AVC called for is reinstituting due process for draft registrants. Dedicated to the cause of civil rights and civil liberties, this organization has fought long and hard to extend constitutional rights to all citizens. We are much concerned that young men who turn 18 not be denied their rights just because they become eligible for the draft. AVC urged that draft registrants should be allowed counsel at all steps of the registration process and during appeals. Also, we called for full information and counseling to be made available to the draft registrant and to his family. A strengthening of the appeals procedures is much needed, AVC told the Congress, in order to fully protect the rights of draft registrants.

AVC endorsed the Department of Defense preference for taking younger men first, always permitting them to finish high school. From all standpoints—career, family, jobs, schooling—it is obvious that the younger the man, the less disruptive will be the military service period.

An end to educational and occupational deferments

In the interests of equity, AVC urged the end of college deferments, both on an undergraduate and a graduate level; however, the student should be permitted to finish out his school year, AVC did not underestimate the considerations of maintaining essential professional and skilled manpower for society, but in view of the small fraction who will be required to serve, AVC suggested that this would not be a problem. Weighing the advantages of keeping the "elite groups" in the civilian society, with those of spreading the burden of serving the nation in the military, it seemed to the AVC that an equal sharing of risks was more in keeping with the spirit of a democratic society. AVC therefore opposed the student deferment policy and rejected the notion that an educational group essential to the functioning of our industrial society would be destroyed if the student deferment was terminated.

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[3] Roger Little, in *Dialogue on the Draft, op. cit.*, pp. 25–29.

Recognizing that a transition period would be needed if a new system of deferments was adopted, AVC suggested an interim period of up to two years to permit the student population to adjust.

Under the law enacted in July, 1967, student deferments for full-time undergraduates was made mandatory. The old law had left the discretion to the local draft boards; if they found "it was in the national interest," they would defer him. At least, in the present law the guideline is uniform and mandatory. The new law, however, cut out deferments for part time students. Also, the new law limits graduate deferments in certain fields of study "in subjects necessary to the maintenance of the national health, safety, or interest as are identified by the Director of Selective Service upon the advice of the National Security Council." It is expected that there will be a serious decline of graduate student enrollment unless further categories are admitted.

Regarding occupational deferments, AVC urged that only where a critical shortage of workers existed in a particular field should individuals receive special consideration. AVC urged the President to institute a full manpower study to get a better idea of the human resources as well as the occupational needs of the nation.

AVC reiterated its conviction that a draft system must be flexible if it is to be workable, and whenever needed, a system of student or occupational deferments could be reinstituted.

Because of the small fraction of the military manpower pool that will be asked to serve, AVC accepted the Marshall Commission's recommendation that the random method of selection is the fairest way. However, AVC warned that such a "lottery" must be so devised as to make any abuse or tampering impossible.

Alternative systems have inherent flaws

Regarding alternative systems to the "selective service" system, AVC ruled out the alternative of universal military service, not only because the military could not cope with the numbers that would need to be trained, but also because it would increase the size of the military establishment.

AVC rejected the suggestion that an alternative non-military service in some kind of national service program be accepted in lieu of military service because this would provide another haven for the educated and the advantaged from the draft. Alternative non-military service would only make the inequities greater, and narrow even further the burden of sharing. Those at the bottom of the social ladder do not and would not have a real choice or a genuine alternative; they would not be admitted to the Peace Corps or VISTA because of the high standards. Therefore, although many national service programs are attractive, AVC predicts they would once more offer more choice for the "haves," and leave the "have nots" without any options.

Regarding the larger question of national service, particularly universal national service, AVC suggested that this concept receive full study and supported a bill which would set up a Presidential Commission to do this. However, AVC pointed out that the draft and national service are separate and distinct issues and that to connect them is to do a disservice to both. The draft is a means of procuring needed military manpower; national service has entirely different goals. We urge, therefore, that they not be considered together, but each in the context of its purposes and needs.

The voluntary army concept has received a great deal of attention lately and seems to have a great appeal to a great number of people, among them, many students. AVC does not agree that a voluntary army would be better than a "citizens' army" with the latter's constant movement back and forth from the civilian into the military and from the military into the civilian, even if cost were not a factor. If there is anything that would be a threat to democratic institutions, it would be a separate elite professional army that might be used for political purposes. AVC objects to the institutionalizing of a totally career military force which would be distant from the stirrings of the civilian society. Also, there is a real question whether a professional army, once established, could be maintained under civilian control. AVC pointed out that the volunteer army would probably draw in the disadvantaged, those to whom the civilian society has offered nothing. The chances are that the inequity of service would be even greater than now, with heavy proportions of enlisted men coming from minority groups, while the officer corps is drawn from a white college-educated elite.

In its testimony AVC said: "As 'citizens first, veterans second,' and former draftees, we endorse the concept of a citizens' army, with a constant circulation between the military and the non-military within the political and social framework of the civilian society as our firmest bulwark for democratic institutions."

CONCLUSION

The draft today continues as one of the most controversial institutions in American society. For several years there have been increasing dissatisfactions with the inefficient, inequitable, arbitrary, and discriminatory manner in which the draft system has worked It is therefore shocking and almost incomprehensible that when the criticized Selective Service law, already studied by a Presidential Commission whose findings called for drastic changes, came up for review in the Spring of 1967, an even more arbitrary, more discriminatory law emerged than was there before. Indeed, some of the protections for conscientious objectors were removed, the President's hands were tied from instituting a lottery system, and undergraduate student deferments were made mandatory. Thus, the Congress swept the major Marshall Commission recommendations into the closet, and came up with a worse law than before. On the Senate floor, a valiant fight was led by Senator Edward Kennedy to revise the ill-conceived bill that came out of the Conference Committee, but to no avail. It is also to the credit of the 23 Senators who opposed the Conference Report and sought some of the liberalizing features that the Marshall Commission had proposed, even though they lost.

During this session of Congress, Senator Edward Kennedy introduced a bill which would institute drastic reforms in the Selective Service law. AVC supported Senator Kennedy's proposals and called for hearings. Needless to say, neither the House Armed Services Committee nor the Senate Armed Services Committee saw fit to hold hearings, and as might be expected, Senator Kennedy's bill has succumbed to a quiet death of neglect. However, one bill, introduced by Senator Edward Long, was granted the spark of life through hearings held by a Senate Judiciary subcommittee. This bill would have allowed draft registrants to be represented by counsel. A very limited measure, this bill sought to provide a fragment of due process now denied to young men who are eligible for the draft and who seem to lose all constitutional rights when they become 18. AVC testified for it, as did the ACLU. Its fate, however, was predictable. It was decisively voted down as an amendment on the Senate floor. This is the story of draft law reforms and Congressional non-action during this session of the Congress.

VICE-PRESIDENTIAL CANDIDATE EDMUND S. MUSKIE

Mr. McGEE. Mr. President, many candidates for high national office in this country have come from the Chamber of the U.S. Senate.

One of those who has comported himself with a dignity and a humility that should cause us all extreme pride in this institution is the able Senator from Maine, EDMUND S. MUSKIE.

Campaigns, as we all know only too well, are hectic, harassing, and tiring. It is not difficult in an off moment to make a statement or to do something in a moment of passion that is beneath the normal dignity of a public official.

In this respect, no one has conducted themselves more creditably, with more propriety, yet with more humility and honesty than has our good friend and colleague ED MUSKIE. His performance should be a source of pride to all Members of this body—Democrat or Republican.

One who has managed to capture to some degree the cheerful yet determined attitude of Senator MUSKIE in this campaign year is the distinguished columnist Marquis Childs.

I ask unanimous consent that a column by Mr. Childs, published in the October 7, 1968, Washington Post be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A REWARDING EXPERIENCE FOR SENATOR MUSKIE

(By Marquis Childs)

LOS ANGELES.—Crisscrossing back and forth across the country, Sen. and Mrs. Edmund S. Muskie are having a ball. Grim as Democratic prospects are and demanding as the schedule is, the candidate for Vice President readily concedes that never before has he had such a fascinating and rewarding experience.

It took him a week or so to get acclimated to the bright, hot glare of national attention. Cautious and underrated at the start, he soon hit his stride. His relaxed and friendly manner is reflected in the ever-increasing crowds that come out to see this hitherto unknown Senator from Maine.

Again and again this reporter has heard both Democrats and Republicans say, "Of all four candidates I like him best." Recognizing that Muskie is one of the few pluses in his rugged uphill campaign, Vice President Hubert H. Humphrey has given him a free hand to direct his own course with a minimum of official coordination.

Early in the game, Muskie acquired a gentle but effective way with hecklers. First, he listened. Then as he began to do at Washington, Pa., where students of Washington and Jefferson College were booing aid to education, he got a leader to come up to the platform. What, you're booing aid to education? You, who are college students? With his mild irony he reduced them to silence.

Granted, of course, that his hecklers are nothing like as noisy and persistent as the young who disrupt Humphrey's meetings. Muskie carries far less of the burden of blame as the young see it for the Administration's Vietnam policy. His is a new face in a year when the two principals are old faces out of a past that the obstreperous young have completely rejected.

The Muskie face is a remarkable example of the conditioning of environment. Mrs. Alice Longsworth, one of the sharpest observers of the Washington scene over many decades beginning with her years in the White House with her father, Theodore Roosevelt, remarked the other day that while Muskie is only a generation removed from a Polish immigrant father, he looks like Leverett Saltonstall. One of the last of the New England Yankees in public life, former Senator Saltonstall of Massachusetts might have sat for a native wood carver doing the craggy figurehead for the prow of a Yankee clipper.

This observation amuses Muskie. He tells how, after his graduation from Cornell University Law School, he was interviewed because he had such a rugged New England look. Finally they told him he had better go back to Maine because obviously he had a political future there.

In what has become his standard speech, really parts of three separate speeches assembled in various ways for various audiences, Muskie talks about the 40,000,000 people who at the turn of the century streamed into this country. They came in search of freedom and, he says with a quiet and yet moving dignity, they learned how to be free and how to use freedom. There are forces, he goes on, seeking to exploit the tensions and fears in society today, to build walls between peoples, and that can only lead to the destruction of the democratic system.

One of the flood of immigrants who came to the land of promise in the early years of the century was Muskie's father. A tailor in his native Poland, the father's name was originally Marciszewski. But when he arrived at Ellis Island in 1903, knowing no English, the immigration officials followed a common practice and wrote him down as Muskie. His mother was a native of Buffalo, N.Y., where many Poles had settled.

The Muskie success story follows a familiar American pattern. He worked his way through Bates College in Maine, made Phi Beta Kappa and went to Cornell Law School. Because clients were scarce in Waterville, Me., when he started to practice law he went into politics. For a Democrat his rise in Republican Maine was spectacular. After the legislature he served two terms as Governor. Following a nonpartisan course he achieved with a Republican legislature a number of educational and economic programs. In 1958 be became the first popularly elected Democratic Senator in the history of the state.

He shows no signs today—a candidate for the second highest office in the land—of pride or pomposity. He and his wife, the former Jane Gray, laugh over the fact that in one day they occupied, however briefly, three presidential suites in hotels in three separate cities. But as he moves in and out of his chartered jet with official parties and flag-waving crowds out to greet him at each stop, back of the shock of surprise still evident—you mean all this is for me?—is a shrewd awareness of what he adds to the beleaguered Democratic ticket.

Muskie knows how telling is the contrast with Spiro Agnew, the Republican vice presidential candidate. While Agnew is at odds with his traveling press over Agnewisms that have made headlines, Muskie has established a friendly rapport with the reporters who follow him.

Entertained at the Governor's Mansion in Topeka, Kans., he noticed carved in the stone of the fireplace in the dining room the following inscription in Latin: *Dum spiro spero.* He translated it from his parochial school Latin as "While I breathe there is hope." I haven't dared to use that yet, he says with an impish grin.

FBI ANNUAL REPORT

Mr. BYRD of West Virginia. Mr. President, the Federal Bureau of Investigation has just issued its annual report covering the fiscal year 1968. It is an enlightening compilation of facts by Director John Edgar Hoover and should be of great interest to every Member of the Congress.

The two-page introduction capsules highlights from all of the various sections of the report, and it should be must reading for all who are interested in the No. 1 domestic topic in this Nation today; namely, law and order.

I also found the section beginning on page 21, entitled "Protecting Our Internal Security," to be especially valuable and revealing.

It points out that "the New Left movement has mushroomed into a major security problem, with some of its adherents talking about sabotage, violence, and the forcible destruction of certain key facilities." The movement is described as "anarchistic and nihilist."

I commend Director Hoover for this excellent report, and I ask unanimous consent that the two sections to which I have referred be printed in the RECORD.

There being no objection, the two sections of the FBI report were ordered to be printed in the RECORD, as follows:

INTRODUCTION

The fiscal year 1968 was one of great challenge and accomplishment for the FBI. In spite of severe burdens arising from the increasing onslaught of crime and unconscionable acts of hate that spewed waves of violence throughout the Nation, FBI performance matched its responsibilities. In many important areas of its jurisdiction, FBI effort surmounted impressive goals and established new records of achievement.

More than 13,000 convictions which led to the imposition of sentences totaling nearly 45,000 years attested to the skill and vigor of FBI investigative response to violations within its jurisdiction. Of those persons brought to trial in FBI cases, more than 97 percent were convicted and 8 of every 10 of those pleaded guilty to the charges against them.

Surpassing any previous fiscal period in its 60-year history, FBI investigations accounted for nearly 303 million dollars returned to the Government in fines, savings, and recoveries. This was an average of $1.55 for every dollar appropriated for FBI operations in the fiscal year.

The organized crime syndicate—La Cosa Nostra—and its affiliate underworld organizations felt the sharp thrust of FBI investigative efforts which netted record convictions of 281 hoodlum-vice figures and added to a growing backlog of more than 675 persons awaiting Federal prosecution on charges stemming from the Bureau's drive against organized crime. FBI criminal intelligence sources developed approximately 300,000 items of information which enabled local, state, and other Federal law enforcement agencies to execute more than 790 raids which resulted in the arrests of 4,100 persons, primarily on vice and gambling charges.

Led by the unprecedented capture of 31 notorious felons on the "Ten Most Wanted Fugitives" list, FBI probes brought about the location of an all-time high of 18,881 fugitives to post a substantial 19 percent gain over the previous fiscal year.

Record criminal assaults against financial institutions led to 1,105 convictions for Federal bank robbery, burglary, and larceny violations. During the course of FBI investigations over 22,000 stolen cars were recovered.

Highlighted by a relentless FBI search which with outstanding international police cooperation traced James Earl Ray, the accused assassin of Dr. Martin Luther King, Jr., to London, England, the Bureau's inquiries into reported violations of the Federal Civil rights laws formed a major area of FBI commitments.

Militant and growing New Left forces, inflated with success over their leadership role in the student rebellions at leading universities, held workshops in sabotage last June at the National Convention of the Students for a Democratic Society—a forerunner in this nihilist movement.

Continuing its slavish loyalty to the Soviet Union, the Communist Party, USA, mounted concerted opposition to United States foreign commitments and, at the risk of considerable unrest among rank-and-file Party members who held other sympathies, blindly followed Russian interests in the continuing Mid-East crisis.

FBI assistance to the law enforcement profession reached more than 184,000 officers throughout the Nation in a record 6,074 police training schools in which Bureau instructors participated during the fiscal year. This was in addition to hundreds of law enforcement conferences conducted by the Bureau as well as the operation of the FBI National Academy which since 1935 has graduated 5,335 select police career officers in its executive-building program.

Meeting the expanding and complex needs of modern law enforcement, the FBI Laboratory and FBI Identification Divisions handled record volumes of requests for examinations and fingerprint data—much of which was for local, state, and other Federal law enforcement agencies. These valuable arms to FBI investigative capability also provided expert scientific personnel who served as instructors in all areas of the Bureau's police training programs.

With rapid strides toward its goal as an index to vital law enforcement data for a 50-state high-speed police communications network, the FBI National Crime Information Center had 61 control terminals in 42 states at the close of the fiscal year. Since its founding in January, 1967, the Center's electronic computer has compiled over one-half million records which have, with increasing frequency, caused the solution of a serious crime or the apprehension of a dangerous criminal by flashing within seconds, essential data to law enforcement agencies throughout the land.

While FBI accomplishments measure supervisory and investigative skill, they also gauge the fidelity, bravery, and integrity of the nearly 16,000 employees who at the end of the year held a variety of assignments at Bureau Headquarters, the FBI's 58 Field Offices, and 12 liaison posts in major foreign countries.

PROTECTING OUR INTERNAL SECURITY

A major responsibility of the FBI is protecting the internal security of the United States. By Presidential Directive of September 6, 1939, the FBI was given the duty of correlating internal security investigations. This directive called upon all law enforcement agencies to furnish promptly to the FBI any information in their possession regarding espionage, sabotage and other subversive activities.

The FBI's investigations are designed to gather both intelligence data and evidence which can be used in legal proceedings. The FBI also has the responsibility of immediately disseminating the information it has gathered to the appropriate officials of the Government.

NEW LEFT MOVEMENT

The New Left movement has mushroomed into a major security problem, with some of its adherents talking about sabotage, violence and the forcible destruction of certain key facilities. Basically a college student group, the New Left draws its supporters from a motley variety, including beatniks, hippies, disenchanted intellectuals, young faculty members and some "overage" students still on the campus. The movement is held together by a bitter hatred of what is called the "Establishment," that is, the institutions of democratic society. This hatred is reflected by intense opposition to the war in Vietnam, the draft, the ROTC, military recruiting on campus, and the participation by universities in military research. At heart, New Leftist philosophy is anarchistic and nihilist.

At the core of the New Left movement is an organization known as the Students for a Democratic Society (SDS). This group is highly militant and has been chiefly responsible for the New Left's move from a position of "passive dissent" to one of "active resistance." The SDS has been the striking arm of student rebellions, such as at Columbia University in New York City, where violence erupted, including the kidnaping of academic personnel, the seizure of buildings, and the destruction of property.

The concept of violence as an instrument to destroy the existing social order is inherent in the New Left as it is in the philosophy of the old-line communists who have worked for years to undermine this Nation. Gus Hall, General Secretary, Communist Party, USA, has described the SDS as one of the groups the Party "has going for us." Two of SDS's recently elected national officers have publicly identified themselves as communists "with a small "c" to signify that while they are communists, they are a brand different from the so-called "Old Left" Communist Party, USA.

In June, 1968, the SDS held its National Convention at Michigan State University, East Lansing, Michigan. The mood was one of militancy, referred to as the "Columbia Spirit," meaning the aggressive violence of the Columbia University riot. One of the workshops dealt with sabotage and explosives. The participants discussed various devices which might be developed for use against Selective Service facilities. In addition, they discussed Molotov cocktails fired from shotguns and combustible materials and bombs which might be directed against communication and plumbing systems.

COMMUNIST ACTIVITIES

The Communist Party, USA, with headquarters in New York City, continued its effort to gain respectability in the Nation. The Party has worked unceasingly to encourage Americans to accept it as a legitimate political party (which it is not) and as an organization which works for the best interests of the country (which it does not).

This drive for respectability has been buttressed by a wide variety of public appearances by top leaders, including Gus Hall, Herbert Aptheker, Henry Winston, and others. The Party has been debating a Draft Program (which will set out its position on a variety of topics of current interest and plans to nominate candidates for President and Vice President at a Special National Convention scheduled to be held in New York City during the first week of July, 1968. The Party will also encourage members to run for public office in local and state elections.

Another phase of the Party's drive for respectability was the effort to issue a new paper, the "Daily World," which will replace "The Worker." The "Daily World" is to be a daily paper ("The Worker" was issued twice a week) and will be designed to appeal to noncommunists also. The new paper, however, is being edited by veteran Party members, Carl Winter and John Pittman, and will faithfully follow the Party line.

The Communist Party, USA, during the 1968 fiscal year continued to oppose the war in Vietnam, giving support to groups and individuals advocating similar aims. At a press conference on May 18, 1968, in Philadelphia, Gus Hall indicated that campus troubles, strikes, and even the Poor People's March are part of the communist line. The Party is eager to increase its influence in the labor field. A Party Industrial Conference was held in Chicago in April, 1968.

Youth, however, continues as the Party's key target. Michael Zabarell, National Youth Secretary, began a nationwide tour of college campuses in March, 1968, primarily in an effort to enlist student support for the new Marxist paper, "Daily World."

The New Left movement is of considerable concern to the Party. The Party wants to obtain recruits from these students, many of whom talk in Marxist terminology and detest democratic institutions with a passion equal to the Party's. However, the Party realizes that the individualism and lack of amenability to discipline of the New Leftists provide problems. Early in 1958 the Party issued a "Youth Resolution on the New Left" which stated: "We communists do not see the 'New Left' as a force separate and apart from our Party or from the rich, long tradition of the American left. We see it rather as an outgrowth of the seeds we and others helped to sow."

In international relations, the Party furnished steadfast support for the Soviet Union. On the 50th Anniversary of the Bolshevik Revolution in November, 1967, the Communist Party's National Committee issued a statement reaffirming its determination to work for American-Soviet friendship and for the triumph of "socialism" in the United States. While in Moscow, as the leader of the official Communist Party delegation to the anniversary celebration, Hall denounced the United States Government in a speech at the Kremlin. In the Arab-Israeli conflict, the Party backed Moscow's support of the Arabs. Hall soon found that there was not wholehearted agreement for this position and was forced to resort to disciplinary measures to quell the dissident members who came out in support of Israel's position.

SPLINTER GROUPS

The ideological conflict between the Soviet Union and Red China resulted in the formation of numerous pro-Chinese "splinter" groups. One of the largest and most militant is the Progressive Labor Party. It has a membership of roughly 300 and has branches in New York City, Los Angeles, San Francisco and other cities. Its activities during the past year have centered around racial and anti-Vietnam issues.

SUBVERSION FROM ABROAD

The Soviet Union and its European allies continue to regard the United States as a prime espionage target. The two Soviet intelligence networks directed against this country are the KGB (Committee for State Security) and GRU (Soviet Military Intelligence).

A Soviet defector, a former KGB officer, has stated that approximately 70–80 percent of all personnel assigned to a Soviet diplomatic establishment work in the intelligence field. There are two Russian diplomatic establishments in this country: the Soviet Embassy in Washington, D.C., and the Soviet Mission to the United Nations in New York City. A review of the number of Soviet officials in this country over the past 14 years reveals an increase in Soviet diplomatic personnel, which also means more intelligence officers. In 1954, for example, there were 175 Soviet officials; five years later, in 1959, the number had increased by more than 100 and there were 282. By 1964, the figure was up to 346; and as of June 1, 1968, there were 573 Soviet officials here.

In similar fashion, the Soviet satellite nations have targeted their intelligence services against the United States. For example, a Hungarian defector source has indicated that the Hungarian Intelligence Service considers the United States as its prime target. The intertwining of the Soviet and satellite intelligence services is evidenced by the Soviet advisors who lend counsel and assistance to their satellites at a headquarters level and by the liaison maintained in the United States between the representatives of the Soviets and their satellites.

The responsibilities of the FBI in the Cuban area are primarily: (1) the penetration of Cuban intelligence activities in the United States; and (2) the identification of pro-Castro individuals and organizations. The Latin-American Solidarity Organization (LASO) Conference in July and August, 1967, and the Cultural Congress in January, 1968, were held in Havana specifically for planning ways and means of undermining U.S. influence throughout the Western Hemisphere and for infiltration of intelligence agents into the U.S. from Cuba. Therefore, increased vigilance has been necessary in this regard.

Red China continued to regard the United States as its Number One enemy. This fact has resulted in Chinese communist intelligence activities in this country, overt as well as covert, to obtain needed material, especially in the scientific field. Communist China continues its extensive efforts to collect scientific and technical publications from the United States. The FBI remains alert to this danger.

Major objectives of Communist-bloc representatives in the United States

Penetration—Intelligence agencies; Congress; Department of State; technical organizations; Department of Defense; anticommunist groups.

Information—Military research and development; nuclear, missile and space research and development; strategic geographic areas; industrial research methods and production; defense plans; political and economic developments.

Propaganda—Speeches; press releases; printed material; radio and TV appearnces; personal contacts; delegations and visits by officials.

KLAN AND WHITE HATE GROUPS

The FBI devoted great effort to groups and individuals whose programs have the effect of undermining law and order.

Fourteen Klan-type organizations with a combined membership of approximately 12,000 individuals were under investigation. The largest Klan group is the United Klans of America, Incorporated, Knights of the Ku Klux Klan, with headquarters in Alabama. It has a membership of approximately 10,000 and is headed by Imperial Wizard Robert Shelton, who was convicted on September 14, 1966, of contempt of Congress for failing to produce organizational records subpoenaed by the House Committee on Un-American Activities. Shelton was sentenced to one year in prison and fined $1,000. This matter is presently under appeal.

Another prominent Klan organization is the White Knights of the Ku Klux Klan in Mississippi. It was organized in 1964 under the leadership of Imperial Wizard Sam Bowers. In October, 1967, Bowers was convicted of complicity in the murder of three civil rights workers (James Chaney, Andrew Goodman and Michael Schwerner). He is presently free on bond awaiting an appeal of his conviction.

The American Nazi Party's head, George Lincoln Rockwell, was assassinated in August, 1967, in Virginia. Since his death, the Party has closed most of its chapters and only a small contingent remains at this time. Headquarters are located in Arlington, Virginia. This group espouses hatred against Negroes and Jews.

RACIAL STRIFE AND RIOTING

Basically, the FBI's responsibility in this field is the development and dissemination of intelligence information while, of course, being ever alert to the detection of violations of Federal law over which it has investigative jurisdiction. The FBI does not have jurisdiction to protect persons and property nor does it have the responsibility to police or control riotous conditions.

Intelligence data indicated a growing militancy on the part of black extremists. Emboldened Negro agitators and revolutionaries such as Stokely Carmichael are coming to the forefront in Negro communities. Their appeal to destructive action and guerrilla warfare has intensified a mood of lawlessness among sympathetic followers, thereby increasing the potential for violence.

The assassination of Dr. Martin Luther King, Jr., on April 4, 1968, was seized upon by militant and criminal elements in Negro areas throughout the country as an excuse to riot, loot, vandalize, burn, and kill. These outbreaks resulted in 37 deaths, injuries to thousands of persons, and millions of dollars in property damage.

Certain organizations claiming to be civil rights groups but which in fact preach hatred for the white race, demand immunity from laws, and advocate violence, constitute a serious threat to our country's internal security.

Among such groups is the Student Nonviolent Coordinating Committee, formerly headed by Stokely Carmichael and later H. Rap Brown. On May 22, 1968, Brown was found guilty of violating the Federal Firearms Act and was sentenced to five years in prison and fined $2,000. He is free on bond pending appeal of his case. Brown has also been indicted on a charge of assaulting and intimidating a Federal officer and obstruction of justice. In addition, he has been indicted by the State of Maryland on charges of arson and inciting to riot arising out of the racial disturbance in Cambridge, Maryland, in July, 1967. He is presently free on bond awaiting trial on the above charges.

Another such organization is the Black Panther Party, which was founded as the Black Panther Party for Self-Defense at Oakland, California, in December, 1966, for the alleged purpose of combating police brutality and uniting militant black youth. The political philosophy of its leaders is based on the writings of Mao Tse-tung and black revolutionary writers. They advocate the use of guns and guerrilla tactics to end their alleged oppression.

The Revolutionary Action Movement is a small, secret, all-Negro group inspired by Robert F. Williams and the militant Chinese-communist line. Williams, an FBI fugitive, has been in exile since 1961, first in Cuba and more recently in Red China. He is presently in Tanzania and has indicated a desire to return to the United States. He advocates achieving Negro rights by violence.

The question of foreign influences in the black nationalist movement is a matter of grave concern, and information has been developed showing foreign involvement in varying degrees.

COMMENDATION OF JOHN HORNE, CHAIRMAN, FEDERAL HOME LOAN BANK BOARD

Mr. JORDAN of Idaho. Mr. President, on behalf of the distinguished Senator from Texas [Mr. TOWER], who is necessarily absent today, I ask unanimous consent to have printed in the RECORD a statement prepared by him commending John Horne, chairman of the Federal Home Loan Bank Board.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR TOWER

Mr. TOWER. Mr. President, the distinguished Senator from Alabama [Mr. SPARKMAN] Chairman of the Committee on Banking and Currency, has just recently in this body commended John Horne, Chairman of the Federal Home Loan Bank Board.

I, too, have reason to commend Mr. Horne and all members of the Board for their legislative and administrative helpfulness to the Committee. Under Mr. Horne's leadership, I have found the Board to be most understanding of the problems of the Savings and Loan industry and how those problems affect the homebuilding industry as well as the effect they have on the shareholders of the Savings and Loan institutions.

As the ranking Republican member of the Housing Subcommittee, I can speak with a knowing appreciation of the part Mr. Horne and his Board have played in assisting with measures which successfully helped with recent money shortages in the housing mortgage market.

The great growth in the Savings and Loan industry since its origin many years ago, making it a most important element in our total banking service system, has been due to dedicated men of the caliber of John Horne, whose strong leadership has brought much credit to the FHLBB.

IMPORTATION OF WATER FROM CANADA

Mr. MOSS. Mr. President, on Thursday of last week I introduced an amendment to the Colorado River Basin Projects Act to permit a reconnaissance study of water importation from Canada or Alaskan sources into the United States. Such a study has been precluded by the language of the conference report on the Colorado River Basin Projects Act, which was intended only to prohibit a study of the feasibility of importing water from the Columbia River Basin into the Colorado River Basin, but which is broad enough to preclude other water reconnaissance studies as well.

In introducing my amendment, I made the point that water importation from Canada is no longer merely the subject of academic discussion, but that many Canadian water experts and officials now recognize that Canadian water can be marketed to the United States on a sustained yield basis, and at a considerable profit to the Canadian provinces involved, and that these officials are indicating a growing readiness to talk about water importation.

This latter fact was brought out very clearly in an article and an editorial which appeared on September 18 in the Deseret News, a distinguished newspaper published in Salt Lake City. I ask unanimous consent that the article and the editorial be printed in the RECORD:

There being no objection, the items were ordered to be printed in the RECORD, as follows:

CANADA WILLING TO DISCUSS WATER FOR UNITED STATES

(By Dexter C. Ellis)

Canadian officials have done an about-face and are now showing a "surprising willingness" to talk about diverting some of their surplus water to the arid Western United States, Gov. Calvin L. Rampton was told Tuesday afternoon.

The message came from Lewis G. Smith of Denver, a private water engineer, who has developed a plan to reverse the flow of the Mackenzie River in the Northwest Territory of Canada and make it run south down the Rocky Mountain Treach into the United States.

Mr. Smith visited the governor as part of his campaign to win support for his program from among the 17 western states which will urgently need great amounts of additional water in coming years.

AN EXPLOSION

When the grandiose North American Power and Water Alliance (NAPWA) plan to tap Canadian water sources was announced several years ago, it caused somewhat of an "explosion."

Top officials in Canada said "never."

However, now they are realizing that unless they make arrangements to market their surplus water relatively soon, they may miss the boat, Mr. Smith said.

The thirsty states may turn to desalinization or other sources, he explained.

EXPLAIN PROGRAM

Mr. Smith was in Edmonton, Alberta, Canada, recently to explain his program to the Chamber of Commerce there which is vitally concerned with development of water for the vast wheat-growing prairies in that vicinity.

He said he has been invited back to explain his program to a broader array of Canadian officialdom.

Also, he and Jay R. Bingham, director of the Western States Water Council, will visit Friday with Canadian natural resource officials in Winnipeg.

ESTABLISH CONTACTS

Mr. Bingham said his visit is to establish contacts with his counterparts in Canada and does not constitute endorsement of Mr. Smith's plan by the Council.

Mr. Smith said Canada's interest in his plan stems from two factors. It would divert water southeastward to where it is needed in Canada, and would provide financing which the Canadians cannot generate on their own.

Gov. Rampton appeared greatly interested as Mr. Smith explained his proposal.

However, he questioned the idea that the U.S. government might become interested since a 10-year moratorium has been placed on any federal studies to augment water for the Central Arizona Project recently passed by Congress.

Mr. Smith said he hoped Canadian officials would support the plan to utilize U.S. funds for developing the Canadian prairies as well as helping the U.S. If they do, the American government might become interested.

The plan would not take any water from the Columbia River system, but might add to it, Mr. Smith said.

Gov. Rampton said that a lead time of 25 years is needed to obtain water for future needs. If the U.S. waits until the need becomes acute, the price of water from Canada would increase accordingly.

Mr. Smith said 180 million acre feet of water from the Mackenzie River now flows northward and is wasted into the Arctic Ocean.

His plan would divert an undetermined amount southward, with some being used by Canada and the rest flowing down the Rocky Mountain Trench into a natural reservoir on the southwest border of Montana.

From this 50 million-acre-foot impoundment, made by daming Centennial Valley, the water would fan out in natural and man-made channels to the arid southwest.

He said it is "surprising how simple" the water could be diverted and made to flow along natural channels.

Mr. Smith said that much of the Canadian opposition to NAWAPA was based on the fact that it would flood the Rocky Mountain

Trench to great depth and destroy recreational values.

His plan, he explained, would raise the water level in the trench only a few feet and would not interfere with recreational uses.

Mr. Smith explained that some of the Canadian water would be diverted into the upper Green River and would be available for shale oil development in eastern Utah and Wyoming. Much of the revenue to pay off construction costs would be expected to come from this source, he added.

Canada Water Imports Could Solve Shortages

Grandiose plans to import water from Canada and even Alaska for the thirsty Western States are not new.

Over the years, 13 inter-regional plans and eight international in scope have been proposed. Among the most ambitious was the North American Water and Power Alliance plan proposed to Congress in 1964 which envisioned diverting 110 million acre-feet of water from rivers in Alaska, the Yukon, and British Columbia at a cost of $100 billion.

Now comes the Smith Plan proposed by Lewis G. Smith, a water resources engineer who resigned from the Bureau of Reclamation to pursue efforts to divert 185 million acre-feet from the Mackenzie and Liard rivers for distribution in the U.S. and southern Canada.

Smith's conceptual plan, however, has definite chances of succeeding where the NAWAPA plan failed. First, it would divert much of the water supply to southern Canadian farms, allowing population buildups in that area away from the crowded Eastern areas.

Second, it would help finance the Canadian projects by the sale of water to the U.S., some 38 million acre-feet annually. And third, it would raise the level of the Rocky Mountain Trench only a few feet. Canadians were especially incensed at the NAWAPA plan to make a vast reservoir out of this primitive Canadian waterway.

Smith's Western States Water Augmentation Concept—the full title for his plan—would cost approximately $50 billion to deliver 38 million acre-feet to Montana's Centennial Valley, envisioned as a 50 million acre-foot storage area, and another $25 billion for the secondary distribution system.

To be sure, several other sources of water are available: Desalinization, reclaimed Mississippi River water, and others. But, claims Smith, none offers the feasibility of Canadian imports.

However, they apply some leverage to the Canadians that their great water resources might be bypassed in favor of other water sources if they delay much longer.

Utah would benefit by water imports into the Green River, part of which could be used for statewide distribution.

The Smith plan has much to recommend it, although it is admittedly a long-range view in its early conceptual stages. Nevertheless, it plants the idea more firmly that the water-parched Western States may have to turn to Canada's vast resources to supply expanding populations during the next century.

TRIBUTE TO MARGARET MAYER, REPORTER OF THE DALLAS TIMES-HERALD

Mr. JORDAN of Idaho. Mr. President, on behalf of the distinguished Senator from Texas [Mr. Tower], who is necessarily absent today, I ask unanimous consent to have printed in the Record a statement prepared by him relative to Margaret Mayer, a reporter of the Dallas Times-Herald.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Mr. Tower

Mr. President, it has been my very great privilege both in Washington and in Texas to work with Margaret Mayer, now of the Dallas Times-Herald. I can testify from experience that she is one of the most astute and accomplished reporters covering this or any other town. She is fearless and she is fair. I wish we had more like her, and I think the Washington Press Corps feels the same way. Texans are particularly lucky to have her working for them here in the Nation's Capitol.

I am pleased that Editor and Publisher magazine has honored her in a recent article which sums up her distinguished career and continuing service. Under unanimous consent I include the article at this point in the Record for the information of Senators and, I hope, as an inspiration to young journalists throughout the nation:

She Keeps a Bead on Texans in District of Columbia

(By Luther A. Huston)

Washington.—The Sunday that Lyndon B. Johnson announced he would not be a candidate for reelection, Margaret Mayer was out in the wilds of Maryland. But she heard the news, dashed into Washington and wrote four stories, all of which made the first edition of the Dallas Times-Herald.

At the late lamented, or lamentable, Democratic Convention in Chicago she was in charge of a four-man staff, that included her managing editor, and, she says, "we did a damn good job." Her staff kept out of trouble, did not get beaten up by cops, gave the Times-Herald comprehensive coverage of the general news of the convention and the particular news of the Texas delegation. She wrote the leads.

In a way, Margaret Mayer had a hand in shaping the political career of Lyndon B. Johnson. She covered his final campaign for Congress in 1946 and his senatorial campaign in 1948, and in 1950 she left Austin and went to work for Senator LBJ in Washington.

"But I wasn't cut out for that sort of work," she said. "I was a newspaper woman and I wanted to get back to it. So, after three months, I quit and went back to Texas as state capitol correspondent for the Dallas Times-Herald." She stayed in Austin as the Times-Herald's correspondent for 15 years and came to Washington as that paper's correspondent in 1966.

Margaret Mayer is as Texan as a cowboy hat or a longhorn. She was born in that state, attended the University of Texas School of Journalism and went to work for the Austin American-Statesman after college.

"That was in war time," she says, "and a lot of the boys were going off to war. The girls were getting the jobs the boys were leaving."

COVERED TEXAS POLITICS

At any rate, she started covering Texas politics in 1944 and has been at it ever since without any serious competition from the boys who came back from war or have entered the field since.

Twice she has left journalism. The first time was in 1949 when she took a leave of absence from the Austin papers and went to Vienna in the War Department's information service. That service was phased out after a year and taken over by the State Department, eventually becoming the U.S. Information Service, so she came back to Austin as a reporter for a few months until she joined Lyndon Johnson's staff in 1950.

For 15 years she was the Times-Herald's one-woman bureau in Austin and for almost three years she has been the paper's one-woman bureau in Washington.

"I'm used to being a one-woman bureau," she says, "and I like it. I love the freedom I have and the freedom I am given by my newspaper. It may be that our ideas do not always coincide but it is an enjoyable relationship."

A cardinal principle of Margaret Mayer's newspaper code is that a reporter stays on the job until it is done. She is scornful of time-clock reporters and the eight-hour day.

"The eight-hour day is something I have never known," she said. "The Sunday President Johnson announced his non-candidacy was a day off for me but I was on the job 15 minutes after I heard the announcement and stayed there until the first edition started to roll. In Chicago I worked around the clock. I work until the job is done and I could no more walk away from a story that is developing than I could walk away from a person bleeding in the street."

Miss Mayer has a lot of chores to do for her paper. Her first priority, of course is her fellow-Texan, Lyndon Baines Johnson. Second priority is the Texas delegation in Congress. These are general news assignments, producing stories to supplement wire service coverage on news of regional interest.

In addition to general news coverage, however, she writes a once-a-week editorial page column interpretive of events related to Texas politics and interests. For the Sunday paper she does a column made up of half a dozen items—something like Newsweek's Periscope column—but beamed on events related to Texas and Texans. Although she is not a "woman's page reporter" she also does a Sunday column covering the social activities of Texans in the Capital.

One of the "society" columns she wrote may have blighted the political career of a bright young man who had aspirations to be governor of Texas. Bill D. Moyers then President Johnson's press secretary, had gubernatorial aspirations. He also was an expert in cooking Texas dishes and he was in charge of the food at a jet-set charity ball in Washington. Miss Mayer wrote about it in her column and the story got back to the rather stodgy, backwoods area of Texas from which came Moyer's major political support. "The story killed him in Texas politics," she said, so he turned to New York and a job as publisher of *Newsday* from which vantage point he still might launch a political career—but not in Texas.

Miss Mayer occupies the office from which Liz Carpenter worked when she was a very competent member of the Carpenter News Bureau before she became Lady Bird Johnson's press secretary. Liz and Margaret were in journalism school together She does not expect Mrs. Carpenter to rejoin the Carpenter Bureau, headed by Les Carpenter, her husband, but thinks rather she may try the lecture circuit.

Miss Mayer, however, expects to continue writing national and Texas news—political and general—from her National Press Building office. "I like what I do," she declares.

THE CZECHOSLOVAK CRISIS

Mr. HART. Mr. President, it is often helpful to have an opportunity to view world events from the perspective of an informed citizen of another nation.

Such an opportunity was given to me recently. I read a speech by Asoka Mehta, one of India's outstanding political leaders and thinkers.

Since independence in 1947, as leader of the Socialist Party and now a member of the Congress Party, Asoka Mehta has been in the forefront of India's economic development.

During the vigorous debate over the Czechoslovak crisis in the Lok Sabha, the lower House of Parliament, Asoka

Mehta broke rank with his party, voting to condemn the Warsaw Pact countries for their heinous action in Czechoslovakia. Asoka resigned from his Cabinet position as Minister of Petroleum and Chemicals.

This courageous speech permits us to see the Czech crisis through the eyes of an Asian. I ask unanimous consent that it be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Speech on Czechoslovakia by Shri Asoka Mehta in the Lok Sabha on August 30, 1968

I am very grateful to my friend Shri Surendranath Dwivedy for giving us this opportunity to express our concern for and solidarity with Czechoslovakia.

Why are we so concerned about Czechoslovakia? Because of its history, its long history of struggle for freedom, of a profoundly rich culture and traditions of which any country can be proud. We are concerned with Czechoslovakia because we have enjoyed the valued friendship of that country; it rushed to our help when we were in difficulties, to strengthen our defences; it has helped us to build up our economy.

I know something about it because for a period of time I was Co-chairman of the Economic Commission between India and Czechoslovakia. We are more concerned about Czechoslovakia because there a struggle of paramount importance is being waged and people are struggling to make socialism—or, the proper word is communism—humane. It is the effort at giving humanity, imparting humanity, into communism that evokes our admiration.

It is not only a struggle for humane communism; it is also a struggle for humane international order. Between nations and between peoples, there has got to be a civilised code of behaviour, a code of behaviour which would evoke the allegiance of the 20th century man. Because it is that kind of struggle that is being waged there, that as socialists we are deeply and profoundly concerned.

Sometimes, it is said: why is it that some of us take such keen interest where the communist countries are involved? The reason is very simple. Those who claim to be the wave of the future have to maintain standards which have to be very different from those who are only the backwaters of the past.

The communists claim to be the wave of the future. We are entitled to judge them by the standards that history demands of us.

In this House there are many of us who are friends of the Soviet Union. I have myself had various opportunities of dealing with the leaders of the Soviet Union and but for the changed circumstances I had already planned a visit to the Soviet Union next month. Therefore, there is no question of our not being friendly with the Soviet Union. Because we are friendly to the Soviet Union, it becomes all the more necessary that when that country makes a grievous mistake, we do not hesitate to voice our protest and our deep regret.

Czechoslovakia has many lessons to teach us. When the people are endowed with a purpose and when the people are able to have a leadership that is committed to a cause, nobody is able to cow them down.

There are many colleagues of mine in this House who are constantly worried about arms. They do not know what will happen to India if we do not get all the arms that we need. I too am concerned about my country's defence. But it is not arms that will ultimately save a people; it is the mind and the heart of the people themselves.

If there is one country in the world that teaches this lesson that when the people are united, when they are filled with noble purposes, when their groupings are graced with a goal and when they have a leadership which is able to inspire them, even the mightiest army is not able to do anything, that is Czechoslovakia. Trying to shape our policies in the quest of arms may have validity up to a point. But when we are concerned with deep and profound issues, we must ultimately anchor our hopes in the unity and the faith of our people and not in borrowed arms.

Then again, Czechoslovakia: whatever has happened, it was said that 10 days shook the world in 1917, two days shook the world in 1968. In these two days, the people of Czech-1968. In these two days, the people of Czeoslovakia have shown that given the unity they are able to assert their will to a great extent. If they have not succeeded fully, it is because we have failed them; it is the peoples of the world who have been somewhat mute in their support to the people of Czechoslovakia.

We salute them for their solidarity, strength, determination and the dedication that they have shown. It is our failure. Let us accept that at this critical hour, when people, not with arms but with their bare bodies, with their hearts and minds, were trying to oppose aggression and tyranny, we did not stand up for them.

This is our sovereign Parliament, and I would therefore like to invite your attention to what the National Assembly of Czechoslovakia had to say on the 28th of August. It adopted a resolution. I wish it were possible for me to read the entire text of it and let it form part of the records of this House, but I will read only two paragraphs from it:

"The National Assembly considers forthwith the occupation of the Czechoslovak Socialist Republic by the armed forces of the five Warsaw Treaty countries as illegal and contrary to international treaties and in violation of the United Nations Charter as well as the Warsaw Treaty."

It goes on to say:

"The National Assembly insists on uncompromising pursuance of the principles and policies proclaimed and adopted in the Action Programme of the Communist Party of Czechoslovakia and the Programme of the Government. The Members of the National Assembly pledge that they will do their utmost to keep the process of democratisation continued without any disturbances."

It is the will of the National Assembly, the will of the Czechoslovakian people that was expressed by the National Assembly in the declaration made on the 28th August.

For me, it is a matter of deep sorrow and abiding regret that our Parliament is the only Parliament in the world that has gone on record saying that there has been no violation of the United Nations Charter.

Sir, may I next invite your attention to what the President of the National Assembly said. Like our Speaker, Sir, he is the tribune of the people of Czechoslovakia, and what has the tribune to say after his return from Moscow? He says: "It is a painful subject. We chose the path of compromise, but it was not easy. Please believe we put forward every argument we had. We were aware in Moscow that the agreement which was concluded could be considered as unacceptable and even be interpreted as treason." He added:

"But it is only thanks to the grand firmness of our people that we were not obliged to accept a long occupation and an imposed Government. It was this firmness which finally influenced the position taken by the opposite side. . . . Of course, there are moments when one must reject all compromises and risk the worst."

He went on:

"We made our decision as patriots and soldiers in the light of the number of cannons and planes on our territory."

18,000 tanks, 1,000 planes and 650,000 soldiers—that was the force of occupation that was imposed upon the little country of Czechoslovakia. He continued:

"We arrived at the conclusion that the ultimate moment had not yet come and that we could seek a compromise while bearing in mind the material and moral risks this would entail."

"The future will judge our decision. It will describe our choice either as wisdom or as treachery."

No one can charge, even history will not charge, the brave leaders of Czechoslovakia with treachery. But I do not know whether some of us will be condoned of that crime by history. They have been compelled to accept this compromise. What is the compromise? The President said:

"It will be necessary to grant the Government special powers concerning measures to be taken regarding the press and radio, the dissolution of clubs and bans on new political parties."

It is said:

"Czechoslovak party and Government leaders today worked against time to find a communist party leadership acceptable both to Czechoslovakia and Moscow and to restore order throughout the country."

They have to find a leadership acceptable to someone outside their country! That is what that country is being called upon to do. It is being called upon to give up a part of its liberalisation programme. What is the crime that Czechoslovakia has committed? It has given freedom of the press and freedom of expression. This the Soviet Union calls counter-revolutionary.

In this House, we are functioning in a multi-party Parliament. In this country, there is full freedom of speech and full freedom of the press. If this is counter-revolution, I have no doubt that every single democrat in this House would be proud to be called a counter-revolutionary. If revolution is to smother the free voice of Czechoslovakia, I say, fie upon that revolution. If counter-revolution is to let the people speak out and express their legitimate right, that counter-revolution is something which the Indian people have cherished.

Therefore, let no attempt be made to cow us down by using these words. This House stands fully, firmly and squarely behind the rights for which the Czechoslovak people are fighting. They have been told, they will not be permitted to fight for these rights. They are being compelled to compromise. Why are they compromising? It is because 14 million people can fight only up to a point.

What about the rest of humanity? What about 500 million people of India? To what extent are we giving them our hand of friendship and cooperation? To what extent is our shoulder being put by the side of their shoulder in their fight for these rights? This is the humane phase for which we have been working. This is what the Father of the Nation taught us. This is what we learnt from our leaders.

If they are fighting for that, surely we are with them. If we do not say that, if millions of people in other parts of the world do not say that firmly and unequivocally, if they are frightened and petrified, if their own small interests come in the way of assertion of their basic personality, are we entitled to blame the Czechsolovak people and leaders? Let him cast the first stone who has never sinned. I am a sinner and I will never cast the first stone at them.

God forbid, that our country should ever face this kind of situation. But if it ever does, I hope and trust that our people and Parliament would behave in the manner in which the Czechoslovak Parliament and people have done. This is the only tribute I can pay to Czechoslovakia. If ever, God forbid, such a situation comes, we shall emulate that illustrious example.

Why did the Russians do it? Mr. Ota Sik, one of the Deputy Prime Ministers of Czechoslovakia, was asked by the world famous Italian Novelist Alberto Moravia, what he thought was the motive of the invasion. This is what the Deputy Prime Minister of Czechoslovakia had to say:

"Certain groups in power felt threatened by the happenings in Czechoslovakia. If our attempt had succeeded, for them, it would have been the end. Hence the reaction. It was a reaction not against a definite change, but against any sign of life or movement. It was the pure and simple defence of the political status quo."

It is with this attempt at freezing the whole situation in the world and at controlling the movement of the spirit of man that this offensive was launched with 6.5 lakh soldiers, 18,000 tanks and 1,000 aeroplanes. It is against that, as the embodiment of the same human spirit, we are being compelled to raise our voice abiding protest.

There are many writers here. I also claim to be a humble writer. The occupation forces in Czechoslovakia have recently destroyed, razed to the ground, the Writers' Building because of their wrath against writers. As a humble writer, I would like to convey to the writers in Czechoslovakia that they can raze the structure, but they cannot destroy the spirit.

Sir, it is necessary for us to give our utmost support to Czechoslovakia. There is a very respected journal in our country. It had the most exalted association. I was distressed to find that from its mast-head it has removed the famous motto, "freedom is in peril, defend it with all your might." Maybe the journal thinks it worthwhile to erase that motto, but the deathless message that our departed leader gave this country will never be forgotten. Freedom is in peril. Wherever it be, we shall defend it with all our might.

May I, therefore, through you, Sir, appeal to the House, to both sides of the House, that the Government, the Parliament and the people must, in unequivocal terms, continue to support the people of Czechoslovakia because it is only then that they can be free. They are on razor's edge if we do not stand by them.

We read this morning in the National Herald that Czechoslovakia had been threatened that Slovakia would be made a part of the Soviet Union and Czechoslovakia would probably be made something else. Anything can happen there.

Therefore, let us discard, let us throw aside, limited ideas and think in terms of the greatness of the issues involved and extend to Czechoslovakia the fullest of support and our solidarity as the Resolution moved by my hon. friend Shri Dwivedy seeks to do. To those who seek to traduce and trample upon the protagonists of humane socialism all that I can say in the immortal words of the Spanish Republicans during the Civil War is *"no pasarán."*

NEW THREAT TO THE OIL IMPORT PROGRAM

Mr. HANSEN. Mr. Prsident, earlier this month I wrote to the Secretary of the Interior to express my concern over the proposed foreign trade zone and refinery complex to be established at Machias Bay, Maine. In the past the Department of the Interior has firmly refused to permit foreign trade zones to be used as a means of bypassing the oil import program. I rise to inform my colleagues of a proposal which calls for a reversal of that policy and which could lead to the complete dismantling of the mandatory oil import control program.

The proposal presently under consideration is establishment of a foreign trade zone at Machias Bay, Maine, and construction of a refinery complex by Occidental Petroleum Corp. after it has received permission to import 300,000 barrels per day of crude oil into the zone and has received a license to import 100,000 barrels per day of refined products manufactured in the zone into the New England area. The finished product quota for which Occidental Petroleum Corp. has applied consists of 90,000 barrels per day of No. 2 fuel oil—which is a substantial portion of the daily home-heating oil requirements in all New England—and 10,000 barrels per day of gasoline. Most of the remaining production of the refinery would find, by one means or another, its way into the U.S. market.

This proposal can only be described as a blatant attempt to obtain a competitive advantage in the marketplace by circumventing the oil import program. The wisdom of the oil import program was graphically illustrated a year ago during the crisis in the Middle East. Without the program, the closing of the Suez Canal and the boycott of the Western nations by the oil-producing Arab States could have had a disastrous effect on our efforts to supply our forces in Vietnam and to provide adequate energy needs at home. Yet, within 1 short year, actions are being taken to undermine the very program which made the United States self-sufficient during that hour of crisis.

The privileges which Occidental Petroleum seeks for itself are great indeed. The Occidental refinery would be the fourth largest in the United States and would equal almost 25 percent of the total existing capacity of all east coast refineries. The proposal asks that Occidental be granted the right to import into the United States 100,000 barrels per day of finished products. This amount is more than that authorized for importation by all of the segments of the industry and would be assigned to only one company. Granting a license to import 100,000 barrels per day of finished products would give Occidental an opportunity to realize domestic prices on products generated at offshore costs. It is estimated that this privilege would represent a competitive advantage of at least $40 million per year to the company.

Since the refinery output would be designed exclusively for importation into the United States or for sale to the United States for use abroad, the Occidental refinery is equivalent to a domestic refinery in spite of its location within a foreign trade zone. The proposal contemplates exclusive utilization of foreign source crude oil—300,000 barrels per day. A comparable domestic refinery of this size would only be entitled to an import allocation of 13,920 barrels per day of crude oil or 4.6 percent of its input. This is a far cry from the 100 percent input of foreign crude oil which Occidental seeks for itself, and which would be equal to 50 percent of the total amount now imported to the east coast.

The granting of the proposed licenses to Occidental Petroleum Corp. is not simply a redistribution of the oil import quotas now available. The refinery at Machias Bay would receive 100 percent of its input from foreign sources and would sell most of its output in the U.S. market. At the same time, all other refineries in districts I to IV, also selling their output in the U.S. market, would be allowed to receive an average of approximately 7 percent of their qualified input from foreign sources, while larger companies average around 5 percent. A suspension of the rules in favor of Occidental would give it a windfall of 284,080 barrels per day of foreign crude oil produced at low cost due to favorable geographic conditions and low wages paid to foreign laborers.

If Occidental wishes to operate a refinery complex at Machias Bay and play by the same rules as everyone else, fine; but every indication is that the company will not proceed with its plans for the refinery complex unless the rule book is rewritten for its benefit. Apparently the company plans cannot be economically justified under the standards which we require of the rest of the petroleum industry. If Occidental is allowed to proceed, other American oil companies will be in a position to request similar treatment. Will we grant these concessions to other companies and destroy the American domestic oil industry? Or will Occidental Petroleum Corp. be the only company singled out for special treatment? Where will the U.S. Government draw the line?

If for any reason the executive arm of the Federal Government should grant the necessary foreign trade zone authorizations and oil import quotas necessary to the establishment of the Machias Bay project, then we can look forward to several of the following results: impairment of the national security of the United States through the failure to provide an atmosphere in which a domestic oil industry can exist and provide a supply of oil which would be adequate, dependable and certain at all times; flooding of the U.S. market by cheap foreign-produced crude oil at a time when the domestic oil industry is suffering a recession across the Nation, and the Department of the Interior has expressed its concern over the status of the Nation's crude oil reserves; a subsidy to consumers of one region paid for by the increased prices charged consumers of other regions of the Nation; an increase in the unemployment rate among American workers; an overall reduction in the use of American-flag vessels by the petroleum industry; a competitive advantage being granted by officials of the U.S. Government to a company that is singled out for special treatment; establishment of many foreign trade zones which would be used to circumvent U.S. trades tariff, and quota barriers; and ultimately, the dismantling of the mandatory oil import control program.

The Foreign-Trade Zones Board has scheduled a hearing on the application for the establishment of a foreign trade zone at Machias Bay, Maine. The hearing is to be held in Portland, Maine, on Thursday, October 10, 1968. Although it apparently took the examiner nearly 3 months to determine the application and accompanying exhibits complied with the regulations. Much of the vital data relating to economic feasibility will not be available for inspection until 9 days before the hearing and 6 days before the deadline for submitting written summaries of testimony. Because of the serious issues involved, it is anticipated that numerous public officials and interested parties will request permission to appear and that several days will be required to hear the testimony. Therefore, I ask the Foreign-Trade Zones Board to reschedule the hearings at a later date which would permit thorough investigation and preparation of testimony and to schedule additional days on hearings, part of which would be held in Washington, a more convenient location with more adequate facilities. In view of the fundamental policy questions involved, I would also urge the Foreign-Trade Zones Board to conduct the hearing rather than the technical Examiner's Committee as now proposed.

THE 90TH CONGRESS—RECORD ON HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, the 90th Congress is rapidly drawing to a close. It is expected that within a week or so we will adjourn sine die. With adjournment will come an appraisal of the record of this Congress on human rights. The Senate—the Committee on Foreign Relations in particular—has not done the job we should do in the field of human rights.

The Committee on Foreign Relations, through a special subcommittee, of which the senior Senator from Connecticut [Mr. DODD] is the chairman, held hearings in early 1967 on the three Human Rights Conventions on Forced Labor, Political Rights of Women, and Slavery. All three conventions were reported favorably by the subcommittee. However, only the Supplemental Convention on Slavery was reported favorably to the Senate by the full committee. The Senate then ratified this convention on November 2, 1967.

In October 1967, the President declared that 1968 would be observed in the United States as International Human Rights Year. In January 1968, the President announced the creation of a special Presidential Commission for Observance of Human Rights Year. The President also called for ratification of nine specific human rights conventions. They are the Conventions on Genocide, Freedom of Association, Slavery Supplement—ratified—Political Rights of Women, Forced Labor, Employment Discrimination, Equal Remuneration, Discrimination in Education, and Racial Discrimination.

On September 20, 1968, the Committee on Foreign Relations held hearings on the Protocol to the Convention on the Status of Refugees. This convention was reported favorably to the Senate and the resolution of ratification was agreed to on October 4, 1968. Thus, this convention became the second to be ratified during the 90th Congress and the only one to be ratified during International Human Rights Year.

Mr. President, we have made some progress but too little.

However, as I stated in my remarks immediately after ratification, this belated ratification of the Protocol on the Status of Refugees is welcome, since this vote demonstrates clearly that these various international conventions, designed to internationalize human rights, can be ratified without prejudice to National or State law. Extending appeal before the International Court to the field of human rights is a milestone which should ease the path of other human rights conventions still awaiting Senate ratification.

Mr. President, I hope fervently that this action by the Committee on Foreign Relations and the Senate itself indicates a move toward reasserting the Senate's constitutional and traditional role in foreign policy matters and, specifically reasserting its leadership role in internationalization of universal human rights.

THE ACLU IS RAPIDLY EXPANDING ITS SPHERE OF INFLUENCE

Mr. FANNIN. Mr. President, the third and final article on the American Civil Liberties Union, written by Mrs. Shirley Scheibla has been published in Barron's Weekly. In her first article, Mrs. Scheibla describes the objectives and early activities of the ACLU; the second article discusses its current activities; this final article discusses the ACLU's new objectives and plans for the future. Departing from its traditional role as legal defender of constitutional rights, the ACLU has announced its plans for a nationwide public relations and educational campaign, proposed Federal legislation and challenges in court to certain laws already on the books.

In order that Senators may be fully aware of the questionable practices and programs of the ACLU, I ask unanimous consent that the final article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Defense to Offense: The ACLU Is Rapidly Expanding Its Sphere of Influence

(By Shirley Scheibla)

Washington.—Not long ago, and with little fanfare, the American Civil Liberties Union rescinded a 1940 resolution barring Communists from office. The move—even if nobody's business but ACLU's—accurately reflects what's going on these days at the same old stand. Until recently, ACLU pursued its aims mainly through litigation, readily recruiting attorneys who served nobly and without pay; its only two counsel on salary were employed at the New York headquarters. Now, though, ACLU is setting up legal centers with paid staffs, and eventually will have them all over the country. These, in turn, plan to open ghetto offices—five already are in business—which will operate in cooperation with foundations and the Legal Services Program of the Office of Economic Opportunity (Baron's, March 4 and April 29). Finally, the Union is about to launch a nationwide public relations and educational campaign, propose some new federal legislation and take to the courts to challenge certain laws already on the books.

PRETTY PLEAS?

In turning activist, ACLU is not merely shifting from passive defense to total offense. It will go on, as before, pleading for relaxation of government security measures and for the "rights" of welfare recipients. But it also expects to go further than ever before in promoting black separatism, with the emphasis on community control over police and schools. Another scheme involves a multipronged attack on the nation's prison system. Still another will seek to force America's press to carry ACLU news and views.

What makes all this possible is a new method of financing sanctioned by the Internal Revenue Service. Slightly over a year ago, IRS ruled that ACLU-sponsored foundations could accept tax-exempt donations. (While ACLU itself pays no taxes, contributions from supporters had been disallowed as deductions). Accordingly, the Union has established the Roger Baldwin Foundation; moreover, at least one ACLU affiliate has formed a foundation of its own. The Baldwin trust, barely in being, already has received grants from the Marshall Field, New World, Norman and New York Foundations—"among others." It has hired staff attorneys and opened offices in New York City, Chicago, Los Angeles, Newark, New Orelans, Atlanta, Delano (Calif.) and Jackson, Miss. Publicly, it has announced receipts of only $471,000, but it also has made public a budget that pegs expenditures over the next few years at $2.4 million.

Serving as legal director of Baldwin is one Melvin L. Wulf. On behalf of ACLU, Mr. Wulf happens to be representing Robert F. Williams in a case now pending against the Post Office Department. Mr. Williams is the chairman in exile—variously to Havana, Peking and, now Dar-Es Salaam, Tanzania—of the Revolutionary Action Movement (RAM). Members of that group have been charged with illegal possession of extensive arsenals and conspiracy to murder several U.S. political leaders. According to J. Edgar Hoover, Mr. Williams is an advocate of violence; the FBI wants him on a charge of kidnapping.

BATTERING RAM

The Williams case challenges a Post Office order, which banned the May 1967 issue of The Crusader (a RAM publication) from the U.S. mails. The issue urged American Negro soldiers to murder white fellow GI's in Vietnam. It also gave instructions in how to sabotage sewer lines, electrical power plants and highways. As legal director of the Baldwin Foundation, Mr. Wulf presumably is in position to supervise all the expanded legal activities the Foundation is making possible.

Osmond K. Fraenkel is one of the paid general counsel, for both RBF and ACLU. According to the American Legion's "Firing Line" of December 13, 1956, Mr. Fraenkel has been affiliated with the American Student Union, the Citizens' Committee to Free Earl Browder, Film Audiences for Democracy, the International Juridical Association and the National Lawyers Guild—all classed as Communist fronts at one time or another by HUAC. Says ACLU: "The fact that contributions to the Roger Baldwin Foundation are deductible by donors will, we trust, enable civil libertarians of substantial means, as well as family funds and foundations, to contribute sums in five- and six-figure figures—the kind of sums ACLU has rarely received in the past."

RED LIGHTS?

Whether ACLU will bar Communists from actively participating in its expanded programs is open to question. When it killed its 1940 anti-Red resolution, the Union substituted one requiring that officers and staff members be committed to "the concept of democratic government and civil liberties for all people," as well as to the objectives of the Union as set forth in Section 2 of its constitution. The latter says they will "maintain and advance civil liberties, including the freedom of association, press, religion and speech and the rights to the franchise, to due process of law and to equal protection of the laws for all people throughout the United States and its possessions."

Asked if the new constitutional provisions will keep Communists out of the ACLU, Washington Director Lawrence Speiser told Barron's: "That's open to interpretation." An indication of the Union's thinking may have come from Lynn Kastner, executive director of the Minnesota CLU. According to the New York Post, he said both ACLU and the Minnesota CLU will join in a fight to place the candidates of the Communist Party on Minnesota's Presidential ballot this November. If so, it will be the first time Communists have sought a place on a U.S. Presidential ballot since the Communist Control Act of 1954 said the Party is not entitled to any rights and immunities flowing from government.

(Last Wednesday, it might be noted, a Washington Post story reported that the Justice Department has given this interpretation of the '54 Act: It applies only to the Communist Party, not to individual members, and therefore wouldn't bar Party candidates from the ballot. The same newspaper quoted Mr. Kastner as saying the Act should be struck down anyway.)

Nor is that all. At ACLU's biennial conference in Ann Arbor, Mich., last June, its governing board was asked to adopt a policy of defending civil disobedience, because "there are circumstances under which deliberate violation of an admittedly valid law is a method by which the expression of political and social views may be made . . ." To further assure the expression of such views, the conference recommended that "daily newspapers voluntarily institute a policy of providing editorial space to unedited news and opinion contributions from the public." This, it was explained, was urged "as an experimental alternative to the course of considering newspapers as public utilities subject to regulation. . . ."

The conference also called on ACLU to undertake, "through affiliates . . . an aggressive program to air its own views and to encourage other organizations to avail themselves of the opportunity to get on air waves on stations under FCC (Federal Communications Commission) control, and that the ACLU national office prepare program materials to use on such broadcasts." It further resolved "that the ACLU, in order to foster diversity on the air waves, vigorously support government subsidy of public broadcasting with appropriate safeguards to prevent government dictation of program content." Not least, the conferees called for "a national educational campaign designed to press our principles on the public," including publication of a 32-page magazine "designed professionally." (ACLU now publishes Civil Liberties, usually between eight and 12 pages in length.)

OPEN UP THE JAILS

Evils and abuses of the prison system particularly need public exposure, the conference said. It suggested "the possibility of doing away with prisons as they exist now," and declared that the mere act of incarceration may be punishment enough.

Here are some other recommendations of the conference:

Secure passage of federal legislation to require the narrowest possible restriction of the security-clearance program to situations which actually and immediately concern the security of the U.S.

Oppose the present draft law in the judicial, legislative and public forums. Work for the amendment of the Selective Service Act to provide free counsel for all draftees, upon request, and to permit a conscientious objector, after he has exhausted all administrative remedies, to have a civil review trial de novo in the District Courts to challenge the ruling of his draft board.

Form a national legislative committee to be composed of one representative from each affiliate to implement legislative policy.

MINORITY RAPPORT

Here's the clincher: Appoint a special committee on black separatism to study (a) the rights of minorities to choose separate living arrangements in publicly supported buildings such as university dormitories; (b) legislation to allow subcultural areas to become viable economically, possibly including preferential funding; (c) protection of the rights of minority individuals to choose styles of life that lead to assimilation, integration, separatism or coexistence; (d) protection of militant organizations from harassment and extra-legal administration of of the law; (e) the adjudication of problems in school decentralization to allow local participation in school administration; (f) the possibilities and problems of hiring practices in schools.

"With reference to (e) and (f), a plan to be devised whereby ghetto parents, students and teachers can formulate the policy of ghetto schools, and parent and community people will have equal determining voice in the curricula of their schools and in the hiring of qualified personnel." (In a September 2 editorial, Barron's pointed out that where so-called control of schools has been initiated, it has meant, in effect, mob rule.)

The conference, finally, called for legislation to "establish ombudsman-type review agencies with jurisdiction over all government agencies, including police" and "assure civilian review of police expenditures." It also asked a committee to "study the position that a policeman off-duty is not a policeman but a civilian with no police authority and should not be armed."

GRAPES OF WRATH

So much for the ACLU conference's resolutions and recommendations. While they provide interesting clues to future policies and tendencies, ACLU's activities through the Roger Baldwin Foundation have been anything but hesitant in the scant year of its existence. Last May, for example, the latter got $85,000 from the Field Foundation "to aid the work of Cesar Chavez in establishing the right of California migrant grapepickers to organize as a union, to distribute literature and to picket and to further the work of the ACLU in the South."

Mr. Chavez who heads the AFL–CIO's United Farm Workers Organizing Committee (UFWOC), trained under Saul Alinsky, the self-styled professional agitator. Part of the Field Foundation grant is being used to pay the salary of Jerome Cohen, an attorney who works full-time for UFWOC. The money also went to defray costs incurred in litigation defending the boycott of California grapes, in support of Mr. Chavez's union. (Last August 5, incidentally, Barron's called that boycott the first major endeavor to force compulsory unionism on agriculture. After a complaint was filed with the Regional National Labor Relations Board in New York City, charging that the boycott there was illegal, the unions involved signed an agreement to halt it.) The Baldwin Foundation says it contemplates other projects like the Chavez caper for migrant farm workers in New York, New Jersey and Minnesota.

CALLING THE COPS

Certain of the legal offices newly established by the Foundation in the Los Angeles area, meanwhile, plan to concentrate on "police misconduct." Three weeks ago, Eason Monroe, ACLU executive director for Southern California, told Barron's: "Our sole present involvement in the Roger Baldwin Foundation is to finance, through its tax-deductible means, two offices in the Negro and Mexican-American ghettos of Los Angeles which serve to receive and to transmit . . . complaints regarding police misconduct." (Exactly how many Los Angeles ghetto offices the Foundation has is not clear. A few days afterward, Barton R. Clausen, Director of Information and Education for ACLU, told Barron's the number is three.)

The Wieboldt Foundation, another RBF donor, has provided funds for a staff attorney in the Negro ghetto of Chicago. His mission will be "civil liberties" issues there, in connection with Baldwin's Illinois Special Legal Project. That scheme already has made some headlines. Last July, the Illinois division of RBF filed suit to enjoin Southern Illinois University from banning Stuart Novick on campus. One day after a Novick speech, which university trustees considered "inflammatory in nature," a university building was bombed. According to RBF attorneys, there was no cause-and-effect relationship; by subsequently prohibiting him from appearing on campus, they contended, Southern Illinois was denying Mr. Novick his Constitutional freedom of speech.

On May 14, the Baldwin Foundation hosted a $100-a-plate dinner in honor of former Illinois Governor Otto Kerner, "for the bold and courageous Kerner Report, surely one of the most significant documents of our critical times." (For another view of the same report, see Barron's, April 29.) Funds raised at the Chicago banquet went to RBF's Illinois Project.

In Newark, according to Emil Oxfeld, president of New Jersey's ACLU, the major effort of a ghetto office (opened earlier this month) will be directed at "police malpractices, employment discrimination and incendiary school situations." It will be supported jointly by the Law Students Civil Rights Research Council (LSCRRC) and the Baldwin Foundation. Last February, ACLU and its Foundation sponsored a Newark conference on police practices at Rutgers University Law School, which boasts an LSCRRC chapter. The Essex County (N.J.) Chiefs of Police Association has a report on the event.

Morton Stavis, it appears, made some startling remarks at the conference. According to the police chiefs' report, Mr. Stavis called the grand jury system useless, because it is normally not possible to obtain information on the testimony taken—and "who knows what kind of snide remarks are made to grand juries by the assistant prosecutor in order to sway them in their thinking." The report quotes Mr. Stavis as saying, "Civil process can result in cops from the chief down to the man who beat up the citizen being ordered to the ACLU's lawyer's office for the taking of depositions. And it is well when the cop arrives to be sure that you are busy so that he has to squirm in the waiting room for a while. This waiting period has tremendous therapeutic effects upon arrogant cops."

When the National Capital Area CLU sought a grant from Washington's Meyer Foundation to further the work of the Baldwin Foundation here, Meyer refused, saying it preferred to limit its largessee to local facilities and services. Shortly thereafter, NCACLU established its own foundation: the American Civil Liberties Fund of the National Capital Area. The latter now has a two-year, $15,000 grant from the Meyer Foundation which it has used, along with contributions from members, partly to hire a full-time legal director and invoke a conference on police practices.

THE KICK-OFF

That event took place at Howard University on June 15. NCACLU Executive Director Irma Thexton says it was the kick-off for an "educational campaign," made possible with foundation money. (Participants, she adds, automatically have become a standing committee on "police practices.") Julius Hobson, chairman of the local branch of Advisory Community Teams (ACT) and an avowed Marxist, participated in one such workshop, on "The Negro Police Officer." Philip Hirschkop, one of H. Rap Brown's attorneys and a member of NCACLU's executive board, took part in another on "Civil Disturbances "and Control of Disorder." The Rev. Channing E. Phillips, an official of Stokely Carmichael's Black United Front (and favorite-son candidate from D.C. for the Presidential nomination at the Democratic convention), participated in a workshop on "The Power Structure of the Police Department." (The above participants were among those listed in the official program printed by NCACLU.)

FREE ADVICE

After the Howard conference, NCACLU issued a 42-page report titled "A Police Department in Trouble: Racial Discrimination and Misconduct in the Police Department of Washington, D.C." Among its findings and recommendations:

Difficult though it may be to document the existence or lack of it, indications are that physical brutality is quite widespread in this city.

"If strong civilian control is not exercised at once to alleviate these conditions, the result is bound to be increasingly ugly confrontations between police and citizens. Unless the city is prepared to face the prospect of continuing military occupation, order can be maintained only if the police department is made to reduce drastically the number of physical attacks and other abuses directed at Negro citizens."

The City Council should ask the U.S. Attorney General to designate special personnel for the exclusive purpose of investigating and prosecuting citizen-charges of police crimes.

The present precinct-advisory council and the Chief's Committee on Police Community Relations are not sufficiently representative of the community. They should be abolished.

GET IT IN THE PAPER

The same day the report was issued, a D.C. Lawyers Committee was formed—and immediately went into action promoting its recommendations. On August 6, the Washington Star picked up the action. It said the committee had urged the City Council to establish citizen precinct review boards that would have authority to veto patrol assignments, select precinct officials and hear citizen complaints against police. The committee also urged the elimination of all-white patrols in black communities, and adoption of a requirement that all police officers live in the District. Meanwhile, the D.C. Policemen's Association pointed out that proposals for citizen control of police precincts in effect would split the city into 14 police departments making it difficult for any officer to carry out his duties authoritatively.

Nationally, ACLU has pressed the case for all-civilian review boards in a booklet titled "Police Power and Citizens' Rights." It says that charges sustained by such boards should be heard by juries "instead of judges who, as part of the law enforcement establishment, have an interest in supporting the police." The more serious incidents, it goes on, "are easily identified with the turbulence of the second American revolution—the unrelenting and necessary drive for civil rights." Civilian boards, therefore, are needed even when no "police brutality" exists because "where the police do not physically abuse minority group members, the mistreatment is subtle and galling."

THE LAWYER GAP

ACLU expects its new foundation money to be especially helped in handling "police brutality" cases, since it can't always find cooperating attorneys willing to handle them without pay. Other new-found funds will enable it to send lawyers to the South, where local barristers frequently are hard to recruit on civil rights cases. The Baldwin Foundation has absorbed the Lawyers Constitutional Defense Committee, founded in 1964 to provide lawyers in the South.

Finally, ACLU has slated an ambitious education and research program. "Professionally prepared curricula are already being developed at several major universities, much of it at the instance of ACLU," according to the Foundation. "With new teaching techniques, these will be disseminated to schools and colleges by RBF." Planned is "a series of regional seminars to educate lawyers, college guidance counselors, religious leaders and prospective draftees about Selective Service Law and practice and particularly how it conflicts with the Bill of Rights." Thanks to its new affluence, RBF says it expects "to make far more effective use of the modern tools of mass communications. . . ."

That, then, is ACLU's new program. Undoubtedly, the administration of justice in this country can profit by some improvement. But the ACLU way points to no such happy goal. The pursuit of individual liberties—when carried to an absurd extreme in disregard of the general welfare—could well destroy liberty for all.

CANCELLATION OF ALL F-111—TFX—AIRCRAFT

Mr. SYMINGTON. Mr. President, the Senate Preparedness Investigating Subcommittee report on the U.S. tactical airpower program, issued Sunday, points up the grave security deficiencies that have resulted from the Department of Defense forcing the Air Force and Navy to put all the eggs of their aircraft development into the one unfortunate basket of this F-111—TFX—series.

Especially because no one but the stockholders of the company in question could have profited from this long record of failures, I agree with an article in Barron's of September 30, "General Dynamics Owes the Nation an Accounting," and ask unanimous consent that this article be inserted in the RECORD at the end of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SYMINGTON. Mr. President, after following the results of this sad effort over the years, I am now confident in my own mind that serious consideration should be given to canceling the entire Air Force F-111 series.

Some Air Force people have said production of the F-111A series should continue. But when pressed as to why, their reply, "What else is there to buy," is far from convincing.

If the plane is fundamentally unsound—and that would now appear to be the case—its termination would prevent the loss of additional billions of dollars, and what is more important, save the lives of many pilots.

Let us note that the F-111B—the Navy TFX—is already dead, killed by the Congress last March.

Let us note also that during the many months the Congress, based on the evidence, was attempting to cancel the plane, this F-111B was costing the taxpayers over a million dollars a day.

The total cost of the F-111B may never be known. The cost to our national defense posture of the entire F-111B program is known, however; and that is nothing short of tragedy.

Because of this premise of "commonality"—one plane to handle all future missions—promoted and pressed by inexperienced civilians, along with a shortsighted, pennypinching policy on all other possible designs, today, and for the immediate future, the United States is faced with a potential second place position in "airpower."

The TFX series programs have been absorbing literally billions of dollars out of the limited resources allotted for the development and production of any other type aircraft; and the incredible result is now there for all to see. The Department of Defense has developed exactly one other new tactical or strategic airplane in the last 8 years; and that aircraft, a subsonic aircraft in this supersonic age, is a redesign of an airplane which first flew in 1955, 13 years ago.

With nearly all money for new aircraft development going into the F-111 series during the past 8 years, all the United States now has to rely upon are the old designs which the Defense Department inherited in 1961.

Eight years ago we had an excellent group of aircraft, and had the right to believe we were "No. 1" in the airpower. Aircraft technology does not stand still, however. Capabilities to improve all planes were progressing steadily during these 8 years. Major advances, for example, have been made in engine technology; increasing efficiency at the same time there was a reduction in weight. Important working experience with new metals and new materials has been achieved to the end that we would construct lighter and more durable airframes.

Equally important, we have gained actual combat experience with present fighters and bombers in Vietnam.

These advances in technology would have allowed us to build improved aircraft; and this combat experience would have guided requirements as to where improvements should be made, in the always present "tradeoffs" between different performances for the different missions.

We had, and have the capabilities, therefore, for across-the-board improvements in all type aircraft; but let it all become mired in the theoretical desire for "commonality," one plane, for many missions.

In the meantime, what have others been doing?

Last year, at their Domodedovo air show outside Moscow, the Soviets showed the world a superb array of new aviation development, with no less than seven new aircraft models. A total of 18 new models have been flown since the F-4 was approved in 1955.

It was their first show in 6 years; and contrary to our policy, it is now obvious they have been pushing a research and development program designed to explore all possible military options that modern technology has made available to airpower.

New fighters, new attack bombers, VTOL planes, STOL planes, variable sweep models, all flew in this show, with two and even three different prototypes in each category; and while it appeared some of these planes were to be used purely for exploratory development, or for service trials to gain field operating experience, many are destined to be frontline aircraft in many ways superior to our present inventory.

Here are but some examples of these new Soviet aircraft:

Foxbat: A supersonic interceptor which holds the world's combat speed record.

Flogger: A supersonic variable sweep tactical fighter of unusually clean aerodynamic design.

Faithless: A supersonic STOL tactical fighter, unmatched by anything in the U.S. inventory. We have nothing in this category, even in contract definition.

Flagon B: Another supersonic tactical fighter.

When I went to the Vietnam theater back in 1965 and talked to pilots on such bases as Udorn, Ubon, Korat, Takhli, and on the carriers, they all emphasized that the United States must have a new fighter—one designed to handle the air-to-air battle. They gave unstinted praise to the F-4 Phantom, but emphasized there should be a new model coming on behind it.

What have we done about a new fighter, one the Air Force calls the FX? Answer: a few cost-effective studies, and a lot of rejected blueprints gathering dust at Wright Field.

The Defense Department informs us they finally authorized the Air Force request for proposals this week; but many years have already been wasted. If this had only been started back when it became obvious a new fighter was needed, the FX could have been in flight test today. Instead, we will be forced to wait at least 5 years until such a plane can become operational.

The Navy is in the same sad fix. The Navy asked for a fighter development program in 1961; instead received only the now abandoned F-111B.

Four years ago, in 1964, the Navy pleaded with the Defense Department to cancel this Navy TFX when it became obvious the latter was not going to work out as an air-to-air fighter. Had it not been for the Congress, however, the Navy would still be spending these wasted billions on an unsound program, instead of now working on blueprints for this new and badly needed VFX fighter.

There are other examples: the Navy's VSX is in the blueprint stage, with no money for actual development during this fiscal year; and the Air Force AX turboprop close support plane has also been studied and restudied for many years.

In this connection, the just released Tactical Air Report includes the following about our aircraft development as against that of the Soviets:

> One of the more unfortunate aspects of our overall research and development effort is our apparent emphasis on "gadgetry," as against completed hardware. This is evident in the STOL (short takeoff and landing) aircraft field; because, whereas the United States does not have a single STOL airplane even in contract definition, the Soviets are now flying three supersonic STOL models and also one VTOL (vertical takeoff and landing) airplane.
>
> From a military standpoint this delay is unfortunate, but it could be equally unfortunate politically, because the Soviets now spread their military aircraft to many countries around the world, and countries with limited airfield development will be eager to have such planes.
>
> Already some of the major U.S. aircraft companies and commerical airlines are now advertising the development of such aircraft—a STOL airstrip is being installed at LaGuardia—nevertheless even on the best possible basis, it will now be many years before such planes are available to the military forces of the United States.
>
> We must take serious account of the new Soviet models, not only because of the possibility of direct future combat, but also because it has become Soviet policy to provide aircraft to third-country nations all over the world, including North Vietnam, the Middle East, and Europe.

In addition to the security aspect, there is the problem of cost; and with the premise that we must maintain a sound economy, preserve the integrity of the dollar in the face of this gigantic military budget, let us take a look at the price of these all but discredited F-111 programs.

By the Defense Department's own accounting, the TFX-F-111 research and development program, through the fiscal year 1969, totals $2 billion; and the production program, through the same period, totals more than $4 billion.

For the planned production of some 450 F-111's, on order through the fiscal year 1969, the American taxpayer will have been forced to pay at least $13 million apiece; and what's more, additional production airplanes, according to the Pentagon's own estimates, will cost over $8 million apiece. No wonder there is grave financial worry as well as security apprehension with respect to growing belief that, along with the Navy version, the Air Force F-111 version is fundamentally unsound.

Even if the oft recurring structural and other defects could some day be corrected, what is the country going to receive for these billions?

The F-111A has range. It has payload roughly the same as the F-105, F-4, A-6 and A-7; but cannot carry on combat missions those bombs we were led to believe it could. It does have a blind bombing capability more accurate than the F-4 or F-105. But it is too large and too expensive to be used for daylight dive bombing, too sluggish and too unmaneuverable to risk in air-to-air combat, and too expensive to commit to the kind of action where a man with a rifle might knock it down.

Nor can the F-111 do the fighter role it was supposed to be capable of. No one even claims that any more.

Let us look at the FB-111 for SAC. It is going to replace the early B-52's and the B-58's, but it does not have the payload capability of either—actually has shorter range than the planes it would be replacing.

The Air Force admits it is only an "interim" strategic bomber. Should we pay these tremendous sums for an "interim" bomber, or continue to use the B-52 as a "launching pad," as we try to come up with an acceptable design of a new long range bomber, which some people believe we should have.

Aside from such question of detail, however, is the far more serious question: Will any of this F-111-TFX series ever prove to be a truly reliable airplane? As mentioned, one model has already been canceled, and the other is now having basic and extraordinary technical difficulties. The series of crashes in the last 5 months point up this fact, and underline the growing basic doubts about the structural soundness of the aircraft. Two separate failures during structural testing have fortified that apprehension.

The super weight-shaving effort which took place in 1964—corner cutting throughout the airplane in an all-out effort to save ounces in each individual part of the plane—is in my opinion the primary reason for the most recent fatigue failure in the wing carrythrough. The cutting to meet specifications became too thin; and for this the manufacturer is primarily to blame. His engineers knew the stresses involved in connection with the metal chosen.

Had this wing carrythrough been built of titanium instead of steel—as proposed by other manufacturers in the TFX design competition, but rejected by the Defense Department—it would have been lighter, but far stronger. Titanium would have taken advantage of new technology, available in 1961, and now proved sound.

The most disturbing aspect of this recent fatigue failure is that it is possibly a harbinger of other similar problems which could dog the airplane through its life; and it is for that reason, more than any of the other known problems, that I now have grave reservations about the basic quality that has been built into this TFX series.

In summary, there would appear three major points to consider about present and future action with respect to our airpower:

First. In accordance with the preparedness report, we must start getting some hardware out of all the blueprints that have been developed over the past decade. The new planes mentioned are critically needed.

Second. The F-111 series serves too limited a mission role for tactical air to justify its very high price; and the SAC version is not worth that price to obtain an obviously inferior bomber for this time phase.

Third. Doubts about the basic soundness of the F-111-TFX design but reinforce the above first two points.

If further study concludes that the entire F-111 program be terminated, this should be done at a logical—but early—stopping point, with aircraft already completed delivered, but no new ones started.

If that is the decision, let us hope that as a nation we have not taken this step too late.

In any case, and bearing in mind that it was the Senate and House of Representatives which forced termination of the Navy F-111 version, if no decision is made by next January, the question of the future of this plane should receive highest priority upon the convening of the new Congress.

EXHIBIT 1

PROFITS AND LOSSES: GENERAL DYNAMICS OWES THE NATION AN ACCOUNTING

If Ralph Nader should ever weary of crusading against tricky warranties or leaky pipelines, we can suggest a neglected cause that's truly worthy of his zeal. Through a ruthless use of Madison Avenue's most dubious techniques—hidden persuaders, overt propaganda, omissions and distortions—the waste makers responsible for perpetrating Brand X (as we shall call the product) have succeeded in selling the American people possibly the shoddiest and most costly bill of goods in history. Widely advertised at the relatively low price of $2.9 million apiece (plus optional extras), the item ultimately wound up costing the user nearly three times as much. Performance has failed to match either specifications or claims. While perhaps not unsafe at any speed—at the moment, nobody knows—its safety record would put the Big Three out of business overnight. Of a hundred-odd working models, an estimated 10 have fallen afoul of mechanical, and frequently fatal, disaster (one accident has been clearly traced to human error). The manufacturer's entire output has been called in for inspection, and there is no assurance when, if ever, the buyers will get their money's worth (billions of dollars all told are involved). And virtually nobody is saying, or doing, a thing about it.

Sound scandalous, Ralph? We think so, too. Hence first chance you get, why not press for a Congressional investigation of all those who have had a hand in the fiasco, notably Robert S. McNamara, former Secretary of Defense; his one-time associates at the Pentagon, the "Whiz Kids"; and the General Dynamics Corp., which happens to make the expensive lemon cited above, the airplane now known as the F-111 and once called the TFX. Better yet, why not write a book? Only two have come out so far: "The Essence of Security," by Robert S. McNamara, and "The TFX Decision," by Robert J. Art, assistant professor of politics at Brandeis University. The latter is Artful in more ways than one; the former has evoked extravagant praise from such dispassionate observers as Barbara Ward. Neither provides what might be called the last word on the subject.

On this score, Barron's would like to contribute a few more words of its own. As old readers may recall, we have been perennial critics of the ill-conceived and ill-fated program (see issues of July 12, 1965; August 16, 1965; August 30, 1965; August 15, 1966; September 18, 1967). A year ago we cited compelling evidence of the aircraft's shortcomings, suggested that it be phased out as fast as national security allowed, and urged that the Secretary of Defense be fired. At the time we thought there was no more to say—few publications care to flog a dead horse—but we were wrong. Instead of fading away, the scandal has blown up to shocking proportions. As of last September, the rate of attrition on the plane still looked modest: only two experimental models had cracked up while undergoing tests. Today, with the F-111 rolling off the assembly line, an alarming number of production units have crashed, under various circumstances and apparently for different reasons (all flights, for the second time in 1968, have been halted). The Navy already has scrubbed its version of the TFX as hopeless; now the Air Force is stuck with a plane that may or may not prove capable of carrying out its mission. What's bad for the country, finally, may not prove so good for General Dynamics. Just how profitable the F-111 will turn out to be is—pardon the expression—up in the air. By brazenly overselling the virtues of the airplane, to shareholders as well as to the U.S. public, and by ignoring its palpable defects, corporate management may have overstepped not merely the bounds of propriety but also the confines of the federal securities laws. "This is a great plane," Roger Lewis, chairman of the board, told the annual meeting in April, "and it's going to be a long program." Tell it to the Marines.

In these pages the tale of the TFX is an oft-told and doleful one. Three years ago, in a series of pieces prophetically titled "Flying Edsel?", J. Richard Elliott, Jr., pierced the thick smokescreen of official and private propaganda and exposed to public view some of the troubles already plaguing what the Pentagon once rashly called "the best airplane ever built": excessive weight, faulty design and poor performance. Last year the true magnitude of the failure began to take shape. In censored testimony before a Senate Committee, Pentagon officials reluctantly admitted that they were moving to penalize the prime contractor General Dynamics Corp., for failing to meet specifications and schedules. Both Navy and Air Force versions of the F-111 fell significantly short in combat ceiling, acceleration to combat speed, single-engine rate of climb and maneuverability. Navy fliers pinpointed 253 deficiencies; when the Pentagon sought to shrug them off as minor, dogged Sen. John L. McClellan (D., Ark.), who presided over the hearings, critically observed: "These (defects) are in the basic design of the aircraft, in the air inlet, speed brake, control system and artificial stability system."

Sen. McClellan knew what he was talking about. Since then, at a total cost of nine lives, eight F-111s have plunged to earth at Fort Worth, Edwards Air Force Base, Los Angeles, Las Vegas and in Southeast Asia. According to a grim table which the Senator has placed in the Congressional Record, the causes included: "structural failure of speed brake; weapons bay gun caused fire; control lost due to jamming by sealant tube or to broken actuator rod; failure in the control system." Potentially the most serious defect showed up late in August not in the air but on the ground. During a fatigue test of an air frame at the company's San Diego plant, according to The New York Times, "a major crack developed in one of the most critical structural elements, the so-called carry through fitting. This is a huge piece of steel that runs across the center of the plane and has pivots at either end to hold the two movable wings." After two more planes crashed this month—one co-piloted by a Flight Lieutenant of the Royal Australian Air Force, which is supposed to take delivery of two dozen modified craft—all of the more than 100 F-111s were temporarily grounded "pending further investigation of this accident."

Some of the company's shareholders understandably have grown nervous; last Tuesday, when the Dow-Jones Industrials surged to new 1968 peaks, General Dynamics' common sagged to the year's low of 42⅞, barely more than half the 1967 high. Top management, however, has never lost its cool. Ever since the controversy first broke into print, indeed, the company, with what can only be described as rare insouciance or chutzpah, has never acknowledged that anything was wrong. On the contrary, it has attacked its critics—to the point of unsuccessfully seeking to pressure the University of Missouri into rescinding an award for journalistic excellence to Dick Elliott for his series on the TFX. In communications to stockholders and in double-truck ads in major news media, it has sung the praises of the F-111; "Since the Wright Brothers' first breakthrough in the art of manned flight," rhapsodizes one such effort, "there have been relatively few major advances in the basic art of airplane building. One was the introduction of light aluminum structures, another the introduction of the jet engine for propulsion. The variable sweep wing represents a similar major step forward."

On January 31, 1968, when many of the difficulties cited above were known to management and four planes had crashed, the company's annual report for 1967 appeared. Here is what it had to say about the F-111. Currently 55 F-111s (including the initial test versions) have been flown, another 40 are in final assembly, and many others are in various stages of construction. Production models of the F-111A are now being delivered to the Tactical Air command of the United States Air Force. . . . Earlier in the year a developmental FB-111A (strategic bomber version) started flight test. A test model of the F-111B (the Navy version) will undergo carrier tests in 1968. . . . In both test and training flights the F-111A has shown an overall capability substantially greater than any existing fighter aircraft, or any now known to be on the drawing boards, in its combination of relatively short takeoff and landing speed variability, range, payload navigational accuracy, precise weapon delivery and penetration to target in all weather, day or night. Pilots who have been flying the plane in the first Air Force operational unit are enthusiastic about its flying, fighting and reliability qualities."

At the annual meeting of stockholders on April 24—when seven planes had crashed and the Senate Armed Services Committee had refused to appropriate further funds for the Navy version—Roger Lewis, chairman of the board, ran into a barrage of questions. His answers never faltered. Here, for example, is how he regarded the Senators' unequivocal vote of no confidence in the F-111B. "It is apparently this Committee's view: first, that sufficient F-111Bs are already on order to preserve the option to go forward with the F-111B program; and second, that new funds could be used more effectively by determination through competition whether in fact a new, lighter aircraft could be produced . . . which might more fully satisfy the Navy's requirements . . . In the meantime, we will continue our maximum effort to make the F-111B the best possible aircraft for the Navy's mission." (On July 11, the Pentagon told General Dynamics to halt all development.)

Regarding the three craft lost in rapid succession in Southeast Asia, Mr. Lewis commented that losses are "inevitable in combat," a disingenuous reply that conveyed the impression, wholly unsubstantiated, that the planes had been shot down. All in all, the chairman made clear, his confidence in the F-111 remained boundless. "There's been no difficulty with either the design or the structure," he averred. "Fliers are crazy about it. It has a marvelous escape system and that gives them confidence" (presumably the ones that walk away). Then the chairman of the board summed up: "This is a great plane and it's going to be a long program. . . . There is no question of anticipated (financial) losses. The question is one of how much profit to book in a given year."

Mr. Lewis may have a point. The various contracts between General Dynamics and the Pentagon (including $1.8 billion for 493 airplanes), so Barron's has learned, are so vague and loosely drawn (Congress might try to find out why) that the possible penalties for nonperformance cited above come to relatively little. However, with production in progress, the company has begun to book profits on the F-111. What might happen to reported results if the plane fails to perform adequately, or contracts are cancelled, is far from clear. Sentiment in this direction is plainly mounting. Last Friday the redoubtable Sen. McClellan, who virtually single-handed shot down the Navy's lame duck, zeroed in on its Air Force twin. He told the Senate: "If the F-111A plane cannot be improved—if it cannot be perfected and made safe—so as to measure up to the weaponry performance that is required and for which it was designed, then we need to make that determination, with all deliberate speed, and move to the development and procurement of a replacement for it."

The Flying Edsel, in sum, may come to grief on all counts. Even if it doesn't, the manufacturer still has a lot of explaining to do, both to the American people with whom it has been less than candid, and to its stockholders. Since 1965, in our book at any rate, General Dynamics Corp. has practised something less than full disclosure. High time it was called to account.

VIETNAM AND THE 1968 CAMPAIGN—ADDRESS BY SENATOR JAVITS

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD the text of my remarks delivered at the annual dinner of the Sullivan County Republican Committee on Thursday evening, October 3, 1968, at the Concord Hotel, Kiamesha Lake, N.Y.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

VIETNAM AND THE 1968 CAMPAIGN

(Remarks of Senator JACOB K. JAVITS prepared for delivery at the annual dinner of the Sullivan County Republican Committee, on Thursday evening, October 3, 1968, at the Concord Hotel, Kiamesha Lake, N.Y., at 8 p.m.)

The people of the United States have decided—and I fully agree—that it is time to bring about a negotiated settlement of the Vietnam war and to begin to phase out United States combat participation. The arguments of escalation, for military "victory" and for pulverizing North Vietnam have all been made, and now the people are speaking. And they are saying that the real issue of the 1968 campaign is not whether we shall negotiate a peace and phase out, but how to do it and who is best able to do it.

The exorbitant cost which the United States is paying for the Vietnam war has been illustrated again by the great crisis in Europe precipitated by the Soviet invasion of Czechoslovakia. The failure of Europe and the United States to respond effectively to the Soviet challenge has not been a calculated display of restraint; rather, it has been a mark of the disarray in the United States brought on by the alarming drain of men, materials and national energies expended in the Vietnam war.

From the standpoint of military execution, the Soviet occupation of Czechoslovakia was a chilling display of precision and efficiency which caught Western intelligence quite by surprise. Now, the Kremlin not only proclaims its "right" to intervene throughout "satellite" eastern Europe, but claims the right to intervene in the affairs of West Germany. This last power display is what has sent shock waves reverberating throughout western Europe, and especially Germany. In its alarm, Bonn has sought reassurance from the United States and here is where the drain and divisiveness of Vietnam have been so costly to the United States.

For, the Johnson Administration has failed woefully to realize the creative possibilities in this new situation. Ambassador George Kennan's dramatic suggestion that the United States send 100,000 fresh troops to West Germany as a bargaining level to get Soviet troops out of Czechoslovakia has, of course, had to be ruled out due to the depletion of U.S. strategic reserves for deployment in Vietnam. Moreover, as a recent report by the House Armed Services Committee has disclosed, ". . . our forces in Europe and in the Mediterranean have suffered as a result of the high priority requirements in Vietnam for both men and equipment." In plain words, our Army and Air Force units in Europe have been stripped down because of the demands of the Vietnam War.

The same process has been at work on the U.S. Sixth Fleet which guards the Mediterranean, and where the United States faces a vastly augmented and nuclear armed Russian fleet. According to the Armed Services Committee report: ". . . the cumulative effect is that the Sixth Fleet remains in a marginal readiness condition. This marginal readiness has had a profound effect on fleet operations."

The weakening of our military position in Europe, caused by Vietnam, is only one side of the coin. The mental lassitude and failure to perceive the creative possibilities to advance U.S. policy objectives in the new situation, which characterize our present, Vietnam-obsessed Administration, is equally alarming.

West Germany's ardent desire for a ringing reaffirmation of U.S. security guarantees has been treated as an embarrassment to be fended-off. And, once again, the Johnson Administration has been outmaneuvered by President De Gaulle. De Gaulle—remotely no match in means, prestige or authority for the United States, has nonetheless up to now won a major diplomatic victory to the great disservice of world peace and security. He has traded a declaration of French support for German acceptance of the continuing French veto on Britain's entry into the European Common Market.

Clearly, the United States should have used the present situation to achieve the opposite—that is, German insistence on British membership. Surely the 215,000 U.S. troops in Germany, which are the backbone of the whole NATO defense, are more important to Bonn than the two detached French divisions which remain on German soil.

A major opportunity to restore the momentum toward European unity is in the process being lost. The failure of the United States to bargain effectively cannot be excused as prudence in this decisive situation which has been created by Soviet and French brinksmanship. The checkmate which De Gaulle has imposed on Britain and the United States in western Europe could be leap-frogged by using the present situation to gain British entry in the Common Market, as a first step toward meaningful European integration, which is so much in the U.S. interest. But the paralysis on United States world policy of Vietnam takes its toll.

The same trance-like lassitude characterizes the Administration's conduct of the Paris peace talks which are now as bogged down in stalemate as the ground war in Vietnam. Under the circumstances, it does little good for Ambassador Harriman to decry Hanoi's "intransigence," when President Johnson stubbornly and rigidly clings to an unrealistic negotiating position. President Johnson has clearly missed the boat in not accepting the summer battlefield lull, and the end of Vietcong rocket attacks on Saigon, as evidence of the reciprocal "restraint" which he has demanded as a condition for a bombing halt down to the DMZ. According to press reports, President Johnson has overridden the advice of Ambassadors Harriman and Vance themselves in not acknowledging the battlefield lull as an opportunity to advance the peace negotiations through a bombing halt, which must be the next step toward a settlement.

Vice President Humphrey's recent Vietnam speech, conditioning a bombing halt on restoring the DMZ, has not helped the situation. One can understand the Vice-President's desire to try to move away from the even more inflexible position of the Johnson Administration on cessation of the bombing. But it is not there the Vice President is so locked-in. Rather, he is locked-in to the Administration's commitments to the Thieu-Ky Government, and this is where the U.S. Government must show its independence if there is to be a negotiated peace. Every word in Mr. Humphrey's speech confirms the lack of such independence.

That is why I believe that the best chance for a negotiated peace in Vietnam will come in January with a totally new Administration headed by Richard Nixon.

I am convinced that Dick Nixon—free from the commitments and mistakes of the Johnson Administration—will move quickly and decisively to settle and liquidate the war in Vietnam.

A comparison of the Republican and Democratic party platforms on Vietnam makes this clear. The Republican platform says: "To resolve our Vietnam dilemma, America obviously requires new leadership—one capable of thinking and acting anew, not one hostage to the many mistakes of the past." The Democratic party platform, because of these very mistakes, had to hedge on the critically important issues of elections in Vietnam as part of the peace settlement, and on phasing out of U.S. combat responsibility. On elections for a post-war government, it says they shall be "open to all major political factions and parties prepared to accept peaceful political process." This clearly gives the veto power to the Thieu-Ky government. As to a phase out, it says that it will "carry out cutbacks of U.S. military involvement as the South Vietnamese forces are able to take over their large responsibilities." Again, this has the effect of giving a veto to the Thieu-Ky government.

The fact is, therefore, that the best hope for a regotiated settlement in Vietnam is with a Nixon Administration.

Even the worst that could come out of the war—the election of a neutralistic government in Saigon—would be better from the United States viewpoint than to continue this dreary war which has bitterly divided our government from the people, has strained our economy, and has undermined our position in Europe and the Mediterranean.

The Vietnam war is an anachronism. It is an obsolete struggle whose outcome has little relevance to the key issues of the years ahead. Whatever justification there was for the initial U.S. decision to intervene in the Vietnamese civil war has been overtaken by the changed situation in Asia, where Communist China has been weakened and divided by Mao's cultural revolution and by the rampages of the Red Guards. Today, Peking is at sword's point with the Soviet Union and with India. There has been a dramatic change in the political orientation of Indonesia. Malaysia and Singapore have been strengthened. The Philippines are a vital force in the area. South Korea is strong and its economic development growing markedly. Japan, which now rates as the third most important economic power in the world and has the third highest Gross National Product in the world, has maintained political stability and now rivals Peking for prestige primacy in Asia. Time and events have ended the reasons for the domino theory.

There is a time in the life of nations—as in the lives of men—to let go of something and let it be. France reached that situation with respect to Algeria in 1958, and had the determination to let go despite its military ascendancy and the expenditure of much blood and treasure. In retrospect, who would challenge the prudence of France's decision in 1958?

It is against our national interest to continue this war, and it is against our national interest to stubbornly bicker over minor points of procedure.

The United States should stop the bombing and press for a ceasefire while negotiations are undertaken to achieve a compromise political settlement—which inevitably will result in elections that may produce a neutralistic or "shared power" type of government. Those unreconstructed disciples of Dean Rusk who say in tone of real or feigned horror that the United States must not "impose" a coalition, would do better to realize that we have no intention to impose a coalition government, but that if one results from elections, that is about the best they can do for Saigon. It would be a "half-loaf" better than they could have achieved without U.S. intervention—an intervention whose time has ended.

FIREARMS ISSUE FOCUS OF VOTERS

Mr. DODD. Mr. President, a steady stream of editorial opinion on the need for stronger Federal firearms legislation crosses my desk.

Each day I come face to face with diverse opinion calling for stronger laws from dozens of different publications, but each virtually uniform with the others in that it calls for stronger Federal firearms laws.

It is heartening to see that these opinions are not all ground out of the same mill, that each contains original thought, and that in each opinion there is a clear reflection of local opinion.

There is diversity in these published opinions, and that is good. It demonstrates the one most important thing in this year's long struggle for sensible and effective firearms legislation, and that is that the people are thinking.

That is what it takes for the people to think. And they are doing that.

The indifferent public of a few years ago, a public willing then to settle for minimal changes in admittedly ineffectual existing firearms law, now have become so irritated with a firearms lobby so brash and so rude that it assaults the senses, now demands registration and licensing laws.

It is demanding from Congress the best that it can get. For example, the Pittsburgh, Pa., Post-Gazette on September 21 said:

> The gun lobby has succeeded in watering down the Senate Gun control bill, but its illogic and adamancy have alerted and alarmed millions of citizens who want to reduce the misuse of guns and their role in crime. We trust that members of Congress who agree with this position will continue to press for further gun controls.

The Cleveland, Ohio, Plain Dealer on September 27 reported that there had been 144 homicides in that city during the first nine months and 26 days of 1968. Of those 144 murders, 111 were committed by gun. The editors of the Plain Dealer had this editorial observation:

> It seems as if our society now reaches for a gun as nonchalantly as one used to reach for cigarettes or candy. . . . The cure has got to be found and it better be soon.

On September 13, 1968, the Fayetteville, N.C., Observer noted:

> Congress has already imposed similar controls on the sale of pistols. To add rifles and shotguns to the list is a logical and urgently needed step toward adequate gun control.

The Tampa, Fla., Times on September 23, had this to say:

> We hope the conference committee acts on this legislation soon. It would make an effective contribution toward checkmating the alarming escalation of the nationwide crime incidence.

Mr. President, as the Congress prepares to give final consideration to the firearms proposals now pending before the 90th Congress, I ask unanimous consent that this sampling of opinion and others be printed in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Pittsburgh (Pa.) Post-Gazette, Sept. 21, 1968]

SUCCESS AND DEFEAT ON GUN CONTROLS

A bill restricting interstate sales of rifles, shotguns and ammunition for these weapons has finally passed the Senate. Unfortunately, amendments requiring gun registration and licensing of gun-owners failed by wide margins. These amendments would have made the bill far more effective in the control of crime.

The battle for gun controls has been long and hard—and it is not over. There was a gun control bill in the Senate some months before President Kennedy was assassinated almost five years ago. For several years afterward, the legislation went nowhere, mainly because of opposition by various gun manufacturers and sporting groups, especially the National Rifle Association. Yet during this time the public's attitude on gun controls changed from indifference to one generally in favor of specific restrictions, including gun registration.

Senator Robert Kennedy's death in June led to passage in July of the provision in the omnibus crime bill which banned mail order sales of handguns. Now shotguns and rifles, which account for 30 per cent of deaths by firearms, will soon be subject to interstate restrictions. This is an important step toward meaningful controls and something of a victory for those who have fought for controls. However, it is equally clear that there is more that must be done, namely the requirement of gun registration and owner licensing. Considering the public's attitude today, gun control advocates in the Senate—Dodd, Clark, Tydings and Brooke for example—are in a better position to continue the fight than Senator Dodd, virtually alone, was five years ago.

The gun lobby has succeeded in watering down the Senate gun control bill, but its illogic and adamancy have alerted and alarmed millions of citizens who want to reduce the misuse of guns and their role in crime. We trust that the members of Congress who agree with this position will continue to press for further gun controls.

[From the Long Beach (Calif.) Press Telegram, Sept. 13, 1968]

CRIME IS TARGET OF GUN CONTROL

There has been an increasing intensity in the public's demand for law and order—justifiably.

At the same time, Congress continues to look at adequate gun controls through eyes blurred by political considerations.

It is time congressmen more clearly recognized that crime is the target.

All crime would not be abolished by gun controls. Considerable crime would likely be impeded, particularly crimes of passion which are linked with domestic and neighborhood quarrels.

The bandit who holds up the store owner is not aiming with a lollipop. The assassin isn't armed with a bean shooter.

There has been considerable discussion—and no limit to the number of discussers—on whether gun controls would disarm the bandit and the assassin.

What is obvious, however, is that gun controls would make it considerably more difficult for the bandit and assassin to arm themselves in the first place.

Attorney General Ramsey Clark, in a memorandum to senators, spelled out the obvious. He said:

"If we are serious in our concern about crime, and especially violent crime, then let us move directly against the favored weapon of the lawless—guns."

Clark urged the Senate to enact a comprehensive gun-control bill, including registration and licensing of firearms, if it really wanted to do something to control crime.

We agree with Clark. Such legislation would not inflict unreasonable restraints upon law-abiding citizens and their right to own guns.

On the other hand, in addition to hampering weapon access to criminals, such legislation would enable law enforcement officers to more readily trace a particular gun used during an act of violence.

[From the Cleveland (Ohio) Plain Dealer, Sept. 27, 1968]

GRIM FIGURES FOR GUN CONTROL

The soaring rate of slayings in Cleveland is shocking, although it is also unfortunately in line with similar trends elsewhere in the nation.

There have been 144 homicides in Cleveland from Jan. 1 through yesterday afternoon. In all of 1967 there were 166 slayings, the highest ever. The city seems to be headed for a new record, one nobody wants set.

These facts underscore the need for a strict gun control law. Police Chief Michael J. Blackwell and Capt. David E. Kerr, head of the homicide unit, strongly support the gun control legislation that was introduced in City Council.

This newspaper is pleased that these police experts are adding their support to the legislation.

In the first 25 days of September there were 23 homicides—16 of them by gun.

In the first 18 days of September there were 18 homicides, 12 of them by gun. That is one homicide a day for that period.

Ten years ago in Cleveland, the homicide rate was one every four days. Why the savage increase?

Crime commission, FBI and police authorities generally agree that more victims are killed by their own relatives, by "friends" in a quarrel, by neighbors than by thugs. Police cannot block the sudden passionate, angry killing.

It seems as if our society now reaches for a gun as nonchalantly as one used to reach for cigarettes or candy. Of those 144 killings, 111 have been by gun. The cure has got to be found and it better be soon.

[From the Fort Worth (Tex.) Star-Telegram, Sept. 27, 1968]

STATES SHOULD ACT ON ARMED CRIME

There is something for everybody, but not a great deal, in the gun control law that now seems certain to emerge from this Congress after a long hot summer of controversy. The bill passed last week by the Senate is a little stronger than the House version, and it contains something for the advocates of strict gun control and those who say it is not guns but men that commit crimes.

The measure bans mail order and most out-of-state purchases of rifles, shotguns, handguns, and ammunition, and the strict control advocates may regard this more as a foot in the door than as anything like the final word on gun ownership restrictions. Those of opposite or milder views probably will view as the greatest (and perhaps only) gain the setting of a maximum term of life imprisonment for use of a firearm in commission of a crime of violence.

The long argument in and out of congress on the registration and licensing of firearms (which the Senate rejected) has given wide currency to a statement that the U.S. Supreme Court has ruled that a convicted criminal cannot be compelled to register a firearm because it would violate his constitutional right against self-incrimination. Despite such assertions, the court has not so ruled.

The ruling applied only to sawed-off shotguns and rifles, and machine guns and other automatic weapons, which are in effect prohibited by the National Firearms Act. The court appointed to the inconsistency of provisions of the act making it illegal not to register such a firearm yet making possession sufficient evidence for conviction. The court said that complying with the registration requirement of the law as it is drawn could cause the possessor to supply the evidence for his own conviction.

It has been our view that prevention of armed crimes would be best served by providing stiff penalties for those who use firearms in the commission of an offense. The provision for this in the measure now in Congress would apply only to federal crimes, and most crimes of this nature are violations of state law.

If the provision is to have across-the-board effect in reducing the criminal use of guns, it must be incorporated into the laws of the states. We hope the next Texas Legislature as well as the lawmaking bodies of other states, will follow the congressional lead in this respect.

[From the Asheville (N.C.) Citizen]

Committee Clears Gun Control Bill

The Senate Judiciary Committee has approved a compromise version of the Administration's bill to control interstate sales of rifles and shotguns.

This measure would:

Stop interstate mail-order sales of rifles and shotguns.

Bar the interstate sale of "long arms" except between residents of contiguous states and then only with the approval of local police.

Prohibit the interstate sale of destructive devices by licensed dealers to unlicensed persons.

Permit bona fide collectors of antique guns to buy and sell firearms that are curios or relics in interstate dealings.

Allow the loan or rental of a firearm for "lawful sporting purposes while (the user) is in non-residence status."

This bill accomplishes the President's main purpose, which is to apply to rifles and shotguns the same restrictions in interstate commerce that Congress has already voted for handguns.

The measure will make it much more difficult for criminals, mentally deranged persons, and juveniles to obtain dangerous weapons through the mails, and at the same time it will not interfere with the legitimate privileges of sportsmen and gun collectors. The bill should be approved.

[From the Fayetteville (N.C.) Observer, Sept. 16, 1968]

Obscuring the Issue

"Outlaw the sale of guns and only outlaws will own them."

That slogan, seen on a bumper sticker earlier this week, is an obvious effort by opponents of gun control legislation to oversimplify a highly important issue.

But the bill now before the U.S. Senate has nothing to do with outlawing the sale of firearms to legitimate owners.

"Control" is the word and control is what is needed.

It is hard to understand why law-abiding sportsmen and others who use firearms for lawful purposes would have any objection to the proposed measure.

Basically, it bans the interstate mail order sales of rifles and shotguns, and also prohibits the sale of such firearms to children, people with criminal records, alcoholics and drug addicts.

As this country has tragically learned, high-powered rifles are even more dangerous in the hands of assassins than more easily concealed pistols.

Congress has already imposed similar controls on the sale of pistols. To add rifles and shotguns to the list is a logical and urgently needed step toward adequate gun control.

[From the Racine (Wis.) Journal-Times, Sept. 9, 1968]

Some Shocking Revelations

Congress is still arguing about the interstate shipment of long guns and heavy weapons, and about licensing firearms to start to bring them under control.

The National Rifle Assn. is still arguing that such legislation would violate the constitutional rights of its members to own arsenals and use them as they please.

And the guns—any kind and in any quantity—are still available to anyone who wants to put down the price for them.

In a startling article in a recent Christian Science Monitor, John Kelly of the Monitor staff reveals his adventures posing as the head of a private army and attempting to arm it. He had little or no trouble getting most of the arms he wanted from New York dealers, operating out of large stores and warehouses in Manhattan.

Kelly ordered a collection of mortars, mortar shells, carbines and repackable hand grenades and had them shipped to his nephew James D. Kelly III in Connecticut.

Little Jimmy Kelly, aged 18 months now has the wildest crib full of toys you ever did see. Had he been able to write, he could have ordered them himself.

Kelly also went out to purchase 300 carbines for his mythical army. He encountered a little trouble; the dealers said that the manufacturers were not turning out the carbines fast enough to keep up with the demand. But one dealer offered to fill the order wholesale and another advised Kelly to get a dealer license in another state so the weapons could be shipped to him under legal cover.

Nowhere was Kelly asked why he wanted the guns, or if he had a legal right to buy them; all of that was taken for granted. In many of the stores he visited he ran into white and black customers who were frankly arming themselves for the possibility of racial conflict.

But situations like this don't seem to get through to a Congress in Washington which is entranced with the gun lobby's blather about "constitutional rights" and "the right to bear arms." Murders by gunshot have become a daily commonplace; senseless sniping resulting in mass murder, usually by deranged people who have had no trouble getting firearms, has become a regular occurrence. Two major public figures have been cut down by gunshot this year. The President of the United States cannot even come to the national convention of his own party because of "security problems."

Doesn't any of this make an impression on Congress?

[From the Rutland (Vt.) Herald, Aug. 28, 1968]

Hoover on Guns

Although the public discussion of gun control legislation has subsided during this month of political conventions, the debate continues in Congressional offices as well as in rod and gun clubs and other meeting places of outdoor sportsmen. For the second straight month, U.S. Sen. Thomas J. McIntyre of Vermont's fellow hunting and fishing state of New Hampshire, who has found himself caught in a cross-fire of mail both pro and con gun controls, has devoted his monthly Report Home to the subject, in the form of questions and answers.

His first question brings up Federal Bureau of Investigation Director J. Edgar Hoover's position on gun controls. Last month, when Atty. Gen. Ramsey Clark appeared before Congressional committees and argued for strict gun controls, it was suggested that the top man in the Justice Department did not see eye to eye on this issue with his subordinate, FBI Director Hoover. This is not so, according to Sen. McIntyre's report. The first question asks: "Is it true J. Edgar Hoover, Director of the Federal Bureau of Investigation, is opposed to gun controls?" The answer says "NO. J. Edgar Hoover is definitely in favor of strong gun controls. In a recent letter to law enforcement officers throughout the nation, Hoover said: 'There is no doubt in my mind that the easy accessibility of firearms is responsible for many killings, both impulse and premeditated. The statistics are grim and realistic. Strong measures must be taken, and promptly, to protect the public.' "

Possibly he referred to the statistics in the FBI's own Uniform Crime Reports for 1967, which have just been released, and which include the following: In 1967 firearms were used to commit over 7,600 murders, 52,000 aggravated assaults, and 73,000 robberies. Since 1964, the reports say, use of a firearm in murder is up 47 per cent, in aggravated assault up 76 per cent. Armed robbery of all sorts was up 58 per cent in the same period.

[From the Riverside (Calif.) Press, Aug. 28, 1968]

Guns Kill People

The gun, according to an FBI report, is a clear-cut choice as the favorite murder weapon in the United States.

It has played a part in 63 per cent of the nation's more than 12,000 homicides last year, an increase of 17 per cent over 1966. California's proportion is 52 per cent.

These figures were released in an annual FBI report, which also listed a continued upswing in serious crimes of violence.

And the FBI figures show that those states with some form of gun control legislation generally had a lower percentage of deaths by guns than states that did not.

Four northeastern states with strict controls—Rhode Island, New York, Massachusetts and New Jersey—ran anywhere from 22 to 29 per cent behind the national average in gun deaths—from 11 to 18 per cent behind California. Another northeastern state, Vermont, one with loose controls, had the highest percentage of murder by firearms.

Obviously, there are many factors other than gun laws which have an impact on gun deaths. But the relationship cited by the FBI is not to be taken lightly.

[From the Cumberland (Md.) Times, Sept. 16, 1968]

Senate Considers Gun Control Bill

The national political conventions and the start of campaigning coupled with the continuing hassle over the Fortas appointment, have all but obscured one prime concern facing Congress now that it is back in session. This is the matter of taking effective action to place gun sales under tighter restraints. The public, which is shown by polls to be overwhelmingly in favor of better controls, needs to sharpen its focus on this important issue again.

The curious thing is that those most adamantly opposed to federal gun control legislation are often loudest in their demands for "law and order." That is curious because the connection between guns and crime is indisputable.

Attorney General Clark re-emphasizes this in a letter and memorandum sent to every senator. "Gun control legislation," he told them from his viewpoint as the nation's chief legal officer, "is the most important crime issue before the Senate. If we are serious in our professions of concern about crime, and especially violent crime, then let us move directly against the favored weapon of the lawless—guns."

More of what Clark told the Senate deserves reiteration as an antidote for the flood of misleading statements in which both Congress and the public have been subjected. "The real question before the Senate," he wrote, "is not whether gun control legislation can reduce crime and save lives. We know it can. The question is whether our system of government will address itself to the issues that must be faced if we are to survive as a free and great people."

As things now stand, the Senate is considering a bill that would curb mail order sales of rifles and shotguns as well as handguns; registration of guns and licensing of owners is not included. The measure is weak but would, as Clark says, be "an essential first step."

[From the Springfield (Ill.) State Register, Sept. 26, 1968]

Compromise Gun Control Bill Should Be Passed

Both Houses of Congress now have passed legislation banning mail order sales of rifles and shotguns, but both Houses must act on the question again because the House and Senate versions are different.

A conference committee will seek to reach a compromise between the two versions. If it succeeds, as it should, the bill then will be routed back through both Houses for final congressional action.

The bill passed last week by the Senate falls far short of the controls sought by President Johnson, who urged mandatory registration of all firearms and licensing of owners. Those provisions, contained in an amendment offered by Sen. Joseph Tydings, D-Md., were overwhelmingly rejected.

The House also had declined to include the registration and licensing provisions in its bill.

So the differences between the two versions are relatively minor. The Senate bill bans mail order sales of ammunition for all weapons, while the House bill would exclude mail order sales of ammunition for rifles and shotguns from the ban.

The Senate bill would make a sentence of life imprisonment possible—not mandatory—for anyone committing a federal crime of violence while armed with a gun. The House bill would make prison sentences mandatory for such crimes but would not authorize life imprisonment.

Both bills would put some restrictions on over-the-counter sales of firearms to persons from out of state, with the Senate version being somewhat more strict.

Congress acted in spite of the objections of the National Rifle Association, whose president contends that "no one can say a law is going to save a life" and "there is no indication that the availability of firearms has anything to do with crimes."

There is a good possibility that more strict firearms laws will save lives, and banning of mail order sales of rifles and shotguns should be a part of those laws.

Congress should act promptly to reach a compromise on the House and Senate versions of this latest gun control bill and to accomplish final passage of the measure.

[From the Bridgeport (Conn.) Telegram, Sept. 20, 1968]

Compact Gun Agreement

Governor Dempsey's pledge to make every effort to have a strong gun control bill by the 1969 General Assembly deserves the support of state residents.

Meeting with New England Governors recently, Governor Dempsey was a leader in efforts that resulted in a compact agreement under which anyone carrying a gun would have to carry a special identification badge.

An important part of the agreement that should serve to quiet some of the opposition to gun control legislation is a provision exempting the registration of gun collectors who keep arms in their homes.

By limiting registration to persons carrying firearms rather than requiring registration of all guns, the governors are attempting to keep red tape and personal inconveniences to a minimum. It is also an attempt to deal directly with the antigun control forces who have criticized attempts at gun registration with the argument that "guns don't kill people, people kill people."

The governors recognized the validity of this argument and made a bold step to seek legislation that would prevent, as much as possible, the opportunity for potentially dangerous people to walk the streets with firearms.

No gun control legislation will ever completely guarantee that guns will be used only for sport and recreational purposes. Governor Dempsey recognized this when he stated the search will continue for the best possible firearms control law.

It is time for the gun buffs, as well as the anti-gun forces to pool their resources and aid the Governor in his attempts to pass a fair gun control bill.

[From the Tampa (Fla.) Times, Sept. 23, 1968]

Restrictions on Firearms

The prolonged and often unreasonable controversy over federal controls in the sale of firearms appears to be ended, at least for the rest of this session of Congress.

The Senate the other day enacted what appears to us as a sound piece of legislation, differing only slightly from the House measure. As this is written, a Senate-House conference committee has not acted, but we assume it will before adjournment.

Amendments to require federal registration of all firearms were beaten down in the Senate, and wisely so. Registration would require an enormous amount of paper-work and also probably create another towering bureau.

The bill as enacted extends to rifles and shotguns the ban on interstate mail-order sales of pistols and revolvers that was written into the Crime Control and Safe Streets Act passed earlier in the year. It extends the mail order ban to sale of ammunition for all kinds of firearms.

All this adds up to the elimination of a nation-wide venture that waxed fat on the sale of a wide variety of weapons to any person regardless of age, nationality or criminal record. A vast amount of crime and violence over the years can be traced to the absence of sound controls in the business.

Another excellent feature in the Senate bill is one to encourage the 50 state legislatures to strengthen state controls. For example, although the bill prohibits over-the-counter sales of firearms to non-residents of the state, a person in one state may make a purchase in an adjoining state if this is legally permissible in both states. In this instance, a buyer must submit an affidavit of eligibility, and the sale cannot be consummated for seven days, in order to give local police an opportunity to object. This latter requirement also applies to mail order sales within a state.

The bill also prohibits the sale of rifles and shotguns to persons under 18 years of age, to us a reasonable safeguard.

We hope the conference committee acts on this legislation soon. It would make an effective contribution toward checkmating the alarming escalation of the nation-wide crime incidence.

THE SENATE STANDS TALLER

Mr. HANSEN. Mr. President, on Tuesday, October 1, preceding the Senate's vote to shut off debate on the motion to take up the nomination of Mr. Abe Fortas, the distinguished junior Senator from Michigan [Mr. Griffin] delivered a speech on the floor entitled "The Senate Stands Taller."

In his remarks, the Senator stated:

> After today, the Senate will stand taller in the scheme of government. We make it clear that we not only claim, but we intend once again to exercise with care and diligence, the constitutional power of advice and consent.

Mr. President, the result of that vote and the subsequent withdrawal of the Fortas nomination testify to the fact that it is not only the Senate, but the Senator from Michigan, as well, who stands taller in the scheme of government.

I ask unanimous consent that several news articles which review Senator Griffin's able leadership of the opposition to this nomination be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Chicago Tribune, Oct. 3, 1968]

Senator Griffin Wins Once Lonely Battle To Block Court Change

Washington, October 2.—What started more than two months ago as a lonely battle for Sen. Robert Griffin [R., Mich.] ended in victory today as the young senator was hailed as the one man most responsible for blocking the nomination of Abe Fortas to be chief justice of the United States.

The hard-working junior senator from Michigan started his campaign with a Senate speech on June 21, several days after reports had circulated thruout the capital that Chief Justice Earl Warren was about to resign.

RAPS LAME DUCK CHOICE

Asserting that he would not vote to confirm any chief justice nominated by a "lame duck" President about to leave the white House, Griffin pleaded with President Johnson to leave that job for the next President, regardless of who might be elected in November.

Sen. John Tower [R., Tex.] and Sen. Strom Thurmond [R., S.C.] quickly rose to indicate their support for Griffin's position.

Griffin began a behind-the-scenes campaign to gain support for his position, as the reports of Warren's pending resignation became more persistent.

Four days after Griffin's Senate speech, he sought to gather support at the regular Republican policy committee luncheon. By then, Senators Howard Baker [R., Tenn.], Hiram Fong [R., Hawaii], George Murphy [R., Cal.], and Paul Fannin [R., Ariz.] were in Griffin's corner.

DIRKSEN BACKED FORTAS

But the road still was a rocky one. Sen. Dirksen (R., Ill.) proved to be one of the staunchest supporters of Fortas, altho he was to excute a complete reversal later, after Griffin had the vote to block the nomination.

Griffin and Murphy, at the luncheon, decided to draft a statement opposing the selection by President Johnson of a new chief justice, and seek to get a large number of signatures. They obtained about 10 signatures before the official announcement of the Warren resignation and the nomination of Fortas as his successor came from the White House on June 25.

The statement was redrafted, inserting language to point out that there was nothing personal intended against Fortas or Homer Thornberry, the man named to suceed Fortas as an associate justice.

By evening of the day the nominations were announced, Griffin had collected 18 signatures. Tower backed off, temporarily, upon learning that Thornberry, a fellow

Texan, was nominated, but later signed the statement.

By the middle of July, with 19 signatures on the statement, it was discarded in favor of person-to-person talks.

The White House also was beginning to apply pressure, with several Senator receiving calls from top officials of such corporations as the Ford Motor company and American Airlines. Don't oppose the Fortas nomination, the officials pleaded, hinting they had been asked to make the calls by the White House and reminding the senators of federal contracts held by the corporations.

As hearings on the nominations began before the Senate judiciary committee, the main issues had become the question of whether there actually was a vacancy, since Warren had conditioned his resignation on the confirmation of his successor, and on whether Fortas had continued to operate as an adviser to the President after being named to the court.

ADMITS ADVISING LBJ

Fortas agreed to appear before the committee and admitted he had advised the President on certain issues, but insisted he had been careful to observe the separation of power between the executive and judicial branches, a separation held sacred by many senators.

Another issue that had entered the picture was Fortas' ruling on a number of obscenity cases in October, 1966.

On the final day of the hearings, the phone rang in Griffin's office, and a man who said he was "a top official at American university" told about Fortas participating in a seminar there and receiving a $15,000 fee, donated by local business men.

The man said he couldn't afford to identify himself, but vowed his facts were accurate.

Efforts to check out the report were blocked by officials of American university. The lead was given to several reporters to check out, but they also were unsuccessful.

UNIVERSITY CONFIRMS FEE

In desperation, Griffin slipped the information about the call to Thurmond, a member of the judiciary committee, and Thurmond took it from there. American university officials were called, as the hearings were reopened, and confirmed that Fortas had, in fact, received the $15,000 fee.

While senators are notorious at accepting fees for speeches, most can't demand more than $500, another point that tended to aggrevate many Fortas opponents.

Griffin also told the committee, in the re-opened hearing, about a magazine story purporting to tell how Fortas helped Johnson draft his 1966 state of the Union address, another clear violation of the constitutional doctrine of separation of the governmental branches.

Fortas refused to return to testify before the committee, and antagonism against him was growing sufficiently so that Griffin confidently predicted he had more than enough votes to sustain a filibuster.

TELLS TURNING POINT

In an interview today, Griffin said the turning point in his battle was when Fortas agreed to appear before the judiciary committee.

"He admitted that he had served as a Presidential adviser and then he swore that he had told us everything when he was finished," said Griffin. "We later showed that he simply was not telling the truth and when he refused to come back before the committee, that was the last straw for some members."

The single most important issue was the $15,000 fee at American university, Griffin said.

What effect did Sen. Dirksen's switch have on the outcome? Griffin was asked.

DIRKSEN EFFECT WEIGHED

"It did have a psychological impact," he said.

"But how many votes did he bring with him?"

"Maybe two at the most, including his own," Griffin admitted.

The vote on shutting off debate, which triggered Fortas' letter of withdrawal today, failed by 14 votes to reach the required two-thirds of senators voting.

Griffin, 44, came to the Senate in May, 1966, when he was appointed to the post by Gov. George Romney to fill the unexpired term of the late Sen. Patrick V. McNamara. He was elected to a full term in November, 1966.

COAUTHOR OF LABOR ACT

Griffin was elected to the House in 1956 and served five terms prior to his appointment to the Senate. While in the House, he was co-author of the Landrum-Griffin labor act and the national student loan program.

Born in Detroit, Griffin attended public schools in Garden City and Dearborn, Mich. He attended Central Michigan university and received his law degree from the University of Michigan law school.

[From the Traverse City (Mich.) Record-Eagle, Oct. 3, 1968]

SPEARHEADED FORTAS BATTLE: SENATOR GRIFFIN'S STAR RISES IN SENATE

WASHINGTON.—One effect of the withdrawal of Abe Fortas' nomination was to substantially boost the stock of an obscure young Senate backbencher named Robert P. Griffin.

Until three months ago, Griffin was on the fringes of the Senate's Republican power structure—his name overshadowed by more glamorous members of the 1966 freshman crop such as Charles H. Percy of Illinois and Mark Hatfield of Oregon.

But almost singlehandedly, and against the advice of GOP veterans, the first termer from Traverse City, Michigan, brashly seized on the issue of President Johnson's nomination of Fortas to be chief justice.

Griffin held on despite pressure from within his own party, and took on the White House, the Supreme Court and his own Republican leadership in one of the major power struggles of the 90th Congress.

The effort paid off.

By helping stop President Johnson from naming a man to the court, Griffin just could have preserved that privilege for Richard M. Nixon, the GOP presidential candidate, a feat which would assure him of being a regular guest in a Republican White House.

Griffin is believed to have his sights on a Senate leadership spot in the future.

After Fortas requested his name be withdrawn Wednesday and the president complied, Griffin said: "A chief justice should have widespread support among the people and within the senate. In view of the obvious deep division and controversy, it is a wise decision.

"I think whether it is President Humphrey or President Nixon, they'll have to change the way you pick Supreme Court justices. From now on I think they'll be, well, more antiseptic."

Beyond that, he declined to comment on his victory.

Griffin first started getting involved in the Fortas dispute last June, nearly two weeks before Johnson announced that Earl Warren was retiring and that he would name Fortas as chief justice and Homer Thornberry of Texas as associate justice.

While flying here from Michigan one morning, Griffin spotted an item in the Wall Street Journal reporting that Warren "may quit before President Johnson's term runs out. Reason: He hopes to have a voice in the selection of his successor."

"Being a lawyer, that startled me," Griffin recalled. "I called one of my staff members and we discussed it. I couldn't believe the chief justice would resign with a political purpose in mind."

The evidence was strong that Warren, a longtime GOP foe of Nixon, did not want to give the former vice president a crack at nominating his successor.

Griffin started preparing a speech to the Senate, even before the Fortas-Thornberry nominations were known. His chief argument, he said, was that the "chief justice has no business trying to have a hand in who his successor is going to be."

Before Griffin could make the speech, word leaked out that Warren had handed his resignation to Johnson. Griffin rushed to the floor and declared he would not vote to confirm any nomination of a chief justice by a "lame duck" president.

Griffin contends he had no hint then, and has not had any since, that Nixon wanted the Fortas nomination blocked. He said he was in contact with Nixon about the nomination during the summer, but the candidate remained "aloof" about the subject and at times left him wondering whether he objected to the effort to block Fortas.

"But he never indicated to me directly or indirectly that he wanted me to back off," Griffin says.

Whatever Nixon's position was, Griffin says he was committed to oppose the nomination regardless of political consideration.

Under pressure from Senate Republican leader Everett Dirksen to lay off, Griffin engineered the filibuster against the nomination, and his office became the unofficial clearinghouse for information about the issue.

Along with Sen. George Murphy, R-Calif., Griffin collected 18 GOP signatures on a petition against the nomination in defiance of Dirksen's leadership. From there on, all the cards began falling into place.

The list of opponents kept growing; southern Democrats joined the fray; new information came to the fore about Fortas' involvement in White House decisions. And, finally, it was disclosed that Fortas had accepted $15,000 in lecture fees, money solicited from businessmen.

[From the Toledo (Ohio) Blade, Oct. 3, 1968]

MAN IN THE NEWS—A PROFILE: GRIFFIN GIANT KILLER IN FORTAS FIGHT—BUCKED PRESIDENT, GOP PARTY CHIEFS

WASHINGTON.—Robert P. Griffin, 44, the man who sparked the fight that blocked confirmation of Abe Fortas as chief justice, is a back-row senator who bucked President Johnson, leaders of his own party, and the nation's legal establishment.

Not that the Michigan Republican, first elected to the Senate two years ago, claims a single-handed victory in forcing Mr. Johnson's withdrawal of the nomination Wednesday, at Justice Fortas' request.

Senator Griffin readily acknowledges that the help of GOP colleagues and support from southern Democrats were essential to bringing about the defeat of a nominee for chief justice for the first time since 1795.

SPEARHEADS DRIVE

Nonetheless, it was the unimposing, soft-spoken senator who spearheaded the drive who turned up much of the ammunition for the opposition.

An example: Senator Griffin got "a blind call" tipping him to the fact that Justice Fortas, an associate justice of the Supreme Court, was paid $15,000 for lecturing at a summer law school seminar out of $30,000 in donations solicited by a former law partner, Paul A. Porter, from five businessmen.

He still doesn't know who made the call.

This was said by many senators to have seriously damaged the appointment's chance.

ITEM BEGINS EFFORT

What first started Senator Griffin off was a newspaper item last June 14 saying that Chief Justice Earl Warren . . . may quit before President Johnson's term runs out. Reason: He hopes to have a voice in selection of his successor."

Senator Griffin said his reaction, as a lawyer, was "that's none of Warren's business."

A week later, before Justice Warren's intention to retire was officially known and before Justice Fortas' nomination was submitted, Senator Griffin told the Senate that "I shall not vote to confirm an appointment of the next chief justice by a lame duck President."

Wednesday, Senator Griffin said that at the time "I didn't think of winning or losing. I just decided that on the basis of the apparent political motives involved, I wasn't going to vote for any nominee."

COLLEAGUES AGREE

At a Senate Republican Policy Committee luncheon after his Senate speech, Senator Griffin said, he found quite a few of his GOP colleagues agreed.

Senator Griffin and California Sen. George Murphy then circulated a statement declaring that the filling of any Supreme Court vacancies should be left to the next president and pledging to oppose any nominees submitted by Mr. Johnson.

The statement, signed by 18 of the 36 Republican senators, was issued on June 26 shortly after Mr. Johnson announced Justice Warren's intention to retire and his nomination of Justice Fortas, a friend and adviser of the President, to succeed him. At the same time federal Judge Homer Thornberry, another friend of Mr. Johnson's was nominated to replace Justice Fortas.

CALLED "CRONYISM"

Senator Griffin denounced the appointments as "cronyism at its worst" and renewed his objection to nominations by a "lame duck" president, but he said Wednesday that these arguments "didn't catch on with a lot of people."

But as the controversy went on, he said, senators ended up with "a basketful" of other reasons for opposing Justice Fortas' confirmation.

Senator Griffin listed these as: No vacancy existed because of the circumstances of Justice Warren's retirement; the court's decisions were wrong in the fields of crime and pornography; the $15,000 lecture fee, and testimony that Justice Fortas had continued to serve as an adviser to Mr. Johnson after going on the court in 1965.

Senator Griffin, regarded as a political moderate, left the attacks on the court's decisions to other senators. He said that for the most part he is in agreement with its rulings.

FOCUS OF OPPOSITION

Ultimately the Michigan Republican focused his opposition on what be termed questions of propriety and judgment involved in Justice Fortas extra-judicial activities.

At the start Senate GOP leader Everett M. Dirksen of Illinois dismissed Senator Griffin's opposition as "frivolous, diaphanous, gossamer," But in the end Senator Dirksen voted against cutting off the filibuster against confirmation.

The failure of the anti-filibuster move, by a 14-vote margin on Tuesday, doomed Justice Fortas' chances and led to the withdrawal of the nomination.

During the Judiciary Committee's hearings, Senator Griffin, who is not a member, fed the members with leads, suggested questions, and possible witnesses.

UNPRECEDENTED STEP

But with all this the Michigan senator said one factor not to be overlooked is Justice Fortas' unprecedented appearance as a witness at the hearings.

"Fortas' own testimony didn't help him a bit," Senator Griffin said.

The senator is no stranger to the giant-killer role. His congressional career started in 1956 with a victory over a three-term representative.

He was a major force in the overthrow of Rep. Charles A. Halleck as GOP leader, and he was co-author of the Landrum-Griffin Act, which was passed over the strenuous objections of the labor movement, a power political force in Michigan.

APPOINTED TO SEAT

He got into the Senate by appointment after the death of Sen. Patrick V. McNamara, but he won the seat on his own in 1966 by upsetting G. Mennen (Soapy) Williams, a six-term Michigan governor who was considered one of the most powerful figures in Michigan's history. Talk is now developing that Senator Griffin may be projected into the post of chairman of the GOP policy committee which will be left vacant by the retirement of Sen. Bourke B. Hickenlooper of Iowa.

Senator Griffin said he is not looking for it and has repeatedly said that his fight against Justice Fortas' nomination did not represent an effort to promote himself.

The senator, a 165-pounder who stands 5 foot 8 and wears thick glasses, plays golf and likes to fish for trout.

FATHER OF FOUR

He and his wife, the former Marjorie Anderson of Luddington, Mich., have four children—three boys and a girl. His wife taught school while he was going to the University of Michigan law school after army service in World War II.

Senator Griffin went into the army as a private and was a forward artillery observer. He spent 14 months overseas and was discharged as a corporal.

He was born in Detroit and grew up in a house built by his father.

He and his wife now have their Michigan home in Traverse City, where Senator Griffin practiced law for 6 years before his election to the House.

AMENDMENT OF MILITARY SERVICE ACT

Mr. HART. Mr. President, on April 26, 1968, I introduced S. 3394, a bill to amend the Military Selective Service Act of 1967.

Mr. President, S. 3394 is an attempt to put more equity and certainty into the draft process. It attempts to fairly distribute today's burden of who shall serve when not all serve among all potential draftees and at the same time give the Armed Forces a younger, stronger, more easily trainable army.

Specifically, S. 3394, which is cosponsored by Senators Brooke, Case, Kennedy, Mondale, Nelson, and Yarborough, changes existing draft law in four major ways.

First, it reverses the existing order of call so that selection and induction will be made primarily from 19-year-olds. Presently, draft-eligible young men between 19 and 25 are called in the order of oldest first.

Second, it creates a "prime selection" group from which most, if not all, draftees would come. This prime selection group would consist of three classes of draft registrants: Qualified registrants who have attained the age of 19 but not yet attained the age of 20; qualified registrants who have been previously deferred and whose deferments cease; and qualified registrants between the ages of 20 and 26 who are not now deferred and have not yet been called.

Third, it states that no draft registrant shall remain a member of the prime selection group for more than 1 year.

Fourth, it removes from current law a provision prohibiting the administration from setting up a draft lottery.

Since introducing S. 3394, I have written to this Nation's college presidents for their views on the bill.

I ask unanimous consent to have printed in the Record letters from 58 presidents or official representatives of institutions of higher learning commenting on S. 3394.

There being no objection, the letters were ordered to be printed in the Record, as follows:

University of Miami,
Coral Gables, Fla., August 7, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for your letter of August 1 concerning the legislation on selecting persons for induction into the Armed Forces which you introduced in the Senate on April 26. I also appreciate receiving the copy of the bill, S. 3394.

I will circulate your letter and your bill among my colleagues who are most interested in matters pertaining to the draft. I know they will be happy to learn of your efforts to bring about a more equitable and fair method of selecting young people for the Armed Forces.

Sincerely yours,
Henry King Stanford,
President.

State University of New York,
Albany, N.Y., September 9, 1968.
Hon. Philip A. Hart,
The Senate,
New Senate Office Building,
Washington, D.C.

Dear Senator Hart: Thank you for your letter concerning Senate Bill S. 3394.

I strongly support the amendment of the Military Selective Service Act of 1967 as provided in S. 3394. These provisions comprehend the changes necessary to a more equitable distribution of the burden of the draft among all groups. Further, these provisions would lessen the loss of educated manpower at this critical juncture in our history and remove the uncertainties that cast a shadow over the education of young men who will be the strategic brainpower reserve of this Nation.

Sincerely,
Samuel B. Gould.

Carleton College,
Northfield, Minn., September 9, 1968.
Hon. Philip A. Hart,
Senate Office Building,
Washington, D.C.

Dear Senator Hart: I was on vacation when your letter of August 5 arrived and shall respond to your inquiries now that I have returned to the campus.

Congratulations on the terms of your Draft Reform Bill S. 3394. There is no question that these condition would greatly improve the present draft situation and attitude of young men toward the draft. The present arrangement creates great difficulty, confusion and anxiety, and a clear-cut set of provisions such as your Bill proposes would go a long way toward a fairer and more equitable draft law.

Yours sincerely,
John W. Nason.

Hofstra University,
Hempstead, N.Y., September 5, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for your letter of August 11th which arrived during my vacation.

I heartily endorse the principles you've incorporated in Senate S. 3394 amending the Selective Service Act of 1967. The present system is absolutely chaotic, and worse than that, is stupid. The present system is cutting off the flow of doctoral candidates at the precise time that we are in desperate need of additional trained college and university teachers. Many of the boys now being taken out of graduate school probably will never return to them after their service, and I know from personal experience because my son has just been through it. What a jolt it is to a man's career, when he's nearing completion of his graduate work and is married, to be suddenly yanked off into service. It would be much more sensible and make career planning much easier for the boys if the principles of your Bill were to be adopted, and as you point out, it would give the services younger and, therefore, better in a military sense, recruits.

Sincerely,
Clifford Lord.

New College,
Saraosta, Fla., September 5, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thanks for your letter of August 1, 1968, and the attached information about the amendment which you propose to the current Selective Service Act. I would have responded sooner but Mary and I spent the first three weeks of August in Europe and I have only recently returned.

I think that your proposal is a far more equitable solution to a bad problem than that which currently exists. You undoubtedly recall my Quaker disposition and therefore must realize that I would—as I am sure you would—like to abolish the draft, Vietnam and all future wars. However, if we must send our young men to fight and die, this at least furnishes an equal chance to all to live regardless of the accident of intelligence or wealth. Therefore I would support this kind of an amendment as much more desirable than this current state of affairs.

Sincerely,
John Elmendorf,
President.

The University of Rochester,
September 9, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Mr. Wallis has been abroad most of the summer, and is not expected to return to the office until the middle of the month. Your letter describing and enclosing Senate S. 3394 will be waiting for him when he returns, and I know that he will appreciate your thoughtfulness in sending it to him.

Sincerely yours,
Kenneth F. Wood,
Assistant to the President.

State University College at Buffalo,
Buffalo, N.Y., September 6, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for the explanation of your proposed revisions to the Selective Service Act of 1967. As a college administrator involved in encouraging young graduates to continue their professional studies, I see merit in your plan to revert to the system of drafting younger people first. This feature, coupled with the lottery provision, should remove a large proportion of the uncertainty facing the college student and allow him to make more positive career plans. It would also relieve the graduate schools from the pressure of accepting students who would otherwise not be exempt from selective service.

You and your colleagues in the Senate are to be commended for suggesting a more reasonable alternative to the 1967 law.

Very sincerely,
E. K. Fretwell, Jr.,
President.

Clark University,
Worcester, Mass., September 19, 1968.
Sen. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for your letter regarding Senate S. 3394 to amend the Military Selective Service Act of 1967 to provide a more equitable system of selecting persons for induction. I can think of few things that are more important for Congress to do in its next session than to amend the draft laws. They so patently discriminate against the poor and those who are not in a position to go to college. I am afraid that we are harboring up a good deal of trouble for ourselves in the future with the manifestly unfair laws under which we are operating at the present time. The sons of the upper middle class are almost totally exempt for they can get into some college somewhere. Their parents can buy exemption for them.

I hope that you and your colleagues will succeed in passing a fair draft law, and if there is any way in which I can help, please call on me.

I was delighted to see that Senator Kennedy and Senator Brooke of Massachusetts have joined you in this noble endeavor.

Sincerely,
Frederick H. Jackson.

Northwestern University,
Evanston, Ill., September 16, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Your letter of early August addressed to President Miller has been referred to me so that I might reply. I regret the delay in my response, for your letter arrived at my desk during a brief vacation absence. Since my return I have conferred at some length with my staff, at least one of whom has had extensive experience in counseling and advising students who have concerns about military service and the present Selective Service operation.

It is my feeling that your proposal would improve the present Selective Service law and would clarify substantially the position in which students frequently find themselves.

We would be interested in receiving a copy of your Bill S–3394 so that we might give it more detailed review. We are grateful for your interest in our point of view.

Sincerely yours,
Roland J. Hinz,
Vice-President for Student Affairs and Dean of Students.

Albright College,
Reading, Pa., September 18, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for your letter and copy of the Senate Bill No. 3394 which you have introduced to amend The Military Selective Service Act of 1967.

I am in complete agreement with your bill and encourage the early ratification by your colleagues in the United States Senate. Thank you for sending us a copy. Please be assured of our concern and support.

Very sincerely yours,
Arthur L. Schultz.

University of Chattanooga,
Chattanooga, Tenn., September 17, 1968.
Senator Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: In pursuance of my letter of August 28 in reply to yours of August 11, I have these comments on S. 3394.

Our staff here after careful consideration is of the opinion that the bill would be in a number of ways an improvement over the present system. It would, we feel, impose some problems of enrollment on weaker institutions for the first two years of its operation but these should not be too severe, and of course the college population would be restored to normal after the first two-year period.

The one suggestion that was made is that should a student reach his nineteenth birthday during an academic year in which he is enrolled in college, and be selected for service, it would seem to be more equitable to allow him to finish the semester, quarter or academic year before induction. In this way he would not lose the results of his work for that year and could more easily pick up his work upon return. This may be in the bill but we thought it should be explicit.

With this proviso our staff is in favor of the bill and agrees with the remarks advanced in its behalf.

Sincerely yours,
W. H. Masterson.

Bowling Green State University,
Bowling Green, Ohio, September 13, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for giving me an opportunity to react to your Senate Bill S. 3394. I congratulate you on your courage in undertaking a very necessary reform in our draft legislation. Based on your comments, I would say that the Bill represents a great improvement on our present legislation. I do not believe that I have any additional suggestions at this time as you seem to have covered most of the existing inequities.

Again, thank you.

Cordially,
Wm. Travers Jerome III,
President.

Texas A. & M. University,
College Station, Tex., September 12, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: I appreciate very much your letter of August 11, explaining the steps you have taken to amend the Military Selective Service Act of 1967 to provide a more equitable system of selecting persons for induction. We also found the extract from the Congressional Record to be most enlightening.

We appreciate the concern which you have for spreading the burden of the draft more equitably among all groups.

Again, many thanks for keeping us informed in this matter.

Sincerely yours,
Earl Rudder,
President.

Georgia Institute of Technology,
Atlanta, Ga., August 7, 1968.
Hon. Philip A. Hart,
U.S. Senate, Washington, D.C.

Dear Senator Hart: Thank you for your thoughtfulness in sending me your letter of August 1 and the enclosed comments on Senate Bill 3394 to provide a more equitable system of selecting persons for induction.

I am very much aware of the inequities of the present law and its interpretations and agree that it does need revision. We do not, even now, know what the effect of the Selective Service will be on our graduate student enrollment for the 1968-69 and 1969-70 academic years.

I will follow with much interest the progress of Senate Bill 3394.

Sincerely yours,

Edwin D. Harrison,
President.

The American University,
Washington, D.C., August 7, 1968.
Hon. Philip A. Hart,
U.S. Senate, Washington, D.C.

Dear Senator Hart: Thank you for your letter of August 5, 1968, addressed to former President Hurst R. Anderson, outlining your joint sponsorship of a bill to revise the Military Selective Service Act of 1967.

Since Selective Service System procedures often have a profound effect on the academic community of the nation, let me assure you that the University administration is following closely your efforts to obtain a more equitable military induction system.

With every good wish for the success of your efforts and with appreciation for the interest and concern you have for the future of higher education in America.

Sincerely yours,

William F. Ahlstrom,
Assistant to the Provost.

Vincennes University,
Vincennes, Ind., August 7, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you very much for your letter giving the details of Senate S. 3394 to amend the Military Selective Service Act of 1967. We are very much interested in your proposal, and would like to be kept informed of future developments.

Sincerely,

Isaac K. Beckes,
President.

Millsaps College,
Jackson, Miss., September 25, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: On August 5 you wrote me, I am sure along with presidents of other institutions of higher education, asking for comments and suggestions on Senate Bill 3394 relative to the Military Selective Service Act of 1967. In general, we at this college think that your idea has merit. There are, however, certain questions that we would raise.

1. Does the year of maximum vulnerability suggest that a person will be exempt after that year?

2. Drafting younger men first would require that we exempt large numbers who were deferred for cause.

3. Provision should be made for the young man of 17 or 18 years who finishes high school and wishes to meet his obligation prior to age 19. Currently, I believe, he has to enlist for a full tour of three to four years. Without such provision, he is required to extend his tour to remain relatively idle until 19, or to enter college with the prospect of having his enrollment interrupted.

4. Although the current change has created some trauma in graduate schools, it is my opinion that this will level off as these people complete their obligation. Rather than graduate enrollees being the "halt, lame, women, etc." it seems to me that the enrollment could become those who really want and are qualified for graduate study rather than those who are using it as a device to avoid service in the military.

5. Provided that we are willing to accept the large scale, unearned exemption cited in paragraph 2, and provided the younger men (17–18 years old) were provided for, this seems to have merit.

We shall appreciate your continued interest in this matter.

Sincerely yours,

Benjamin B. Graves.

Kenyon College,
Gambier, Ohio, September 5, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: This will acknowledge receipt and thank you for your letter of August 5, 1968, to my predecessor, Dr. F. E. Lund, regarding Senate Bill 3394 to amend the Military Selective Service Act of 1967.

I believe that any amendment to the law, which makes things more definite for young men subject to the draft, is a step in the right direction. Certainly we need a draft law which is equitable and which is reasonably predictable from the standpoint of the young men selected.

Very truly yours,

William G. Caples.

University of California,
Berkeley, Calif., August 20, 1968.
Senator Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: My office forwarded your letter of August 1 and I wish to express my appreciation to you for your introduction of Senate S. 3394 to amend the Selective Service Act. Your position certainly supports the recommendations of most of us in higher education.

As a former Michigander and a professor at Michigan State I am pleased that you were the one to propose the changes.

With gratitude,

E. Harwell,
President, Luther College, Decorah, Iowa.

Wittenberg University,
Springfield, Ohio, August 15, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: In your recent letter you asked for my response to certain aspects of Senate S. 3394 which you have introduced to amend the Military Selective Service Act of 1967.

I should like to preface my brief response by suggesting that there is not sufficient evidence either in the Senate or in the House of a sincere desire to terminate the most unfortunate situation in which we find ourselves in Vietnam. Any consideration of Selective Service should be predicated upon termination of the illegal war in which we are engaged in Vietnam and should be aimed at fulfilling the nation's defense requirements in the pursuit of a more defensible foreign policy than that which is now in effect.

I am in agreement with Senator Edward M. Kennedy's remarks at the point where he speaks for "a fair, just and predictable system." For this reason, I do not understand your desire to remove from current law the provision prohibiting the Administration from setting up a draft lottery. Predictability is of very great importance to young men as they pursue their education in preparation for their rightful and constructive roles as members of our society. Uncertainty about the necessity of military service is confusing and, indeed, extremely negative so far as motivation of young men is concerned.

For similar reasons I am appalled by the notion of telling young men throughout their high school and early college years that at age nineteen, they will be subject to the draft, with resultant interruption of their educational plans. In this connection, General Wheeler's remarks are not at all reassuring since they fail to take into account the larger interest of young men as citizens and the longer range need of the nation for men educated to the fullest extent of their capacities.

For several decades I have observed how young men lost some significant benefits of their educational experience because of a state of uncertainty engendered by the threat of interruption of their education by military service. This was true, for example, during the Korean War, even though at that time recognition was given to the fact that during an extended and unpredictably long period of world tension young men would develop their capacities to the fullest extent possible through sound education in order that they ultimately might make their optimal contribution to a stable and strong society. It has been my conviction that only in this way can we hope to have a society capable of surviving through decades of tension and uncertainty.

There is obviously a need for draft reform, but it is my conviction that the long-range requirements of the nation will be jeopardized if the Selective Service law does not take into account the need for encouraging young men, even as early as age ten to fourteen, to look to the future with confidence that their optimal educational level will be reached without uncertainty, and hopefully without interruption so long as progress is being made toward reasonable educational objectives. At that point they will be ready to serve the nation at their best level, whether in the military or in civilian life.

Cordially yours,

John N. Stauffer,
President.

Christian College,
Columbia, Mo., August 19, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you very much for your letter of August 5 explaining your Bill S. 3394 to amend the 1967 Military Selective Service Act. Although Christian College as a college for women is not directly involved in the deferment of students for higher education, our students are certainly very much involved with young men who men who came under the Act.

Ever since I was drafted out of college in World War II while the local residents of the community were not called for many months after they were eligible, I have been interested in a more equitable draft provision for the armed forces of our country. I personally believe that every young man and woman who can hold down any kind of position in civilian life should be required to spend a year in the armed forces in some capacity or other. Since I know that this solution is not probable in our country, I have followed with great interest the suggested changes over the past few years. I find your recommendations to be most equitable and hope that your colleagues in the Senate and the House will think likewise. Had I a vote, I should vote at once for amendment.

Sincerely yours,

W. Merle Hill,
President.

St. Joseph's College,
Philadelphia, Pa., August 20, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: I want to acknowledge gratefully the data you sent to me on 11 August 1968 concerning Senate S. 3394.

I want to congratulate you for your efforts in this matter. I think that your third point, namely, that no draft registrant shall remain a member of the prime selection group for more than one year, is very significant and would be widely acclaimed by the youth of our country. In my experience with college students, it is this cloud of uncertainty which is most demoralizing.

I wish you all success. Best personal regards.

Sincerely,
Very Rev. Terrence Toland, S.J.,
President.

Tufts University,
Medford, Mass., August 21, 1928.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

My Dear Senator: I appreciate your sending on to me a copy of your remarks made upon the introduction of S. 3394. I have felt for some time that an amendment of the Military Selective Service Act of 1967 in the direction of your bill is the proper way to move and I am delighted that S. 3394 is in the hopper. I support your effort.

Sincerely,
Burton C. Hallowell.

University of Missouri at Kansas City,
Kansas City, Mo., August 19, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: I greatly appreciate your forwarding to me the information on your bill (S. 3394) to amend the Military Selective Service Act of 1967.

It is heartening to know that careful attention is being given to the very difficult problems caused by the Selective Service procedures.

Please be assured of my deep concern in this matter and of my continuing interest in the development of a more equitable program.

Sincerely,
James C. Olson,
Chancellor.

Salem College,
Salem, W. Va., August 19, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: There came to my desk this week your letter outlining the proposed amendment to the Military Selective Service Act of 1967.

Certainly the procedure used for selecting persons in the armed forces has important implications as far as the colleges and universities are concerned. It is obvious from the suggestions listed in your letter and amplified in the reprint from the Congressional Record that you have given the matter a great deal of careful consideration. You are to be commended.

Thanks for providing me with the comprehensive background information.

Sincerely,
K. Duane Hurley,
President.

Scripps *College,*
Claremont, Calif., August 19, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: I was pleased to learn by your letter of August 11, 1968, that you and other senators have introduced a measure to amend the Military Selective Service Act of 1967 in order to provide a more equitable system of administering selective service and specifically to reverse the present order of induction by making nineteen-year-olds the principal group from which draftees will be selected.

I fully agree with the provisions of this bill and hope that it will receive early consideration and favorable action by both houses of Congress. I strongly support it chiefly because it will result in the drafting of young men at the time of their life when they can best afford to interrupt their civilian activities to serve their country in the armed forces. At age nineteen many of them have not yet decided what career or professions they will follow. The draft will interrupt their education but not seriously disrupt it, perhaps at the cost of prolonging it by requiring them later to take some refresher courses before they are ready to continue with professional or graduate work. Frequently service in the armed forces will also provide ninteen-year-olds with further experience and opportunity to think about what they want to do so that when they return they will have their goals well defined and be well motivated to pursue them.

I also believe that society at large can better afford to draft nineeen-year-olds than the older groups. By the time a young man has reached the age of 25 or 26 society will have invested tens of thousands of dollars in his higher education. Drafting him at this age increases the cost instead of obtaining a return from his productive efforts.

Sincerely yours,
Mark H. Curtis.

The City College of the City University of New York,
New York, N.Y., August 21, 1968.
Senator Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: I find the fourth provision of your Bill (S. 3394) both acceptable and wise.

The sooner we begin to use a lottery rather than trying to play God with the determining of the destiny of our youth, the better it will be.

The present system of deferments for undergraduate students thrusts an extraneous non-academic consideration right through the vital processes of education. And the new practice of not deferring graduate students (except for certain categories) has resulted in a mad rush to new bachelors into the teaching profession, where many ought not to be. The more we try to manage the lives of others, the more does expediency take the place of principle.

The current prohibition against setting up a draft lottery must be stricken.

Sincerely,
Buell G. Gallagher,
President.

Yankton College,
Yankton, S. Dak., August 20, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Since you have so kindly written me a personal letter, I feel a reply is called for.

Although I do not know how I may be of help in the passage of Senate Bill 3394, I extend to you my cheers from the sidelines.

There is little doubt that our present draft law is untenable but I have not made an investigation of those proposals to correct it. S. 3394 seems to have great merit.

Cordially,
Donald B. Ward,
President.

Texas Christian University,
Fort Worth, Tex., August 20, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

My Dear Senator: Thank you for your communication of August 11 concerning your introduction of S. 3394 to amend the Military Selective Service Act of 1967 to provide a more equitable system of selecting persons for induction.

I particularly like the part in which you reverse the existing order of induction in order to draft 19-year-olds first. I have written many letters opposing the present system which drafts the oldest first, primarily because of what it is going to do to our graduate schools, but just as importantly because the Army does not want the older men. I like your other points as well, and am glad to go on record as such. Thank you sincerely for your assistance.

Cordially yours,
J. M. Moudy,
Chancellor.

The University of Tennessee,
Knoxville, August 20, 1968.
Hon. Philip A. Hart,
Senate Office Building,
Washington, D.C.

Dear Senator Hart: We certainly appreciate your sending us the information about Senate Bill 3394 which would amend the Military Selective Service Act of 1967.

We shall carefully consider your thoughtful amendment.

Sincerely yours,
Joseph E. Johnson,
Vice President for Institutional Research and Executive Assistant to the President.

University of Louisville,
Louisville, Ky., August 21, 1968.
Senator Philip Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for sending me a copy of the remarks you made when you introduced Senate S. 3394.

It seems to me that there is a great deal of good sense in your comments as they relate to a more equitable exercise of the draft

Sincerely,
Woodrow M. Strickler,
President.

Montclair State College,
Upper Montclair, N.J., August 21, 1968.
Hon. Philip A. Hart,
U.S. Senate
Washington, D.C.

Dear Senator Hart: Thank you for your letter of August 11, 1968 and for the information about your Senate Bill S. 3394.

I do think that the bill is an improvement over existing conditions. I am personally inclined toward the development of a voluntary army however, and I feel that this could be accomplished if the country as a whole were prepared to pay members of the armed forces salaries which were commensurate with those paid in the rest of the society (and perhaps commensurate with the kind of work and risks entailed). It seems to me that the overall effect on the society of this persisting draft on into the forseeable future is unwholesome.

I should add that I do recognize the need for our country to have a large military establishment during this particular era in world history, and therefore, my general opposition to the draft is not based on pacifist or isolationist views.

Once again, thank you for your letter; I certainly appreciate your efforts to make the present draft arrangement more equitable.

Sincerely,
Thomas H. Richardson,
President.

Rhode Island School of Design,
Providence, R.I., August 20, 1968.
Senator Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Upon Dr. Bush-Brown's resignation, I succeeded him as Acting President of Rhode Island School of Design and he has passed your letter concerning the draft on to me for reply.

To give you a complete inventory of my thoughts on this matter would present you with more reading time than I'm sure you have time to give, but I can make a few comments which will suggest my point of view.

You quote General Wheeler who says that older men will not be as eager as 19-year-olds. I think it is important that General Wheeler and others realize that no college student is eager about serving in the armed forces—at least I have never met one who was.

A 19-year-old has generated momentum and involvement in his first year of college. It would be unfortunate to short-circuit him at that point. The problem of getting into college and adjusting to college life is difficult enough without adding to it the fear that one may be tagged for military service at any moment.

I think that the argument for equality based on the idea that "we should not allow men to escape service simply because they are rich enough to go to college" is questionable because the vast majority of college students nowadays are far from rich, and many, because of the various financial aid programs, are recruited among the very poor. Most students are not in college because they are rich, but because they are intelligent and industrious. Therefore, I am opposed to any plan which makes more difficult their already difficult problems of getting an education.

Finally, let me ask a question which I have wanted for a long time to put to some knowledgeable persons: Why, since it has been established by a reliable study that we could get all the military manpower we need through voluntary enlistment, do we not do it?

I hope you will continue your effort to solve the selective service problem and that your arguments will take into account the idea that it is at least as important that our young people be given every encouragement and every kind of help in their effort to be educated as that they serve in the military.

Best wishes.

Sincerely,

Donald M. Lay, Jr.,
Acting President.

Lansing Community College,
Lansing, Mich., August 21, 1968.

Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Sorry to be late in answering your letter regarding the draft. I am sure my ideas regarding the draft laws are not too sophisticated. It would be my assumption that this Bill had a great deal of work done by the Armed Forces Committee and by General Hershey's office.

We live in a time of major strain for our Country and for the world and we have been at war continually since 1941. Draft legislation is not popular and unfortunately there will never be more people wanting to serve than the need demands. I do not know if it is possible to develop a Selective Service law that would be fair to all.

I certainly commend you for studying this Bill but it would seem to me that the efforts of our Country should be directed more toward a clear-cut position regarding our limits of power, commitment to the world, and the development for all of us to follow in traditions that are within the framework of our Country's philosophy. War and the draft are not popular causes but until man learns how to govern himself better it appears both are going to be with most of us through our lifetime.

My only concern here, if I understand the four points you are fitting in the draft law, would be the provision under emergency for quick expansion of the armed forces. I can understand the need for the young men going into service first and the reason for their ease of training. I am sure the 19 year old will not be pleased with this law. However, I am concerned that we would not have further recourse to the men after they move out of the prime selection group. We should be able to call them if the need arises. Possible your bill takes care of this.

Sincerely,

Philip J. Gannon,
President.

University of Pittsburgh,
August 20, 1968.

Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: I have read with interest your letter of August 5 concerning your proposed bill to amend the Military Selective Service Act of 1967. I believe your proposal will serve the interests both of the individual and of national security. A system of the sort that you have recommended would be beneficial to higher education in that it would insure that a student, once he is considered for the draft, could then enter college with assurance that he would be able to complete his education without interruption.

I hope that your efforts to amend the law will be successful. I have previously expressed to several Representatives and Senators from Pennsylvania my support for a revision to the present draft law, and I hope many of them will support your bill.

Sincerely,

Wesley W. Posvar,
Chancellor.

The Catholic University of America,
Washington, D.C., August 21, 1968.

Hon. Philip A. Hart,
Senate Office Building,
Washington, D.C.

Dear Senator Hart: Thank you for your letter of August 1, concerning your bill S. 3394 which would amend the Military Selective Service Act of 1967 to provide a more equitable system for persons for induction.

After reading your remarks in the April 26, issue of the *Congressional Record* upon introducing S. 3394, it seems to me that graduate institutions of higher education, like Catholic University, would be in sympathy particularly with the first three ways in which you propose to change the draft laws.

This past spring the University's Institutional Research and Planning Office studied the impact of recent selective service policies upon the graduate enrollment at Catholic University for this coming fall. I am pleased to enclose a copy of that report which may be of interest to you.

Thank you again for informing me of the contents of your bill. Hopefully, it will give America a fairer way of selecting men for military service.

We would be pleased to have you visit the Catholic University at some future time.

Sincerely yours,

Rev. John P. Whalen,
Acting Rector.

St. Benedict's College,
Atchison, Kans., August 16, 1968.

Senator Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: I wish to thank you for your letter of August 11, 1968, with its enclosure of a page from the Congressional Record dated April 26.

I read through the matter carefully and find nothing with which I radically disagree. The provisions of your bill seem to provide for the needs of national defense without the present unfortunate provisions which are disrupting society to a certain degree. I refer specifically to drafting of graduate students and older age men first.

I would like to see a draft lottery that would take in every type of person. Conscientious objectors, on a personal basis, should be assigned to some type of public service benefiting our nation. I am entirely fed up with deferments of young men to play professional athletics. The matter of physical requirements needs investigating. If a man can play professional football I fail completely to understand why he cannot serve his country. In summary, I hope that speedy action will be taken by the Senate to pass your bill. I would be even more in favor of the same if it provided for draft lottery.

With kindest personal regards, I remain.

Sincerely yours,

Father Alcuin Hemmen, O.S.B.,
President.

Lake Forest College,
Lake Forest, Ill., August 15, 1968.

Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you very much for your letter of August 5th.

I am very much interested in your proposed revisions on the Selective Service procedure. It seems to me that this is a great improvement over the present situation, and anything which I can do to help further the possibilities of the passage of your amendment, I would be more than happy to do. Thank you for keeping me informed.

With all best wishes,

Cordially yours,

William Graham Cole,
President.

Lee College,
August 14, 1968.

Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: I appreciate very much receiving your letter of August 11 with its enclosure in regard to the draft reform bill. Any person who has been involved in dealing with youth in recent years, knows the tremendous pressures that have been generated by the operation of the Selective Service System and some of the injustices of which it perpetrates. The immediate selection of 19-year-olds would in most cases pick a young man up immediately upon high school graduation and would end the uncertainty with which he is faced in regard to his work or educational future.

There have been a number of circumstances with our local board where they have not been at all happy with their rulings. In many cases there appears to be little or no logic in the position that they have assumed and by virtue of this, have perpetrated what has been felt to be injustice by our local group. I feel that the draft which you have proposed in Senate Bill 3394 would be a great asset.

Cordially yours,

Richard D. Strahan,
President.

Paine College,
Augusta, Ga., August 13, 1968.

Hon. Philip A. Hart,
U.S. Senate, Washington, D.C.

Dear Senator Hart: Thank you very much for your letter of August 1 with the enclosure relative to the Military Selective Service Act of 1967 amendment.

We in the educational field are vitally concerned with the higher education of those who are qualified for college entrance, as well as maintaining a faculty of young, devoted men who have obtained their master's degrees and return to teach here; therefore, two age brackets are of great interest to us.

We shall be grateful if more consideration is given to these persons also.

Very cordially,

E. Clayton Calhoun.

Clemson University,
Clemson, S.C., August 16, 1968.

Hon. Philip A. Hart,
U.S. Senate, Washington, D.C.

Dear Senator Hart: Thank you very much for your letter dated August 11 and the very interesting information you have provided relative to your bill S. 3394 to amend the Military Selective Act of 1967.

I have no particular or significant comments or suggestions to make. However, I should like to first commend you for having introduced this proposed legislation, and secondly, to state that it is my considered opinion that if the proposed changes which you recommend are adopted by the Congress, the Selective Service system will have been significantly improved.

Sincerely,

ROBERT C. EDWARD,
President.

DUKE UNIVERSITY,
Durham, N.C., August 15, 1968.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: President Knight has passed on to me your letter of August 5th, which describes your bill (S. 3394) to amend the Military Selective Service Act of 1967. As a graduate dean, I am of course especially interested in the kind of reform proposed in your bill. I have no constructive suggestions to make, since what you propose seems to me as good as anything I have heard of. I will say that I hope your colleagues in the Congress realize, as I can see you do, that several years of the present law (especially as it affects graduate education) would bring about a serious deterioration in our whole educational system. Given the generative role that graduate education plays in our highly technological civilization, it is clear that our national welfare has a substantial stake in the kind of reform you propose.

If there is anything I can do to help, please let me know.

Sincerely,

R. L. PREDMORE,
Vice Provost and Dean

WHEATON COLLEGE,
Wheaton, Ill., August 14, 1968.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: On August 1 you wrote to me in connection with the provisions of your bill to amend the Military Selective Service Act of 1967.

I have shared this with members of our staff and find that they are in general agreement with the provisions of your proposal.

I thought that this would be of interest to you.

Sincerely yours,

HUDSON T. ARMERDING,
President.

ERSKINE COLLEGE,
Due West, S.C., August 15, 1968.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: We thank you for sending us a copy of the measure to amend the Military Selective Service Act of 1967 that you introduced into the Senate last April. We agree that this act has many serious drawbacks from the point of view of the educational systems of this country. It will indeed be a national disaster if the graduate schools are seriously impeded in their work as we believe will be the case if this measure stands unchanged.

It is our sincere belief that the measure that you introduced would remedy the main imperfections of the system and we wish you every success.

Sincerely yours,

JOSEPH WIGHTMAN,
President.

WEST VIRGINIA WESLEYAN COLLEGE,
Buckhannon, W. Va., August 15, 1968.

Hon. PHILIP A. HART,
Washington, D.C.

DEAR SENATOR HART: Your correspondence of August 11, 1968, addressed to President Stanley H. Martin is herewith acknowledged in his absence, and I am making copies available for information purposes to the Dean of the College, Dr. Orlo Strunk, Jr., and the Dean of Students, Mr. Samuel M. Ross.

Your efforts in behalf of a more equitable system of selecting persons for induction into the military service is noteworthy and appreciated.

Sincerely yours,

RICHARD A. CUNNINGHAM,
Assistant to the President.

HARVARD UNIVERSITY,
Cambridge, Mass., August 16, 1968.

Senator PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: President Pusey has not yet returned to this country from a trip abroad, and I am therefore taking the liberty of acknowledging your letter of August 5, 1968, and its information regarding S. 3394.

As you may know, the procedures which you outline in S. 3394 are very close to the recommendations President Pusey has advocated. I am quite sure that he will be anxious to support this bill, and I hope that you will let us know if there are any specific measures of support which you would like to see taken by the universities.

Thank you for your letter.

Sincerely yours,

CHARLES P. WHITLOCK,
Assistant to the President for Civic and Governmental Relations.

POTOMAC STATE COLLEGE OF WEST
VIRGINIA UNIVERSITY,
Keyser, W. Va., August 15, 1968.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: I have your letter regarding the Military Service Act of 1967.

In general, I agree with your views of amendments to the Act. It seems to me that a young man is entitled to some rather definite knowledge of his draft status during his nineteenth year. Furthermore, I am quite certain that many young men entering college today do so with a weather eye on the draft, and their concern with serious academic work in college is sometimes less evident than their anxiety about military service.

In spite of these considerations, however, it does seem to me that national manpower considerations would require at least some deferments for purposes of occupation and higher education. In other words, I am dubious of a draft lottery, and I am doubtful that our zeal for equity in military service should rule out certain kinds of deferments. I would urge much caution in any kind of lottery arrangement.

I hope that these views may be of some help to you as you continue your work on this important matter.

Sincerely yours,

TODD H. BULLARD,
President.

NORTH CAROLINA STATE UNIVERSITY
AT RALEIGH,
August 19, 1968,

Hon. PHILIP A. HART,
U.S. Senate
Washington, D.C.

DEAR SENATOR HART: I am quite in accord with your Senate S. 3394 respecting Selective Service liability. A fine piece of leadership.

Sincerely,

JOHN T. CALDWELL,
Chancellor.

UNIVERSITY OF NOTRE DAME,
Notre Dame, Ind., August 19, 1968.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: I heartily endorse S. 3394 which you introduced into the Senate to amend the Military Selective Service Act of 1967. I believe it accomplishes the effort to spread equitably the burden of the draft among all groups and to provide the Army with younger, stronger, and more easily trainable draftees. For these and other reasons, I am completely in accord with your amendment, and I do hope that it will have favorable consideration by the Senate.

With all best wishes, I am

Cordially yours,

Rev. THEODORE M. HESBURGH, C.S.C.,
President.

ST. PETER'S COLLEGE,
Jersey City, N.J., August 17, 1968.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: I wish to thank you most sincerely for your letter of August 11 concerning the Bill, S. 3394, which you introduced in the Senate on April 26. I feel quite sure that educators all over the land will be enthusiastic supporters in its behalf.

Many of us have disagreed on methods for reforming the draft law,—how the recommendations of the President's National Advisory Council on Selective Service could be so neglected is one of the phenomena of our life, I suppose,—but everyone, and I mean everyone, that I know who has intelligently tried to attack the problem, agrees that the present law is discriminatory. Your bill takes the first steps toward eliminating that type of discrimination. It also more positively extends the range of categories from which selections can be made. The use of the lottery is the only fair way,—at least in my humble opinion.

I also congratulate Senator Kennedy for co-sponsoring this bill with you.

You have our prayers and good wishes. Please count on our total support.

Sincerely and gratefully,

VICTOR R. YANITELLI, S.J.,
President.

GALLAUDET COLLEGE,
Washington, D.C., August 19, 1968.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: We thank you for your letter regarding your bill to provide a more equitable system of selecting persons for military service.

Gallaudet College is solely established for deaf students; so our student body is not affected. I think many of them would like an opportunity to serve their country in some way where hearing is not essential. They do so well in the professions and in industry, they feel there should be a place for them in military service.

Your bill seems to meet the requirements needed. We wish you well with it.

Sincerely yours,

LEONARD M. ELSTAD,
President.

SOUTHERN UNIVERSITY,
Baton Rouge, La., August 16, 1968.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: Thank you very much for the information of your letter of August 7 concerning Senate S. 3394.

It seems to us as though you have certainly given our country something creative about which it can think positively.

Sincerely yours,

FELTON G. CLARK,
President.

SOUTHERN COLORADO STATE COLLEGE,
Pueblo, Colo., August 16, 1968.
Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: Senate Bill 3394 appears to make considerable sense and certainly eliminates many objectionable features of the present draft bill.

Sincerely yours,
J. V. HOPPER,
President.

WOFFORD COLLEGE,
Spartanburg, S.C., August 15, 1968.
Senator PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: I have just read your recent letter and the enclosed excerpt from the Congressional Record, in which you described your draft reform bill number S. 3394. Bravo.

I believe every educator would agree that draft reform is necessary. Furthermore, I personally feel that your bill indicates the proper direction that this reform should take. I am taking the liberty of sending carbon copies of this letter to Senators Thurmond and Hollings in the hope that they will support your efforts to reform our selective service laws.

Sincerely yours,
PAUL HARDIN, III,
President.

U.S. MILITARY ACADEMY,
West Point, N.Y., August 20, 1968.
Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: As General Bennett has been reassigned to Europe, I am answering your letter of 5 August 1968.

Thank you for forwarding your remarks upon the introduction of draft reform bill S. 3394. I have read them with interest and appreciate your providing me with this information.

I agree that the procedures used in drafting our young men for service to their country must be as efficient, fair and impartial as it is possible to devise. The Senate Armed Services Committee has requested the views of the Department of Defense on S. 3394, and I understand these views are presently being formulated.

Thank you again for providing me with this information.

With best wishes.
Sincerely,
S. W. KOSTER,
Major General, USA Superintendent.

WESTERN CAROLINA UNIVERSITY,
Cullowhee, N.C., August 14, 1968.
Senator PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: S. 3394, as summarized in your letter of August 5, represents in several respects a material improvement over present selective service legislation. You and your associates in this effort deserve support and commendation for your perceptive analysis and concerned action.

Cordially yours,
ALEX S. POW,
President.

JUNIATA COLLEGE,
Huntingdon, Pa., August 15, 1968.
Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: I appreciated very much receiving a copy of your remarks on the introduction of S. 3394. Certainly the Selective Service Act needs revision and the suggestions included in your bill, I personally feel, would improve the Act. I am not interested personally in a lottery system.

Very truly yours,
CALVERT N. ELLIS,
President.

THE UNIVERSITY OF UTAH,
Salt Lake City, August 19, 1968.
Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: Thank you for your letter of August 11, 1968, outlining provisions of the bill you have introduced in the Senate to amend the Military Selective Service Act of 1967.

I think the revisions you suggest are a great improvement over the present Act and hope that a draft lottery will not be objectionable politically. Certainly the intent of Senate S. 3394 is good if its implementation is practicable.

Sincerely,
JAMES C. FLECTHER,
President.

RECESS

Mr. BYRD of West Virginia. Mr. President, if there are no other Senators who wish to speak at this time—and it is my understanding that there are no other Senators who wish to speak—I move that the Senate stand in recess until 1:30 p.m. today.

The motion was agreed to and (at 12 o'clock and 35 minutes p.m.) the Senate took a recess until 1:30 p.m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. CARLSON in the chair).

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair.) Without objection, it is so ordered.

RENEGOTIATION AMENDMENTS ACT OF 1968—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17324) to extend and amend the Renegotiation Act of 1951. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of October 10, 1968, pp. 30600–30602, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. Mr. President, from the Senate point of view, this was a very successful conference. There were some differences between the bill as acted upon by the House and as passed by the Senate. Your conferees were fortunate in the case of this bill in that they were able to retain the basic position of the Senate, not only on the Renegotiation Act as such but also on three other Senate amendments to the bill.

RENEGOTIATION ACT

Let me describe first, the action of the conferees which relates directly to the Renegotiation Act. As agreed to by both the House and the Senate, the bill extends the Act for a period of 3 years or until June 30, 1971. The bill also amends the present exemption from renegotiation for standard commercial articles and services to give assurance that items qualifying for the exemption are in fact commercial items.

Mr. President, as I am sure my colleagues are aware, the purpose of renegotiation is to eliminate excessive profits from Government contracts and related subcontracts in the national defense and space programs. We adopted a 3-year extension of the act when we recently considered this bill fundamentally for two reasons.

First. Because modern military and space procurement is characterized by highly sophisticated and rapidly changing technology, Government contracts often are negotiated on the basis of inadequate cost estimates and production experience. We need the after-the-fact review of renegotiation to assure that excessive profits which may arise in these cases will be recovered by the Government.

Second. Many of the contracts awarded in the current year, including some of the Vietnam procurements, will not be completed for 3 or 4 years. As a result, we will continue to need the Renegotiation Board to scruitinize the amounts received under these contracts for at least the next 3 years.

Because the 3-year extension of the act was provided in both the House and Senate versions of the bill, this was not a matter in conference.

The bill as passed by both the Senate and the House also contained a series of amendments to the existing exemption from renegotiation for standard commercial articles and services. This exemption exempts from renegotiation those items which have a commercial market that is of sufficient magnitude to establish the prices on these items.

There are a number of relatively minor differences between the House and Senate amendments to this exemption. The Senate conferees persuaded the House conferees to accept the Senate version in all cases.

The Senate made two significant changes in the House bill. The first of these relates to the percentage of the sales of an item which must be made commercially for the standard commercial articles exemption to apply. Under present law, an item is considered to have an adequate commercial market if nonrenegotiable sales account for 35 percent of the total sales. The House would have raised this to 50 percent and the Senate raised it to 55 percent. The second of these changes relates to the definition of commercial sales. Under existing law, the "nonrenegotiable sales" of an item are considered commercial sales for purposes of applying the percentage test I have just referred to. The House bill redefined commercial sales for this purpose to exclude nonrenegotiable sales to governments from the commercial sales category. The Senate in this regard restored existing law.

The Senate found that to classify nonrenegotiable sales which, nevertheless, are made to governmental units with renegotiable sales to governmental units for purposes of computing this percentage test would create substantial administrative problems, both for the Renegotiation Board and also for the contractors and subcontractors, especially lower-tier contractors. As a result, the Senate retained the definition of commercial sales contained in existing law, namely, nonrenegotiable sales. However, the Senate raised the required percentage of commerical sales from 50 to 55 percent in order to at least offset the possible effect of not excluding the nonrenegotiable Government sales from the commercial sales category. The House conferees concluded that this was a reasonable disposition of these problems and, therefore, accepted these Senate amendments without change.

Other lesser Senate amendments with respect to the Renegotiation Act were also agreed to without change.

THE ANTIDUMPING AMENDMENT

The most important Senate amendment dealt with the implication of the implementation of the International Antidumping Code. The Senate had taken the position that in several important respects this code violated the provisions of the U.S. Antidumping Act of 1921 and for this reason, the code should not be placed in operation until Congress had acted to authorize it.

Accordingly, the Senate amendment would have suspended the code until such time as legislation was enacted to implement it. In addition, the Senate amendment specifically barred the Secretary of the Treasury from dismissing a dumping complaint because first, of price revisions to terminate the likelihood of sales below fair value; second, of assurances that such sales have terminated and will not be resumed; or, third, that the quality of merchandise involved was deemed by the Secretary to be insignificant.

Moreover, the Senate amendment would have directed the Tariff Commission to perform its duties and functions under the Antidumping Act of 1921 in accordance with affirmative determinations made under such Act by the Commission before June 30, 1968.

Mr. President, the compromise language which the conferees agreed to achieved substantially what the Senate had in mind. The first part of the conferees agreement states specifically that—

> Nothing contained in the International Antidumping Code shall be construed to restrict the discretion of the United States Tariff Commission in performing its duties and functions under the Antidumping Act . . .

Now so far as the Senate conferees are concerned, the conference agreement substantially carries out the intent of the Senate amendment. The big difference between the Senate amendment and the conference agreement is that the Senate amendment would have set the code aside, the conference agreement permits it to remain in effect, but only insofar as it does not restrict the discretion of the Tariff Commission in its injury determination function or otherwise conflict with U.S. law.

The areas in which the code seemed to have its greatest impact concerned the discretion of the Tariff Commission in determining the definition of an industry which is suffering unfair price competition and the degree of harm needed to justify an affirmative finding of injury. The manner in which the code narrowed this discretion was presented in a report submitted to the Committee by the Tariff Commission back in March of this year. This narrowing of Tariff Commission discretion was substantially conceded by the general counsel to the special trade representative in hearings before the Committee on Finance late in June. Specifically, Mr. John Rehm, who was a member of the U.S. team which negotiated the code, stated:

> My only basic point is that while we may, I emphasize the words, "while we may" and in some respects, I think probably have changed—I will use another word, "limited"—the discretion of the Tariff Commission, so that they arrive at the same decision they have in the past, we have not in our view changed the law. The law provides the scope within which a regulatory agency can move. The Tariff Commission has certainly moved a great deal under this act. We are now in this code trying to lay down what we consider to be reasonable criteria which will admittedly limit the discretion of the Tariff Commission, just as these criteria will limit the diccretion of other bodies in other countries determining the validity of dumping complaints against our exporters. That is the purpose of the code.

Later in executive session the Committee on Finance concluded that the code did indeed restrict the discretion of the Tariff Commission—so much so that few of the affirmative findings of injury reported by the Tariff Commission could be repeated if the Commissioners were bound to apply the code in toto. The report of the Committee on Finance elaborating on the committee amendment demonstrates this.

Since the conference agreement assures that the International Antidumping Code cannot be construed to limit the discretion of the Tariff Commission in performing its important functions under the Antidumping Act, I incorporate by reference the documents I have mentioned for a more complete explanation of the many instances in which the code exerts a narrowing influence on the Tariff Commission. On this broad issue—that the judgment of the Tariff Commission must remain unfettered—the House conferees were in agreement with the position taken by the Senate.

However, the House conferees were unwilling to agree to the portion of the Senate amendment which would freeze the regulatory authority of the Secretary of the Treasury. They felt that since the Antidumping Act delegated this authority to the Secretary he should not be prohibited from exercising it. The Senate conferees felt that since the Treasury function under the act was limited to the arithmetical determination of whether there were sales at less than fair value and because the code did not affect this function in any important respect, then in a spirit of compromise, they would not insist on this feature.

Nor did we insist on binding the Tariff Commission to the criteria set forth in prior affirmative findings of injury, as the Senate amendment would have provided. We believe the conference compromise, which makes clear that the code cannot be applied in a restrictive manner, leaves the Tariff Commission free to interpret the act as broadly as their conscience dictates. In all fairness we could ask nothing more than this, and we accepted nothing less. Thus, Tariff Commissioners not only need not, but should not take the code into account if they feel it restricts them in exercising their judgment. On this basis, I support the conference compromise.

To further explain the position of the Senate in this matter, I ask unanimous consent that pertinent parts of the Senate committee report explaining their intention with regard to the discretion of the Tariff Commissioners be printed in the RECORD.

There being no objection, the excerpts from the report (S. Rept. 1835, pt. 2) were ordered to be printed in the RECORD, as follows:

Dumping.—"Dumping", in a foreign trade sense, occurs when a foreign producer sells his merchandise in this country at a price less than that which he charges purchasers in his home market or a third country market, and a U.S. industry suffers injury because of that price discrimination.

The Antidumping Act of 1921 is one of a body of U.S. laws designed to combat unfair trade practices. Unlike other laws, which generally impose fines or jail sentences for violations, the Antidumping Act operates directly against the offending goods by assessing on them a "special dumping duty."

Under the law, the Treasury Department is charged with the task of determining whether imported goods are being sold "at less than fair value"; that is, at a lower price in the United States than the same goods are sold for in foreign markets. If the Treasury determines there are no such sales, the case is closed. On the other hand, if it makes a determination that foreign goods are being sold (or are likely to be sold) in the United States at a discriminatory price, it must then refer the case to the Tariff Commission.

The Tariff Commission is responsible for determining whether a domestic industry is being injured by reason of the sales at less than fair value. If it makes a negative determination the case is closed. But, if it finds that an industry "is being or is likely to be injured, or is prevented from being established" because of these sales, it makes an injury determination.

On the basis of these two affirmative determinations, the Secretary of the Treasury, through the Bureau of Customs, must assess a special dumping duty on the merchandise which continues to be dumped. This duty is an amount equal to the difference between the home market price and the dumped price.

Background.—Until recently, trade negotiations typically had been confined to areas where Congress had delegated authority to the President in advance to modify (1) the level of U.S. tariffs, and (2) other barriers of a nontariff nature. In June of last year, however, U.S. negotiators entered into two trade agreements with respect to which no advance authority had been delegated. One of these concerned the American selling price method of valuing certain products for tariff purposes. The other related to the Antidumping Act of 1921.

It is clear from the record that Congress did not delegate any authority under the Trade Expansion Act of 1962 to modify the U.S. Antidumping Act of 1921. The report of the Committee on Finance accompanying that act leaves no doubt about this. It states:

"Other laws not intended to be affected include the Antidumping Act and section 303 of the Tariff Act of 1930 which relates to countervailing duties (S. Rept. 2059, 87th Cong., second sess., p. 19)."

Testimony during hearings on the Trade Expansion Act before the Committtee on Ways and Means of the House also indicates an administration understanding that the Antidumping Act was outside the scope of authority requested by that legislation.

Nothwithstanding this legislative history, when it became known in 1965 that negotiation of an International Antidumping Code was being contemplated, the Committee on Finance and the Senate responded by approving Senate Concurrent Resolution 100 of the 89th Congress expressing the sense of the Congress that no agreement requiring the modification of any tariff or other import restriction should be entered into except pursuant to authority delegated in advance by the Congress. In the report accompanying Senate Concurrent Resolution 100 the Committee on Finance stated:

"The Committee on Finance has been disturbed over reports that the current Kennedy round of tariff negotiations may be broadened to include U.S. offers of concessions with respect to matters for which there is no existing delegated authority. In the committee's view, this would violate the principles which have made our reciprocal trade program so successful for more than three decades.

* * * * *

"Another area may involve the treatment of 'dumped' goods by the country in which the dumping occurs. This problem concerns unfair trade practices in a domestic economy, and it is difficult for us to understand why Congress should be bypassed at the crucial policymaking stages and permitted to participate only after policy has been frozen in an international trade agreement."

Notwithstanding this long history of congressional concern that in the absence of authority specifically delegated by statute the unfair trade laws of this country should not be compromised through an international agreement, the International Antidumping Code was agreed to at Geneva during the Kennedy round of tariff negotiations by the United States and 17 foreign nations.

Shortly after it was concluded, Senate Concurrent Resolution 38 was introduced in the Senate to express the sense that the code is inconsistent with the act, that it should be submitted to the Senate for its advice and consent, and that it should not become effective in this country until Congress enacts legislation to implement it. The Tariff Commission was requested to comment on the resolution. It did so in a report received by the committee on March 8, 1968. By a 3 to 2 majority the Tariff Commission found several significant differences between the code and the law.

The majority report (Commissioners Sutton, Culliton, and Clubb) took the position that the code could not alter domestic law. It stated:

"It is well settled that the Constitution does not vest in the President plenary power to alter domestic law. The code, no matter what are the obligations undertaken by the United States thereunder internationally, cannot, standing alone without legislative implementation, alter the provisions of the Antidumping Act or of other U.S. statutes. As matters presently stand, we believe that the jurisdiction and authority of the Commission to act with respect to dumping of imported articles is derived wholly from the Antidumping Act and 19 U.S.C. 1337."

They concluded that the Tariff Commission does not contemplate making any changes in its rules of practice and procedures, but noted that the Treasury Department is changing its customs regulations to bring them into conformity with the code.

The minority report (Commissioners Metzger and Thunberg) observed that "the executive branch has been and is of the view that the provisions of the code and the act are not inconsistent with, and in conflict with, each other." With respect to Treasury's functions under the code—the determination of sales at less than fair value and of injury (determinations of injury is a statutory function of the Tariff Commission, not the Treasury)—these Commissioners expressed their "understanding that the Treasury Department takes the position that none of these provisions requires implementation in such a way as to be in conflict with any provision of law administered by it."

Commissioners Metzger and Thunberg chose not to proffer any opinion on the issues raised by Senate Concurrent Resolution 38, but instead chose to await the particular facts and circumstances involved in each injury determination before considering whether the provisions of the code would lead to identical or differing results.

In this minority views, these two Commissioners stated the view that in the consideration of future antidumping cases, any question of consistency between the code and the act should be resolved by applying "* * * the principles of American law to the task of interpretation of the act as it affects the facts of the investigation, including those prnicples relating to interpreting the act so as to avoid inconsistency between it and the international obligations of the United States."

The Committee on Finance agrees with the views expressed in the majority report of the Tariff Commission. The domestic law is paramount and a mere executive obligation cannot stand equal to it, and should not be interpreted as it were coequal. Rather, if the obligation conflicts with the domestic law, it cannot be applied until the domestic law is amended to eliminate the conflict.

In the opinion of the committee there are many areas of significant conflict between the International Antidumping Code and our domestic unfair trade laws. These sharp differences, as illustrated in the following paragraphs, weaken the effectiveness of the domestic law as a defense against predatory price fixing by foreign merchants. They inevitably will lead to fewer instances of dumping duties being assessed than would be the case if the provisions of the code were not applied. Such a result is equivalent to changing the domestic law by executive agreement in violation of the constitutional provisions vesting in the Congress the sole power to assess taxes and duties.

MAJOR DIFFERENCES BETWEEN INTERNATIONAL ANTIDUMPING CODE AND THE ANTIDUMPING ACT OF 1921

The major areas in which the code differs from the act concern (1) the definition of an "industry" affected by dumped imports; (2) the degree of "injury" required to invoke the statute; (3) the consideration of injury by the Treasury Department; (4) the revocation of a determination of sales at less than their fair value; and (5) the acceptance of price undertakings or the cessation of shipments at dumped prices. In addition, there are a host of less significant differences.

Definition of an industry.—The act contains no definition of an industry. It is a matter left to the judgment of the Tariff Commission in connection with its injury investigation. The code provisions relating to this definition are considerably more restrictive than the act in two important respects:

(a) *Like products.*—

THE ACT	THE CODE
The act states that dumping duties must be applied if "an industry in the United States is being or is likely to be injured * * *" by dumped merchandise.	The Code defines the domestic industry as domestic producers as a whole of "like products" (art. 4(a)) and defines like products as those which are identical with, or have characteristics closely resembling those of, the dumped product (art. 2(b)).

The Tariff Commission advised the committee that the "like product" concept of an industry, required by the code, narrows their discretion as to what industry can be harmed by dumped imports—it permits imports to be compared to only one domestic industry, that which produces the "like product." On the other hand, under the act, the Commission has unrestricted discretion to weight the effect of dumped imports on one or more different industries if it feels they may be affected by the dumped goods. For example, in the past it has considered whether imports of narrow glass panes injured three separate domestic industries—the flat glass industry, the jalousie glass louvre industry, and the jalousie window industry. In another investigation, it considered the effects of imports of nephaline syenite on the domestic feldspar industry. Under the code, if apples were being dumped and were processed into applesauce, there could be no relief for injury to applesauce producers, because applesauce is not a "like product." The act, on the other hand, would permit a determination of injury to the applesauce industry. None of these comparisons would be permitted by the code.

Confining the Tariff Commission investigative function as it does, dumping duties which have been assessed, could not be imposed under the code. In the committee's opinion changing the results of a case by international agreement is tantamount to changing the law itself. If it has that effect, the agreement is inconsistent with the law and should not be allowed to operate until the law is modified to authorize it.

(b) *Competitive market area.*—

THE ACT	THE CODE
"The Commission shall determine whether an industry in the United States is being, or is likely to be injured, by the dumped imports."	"In exceptional circumstances a country may, for the production in question, be divided into two or more competitive markets and the producers within each market regarded as a separate industry. If, because of transport costs, all the producers within such a market sell all or almost all of their production of the product in question in that market, and none, or almost none, of the product in question produced else-

THE ACT—continued	THE CODE—continued
	where in the country is sold in that market or if there exist special regional marketing conditions (for example traditional patterns of distribution or consumer tastes) which result in an equal degree of isolation of the producers in such a market from the rest of the industry, provided however, that injury may be found in such circumstances only if there is injury to all or almost all of the total production of the product in the market as defined" (art. 4(a)(ii)).

The conditions specified by the code for segmenting an industry are so restrictive that, in the judgment of the Tariff Commission, four out of five of its recent affirmative determinations of injury might not have been made if it had been required to apply the code's provisions. One of these cases related to an industry composed of producers in and adjacent to the competitive market area in which the imports were dumped. The other three cases concerned producers adjacent to the competitive market area. In still other cases, the Commission has found that injury to a part of an industry is necessarily an injury to the whole industry.

By limiting the concept of a competitive market (as the code does) to producers within such a market who sell all or almost all of their production of the product in question in that market (a circumstance which reportedly rarely exists), the Tariff Commission would be denied the flexibility it has under the act to determine from the facts and circumstances whether dumped imports concentrated in an area around a seaport can injure any domestic industry. This inflexibility will prevent dumping duties from being assessed in situations where they have been assessed.

As the committee has already observed, changing the results of a case by international agreement is tantamount to changing the law itself and enabling legislation must precede the implementation of the agreement.

Injury determination.—In the past, the Tariff Commission has determined that injury which is more than de minimis is sufficient to justify relief under the Antidumping Act.

The code, however, purports to require a far greater degree of injury to a domestic industry before a dumping duty may be assessed. It directs the Tariff Commission (an arm of the Congress) to weigh, on the one hand, the effects of the dumping, and on the other hand, all other factors taken together which may be adversely affecting the industry.

THE ACT	THE CODE
The act requires that the Commission shall determine whether "an industry in the United States is being, or is likely to be, injured * * * by reason of the importation."	The Code states that before dumping duties can be imposed it must be found that the dumped merchandise is "demonstrably the principal cause of material injury or threat of material injury to a domestic industry" (art 3(a)) and that the authorities "shall weigh, on the one hand, the effect of the dumping and, on the other hand, all the other factors taken together which may be adversely affecting the industry" (art. 3(a)).

During the Finance Committee hearings on this matter, lawyers for the administration took the position that the term "demonstrably the principal cause of material injury" of the code was designed to result in the same interpretation—a determination of injury when dumped imports caused injury to a domestic industry in any degree greater than de minimis—that the Tariff Commission had given in the past. Yet, when pressed for a definite answer to the question of whether the Tariff Commission could make the same determination for the same case under the code as it had under the act, the lawyer replied in the negative.

The chairman observed that the weighing factor in the code (a technique which does not appear in the act): "* * * suggests that picture of a pure woman standing there blindfolded with a scale in her hands and on one side of the scale there is what can be said for dumping and on the other side what can be said for all other causes. If the scale is heavier on this side than it is on the other, then this is the side on which justice must go * * *."

The administration lawyer responded that this weighing factor was a procedural provision which in his opinion did not change the substantive meaning of the notion of principal cause. He suggested it was a leftover from an earlier draft in the negotiation process. He further advised the committee that there were no documents comprising a history of the negotiations or of interpretation which the parties might have agreed to during the negotiation process.

It is difficult to conclude that this weighting factor is merely procedural, or that it was left over. The code is cast in terms far too precise to permit such an interpretation and the restrictive nature of the weighing factor conforms to the pattern throughout the code of narrowing the range of discretion of the Tariff Commission. This pattern was conceded by the administration spokesmen. The more effectively its discretion is limited by the code the fewer will be its affirmative findings of injury.

Simultaneous investigations of injury; revocation of determinations of sales at less than fair value.—

THE ACT	THE CODE
No provision.	"Upon initiation of an investigation and thereafter, the evidence of both dumping and injury should be considered simultaneously. In any event, the evidence of both dumping and injury simultaneously in the decision whether or not to initiate an investigation, and thereafter, during the course of the investigation, * * * an application shall be rejected and an investigation shall be terminated promptly as soon as the authorities concerned are satisfied that there is not sufficient evidence of either dumping or of injury to justify proceeding with the case" (art. 5(b)(c)).

The Antidumping Act does not authorize the revocation of a determination of sales at less than fair value. In practice the Treasury Department automatically refers the case to the Tariff Commission after it has made such a determination and thereafter its responsibility in the matter ceases.

The Customs Simplification Act of 1954 in terms certain amended the Antidumping Act to remove the injury determination from the Treasury's jurisdiction and place it in the Tariff Commission. There are only two ways the simultaneous investigation of dumping and injury required by the code can occur, and in the opinion of the committee, both are contrary to the act.

First, the Tariff Commission might be expected to commence an investigation of injury at the same time Treasury initiates an investigation of sales at less than fair value. However, this would conflict with the provision of the act which confers jurisdiction of the Tariff Commission only after the Treasury Department has made a determination of sales at less than fair value. Alternatively, the Treasury Department might be expected to undertake a determination of the injury question during its investigation of the price matter. However, this would be contrary to the objective of the Customs Simplification Act which removed the injury factor from Treasury's jurisdiction.

As a matter of procedure, regulations just issued by the Treasury Department to implement the code follow this latter route. These regulations require evidence of injury to be submitted at the time a dumping complaint is filed. Despite the fact that no criteria are set forth governing what constitutes evidence of injury, the regulations also make provision for the Secretary to return a complaint if in his judgment it does not conform to his requirements.

During the hearing the committee was advised that Treasury would not make any evaluation of injury. The evidence of injury required by their regulations was described as necessary to prevent frivolous complaints and thereby save taxpayers' money. If Treasury does evaluate the evidence of injury—and it seems that it must in making a decision to proceed with the case—then the Tariff Commission will be denied jurisdiction to investigate injury except in those cases Treasury passes through its own injury screen. And, if Treasury applies the code's concept of injury as its revised regulations suggest it is doing, few, if any, cases will reach the Tariff Commission.

The Treasury regulations further seek to achieve the code requirement of simultaneous consideration of dumping and injury by providing for the continuation of Treasury's investigation of dumping after an affirmative determination of dumping has been sent to the Tariff Commission, and by providing for revocation of such dumping determination if error has been committed. Not only do these regulations invest Treasury's formal dumping determination with a "tentative" status not authorized by domestic law, but also they could well result in greater cost to the taxpayers by requiring the Commission to undertake fruitless investigations of injury. For example, if it appears that the Tariff Commission is about to make an affirmative determination of injury, the foreign merchant might rush to Treasury with assurances of price revisions and thereby cause the Treasury to revoke its determination of sales at less than fair value and close the case after much of the costs of the injury investigation have been incurred by the Commission.

The legislative history of the injury provisions in the present law convinces the committee that the regulations of the Treasury and the requirements of the code do not comport either with the intent of Congress or with the language of the law.

Price undertakings.—

THE ACT	THE CODE
No provision.	"Antidumping proceedings may be terminated without imposition of antidumping duties or provisional measures, upon receipt of a voluntary undertaking by the exporters to revise their prices * * * or to cease to export to the area in question at dumped prices * * *" (art. 7).

The Antidumping Act, by its terms, does not specify that a dumping case can be closed because the foreign exporter has agreed either to alter his prices (in order to avoid a finding of sales at less than fair value) or to cease shipments of the offending goods to this country. However, the Treasury Department, by its regulations since 1965 (and by practice even earlier) has disposed of cases on these grounds. The code commits the United States to these Treasury Department practices.

The Tariff Commission advised the committee that under present Treasury practices "the average importer can sell goods at less than fair value in the United States for approximately 2 years with impunity insofar as the effectiveness of the act is concerned." Moreover, acceptance of such assurances only with respect to a specified market area would allow dumping to be repeated in other parts of the country.

Finally, the Tariff Commission reports that "none of the unfair trade statutes cited in this report specifically provide a mechanism for the violator of the statute concerned to avoid the remedial or penal actions directed to be taken thereunder by his agreement to conform to the law after he is caught. The code in this respect does not appear to conform with any of the statutes."

"Forgiveness of dumping," where a foreign producer agrees to raise his price (to prevent a finding of sales at less than fair value), or gives assurances of no further sales at dumped prices, is not a proper function for the Treasury Department in administering the Antidumping Act. If there are sales at less than fair value, Treasury should make a finding to that effect and refer the case to the Tariff Commission for an injury investigation. If there is no injury, then the finding of sales at less than fair value is meaningless and assurances of price adjustments (or to cease the shipments at the lower price) serve to require American consumers to pay more for the foreign goods than they would otherwise have to. On the other hand, acceptance of the price undertaking by the Treasury prevents the Tariff Commission from undertaking an injury investigation, and in this respect it not only becomes equivalent to an injury determination by the Treasury Department, but also constitutes a loophole for sporadic dumping of foreign goods into this country. This would particularly be true of assurances with respect to regional marketing areas.

The committee understands the Treasury Department's role in dumping proceedings is merely to make the arithmetical calculation of price. Any exercise by it partaking of an injury determination, or precluding an injury determination when there have been sales at less than fair value, is an infringement of the statutory responsibility of the Tariff Commission.

For these same reasons, terminations of investigations by the Treasury Department, because in its judgment the amounts involved are not more than insignificant, are functions which it should not perform under the act.

Miscellaneous.—The illustrations demonstrate many of the ways in which the antidumping law as it has developed over nearly five decades, would be modified by the International Antidumping Code. There are other, more subtle, features of the code which also restrict the effectiveness of the domestic law. For instance, article 3 of the code requires that in determining injury such factors as profits, prices, employment, export performance, utilization of domestic productive facilities, and the productivity of these facilities must be considered along with the volume and prices of undumped imports, competition between domestic producers, and changes in demand due to substitution of other products or to changes in consumer tastes.

These are all factors that tend to discount the effect of dumping. Coupled with the requirements that those factors which are adverse be lumped together and "weighed" against the effect of dumping—and that if dumping survives this test, it must next be compared to the totality of factors affecting an industry (both adversely and favorably)—the care with which these nondumping factors are specifically enumerated in the code casts serious doubt on whether dumping could ever be found to cause injury to an industry which otherwise exhibits any sign of economic health.

Two observations are called for. First, the statute—the Antidumping Act of 1921—does not restrict its remedy to instances where injury actually exits. Rather it is specifically applicable even in situations where there is no present injury but where there "is likely to be" injury from the dumped imports. In large measure the code appears to completely neutralize this "likely to be injured" concept.

Second, under the statute, the question to be explored is whether the dumped imports cause (or threaten) injury, not the extent to which other factors unrelated to the dumped imports may discount the effects of dumping. An industry which is prospering can be injured by dumped imports just as surely as one which is foundering although the same degree of dumping would have relatively different impacts depending upon the economic health of the industry.

Applying the literal language of article 3 could lead to the absurd result that an industry which is suffering reverses for reasons unrelated to dumping could get no relief from dumping because other factors were causing its troubles; and that an industry which is prospering despite dumping could get no relief because it is not suffering. Thus, under the code it would appear that relief from dumping would be available only in the rare instance where an industry is found to be in excellent economic health immediately before the dumping begins and to be suffering losses soon after the dumping begins, and no other reason can be found to account for the reversal. Such a sharp change from the concept in present law of finding injury when it is more than de minimis cannot be effected without a change in the law.

In another provision the code states that where dumping and injury are found with respect to a region of the country, dumping duties shall be assessed only against imports into that region. Such a requirement not only is contrary to the domestic law but also it violates the provision in the Constitution which requires that duties be assessed as a geographically uniform basis.

In still another provision the code urges that duties amounting to less than the full margin of dumping be assessed if they are sufficient to remove the injury to the domestic industry. The domestic law does not provide for partial dumping duties. To the contrary it specifically requires a duty equal to the full amount of the difference between the dumped price and the fair price.

INTERNATIONAL COFFEE AGREEMENT

Mr. LONG of Louisiana. The conferees accepted the Senate amendment providing for continued participation by the United States in the International Coffee Agreement for a 2-year period—until September 30, 1970. The conferees accepted this amendment with a slight modification of the provision in the Senate amendment calling for certain documents relating to shipping discrimination to be submitted to the Committee on Ways and Means of the House and the Committee on Finance of the Senate. Under this conference agreement, these reports will not be submitted to Congress, but will be published in the Federal Register.

INDUSTRIAL DEVELOPMENT BOND EXEMPTION

Mr. President, the remaining amendment in the bill concerns the so-called small business exemption for industrial development bonds. I am sure my colleagues will recall that when we considered this bill a month ago the distinguished Senator from Nebraska [Mr. CURTIS] offered, and the Senate accepted, an amendment to increase the amount of industrial revenue bonds which may continue to be issued as tax-exempt bonds from $1 million to $5 million.

Mr. President, the purpose of the Senator's amendment was to provide an exemption which was of sufficient size to allow the issuance of these bonds to aid small businesses in locating in a community. And I believe that the Senate, when it adopted that amendment, did so on the basis of a desire to make the industrial development bond exemption available in the case of small business.

The Senate conferees found the House conferees were willing to accept a "small business" exemption of $5 million. In accepting this exemption, however, the House conferees were not willing to provide an avenue for partially avoiding industrial revenue bond treatment in the case of large facilities where $20 or $30 million was involved. The House conferees feared that merely raising the existing $1 million limitation to $5 million would have that effect since in the case of a $20 million facility for example, providing an exemption for as much as $5 million would free a full quarter of the bonds from taxable status.

Since the amendment was offered in the Senate, and accepted by the Senate, for the purpose of aiding small businesses, and not as a device to provide tax benefits for large business ventures, the Senate conferees agreed to limitations on the exemption suggested by the House conferees.

Mr. President, as agreed to by the conferees, the amendment provides an alternative to the $1 million exemption of present law. This alternative, which is elective, allows a governmental unit to issue industrial revenue bonds for use by a private concern up to a level of $5 million without the interest on the bonds being taxable, if a limitation, designed to assure the retention of the small business purpose of the exemption, is satisfied. Under this requirement the $5 million limitation is applied to the amount of bonds issued by the governmental unit for the concern, plus any capital expenditures in that governmental unit by the same concern, or by related persons, made within the 6-year period beginning 3 years before and ending 3 years after the bonds are issued and financed from other sources. In other words, a person may not use an exempt $5 million bond issue to construct part of a facility and then use other funds for further construction of that facility or facilities in the same town or other governmental unit within a 6-year period.

The amendment contains safeguards for the governmental unit and business concern to provide that capital expenditures, to a limited extent, which are of a type that could not reasonably have been anticipated when the bonds were issued are not to be considered in applying the $5 million limit. These excluded expenditures are those made to replace property damaged or destroyed by casualty. Also excluded are expenditures required because a generally applicable law or ordinance was changed after the bonds were issued. The final category of excluded capital expenditures are those required by circumstances that could not reasonably be foreseen when the bonds were issued, or which arise out of a mistake of law or fact. Only $250,000 of expenditures in this latter category, however, may be excluded from consideration.

Even though capital expenditures above the $5 million limit in the 3-year period after bonds are issued may cause a bond issue to lose its exempt status, the amendment provides that the interest on the bonds is to become taxable only as of the time the $5 million limit was exceeded.

CONCLUSION

Mr. President, as I indicated at the outset, I believe the Senate was exceedingly fortunate in retaining its basic position on all of the various matters which were in conference. On balance, I believe the conference agreement is a good agreement, and I move that the conference report be agreed to.

Mr. JAVITS. Mr. President, if the distinguished Senator from Louisiana, who is presenting the report, would be kind enough, I wish he would answer one or two questions for me concerning the administration of the Antidumping Act.

I have read the conference compromise. I was interested in one point made in the statement of the Senator. As the Senator knows, I have a different point of view with respect to this matter than perhaps he or some other Senators might have. However, we have here a compromise. There is one thing in the statement that I would like to get clear as to its implication.

If I recall, and I tried to listen very closely, the Seantor said that the Tariff Commissioners shall exercise the same discretion they have heretofore exercised.

Of course, if the Senator is talking about his understanding of what they are doing, that is one thing, because if they have exercised discretion, then they may exercise such discretion again. If, on the other hand, there is some effort by the statement to the Senate to restrict the Tariff Commissioners in another way—namely, that they will make the same decisions they have made in the past in the exercise of their discretion—then we may be adding something or subtracting something from the settlement compromise between the House and the Senate which is not contained in that settlement.

Mr. LONG of Louisiana. Mr. President, I think that the language of the conference speaks for itself.

Mr. JAVITS. Mr. President, if the Senator will excuse me for interrupting, that is the text of title II, section 201. Whatever that says, it does. I wanted to be sure that with his statement the Senator was not trying to make legislative history, to give us some interpretation.

I am happy to stay with the Senate on the basis that whatever it does, it does.

The Senator gives his view. I can give mine. And someone else can give his.

Mr. LONG of Louisiana. Mr. President, in my judgment, the members of the Tariff Commission know exactly what we intend by this language. They sat in on much of the conference. I finally did clear the room of all except those who were members of the legislative branch, as other committees usually do, because it seemed to me that we were never going to reach an agreement since so many people were arguing different viewpoints.

In explaining the conference report I used this language, and I think it is correct. I said:

> We believe the conference compromise, which makes clear that the Code cannot be applied in a restrictive manner, leaves the Tariff Commission free to interpret the Act as broadly as their conscience dictates. In all fairness we could ask nothing more than this, and we accepted nothing less.

Let me make it clear that the position I have maintained—and this is what we agreed to in conference, as I understand it—is that the Executive could not repeal or amend an act of Congress by a mere executive agreement. Nor can he negotiate an agreement to give a statute meaning that Congress itself was unwilling to approve when urged to do so by the executive branch. Here we have an act of Congress and a legislative history on the action on the Commission in handling its administrative burdens and also on the courts themselves. That must be regarded as part of the law unless and until Congress sees fit to change it.

Insofar as there is no conflict with what the Commission has been doing—in the discretion it has been exercising—then we would expect to permit the code to be a matter of reference by the Commission, and the Commission might take the code into account on those parts where there is no conflict with prior practices.

If I might give a specific illustration. The Tariff Commission in past years has decided that an industry was being injured, within the meaning of the Antidumping Act, in cases involving dumped cement shipped to New England. However, if the Commission had applied the narrow definition of a regional industry which the code would have them apply, the parties being harmed could not meet the test applied by the code, and injury could not have been found.

It could then say that if the Tariff Commission applied the code's regional concept of industry, in which the industry injured in that area must show that it shipped all or substantially all of its production into that one marketing area—the Commission could not reach the same conclusion that it has in the past, using its discretion as to what an industry consists of. In the Swedish cement case, for example, those plants involved shipped anywhere from 6 percent to 25 percent of their production to that area and there were exports from and imports to the area. Under those circumstances, they could never have met the restrictive industry definition of the code. Yet, injury was found on the basis that it need not be necessary to prove that "an industry" within the meaning of the act had to ship all or almost all of their production into that marketing area.

In addition to that, the test of injury under the code is different than it has been in the past. The act says that dumping duties must be applied whenever an industry is being or is likely to be injured. In contrast, the code would restrict the Tariff Commission's flexibility in making it prove that the dumped imports were "demonstrably the principal cause of material injury," which is a cause greater than all other causes combined.

One would have to consider all of the other factors that might be causing injury to the industry and take the attitude that the dumping must outweigh all these other causes of injury.

In the Swedish cement case there would have been no possibility for the industry to establish that the dumping outweighed all of the other facts or factors. For example, other cement was being dumped into that area. Some cement was dumped, and some was not dumped.

Perhaps there was a restriction on the market. Perhaps there was a bad construction season so that not as much cement was used. Perhaps there were additional competitive factors to be considered.

The industry could not possibly have established that the dumping of cement by the Swedish producers was demonstrably the principal cause of material injury to that industry.

In other words, the test of whether an industry was being, or was likely to be injured, under the conferees agreement, would remain the same as it has been in the past, notwithstanding the restrictive provisions of this code. But with regard to other areas where the law has not been construed and where the code speaks to an area in the law where the Commission's discretion has not been exercised in the past, the Commission could well look to it.

We had a provision in the Senate amendment that restricted the discretion of the committee. It provided that they would have to look to their affirmative determinations. That was deleted, so that the Commission may look to both its affirmative and negative determinations—those in which they have declined to find injury and where they have found injury—in effect retaining the law as it has been, reserving to Congress the right to amend the law by approving all or any part of this Executive agreement that the executive branch feels inclined to submit to Congress.

Mr. JAVITS. I have one other question. The thing I am not clear on, from the Senator's explanation, from the fact that the members of the Commission apparently were knowledgeable on what was being considered, is this:

If they retained their discretion as members of the Tariff Commission, under the provisions of title II, then I am satisfied. On the other hand, if they have made any commitment that they will be bound by their rulings in the past—they have no discretion as to those; they have discretion only as to rulings they have not made—this does not say that. I do not want something imported into the conference report that is not here. I am willing to stand on that as it is.

Mr. LONG of Louisiana. Their only commitment is as to the statute itself. I believe the Senator has the statute before him, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the statute was ordered to be printed in the RECORD, as follows:

TITLE II—ADMINISTRATION OF THE ANTIDUMPING ACT, 1921

Determinations under the Antidumping Act, 1921

SEC. 201. (a) Nothing contained in the International Antidumpting Code, signed at Geneva on June 30, 1967, shall be construed to restrict the discretion of the United States Tariff Commission in performing its duties and functions under the Antidumping Act, 1921, and in performing their duties and functions under such Act the Secretary of the Treasury and the Tariff Commission shall—

(1) resolve any conflict between the International Antidumping Code and the Antidumping Act, 1921, in favor of the Act as applied by the Agency administering the Act, and

(2) take into account the provisions of the International Antidumping Code only insofar as they are consistent with the Antidumping Act, 1921, as applied by the agency administering the Act.

(b) No later than August 1, 1969, the President shall submit to the House of Representatives and the United States Senate a report for the period beginning on July 1, 1968, and ending on June 30, 1969, which shall—

(1) set out the text of all determinations made by the Secretary of the Treasury and the United States Tariff Commission under the Antidumping Act, 1921, in such period;

(2) analyze with respect to each determination in such period the manner in which the Antidumping Act, 1921, has been administered to take into account the provisions of the International Antidumping Code;

(3) summarize antidumping actions taken by other countries in such period against United States exports and relate such actions to the provisions of the International Antidumping Code; and

(4) include such recommendations as the President determines appropriate concerning the administration of the Antidumping Act, 1921.

Mr. LONG of Louisiana. I want to emphasize:

> The Tariff Commission shall—
>
> (2) take into account the provisions of the International Antidumping Code only insofar as they are consistent with the Antidumping Act, 1921, as applied by the agency administering the Act.

The act as applied by the agency administering it refers to the body of law, rules, and practice built up by the agency in its administration of the act over the years.

Mr. JAVITS. So that their commitment is contained in items 1 and 2 under section 201(a) as it reads.

Mr. LONG of Louisiana. That is correct.

Mr. JAVITS. And they have not bargained away their discretion. They have discretion; however, this tells them to exercise it. That is all I need to know. I do not want to get into a situation in which later it will be claimed, "You gentlemen agreed you would be bound by every decision you have made or every rejection of jurisdiction you have made. That is closed. You have no discretion as to that."

All I want to be clear on is the words, because they are very broad words, as applied by the agency administering the act. Those are the operative words. Those words mean that they continue to have discretion—to wit, they may exercise their discretion differently thereafter, still claiming that they are following the act, and that the act is not inconsistent in that respect with the Code.

Mr. LONG of Louisiana. Let me put it this way. This language was discussed, and the commission had an opportunity to see it. There was no effort made to ask any commissioner to agree that he would act precisely the same as he acted in some other case. His discretion remains as broad as it was.

Mr. JAVITS. That is all we need to know. I am satisfied with that, and I am through with it. I believe that is a perfectly proper interpretation of what the Senator did. I cannot quarrel with the fact that the Senator may have felt as he did, that he was gaining something for his side. Perhaps I think I have gained something for my side. I wanted to be sure there was no misunderstanding.

Mr. LONG of Louisiana. From the point of view of the Senator, what we come back from conference with should be more agreeable than that with which we went to conference.

Mr. JAVITS. There is no question about that.

As the Senate well knows, I have long championed the negotiation and implementation of the International Antidumping Code. On September 11, 1968, I expressed my deep concern about the Senate amendment which would have effectively killed the code. In reviewing the work of the conference committee on this issue, I am reassured and pleased by one clear fact. Instead of repudiating the code—as the original Senate amendment would have done—the conference report constitutes a statutory recognition of the Code. Indeed, it directs the Secretary of the Treasury and the Tariff Commission to take the International Antidumping Code into account in administering the Antidumping Act.

To be sure, the provision imposes limitations upon the operation of the Code, but these are limitations which are both proper and reasonable. It is clear that any conflict between the Code and the act must be reconciled in favor of the act and that the Code cannot be applied in a manner inconsistent with the act. It follows from this, as the provision states, that the Tariff Commission, in particular, must be free in any given case to determine at what point it would distort the Antidumping Act to apply the provisions of the Code.

Given these appropriate limitations, it seems to me that the conference report affords a sound basis for continuing U.S. participation in the International Antidumping Code. We have thereby avoided the risk—which the original Senate amendment entailed—of destroying the Code and losing the chance of making significant progress in the harmonization and liberalization of national antidumping laws.

We should recognize that the International Antidumping Code is somewhat in the nature of an experiment. There is no absolute assurance that it will work, but it is surely worth a try. Hopefully, through the application of the Code in this and other countries, experience can be gained and, if needed, refinements can be made in the Code to make it more effective. We are now in a position to see how this significant endeavor works. For this, I commend the conferees.

My other point is with respect to renegotiation itself. I had some complaints—and I was not able to be here, because of my preoccupation with the campaign, to voice them—about the alleged unfairness of going forward with the burden of proof by companies which were the subject of renegotiation.

Was that matter given some consideration in the conference, and is the Senator satisfied that that is an illusory word?

Mr. LONG of Louisiana. That matter was not discussed in the conference since neither the Senate nor the House versions of the bill contained anything on this matter. As a result we had no basis to differ.

The Senator will recall that the House Committee on Ways and Means instructed the staff of the joint committee to study that problem and to report back to the committee. We fully agree that a problem may exist in this respect, and that it would be worth having a good look at it. The staff will report to our committee on this, also.

Mr. JAVITS. So that we will all have a chance to see whether it looks fair, and we will have a chance to try to do something about it.

Mr. LONG of Louisiana. That is correct.

Mr. JAVITS. I thank the Senator.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

EXCHANGE OF LANDS IN SHASTA COUNTY, CALIF.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1602, H.R. 8781.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 8781) to authorize the Secretary of the Interior to exchange certain lands in Shasta County, Calif., and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF THE MANPOWER DEVELOPMENT AND TRAINING ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1425, S. 2938.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 2938) to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on Labor and Public Welfare, with an amendment, on page 2, after line 16, insert a new section, as follows:

Sec. 2. Section 106 of the Manpower Development and Training Act of 1962 is amended to read as follows:

"LABOR MARKET INFORMATION AND JOB MATCHING PROGRAM

"Sec. 106. (a) The Secretary of Labor shall develop a comprehensive system of labor market information on a national, State, local, or other appropriate basis, including but not limited to information regarding—

"(1) the nature and extent of impediments to the maximum development of individual employment potential including the number and characteristics of all persons requiring manpower services;

"(2) job opportunities and skill requirements;

"(3) labor supply in various skills;

"(4) occupational outlook and employment trends in various occupations; and

"(5) in cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends.

Information collected under this subsection shall be developed and made available in a timely fashion in order to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act of 1964, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Education Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

"(b) The Secretary of Labor shall develop and publish on a regular basis information on available job opportunities throughout the United States on a National, State, local, or other appropriate basis for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection. The Secretary is directed to develop and establish a program for matching the qualifications of unemployed, underemployed, and low-income persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis. Such programs shall be designed to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations, and between such agencies and organizations on a National, State, local, or other appropriate basis, with a view to the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information.

"(c) A report on the activities and achievements under this section shall be included in the report required under section 107.

"(d) Not less than 2 per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for carrying out the provisions of subsection (b) of this section."

On page 4, after line 24, insert a new section, as follows:

Sec. 3. Title I of the Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new section:

"STUDY OF SEASONALITY OF EMPLOYMENT IN THE CONSTRUCTION INDUSTRY

"Sec. 108. (a) The Congress finds that seasonal unemployment represents a substantial portion of the unemployment in the construction industry; that unemployment in the construction industry represents 20 per centum of all unemployment in this country with resulting economic hardship for construction employees, needless extra costs to the construction industry, and unnecessary waste of the Nation's manpower resources; that stabilization of construction operations may be expected to have a leveling effect on construction employment and costs; and that it is highly desirable from the standpoint of our national economy that positive and expeditious action be taken by public authorities and private groups to regularize construction employment through such means as the adoption and promotion of improved technology and the advance planning of construction on a sequential basis. It is, therefore, the purpose of this section to provide for the establishment of a Federal Construction Advisory Council to study seasonality in the construction industry, with special attention to its implications for national manpower policy, and to submit a report containing its findings and recommendations to the President and to the Congress.

"(b) There is hereby established a Federal Construction Advisory Council composed of the Secretary of Labor (who shall be Chairman of the Council); the Secretary of Commerce; the Secretary of Health, Education, and Welfare; the Secretary of Housing and Urban Development; the Secretary of the Interior; the Secretary of Transportation; the Administrator of the General Services Administration; the Director of the Bureau of the Budget; and representatives of labor and management in the construction industry and representatives of the architectural and engineering professions to be appointed by the President; and such other members as the President may designate.

"(c) The Council shall study, investigate, conduct research, and prepare a report containing its findings and recommendations concerning means to achieve stabilization of employment in the construction industry and the diminishment of seasonality of employment in the construction industry, with special attention to its implications for national manpower policy, and shall transmit such report to the President no later than August 1, 1969, and to the Congress no later than October 1, 1969. Such study and research shall include, without being limited to—

"(1) the extent to which seasonal unemployment in the construction industry can be reduced without substantial increases in construction costs by means such as:

"(A) the application of modern techniques to reduce the influence of weather on construction activity;

"(B) the resolution of technical problems which have not been solved by existing research and development activities;

"(C) possible changes in contract procedures and allocation cycles; and

"(D) improved planning and scheduling of construction projects.

"(2) The means by which Federal departments and agencies responsible for the expenditure of construction funds, directly or indirectly, can assist in:

"(A) reducing seasonal unemployment in the construction industry by insuring that planning and programing activity involving construction explicitly take seasonal effects into consideration;

"(B) stimulating similar action by State and local bodies; and

"(C) coordinating plans for reducing seasonal unemployment in construction on the local political subdivision level.

"(3) The procedures which may be instituted by the Bureau of the Budget that would take seasonality into account in making quarterly allocations of funds to agencies for construction purposes;

"(4) The means by which the Department of Commerce can, within the framework of existing authorizations, (1) increase its dissemination of information concerning technology which can reduce seasonality in the construction industry; and (2) institute further research and development projects on this subject;

"(5) Methods to facilitate winter construction operations and to encourage year-round construction planning; and

"(6) Any other methods or developments which might contribute to year-round activity in the construction industry and to the reduction of seasonal unemployment."

On page 8, after line 13, insert a new section, as follows:

Sec. 4. (a) Section 202(f) of the Manpower Development and Training Act of 1962 is amended by striking "(i)" and inserting in lieu thereof "(j)".

(b) The first sentence of section 231 of such Act is amended by striking "(i)" and inserting thereof "(j)".

After line 19, insert a new section, as follows:

Sec. 5. Section 203(c) of the Manpower Development and Training Act of 1962 is amended by striking out the words "at a rate not in excess of $20 a week" and by inserting in lieu thereof the following: "at a rate which shall not exceed the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available".

On page 9, after line 3, insert a new section, as follows:

SEC. 6. (a) Section 203(a) of the Manpower Development and Training Act of 1962 is amended by striking out "and the Virgin Islands" and inserting in lieu thereof ", the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands".

(b) The third sentence of section 231 of such Act is amended by inserting after "purposes of the Act" the following: ", and except that the State agency for the Trust Territory of the Pacific Islands may be paid up to 100 per centum of such costs".

(c) Section 308 of such Act is amended by striking out "and Guam" and inserting in lieu thereof "Guam, American Samoa, and the Trust Territory of the Pacific Islands".

After line 16, insert a new section, as follows:

SEC. 7. Section 204(a) of the Manpower Development and Training Act of 1962 is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That the Secretary shall not refuse to receive for consideration any application from an applicant who desires to conduct a training program under this part".

After line 22, insert a new section, as follows:

SEC. 8. The first sentence of section 301 of the Manpower Development and Training Act of 1962 is amended by adding before the period a comma and the following: "but in no event shall any State be apportioned less than $750,000; except that for the Virgin Islands, Guam, and American Samoa, such amount shall be $100,000 each".

On page 10, after line 3, insert a new section, as follows:

SEC. 9. Section 301 of the Manpower Development and Training Act of 1962 is amended (1) by striking out "sixth month" in the proviso therein and inserting in lieu thereof "ninth month", (2) by striking out "30 days" in such proviso and by inserting in lieu thereof "15 days", and (3) by striking out in such proviso ", except that the requirement for prior notice shall not apply with respect to any reapportionment made during the last quarter of the fiscal year".

After line 11, insert a new section, as follows:

SEC. 10. Section 301 of the Manpower Development and Training Act of 1962 is further amended by inserting "(a)" immediately after "SEC. 301." and by adding the following new subsection at the end thereof:

"(b) Where the Secretaries of Labor and Health, Education, and Welfare have approved a plan submitted by a State council with whom they have an agreement under this Act, which plan may be submitted under a comprehensive area manpower planning system or under such other planning requirements as the Secretaries may specify, such State agency shall have authority to approve (1) project applications for an amount not to exceed 20 per centum of the funds apportioned to such State under the first sentence of section 301(a) without further project approval by the Federal Government; and (2) all other project applications which conform to such State plan, unless either of the Secretaries disapprove such project applications within 30 days following receipt of such applications."

On page 11, after line 3, insert a new section, as follows:

SEC. 11. The Manpower Development and Training Act of 1962 is amended by inserting after section 308 the following new section:

"TRAINING AND TECHNICAL ASSISTANCE

"SEC. 309. (a) In carrying out the responsibilities under this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare shall provide, directly or through grants, contracts, or other arrangements, training for specialized or other personnel and technical assistance which is needed in connection with the programs established under this Act or which otherwise pertains to the purposes of this Act. Upon request, the Secretary may make special assignments of personnel to public or private agencies, institutions, or employers to carry out the purposes of this section; but no such special assignments shall be for a period of more than two years.

"(b) Two per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for training and assistance authorized by this section."

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Manpower Development and Training Act of 1962 is amended as follows:

(1) Section 104(a) of the Act (LABOR MOBILITY DEMONSTRATION PROJECTS) is amended by striking out "1968" in the first sentence of such section, and inserting in lieu thereof "1970";

(2) Section 105 of the Act (TRAINEE PLACEENT ASSISTANCE DEMONSTRATION PROJECTS) is amended by striking out "1968" in the first sentence of such section, and inserting in lieu thereof "1970";

(3) Section 251 of the Act (PART D—CORRECTIONAL INSTITUTIONS) is amended by striking out "1969" in the first sentence of such section, and inserting in lieu thereof "1970";

(4) Section 304(d) of the Act is amended by striking out "1968" and "1969", and inserting respectively in lieu thereof "1969" and "1970";

(5) Sections 310(a) and 310(b) of the Act are amended by striking out "1969" wherever it appears, and inserting in lieu thereof "1972".

SEC. 2. Section 106 of the Manpower Development and Training Act of 1962 is amended to read as follows:

"LABOR MARKET INFORMATION AND JOB MATCHING PROGRAM

"SEC. 106. (a) The Secretary of Labor shall develop a comprehensive system of labor market information on a national, State, local, or other appropriate basis, including but not limited to information regarding—

"(1) the nature and extent of impediments to the maximum development of individual employment potential including the number and characteristics of all persons requiring manpower services;

"(2) job opportunities and skill requirements;

"(3) labor supply in various skills;

"(4) occupational outlook and employment trends in various occupations; and

"(5) in cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends.

Information collected under this subsection shall be developed and made available in a timely fashion in order to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act of 1964, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Education Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

"(b) The Secretary of Labor shall develop and publish on a regular basis information on available job opportunities throughout the United States on a National, State, local, or other appropriate basis for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection. The Secretary is directed to develop and establish a program for matching the qualifications of unemployed, underemployed, and low-income persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis. Such programs shall be designed to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations, and between such agencies and organizations on a National, State, local, or other appropriate basis, with a view to the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information.

"(c) A report on the activities and achievements under this section shall be included in the report required under section 107.

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"(b) There is hereby established a Federal Construction Advisory Council composed of the Secretary of Labor (who shall be Chairman of the Council); the Secretary of Commerce; the Secretary of Health, Education, and Welfare; the Secretary of Housing and Urban Development; the Secretary of the Interior; the Secretary of Transportation; the Administrator of the General Services Administration; the Director of the Bureau of the Budget; and representatives of labor and management in the construction industry and representatives of the architectural and engineering professions to be appointed by the President; and such other members as the President may designate.

"(c) The Council shall study, investigate, conduct research, and prepare a report containing its findings and recommendations concerning means to achieve stabilization of employment in the construction industry and the diminishment of seasonality of employment in the construction industry, with special attention to its implications for national manpower policy, and shall transmit such report to the President no later than August 1, 1969, and to the Congress no later than October 1, 1969. Such study and research shall include, without being limited to—

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"(b) Two per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for training and assistance authorized by this section."

Mr. MONDALE. Mr. President, the basic purpose of S. 2938, as reported by the committee, is to extend the successful and popular Manpower Development and Training Act for 3 years. The committee has added minor and, I believe, noncontroversial amendments that will contribute to the effective operation of the program.

In the 6 years since its initial passage, the MDTA has proved to be a broad-gaged and versatile instrument for meeting the ever-changing challenges inherent in any program designed to develop and utilize to the fullest extent possible the Nation's human resources. Amendments to the basic act in 1963, 1965, and 1966 have contributed substantially to the effectiveness of the manpower program by making it less rigid in its administration, and permitting a good balance between institutional and on-the-job training—OJT.

Just as the Employment Act of 1946 committed the Nation to seek full employment by influencing the demand for labor, the Manpower Development and Training Act of 1962 launched an active manpower policy which would seek to affect the supply of labor. A concern for manpower requirements at all levels, the effects of technological change on job content and displacement, manpower shortages and surpluses, upgrading the employed and employing the unemployed were all involved in the passage of the act. Investment in human capital through programs like MDTA has now been recognized as a vital factor in economic growth and as a primary weapon against poverty.

Since passage of the act in 1962 more than 1.2 million training opportunities have been authorized. Of these, nearly 740,000 have been for institutional training, over 455,000 for on-the-job training, and 60,000 for part-time and other training.

Seventy-six percent of those completing institutional training and 89 percent of those completing OJT were employed when last contacted. Of these placements, 78 percent of the trainees from institutional programs and 93 percent from OJT were employed in training-related jobs.

As MDTA programs have been developed, there have been major shifts to meet new or previously unnoticed demands. An increasing emphasis has been placed on training disadvantaged persons. By the third quarter of 1968, 61 percent of those trained were classified as disadvantaged.

But this is just one of MDTA's objectives. As the combined result of original intent and subsequent experience, MDTA has come to have six main purposes: First, facilitating employment of the unemployed; second, reducing poverty; third, lessening inflationary pressures; fourth, meeting labor shortages; fifth, upgrading the labor force; and, sixth, revamping traditional institutions.

Mr. President, the Subcommittee on Employment, Manpower, and Poverty held 12 days of testimony on S. 2938 and related bills and heard from 54 witnesses including most of the Nation's leading manpower experts and many representatives from private industry. The committee is convinced after hearing this testimony that MDTA is making good progress toward meeting its objectives.

The committee wishes to emphasize the urgent need for these extensions at the earliest possible date. Uncertainty about the continued flow of funds has already led to a phasing down of some manpower programs and will lead to difficulty in recruiting teachers. States are now in the process of developing their plans under the cooperative area manpower planning system and need assurance of suitable program and funding authority.

But, even more important, the present termination dates under title II of the act have already begun to affect the job opportunities in the business sector—JOBS—program for involving private industry in a major effort to train disadvantaged persons. This program has received 165,000 job pledges from businessmen or 65 percent over their objective of 100,000 pledges. Under this program employers are reimbursed by the Government for the extra costs of necessary training and supportive services at levels substantially in excess of those provided under other on-the-job training projects.

While it is too early to gage the success of this JOBS program, I am advised that in most cases cooperating private employers expect a full 2 years will be required to properly complete the training of these hard-core unemployed individuals. Consequently, to offer these private employers contracts for 6 to 8 months less than they consider necessary might be seriously damaging this JOBS program. Mr. President, I believe the private employers and the National Alliance for Businessmen led by Henry Ford who entered into this program in good faith should not have their efforts impeded by the uncertainty that stems from the lack of a Federal authorization bill.

Mr. President, this extension bill is a limited bill and does not attempt a basic overhaul of our numerous manpower programs. In its report the committee stressed that it is particularly concerned by testimony which demonstrated the vast array of Federal manpower programs do not result in any comprehensive manpower policy. Instead, individual acts were written, considered, and amended in rapid succession to meet current crises, real or imagined, with little attention to their interrelations. At the local level there is no single agency or combination of easily accessible institutions where those seeking help can find it. Administrators have been too impatient to await the results of new and existing programs and, consequently, have not allowed time for restructuring them. As a result there has been a tendency to devise instant gimmicks to solve the problems and a distressing proliferation of competing programs and agencies.

The committee hopes it will receive in the next Congress a proposal for a comprehensive manpower act to overcome the problems cited above. The bill should authorize manpower services structured along functional rather than program lines so as to lend themselves to tailoring according to community and individual need. We need to integrate the numerous categorical manpower programs now in legislation and provide more flexibility to meet local needs.

Since MDTA research often receives so little attention, let me highlight and praise some of its extraordinary achievements. MDTA research indicated the need for more realistic training allowance and for basic education as a prerequisite for skill training for disadvantaged workers. A research project showed the effectiveness of prerelease training in reducing the appalling cycle of recidivism in our prisons. MDTA research also highlighted the plight of selective service rejectees and found ways of opening apprenticeships to minority youth. Yet on research to identify and solve manpower problems we spend less than $4 million—only one-half of 1 percent of the MDTA budget. The Senate would have difficulty identifying a higher return on investment within the entire Federal budget. The time has come to put more money in research.

Mr. President, I would like to mention some of the amendments the committee has added. Despite the rapid expansion of manpower programs, surprisingly little has been done to develop or train capable staff at any level of public service. The committee bill provides for a 2-percent set-aside of funds appropriated each year for the purpose of providing training and technical assistance for the personnel who are needed in the planning, administration, and execution of complex manpower programs.

In considering urgent issues affecting the Nation's manpower, the committee has been disturbed by the lack of specific information on a wide variety of manpower problems and by the failure of labor market information to keep pace with growing needs for data to guide legislation and shape public policy. The lack of adequate information also constitutes a serious handicap to sound decisions in the job market by workers, employers, and public authorities.

The committee was impressed by the overwhelming consensus declaring the need for regular and timely statistical information on the number, location, and type of job opportunities. The lack of such data, it has been repeatedly noted, is one of the most conspicuous gaps in our knowledge of job market conditions, and the void in information on this vital aspect of employment dynamics contrasts sharply with most other developed nations, where data on unfilled vacancies are collected and published regularly.

Consequently, the committee recommends appropriations to develop a labor market information and job matching program.

The committee bill also authorizes an in-depth study of the tremendous problem of seasonality of employment in the construction industry and make recommendations to the President and to Congress on ways to achieve the stabilization of employment in that industry.

The construction industry, which represents one-fifth of total unemployment, is particularly susceptible to seasonal unemployment. For a large group of workers, this means the economic hardship of uncertain, fluctuating annual incomes. For the industry, it means needless extra costs. For the Nation, it means unnecessary waste of manpower resources.

Mr. President, since we are nearing the end of the session we are faced with the unusual situation where there is not sufficient time for a conference with the other body. Consequently, I am proposing, for Senator CLARK, a bloc of amendments to the committee bill that will, I hope, make the Senate bill acceptable to the other body. I shall ask unanimous consent that these amendments be printed.

The major change in the committee bill is the revision in the study of the seasonal unemployment in the construction industry to make it a joint study by the Secretary of Labor and the Secretary of Commerce. The revision also excludes from the study Federal procurement practices that will be covered by a forthcoming Executive order.

Mr. President, the members of the committee agreed reluctantly to make these changes in the committee bill and to refrain from offering other amendments in order to get an acceptable MDTA bill this session. Senator CLARK, for example, would have preferred to offer a large-scale public and private job creation amendment that would meet the major domestic problems of our time—the lack of employment opportunities for about 5 million disadvantaged Americans who live in our city slums and rural communities.

I know that my Republican committee colleagues also had important amendments which they wanted to offer.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. MANSFIELD. Mr. President, I believe the RECORD should reflect at this point that the distinguished Senator from New Jersey [Mr. WILLIAMS] had contemplated most seriously offering an amendment to the present bill having to do with agricultural labor. It was only after a good deal of discussion that the distinguished Senator from New Jersey reluctantly agreed to withhold the amendment at this time because of the need for passing this extension of the Manpower Development and Training Act of 1962, as amended.

So I express the hope that those who are interested in the amendment of the Senator from New Jersey [Mr. WILLIAMS] will be aware of the situation and of the fact that the leadership on the Democratic side requested him not to offer it at this time. May I say also that he was assured that full and adequate hearings would be held on this amendment; and I believe in that respect I have the assurances of the other members of the Committee on Labor and Public Welfare who are in the Chamber at present.

I wish to commend Senator WILLIAMS of New Jersey for the splendid cooperation he has exhibited and for making possible the consideration of the MDTA extension this session. I desire to make his position as clear as possible. His courtesy in this matter has enabled the Senate to proceed to the pending measure at the expense of his own very important amendment.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. JAVITS. I intend to defer to the Senator from Vermont [Mr. PROUTY] for the purpose of making a statement in this matter.

I appreciate what Senator WILLIAMS has done. I wish to express that appreciation in the RECORD.

I am the ranking minority member of

this committee. If I am returned to the Senate, I shall cooperate with the chairman to bring about the hearing of which Senator WILLIAMS has been assured. I believe he has behaved in a most statesmanlike and constructive way.

Mr. MONDALE. Mr. President, I send to the desk for Senator CLARK some amendments that have been agreed to unanimously by the committee, and I ask unanimous consent that they be considered en bloc. They are amendments to the committee amendment relating to the study of seasonality in the construction industry and were explained in my opening statement.

The legislative clerk proceeded to read the amendments.

Mr. MONDALE. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendments to the committee amendments will be printed in the RECORD.

The amendments to the committee amendments, ordered to be printed in the RECORD, are as follows:

On page 4, beginning with line 25, strike out through line 13 on page 8.

On page 8, line 14, strike out "SEC. 4." and insert in lieu thereof "SEC. 3.".

On page 8, line 20, strike out "SEC. 5." and insert in lieu thereof "SEC. 4.".

On page 9, line 4, strike out "SEC. 6." and insert in lieu thereof "SEC. 5.".

On page 9, line 17, strike out "SEC. 7." and insert in lieu thereof "SEC. 6.".

On page 9, line 23, strike out "SEC. 8." and insert in lieu thereof "SEC. 7.".

On page 10, line 4, strike out "SEC. 9." and insert in lieu thereof "SEC. 8.".

On page 10, line 12, strike out "SEC. 10." and insert in lieu thereof "SEC. 9.".

On page 11, line 4, strike out "SEC. 11." and insert in lieu thereof "SEC. 10.".

On page 11, after line 23, insert the following new section:

"SEC. 11. The Manpower Development and Training Act of 1962 is further amended by adding at the end thereof a new title as follows:

" 'TITLE IV.—SEASONAL UNEMPLOYMENT IN THE CONSTRUCTION INDUSTRY

" 'SEC. 401. (a) The Congress finds that seasonal unemployment represents a substantial portion of the unemployment in the construction industry, and a significant portion of all unemployment, that seasonal unemployment results in economic hardship for construction employees, employers, and for the consumers of construction services; that such unemployment constitutes unnecessary and wasteful misuse of the Nation's manpower resources; that stabilization of construction operations may be expected to have a correspondingly stabilizing effect on construction employment and costs; and that it is highly desirable from the standpoint of the economy as a whole, and manpower policy in particular that positive and expeditious action be taken by public authorities and private groups to regularize construction employment.

" '(b) It is therefore the purpose of this title to provide for the conduct of a study of seasonality in the constructon industry, with special attention to its implications for national manpower policy.

" 'SEC. 402. The Secretary of Labor and the Secretary of Commerce, jointly, shall study, investigate, conduct research, and prepare a report containing their findings and recommendations concerning means to achieve stabilization of employment in the construction industry and the diminishment of seasonality of employment in such industry, with special attention to its implications for national manpower policy, and shall transmit such report to the President and to the Congress no later than December 31, 1969.

" 'SEC. 403. Matters which the Secretary of Labor and the Secretary of Commerce, after consultation with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration, and the Director of the Bureau of the Budget, and with engineers, with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration, and the Director of the Bureau of the Budget, and with engineers, architects, and representatives of labor and management in the construction industry, shall consider, shall include, but not necessarily be liimted to, the extent to which seasonal unemployment in the construction industry can be reduced without substantial increases in construction costs by means such as—

" '(a) the application of modern techniques to reduce the influence of weather on construction activity;

" '(b) the resolution of technical problems which have not been solved by existing research and development activities;

" '(c) possible changes in contract procedures in allocation cycles; and

" '(d) improved planning and scheduling of construction projects'."

Mr. MONDALE. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments to the committee amendments are considered and agreed to en bloc.

Mr. JAVITS. Mr. President, the Senator from Vermont has a statement to make. However, I wish to make it clear for the Senator from Vermont and for myself, that he will present an amendment and I will present an amendment, both of which fall with the same category, which we know the other body will take. Mr. President, that in no way derogates from the fine position taken by the Senator from New Jersey [Mr. WILLIAMS].

Mr. President, I yield to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Minnesota has the floor. Does the Senator yield to the Senator from Vermont?

Mr. MONDALE. I yield.

Mr. PROUTY. Mr. President, I am a cosponsor of S. 2938. Its basic provisions are substantially the same as those in S. 2695, which was cosponsored by the distinguished chairman of our Subcommittee on Employment, Manpower, and Poverty when I introduced it last fall.

Our hearings reveal that changes necessary to improve the administration of MDTA and the results it is designed to achieve can be divided into two categories. The first of these involves areas where legislative action is necessary. The second involves problems revealed by our hearings which can be rectified by changes or modifications in administrative policies by the Department of Labor but where no legislative action is contemplated at the present time.

I proposed several amendments which were adopted by our Committee which would reassert the rights of States in their relationship with the Federal Government's administration of MDTA programs and which would at least diminish the impact of inadequate funding procedures for small States and States with large rural populations.

Mr. President, I shall now discuss amendments of mine contained in the pending bill which were adopted by our full Committee on Labor and Public Welfare. I do this for the dual purpose of explaining them to my colleagues and creating legislative history. I shall then make some general comment concerning the restrictions placed upon the Senate's consideration of this proposed legislation.

Four of my amendments constitute a package, which complement each other and which are, together, designed to rectify abuses of administrative discretion by the Department of Labor and to improve the efficiency of the Federal-State relationship in implementing training programs under MDTA.

One of these amendments requires the Federal Government to accept and consider all applications for on-the-job training programs. During the last 2 years, the Department of Labor has at various times instructed its representatives in Vermont and other States that they could not accept OJT training applications, even though the particular State's allocation of funds had not been obligated. I can reach no conclusion other than that the purpose of these instructions was to insure that money would be available for transfer into a national pool to fund programs in our largest urban areas when such action became possible under the law. I realize the funds are urgently needed for programs in our largest cities, but this practice for obtaining additional moneys for this purpose is clearly contrary to the intent of Congress and obviously discriminates primarily against smaller States and States with large rural populations.

Although the action required by this amendment could be instituted by an administrative policy decision, Labor Department officials refused to give me a commitment that such change would be made and, in fact, indicated that it probably would not be made unless my amendment was adopted.

Our committee report states.

> The Department . . . has discouraged applications for OJT when there were no unobligated moneys with which to fund new projects, and the Committee anticipates that this administrative practice could continue to be followed to avoid unnecessary paper work for the applicant and for the Department of Labor.

It is easily discernible, however, that there is a tremendous difference between discouraging applications where there are no unobligated moneys and refusing to accept applications under any circumstances. As the Secretary does have a certain amount of funds reserved for his discretionary use, and as he will continue to create a national pool of unobligated title II money, there are very few situations where he should exercise the arbitrary authority of refusing to accept and consider an application.

This amendment in no way infringes upon the Secretary's discretion to approve or reject OJT applications. It will result in making a record of applications to operate such programs, however, thus presenting some criteria for Congress to use in determining whether small States and rural areas have been arbitrarily discriminated against.

The second amendment in this group prohibits the Secretary of Labor from reapportioning MDTA funds allocated to a State until after the ninth month of the fiscal year in which they are appropriated, and requires that a State be given 15 days' notice of funds to be reallocated during the fourth quarter of a fiscal year.

The primary purpose of this provision is to provide the States with an adequate opportunity to obligate their State allotments and to prevent the Department of Labor from excessive haste in arbitrarily transferring these funds to other commitments.

This has, unfortunately, been done under the present law which permits reapportionment after 6 months, with 30 days' notice during the third quarter of the fiscal year and no notice during the fourth quarter.

An identical amendment was offered in the other body by the distinguished gentleman from Wisconsin [Mr. STEIGER] and is contained in the MDTA bill passed by the House.

The third amendment in this package provides that no State shall be allocated less than $750,000 for MDTA training programs, regardless of the amount of money which would otherwise be apportioned under the formula contained in section 301 of MDTA.

I initially proposed a floor of $1 million for each State when this matter was considered by our committee, but agreed to the lesser amount in the interests of obtaining committee unanimity. It should be noted, however, that representatives of the Department of Labor advised our committee staff that the $1 million floor would not cause any substantial problems or significant reductions in funds to other States.

As stated in the committee report, many small and rural States have received insufficient funds to mount effective MDTA training programs throughout their States, and the floor provided by this amendment is intended to guarantee that every State can participate to a significant extent in these programs.

My final amendment relating to the Federal-State relationship under MDTA provides that a State may approve funds for particular projects without subseqent Federal approval with respect to 20 percent of the money allocated to a State under section 301 of MDTA. In addition, it provides that funding applications for specific projects from the remaining 80 percent of a State's allocation shall be automatically approved unless disapproved by the Federal Government within 30 days of their receipt.

The present practice is for a State CAMPS organization to submit a general plan at the beginning of each fiscal year showing how it intends to spend MDTA funds in relation to OJT and institutional training job slots. Once this general CAMPS plan is approved, it is then necessary for the State CAMPS to submit each proposed training program for specific project and funding approval.

One of the major complaints concerning institutional training is that a group of prospective trainees qualified for a particular course will be available but that, because of inordinate delays in obtaining Federal approval once the specific program is submitted for funding, these qualified trainees either take other jobs, move away or otherwise become unavailable. It then becomes necessary to select and recruit new trainees for this particular program when Federal approval is obtained.

In addition, our committee hearings show that these delays have at times resulted in the loss of facilities and experienced instructors.

It is my belief that this provision will expedite the approval and implementation of sound training programs. Certain fears have been expressed to me to the effect that the Department of Labor can circumvent the intent of this amendment by engaging in the practice of almost automatically disapproving funding applications nearing the 30 days' deadline and requiring their resubmission in order to continue giving the Federal Board of Review as much time to analyze these proposals as they have taken in the past. I do not think this will occur. I expect the Department of Labor to make every effort to process funding applications under this section in complete good faith and to refrain from disapproving an application unless there is some serious or substantial defect in the program under consideration.

Other reasons for this amendment and guidelines for its administration appear in the committee report. As I agree with them, I shall not repeat them here.

Mr. President, I emphasize the fact that the form of these four amendments in the bill before the Senate represents modifications of my original proposals and that, as adopted by our committee, they were approved by representatives of the Department of Labor.

Mr. President, another amendment of mine adopted by the committee involves comparability of MDTA training allowances.

This amendment amends section 203 of MDTA to provide that the training allowance for all youths shall be at the same rate, eliminating the differences in existing law between the training allowances for various young people.

The purpose is to equalize payment of training allowances to all MDTA trainees 17 and over so that they will receive the same allowances as other MDTA trainees. The present law does not permit certain young trainees to receive more than $20 per week training allowance.

This compares to MDTA training allowances ranging from approximately $30 to $60 per week for other MDTA trainees, depending upon the State in which they live.

I offered this amendment to the poverty bill last year, and it was contained in the poverty legislation which passed the Senate. The House conferees favored it on the merits, but raised the point of order that it should be attached to MDTA rather than poverty legislation. It was deleted from the poverty bill agreed upon by the conference committee, and I have now incorporated it in an appropriate MDTA bill.

Mr. President, the enactment of this proposal into law is long overdue, although the Department of Labor is strongly opposed to it.

In these days when we hear so much concerning the poverty level of income and proposals for guaranteed annual incomes, one would not suppose there to be much Government support for maintaining weekly incomes at or below $20. Yet the initial reaction of representatives of the Department of Labor at our committee's adoption of this amendment was one of dissatisfaction, based on their consideration of statistics rather than the well-being of individuals. The reason—if required to pay these trainees a more adequate subsistence allowance, the Department of Labor's record would not be able to reflect such a large number of trainees.

Mr. President, my last amendment which was adopted by our Committee establishes a Federal Construction Advisory Council to study, investigate, and conduct research on seasonality of employment in the construction industry. Under my amendment, the Council would be required to submit a report to the President and the Congress containing findings and recommendations concerning means to achieve stabilization of employment and diminishment of seasonality of employment in the construction industry, with special attention to its implications for national manpower policy.

I am pleased to report, Mr. President, that when I offered this amendment, the distinguished chairman of our subcommittee, the senior Senator from Pennsylvania [Mr. CLARK], the distinguished chairman of our Labor Subcommittee, the senior Senator from Texas [Mr. YARBOROUGH] and Senators WILLIAMS of New Jersey, JAVITS, DOMINICK, MURPHY, and FANNIN requested that their names be added as cosponsors.

Under the language in the reported bill, this Council would be composed of the Secretaries of Labor, Commerce, Interior, Health, Education, and Welfare, Housing and Urban Development, and Transportation. The Secretary of Labor shall be the Chairman and the membership of the Council shall include the Administrator of GSA, the Director of the Bureau of the Budget, and representatives of labor and management in the construction industry and representatives of the architectural and engineering professions to be appointed by the President.

A bill calling for a similar study—H.R. 15990—was introduced in the other body by the gentleman from Michigan [Mr. O'HARA], and favorably reported to the House on August 2. Under the O'Hara bill, the study of seasonality in the construction industry would be conducted by the Secretary of Labor. In addition, it was far less specific as to the matters which should be conducted during the course of the study.

Our staffs have worked out a compromise which I believe is satisfactory and which should be accepted by both the House and the Senate. This compromise provision is set forth in one of the amendments which the floor manager, the Senator from Minnesota, has just offered to the bill reported by our committee. Under it, this study will be conducted jointly by the Secretaries of Labor and Commerce and a report will be submitted to the Congress as well as to the President.

Although the Advisory Council approach has been abandoned, the Government officials who would have been members under the Senate version are required to be consulted and their views considered. Specific matters to be considered in this study are taken from the Senate committee's bill, although some of the specifics mentioned in our version are deleted. The reason for these deletions is that we understand that the President is on the verge of issuing an Executive order concerning some aspects mentioned in our committee's bill and there is no desire to impede the implementation of such an Executive order in appropriate areas.

Mr. President, representatives of both labor and management in the construction industry have indicated that they feel a study such as this will be extremely worthwhile. Public authorities and private groups must give priority to establishing affirmative programs for regularizing construction employment through such means as comprehensive advance planning and the development of improved technology in the construction field. The work of this study should contribute greatly to the achievement of these goals.

The importance of solving the perplexing problems of seasonality in the construction industry in the context of a strategic overall national manpower policy should not be underestimated. Twenty percent of our Nation's unemployment occurs in the construction industry, and approximately one-third of this figure represents seasonal unemployment. A recent report prepared by Secretary of Labor Wirtz and then Secretary of Commerce Trowbridge shows that the effect of intermittency and seasonality has produced three categories of employees in the construction industry.

First, a group estimated to be at least 25 percent of construction employees, employed on a full-time basis throughout the year. A second group is composed of workers drawn from other vocations, such as college students, teachers, and farmers, who work in the construction industry during peak seasons of employment but who are not entirely dependent upon it for their livelihood. This report further states that there is a considerable but unknown degree of exchange of employees with other industries, and that while there is no definite data as yet as to whether the inflow to the construction industry is greater than the outflow from it, it is believed that there has been a net outflow in recent years.

The third group of construction employees, constituting at least half of those in the industry, are the ones who will benefit most by the lessening of seasonal unemployment as they have substantially less than full-time earnings opportunity despite the fact that they are dependent upon work in the construction industry for practically all of their income.

Mr. President, at the conclusion of my speech I shall ask unanimous consent that the report entitled "Seasonality of Employment in the Construction Industry" prepared by Secretaries Wirtz and Trowbridge be printed in the RECORD as exhibit A.

I recommend that my colleagues read this interesting and informative report.

Many factors relate to seasonality problems in the construction industry, such as the layoff of construction workers between the end of one job and the commencement of another, but the greatest single factor appears to be that of weather, as reflected by the fact that heavy construction seasonal employment differences are much greater in the north than in the south.

While the report admits that factual data is scarce and that much more research is required to determine actual costs, it estimates that the cost differential for construction of building structures during the winter in the north should not exceed 5 percent and that employing workers who would normally be drawing unemployment insurance during this time should result in savings on unemployment insurance taxes of from 5 percent to 10 percent of the construction costs.

The Department of Labor concedes, Mr. President, that there is at present only fragmentary information concerning many factors related to this subject, such as the extra costs associated with winter work. Accordingly, I believe that the study authorized by this provision can contribute greatly to our economy and the use of our Nation's manpower.

The report containing the findings and recommendations of the Secretaries of Labor and Commerce will give us much more information on the subject of seasonality in the construction industry and will show labor and management where voluntary changes can be made in practices and procedures to their mutual benefit. It will also reveal what assistance can be rendered by the Federal, State, and local governments, and what areas, if any, will require limited congressional action.

Mr. President, I want to say that I am deeply disappointed in the manner in which this legislation has been presented to the Senate.

I regret that the leadership did not see fit to have the Senate consider this bill without a commitment that an amendment to provide desperately needed public and private training and employment would not be offered to it. As I said when Senator SCOTT and I introduced our massive jobs bill, the need to provide training and employment opportunities for our disadvantaged and unskilled citizens is urgent and should not be delayed to another Congress merely because this is an election year.

I regret that other Senators will not be able to offer so-called controversial amendments to this bill and obtain a discussion and votes on their proposals.

The responsibility for the situation in which we find ourselves, Mr. President, must rest squarely on the shoulders of the administration. This bill was reported by our full committee on July 20 and I believe it should have been acted upon prior to the Senate's adjournment for the two great political conventions. If this course of action had been followed, there would have been opportunity for full debate in the Senate on all proposals and sufficient time to reach meaningful compromises in conference with the House between our bill and the bill which passed the House on September 5.

Calling up the Senate bill at this late date, Mr. President, under the restrictions agreed to in order to get it considered, and with the nearness of the elections, creates an entirely different climate for judging this matter on its merits. It is clear, for example, that, even if emergency job legislation was now adopted, there would be no money made available for implementing this program prior to the next Congress.

Mr. President, with the many misgivings and reservations which I have expressed, I shall, nevertheless, support enactment of this legislation because of my strong conviction that MDTA training programs are doing more to help people help themselves than any other Federal legislation in this area.

Mr. President, there are certain other recommendations and suggestions which I desire to bring to the attention of my colleagues concerning certain areas of MDTA policymaking and administration.

These are areas where I believe substantial improvement and progress can be made in strengthening the administration and effectiveness of MDTA by the Department of Labor as the result of changes not requiring new legislation.

The record shows that Republicans took the lead in initially supporting the concept of work training programs contemplated under MDTA when it was first proposed. As ranking Republican on the Employment, Manpower, and Poverty Subcommittee, it has been my privilege to sponsor and support many amendments which were enacted by Congress in 1963, 1965, and 1966.

Many problems arose during the early years of MDTA, Mr. President, as experience was gained on a trial-and-error basis—some the result of poor practices, some the result of bad administration, and some the result of faulty judgment in making policy decisions. Many aspects of MDTA administration, however, have been substantially improved since its original enactment. For example, even 2 years ago we were still finding institutional training programs where employment opportunities did not exist for the job skills being taught in these courses. Today, this type of situation has been practically eliminated.

Our subcommittee conducted extensive hearings this year which revealed several major problem areas still present in the administration of MDTA programs. Important problems which must be solved include the restoration by Congress of a true Federal-State partnership in developing and administering these programs and elimination of the clear discrimination suffered by small and rural States through the reapportionment of their MDTA funds by the Department of Labor.

Our hearings documented abuse of discretionary authority by the Department of Labor, and I fully agree with the following statement made by the chairman of our subcommittee during the hearings with regard to certain administrative decisions:

> I must say I get a little upset, and I would like this on the record, at the extent of oversight which seems to be essential by members of this subcommittee in the whole area in which we work. The executive ought to be doing this without having to be prodded all the time by members of the Senate and this committee. I get a sense of frustration. I share your concern, Senator.

I trust that the findings of our subcommittee based on these hearings will not be lost sight of if we fail to act on MDTA legislation during this session of Congress.

Mr. President, one practice of the Department of Labor which requires a long and hard look involves that of requiring each State to spend the same percentages of title II MDTA funds for on-the-job training and institutional training programs. These percentages are established by the Department of Labor and identical percentages for each category are then imposed as requirements upon each State.

It is clear that this practice fails to take into consideration differences in needs between States and between areas—for example, the differing requirements for job training in rural States, highly industrialized States, States with great urban populations, and States with in-between combinations of urban and rural makeups. This policy has been strongly criticized by the House Committee on Appropriations, as contained in the following quote from that committee's report of June 20, 1968:

> The Committee questions the arbitrary division of funds made by the Secretary of Labor in allotting money to the States. A review of the legislative history of the Manpower Development and Training Act leaves considerable doubt that the Secretary has the authority to carve the State apportionment up between institutional and on-the-job training. The Committee feels that it would be more desirable, and more in keeping with the legislative history, if the States were given more of a voice in determining the division of available funds between the two.

Mr. President, I agree with this criticism and shall relate an incident involving Vermont which supports it.

As you know, under the present law funds allocated to particular States under the formula contained in MDTA may be reallocated by the Secretary of Labor to other States or into a national pool after the second quarter of the fiscal year in which they were appropriated.

Until this spring, applications for on-the-job training programs were handled by representatives of the Bureau of Apprenticeship and Training. The Bureau had one man assigned to Vermont responsible for processing these applications, as well as performing other required duties.

In the early part of 1967, a substantial portion of Vermont's OJT funds for fiscal 1967 were withdrawn from the State because they were unobligated, even though the Department of Employment Security had committed all funds allocated for institutional training and could have used this money to fund additional institutional projects which had been approved. To be specific approximately $150,000 of our allocation of $206,000 for OJT programs was withdrawn by the Secretary.

Vermont's commissioner of employment security, Mrs. Stella Hackel, is also vice president of region I of the Interstate Conference of Employment Security Agencies. As a result of the foregoing situation, she raised this subject at a June 1967 meeting of the interstate conference attended by the Department of Labor's Manpower Administrator, Mr. Stanley Ruttenberg. Mrs. Hackel testified before our subcommittee that—

> Mr. Ruttenberg asked that the minutes show that during the course of the fiscal year, preferably after the first two quarters, amendments to the MDTA plan or the CAMPS plan that would propose redistribution of funds between institutional and OJT training within the State would be entertained and considered by the Manpower Administrator.

Thereafter, this matter was considered further by the Vermont statewide CAMPS organization in November 1967, at which the Vermont representative of the Bureau of Apprenticeship and Training stated he had been informed that the only way to transfer unobligated OJT funds would be for him to notify the Department of Employment Security once he was advised of pending deobligation of OJT money, with the Department of Employment Security then making a request that these funds be made available for specified institutional projects through the Employment Security's regional office in Boston. Although he added that there was no guarantee that such a transfer could be made, the State CAMPS committee took preliminary steps for making such a request, including establishment of a list of priority institutional courses which it would request be funded with unobligated OJT money.

At another meeting of the Interstate Conference's Executive Committee in Washington on December 5, 1967, Manpower Administrator Ruttenberg again reiterated that he would consider transferring unobligated OJT funds to institutional training programs and informed Mrs. Hackel to submit her request and plan for the use of these funds as soon as possible after January 1, 1968.

On December 28, 1967, the State CAMPS committee met again. At this meeting, the representative of the State office of economic opportunity moved that a request be made to the regional office of employment security that the uncommitted amounts of Vermont's OJT allocation be made available for funding certain priority institutional projects. This motion was carried unanimously, and on January 2, 1968, Mrs. Hackel wrote the regional administrator of the Bureau of Employment Security making such request and setting forth the specific institutional training programs for which the money would be used.

By letter dated February 1, 1968, the acting regional administrator acknowledged Mrs. Hackel's request, stating that such a transfer had never been done before and that it would require authorization from the manpower administrator. He further advised her that action had been initiated to obtain a decision on her request from the manpower administrator.

Thereafter, on March 11, 1968, the Regional Administrator wrote Mrs. Hackel stating that the transfer was not possible and that the unobligated OJT funds had been transferred into a national pool. The loss of fiscal 1968 OJT funds amounted to $126,000 out of an original allocation of $180,000.

Mr. President, at the conclusion of my speech I shall ask unanimous consent that Mrs. Hackel's letter of January 2 and the letters from the regional office dated February 1 and March 11 be printed in the RECORD as exhibits B, C, and D.

Mr. President, I might add that Mr. Ruttenberg later advised me that he had not disapproved the request for transfer of funds made by the Vermont CAMPS committee because he had never seen it and that he had, in fact, been puzzled by Mrs. Hackel's failure to make such request after his discussions with her at the meetings of the interstate conference to which I have referred.

The very least that can be said is that this situation reveals a lack of communication in the Department of Labor, as the February 1, 1968 letter from the acting regional administrator in Boston clearly indicates that the matter was being brought to the attention of the manpower administrator for his personal determination, and his March 11, 1968, letter to Vermont's commissioner unequivocally states:

> We have been advised by our national office.

Another example where faulty policy judgment in the Department of Labor needs to be rectified by changes in administrative decisions rather than by legislation involves what we refer to in Vermont as the "Christmas tree project." This program was developed under section 241 of MDTA, relating to training projects for unemployed and underemployed persons residing in areas designated as redevelopment areas under the Area Redevelopment Act.

It was planned by the Vermont Department of Employment Security in cooperation with the Vermont Department of Forests and Parks and the Vermont Department of Agriculture.

The first—and, I say sadly, the last—program under Vermont's Christmas tree project was operated in two sections from October 10 to November 4, 1966, providing training in Christmas tree production and wreathmaking. Participants were low-income farm families with less than

$1,200 net annual income who needed a diversified occupation to utilize their land resources and to add to their submarginal income. The great success of this program can be seen from the following figures—the annual increase in income for those farm families living in poverty who participated was $400—an increase of 33⅓ percent in income.

Last fall I described this program and the benefits derived from it by my State's rural residents in more detail in a Senate speech on November 28, 1967. At the conclusion of my speech, I shall ask unanimous consent, Mr. President, that those remarks of mine relating to this project be printed in the RECORD as exhibit E.

In those remarks, Mr. President, I made one mistake, when I stated:

> The second project in Christmas tree production is currently operating.

Unknown to me, Mr. President, this project had already been lost to Vermont for 1967.

Unknown to me, Vermont had previously been informed by Employment Security's regional office in Boston that, in accordance with Department of Labor policy, no economic development assistance projects under section 241 of MDTA would be approved except for new or expanding industry. This policy, I submit, is grossly unfair to our rural residents and our farm families who need assistance to attain a decent standard of living, and I am in complete accord with our Commissioner of Employment Security who testified that this policy should be discouraged by legislative history.

But this is not the end of the story. Another application for project approval and funding of a Christmas tree project in Franklin County, Vt., for this fall was submitted by our Department of Employment Security. On July 11, 1968, Robert C. Goodwin, Director of the Bureau of Employment Security in the Department of Labor, advised Vermont that "unfortunately, funds were not available for the funding of these projects in fiscal year 1968," and they could not be considered for funding in fiscal 1969 unless information was submitted showing that "these projects would result in post-training employment at a wage adequate to justify training costs" and that "the employment was not seasonal."

On July 16, 1968, our commissioner replied to Mr. Goodwin's letter pointing out it is a matter of public knowledge that farmwork is seasonal in nature and that self-employed farmers are not employees for wages, and submitting that increasing the average annual income of poor farm families by $400 was sufficient justification by itself for approving a project for 20 trainees at a total cost of less than $8,000.

Mr. President, at the conclusion of my speech I shall ask unanimous consent that this exchange of correspondence be printed in the RECORD as exhibits F and G.

It should be added that, although the application for Vermont's 1968 Franklin County Christmas tree project contained a proposed September starting date, the Department of Labor has not acted upon the July 16 request for reconsideration.

Mr. President, another subject which merits discussion and consideration involves the realinement of various manpower functions in the Department of Labor, and the relationship between the Department of Labor and the State employment service agencies.

One of the major changes made was the transfer of MDTA on-the-job training programs from the Bureau of Apprenticeship and Training to the Bureau of Work Training Programs. Other programs, including the concentrated employment program, were also transferred to the Bureau of Work Training Programs.

The transfer of MDTA on-the-job training programs resulted in a wave of protests such as I have seldom witnessed, not only from Vermont but also from other sections of the country. I received protests at this action from representatives of both labor organizations and management in a uniformity rarely found between these two groups.

The Department of Labor has put forth many reasons justifying this realinement. However, I would hazard a guess that a substantial part of the real reason is the centralization of authority in Washington to be found in the Bureau of Work Training Programs—a concentration much more complete than that exercised by the Department of Labor over activities performed under the Bureau of Employment Security and the old Bureau of Apprenticeship and Training.

I realize that the employment security agencies in a few States have not fully lived up to their potential. Nevertheless, I am in general agreement with our Commissioner's testimony that the Federal-State Employment Service system is a highly responsible manpower agency, notwithstanding the lack of complete support and encouragement it has received from the Department of Labor, and that the Bureau of Employment Security could effectively perform an outstanding job with respect to all manpower programs if it were provided with sufficient administrative funds and conceptual support by the Department of Labor and the Congress.

In a letter dated June 27, 1968, Manpower Administrator Ruttenberg wrote the Vermont commissioner of employment security for the stated purpose of providing a background on the Department of Labor's manpower realinement effort. In this letter Mr. Ruttenberg states:

> Before discussing the detailed realignment decisions and their importance to you, *I want to express deep regret that my repeated and sincere efforts to obtain the considered views of the State agencies, through the Executive Committee of the ICESA, met with so little success.* I believe the record on this score will speak for itself, and I would like to summarize that record for each of you so that my actions and position will be fully understood. (Emphasis added.)

Although this letter was dated June 27, it was not received in the office of the Vermont commissioner until July 8. In the interim, on July 2, 1968, Curtis P. Harding, president of the Interstate Conference of Employment Security Agencies, wrote Mr. Ruttenberg enclosing a copy of the Interstate Conference's Executive Committee's recommendations developed at its meeting in Washington on July 1 and 2. I am reliably informed that Mr. Harding's letter, together with the interstate conference's position statement, was delivered in person to Mr. Ruttenberg's office on July 3 by Mr. Harding and that this material was in Mr. Ruttenberg's possession at the time he mailed the June 27 letter to the Vermont commissioner of employment security and identical letters to the heads of employment security agencies in each State.

To the best of my knowledge, the manpower administrator has not acted on any of the recommendations submitted by the interstate conference to date, despite his expressed deep regret that his repeated and sincere attempts to obtain the views of the State agencies have met with so little success.

Mr. President, at the conclusion of my speech I shall ask unanimous consent that Mr. Ruttenberg's letter of June 27 to the Vermont commissioner of employment security and Mr. Harding's letter of July 2, to Mr. Ruttenberg, together with the Interstate Conference's position statement, be printed in the RECORD as exhibits H, I, and J.

Mr. President, Secretary of Labor Wirtz has testified on more than one occasion before our committees of his sincere desire to implement a strong Federal-State partnership in the field of employment security. I know that Secretary Wirtz firmly believes in this principle and I commend him for it.

However, it is common knowledge that the amendments to the Wagner-Peyser Act which passed the Senate in the 89th Congress were killed in the House because they did not meet organized labor's desire for more centralized Federal control of State Employment Security functions, and that similar amendments to the Wagner-Peyser Act submitted to this Congress by President Johnson in 1967 have never been acted upon for the same reason.

When we understand some of the proposals to which the interstate conference objects, I think we begin to see the beginning of a long-range strategy to federalize the Bureau of Employment Security and can understand a little better why the State employment security agencies have never received the full confidence or cooperation of the Manpower Administrator.

To continue on this subject, Mr. President, there is further comment to be made regarding the Department of Labor's decision to transfer MDTA on-the-job training programs from the Bureau of Apprenticeship and Training to the Bureau of Work Training Programs.

The transfer of MDTA on-the-job training to the Bureau of Work Training Programs commenced at the beginning of this year. By early March, the organization structure for this new Bureau had been approved. The Department of Labor considered this transfer fully effectuated and implemented by May. However, it was not until September 17 that the Vermont Department of Employment Security was informed of the identity of the representative of the Bureau of Work Training Programs who would be responsible for receiving and processing Vermont applications.

Mr. President, I think it is important that I document the development of this situation to the present time, commencing with Manpower Administrator Ruttenberg's letter dated June 27 to all State employment security agencies.

Thereafter, on August 7, the chairman of the Vermont CAMPS organization wrote the Department of Labor's Regional Manpower Administrator in Boston, Mr. William B. Lewis, that—

> The present uncertainty attached to Fiscal 1969 MDTA On-The-Job Training possibilities within Vermont is a matter of utmost concern.

He referred to a prior letter written in June which had not been answered, containing the recommendations of our CAMPS committee that the Vermont State Employment Service be designated as the prime contractor on all MDTA-OJT development, and asked that if that were not possible, to be informed as to "what agency will be designated to develop the 100 OJT training opportunities within Vermont which are absolutely necessary if the goals expressed in the CAMPS plan are to be attained."

When a month went by, Mr. President, with no reply having been received to this letter, the Vermont commissioner of employment security wrote Mr. Lewis on September 6 concerning "the continuing lack of information available regarding the correct method for this Department to insure that Vermont employers receive every possible consideration for training assistance under the Manpower Development and Training Act." She restated the Vermont Department of Employment Security's position that it was ready and willing to offer every possible aid to the Bureau of Work Training Programs and to act as agent for the Bureau for all OJT projects within Vermont, commenting:

> I am certain that you will recognize the reasons for our concern that the transfer of OJT training responsibility from the Bureau of Apprenticeship and Training to the Bureau of Work Training Programs not be allowed to result in denial of OJT assistance to Vermont employers.

The Director of the Department of Labor's regional office in Boston finally replied to the chairman of the Vermont CAMPS committee by letter dated September 10. This letter did not disclose who would represent the Bureau of Work Training for OJT projects in Vermont but did reject the recommendations of the Vermont CAMPS committee to have the Vermont State Employment Service designated the prime contractor for OJT in Vermont.

The letter also stated:

> As a part of establishing procedures for handling on-the-job training, we cannot look with favor upon statewide agreements.

Frankly this statement amazes me for reasons other than determining who should handle State OJT programs. The Department of Labor has entered into nationwide OJT contracts which almost completely bypass State administration, supposedly because they provide more efficient training and make it easier for the Department to exercise necessary controls over them. It seems to me that the same considerations would support approval of statewide agreements where, as in Vermont, circumstances indicate that this type of operation would be highly successful.

By letter dated September 16, Mr. Lewis replied to the letter from the Vermont commissioner of employment security. He acknowledged that the transfer of OJT to the Bureau of Work Training Programs had created serious problems for the Bureau and that the handling of OJT activities had not been as smooth as desired, but concluded that these growing pains were in the past and that the Bureau would be able to provide full service in the future.

He also informed Mrs. Hackel that the Regional Director of the Bureau of Work Training Programs and a field representative would meet with her on the following day to explain "plans to provide full service to the employers of Vermont in terms of developing OJT projects within tentative funding allocations."

Before this letter was received on September 17, the Vermont commissioner again wrote Mr. Lewis complaining about "the continuing lack of information available regarding the current method for this Department to insure that Vermont employers receive every possible consideration for training assistance under the Manpower Development and Training Act."

Mr. President, at the conclusion of my speech I shall request unanimous consent that the five letters to which I have referred be printed in the RECORD as exhibits K, L, M, N, and O.

I am informed that the meeting referred to in Mr. Lewis' letter of September 16 has since taken place and that the Vermont Department of Employment Security has been informed that a Mr. Raymond Sodano, located in the Boston office of the Manpower Administrator, has been assigned to handle all OJT processing for the State of Vermont.

At the present time, Mr. President, some 6 months after MDTA-OJT has been transferred from the Bureau of Apprenticeship and Training to the Bureau of Work Training Programs, this program's administration is in a state of utter confusion in Vermont.

No publication has been given to Vermont employers concerning who to consult for assistance in preparing OJT applications or where to file them for processing. In these circumstances, persistent employers quite naturally turn to the Department of Employment Security. The Vermont Department of Employment Security, notwithstanding the fact that its request to act as agent for Vermont OJT projects has been denied, is assisting employers in preparing applications for submission to the regional office for the simple reason that there is no authorized representative of the Federal Government in Vermont to whom these employers may turn for information.

As I have noted, it was not until September 17, that even the Employment Security Agency knew the name of the individual in the Bureau of Work Training Programs who would handle Vermont MDTA-OJT. This individual, located in Boston, will presumably contact a Vermont employer fortunate enough to make out a proper application and get it to the Regional Office, and possibly make a personal visit to Vermont to discuss the proposed program if time and other duties permit.

This situation is not limited to Vermont, Mr. President. I am advised that three other New England States, in addition to Vermont, will have MDTA-OJT handled from Boston, with representatives of the Department of Labor authorized to act on these programs no longer present in their respective States.

I surmise that, if this type of consolidation in regional offices is occurring in New England, it is also taking place in other sections of the country. Such consolidation results in additional concentrations of authority in regional and national offices of the Labor Department, with a concomitant loss of personal contact with the areas serviced and a substantial reduction of a State's involvement and participation in developing and implementing these programs.

Mr. President, a loss in communication and lessened efficiency in administration, with a resultant decrease in effective operation of MDTA-OJT, are the only apparent products thus far of the Manpower Administration's realinement of functions, to the obvious detriment of a viable and workable Federal-State relationship in these areas. It is ironic, indeed, that this consolidation and concentration of Federal power and authority in the field of manpower training programs is occurring under Labor's Manpower Administrator at a time when most Federal departments and agencies are attempting to decentralize their operations in order to obtain wider State and local participation and to be nearer the people they are supposed to be servicing.

In his August 7 letter to Labor's regional manpower administrator in Boston, the chairman of the Vermont CAMPS committee stated:

> The possibility that Vermonters may lose training opportunities when at least one State agency is capable of developing such opportunities right now is of paramount concern to the committee.

Mr. President, I greatly fear that this prediction is in the process of coming true with a vengeance.

In all fairness, Mr. President, I should add that I was informed on October 2 that, partly because of my interest, the regional manpower administrator in Boston was reconsidering the request that the Vermont State Employment Service be designated the prime contractor for OJT in Vermont.

At the same time, it was indicated that this request would probably be granted in the near future.

The final instance which I shall discuss and which I believe reveals bad judgment by the Department of Labor in making policy decisions involves its treatment of proposed MDTA training programs for employees in the hotel-motel and restaurant industries.

It was brought to my attention earlier this year that the Department of Labor had refused to approve MDTA programs for trainees in the hotel-motel and restaurant industries during 1966 and 1967 where the hourly wage was less than $1.40 per hour and that it has refused to approve such programs since the first of this year unless the hourly wage was at least $1.60 per hour. Service employees in these industries, of course, were only recently brought under the Federal minimum wage law. In 1967 the minimum wage was $1 an hour and it is currently $1.15 an hour. Under the law, this minimum will continue to rise 15 cents per year until they reach the minimum of $1.60 per hour now applicable to all previously covered employees in February 1971.

It did not, and still does not, make sense to me to require that hard-core unemployed enrolled in MDTA training programs be paid an hourly wage while in training substantially greater than that required to be paid regular experienced employees performing the same and similar work.

On May 16, 1968, I wrote Secretary of Labor Wirtz on this subject, pointing out my feeling that he had usurped a function of Congress in establishing higher minimum wages by administrative fiat for these industries than Congress had seen fit to enact into law. In a letter dated July 1, 1968, Secretary Wirtz advised me that his Department's policy of requiring a wage of at least $1.60 an hour for trainees in all approved training programs would be continued.

Mr. President, at the conclusion of my speech I shall ask unanimous consent that my letter of May 16 to Secretary Wirtz and his reply of July 1 be printed in the Record as exhibits P and Q.

Apparently I am not the only Senator who feels that the Secretary of Labor is imposing higher minimum wage requirements in service industries by arbitrary administrative action than the Congress saw fit to enact. In its report accompanying the appropriations bill for the Department of Labor dated July 30, 1968, the Senate Appropriations Committee made the following statement:

> The committee understands that the Department is not approving either institutional training or on-the-job training programs for occupations which pay less than $1.60 per hour or the prevailing area wage rate, whichever is higher. In service industries which were first brought under the Federal wage and hour law on February 1, 1967, and where the minimum wage does not reach $1.60 per hour until February 1, 1971, this effectively strangles job opportunities for many of the hard-core unemployed. The Secretary of Labor and the Secretary of Commerce, in a joint memorandum to President Johnson on February 22, 1965, stated, "Service jobs have been growing at three times the pace of total employment in the past 10 years."
>
> The Committee feels that job opportunities in industries newly covered by the Federal wage and hour law should not be excluded from the M.D.T.A. programs, and that where such programs are approved, trainees' wages should not exceed the legal minimum wage being paid experienced employees in such industries.

In addition, the Senate Appropriations Committee included a provision in the bill prohibiting the payment of wages to trainees in service industries subject to the minimum wages contained in the Fair Labor Standards Act at rates in excess of the minimum wage prescribed for such industry by that law.

This action seems to effectively foreclose the Secretary of Labor from continuing his prior practice. However, it in no way requires him to approve any proposed training programs in service industries. It is, nevertheless, my hope that the Secretary will react to the obvious intent of Congress by approving training programs in these industries at hourly rates not in excess of the Federal minimum wage, particularly when he considers the fact that the minimum wage for trainees who successfully complete these programs will continue to rise during the next 2½ years until they reach the level which will then be applicable to all covered nonfarm employees.

I trust that the Department of Labor will seriously consider the substance of the criticisms I have made today, and that it will do so with an awareness that I have spoken as a friend and supporter of MDTA, not as an opponent.

Mr. President, I ask unanimous consent that letters and other material which are identified as exhibits A through Q be printed in the Record at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the Record, as follows:

Exhibit A

Seasonality in Employment in the Construction Industry

INTRODUCTION

In the 1967 Manpower Report the President directed the Secretary of Labor, in cooperation with the Secretary of Commerce, to make a detailed survey of seasonal construction unemployment and underemployment and to find ways to deal with these problems. The report directed that the study seek methods by which Federal, State and local governments, through their contracting procedures and other activities, can reduce seasonal lags in employment in the construction industry.

Pursuant to this directive, the Department of Labor has initiated a number of studies which pull together data from several sources, including entirely new data from the records of employment found in pension plan records, made available to the Bureau of Labor Statistics by local union and management groups. Cooperation of local contractors associations and trade unions has been facilitated by the interest and cooperation of the Construction Industry Joint Conference. In addition, information provided by government officials involved in or knowledgeable about government construction contracting procedures has been helpful.

Our review has provided us with sufficient insights to warrant the conclusion that the government should and can embark on a positive program of action to diminish seasonality. Practicable first steps are recommended.

These steps will require more attention and resources (economic, engineering, statistical, administrative and a variety of research and development talent), than the government now devotes to its work on construction problems. They will represent, in our view, a desirable investment.

Our initial recommendations are set forth immediately below, and are followed by a statement of our initial findings respecting seasonality.

There are additional questions that need to be explored, including the possibility of subsidies for winter housing construction, the specific areas to be pinpointed for possible technological research and development, and the contributions that labor and management might make. This review will be undertaken in the months to come.

RECOMMENDATIONS

There is a clear need for the establishment of a new policy which calls upon all Federal agencies to take whatever steps they can to diminish seasonality, in connection with their own contracting procedures, and those they finance in whole or in part for State and local governments. The specific steps that each agency will take cannot all be envisaged at this time. It is to be anticipated that agencies will, in fact, come up with new approaches and that the net effect of a new directive will yield progress. One of the directions which should be explored in this effort, but which cannot be launched on a uniform and categorical basis at this time, would be that the government concentrate its construction work, wherever feasible, in the winter months so that the rest of construction activity in the private economy can dovetail with government activity. Such a policy might be an appropriate one, for example, in connection with slum housing rehabilitation efforts, since one of the problems of slum unemployment is the winter unemployment of the construction labor force that lives in the slums.

1. To achieve the establishment of such a new policy, it is recommended that an Executive Order be issued directing all agencies responsible for the expenditure of funds for construction, either directly or indirectly, to take steps to diminish seasonality and to ensure that their planning and programming activities involving construction explicitly take seasonal effects into consideration.

2. The issuance of such an Executive Order should be supported by a mechanism which will (a) ensure that the policy is carried out, and (b) explore as possibilities for broader application the many kinds of specific actions that will develop during the period of agency implementation. It is, therefore, recommended that an interagency board be established, composed of the Secretaries of Commerce and Labor and of other agencies involved in construction, to follow up on actions taken pursuant to the Executive Order, to review reports of actions, and to recommend new actions, such as the circumstances under which government financed construction or maintenance operations might be concentrated in the winter months.

3. There is a need for much more widespread knowledge among industrial, financial, and governmental officials concerning the techniques that have already been developed to operate during the winter months, such as the use of better scheduling methods, working under cover, and working with heat. The Department of Commerce should expand its efforts to make such information widely available, and to encourage the industry to bring presently known practices into widespread use.

There is also need for more research and development concerning techniques of winter operations. The Department of Commerce should take the initiative in developing a major research and development effort and should (a) launch such effort through its existing authorizations, including work that can be done by the Bureau of Standards and (b) propose the appropriate mechanism for the further development of necessary R&D activities.

4. Consideration should be given to a new arrangement under which appropriated construction funds do not have fiscal year limitations. With or without such greater flexibility, however, additional steps should be taken to ensure that there is no unreasonable bunching of contract awards during the summer of the period immediately preceding the summer months. Under present fiscal

year arrangements and as an interim step until a full policy and further knowledge can be developed on winter work, the Bureau of the Budget, in making allocations to the agencies, should take into account the objective of reducing seasonality, e.g., by reducing the amounts of money that can be obligated for construction work, either directly or through State or local action, during the last quarter of the fiscal year and the first quarter of the fiscal year, thus providing incentive for the agencies to make earlier awards or to schedule more work in winter.

5. Actions at the Federal level should be supplemented by actions at the State or local level, since construction operations financed from several sources are all carried out in localities. Localities should be encouraged to plan the sequence of their own construction work in local areas so as to minimize the problems of seasonality. Consideration should also be given to a system of grants to States or localities for developing information systems that can lead to scheduling improvements of all publicly-funded construction activities carried on in an area.

INITIAL FINDINGS

The construction industry and its labor force are among the most complex portions of the American economy. Full understanding of the problems of seasonality involves consideration of a great many aspects of the industry's operations; which are highly fragmented and never adequately studied. Much desirable information is not yet available, nonetheless, it has been possible to develop a reasonably accurate picture of the problem of seasonality.

While further explorations are being made, the information set forth below will provide a background of understanding for the actions that are being recommended.

A. Extent and character of seasonal unemployment

Seasonal unemployment looms large among the remaining major problems of unemployment that confront the Nation. It accounts for over one-fifth of our total remaining unemployment, and represents one-third of all unemployment in the construction industry.

Seasonal variations in employment in construction are historically a matter of adjustment to the rigors of winter and the inconvenience of precipitation in other seasons—but they are more than this. They represent the residue of habitual practices common to the industry in days prior to the development of modern methods of coping with problems of weather. They also reflect a lag in the application of known methods by many of the industry's small firms (which comprise the vast bulk of the industry) yet been faced by an industry whose research and development activities are small.

Compounding the problems of weather and seasonality *per se* is the problem of intermittency of employment. A great part of the construction, industry labor force is unemployed for varying spells of time between specific jobs, and these spells tend to be combined with weather-caused unemployment in our unemployment statistics. The overwhelming significance of the weather factor, however, is reflected in the fact that seasonal variations in employment are far more significant in the northern half of the United States than in the southern half. There are in fact some areas in the south and the southwest in which overall winter employment is almost as large as employment during the summer months. However, even in the south there are summer-winter employment differences that cannot be explained by weather alone.

For the country as a whole, with the data particularly affected by the situation in the northern and central tiers of construction activity, seasonality and accompanying employment intermittency are reflected in very significant differentials between summer and winter unemployment and employment rates. August employment, commonly used as an indicator of peak employment levels, has typically been about one-third above February employment in the last decade. Similarly, unemployment rates among construction workers have ranged between 4 and 9% during the summer months (basically reflecting the intermittent character or work) while they have risen to 11 to 22% in February. Both the winter and summer rates have fallen over the last decade, and by 1967 were at the low end of these ranges (13.0% in February, and 4.3% in August).

Seasonality is not the same for all workers in the construction industry. There are substantial variations by craft. It is much less among the crafts—plumbing, electrical work and sheet metal work—which are regarded as the highest skilled and which have very large proportions of inside work. Seasonality has a far greater effect upon such other groups as the carpenters, the painters, the plasterers, the masons, the operating engineers, and the laborers. These groups in combination represent the largest proportion of the 3.2 million workers in contract construction in the country.

The effect of intermittency and seasonality has produced three kinds of labor force in each of the crafts.

A proportion of the labor force (this varies, of course, by craft), which probably amounts to at least a quarter of the total, has substantially full opportunities for annual employment. This group consists of workers employed by contractors on a year-round basis, those who are employed on long-duration jobs, those in shortage areas, and very experienced individual workers in sufficient demand so that opportunities for year-round employment are in fact offered to during the summer months as college students them.

A second group of workers—at least half the total,—who carry the brunt of the impact of seasonal unemployment, has substantially less than full-time or full-year earnings opportunity, but relies upon the industry for virtually all earnings opportunity.

The third group of workers in the industry's work force is in and out of the industry. It is in part a work force that is added dents and teachers become available. It is in part a work force drawn from other industries and from farming, particularly during periods of peak construction employment. There is a considerable but unknown degree of exchange with other industries. Whether the inflow to construction is greater than the outflow from construction is uncertain at this point; it is believed (there as yet are no definite data, however, on this point) that there has been a net outflow from the industry in recent years resulting from a slowdown in the inflow of young people. This has reflected the growth of greater opportunities elsewhere in the economy (often for related skills, as in maintenance, force account work, and off-site prefabrication activity) and the consequent abandonment of temporary and shortrun status by many construction workers who place value upon regular employment in one area.

There is little understanding in the Nation concerning the wide range of experiences which construction workers have. There is little understanding of the fact that there are the three vastly differing groups: those who get full-year employment, those who bear the brunt of fluctuations and intermittency, and those who are in and out of the industry. The more common beliefs reflect a wide range of assumptions—that there is full annual employment opportunity generally available for all (when the fact of the case is that this is generally true for less than half) to the assumption that substantial fluctuations in seasonality affect the entire work force.

There are similar misconceptions concerning the annual earnings of construction workers. It is clear that *average* annual earnings in contract construction ($6,305 in 1964) are not quite as large as those in such industries as automobiles ($7,386 in 1964) and primary metals ($7,021 in 1964), but it is also clear that these average figures cover a wide range of situations—cases in which construction earnings are substantially higher than earnings from year-round industrial employment, to cases of substantially lower earnings for those who are subject to severe fluctuations in employment or who are in and out of the industry. A great deal of additional research is needed on these questions and the studies now being conducted by the BLS will throw some light on them.

Seasonality and intermittency have had significant effects on the levels of wage rates in the industry. The uncertainties of employment have led to the development of a historic process of justifying high hourly rates as being necessary to provide reasonable annual earnings. This has had significant effect upon costs in the industry: wage increases accrue to those who work year round as well as those whose employment is seasonal or intermittent.

Settlements reached in construction in recent years have widened differentials in hourly wage rates as between construction and other industries. It is possible that the diminution of seasonal and intermittent unemployment in construction may have significant implications not only for wages and costs in construction but for wages and costs in other industries, and therefore for the entire range of economic stabilization problems.

It is also appropriate to point out several other matters of national concern that are affected by the twin problems of seasonal and intermittent employment:

Despite the fact that construction employers generally are assessed the maximum unemployment insurance tax rates under merit rating plans, these taxes are inadequate to support the benefits paid to construction workers during periods of unemployment. In effect, therefore, the construction industry receives a subsidy from other employers which has been estimated at one-third of a billion dollars a year for the year 1966. While it is theoretically possible for States indirectly to raise construction tax rates further to equalize this situation, and while the unemployment insurance proposals that have been formulated open such a possibility even further, it is highly unlikely that State legislatures would take action of this kind and it is doubtful that higher taxes would in fact provide an adequate additional incentive to stabilize.

Seasonality also compounds the problem of unemployment in the slums, largely among unskilled workers. A proportion of the construction work force especially subject to seasonal variations in employment is the group of slum dwellers who are employed on the kinds of construction projects usually suspended during winter months.

The cost of seasonal peaks adds a substantial cost in the form of overtime premium payments. These and other seasonal costs are estimated at 3 to 4 billion dollars a year.

B. The basis of seasonality and the possibilities for change

The patterns of seasonal unemployment and intermittency remain much like those which have existed for years, and there has been almost no change in the overall degree of seasonal variation in employment since the end of World War II. Among the important technical matters restricting work during the winter are the difficulties of pouring concrete during freezing or borderline temperature periods and the problems of having equipment get mired during site preparation. Government regulations generally prohibit the pouring of concrete below certain temperatures or during certain times of the year. Other obstacles in the way of winter work relate to the difficulties of safe operation on exposed surfaces, and the need to remove snow or wait for the evaporation of moisture. Among the factors which open up possibilities for greater regularization have been the development of techniques for working under cover once the basic foundation structures have been completed, and the provision of heat and/or special clothing under such cover. There has also been the development of cement additives and the new use of plastics, which permit, under some circumstances, the pouring of concrete during freezing weather. In some cases these methods could also permit departure from present rigid requirements that restrict concrete work. Further exploration is sorely needed concerning the nature and economies of possible new technologies.

There are some situations in which winter operations are specified as a normal procedure. This is often the case where the basic structure can be finished during the warm months and finishing work done inside during the winter months. This arrangement permits year-round operation but does not necessarily provide year-round work. It means *dovetailing* of activity but not necessarily the provision of stable employment for the relatively unskilled or for certain types of skills. Year-round operations are sometimes specified in contracts relating to large buildings, and work on such structures as dams and subways. However, the financial incentive that often exists in private contracting work to try to operate over the winter (the significant loss of rentals and requirement for payment of interest during periods of idleness before a building is completed), is not present in government construction work where there is no comparable *financial* inducement to complete the project even at the cost of winter operation.

There is as yet only fragmentary information concerning the extra cost that might be associated with winter work, using presently known techniques of working under cover. One study of these costs in the construction of a large motel in a northern city puts the differential at no more than 1%. Other judgments we have obtained from cautious but knowledgeable officials put these costs in the case of building structures at "certainly not above 5 percent." The costs will obviously vary with circumstances and types of construction. However, considering that a worker normally drawing unemployment insurance benefits would be employed on the winter work, the UI savings alone would readily cover extra winter construction costs of 5 to 10%.

The social costs of present seasonal unemployment are not, of course, included in the calculations made by construction contract officials. They are, however, relevant to general public policies respecting construction contracting.

C. Government contracting practices

While the problem of seasonality affect all types of construction, special attention has been paid, initially, to those whicn are associated with the use of government funds.

Of the total volume of new construction ($74.4 billion in 1966) in the Nation each year, approximately ⅓ is publicly-financed and of this ⅓ is Federally financed.

One of the striking features of the government's activity in the construction field is that there is now no clear directive with respect to seasonality or winter operation.

There is a great variety of contracting practices and procedures. Many agencies contract for construction directly with construction firms, while others, finance grants-in-aid through State, city or county governments. Each contracts for a specific kind of work (a building, a dam, a barracks, a hospital, a highway, a bridge), in some cases with specialized contractors—although usually with substantial interchange of labor force among contractors.

The agencies try to schedule their own operations as best they can, and often use or require such systems as PERT. There is, however, minimal interchange among the agencies, little or no coordination of their activities in the same local areas, little knowledge of what each other is doing—and none at all on problems of seasonality, respecting which no agency has a policy of its own.

The problems that Federal Government contracting officials would face in any effort to diminish seasonality are compounded by the fact that they generally lack the ability to influence State and local patterns of construction activity undertaken with funds from other sources.

This situation, a multiplicity of contract awards being let at various levels of government, is in some cases compounded by a bunching of awards during the last quarter of the Federal fiscal year, at the very time when many of these awards may accentuate rather than diminish seasonal patterns. Additional bunching appears to occur at the height of the construction season, during the summer. These patterns not only accentuate the seasonal problem, but also may raise costs of construction to the government. Further study of the relationship between timing of awards and actual construction is needed.

While such investigation is needed, there are indications that present practices tend to put the government into the construction market at the most crowded period of the year—at the time when resources are strained and when contractors' estimating capacities are so overloaded that adequate attention cannot be paid to the possibilities that exist for sharper and more competitive bids, and when the Nation's supply of funds for construction credit is at its worst point, in seasonal terms. Responsible government officials in charge of important construction programs believe that opportunity to enter the market in earlier months could result in significantly lower bids because of opportunity to use the more plentiful resources then available and to elicit more competitive contractor estimating procedures.

The reason for bunching at the end of the fiscal year is said to be the lateness of Congressional appropriations. There has not been opportunity during the course of this study to determine the degree to which practices themselves contribute to the situation but it is common knowledge concerning all government operations that the largest volume of activity and authorization tends to take place just before the deadline period at the end of the fiscal year.

There are, of course, many situations in which spring or summer starts can lead to the completion of outside structures on a schedule which permits inside finishing over the following winter. Different groups of workers are involved in these two types of activity, however, and the development of scheduling methods which will diminish seasonality for all is an intricate process which requires attention and skill. The best methods of achieving optimum results will grow out of operating experience under a policy conscious effort to diminish seasonality of employment.

As far as States and localities are concerned, we know of no State or local government that has undertaken, with or without Federal cooperation, to determine what it could do with respect to the question of seasonality. The State of New Jersey has under consideration the initiation of such a review. The City of New York, perhaps the only city in the country with a formal capital budget, has begun to schedule the wide range of construction projects it undertakes (with various sources of funding) to ferret out undue delays which result in unreasonable completion times or higher costs or both. The diminution of seasonality has not been an objective of this effort. But the technique appears to be most promising for such an effort.

D. Experience in other countries

In contrast to the situation in the United States, other industrialized countries, especially those which have rigorous winters, have taken positive steps to diminish seasonality of construction employment. These steps have been particularly pronounced since the end of World War II and have provided a considerable body of experience that has been the subject of several international discussions, including some which have taken place at the ILO and at the Organization for Economic Cooperation and Development.

Several Western European countries require *all* public construction to take place either on a year-round basis or to be concentrated during the winter months where the project is of such size that it can be completed during a winter.

In Canada and the United Kingdom, administrative budget review is required to assure that the maximum amount of winter employment is obtained, and in many countries there are subsidies for winter housing construction.

In Canada the Federal Government has actively promoted winter building by directing all Federal Government departments and agencies to plan their construction programs with a view to maximum winter employment, and has provided subsidies to municipalities which schedule their construction work during winter months. An interdepartmental committee on winter employment deals with new construction, maintenance and repair, and procurement of contracts.

In Sweden, permits for construction are allocated on a time of construction operations basis as well as on the basis of the normal physical standards that apply in the granting of building permits.

European countries have been able to diminish seasonality of publicly-financed construction.

There have been some costs associated with this process, the full dimensions of which are not yet clear. Many construction projects are unique and there still are questions regarding proper ways of estimating these costs. Gross costs are variously estimated by European experts at from nothing to 5 or 10 percent of construction costs. It is clear, however, that whatever initial cost outlays are involved, they are offset in large degree if not totally by savings in other costs (overtime during peak seasons, unemployment insurance, welfare, turnover, costs of people leaving the industry, etc.) and that the process of requiring winter operation has been a desirable national policy wherever it has been employed.

EXHIBIT B

JANUARY 2, 1968.

Mr. ARTHUR C. GERNES,
Regional Administrator, Bureau of Employment Security, Boston, Mass.

DEAR MR. GERNES: As of December 31, 1967, the uncommitted balance of the Vermont MDTA apportionment is determined to be approximately $110,000. This amount has not been committed from the MDTA-OJT allocation.

At a meeting of the Vermont State Manpower Coordinating Committee on December 28, 1967, the Manpower Administration Notice No. 5–67 was reviewed. By unanimous vote, the following action was taken:

"To amend the State Cooperative Manpower Plan to utilize any uncommitted balance of the Vermont OJT apportionment for funding of additional institutional projects as listed below in order of their priority in compliance with Manpower Administration Notice No. 5–67."

ADDITIONAL INSTITUTIONAL PROJECTS

Project No.	Occupation	Local office	Trainees	Budgeted cost
VT (R) 8011	Nurse aide	Burlington	24	$7,423
VT (R) 8014	Basic education	St. Albans	24	40,938
VT (R) 8016	Nurse aide	St. Johnsbury	20	6,765
VT (R) 8017	do	Rutland	16	5,016
VT (R) 8018	do	White River Junction	12	5,053
VT (R) 8019	do	Brattleboro	16	4,898
VT (R) 8021	Cook, entry	Barre	12	19,876
Total				89,969

This action was taken due to a continuing need for the skills considered and the corresponding training needs of individuals to improve employability. The Basic Education course is urgently needed for the area designated as a large percent of persons with whom all agencies are working have been found to be in need of this assistance.

The above projects are now in the process of development and it is estimated that they will be ready for review in approximately ten days.

Please advise as to submittal.

Very truly yours,

STELLA B. HACKEL,
Commissioner.

EXHIBIT C

JOHN FITZGERALD KENNEDY
FEDERAL BUILDING,
Boston, Mass., February 1, 1968.

Mrs. STELLA B. HACKEL,
Commissioner, Department of Employment Security, Montpelier, Vt.

DEAR MRS. HACKEL: Reference is made to your recent letter in which authorization is requested to transfer the uncommitted MDTA-OJT balance to the State's institutional account, in order to fund a Basic Education course, a Cook's course and six Nurse Aide courses amounting to an estimated cost of $102,000.

This type of transfer of funds requires authorization from the Manpower Administrator and we have initiated action in that direction. We know of no instance where this has been done. In addition, we have asked Bureau authorization for the funding of the projects from the unapportioned account in accordance with Manpower Administration Notice No. 5–67.

We will keep you advised regarding further developments and we will notify you as soon as a decision has been reached. We would like to suggest that the proposals not be submitted until such time as funding authorization has been received.

Sincerely yours,

A. J. CORBALLIS,
Acting Regional Administrator.

EXHIBIT D

U.S. DEPARTMENT OF LABOR, BUREAU OF EMPLOYMENT SECURITY,
JOHN FITZGERALD KENNEDY FEDERAL BUILDING,
Boston, Mass., March 11, 1968.

Mrs. STELLA B. HACKEL,
Commissioner, Department of Employment Security, Montpelier, Vt.

DEAR MRS. HACKEL: Reference is made to your letter dated January 2 and our interim reply of February 1, 1968, regarding your request to transfer the uncommitted MDTA–OJT balance to the State's institutional account.

We have been advised by our national office that the transfer of your State's uncommitted MDTA–OJT balance to your institional account is not possible. The MDTA–OJT funds would have to be deobligated and new institutional funds would have to be obtained. However, there is no assurance, as you know, that new institutional funds could be obtained.

In regard to your request to be authorized to submit the institutional proposals mentioned in your letter of January 2, to be funded out of the unapportioned account, it is suggested that unless the need is urgent, the proposals be developed and submitted for funding next fiscal year. If the need is extremely urgent, the proposals may be submitted earlier for possible funding in the last quarter of fiscal 1968.

Sincerely yours,

A. J. CORBALLIS,
Acting Regional Administrator.

EXHIBIT E

Take a very small project in Vermont for MDTA training in Christmas tree production and wreath making. This is tailored to the needs of the people. The initial project in this field was developed in the fall of 1966 and operated in two concurrent sections from October 10, 1966, to November 4, 1966. The second project in Christmas tree production is currently operating. The project was developed with a two-fold purpose: first, to upgrade those persons presently engaged in the production of Christmas trees and wreaths but earning a substandard income because of a lack of knowledge in production methods and marketing; second, to train the low income farm families—less than $1,200 net annual income—who need a diversified occupation to utilize the resources and to add to their submarginal income.

The course was developed by the Vermont Department of Employment Security in cooperation with the extension service and with the support of the Vermont Department of Forest and Parks and the Vermont Department of Agriculture. The seasonal pattern is not a factor in this occupation since the product to be harvested in the winter must be cultivated throughout the year. Practices such as planting, weeding, fertilizing and shearing are necessary to produce a salable project; this requires year-round activity by resident labor.

An influential factor in this expanding industry is the increased demand from Pennsylvania and New Jersey for wreaths in excess of 75,000 above the present market. Training residents to produce quality wreaths at reasonable cost will take advantage of this market demand.

Twenty-five percent of the 1966 course participants were contacted prior to January 1967 for comments on their estimated financial gain and commentary on plans, work done, and the effectiveness of the course. The commentary presents an important picture of the value of the course.

Excerpts include:

"I sold 30 tons of brush at $37 per ton—this was extra income above what I usually sell."

"Want to discuss cedar oil market prospects from what was taught in class."

"I never was interested in the Christmas Tree Grower's Association before, but now I have joined it because they can help me. They also go over other farm problems with me."

"I shaped 200 trees since I finished the course, and my wife and I made and sold 1,000 wreaths this year, that's about 300 more than we ever did. I got 15 to 20 cents more per wreath than last year."

"I cut brush, shape trees, and get wreath material in one operation, a real time-saver."

"I made and sold seven dozen wreaths this year and secured a market in Massachusetts for more next year. Also shaped 700 trees since the course finished."

"If I had to sell my cows, I could make a very good living from the woods. All this is because of my training in the project."

This sample, representative of about 25 percent of those trainees in the Christmas tree project, indicates that initially there was an average increase of about $400 income per person above their efforts prior to training. Over longer period of time, participants will be able to use their skills to produce a better crop on a year-round basis and substantially increase their annual earnings. These Vermonters have been able to retain their residence and their way of life, and have gained greater financial independence.

EXHIBIT F

U.S. DEPARTMENT OF LABOR,
BUREAU OF EMPLOYMENT SECURITY,
Washington, D.C. July 11, 1968.

Mrs. STELLA HACKEL,
Commissioner, Department of Employment Security, Montpelier, Vt.

DEAR MRS. HACKEL: Your agency has submitted proposals to provide 24 individuals basic education and 20 individuals training in Christmas Tree Production and Wreath Making in Franklin County. These projects were assigned project numbers A–8322 and A–8323, respectively. Unfortunately, funds were not available for the funding of these projects in Fiscal Year 1968.

A review of these projects by the Interagency Review Committee indicates that before they could be considered for funding in Fiscal Year 1969, information would have to be provided showing that these projects would result in post-training employment at a wage adequate to justify training costs. We would also want to be assured that the employment was not seasonal.

Under the circumstances, I must concur in the committee's recommendations and advise that these proposals for Franklin County are disapproved.

Sincerely yours,

ROBERT C. GOODWIN,
Administrator.

EXHIBIT G

STATE OF VERMONT, DEPARTMENT OF EMPLOYMENT SECURITY,
Montpelier, July 16, 1968.

Re Christmas Tree Production and Wreath Making Project, Franklin County, Vt.

Mr. ROBERT C. GOODWIN,
Administrator, U.S. Department of Labor, Bureau of Employment Security, Washington, D.C.

DEAR MR. GOODWIN: Your letter of July 11, 1968, informing us of the disapproval of the above MDTA project, indicates that your Interagency Review Committee is apparently unfamiliar with farm work and farmers.

To speak of a Christmas Tree Production and Wreath Making Course for self-employed marginal farmers in terms of our having to justify it as not being seasonal employment and requiring an adequate post-training employment wage is irrelevant to and inconsistent with the description and purposes of the project. It is a matter of public knowledge that farm work is seasonal in nature and that self-employed farmers are not employees for wage.

A similar project was approved for Vermont in fiscal 1967, and resulted in increasing farm family income for each trainee an annual average of $400.00.

It would appear that this fact alone in regard to an MDTA training project costing less than $8,000 total for 20 trainees is justification enough for the approval of such project. However, if your Interagency Review Committee could propose some other means of justification that is reasonable and appropriate for this type of project, we would be very pleased to attempt to establish it.

Very truly yours,

STELLA B. HACKEL,
Commissioner.

EXHIBIT H

U.S. DEPARTMENT OF LABOR, OFFICE
OF THE ASSISTANT SECRETARY,
Washington, D.C., June 27, 1968.

Mrs. STELLA HACKEL,
Commissioner, Department of Employment Security, Montpelier, Vt.

DEAR MRS. HACKEL: In this letter, I would like to provide you with a background on the current Manpower (MA) realignment effort, review its primary objectives, summarize the major decisions reached, and discuss some realignment implications, particularly in relation to State Employment Security (ES) operations.

Before discussing the detailed realignment decisions and their importance to you, I want to express deep regret that my repeated and sincere efforts to obtain the considered views of the State agencies, through the Executive Committee of the ICESA, met with so little success. I believe the record on this score will speak for itself and I would like to summarize that record for each of you so that my actions and position will be fully understood.

On May 28, we sent to each member of the Executive Committee a complete and detailed explanation of the realignment recommendations which had been made to me. On June 6, I held a meeting with the Executive Committee to review these realignment recommendations. Unfortunately, the meeting did not result in a substantive review of the recommendations, nor did it result in achieving a complete understanding of the objectives and implications of the realignment. Part of the difficulty arose, I believe, because only a limited number of those present had been involved heavily to date with the new work and training programs, particularly the Concentrated Employment Program (CEP).

* * * * *

As a next step, on December 26, 1967, I established a Realignment Task Force to conduct and coordinate the overall effort. As you will recall, in early January, four regional meetings were held by the Department of Labor with State Administrators and Federal staff for the purpose of reviewing the concepts and intent of the Secretary's realignment plan. While in New York at the first of these regional meetings, a similar review was held with the Executive Committee of the Interstate Conference of Employment Security Agencies (ICESA). On January 23, 1968, the President, in his Manpower Message to Congress, stated "I recently directed the Secretary of Labor to strengthen and streamline the Manpower Administration, the instrument within the Federal Government which manages almost 80% of our manpower programs". Further, the President's Budget Message of January 29, 1968 stated that, "manpower activities in the Department of Labor have been restructured to improve delivery of manpower services".

To help resolve specific realignment issues, working parties were set up under the Task Force in each major activity area (i.e., administrative staff functions; planning, evaluation, research, and special programs; management information; public information, etc.). These working parties were given the task of performing the initial fact finding and analysis needed for this complex realignment effort. In addition, they were to identify, and consider as fully as possible, the numerous realignment issues that could arise. In reporting to the Task Force, the working parties defined the nature of the activities to be performed, recommended appropriate divisions of responsibility for these areas and formulated a "decision recommendation" package. In certain instances, the Task Force diverged from the working parties' recommendations, and in these instances, further discussions were conducted with working party and MA staff members. In reaching decisions on the working party and Task Force recommendations, several steps were taken. First, all the recommendations were reviewed with the MA Executive Staff (including all the bureau administrators), and each bureau administrator was invited, and given time, to make his views on the Task Force recommendations known in writing, orally, or both. Secondly, the final versions of the Task Force recommendations were presented to the Executive Committee of the ICESA.

This process has been a long and somewhat arduous one, and time was often sacrificed to ensure the involvement of all concerned parties in the process. This letter to you—and the recounting in some detail of the background of the realignment—represents my deep interest and continuing effort to keep communication lines open. I want you to understand what we have done . . . and why.

OBJECTIVES OF THE REALIGNMENT

As the Secretary stated in his December realignment plan, the review of functions and responsibilities and the resulting changes were designed to "proceed from strength—to consolidate gains and to build on them—to recognize the lessons of experience—and to adjust a vital organization to meet new demands".

At the same time, the realignment provided an opportunity to examine carefully the overall efficiency in the use of resources within the MA and to seek further ways to maximize and capitalize on their use. An important part of the objectives were to eliminate duplication, wherever possible, and pull together diverse, fragmented activities into a more effective and cohesive organization.

A major objective of the realignment was to develop a more efficient and productive relationship between the basic service programs, provided through the Bureau of Employment Security, and the new manpower work and training programs assigned to the MA by Congress or delegated by other agencies. For reasons of its own, Congress chose not to assign these new programs to the State Employment Security system. The Secretary of Labor has said, however, in his realignment plan "Many of the State employment services have developed a significantly increased capacity for administration of the work-training aspects of the manpower program; and this should be relied on to the fullest practicable and most effective extent". It should be noted that the MA, for some time previous, had established and was vigorously pursuing this policy. Starting with the inception of the CEP program, MA on its own initiative—and despite opposition from OEO, CAA's, and certain local governments, etc.—announced and consistently enforced its policy that the State Employment Service would be the presumed delivery agent or "first choice" for providing all manpower services called for by this program at the local level. The MA has also been following this policy religiously with other new programs (e.g., WIN), and intends to continue to follow this policy.

REALIGNMENT DECISIONS AND THEIR IMPLICATIONS

A summary of the major realignment decisions is included as an attachment to this letter. Some of these decisions, primarily related to the work and training programs, required immediate implementation for operational purposes near the outset of the realignment effort.

Certain of the realignment decisions have been viewed by some as interfering with the work of individual bureaus and services of the MA. Let me assure you this has not been the intent nor will it be the result. To the contrary, the realignment was designed to and will strengthen the *entire* MA, including all of its component parts, and will make the entire MA a more responsive organization that is better equipped to meet the manpower needs of this country.

I want to emphasize the fact that the program development and program operations elements of the USES have been left essentially intact. Only the longer range overall MA planning functions have been placed in the central staff. Further, the overall realignment results in leaving the vast majority of staff resources in the bureaus. In several instances, positions associated with functions centralized were left in the bureaus to perform high priority functions retained within the bureaus to permit them to perform their continuing missions more effectively. Over and above these positions, a number of additional positions are expected to be saved through this realignment effort, and these savings will be reallocated within MA at the points of greatest need. Some of these positions will be provided to USES to strengthen its capabilities even further.

In the realignment, I was particularly concerned that the administration of the Trust Fund continue to be separately maintained in BES. At the Secretary's and my direction this has been scrupulously observed. The financial management of Trust Fund monies has been left fully intact within the Bureau of Employment Security.

You may not be aware that these are not the first realignments of MA Federal staff elements. In previous years, for instance, we consolidated the MA audit process, Federal salary and expense accounting, Federal personnel administration, and certain administrative services. These consolidations have, to a great extent, served to augment the overall MA capability to perform these functions wherever they are needed and have not interfered with basic Federal-State relationships.

The realignment calls for an important shift in emphasis. The MA has numerous programs now underway that impact on the State and local levels, and the State ES organizations have, or will have, responsibilities within them. Thus, State ES organizations should look not only to the BES as the source of Federal program guidance, but to the broader MA within which BES and other bureaus and offices are integral parts. Increasingly, the MA will need to maintain a single, coordinated position in providing the maximum possible assistance, from all of its bureaus and units, to the community and neighborhood levels. And also to an increasing extent, the ES office will be the delivery agent and point of synthesis both for the work and training programs and the basic ES services at the local level. It will be important, therefore, for the State efforts to relate to, and mesh well with, the overall MA effort and all its component parts.

I would stress to you, in summary, that the changes to be made by the realignment affect only the *Federal* staff within the MA and its bureaus and will provide a firmer base from which MA can provide assistance to State operations. Specific program delegation to the states will continue as before, including leaving intact state program administration and day-to-day control over program operations.

I look forward to an even closer relationship with State agencies in the future and again reiterate my continued dedication to strengthening the Federal-State Employment Security partnership. If I can be of assistance please do not hesitate to call on me.

My kindest regards.

Sincerely,

STANLEY H. RUTTENBERG,
Assistant Secretary and Manpower Administrator.

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, D.C., June 27, 1968.

SUMMARY OF MAJOR MA REALIGNMENT DECISIONS

Among the first actions taken as part of the MA realignment effort—those requiring immediate implementation—were the transfer of the On-the-Job Training (OJT) program under the Manpower Development and Training Act to the Bureau of Work Training Programs (BWTP), the design and implementation of the Work Incentive Program, and the transfer of the Concentrated Employment Program to BWTP. Subsequently, new delegations of authority to the Regional Manpower Administrators and to the Administrator of BWTP were prepared. In early March 1968, the new BWTP organization structure was approved. In late April, a central Office of Information for the MA was established.

The remaining major realignment areas included:

1. United States Employment Service (USES)/Office of Farm Labor Service (OFLS) merger
2. Administrative functions
3. Manpower Management Data Systems
4. Planning, Evaluation, Research, and Special Program functions

The sections below outline the basic decisions in each of these remaining areas.

1. A Rural Manpower Service (RMS) in USES is established, and the Office of Farm Labor Service is abolished. The mission of the RMS is to help ensure that total rural manpower needs are adequately met through the provision of a full range of USES services. In other words, the RMS is to perform in an advocacy or "watchdog" role, and will focus its activities primarily on program development and the review of rural manpower plans and actual program results. As a practical matter, some residual operating functions from the OFLS will continue to be performed in RMS. At the request of the Administrator of the Bureau of Employment Security, the title of the head of this service will be that of Associate Director of the USES. Also at BES request, a temporary data collection capability was authorized until the central Manpower Management Data System is fully operational.

2. The review of Administrative functions leads to the following decisions:

The *budget* activity, currently performed on a shared basis by the central unit and the bureaus, will continue to be performed in the same manner. (In the budget area, the Manpower Administrator modified the Task Force recommendation by deciding to make no change rather than to centralize the technical preparation step in the budget formulation process).

The only change made in the current division of responsibility of the *financial* activities will be to complete the centralization of non-Trust Fund accounting activities to the central unit.

In the *contract* area, a more consistent pattern is being adopted by focusing the central unit exclusively on setting policy and providing control and placing responsibilities for all program contracting activities in the bureaus. Short term, however, some contracting services will be performed centrally until thse functions can be fully and effectively decentralized where needed.

Management analysis activities concerned with Federal organization elements will be performed centrally; and State-oriented management analysts, who will provide technical assistance to State agencies, will be decentralized to the regions as soon as practicable.

Personnel activities remain unchanged.

The *training* activity, however, which was formerly in the personnel division, is being established as a separate unit to strengthen its capability and reinforce the importance of its mission.

Regarding *administrative services*, the units still performing administrative service functions in the bureaus are being moved to the central unit and subsequent organizational changes will be made in the central unit to strengthen it.

3. In early November, prior to the issuance of the Secretary's realignment plan, the establishment of a new organization to improve management data for the MA was directed. To ensure that these efforts would be compatible with other changes being made in the MA, they were incorporated in the overall realignment and therefore, the establishment of an Office of Manpower Management Data Systems has been approved. This unit's immediate responsibilities will include:

(1) exercising functional supervision over all MA-level and bureau mangement data systems, including clearance of statistical reports, and

(2) planning, designing, and operating data systems for MA work and training programs.

In addition, the Director is assigned duties in representing the MA in departmental, interagency, and intergovernmental activities on manpower management data systems. Further, the Director is responsible for ensuring adequate data processing facilities to meet overall MA needs and establishing data processing priorities within MA. (In this area, the Task Force position was modified by the Manpower Administrator in that three positions recommended for centralization from BWTP were left in the bureau to perform review and analysis functions).

4. In planning, evaluation, research, special programs, and other related areas, the functions and responsibilities were reconfirmed and clarified rather than fundamentally realigned. Staff responsibility for planning activities will be centralized at the Manpower Administration (MA) level with the bureaus in a supporting capacity. (In planning, the Manpower Administrator modified the Task Force recommendation. Eight positions recommended by the Task Force for centralization were left in USES to perform programming and program-related functions). *Programming* will be a shared responsibility between the MA level and the bureaus. *Review and analysis* will be a shared responsibility performed at both bureau and MA levels. *Evaluation* will be a central MA responsibility, with bureaus requesting evaluation studies as needed. Similarly, *research* will be a central MA responsibility. Research studies that the bureaus believe should be undertaken will be approved and coordinated at the MA level, and bureaus will have research-oriented employees on their program development staffs. (In research, the Manpower Administrator modified the Task Force recommendations. Seven positions recommended by the Task Force for centralization were left in BES to perform program development and technical assistance functions). *Special programs* will be a central MA responsibility. Bureaus will be permitted a limited capability to carry out noncontracted special programs in support of program development.

EXHIBIT I

INTERSTATE CONFERENCE OF EMPLOYMENT SECURITY AGENCIES,
July 2, 1968.

Hon. STANLEY H. RUTTENBERG,
Assistant Secretary for Manpower,
U.S. Department of Labor,
Washington, D.C.

DEAR MR. RUTTENBERG: As directed by the Executive Committee of the Interstate Conference of Employment Security Agencies, I am transmitting to you the Committee's reaction to recommendations to the proposed realignment of the Manpower Administration as it affects the employment security system.

This statement, which was developed at its meeting on July 1–2, 1968 in Washington, D.C., is the product of the whole Committee, with every member participating in its preparation.

We hope that our recommendations will be helpful to you in arriving at an organizational structure to carry out your responsibilities in the administration of the manpower program.

Sincerely,

CURTIS P. HARDING,
President.

EXHIBIT J

POSITION STATEMENT OF THE NATIONAL EXECUTIVE COMMITTEE INTERSTATE CONFERENCE OF EMPLOYMENT SECURITY AGENCIES WITH RESPECT TO THE PROPOSED MANPOWER ADMINISTRATION REALINEMENT, JULY 1, 1968

The Executive Committee of the Interstate Conference of Employment Security Agencies has given careful consideration to the proposed realignment of certain functions and responsibilities within the Manpower Administration referred to in the letter of the Manpower Administrator to State Administrators, dated May 28, 1968, insofar as they relate to trust fund operations and ultimately affect the employment security programs in the States.

In so doing, we have kept in mind the position taken by the House Labor-HEW Appropriations Subcommittee regarding Trust Fund activities which was summed up by Secretary Wirtz in his testimony before that Committee on February 19, 1968, as follows:

"Secretary WIRTZ. On that bureau [Bureau of Employment Security], one of the suggestions that I made over a year ago was that that whole function, or substantial parts of it, be moved in together with the Manpower Administration because the BES itself, had been a kind of overstructure over the Employment Service, the Unemployment Insurance Service, the Farm Labor Service, and the Veterans Employment Service.

"As these other programs came in, the Manpower Administration began also to be a kind of overstruoture and I was concerned about the overstructuring of overstructure, and therefore proposed quite broadly to move those two together.

"I was advised again, both formally in the committee hearings here, and in the informal channels to which I referred earlier, that that would be considered completely wrong as far as this committee, its members and others, other interested Members of Congress, were concerned, particularly because the BES program is financed very largely out of the unemployment trust fund, whereas these other programs are not, and it was made pointedly clear that, both in the interests of accounting and in the interests of the preservation of State-Federal relationships which developed over the years, that would be considered a serious mistake. I mention this to make completely clear that in the action now, which is identified with my memorandum of December 19, those functions are left entirely untouched so that anything relating to the administration of the unemployment trust fund activities remains just exactly as it was before."

On December 19, 1967, the Secretary issued a memorandum instructing the Assistant Secretary for Manpower and the Assistant Secretary for Administration to prepare implementing directives of the realignment of the Manpower Administration and stated therein:

"The previous injunctions by the House Appropriation Subcommittee that the administration of the Trust Fund is to be separately maintained within the Bureau of Employment Security, subject to such direction of the Manpower Administrator as is necessary to relate the uses of the Trust Fund most effectively to the broader manpower program, should be faithfully observed."

* * * * *

"2. The Bureau of Employment Security will continue to exercise its present functions, including the administration of the Trust Fund, subject to these instructions:

"(a) The Farm Labor Service will be combined with the Employment Service.

"(b) The staff functions of the BES (other than those relating to the administration of the Trust Fund) will be combined with those of the other units of the Manpower Administration."

By letter dated May 28, 1968, the Manpower Administrator communicated to the State Administrators in this matter, making available to them for the first time copies of the Manpower Administration operating concept and material covering the five areas of realignment affecting the Bureau of Employment Security as follows:

Rural Manpower Service.

Administrative Functions of the Manpower Administration.

Manpower Management Data Systems.

Planning, Evaluation, Research, and Special Program Functions of the Manpower Administration.

Public Information Functions in the Manpower Administration.

In that letter, the Manpower Administrator restated the position of the Department of Labor as expressed in the December 19, 1967 memorandum and further stated:

"Let me assure each of you that the Secretary's December 19 memorandum with respect to functions relating to the Trust Fund has been scrupulously honored and will continue to be fully adhered to. I have from the very first instructed all concerned to fully and faithfully observe the Secretary's and my own wishes in this matter."

On June 4–6, 1968, the Conference Executive Committee met and considered the proposed realignment. After meeting with the Manpower Administrator, his staff and consultants, the Executive Committee unanimously took the following position:

"On the basis of the limited review of the material in the short time available, it appears to the Executive Committee of the Interstate Conference of Employment Security Agencies that the proposed realignment of functions and responsibilities within the Manpower Administration enumerated in the letter of the Manpower Administrator to members of the Executive Committee, dated May 28, 1968, and the attachments thereto could materially weaken the Federal BES administrative and operating capabilities, to the serious detriment of the Federal-State Employment Security System and the ultimate weakening of its program effectiveness with resultant harm to most of our people needing manpower services."

The position was taken on the basis of a limited review, because the proposed realignment documents were voluminous and had been sent by mail to the State administrators of the Executive Committee in such time that they were received not more than a few hours or a day before they left for the Washington meeting. The forwarding letter was dated May 28, 1968 and the meeting at which the proposals were discussed with Mr. Ruttenberg was held on June 4 through June 6, 1968. Not included among the documents were the comments of the Administrator of the Bureau of Employment Security relating to the proposed realignment.

At that meeting the State administrators requested of Mr. Ruttenberg that the comments of the Bureau of Employment Security Administrator be made available to them. This request was granted at the meeting. The committee unanimously voted to request additional time for more thorough study and discussion of the documents which had been prepared over a period of many months by technical staff of the Manpower Administration and professional consultants.

The Executive Committee at this time reiterates its position taken at its meeting held on January 4, 1968, that the Manpower Administrator should consult with the State agencies in a timely manner before taking any action materially affecting the operations of the State agencies. In this respect, the House Appropriations Committee in its Report on the Labor-HEW and Related Agencies appropriation request for fiscal year 1969 commented as follows:

"The Committee has been concerned, as have many of the State agencies, about the recent reorganization of the manpower programs which was formally outlined by the Secretary in a memorandum of December 19, 1967 to the Assistant Secretary for Manpower. Of special concern to the Committee is the testimony of the Secretary that this memorandum was issued without prior consultation with the State agencies. It seems obvious that such consultation is the keystone to sound Federal-State relations when decisions such as this are made, which so vitally affect the State agencies."

The Executive Committee takes the position that the proposed realignment is an action materially affecting the operations of the State agencies on the grounds that those staff functions related to the development of appropriation requests, development and management of the employment security reporting system, providing information to the public on employment security programs and operations, developing employment service and unemployment insurance legislative proposals and overall employment security planning and evaluation activities are essential to the efficient administration of a comprehensive Federal-State employment security system and should be retained in the Bureau of Employment Security.

The Executive Committee further takes the position in regard to the proposed realignment that the removal of 105 positions of the 134 to be transferred from the Bureau of Employment Security into the Manpower Administration would adversely affect the administration of Trust Fund activities and disregards the commitment that such activities remain in the Bureau of Employment Security.

More specifically:

1. The Bureau of Employment Security administration would lose its capability to develop employment service and unemployment insurance appropriation requests for Congressional consideration. This is a traditional and important Trust Fund operation of considerable significance to the State agencies. With this capability lodged elsewhere, trust funds could be more easily diverted to non-trust fund activities, especially when a shortage of revenue exists.

2. There is presently a serious need for increased public information activities with respect to the employment security system, yet the realignment eliminates the assigned and dedicated unit performing this function and dilutes the attention, emphasis and adequacy of coverage to specific Trust Fund programs. It is recognized that effective public information activities are needed at both the Manpower Administration and Bureau levels. However, this capability at the Manpower Administration level should not be created through dilution or deletion of Bureau capability. The Committee stresses that effectiveness in serving the States in such areas as technical assistance, coordination, and idea exchange is doubtful from a unit further separated from the States and with wider responsibilities.

3. The Committee agrees that coordination of reporting in the manpower area is urgently needed. Such coordination should provide standard definitions and uniform instructions in operating and informational reports.

The Committee believes, however, that the prime responsibility for manpower reporting relating to State agency data should rest in the Bureau of Employment Security. Since its reporting requirements are larger than any other component of the Manpower Administration, it would seem more appropriate to build the requirements of other Bureaus which use information from the State employment security agencies into that system rather than to transplant the well established BES reporting system. Furthermore, a considerable amount of money and time have been expended in the last 2 or 3 years to improve and automate the BES reporting system, and the Committee feels that this effort should not be jeopardized.

Therefore, the Committee strongly recommends that the Employment Security reporting system remain under the control of BES and that it be expanded to accommodate the reporting needs of other Bureaus as they relate to the employment security system.

4. On September 28, 1967, the Manpower Administrator approved a policy statement which had been jointly developed by the Bureau of Employment Security and the State agencies and which set forth the basic principles of planning, evaluation, and administrative financing in the Federal-State employment security system. In this statement, the Bureau of Employment Security is given very substantial and important responsibilities in the areas of planning and evaluation of Trust Fund programs. The Executive Committee is of the opinion that the proposed realignment actions are contrary to this approved policy statement because they will materially weaken the Bureau's ability to discharge such responsibilities to the detriment of the employment security program.

The Committee appreciates the opportunity to consider and react to the proposed realignment actions on behalf of the State employment security agencies. The Committee reiterated that the State agencies will continue to perform their manpower responsibilities to the best of their capabilities, and they expressed the hope that the proposed Manpower Administration realignment be modified so that these capabilities will not be reduced by weakening the Bureau of Employment Security in areas necessary to the effective operation of the State-Federal system.

EXHIBIT K

AUGUST 7, 1968.

WILLIAM B. LEWIS,
Chairman, Regional Manpower Administrator, U.S. Department of Labor, JFK Federal Building, Government Center, Boston, Mass.

DEAR MR. LEWIS: The present uncertainty attached to Fiscal 1969 MDTA On-The-Job training possibilities within Vermont is a matter of utmost concern to the Vermont Cooperative Area Manpower Planning System State Committee. CAMPS planning has been presented as a cooperative, statewide effort among agencies to identify manpower needs in Vermont and to insure that such needs are met to the maximum possible degree. The inference has been that such effort, performed in good faith, would receive the support of the Manpower Administrator.

Vermont manpower needs were identified, and methods of satisfying the maximum possible number of such needs were recommended by the State Committee. You will note in paragraph "d" on pages 32 and 33 of the *Vermont Cooperative Manpower Plan—Fiscal Year 1969* that one of the committee's highest priority goals is to obtain occupational skill training for 100 "target group" individuals through OJT training opportunities.

On page 48 of the CAMPS Plan, and on page 2 of my letter of June 17, 1968; is stated the desire of the State Committee that the Vermont State Employment Service be designated as the prime contractor on all MDTA-OJT development in Vermont. If such designation is not possible, the committee wishes to know what agency will be designated to develop the 100 OJT training opportunities within Vermont which are absolutely necessary if the goals expressed in the CAMPS Plan are to be attained.

The committee wishes assurance that some agency with the immediate capability to do the job, whether DES or not, will be made responsible for OJT development in Vermont so that OJT training opportunities can in truth be made available to Vermonters in Fiscal Year 1969. The possibility that Vermonters may lose training opportunities when at least one State agency is capable of developing such opportunities right now is of paramount concern to the committee.

May we have your earliest possible attention to this matter? Thanking you, I am,

Sincerely yours

JOHN M. WHITE,
Vermont State Cooperative Manpower Planning Committee.

EXHIBIT L

SEPTEMBER 6, 1968.

Mr. WILLIAM B. LEWIS,
Chairman, Regional Manpower Administrator, U.S. Department of Labor, JFK Federal Building, Government Center, Boston, Mass.

DEAR MR. LEWIS: The attached Form OJT–1, "Declaration of Interest in Conducting Federally Assisted On-the-Job Training", is being forwarded for your personal attention due to the continuing lack of information available regarding the correct method for this department to insure that Vermont employers receive every possible consideration for training assistance under the Manpower Development and Training Act. I am certain you will recognize the reasons for our concern that the transfer of OJT training responsibility from the Bureau of Apprenticeship and Training to the Bureau of Work Training Programs not be allowed to result in denial of OJT assistance to Vermont employers.

Ludlow Woolens Inc. has within the past past year initiated operations in the long empty facilities of the former Jewell Brock Woolen Mills in Ludlow. Ludlow Woolens Inc. has thus returned a substantial number of steady, year-round jobs to an area of Vermont where there is a serious need for such employment.

We are desirous of insuring that this company receive all possible Federal assistance in initiating an On-the-Job training program which will allow the company to solidify and increase its employment potential in the Ludlow area. In his letter of August 7, 1968; Mr. John M. White, Chairman of the Vermont State Cooperative Manpower Planning Committee, called to your attention the concern of the committee regarding the uncertainty presently attached to OJT project initiation within Vermont. May we please have some assurance that submittal of the attached OJT–1 form will be acted upon in the near future by an authorized representative with authority to initiate OJT training projects and assist the management of this company to proceed further with consideration of such a training program?

This department stands ready to offer every possible aid and assistance to the Bureau of Work Training Programs within Vermont, and to act as agent for the Bureau of Work Training Programs for all OJT projects within Vermont if such authority is forthcoming.

I will be most appreciative of any assistance you may be able to render in this matter.

Very truly yours,

STELLA B. HACKEL,
Commissioner.

EXHIBIT M

JOHN FITZGERALD KENNEDY FEDERAL
BUILDING, GOVERNMENT CENTER,
Boston, Mass., September 10, 1968.

Mr. JOHN M. WHITE,
Chairman, Vermont State Cooperative Manpower Planning Committee, Department of Employment Security, Montpelier, Vt.

DEAR MR. WHITE: Your letter to Mr. Lewis inquiring about the agency that has been designated to develop On-The-Job Training opportunities within Vermont has been forwarded to this office.

As you know, responsibility for On-The-Job Training activities was transferred from the Bureau of Apprenticeship and Training to the Bureau of Work-Training Programs in May of this year. As a part of establishing procedures for handling On-The-Job Training, we cannot look with favor upon statewide agreements. It is felt that the Bureau of Work-Training Programs must retain administrative responsibility for On-The-Job Training activities if we are to maintain continuity of activities and insure On-The-Job Training is tied in with all Manpower Administration Programs.

Even though it is necessary that our Bureau retain the administrative responsibility for program development and project monitoring, we anticipate that a close working relationship will be established with all agencies who have an interest in On-The-Job Training.

In your letter you mentioned that it was the desire of the State Committee to have the Vermont State Employment Service as the prime contractor for On-The-Job Training development in Vermont. As mentioned above, it is necessary for the Bureau of Work-Training Programs to retain this administrative responsibility. However, I am sure that the Vermont State Employment Service will be in a position to assist our staff in project development and we are looking forward to their cooperation. I can assure you that the Bureau of Work-Training Programs' staff in this Region will do everything feasible to develop On-The-Job Training in an effective manner.

If we can provide you with any further information, please feel free to contact me at any time. If necessary, Mr. Gilliland, my Deputy, or myself will be happy to meet with you to discuss On-The-Job Training.

Sincerely yours,

WILLIAM M. WHITE,
Regional Director.

EXHIBIT N

U.S. DEPARTMENT OF LABOR, MANPOWER, ADMINISTRATION, JOHN
FITZGERALD KENNEDY FEDERAL
BUILDING,
Boston, Mass., September 16, 1968.

Mrs. STELLA B. HACKEL,
Commissioner,
Department of Employment Security,
Montpelier, Vt.

DEAR MRS. HACKEL: Thank you for your letter forwarding an OJT–1 for the Ludlow Woolens, Inc. This OJT–1 form has been forwarded to the regional office of the Bureau of Work-Training Programs and immediate action is being taken to process this form. First of all, a letter has been sent to the employer acknowledging receipt of this "Declaration of Interest"; and secondly, a BWTP field representative will personally contact a company representative in the near future to assist in developing a proposal.

Mr. William White, the Regional Director for the Bureau of Work-Training Programs, has informed me that he and a field representative will be meeting with you on Tuesday, September 17, 1968; and I am sure he will explain to you how the Bureau of Work-Training Programs plans to provide full service to the employers of Vermont in terms of developing OJT projects within tentative funding allocations.

As you know, the current hiring freeze has affected all federal agencies; but it has created some particularly serious problems for this regional office of the Bureau of Work-Training Programs since it was in the developmental stages also having to assume many new program responsibilities such as OJT. As a result, OJT activities have not been as smooth as we all desired, but some of these "growing pains" are now over; and I am sure the Bureau of Work-Training Programs will be able to provide full service in the future.

You mentioned Mr. John White's letter of August 7, 1968, requesting information on OJT project development; and I am enclosing a copy of Mr. William White's reply explaining how OJT activities will be fully serviced in the State of Vermont.

Your interest and concern in this matter is appreciated; and if I can be of any further assistance, please feel free to contact me at any time.

Sincerely yours,

WILLIAM B. LEWIS,
Regional Manpower Administrator.

EXHIBIT O

STATE OF VERMONT, DEPARTMENT
OF EMPLOYMENT SECURITY,
Montpelier, September 17, 1968.

Mr. WILLIAM B. LEWIS,
Chairman, Regional Manpower Administrator, U.S. Department of Labor, JFK Federal Building, Boston, Mass.

DEAR MR. LEWIS: The attached Form OJT–1, "Declaration of Interest In Conducting Federally Assisted On-the-Job Training", is being forwarded for your personal attention due to the continuing lack of information available regarding the correct method for this department to insure that Vermon employers receive every possible consideration for training assistance under the Manpower Development and Training Act.

The future growth and advancement of Capital City Press is handicapped due to lack of skilled personnel in the seven occupations listed on the attached OJT–1 Form. The company is desirous of securing Federal assistance in conducting on-the-job training in order to qualify local labor for these openings, the need for which is immediate and pressing.

We are desirous of insuring that this company receive all possible Federal assistance in initiating an On-the-Job training program which will allow the company to solidify and increase its employment potential in the Barre-Montpelier area.

We trust that the attached OJT–1 Form will be acted upon in the near future by an authorized representative with authority to initiate OJT training projects and assist the management of this company to proceed further with consideration of such a training program.

I will be most appreciative of any assistance you may be able to render in this matter.

Very truly yours,

STELLA B. HACKEL,
Commissioner.

EXHIBIT P

MAY 16, 1968.

Hon. W. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

DEAR MR. SECRETARY: It has been brought to my attention by the American Hotel & Motel Association that it has been advised by Manpower Administrator Ruttenberg that no M.D.T.A. training programs in the hotel/motel and restaurant industries will be approved which do not provide wage rates of $1.60 per hour.

I can understand Mr. Ruttenberg's position that such training programs should result in substantial economic improvement and provide trainees with the possibility of earnings beyond the subsistence level.

On the other hand, I feel that your Department may be usurping a function of Congress in establishing higher minimum wages for these industries by administrative fiat than have been enacted into law. It is certainly incongruous to require the payment of higher hourly wages to trainees selected from our hard-core unemployed than must be paid to experienced regular employees.

I believe that trainees should receive the prevailing wage rate or the statutory minimum, whichever is higher, as I am well aware of the fact pointed out by Mr. Ruttenberg that prevailing wage rates often fall below the statutory minimum. Yet I do not feel that these industries are receiving proper consideration when they are required to pay trainees substantially more than either the statutory minimum rate or the prevailing wage rate for regular employees.

Furthermore, in considering the possible future earning of such trainees, I think we should bear in mind that the statutory minimum wages required of these industries will reach the same level as those required for all covered non-agricultural employees within the next two and one-half years.

I would welcome receiving your views on this matter, and any consideration which could be given to approving training programs in these industries will be appreciated.

Sincerely yours,

WINSTON PROUTY,
U.S. Senator.

EXHIBIT Q

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, July 1, 1968.

Hon. WINSTON L. PROUTY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROUTY: This is in reply to your letter respecting the priority given to MDTA training programs in industries which provide entry wage rates of at least $1.60 per hour.

Manpower Administration Order No. 3-68, a copy of which is enclosed, sets forth the Department's policy on wage rates applicable to MDTA projects. Under this policy there does not appear to be any conflict with the statutory minimum wage requirements. In applying the policy the situation envisioned in your letter which the trainee is paid more than the regular exprienced employee would not arise because such training would not be approvable. A project in which the OJT trainee received more while in training than after training in the occupation would not serve the purpose of the Act. The wage standard applies both to the training wage and to the regular entry level wage after training.

The Department has no desire to assume the function of Congress to establish Federal minimum wages. However, since sufficient funds are not available to finance all training openings, the purpose of the Act appears to be best served by giving priority to training for job openings which pay at least $1.60 an hour. To date, the training needs in the priority group have exceeded the number of training opportunities that could be provided. If the Department were to provide training funds for industries which have an entry level wage of less than $1.60 an hour, a corresponding reduction would have to be made in programs for industries paying at least that amount.

Sincerely,

WILLARD WIRTZ,
Secretary of Labor.

Mr. GOODELL. Mr. President, when this legislation was considered in the House, I offered two amendments that were accepted by the managers of the bill and passed unanimously. Those amendments provided two things:

First. A reinforcement of our intent that the Secretary of Labor shall wherever possible administer the manpower training programs through State agencies equipped to do the job. It is our intent that the Secretary negotiate agreements with the States assigning State agencies the responsibility for promotion, development, funding, monitoring, and other services associated with implementation and utilization of funds apportioned to the States in accordance with section 301 of the act;

Second. That funds apportioned to the State agencies through agreements under section 206 shall remain available to the State agencies providing Congress appropriates not less than $48 million for the JOBS program and not less than $31.8 million for the CEP program.

I am withholding these amendments in this body on the assurance that an intensified effort will be made to carry out the intent of the amendments in the House of Representatives. I believe the record is clear in both the House debate and in the Senate that we want these objectives achieved, and the Secretary of Labor is on notice to do all that he can to bring them about. If he does not, Congress will be forced to act more specifically in the future.

Mr. JAVITS. Mr. President, as do other Senators, I think the distinguished Senator from Pennsylvania [Mr. CLARK], who is chairman of the Committee on Employment, Manpower, and Poverty has given gifted and important attention to the work which we hope will result in the passage of the bill today.

I and others have withheld amendments which we felt were important to the bill because we thought in the interest of the broad objective of manpower training and of dealing with the hard-core lack of employment and manpower in the slums, it was even more important to get the law extended. We stayed our hands, as the distinguished Senator from New Jersey has done.

Mr. President, I ask unanimous consent to have printed in the RECORD, and printed separately as an amendment, an amendment which I was going to offer as title IV to the act, establishing an "Economic Opportunity Corporation," which deals with the coordination of the business efforts of the American business community to engage in manpower training and antipovery activities.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

AMENDMENT NO. 1018

Insert at the end thereof the following:

"SEC. 12. The Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new title:

" 'TITLE IV—ECONOMIC OPPORTUNITY CORPORATION

" 'SEC. 401. This title may be cited as the "Economic Opportunity Corporation Act of 1968."

" 'FINDINGS AND PURPOSE

" 'SEC. 402. (a) The Congress hereby finds that—

" '(1) the major resources and strength of this country reside in the private sector of the Nation's economy and any successful effort to eliminate poverty, racial discrimination, and urban decay must involve a massive application of private resources;

" '(2) a substantial number of individuals and organizations in the private sector, including business firms, labor unions, foundations, educational institutions, and professional and civic organizations, are willing to contribute to the solution of the problems of poverty, racial discrimination, and urban decay, but their participation is often inhibited by the lack of any central source of information at the national and local levels about useful public and private programs and initiatives, the unavailability of effective technical assistance, and a lack of seed money; and

" '(3) the full and effective involvement of the private sector in the solution of these problems can be facilitated by the Federal Government, but the organization and control of this effort is best left with the private sector.

" '(b) It is the purpose of this title to establish a private, nonprofit technical assistance corporation to stimulate greater participation by the private sector—agencies, organizations, and individuals—in a broad range of public and private manpower training, job development, education, business development, and other antipoverty programs by—

" '(1) providing a central source for information and research on opportunities for private sector participation in such programs;

" '(2) furnishing technical and financial assistance to private organizations and individuals in planning and carrying out such programs;

" '(3) participating, on a contractual or other basis, in the development and implementation of governmental antipoverty programs with a view to encouraging an important and effective role therein by the private sector;

" '(4) developing, in conjunction with public and private organizations, methods of applying modern business management techniques to the solution of social problems, and otherwise encouraging increased participation by private enterprise in such programs and in providing needed public services.

" 'CREATION OF CORPORATION

" 'SEC. 403. (a) There is hereby established a nonprofit Economic Opportunity Corporation (hereinafter referred to as the "Corporation") which will not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of this title and, to the extent consistent with this title, to the District of Columbia Nonprofit Corporation Act. The right to repeal, alter, or amend this title is expressly reserved by the Congress.

" '(b) No part of the net earnings of the Corporation shall inure to the benefit of any private person, and it shall qualify as an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501 (a) of such Code.

" 'PROCESS OF ORGANIZATION

" 'SEC. 404. There is hereby established a Commission for the appointment of incorporators. The Commission shall be composed of the Vice President of the United States, who shall act as Chairman, the Speaker of the House of Representatives, the Director of the Office of Economic Opportunity, the Secretary of Labor, the Secretary of Commerce, and the majority leader and minority leader of the Senate and of the House of Representatives. The Commission shall meet within thirty days after the enactment of this title and shall appoint incorporators, by and with the advice and consent of the Senate, who shall serve as the initial Board of Directors until the first annual meeting of members or until their successors are selected and qualified. The incorporators shall take whatever actions are necessary to organize the Corporation, including the filing of articles of incorporation under the District of Columbia Nonprofit Corporation Act.

" 'DIRECTORS AND OFFICERS

" 'Sec. 405. (a) The Corporation shall have a Board of Directors consisting of fifteen individuals who are citizens of the United States, one of whom shall be elected annually by the Board to serve as Chairman. Five members of the Board shall be appointed by the President of the United States, by and with the advice and consent of the Senate, for terms of three years, except that (1) the terms of the Directors first taking office shall be effective on the date on which other members of the Board are elected and shall expire as designated by the President at the time of appointment, one at the end of one year, two at the end of two years, and two at the end of three years after such date; and (2) any Director so appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Ten members of the Board shall be elected annually by the members of the Corporation.

" '(b) The Corporation shall have a President, and such other officers as may be named and appointed by the Board of Directors, at rates of compensation fixed by the Board, and serving at the pleasure of the Board. No individual other than a citizen of the United States may be an officer of the Corporation. No officer of the Corporation shall receive any salary from any source other than the Corporation during the period of his employment by the Corporation.

" 'MEMBERSHIP IN THE CORPORATION

" 'Sec. 406. (a) Any person or organization may become a member of the Corporation by—

" '(1) purchasing from the Corporation one or more of the debentures of the Corporation referred to in section 407(a); or

" '(2) donating to the Corporation money or property (taken at fair market value) in an amount or amounts to be determined by the Board, but in no event less than $100.

" '(b) Each member shall be entitled to one vote regardless of the amount of debentures held by him or the amount donated by him to the Corporation.

" '(c) Any donations to the Corporation shall qualify as charitable contributions within the meaning of section 170 of the Internal Revenue Code of 1954.

" 'FINANCING OF THE CORPORATION

" 'Sec. 407. (a) The Corporation may issue such bonds, debentures, or other certificates of indebtedness at such times and on such terms and conditions as the Board may determine to be required for the fulfillment of the purpose of the Corporation.

" '(b) The Secretary of the Treasury is authorized to make grants to the Corporation to assist it in meeting its organizational expenses and in carrying on its activities. There is authorized to be appropriated not to exceed $20,000,000 for the purpose of providing financial assistance under this subsection, except that $10,000,000 shall be made available to the Corporation at the time of its incorporation and additional amounts, not to exceed in aggregate $10,000,000 shall be made available from time to time to match donations or purchases of debentures made pursuant to section 406(a). Appropriations authorized under this subsection shall remain available until expended.

" 'ACTIVITIES AND POWERS OF THE CORPORATION

" 'Sec. 408. (a) In order to carry out the purposes of this title, the Corporation is authorized to—

" '(1) establish an information and research center to encourage and assist private individuals and organizations to participate in antislum and antipoverty projects, including collecting and making available information and case studies on existing public programs and incentives and on promising privately sponsored projects, and by conducting research and pilot projects on new approaches;

" '(2) organize educational and promotional programs to disseminate information in order to encourage private individuals and organizations to participate in antislum and antipoverty projects;

" '(3) provide technical assistance to public and private agencies and organizations in the planning and operation of programs and projects, including advising representatives of the United States Government concerning effective means of encouraging the participation of the private sector in such programs and projects;

" '(4) provide informational, educational, technical assistance, and related services on a contractual or other basis as part of Government antislum and antipoverty programs which seek to involve the resources of the private sector;

" '(5) develop in conjunction with public and private agencies and organizations methods for the application of modern business management techniques to the solution of social problems, and otherwise encourage the participation of private agencies and organizations in providing needed public services;

" '(6) establish and support new and existing nonprofit private organizations at the State and local levels designated to carry out the purposes of this title or otherwise to mobilize their communities to support antislum and antipoverty programs; and

" '(7) carry on such other activities as would further the purposes of this title.

" '(b) In the performance of the functions set forth in subsection (a), the Corporation is authorized to—

" '(1) enter into such contracts, leases, cooperative agreements, or other transactions as the Board of Directors deems appropriate to conduct the activities of the Corporation;

" '(2) charge such fees as the Board of Directors deems reasonable and appropriate;

" '(3) carry out its activities, wherever desirable, on an areawide, State, or local basis through such entities as the Board of Directors deems appropriate;

" '(4) accept and use, either with or without reimbursement as the case may be, such services, equipment, and facilities of agencies of the Federal Government, State governments, or other local political subdivisions as are necessary to conduct the activities of the Corporation efficiently, and such Federal agencies are authorized to provide, with or without reimbursement, such services, equipment, and facilities to such Corporation;

" '(5) receive grants and other financial assistance from the United States and from State and local governments, foundations, corporations, and other organizations and individuals, to carry out activities consistent with the purposes of this title; and

" '(6) exercise all powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act.

" 'REPORTS TO THE CONGRESS

" 'Sec. 409. The Corporation shall transmit to the President and Congress, annually and at such other times as it deems desirable, a comprehensive and detailed report of its operations, activities, and accomplishments under this title.'

"TECHNICAL AMENDMENTS

"Sec. 210. (a) Section 302 of the Manpower Development and Training Act of 1962 is amended by inserting a comma and 'other than title IV' immediately after 'under this Act'.

"(b) Section 308 of such Act is amended by inserting 'other than title IV' immediately after 'this Act.' "

Mr. JAVITS. Mr. President, I wish here to pay tribute to my colleague, the Senator from Vermont [Mr. Prouty], who most creatively participated in drafting of the text of the amendment about which I shall ask the same unanimous-consent request and which relates to a massive effort to deal on a private and governmental level with job training and job giving, which we will certainly go into next year.

So for myself and the Senator from Pennsylvania, I ask unanimous consent that the amendment which was to have been a new title of the act be printed in the Record, and printed separately as an amendment.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

Amendment No. 1019

Insert at the end thereof the following:

"Sec. 12. The Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new title:

" 'TITLE V—COMMUNITY EMPLOYMENT AND TRAINING PROGRAM

" 'STATEMENT OF PURPOSE

" 'Sec. 501. The purpose of this title is to provide public and private employment opportunities in community service occupations for unemployed and low-income residents of urban and rural poverty areas in order to relieve severe problems of unemployment and underemployment, to prepare such persons for jobs in the private sector of the economy, to increase opportunities for local entrepreneurship through the creation of local service companies, and to meet critical national needs for community services.

" 'DEFINITIONS

" 'Sec. 502. As used in this title—

" '(1) "community employment and training program" means a program designed primarily to provide public or private work and training opportunities to unemployed and low-income persons who are residents of eligible areas in the fields of health, public safety, education, recreation, streets, parks and municipal maintenance, housing and neighborhood improvement, conservation and rural development, beautification, and other fields of human betterment and community improvement, and includes the establishment, operation, or strengthening of any such program;

" '(2) "low-income person" means any such person as defined pursuant to section 125 of the Economic Opportunity Act of 1964;

" '(3) "heads of families" shall include any person who contributes more than one-half the support of one or more other persons;

" '(4) "local service company" means a corporation, partnership, or other business entity organized to operate a community service employment program or component thereof and owned in substantial part by unemployed or low-income residents of one or more eligible areas;

" '(5) "Secretary" means the Secretary of Labor;

" '(6) "State" means each of the several States, the District of Columbia, and Puerto Rico;

" '(7) "State council" means a State manpower coordinating council, composed of not more than twenty-one persons established pursuant to State law or established by the chief executive of the State for purposes of this title, or an existing agency designated for the purposes of this title, and in accordance with uniform standards prescribed by the Secretary, which council shall be broadly representative of the manpower training and employment resources of the State, including persons representative of—

" '(A) State agencies administering manpower training, employment, apprenticeship, vocational education, social welfare, industrial development, labor, antipoverty, and other related programs;

" '(B) local public and private nonprofit manpower, training, and employment programs including prime sponsors and local comprehensive area manpower planning agencies;

" '(C) an official or officials representing the Secretary of Labor; and

" '(D) the general public, including business, labor, and social welfare organizations.

" 'ELIGIBLE AREAS AND PRIME SPONSORS

" 'SEC. 503. (a) The Secretary shall designate urban and rural areas containing high concentrations or proportions of unemployed or low-income persons as areas eligible for assistance under this title, and in designating rural areas the Secretary shall consider the extent of emigration of individuals previously residing in such areas as a result of the lack of employment opportunities. He shall make such designations on a comprehensive basis and wherever the requisite conditions of unemployment and low income exist, without regard to his intention or capacity to allocate funds to all such areas. A community program area designated under section 121 of the Economic Opportunity Act of 1964 shall be deemed to be an eligible area for the purposes of this title. An eligible area may be a city, county, multicity, or multicounty unit, an Indian reservation, or a neighborhood or other area (irrespective of boundaries or political subdivisions) which provides a suitable organizational base and possesses the commonality of interest needed for a community employment and training program. The Secretary shall consult with the heads of other Federal agencies responsible for programs relating to community action, manpower services, physical and economic development, small business development, housing, education, health, and other community services to encourage the establishment of coterminous or complementary boundaries for planning purposes among those programs and community service employment programs assisted under this title. The Secretary shall also give due consideration to boundaries of regional planning and development districts established by State planning agencies or by the chief executive of a State.

" '(b) For each eligible area the Secretary or a State council, as the case may be, shall designate a single public agency or private nonprofit organization which shall serve as the prime sponsor to receive assistance under this title (except as otherwise provided in sections 105(d) and 107(b)(6)). A prime sponsor recognized under the provisions of section 122 of the Economic Opportunity Act of 1964 shall be designated the prime sponsor for its eligible area for the purposes of this title. In any eligible area in which there is no such prime sponsor the Secretary, or in the case of financial assistance provided by a State council the Secretary, in consultation with such State council, shall designate, after consideration of the provisions of such section 122, a public agency or private nonprofit organization to act as the prime sponsor under this title.

" 'AUTHORIZATION OF APPROPRIATIONS AND DISTRIBUTION OF FUNDS

" 'SEC. 504. (a)(1) For the purpose of carrying out the provisions of this title, there is hereby authorized to be appropriated the sum of $500,000,000 for the fiscal year ending June 30, 1969; the sum of $1,000,000,000 for the fiscal year ending June 30, 1970.

" '(2) Appropriations authorized by this subsection shall remain available until expended.

" '(b) From the sum appropriated for any fiscal year to carry out programs authorized under this title, the Secretary shall reserve not to exceed 50 per centum for the direct funding of community employment and training programs, and other programs authorized under this title, allot $1,000,000 to each State, and allot the remainder of such sums among the States in accordance with such uniform standards as the Secretary shall prescribe. In arriving at such standards the Secretary shall consider the following: (1) the proportion which the population of a State bears to the population of all the States, (2) the proportion of low-income families in the State based on criteria for low income that consider such factors as family size, urban, rural, farm, and nonfarm differences, and other relevant factors, and (3) the proportion which the unemployed in a State during the preceding calendar year bears to the number of unemployed in all States during the preceding calendar year.

" '(c) Any portion of an allotment of a State under subsection (b) of this section for any fiscal year which the Secretary determines will not be required for the period for which such allotment is made shall be available after the ninth month in such year for reallotments to other States, but only after the Secretary furnishes such State ten days prior notice of his intention to make a determination under this subsection.

" '(d) Not more than 15 per centum of the sums appropriated for any fiscal year to carry out the provisions of this title may be used within any one State.

" '(e) Notwithstanding any other provision of this title, whenever the Secretary determines that it will contribute to carrying out the purposes of this title, the Secretary is authorized to transfer not to exceed 40 per centum of the funds appropriated pursuant to this title to training and employment programs with private employers under title II of the Manpower Development and Training Act of 1962 or under part B of title I of the Economic Opportunity Act of 1964.

" 'FINANCIAL ASSISTANCE

" 'SEC. 505. (a) From funds reserved pursuant to section 104(b) the Secretary is authorized to provide financial assistance to prime sponsors pursuant to applications approved by him under section 106 to pay part or all of the costs of community employment and training programs except that the Secretary may, in his discretion, make such funds available to State councils pursuant to subsection (b).

" '(b) From funds allotted to each State pursuant to section 104(b) the Secretary is authorized to provide financial assistance in such State to State councils pursuant to a State plan approved under section 107 to pay part or all of the costs of community employment and training programs except that where such State has not submitted a State plan or where its State plan or modification thereof has been disapproved by the Secretary, such funds shall be made available in such State by the Secretary pursuant to subsection (a).

" '(c) Financial assistance under this section shall be provided for:

" '(1) Jobs created or made available to provide community services and development and related activities in such fields as health; public safety; education; recreation; streets, parks, and municipal maintenance; housing and neighborhood improvement; and other fields of human betterment and community improvement. Such jobs shall include (A) those which can be made available immediately to persons who are otherwise unable to obtain employment or are underemployed, (B) those which provide placement resources for persons completing training under titles I and V of the Economic Opportunity Act of 1964 and other relevant manpower training programs, and (C) those which use the skills of unemployed persons in areas with a chronic labor surplus. Priority shall be given to projects which are labor intensive in character.

" '(2) Programs for rural and urban areas which involve work activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable, because of age, lack of employment opportunity, or otherwise, to secure appropriate employment or training assistance under other programs, and which, in addition to other services provided, will enable such persons to participate in projects for the betterment or beautification of the community or areas served by the program, such as activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands.

" '(3) Activities designed to assure that persons employed in such jobs are provided opportunity for further education, training, and necessary supportive services, including pretraining services, rehabilitative and preventive services for narcotics and alcoholic addicts, basic maintenance, transportation, health, family, day care, counseling, placement, and other services so that they may have career opportunities and improve their ability to compete in the job market in the future. For this purpose funds appropriated under this title may be used by the Secretary for the purpose of carrying out such programs under the Manpower Development and Training Act of 1962, the Economic Opportunity Act of 1964, and under other related provisions of Federal law, by reimbursement to other Federal departments and agencies where appropriate, if he determines that this is the most effective method of providing for the activities authorized by this paragraph.

" '(4) Activities designed to promote the establishment of local service companies and the use of service development organizations to encourage the establishment of such companies.

" '(5) Loans to public agencies and private nonprofit organizations for the purchase of supplies and equipment which support and supplement projects carried out by participants under this title, which loans may be made under such reasonable terms as the Secretary may prescribe.

" '(d) The Secretary or the State council pursuant to an approved State plan may provide financial assistance under this title to a public agency or private organization other than a prime sponsor, or other than a State agency pursuant to the limitations of section 107(b)(6) to carry out one or more community employment and training programs or components thereof whenever the Secretary or such council determines, after soliciting and considering comments of the prime sponsor, if any, that such assistance would enhance program effectiveness or acceptance on the part of persons served and would better serve the purposes of this title.

" '(e) In order to promote consolidation and coordination of community employment and training programs and related programs, the Secretary shall make arrangements, to the extent practicable, to assure that the prime sponsor in any eligible area receives all Federal funds available for such programs in such area, including all programs assisted under this title, the Manpower Development and Training Act of 1962, section 432 of the Social Security Act, and sections 123, 151, and 502 of the Economic Opportunity Act of 1964. Where the area served by any program assisted under this title is within an area covered by a comprehensive city demonstration plan under title I of the Demonstration Cities and Metropolitan Development Act of 1966, the prime sponsor and the city demonstration agency shall consult and coordinate on all matters affecting work and training aspects of the comprehensive city demonstration program.

"'APPLICATIONS

"'SEC. 506. (a) Financial assistance under this title may be provided by the Secretary, or by a State council pursuant to an approved State plan, only pursuant to an application approved by the Secretary or the State council, as the case may be, in accordance with the provisions of this section. Such applications shall—

"'(1) provide that the activities and services for which assistance is sought under this title will be administered by or under the supervision of the applicant and identify the agency or agencies designated to carry out such activities or services;

"'(2) set forth a community employment and training plan, which may be a part of the local comprehensive area manpower plan, the provisions of which shall include—

"'(A) a description of the eligible area or areas to be assisted by such programs, including data indicating the number of potential eligible participants and their income and employment status;

"'(B) a description of the methods to be used to recruit, select, and orient participants, including specific eligibility criteria, and programs to prepare the participants for their job responsibilities;

"'(C) a description of unmet community service needs and a statement of priorities among such needs;

"'(D) the title and description of jobs to be filled, a listing of the major kinds of work to be performed and skills to be acquired, and the approximate duration for which participants would be assigned to such jobs;

"'(E) the wages or salaries to be paid participants and a comparison with the prevailing wages in the area for similar work;

"'(F) the education, training, and supportive services (including counseling and medical care) which complement the work performed and which will make the participants more mobile occupationally and improve their ability to compete in the job market in the future;

"'(G) the planning for and training of supervisory personnel in working with participants;

"'(H) the subsequent placement activities for eligible participants, including a description of probable future career opportunities and job advancement;

"'(I) an indication of the full participation and maximum cooperation among local public officials, residents of eligible areas, and representatives of private organizations in the development of the program and a description of their respective roles in the conduct and administration of the program;

"'(J) a description of the ways in which the program will be coordinated with other federally assisted activities, including programs assisted under this title, the Manpower Development and Training Act of 1962, the Economic Opportunity Act of 1964, the Social Security Act, the Public Works and Economic Development Act of 1965, and Demonstration Cities and Metropolitan Development Act of 1966, and other relevant provisions of Federal law;

"'(K) a commitment to meet the requirements and special conditions set forth in sections 109 and 110;

"'(3) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and to the extent practical, increase the level of funds that would in the absence of such Federal funds be made available in the area to be served by the applicant for the purposes described in section 101 and in no case reduce those funds;

"'(4) provide, in the case of an application made directly to the Secretary, adequate procedures to assure that such application has been submitted to the appropriate State council, if any, for comment at least thirty days prior to the submission of such application to the Secretary;

"'(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for the Federal funds paid to the applicant under this title; and

"'(6) provide for making an annual report and such other reports in such form and containing such information as the Secretary may reasonably require to carry out his functions under this title and for keeping such records and affording such access thereto as the Secretary finds necessary.

"'(b) An application, or modifications, or amendments thereof, for a grant under this title may be approved only if it is consistent with the applicable provisions of this title and meets the requirements set forth in subsection (a).

"'STATE PLANS

"'SEC. 507. (a) Any State desiring to receive financial assistance for any fiscal year to carry out a State plan under this title shall establish a State council and through such council shall—

"'(1) prepare and submit the State plan required by this section at such time and in such detail as the Secretary deems necessary;

"'(2) set dates before which prime sponsors and State agencies shall submit applications for financial assistance under the plan to such State council to carry out community employment and training programs in eligible areas for unemployed or low-income residents of such areas; and

"'(3) review applications from such agencies or organizations and otherwise carry out the provisions of an approved State plan and the program thereunder.

"'(b) The Secretary shall approve a State plan or modification thereof if he determines that the plan submitted for that fiscal year—

"'(1) sets forth a community employment and training program, including a survey and analysis of needs in the State for community services and a statement of priorities among such needs;

"'(2) sets forth criteria for achieving an equitable distribution of assistance under this title among eligible areas within the State, which criteria shall be based on consideration of (A) the geographic distribution and density of the population in such areas, (B) the concentrations or proportions of unemployed and low-income persons in such areas, (C) the number and trends in the movement of job opportunities in private enterprise in such areas, and (D) the movement of unemployed and low-income persons to and from such areas;

"'(3) provides for planning and technical advice to grantees and applicants, and otherwise provides for assistance to them in coordinating and consolidating community employment and training programs;

"'(4) contains satisfactory procedures to be followed by such State council for coordinating and consolidating community service employment programs assisted under this title with similar programs assisted under other provisions of Federal law, including such programs under the Social Security Act;

"'(5) provides that final action by the State council denying or withholding funds, in whole or in part, with respect to any application made to it shall not be taken without first affording the applicant reasonable notice and opportunity for a hearing;

"'(6) provides that not more than 25 per centum of the funds received by the State council pursuant to the State plan shall be used to carry out community employment and training programs operated by State agencies, except that the Secretary shall approve the use of funds in excess of such per centum for such purpose in States of comparatively small size or population where program operation at the State level would better carry out the purposes of this title, and the remainder of such funds shall be distributed to prime sponsors, except as provided in section 105(d);

"'(7) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Secretary, by regulation) that would in the absence of such Federal funds, be made by the applicant for the purposes of this title;

"'(8) provides for adoption of effective procedures for the evaluation, at least annually, of the effectiveness of the programs and projects assisted under the State plan and for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects to program sponsors;

"'(9) sets forth administrative organization and procedures to carry out the State plan, in such detail as the Secretary may prescribe by regulation, including such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title; and

"'(10 provides for making an annual report and such other reports and recommendations in such form and containing such information as the Secretary may reasonably require to carry out his functions under this title, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (8) of this subsection and including recommendations regarding areas not covered by existing manpower programs and unnecessary duplication in such programs, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

"'(c) The Secretary may, if he finds after reasonable notice and opportunity for hearings that only a part of a State plan meets the requirements set forth in this section, approve that part of the State plan and provide to the State council only that part of the allotment of such State under this title as he determines is necessary to carry out the part of the plan so approved. The remainder of such State's allotment under this title shall be made available to prime sponsors and other applicants within the State by the Secretary.

"'(d) The Secretary shall not finally disapprove any State plan submitted under this section, or any modification thereof, without first affording the State council submitting the plan reasonable notice and opportunity for a hearing.

"'WITHOLDING

"'SEC. 508. Whenever the Secretary, after reasonable notice and opportunity for hearing, finds that there has been a failure by an applicant to comply substantially with any requirement set forth in the approved application of such applicant, or by the State council to comply substantially with any requirement set forth in the plan of that State approved under this title, the Secretary shall notify the applicant or State council that further payments will not be made to the applicant or State council under this title (or, in his discretion, that the applicant, or State council shall not make further payments under this title to agencies and organizations receiving assistance from it and affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the applicant or State council under this title, or payments by the applicant or State council under this title shall be limited to agencies and organizations not affected by the failure, as the case may be.

" 'PROGRAM PREFERENCES

" 'Sec. 509. (a) (1) Whenever practicable, the Secretary and the State councils shall encourage and give preference to applications under which community employment and training programs are to be carried out on a contractual basis by local service companies. Such contracts may provide for financial incentives to be paid to such local service companies for satisfactory and superior performance of such programs.

" '(2) In order to promote the establishment and development of local service companies on a self-sustaining basis, the Secretary and the State councils are authorized to provide financial assistance to public agencies or private organizations to act as service development organizations. Such financial assistance may be provided for the costs of programs operated by service development organizations to assist in the establishment and maintenance of local service companies, including but not limited to the following:

" '(A) planning and research, including feasibility studies and market research;

" '(B) legal and technical assistance, business counseling, management and training assistance, assistance in obtaining contracts or subcontracts from public or private sources, and other related services, including the provision of business services on a centralized basis; and

" '(C) financial assistance, including the provision of startup capital and assistance in securing performance or other bonds needed by the company or its employees.

A service development organization may, pursuant to regulations issued by the Secretary, be permitted to take a minority equity interest in a local service company and to deal with such a company on a franchise or other profitmaking basis.

" '(3) In developing local service companies and service development organizations, the Secretary and the State councils are authorized to utilize the services and facilities of any Federal or State agencies and any private organizations, including appropriate private technical assistance organizations, pursuant to an agreement with the head thereof.

" '(b) The Secretary and the State councils shall encourage the development of, and are authorized to provide financial assistance under section 105 for community employment and training programs in the field of public safety. Such programs may include the development of employment and training opportunities for community service officers and other support personnel in or under the supervision of police departments. Such officers and personnel may be full- or part-time employees who need not meet ordinary police standards for employment and who are or will be engaged in such activities as (A) recruitment of police personnel from eligible areas, (B) improvement of police-community relations and grievance resolution mechanisms in such areas, (C) community escort and patrol activities, (D) encouragement of neighborhood participation in crime prevention and public safety efforts, and (E) other similar activities designed to improve police capabilities and public safety in eligible areas. The Secretary and the Attorney General shall jointly prescribe regulations governing community employment and training programs in the field of public safety and crime prevention.

" '(c) The Secretary shall establish procedures, pursuant to regulations issued by him, to give preference to qualified participants in community employment and training programs assisted under this title for entry into programs operated by him offering on-the-job training and employment opportunities in the private sector.

" '(d) The Secretary shall establish procedures, pursuant to regulations issued by him, to give preference to unemployed and low-income persons who are heads of households as participants in community employment and training programs assisted under this title.

" 'SPECIAL CONDITIONS

" 'Sec. 510. (a) The Secretary shall not provide financial assistance for any program under this title unless he determines, in accordance with such regulations as he may prescribe, that—

" '(1) no participant will be employed on projects involving political parties, or the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship;

" '(2) the program will not result in displacement of employed workers or impair existing contracts for services, or result in the substitution of Federal or other funds in connection with work that would otherwise be performed;

" '(3) wages paid a participant shall not be lower than, whichever is the highest (A) the minimum wage which would be applicable to the employment under the Fair Labor Standards Act of 1938 if section 6 of such Act applied to the participant and he was not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rate of wages in the area for similar work;

" '(4) the program will, to the maximum extent feasible, contribute to the occupational development or upward mobility of individual participants; and

" '(5) to the maximum extent feasible, participants will work in eligible areas.

" '(b) For programs related to physical improvements, preference shall be given to those improvements which will be substantially used by low-income persons and families in eligible areas.

" '(c) Programs approved under this title shall, to the maximum extent feasible, contribute to the elimination of artificial barriers to employment and occupational advancement, including civil service requirements which restrict employment opportunities for the disadvantaged.

" 'ADMINISTRATION

" 'Sec. 511. (a) The Secretary shall provide for the administration of all community employment and training programs under his jurisdiction within a single office or agency within the Department of Labor.

" '(b) In administering the provisions of this title the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or private nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

" '(c) The Secretary and the State council may make payments to any applicant pursuant to an approved application in installments or in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

" 'PROGRAMS FOR THE ELDERLY

" 'Sec. 512. Whenever feasible the special problems of the elderly should be considered in the development and operation of programs assisted under this title.

" 'EVALUATION

" 'Sec. 513. The Secretary shall provide for the continuing evaluation of programs under this title. He shall require sponsors of programs under this title, including State councils, to provide such objective data as may be necessary to evaluate program effectiveness, and he shall arrange for obtaining the opinions of participants concerning the strengths and weaknesses of the programs. The Secretary may contract for independent evaluations of programs and of selected, individual projects. The results of such evaluation shall be included in the report required by section 114.

" 'REPORTS

" 'Sec. 514. Not later than the 1st day of March of each year, the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report on the progress made in implementing this title and the effectiveness of the programs assisted under this title.' "

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PROUTY. Mr. President, first, I wish to express my appreciation to the Senator from New York for his generous remarks. I wish to be included as a cosponsor.

Mr. JAVITS. I did not wish to be presumptuous. I make the same unanimous-consent request for myself, the Senator from Pennsylvania and the Senator from Vermont.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I had in mind offering an amendment which the House will take and on which we all agreed, but the Senator from Vermont has a similar amendment and I shall defer to him.

Mr. PROUTY. Mr. President, on behalf of the distinguished Senator from California [Mr. MURPHY] and the distinguished Senator from New York [Mr. JAVITS] and myself, I send to the desk an amendment and ask that it be stated. This is actually the Senator from California's amendment.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk proceeded to read the amendment.

Mr. PROUTY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the end of the bill add the following new section:

"Sec. 12. The Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new title:

" 'TITLE IV—SUPPLEMENTARY STATE PROGRAMS

" 'STATEMENT OF PURPOSE

" 'Sec. 401. It is the purpose of this title to provide a method whereby a State may utilize Federal matching funds, together with its own funds for the purposes of supplementing, coordinating and improving the effectiveness of, or correcting imbalances among, the services available from all Federal manpower and related programs seeking to improve the ability of disadvantaged persons to move into productive employment.

" 'AUTHORIZATION FOR GRANTS

" 'Sec. 402. The Secretary of Labor (hereinafter in this title referred to as the Secretary) is authorized to grant to any State which meets the requirements of section 403 an amount, for fiscal years 1969 and 1970, not to exceed 75 per centum of the cost of the supplemental efforts and activities undertaken by a State pursuant to the provisions of this title.

" 'APPLICATIONS AND CONDITIONS

" 'Sec. 403. (a) Any State which desires a grant under this title shall make application to the Secretary at such time, in such manner, and containing or accompanied by such information as he deems reasonably necessary.

" '(b) No grant may be made under the provisions of this title unless the Secretary finds that—

" '(1) after consultation with said State, the effectiveness of Federal manpower and related programs seeking to move disadvantaged persons into productive employment within such State can be facilitated or improved by additional State efforts and activities; and

" '(2) such application (A) describes how such additional efforts and activities will be undertaken in support of existing Federal programs, (B) demonstrates that such efforts and activities are not inconsistent with such State's cooperative area manpower planning system plan, (C) demonstrates that such efforts and activities will contribute to carrying out the purposes of this title, and (D) provides assurances that the State will pay the non-Federal share of the cost of such efforts and activities under this title.

" 'RULES AND REGULATIONS

" 'SEC. 404. The Secretary may prescribe such rules and regulations under this title as he deems necessary.

" 'AUTHORIZATION OF APPROPRIATIONS

" 'SEC. 405. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.' "

Mr. PROUTY. Mr. President, the Senator from California [Mr. MURPHY] is unable to be present in the Chamber today and, therefore, I am submitting this amendment for him and the other cosponsor, the senior Senator from New York.

Under this amendment, a State may receive a matching Federal grant to fund employment and training programs designed to coordinate and improve the effectiveness of Federal manpower programs. It will result in permitting States to make additional efforts in training our hardcore disadvantaged and unskilled citizens for productive and meaningful jobs.

Mr. President, it is my understanding that the Senator from California has discussed this amendment with the chairman of our committee, and that the Senator from Pennsylvania was prepared to accept this amendment as modified.

Mr. President, I have a prepared statement which the Senator from California had intended to deliver when this amendment was considered by the Senate, explaining why it is needed to give the States greater flexibility in manpower and related areas. I ask unanimous consent that this statement, together with attachments, be printed in the RECORD at the conclusion of my remarks.

In view of the foregoing, I hope that my friend from Minnesota, the floor manager of this bill, will accept this amendment.

There being no objection, the statement and attachments were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR GEORGE MURPHY, REPUBLICAN OF CALIFORNIA, IN SUPPORT OF AMENDMENT ADDING SUPPLEMENTARY STATE PROGRAM TO MDTA

Mr. MURPHY. Mr. President, I call up my amendment No. 884, and ask that it be read.

This amendment adds a new Title IV, Supplementary State Program, to the Manpower Development and Training Act of 1962 as amended. The purpose of the amendment is to provide states with needed flexibility and freedom in manpower and related areas so that existing imbalances and gaps in present programs may be filled in order to improve, coordinate, and make more efficient and effective manpower programs.

Mr. President, manpower experts, Congressional committees and various advisory councils and commissions have pointed out the waste, duplication and inefficiency that exist in the manpower area. There seems to be general agreement on the need for greater coordination and on the realization that there is a need to "make sense" out of federal manpower policy. Although the need for coordination is recognized by everyone, "coordination" seems much like the saying regarding the weather: everyone talks about it, but no one does anything about it. Various efforts have been made to coordinate the programs, but with little or no success. In fact, the suggestions on coordination have proliferated almost as much as the programs themselves. The Washington Evening Star, in an editorial last month, states "The federal government cries out for a rigorous organizational analysis of existing programs that have grown like topsy. As anyone who labors in federal vineyards can attest, it is extraordinarily difficult to get anything accomplished because of fouled communications lines and encrusted bureaucracy."

Mr. President, the problems resulting from the proliferation of programs and the multiplicity of funding are not centered at the federal level. To the contrary, they seem to be multiplied at the local level. Dr. Garth L. Mangum, Co-Director of the Center for Manpower Policy Studies, the George Washington University, described the bewildering situation facing local officials. I quote: "for instance, funds for outreach can be sought from nine program sources, adult basic education from ten (in addition to general education sources), prevocation and skill training from ten, and work experience from five. On-the-job training can be subsidized from five programs and supportive services can be funded from nine sources. Income maintenance is also available to participants under nine programs. The eligibility rules, application procedures, allocation formulas, expiration dates and contracting arrangements vary as widely as the funding sources."

Dr. Sar Levitan, also from the Center of Manpower Policy Studies, describes the effect of this program proliferation and multiplicity of funding on the intended beneficiaries of the programs as follows: "the fragmentation of federally-supported training programs assumes crucial significance when the impact upon clientele is considered. Largely haphazard circumstances determine now whether a youth is assigned to a job corps, neighborhood youth corps, or a manpower development training course. The rationale program would require establishment of coordinated criteria which would help decide to which program a youth be assigned, how he is to advance from one training program to another, and the compensation he is to receive under each. Similar confusion prevails in the training of adults."

Even worse, Mr. President, is the lack of coordination between the training programs and available jobs. The McCone Commission in discussing this aspect states "Finally, there is an apparent lack of coordination between many of the training programs and the job opportunities. All too often a youth in the south central area goes through training, acquires the necessary skill to fill a job only to find that no job awaits him. The results are disastrous. ('Train for what?' he says to his friends.)"

Mr. President, the State of California has attempted to put together the various manpower programs in a logical, coordinated manner. In California a package of bipartisan measures designed to deal with the problems of the disadvantaged in an imaginative manner has been introduced and passed by the California Legislature and signed into law by Governor Reagan. I want to emphasize the bipartisan nature of this effort. Some have remarked that cooperation by the two political parties in California in this an election year was anything short of a "miracle." Personally, I attribute this meeting of the minds to the realization of the importance of the problems confronting California and the Country and a determination by the State Legislature and Executive branches to shape programs to match the dimension of the problems. The State rightly has placed the problems of the people before politics of the parties. The effort is strongly supported by Governor Reagan and Lt. Governor Finch, and it is also strongly endorsed by the Democratic speaker of the California Assembly, Jesse Unruh, as well as the Minority Leader in the Assembly, Robert Monagan.

One of the bills, Assembly Bill 1463, which was introduced by Speaker Unruh, creates a new State Department of Human Resources and Development to coordinate the programs aimed at the disadvantaged in the State. The State hopes to provide the hardcore unemployed with "an unbroken sequence of services from intake through placement in a job and periodic follow-up and evaluations" so that we will know exactly what is being done and what progress is being made. The intent of my amendment is to break the barriers of bureaucracy that tie up the getting of needed services to our people. Presently, as I just outlined, we force people into existing programs. California hopes to make the focus the individual and tailor programs to fit the individual for employment rather than force an individual into a program. In other words, California hopes to personalize the programs so they serve the needs of the individuals rather than force the individual to conform to the program. To do this, a new civil servant, a "job agent," would be created and assigned the task of securing the necessary training needed by his disadvantaged unemployed client in order to make him employable. To accomplish this, California needs a little flexibility in the use of highly categorical federal aid funds. The utter ridiculousness of federal restrictions and red tape was illustrated by Mr. Jack Mickie, Director of the East Bay Skill Center in Oakland. Mr. Mickie told our Committee that if federal restrictions and red tape were removed and greater flexibility were given to the center they could train "30 percent more trainees with the same amount of money and do a better job, if they will just let us do it."

Yet, in attempting to enact these creative State programs, the categorical nature of the federal programs, the restrictions and regulations of federal laws and the lack of cooperation by some federal officials have presented serious obstacles to this creative State effort. It certainly is a blow to healthy federal-state relations and a sorry day indeed when a state government is prevented from embarking on a new course because it is straitjacketed by federal rules and regulations.

On July 15, in a Senate Floor statement, I outlined in detail the difficulties that California has faced in trying to move ahead with its programs. I am pleased that since then there are indications that the federal government has decided to cooperate more. I hope this cooperative spirit continues.

Mr. President, we hear a great deal of criticism regarding the states. I realize that all the criticism is not without justification. Yet, I also know that all the brain power in this country is not centralized in Washington. This nation is too vast, its problems so different that instant canned solutions cannot be packaged in Washington to adequately deal with all the problems of each state. So, Mr. President, if we want to see our federal system work, and if we want to have the states assume their rightful and responsible place as envisioned by our forefathers, then we must allow creative states, who are willing to face up to their responsibilities, to do so.

California has attempted to coordinate its manpower programs. I contend such an effort should be applauded and encouraged. My amendment would give a federal green light to this and other constructive state efforts. I urge the Senate to adopt my amendment and thus give California and other states encouragement and Congressional approval to get on with the important business of tackling and solving tough domestic problems facing us as a Nation. I urge the adoption of my amendment. I ask unanimous consent that selected statements and correspondence be printed in full at this point in the Record.

From the Offices of Assembly Speaker Jesse Unruh and Assembly Minority Leader Bob Monagan

Leading California Republicans and Democats have joined to support an amendment to the Federal Manpower Development and Training Act introduced by U.S. Senator George Murphy.

Assembly Minority Leader Bob Monagan will today ask permission to introduce a joint resolution, co-authored by Speaker Jesse Unruh, seeking congressional approval of the amendment which he said, "will do much to increase the impact of a bipartisan job training and development program now before the legislature."

The resolution would add a new MDTA Title to allow state governments greater latitude in providing services to the unemployed. The proposed changes would:

Make federal matching funds available to the states for job training, placement, and related services.

Give states the flexibility to establish new programs in the field.

In addition to urging approval of the MDTA amendment, the resolution calls on President Johnson to direct his cabinet to work with the state in implementing the bipartisan "job" package.

Monagan praised Senator Murphy for his efforts to alleviate federal restrictions which would hamper the California program: "The Senator has worked with us every inch of the way," said Monagan. "If we are able to revitalize manpower programs this year, he will deserve a large share of the credit."

Unruh stated: "A lot of people have paid lip-service to the concept to 'creative federalism', but if Senator Murphy's amendment is approved we may yet see the words become reality, at least in this one critical area."

[From the Ridder publications, Sept. 14, 1968]

How To Thwart Creativity

(By Baxter Omohundro)

There is a widespread belief among federal functionaries that the bureaucratic warrens of the Nation's Capital are fountains of governmental wisdom which flow to nourish hinterlands barren of imagination.

A case in point is the Labor Department's recent opposition to a manpower training program proposed on a bipartisan basis in California which has received enthusiastic interest throughout the nation.

The California program basically would use its allotment of federal manpower and development training funds for a more comprehensive program to insure maximum benefit to the trainees and efficiency of operation.

The program calls for the creation of state-level "job agents," who would oversee a system that would find the jobless, arrange for remedial education as necessary, provide job-related health and social services, and follow the trainees through vocational instruction and job placement.

In other words, the California program would be a street-to-workbench structure designed to prevent some of the drop-outs from the largely single-phase federal job training programs.

Amazingly, the imaginative California program ran into the opposition of a group of upper-level bureaucrats at the Labor Department.

One of these, Employment Security Administrator Robert C. Goodwin, protested that the California idea did not conform to the federal program and hinted that the state might lose over $600 million in federal training funds if it put its program into effect.

This attitude was attacked by the principal backers of the California program, including Assembly Speaker Jesse Unruh, Minority Leader Robert Monagan and Sen. George Murphy, R-Calif.

Murphy decried the department's seeming inability to work with the state in effecting a viable "creative federalism."

Unruh, Monagan and others appealed to Labor Secretary Willard Wirtz, and by late last week there were indications that the Labor Department attitude was softening and that the program may have a friendlier reception there.

But that it happened at all is regretable and is reminiscent of the Health, Education & Welfare Department's handling of a California request to implement its more strict regulations against auto fume emission. It took nearly nine months for the state to get this decision on existing regulations and now it must come back to get an exemption for newly enacted rules.

It long has been fashionable and usually justifiable to accuse the statehouses of being unimaginative and unresponsive to human needs. Yet improvement is likely to be slow if their efforts to better serve the people are thwarted in Washington.

Assembly, California Legislature,
Sacramento, Calif., September 16, 1968.

Hon. George Murphy,
U.S. Senate,
Washington, D.C.

Dear Senator Murphy: The purpose of this letter is to add my strong endorsement to those you have already received in support of your Amendment No. 884 to S. 2938, this year's Manpower Development and Training Act bill. As you know, California has recently enacted into law a comprehensive restructuring of this State's plan of services for the hard-core unemployed. The bipartisan spirit in which this six-bill package was enacted indicates the urgency with which leaders of both parties in the State Legislature view this problem.

The principal bill in this effort, Assembly Bill 1463 which I authored with Minority Leader Bob Monagan, abolishes the California Department of Employment, replacing that agency with a Department of Human Resources Development which for the first time ties the various state and federal funds received for job training and development into one centrally administered agency. You are well aware of the difficulties we encountered when the U. S. Department of Labor was unwilling to see California develop this new innovative program.

Amendment No. 884 to the M.D.T.A. bill will allow California the needed flexibility to fully implement our newly passed legislation. Without this amendment our new Department of Human Resources Development will be a mere shell, unsupported by the federal funds necessary to carry out the bold new programs proposed in AB 1463. Your amendment will add a new title to the M.D.T.A., allowing California and any other state wishing to innovate in this field to match federal funds for the purpose of using them in ways now prohibited by federal law. Enactment of this new title will in no way detract from present M.D.T.A. programs in California which operate effectively. The amendment's requirement for state matching will insure that no state will use these funds frivolously or unwisely.

As you know, the California Legislature is unanimously on record in support of Amendment No. 884 to S. 2938, through the passage of a resolution memorializing Congress to adopt the amendment (Assembly Joint Resolution 45). I wish to add my personal support to this amendment which I believe can point the way toward new and lasting solutions to the most serious problem of chronic, hard-core unemployment facing our State and the nation.

Sincerely,

Jesse M. Unruh,
Speaker of the Assembly.

Statement of Gov. Ronald Reagan

Governor Ronald Reagan announced today he has signed the final three bills of an administration-backed bi-partisan legislative program designed to enable the state to deal more effectively with the problems of job training and development in economically disadvantaged areas.

The three measures include:

Establishment of regional California Job Development Corporations (AB–109, Campbell).

Formation of a Pooled Money Investment Fund (AB–1777, Monagan).

Creation of a Department of Human Resources Development (AB–1463, Unruh).

Three other bills in the bi-partisan package, signed earlier by the governor, included:

Creation of a Small Business Assistance Program (AB–1406, Unruh).

A Tax Incentive for Job Training (AB–1966, Veneman).

Elimination of Discrimination in Apprenticeship Programs (AB–1464, Ralph).

Governor Reagan noted that the administration has strongly supported the program package from its very inception. He expressed "deep satisfaction that the legislation achieved such strong bi-partisan support" and pointed to this cooperation as "an example of the kind of constructive leadership which can help solve many of our state's pressing problems.

"One of the major tasks which confronts us," he said, "is the need to provide meaningful jobs for our thousands of unemployed citizens.

"The legislation contained in this package clearly reflects a growing awareness that government—while taking the lead—cannot singlehandedly correct all the ills that beset our society.

"Indeed, the legislation closely involves the private sector in seeking to assist the disadvantaged and unemployed by first training them and then helping them to find jobs," the governor said.

Statement of Lt. Gov. Robert H. Finch and Assembly Minority Leader Bob Monagan

Lieutenant Governor Robert H. Finch, Chairman of the California Job Training and Placement Council, and Assembly Minority Leader Bob Monagan today hailed final passage of the bi-partisan job development and training package as a "landmark first step for California and the nation."

Finch and Monagan, in a joint statement said:

"Final passage of the bi-partisan job development and training package is a landmark first step for California and the nation in developing a total program to deal realistically with the problems of the chronically unemployed.

"This is the product of 18 months cooperative effort between the California Job Training and Placement Council, working in full cooperation with the Legislature, breaking bonds of partisanship to find solutions to one of our most pressing urban problems.

"This package focuses the total resources of the community on the problem of job development and training in 'economically disadvantaged areas'." Its goal is to:

Make capital and management assistance available for economic development of these areas; (AB 109–Campbell and AB 104–Unruh)

Assure that training is available for people to adequately fill these jobs; (AB 1463–Unruh)

Make available tax incentives for businesses for hire the disadvantaged; (AB 1966–Veneman)

Provide incentives for financial institutions to participate in this program through placement of state surplus money in banks which make these loans; (AB 1777–Monagan)

Tighten up laws against discrimination in apprenticeship programs. (AB 1464–Ralph)

A key element of this package, the CAL–JOB program (AB 109-Campbell) sets up a flexible non-governmental vehicle, the CAL–JOB Corporation, to give minority group members a chance to achieve the rewards of the free enterprise system through business ownership, management and job opportunity. Regional CAL–JOB corporations will provide a means for creative interaction between representatives of financial and business organizations, local government, and leaders of the economically disadvantaged community to work together with support from the state to develop jobs and businesses.

"A major effort will be made through AB 1463 to reorganize existing fragmented job training and placement programs into a single unified system—a Department of Human Resources Development—to make the full range of services necessary to employment available on an individualized basis under one roof. This new Department recommended in Governor Reagan's reorganization plan, would include a new separate division of Job Training and Development to develop and supervise new methods to reach and effectively deal with problems of the hard-core unemployed. This imaginative step taken by California to revamp its training programs is an example of state innovation and experimentation which has at times been met with less than full cooperation from certain federal officials in the U.S. Department of Labor, some of whom resented our independent efforts and attempted to hide behind fabricated federal 'conformity issues' to threaten California with possible loss of federal funds if this program was adopted. Fortunately, these problems have been worked out with the help and support of Senator George Murphy in Washington, and Senator Richard Dolwig, Chairman of the Senate Governmental Efficiency Committee who prevailed on federal officials to work with us to iron out these federal issues."

We applaud final passage of this bi-partisan program as a major step away from the dole welfare programs of the 1930's which are no longer relevant to the crises of modern America and a step toward "self-help" and full involvement of the independent and private sectors of our state in solving our critical urban problems. (Attached are summaries of the bills.)

BIPARTISAN JOB DEVELOPMENT AND TRAINING PACKAGE—SUMMARY

Preface

These bipartisan bills, which represent the most comprehensive effort developed by any state to deal with the problems of job training and development in economically disadvantaged areas, are supported by Governor Reagan, Lieutenant Governor Finch as well as legislative leaders of both parties.

AB 109—(Campbell)—California Job Development Corporation law

This bill authorizes the creation of regional non-profit California Job Development Corporations to provide loan capital and management assistance to create small business opportunities and create jobs in economically disadvantaged areas.

It would:

1. Set up a State Executive Board to set guidelines for the operation of regional corporations.

2. Provide that members (financial institutions, businesses, non-profit corporations) commit loan capital or other resources to the corporation as a condition of membership.

3. Provide $1 million for "start-up" loans for regional corporations and for regional guarantee funds to back up loans.

4. Require that persons who receive small business loans maintain a consulting relationship with the corporation for two years, to avoid business failures.

AB 1463—(Unruh) Creates Department of Human Resources Development

This measure:

1. Fixes responsibility for the delivery of services to the chronically unemployed, by establishing a single agency (the Department of Human Resources Development) to provide a full-range of needed services to the hard-core unemployed on an individualized basis.

2. Creates a new kind of civil servant—a "job agent"—who is held responsible for getting the necessary services to each client and following through until his client is on a job. The job agent develops a "plan" for each client and a timetable for providing those services. He may contract with public or private agencies in providing these services, be they education or vocational training, medical services or housing for the client.

3. Consolidates a number of existing state agencies dealing with employment and poverty problems into the new agency, including the Department of Employment, the Multi-Service Center program, and the State Anti-Poverty Office. The several scattered funds supporting these programs are consolidated within one "Manpower Development Fund".

4. Designates target areas within the state with the most serious unemployment problems and requires the department to focus its prime attention on those areas and their unemployed residents.

AB 1777—(Monagan) Pooled money investment fund

This bill would:

1. Provide an incentive for banks to make high risk loans in urban poverty areas as members of a California Job Development Corporation.

2. Permit the Pooled Money Investment Board, consisting of the State Controller, Treasurer, and Finance Director, to increase the amount of state surplus money available for time deposits and place the money in banks which are members of CAL–JOB corporations and have made loans to such a corporation or to corporation-approved borrowers.

3. Declare the intent of the Legislature that the Pooled Money Investment Board give due regard to assisting such efforts as the CAL–JOB program established by AB 109 in administering its investment program.

It is anticipated that utilization of reserve funds to provide incentives could also bolster the entire state economy, as any new money made available to banks would be used and reused, having a "multiplier effect" of roughly two and one-half times the amount deposited.

AB 1046—(Unruh) Small Business Assistance program law

This bill:

1. Creates a two-year pilot program, to be administered through the CAL–JOB Executive Board formed by AB 109, whereby the state will contract with private non-profit associations to provide technical business assistance to small businessmen who live in and desire to locate their enterprises in specified disadvantaged urban areas.

2. The bill appropriates $150,000 and requires the CAL–JOB Executive Board to report to the 1970 Legislature on the effectiveness of the program.

AB 1966—(Veneman) tax incentive for job training

This bill would:

1. Provide a tax incentive on a two year pilot basis for employers to hire long-term unemployed persons, with priority to recipients of public assistance. It is limited to 2,500 certified trainees per year or a revenue loss of no more than $300,000 per year.

2. Permit an employer to deduct from his gross income an amount equal to 50 percent of the training costs and wages paid an approved trainee, providing the term of employment is at least six months. It is anticipated that the resulting loss of tax revenue to the state would be offset by savings in public assistance expenditures on a minimum three to one dollar ratio. Employers would realize a tax saving up to seven percent of wages and training costs expended. This should encourage small and medium size employers, who account for most of the California labor force, to participate in training unskilled and unemployable workers.

3. Protect against potential abuse by providing that both the employer and trainee would have to be certified by the Administrator of the Health and Welfare Agency before the tax incentive could be claimed.

4. Appropriates $50,000 for administrative costs.

AB 1464—(Ralph) Elimination of discrimination in apprenticeship programs

This bill requires the Joint Apprenticeship Council, which sets guidelines for apprenticeship programs, to insure that selection procedures are impartially administered without discrimination. It requires that complaints alleging discrimination be filed with the Fair Employment Practices Commission, but that the Division of Apprenticeship Standards investigate the complaint, holding at least one open hearing and act upon it within 60 days. Cases may be reassigned to FEPC upon their request at which time they would act upon it within 30 days.

STATEMENT OF JESSE M. UNRUH, SPEAKER OF THE ASSEMBLY, STATE OF CALIFORNIA

Assembly Speaker Jesse M. Unruh today complimented Governor Reagan for signing into law Assembly Bill 1463, the key measure in the bipartisan "job package" authored during the 1968 Session by Unruh and other key Republican and Democratic legislators.

"The enactment of this legislation will for the first time consolidate into a single state agency the more than twenty different job training and placement programs financed by the state and federal governments, and will direct the principal use of these funds toward finding jobs for the hard-core unemployed," Unruh said.

"The Governor has also approved five other bills in this package, providing tax incentives to private employers who put the chronically unemployed to work, making financial aid available to small businessmen who will locate their businesses in the ghetto, and wiping out the last vestiges of discrimination in state-administered apprenticeship training programs.

"Governor Reagan is to be commended for his action in approving these bills. Their enactment marks the first concrete step by any state government in the country to deal meaningfully with the crucial problem of hard-core unemployment. The bipartisan fashion in which these measures gained legislative and executive approval indicates that the 1968 Legislature did not allow itself to become totally embroiled in partisan bickering.

"The key measure in this package, AB 1463 which I authored, establishes a Department of Human Resources Development, abolishing the present State Department of Employment. Within this new agency—to be created no later than January 1, 1970—will be included the state anti-poverty office, the multi-service centers, all training and placement activities of the federal Manpower Development and Training Act, adult education programs dealing with job placement, joint vocational rehabilitation programs and numerous other activities which are now spread among a number of state agencies.

"The bill also creates a new category of civil servant—the 'job agent'. It will be his task to develop an employment plan for each of the nearly 400,000 hard-core unemployed persons in the State, see to it his client is properly educated and trained with a job skill, that he is placed in gainful employment and remains on that job for at least 18 months. Only then will the 'job agent's' task be completed with respect to that client.

"Through the 'job agent' concept we hope to make our employment service people-oriented rather than program-oriented. This new agency will deal with the chronically unemployed as individuals, rather than merely as numbers on a computer card.

"AB 1463 also consolidates the several state and federal funds available for job training and placement in a new 'Manpower Development Fund', so that these funds may be used more flexibly and programs may be oriented to the individual client's needs," the Speaker said.

"Now that California has acted, through the cooperation of both political parties and the legislative and executive branches, it is up to the federal government to modify its laws and rules and regulations to allow us the flexibility needed to make this new experiment work. The Legislature is on record as favoring the adoption by Congress at this session of an amendment to the Manpower Development and Training Act to allow the states greater flexibily in the use of MDTA funds. I ask the Congress to act favorably on our request in order to expedite the success of this new California approach to our serious unemployment problems."

Mr. MONDALE. Mr. President, I thank the Senator from Vermont. The distinguished chairman of the Committee on Employment, Manpower, and Poverty could not be here today, but he endorses the proposal as one which will encourage State initiative and help meet local experience and needs.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont.

The amendment was agreed to.

Mr. JAVITS. Mr. President, on behalf of my colleague, Mr. GOODELL, and myself, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 9, line 22, insert at the end thereof the following:

"SEC. 8 Section 231 of the Manpower Development and Training Act of 1962 is amended by renumbering the existing provisions (a) and by adding new subsection (b) as follows:

" '(b) In making arrangements for institutional training financed in whole or in part with funds appropriated to carry out title I, and title II, parts A, B, C, and D of this Act including but not limited to basic education, employability and communications skills, prevocational training, vocational and technical programs, and supplementary or related instruction for on-the-job training whether conducted at the job site or elsewhere, priority shall be given to the use of skills centers as established under the authority of this section'."

Mr. JAVITS. Mr. President, all the amendment does is to give priority in respect of expenditures under the Manpower Development and Training Act to skills centers, of which there are about 100 in the United States. These centers seek to bring under one roof the many skills and forms of education which are taught under the manpower development and training program.

It will be noted by Members that the report discusses that question and points out the desirability of utilizing the centers which exist, as well as new centers which may be organized.

This section for the first time defines the definition and role of the skill center. It also expresses the intention of Congress, as included both in the House and Senate committee reports, that the skill center is an institution which is of major importance in meeting the goals of MDTA. At the same time the amendment maintains the flexibility of the bill by avoiding the stipulation of a particular level of skill center operation. Under this amendment, it would be our intention that full use be made of existing skill centers before duplicate facilities be established to perform similar functions.

This concept is most promising for the manpower development and training program. The amendment which I have sent to the desk is one proposed in the other body by Representative STEIGER of Wisconsin and passed unanimously in the other body. We understand that it will be entirely acceptable to be included in the bill.

Mr. MONDALE. Mr. President, we have no objection to the amendment. It is a good amendment. It expresses the viewpoint of the committee in support of skill centers.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments as amended.

The committee amendments, as amended, were agreed to.

Mr. PROUTY. Mr. President, I wonder whether I could have the attention of the Senator from Minnesota in order that I might ask a question relating to section 2 of the bill, which adds a new section 106 to MDTA entitled "Labor Market Information and Job Matching Program."

The first sentence in subsection (b) of section 106, appearing on the bottom of page 3 and the top of page 4 of the bill, reads as follows:

The Secretary of Labor shall develop and publish on a regular basis information on available job opportunities throughout the United States on a National, State, local or other appropriate basis, for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection.

Mr. President, I ask unanimous consent to have printed in the RECORD the testimony on this subject given by the Vermont commissioner of employment security, Mrs. Stella Hackel, and the responses made by Senator CLARK and myself. This exchange appears on pages 679 and 680 of our committee's printed hearing record.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Mrs. HACKEL. Now may I comment on S. 3249, section 102, which relates to amending the MDT Act, section 106. This relates to job vacancy information program. I support the concept of an excellent job agency information program in this country, to be developed and established by the Secretary, but I think it should be made clear that this section relates only to a communications system, and not to the actual performance of job placement or other manpower services.

Some of the language is unclear.

In addition, I think it should be made clear that this system should be carried out through the Bureau of Employment Security System, which presently has a partial matching and electronic data system for matching workers to jobs, which we hope will be implemented within the next few years.

To me, it is foolish to have a duplicating, costly competing system, when according to our report, the employment security system should be perfectly adequate and certainly costly enough to do the job.

Senator PROUTY. Well, Mrs. Hackel, from the title of this section, "Job Vacancy and Labor Supply Information," isn't it entirely clear that this is intended to relate only to a communications system, and not to actual performance of job placement and other manpower services?

Mrs. HACKEL. I would certainly hope so, and I would hope that Congress would make that clear in the history of this legislation.

Senator CLARK. If it isn't clear, we can put it in the report.

Senator PROUTY. Well, do you suggest that the present electronic data processing system now being implemented in the Bureau of Employment Security can adequately serve the purposes of this section, without the necessity for the Secretary to establish another system?

Mrs. HACKEL. Yes, I do. It is now in a pilot stage in California and three other States—Michigan, Utah, and Florida. And its design is to match jobs to workers, and we believe it will be fully implemented within a very short period of time. It is exactly the same concept and purpose.

Mr. PROUTY. Mr. President, it has been, and remains my understanding that section 106(b) refers to a system of communications, building upon and utilizing the existing system and facilities in the Department of Labor to the maximum extent possible, and not to the establishment by the Department of Labor of a duplicative system of employment offices.

I believe this also embodies the understanding of the distinguished chairman of the subcommittee in view of his statement during the hearings that if this was not clear, we would put it in the report. Inadvertently, however, it was not included in the committee report, and I would appreciate the Senator's comments on this point for purposes of establishing the legislative history and the intent of Congress.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield before he replies?

Mr. MONDALE. I yield.

Mr. JAVITS. This happens to be an amendment which I authored, and I want to sure that the Senator from Vermont and I are together on it before we get it locked into the bill.

I agree that no design, as the Senator stated, existed to set up a new system. But I would not wish to lock in the department exclusively to the existing system. The statement made by the Senator from Vermont is to utilize the existing system, so far as possible, or to the extent possible, whatever words he actually used, with the understanding that we are not thereby foreclosing any other way of trying to make this effective if it should prove that such is vital, is acceptable to me. That is the only thing I have to say.

Mr. PROUTY. I think the Senator states it correctly.

Mr. MONDALE. Mr. President, as I understand it, this is a proposal originally made by the Senator from New York, and his comments on it are significant. I am advised that this was the intent of the chairman of the committee, the Senator from Pennsylvania [Mr. CLARK].

Mr. JAVITS. I thank the Senator.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2938) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2938

An act to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Manpower Development and Training Act of 1962 is amended as follows:

(1) Section 104(a) of the Act (LABOR MOBILITY DEMONSTRATION PROJECTS) is amended by striking out "1968" in the first sentence of such section, and inserting in lieu thereof "1970";

(2) Section 105 of the Act (TRAINEE PLACEMENT ASSISTANCE DEMONSTRATION PROJECTS) is amended by striking out "1968" in the first sentence of such section, and inserting in lieu thereof "1970";

(3) Section 251 of the Act (PART D—CORRECTIONAL INSTITUTIONS) is amended by striking out "1969" in the first sentence of such section, and inserting in lieu thereof "1970";

(4) Section 304(d) of the Act is amended by striking out "1968" and "1969", and inserting respectively in lieu thereof "1969" and "1970";

(5) Sections 310(a) and 310(b) of the Act are amended by striking out "1969" wherever it appears, and inserting in lieu thereof "1972".

SEC. 2. Section 106 of the Manpower Development and Training Act of 1962 is amended to read as follows:

"LABOR MARKET INFORMATION AND JOB MATCHING PROGRAM

"SEC. 106. (a) The Secretary of Labor shall develop a comprehensive system of labor market information on a national, State, local, or other appropriate basis, including but not limited to information regarding—

"(1) the nature and extent of impediments to the maximum development of individual employment potential including the number and characteristics of all persons requiring manpower services;

"(2) job opportunities and skill requirements;

"(3) labor supply in various skills;

"(4) occupational outlook and employment trends in various occupations; and

"(5) in cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends.

Information collected under this subsection shall be developed and made available in a timely fashion in order to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act of 1964, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Education Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

"(b) The Secretary of Labor shall develop and publish on a regular basis information on available job opportunities throughout the United States on a National, State, local, or other appropriate basis for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection. The Secretary is directed to develop and establish a program for matching the qualifications of unemployed, underemployed, and low-income persons with employer requirements and job opportunities on a National, State, local or other appropriate basis. Such programs shall be designed to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations, and between such agencies and organizations on a National, State, local, or other appropriate basis, with a view to the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information.

"(c) A report on the activities and achievements under this section shall be included in the report required under section 107.

"(d) Not less than 2 per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for carrying out the provisions of subsection (b) of this section."

SEC. 3. (a) Section 202(f) of the Manpower Development and Training Act of 1962 is amended by striking "(i)" and inserting in lieu thereof "(j)".

(b) The first sentence of section 231 of such Act is amended by striking "(i)" and inserting in lieu thereof "(j)".

SEC. 4. Section 203(c) of the Manpower Development and Training Act of 1962 is amended by striking out the words "at a rate not in excess of $20 a week" and by inserting in lieu thereof the following: "at a rate which shall not exceed the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available".

SEC. 5. (a) Section 203(a) of the Manpower Development and Training Act of 1962 is amended by striking out "and the Virgin Islands" and inserting in lieu thereof ", the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands".

(b) The third sentence of section 231 of such Act is amended by inserting after "purposes of the Act" the following: ", and except that the State agency for the Trust Territory of the Pacific Islands may be paid up to 100 per centum of such costs".

(c) Section 308 of such Act is amended by striking out "and Guam" and inserting in lieu thereof "Guam, American Samoa, and the Trust Territory of the Pacific Islands".

SEC. 6. Section 204(a) of the Manpower Development and Training Act of 1962 is amended by inserting before the period at the end thereof a colon and the following: "*Provided,* That the Secretary shall not refuse to receive for consideration any application from an applicant who desires to conduct a training program under this part".

SEC. 7. Section 231 of the Manpower Development and Training Act of 1962 is amended by renumbering the existing provisions (a) and by adding new subsection (b) as follows:

"(b) In making arrangements for institutional training financed in whole or in part with funds appropriated to carry out title I, and title II, parts A, B, C, and D of this Act, including but not limited to basic education, employability and communications skills, prevocational training, vocational and technical programs, and supplementary or related instruction for on-the-job training whether conducted at the job site or elsewhere, priority shall be given to the use of skills centers as established under the authority of this section."

SEC. 8. The first sentence of section 301 of the Manpower Development and Training Act of 1962 is amended by adding before the period a comma and the following: "but in no event shall any State be apportioned less than $750,000; except that for the Virgin Islands, Guam, and American Samoa, such amount shall be $100,000 each".

SEC. 9. Section 301 of the Manpower Development and Training Act of 1962 is amended (1) by striking out "sixth month" in the proviso therein and inserting in lieu thereof "ninth month", (2) by striking out "30 days" in such proviso and by inserting in lieu thereof "15 days", and (3) by striking out in such proviso ", except that the requirement for prior notice shall not apply with respect to any reapportionment made during the last quarter of the fiscal year".

SEC. 10. Section 301 of the Manpower Development and Training Act of 1962 is further amended by inserting "(a)" immediately after "SEC. 301." and by adding the following new subsection at the end thereof:

"(b) Where the Secretaries of Labor and Health, Education, and Welfare have approved a plan submitted by a State council with whom they have an agreement under this Act, which plan may be submitted under a comprehensive area manpower planning system or under such other planning requirements as the Secretaries may specify, such State agency shall have authority to approve (1) project applications for an amount not to exceed 20 per centum of the funds apportioned to such State under the first sentence of section 301(a) without further project approval by the Federal Government; and (2) all other project applications which conform to such State plan, unless either of the Secretaries disapprove such project applications within 30 days following receipt of such applications."

SEC. 11. The Manpower Development and Training Act of 1962 is amended by inserting after section 308 the following new section:

"TRAINING AND TECHNICAL ASSISTANCE

"SEC. 309. (a) In carrying out the responsibilities under this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare shall provide, directly or through grants, contracts, or other arrangements, training for specialized or other personnel and technical assistance which is needed in connection with the programs established under this Act or which otherwise pertains to the purposes of this Act. Upon request, the Secretary may make special assignments of personnel to public or private agencies, institutions, or employers to carry out the purposes of this section; but no such special assignment shall be for a period of more than two years.

"(b) Two per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for training and assistance authorized by this section."

Sec. 12. The Manpower Development and Training Act of 1962 is further amended by adding at the end thereof a new title as follows:

"TITLE IV—SEASONAL UNEMPLOYMENT IN THE CONSTRUCTION INDUSTRY

"Sec. 401. (a) The Congress finds that seasonal unemployment represents a substantial portion of the unemployment in the construction industry, and a significant portion of all unemployment, that seasonal unemployment results in economic hardship for construction employees, employers, and for the consumers of construction services; that such unemployment constitutes unnecessary and wasteful misuse of the Nation's manpower resources; that stabilization of construction operations may be expected to have a correspondingly stabilizing effect on construction employment and costs; and that it is highly desirable from the standpoint of the economy as a whole, and manpower policy in particular that positive and expeditious action be taken by public authorities and private groups to regularize construction employment.

"(b) It is therefore the purpose of this title to provide for the conduct of a study of seasonality in the construction industry, with special attention to its implications for national manpower policy.

"Sec. 402. The Secretary of Labor and the Secretary of Commerce, jointly, shall study, investigate, conduct research, and prepare a report containing their findings and recommendations concerning means to achieve stabilization of employment in the construction industry and the diminishment of seasonality of employment in such industry, with special attention to its implications for national manpower policy, and shall transmit such report to the President and to the Congress not later than December 31, 1969.

"Sec. 403. Matters which the Secretary of Labor and the Secretary of Commerce, after consultation with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration, and the Director of the Bureau of the Budget, and with engineers, with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration and the Director of the Bureau of the Budget, and with engineers, architects, and representatives of labor and management in the construction industry, shall consider, shall include, but not necessarily be limited to, the extent to which seasonal unemployment in the construction industry can be reduced without substantial increases in construction costs by means such as—

"(a) the application of modern techniques to reduce the influence of weather on construction activity;

"(b) the resolution of technical problems which have not been solved by existing research and development activities;

"(c) possible changes in contract procedures in allocation cycles; and

"(d) improved planning and scheduling of construction projects."

Sec. 13. The Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new title:

"TITLE V—SUPPLEMENTARY STATE

"STATEMENT OF PURPOSE

"Sec. 501. It is the purpose of this title to provide a method whereby a State may utilize Federal matching funds, together with its own funds for the purposes of supplementing, coordinating and improving the effectiveness of, or correcting imbalances among, the services available from all Federal manpower and related programs seeking to improve the ability of disadvantaged persons to move into productive employment.

"AUTHORIZATION FOR GRANTS

"Sec. 502. The Secretary of Labor (hereinafter in this title referred to as the Secretary) is authorized to grant to any State which meets the requirements of section 403 an amount, for fiscal years 1969 and 1970, not to exceed 75 per centum of the cost of the supplemental efforts and activities undertaken by a State pursuant to the provisions of this title.

"APPLICATIONS AND CONDITIONS

"Sec. 503. (a) Any State which desires a grant under this title shall make application to the Secretary at such time, in such manner, and containing or accompanied by such information as he deems reasonably necessary.

"(b) No grant may be made under the provisions of this title unless the Secretary finds that—

"(1) after consultation with said State, the effectiveness of Federal manpower and related programs seeking to move disadvantaged persons into productive employment within such State can be facilitated or improved by additional State efforts and activities; and

"(2) such application (A) describes how such additional efforts and activities will be undertaken in support of existing Federal programs, (B) demonstrates that such efforts and activities are not inconsistent with such State's cooperative area manpower planning system plan, (C) demonstrates that such efforts and activities will contribute to carrying out the purposes of this title, and (D) provides assurances that the State will pay the non-Federal share of the cost of such efforts and activities under this title.

"RULES AND REGULATIONS

"Sec. 504. The Secretary may prescribe such rules and regulations under this title as he deems necessary.

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 505. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title."

The title was amended so as to read: "A bill to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes."

Mr. JAVITS. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MONDALE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 1411. An act to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes;

H.R. 13844. An act to provide additional leave of absence for Federal employees in connection with the funerals of their immediate relatives who died as a result of wounds, disease, or injury incurred while serving as a member of the Armed Forces in a combat zone; and to provide additional leave for Federal employees called to duty as members of the National Guard or Armed Forces Reserves;

H.R. 17787. An act to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; and

H.R. 19136. An act to amend title 5, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation.

DUTY ON CERTAIN NONMALLEABLE IRON CASTINGS AND FABRICS IN CHIEF WEIGHT OF WOOL—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 653) to amend the Tariff Schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The bill clerk read the report.

(For conference report, see House proceedings of October 10, 1968, pp. 30609-30610, Congressional Record.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. Mr. President, this bill began its legislative journey as a measure to correct an unintended defect in the tariff treatment of certain nonmalleable iron castings. In the Senate the text of the House bill was amended, although not substantially, and a number of new provisions were added to the bill.

As I have said, the Senate amendments to the text of the House bill were not substantive. They just carried out the objectives sought by the House in a more simple and direct manner and reflected the concessions granted similar iron castings during the Kennedy round which was concluded after this bill was passed by the House last spring. The Senate amendments restored the 3-percent tariff—it had been inadvertently increased to 11.5 percent in the changeover to a new tariff structure in 1963—which formerly applied to these castings. They also provide for further reductions through 1971, at which time the tariff on these castings will be permanently fixed at 1.5 percent. The House conferees agreed to these amendments without change.

The first substantive Senate amendment dealt with a tariff loophole under which fabrics blended from cheap, reused wool and silk, rabbit fur, flax or some other high-value fiber have been able to completely avoid the high U.S.

tariff on woolens. Congress has dealt with this same problem on a piecemeal basis ever since 1963. There have been several amendments enacted to get at specific avoidance practices, but each time one loophole was closed, the foreign merchants and their lawyers found new ways to circumvent the law and avoid the wool tariffs on the wool fabrics they exported to this country. Finally, in an effort to permanently shut off the avoidance potential in our tariff schedules, the Committee on Ways and Means asked the Tariff Commission for suggestions as to how the wool provisions in the tariff schedules could be amended. The Senate amendment represented one of the two suggestions contained in the Tariff Commission report. Under it, the wool schedules are amended to state categorically that any fabric in chief weight of wool will be dutiable at wool rates, notwithstanding the fact that some other fiber included in the fabric may be the component of chief value. This in effect provides an exception to the usual rule in the tariff schedules that classification is determined by reference to chief value. The Senate amendment also increased the rate of duty on the classifications of fabrics of special construction—those which are coded, filled or laminated with rubber or plastics or some other material. The higher rates provided by this feature of the Senate amendment reflect the wool component in the fabric. The House conferees agreed to this Senate amendment with a single, minor modification. Under this modification, the higher wool rates will not apply to a fabric valued at over $2 a pound which contains more than 17 percent by weight of wool, but the chief value of which is silk. Historically, there has been a fair amount of legitimate trade in a wool-silk blended fabric and the conferees decided that the loophole-closing provisions of the Senate amendment should not apply to this sort of fabric.

The next Senate amendment dealt with a situation involving alcoholic beverages sold for export. It had come to the attention of the committee that in many border States, particularly those which dispense alcoholic beverages sold ostensibly for export by non-State stores were being reimported into the State for consumption without payment of either U.S. taxes or tariffs or State taxes. The Senate amendment dealing with this matter was designed to make it clear that the States were empowered under the 21st amendment to the Constitution to reasonably regulate traffic such as I have described. The House conferees were not unsympathetic to the objective sought by the Senate amendment; however they felt that the 21st amendment gave the States all the authority they needed to regulate this sort of trade. The Senate conferees were constrained to agree that the Senate amendment could not expand on the discretion granted the States under that constitutional amendment. Since the House conferees were unwilling to include in the bill an amendment which had virtually no legal effect, the Senate conferees reluctantly receded, and the amendment was deleted from the bill.

The last Senate amendment provided duty-free treatment for a mass spectrometer for the Utah State University, a mass spectrometer for the Arizona State University, and four hydraulic operating tables for the Childrens' Hospital, Newington, Conn. The conferees retained the provision with respect to Utah State University, but deleted the provisions with respect to Arizona State University and the Newington Childrens' Hospital The Department of Commerce pointed out that information available to them demonstrates that with respect to the instrument imported by Arizona State University—

> A domestically-produced instrument of equivalent scientific value was available. The instrument purchased by the University is a Model CH–4B Atlas Werke mass spectrometer made in West Germany. The University's performance requirements have been evaluated against the specifications of domestically-produced instruments. The Model 21–110 E mass spectrometer manufactured by Consolidated Electrodynamic Corporation of Pasadena, California is considered capable of meeting all of the University's requirements with respect to pertinent characteristics such as mass range, precision, sensitivity and scanning speed. In the matter of a mass marker, temperature-controlled Hall-effect probes operated as mass markers are readily available in the United States either as a separate unit or incorporated in a mass spectrometer at the customer's request. Other characteristics of the foreign instrument such as those relative to the sample introductory system are not considered pertinent in determining whether the foreign and domestic instruments are of equivalent scientific value.

As for the Utah State University, this amendment was needed only to carry out the intent expressed by Congress when it enacted Public Law 89–806 back in 1966. This act provided duty-free treatment for Utah State University with respect to its mass spectrometer, but unfortunately the university did not apply for its refund within the 120-day period specified in the act. The amendment this year merely gives them what Congress concluded they should have.

The House conferees insisted that the Newington Hospital provision be deleted because operating tables are readily available in this country and it has been the practice of the Committee on Ways and Means to permit duty-free treatment only when no domestic manufacturer would be adversely affected.

While a number of the Senate amendments to this bill were deleted, I do believe that on balance the wool loophole-closing amendment is by far the most important feature of the bill. That amendment was retained virtually intact; and I believe it would be wise to approve this conference report and have that provision enacted.

Mr. President, I move adoption of the conference report.

The motion was agreed to.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD the press release of October 2, 1968, issued on this subject.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

SUMMARY OF HOUSE-SENATE CONFEREES AGREEMENTS ON H.R. 653—DUTY ON CERTAIN NONMALLEABLE IRON CASTINGS

Senator Russell B. Long, Chairman, Senate Committee on Finance, and Congressman Wilbur D. Mills, Chairman, House Committee on Ways and Means, announced today that the conferees had reached agreement on Senate amendments to H.R. 653. As passed by the House, this bill dealt only with the tariff treatment of nonmalleable iron castings.

Section 1. Nonmalleable Iron Castings: The conferees agreed to the Senate amendments (a) deleting certain unnecessary language from the text of the House-passed bill, and (b) incorporating provisions to reflect tariff concessions granted during the Kennedy Round trade negotiations.

Section 2, Woolen Fabrics: The conferees also approved (with one modification) the Senate amendment which closes certain loopholes that have developed in the tariffs applicable to woolen fabrics. Under the conference agreement the higher tariffs generally assessed on woolens is to apply whenever the fabric involved is in chief weight of wool, whether or not it is also in chief value of wool. In addition, with respect to three classifications of wool fabrics of special construction (those coated or filled, or laminated with rubber, with plastics, or otherwise) in the tariff schedules items 335.70, 356.30, and 359.30, the rates of duty are substantially increased in recognition of the wool content of the fabric.

Under the modification of the Senate amendment the higher tariffs are not to apply to fabrics in chief value of silk which contain more than 17 percent by weight of wool if such fabrics are valued at over $2 per pound (item 337.50 of the tariff schedules).

Section 3, Liquor Exports and Reimports: The conferees deleted the Senate amendment relating to the regulation by the States of traffic in alcoholic beverages sold ostensibly for export to a foreign country but then reimported into the State for consumption therein without payment of tax or tariffs. It was the opinion of the conferees that sufficient authority to reasonably regulate such trade already exists under the 21st amendment to the Constitution.

Section 4, Universities, Hospitals: The conferees agreed to the Senate amendment permitting the Utah State University to obtain refund of tariffs paid with respect to its importation in 1966 of a mass spectrometer. However, the provision authorizing the Arizona State University to similarly import on a duty free basis a mass spectrometer was deleted upon advice of the Department of Commerce that a comparable instrument was produced domestically at the time the foreign instrument was acquired. For the same reason the Senate provision relating to duty-free treatment for 4 hydraulic operating tables for the Newington Children's Hospital, Newington, Connecticut was also deleted.

DUTY ON CERTAIN ARTICLES OF ALUMINA, BAUXITE, COPPER, AND CELLULOSIC PLASTICS—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 7735) relating to the dutiable status of aluminum hydroxide and oxide, calcined bauxite, and bauxite ore. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of October 10, 1968, pp. 30592, 30593, Congressional Record.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. Mr. President, this conference report, from the Senate standpoint, represents a very satisfactory accommodation. As the bill came to us from the House, it dealt solely with the tariff treatment of alumina and bauxite. Specifically, it would have permanently removed the tariff from these products. The Senate preferred to continue the past practice of allowing alumina and bauxite to be entered duty-free on a temporary basis and so it amended the bill to substitute a 2-year temporary suspension of duty for the permanent features of the House bill. The conferees agreed to the Senate approach but provided that the temporary period of duty suspension would be for 3 years—until July 15, 1971. At that time Congress can reassess the situation and take whatever action appears most appropriate.

In addition to modifying the House language, the Senate also added three unrelated amendments to the House bill. The first of these related to the period for claiming refund of Federal taxes on distilled spirits withdrawn from bond for non-beverage purposes. This Senate amendment—offered in the Committee on Finance by Senator Talmadge—was designed to correct an anomaly in the law under which only 3 months is provided for claiming refund in this situation as contrasted to the 6-month period provided in most other drawback situations. The House conferees recognized the wisdom of this amendment and agreed to it, but they were unwilling to accept the effective date it involved—that is, claims filed after the convening of the 90th Congress on January 10, 1967. They felt this bit of retroactivity could not be justified and insisted that the provision be made to apply prospectively only. Reluctantly, the Senate conferees finally receded.

The second Senate amendment continued for up to a 2-year period—until June 30, 1968—the temporary suspension of duty on certain forms of unwrought copper. Under the amendment if the price of copper dropped to below 36 cents a pound—it is presently 42 cents a pound—the tariff suspension would have terminated, and a duty of 1.8 cents a pound would have applied. The House conferees agreed to this Senate amendment with a single change. This change provides for a duty of only 1.5 cents a pound when copper prices recede to below 36 cents. However, it also provides that in the event copper prices continue to decline and fall below 24 cents a pound—and this 24-cent feature is a "peril point" price that has long been in our law—then the tariff will be hiked to 1.8 cents a pound. The House conferees felt we had committed ourselves to foreign suppliers not to apply a tariff higher than 1.5 cents per pound so long as U.S. copper prices were above 24 cents and they preferred not to excite the foreign suppliers by providing for a higher tariff in this bill than would occur under existing law. For that reason the Senate conferees yielded on this technical point.

The final Senate amendment provided duty-free treatment for cuprophane—a plastic filter material used in artificial kidney machines. However, under the Senate amendment, for the duty-free treatment to apply, it would have been necessary for the filter material to be imported for a hospital or clinic; a patient with such a machine in his home, or a doctor with one in his office could not have qualified for duty-free treatment except where he acquired his filters directly from a hospital or clinic which could import on a duty-free basis. The conferees overcame this technical shortcoming in the Senate amendment in a manner completely satisfactory to the Senate position. Under the conference agreement, filters purchased pursuant to a physician's prescription will qualify for relief from the present 20 percent tariff on this product without having to be acquired from a hospital or clinic. This is a humanitarian amendment and the conferees urge foreign suppliers to join with us in seeing that the entire benefit of this tariff forgiveness inures to the benefit of the hospital-clinic patient in need of these filters.

This concludes my explanation of the conference report. I repeat, it is a good settlement from the Senate standpoint. I urge that it be agreed to.

Mr. President, I move adoption of the conference report.

The motion was agreed to.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record a press release of October 2, 1968, issued on this subject.

There being no objection, the press release was ordered to be printed in the Record, as follows:

Summary of House-Senate Conferees Agreements on H.R. 7735—Dutiable Status of Alumina, Calcined Bauxite, and Bauxite Ore

Senator Russell B. Long, Chairman, Senate Committee on Finance, and Congressman Wilbur D. Mills, Chairman, House Committee on Ways and Means, announced today that the conferees had reached agreement on Senate amendments to H.R. 7735. As passed by the House, this bill would have provided for permanent suspension of the tariffs on alumina and bauxite.

Section 1, Alumina and Bauxite: The conferees agreed to continue the present temporary suspension of the tariffs on alumina and bauxite for an additional three-year period, until July 15, 1971 (rather than the two-year period which would have been provided by the Senate amendment).

Section 2, Drawback of Distilled Spirits Taxes: The conferees also agreed to the Senate amendment permitting refund claims on distilled spirits withdrawn for certain non-beverage uses to be filed within six months after the calendar quarter within which the spirits are withdrawn rather than the three month period provided for in section 5134(b) of the Internal Revenue Code of 1954. However, the conferees deleted the retroactive features of the Senate amendment, making it apply prospectively only.

Section 3, Copper Duty Suspension; Section 4, Filters for Kidney Machines: The conferees also approved (with a minor modification) the Senate amendment extending for two years, until June 30, 1970, the suspension of tariffs on certain forms of copper. Under this modification, the suspension period would terminate whenever copper prices drop below 36¢ a pound and the regular tariff of 1.5 cents per pound would apply. If the price dropped below 24¢ per pound, the present "peril point" in the tariff schedules, the higher 1.8¢ per pound tariff would come into effect. (Under the Senate amendment this higher tariff would have applied immediately if prices declined below 36¢.) The conferees also agreed to the Senate amendment dealing with duty-free treatment for certain filters imported by hospitals and clinics for use in artificial kidney machines with a technical amendment substituting the text of H.R. 13419 recently passed by the House. Under the conference agreement, duty-free treatment would be provided for these filters whether or not they are imported for a hospital or clinic.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954

Mr. LONG of Louisiana. Mr. President, I move that the Senate resume consideration of Calendar No. 1481, H.R. 2767, an act to amend the Internal Revenue Code of 1954.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. An act (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts.

Mr. JAVITS. Mr. President, I wish to be recognized on the motion.

A parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. Is a motion necessary to make H.R. 2767 the pending business?

The PRESIDING OFFICER. It is.

Mr. JAVITS. Mr. President, I should like to be heard on that motion.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, we face a very difficult situation here. I do not, in any way, take issue with those who may differ with me on the questions which involve the medicaid program in many States, including my own of New York.

We face a very difficult situation in my State, and we think some 22 other States and the District of Columbia, which is attributable to an amendment which was offered here by the Senator from Louisiana and was adopted by the Senate on a rollcall when I was not here. That is nothing against it because I was not here; that is my problem—and that of other Senators who have a very deep interest, who were not here.

As this bill still remains before us, it seems to me that we have a right to try to deal with the problem in some way which meets our concern, just as the mover had an absolute right to proceed as he did. I am not pleading surprise or anything else. It is true we did not know about it, but the Senator was not obliged to tell us about it.

I hope the Senator from Louisiana [Mr. Long] will understand that there is nothing in what I say which reflects upon his proceeding in the way his conscience dictates, but for us it presents an enormous problem. It is my duty, as a Senator from New York, and I think it will be the duty of other Senators who are similarly involved, to do what we can about it.

So I hope the Senator, as I have set the framework for what we are going to say and do, will understand that is why I have made it crystal clear. There is no quarrel with his duty if his conscience dictates that he shall proceed in a certain way.

Mr. LONG of Louisiana. Mr. President, permit me to explain to the Senator that the Senator from Louisiana was on the floor on the day that amendment was agreed to. He explained to the Senate that he intended to offer the amendment feeling that the Department of Health, Education, and Welfare should cooperate in sustaining its share of the cutback occasioned by the Williams-Smathers amendment. In order to help control the expenditures of that Department, this Senator explained, while we were debating a prior amendment, that he was going to offer an amendment to reduce the cost of the medicaid program. He would offer an amendment which was virtually the same as the Finance Committee and the Senate had agreed to in 1967 which we felt would have substantially controlled the cost of the medicaid program. The amendment was necessary in view of the fact that the estimated costs of the program exceed what the administration and Secretary Cohen had said the program would cost in fiscal 1969 by $700 million.

The initial costs of medicaid far exceeded the estimates which had been given to the Congress in 1965.

Then in 1967 we tried to bring the expenditures back under control. It was estimated that the House provision, which we agreed to in conference, would cost the Federal Government $1,670 million in fiscal 1969, a figure that is $700 million below what is now estimated. It was to keep this expenditure in line and to make it possible to live with the Williams-Smathers amendment that the Senator from Louisiana offered the amendment to which reference has been made.

I am frank to say to the Senator from New York that I had an effective date of July 1 in the amendment. I do not propose to insist on that. It would be all right with this Senator to make it October 1, or perhaps even January 1; but I think this program, which is costing so much more than had been estimated, should be modified. There are ways in which States could keep their spending for the medically needy in line.

May I say that the Senator from Louisiana has no objection to voting on the amendment again at such time as the bill is before the Senate, particularly in view of the fact that the Senator from New York was not present and might want to be heard on it; but I do think we should proceed with the bill, because it is a very important bill.

Mr. JAVITS. I thank the Senator. Of course, I can understand his point of view. The real problem, Mr. President, is that we from the industrial States feel that medicaid represents a tremendous step forward for the entire country in dealing with the perils of ill health. Without in any way challenging the good faith of the Senator from Louisiana, I cannot agree with him. We can submit evidence which shows that medicaid is being extended to people who cannot meet medical bills and who, if they did not have the benefit of medicaid, would suffer a very serious dilution in the kind of health care which they received, and therefore would reduce materially the health of the Nation and the health of its citizens.

There would really be upset in our country, because, Congress having gone up the medical hill, it would be coming down again. There are many families that, by virtue of medical expenses, become medically indigent. When we entered into the medicaid program, we entered into it in order to avoid a situation in which families beggared by medical expenses would therefore have to forego medical care, with the resulting acceptance of ill health. Therefore, we developed a very intelligent, forward-looking State-Federal program to deal with this problem.

When we adopted the program, an effort was being made to stop medicare as well as possibly a much more comprehensive program for health care in terms of the people of the United States. We had given allowabilities to the States which we thought, collectively—not necessarily I, but the Congress thought—were too high and did not take account of the standards of payment to which medical indigents should be held.

We, therefore, adopted a series of amendments, and the scope of those amendments has been very carefully indicated by the Senator from Louisiana in pointing out that the amendment which we previously adopted brought down the cost until it was down to what we considered to be $700 million above anticipated expenditures. As a matter of fact, to be precise, it was only $300 million more than the amount estimated in the latest budget.

Then the Senator came in with an amendment which, however, was not designed to deal with just this problem in some way which could be based upon expert testimony and facts and our own determination that we could or could not find an expenditure desirable, but which just cut it right across the board by 50 percent for the great industrial States like New York, California, and others, and also made it retroactive to July 1.

We appreciate the Senator's statement that he would be willing to consider some other date, prospective rather than retroactive date.

By very sharply cutting Federal matching for these benefits for those above the level of welfare, it seems to me we shall have gone a very long way toward completely nullifying the medicaid program, at the end of a session, in a very summary way, when you consider the situation of the people in the large States.

Mr. President, we have a very considerable argument as to retroactivity, which was a very serious defect in the amendment which was adopted, for the very obvious reason that not only did it represent going back on a commitment which the States had a right to depend on, but it also represented even failing to honor expenditures which had been made in months preceding the retroactivity date. We should remember that there is a lag between the time that medical expenses are incurred and the time that expenditures are made, and even that expenditure reimbursement would be cut off for the States. So it represents a very serious deficiency and difficulty for the great industrial States. In my own State alone, Mr. President, it represents a problem of $130 million in fiscal year 1969, and I think we had a right to feel that, having already made a very major piece of surgery upon the medicaid program, which Congress had done in previous Social Security Act amendments, we certainly would not, at this stage of the session, make such a drastic reform.

Naturally, the bill being still pending, we could not allow that situation just to go by the board. We shall have to, even though it is late in the session, and even though we have lots of other things to do, painstakingly and in detail explain to the country and to our own States what is afoot, and what should not be done and what we think ought to be done. We must do our utmost, before this bill goes forth from here, to see that it represents what we, in good conscience, consider from our viewpoint to be a decent solution to this problem.

Also, I might point out, Mr. President, that this bill, which anyone can note who reads it, is entitled "Certain Assessments for Depreciable Property." Relatively speaking, it is a minor bill, out of the Senate Committee on Finance. On this bill, which has also passed the House of Representatives as a minor bill without any particular controversy, there is going to ride what has sometimes been described as a "Christmas tree," and has otherwise been described as a "grab bag," depending on whether you like the amendments that are riding on it or not, including all kinds of projects of important character. The one I am debating today is monumental in its importance to my State and to many other States.

This bill will be going to conference from here, Mr. President. It is not going back to the other body, except on the basis of a conference report. It is not going to have any hearings. It is not going to have any profound consideration. It will be voted yea or nay, assuming that items which are put in here do not go back in disagreement. If they do, they will be voted on separately. But that is a pretty summary business in the other body—I have been there and I know—coming especially at this late stage of the deliberations of Congress, and it would seem to me that matters of such vital nature to individual States and to millions of Americans certainly ought to have enough consideration that they ought to await the next session of Congress, with a new Congress and a new President, whoever he may be, who may have the same or very different views. But certainly an effort to latch this in at the last minute of the last hour, especially by us in the Senate, only one-third of whom run for reelection, seems to me to be rather ill advised. So I think it would be our duty to do everything we can to lay the problem before the country in those terms.

In addition, I might point out to the Senate that if we are going to go in for making this bill a clothes hanger upon which to hang everything, there are a lot of interesting things that could be put in such a bill and have to go to a conference between the Committee on Finance and the Committee on Ways and Means. There are all kinds of special interest allowances, Mr. President, whether for oil and gas or for other minerals, which have been kicked around here for years, in terms of tax reform. There are provisions, which some people would like very much, for getting a basic minimum income tax for people with large incomes, who in many cases by virtue of various sections of the tax law, end up paying mightly little taxes. This would be, indeed, something of a memorial to Senator GOODELL's predecessor and my friend and former colleague, who so tragically is gone from our midst, who authored such a measure within only the last few months before his death.

Then there are lots of other things that can be put on the bill. There has been great enthusiasm around here, for example, for a Committee on Veterans' Affairs in the Senate. If we are going to drive through with many of the projects which so many of us like, that is one to which many of us are committed. Indeed, the Senate has voted it when it has had the opportunity before, and might be interested in voting it again.

And there are many other things, Mr. President. We all understand the situation. We are all grown up people, and we know what can be done unless there is vigilance on both sides. I think it is most interesting and most salutary, Mr. President, that the author of the amendment has himself said that perhaps, in respect of retroactivity, it goes a little too far. At least that much of it has been definitely established.

Mr. President, there are a good many facts and figures which can be produced about this situation; but I think that the best way in which it can be put before the Senate is by an amendment to the pending bill, which will endeavor, to some extent, to deal with the States which have installed important medicaid programs; and, at the conclusion of my remarks, when I do conclude today, I expect to send to the desk an amendment, for myself and other Senators, which will endeavor to deal with some of these very grave problems which I wish to raise in respect to this matter.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. Mr. President, as far as I am concerned, I am perfectly content to offer the Senate an opportunity to vote on this issue at some future date, either on this bill or on some other bill. The Committee on Finance will be meeting tomorrow, and when the committee meets, then we could proceed to consider this amendment or any other amendment the Senator wishes to send to us. We are going to report another bill. We will report a bill that is recommended by the administration. There are a number of important and significant amendments, some of which the administration favors and some of which it does not favor, which will be considered and be part of it.

If the Senator would like to submit the question in the form of an amendment when that bill comes up, as far as I am concerned, I would be perfectly content to vote on the matter again on another bill. And if the Senate sees fit to vote as the Senator from New York advocates, then as far as I am concerned, I am perfectly prepared to accept that vote as the judgment of the Senate, even though the matter may have been voted on before.

I do not seek to foreclose to the Senator any right he might have. But I must say to my good friend, the Senator from New York, that as the manager of the bill and the spokesman for the Senate committee and one who speaks as the RECORD shows, for the majority of the Senate, I would not propose to yield on this matter merely because the leverage of prolonged debate was being applied.

It seems to me that these important matters must be voted on and the Senate must work its will.

If the Senator from New York would be willing to agree on some basis by which we may go ahead and vote on the matter at some future date, we will then be able to see what the Senate wants to do about it. And, whatever the Senate wants to do about it is perfectly all right with me.

Mr. JAVITS. Mr. President, as far as we are concerned, we would be pretty much compelled to do whatever we thought we had to do on the matter. I do not think we could let the bill pass and do it on another bill.

I have seen situations in the Senate where Senators have participated in filibusters I have not. I do not think I have ever participated. I do recall one instance of a very minor nature in which I almost participated, but I have never participated, as far as I know, in any broad scale, extended debate, as we euphemistically call it here. And I have no especial pleasure in undertaking that.

The Senator knows, and I know, that this practice has been used on prior occasions. It was used the other day to deny Mr. Justice Fortas confirmation, though a majority of those present and voting wanted to confirm him.

I do not think we need to cross that bridge on this particular measure at this particular moment, if the Senator will allow me to proceed. I will tell the Senator, if it is of any help to him, that I would hope that we would not have to deal with the matter that way.

I am perfectly prepared to proceed in a reasonable way to lay before the Senate and before the country our views.

I think the Senator will find that other Senators are equally prepared to address themselves to this matter. I do not rule out the possibility that in the course of the debate we might have a majority on our side.

I think the Senator has already observed that I proceed on my debate without heat. We will proceed and see what we can do about it.

Mr. President, I ask unanimous consent that, without losing my right to the floor, I may send an amendment to the desk for printing under the rule, and printed at this point in the RECORD, without my resumption being counted as another speech. The amendment is submitted by me, the Senator from Oklahoma [Mr. HARRIS], the Senator from Connecticut [Mr. RIBICOFF], the Senator from California [Mr. MURPHY], and the junior Senator from New York [Mr. GOODELL].

The PRESIDING OFFICER. The amendment will be received and printed, printed in the RECORD and will lie on the table.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

At the end of the bill, add the following new section:

"SEC. (a) Notwithstanding any other provisions of this Act, the amendments to section 1903 of the Social Security Act made by this Act shall not apply—

"(1) for any quarter beginning before July 1, 1969, to any State;

"(2) for any quarter beginning after June 30, 1969, to any State which has in effect a State plan which has been approved before July 1, 1969, under section 1902 of the Social Security Act and includes (as so approved or as in effect at some time before such date) medical assistance for individuals who are not receiving aid or assistance under any State plan of such State approved under title I, X, XIV, or XVI, or part A of title IV of the Social Security Act but who would, if needy, be eligible to receive such aid or assistance."

Mr. LONG of Louisiana. Mr. President, I offered an amendment on the revenue bill to seek to exempt the outlays made by the Commodity Credit Corporation and the payments under public welfare—uncontrollable items—from the operation of the Williams-Smathers amendment.

I explained at that time that the failure to exempt those expenditures would mean that instead of the requirement that we reduce the controllable items of expenditure by $6 billion, we would have to reduce these controllable items by $7.5 billion, because between these two uncontrollable items the expense would exceed estimates by $1.5 billion. In one instance through the Commodity Credit Corporation, we would be required to buy or make loans on $1 billion more of farm commodities than was estimated. And, in the other instance, by law we would be required to put up $500 million more in welfare grants to the States than was estimated in the January budget.

When my motion failed, the Senate then agreed that it would exempt the Commodity Credit Corporation items from the expenditure limitation. I explained then that, as one concerned with the expenditure control problem as the chairman of the committee that had taken the Williams-Smathers amendment to conference, I would propose that we amend the law to reduce the expense of this so-called uncontrollable medicaid item in a very substantial way.

I proposed basically what the Senate had done in late 1967.

I would be the first to say that it is appropriate that we advance the effective date on the amendment from July 1 to a prospective date. Now that October is upon us, perhaps we could advance it to the first of November or, even beyond that. I would be willing to consider any other modification of the medicaid amendment that would make good sense in order to help find some way to manage the tremendous expenditure reduction which will have to take place in any event. In other words, the expenditure limitation has been voted by the Senate. I did not vote for it. I think that perhaps the Senator from New York did. It is there. We have to find some way to arrange matters so that the Government can live with it. Someone will have to find some way to reduce expenditures.

I was trying to do the best I could, and having failed to secure exemption of the public assistance items, I was trying to take the only course I thought it was possible to take.

Mr. JAVITS. Mr. President, the issue is that we did have 69 Senators present in respect of the vote to which the Senator refers. The difference between the two votes was 19. The vote was 44 to 25. There are 31 other Members of the Senate. So, I do not think we can assume that we are precluded finally by what the Senate might want to do.

The Senator points out that the Senate did accept an exemption of Commodity Credit Corporation expenditures, but did not accept an exemption of medicaid expenditures.

That poses a problem that we face here time and again. We always seem to be fighting up that slippery hill. Although the rural population of the country is now something like 16 percent or 17 percent, and the city population is something like 70 percent and growing all of the time, when we get down to city issues, some Senators get very economical. But when we get to a rural issue, these same Senators get very liberal. The city fellows for years have gone along with the idea of trying to work with the agricultural people, even though we begin to see some pretty nefarious practices in respect to large recipients of commodity credit payments. But here we are again: The commodity credit expenditures, so-called involuntary expenditures, are very neatly exempted. Apparently, the only way to deal with medicaid is not to exempt it but to cut it; and I believe it is our duty, therefore, to fight against it, to demonstrate that if they are going to be equated in any way, we, too, like the commodity credit situation, deserve very serious consideration by Congress.

Mr. GOODELL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. GOODELL. I thank my colleague for yielding.

I believe it is imperative to realize that this amendment was brought up without warning, and a great many of the Senators who were present when it was agreed to were taken off guard. I believe that the full implications of the amendment might not have been understood by many who voted on the issue at that time. I was present, and I opposed the amendment.

In the past year we have seen provisions of medicaid cut back with reference to the income levels for eligibility. This was a major cutback.

As my senior colleague has just indicated, Congress has seen fit to exempt a number of programs, including the Commodity Credit expenditures, from the expenditure ceiling imposed by Congress. More than simply being a question of rural versus urban, in this instance I believe it is a question of commodities versus human beings. This requires attention to the human needs of our country.

Medicaid programs are underway and are being operated under the restrictions imposed by Congress last year. The States are proceeding in good faith, expending money for the medicaid program and helping people. Suddenly, without warning, an amendment is added to a bill which, under the rules I am accustomed to in the House, would be completely nongermane; and we are restricting the program retroactively to the 1st of July. Most States which have good programs in this area have been expending money since the 1st of July under the assurance that the Federal law will be carried through and the Federal Government will fulfill its commitment.

In this connection, we have a long history, since 1935, of States proceeding in good faith to spend money under assistance titles of the Social Security Act, on the assumption that Federal funds would be forthcoming at the end of each quarter to reimburse the States for actual expenditures on a per capita formula—a per capita formula that did not limit the total amount.

Suddenly, we are going to renege on our commitments to these States and to the human beings who need assistance. If the States now were forced to comply with the amendment that has been placed in this bill, they would have to cut the medicaid program far below the present levels, far below the levels that would be necessary if they had had advance warning of the cutbacks in this program as of the beginning of this fiscal year, July 1. It would completely decimate the medicaid program. Even worse, the precedent that would be set by such action would be devastating. If we were to apply that precedent to cash payments in the Social Security Act, the States would be forced to cut assistance grants in order to meet Federal requirements of equal treatment.

I say to the Senator that if it is necessary to expound this matter at great length in order to enlighten the Members of the Senate as to its impact, that is the price we must pay at this stage. I am convinced that the full implications of this amendment were not understood by all Senators present when it was agreed to, and I am certain that many who were unable to be present were unaware that the amendment was to be offered.

I know that the Senator from Louisiana offered it in good faith, in trying to conform with the requirements of the cutback in expenditures that Congress has imposed. But I believe the cutbacks should be made in areas that will not penalize our States, which have proceeded in good faith—prospectively, not retroactively—and in areas where we will not inhibit the programs that are attempting to relieve human problems, human suffering, and human need.

Mr. JAVITS. I thank my colleague for his very helpful intercession.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. Mr. President, may I say to the able Senator that I understand his concern, because the amendment would cause a substantial cutback in the State of New York. I probably would feel the same about the matter if I were the Senator from New York.

When this question of limiting medicaid was before the conference committee last December, we agreed to take the House language, based, in large part, upon advice given to us by the Department of Health, Education, and Welfare as to what this amendment would cost as compared with the cost if we accepted the Senate limitations.

At the time of the conference, we were told by the Department that an individual in New York State would not be eligible for medicaid, when the limitation was fully in effect, if he had income exceeding $2,000. The Department now says that people can be eligible who have $2,200 in income as compared with the $2,000 figure given to the conferees.

Then we were told that the income limit for a four-person family in New York would be $3,900. Now the Department says that medicaid can be available to four-person families with incomes of $4,900—$1,000 more a year than the conferees were told—they still get this type of medical assistance on the theory that those people are medically indigent.

I ask unanimous consent to have printed in the RECORD, without it in anywise affecting the Senator's right to the floor, tables prepared by the Department of Health, Education, and Welfare showing the States that would be affected by this reduction, the amount of money that would be involved in the reduction, and the estimated Federal and State shares with regard to these expenditures if they were made without the amendment adopted by the Senate.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

MEDICAL ASSISTANCE: PAYMENTS TO MEDICAL VENDORS AND COSTS OF STATE AND LOCAL ADMINISTRATION TOTAL AND FEDERAL SHARE, FISCAL YEAR 1969 [1]

State	Estimated expenditures	
	Total	Federal
Total	$4,425,245,000	$2,270,517,000
Alabama [2]	18,756,000	14,718,000
Alaska [2]	1,008,000	192,000
Arizona [2]	2,602,000	1,957,000
Arkansas [2]	22,800,000	15,072,000
California	798,970,000	400,402,000
Colorado [3]	40,483,000	20,137,000
Connecticut	65,616,000	32,870,000
Delaware	4,000,000	2,418,000
District of Columbia [3]	1,511,000	422,000
Florida [2]	27,371,000	20,178,000
Georgia	72,506,000	58,878,000
Guam	123,000	64,000
Hawaii	11,925,000	5,492,000
Idaho	9,173,000	6,424,000
Illinois	181,233,000	90,946,000
Indiana [2]	36,597,000	9,202,000
Iowa	25,200,000	14,949,000
Kansas	31,141,000	18,044,000
Kentucky	47,654,000	37,752,000
Louisiana	45,167,000	34,088,000
Maine	10,272,000	7,146,000

MEDICAL ASSISTANCE: PAYMENTS TO MEDICAL VENDORS AND COSTS OF STATE AND LOCAL ADMINISTRATION TOTAL AND FEDERAL SHARE, FISCAL YEAR 1969 [1]—Con.

State	Estimated expenditures	
	Total	Federal
Maryland	$78,040,000	$30,575,000
Massachusetts	315,040,000	157,686,000
Michigan	145,024,000	72,286,000
Minnesota	89,394,000	51,986,000
Mississippi [3]	6,952,000	5,378,000
Missouri	56,310,000	37,980,000
Montana	7,980,000	5,060,000
Nebraska	26,656,000	16,050,000
Nevada	8,099,000	4,059,000
New Hampshire	4,917,000	2,913,000
New Jersey [3]	58,973,000	22,271,000
New Mexico	16,534,000	11,511,000
New York	1,238,564,000	524,861,000
North Carolina [3]	21,097,000	9,504,000
North Dakota	11,023,000	7,744,000
Ohio	77,108,000	40,925,000
Oklahoma	70,849,000	49,060,000
Oregon	19,037,000	10,384,000
Pennsylvania	210,777,000	93,067,000
Puerto Rico	42,700,000	21,364,000
Rhode Island	30,708,000	16,180,000
South Carolina	16,910,000	13,485,000
South Dakota	7,253,000	5,290,000
Tennessee [2]	19,153,000	14,022,000
Texas	133,174,000	105,824,000
Utah	7,634,000	4,949,000
Vermont	11,956,000	8,217,000
Virgin Islands		
Virginia [2]	11,695,000	4,121,000
Washington	56,883,000	30,996,000
West Virginia	25,857,000	19,418,000
Wisconsin	143,520,000	81,212,000
Wyoming	1,320,000	788,000

[1] Estimated by States in July 1968, except for Texas which was revised by the Department of Health, Education, and Welfare to include vendor payments to intermediate care facilities for the last half of the year. Includes expenditures for medical assistance (title XIX), medical assistance for the aged (title I) and payments to medical vendors made under programs of old-age assistance, aid to the blind, aid to the permanently and totally disabled, and aid to families with dependent children.

[2] Payments under titles I, IV, X, XIV, and XVI. No title XIX plan in operation.

[3] Estimate of payments under title I, IV, X, and XIV. Title XIX plan has been approved but estimate of payments under this title is not available.

Medical assistance (title XIX)

Reduction in Federal funds for the fiscal year 1969 as a result of squaring the Federal medical assistance percentage for payments on behalf of the medically needy, as estimated by State agencies.

[In millions]

Total	$310.551
California	27.5
Connecticut	6.0
Delaware	(1)
District of Columbia	4.0
Hawaii	2.5
Illinois	6.9
Iowa	2.0
Kansas	3.275
Kentucky	3.318
Maryland	8.5
Massachusetts	40.0
Michigan	8.9
Minnesota	16.0
Nebraska	1.5
New Hampshire	.360
New York	129.120
North Dakota	1.5
Oklahoma	3.0
Pennsylvania	30.5
Rhode Island	3.264
Utah	.560
Vermont	.274
Washington	9.0
Wisconsin	2.58

[1] Negligible.

Mr. LONG of Louisiana. Mr. President, much as I share the concern of the Senators from New York, when we find we have to live within the funds available, and not just within the budget estimate but to live within a $6 billion reduction, and then maintain a $6 billion reduction, we have to think in terms of where this reduction can be made to do the least mischief and still reduce overall expenditures.

Mr. JAVITS. Mr. President, we shall have printed in the RECORD analyses and charts which deal with the question and especially deal with the statement that the officials of HEW showed New York how it could get more out of the situation that was contemplated when Congress revised the statutes.

I might point out that the New York State Legislature acted in this matter in an effort to conform the New York plan to the new Federal dictate and that is a very important consideration as to the good faith of the State of New York in going forward with this problem.

Finally, New York is a very central State in terms of migration which it has accepted from other States; and the demographic change in the capacity of its population is one of the enormous financial problems of New York City, to be precise, and the State of New York itself. The United States cannot be unmindful of the fact that these hundreds of thousands of Americans pour into New York from other States. The fluidity of our population cannot be used as a penalty upon New York. In many, many cases we would much rather have a much more balanced population pattern. But every American has a right to go anywhere he chooses and we do not understand that that means a statute has to be so designed that it cuts right around New York because New York happens to be the biggest problem.

New York also pays nearly 20 percent of the Federal income taxes, it has the biggest ports, it has the main banks, and is one of the main tourist attractions in the United States. Everyone is happy to receive the benefit of those factors but when it comes to carrying a little of the burden, attention is brought to the fact that New York is spending much money in this field and much of its own money.

New York is not the only State in this condition. The National Governors' Conference has just passed a resolution, dated October 1, 1968, relating to the matter we are now discussing. They ask the Federal Government to avoid the "stop-start atmosphere" which concerns the medicaid program, which they say has persisted since its inception. I think that this sudden amendment making drastic changes in a program at the end of a Congress is a prime example.

Mr. President, I ask unanimous consent to have printed in the RECORD a resolution of the National Governors' Conference.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

MEDICAID CUTS

The National Governors' Conference Executive Committee at its September 30 meeting in Nashville, Tennessee, adopted the following resolution, and directed that it be transmitted to all parties concerned:

"Whereas, the Congress in 1965 authorized federal participation in state plans providing medical aid to the medically needy under Title XIX of the Social Security Act; and

Whereas, twenty-three states and the District of Columbia have now extended programs of assistance to the medically needy in reliance of federal financial participation; and

Whereas, the program from its inception has created unusual fiscal and administrative problems for the states, reflecting shifting policies and regulations at the Congressional and federal administrative level; and

"Whereas, the Senate on September 25 adopted an Amendment to H.R. 2767 which would withdraw $500 million in federal funds from the states operating programs of assistance for the medically needy, such withdrawal being retroactive to July 1, 1968; and

"Whereas, this proposed withdrawal of funds would create insurmountable obstacles for those states which in implementing Title XIX have relied on the federal government to keep and maintain its program commitments: Now, therefore, be it

"*Resolved*, That the Executive Committee of the National Governors' Conference strongly supports the funding of current Title XIX programs as originally indicated; and, be it further

"*Resolved*, That the Congress and the Administration should undertake a thorough and timely re-examination and re-evaluation of the program as a whole and of the state problems arising out of the uncertainty of federal administration with a view of designing new Congressional mechanisms which will prevent the stop-start atmosphere at the federal level concerning this vital program which has persisted since its inception."

Mr. GOODELL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. GOODELL. Mr. President, the Senator from Louisiana made quite a point about the fact, and I think it is a fact, that frequently we are victims of the illusory projections from downtown in various costs of the program. It seems obvious we have many times been victims of these projections and the failings of these projections in our commodity distribution program and our commodity credit system.

Congress is always very quick to provide the funds in addition to those estimated and projected by the Department of Agriculture to see to it that there is stability in this farm program and Congress is always very quick to see that we continue to live by the rules, and we should. The farmers planted on this basis and they are proceeding on the basis of the law. Then, we fulfill our obligation.

We always proceeded that way in reference to public assistance and cash payments. Frequently the projections are too low, as the Senator from Louisiana is better aware than I, inasmuch as he serves on the committee on which he does serve. We, as Senators, and Members of the House of Representatives fulfill our obligations by increasing the funds that are available.

Now, with reference to the medicaid program, the Senator points out that some of the payments have gone higher than anticipated, but the rules of the game end there. The States have proceeded. They have set up through their State legislatures their laws to conform to the Federal law, and just because we have human beings involved here instead of commodities, it does not seem to me we should take a different approach. We should fulfill our obligation.

I am as anxious as the Senator from Louisiana to cut back unnecessary expenditures. I think we can do this without damaging our programs to meet human needs in this country.

I might say to the Senator that the action proposed here is like changing the rules in the ball game when the Tigers are ahead 5 to 3, and then saying that the game is over at the end of 6 innings, or "two strikes and you are out."

Mr. President, that is not the way to proceed in any organized society. I know the Senator in good faith wants to cut expenditures to conform to the expenditure limitation which Congress determined in its wisdom must be enacted in the fiscal and economic circumstances. But that does not mean that we change all the rules of the game or that we change all of the operations of the medicaid program retroactively when most State legislatures are not even in session and unable to conform their laws, and many of them will not be in session. This will create even greater chaos if the bill provides for a date in November. If the date January 1 is provided it will not help because State legislatures will go into session and then try to figure out how to adjust in the following 6 months for expenditures made in the previous 6 months on the basis of laws that are not in existence.

If the Senator would like to have a prospective date I would suggest July 1, 1969. Then, we would go into the next year, the States would have some warning, and we would have an opportunity to perhaps deal with this situation. It seems to me that any date prior to July 1, 1969, would be unworkable in the circumstances.

Mr. LONG of Louisiana. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. ERVIN in the chair). Does the Senator yield?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. Mr. President, so that we will understand one another insofar as retroactivity is concerned, the Senator from Louisiana explained to the Senate at the time we agreed to the amendment that he was perfectly content to move the date forward so that the amendment would not be retroactive. We would expect to move the date forward in conference in any event. The date in the amendment was picked because that was the start of the fiscal year and the Williams-Smathers amendment applied to the fiscal year. This Senator did not vote for the Williams-Smathers amendment. I voted against it but my position did not prevail.

When we have this provision in the law, and we must abide by it, we must try to find how best we can live with the provision.

Here is what happened on this item. When we were in conference in December 1967—less than a year ago—on the social security bill, we were told the Federal share of the money for this program would be $1.670 billion in fiscal 1969. Now, the latest estimate, and it is still going up, is that for this fiscal year, instead of the sum being $1.670 billion, the cost would be at least $2.4 billion.

There is a difference of some $700 million. That would not concern me so badly, if it were not for the fact that unless we do something about this law, we are going to have to take at least $300 million of the $700 million which exceeds the medicaid estimates out of other areas which are within the estimates and force other departments, agencies, and segments of the Government to make big reductions. That would involve some things close to the Senator's heart, too. It might involve the Headstart program, or certain parts of the poverty and opportunity programs which have great appeal to the Senator. It might involve programs for trying to modernize the hearts of our cities. So in trying to look at the places were reductions can best be taken, here is an item, as welfare programs go, which has a lower priority than certain others. For example, when one is talking about aid to the needy, or to the aged, or to the blind, or to persons who qualify as needing public assistance, he is talking about programs which I think everyone would agree have higher priority than that part of medicaid for people who are not on welfare, particularly those who are not catastrophic cases but cases where they themselves might be able to pay for their medical expenses over a period of time. Reductions could better be made there than to take them out of programs where I believe even the Senator would agree there is a crying need.

Here is a program exceeding the estimate of a few months back by some $700 million—enough money to justify every State legislature affected by it coming back and taking a look at it. It seems to be enough of a miscalculation to justify Congress taking another look, too.

Mr. GOODELL. What was the miscalculation on the Commodity Credit Corporation?

Mr. LONG of Louisiana. About $1 billion.

Mr. GOODELL. So we have a $1 billion misestimate on how much the Commodity Credit Corporation is going to spend, and a $730 million misestimate on how much medicaid is going to spend. In the case of the Commodity Credit Corporation, we exempt those expenditures from the limitation; but in the case of the medicaid program, we cut the program.

How can we justify that? We will exempt $1 billion in Commodity Credit Corporation expenditures above what were projected but we will not exempt $500 million above the January projected needs for medicaid and other public assistance programs.

Mr. LONG of Louisiana. Senator, I favor both. But that was not the judgment of the Senate. If the Senate does not want to exempt them, we can look at some differences which would justify exempting the Commodity Credit Corporation where it may not feel about the medicaid program in the same way.

One example would be the fact that Commodity Credit Corporation loans, in the last analysis, are loans which we might be fortunate enough to get repaid, while the other, of course, are expenditures where we definitely will not get the money back.

Mr. JAVITS. Is it not a fact that the Commodity Credit Corporation loans are not loans without recourse because they are an element of the price stabilization scheme?

Mr. LONG of Louisiana. Yes, but if we have a bad crop year, or the whole world has a bad weather year and has poor crops, we would get our money back for the loans; so that, in many instances, we have found that the loans turn out to be good.

Mr. JAVITS. Is it not a fact that the $1 billion, or the $1,300,000,000, is direct grants for price stabilization under the CCC system?

Mr. LONG of Louisiana. Senator, I am not here to argue about the farm program. The Senate voted on that and it voted to exempt the farm program. So far as I am concerned, if the Senate has not seen fit to exempt it, as I have said here on this floor, if the Senate did not see fit to exempt the CCC, so far as I am concerned, I am in favor of not making a commitment.

Mr. JAVITS. Let me say that my colleague [Mr. GOODELL] and I have already said time and again that maybe, because of the impact the matter had when it was brought up, and the fact that it was not really thought through in detail when it was brought up, that the Senate has not—the Senate, after all, has done this thing before. It did not exempt them because an inadequate case was presented to them.

We shall now try to repair that difficulty and bring to the Senate an adequate case to show that medicaid should not be bobtailed any more than the CCC should, and that we should at least be able to defer it this year. Then, when there is a new Congress, and a new President, they will want to take another "think" on the medicaid program, or on the CCC program—and I am sure, incidentally, they will too.

I do not think there is anything in holy writ that says it has got to go on just as it is, or anything else. All we say is that at this particular time, at the end of a Congress, when we come in with so drastic a change in fundamental financial conditions which affect great populations, we think it possible that the Senate did not fully grasp the extent and the consequences of its actions.

We are developing them now and we are going to continue to develop them and will do our best to present to the Senate a more balanced picture of the issues on which the Senate may then vote.

I should now like to yield to the Senator from Oklahoma [Mr. HARRIS].

Mr. HARRIS. Mr. President, I join the distinguished Senator from New York [Mr. JAVITS] and his colleague [Mr. GOODELL] in expressing opposition to the amendment adopted by the Senate on September 24. As has been pointed out, this amendment reduces the Federal reimbursement rate under title 19 of the Social Security Act for medical assistance rendered to low-income persons who are not already receiving cash assistance under a public assistance program.

Since this reduction in the Federal share of medicaid costs would be retroactive to July 1 of this year, its effect would be suddenly to shift some 300 million dollars in medicaid costs from the Federal Government to the governments of 24 States, which had no warning that their budgets would be taxed to that extent over and above their planned costs for this fiscal year.

This amendment would have a harsh effect in my own State, for example, costing Oklahoma at least $3 million which it had not budgeted or could not have planned for.

Let me read a succinct analysis of the potential effect of the Long amendment, written by an eminent consultant in the social welfare field, Mrs. Elizabeth Wickenden, of New York. The statement explains more clearly than any other I have seen just why we should modify or rescind the Long amendment.

It reads:

IMPLICATIONS OF THE CUTBACK IN FEDERAL FUNDS FOR MEDICAL ASSISTANCE

Federal-State relations: The future of Federal-State cooperative relationships depends on a reasonable stability, continuity and good faith in the Federal policies and financing provisions on which such programs depend. Most state legislatures meet only biennially and must, therefore, project their budgets and policies on a two year basis. It is extraordinary that in a period when the need to strengthen the role of State government is continuously extolled in the Congress, a disruptive step should be taken affecting State budgetary and programming processes.

Mr. President, I would like to say here, parenthetically, that this exactly describes the present situation in my own State, where legislative leaders are already in the process of trying to determine whether they will have to convene a special session of the Oklahoma Legislature in order to make up for a decrease in funds which they had been led to believe would be available to them under existing medicaid reimbursement rates.

I continue to read the analysis:

Retroactivity: It is especially astonishing that the cutback should be applied retroactively to funds already spent under a Federally-approved State Plan governing such expenditures and the Federal share thereof. In other situations this would be considered a breach of contract.

Open-ended authorization: Since 1935 the States have proceeded on faith to spend money under the assistance titles of the Social Security Act on the assumption that Federal funds would be forthcoming at the end of each quarter to reimburse States for actual expenditures *on a per capita formula* that did not limit the total amount. This is virtually the only way to assure equal treatment under the law to all persons in similar circumstances in situations where the extent of need is unpredictable.

If the precedent of this Senate action were to be applied to cash payments the States would be forced to cut assistance grants in order to meet Federal requirements of open intake and equal treatment. The effect of such cuts in the present state of urban unrest is hard to imagine. In any case temporary Federal economies would be achieved at state expense.

Relationship of High to Low Standard States: There is a clear implication here that states without medical assistance programs—or those with low standards—are seeking Federal economies at the expense of the States with better programs. The effect here is to try to pull everyone back to the lowest common denominator.

Medical Effect: The hardships imposed by denial of medical care seem self-evident. More importantly, from the point of view of long-run economy, the *best* investment of public funds is often that made in *early* medical care for those marginal income families that are otherwise self-supporting. In this way health can be quickly restored and long-term dependency prevented.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. JAVITS. Mr. President, a point of order. I have the floor.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senator from Oklahoma may yield to me.

Mr. JAVITS. No, Mr. President. I will not consent to that. If the Senator wishes me to yield and he will ask me, if I choose to I will yield to him. Is the Senator from Oklahoma through?

Mr. HARRIS. No, I am not.

Mr. JAVITS. Is it agreeable if I yield to the Senator from Louisiana?

Mr. HARRIS. I agree.

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. Mr. President, permit me to say that I have the figures here that affect the State of Oklahoma. They indicate that the Federal share for the State of Oklahoma would be reduced by about $3 million, from $49 million to $46 million.

As a practical matter, the Senator has heard me say that, as far as I am concerned, I am perfectly willing to say the amendment is not to be retroactive. Let us say we would set the date in December or January as the effective date. Then the reduction, as far as Oklahoma is concerned, would fall to about $1.5 million in the whole public welfare program. Frankly, if something like this is not done, I fear that reductions made in other areas, such as aid to highways, aid to cities, the economic opportunities program, and programs of that sort, would probably be such that Oklahoma would lose much more than just this amount.

I think the Senator from Oklahoma shared my view against the Williams-Smathers amendment to begin with. If we had to live with it, I think the Senator might find we could live with it better this way than if we did not do it this way. In other words, between two hard choices, may I suggest to my good friend that he might find this is a better way to handle the problem than to try to handle it the other way.

Mr. HARRIS. Mr. President, I admire the sincerity of my chairman on the Finance Committee, but I do not agree with his conclusion. I would not like this amendment even if it were not retroactive, but I do not like it at all as it is. It seems to me totally unfair to make it retroactive.

Oklahoma has one of the Nation's most oustanding welfare directors, Mr. Lloyd E. Rader, a man who is well known in welfare circles throughout the country. He is not known to be an alarmist or a man who would just cry "wolf" in order to get attention. I quoted $3 million as the reduction for Oklahoma. Mr. Rader feels that estimate is too low. Furthermore, he says that when that amount is added to the cost to Oklahoma of other amendments we agreed to in last year's social security legislation, Oklahoma will face a very serious welfare crisis. He has called together all legislative leaders in my State to consider how they could go about making up this difference in funds, which, as I said he thinks will exceed the $3 million which I have alluded to.

It seems to me that if the general cut of $6 billion in Federal expenditures is to be effective—and the Senator is quite right in saying I did not vote for it, because I foresaw what has occurred in the Senate, which is that, step by step, Senators have voted to exclude from the cut certain activities of the Government which they support more than others—if, as I say, that cut is to be effective, then Congress ought to accept its own responsibility rather than pass the buck to the President of the United States to make the cuts. We ought to have made the cuts ourselves, because Congress was then in possession of most of the appropriation bills. That was my position on the $6 billion cut.

But in our present situation, if the $6 billion cut is to come, it ought not to come out of the people least able to bear it; and it seems to me that that would be the effect of the amendment which the Senate adopted on the 24th of September, on the motion of the distinguished chairman of the Finance Committee.

It seems to me if we are going to have to cut down by $3 million in Oklahoma the amount of money we can expect to have from the Federal Government, we are going to have to make it up somewhere. We are going to have to take it out of other welfare programs, aid to dependent children, or other welfare programs, because the people of Oklahoma are not going to allow cuts in this medical program which has been well supported.

It seems to me that if we leave the Senator's amendment intact, we are saying that the people least able to bear that $6 billion cut are going to have to bear it in my State, and in other States in the country.

Mr. LONG of Louisiana. The $3 million figure which I mentioned was the figure which the welfare official of the State of Oklahoma gave. It actually amounts to a cut of about $1.5 million, and that is only about one-half of 1 percent of the reduction. So it would be a case of Oklahoma's getting a reduction of one-half of 1 percent of what the overall reduction would be.

I do not like to cut these welfare programs at all, but if we must cut in the welfare area—and the Senate declined to exempt the welfare program from the reduction in expenditures, and the Senator and I voted to exempt welfare—it seems to me this particular program involves those welfare beneficiaries who can best afford it, those who cannot qualify for welfare, but those whom we could describe as the medical needy, rather than those in need of welfare payments.

Mr. HARRIS. I agree with the general principle of what the Senator has said, but not with the timing of his application of it. I had a dog once who was not much of a fighter. As a matter of fact, if another dog came at him, he fell on his back and stuck his legs up in the air. If welfare funds have to be cut, and if the administration believes that they do, then let them go ahead—but after we fight. I am not willing just to lie down and let them beat us without putting up a pretty strong protest. It seems to me that the effect of the Senator's amendment is to capitulate before we have started to fight.

If I may proceed, I have mentioned the Federal-State relations which, it seems to me, are damaged by this amendment. I think the amendment is also objectionable with regard to its retroactive feature, but I pointed out that even if it were not retroactive, I still would not like the amendment.

I recommend a reading of the entire statement of Mrs. Wickenden. I hope that Senators will be able to read it in the RECORD, as a result of the recess overnight. This is not a matter of parochial interest. It is not a matter only of the State of New York or the State of Oklahoma or other States being affected by the amendment.

As the Senator from Louisiana has pointed out, the percentage of the reduction which Oklahoma would bear is rather minor insofar as the overall cut is concerned; but the principle of placing the reduction on those least able to bear it nationally, and in whatever State, seems to me is one of overriding national importance and one which is entitled to the greatest attention of the Members of this body.

I certainly hope that the Long amendment may be modified or rescinded by the Senate.

I thank the Senator from New York for yielding to me.

Mr. JAVITS. Mr. President, I thank the Senator from Oklahoma for his comments on this matter.

I may point out, since we have been discussing this particular question, that a great many other efforts were made to deal with various aspects of the Social Security Act. Again referring to my tragically departed colleague, Senator Kennedy, he and a group of us sponsored a whole series of amendments which endeavored to deal with what were considered to be the most unjust amendments under the Social Security Act, which related to general problems of welfare.

A number of these amendments did pass the Senate, but no action was taken in conference, notwithstanding the large body of sentiment in the Senate on this question, on all these welfare amendments.

It seems to me, Mr. President, that if we are going to redo this whole medicaid question of the end of this Congress, then, in all fairness, we ought to consider those welfare questions, too. I, for one, Mr. President, do not feel obligated—and I shall introduce these amendments—to see what can be done about many of these other matters which were supposedly tied up with this one.

I should like now, aside from mentioning the fact that I think we would need of look into the question, if we are going to rock the boat as seriously as this amendment rocks the boat on medicaid, to examine also the question of what ought to be done about many of these other programs which are tied up in the Social Security Act, including aid to dependent children, what we shall do about mothers being required to work, and the way income is calculated to determine eligibility under these various laws—matters to which many of us have taken very sharp exception. I think we would also want to analyze in some detail one of the questions which has already been brought up, and that is the action of the Senate in looking with favor upon an exemption for the Commodity Credit Corporation, which my colleague, Senator GOODELL, properly says relates to commodities, whereas this act relates to people, and see just what ought to be done about it, in all fairness and equity, under the circumstances.

I have before me, Mr. President, a very interesting analysis of what medicaid really means, how many people it relates to in the United States, and how desirable is the system which this bill curtails.

It is my understanding that there are some 7 million Americans who are now concerned in the whole program of medicaid. This figure not only includes my own State, but every State in the United States if it has an approved State plan, as many of the States do.

Also, Mr. President, though the Senator from Louisiana says that he is not inclined to press the issue of retroactivity, the fact is that that is what the amendment said, and we would still, by some action of the Senate, even if he should agree, have to undo that.

I have the exact figures before me now. It is estimated that in fiscal year 1968, medicaid covered 7.3 million Americans, and in 1969, that total will be 8.5 million Americans. This represents an enormous segment of our population qualifying even under the lower income requirement, and qualifying because, without this kind of aid, they would be medically indigent.

Mr. President, it is my judgment that what we are really up against here is a feeling that we should have a welfare level in the country, and that that welfare level should determine the level at which we will give any kind of aid, including medicaid. This theory proposes that we should not take cognizance of the fact that there is such a thing as indigence caused by catastrophic medical costs, and that therefore the Federal Government would be well-advised to have such a program rather than to encourage, as it otherwise would, a marginal family just to tip over into welfare.

On the one hand, as so many of us have complained, welfare is a sanctuary for those who have become accustomed to a life of endemic poverty. On the other hand, I think we have here a chance to give a premium to self-respect and the ability to maintain one's own household, because medical expense is generally the way in which a family gets in trouble, and when it does, it can be helped by the public authorities without necessarily being a welfare case, which I think is a very salutary and very intelligent approach.

But by this amendment, for all practical purposes, we dismantle that approach and revert to the straight welfare status, and justify it, according to the Senator from Louisiana, on the ground of cost, that we cannot afford to look after the situation in any other way.

But, Mr. President, it has already been pointed out that we seem to be able to afford extra cost in terms of Commodity Credit and Soil Conservation payments; and it seems to me, therefore, that what is wrong, and what we who are on this side of the issue have very much the necessity of protecting, is the order of priorities involved. We have had to deal with priorities very much out of order, and very much different from what they ought to be. It is for that reason, Mr. President, that I think it is our duty to press this issue.

We have to realize that in this whole field of aid, whether it is medicaid or other types of aid, we are dealing with constituencies which are very often overlapping and composed of the same people. For that reason, if we are going to take this approach, even if we do not do it retroactively but do it prospectively, we would have to give consideration in our judgment to other aspects of the social welfare structure, including efforts to alleviate the distress of families along somewhat the lines of social security, antipoverty, medicare, and other programs.

Mr. President, I think it is also very important to analyze the dynamics of each State. It is pointed out that the State of New York, for example, has a good deal of money at stake—something like $129 million a year. It must also be pointed out, aside from the fact that it is critically important that we have roughly 10 percent of the population, that we have been the recipient of enormous migrations from other States, where people have been, in many cases, very heavily chased out by conditions under which they found themselves unable to live: denial of opportunity upon racial grounds, or simply the lack of any effective economic opportunity, considering their social and economic structure.

Aside from those considerations, I think it is very important to consider what a State like New York has been able to do and how well the 10 percent of the population which lives there is cared for compared to other States. I think it is important to consider the kind of job that New York has been able to do. Is that job to be discouraged or encouraged?

As far as we are concerned, we would feel very strongly that it should be encouraged and that it is a desirable thing. And we will in the data we submit make clear how much the State of New York is spending on the medicaid program so that one can get in focus what $129 million really means in terms of this effort.

We shall also endeavor to outline the detailed operation of the medicaid program, the way in which it works, the services which are considered essential, the services which are contained in the New York plan, and the services which are contained in the plans of other States in order to see whether the expense which is being undertaken is justified.

Mr. President, I consider the medicaid approach a very intelligent answer to the situation, but by no means a final approach. I think that all we are doing is holding the line in respect to the health of our people, having given a certain sense of social stability so that people who do not have the means—but see the enormous advance and progress of medical science—do not feel that the great effort and great concept of enabling a person to have a longer lifespan is exclusively the province of those who can afford it. We are endeavoring in a governmental sense to open the door to a longer lifespan for the poor as well as for others who cannot afford it.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. Mr. President, would the Senator be willing to agree that we vote on the amendment he would like to have us vote on, with respect to this issue, at some time certain in the next 2 or 3 days?

Mr. JAVITS. Mr. President, very frankly, I have been terribly caught up in other things. I do not want to make any promises or mislead the Senator, but, given the opportunity, which I shall have overnight anyhow, to consult with other colleagues who are deeply interested in the matter, we might be able to make some suggestion or proposal to the Senator from Louisiana.

The Senator from Louisiana will agree with me in all candor that this is the first time the opposition, as it were, has unfurled its flag on the floor today.

I think it has been a very useful discussion and interchange. We have felt each other out. No one is unduly belligerent. At the same time, no one will fold up.

This is a very serious matter to us. That is why I made the suggestion that I did about our hour of adjournment today. However, it is entirely up to the Senator. We will exercise our rights and privileges on the floor, and the Senator will exercise his.

The long and short of it is that I will be unable to give the Senator an answer to that question tonight. But I will undertake in the spirit of comity—as the Senator and I are colleagues—to advise the Senator sometime soon as to what we feel we can or cannot do in regard to the matter.

As I was saying, Mr. President, the medicaid program is really an effort to develop for people who could not afford it otherwise an equivalency of medical care.

We had very much the same problem in respect of medicare with respect to our older people. I think we have taken a reasonable disposition of it.

I take great pride in the fact that there is in the medicare program a voluntary aspect which gives an older person an opportunity to get the services of a physician for a very reasonable expenditure, as well as hospitalization which medicare affords them. I think that is very desirable.

This is a progressive concept. I for one have always been very much committed to getting the private system of the United States to share in a very important part of this responsibility.

In will be remembered that when medicare was being considered, a number of us had some very important aspects of the bill to debate. Together with the Senator from New Mexico [Mr. ANDERSON], I worked very hard and long on the matter of bringing the insurance system of the United States into what is now a voluntary part of the act. I regret very much, and always will regret, that the insurance system of the United States did not take advantage of that opportunity. I have not given up hope, however, that they may. I think that one day they will realize the enormous field for both public and private service which exists in that sphere and that we will come to a day—and perhaps I may not be here at the time—when through the efforts of the private and public sectors, more extensive services, including drugs and medicine—of which we have heard much concerning the excessive cost in many areas—will be made available to our older citizens.

I feel the same way about medicaid. I think we are making a great forward advance in respect of our Nation. I think this forward advance will be very materially improved by a major system of compulsory health insurance for employees paid for by the individual, but also, if necessary, by individual States as elements of employment.

It is interesting that medicaid recipients are very heavily employed. We are not dealing with unemployed people. Many people make wages that are below par in terms of ability to meet medical costs. Therefore we have the idea of insurance which would give the actuarial benefit of coverage to millions of workers rather than the very limited actuarial benefit of coverage of thousands or even hundreds of thousands. If individual insurance companies can work it out, it may become a real alternative to the problem of medicaid costs. However, because we think it very socially desirable today, we wish to afford benefits immediately to a person who may ultimately be receiving the benefit of that kind of insurance.

The Governor of the State of New York, Governor Rockefeller, has already recommended that as a major State matter we may get this measure passed into law in our next legislature, in 1969. I shall certainly try for it, and I hope it will happen.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PASTORE. Mr. President, I want the Senator from New York to understand that I agree with him completely. I think that one of the basic mistakes we make in this body is that from time to time we get the notion that there are certain affluent States that can take almost any kind of a cut. We forget that the citizens of that State may pay higher taxes in every respect and category than do the citizens of certain other States and do not receive the emoluments in proportion that go to States classified as poorer States.

I understand that this amendment was defeated once before. Is my understanding correct?

Mr. JAVITS. Yes. But this time it was agreed to.

Mr. PASTORE. This amendment does not treat every State in the same way by taking the same amount from each State. It has a new formula by which some States suffer more than others. Is that correct?

Mr. JAVITS. That is exactly correct. The more you have done, the more you suffer.

Mr. PASTORE. That is correct. And the more you pay into the National Treasury.

Mr. JAVITS. The more you suffer.

Mr. PASTORE. The more you have to pay for it; cash on the barrelhead.

Mr. JAVITS. That is correct.

Mr. PASTORE. We must keep in mind—and I believe the Senator from Louisiana should understand this—that in my State we do not have oil wells; we do not enjoy a 27.5-percent oil depletion allowance.

Mr. JAVITS. Nor in my State.

Mr. PASTORE. And we carry our burden. We pay our taxes, we get back less than we put in, but we do not bitterly complain about that.

Then, of course, we reach a position where we want to cut down a little on our budget, and I suppose we should. Everyone is in favor of that.

I hope Senators realize that we have fiscal problems in Rhode Island, also. As a matter of fact, that is the main issue in the present gubernatorial campaign: How are we going to raise the additional money our State needs? That is what our candidates debate.

The idea that a State like ours can afford to suffer a bigger cut than some other State is, to me, a specious argument. As a matter of fact, it is illogical and unfair.

I do not see by what rhyme or reason we are going to have a new policy here that certain States are going to take a bigger cut than other States, without realizing what the predicament in which a particular State is placed. I say this is unfair.

If we do not have adequate money and we must save a certain amount of what we have, then let us take a certain but equal percentage out of everyone's money and treat everyone alike. The idea that it is to be taken out of the hides of people who are paying more into the Federal Treasury and the money is to be distributed throughout the country in this fashion is unreasonable, unfair, and unjust.

I am all for economy if it is essential. But to propose this step on the ground we have to economize is to propose something inequitable—and, I dare say, iniquitous.

Mr. JAVITS. I thank my colleague for his very helpful intercession.

Mr. GOODELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The inquiry is not in order.

Mr. LONG of Louisiana. Will the Senator yield for that purpose?

The bill clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

[No. 320 Leg.]

Allott
Burdick
Byrd, Va.
Byrd, W. Va.
Fong
Goodell
Griffin
Hansen
Harris
Holland
Javits
Long, La.
Mansfield
McGee
Montoya
Pastore
Proxmire
Spong
Symington
Williams, Del.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], and the Senator from Alaska [Mr. GRUENING] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from Washington [Mr. JACKSON], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. McCARTHY], the Senator from Arkansas [Mr. McCLELLAN], the Senator from South Dakota [Mr. McGOVERN], the Senator from New Hampshire [Mr. McINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Rhode Island [Mr. PELL], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], the Senator from Maryland [Mr. TYDINGS], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Texas [Mr. YARBOROUGH], are necessarily absent.

Mr. WILLIAMS of Delaware. I announce that the Senator from Kentucky [Mr. COOPER] is absent on official business.

The Senator from Tennessee [Mr BAKER], the Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. CURTIS], the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from Iowa [Mr. MILLER], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Delaware [Mr. BOGGS], the Senator from Massachusetts [Mr. BROOKE], the Senators from Kansas [Mr. CARLSON and Mr. PEARSON], the Senator from New Jersey [Mr. CASE], the Senator from Oregon [Mr. HATFIELD], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Nebraska [Mr. HRUSKA], the Senator from Idaho [Mr. JORDAN], the Senator from California [Mr. KUCHEL], the Senator from South Carolina [Mr. THURMOND], the Senator from South Dakota [Mr. MUNDT], and the Senator from North Dakota [Mr. YOUNG], are detained on official business.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). A quorum is not present.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 11 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, October 8, 1968, at 12 noon.

EXTENSIONS OF REMARKS

COOPERATIVE EFFORT BY PRIVATE AND PUBLIC SECTORS TO ELIMINATE POVERTY

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Monday, October 7, 1968

Mr. FANNIN. Mr. President, Winton M. Blount, president of the Chamber of Commerce of the United States, last week predicted that the American business community, through the private enterprise system and working with Government, will be able to effectively eliminate poverty in this country.

Speaking before the sixth International Forging Conference in Washington, Mr. Blount convincingly argued that the national solution to this serious socioeconomic problem can be found only in a cooperative effort by the private and public sectors.

I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

DEVELOPMENT OF THE AMERICAN FREE ENTERPRISE SYSTEM BY WINTON M. BLOUNT, PRESIDENT, CHAMBER OF COMMERCE OF THE UNITED STATES BEFORE THE SIXTH INTERNATIONAL FORGING CONFERENCE, WASHINGTON, D.C., SEPTEMBER 26, 1968

I bring you greetings from the Chamber of Commerce of the United States, and I would especially like to add a word of welcome to the visitors from abroad. It is a pleasure to have you here. There is so much to be gained by closer international cooperation within industries, that I hope the idea will be accepted increasingly by other industrial groups.

I have been asked to talk with you this morning on the "Development of the American Free Enterprise System." It has been pleasant for me, in preparing these remarks, to pause to review the system, its problems and prospects in these changing times. I hope their presentation will be of interest to you.

Adam Smith's philosophy of a free economic order emerged in 1776, about the same time Thomas Jefferson and other American leaders were forging a new political order.

Both events were revolutionary. Both were a declaration of independence: the Americans' from the oppressive political control of George III; Smith's from the oppressive economic controls of Mercantilism.

While the Americans fought for their independence, the quiet, bachelor professor took the scholarly approach, setting down the proposals in his book, "The Wealth of Nations."

He advocated a system where government would not interfere with commerce and industry, but would let economic development follow the natural order of things. Men left free to seek what they believe to be their own good, would ultimately benefit the entire society, as well as themselves. The key words in Smith's philosophy were competition and free trade.

The book appeared in a time when prevailing thought put much faith in state control of all economic processes and the protection of chosen industries by government action.

Smith's ideas spread rapidly. It was only natural that the theme of minimum interference by government in economic affairs should have a strong appeal to the men on this side of the Atlantic, who had fought a war to throw off a paternalistic government. The concept fit neatly into the Jeffersonian philosophy that the best government is the least government.

These are the seeds from which the American economy grew, and from which it still draws its vitality, despite the fact that it has been pounded and shaped by the economic, political and social forces of nearly 200 years. Its growth has been steady, but not always tranquil. Its movement has been upward, but not always smooth. It emerges today by no means perfect, but nevertheless the most powerful economic engine ever devised. It has an unprecedented output, and has provided the greatest concentration of wealth ever known.

The greatest impact on the system over the years has undoubtedly been government. Government's role as referee in the market place began in earnest at the turn of the century with the enactment of the Interstate Commerce Act to regulate railroad and shipping rates, the Sherman Antitrust Act to prohibit monopolies, and the Federal Trade Commission Act to oversee business practices and enforce antitrust laws.

Controls were greatly expanded in the New Deal era, when the government enlarged its role from referee to active protector of the general welfare.

Today we see a changing relationship between government and business. With the growth of a more complex industrial society, large corporations and government have been compelled to cooperate more closely in the public interest.

General Electric operates a nuclear industry for the government at a small fixed fee;

The government assumes the main insurance risks as atomic energy is converted to peaceful uses, and

Government and industry join together to establish the first communications satellite system.

Science has also figured in the changing shape of free enterprise. Government, business and the university all found a profitable working relationship in the late fifties that helped bring about the technological revolution.

The French writer, Jean-Jacques Servan-Schreiber, describes this in his book, "The American Challenge":

"During the past 10 years, roughly from the end of the cold war and the launching of the first sputnik, American power has made an unprecedented leap forward. It has undergone a violent and productive internal revolution. Technological innovation has now become the basic objective of economic policy. In America today the government official, the industrial manager, the economics professor, the engineer, and the scientist have joined forces to develop coordinated techniques for integrating factors of production."

Despite the increasingly complex and sophisticated nature of the economy, and the changing structure of government-industry relations, the system has remained basically free and it has been possible to draw fairly clear dividing lines between what does and what does not conform to free enterprise principles.

I think the critics who claim that the free market has been virtually eliminated by giant corporations who set their own prices and control demand through advertising, have simply not looked closely enough at the facts.

Only one out of every five new products that come on the market is successful. Despite heavy advertising, many products fail. The consumer, using his dollar as ballots, makes the ultimate decision on the success or failure of all products. It is readily apparent to any close observer that market consciousness still pervades our economy and its presence still produces the efficiency, innovation and variety characteristics of the free enterprise system.

Servan-Schreiber notes in his book that this market consciousness is one of the significant differences between American corporations and those of Europe.

Despite a growing sentiment for expanded government planning of the economy among a small but influential minority in this country, I believe the vast majority realizes the benefits of the free enterprise system and still holds strongly to the conviction that more government is not the answer to our problems.

The system may be harsh, but it provides a degree of individual liberty rarely, if ever, before known. We tend to think of our political and economic freedoms in abstract, until we are reminded by the stark reality of a Czechoslovakia that our freedoms are very real and meaningful to our way of life.

This is an important fact about our system that differentiates it from many others: its concern for the individual. It is unlike some other countries which emphasize the group or government.

Further, the free enterprise system should not just be considered from a business or economic standpoint. It is a system that affords the individual the opportunity to make choices—where he will work, where he will live, what he will buy, where he will buy it, and what contribution he will make to society.

This freedom of choice and the opportunity it provides has given hope for many men, despite their poverty, to keep working because they knew the opportunity was there, and if they couldn't make it, then their sons could. The development of the American free enterprise system is really a story of the development of these millions of individuals, who sought and found achievement and growth.

The genius of our economy, I believe, is that it moves forward and takes its direction from a multiplicity of decisions made at all levels. This diversity and variety of decision-making means that our economy does not rise or fall on the basis of a few decisions basically from one source—as government-planned economies do.

The Soviet countries lately have been adapting some of the techniques of the free market in order to speed up their own economic growth. It is unfortunate, in spite of this, that many world government leaders remain convinced of the value of central economic planning.

Professor Milton Friedman of the University of Chicago touched on this in an article in Harper's magazine describing a tour he and his wife took of Eastern Europe, the Middle East and the Far East.

"In country after country," he writes, "we were deeply impressed by the striking contrast between the economic facts, as they appeared to us, and the ideas about the facts held by intellectuals.

"Wherever we found any large element of individual freedom, some beauty in the life of ordinary man, some measure of real progress in the material comforts at his disposal, and a hope for further progress in the future—there we also found that the private market was the main device being used to organize activity. Wherever the private market was largely suppressed and the state undertook to control in detail the economic activities of its citizens . . . there the ordinary man was in political fetters, had a low standard of living, and was largely bereft of any conception of controlling his own destiny. The state might prosper and accomplish mighty material works. Privileged classes might enjoy a full measure of material comforts. But the ordinary man was an instrument to be used for the state's purpose, receiving no more than necessary to keep him docile and reasonably productive.

"By contrast, the intellectuals everywhere took it for granted that capitalism and the market were devices for exploiting the masses, while central economic planning was the wave of the future that would set their countries on the road to rapid economic progress."

To illustrate the point, Friedman contrasted the economies of Yugoslavia with those of other Eastern European countries, West Germany with East Germany, Israel with Egypt, and the free-market Far Eastern countries of Malaya, Singapore, Thailand, Formosa, Hong Kong and Japan—with the planned economies of India, Cambodia, Indonesia and Communist China.

The government may have the best intentions in the world, and it may be the most beneficent of governments, but that does not make it any less difficult for the individual to deal with—for he is the one who suffers from the enlargement of government power.

It is certainly to be hoped that this trend can be reversed.

But our topic is the American free enterprise system and I think we can accurately say that our American economy is healthy and prosperous and shows few signs of weakening. To the contrary, there is every reason to hope that the wave of technological revolution and continued economic expansion will carry us forward into another world of the future, a world not only better economically, but socially and spiritually as well.

Wilbur Cohen, Secretary of Health, Education and Welfare, recently predicted that we would eliminate poverty in this country by 1980. This would be a watershed achievement for the human race, and if it is possible in this country it is possible for the entire world.

I think it is true that there can be relatively few complaints about the nation's free enterprise system on economic grounds. Its performance leaves little room for criticism. We still have problems in regard to perfecting techniques to avoid recession and learning to control inflation, but we are making progress toward these objectives.

One of my first acts, after becoming president of the National Chamber, was to appoint a Committee to Consider Problems of the Dollar. We have a distinguished group of men on the committee and are well into our discussions and study. The Chamber supported the tax increase and spending cutback and other measures to insure stability.

The criticism that the free enterprise system is receiving today, in this country and in other nations, is based not on its economic performance but on its effect—or lack of it—on social conditions.

A small but vocal faction in our society is raising a clamor which is essentially anti-free enterprise and antibusiness. They generally feel the free market system cannot accomplish the objectives they believe the country should achieve, but the profit motive is unjust, and that businessmen are selfish and indifferent to the human problems around them.

Their criticisms may be broken down into several facets.

One, they consider the operation of the free market economy as haphazard and irrational. The thrust of the system being strictly economic, the kind of society which results is considered almost a by product. Under this system, man is permitting his common social destination to take care of itself. A more rational approach, they say, would be for him, through government, to take matters in hand and shape his collective destiny.

Second, many critics are people who are sincerely interested in helping others and are impatient with the system. The free market moves too slowly for them, and its benefits are indirect and not readily seen. Government action, on the other hand, is direct and visible, and therefore more appealing.

These veins of thought have been reflected in recent years in the growing dissatisfaction with our approach to social problems, and the creation of vast and expensive Federal programs.

These people tend to forget that what the free market lacks in rational, direct approach to the problems of society, it makes up in the efficiency of its indirect approach, which in the long run I believe has provided and will continue to provide more lasting solutions.

Government programs, however, even if they do prove to be a faster means of accomplishing these objectives, have a stagnating effect in the long run. Government's uniform standards can never provide the variety, innovation, efficiency and motivation that the free market does.

Dean George P. Baker wrote in the Harvard Business School Bulletin recently that between 1959 and 1965—six short years—the number of people in the United States defined as poor dropped some 20 per cent.

He said:

"It has been primarily the nation's buoyant economy in recent years—the growth surge among the nation's businesses—that lifted more of these people across the poverty line to productivity, to hope and to ambition for themselves and their children by creating and expanding the enterprises that provide jobs."

Certainly the free enterprise system is the greatest antipoverty program ever launched and it is primarily through its continued operation that we draw our hope of eventually making significant inroads on world poverty.

Americans have a streak within them which is impatient with imperfection. We tend to magnify our problems and weaknesses. Speakers, editorialists, writers and politicians tend to focus on the problems of our society to an extent that we lose our perspective. And now that, for the first time in history, we are almost within range of solving our problem of poverty, slums and discrimination, it makes us all the more impatient to get it over with.

We are apt to lose sight of the fact that our problems are the problems of success, not of defeat.

It is the new technology which is largely responsible for bringing the rapid change which requires such staggering readjustments in our society.

Our environmental problems—air, water, and nature pollution—can be traced mostly to growth and progress. So can congestion—our mass transportation and highway needs, as well as the crowding of schools and colleges.

The unrest, even the violence that has become too much a part of modern city life, are inspired by our rising affluence. As society becomes able to meet more needs, there is growing impatience to have them met, and more conflict over which shall be met first.

But certainly I know that it is not enough to counsel patience in these times, and to suggest that we give the forces of the free enterprise system time to work out these problems.

A way is emerging which I believe will enable us to deal with the problems of our society in a more direct way, and remain consistent with our beliefs in regard to government and private enterprise.

I am speaking of the increasing involvement of business in public affairs—not only to the extent that business in assuming a great deal more responsibility for the consequences of its own actions on the public interest, but also the increasing number of cases where business is taking direct action on public problems.

For example:

The life insurance industry is investing $1 billion in ghetto housing and other facilities.

Seven New York commercial banks are providing a fund of $7 million for low interest financing to rehabilitate 50 aging buildings on Manhattan's upper West side,

Numerous companies have programs to hire and train the hard-core unemployed.

Raytheon, Montgomery Ward and other firms lend employees to perform social services.

Eastman Kodak has established a community development corporation to assist small businesses in the inner city,

And there are many, many other examples.

The importance of this lies not in the hope that business can, on its own, successfully eradicate the major problems of society; but in the momentous fact that there is a turning, a growing awareness of a larger responsibility, of a broader purpose, for business.

I think several factors are responsible.

One is the great expansion of government programs in recent years, and the fact that we are realizing these programs are not adequate. It is becoming apparent that they are not the answer and that, in themselves, these programs can never accomplish the goals they were established to achieve.

There is also the factor that these programs are tremendously expensive and in some cases downright wasteful.

On the other hand, we have come to realize that some of these public problems, reduced to their most basic aspects, are similiar to problems business has been successfully tackling with the help of advanced management methods and the tools of the new technology.

Also, I think that there is a growing awareness that many of the problems society faces can be dealt with by business or a combination of business and government because they have a basic economic aspect. A ghetto is largely an economic problem. Some cases of civil unrest can be traced to economic origins. Training of hard-core unemployed has economic advantages. Pollution, urban blight and city congestion all have economic undertones. And there is no question but what poverty is mostly economic in nature.

Businessmen, meanwhile, have been struggling with their own consciences. The traditional belief is that the purpose of business is to make a profit and its operations should conform solely with that objective.

But businessmen are seeing their public involvement in a different light. They are seeing incentives in new forms. They are fully aware that the nature of society has a direct effect on their operations and on their future. They understand that the alleviation of poverty has an impact on consumer spending and that training the hard-core unemployed may help alleviate the manpower problem.

But most of all, I think businessmen, like most other Americans, are increasingly aware, amidst our affluence, that certain problems cannot be permitted to go unattended if our society is to have health, meaning and value.

The question then is not whether business has anything to contribute to the solution of these problems, but how to mobilize greater participation from the private sector.

Many of the firms, like those mentioned earlier as examples, have sufficient incentive. Others could possibly benefit from government action to provide direct incentives in the form of tax credits for operations in the public interest, loan guarantees, below-market-interest rate loans, real property grants and others. Such incentives need to be studied and analyzed.

If business and government do succeed in finding ways to harness the techniques and spirit of profit-making enterprise for direct public action, in a way that is consistent with the preservation of voluntary enterprise, then it may well rank as one of the most significant developments of modern capitalism.

Business cannot do it alone. It must be a joint effort of business, government, and private individuals and organizations. We are becoming a concerned society, and I believe we will be able to leave the nation and the world a better place because of it.

I might also add that as we learn new approaches to public problem solving, we will be lifting our sights beyond the borders of our own country and seeking to carry the benefits of the private enterprise system and the affluence we enjoy to other less-developed countries.

Again let me say that I think a diagnosis of the private enterprise system as it is today will find it basically very healthy. Its performance has been outstanding, and its future promises more of the same. New developments, particularly the growing public responsibility of business, offer promising prospects for dealing with social problems and provide an effective answer to critics of the system.

Indeed, I not only think the free enterprise system is relevant to our times, I think it is necessary to our times.

And I think it would be very appropriate today for us to renew our dedication to preserve the principles of this great system in the coming years.

THE ATTACK ON THE NATIONAL LABOR RELATIONS BOARD

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. THOMPSON of New Jersey. Mr. Speaker, in the sound and fury of election year campaigning, while the attention of American voters has been focused on the truly important issues facing our society, a little noticed drama has been unfolding day by day. It involves the concentrated efforts of powerful groups to revise the Nation's labor relations laws in drastic ways and, at the same time, to abolish the National Labor Relations Board.

The scenario of this destructive drama has been revealed in a torrent of speeches, articles, and editorials. They have been clearly designed to discredit the Federal Labor Act and to cast ugly aspersions on the administration of the law by the NLRB, the U.S. courts of appeal, and the Supreme Court.

The weeping chorus in this drama, as in the ancient Greek theater, chants its lines over and over again:

"The law must be changed because unions are too powerful.

"The law must be changed because the will of Congress has been flouted.

"The NLRB must be abolished because it is unfair."

Dozens of editorials in the Wall Street Journal join in the chorus. Innumerable articles in publications of the U.S. Chamber of Commerce, the NAM, and other business organizations repeat the same incantations. Speeches, written by the pound, echo the same refrain. As was to be expected, the Reader's Digest joined this cynical chorus with a distorted and one-sided article in its August issue.

As chairman of the Special Subcommittee on Labor, I have a continuing concern with the policies and the administration of the Labor Act. This is an interest which is shared by many of my colleagues in the Congress, for this statute and its administration have made incalculable contributions to labor harmony and economic progress in the United States. Accordingly, I have made a study of the merits and the sources of these increasing attacks on the Labor Act, the NLRB, and the courts. I have concluded that these attacks do not reveal flaws in the law or its administration. Instead, they expose the existence of a highly organized, subtly conceived, and purposefully executed public relations campaign to mislead and to incite the public. On the basis of this campaign, its leaders apparently intend to make an unprecedented frontal assault on the Labor Act in the next Congress.

If there could be any doubt as to the purpose of this campaign, it was laid to rest by Peter J. Pestillo, labor relations manager of the U.S. Chamber of Commerce, in a speech which he delivered on September 12. He said that the forthcoming national election has "particular significance for labor law reform," for employers have "much at stake and the time to start protecting that stake is now." But how is this to be accomplished? The "public is the key," he said. William K. Zinke, vice president for industrial relations of the NAM made the same point last January when he told an audience:

> Before we can take action to introduce legislation seeking major labor law reform, it is necessary to create the kind of favorable public climate which resulted in the Taft-Hartley and Landrum-Griffin Acts.

What are the changes in the law which Mr. Pestillo and his fellow "reformers" propose, and what would be the consequence of their proposals? Let me comment on just a few of the key changes which Mr. Pestillo held out to his audience:

Eliminate the NLRB and replace it with a national labor court, or transfer its unfair labor practice cases—about 17,000 cases each year—to the U.S. district courts. The effect of this proposal would be to cripple and delay the administration of the law.

Reverse dozens of major Supreme Court and courts of appeal decisions on a variety of subjects which have upheld the NLRB's interpretation of the statute. For example, *Fiberboard Paper Products Corp.* v. *NLRB* (379 U.S. 203); *Joy Silk Mills* v. *NLRB* (185 F. 2d 732). The effect of this proposal would be to deprive employees of a whole range of rights and protections which Congress gave them.

Reverse a number of NLRB decisions concerning appropriate bargaining units, especially in the retail and insurance industries. The effect of this proposal would be to erect steep hurdles over which employees would have to jump if they decide to exercise the precious right to engage in collective bargaining with their employers.

Limit the remedies which the NLRB can fashion to prevent violations of the law. The effect of this proposal would be to assure the weakness of the law and to place a premium on violations of employee rights. The Special Subcommittee on Labor held hearings in 1967 which revealed the need for stronger remedies, not weaker ones.

Reverse a series of Supreme Court decisions which encourage private labor arbitration. The effect of this proposal would be to encourage contract violations and to force employees to strike to protect contract rights.

Eliminate the historical jurisdiction of the U.S. Court of Appeals for the District of Columbia to review the NLRB decisions, except in rare cases actually arising in Washington, D.C. This proposal, which is a gratuitous slap in the face of the judges of one of our most distinguished and experienced Federal courts, is intended to deprive the parties of the judgment of a court which has had extensive acquaintance with the problems of administrative law and practice.

Mr. Speaker, these are merely a few of the drastic proposals which the labor law "reformers" have in mind. All of them, I believe, are contrary to the public interest. All of them, I believe, are likely to create unprecedented labor strife in our country.

These are not new proposals. They are proposals which Congress has considered and systematically rejected, in a variety of forms, over the years. They are part of a fat package of antiworker and antiunion proposals which a "blue ribbon" committee of the chamber of commerce and the NAM have been working on since 1965, in the hope that there will be a change in administration and in the Congress next year. A distinguished Member of the other body exposed the history and objects of the "blue ribbon" committee, its "ripper" amendments and its well-financed public relations campaign in a perceptive speech delivered on August 2, and contained in the RECORD for that day.

I do not question the right of the chamber of commerce, the NAM, or any other group to propose legislative changes. Neither do I question their right to spend large amounts of their tax-exempt assets to try to persuade public opinion to support their views. My concern is twofold. First, the arguments of the labor law "reformers" are based on distortions, half-truths and hyperbole, calculated to mislead the public and the Congress as to the actual state of the law and the actual work of the NLRB. Second, their proposals are designed to deprive American workers of basic rights, to weaken the institution of collective bargaining, to jeopardize stable labor relationships, and to threaten the health and orderly progress of our economy.

It is anomalous that the very groups, which historically have fought every legislative proposal to improve the welfare of the American worker, have now piously cast themselves as his champion, and they assert that they will protect him against the laws which Congress passed and the Government agency which Congress created to protect him. There can be no mistake that their purpose is simply to strip the American workingman of protections which Congress has painstakingly enacted over a period of 33 years.

If the Chamber of Commerce, the NAM and Hill & Knowlton, their public relations firm, were truly concerned with the welfare of the American worker, why have they not expressed any sympathy for him in the past when his rights were being flagrantly violated by employers? Where were their articles, speeches, and editorials when the giant J. P. Stevens firm was found to have violated the Labor Act on repeated occasions?

Speaking of J. P. Stevens and its massive violations of the Federal law, as found by the NLRB and Federal courts, the Wall Street Journal reported on July 19 that the president of J. P. Stevens has been selected to serve as one of Mr. Nixon's "economic advisers." One can easily imagine the kind of economic and labor relations counsel that this gentleman will give Mr. Nixon.

Mr. Nixon has maintained a discreet silence on the subject of labor legislation during his campaign, but I wonder whether his silence conceals a legislative program which his "economic advisers" may now be preparing. The Republican platform plank on labor is artfully veiled when it pledges "to prevent any administrative agency entrusted with labor law enforcement from defying the letter and spirit of these laws." What does this mean? Arthur Krock lifted this veil in the New York Times on August 7, observing that the "obvious target" of this plank is the NLRB.

Although Mr. Nixon has not publicly associated himself with these proposals to undermine the rights of American workers and to destroy the NLRB, he has chosen to associate himself with the proponents of these proposals. I have already mentioned his choice of the president of J. P. Stevens as one of his economic advisers. The press also reports that Mr. Nixon apparently relies upon the advice of the distinguished Republican Member of the other body from South Carolina, who has coauthored the Griffin-Thurmond bill—S. 1353—to abolish the NLRB and to create a national labor court with 15 judges who would serve for 20-year terms.

There have been other indications of where Mr. Nixon stands on these labor revision proposals. His condemnation of the California grape boycott, which is now being conducted by struggling California farmworkers, is well known. It is not widely known, however, that Mr. Nixon recently wrote a letter to the newspaper of the International Society of Skilled Trades. In this letter, which appeared in the June issue of the American Craftsman, Mr. Nixon made a number of ill-concealed attacks on the NLRB. He promised that, if elected President, he would take "such action as is required to conform the actions of the NLRB to the intent of Congress." In the background of the massive public relations campaign which I have just outlined, I believe that Mr. Nixon's guarded promise can be understood quite clearly.

Last year the Special Subcommittee on Labor held a series of hearings on the subject of remedies under the Labor Act. Although the report of those hearings has not yet been published, most of the witnesses testified that the Labor Act needs strengthening to make its remedies more effective. The proposals which I have discussed today would not only weaken the present remedies of the law but would also undercut existing rights of employees. It is for this reason that I call attention to this unfolding drama of distortion which has as its object to subvert our labor laws to the detriment of the American worker.

Several weeks ago the American Conservative Union published a booklet by Sylvester Petro in which he called for dismantling of the "entire election apparatus of the NLRB" and for elimination of the "collective bargaining principle" itself.

Mr. Speaker, such proposals should disturb every responsible citizen, for they threaten the welfare of individual workers and the very institution of peaceful, democratic collective bargaining.

CALIFORNIA NEGRO HISTORY

HON. THOMAS H. KUCHEL

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Monday, October 7, 1968

Mr. KUCHEL. Mr. President, on Friday, October 4, 1968, I placed the second three of 10 articles entitled "California Negro History" in the RECORD. This series was published by the San Francisco Examiner and written by Mr. Harry Johanesen.

I ask unanimous consent that the concluding four articles be printed in the Extensions of Remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the San Francisco (Calif.) Examiner, July 30, 1968]

CALIFORNIA NEGRO HISTORY: THE BATTLE AGAINST CALIFORNIA PREJUDICE

(By Harry Johanesen)

California's black pioneers fought long and hard for the right to be accepted as witnesses in state court proceedings.

Beginning in 1856, they petitioned the Legislature many times, asking for repeal of the law that prohibited Afro-Americans from testifying in civil or criminal cases involving white persons.

The formal petitions, signed by both black and white citizens of prominence, followed three years of futile lobbying for repeal by members of the San Francisco Franchise League, a Negro rights organization formed in 1852.

After suffering an angry rebuff in Sacramento in 1856, the League set Dec. 9 of that year for the Second Annual Convention of the Colored Citizens of California and again chose the state capital as the site for the conclave. Sixty-one delegates from 17 counties responded.

The pre-Christmas meeting, unlike the restrained 1855 convention, produced strong statements revolving around the question of loyalty to country as well as some telling blasts at the white population in general.

THE POWER

But delegtae Emory Waters of Nevada County probably best expressed the convention's more pragmatic feelings during an argument over use of the word "white" in a proposed plea for public support.

"It is essential to a good understanding of the matter that, in an address to the public generally, we should retain this word," said Waters. "We want to appeal to the whites specially, to let them know we mean something definite.

"They have the power. We know it, they know it. We appeal to them as whites to use that power beneficiently toward us. We must appeal to them as superiors."

Waters' view was sustained.

Records of the convention proceedings reflect both the mood and the high caliber of men who were in the fight for a citizen's basic rights in pro-slavery California.

RESOLUTION

Here is how Samuel B. Hyer, San Joaquin County delegate, felt about the law invalidating the testimony of Afro-Americans in courts of law:

"This deprivation subjects us to many outrages and aggressions by wicked and unprincipled white men. By it, prejudice is aroused against us that would not exist but for this statute."

The loyalty issue arose over a proposed resolution saying:

"Resolved, that we claim our rights in this country as any other class, not as citizens by adoption, but by right of birth; that we hail with delight its onward progress, sympathize with it in its adversity, and would freely cast our lot in the fortunes of battle to protect her against foreign invasion."

Delegate William H. Newby of San Francisco objected to the statements hailing the Nation's progress and committing Negroes to rush to her defense against aggressors.

"No man can expect me to do this in a country whose prosperity and wealth have been built upon our sweat and blood," he said.

"What is the history of the past in America but the history of wrongs and cruelties such as no other people upon the face of the earth have been forced to endure? The same institutions that bless the white men are made the curse of the colored man . . ."

"Let the whites put away their prejudice and hatred against the colored man and do a just part by us. And when they do this, we shall feel we have a country—that patriotism is a virtue."

HATED THE LAW

Delegate James Hubbard of Sacramento said he loved the land of his birth but hated "the laws which sustain her slave pens and prisons, her auction blocks and the selling of human beings, the branding of men and the scourging of women, the separation of man and wife, parents and children. Fight for the protection of these, no"!

Other delegates argued successfully against altering the resolution.

Thomas Dettner, a Sacramento County delegate, delivered the most effective argument for changing the testimony law. Shrewdly aiming his remarks at the white man, he said:

"The law relating to our testimony in the courts of California is but a shadow. It affords no protection to our families or property.

"I may see the assassin plunge his dagger to the vitals of my neighbor, yet in the eyes of the law I see it not. I may overhear the robber or incendiary plotting the injury or the utter ruin of my fellow citizen, and yet in the judgment of the law I hear it not.

"The robbery may follow, the conflagration may do its work, and the author of evil may go unpunished because only a colored man saw the act or heard the plot. . . .

"Is it not evident that the white citizen is an equal sufferer with us? When will the people of this state learn that justice to the colored man is justice to themselves?"

ELECTIONS

Nevertheless, the State of California continued to exclude Negroes from testifying for or against white persons until 1863—two years after the beginning of the Civil War.

Many opponents of Negro testimony had been defeated at the 1862 election, paving the way for introduction of a successful bill by Senator Richard F. Perkins of San Francisco.

The Perkins bill amended the law to permit Negro testimony in all court cases, but it prohibited "Mongolians, Chinese, Indians" and persons of one-half or more Indian blood from giving evidence in favor of or against a white person. The entire law was finally repealed in 1872.

Hittel's History of California, in recording the 1863 amendment, stated:

"It was one of the glories of the Legislature of 1863 that it made the first break in the illiberal and disgraceful provisions of the Legislature of 1850, that no black or mulatto person or Indian should be permitted to give evidence in any court of the State in an action in which a white person was a party."

Jubilant San Francisco leaders of the colored convention movement now directed fire at the law prohibiting Negroes from participating in elections or holding public office.

The suffrage question had been discussed at statewide conventions in a half-hearted manner, doubtless because it was considered a hopeless issue until the right to testify had been won.

It became the major black demand in 1864, but public feeling against allowing Negroes to vote continued strong for several years—so strong that in 1867 San Francisco Democrats won an election largely on the issue of preventing Negroes and Orientals from voting.

Voters in other states eventually settled the issue for the entire country by approving a constitutional amendment granting Negroes the right to vote in U.S. elections.

The 15th Amendment, which was not ratified by California, became the law of the land after national adoption in 1869.

[From the San Francisco (Calif.) Examiner, July 31, 1968]

NINETY YEARS AGO: HOW SCHOOL INTEGRATION BEGAN IN SAN FRANCISCO

(By Harry Johanesen)

San Francisco had its own history-making "Little James Meridith Case" almost a century ago.

The emotion-laden episode, a remarkable harbinger of events in this century at the University of Mississippi, Little Rock and elsewhere in the South, had its beginning on September 24, 1872.

On that day a Negro child named Mary Frances Ward tried to integrate the Broadway Grammar School, a public school dedicated to the education of white children only.

On the same day the California State Supreme Court agreed to consider a petition filed on behalf of Mary Frances, whose determined father demanded that his daughter be admitted to the school, her blackness notwithstanding.

It was a test case challenging the constitutionality of California laws banning children of African, Mongolian or Indian descent from public schools.

Negro parents throughout the state financed the court action after a long and unsuccessful campaign to change the law.

In 1885, the school laws had ignored non-white children. One law simply required "50 heads of white families" to petition for establishment of a school if they wanted one. The state would then support it.

In 1860, Negroes, Mongolians and Indians were specifically excluded by law from public schools, and any school accepting them could have had its state support funds cut off by the State Superintendent of Public Instruction.

The law at that time regarded the children of non-white parents as "prohibited parties." It provided that separate schools should be set up for them in districts where parents of ten or more submitted applications in writing for such a school.

LET-ME-IN GESTURE

In 1866, non-white children who lived "under the care of white people" could be admitted to public schools by a majority vote of local school boards.

Little Mary Frances Ward's knock at the door of the Broadway Grammar School was a let-me-in gesture just as significant as James Meridith's was to be in his introduction of the black race to Mississippi University exactly 90 years later.

And San Francisco Attorney J. W. Dwindelle, in his 1872 appearance before the State Supreme Court on behalf of Mary Frances Ward, delivered arguments the United States Supreme Court again was to hear and act favorably upon in 1954.

"These colored children of African descent who are citizens have the right to be admitted to all the public schools of the State and cannot be compelled to resort to separate schools for colored children," Dwindelle told the court.

"We are told that by a just exercise of the police power of the Legislature these distinctions of color may be lawfully made and enforced.

LAST RESORT

"The police power! Gracious heavens! This is the power always invoked in desperate cases. The police power—the last resort of the tyrant, the last weapon for the assassination of written constitutions and of free institutions."

Dwindelle contended that segregation of school children violated the Bill of Rights and the 14th and 15th amendments to the Constitution.

The three-member court ruled that non-white children could not be legally excluded from public schools by reason of race or color if there were no separate and equal schools for them.

Events preceding the victorious decision for Mary Frances Ward had thoroughly aroused black communities throughout the state.

In Oakland, a colored school had been closed when Negro parents who lived in the vicinity had to move out of the district to areas where they could find employment. The children had no school near their new homes.

The few remaining Negro families in the district where the school was closed managed to get their children into white schools and some white parents immediately withdrew their children in protest.

SCHOOL CLOSED

The closing of a colored school in San Francisco around the same time had been recorded in "The Negro Trail Blazers of California," a book written in 1919 by Delilah Beasley. Mrs. Beasley recounted the incident in these words:

"The Board of Education closed the Broadway School, not because there were not enough colored children attending to keep it open, but because, as one member of the Board of Education said: 'It was a nuisance.'

"When asked to explain his remark more fully, he said, 'It was too close to a white school on the same street.' "

After months of campaigning by leaders of the Colored Convention Movement, the Oakland school board finally agreed to admit children of African descent to public schools in the fall of 1872.

The board evidently had seen the handwriting on the wall. Two bills pending in the Legislature at the time provided that all children should be admitted to public schools, regardless of color, and Negro determination to take the issue to court was crystallizing.

APPALLED

The first school for Afro-American children in San Francisco was opened May 22, 1854, according to the diary of the Rev. J. B. Sanderson, a Negro intellectual who was born and educated in Massachusetts.

Sanderson came to San Francisco in 1853 and was appalled to learn that Negro children in Cailfornia were "prohibited parties" to the public schools.

Surmounting great difficulties, Sanderson founded schools for the neglected youngsters of his race in Sacramento, Stockton and San Francisco.

Sanderson's diary contains the following 1854 report of the San Francisco Board of Education to the Common Council:

"A school for the colored population of our city has been established. It is located at the corner of Jackson and Virginia Place in the basement of the St. Cyprian Methodist Church.

"The lower room, which is 11 feet high and 50 by 25 feet surface, is well lighted, ventilated and has its walls hard-finished. This we have leased for one year, with the privilege of two years, at the monthly rental of $50, payable monthly in advance."

In 1861, the school report said a new school for colored children had been erected on Broadway at a cost of about $5500 for the lot, building and fixtures.

FIRST PUBLIC SCHOOL

Race didn't figure in any way in the planning for California's first public school.

This keystone institution was established in San Francisco in 1848, two years before Congress admitted California to the Union.

The event was recorded for posterity in Bancroft's History of California as follows:

"On the 24th of September 1847, the (San Francisco) Town Council appointed a committee consisting of William A. Leidesdorff, William Clark and William Glover to take measures for the establishing of a public school.

"A school house was erected on Porthmouth Square, dignified by the name of Public Institute, and on the 3rd of April, 1848, the school house was opened by Thomas Douglass, a Yale graduate, who received a salary of $1000 a year.

"From this beginning has grown, with some interruptions, the public school system of California."

At the very beginning then, of what now is a multi-billion dollar educational system in the Nation's most populous state, an Afro-American played a major role.

William A. Leidesdorff, one of The City's first prominent citizens, was a part-African sea captain born in the West Indies.

[From the San Francisco (Calif.) Examiner, Aug. 1, 1968]

CALIFORNIA NEGRO HISTORY: THE BLACK'S CONCERN FOR ALL OPPRESSED

(By Harry Johanesen)

Negroes in 19th Century California experienced some relief from prejudice against their race in the aftermath of great national calamities.

Their fortunes turned upward for a decade in the '60s as the Nation locked in civil war and then struggled to recover from the war and the assassination of President Lincoln.

They had won the right to testify in California courts during the war and their right to vote was granted in 1870 with adoption of the 15th amendment to the constitution.

Six months after Lee's surrender at Appomatox, California's Negro leaders turned their efforts toward problems of education and employment for black people.

But their concerns, brought to public attention at the fourth State Convention of Colored Citizens in Sacramento on Oct. 5, 1865, also embraced the oppressed elsewhere in the world, notably in Poland, Hungary and Ireland.

WANTED TO HELP IRISH

A formal expression of the convention sympathized with the oppressed of all nations, offered to extend American Negro aid to free them from bondage, and resolved:

"That the results of the late unfortunate and unsuccessful revolutions of Poland and Hungary to free those countries from the tyranny of Russia and Austria cause regret and commiseration to every friend of human liberty.

"That notwithstanding the opposition we receive from Irish immigrants in America, whose prejudices against us are excited by the misnamed Democratic Party, every effort to rid Ireland of English bondage and establish Irish independence meets our cordial approbation."

William H. Yates, a San Francisco delegate who had bought his freedom from slavery in Washington, D.C., told the convention:

"I would like to see 40 regiments of Irishmen defended by 40 regiments of blacks. I would gladly be one of those to go across the Atlantic and help give liberty to the oppressed of Ireland."

Yates was employed as a chief steward by the California Steamship Navigation Company of San Francisco.

The convention leaders, recognizing lack of education as a major factor contributing to prejudice against black people, urged Negro parents to aim their children at "the same high order of education developed among the white race."

SOLD FIVE TIMES

Why black people generally had little or no education was poignantly illustrated in an address by delegate D. W. Ruggles, an ex-slave who had been sold five times on the auction block in Louisiana.

While serving his fifth master, Ruggles related, he was befriended by an Englishman who was in the process of teaching him the alphabet when his master found out about this basic academic exercise.

The master reproved his English friend, telling the astonished visitor he was liable to imprisonment by the state for helping to educate a Negro in bondage. Ruggles, thereafter, taught himself to read and write by firelight.

In its final message to the state's 4086 Negro adults, the convention emphasized:

"To gain eminence in the new field of political equality, toward which our journey tends, we must prove ourselves equal in art, industry and labor, as well as in knowledge and piety, to all others. We must not be satisfied with mediocrity; we must endeavor to excel."

SOUGHT RAILROAD JOBS

In another message seeking mass employment for idle Negroes, the convention recommended the hiring of 20,000 to 30,000 "freed men" to work on the transcontinental railroad then under construction.

It pointed out to the railroad builders that Negro workers could not only build a railroad but could also "effectually settle the too frequent incursions of hostile Indians" on construction zones.

More and more Negroes came to California during the years after the 1865 convention until their total number reached 30,000 in 1893.

In July of that year, the Afro-American League of San Francisco called the first statewide congress of Afro-American Leagues to deal once again with education and employment problems besetting black people.

The congress convened July 30 at California Hall, then located at 620 Bush Street, with delegates from numerous counties attending.

That prejudice based primarily on skin color still blocked the Negro's economic and social advancement at that time was clearly demonstrated by some advertisements in the convention program.

One advertisement inserted by a fabric firm proclaimed: "The color line is not recognized by our house."

NEED FOR UNITY

The convention emphasized needs for racial unity, self-improvement, a generally higher level of jobs for Negroes, and took pride in the local league's three year old employment program.

A report to the convention said these jobs had been obtained for certain members out of employment:

One U.S. mail carrier; one U.S. gauger; two U.S. mail clerks; 13 porters; one railroad clerk; three messengers; three clerks in departments of the municipal government of San Francisco; 60 deputy U.S. marshals as election officers; one painter and one gardener in the school department; 11 laborers in Golden Gate Park and one lady attendant at the park playground. (Total hired by The City: 17.)

Some delegates deplored the "prevailing desire" of black people to be employed in menial jobs and said this should be corrected by a healthier desire to launch businesses of their own.

ESTABLISH BUSINESS

Accordingly, the convention urged Negro men and women to establish business enterprises on a cooperative basis and in competition with white-owned firms where they were denied jobs as clerks or sales people.

All the delegates pledged themselves to do everything in their power to "inspire the youths of our race to qualify for employment in the store, the factory, the counting house, the different trades and all the other industries of life."

Speakers at the congress included Mayor Adolph Sutro, J. J. Neimore, editor and founder of the California Eagle, a Negro newspaper published in Los Angeles, and Mrs. Sarah B. Cooper.

Mrs. Cooper, a prominent white woman who was associated with Mrs. Leland Stanford, Mrs. Phoebe Apperson Hearst and Mrs. Miranda Lux in educational projects for children, delivered an address entitled, "The Home—the True Foundation of the State."

A resolution adopted unanimously at the close of the convention called for annual New Year's Day celebrations of Emancipation Day by local Afro-American Leagues.

Theophilus B. Morton of San Francisco, who was elected president of the federated Afro-American Leagues, presented the resolution. Morton at that time was a messenger for the U.S. Court of Appeals. He later became the court's librarian.

[From the San Francisco (Calif.) Examiner, Aug. 2, 1968]

CALIFORNIA NEGRO HISTORY: WAR BROUGHT NEGRO INFLUX TO SAN FRANCISCO AND CHANGING STATUS

(By Harry Johanesen)

Most Californians swung into the 20th Century with high hopes for 100 years of prosperity for their own generation and those to come.

But these great expectations were not shared by the state's black residents, including about 1000 who lived in San Francisco at the time.

Most Negro pioneers and their offspring still were seeking a piece of the job action above the level of servant, janitor or bootblack.

Employment prospects for black people were practically non-existent, just as they were almost everywhere else in the Nation.

Nevertheless, many thousands continued to emigrate from the South, settling mostly in northern and border states. They felt practically no lure at all to the West and gave San Francisco a wide berth.

In 1910, there were 1642 Negroes in San Francisco. In 1920, after a world war had passed into history, their number had increased to 2414, a scarcely noticeable gain of 772.

This small rate of increase continued over the next two decades. In 1930 the total was 3803; in 1940, 4846.

TENFOLD INCREASE

The next decade brought a staggering tenfold increase as World War II and California's major role in the war effort generated a massive movement of Negroes to war production centers.

By 1950 there were 43,520 Negroes living in San Francisco. In 1960, 15 years after the war ended, the total had climbed to 74,383, and in 1967 to 97,000—13 percent of the total population as compared with .8 percent of the total in 1940.

But even before the war brought Negro workers to California in such great numbers, there were Negro voices demanding a better shake for black people in defense industries spending billions of dollars getting ready for the war.

One booming voice was that of C. L. Dellums, who came to San Francisco from Texas in 1925, hoping to work his way through the University of California law school.

Dellums turned to the Pullman Company for a job soon after he found out he couldn't get one in San Francisco. The results of his job-seeking efforts illustrate the situation in which Negro residents found themselves during the roaring 20s.

WELL QUALIFIED

"I applied for a waiter's job at the leading hotels," Dellums recalls. "I was well qualified, having worked as a waiter in the finest hotels in Texas, but in San Francisco they were shocked to have a Negro ask for a job other than bootblack.

"There were no jobs for Negroes at San Francisco hotels, much less a room for one."

Dellums, who founded the Western Regional Headquarters of the NAACP, joined the ranks of the Brotherhood of Sleeping Car Porters and was elected to the post of international vice president, a job he still holds today with headquarters in Oakland.

Remembering his frustrating job hunt in San Francisco, he became an effective disciple of A. Philip Randolph, international president of the union and a civil rights leader. Randolph and Dellums wanted equal employment opportunities for minorities.

The determined Negro leaders, supported by numerous and prominent white citizens in labor, the church and Jewish organizations, threatened a mass march on Washington in the summer of 1941.

President Roosevelt, long accustomed to direct action, extinguished the threat by issuing his famous Executive Order 8802, prohibiting discrimination in employment by recipients of defense contracts and by those in charge of government vocational education programs.

OPENED THE DOOR

Roosevelt's order opened the door to many thousands of jobs for Negro workers.

Four Kaiser Shipyards in Richmond employed 10,000 Negroes after the White House acted and after Dellums convinced the Kaiser interests a vast pool of minority workers was being overlooked by the war effort.

Many students of the civil rights movement regard Roosevelt's order as the breakthrough of the century in the Negro's battle for equal rights

But others regard it as only one of a great number of events that have pulled the racial problem to the forefront of America's affairs, touching the lives of all citizens.

For example, they point to the contributions of three great athletes in riveting the attention of the Nation to minority problems long dismissed with a shrug by most Americans.

The Nation jerked to attention when Jackie Robinson integrated major league sports, when Walter Gordon, a University of California Wonder Team star, integrated the Berkeley police department, and when Willie Mays took part in the integration of Mount Davidson.

FEDERAL JUDGE

Gordon, now a federal judge in the Virgin Islands, answered the question as to whether a Negro could be an effective police officer in a predominantly white community. For several years he was the only Negro on the Berkeley municipal payroll.

Major state laws affecting the rights of Negroes and other minorities in California have been enacted in the past two decades, but they didn't stop Watts from blowing up or prevent less serious racial outbreaks in San Francisco and other communities.

Most far-reaching were the 1959 Fair Employment Practices Act and the 1963 Fair Housing Act, both of them authored by William Bryon Rumford, a former Berkeley Assemblyman.

The FEP Act declares that it is the public policy of California to protect and safeguard the right and opportunity of all persons to seek, obtain, and hold employment without discrimination or abridgement on account of race, religious creed, color, national origin, or ancestry.

It recognizes equal opportunity as a civil right and empowers the Fair Employment Practices Commission to administer its provisions. Enactment came after more than 14 years of campaigning by the California Committee for Fair Practices, cochaired by Dellums.

DOORS UNLOCKED

The Fair Housing Act, also administered by the FEP Commission, declares that discrimination because of race, color, religion, national origin or ancestry in housing violates public policy. It also establishes methods of preventing and remedying violations.

Thus, Negroes in California have come a long way since pioneer days when their children were confined to segregated schools, when they were denied the right to vote or hold public office, when they were denied the right to testify in state courts and the right to participate in the homesteading of public lands.

Today they hold thousands of non-menial jobs in numerous businesses, industries and municipal government agencies; they hold public office and judgeships, they hold high level jobs by political appointment, and they are members of commissions and school boards in many communities—San Francisco, Oakland, Berkeley and Palo Alto, to name a few of the latter.

"We've removed the locks from the doors for them" says Dellums, who has been a member of the FEP Commission by appointment of former Gov. Edmund G. Brown since its inception. "If they find one locked, we can open it for them—or kick it in."

CONCERN FOR THE QUIET AMERICANS

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. BROCK. Mr. Speaker, we have been seeing news photos and stories filled with the unwashed, the dissatisfied, and the disloyal for some time now. It sometimes seems as if society's dropouts have managed to monopolize news coverage. But I recently read a moving letter in the Evening Star newspaper—September 26, 1968—from the mother of some of the men who are called on to protect us when dissident elements try to take the law into their own hands. I feel that this letter is an eloquent piece of testimony for the millions of silent Americans who have seen their opposite numbers gain ground, prestige, and publicity at the expense of common decency and the common good. I include it in the RECORD:

WHAT OF THE QUIET CRIES?

SIR: When I finish reading The Star these days, just as during the Democratic convention in Chicago, I put it aside with a feeling of despair. I am exhausted from the tense, fierce journalism so evident in our current newspapers.

Most people in this nation need a hint of reasonableness in their lives once more—a believable attitude on the part of the press—a less than violent approach to something—anything!

The news media, as a whole, are dragging a weary, heartsick, confused public in their wake. Most members of the press seems oblivious to the fact that they could help the nation immeasurably by striking a note of moderation—by injecting restraint into news stories—regardless of the subject matter or point of view.

"PIGS"; "DOGS"; "NAZIS"

My present husband and older son are in the District of Columbia National Guard; our younger son left college to enlist in the Army in late spring. For many months now I have listened and read and been patient; try as

I might I cannot see my husband and sons as "pigs," "dogs," or "Nazis"—or as anything other than men who have assumed the responsibilities that events at this time have thrust upon their shoulders.

The father of my sons (who is no longer living) was a Jew; he was also an officer in the U.S. Army during the Second World War. You may imagine that it is heartbreaking to me to hear the Guardsmen in Chicago (and in Washington, D.C., during last October's "Peace March") saluted as Nazis—and their function equated with that of the Gestapo.

It has been of great concern to the news media if the young demonstrator in Grant or Lincoln Park suffers from disillusionment or psychological injury; it is of equal concern to me that my sons overcome their anguish and dismay when they hear themselves described in such ugly and exaggerated terms. I can only rely on their intelligent restraint when they are baited in this manner, and hope that they can recognize the hypocrisy involved. My grief and distress at their plight are genuine; why has the press not sought to protect their feelings as young Americans? I cannot recall a single article in the local papers in the past year which was based on, or even sympathetic to, their viewpoint.

SUFFER AS PROFOUNDLY

I have outlined the circumstances in this household to point out that there are young people in this nation whose hearts and minds have suffered as profoundly as have those of the "disillusioned" protester—but who have remained less vocal, less strident; in order to prevent further strife and polarization in this nation—which they truly love. I sincerely hope my family can withstand the strain of pressures from the extremists—but the time has come when we could use support and understanding.

I cannot stress enough that reasonableness, a lack of vindictiveness and, most especially, careful reporting in our newspapers are essential for the citizens of this nation at this time.

SUSAN W. WAITIE.

ARMY SGT. JEFFREY A. DAVIS—HE KNEW WHY HE DIED

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Monday, October 7, 1968

Mr. FANNIN. Mr. President, a most poignant letter appeared in the September 27 edition of the Arizona Daily Wildcat, published by the University of Arizona, Tucson, Ariz. It is especially moving when one considers the infantile conduct of the so-called yippies during last week's hearings before the House Committee on Un-American Activities. The testimony in some aspects was terrifying. The most charitable description of the activities of these pre-Halloweenish clowns borders on the obscene.

So it is especially appealing to me when a student newspaper of the stature of the Wildcat runs the following letter as its lead editorial. I ask unanimous consent that the letter from Army Sgt. Jeffrey A. Davis, who died in Vietnam in September, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HE KNEW WHY HE DIED

(EDITOR'S NOTE.—The following article is the story of Army Sgt. Jeffrey A. Davis and his death. He died in Vietnam this month—but at least he knew what he was fighting . . . and dying for.)

The letter left to the bride of Army Sgt. Jeffrey A. Davis was marked "To be opened only in the event of my death."

Sergeant Davis, 20, of Brownsburg, Ind., was killed in Vietnam Sept. 4 and his bride of four months opened the letter to find it was a legacy for "the guys with the long hair and protest signs."

"It is too bad I had to die in another country . . . but at least I died for a reason and a good one," the letter read.

"I died for the guys with the long hair and protest signs. The draft card burners, the hippies, the anti-everything people who have nothing better to do. The college kids who think they shouldn't have to serve because they are too good.

"I died so those people could have a little longer time to get straightened out in life. God knows they need it.

"I died so those members of the 'young generation' could have the right to do what they do. To protest, have long hair, go to the college of their choice, wear weird clothes and run around mixed up with no direction at all.

"I died so they could protest the war I fought and died in.

"I died for the United States."

CAPPING THE RECORD

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. BOW. Mr. Speaker, I am delighted to submit for the RECORD an editorial from the Wyoming State Tribune of Cheyenne, Wyo., of September 26, 1968.

The editorial expresses what I am sure is of the feeling of many of BILL HARRISON's friends here in the House and he has many.

BILL came to the Congress in the 82d. His service here has been brilliant, and he shall surely be missed. The editorial follows:

CAPPING THE RECORD

"I have no personal political interest in the remarks I make today," said Congressman William Henry Harrison of Wyoming in a House speech yesterday. "I will not henceforth be concerned professionally with the future of the Central Arizona Project, nor the incalculable problems which will be its progeny. My purpose in these remarks is to lay the foundation for the introduction of a bill which addresses itself to Wyoming's chief concern at this point with the Central Arizona Project."

One can hardly have been surprised at the Wyoming congressman's remarks as to his own future. At 72, defeated in his primary election for a sixth term, it was indicated at the moment of defeat that William Henry Harrison, insofar as Congress was concerned, had wound up his career in the U.S. House of Representatives. The day after the election, Bill Harrison remarked philosophically to a friend who called to offer condolences that defeat happens to people who dwell too long on fickle public gratitude.

It did not matter in Wyoming that Mr. Harrison, at 72 an energetic man, far better preserved mentally and physically than his peer group, had an exemplary public service record; his party turned him out anyway. Nor did it matter that this defeat came by a bare 1,000-vote margin, it was defeat nevertheless.

Yet, in keeping with his personal dedication and integrity, Bill Harrison continued to do his duty where others would have sat down and said, "the hell with it."

He offered this bill, of which he spoke and in which he referred in passing to his own departure from the House of Representatives, to help shore up a legal record for some future day when it will become necessary to go to court to protect Wyoming's water rights from seizure by other states.

So once more Mr. Harrison has done his duty by this state.

In the kind of 72 years of living that Bill Harrison has managed to achieve, he remains too forward-looking and too vigorous to retire, and too healthy and vital to die. It is our hope he shall have a bright new future with a new Republican administration in Washington.

REPORT TO CONSTITUENTS

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. RAILSBACK. Mr. Speaker, I have just finished writing another yearend report to my constituents in the 19th District of Illinois concerning the activities and accomplishments of the 90th Congress and my participation in them. With unanimous consent I insert that report to be printed at this point in the RECORD so that my colleagues will be advised of the contents:

DEAR FRIENDS: As the 90th Congress draws to a close, it is proper to reflect and to summarize what has been achieved and what remains as unfinished business.

ACHIEVEMENTS

This Congress has passed a 13% raise in social security benefits; a mass of consumer legislation—some of it good, some of it already needing revision, but most of it indicating a new awareness by the Congress for consumer demands—including truth-in-lending, meat inspection, poultry inspection, and raising the standards required for flammable fabrics, to name a few; and major conservation legislation, including funding of the Air Quality Act, establishment of a National Water Commission to review the water resources of our Nation, legislation providing for a National Redwoods Park, a National Trails System, a National Scenic River System, and a Great Swamp Wilderness. However, much remains to be done in the field of conservation, especially with respect to air and water pollution.

Also, the House of Representatives approved a $72-billion defense appropriation for fiscal year 1969, which is the highest in the history of our country and of which over $30-billion is going to the war in Vietnam; a foreign aid program that has been reduced to its lowest level since its inception; and an anti-poverty program, which was somewhat revised to provide more local government participation. In addition, two raises in the debt limit ceiling were approved to permit our government to go further into legal debt; and a 10% tax surcharge was passed as part of a package including mandatory reductions in Federal spending. Veterans' benefits have been increased, and a bill was passed to protect veterans from pension cuts as a result of increased social security benefits.

This Congress also passed an Omnibus Crime Control Act, which, I am proud to say, includes the provisions of two bills that I originally introduced, as well as an amendment introduced by Congressman Bill Cahill and me which provided for the allocation of Federal funds to the States in the form of block grants to permit meaningful state participation in helping local law enforcement agencies to develop better training, research, improved communications, and other innovative projects.

Also, a Federal Housing Act was approved which hopefully will meet the tremendous demands for low income housing resulting from a multitude of causes, including a poorly administered urban renewal program through which poor people are being moved from their homes in some cities without any adequate provisions for replacement housing being made available to them.

In addition, other measures that were approved include a civil rights act which makes it a Federal offense to cross state lines for purposes of inciting a riot; a Federal open housing statute; a bill designed to protect civil rights workers in lawful pursuit of their activities; a firearms control act which bans the interstate sale of firearms and most ammunition to persons other than licensed dealers; a revised Federal aid to education program that permits more state participation, but which may not be adequately funded; expansion of a teacher corps program designed to encourage teachers to go into low income areas to teach and, which I, as a freshman observer, believe has a great deal of merit; as well as many other bills of less major significance.

UNFINISHED BUSINESS

At the present time the American farmer is suffering the consequences of a terrific cost-price squeeze which has caused an estimated 2,200 farms in Illinois to close this year. In my opinion, there was no meaningful farm legislation enacted by the 90th Congress. We must come up with a program designed to permit our farmers to participate in the economic growth of the rest of the country. The farm program under which we have been operating for the past few years was scheduled to expire on December 31, 1969. Rather than extend it at this time, I would have preferred to have the Congress attempt to improve it early next year. If they were not successful, it could have always been extended, if necessary, before it expired at the end of next year. However, the Congress approved a one-year extension of the program.

There is an obvious need for electoral college reform, as well as election reform generally which would include guidelines to indicate what is proper and what is improper where campaign funds are concerned. A legislative reorganization act is urgently needed that, along with other things, will improve the present seniority system and committee system in the Congress, provide adequate minority staffing for Congressional committees, and generally streamline legislative procedures.

It is my belief that income tax exemptions should be increased to realistically reflect the great increase in the cost of living since 1948, the last time the exemption was raised to the current $600. As a matter of fact, I introduced a bill to increase the exemption from $600 to $1,000, but was never able to get a hearing on it. Tax credits are needed to help parents who are sending their children to college, as well as to encourage industry to train unemployed and unskilled workers so that they can find jobs. Under present job training programs, all too often jobs have not been available after unskilled people have been trained with a particular skill. In other words, there has been no proper followthrough to see that jobs are available once the trainees have been trained. Also, I feel that there should be a mandatory retirement age for Federal judges, similar to the one in effect in Illinois, which would require Federal judges to retire at age 70. These are what I consider to be the major pieces of legislation before the 90th Congress which did not receive final action. It is my hope that future Congresses will soon act on these important measures.

VISITORS AND EVENTS

A Congressman has many duties and responsibilities to fulfill as part of the obligations of the office. These have kept me very busy. Almost 900 residents of the 19th Congressional District of Illinois have visited me in my Washington office this year. This is in addition to the more than 1,000 persons who visited me during 1967. Also, this year I have made 29 separate trips back to the District, including the three and one-half weeks I was there during the August recess. I have attended 117 receptions, luncheons, and dinners in Washington this year, in addition to many more in the District, and have attended 57 committee meetings, including task force meetings. In addition, I have filled 7 outside speaking engagements and attended 8 conferences this year. In April I testified before the Illinois Senate Judiciary Committee Subcommittee on Law Enforcement on the role of the states in crime prevention and law enforcement, as envisioned by the President's Crime Commission and the Omnibus Crime Control and Safe Streets Act of 1968. However, I still have maintained a 91.7% attendance record, through the end of September, on 361 record votes taken this year in the House. Also, I have introduced or cosponsored a total of 17 pieces of legislation this year.

SERVING YOU

One of the most rewarding aspects of my job as your representative in Washington has been to assist the approximately 1,500 persons in the 19th Congressional District who have asked me for help with their individual problems. In many cases we have been able to expedite or cut through the red tape for these individuals in such matters social security benefits, military and veterans' affairs, immigration and others. Also, many municipalities and local government and community agencies have requested help in obtaining funds for much needed projects. Two of my secretaries in Washington have devoted full time to answering these requests for help from these constituents.

LEGISLATIVE RESPONSIBILITY

As I wrote you in my year-end report of last year, one of my major objectives, while in Congress, has been to reverse the trend we have seen over the past several years toward increasing the power of the Federal Government. I have been an initiator and strong supporter of legislation which is designed to increase the power of the states and local agencies, particularly in the use and distribution of Federal funds.

Also, as a member of the House Judiciary Committee and a member of Subcommittee Number 5, which handles all crime legislation, most of my efforts have been focused on combatting the crime problem that is facing the country today. It is a complex problem because it involves so many different types of misconduct caused by so many different motivations—organized crime, juvenile and adult streets crimes, and crimes related to civil disorders. All of these offenses have been on the increase and the most recent FBI statistics indicate an 89% increase in the crime rate since 1960. It is my belief that any attack on crime must concentrate with concerted attention on the law enforcement process itself. It is not enough to say that we must first determine the causes before taking action to combat the existing problem. We must continue to research the causes and at the same time we must deal with the existing problem by enforcing the present laws.

PERSONAL CONTACTS

During the last twenty-one months, we have made a practice of having periodic office hours in each of the counties in the District. The response to this has been tremendous. It has given us an opportunity to hear and learn first-hand of the problems confronting the people in the District. It has also meant that I could give personal attention to urgent problems that required immediate attention.

In addition, during the past two years, I have had several meetings with various occupational groups throughout the District. For example, I have held five separate meetings during the past year and a half with farmers representing all eight counties in the District. These were informal, give-and-take sessions where farm problems were discussed frankly and openly, and recommendations for possible solutions were made. I personally felt that they were extremely beneficial.

I have met at various times with different groups of persons throughout the District to discuss general problems. For example, business, labor, church, youth, postal, conservationist and many other groups have asked me to meet with them and discuss such things as the tax increase, the war in Vietnam, and gun control legislation. I have enjoyed these meetings and have learned a great deal from them.

Also, each year I have sent out a questionnaire to all of the residents in the 19th District in an attempt to learn their opinions on many of the issues facing the Congress. Here again the response to these has been tremendous. Many people have expressed their opinions on the major issues facing our country today. The results of these have been of great value to me in determining how I would vote on many of the bills that have come before the Congress.

ACADEMY APPOINTMENTS

The United States Air Force Academy at Colorado Springs, Colorado; Military Academy at West Point, New York; and Naval Academy at Annapolis, Maryland, have all informed me that the 19th Congressional District will have vacancies to fill in the class entering in 1969. To be eligible for appointment, the young men must be unmarried and never have been married; and have a satisfactory prior academic record and ability to pass the entrance examinations—both medical and academic. The young men must be at least 17 years of age and not have passed their 22nd birthday before admittance to the Academy.

If you are or know of someone who is interested, please write to me as soon as possible. The Academies would like to have names submitted to them before the end of the year, if possible. Thank you.

WRITE ME

It is not always possible to meet you personally and sit down and discuss things. If there is ever anything that I can do to help you, please write me at 1122 House Office Building, Washington, D.C., 20515, or contact my District Representative, Ben Polk, at 211 19th Street, Room 228, Rock Island, Illinois. He is always more than willing to help you in anyway that he can during my absences from the District.

Best wishes,

TOM RAILSBACK.

NATIONAL BUSINESS WOMEN'S WEEK

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mrs. REID of Illinois. Mr. Speaker, during the week of October 20 to 26, the Nation will once again observe National Business Women's Week.

This annual observance gives all of us an opportunity to salute anew the millions of women in our national labor force and calls special attention to the increasingly important role being played by women in all fields of endeavor today.

As a woman in the Congress, as well as a member of the Aurora, Ill., Business and Professional Women's Club, I am proud that women all across the country are taking such an active interest in all legislative matters affecting their homes and their communities. The more than 3,800 clubs with over 180,000 members throughout the United States are affording commendable leadership to women everywhere, and I think the legislative purposes of this outstanding organization are particularly noteworthy. As adopted by their national convention in Minneapolis last July, they are:

To elevate standards for the employed woman, to promote her interests, to create a spirit of cooperation, to expand opportunities through industrial, scientific, and vocational activities, to secure equal consideration under the law, and to establish conditions which assure both men and women the fullest opportunity and reward for the development of their capacities to the maximum potential.

To consider the place and responsibility of the employed woman as a concerned citizen in the complex democratic society of the United States, and to strengthen the role of this Nation in world affairs.

I hope all of you will join with me in applauding the achievements of the National Federation of Business and Professional Women's Clubs, Inc., during National Business Women's Week this month.

THE SPIRIT THAT REFLECTS AMERICA'S GREATNESS

HON. ALEXANDER PIRNIE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. PIRNIE. Mr. Speaker, recently the cost of war fell heavily upon a family in my district. A gallant marine was killed in action while on night patrol in Thua Pien, Vietnam. His body was returned to his homeland and last Saturday he was laid at rest in his native city of Rome, N. Y. He was John Tanney, the 19-year-old son of Mr. and Mrs. Donald Tanney. He also left two brothers, Tom and Bob, and a sister, Cindy.

When I visited this bereaved family, I glimpsed a spirit which reflects the greatness of America. The surviving parents showed me a letter which John had left for his curlyheaded, 17-month-old brother, Bob. This letter was intended to express for all time his love for the little brother and his concern for the world in which he would live. But it says much more than that—it reveals the innermost feelings of a boy who at an early age had overcome selfishness and fear. It portrays his pride in his manhood, his love of country and his faith in his cause.

With the permission of the family, I am sharing John's letter in the hope that its tender, but stirring, message will inspire others to live as nobly and courageously as he died. John would wish that.

APRIL 7, 1968.

DEAR BROTHER BOB ("BIRD"): I know that you won't be able to read this for awhile, but I just felt a compulsion to write to you anyway.

I'm waiting to be picked up by helicopter with the rest of my buddies, to push on to Hills 861, 881, 881 north and 689. My platoon is spearheading the assault up Hill 881 north. The enemy has many soldiers up top and they are dug in as good as we are at Khe Sanh. It will be a hard and bitter struggle, but as always, we Marines will take the objective.

You are little now and haven't the slightest idea of what is going on in the world. But what we are doing here, concerns all. It is important for you to remember, that we are fighting for freedom for Vietnam. The Bible says, "I am my brother's keeper." This is true also for our Vietnamese brothers.

Someday, when you come of age, you too will render your services to your Country. You do not have to join the Marine Corps because I did. Just fulfill your duty—your privilege. Yes, it is a privilege to fight for a noble cause. War is far, far, worse than hell. Men are torn apart like a worn out rag doll. War has a smell to it. It is the rotten smell of charred flesh. War has sounds. They are the screams of men dying. Bob—I hope that you will never have to go to war. I hope that we can stop this from spreading. I hope that the men of peace will sit down and discuss living in peace—but, alas, I hope in vain.

I am nearly going crazy thinking about assaulting that hill. But I am a Marine, and I shall not falter. I will be confident in the Lord and my training as a Marine. Bob—if anything should happen, remember this, I am fighting for what I believe in—you, Mom, Dad, Tom & Cindy. I am fighting for my children and my children's children. I am fighting for the right to choose my own religion, make my own decisions, and to be my own man. And yes, I am fighting for my flag. My Country means a lot to me and I am proud to fight for it. I know that you will be too!

You know, I am over 18 years older than you and I have spent so little time with you. But you are near me. Not so much as in my mind, as in my heart.

I hope that your generation of people, will respect what we are doing here. I hope that they will understand that we too love life. We have lost many friends and now it is time for the enemy to lose some.

We are United States Marines. We are the best troops in the world. We fight odds that are heavily against us—and win! Our spirit is indomitable, our courage is unexcelled, and our loyalty is unquestionable.

I felt like writing to you. Perhaps it sounds foolish. Perhaps it is. But you can never imagine what it is like—not knowing if I'm coming back down that hill. I wanted you to have something to you from me. I love you Bob, but you are too young to know it. Someday—you will know. I will leave now. Time is short.

Love to you.

BROTHER JOHN.

LISTING OF OPERATING FEDERAL ASSISTANCE PROGRAMS AS COMPILED DURING THE ROTH STUDY

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. ROTH. Mr. Speaker, my listing of 1091 operating Federal assistance programs was inserted into the June 25 CONGRESSIONAL RECORD by the Honorable CHARLES E. GOODELL, of New York, beginning at page 18611. Since that time, I have received 22 more responses to my questionnaire, and have discovered a few errors in the original listing. As I indicated on June 25, I said I would update my listing as more of the questionnaires were answered, and here follows the 22 additional responses:

NO. 1.20—AIR POLLUTION CONTROL PROGRAM GRANTS

Authorizing Statute: Clean Air Act, P.L. 90–148, Section 105.

Administrator: Charles D. Yaffe, Chief, Control Agency Development Program, National Air Pollution Control Administration.

Nature of Program: Grants are for the purpose of assisting air pollution control agencies in planning, developing, establishing, and maintaining programs for the prevention and control of air pollution.

Eligibility: Official State, municipal, intermunicipal, and interstate air pollution control agencies.

Available Assistance: Grants-in-aid.

Funding Use Restrictions: Grant funds may be used for those direct costs specifically incurred in the conduct of an approved project. They include personnel, equipment, supplies, travel, training, and other costs such as books and periodicals, communications, maintenance and repairs, etc., necessary to the conduct of the approved project or program.

Appropriations Sought: FY 1969, $24,300,000.

Past Appropriations: FY, 1968, $20,259,000; FY 1967, $7,000,000; FY 1966, $5,000,000.

Obligations Incurred: FY 1968, $19,500,000 (estimated); FY 1967, $6,964,000; FY 1966, $4,966,000.

Average Assistance: $70,000.

Assistance Prerequisites: For project grants, applicant agencies must plan, develop, or have an acceptable "workable program" which conforms to requirements of Section 56.21 of the Regulations. For maintenance grants, agencies must have in effective operation a "workable program" as described in Section 56.31 of the Regulations.

Other conditions relating to fiscal and other policy matters are contained in the Regulations and the grants manual.

Postgrant Requirements: Final narrative and fiscal reports 90 days after completion of project.

Washington Contact: Charles D. Yaffe, Chief, Control Agency Development Program, National Air Pollution Control Aministration, 801 North Randolph Street, Arlington, Virginia 22203; Telephone: (703) 557–0399.

Local Contact: Regional Offices.

Application Deadlines: Applications may be submitted at any time. Applications are eligible for consideration for funds becoming available on the first day of the second month following post mark date.

Approval/Disapproval Time: 60 days.

Reworking Time: 5 days.

Related Programs: This Program provides technical assistance to control agencies, air pollution survey and demonstration grants, air pollution research grants, air pollution training grants, and air pollution fellowship grants.

NO. 1.21—AIR POLLUTION RESEARCH PROGRAM

Authorized Statute: Clean Air Act (P.L. 90–148) Section 103 and Section 104.

Administrator: Dr. Charles Walters, Chief, Office of Research Grants, National Air Pollution Control Administration.

Nature of Program: The program provides support through the mechanism of research grants to establish, expand, and improve research projects in the field of air pollution prevention and control.

Eligibility: Public or non-profit institutions or individuals.

Available Assistance: Research grants in which the grantee also participates in the cost of each research project.

Funding Use Restrictions: Funds may be expended for personnel salaries, consultant services, equipment, supplies, domestic and foreign travel, hospitalization, outpatient costs, alterations and renovations of structures, and publication costs.

Appropriations Sought: FY 1969, $8,000,000.

Past Appropriations: FY 1968, $7,431,000; FY 1967, $6,218,000; FY 1966, $5,339,000.

Obligations Incurred: FY 1968, $7,431,000 (anticipated); FY 1967, $6,218,000; FY 1966, $5,339,000.

Average Assistance: $37,500.

Assistance Prerequisites: The applicant's research activities are assessed on scientific merit, program relevance, and consonance with public policy. Projects supported in other countries must be concerned with problems of interest to both the U.S. and foreign scientists and be justified by the utilization of research resources not ordinarily found in the U.S. The applicant must be a public or non-profit institution or individual and must receive the favorable recommendation of the National Advisory Urban and Industrial Health Council, a panel of research scientists and other qualified individuals recruited from universities and other public and non-profit institutions to advise on the scientific merit of research proposals.

Postgrant Requirements: (a) Annual Report of Expenditures (PHS 421); (b) Interim Progress Report; (c) Terminal Report; (d) Invention Report and Annual Invention Statement (PHS–3945).

Washington Contact: Dr. Charles Walters, Room 601, Ballston Center Tower II, 801 North Randolph Street, Arlington, Virginia 22203; Phone (703) 557–0322.

Local Contact: Regional Representatives.

Application Deadlines: The National Advisory Urban and Industrial Health Council meets three times a year to review grant applications. The deadlines for review at these sessions are:

Deadline	*Council-review*
October 1	March
February 1	June–July
June 1	November

Approval/Disapproval Time: Approximately 6 months.

Reworking Time: Approximately 6 months.

Related Programs: Air pollution control program grants, air pollution survey and demonstration grants, air pollution training grants, and air pollution fellowship grants.

NO. 1.22—AIR POLLUTION SURVEY AND DEMONSTRATION GRANTS

Authorizing Statute: Clean Air Act, P. L. 90–148, Section 103.

Administrator: Charles D. Yaffe, Chief, Control Agency Development Program, National Air Pollution Control Administration.

Nature of Program: To provide financial assistance for surveys and demonstrations relating to the causes, effects, extent, prevention, and control of air pollution.

Eligibility: Air pollution control agencies and other appropriate public or private agencies and institutions.

Available Assistance: Grants-in-aid.

Funding Use Restrictions: Grant funds may be used for those direct costs specifically incurred in the conduct of an approval project. Such costs include personnel, equipment, supplies, travel, training and other costs necessary to carry out the approved project.

Appropriations Sought: FY 1969, $2,000,000.

Past Appropriations: FY 1968, $2,000,000; FY 1967, $2,000,000 (includes $525,000 earmarked for coal mine refuse pile fire demonstrations); FY 1966, $1,850,000 (includes $975,000 earmarked for coal mine refuse pile fire demonstrations).

Obligations Incurred: FY 1968, $1,610,000; FY 1967, $1,999,687; FY 1966, $1,850,000.

Average Assistance: $100,000.

Assistance Prerequisites: Grants may not be made to profit-making organizations. Specific conditions depend upon the nature of the project and the type of agency receiving assistance.

Postgrant Requirements: Final narrative and fiscal reports—90 days after completion of project.

Washington Contact: Charles D. Yaffe, Chief, Control Agency Development Program, National Air Pollution Control Administration, 801 North Randolph Street, Arlington, Virginia 22203. Telephone: Area Code 703–557–0399.

Local Contact: Regional Offices.

Application Deadlines: Applications may be submitted at any time.

Approval/Disapproval Time: 60 days.

Reworking Time: 10 days.

Related Programs: Air pollution control program grants, air pollution research grants, air pollution training grants, and air pollution fellowship grants.

NO. 1.23–1.24—TRAINING AND FELLOWSHIP GRANTS

Title: (a) Air Pollution Training Grants; (b) Air Pollution Fellowships.

Authorizing Statute: (a) Clean Air Act, P.L. 90–148, Sec. 103(b) (3) and (5); (b) Clean Air Act, P.L. 90–148, Sec. 103(b) (5) and (7).

Administrator: (a) James C. Cross, Chief, Training Grants and Fellowships Section, Training Program, National Air Pollution Control Administration, 411 West Chapel Hill Street, Durham, North Carolina 27701; (b) Same as (a).

Nature of Program: (a) Makes grants to universities and non-profit organizations to assist in developing programs in research, administration, technical application, teaching, and other activities related to air pollution control in order to help meet the manpower needs in this field; (b) Grants fellowships to individuals for graduate-level study in the engineering and physical sciences, biometeorology, and the bio-medicine and socio-economic aspects of air pollution.

Eligibility: (a) Academic institutions or non-profit organizations for graduate or specialists training, curriculum development, and support in air pollution control studies; (b) Predoctoral and postdoctoral candidates submitting satisfactory transcripts of undergraduate and graduate work and evidence of suitable qualifications.

Available Assistance: (a) Financial training grants for a period of seven years or less; (b) Financially supported fellowships.

Funding Use Restrictions: (a) Funds may be expended for personnel salaries, consultant services, equipment, supplies, trainee travel during training period, alterations and renovations of structures, publications, trainee stipends, trainee tuition and fees, and trainee travel to training institution; (b) Funds may be expended for student stipends, tuition and fees, travel to school, and dependency allowance.

Appropriations Sought: (a) FY 69, $2,858,000; (b) FY 69, $468,000.

Past Appropriations: (a) FY 1968, $2,691,000; FY 1967, $2,040,000; FY 1966, $1,309,000.

(b) FY 1968, $468,000; FY 1967 $402,405; FY 1966, $359,479.

Obligations Incurred: (a) FY 1968, $2,691,000; FY 1967, $2,040,000; FY 1966, $1,309,000.

(b) FY 1968, $466,792; FY 1967, $402,405; FY 1966, $359,479.

Average Assistance: (a) Graduate (1968) approximately $103,000, Specialist (1968) approximately $66,000; (b) $6,650.

Assistance Prerequisites:

(a) Applications are assessed on merit, training capability, program relevance, and consonance with public policy. They are reviewed by the National Air Pollution Manpower Development Advisory Committee composed of non-federal experts in the scientific and technical aspects of air pollution control and those favorably recommended by the Advisory Committee and/or the National Air Pollution Control Administration are funded on an established priority score basis.

(b) Must have at least a bachelor's degree and be accepted for admission by an educational or training institution offering a recognized degree. Consideration is given to the adequacy, value, and appropriateness of the course or courses to be taken as related to the general problem of air pollution and/or biometeorology, and the qualifications, interest, and potential contribution of the individual. All candidates are required to take the Graduate Record Examination and receive favorable recommendation of the Advisory Committee. Must be a citizen of the United States or have been lawfully admitted to the U.S. for permanent residence.

Post-grant Requirements:

(a) (1) Statement of appointment of trainee; (2) Reports of expenditure; (3) Interim and terminal progress reports; (4) Invention report; (5) Annual invention statement; (6) Reports on investigations involving human subjects (when applicable).

(b) None except submission of published works at conclusion of study. Expenditure reports are made annually by the Career Development Review Branch, Division of Research Grants.

Washington Contact:

(a) Dr. John T. Middleton, Commissioner, National Air Pollution Control Administration.

(b) Same as (a).

Local contact: Regional representatives.

Application deadlines: The National Air Pollution Manpower Development Advisory Committee meets three times a year to review applications. The deadlines for review at these sessions are:

	Deadline	*Committee review*
(a)	October 1	February
	February 1	May
	June 1	November
(b)	October 1	February
	January 1	May
	April 1	November

Approval/Disapproval Time: (a) Six months; (b) Six months.

Reworking Time: (a) Five days; (b) Five days.

Related Programs: Air Pollution Control Program Grants, Air Pollution Survey and Demonstration Grants, and Air Pollution Research Grants.

NO. 1.265–1.267.—THE COMMUNITY MENTAL HEALTH CENTERS PROGRAM

Which includes grants for initial staffing and grants for construction of community mental health centers.

Authorizing Statute: Staffing: Public Law 89–105, and Public Law 90–31 Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965 and 1967; Construction: Public Law 88–164 and Public Law 90–31, Mental Retardation Facilities and Community Mental Health Center Construction Act of 1963 and Amendments of 1967.

Administrator: Division of Mental Health Service Programs, National Institute of Mental Health.

Nature of Program: Assists in the construction and initial staffing of mental health facilities providing a minimum of five essential services to all the residents of a designated area.

Eligibility: Any public or private non-profit agency or association able to mount a Community Mental Health Center Program which meets the requirements set forth in the regulations applicable to the above laws.

Available Assistance: Staffing: Grants are made for a period of four years and three months. They may not exceed 75% of eligible costs for the first fifteen months, 60% for the year thereafter 45% for the second year thereafter and 30% for the third year thereafter. Construction: Grants are made to pay ⅓ to ⅔ of the cost of an approved construction, acquisition or remodeling project. The exact rate of Federal participation is determined by the state's population and per capita income.

Funding Use Restrictions: Staffing: Funds may be spent only to compensate eligible professional and technical mental health personnel whose positions have received approval for funding; Construction: To help meet the cost of construction, acquisition or remodeling of facilities in conjunction with an approved Community Mental Health Centers Program.

Appropriations sought

Staffing:	
Continuations	$32, 186, 456
Supplements	1, 931, 187
New	30, 182, 357
Total	64, 300, 000
Construction	30, 000, 000

[In thousands of dollars]

	Fiscal year 1966	Fiscal year 1967	Fiscal year 1968
Past appropriations:			
Staffing	19, 500	33, 781	51, 168
Available from other programs		+2, 000	
Construction	50, 000	50, 000	30, 000
Obligations incurred:			
Staffing	15, 430	33, 947	43, 359
Construction	49, 500	49, 972	(1)

[1] Not available for obligation.

Average Assistance: Staffing: $283,000; Construction: 450,000.

Assistance Prerequisites: Must present a plan for a coordinated program of at least five essential services available to all the residents of a designated catchment area without discrimination on account of race, color, or national origin. A reasonable amount of service must be made available below cost or with no charge to patients unable to pay.

Postgrant Requirements: Staffing: Quarterly report of expenditures, annual report of expenditures, continuation grant application. Centers are site-visited annually after beginning operation to determine appropriate use of grant funds and provision of services. Construction: Final audit of payments after completion of construction. Site visited when operational.

Washington Contact: All contacts should be made through the Associate Regional Health Director for Mental Health in the appropriate Department of Health, Education, and Welfare Regional Office.

Local Contact: Staffing: The State Mental Health Authority; Construction: The agency designated by the state as responsible for the administration of the state plan for construction of community mental health centers.

Application Deadlines: Staffing and Construction: Early enough to permit state, and National Institute of Mental Health staff to review and process the application prior to the close of the fiscal year. Deadlines set by individual state agencies for receipt of applications must be observed if applicable.

Approval/Disapproval Time: 1½ months from original receipt of the National Institute of Mental Health Regional Office to notification of disposition.

Reworking Time: Same as above except in cases of severe deficiency when applicant is given option of withdrawing application for further development.

Related Programs: (a) Mental Retardation Facilities Construction program administered by Bureau of Social and Rehabilitative Services; (b) Hill-Burton Hospital Construction Program, Division of Hospital and Medical Facilities, Public Health Service.

NO. 2.121—SUPPORT FOR RESEARCH ON EDUCATIONAL USES OF INFORMATION TECHNOLOGY

The Office of Education does not maintain a distinct program area on support for research on educational uses of information technology and the Bureau's administrative information system does not classify projects under such a heading.

The Office of Education, DHEW, through monies administered by the Bureau of Research, *can* furnish support for individual research projects concerning educational uses of information technology. Applications for support of individual projects, if approved, may be funded under one of three legislative authorizations depending on the nature and intent of the proposed project. Thus, funds could be obligated for such work under: (1) the Cooperative Research Act, P.L. 83–531 as amended by Title IV, P.L. 89–10, the Elementary and Secondary Education Act of 1965, (2) P.L. 89–239, Title II–B, Higher Education Act of 1965, and (3) P.L. 88–210 Section 4(C), Vocational Education Act of 1963.

NO. 2.124—LIBRARY AND INFORMATION SCIENCE RESEARCH AND DEMONSTRATION GRANTS

Authorizing Statute: P.L. 89–329, Title II–B, Higher Education Act of 1965.

Administrator: Frank Kurt Cylke; Acting Chief, Library and Information Sciences Research Branch/Lee G. Burchinal; Director, Division of Information Technology and Dissemination, Bureau of Research.

Nature of Program: An unprecedented demand is being placed on this country's library and information services. Student and adult use of all types of libraries is multiplying. The billions being spent for research and development are producing a body of scientific literature that is doubling in size every 8 to 10 years. Old-line methods and equipment are no longer able to handle this information workload. As a result, and at a cost of millions of dollars, many new library and information services are being set up throughout the country—often without benefit of basic studies of customers' actual information needs and the costs of satisfying them.

In response to this growing national need for better library and information services, Congress, under Title II–B of the Higher Education Act of 1965, authorized the Office of Education to initiate a research support program concerned with the use of library resources, the development of library and information services, and the training of librarians and other information personnel.

Eligibility: Grants may be awarded to school districts, colleges, universities, State governments, and other public or private non-profit agencies, organizations, or groups. Contracts are also authorized with public or private profit or non-profit agencies, organizations, or institutions.

Available Assistance: Grants and contracts.

Funding Use Restrictions: To further the Library and Information Science fields.

Appropriations Sought: 3.55M, 1969.

Past Appropriations: 3.55M, 1968; 3.55M, 1967.

Obligations Incurred: 1.8M, 1968; 3.55M, 1967.

Average Assistance: This has little bearing on the subject. Grants and contracts may be of any size—usual is approximately $75,000.

Assistance Prerequisites: Proposals are evaluated according to the following criteria:

(1) Significance of the proposal to the Office of Education's responsibility in the total library and information science research effort; that is, to provide balance with available funds, it may be necessary to forego support for one worthy project in order to finance another in a neglected area.

(2) Place of the proposed study in relation to existing knowledge, and its promise of making a contribution to the improvement of library or information science.

(3) Sound design or operational plan; indication that the proposed research will meet its stated objectives.

(4) Competency of personnel and adequacy of facilities.

(5) General applicability of local projects; they must be significant in other settings.

Post-grant Requirements: Varying, dependent upon the complexity and study time involved in each grant. Usually quarterly reports are required.

Washington Contact: Frank Kurt Cylke; Acting Chief, Library and Information Sciences Research Branch (Tel. 202 962–1365); Lee G. Burchinal; Director, Division of Information Technology and Dissemination (Tel. 202 962–6346); U. S. Office of Education, 400 Maryland Avenue, SW., Washington, D.C. 20202.

Local Contact: None. See above.

Application Deadlines: None.

Approval/Disapproval Time: 4 months.

Reworking Time: 1 month.

Related Programs: National Institutes of Health, National Science Foundation, O.E. Bureau of Adult, Vocational and Library Programs (subject relationship).

NO. 3.82—RESEARCH PROJECTS RELATING TO MATERNAL AND CHILD HEALTH SERVICES AND CRIPPLED CHILDREN'S SERVICES

Authorizing Statute: Title V, Sec. 512 of the Social Security Act.

Administrator: Charles P. Gershenson, Ph. D., Director, Division of Research, Children's Bureau.

Nature of Program: Grants are authorized to public or other non-profit institutions of higher learning and public or non-profit private agencies and organizations engaged in research or in maternal and child health or crippled children's programs for research projects relating to maternal and child health and crippled children's services which show promise of substantial contributions to the advancement thereto. Effective July 1, 1969 such emphasis will be given to projects which will help in studying the need for and the feasibility, costs and effectiveness of comprehensive care programs in which maximum use is made of personnel with varying levels of training.

Eligibility: Public or other non-profit institutions of higher learning and public or private agencies engaged in research or in maternal and child health or crippled children's services. This includes public State and local health departments and crippled children's agencies, universities, and private organizations engaged in research.

Available Assistance: Grants for research.

Funding Use Restrictions: To carry out approved research projects.

Appropriations Sought: FY 1969, $13,300,000.

Past Appropriations: FY 1968, $5,900,000; FY 1967, 4,900,000; FY 1966, 4,000,000.

Obligations Incurred: FY 1968, $5,575,000 (estimate); FY 1967, 4,900,000; FY 1966, 3,977,000.

Average Assistance: $82,053.

Assistance Prerequisites: Applicant must conform to Regulations under Title 42, Chapter II, Part 205 entitled "Research Projects Relating to Maternal and Child Health Services and Crippled Children's Services.

Postgrant Requirements: Final expenditure report due 60 days after termination of grant. 35 copies of final report and 35 copies of 500 word summary of the report due on termination date of project.

Washington Contact: Charles P. Gershenson, Ph.D., Director, Division of Research, Children's Bureau, Social and Rehabilitation Service, Department of Health, Education, and Welfare, Washington, D.C. 20201; Telephone, Area Code 202-963-4358.

Local Contact: None.

Application Deadlines: March 1, July 1, November 1.

Approval/Disapproval Time: 3 months.

Reworking Time: 2½ months for new project reviewed by Advisory Committee; less than a month for continuation applications.

Related Programs: Related programs are administered by: Rehabilitation Services Administration, SRS, DHEW; Office of Education, DHEW; National Institutes of Health, PHS, DHEW; Office of Economic Opportunity.

NO. 3.93—CRIPPLED CHILDREN'S SERVICES

Authorizing Statute: Title V. Sec. 504, Social Security Act.

Administrator: P. Frederick DelliQuadri, Chief, Children's Bureau, Social and Rehabilitation Service, Department of Health, Education, and Welfare, Washington, D.C.

Nature of Program: Grants are made to State crippled children's agencies to assist them to extend and improve, especially in rural areas, their services for children who are crippled or who are suffering from conditions which lead to crippling. The services provided are: casefinding, diagnosis, prevention, medical, surgical, corrective and follow-up care, as well as hospital and convalescent care.

Eligibility: State crippled children's agencies.

Available Assistance: Grants on a variable matching basis.

Funding Use Restrictions: Funds are spent for salaries or fees of physicians to conduct clinics where children can receive diagnostic or treatment services and for medical and surgical care, and for the salaries of physical therapists, nurses, medical social workers and other personnel. Funds are also used to pay for hospital care and for appliances.

Appropriations Sought: FY 1969, $51,125,-000.

Past Appropriations: FY 1968, $40,938,000; FY 1967, $40,938,000; FY 1966, $36,563,000.

Obligations Incurred: FY 1968, $40,725,000; FY 1967, $40,556,000; FY 1966, $35,742,000.

Average Assistance: Funds are apportioned on the basis of the child population in each State and the per capita income. Average grant 1968 fiscal year, $744,213.

Assistance Prerequisites: Conditions of State plan approval are provided in Sec. 505 of Title V of the Social Security Act.

Postgrant requirements: These include a statistical report of services provided and expenditure reports.

Washington Contact: Louis Spekter, M.D., Director, Division of Health Services, Children's Bureau, Social and Rehabilitation Service, Department of Health, Education, and Welfare, Washington, D.C. 20201; Telephone, Area Code 202, 963-3381.

Local Contact: State Agencies Administering Services under Title V, Parts 1, 2, and 3 of the Social Security Act.

Application Deadlines: The State crippled children's programs are continuing programs and plans and budgets are requested to be submitted annually by June 1.

Approval/Disapproval Time: Approval of State plans is carried out in regional offices of the Department of Health, Education, and Welfare. It is difficult to answer this question inasmuch as approval of the State plan cannot be given until the appropriation for the fiscal year is enacted. State plans are submitted before the beginning of the fiscal year. There is, however, no interruption of payments in view of the fact that we have continuing resolutions of the Congress.

Related Programs: Maternal and Child Health Services under Title V, secs. 503 and 505, Social Security Act; Special Project Grants for Health of School and Preschool Children, sec. 509; Special Project Grants for Dental Health of Children, sec. 510; Training of Personnel, sec. 511; Research Projects relating to Maternal and Child Health and Crippled Children's Services, sec. 512.

NO. 394—SPECIAL PROJECT GRANTS FOR CRIPPLED CHILDREN'S SERVICES

Authorizing Statute: Title V, Sec. 504(2) of the Social Security Act.

Administrator: Louis Spekter, M.D., Director, Division of Health Services, Children's Bureau, Social and Rehabilitation Service, Department of Health, Education, and Welfare, Washington, D.C. 20201.

Nature of Program: Of the amount appropriated annually for grants to the States for crippled children's services under Title V, Sec 504, up to 12½% is available for special projects of regional or national significance which may contribute to the advancement of services to crippled children.

Eligibility: State Crippled Children's agencies and public or other non-profit institutions of higher learning.

Available Assistance: Grants on a project basis which do not require matching.

Funding Use Restrictions: Funds may be spent for training and for demonstrations or services which may contribute to the advancement of services for crippled children, including salaries and fees of personnel, diagnostic and treatment services including hospital care.

Appropriations Sought: FY 1969, $13,875,-000.

Past Appropriations: FY 1968, $9,062,000; FY 1967, $9,062,000; FY 1966, $8,437,000.

Obligations Incurred: FY 1968, $9,062,000; FY 1967, $9,062,000; FY 1966, $8,437,000.

Average Assistance: 1968, $69,905.

Assistance Prerequisites:

A. Applicant must be a public or other non-profit institution of higher learning or state agency.

B. Applicant must submit the following material:

1. Application Form—Form CB-25, *Maternal and Child Health and Crippled Children's Training and Study Projects Application*

2. Descriptive material: with each application, a project plan must be included. The plan must specify in detail:

(a) the purpose—training or study related to crippled children
(b) the need
(c) the setting
(d) existing resources
(e) content and extent of proposed training or study
(f) qualifications of staff
(g) qualifications of any proposed trainees
(h) information relating to other programs, existing or proposed, having direct impact on or relationship to the proposed program
(i) plans for evaluating progress in achieving stated goals

3. Personnel and Position Standards

(a) a description of duties and minimum qualifications for each proposed professional or technical position must be included: these specifications must include both general and specific duties, administrative lines of responsibility, and minimum levels of educational and experience requirements.

(b) a curriculum vitae should be submitted for each professional person already employed or committed to employment

4. Budget (Form CB-26)—Institutions of Higher Learning

5. Budget Justification: (Form CB-20)—State Agency, to clarify the relationship of the various budget items to the project plan

(a) establish the need for each item

(b) explain the method or basis of payment, the calculations used in establishing amounts for various items

C. Fifteen copies of all required material must be submitted. The original and one copy of Form CB-25 must be signed by the official authorized to sign for the grantee institution and the original and two copies of Form CB-26 must be signed by the Project Director and the Financial Officer. (State Agencies submit 3 copies of plan material and CB-25.)

Postgrant Requirements: An annual progress report is required together with expenditure reports.

Washington Contact: Louis Spekter, M.D., Director, Division of Health Services, Children's Bureau, SRS, Department of Health, Education, and Welfare, Washington, D.C. 20201, Telephone, Area Code 202-963-3381.

Local Contact: State Agencies Administering Services under Title V, Parts 1, 2, and 3 of the Social Security Act.

Application Deadlines: None.

Approval/Disapproval Time: 2-3 months.

Reworking Time: 4-6 weeks.

Related Programs: Special Project Grants for Maternal and Child Health Services.

NO. 7. 185—RELOCATION

Authorizing Statute: Relocation is not an independent operating program, but it is an integral part of all programs of the Department whose activities cause displacement of people or business concerns. The HUD program relocation requirements are briefly described below.

(*a*) *Urban Renewal:* Has a statutory provision for relocation assistance (Section 105(c) of Title I of the Housing Act of 1949, as amended.) (Section 114 of Title I has relocation payments provisions which are effective for all HUD-assisted programs listed below.)

(*b*) *Public Housing:* Section 15(7) (b) (iii) of the U.S. Housing Act of 1937 provides authority for relocation assistance for low-rent public housing projects, including "Turnkey" housing.

(*c*) *Model Cities:* Section 107 of the Housing and Urban Development Act of 1966 contains the authorization for relocation assistance and payments.

(*d*) *Other HUD programs:* Section 404(a) of the Housing and Urban Development Act of 1965 authorized relocation payments for the following federally-assisted development programs not noted above. HUD has administratively determined that relocation assistance must be provided under each of the following programs.

(1) Public Facility Loans Program
(2) Open-Space Land and Urban Beautification and Improvement Program
(3) Basic Water and Sewer Facility Grants
(4) Neighborhood Facilities Grants
(5) Advance Land Acquisition
(6) Concentrated Code Enforcement
(7) Demolition Grants
(8) Historic Preservation

Administrator: The relocation program is developed and administered at the local level, within the framework of the policy guidelines and requirements established by HUD. Each locality or local agency which submits an application under a HUD-assisted program which will cause displacement, must demonstrate that the persons to be displaced will be satisfactorily relocated, before a Federal financial assistance contract is approved.

The HUD Regional Offices maintain liaison with the local agencies participating in HUD-assisted programs, and provide advisory and technical assistance to the local relocation staffs. Each Regional Office has a Relocation Branch which is responsible for providing this assistance, and for the review of local relocation programs to determine compliance with statutory and administrative requirements, including the adequacy of relocation housing resources.

Nature of Program: The purpose of the relocation program is to facilitate the relocation of the families, individuals, business concerns, and nonprofit organizations that are displaced by HUD-assisted programs. The program seeks to minimize hardship, improve housing welfare, to avoid the discontinuance of small business concerns, and to upgrade neighborhoods and communities.

Eligibility: All families, individuals, business concerns, and nonprofit organizations displaced by HUD-assisted programs.

Available Assistance: The program is designed to provide advisory and monetary assistance to families and individuals to relocate to decent, safe, and sanitary housing and to assist business concerns and nonprofit organizations to reestablish in appropriate accommodations.

In addition to providing assistance to families and individuals to relocate to decent, safe and sanitary housing, the relocation staff of the local agency tries to identify the social, health, employment and other economic problems of site occupants which might affect their ability to relocate successfully. Assistance to business concerns also includes counselling on space, financing and other aspects of business operations.

Through enlisting and coordinating the efforts of the local health, welfare, employment and other social agencies, the relocation staff seeks to assure that the services needed by these families and individuals are provided.

The monetary element of the relocation program includes relocation payments to families, individuals, business concerns, and nonprofit organizations for moving expenses and direct loss of property. A Relocation Adjustment Payment is also available for eligible families and elderly individuals. Certain business concerns may be eligible for a Small Business Displacement Payment.

A displaced property owner may be entitled to a relocation payment for certain settlement costs and related charges incurred in conveying real property to a local agency.

Funding Use Restrictions:

(a) *Administrative costs* incurred in providing services and assistance to those being displaced are eligible under most HUD-assisted programs. One of the exceptions is the Demolition Grant program which has a statutory restriction against the use of grant funds for administrative costs.

(b) *Relocation payments:* These payments are 100% reimbursable with Federal grant funds, with the exception of moving expense claims for business concerns in excess of $25,000. Payments for moving expenses in excess of $25,000 may be made if a locality agrees to share the excess with the Federal government, on the same basis as other costs are shared. For example, if an urban renewal project is financed with two-thirds Federal funds and one-third local, the locality would have to provide one-third of the excess over $25,000 and Federal funds would pay the remaining two-thirds.

Appropriations: As previously indicated relocation is not an independent operating program. Relocation costs for payments and administration are financed from funds appropriated for each specific program.

Assistance Prerequisites: Among other program requirements, if the activities under a HUD-assisted program will cause displacement, a local agency is required to provide relocation assistance as a condition for approval of an application for Federal financial assistance.

The local agency has an obligation to assure that all families and individuals who are displaced are offered decent, safe, and sanitary housing, that all displaced business concerns and nonprofit organizations are assisted in their relocation, and that relocation payments are made to all eligible displacees.

In support of its application for loan or grant the local agency must include data indicating that any individual or family displaced will have the full opportunity to relocate in housing that is decent, safe, and sanitary, that is within their financial means, that is in reasonably convenient locations, and is available on a nondiscriminatory basis.

Postgrant Requirements: Each local agency carrying out a HUD-assisted program that causes displacement, must submit progress reports on relocation activities. For the urban renewal and public housing programs, these reports are submitted quarterly. All other HUD program participants submit semiannual progress reports.

HUD Regional Office rèpresentatives periodically inspect local agency relocation activities.

Contact: A potential beneficiary should contact the HUD Regional Office responsible for administering the program of Federal aids in his locality.

Related Programs:

(a) See *Authorizing Statute.*

(b) *Department of Transportation (Bureau of Public Roads)*: The Federal Highway Act of 1962 authorized advisory assistance to individuals, families, and business concerns. Relocation Payments may be made to those displaced by highways, in states which have appropriate enabling legislation.

NO. 8.64—FEDERAL AID IN FISH RESTORATION

Authorizing Statute: Federal Aid in Sport Fish Restoration Act (Dingell-Johnson Act) of August 9, 1950 (64 Stat. 430), as amended (16 USC 777–777k).

Administrator: Division of Federal Aid.

Nature of Program: To participate with State Fish and Game Departments in conducting sport fish restoration and management projects.

Eligibility: State Fish and Game Departments.

Available Assistance: Financial.

Funding Use Restrictions: To restore and manage sport fish populations; and, to provide benefits for fishermen and related outdoor recreationists the land acquisition, development and research.

Appropriations Sought: The Act provides for a permanent indefinite appropriation of the amount deposited in the Treasury each year from the 10 percent excise tax on fishing rods, creels, reels, and artificial lures, baits, and flies.

Past Appropriations: FY 1968, $9,823,513; FY 1967, $7,894,018; FY 1966, $7,373,380.

Obligations Incurred: FY 1968, $9,000,000 (estimated); FY 1967, $6,966,331; FY 1966, $6,769,781.

Average Assistance: Apportionments to States for fiscal 1968 were between $466,500 and $93,300, which are the maximum and minimum allowable under the Act. Average apportionment for fiscal 1968 was $186,600. Average project obligation for fiscal 1967 was approximately $20,000.

Assistance Prerequisites: Initially, the State must have passed legislation assenting to the provisions of the Act, and legislation which prohibits the diversion of fees paid by fishermen to activities other than administration of the Fish and Game Department. Projects submitted by the State must be substantial in character and design. Other conditions are contained in Title 50 Part 80 of the Code of Federal Regulations.

Postgrant Requirements: Reporting and evaluation requirements are contained in the Federal Aid in Fish and Wildlife Restoration Manual.

Washington Contact: M. A. Marston, Chief, Division of Federal Aid, Washington, D.C. 20240; Telephone: 343–4172.

Application Deadlines: Projects are accepted throughout the year. Amounts apportioned must be obligated within two years.

Approval/Disapproval Time: 10 days.

Reworking Time: 5 days.

Related Programs: Federal Aid in Wildlife Restoration, Anadromous and Great Lakes Fisheries Conservation (PL 89–304), Commercial Fisheries Research and Development (PL 88–309).

NO. 8.75—MINERALS DISCOVERY LOAN PROGRAM

Authorizing Statute: Public Law 85–701 (1958).

Administrator: Office of Minerals Exploration, Geological Survey, Washington, D.C. 20242.

Nature of Program: The Minerals Discovery Loan Program is a special loan program to encourage exploration for specified minerals within the United States, its Territories and Possessions. The program provides financial assistance to private industry on a participating basis.

Eligibility: Applicant must: (a) have right to possession of a property for the time required to conduct the exploration and thereafter to protect the Government's interest; (b) furnish evidence that funds for the exploration are not available from commercial sources on reasonable terms; and (c) certify that he would not ordinarily undertake the proposed exploration at his sole expense.

Available Assistance: The Government will contribute to the total allowable costs of exploration to a maximum of 75 percent for nine mineral commodities and to a maximum of 50 percent for 27 others.

Funding Use Restrictions: Funds may be spent for the exploration of targets considered to be geologically favorable for the occurrence of ore deposits.

Appropriations Sought: FY 1969, $529,000 (requested $730,000, House and Senate recommendation $529,000).

Past Appropriations: FY 1968, $430,000; FY 1967, $425,000; FY 1966, $764,000.

Obligations Incurred: FY 1968, $1,155,003; FY 1967, $991,576; FY 1966, $598,877.

Average Assistance: $35,000.

Assistance Prerequisites: Applicant must establish financial eligibility, rights to the property to be explored, geologic evidence that eligible minerals may occur in deposits of sufficient size and grade to be of economic interest, a program of exploration and availability of labor, materials, and equipment to conduct the program.

Postgrant Requirements: Monthly reports on costs incurred, results of work, maps, and supporting data are submitted by the operator. Upon completion of a project, a final report on the results and summary of work accomplished is required. If certified by the Government that production is possible as a result of the application, royalty payments based on 5 percent of the value of production are required of the operator.

Washington Contact: Frank E. Johnson, Chief, Office of Minerals Exploration, Room 4460, Interior Building, Washington, D.C. 20242; Phone 343–4460 (Area 202).

Local Contact: OME Field Officers at the Regional Offices.

Approval/Disapproval Time: 6 months.

Reworking Time: 2 to 3 weeks.

NO. 8.76—TOPOGRAPHIC SURVEYS AND MAPPING

Authorizing Statute: Act of March 3, 1879 (43 U.S.C. 31, 41); fiscal year 1889 appropriation (25 Stat. 505, 526); Act of June 11, 1896 (43 U.S.C. 38); Joint Resolution of February 18, 1897 (43 U.S.C. 42); and 43 U.S.C. 50 (with respect to cooperation with any State or municipality).

Administrator: Chief Topographic Engineer, Geological Survey, Washington, D.C. 20242.

Nature of Program: Topographic surveys result in the issue of standard quadrangle maps of the United States, its Territories and Possessions, that show with engineering accuracy the shape and form of the land surface, elevation above sea level, the course and fall of streams, and the location of important natural and manmade features. Topographic maps are basic to many activities, including flood control, reclamation, and military planning for the Nation's defense. The principal operations in the preparation of these maps are the procurement of aerial photography, ground control surveys, office and field compilation, finishing cartographic drafting, and the reproduction of printing processes.

Eligibility: The Geological Survey does not have a grant-in-aid program. The Survey does enter into jointly financed programs with agencies of States, counties, and municipalities to carry forward the Survey's functions on a cooperative basis. A clause in the annual appropriation for Surveys, Investigations, and Research requires that cooperative programs in topographic mapping, and water resources investigations be conducted on a 50–50 financial basis.

Available Assistance: See above.

Funding Use Restrictions: See above.

Appropriations Sought: $25,151,000 (House allowance); $25,066,000 (Senate recommendation); $26,545,000 (requested).

Past Appropriations: FY 1968, $24,743,000; FY 1967, $23,220,430; FY 1966, $23,211,356.

Obligations Incurred: NOA and "obligations" are essentially the same each year. No "carryover" funds.

Assistance Prerequisites: See *Eligibility* above.

Washington Contact: Robert H. Lyddan, Chief Topographic Engineer, Geological Survey, Washington, D.C. 20242; Phone 343–3790 (Area 202).

NO. 8.77—WATER RESOURCES INVESTIGATIONS

Authorizing Statute: Act of March 3, 1879 (43 U.S.C. 31); Act of October 2, 1888 (25 Stat. 505, 526); Act of June 11, 1896 (29 Stat. 413, 453); Joint Resolution of May 16, 1902 (44 U.S.C. 260); Act of December 24, 1942, as amended (43 U.S.C. 36b); and 43 U.S.C. 50 (with respect to cooperation with any State or municipality).

Administrator: Chief Hydrologist, Geological Survey, Washington, D.C. 20242.

Nature of Program: The Geological Survey's water resources investigations provide water information required for economic development and best use of the Nation's water resources. The program includes determinations of the flow, stage, and sediment discharge of rivers; reservoir contents; locations and safe yields of underground waters; the availability of water supplies as related to present and future demands; the chemical quality and temperature of waters; and hydrologic research in principles and techniques. Reliable knowledge about water resources is necessary for planning and operation of projects involving irrigation, inland navigation, power generation, municipal supply, flood control, industrial processes, pollution, maintenance of fish and wildlife, and recreation.

Eligibility: The Geological Survey does not have a grant-in-aid program. The Survey does enter into jointly financed programs with agencies of States, counties, and municipalities to carry forward the Survey's functions on a cooperative basis. A clause in the annual appropriation for Surveys, Investigations, and Research requires that cooperative programs in topographic mapping and water resources investigations be conducted on a 50–50 financial basis.

Available Assistance: See above.

Funding Use Restrictions: See above.

Appropriations Sought: $27,538,600 (House allowance); $26,938,600 (Senate recommendation); $29,614,000 (requested). For cooperative program (FY 1969) $14,780,000 (requested $15,780,000).

Past Appropriations: Fiscal Year 1968, $26,597,600 ($14,360,000 for coop. matching); Fiscal Year 1967, $24,848,000 ($12,950,000 for coop. matching); Fiscal Year 1966, $22,619,000 ($11,550,000 for coop. matching).

Obligations Incurred: NOA and "obligations" are essentially the same each year. No "carryover" funds.

Assistance Prerequisites: See *Eligibility*.

Washington Contact: E. L. Hendricks, Chief Hydrologist, Geological Survey, Washington, D.C. 20242; Phone 343–9425 (Area 202).

Local Contact: Walter F. White, Jr., District Chief, Water Resources Division, 724 York Road, Towson, Maryland 21204.

NO. 8.78—SOIL AND MOISTURE CONSERVATION

Authorizing Statute: 16 U.S.C. 590a, 590f (function transferred from Agriculture to Interior with respect to lands under its jurisdiction by 1939 Reorganization Plan No. IV).

Administrator: E. L. Hendricks, Chief Hydrologist, Geological Survey, Washington, D.C. 20242.

Nature of Program: Hydrologic and geologic information and advice are furnished to the land management bureaus preliminary to their taking measures for soil and moisture conservation on land under the jurisdiction of the Department of the Interior.

Appropriations Sought: $211,000 (requested $212,000—House and Senate recommendation $211,000).

Past Appropriations: Fiscal Year 1968, $210,000; Fiscal Year 1967, $203,000; Fiscal Year 1966, $201,000.

Obligations Incurred: NOA and "obligations" are essentially the same.

Washington Contact: No soil and moisture conservation program operating east of Mississippi River.

NO. 10.20 ON-THE-JOB TRAINING (OJT)

Authorizing Statute: Manpower Development and Training Act of 1962 (MDTA).

Administrator: The Bureau of Work Training Programs (BWTP), the Division of On-the-Job Training administers this program in the Department of Labor.

Nature of Program: The objective of this program is to provide jobs to unemployed persons in occupations needed by business and industry. OJT allows private industry to train workers in their own place of business with their own procedures for jobs needed by the employer. The Federal Government reimburses the company for training costs and related expenses. This function is implemented through these administrative procedures:

(a) The development of policy recommendations regarding OJT program design content, standards and procedures based on legislation and program resources.

(b) The preparation of position papers and recommendations on legislative matters including pending amendments relating to program content and standards for the OJT program.

(c) The formulation of comprehensive designs to serve as guides for the structuring of specific OJT program operations in different types of communities.

(d) The development of OJT program project models including various components of relevant supportive services to insure work experience and training commensurate with the needs of the target group and to assure appropriate linkages with other related programs.

(e) The development of standards, procedures and guidelines for the BWTP staff and project sponsors on the OJT program. The assurance of timely issuance of policies, standards, procedures and other related materials appropriately codified and indexed.

(f) The development of training materials and techniques in the OJT program to be used in training programs for BWTP field staff and sponsors.

(g) The development and recommendation of a program of research and experimental demonstration projects designed to develop new and improved program techniques and components within the existing OJT program.

(h) The provision of technical assistance to field personnel and sponsors.

Eligibility: Those eligible to participate in the program are disadvantaged individuals who are unemployed and those who are underemployed or in need of retraining.

Available Assistance: Technical assistance is available to those persons setting up OJT programs.

Funding Use Restrictions: Funds can be spent for the following functional purposes: a) On-the-Job Training; b) Supportive services such as remedial education, counseling, technical training.

Appropriations Sought: (a) $108,412,000 was requested for 102,700, trainees at $1,056 each. This is a decrease in trainees, but an increase in dollars because of the new Job Opportunities in the Business Sector program (JOBS).

Past Appropriations: 1968–69, $94,372,000; 1967–68, $115,544,000; 1966–67, $125,000,000.

Obligations Incurred: 1968–69, $83,486,964 (MDTA—$81,230,791; $2,256,173—Rural Area Redevelopment (RAR)) 11 months of 2-year program; 1967–68, $93,712,516 (MDTA—$90,556,924; $3,155,592—RAR) 1 year of 2-year program. 1966–67, $61,036,681 (MDTA—$59,185,633; $1,851,048—RAR) 2 year program.

Average Assistance: A contract is signed by a sponsor to train within defined criteria. It is difficult to give an average since the cost depends on the occupation in which training occurs and the number of individuals to be trained. A contract may be written to train one individual for as little as $150 as a nurse's aide. In occupations such as automechanics (apprenticeship entry) the unit cost would be $2,000.

Assistance Prerequisites: In order to receive assistance an applicant must be in one of the following categories: unemployed, underemployed, working substantially less than full time or will be unemployed because other skills have become obsolete or are becoming so.

Postgrant Requirements: The post-contract reporting and evaluation requirements include monitoring reports and on-going test audits.

Washington Contact: A potential beneficiary in the Washington-Delaware area should contact the following regional official: Mr. Morris Riger, Regional Manpower Administrator, Room 839, Vanguard Building, 1111 20th Street, N.W., Washington, D.C. 20036.

Local Contact: A potential beneficiary should contact the local office of the Bureau of Work-Training Programs.

Application Deadlines: None.

Approval/Disapproval Time: 3 weeks.

Reworking Time: 1 week.

Related Programs: In addition to On-the-Job Training the Bureau of Work-Training Programs administers the following: (a) Concentrated Employment Programs; (b) Work Incentive Programs; (c) Neighborhood Youth Corps Programs; (d) Community Employment and Training Programs; 1. New Careers, 2. Operation Mainstream; (e) Special Impact.

NO. 11.10–11.12—HIGHWAY SAFETY DEMONSTRATION PROJECTS

(See also: State and Community Highway Safety Projects)

Authorizing Statute: Section 403, Highway Safety Act of 1966, Public Law 89–564.

Administrator: Dr. William Haddon Jr., Director, National Highway Safety Bureau, Federal Highway Administration, Department of Transportation, Washington, D.C. 20591; Telephone: Area Code 202, 962–8125

Nature of Program: The program area is designed to facilitate and accelerate the application of research findings in operating highway safety programs. These demonstration projects seek to perfect and give visibility to new and improved techniques for improving highway safety and to bridge the gap between research and the translation of research results into actual practice. They are designed, further, to determine costs and effectiveness of highway safety systems and system components and to test, evaluate, and refine these systems in one or more demonstrations.

Eligibility: State and local communities, public and private institutions, and others.

Available Assistance: To the extent possible within the available resources these funds can be used for demonstration projects in pertinent program areas. In FY 1968, projects were funded in the following two areas: (a) Emergency medical services; (b) Use of programmed learning equipment to improve the process of driver examination.

Appropriations Sought: For fiscal year 1969, $1,755,000 for demonstration project contracts was requested by the Department of Transportation for demonstration projects under Section 403 of the Act.

Past Appropriations: Fiscal Year 1967, None (Program first authorized in mid-1966); Fiscal Year 1968, $1,300,000 for demonstration project contracts.

Obligations Incurred: Fiscal Year 1968—$1,600,000 was obligated. (The difference between 1.3 M and 1.6 M was made up by reprogramming funds from other research.)

Average Assistance: About $250,000.

Assistance Prerequisites: The program is currently being administered as a contract program rather than a grant program. Therefore, the applicant must meet the normal conditions associated with undertaking of a contractual relationship with the Federal Government. He must be legally qualified to enter into a contract of this type, he must be able to demonstrate that he is capable to perform under the terms of the contract, and the terms of the proposal must be such that they meet the programmed needs of the National Highway Safety Bureau.

Postgrant Requirements: These are individually tailored to the requirements of the particular projects. Normally, periodic progress reports are required at intervals of one to three months; a final report is required upon completion of the project. The project directors are required to provide an evaluation of the elements of the project upon its completion. Further evaluation may be undertaken by the National Highway Safety Bureau or by outside groups upon invitation by the Bureau.

Washington Contact: Dr. John T. Holloway, Acting Director, National Highway Safety Institute, National Highway Safety Bureau, Federal Highway Administration, Department of Transportation, Telephone: Area Code 202, 962–8705.

Local Contact: None.

Application Deadlines: None.

Approval/Disapproval Time: This cannot be answered precisely because experience to date indicates that project proposals have to be substantially revised to meet program needs and because the limited funding available makes it necessary that action on many potentially viable projects be deferred until such time as funds may become available.

Reworking Time: See above.

Related Programs: Related National Highway Safety Bureau programs: grants to States under Section 402 of the Highway Safety Act of 1966; research and development contracts under Section 403 of the same Act. (See also: State and Community Highway Safety Programs.)

NO. 11.13—STATE AND COMMUNITY HIGHWAY SAFETY PROGRAM

(See also: Highway Safety Demonstration Projects.)

Authorizing Statute: Highway Safety Act of 1966, Public Law 89–564.

(NOTE.—The data furnished hereinafter relates to programs authorized under Sec. 402 of the Act of September 9, 1966.)

Administrator: Dr. William Haddon, Jr., Director, National Highway Safety Bureau, Federal Highway Administration, Department of Transportation, Washington, D.C. 20591; Telephone: Area Code 202, 962–8125.

Nature of Program: The objective is to develop and implement a coordinated national highway safety program and to provide financial assistance to the States and their political subdivisions to accelerate their highway safety programs.

The purpose is to reduce highway crashes and the deaths, injuries, and property damage in which they result.

Eligibility: Each of the fifty States, the District of Columbia, and the Commonwealth of Puerto Rico and their respective political subdivisions.

Available Assistance: (A) *Financial:* The Highway Safety Act of 1966 authorizes financial assistance which shall be used to aid the States in conducting their highway safety programs in accordance with various provisions of the Act.

Seventy-five per centum of the funds authorized to be appropriated to carry out Sec. 402 of the Act shall be apportioned among the several States on the basis of population and twenty-five per centum as the Secretary of Transportation in his administrative discretion may deem appropriate.

Apportionment certificates for the 75 per centum funds have been issued for the fiscal years authorized under the Act, 1967, 1968 and 1969 and the applicable amounts for each State, the District of Columbia, and the Commonwealth of Puerto Rico are provided in Exhibit A, Exhibit B, and Exhibit C. These apportionments equal more than the total liquidating cash provided by the Congress.

The 25 per centum discretionary apportionments have not been made by the Secretary of Transportation.

(NOTE.—The Highway Safety Act provides that at least 40 per centum of the funds apportioned for programs under Sec. 402 to each State are to be expended by subdivisions for local highway safety programs. Local programs must be an integral part of the overall State program.)

(B) *Technical:* The National Highway Safety Bureau holds conferences and workshops and within the limits of its staff and budget has its headquarters and regional representatives assist States and local communities in developing and maintaining effective highway safety activities and programs in accordance with the Act.

Funding Use Restrictions: For (1) Planning and Administration to develop a comprehensive statewide highway safety program;

(2) Projects to implement Federal highway safety standards issued by the Secretary of Transportation* in the following functional areas: Driver Education, Driver Licensing, Motorcycle Safety, Traffic Records, Alcohol in Relation to Highway Safety, Periodic Motor Vehicle Inspection, Motor Vehicle Registration, Highway Design, Construction, and Maintenance, Traffic Control Devices, Identification and Surveillance of Accident Locations, Codes and Laws, Traffic Courts, Emergency Medical Services.

Appropriations Sought: For Fiscal Year 1969, a sum of $70,000,000 was requested by the Department of Transportation for liquidating contract authorizations for State and community highway safety projects under Sec. 402 of the Act.

Past Appropriations: Funds for liquidating contract authorizations were appropriated as shown below:

Fiscal Year 1967, $10,000,000 (Program first authorized in mid-1966.) Fiscal Year 1968, $25,000,000.

Obligations Incurred: For State and community highway safety projects, Federal share: Fiscal Year 1967, $899,349; Fiscal Year 1968, $23,900,000 (From July 1, 1967 to June 30, 1968).

Average Assistance: As at March 31, 1968, the average grant of Federal funds was $47,591.

Assistance Prerequisites: Section 402(b)(1) of the Highway Safety Act of 1966 provides: "The Secretary shall not approve any State highway safety program under this section which does not—

(A) provide that the Governor of the State shall be responsible for the administration of the program.

(B) authorize political subdivisions of such State to carry out local highway safety programs within their jurisdictions as a part of the State highway safety program if such local highway safety programs are approved by the Governor and are in accordance with the uniform standards of the Secretary promulgated under this section.

(C) provide that at least 40 per centum of all Federal funds apportioned under this section to such State for any fiscal year will be expended by the political subdivision of such State in carrying out local highway safety programs authorized in accordance with subparagraph (B) of this paragraph.

(D) provide that the aggregate expenditure of funds of the State and political subdivisions thereof, exclusive of Federal funds, for highway safety programs will be maintained at a level which does not fall below the average level of such expenditures for its last two full fiscal years preceding the date of enactment of this section.

(E) provide for comprehensive driver training programs, including (1) the initiation of a State program for driver education in the school systems or for a significant expansion and improvement of such a program already in existence, to be administered by appropriate school officials under the supervision of the Governor as set forth in subparagraph (A) of this paragraph; (2) the training of qualified school instructors and their certification; (3) appropriate regulation of other driver training schools, including licensing of the schools and certification of their instructors; (4) adult driver training programs, and programs for the retaining of selected drivers; and (5) adequate research, development and procurement of practice driving facilities, simulators, and other similar teaching aids for both school and other driver training use."

Post-grant requirements: The State shall require the responsible officer of the applicant agency to establish and maintain adequate procedures and records for accountability of funds and the administration of projects.

Monthly claims must be presented for the Federal pro-rata share of costs incurred under each approved project and a quarterly narrative progress report is to be submitted through the Governor's representative to the Regional Federal Highway Administrator.

Every project approved as part of the State's highway safety program to implement each of the thirteen safety standards shall be periodically evaluated by the State, and the National Highway Safety Bureau shall be provided with an evaluation summary.

In addition, Section 402(c) of the Highway Safety Act provides: "After December 31, 1968, the Secretary shall not apportion any funds under this subsection to any State which is not implementing a highway safety program approved by the Secretary in accordance with this section. Federal aid highway funds apportioned on or after January 1, 1969, to any State which is not implementing a highway safety program approved by the Secretary in accordance with this section shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be apportioned to such State under section 104 of this title, until such time as such State is implementing an approved highway safety program. Whenever he determines it to be in the public interest, the

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*See Committee Print No. 7, 90th Congress, 1st Session, Committee on Public Works, House of Representatives, "A Report from the Secretary of the Department of Transportation to the Congress, as Required by the Highway Safety Act of 1966".

Secretary may suspend, for such periods as he deems necessary, the application of the preceding sentence to a State. Any amount which is withheld from apportionment to any State under this section shall be reapportioned to the other States in accordance with the applicable provisions of law.

Washington Contact: Mr. Bradford M. Crittenden, Acting Director, Highway Safety Programs Service, National Highway Safety Bureau, Federal Highway Administration, Department of Transportation, Washington, D.C., 20591; Telephone: Area Code 202, 382-4497.

Local contact: The Regional Federal Highway Administrator.

Application deadlines: The National Highway Safety Bureau is responsive to the priorities determined by the States with respect to programming and submitting their highway safety project applications. Applications, however, should be submitted as early in each fiscal year as possible.

Approval/disapproval time: About 30 days.

Reworking time: About 30 days.

Related programs: The Highway Safety Act of 1966 is the fundamental law which authorizes direct Federal assistance to the States and their political subdivisions to develop and implement comprehensive highway safety programs embracing specific functional activities which include driver education, driver licensing, vehicle registration and inspection, traffic records, motor vehicle laws and codes, traffic courts, alcohol in relation to highway safety, traffic control, design, construction, and maintenance of highways, identification and surveillance of accident locations, and emergency medical services, *inter alia.*

The National Traffic and Motor Vehicle Safety Act of 1966, P.L. 89-563, is also administered by the National Highway Safety Bureau. It provides authority for many activities, such as the setting of Federal standards for the safety of motor vehicles and equipment, and research, but does not include authority for any State and community programs other than the demonstration projects described in the associated section: Highway Safety Demonstration Projects.

Programs administered by the several Federal Departments and Agencies where activities impinge to some degree on highway safety activities are shown in Table I.

Assistance to Delaware:

TABLE I.—ADDITIONAL PROGRAMS ADMINISTERED BY VARIOUS DEPARTMENTS AND AGENCIES OF THE U.S. GOVERNMENT WHICH RELATE TO THE HIGHWAY SAFETY PROGRAM DIRECTED BY THE NATIONAL HIGHWAY SAFETY BUREAU UNDER SEC. 402 OF THE HIGHWAY SAFETY ACT OF 1966

Department and agency	Authorizing legislation	Related functional activity [1]
Department of Health, Education, and Welfare:		
Office of Education	Elementary and Secondary Education Act of 1965; Public Law 89-10, titles I through V.	Driver and safety education.
Do	Higher Education Act of 1965; Public Law 89-752, titles I through VII.	Do.
Do	National Defense Education Act of 1958; Public Law 85-864 as amended.	Do.
Public Health Service	Public Health Service Act; 42 U.S.C. 291-291(o).	Emergency medical services.
National Center for Prevention and Control of Alcoholism.	Public Health Service Act; 42 U.S.C. 241, 42 U.S.C. 242A.	Alcohol in relation to highway safety.
National Air Pollution Control Administration.	Clean Air Act as amended	Motor vehicle inspection.
National Center for Health Statistics.	National Health Survey Act of 1956; Public Law 84-652.	Motor vehicle death and injury data.
National Institutes of Health	Various legislation	Research grants and intramural research concerned with a number of diseases that can initiate highway crashes; with the resistance of the head and other body parts to injury; with recovery from trauma; and, with nonvehicular injuries.
Department of Interior: Bureau of Indian Affairs.	Public Law 67-85; 42 Stat. 208; 25 U.S.C. 282, and subsequent legislation.	Driver and safety education for American Indians, on reservation.
Department of Transportation: Bureau of Public Roads.	Federal-Aid Highway Act of 1956 as amended.	Highway design, construction, and maintenance.[2]
Do	do	Traffic control devices.
Do	do	Identification and surveillance of accident locations.
Do	Appalachian Regional Development Act of 1965; Public Law 89-4; 79 Stat. 5 as amended by Public Law 89-670, sec. 8(b).	Highway construction; development of Appalachian highway system and local access roads.[2]

[1] The functional activity relates to the applicable safety standard issued by the Secretary of Transportation on June 27, 1967, which must be implemented by the States as part of their comprehensive highway safety programs.

[2] Sec. 402(g) of the Highway Safety Act of 1966 prohibits the National Highway Safety Bureau from obligating or expending Federal funds for highway construction, maintenance, or design other than design of safety features to be incorporated into standards.

NO. 26.21—CONSUMER ACTION AND FINANCIAL ASSISTANCE

Authorizing Statute: PL 90-221.

Administrator: Theodore M. Berry, Director, Community Action Program, OEO.

Nature of Program: Comprehensive consumer action programs are founded on the premise that reducing family expenses is an effective anti-poverty approach. The CAP consumer action program has aimed at developing and supporting local groups that seek to solve consumer problems through group action, consumer education, financial counseling and the establishment of new consumer institutions to provide choices in goods, services and credit to poor consumers. Credit unions provide poor people with the opportunity to save and to obtain inexpensive credit, financial counseling, debt handling and reduction services and long-term budgeting aid. Consumer cooperatives, such as buying clubs, help to reduce the cost of consumer goods purchased by the poor. Production cooperatives, such as manufacturing or agricultural cooperatives which promote jobs and higher incomes, create enterprises owned and controlled by the poor. Emergency loans help to meet immediate and urgent individual and family needs, other than food and medical services.

Available Assistance: Technical Assistance under contracts with: Cooperative League of USA (coops); Credit Union National Association (credit unions); Bureau of Federal Credit unions (HEW credit unions); Emergency Loan grants to 15 programs.

Funding Use Restrictions: Credit unions and consumer cooperatives, cooperatives, buying clubs, food depots, clothing marts, low cost credit facilities, consumer protection and education, guarantee loan funds to encourage investment by private sector in low-income enterprises, neighborhood corporations, and emergency loan programs.

Appropriations Sought: No specific amount was appropriated for Consumer Action Programs within the CAP for any fiscal year. Total CAP appropriations for each fiscal year follow: FY 66—$628,000,000; FY 67—$819,494,500; FY 68—$866,000,000.

Past Appropriations: See above.

Obligations Incurred: FY 66, figures not available; FY 67, $6,995,670; FY 68, $5,101,979.

Average Assistance: Consumer Action projects: $250,000; Emergency Loan programs: $95,000.

Assistance Prerequisites: Applicant must be a community action agency (or other public or private non-profit agency approved by the community action agency) which is capable of conducting the program and which agrees to Standard Conditions governing CAP grants.

Postgrant Requirement: Two reports are required of all grantees: a) a quarterly progress report, and b) a quarterly report on operation and participation. On-site evaluations are made by OEO Regional Office personnel prior to refunding of programs.

Washington Contact: Richard Saul, U.S. Office of Economic Opportunity, 1200 19th Street, N.W., Washington, D.C. 20506; Phone: 382-5276.

Local Contact: Regional CAP Administrators in OEO Regional Offices responsible for community action programs in state where beneficiary is located.

Application Deadlines: No deadlines, except that community action agencies must apply prior to end of their program year.

Approval/Disapproval Time: 75 days.

Reworking Time: OEO does not keep records of this time period.

Related Programs: Economic Development Administration and President's Committee on Consumer Interests.

NO. 26.24—OFFICE OF ECONOMIC OPPORTUNITY—MIGRANT PROGRAM

Authorizing Statute: EOA.

Administrator: Office of Special Field Programs, OEO.

Nature of Program: Anti-poverty program 1. to meet immediate needs of farm workers 2. promote increased community assistance of migrants 3. equip migrants and seasonal farm workers for better economic opportunities.

Eligibility: Agencies: must be private, nonprofit, public or educational institution. Beneficiaries: impoverished migrant and seasonal farm workers.

Available Assistance: Grants.

Funding Use Restrictions: Day care, education, prevocational training, job development and training, housing, counselling.

Appropriations Sought: $30 million.

Past Appropriations: FY 1968, $25 million; FY 1967, $33 million.

Obligations Incurred: $25 million; $33 million.

Average Assistance: Ranges from $20,000 to $4 million.

Assistance Prerequisites: Must be viable private nonprofit, public or educational institution (agency).

Postgrant Requirements: Must submit quarterly program reports, monthly financial reports, receive at least one annual OEO evaluation and independent audit.

Washington Contact: Office of Special Field Programs, OEO.

Local Contact: None. Contact Washington directly.

Application Deadlines: 90 days prior to funding.

Approval/Disapproval Time: 60-90 days.

Reworking Time: 30-60 days.

Related Programs: None.

NO. 26.31—NEIGHBORHOOD SERVICE SYSTEMS

Authorizing Statute: PL 90-222.

Administrator: Theodore M. Berry, Director, Community Action Program, OEO.

Nature of Program: To acquire the greatest benefit from the array of anti-poverty programs and services offered by the Community Action Program and other Federal, State and local agencies, the number of poor people who participate must be as large as possible. Neighborhood Centers help to maximize participation by the poor in a number of ways.

First, Neighborhood Centers make programs and services more accessible.

Second, by being in the poor neighborhoods, the services and activities available through neighborhood centers are more likely to be known than those located in another part of the community.

Third, centers in poor neighborhoods are less likely to have an institutional atmosphere and method of operation that is so unattractive to poor people.

Fourth, because a number of services are ordinarily offered through the same neighborhood center, one visit by the poor person exposes him to a number of the programs.

Fifth, by involving the poor themselves in neighborhood centered programs, a start is made toward overcoming psychological barriers that prevent many anti-poverty programs from realizing real effectiveness: lack of self-confidence, fatalism, helplessness and indifference.

Neighborhood centers are found in the largest metropolitan areas, medium size cities and small towns. The target populations range from a few thousand to several hundred thousand. A neighborhood center might operate out of a mobile unit, store front, or much larger facilities. The kinds and methods of operation of neighborhood centers can be as disparate as the communities they serve—from centers in metropolitan areas which are open daily, in evenings and on weekends, to rural centers open several days a week on a scheduled basis.

Neighborhood centers offer a wide variety of services. A survey revealed that 48 percent of the neighborhood centers in operation offered social welfare services such as emergency shelter or public assistance information. Forty three percent of the centers offered manpower services. Health programs were offered in 35 percent of the centers, school age education programs in 28 percent, housing services in 24 percent, adult literacy programs in 22 percent, legal services in 21 percent, and cooperative enterprises such as credit unions and consumer cooperatives were located in 9 percent of the neighborhood centers.

Many Community Action Agencies establish satellite centers which act as referral stations for more comprehensive centers or offer limited services. Many other Community Action Agencies open up, in response to community "community organization centers". These centers are often the locus of self-help and community betterment enterprises operated by the poor community. In these self-help activities many poor people for the first time engage in self-expression and in actively trying to better themselves and their environment.

In implementing local anti-poverty programs, the CAP has turned to the resources of the poor themselves. The poor are employed in non-professional jobs such as "outreach" workers—working among the neighborhood center. Non-professionals also serve in tandem with professionals as aides in program areas such as health education, job development, social work and consumer action.

Eligibility: Residents of low-income neighborhoods.

Available Assistance: See *Nature of Program.*

Funding Use Restrictions: See *Nature of Program.*

Appropriations Sought: $165.9 million planned (out of $1.020 billion requested for CAP in the President's budget).

Past Appropriations: FY 1968, $154 million (out of $866 million for CAP); FY 1967, $106,560,000 (out of $818,867,047 for CAP); FY 1966, $51,130,000 (out of $628,215,000 for CAP).

Obligations Incurred: Same as above.

Average Assistance: Average grant size in FY 1968 was $115,000.

Assistance Prerequisites: Applicant must be a community action agency (or private non-profit agency approved by the community action agency) which is capable of conducting the program and which agrees to Standard Conditions governing CAP grants.

Postgrant Requirements: Two reports are required of all grantees: a) a quarterly progress report, and b) a quarterly report on operation and participation. On-site evaluations are made by OEO Regional Office personnel prior to refunding of programs.

Washington Contact: Jack Ciaccio, U.S. Office of Economic Opportunity, 1200 19th Street, N.W., Washington, D.C. 20506, Telephone: 382-8391.

Local Contact: Regional CAP Administrators in OEO Regional Offices responsible for community action programs in state where beneficiary is located.

Application Deadlines: No deadlines, except that community action agencies must apply prior to end of their program year.

Approval/Disapproval Time: 75 days.

Reworking Time: OEO does not keep record of this time period.

Related Programs: Nearly all social programs administered by Federal agencies are related to neighborhood centers. Such programs can be operated out of neighborhood centers and/or neighborhood centers can refer residents to these programs.

Mr. Speaker, in addition, I would like to point out the following errors in the June 25 listing:

No. 6.50, at page 18648, column 3, line 40, "conversation" should read "conservation."

No. 7.156, at page 18655, column 2, line 4, "complementary" instead of "complimentary."

No. 8.13, at page 18659, column 2, under "Related Programs," "trading" should be "training."

No. 8.58, "Animal Damage Control," should point out that these funds, I am informed, are now being used as well for rat control in urban areas.

No. 10.22, at page 18679, column 2, under "Administrator," should list "Mary Keyserling."

No. 10.38, at page 18682, column 1, should have for "Administrator":

The U.S. Department of Health, Education, and Welfare, Office of Education, in cooperation with the U.S. Department of Labor, United States Employment Service.

No. 10.129, at page 18687, column 3, should have for "Nature of Program":

The Catalog is a collection of some 1,400 technical and economic feasibility studies and reports, considered to be useful investment information. They are collected and made publicly available from a central source to assist in promoting private investment in developing countries.

HUMPHREYISM NO. 6

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

From a Collection of Representative HENRY C. SCHADEBERG'S (R. Wisc.)

"The Senator from Minnesota does not believe in a balanced budget at this hour, nor is he afraid to say so . . ." (CONGRESSIONAL RECORD, January 10, 1950.)

A COMMISSION ON NOMINATIONS FOR PRESIDENT AND VICE PRESIDENT

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. SHRIVER. Mr. Speaker, I am introducing today a joint resolution which I hope will lead to a thorough reevaluation of the procedures used in nominating candidates for the offices of President and Vice President of the United States. This in-depth study would be conducted by a temporary 30-member Commission of distinguished Americans.

The resolution directs this Commission to conduct a full and complete investigation of the present convention method of nomination and to report its findings and recommendations to Congress within 1 year of enactment. The Commission is also directed to consider one specific alternative to the present system—a nationwide presidential primary election.

I am well aware that several measures have already been introduced during this and previous sessions of Congress which would amend our Constitution to provide for a national primary immediately upon ratification. I have also read the results of the Gallup poll of September 22, 1968, which revealed that 76 percent of those polled favored the primary system over the convention method. In view of the television "specials" last August, perhaps this reaction is to be expected.

While a national primary would be an ideal solution if it could be made to work effectively, it raises some difficult practical questions that need to be carefully explored. Our major national political parties are actually loose confederations of State and local parties. The convention system forces these parties to come together once every 4 years to choose a national candidate, thus serving as a unifying device for the parties. Would a federally imposed primary system eliminate this unifying mechanism?

The durability and vitality of the democratic American political system owes much to the existence over the years of two major parties competing from positions of roughly equal strength. Since minority factions within each party must rely on the quadrennial convention as the forum in which their views can be reconciled with those of the majority of their party, would the absence of such a forum frustrate these dissident factions' efforts to influence the winning candidate? Would these factions then have to find a substitute method, such as splitting off and forming a multitude of special interest parties?

At present the mainstay of the American party system is the State and local party leadership. Would a national primary system diminish the viability of the State and local organizations, thus allowing a power void which could be filled by national mass media and public relations agencies, skilled in exploiting personality appeals rather than party principles?

If no candidate received a majority or substantial plurality of the primary votes, would a second nationwide "runoff" election be necessary? Then would three national elections in 1 year tax the citizens' patience, further reducing voter participation in national elections?

Would the primary eliminate the possibility of a draft of a reluctant but qualified candidate? Would it force incumbent Presidents seeking a second term into a primary campaign? What would be the status of an "independent" voter in the major party primaries? Would voters be allowed to vote in either party primary?

Who would pay the enormous costs of campaigning nationwide for the primary, the runoff when required, and the subsequent general election? Will this merely accelerate the trend wherein only a man with access to enormous sums of money is able to run for President? How is the vice-presidential candidate to be chosen?

To my knowledge these vexing questions concerning a national primary system have not been satisfactorily answered. Therefore, I am proposing the establishment of this high-level Commission to bring together the most astute political theorists and practitioners who will be directed to report on the feasibility of the various suggested reforms in our nominating process. We must not blindly accept the traditional methods of selecting these candidates just for the sake of tradition. If these methods are deemed outdated and undemocratic by the Commission and later by the Congress, they should be changed. But at the same time we should not abandon traditional methods which have served our country well for 136 years without forming a very definite basis for such a change.

The 30-member Commission proposed in my resolution would be chosen as follows:

Six Members of the Senate and six Members of the House of Representatives, equally divided between the Republican and Democrat Parties;

Six members, three of whom shall be chosen by the Republican National Committee and three to be chosen by the Democrat National Committee. This provision is very important in my opinion, since any recommendations from the Commission will obviously affect the basic functions of our two major parties. The views of these parties must be strongly represented;

Three members to be chosen by the Council of State Governments, of whom one shall be a Governor, one a State legislator, and one a State administrative official;

Three members shall be municipal officials who shall be jointly selected by the National League of Cities and the U.S. Conference of Mayors;

And finally, six members of whom one shall be selected by each of the three candidates who received the highest number of votes at the 1968 Democrat and Republican National Conventions. In other words one member will be selected by each of the following: Richard Nixon, Gov. Nelson Rockefeller, Gov. Ronald Reagan, Vice President HUBERT HUMPHREY, Senator EUGENE MCCARTHY, and Senator GEORGE MCGOVERN.

While this Commission would be charged with considering all possible alternatives to the present nominating system, for the purposes of legislative history, I would like to call attention to one specific proposal. Prof. Philip Green, a specialist in American government at Smith College, Northampton, Mass., has proposed in some detail a system which utilizes both the advantages of the convention method and the democratic reforms of the primary method. Briefly stated, this proposal would do away with the preconvention State conventions but retain the national conventions. After the individual State primaries, each candidate would be represented at the national conventions by the number of delegates proportionately equal to his percentage of the vote in the State primaries. This would do away with winner-take-all primaries, unit rules, and unfair delegate-selection procedures, thus giving dissident factions a genuine means of registering their dissent through the authorized channels of democracy.

I offer this suggestion not as a cure-all, but as one alternative which needs to be investigated further by this Commission. In the final analysis this Commission will have the responsibility of recommending a format in which a partnership can be established between Congress and the political parties. From this partnership should evolve a nominating system which will more accurately reflect the will of the American electorate. To this end we must stimulate a full and open public discussion of the alternatives to the present system.

TRUMBULL'S PAINTING, "DEATH OF GENERAL WARREN AT THE BATTLE OF BUNKER HILL"—THE PAINTER AND THE BATTLE

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. BRAY. Mr. Speaker, this year's 6-cent American artist commemorative stamp honors John Trumbull, painter of the American Revolution. The stamp features a detail from his canvas "Death of General Warren at the Battle of Bunker Hill," which hangs in the Yale University Art Gallery. The stamp will be issued October 18, 1968, at New Haven, Conn.

The 25- by 34-inch painting pictures a dramatic point of the battle. The British, twice driven back with heavy losses, have attacked a third time and the Americans, ammunition gone, are being forced back. But the design of the stamp itself comes from the far right-hand edge of the painting, and as Trumbull himself described the scene reproduced on the stamp:

> On the right of the painting, a young American, wounded in the sword hand in the breast, has begun to retire, attended by a faithful Negro; but seeing his general fall, hesitates whether to save himself, or, wounded as he is, to return and assist in saving a life more precious to his country than his own.

The American is a Lieutenant Grosvenor; the Negro accompanying him is Peter Salem, a freed slave, who fought in the battle and whose shot mortally wounded Maj. John Pitcairn, British Royal Marines.

Ironically, Trumbull's painting was finished in a London art studio in 1786, nearly 11 years after the battle. English engravers had no wish to help commemorate an American victory and Trumbull had to go to Stuttgart, Germany, for the engraving to be made. The engraving was not published in London until 1798, nearly a full generation after the battle.

The stories of both painter and battle follow:

THE PAINTER

John Trumbull was very probably the last man in the entire history of world painting who was granted a privilege and task accorded a few artists, and which he could not have known were his. The time of his birth, his talents as a painter, and the circumstances and surroundings of his life all merged to make him "artist to an age," whose canvases captured and preserved a world where visual records of events and personages depended solely on an artist's skill. He was the last; when he died in 1843, at the age of eighty-eight, the new daguerreotype process has just attained its greatest popularity, and from that time onward men, women, and events would be captured by and preserved upon the impersonal photographic plate.

We have a visual conception of Martin Luther through the paintings and prints of Luther's artist friend, Lucas Cranach. 16th century England and the court of King Henry VIII live in the works of Hans Holbein the Younger. The time of the ill-fated Charles I of England, who was to die under the headman's axe at the hands of Oliver Cromwell's men, survives in the canvases of Sir Anthony Van Dyck. Napoleon Bonaparte and the sweep and panorama of his life is contained in the pictures of Jacques Louis David. And so it was with the last of these few: John Trumbull, participant in and artist of the Revolutionary War and the early years of the American Republic.

Revolutionary War Colonel himself: acquainted with the first six presidents of the United States, and close friend to the very first; diplomatic secretary to John Jay—a roster of a few of the subjects of Trumbull's numerous paintings reads like a catalogue of the young United States of America: John and Samuel Adams, Supreme Court Justice Samuel Chase, DeWitt Clinton, Benjamin Franklin, General Horatio Gates, Elbridge Gerry, General Nathanael Greene, Alexander Hamilton, John Hancock, John Jay, Thomas Jefferson, Henry Knox, General the Marquis de Lafayette, General Charles Lee, General William Moultrie, General Charles Cotesworth Pinckney, General John Schuyler, Roger Sherman, George Washington, General Anthony Wayne. He painted three of the Revolution's major battles: Bunker Hill, Trenton, and Princeton, and his canvases of the signing of the Declaration of Independence, the surrender of Burgoyne at Saratoga, the surrender of Cornwallis at Yorktown, and General Washington's resigning his commission hang in the Rotunda of the Capitol in Washington.

Trumbull's "Bunker's Hill" marks the 12th time one of his works has appeared either whole or in part on a United States stamp. His George Washington portraits have been used six times; Nathanael Greene and Rufus

Putnam, once each; Alexander Hamilton once (his Hamilton portrait, done posthumously soon after the Hamilton-Burr duel, is also on the $10 bill); and two of his major canvases of Revolutionary events. The Declaration of Independence and the Surrender of General Burgoyne at Saratoga have each appeared once.

Born in Lebanon, Connecticut, on June 6, 1756, he lost the sight of his left eye at age four or five (Trumbull himself was not sure which) following a fall down a flight of stairs. He graduated from Harvard in 1773, the youngest member of his class, and regardless of the fact that he only had monocular vision, ultimately became the earliest American college graduate to become a professional painter.

On May 1, 1775, he entered active duty as Adjutant of the 1st Connecticut Regiment, and was sent to Boston. It was on this assignment that he viewed the battle of Bunker Hill, from a distance of about four miles. His drawings of plans of the British fortifications before Boston won George Washington's approval and attention, Washington appointed Trumbull his aide-de-camp, a post he held for only a few weeks, until be became a brigade major and was with the American Army when it entered Boston in March of 1776.

In June, 1776, he joined Gen. Horatio Gates as adjutant and was promised a colonel's commission. He served with Gates in Canada, at Ticonderoga and Crown Point, but in February 1777 resigned his commission in a quarrel over when it should have been effective. The Continental Congress granted it September 12, 1776; Trumbull insisted it should have been from June 28, 1776, and made so much of an issue of this less-than-three-months period that he left the army. Except for a brief period of service as volunteer in the Rhode Island Campaign of 1778, this terminated his military career, but to the end of his life he clung to the title of "Colonel."

In 1780, although the war was still going on, he went to London under a "safe conduct" granted by Lord George Germaine himself, the British Secretary of State, to study painting under another American, Benjamin West. His autobiography lists 68 different works prior to this journey but he knew he needed more training. He was jailed in England in reprisal for the Americans' hanging of Major Andre, the British spy, and took the time to study architecture. After his release he went back to America, painted a few portraits and landscapes, then went back to London and to West's teaching in 1784.

In 1789 he returned to America again and traveled up and down the eastern seaboard and spent what one biographer terms "years of feverish activity and promise." He visited battlefields, painted portraits and miniatures and planned his historical series.

In 1794 he returned to London as diplomatic secretary to John Jay and from then until going home in 1804 he traveled on the Continent, viewed the French Revolution, and speculated ". . . in old masters and, disastrously, in French brandy."

From 1804 to 1808 he was in New York and did a number of posthumous portraits of Alexander Hamilton, some commission work, panoramas of Niagara Falls and a few landscapes. Concerned over his failing eyesight, he went to London again in 1808 but Americans were unpopular due to rising tensions, which led to the War of 1812. In 1816 he returned to America again, heavily in debt.

From 1816 to 1837 he lived in New York and received valuable commissions for historical pictures for the Rotunda of the new Capitol Building at Washington. He had a few portrait commissions and considerable financial difficulty—again. In 1832, the Trumbull Art Gallery opened, which was the earliest art museum in the country connected with an educational institution. His last few years before his death were spent with a relative in New Haven, Connecticut, where he made "heavy-handed, large-scale copies of earlier religious pictures." He died in New York on November 10, 1843, and was buried beside his wife in the Trumbull Gallery, beneath his full-length military portrait of Washington.

The Battle

"The shot heard 'round the world" was fired at Concord Bridge on April 19, 1775. Within a week, 15,000 armed men had swarmed down on Boston, and were camped barely a musket shot from the British sentries. On May 25, 1775, His Majesty's Ship *Cerberus*, carrying Major-Generals Clinton, Burgoyne and Howe entered Boston Harbor. When they had left England in April, they thought Massachusetts was at peace, but that night they saw peering through the night like angry eyes the flickering campfires of an American army that had Boston under siege and 5,000 troops bottled up, unable to move.

General Burgoyne's reaction was immediate and direct: "What? Ten thousand peasants keep five thousand of the King's troops shut up? Well, let us get in and we'll soon find elbow-room!"

But Gen. Sir William Howe was in charge, and he began at once on a battle plan to break the siege. On June 18, 1,500 men would hit the American right wing. General Clinton would take his troops between the center and the left flank. If all went well, both forces would drive against the center. Raw Americans against seasoned troops, on an open field; no doubt of the outcome, and the peace. The rebellion would be over.

Midnight, June 16, 1776: Howe pondered a map and turned the details over in his mind. But his plan had leaked to the American Committee of Safety, and at that very moment, just across Boston Harbor to the north, 900 Americans, urged on by Colonel William Prescott and Gen. Israel Putnam, were frantically digging on the crest of Breed's Hill. On deck of H.M.S. *Lively*, riding at anchor, the middle watch thought he had heard noises from that direction and so informed his relief.

About an hour before dawn, on June 17, 1775, the marine on *Lively* standing the morning watch chuckled to himself. Noises? Probably some rebel farmers cutting hay! The light increased; first the houses of Charlestown were visible, then the hills above. The marine stared, blinked, then stared again. Within seconds, Capt. Thomas Bishop was on *Lively's* quarter deck, following the pointing finger. There had been nothing the night before, but now, on the crest of Breed's Hill, was a fort, and a very professional-looking job it was, too. Bishop bawled orders to his crew.

Adm. Samuel Graves woke with a start at the first crash of *Lively's* 10 starboard guns. An aide told him the ship was firing at some rebels on Charlestown Heights. "He has no such orders!" snarled Graves. "Tell him to cease firing at once!" Fifteen minutes later a message came from British General Gage: Take a look. Graves trained his telescope on Charlestown Heights: "Order all ships to commence firing immediately!"

Within ten minutes 168 British guns opened up.

General Gage summoned Abijah Willard, American loyalist, handed him a telescope and pointed to the tall figure walking on the parapet of the fort. Willard nodded; it was his brother-in-law, Col. William Prescott. "Will he fight?" Gage asked. "I cannot answer for his men," replied Willard, "but he will fight you to the gates of hell." Gage shook his head. "The works must be carried," he muttered, and headed off for a council of war.

General Howe pointed at a map: land troops on the tip of the peninsula; send a column of light infantry around the American left; flank them; cut off their retreat; then frontal attack. General Clinton wasn't sure. What if they choose to stand and fight? Howe brushed this aside as not likely, and, besides, they could not have had time to make a complete job of fortifying the hill.

On Breed's Hill Prescott and Putnam were driving their men on. By eight o'clock in the morning the fortifications were almost completed and the men were complaining about hunger, thirst and lack of reinforcements. A cannon ball shot away Asa Pollard's head and to the bewildered query of "What shall we do sir?" Prescott retorted "Bury him!" "Without prayers, sir?" "Without prayers!" "Yes, sir!"

In the streets of Boston the British were preparing to move out and by 11:30 a.m. were ready to embark. Howe himself was in the first boat that grated ashore on the peninsula. Lines were formed, artillery came ashore, and in twenty minutes the beach was secure. Then, on Howe's left, shouts and curses, and five would-be deserters were prodded in front of Howe. "I would like to hang all five of you, but I need men. Hang these two." Ten minutes later their lifeless bodies dangled from trees nearby.

The American lines on Breed's Hill were lengthened; 200 Connecticut men were stationed behind a 200-yard long rail fence on the American left, where Howe planned his flanking movement, and by 2:15 that afternoon they were joined by John Stark and his New Hampshiremen. Other Massachusetts forces appeared on the field, and into the redoubt on Breed's Hill came the glittering figure of Joseph Warren.

Splendid in pale blue waistcoat with silk fringes, laced with silver, his breeches were white satin with silver loops, and he wore a white ruffled shirt. Made a major general in the Massachusetts army three days before, he was also president of the Provincial Congress, chairman of the Committee of Safety, and friend of Sam Adams and John Hancock. Prescott saluted and asked for orders. "I have none to give. I am here as a volunteer." The young farmers took heart, and by now a line of 2000 Americans was in place.

Back to Howe, on the beach, where 2600 officers and men were ready. Grenadiers and regular infantry to go straight across the fields; light infantry to circle and head for the rail fence; light infantry cut across the American flank and rear; confusion; charge on all fronts by British; American retreat.

The lines moved; Howe's artillery support from the beach ceased, where cursing gunners struggled helplessly with ammunition that would not fit their guns.

In the American lines on Breed's Hill, General Israel Putnam squinted at the advancing British and gave his men the order first used by Prince Charles of Prussia, fighting the Austrians at the Battle of Jaegerndorf, in 1745: "Don't fire until you see the whites of their eyes." On the American left flank, John Stark jumped over the fence and hammered a stake into the sand of the beach, forty yards in front. "Fire when they cross this."

Down the beach towards Stark and his men pounded 350 British light infantry, on Howe's flanking move, with orders to use the bayonet. They passed the stake; the American lines exploded in their faces and the front rank blew apart. Right behind them came the King's Own and second volley cut them down. Yet behind them came the Tenth Regiment; still a third volley, and there were not enough British left to form a solid line. Now the Fifty-Second surged forward; another volley; ninety-six men were dead on the sand, and a white-faced aide bearing the news caught up with Howe and his grenadiers, struggling over the rail fences leading up the hill. Howe clenched his jaw. "Attack all along the line!"

One hundred yards; seventy yards; "The bayonet! The bayonet!" roared Howe. He could not see there were 1500 muzzles leveled at his men, whose opening charge was led by only 350 men in ten companies. In the redoubt, a grey-haired farmer prayed aloud:

"I thank thee, O Lord, for sparing me to fight this day. Blessed be the name of the Lord."

British accounts say the first American volley was at less than fifteen paces. Down by the fence with the New Hampshiremen young Ralph Farnum was to remember to his dying day, eighty years later, at the age of 105, the last American survivor of the battle, that the hideous screams of the grenadiers as they were torn apart by the musketry was the most frightening sound and the most vivid memory he had of the whole battle.

In ten minutes the Americans fired about 30,000 bullets; the forward British units took eighty per cent casualties.

On the British left, a double line of marines and infantry headed for the south wall of the American redoubt. At twenty yards the Americans opened fire and the red lines tumbled 200 yards back down the hill.

The British lines formed again, and with Howe once more at their head, pressed up the hill. This time at thirty yards; again the hail of bullets; the attack swirled to a halt; Howe stood alone.

"Once more, men, once more!" and once more they went up—into another American volley, and the survivors turned and headed for the beach.

Of Howe's 750 grenadiers and light infantry, 450 were dead or wounded. Howe looked up the hill. "We will go forward once more, gentlemen."

And they did. But in the American lines, ammunition was almost gone; there were few if any bayonets and it would be rocks and clubbed muskets. The British lines came closer. Peter Salem, one of the freed Negro slaves in Prescott's regiment and one of the seven whose names have come down as having fought that day, heard British Major Pitcairn shouting and cursing at his marines. He thrust his immensely long duck gun over the parapet and squeezed the trigger. Pitcairn went down; his Marine Lieutenant son ran to his side and with the help of two marines carried the dying Major back down the hill.

Powder was running out; there was desperation but no retreat. Prescott was parrying British bayonet thrusts with his sword. Lieutenant Richardson of the Royal Irish jumped to the parapet. "The day is ours," he shouted, and the next instant, Captain Ebenezer Bancroft, one shot left in his musket, rammed his bayonet into Richardson's shoulder and pulled the trigger. Richardson toppled backwards, his shoulder shattered.

In the next instant Bancroft's gun was torn from his hands. He snatched another from a grenadier and killed him with his own bayonet. That gun went, too; he plunged over the wall, landed beside a British soldier and started to run. Then he realized he would be shot in the back, so he wheeled and hit the soldier with his fist. Bancroft was followed by Cuffee Whittemore, another freed Negro. With a true American passion for souvenirs. Whittemore paused long enough to grab up the splendid sword of a dead British officer before running on down the hill.

Now the Americans had been driven out of the redoubt and were backing slowly down the reverse slope of the hill. Joseph Warren summoned some men to make a last stand; a volley came from the British lines, and Warren was hit behind the ear as he turned to call encouragement to his troops. He flung a hand to the wound and fell without a sound.

Major-General Burgoyne watched the withdrawal:

"The retreat was no flight; it was even covered with bravery and military skill."

Then it was over. 2300 British had gone up the hill; 1,054 were killed or wounded. One-eighth of all British officers to be killed in the entire Revolutionary War had fallen that day. The Americans had lost around 500 killed, wounded and missing.

Sir William Howe had won an utterly useless peninsula, but His Majesty's forces in America had lost forevermore the daring and brilliance, the dash and skill, that had marked Sir William's career up until that day. "There was a moment I never felt before," he was to say, reflecting on those horrible moments when his troops had been slaughtered in one of the most costly, bloody frontal attacks in the entire history of warfare. Howe was to receive much of the blame for failure to win the Revolutionary War, and his brother officers would point to his experience that hot June day as the one factor that was to make him slow, hesitant and overly cautious, letting the Colonial troops escape him again and again.

Benjamin Franklin, in Philadelphia, had spent the last ten years working harder for peace than any other man on both sides of the ocean. He picked up his pen and wrote to an old friend in London:

MR. STRAHAN: You are a member of Parliament and one of that Majority which has doomed my country to destruction. You have begun to burn our towns and murder our People. Look upon your Hands! They are stained with the Blood of your Relations! You and I were long Friends. You are now my Enemy.

"And I am,
"Yours,
"B. FRANKLIN."

CONGRESSMAN DURWARD G. HALL REPORTS ON THE 90TH CONGRESS

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. HALL. Mr. Speaker, I insert in the RECORD my end-of-session report on the 90th Congress which I send to my constituents:

END-OF-SESSION REPORT

The 90th Congress is now history and there will be many interpretations of its deliberations and actions. In this "end of session" report, I'll try to identify a few of the problems it dealt with, some of which were solved, some of which were only compounded, and others which were not faced at all.

Under our system of government, the Majority Party controls the legislative machinery which includes the scheduling and consideration of all bills. There were 247 Democrats and 187 Republicans in the House; 63 Democrats and 37 Republicans in the Senate.

Although the computers are still tabulating the results, it appears the total amount of money appropriated by the Congress will exceed one hundred and thirty billion dollars. The "planned" deficit (the difference between expenditures and revenues) may run in excess of six billion dollars.

Obviously, any state, any city or county, any local school board, or even your own family, which so profoundly overspent its revenues would be in serious trouble. The nation's financial troubles are reflected by a 4½ percent increase in the cost of living in a one year period, the highest interest rates since the Civil War, and a continuing drain on our gold supply, and balance of payments.

The "average" wage earner is receiving $13.85 a week more than he did in September, 1965. But, after adjusting for the increase in the cost of living, and deductions for higher Social Security taxes, the real pay increase amounts to only 23 cents a week. Many persons living on fixed incomes, especially those living in retirement (who saw fit to try and secure their own futures), actually have lost purchasing power in this same period.

The 1939 dollar is now worth less than 41 cents in real value, and should the present rate of decline continue, would be worth only a "nickel" in 1982. Clearly, inflation is one of the Nation's most serious domestic problems!

The Administration sought, and obtained, a 10 percent tax surcharge, to which the Congress added a mandatory six billion dollar cut in Federal spending. But, while no one has been exempted from the tax hike, the dike was broken on the spending cut and numerous exceptions were forced through.

A year ago, as the Vietnam war of gradualism continued, the claim was made that the Nation could afford both "guns and butter". The results have shown it could not, and that there was blood in the butter! Between 1961 and 1968, defense spending rose by 65 percent, and domestic spending rose nearly 90 percent!

At long lost, Congress took note of sharply rising crime rates, and passed the Omnibus Anti-Crime Act of 1968. Much of it was directed against the appointed Attorney General, Ramsey Clark, head of the Department of Justice—who often seems to be saying that "society has failed the criminal", instead of the other way around. After the devastating Washington riots of last April, Attorney General Clark, in response to a newspaperman's question, said he "was looking into reports" that Stokely Carmichael had helped incite the riot by making inflammatory statements. He promised action, if appropriate. Today, five months afterward, he presumably is still "investigating". To direct queries by mail he has no reply.

The Anti-Crime Bill also included provisions intended to offset several Supreme Court decisions which many believe have made it increasingly difficult for local law enforcement authorities to carry out their responsibilities to maintain law and order. These provisions primarily affect (a) reasonable time for arraignment of criminal suspects, (b) admissibility of confession, and (c) admissibility of eye witness testimony. A measure tightening up restrictions on the mail-order sale of guns and ammunition, rejected registration and licensing on the basis that the criminal would ignore them at no risk. It was pointed out that the Supreme Court had ruled in a decision earlier this year that a person whose ownership of a firearm was illegal, because he was a convicted felon, could not be forced to register it, because this would violate his rights under the Fifth Amendment against self-incrimination (one who joined in this decision was Justice Abe Fortas!)

The House did include in the bill a mandatory minimum prison sentence for persons convicted of committing a felony with a firearm.

Foreign Aid has been a controversial issue for at least 15 of the last 20 years. This year, Congress made the deepest reductions in Foreign Aid in the history of the program. In view of our own fiscal situation, I think the cuts should have been even deeper, especially since there is a large carryover of unexpended funds even if no new monies were approved. No program is so sacred that it must go on forever, and by now we surely have learned that American dollars are not the answer to what ails much of the world. Our own citizens have ben asked to tighten their belts, while Foreign Aid Administrators proposed to continue business as usual. This time Congress properly said "No."

One of the toughest responsibilities facing every Member of Congress is the task of assigning spending priorities to the Nation's needs. The Administration budget failed to

lead by saying "Yes" to every Administration request, the dollar would be in even greater trouble around the world, and at home. In assessing those needs and priorities, here are a few of the programs I felt were deserving, and on which I voted "Yea":

Vocational education (H.R. 18366)—*This year's bill was truly a landmark in this field. The technological age in which we move will flounder if skilled manpower is not available to sustain it. Our technological advances and the increased number of skilled fields profit us little, if we continue to lose young people to the ranks of the unemployed. The fiscal level for this measure, which is primarily aimed at young people without skills, was set at five hundred and sixty five million dollars. This program has proven itself in Southwest Missouri, and I testified in its behalf.*

Higher Education Act (H.R. 15067)—*The bill approved this year marks the 10th Anniversary of the National Defense Education Act, and is intended to help our colleges and universities cope with mounting student enrollments through a program of matching funds and loans for construction of academic facilities. It will also enable more qualified students to continue their higher education even though they have limited financial resources of their own. One important amendment would deny Federal assistance to any student who is found guilty of participating in riots or other forms of violence on the campus.*

Removal of admission fees at Federal reservoirs—*We were successful in attaching an amendment to the Public Works Bill (S-3710) which will almost certainly have the effect of removing admission fees at our Federal reservoirs in 1970. Although I argued that the fees should be taken off now, I feel this was a moral victory in view of the Administration's opposition to any action removing the fees.*

Manpower Development and Training Act (H.R. 15045)—*Properly administered this measure can utilize the training resources of private enterprise to provide meaningful training for jobs that are waiting to be filled. In the past, a major problem has been duplication and waste with fifteen major Federally supported manpower programs administered by five different agencies.*

Some of the other measures I supported included bills dealing with Meat and Poultry Inspection, School Lunch program, Library Services Act, Military Pay increase, Railroad retirement insurance and benefits act, Narcotics control bill, Veterans pensions, the Older Americans Act, and Narcotics Control.

Hearings were held in the House Committee on Agriculture on my cropland and water restoration bill, but Agriculture Secretary Freeman did not submit a report on the measure, and the Committee merely proposed a one year extension of the present farm program. With farm prices falling and farm costs continuing to spiral upward there is certain to be renewed demand in the 91st Congress to develop a new approach to the problems of the farm economy.

Hearings were held in the House Committee on Public Works on my bill to reform Federal land acquisition policy. I believe a clear record has been made of the need to provide fairer and more equitable methods of acquiring property under threat of condemnation, and I look forward to new legislation being adopted in the next Congress. Remarks by Members of the Public Works Committee showed clear support for this much—needed reform.

I have touched on only a few of the issues that were before the 90th Congress. There were many others dealing with the whole range of problems before the Nation and indeed the world. Much unfinished business remains for the new Congress and the new Administration that will pick up the reigns of leadership next January.

It has been a rare opportunity for me to do this, and if Congress had followed that serve you, by trying to fulfill the duties and responsibilities of the office I am privileged to occupy. As nearly as I can determine, about 15,000 citizens in our District communicated with this office on legislative issues during the past year, a sure sign that our people are vitally interested in the affairs of their government. I have faith in their informed judgment! Almost that same number had occasion to write me on personal problems that involved some function of the Federal government. In doing my best to render service, I'm grateful to the members of my staff who have worked tirelessly to help me help you!

DURWARD G. HALL,
Member of Congress.

RESULTS OF QUESTIONNAIRE

HON. SAMUEL S. STRATTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. STRATTON. Mr. Speaker, at the end of July I sent out some 130,000 copies of a questionnaire to the people of the 35th Congressional District of New York, which I represent. Some 15,000 replies have been received thus far, and in accordance with my standard practice I would like to incorporate the results in the RECORD.

The questions and a tabulation of the answers follow:

1. Which course do you favor for Vietnam?

	Percent
(a) Escalate the fighting to seek a military victory	21.0
(b) Seek a negotiated settlement at Paris, but defer further U.S. deescalation until North Vietnam also deescalates	42.5
(c) End our operations and withdraw even though North Vietnam refuses to agree to any honorable peace terms	16.7
(d) Other	16.4
Undecided	3.4

2. On gun controls which do you favor?

(a) No additional legislation	33.9
(b) Extend present mail-order ban to rifles and shotguns	30.2
(c) Alternative (b) plus registration of all firearms	30.7
Undecided	5.2

[In percent]

	Too much	Too little	About enough	Undecided
3. How well do you think Congress has spent money for:				
Defense	33.5	13.0	42.9	10.6
Space	48.4	13.1	30.4	8.1
Agricultural supports	45.6	15.8	27.0	11.6
Foreign aid	75.9	4.9	13.7	5.5
Education	16.6	36.7	39.1	7.6
Housing	27.3	31.4	30.7	10.6
Antipoverty	37.5	30.8	23.0	8.7
Medical care	36.2	19.3	36.0	8.5

	Yes	No	Undecided
Do you favor:			
4. Withdrawing U.S. troops from Europe unless other NATO countries carry more of the common load?	69.3	22.2	8.5
5. Ending Government aid to students participating in campus rioting or disorders	88.0	9.8	2.2
6. Stiffer limits on cigarette advertising?	61.9	26.8	11.3
7. Making the Post Office a nonprofit, semipublic corporation?	59.4	22.2	18.4
8. Banning sale of imitation milk in packages resembling milk?	65.1	23.7	11.2
9. Giving 18-year-olds the right to vote?	47.0	47.5	5.5
10. Guaranteed annual income, whether people work or not?	7.1	87.5	5.4
11. Legislation strengthening right of farmers and farm organizations to bargain for improved prices?	66.2	19.0	14.8
12. Generally, the present operation of the draft?	46.8	41.2	12.0

Summarizing the figures above, the people of our district would appear to oppose unilateral withdrawal from Vietnam by a margin of better than 3 to 1, and registration and licensing of guns by better than 2 to 1. Too much money, they feel, is being spent for space, agricultural supports, foreign aid, and antipoverty, especially foreign aid. Spending for defense, education, and housing is about right. Medical care is virtually a standoff between too much and just enough, and the same was true for the 18-year-old vote.

Those who replied in favor of withdrawing troops from NATO unless our partners provide more help were better than 3 to 1, although a large share of these replies came in before the Czech invasion; they favor withdrawing aid from rioting students by a margin of 9 to 1; stricter limits on cigarette advertising, a private postal corporation, restrictions on imitation milk, and provisions for farmers to work together for higher prices by margins of better than 2 to 1. The draft ekes out approval by a narrow margin, and a guaranteed annual income loses by better than 12 to 1.

MILESTONES IN THE LIFE OF BISHOP CHARLES P. GRECO

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. WILLIS. Mr. Speaker, this year, 1968, marks the 50th anniversary of the ordination to the priesthood of His Excellency, the Most Reverend Charles P. Greco, bishop of the Catholic diocese of Alexandria, La.

Bishop Greco has been my close personal friend for many years. In fact, during my tenure of office, I have assisted His Excellency on a number of occasions. One time that I clearly recall was when His Excellency was interested in obtaining the admission of an Order of European nuns to teach in the Catholic schools in his diocese under the provisions of the Immigration and Naturalization Act. I was able to obtain the admission of these nuns under that section of the act which provides for the admission of foreign nationals who possess special skills. Of course, everyone is aware of the outstanding teaching ability that nuns possess so the special skill requirements are more than satisfied.

I am, therefore, very pleased, Mr. Speaker, to extend to Bishop Greco my best wishes and kindest regards on this most momentous occasion in his fruitful life.

As part of my extension of remarks, I am including some of the milestones in the life of Bishop Greco:

MILESTONES IN THE LIFE OF BISHOP CHARLES P. GRECO

Born In Rodney, Miss., October 29, 1894.

Twice met St. Frances Cabrini in New Orleans, and received her promise of prayers in 1904 and 1905.

Grade and high school—Jesuit College in New Orleans and St. Joseph's Preparatory Seminary, St. Benedict, La., 1905–1913.

Major seminary—University of Louvain, Belgium, 1913; University of Fribourg, Switzerland, 1914. Remained here during war years.

Ordination—Academy of the Sacred Heart, at New Orleans by Archbishop Shaw, July 25, 1918.

Assistant pastor—St. Mary's Church, New Orleans, La.; St. Francis de Sales' Church, Houma, La., 1918 to 1923.

Vice Chancellor and Chancellor—Archdiocese of New Orleans, 1923 to 1926.

Defender of marriage bond and presiding judge—Matrimonial Court, Archdiocese of New Orleans, 1926 to 1945.

Administrator and pastor—St. Maurice Church, New Orleans, 1926 to 1945.

Archdiocesan counsultor—Appointed 1935.

Domestic prelate—Named by Pope Pius XI, 1937.

Silver jubilee—of Ordination, 1943.

Columnist and editor-in-chief—Catholic Action of the South, 1933–1945.

Presiding judge of Pontifical Tribunal—investigation miracle used in Beatification of Mother Seton.

Pastor—Our Lady of Lourdes Church, New Orleans, April, 1945.

Vicar General—Archdiocese of New Orleans, June, 1945.

Bishop—Appointed Bishop of Alexandria by Pope Pius XII, Jan. 15, 1946.

Consecrated Bishop—St. Louis Cathedral, New Orleans, February 25, 1946.

Installed—Bishop of Alexandria by Archbishop Rummel in St. Francis Xavier Cathedral, March 19, 1946.

Regional CCD—U.S. Bishops' Committee of CCD, November, 1948.

State chaplain—Knights of Columbus of Louisiana since July, 1954.

Chairman—Bishops' Committee CCD since November, 1959.

Dedication sermon—National Shrine of Immaculate Conception, Washington, D.C., December 20, 1959.

Supreme chaplain—Knights of Columbus, United States, Canada, Mexico, Philippine Islands, Puerto Rico, etc., since January 14, 1961.

Ecumenical Council—Consultor, January 23, 1961. Bishop Greco was named to one of the Council's 10 Commissions, December 1961, and helped prepare the Constitution of the Life and Ministry of the Clergy, and other Constitutions. He was also on one of the pre-Council Commissions which helped to prepare material before the actual opening of the Council. He did not miss a single meeting during any of the sessions throughout the entire Council, nor any of the votes taken.

Established St. Mary's School for Retarded Children, in Clarks, La., September 15, 1954, and *Holy Angels School for Retarded Children in Shreveport*, March 1966. A third school will be established as soon as Federal funds are available through Mental Retardation Act.

Radio fireside chat—on KALB weekly uninterrupted since 1947.

STEEL IMPORTS MUST BE CURTAILED

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. MADDEN. Mr. Speaker, on several occasions I have mentioned to our membership the major threat of crippling the operation of our largest American industry—steel production.

Employment in our steelmills support a great segment of our American families.

This annual increase of foreign steel importation into our country is rapidly jeopardizing our Nation's economy. Something must be done, and immediately, to greatly curtail this threat to employment and the buying power of the employees of this major industry. If our Government continues to allow this condition to proceed it will greatly contribute to another depression throughout the land.

Under unanimous consent I include in my remarks a letter I received from Mr. John P. Roche, president of the American Iron & Steel Institute.

AMERICAN IRON AND STEEL INSTITUTE,
New York, N.Y., October 4, 1968.

Hon. RAY J. MADDEN,
House of Representatives,
Washington, D.C.

DEAR MR. MADDEN: In the first eight months of 1968, approximately 11.8 million tons of imported steel mill products entered the United States, an increase of 64.4% over the comparable period in 1967. Instead of tapering off after the settlement between the steel companies and the steel workers union, imports rose to a new high in August when they accounted for nearly one-third of all steel delivered in the United States.

In the period 1963–1968, capital expenditures of the American steel industry will have totalled approximately $11 billion. Continued massive capital commitments in latest technology, plant and equipment have helped the industry to maintain its lead in the use of less man-hours per ton of steel produced than any other major steel producing country in the world. Technological advances in steel making now available, however, have not enabled the domestic steel industry to reduce man-hours per ton sufficiently to match foreign steel price advantages. These advantages stem directly from lower hourly employment costs, which for European steel producers are less than one-half those in the U.S. and for Japanese producers, about one-fourth our comparable costs.

Thus, steel imports continue to increase, threatening not only the economic viability of the steel industry, but at a rate which will produce a steel trade deficit in 1968 of at least $1.4 billion, causing deep concern over the impact on our balance of payments, and on our national security.

We hope that you and other members of the Senate and House of Representatives will note the unprecedented increase of imported steel in U.S. markets, and take action before the steel industry is irreparably damaged.

Sincerely,

JACK ROCHE,
President.

REVIEW OF ACTIVITIES

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. PETTIS. Mr. Speaker, representing the people of San Bernardino County in the 90th Congress has been a rewarding and challenging experience. The job has been made easier by a dedicated staff of assistants who man my offices in San Bernardino County and in Washington. With their help, I have answered over 75,000 constituent letters and dealt with the pressing problems of countless citizens who in one way or another needed the personal attention of their Congressman.

I owe many thanks to my colleagues, both Republican and Democrat, who have worked with me in the House and to the county board of supervisors and the city officials in San Bernardino County. It has been a particular pleasure to serve on the Science and Astronautics Committee under GEORGE MILLER, Democrat, of California, the chairman, and JAMES FULTON, Republican, of Pennsylvania, the ranking Republican member of the committee.

I have been especially gratified by the recognition my congressional colleagues have shown on the importance of San Bernardino County's military installations. As a result, all of the Air Force, Marine Corps, and Army installations have grown. The additions are new, permanent installations that are vital to the defense of our Nation.

To keep better informed about the problems facing the people of the 33d District, I have visited my district over 50 times in the past 2 years to meet and talk with individual citizens. I believe these visits are an important and vital method of keeping in touch with the ever-changing problems of San Bernardino County. I have tried to inform the people through newsletters, news releases, weekly columns in the newspapers, and radio messages. In turn, I have solicited their advice and ideas by the use of questionnaires.

A Congressman's duties are many; his committee work, assistance to his district, the introduction of legislation, voting and speaking out in behalf of his constituents upon the vital issues that face our Nation are rewarding indeed. I would like to review with you some of these activities.

SCIENCE AND ASTRONAUTICS COMMITTEE

Mr. Speaker, the success of the American way of life and the future of our civilization may well depend upon the ability of the scientific community in these United States to solve social and technological problems. And, if we are to avoid world war III, it is certain that our scientific achievements in the military and space fields must remain superior to any nation that might threaten our way of life.

As a member of the Committee on Science and Astronautics, I have repeatedly warned my colleagues in the Congress and my countrymen of the grave challenges we face that are of a scientific nature such as rocket power. Illustrative of my "call for action" are the following brief excerpts taken from the CONGRESSIONAL RECORD:

NERVA, OR ANOTHER "PEARL HARBOR" IN SPACE

Mr. Speaker, it appears that some reflection upon the hard lessons of recent history in the exploration of Space is in order. I need not remind this House of what happened to this Nation on October 4, 1957. It was embarrassed before the World as it had never been before. This was the Nation, the acknowledged leader in technology, that was going to place a spacecraft in orbit as part of the program of the International Geophysical Year. We dismissed as nonsense the Russian statement that they, too, would launch a spacecraft into orbit before we could. We were not only deeply embarrassed by Sputnik I, but were also deeply shocked by the Soviet capability. . . .

Now we are considering the NERVA, the nuclear rocket research and development program. Now we are deciding irrevocably whether we are going to be caught short again—the world is watching us. Where will we be 10 or 15 years from now? This is not just a matter of ego in the scientific community—it has to do with the distinct possibility that the Russians will—with Nuclear propulsion capability in space—be able to blackmail us from a military standpoint. Now we are deciding whether we are going to concede to the Soviet Union another tremendous advantage in space over the United States, one which we will probably not be able to offset. . . .

The Members of the House have to make up their minds today. We are either going to support, a program, indispensable to our future in space, or we are going to cut it to the point of shameful impotence. . . .

I would like to use this opportunity to again urge this body to consider seriously the tremendous need this country has for a nuclear reactor built for a space rocket.

This Congress has treated this idea a little bit as it treated the concept of the Polaris submarine some years ago when it was first suggested. I hope that our negligence will not lead us into a second-place position with any other country in the world, because this could lead to disaster.

SAN BERNARDINO COUNTY SHARES "SCIENTIFIC INQUIRY" RESPONSIBILITY

It is with pride that I note that in our own San Bernardino County of California, more than $35 million were spent this past year on a variety of scientific investigations and projects—both classified and unclassified—designed to keep our Nation strong in the face of our enemy. These "special" activities are under the purview and budget of my committee on Science and Astronautics.

It is with equal pride that I salute the Goldstone Deepspace Tracking Station, located in the northwest corner of San Bernardino County in the Mojave Desert, because it is by far the world's most successful station of its kind and is vital to the United States in many sophisticated projects.

OTHER MAJOR ACTIVITIES

Mr. Speaker, San Bernardino County is the largest in our Nation, with over 25,000 square miles in the area. Problems of city growth, agriculture, mining, Indian reservations, recreation areas, unemployment and industrial growth face the people of my district. Working together with local officials and individual citizens, we have endeavored to meet these challenges.

COLORADO RIVER BASIN PROJECTS

Following are brief excerpts as taken from the CONGRESSIONAL RECORD:

Mr. Speaker, by the adoption of S. 20, which calls for a comprehensive review of national water resources problems and programs and the Colorado River Basin Project Act, whose object is to provide a program for the further comprehensive development of the water resources of the Colorado River Basin and for the provision of additional and adequate water supplies for use in the upper as well as the lower Colorado River Basin, we have set the stage for solving one of the nation's vital and critical problems—the problem of water, which is as important as life itself.

This legislation will also serve the purposes of regulating the flow of the Colorado River: provide for the storage and delivery of the water of the Colorado River: provide for reclamation of lands, including supplemental water supplies, and for municipal, industrial and other beneficial purposes; improve water quality; provide for basic public outdoor recreation facilities; improve conditions for fish and wildlife and the generation and sale of electric power as an incident of the foregoing purposes.

We will have also established as a policy of the Congress that we shall continue to develop, after consolidation with the affected states and appropriate Federal agencies, a regional water plan which will serve as a frame work under which projects in the Colorado River Basin may be coordinated and constructed with proper timing to the end that an adequate supply of water may be made available to all our people.

We will have clearly indicated to the Secretary of the Interior that he not only has the authority, but the responsibility for planning the best possible use of this nation's water resources west of the Continental Divide for meeting the future water needs of our western states . . ."

When the water needs of the Colorado River Basin and the time schedule have been established, all possible sources of water must be considered including water conservation, salvage, weather modification, desalinization, anti-evaporation measures and importation of water from areas of surplus.

MINING SEMINAR

To assist the individual mine owner and to stimulate the increase in mining activity in San Bernardino County, I joined with the city of Barstow and members of county government in sponsoring an annual mining seminar each October. The objective of the Western States Mining Seminar is to promote the mining industry in the western United States by illuminating the capabilities of governmental agencies, the academic community, related professions and industries toward the development of mining.

The first seminar was attended by over a thousand interested miners from throughout the Southwest.

INDIAN AFFAIRS

Working with the Fort Mojave Tribe and the Bureau of Indian Affairs, agreement has been made to allow the tribe to negotiate 99 year leases to develop their land instead of the original shorter term leases which caused many developers to shy away from Indian land.

With the aid of private citizens, the County Health Department and the Bureau of Indian Affairs, we were able to provide good drinking water to the San Manuel Reservation after years of neglect.

Successful completion of the struggle to reorganize the Chemehuevi Tribe and final recognition by the Indian Bureau appears to be at hand.

ONTARIO INTERNATIONAL AIRPORT

The final approval by the Civil Aeronautics Board to designate Ontario International Airport as a coterminal with Los Angeles International Airport will provide not only better airline service to our county, but should speed industrial growth, which means more jobs for our citizens.

JOB TRAINING AND UNEMPLOYMENT

During the last 2 years, new federally aassisted job training programs for the hard-core unemployed have been started at our junior colleges. Also, training programs are being undertaken by private industry with Federal help. These programs and the many new businesses coming to our county have reduced unemployment to a 10-year low.

Mr. Speaker, our Nation is plagued with attack from without and within. Crime and lawlessness are keeping us from solving problems at home. At the same time, Communist aggression attacks us abroad.

AMERICA'S NO. 1 PROBLEM—CRIME

The people of my home district have indicated they consider crime the major problem facing our Nation today. In discussing this with my congressional colleagues, I find the reaction is the same virtually everywhere in our country.

California, and counties such as my own San Bernardino County, have adequate anticrime laws and well-trained and dedicated law enforcement officals. Unfortunately, in many cases, they are hamstrung by those who seek to protect the criminal from society's justice.

The FBI reports crime is increasing nine times as fast as our population. Each of us should ask: "Can we afford to ignore this? Can we sit by as the American dream is beaten, murdered, and twisted into a hideous nightmare?"

It is not very pleasant to think about. But unless we start thinking and coming up with sound, workable solutions, our children will bear the full weight of our irresponsibility.

They may well ask of us in the years ahead, "Where were you when our country cried out for leadership? What was more important than the future of America?"

What is needed most in the fight against crime is leadership—an example which stands up to this menace and openly, forcefully speaks out against it.

Facing this problem is half the answer to defeating it. Burying our heads in the sand and trying to ignore it is half the way toward surrendering to it.

The two words, "law" and "justice" have been linked together ever since men first dreamed of freedom. Destroy one and the other becomes meaningless. There can be no law without justice and no justice without law.

I, for one, pledge myself to stand for law and justice. And, I firmly believe that what America needs today, more than ever before, is leadership committed to law and justice.

RELATIONS WITH COMMUNIST COUNTRIES

As I said last August, until the Communists demonstrate that they are willing to sit down and discuss an end to the arms race, it is imperative to the security of our Nation that we maintain a strong defense posture.

If any doubt that communism pursues its ungodly goals through aggression, let them but look to what took place in Czechoslovakia recently. Let them remember that a small candle of freedom started to glow and was crushed quickly under the treads of Soviet tanks.

I term "shocking" the failure of the Department of Defense to show any concern over the growing nuclear submarine threat of Soviet Russia. Communities located near coastal waters, such as my own San Bernardino County, could be devastated by a single nuclear submarine attack. The loss of lives by such an attack would run into millions.

And, Mr. Speaker, the Russian submarine threat is but one area in which we must strive to keep ahead or at the very least, abreast of a potential enemy.

As I related last July, by the time the new American President takes office, the Soviet Union will have a ballistic missile force equal to our own.

Not only has the Soviet Union come near matching American's nuclear striking power, it has also forged ahead in the field of ballistic missile defense.

In this time of explosive technological change, our efforts to modernize and balance our defensive and offensive forces cannot slacken without gravely impairing world stability and the prospects for genuine peace.

When the Russians backed down during the Cuban crisis, they did so because we had the backing of an overwhelming force.

If such a nuclear showdown were to occur today, I wonder who would be forced to back down and I wonder if bargaining from a weakened position might not lead to a nuclear holocaust.

America is entering a period of unprecedented peril—we must act now.

FEDERAL LOANS, GRANTS AND CONTRACTS IN THE 33D DISTRICT

Mr. Speaker, the people of San Bernardino County, Calif., are among the Nation's major contributors to the financial foundation of the Federal Government through business and personal taxes. Therefore, I believe they are entitled to know the amount of tax moneys expended in the 33d Congressional District by the Federal Government.

Set forth below is a partial list of Federal loans, grants, awards, and contracts approved for San Bernardino County during the 90th Congress. The listing is not complete as certain figures for the fiscal year 1968–69 are not yet available.

Some items are on a regional basis and therefore benefit areas in addition to San Bernardino County. It should be noted that the amounts quoted are subject to amendment by various Government agencies.

Not included are Government contracts to individuals for projects done in and around the county, nor payments to individuals under such programs as Veterans' Administration, Social Security Administration, Farmers Home Administration, Civil Service Commission, and Small Business Administration.

The list referred to is as follows and includes in addition to Government contracts, educational and training programs, aid to municipalities, flood control projects, and so forth:

Educational grants, including job training programs, research, construction, and student loans

Alta Loma: Chaffey College	$579, 781
Barstow: Barstow College	42, 986
Etiwanda: Job training	38, 255
Barstow: Barstow Unified School District	64, 673
Fontana: Rehabilitation workshop	28, 177
Ontario: Job training and cross age teaching	65, 236
Patton: Handicapped children	85, 000
Redlands: Redlands University	2, 511, 881
San Bernardino:	
Job training, teaching projects	548, 335
California State College	1, 870, 583
Valley College	1, 243, 276
Victorville: Victor Valley College	37, 038
San Bernardino County, job training, Headstart, and teaching programs	4, 901, 437

ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 AS AMENDED FOR FINANCIAL ASSISTANCE FOR SCHOOLS IN FEDERALLY AFFECTED AREAS

School district	Estimated entitlement	
	Fiscal year 1967–68	Fiscal year 1968–69
Victorville	$104, 121	$115, 287
Adelanto	424, 342	495, 884
Victor Valley Joint Union High	159, 095	194, 958
Wrightwood Joint	7, 464	10, 834
Upland	58, 412	73, 894
Ontario	137, 649	165, 846
Chino Unified	43, 403	55, 917
Chaffey Union High	124, 766	130, 735
Central	7, 858	12, 084
Apple Valley	29, 206	45, 142
Fontana Unified	27, 509	65, 841
Morongo Unified	330, 418	378, 823
Hesperia	20, 431	24, 168
Oro Grande	3, 405	3, 055
Alta Loma	9, 429	12, 778
Barstow Junior College	23, 295	24, 168
Cucamonga	3, 143	1, 250
Victor Valley Joint Junior College	43, 286	40, 007
Chaffey Union Junior College	28, 635	26, 383
San Bernardino Valley Joint Union Junior College	70, 248	86, 069
Redlands Unified	223, 131	276, 911
Yucaipa Joint Unified	29, 649	39, 211
San Bernardino City Unified	653, 876	950, 760
Rialto Unified	167, 807	213, 275
Colton Joint Unified	119, 207	150, 111
Barstow Unified	804, 278	946, 980
Needles Unified	5, 861	32, 920
San Bernardino County Superintendent of Schools	5, 487	17, 505
Mount Baldy		8, 750
Total	3, 665, 411	4, 599, 546

MILITARY CONSTRUCTION EXPENDITURES

Payroll and goods and services procured by the following military installations will exceed $500 million in the year past. Most of these moneys are spent in the Inland Empire—most of which is the 33rd Congressional District:

Fort Irwin	$941, 000
George Air Force Base	13, 114, 000
29 Palms Marine Corps Base	6, 704, 000
Barstow Marine Corps Supply Base	1, 290, 000
Norton Air Force Base	5, 622, 000

Flood control projects

Mojave River Dam	$5, 020, 000
Lytle and Warm Creeks	762, 000
Deer, Day, Etiwanda and San Sevaine Creeks	79, 000
Santa Ana River	470, 000
Big Bear Lake	68, 000
San Bernardino: Storm drains	1, 083, 000
Yucca Valley	99, 000
Victorville: (Oro Grande Wash over a million)	----------

The Congress authorized $26.3 million for construction of the Cucamonga Creek flood Control project.

Water district assistance

Chino	$560, 000
Colton	68, 000
29 Palms	113, 000
San Bernardino	51, 248

Grants to county and city government (including planning, parks, highway construction, dependency prevention commission, etc.)

Chino	$34, 000
Montclair	38, 000
Rialto, Municipal Airport, and Miro Field	602, 000
Redlands	280, 000
San Bernardino	1, 602, 449
Upland	81, 000
Victorville	14, 000
San Bernardino County	17, 792, 102

Urban renewal projects

Colton	$378, 787
San Bernardino	16, 864, 102

Sanitation district grants

Barstow	$550, 490
Big Bear Lake	34, 020
Chino	1, 658, 580
Lake Arrowhead	82, 210
Running Springs	15, 000
San Bernardino	135, 000

Government contracts for job training, material and manufacturing products

Fontana: Kaiser Steel	$44, 815, 695

REGIONAL PROJECTS

April 3, 1967: $100,000 for urban planning. San Bernardino County is one of six counties to benefit.

August 2, 1967: $2,672,786 for on-the-job training for Mexican-Americans. San Bernardino County is one of many counties to benefit and share this amount.

September 7, 1967: $70,304 to provide for personnel to assist Headstart Child Development Programs with in-service training. San Bernardino County is one of ten counties to benefit.

October 4, 1967: $125,000 to create job opportunities. San Bernardino County is one of sixteen counties to benefit.

July, 1968: $120,000 for advance preparation for the 1970 Census within urbanized and urbanizing portions of five counties, which includes San Bernardino County.

July 19, 1968: $233,334 for urban planning assistance program to assist in preparation of a regional airport system plan. San Bernardino County is one of ten counties to benefit.

Total: $3,321,424.

BILLS INTRODUCED

Mr. Speaker, as Representative from the 33d Congressional District, my first responsibility, when I arrived in Washington, was to seek ways to best represent the citizens of San Bernardino County. Therefore, I would like to mention those bills introduced specifically for the benefit of our county.

H.R. 5091, "Needles mineral rights": To help desert communities to convert useless and unproductive land into valuable and taxable property. Signed, November 15, 1967. Public Law 90–138.

House Concurrent Resolution 413, "world farm center": provides for the establishment of a nongovernmental, nonprofit organization to gather within the Ontario area, the world's experience, knowledge, and tools in the line of agriculture. Signed, June 26, 1968.

H.R. 14835, "Colorado River Basin Project Act": For the authorization of construction, operation, and maintenance; to insure adequate water for nearly 30 million people living in arid Southwestern United States. Signed, September 30, 1968. Public Law 90–537.

H.R. 2573, "Veterans' hospital": To provide for the construction of a VA hospital of 1,000 beds in the San Bernardino-Riverside area.

H.R. 5473, "National cemetery": To provide for a national cemetery in San Bernardino County.

H.R. 10342, "Fort Irwin compensation Pay": To authorize the payment of allowances to defray commuting expenses of civilian employees assigned to duty at remote worksites. Hearings held on July 15, at which time I testified. The Post Office and Civil Service Committee favorably reported the bill, September 5, 1968.

H.R. 10724, "Lake Havasu lands": Provides for possessory interest, consisting of ownership of structures on land leased by the Secretary of Interior near Lake Havasu. Should this become law, summer cabin owners would be protected if they improved on the land. June 8, 1967, Department of Interior issued new regulations on cabin sites.

H.R. 11198, "Uniform Relocation Act": To establish a uniform policy for the fair and equitable treatment of owners, tenants, and other persons displaced by the acquisition of real property in Federal and federally assisted programs. Hearings were held on September 11, 1968, at which time I testified in behalf of our San Bernardino County citizens.

H.R. 14481, "Circuit judges": Provides for the appointment of additional circuit judges to relieve overburdened Federal judges. Signed, June 18, 1968. Public Law 90–347.

H.R. 11484, "Common varieties of minerals": Revises the meaning of the term "common varieties" of mineral materials to include deposits of sand, stone, gravel, pumice, and cinders suitable for use only as fill and to allow exploitation of other minerals on public lands having special value. This bill will untie the hands of our miners in exploring for additional sources of minerals and open up new opportunities for economic development in our county.

H.R. 19316, "Civilian Aviation Academy": To insure training in the profession of flying and related aviation skills. Cadets would be selected through competitive examination and such training would be comparable to training received at the U.S. Merchant Marine Academy. I feel that Barstow College could be used for basic training in science and mechanics and the Barstow Daggett Airfield for flight training.

H.R. 20206, "Chemehuevi Indians": To provide for the disposition of funds appropriated to pay a judgment in favor of the Chemehuevi Tribe of Indians.

Mr. Speaker, I have also cosponsored several other bills which will not only affect our own county, but will affect citizens throughout the entire United States. They are listed as follows:

CRIME AND VIOLENCE

House Joint Resolution 761, "Neighborhood action crusade": To organize local programs developed by local citizens on a voluntary basis in order to lessen civil strife within our communities.

House Joint Resolution 777, "Crime Committee": To create a Joint Committee To Investigate Crime—to study the effects of crime and measures of reducing and preventing crime. This bill passed the House on July 12, 1968, and is now awaiting action in the Senate.

House Joint Resolution 1441, "TV violence": To direct the Federal Communications Commission to investigate the effects of the display of violence in television programs.

EDUCATION

House Resolution 1286, "School assistance": Requesting that, since the President would not release the $90 million for school assistance in federally affected areas, the managers on the part of the House during the Conference on the Foreign Assistance Act should agree that no funds shall be appropriated for Foreign Assistance until these school moneys are released.

H.R. 5092, "Educational tax credit": To allow a credit against income tax to individuals for expenses incurred in providing higher education.

H.R. 17580, "Educational tax credit for teachers": To allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees.

EMPLOYMENT

House Joint Resolution 252, "Equal rights for men and women": Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

H.R. 4652, "Human Investment Act": To encourage job training by providing a 10-percent tax credit to employers for expenses incurred in training their employees in job skills.

H.R. 16304, "Manpower Development and Training Act"—Job creation bill: To authorize a community service employment program wherein private enterprise has the responsibility to provide job training and employment through education, training, job development, upgrading skills, and so forth, and that the Federal Government encourage and complement private effort.

H.R. 9275, "Postal increase": To raise the first four levels of the postal field service to a higher grade and salary. My bill was partially included in the Postal Revenue and Federal Salary Act of 1967. Signed, December 16, 1967. Public Law 90–206.

H.R. 10094, "Civil service annuities for widows": To provide annuities for surviving spouses without reductions in the annuities for retired employees.

H.R. 12186, "Reimbursement for Government transfer": To provide a period of 2 years instead of 1 to claim reimbursement for expenses incurred for a Government employee transferring to a new job.

FOREIGN AFFAIRS

House Concurrent Resolution 326, "Halt trade with Communists": That the United States should not further trade with the Soviet Union and its East European satellites unless there is evidence that their actions and policies on Vietnam have been redirected toward peace.

H.R. 10824, "Halt foreign aid": To provide that American foreign aid shall be suspended with respect to any country which has severed diplomatic relations with the United States. Our bill was included in the Foreign Assistance Act of 1967. Signed, November 14, 1967. Public Law 90–137.

House Concurrent Resolution 533, "Cuba": For the Government of the United States to formulate a program for the immediate curtailment of hostile activities of the Castro-Communist regime in Cuba which threatens the freedom and security of the people of the world.

House Concurrent Resolution 630, "France's war debt": Requesting the United States to collect France's $6.8 billion World War I debt.

House Joint Resolution 1047, "Territorial sea": The President should consider steps toward a uniform recognized boundary for all coastal nations.

H.R. 7641, "Dairy Import Act": Since the United States is importing 12 times as much milk equivalent as is allowable under present quotas, imports of milk and dairy products must be regulated. The Tariff Commission has been holding hearings on this which began on July 22, 1968.

H.R. 14178, "Steel imports": Since increased imports of pig iron and steel mill products have contributed substantially to reduced employment opportunities and have adversely affected the U.S. balance of payments, we must have a steel import quota. On June 18, 1968, I testified before the Ways and Means Committee as cochairman of the Ad Hoc Committee on Steel.

IMPROVE GOVERNMENT EFFICIENCY

House Resolution 276, "Committee on Standards of Official Conduct": To conduct standards for Members, officers and employees of the House of Representatives and to investigate violations. The committee was established on April 3, 1968.

House Concurrent Resolution 661, "Committee for Budget Priorities": To create a committee as an auditing arm of the Congress to examine the efficiency of Federal programs and activities. To see that funds authorized and appropriated are most effective and that budget priorities are established.

H.R. 11385, "War on waste": To establish a commission to organize the programs of the executive and legislative branches and all Federal agencies to see that duplication and waste are eliminated.

H.R. 18114, "Catalog of Federal assistance programs": To create a catalog which would list and provide needed information about every operating Federal assistance program for use by the State and local officials, educators, private individuals, and so forth.

H.R. 10493, "Automatic data processing system": To set up such a system within the Library of Congress which would greatly increase Government efficiency.

H.R. 5983, "Prohibit political influence in Post Office": To prohibit politics within the postal field service, to revise the laws governing appointments so that employees are chosen on merit.

H.R. 12618, "Limit political activity in OEO": Would ban the OEO from any involvement in political activities. This bill was included in the Economic Opportunity Amendments of 1967. Signed, December 3, 1967. Public Law 90-222.

MILITARY

H.R. 8761, "Military equalization retirement pay": Equalizes the retirement pay for a member of the uniformed services by providing that it be computed on the basis of the monthly basic pay to which he would be entitled if he were on active duty in his retired grade.

SOCIAL SECURITY

H.R. 7581: To permit certain individuals who are forced to retire at age 60 under Federal law or regulation to continue to pay social security taxes and receive appropriate benefit credit until they reach the age of 65.

H.R. 7582: To permit the payment of full retirement benefits at age 60 in the case of certain individuals who are forced to retire at that age under Federal law or regulations.

H.R. 7672: To provide an across-the-board Social Security benefit increase and subsequent increases based on rises in the cost of living.

H.R. 9501. To permit payment to Medicare patients without first requiring that the patient submit a paid receipt from his doctor. This was included in the Social Security Amendments of 1967 as signed into law on January 2, 1968. Public Law 90-248.

H.R. 11636: To provide an interim across-the-board increase in monthly Social Security benefits retroactive to January 1, 1967 which could be provided without increasing taxes and without impairing the actual soundness of the trust funds.

H.R. 12568: To provide disability insurance benefits for any individual who is blind and has at least six quarters of coverage.

TAXES

H.R. 6820, "Tax credit for pollution facilities": To allow an incentive tax credit for an amount equal to 20 percent of all costs of buildings, improvements, equipment, land, machinery, and so forth incurred by the taxpayer for constructing water or air pollution facilities.

H.R. 7579, "Reimbursed moving expenses": Excludes from the IRS as gross income of a taxpayer, any amounts of which he was reimbursed by his employer to cover moving expenses under certain provisions.

H.R. 7673, "Tax deduction for medical expenses": To restore the provisions of the Internal Revenue Code to permit the deductions of medical expenses incurred for the care of individuals 65 years of age and over.

H.R. 9792, "State income tax": No State may impose a tax on the income of persons working in one state and electing to be taxed in another—home—state.

H.R. 12720, "Small Tax Division": To establish a Small Tax Division within the tax court of the United States whereby taxpayers, without hiring a lawyer, can informally present their grievances in disputes with the United States IRS.

MISCELLANEOUS

H.R. 6426, "Public cemeteries": To increase the maximum amount of public land which may be sold to a religious or fraternal association for cemetery purposes from 80 acres to 160 acres.

H.R. 7640, "American Indian Day": To designate the fourth Friday in September as American Indian Day as a day of educational and cultural observance.

H.R. 8762, "Federal Maritime Administration": To create such an administration as an independent agency in the executive branch. This legislation passed the House on October 17, 1967 and is now awaiting action in the Senate.

H.R. 9791, "Desecration of the American flag": To prohibit contempt to our flag, and whoever publicly mutilates or defaces it shall be punished by imprisonment and fined. Signed, July 5, 1968. Public Law 90-381.

H.R. 13049, "Food and drug—Vitamin Act": To protect the right of the citizen to buy food supplements in the potency and combination desired without a prescription.

H.R. 20201, "Railroad Study": To establish a Railroad Study Commission to determine what should be the railroads' role in the transportation of persons and goods.

Mr. Speaker, these have been 2 eventfilled years and I am proud to have played a part in helping San Bernardino County to grow and prosper.

I thank the good Lord and the people of San Bernardino County for giving me this opportunity to serve them as their Representative in Congress.

LANDMARK ELECTION—1968

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the text of my speech at a recent DePauw University convocation in Greencastle, Ind.:

LANDMARK ELECTION—1968

1968 is the political year of our discontent. Election years are seldom fun for politicians, but 1968 is especially distressing for us.

Americans are disgruntled, restless, uncertain—even angry. 1968 has been a year of tragedy:

Martin Luther King and Robert Kennedy are dead—murdered.

The war casualty lists grow.

Bearded rioters hurl filth and obscenities at policemen who retaliate with clubs, while television cameras grind.

Students defile and destroy the office of the president of a great university, while faculty members draft protest petitions and the police storm the mathematics department.

And pickets even form in Atlantic City and lustily sing anti-Miss America songs.

Something is wrong in our country—none feel it more deeply than young men and women like yourselves. Magical cure-alls of every description are offered:

"America—Love it or leave it," Turn on, tune in, drop out." You can name dozens of slogan solutions.

But the future will not be determined by a slogan. It is made up of countless decisions, and no one of these is more important in defining the future than the election of 1968.

The November election is not merely a referendum on Vietnam or a chance to register support for law and order. It is an election about a new design for our people in a troubled nation, and a new design for our nation in a troubled world.

This election may not be Armageddon. We will survive the presidency of either Humphrey or Nixon. The temptation of every politician is to hear the crack of doom, when often it is only the crack of a popgun. But in my judgment, 1968 is no ordinary election, and it may be one of those landmark elections which defines the future for decades to come.

We confront today:

A dirty, tragic war.

Arbitrary and unjust barriers to individual fulfillment.

Institutions unresponsive to the people they serve.

Modern cities plagued with ancient enemies—disease, hunger and ignorance.

And in rural America, lagging development and inadequate income.

An angry young man said to me one day not long ago, "America may be the best place in the world for 175 million Americans, but for the other 25 million, it's hell."

We are rich, yet we are poor;

We are powerful, yet we are humiliated;

We are high-principled, yet we are viewed with suspicion.

Our minds cannot accept these contradictions. Our consciences will not justify them. And our public policies do not eliminate them. So we are frustrated and discontented.

Optimism about the future of our country, the trademark of Americans, seems to have waivered.

I find America, then, in 1968:

Proud of its accomplishments, but discouraged by expectations unfulfilled.

Grappling with the titantic tensions of our time, wanting to meet them, but unsure of the direction to stability and continuing progress.

Not so much stumbling, as struggling, not lost, but knowing there is a better way.

And, I find America in 1968 standing on the *front edge of climatic foreign and domestic policy decisions*.

FOREIGN POLICY

How to organize a peace has been the central concern of U.S. foreign policy since World War II. The strategy we have adopted to meet that concern is the concept of *collective security*. Throughout the world, nations have joined with us, and we with them, in an elaborate system of bilateral, regional and multi-lateral treaties and alliances:

To *contain* the Communist world.

To *defend* ourselves from attack.

To achieve the vital goal of *maintaining* an international balance of power.

It *was* an unshakeable American belief that collective security could best organize a durable peace. But that was *before* Vietnam.

The *single most important global consequence* of the United States' involvement in the war in Vietnam will be the resulting reappraisal of the risks, requirements, and results of our strategy of collective security.

As the political leadership after 1968 seeks peace in Vietnam, it must also create a foreign policy that will *keep* that peace in Southeast Asia and around the world.

To do this we must ask ourselves:

Should we *adjust or reject* the system of collective security?

If we adjust it, *how do we adjust it?*

If we reject it, *with what do we replace it?*

And if we replace it, how do we assure that *our substitute will be better?*

When, and to what extent, should America become involved in the affairs of other nations.

Of course, *this is an old, not a new, debate.* We are really asking ourselves the internationalism—isolationism questions all over again.

Although the tug of nostalgia for a simpler past is strong, our political leadership must know, that given the fact of American power, isolationism is not possible.

Like it or not, we are involved. *The question is not whether to withdraw from our position of world leadership.* We cannot. Any widespread disturbance threatens us. The security of the United States does depend on a *tolerable* stability throughout the world. So *we must take the lead in maintaining stability*. If we do not, no one will—because those who once did, no longer can.

So the question *is* how do we exercise our position of power.

But we must be careful. Although *every event may affect us, not every event will vitally affect us,* and our leadership must be able to distinguish between the two. As hard as the lesson may be to learn, American power and resources are limited, and global interventionism is not possible.

A *steady and measured American foreign policy* will shun both isolation and global intervention.

It will *maintain* preeminent political, economic, military *strength*.

It will *define our national interests* carefully and use our preponderance of power selectively.

It will *maintain a minimum* of *commitments* by committing us to protect only our vital interests.

It will *recognize that global involvement, unchecked,* can divert our resources from peaceful uses, both domestically and internationally.

It will *encourage regional and international cooperation* as an expression of, not opposition to, the new nationalism of developing countries.

It will *pursue detente* with the East, including arms limitations.

It will *aid developing nations,* but without giving them any more aid than their own bureaucracies can administer, and without substituting our personnel for theirs.

It will take all necessary steps to make a *liberal trade policy* work without creating undue burdens on American manufacturers and producers.

DOMESTIC POLICY

There are climatic decisions at home, too, *the vocabulary* of the 1968 campaign will be *"law and order"* and *"crime in the streets."* Some will use those phrases so often that you will begin to believe this campaign is to separate those who are *for* law and order from those who are *against* it.

And that is demagoguery.

The *underlying domestic question* of the fully and use our proponderance of power 1968 election is: *Can America be lawful and just?*

The man who speaks only of law and order states only half the ancient task of a democratic society. The whole task is to achieve *both* justice and order.

To paraphrase Teddy Roosevelt: Order without justice and justice without order are equally destructive.

If then we resolved to seek to be just and lawful, how do we do it?

Must the Federal government grow larger and larger, pyramiding Federal programs on top of Federal programs?

What can State and local governments really do?

Are block grants, tax incentives, loan guarantees, Federal revenue sharing plans real alternatives to Federal assistance programs?

The devastating new domestic reality of the 1960's is that America's expectations and aspirations are outrunning its administrative abilities and its organizational capacities. The problems of Appalachia, Chicago, and the Ninth Congressional District of Indiana are just too diverse to be solved from Washington. But are other governments and other enterprises and other people capable, committed and funded to do the job of the 1970's.

So our political leadership chosen in 1968 must decide whether, and to what extent, and how the resources of this nation will be used to improve and enhance the quality of American life.

I do not have all the answers, but a steady and reliable domestic policy would, in my judgment, include these principles:

A national commitment to social, economic and political justice for the poor, the black and the underprivileged which is at least equal to our commitment to law and order.

A commitment to justice that begins with jobs for the poor, not new welfare handouts.

A commitment to enlist private enterprise in the business of solving social problems, but a realization that federally insured bank loans, tax incentives for industrial corporations and the like, by themselves are not enough.

A commitment to strengthen State and local governments and to develop new and *vital centers of power,* both public and private.

DEMOCRATS VERSUS REPUBLICANS

That is America as I would like it to be—and believe it can be—at home and abroad.

And the immediate question is? *Which political leadership in this country can best lead us there.*

It will come as no surprise to you that I believe the future course of this Nation will be steadier if Americans elect Hubert Humphrey to the Presidency and a Democratic majority to the Congress.

I hope my profession as a practicing Democratic politician does not blind me completely to the faults of my own party.

We Democrats have not performed flawlessly. A list of our sins of omission and commission brings joy to a Republican and disturbs even a Democrat.

Marse Waterson used to say: "Things have come to a pretty pass, if a man can't cudgel his own jackass."

No one can be absolutely certain which party or which man would provide the best leadership for this country in the days ahead. So elections are gambles. And your vote is a wager, not that one party is always right and the other always wrong, but that *one party will be more right, more of the time.*

I like the Democratic Party odds. Why? I could harangue you with party platforms and endless statistics (of my choosing) extolling the merits of the Democratic Party, But you'll hear enough of that in the days ahead.

Both parties *will praise* all that's good and damn all that's bad. Both parties *will advocate tax incentives* to involve private enterprise in job-retraining—because no party can fail to advocate an idea everyone likes. Both parties will *attack current welfare programs*—no party can defend programs nobody likes. And *both parties will advocate an honorable peace* in South Vietnam—because neither party can really say anything else.

Don't be deceived by the similarity of rhetoric from the parties in this campaign: Remember that this country has rarely produced two politicians who differed more than John Kennedy and Richard Nixon—yet when they met for debate in a campaign year they disagreed primarily about Quemoy and Matsu, two tiny islands we have all forgotten.

Rhetoric doesn't matter. It's what the parties do that counts. What they do and why they do it—and not what they say—reveals their basic instincts and principles. A political party's talk may change, but its principles don't change all that much. The party's image may change, but its attitude and instincts are more constant.

I want to emphasize two attributes, among others, of the Democratic Party which make it better able to deal with the challenges ahead of us.

First, the Democratic Party believes in the positive use of limited government. America's problems are big enough that they are not going to be solved without Government action.

The Democrats have always shown themselves more willing than Republicans to use limited government as an instrument of change. It is not that the Republicans harbor deep suspicions that Government has become too big and impersonal. We all suspect that. Rather, without regard to size, Republicans tend to suspect Government itself as an instrument of change.

The potential threat to freedom government poses cannot be denied, but limited government is a valuable tool to modify and eliminate undesirable social conditions.

It can:

Help pay the staggering medical bills of Americans over 65.

Enable one of four college students to pay the spiraling costs of higher education.

Permit a Negro to buy any house he can afford—not just one in the Negro section of town.

The Democrats, more than the Republicans, understand that government too limited in power to respond to human need denies freedom to its citizens, even as unlimited government does.

In the four years I have been in Congress, time and again, the Republicans have refused to support legislation to solve the most pressing problems, refused even in some instances, to admit the problem exists.

93% of the House Republicans voted against Medicare.

70% against the Elementary and Secondary Education Act.

80% against model cities.

70% against civil rights.

72% against minimum wage.

97% against rat control in city slums.

I can remember how vigorously each of these pieces of legislation was fought, and the predictions of dire consequences from the Republicans if they were adopted. Parenthetically, I have observed with some amusement that none of my Republican friends is mentioning his opposition to any one of them in his 1968 campaign.

Surely it is not reasonable to expect a party which has massively and consistently opposed this historic and now widely praised legislation to lead a country in finding solutions to the new challenges.

I believe that the remarkable legislation of recent years gives the Democratic Party a clear title of right to claim that it knows how to move this nation forward.

Today, Republican candidates too often try to sell us the belief that private enterprise and volunteer work can effectively replace the public sector efforts to deal with the problems of the ghetto and rural poor.

That is like believing the Red Cross could have won World War II.

The private sector can help in America's domestic problems. In many cases it can do the job best. The auto companies recent employment program in Detroit and the insurance consortium on housing are models of what business can really do in urban and rural America.

But:

When 20 million Americans live in substandard housing, endangering their health and safety,

When 10 million school children have no library services as in 1965, and 140,000 of our ablest high school graduates cannot continue their education because they do not have the financial resources,

When 95 million Americans drink water which is below federal health standards or is of unknown quality, When 64% of this nation's poor children have never seen a dentist and 14,000 of them suffer rat bites each year, the work of America is undone. And it is time to use every resource at our disposal—people, corporations, profit and non-profit organizations of every kind and description, and every level of government to get on with the job.

The issue is not whether the Federal Government should act, but how can it act efficiently and effectively?

What we need is not more Government, it is better Government. I do not believe that a party which, in its heart of hearts, does not believe in Government as one instrument of change can effectively meet the most critical tasks of the 70's.

A second attribute of the Democratic Party which enables it to deal better with the challenges of the decade ahead is its openness to new ideas.

It is no surprise that the Democrats vigorously and sometimes bitterly debated the Nation's Vietnam policy in an open convention, and that 5 or 6 Republicans handled it at an oceanside resort and it was later adopted in Miami without debate. While I do not condone the conduct of the anti-war protestors in Chicago, it comes as no surprise to me that they did not even bother to go to Miami.

It is no surprise that the debate on urban America is most often heard in the Democratic Party. Because the Democratic Party has become the traditional American political outlet for debate, discussion, and new ideas.

The Democratic Party's spirit and instinct for creative new ideas has put it in the vanguard of the historic legislative battles to expand the franchise, accept immigrants, enhance the opportunity of the common man to a decent life, and protect the civil rights of all Americans. It was no accident that, under Democratic Presidents the Nation first began to use the full range of economic tools to promote economic expansion and prosperity.

I argue that the Democratic Party—open as it is to the amazing diversity and variety of the urban dweller, the poor, the working man, the hard luck farmer, the immigrant, the Negro, the most educated and the least educated—is the party with a better chance of solving the problems of a restless nation.

The Republican platform says America must think and act anew. I think they're right. But Republican history offers us Harding, Coolidge, Hoover, Goldwater, Nixon—and yes, even Eisenhower—many fine, capable, decent persons. But, heaven knows, they have not distinguished themselves by bold vision and the courage to act creatively to find new solutions to meet new problems, and that is what America needs now.

The Democrats are more likely to supply it than the Republicans.

We ignore at our peril the differences between the Democratic and Republican parties which I have discussed.

John Kennedy said:

"The record of parties can be told from the record of the past . . . candidates are not frozen in ice. We are like two rivers which flow back through history, and you can judge the force, the power, and the direction of the rivers by studying where they rose, and where they ran throughout their long course."

May I make two observations in closing.

First, I want to say that young people have had a profound impact on the year 1968.

One Congressman told me the other day that young people have caused a President to retire and a nation to change its Vietnam policy.

His judgment is open to question, but certainly the young were among the first, and surely the first in any number to show disenchantment with the order of things in the 1960's.

Young men and women marched into New Hampshire and Indiana with McCarthy. I will not forget the courage and determination of a young college co-ed whom I met on a street corner in Lawrenceburg, Indiana. Without money, without knowing a single person in the county, without even a car, she had come to Dearborn County to organize it for McCarthy.

Young Americans have been the pacesetters in the public opinion polls and have experienced the satisfaction of seeing public opinion swing toward their view. In a real sense, the young have led and the leaders have followed.

You can rightly take a measure of pride in being in that generation.

The second observation is this: Young people are often sharply critical of the establishment, the leadership, and of things as they are. It is good that you are, but you cannot have the pleasure of overthrowing one establishment without the burden of putting something in its place.

That burden falls heavily on those who would criticize.

If you want a better world, come make a better world.

I am disturbed by those who want to be professional professionals—uncommitted, unentangled, unemcumbered, uninvolved.

I am disturbed by those who want to become rich and famous, while ignoring the nation's problems.

Too many of our ablest young people, those who should be taking a hand in running this society, aspire only to secure lives in tidy suburbs.

John Gardner—

This nation is producing the most educated, articulate, and brilliant sidewalk superintendents the world has ever seen. And it cannot survive on your advice, offered from the 19th hole of the Country Club or the bridge table.

Far too few have the motivation and the stamina to come and do battle with the domestic problems we find so deplorable.

Far too many get too quickly discouraged and indulge in self-pity, if their efforts aren't immediately successful.

So come to the fray. For if you don't, who will?

CAN WE CONTROL WEAPONS OF DEATH?

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. ROSENTHAL. Mr. Speaker, I would like to share with my colleagues and the country an excellent analysis of the position of gun-control proponents, which appeared in the September 1968 issue of The Jewish Veteran, a publication of the Jewish war veterans. The article, by Monroe R. Sheinberg, traces the progress of restrictions on firearms. He points out that the legislation now in conference committee does not go far enough in imposing reasonable requirements on the use of guns. The author's justification of registration and licensing of these weapons confirms my belief that such measures are not a cumbersome infringement on the liberty of gunowners.

Just as the assassination of three great political figures in the last 5 years led Congress to recognize the dangers inherent in the unrestricted sale of guns and ammunition, so new tragedies resulting from continued violence will lead Congress to adopt far more sweeping limitations on the availability of guns.

Can We Control Weapons of Death

(By Monroe R. Sheinberg)

Since 1900, three-quarters of a million people have died in the United States by guns—through murder, suicide and accident. This is 200,000 more than the number of Americans killed in all of our wars. Every two minutes a gun is used to kill or wound an American citizen.

Those Justice Department figures show, and the tragic assassinations during the last five years grimly underline, the United States has, as President Johnson said, "a record of violent death and destruction that shames our history."

Overwhelmingly, most Americans want to do something about this grim and tragic drain of life. A Gallup poll in 1967 showed that 85 per cent of all adult Americans were in favor of firearms control legislation, including the registration of all guns. This high percentage has remained fairly constant during the last thirty years. Yet the wishes of the majority for a sensible control of firearms sale have been stymied by the powerful lobbying led by the National Rifle Association and various gun manufacturers.

Gun control legislation, requiring registration and licensing of weapons, would sharply decrease the deadly weapons available to criminals, drug addicts, mental incompetents and minors, without diminishing the proper availability of guns to those entitled to them, including hunters, members of shooting clubs, and other mature and responsible citizens who should not be averse to simple licensing and registration. Just as car registration and driver licensing is universally recognized as necessary and proper in the public interest, so should gun registration and licensing.

Opponents of gun control legislation usually put forward three arguments: (1) The claim that the right to "keep and bear arms," guaranteed in the Second Amendment to the Constitution, would be violated by such legislation. (2) They are afraid that gun control laws would hurt the responsible sportsman who uses guns for hunting and marksmanship. (3) They claim that the legislation would not lower crime rates, as criminals would still be able to obtain firearms illegally.

These arguments are unfounded. (1) The Second Amendment states: "A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed." This obviously was written in order to guarantee each state a *militia*, and the Supreme Court has stated many times, in upholding the constitutionality of gun control laws, that it does not apply to individual citizens bearing arms. In 1939, the Court held (*U.S. vs. Miller*) that "The Second Amendment applies only to those arms that have a reasonable relationship to the preservation or efficiency of a well-regulated militia." Furthermore, the courts have established that rights given by the Constitution are not absolute, and have recognized the government's power to limit such rights in the interests of the general welfare and domestic tranquility. The right to bear arms must be subordinated to the right to life. There may be a constitutional right to own an automobile, but the automobile must still be registered and anyone who wants to drive it must be licensed.

(2) Sensible gun control legislation would not interfere with the legitimate use of guns by the responsible hunter or marksman in any way. In nations with strict firearms laws, hunting still thrives. During the two years since the enactment of the law controlling the purchase of guns in New Jersey, the sale of hunting licenses increased. Legislative measures which help eliminate the irresponsible firearms owners and set standards of

competence for firearms usage should indeed increase the prestige, and certainly the safety, of gun sports. The purpose of gun control legislation is not to prevent legitimate ownership of firearms, but to keep such arms from those who would misuse them.

(3) No one claims that gun control legislation is the panacea for violence and crimes. But the fact is that it does cut down both the incidence of crimes in which guns are involved and the general rate of violent crimes. In states with strong firearms laws, the percentage of homicides in which guns are used ranges from 30–40%; in states with weak laws, the range is from 60–70%, and the rate of murder is two to three times higher than in the former group. A comparison of our country with other nations is even more revealing. In countries which require registration and licensing, the rate of gun murders is *5 to 50 times lower than ours;* 2.7 per 100,000 population in the United States, as against .52 in Canada, .12 in West Germany and .05 in Britain.

Estimates of the number of firearms owned by private citizens in the United States range from 50 to 200 million. Each day the papers carry stories of personal tragedy caused by someone who should not have been allowed to own a gun. Each year brings new national horror at political assassinations which threaten the foundations of the American system of government. The situation deteriorates, the rate of gun crimes increases as a small minority blocks the remedy.

What is the status of legislation efforts at gun control? The House, notwithstanding urgent recommendations from the President for effective gun controls, passed a bill shot through with loopholes. While the House bill bans mail-order out-of-state purchases of rifles and shotguns and prohibits interstate shipment of handgun ammunition, amendments that would require Federal gun registration and licensing of gun owners were rejected. Moreover, it was further weakened by an amendment permitting individuals to obtain $10.00 licenses as "collectors" permitting purchases in interstate commerce from other "collectors." Despite earlier controls voted on handguns in the Crime Control Law, no progress at all has yet been made toward registration and licensing. The Senate bill is being bottled up by the Senate Judiciary Committee chairman Eastland, who is strongly opposed to any gun control legislation. Senator Tydings, an outstanding proponent of gun control, is fighting to have the Senate consider it and threatens to do so, if necessary, by amendment to other bills.

At present, realistically, so effective is the NRA and the rest of the gun lobby that chances for passage are not encouraging.

What is needed: a citizens revolt! JWV's official policy is clear—we strongly urge and support effective gun control legislation, including registration and licensing.

Let *your* lawmakers, *your* newspaper, and *your* public officials hear from you!

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. MOORHEAD. Mr. Speaker, large numbers of American voters are reported to be incapable of distinguishing between HUBERT H. HUMPHREY and Richard M. Nixon as claimants to the Presidency of the United States.

To me, there have always been compelling differences, but until the New York Times of Sunday, October 6, 1968, endorsed Mr. HUMPHREY for election, I had never seen these differences so cogently expressed.

The New York Times correctly asserted that "Mr. HUMPHREY has superior claims to the Presidency in three critical areas"—foreign affairs, domestic affairs, and the perplexing question of American involvement in Vietnam.

The record that the New York Times editorial laid out is an unequivocal, and I believe, irrefutable demonstration that by every significant yardstick, HUBERT H. HUMPHREY is the best candidate for this Nation's highest office.

Under leave to extend my remarks, I insert the New York Times editorial, entitled "HUMPHREY for President," at this point in the RECORD and commend it to the attention of those who wish to keep this Nation moving toward peace and justice for all:

HUMPHREY FOR PRESIDENT

In 1960 many independent voters could not see much difference between John F. Kennedy and Richard M. Nixon, two seemingly cool, calculating, ambitious young politicians. However, this newspaper believed that there were significant differences in conviction and outlook. We endorsed Mr. Kennedy

In 1968 many voters assert that they cannot see much difference between Mr. Nixon and Hubert H. Humphrey, but, again, this newspaper believes that there are significant differences in conviction and outlook. We endorse Mr. Humphrey.

Mr. Humphrey has superior claims to the Presidency in three critical areas. The first of these is foreign affairs, specifically arms control and the search for peace. The most important international issue today is a slowing of the nuclear arms race. The competition in these deadly weapons is once more spiraling upward and threatens to slip out of human control. No subject will be more important for the next President. For nearly twenty years Mr. Humphrey has devoted himself tirelessly to this problem. He was the author of the bill establishing an independent Arms Control and Disarmament Agency in 1961. In season and out he worked to stop the nuclear tests which were poisoning the atmosphere, efforts that finally resulted in the limited Nuclear Test-Ban Treaty. President Kennedy was indulging in no exaggeration when he said to Mr. Humphrey: "This is your treaty."

Mr. Humphrey is now actively working for the ratification of the Nuclear Nonproliferation Treaty, which would commit the existing nuclear nations not to distribute nuclear weapons to other countries. He would, we believe, dedicate himself wholeheartedly to the search for practical ways of lessening the overwhelming nuclear danger. As the original proponent of the Peace Corps and of the Food-for-Peace Program, he has the talent and the active concern needed to strengthen the United Nations and to build new international institutions.

In contrast, Mr. Nixon took no initiative on disarmament when he was Vice President and showed much less interest in the subject. He is now urging a delay in the ratification of the Nonproliferation Treaty. Even worse, he has resurrected the "missile gap" argument misused by President Kennedy and insists that he will not enter into arms negotiations with the Soviet Union until sometime in the future when this country has reached new and unspecified superiority in nuclear strength. He is busily promising to outstrip the Russians in space and to build a nuclear Navy "second to none." The United States does not need a President intent on speeding up both the arms race and the space race.

In addition to being an internationalist with a broad and imaginative outlook in foreign affairs, Mr. Humphrey is a proven activist in domestic affairs. He was the original sponsor of Medicare and the skillful parliamentary manager for much of the social reform legislation enacted during the Kennedy-Johnson Administrations. He fully understands that the desperately urgent needs of the nation's cities for better housing, higher quality education, cleaner air, improved hospitals and mass transit facilities can only be met if there is vigorous Presidential leadership and coherent public planning.

While Mr. Humphrey attempts to get to the root of urban problems, Mr. Nixon is promising, in effect, to attack the surface signs of social unrest by more energetic use of police measures. His modest proposals for encouraging "black capitalism" through tax incentives are all right as far as they go, but they do not go very far. His is an essentially conservative economic strategy involving deferment of costly new domestic programs for years. This strategy is full of danger, threatening decay and congestion for the nation's hard-pressed cities.

The third area in which Mr. Humphrey is unquestionably preferable to his opponent lies in the quality of his political leadership and in the character of his political support Mr. Humphrey is the only candidate in this election who has substantial backing in both the white and the Negro communities. He has earned Negro trust because no man in public life has worked harder or longer to achieve equality of opportunity for all citizens. It is a matter for considerable concern whether the next President will be able to communicate effectively with black as well as white citizens and whether in his capacity as a national party leader he sees himself primarily competing with George C. Wallace for reactionary segregationist votes or as heading a liberal-and-moderate coalition drawn from both races.

An endorsement of a candidate is in this instance also a favorable judgment on the personality and character of one man and an adverse judgment on his rival. Mr. Humphrey is a warm, generous, idealistic, open man. Mr. Nixon has gradually risen above the personal abuse and the narrow partisanship of his early campaigns, but he remains slick and evasive on some of the central issues.

We have left until last the perplexing question of Vietnam. As we have made clear in many previous editorials, The Times does not find the statements of either candidate satisfactory on the war issue. But Mr. Humphrey has given unmistakable signals that he intends, if elected, to move away from the errors of the past. It is our judgment, based on an appraisal of the character and public record of the two candidates, that Mr. Humphrey would be more inclined than his opponent to seize the initiative for peace.

It must be borne in mind that the Vice-Presidency is a uniquely awkward office. No man has ever been seen at his best in it. A Vice President is in a weak position because he has no personal mandate from the people separate from that of the President on whose ticket he was elected. Yet he has a constitutional responsibility to serve as the President's stand-in, a responsibility which he cannot relinquish as easily as a Cabinet officer or lesser official can resign an appointive office.

Like most of his predecessors, Mr. Humphrey has resolved the ambiguities of his office in favor of defending the President's policies in public and trying to influence them in private. Not until the memoirs of the Johnson Administration have been written will it be possible to assess Mr. Humphrey's role in the international policy struggles of this Administration over the "bombing pauses" and other Vietnam decisions. But it is significant that the former members of the Johnson Administration who are rallying to Mr. Humphrey's support include its best-known doves.

Looked at in the perspective of his 23 years in public life, Hubert Humphrey is a humanitarian, an authentic and effective liberal, and a man of proved character, courage and judgment who can be depended upon to lead the nation in the ways of peace.

In the span of the present campaign, proof that his judgment is superior to that of Mr. Nixon has been provided by their respective choices for Vice President. Senator Edmund S. Muskie has experience, dignity and moral force. He is in himself a cogent argument for preferring the Democratic ticket, especially when it is recalled that four Vice Presidents in this century have succeeded to the Presidency on the death of the incumbent.

In the brief period since nomination, Gov. Spiro T. Agnew has already proved from his injudicious, intemperate remarks that he is utterly inadequate.

The sole persuasive argument offered for Mr. Nixon's election is that he might produce a period of calm and consolidation. But this presupposes that he is a popular and widely trusted figure like General Eisenhower, which he manifestly is not, as his divisive and partisan record over the years makes clear. Moreover, the strenuous demands upon America's leadership both at home and abroad do not permit four years of rest and passivity. This critical era calls for a leader with ideas, enthusiasm, energy and a clear moral commitment.

This newspaper believes that Hubert H. Humphrey is such a leader, and in the truly critical situation—foreign and domestic—in which this country finds itself, we strongly urge his election to the Presidency of the United States.

WHAT THE SERVICE MEANS TO ME

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. VAN DEERLIN. Mr. Speaker, 1 week ago I had the honor of crowning winners in a "Miss Navy" contest among San Diego-based servicewomen, sponsored by the South Bay Cities Council of the Navy League of the United States.

The winner, S. Lillian Marie Vinluan from Paauhaw, Hawaii, attached to the Navy Regional Finance Center in San Diego, addressed the league dinner in National City, taking as her theme, "What the Navy Means to Me."

Her remarks follow:

Life in the service, just like any other profession, is what you make it. The most difficult part is making the transition from civilian life into the military. It takes some time to really understand and become adapted to the military way of life, but in the process of learning, I've found it to be quite an experience.

When I was sworn into the Navy, in Honolulu, Hawaii, I felt that I had become a part of a great tradition. One that has shown me—discipline, vigilance, courage and many other things, and it has made me proud. The day I put on my uniform for the first time, I felt good and proud to be what I consider a real part of my country—a representative of the United States Armed Forces. I have engaged myself to the chain of courage and devotion to duty. This uniform that I wear does not entitle me to special privileges, but instead obligates me to set high standards of good conduct and performance of duty. Whether at home, on leave or on distant stations, I will always be under constant observation. I will make sure no careless act of mine brings discredit to my uniform or country.

During my time in the service, I have had many opportunities, which I have long desired, to meet new faces, see new places, and make new friends.

To me, being in the service is somewhat of a challenge. I want to be more of a part of this nation, and I feel it can be accomplished through my years in the service. Yes, a challenge to fulfill a personal desire.

What I consider to be my special privilege is service to God and country, with honor.

TWO FROM MARYLAND DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. LONG of Maryland. Mr. Speaker, SP4 George M. Cox II and Pvt. Philip D. Reeder, two fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the Record:

Two More Marylanders Killed In War

Two more soldiers from Baltimore have died in Vietnam.

Spec. 4 George M. Cox 2d, 25, was killed last Thursday when the truck in which he was riding came under enemy fire near Pleiku in north central Vietnam, the Defense Department announced.

Drafted into the Army 11 months ago, Specialist Cox served as an acting squad leader in the 8th Infantry Division, 2d Battalion, Company B. He had been in Vietnam 6 months.

A former student of graphic design at the Maryland Institute, he frequently wrote home about his plans for graduate training, according to his mother, Mrs. Harriet P. Cox, of the 600 block North Rosedale street. "I received a five-page letter from him last Saturday," Mrs. Cox said, "and all he talked about was his coming home."

Besides his mother, survivors include his 15-year-old sister, Angela L. Cox, a student at Eastern High School, and several aunts and uncles.

Pvt. Philip D. Reeder, 19, was killed in action last Friday, his parents, Mr. and Mrs. George S. Reeder, Jr., were told by the Defense Department last Saturday.

In Vietnam for 18 months, Private Reeder served in the 173d Airborne Brigade. He was born in Baltimore.

Survivors include, in addition to his parents who now live in Hockessin, Del., his sister, Mrs. Susan Yates, of New Haven, Conn.; two brothers, George S. Reeder 3d, of Fort Bragg, N.C., and Douglas Reeder, of Hockessin, and his grandmother, Mrs. Susan Smeak, of Hagerstown, Md.

LETTER DESCRIBES CHICAGO CONFRONTATION

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. O'HARA of Michigan. Mr. Speaker, as a youth I spent many pleasant months visiting relatives who lived in Mazomanie, Wis., near Madison.

One of those acquaintances of my youth who has remained a firm friend to this day is Mr. Merton J. Walter, who is now a member of the Dane County Board of Supervisors.

Recently I read a letter from Mr. Walter which was published in the Madison, Wis., Capital Times. In this letter to the editor, Mr. Walter discussed the clash between protestors and police in Chicago during the Democratic National Convention.

Mr. Speaker, I recommend Mr. Walter's letter to my colleagues for its intelligent, unemotional appraisal of the Chicago confrontation. I include it in the Record, as follows:

Voice of the People: Questions Media's Judgment at Convo

Mazomanie, September 2.—What is going on here?

For the past week the American people have been exposed to a barrage of "news" about the excessive use of force and brutality by the Chicago police force. This barrage was supported by 90 per cent of the radio and television media and nearly as high a ratio of the press. Yet today according to a report by the research firm of Sindlinger and Co. as reported in your newspaper, only one American in five believes that the Chicago authorities did in fact use excessive force.

Is it any wonder that one should ask, what is going on here?

There can be no question about the American people having the "truth" in this matter yet only one in five will buy it. If one has to make a choice between the judgments of the policy makers of the news media and those of the American people I will go with the American people. Who do you go with? After all, it is your newspaper that has for years complained about the unfairness of the press. Do you complain on this matter?

One could argue forever about who baited who and the ensuing actions but it seems to me that the following are self evident—even Walter Cronkite grudgingly accepts them: There was an assemblage of persons formed for the purpose of meeting at Chicago during the Democratic convention and one of its purposes was to force a confrontation with the Chicago authorities; the Chicago authorities reacted with their massive show of force.

Along with this it should be remembered that one of the main points of the Kerner report was that a large show of manpower should be used instead of firepower.

The two main concerns of the Chicago authorities were, or should have been, the protection of human lives and the protection of the Democratic convention from outside disruption. In this they succeeded. No shots were fired, no lives were lost. Could any other American city, in the present day climate have done as well—or better?

The news media unanimously agrees that the confrontations were brought on by the illegal acts of the demonstrators. Their criticism is not that the police reacted, but that they over-reacted. It seems to me that when large numbers of police are exposed to taunts, unprintable name calling and physical acts of violence the result will always be some degree of overreaction. To expect otherwise would be to expect superhuman reactions of human beings.

The convention undoubtedly showed the need for many changes. Some were made during the proceedings and it seems safe to assume that others will follow. There is some agitation to abolish the convention system altogether. This would be a tragic mistake for to do so would, in effect, abolish the two party system. It should be remembered that some degree of discipline must be inherent in any organization including political parties.

The results of the convention should have surprised no one. The only really controversial plank in the platform was on Vietnam. The minority report was defeated by the delegates in about the same proportion as it would if it had been submitted to the American people. The nomination of Hubert Humphrey was surely not unexpected. George McGovern was never a serious contender. Who could reasonably expect the nomination of Gene McCarthy? Only eight months ago the American people were having difficulty distinguishing him from the long deceased Joe McCarthy and even the news media erred in this on occasion. He was, in fact, an unknown until he chose to climb aboard the ready-made and highly emotional issue of Vietnam. This was his one and only issue and he rode it to his political death. His actions after losing the nomination were much the same as were Richard Nixon's upon being defeated for Governor of California. Both showed that they lacked the stability necessary to serve as President of these United States of America.

Finally the statement, so often repeated by the news media, that the American people have been left with no choice between the Democratic and Republican nominees is simply not true. If the differences between Richard Nixon and Hubert Humphrey are not many and great, then evil is good, black is white and night is day.

Merton J. Walter,
Supervisor, Dance County District No. 47.

TRIBUTE TO EDNA F. KELLY

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 2, 1968

Mr. HOWARD. Mr. Speaker, I want to join my colleagues in their tributes to the charming distaff Member of this body, Edna F. Kelly, who is retiring at the end of this Congress.

My association with Edna Kelly during the brief time we have served together is one which I shall long treasure. Her legislative record will be admired by all long after she has gone on to other ways of helping humanity. Her leadership abilities, as shown by her record as chairwoman of the Subcommittee on European Affairs of the House Foreign Affairs Committee, are vast. I am certain that all Members of the House will agree that the retirement of Edna Kelly, while it will free her for other worthy efforts, is a source of regret for all of us.

During the 19 years she has served this body, the gentlewoman from New York [Mrs. Kelly] has ably, intelligently, and constantly exhibited her deep concern for the Nation's welfare, as well as that of her constituents. She has been willing to be of assistance to all who are in need, be it a resident of her district, or a colleague in the House of Representatives. Her ability to guide, her willingness to share of her experience and expertise has been well appreciated by many of her colleagues, and will not be forgotten.

I feel a deep personal loss in knowing that the gentlewoman from New York [Mrs. Kelly] will be leaving these Halls permanently at the close of this session, and I wish her the very best in the future; health, happiness and success in her future activities, which I am certain will continue to be in the service of humanity and her country.

THE OEO AND EXTREMISTS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. ASHBROOK. Mr. Speaker, as I have pointed out before, some of those who advocate large Federal funds to eliminate poverty in this country are strangely silent when such funds are used to distort the goals of the program. On October 1 I inserted in the Record a column by the veteran columnist, Victor Riesel, which dealt with antipoverty program abuses. On October 1, the Wooster, Ohio, newspaper, the Daily Record, carried a later column by Riesel on the same subject. In this later column, Riesel starts out by saying:

> Openly, defiantly and aggressively, in this asphalt jungle, executives of the federal antipoverty headquarters are cheering, supporting and directing the black militants' war on the labor movement, the municipality and the weary establishment.

Columnist Riesel is describing here the role played by the antipoverty officials in the conflict over decentralization of the school system in New York City. According to Riesel, the Office of Economic Opportunity apparently "sees no danger, issues no appeal to reason, disciplines no regional officials." As in other cases, the New York situation might well turn out to be another wholesale misuse of Federal funds, thus diverting from the needy the assistance for whom the program was intended.

I include the above-mentioned column by Victor Riesel in the Record at this point:

OEO Officials Are Cheering Extremists' Strategy in Cities

New York.—Openly, defiantly and aggressively, in this asphalt jungle, executives of the federal anti-poverty headquarters are cheering, supporting and directing the black militants' war on the labor movement, the municipality and the weary establishment.

Federal and civic money is paying the bills for the revolution, as it's boastfully called. This is not a black revolt. This is open rebellion by brilliantly organized bands of militants, which the nation's most influential labor chiefs now, in cold anger, call "vigilantes" who "must be stopped."

Grim stories leak through the closed doors of meetings in high places. City officials talk of using "bayonets" if needed. Anti-poverty officials, approved by the government's Office of Economic Opportunity (OEO), publicly cheer the extremists' strategy, calling for opening struck schools, one by one . . . "whatever it takes, by whatever means—."

Directors of the city's Council Against Poverty (OEO) openly and publicly demand that leaders of the striking United Federation of Teachers and the school supervisors organization be jailed and fined; that the police be used to open schools; that the union be smashed. And then the Council blasts the police on general principles.

As I come in from the campaign trails, I note in city after city that the story of the New York commune gets less notice than a Detroit Tigers pitcher's ligaments. That's unfortunate. New York's the best stadium for the biggest social and racial world series in the century.

Except for a report or two buried in the local prints, a meeting of over 700 union chiefs, speaking for 555 locals with 1.2 million members (almost 10 per cent of the national labor movement) went unreported.

They came at the call of Harry Van Arsdale, president of the Central Labor Council.

In the packed and sweated Hotel Commodore's East Ballroom, there were cries of "Harry, let's shut down the city . . . Harry, let's strike."

They came, ostensibly to support 53,000 school instructors belonging to the United Federation of Teachers (AFL–CIO).

This massive strike is in protest against the firing of 110 teachers, without due process of legality, by a militant Ocean Hill-Brownsville ghetto decentralized school board.

Through the jammed hall ran reports no labor leader could ignore. Building and construction trades union chiefs were told of openly contemptous warnings by black militants that there would be no construction in this city until "thousands of white workers were fired and replaced by ghetto residents."

Skilled employes of the Central Board of Education, carpenters, electricians, plumbers, operating engineers, drivers, et. al., who had passed civil service examinations, were warned that, after the teachers, come they.

In another auditorium across town, thousands of militants, with their own uniformed security guards, shouted loud defiance of the labor movement.

On the stage with the Panthers' leaders, with the extremists, with the local ghetto officials, were the men who spend millions of federal and municipal dollars in the anti-poverty program. They were for smashing the strike.

Back across town in the Commodore, one of labor's high command—a veteran of many labor wars—wept out of sheer frustration.

"This will change the face of the labor movement," he muttered dolefully. "We cannot sit around and watch the movement be liquidated.

"There is sentiment for a city-wide strike. It is growing strongly. We controlled this meeting. But there's a fury. I don't think we can handle another under such provocation.

"Our people now see this as a matter of life and death for what we've built over the decades."

The enemy now includes the national, as well as the local, OEO headquarters. Protests flow from here to the national AFL–CIO building across from the White House.

A spokesman for the national labor headquarters put it bluntly this way:

"If there is anything Harry (Van Arsdale) thinks the national office can do, he has only to pick up the phone. He gets George (Meany) and he gets what he wants. George has great confidence in him."

Thus, the war flares from these stone canyons to the capital's byways. Thus, this becomes a national struggle, an explosive civil war.

Apparently the Office of Economic Opportunity sees no danger, issues no appeal to reason, disciplines no regional officials. Nor do they come up with answers from newsmen, this newsman anyway.

What are they waiting for, bayonets in the streets?

CONVEY ARMY TERMINAL IN BROOKLYN WITHOUT COST TO NEW YORK CITY

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. PODELL. Mr. Speaker, the Army terminal in Brooklyn has been declared surplus property by the Federal Government and the city of New York plans to acquire that property for industrial development and for the creation of jobs urgently needed to replace those lost when use of the property was abandoned by the Army.

Apparently the Defense Department looks upon the city of New York as a fertile area for economy and retrenchment. First, they closed the Brooklyn Navy Yard and callously forced the removal of highly skilled and trained workers from our city to Philadelphia and other areas whose efficiency and economy in production never measured up to the performance standards maintained at the Brooklyn Navy Yard. This serious loss to Brooklyn's economy has since been followed by the closing of the Army terminal in Brooklyn.

The felonies perpetrated by the Defense Department against the people of our city and our borough have since been compounded by the arrogance of the General Services Administration. First, the General Services Administration extracted $23.5 million from the pockets of the taxpayers of our city for the Brooklyn Navy Yard. Now the General Services Administration proposes to drain the city taxpayers of an additional $18 million for the Army terminal.

This demand by the General Services Administration is immoral, outrageous, and the contemporary equivalent of highway robbery. The development of this property, under municipal auspices, will be a boon not only to the city of New York but also to the Federal Government in creating business and industry which will contribute to Federal tax revenues and by creating new job opportunities for workers who will pay Federal taxes and reduce the burden of the Federal Government for welfare costs.

The Federal Government presently owns in the city of New York properties assessed at $556,505,200 exclusive of the new multimillion dollar complex just completed in the Foley Square area of Manhattan. At current real estate taxes, taxable revenues from these properties would yield just under $30 million annually to the city of New York. However, these properties are tax exempt and yield the city nothing although they receive the full benefit of city water and sewage services, police and fire protection and a host of other services without which the Federal properties would be unused and unusable.

Although the people of our city through this tax exemption in effect contribute $30 million annually, we get none of the Federal grants and aids extended by the Federal Government to federally impacted areas. The people of our city get only the privilege and the pain of paying the bill.

Year in and year out the people of our city thus contribute to the Federal Government almost twice as much as the General Services Administration is demanding for the Army terminal. Such a demand is unreasonable and immoral. We urge the General Services Administration to turn this property over to the city of New York without charge so that it can be imaginatively and constructively developed in the best interests of the people of our city, State, and Nation.

I am taking the liberty, Mr. Speaker, to append to my remarks the text of a letter I received from the mayor of the city of New York and a former distinguished Member of this House, the Honorable John V. Lindsay:

THE CITY OF NEW YORK,
OFFICE OF THE MAYOR,
New York, September 5, 1968.

Hon. BERTRAM L. PODELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PODELL: New York City has begun negotiations with the General Services Administration to obtain the former Army Terminal in Brooklyn. This property, like the former Brooklyn Navy Yard, has been declared surplus by the Federal Government. The City intends to acquire the Terminal to develop industry and jobs to replace those lost when the Army moved out. We are disturbed to find that the Navy Yard history is being repeated in the Army Terminal negotiations. Once again we are being asked to pay millions of dollars to acquire surplus property in order to restore the property to the economic life of the City. Having reluctantly agreed to pay $23.5 million for the Navy Yard, the City is now faced with an inflexible demand that it pay $18 million for the Army Terminal. In both cases the purchase price is only the beginning, for many more millions must be spent before the properties can contribute to the City's economy.

New York City has been badly hurt by the abandonment of these properties. Thousands of men have been thrown out of work. It is unfair for the Federal Government, having imposed on the City the responsibility for obtaining employment at these sites, to demand in addition that the City pay for the surplus property.

This policy must be changed. The Brooklyn Army Terminal must be transferred to the City without cost, so that development can proceed without delay and without unnecessary outlay of City funds.

I urge you to support whatever action in Washington is necessary including the submission of new legislation. My office is ready to assist you in this effort.

Sincerely,

JOHN V. LINDSAY,
Mayor.

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. SCHERLE. Mr. Speaker, this is the 259th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

CONGRESSMAN LONG KEEPS IN TOUCH WITH HIS CONSTITUENTS, AIDS THEM WITH PROBLEMS

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. REUSS. Mr. Speaker, my colleague, CLARENCE LONG, has for the past 6 years kept in touch with his constituents by holding office hours at post offices throughout his district. I should like to insert in the RECORD an article from the Baltimore Sunday Sun describing this activity, along with Congressman LONG's announcement that he now is holding office hours at shopping centers, as well as in his new office on wheels:

WHAT HELP DO PEOPLE SEEK FROM A CONGRESSMAN?

Congressman Clarence D. Long (D., Second) has been making the rounds of the post offices in his district "to find," as it says in his newsletter, "what help people seek."

He has been at it for years and on a recent Saturday he was in the Bel Air post office in Harford county, where about 25 people were lined up to see him. Inside the air-conditioned office of the postmaster, the Congressman was seated under an autographed picture of Harry Truman, listening to a man who had with him a retired Navy chief. In one corner of the room a secretary took notes.

The chief had been mustered out of the service in 1959 because he was thought psychopathic. He had "blown his stack" a couple of times, and under subsequent examination by psychiatrists had been asked questions which confused him ("I've been confused myself sometimes," said the Congressman) and to which he gave, psychiatrically speaking, the wrong answers.

The man had a good combat record. Because of his early discharge he had missed getting retirement pay by only eight months. Would the Congressman introduce a private bill to aid the former chief? He would, said Long, if he couldn't get the Navy to reverse the decision.

A woman entered. She was worried about her son, who had recently been inducted into the Army. The son, it turned out, had a heart condition, so serious, from her description, that Long expressed wonder that he had been inducted at all.

The woman was concerned because she thought the work that her son would be doing at boot camp would be too strenuous for his heart. Her husband, she said, had just a few weeks ago died as a result of a heart condition. She turned her head and there was an embarrassed silence.

"All right, don't worry now," said the Congressman. He directed his secretary to write to the doctor at the base, and find out what type of work the son was doing.

The procession continued. A woman was looking for a job with the State in Bel Air; (the Congressman referred her case to his secretary, who heads his job desk). She was followed by an irate Baltimore countian who for several months had been fighting a losing battle with county administrators. She said they had been illegally using her property for drainage from adjacent ones.

The morning wore on. A fire chief from Edgewood Arsenal was being forced to retire, a woman disabled by disease thought she should be getting more social security benefits, and electrical contractor hadn't been paid for his work by the General Services Administration.

Long conducts the interviews with business like efficiency, punctuating the narration with his own comments, asking pointed questions, cutting short long-winded explanations. As a result he has seen up to 60 people in a few hours in one of his Saturday morning sessions. All of the cases are followed up by his staff.

Many of those he encounters are poor, many of them are uneducated, many of them want jobs. But jobs are becoming harder to find for such people in an increasing technical employment market. "The great problem of age," says Long, "is that it's correlated with lack of education." Even so, he has had considerable success in finding both Government and civilian employment for his constituents.

To some, the Congressman represents a "court of last resort." The parents of Radmila Lomsky, who were forced to leave their 11-month-old daughter with relatives in Czechoslovakia when they came to this country in 1948, had tried ever since to get her out. They finally came to Long, their Representative, who wrote letters to everyone from President Novotny to the then Russian head of state Nikita Khrushchev, and finally succeeded, after eleven months of effort, in reuniting Radmila with her parents.

To others, the Congressman serves as "ombudsman." This is a position filled in certain Scandinavian countries by persons familiar with the ponderous mechanisms of government who act as go-betweens for the individual citizen who must deal with a huge and sometimes senseless bureaucracy. A recent case involved a constituent of the Congressman on Route 40 who had a house and a motel both of which needed improvements. The Small Business Administration wouldn't make a loan on the motel because the property contained a house; the Federal Housing Administration refused money for the house because of the motel. Congressman Long arranged a conference between representatives of the two agencies: the result was a loan from each, and hopefully an agreement for future communication.

From the bizarre, such as the man who hauled out a towel labeled United States Army Supply Depot, said it had recently been removed after having been part of his interior plumbing for several years following an Army operation and wanted to sue the surgeon (the case had already been to the Supreme Court) to the pathetic, an alcoholic electrical worker who thought that local firms were blacklisting him (they were, evidently with justification). Representative Long sees them all. At the same time that he is making friends, he is cannily keeping a finger on the pulse of his constituents gauging their interests and concerns.

The great majority are just people who need some sort of guidance. "Many," he says, "without automobiles or even phones, cannot reach the Capital. Then there's always inertia," something that obviously seldom plagues the only Representative in Washington who offers curb service to his constituents.

See me next, in my new Office on Wheels, Saturday, Oct. 12: Middlesex Shopping Center—10 a.m.; Middle River Post Office—11 a.m.

CLARENCE D. LONG.

HUMPHREYISM NO. 7

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

From a collection of Representative HENRY C. SCHADEBERG'S (R. Wisc.).

"Insofar as I am sorry for anything, it is not because I am a liberal, but it is because I am not more liberal than I am." (CONGRESSIONAL RECORD, January 9, 1957.)

THE AMERICAN FARMER—FORGOTTEN MAN

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. ESCH. Mr. Speaker, last week the Congress approved a 1-year extension of the Food and Agriculture Act of 1965. In so doing, we have postponed total review and consideration of the entire farm situation in our Nation.

This must surely be one of the first and most important tasks of the 91st Congress. There is an urgent need to examine the complete farm picture and its many complexities realistically. We cannot rely on simple solutions. It is with this thought in mind that I set forth the basic outlines of the farm problem as I see it and suggest some possible solutions.

Mr. Speaker, the American farmer continues to be the forgotten man of the American Government. He pays more for everything he uses and receives less than at any time since the great depression in the thirties.

He has more than tripled his efficiency and productivity and has been rewarded by prices so low that they can barely meet his production expenses. Inconsistent and ineffective Federal farm policies have resulted in a crisis which reaches across the Nation into every farm and rural home. I believe it is time for a change, Mr. Speaker, and I believe that the American farmer agrees with me.

The plight of the farmer is well illustrated by the fact that more than 4 million people have left the farm since the start of this decade. American farmers in 1968 will absorb a $1\frac{1}{2}$ billion pay cut. Farm debt has risen alarmingly—a startling 90 percent since 1960. In short, the American farmer has his back to the wall.

The plight of the farmer is frequently ignored, I suspect, because he retains only 6 percent of the national vote. Yet Congress must recognize that our farmers and rural people are the backbone of the Nation. The farming industry employs 5.2 million workers—more than the combined employment in the steel industry, the automotive industry, transportation, and public utilities. If half the steel industry was in trouble; if half the employees in automobile plants throughout the Nation were threatened with losing their jobs and their investments; if half our transportation were to come to a standstill; these would be considered national disasters and would result in immediate Federal action. Nothing less is demanded for an industry which is larger than all the others combined.

I have consistently spoken out on behalf of the farmer since I first came to Washington. The very first piece of legislation I introduced upon becoming a Member of the House of Representatives was one which urged that the disastrous policies of the Secretary of Agriculture and the present administration be investigated and immediately altered. I also introduced legislation to protect our dairy farms from unfair competition from imports and testified before the Tariff Commission in support of action to halt disastrous increases in such imports. I met with representatives of the Mexican Government in an effort to work out better arrangements on the bracero program to provide badly needed farm labor. I introduced legislation which would provide far more accurate agricultural statistics so that farm marketing can be stabilized.

But, while we have worked to improve our farming programs, we have also recognized that there are inherent problems in the present system. Fundamental changes must take place in our policies.

The first and most basic change which must take place for the farmer, as well as the rest of society, is a return to sensible fiscal policies. The massive inflation our Nation has experienced has been particularly disastrous for our farmers.

The cost-price squeeze felt by the farmer is evident from every angle in examining the agricultural situation.

Prices received by the farmer averaged about 5 percent lower than in 1966.

Farm income declined almost 12 percent from 1966.

On the other hand, farm production expenses rose to a record high of $34 billion.

Production expenses ate up two-thirds of all cash received by farmers from the sale of farm products. Only one-third remained as income for the farmer and his family.

While estimated annual income from non-agricultural sources rose by 8 percent from 1966 to 1967, annual personal income from farming dropped by 16 percent.

No segment of the American population has been required to suffer a more unfair burden because of the inflationary policies of our Government.

Inflation has hit the farmer in yet another way. Total farm debt last year went up by 15 percent—an average of more than $1,200 per farm. Since their entire operation is very deeply dependent on credit, farmers are hit particularly hard by fiscal policies which promote high interest rates—and interest rates in the past year have been higher than at any time since the Civil War. Interest rates are prohibitively high for farmers and in many cases loans are not available at any price.

In short, Mr. Speaker, it is vital for the American farmer that the Nation return to noninflationary monetary policies. This most basic change in Government policy is one for which I have fought for many years. I have consistently opposed excessive Government expenditures. I have strongly urged the full study of our Government to cut out waste and inefficiency. We need to increase our activities in this field. No one will be better rewarded by a stable economy than our agricultural sector.

But other changes must take place as well. We cannot be content to let the American farmer continue to struggle within farm programs that have been basically unsound. The Food and Agriculture Act of 1965 surely must be described as the least successful farm program of the century. One needs only to look at the statistics indicated above to acknowledge the failure of this program. Thousands of farmers have left the farm, income has dropped at an increasing rate, the escalation of farm debt has been sharp—there is no bright spot on the horizon.

Many other basic and fundamental changes must take place in our agricultural system. Time does not allow for a detailed discussion of each concept. Yet, I should like to paint a broad outline of the programs that can and must be undertaken.

EXPANSION OF MARKETS

First, rather than rely on farm subsidies, we must make tremendous efforts to expand our markets at home and abroad.

The greatest potential for expanding American farm markets lies in the expansion of foreign demand. The need for food throughout the world is great. It must, however, be traslated into effective economic demand if it is to absorb America's productive potential. American agriculture is already heavily tied to export production—one in every four cropland acres cultivated in the United States is exported. Farm exports provide employment for one out of eight American farmworkers. Exports are a more important factor in agriculture than in any other major industry. Yet Fedeal policy seems to be almost ignoring the needs of the American farmer in participating in international agreements.

The administration has often taken steps which have frustrated the participation of the American farmer in the export market. In 1967, the administration called for increased acreages to meet foreign aid requirements. Farmers responded with production increases. The administration then decided that aid shipments would be decreased, instead, and the excess supply which resulted forced farm income to fall almost 12 percent.

The administration has forced the American farmer to pay twice for the Nation's foreign policy. He pays once in taxes and again in depressed prices.

Steps can be taken to expand the foreign market for agricultural products:

Better coordination of foreign policy and agricultural programs is necessary. Although the Department of State may benefit from low prices in its effort to provide supplies for the cold wars in India, Indonesia, Brazil, and goods for Vietnam, its policies must not be at the expense of the American farmer.

More realistic and accurate export demand estimates are needed.

A fully utilized food-for-peace program is necessary.

Our foreign aid program must be reoriented to focus on the development of farming and farming technology in the recipient nations. Since most areas aided would be in tropical zones they would not compete with the United States in commodity productions. Their improved economy, however, would expand paying markets for U.S. products.

At home, major expansion of markets can come as well. Major improvements can be made by:

Improved access to markets through better roads. In many parts of our Nation, including the Second District of Michigan, the secondary roads are woefully inadequtae for ready marketing of products. This is certainly a key to any rural development.

Improved marketing facilities and increased assistance to farmers in uniform grading.

Increased agricultural research—especially in the area of industrial uses for farm products. I am convinced that if the scientific genius and technological ingenuity of our country are brought to bear in the conversion of farm products into new services to mankind, the results will be tremendous and the entire world will benefit.

Expansion of the food distribution programs and improvements in the programs which provide milk and other food to schools and needy people. There is no excuse in this land of abundance for any person to starve or for any child to go to school hungry every morning. Concentration of our welfare programs on essential programs such as nutrition will not only benefit the Nation—but will provide an increased market for American farm products. I introduced legislation creating a Commission on Hunger which has been approved and which should make broad recommendations in this field.

REVITALIZE RURAL AMERICA

Rural America is the backbone of the Nation. The family farm and the small rural community have provided the Nation with the basic values of American life. The atmosphere of community spirit, neighborly concern, and religious faith that has undergirded the American way of life remain strong in our rural communities. We must devote major national effort to preserving those communities.

The deterioration of our rural areas has a disastrous effect on the Nation as a whole. Not only does it deplete this great national reservoir of strength, but it can only add to the overcrowding and complication of our strife-torn cities. The truth is that many of our city problems are rooted in rural decay. Neither urban or rural people can be benefited by our present lack of concentration on rural problems—and both can reap rewards from strong action along these lines.

I have introduced legislation to create a Balanced Economic Development Commission would recommend methods of the ways and means through which rural areas can be revitalized. Such a Commission would recommend methods of attracting industry to rural areas. Industry in such an area is not meant to take away from the rural character of the environment, but to provide job opportunities for those who wish to leave farming—to provide attraction so that young people are not required to leave the rural area to find employment. In many parts of the Nation, including Michigan's Second District, a high percentage of farm family income is derived from off-the-farm employment. The location of industries in rural areas would go far in stabilizing farm income.

Improved transportation facilities, better schools, more extensive public utilities, and imaginative and comprehensive land-use plans can open the way for redevelopment. I have stressed the importance of tax incentives for businesses which locate in poverty areas—in rural America as well as in the core cities. Vocational education must be intensified and increased and should give greater emphasis to agriculturally related businesses and other opportunities in rural areas. Public buildings and Government contracts should be attracted to rural areas.

Michigan's Second District is an excellent example of the action which must be taken. There is an urgent need for balance between the expansion of cities and the stability of farms. The green, open spaces of our farms, as well as their economic contributions, are vital to maintaining a balanced life for all our citizens.

GOVERNMENT IN AGRICULTURE

Government should never be allowed to dominate agriculture. The interests of a bureaucracy must never be put ahead of the interests of the agricultural community itself. Government must aid, rather than control, the agricultural economy.

We simply must develop a Department of Agriculture that is devoted to the interests of the farmers rather than the consumers. We need not be reminded of the incredible and callous example of the lack of interest the present Department displays in the plight of the farmer.

The New York Times of April 4, 1966, said:

> Secretary of Agriculture Orville L. Freeman expressed *pleasure* today with the fact that prices of farm products had dropped recently. It was the first time in the memory of Federal farm officials that a Secretary of Agriculture indicated that he was pleased with a decrease in farm prices.

The Wall Street Journal of May 16, 1966, stated:

> Gardner Ackley, Chairman of the President's Council of Economic Advisors cites as *welcome* evidence of a slowdown in economic growth the recent turndown of pork prices.

Clearly such disregard of the interests of the American farmer in the highest levels of government must be corrected.

There must be improvement and standardization of procedures for the collection, evaluation, and dissemination of agricultural statistical data. Early this year I proposed legislation which I believe would go a long way in improving our agricultural estimates. The price that the farmers pay for inaccuracy in Federal estimates is a high one—amounting to several million dollars each year in depressed prices.

There must be better management of the Commodity Credit Corporation's inventory of grains and other farm commodities to improve farm prices, not depress them. All too often in recent years, the administration has gutted the market with commodities in order to force the price down. Such action must not be tolerated.

Numerous other proposals must be considered. They include:

Sympathetic consideration of proposals to encourage farmers, especially small producers, to develop their bargaining position.

A truly two-way export-import policy which protects American agriculture from unfair foreign competition.

Improvement of credit programs within the farm credit system and the U.S. Department of Agriculture to meet the capital requirements of modern agriculture, especially for young farm families trying to get a decent start.

Effective plant and animal disease control and the control of pests to protect our food supplies and farm production.

Support for agricultural education and experimentation through the land-grant college system, while extending the helping hand of the Extension Service to more Americans.

A sound Federal crop insurance program.

Vigorous expansion of soil and water conservation programs.

Mr. Speaker, the farm problem facing our Nation is not one of statistics—of mere acres and abstract production figures. It is a problem of people. All too often in the past our farm programs have been directed solely at commodities. It is now time that we emphasize the human dimensions of the problem and that we take steps to assure that America's farmers have a continued opportunity to partake of our national wealth.

By their very nature our farmers are individualists. They are farmers because they want to work for themselves and control their own destinies. Their individualism and freedom is a basic characteristic of our national heritage. In our efforts to assist the farmer and create a better program, we must never override that freedom with Government control. Government must develop a program that will help—not rule and overpower him.

CONGRESSIONAL REFORM

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. MESKILL. Mr. Speaker, S. 355 contains many important features for improving the operation of the Congress. It was passed by the Senate on March 7, 1967. It has been languishing in the House since that time. The only answer seems to be that the leadership does not want these reforms. Evidently they do not wish to see the minority party accorded the increased legislative staff which it needs. They evidently do not wish the other streamlining of procedures which would help eliminate these uncertain, lengthy, disorderly sessions such as we are now enduring .

Accordingly, I have today taken the rather drastic procedure of signing the discharge petition designed to bring this measure to the floor for full and open debate. It appears that this is the only way in which this can be done, if it is to be done at all. At any rate, it is all that can be done at this stage of the session. For months various Members have urged the leadership to move this bill along. These efforts have been rebuffed. Our last effort was on September 24, when 134 Members addressed a letter to the distinguished Speaker urging him to take action. Regrettably he has not seen fit to do so.

So we take the route of a discharge petition and hope we can blast this measure loose before the end of the session. In the event that we fail, the loser will be the American people. Unless our House changes to reflect the new demands and new pressures upon it, it will cease to have any major importance at all and, like the Senate of Rome, descend to being a mere decorative background for the all-powerful executive.

REFORMS NEEDED NOW

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, the editorial from this morning's Milwaukee Sentinel which I include below as part of my remarks reflects not only my position, the position of many of our colleagues, and the Sentinel itself, but also, I am convinced, the position of the American people. I believe it is imperative to take action immediately on both the congressional reform and election reform bills.

The need, the demand, the propriety of congressional and election reform has been debated at length and in detail by Congress. Now is the time for action.

I call the attention of the House to the Sentinel editorial and again urge that these bills be considered before the 90th Congress adjourns.

The editorial follows:

IMPORTANT REFORMS

In its rush to adjourn, congress should take enough time to clear two vital pieces of legislation, the congressional reform and the election reform bills.

The senate already has passed the two measures. The bills are now in the house rules committee. They should be brought out and passed this week.

The legislative reorganization act would modernize congressional procedures, something that sorely needs to be done. If the house acted, the legislative reforms could be put into effect in the new congress convening next January. If the house doesn't act, reform efforts will have to be started all over again.

The election reform act would completely overhaul the federal election laws pertaining to campaign fund raising and spending in federal elections, something else that sorely needs to be done. If the house doesn't act, election reform efforts likewise will have to be started all over again in the new congress.

Rep. Donald Rumsfeld (R-Ill.) has been leading a drive to have the house take up these two measures. But the Democratic leadership has turned a deaf ear. If the house Democrats fail to deal with these two vital matters, it will be yet another reason to turn them out of office and to give the GOP a turn at the controls.

AFRICAN TERRORISM FINANCED BY INDIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. RARICK. Mr. Speaker, apparently the Indian disciples of Mahatma Gandhi have overcome their nonviolent means of revolution and now seek to replace Satyagraha with terrorism.

Perhaps this explains the dire need for U.S. foreign aid to India—not to feed Indians but to free Indian money to subsidize murder and violence in South Africa.

Does India seek liberty or colonialism in Africa?

Under unanimous consent I submit the Associated Press Release from New Delhi for September 24, 1968, for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Baton Rouge Morning Advocate, Sept. 24, 1968]

INDIA SUPPORTS AFRICAN DRIVES OF "LIBERATION"

NEW DELHI, INDIA.—India is quietly supporting a handful of movements aimed at supplanting existing governments in Africa.

India's assistance is mainly limited to medicine, books and clothing plus "moral support in the Commonwealth and the United Nations," says M. R. Thadani, head of the Foreign Ministry African desk.

"We are not in a position to give any arms because we do not sell any," Thadani adds.

"These movements manage to get arms from other sources."

India steers among the faction-ridden politics of African "liberation" movements by supporting whichever movement the Organization of African Unity backs in any given case. All these movements are armed guerrilla undertakings—and most of them have rivals in the business of taking over such areas as Mozambique, Angola, Portuguese Guinea and Rhodesia. India urges the rival groups to unify. Thadani said.

The only training India gives is to about 25 Angolans who are learning to become policemen at the Indian Military Academy. The worth of medicines, books and clothing sent to Africa is several thousand dollars per movement, Thadani said.

The largest recipient of help is the African National Congress of South Africa—partly because of Mohandas Gandhi's early association with that country and also because the congress is a pioneer among liberation movements, Thadani said.

"The late Mahatma Gandhi got his political baptism in South Africa," said Alfred Nzo, head of the African National Congress' New Delhi office, recalling Ghandi's first nonviolent campaigns, between 1906 and 1914, on behalf of Indians in South Africa. He later led India to independence.

The African National Congress itself took inspiration from Gandhi and practiced nonviolence from its beginning in 1912 until 1960 when "peaceful means were abandoned," Nzo said.

Thanks to its association with Gandhi, the African National Congress has the entire expenses of its office here, about $10,000 a year footed by the Indian government.

The congress also has offices in England, Algeria, Egypt, and Zambia. Its headquarters is in Tanzania. Its activities are under ban in South Africa.

"We think the African National Congress

is representative of the majority aspirations of South Africa," a spokesman for India's Foreign Ministry says.

CLEVELAND AREA RALLY TO PROTEST SOVIET ANTISEMITISM

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. VANIK. Mr. Speaker, I wish to call the attention of the House of Representatives to the great concern being expressed in my community among Jewish families and the general public over the "cultural and intellectual" genocide against the Jewish population which is widely felt here to be present in the Soviet Union.

Numerous protests have been made to the Soviet Ambassador over the years from Cleveland area residents. New and additional petitions resulting from a protest rally which will be held in Cleveland, Ohio, on October 12 are soon to be forwarded to the Soviet Embassy in Washington.

It is my sincere hope, notwithstanding the current attitudes being expressed by the U.S.S.R., that there can be some public sign that the Jewish population within the borders of the Soviet Union can again be intellectually and spiritually free.

The world cannot condone any form of repetition of the human disaster which it witnessed during World War II. Jewish history is filled with too many examples of such tragedies.

In the past I have protested the actions of the Soviet Government against the Jewish population within its borders. It is my hope that the indignation and sorrow felt by so many Americans regarding the status of Jews on the Soviet Union can be formally expressed by the Congress of the United States. Such a resolution of support for freedom of religion everywhere in the world should be one of the very first orders of business in the next Congress.

I am convinced that such a resolution has the wide and deep-felt support of the American people. It is my hope that citizens concerned with the on-going persecution of Jews in the Soviet Union will make their feelings known to the Congress.

As a model of the resolution which the Congress should adopt, I would like to include in this point in the RECORD a copy of a resolution which I have introduced in the past:

CONCURRENT RESOLUTION

Whereas the Congress of the United States deeply believes in freedom of religion for all people and is opposed to infringement of this freedom anywhere in the world; and

Whereas abundant evidence has made clear that the Government of the Soviet Union is persecuting Jewish citizens by singling them out for extreme punishment for alleged economic offenses, by confiscating synagogues, by closing Jewish cemeteries, by arresting rabbis and lay religion leaders, by curtailing religious observances, by discriminating against Jews in cultural activities and access to higher education, by imposing restrictions that prevent the reuniting of Jews with their families in other lands, and by other acts that oppress Jews in the free exercise of their faith; and

Whereas the Soviet Union has a clear opportunity to match the words of its constitutional guarantees of freedom of religion with specific actions so that the world may know whether there is a genuine hope for a new day of better understanding among all people: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that persecution of any persons because of their religion by the Soviet Union be condemned, and that the Soviet Union in the name of decency and humanity cease executing persons for alleged economic offenses, and fully permit the free exercise of religion and the pursuit of culture by Jews and all others within its borders.

I would also like to include in the RECORD, at this point, a copy of an article on the coming protest rally which is to be held in Cleveland on Saturday, October 12, 1968. The article appeared in the Cleveland Jewish News, October 4, 1968:

Cleveland teenagers and all the members of their families have "a date with Soviet Jewry" on Saturday, October 12th. A mass community wide rally will be convened on that night for the purpose of protesting Soviet anti-Semitism. Mrs. Michael Blumberg, General Chairman announces that the event will begin at 8:00 P.M. at the Taylor Road Synagogue.

Youngsters from religious schools all over the city are now writing letters of protest to Russian Ambassador Anatoli F. Dobrynin, which will be collected at the rally and will be forwarded to the Soviet embassy in Washington.

The rally is to be held just prior to Simhat Tora, in recognition of the manner in which Soviet Jews by the thousands have demonstrated their solidarity during this holiday.

The mass rally will be addressed by world-renowned actor and singer Theodore Bikel. Mr. Bikel, a national vice-president of the American Jewish Congress, is a noted fighter for human rights and has been a principal figure in national protests against Soviet anti-Semitism.

Other program participants will be Dorothy Reuben Silver, noted dramatic artist who will present staged readings. Cantor Saul Meisel of the Temple on the Heights will present a program of songs beloved by Russian Jews.

Following the rally at Taylor Synagogue, a torchlight procession will form with the entire assemblage proceeding to adjacent Cain Park. Torah scrolls will be borne in the procession as young and old climax the evening with Israeli folk dancing and singing.

"Every year at Simhat Tora time the Jews of the Soviet Russia demonstrate their solidarity by a tremendous rally before the Great Synagogue," Mrs. Blumberg declared. "Just as Soviet Jews seek to express their longing to remain Jews under adverse conditions, so must we American Jews show our sympathy with a great rally at this holiday time!"

All Cleveland religious schools and Sunday schools have been alerted to the significance of the massive rally. Students are now preparing protest letters which will be deposited in large receptacles at the Synagogue prior to the rally.

Henry Margolis, chairman of the Educational Directors Council of the Bureau of Jewish Education, announced that during the coming weeks all schools are planning to devote at least one session to discussing the situation of Jews behind the Iron Curtain.

The entire community—young and old—is invited to participate in the momentous rally, which will be part of a nation-wide expression of American-Jewish solidarity with their brothers in Soviet-dominated countries.

REPORTS ON CRIME CONFERENCE

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. McCARTHY. Mr. Speaker, in August of this year, I cosponsored a crime prevention and control conference in my district, which brought together many distinguished panelists from the Buffalo, N.Y., area to discuss the causes and prevention of crime. The results of the conference and the conclusions reached are included in my latest newsletter in addition to other news for the people in my district.

Since many of my colleagues have inquired as to the outcome of the conference and the conclusions reached, I would like to insert at this point in the RECORD my recent newsletter:

REPORTS ON CRIME CONFERENCE—CRIME CONFERENCE HEARS CALL FOR CITIZEN PARTICIPATION TO STRENGTHEN LAW ENFORCEMENT

A distinguished American recently declared: "The people will get observance of the law and enforcement of the law if they want it, insist on it and participate in it."

This basic idea was a central theme at the Crime Prevention and Control Conference which I Co-sponsored with the State University of Buffalo's School of Law and Office of Urban Affairs on August 8.

The panels participating in the Conference were made up of distinguished citizens: judges, attorneys, civic leaders, law enforcement officials, psychiatrists, social workers and clergy. The topics discussed ranged from the lack of respect for law in our society and juvenile crime to citizen apathy and non-involvement in preventing crime. Also discussed was the new Omnibus Crime Control and Safe Streets Act which was just passed by Congress and its favorable impact on law enforcement in our community.

I found the discussions very enlightening and I'm happy to note from the mail I've received from those who attended the Conference that most people felt the meeting to be worthwhile.

Concluding the conference I pointed out that enactment of the Safe Streets Act marks the start of a massive, concentrated, sustained assault on crime at all levels of government. Riots and crimes which flow from riots are as intolerable as every other kind of lawlessness. They are as hopeless as the causes which so often and as tragically breed them.

"We can build a better America by building better families" was the note on which Father Alan A. Zielinski, Director of the Monsignor Carr Institute, opened the first panel chaired by attorney Paul I. Birzon and this was a recurring theme throughout the day.

One of the most appalling trends discussed was the alarming increase in juvenile crime. The Conference was informed that over 50% of all crimes in this country are committed by young people between the ages of 10 and 18 years.

Judge Mary Ann Killeen, Family Court Judge, and other panelists felt that this increase was due in large measure to parental neglect and lack of respect for parental authority. The importance of the family, the home and the presence of a father in helping to prevent crime was stressed again and again by judges, clergy and welfare officials.

Since one out of three arrests in the suburbs involves a juvenile, the problem is not one confined solely to the inner city. The Conference was told that in the suburbs, the father often does not spend much time with his family, or is too preoccupied with his career. The panelists agreed that children need a home they can be proud of, where they can bring their friends, a place for study and homework. They need parents who care enough about them to talk to them, listen to them and teach them respect for law and order and the responsibilities of living in a free society.

The conclusions of the panelists were reinforced recently when the F.B.I. released a report on crime showing that in 1967 one out of every two persons arrested for "index crimes" (murder, rape, robbery, assault, burglary, larceny and auto theft) was under 18; one out of every four was under 15 and one out of every 29 was under 11. The report also showed that since 1960, arrests of those under 18 years of age increased by 68.5% while arrests of those 18 and over increased less than one per cent.

Gaps and Injustices in our Legal and Penal Systems: Another theme of the Conference, especially among those familiar with our courts, was the injustices of our court and penal systems.

Rev. Carl Burke, Chaplain of the Erie County Jail, spoke of the demoralizing effect that long waits for trails have on prisoners. Because of the backlog in our court system, he said, many accused persons who can not raise bail are forced to wait from seven to thirteen months or longer in jail before they are tried. Often, the individuals involved are found not guilty or are given a suspended sentence. Yet they have already spent many, many unnecessary months in jail while awaiting this verdict and often, no longer have jobs.

Charles S. Desmond, retired Chief Judge of the N.Y. State Court of Appeals, emphasized the need for more judgeships and more court personnel to expedite court cases and to make this type of treatment outmoded.

Judge Desmond and Dr. Armand DiFrancesco, psychiatrist and medical director of Baker Hall, a home for distressed boys, stressed the need for reform in our prisons and for the need to make them more rehabilitative. "Crime has always been treated by punishment", said Dr. DiFrancesco, "but punishment has never been proven as a deterrent to crime nor does it reform the criminal." Statistics were cited proving that the longer a person spends in jail the more likely he is to return to crime.

These conclusions again seem to be borne out by the F.B.I. Report on Crime. In a special study of those arrested in 1966 and 1967 for murder, rape, assault and robbery, the F.B.I. found that 75% had previously been convicted of some crime, and 49% of these had served jail sentences. It also showed that of those under the age of 20 who were released in 1963, 70% were rearrested in the next four years. Obviously, as our panelists and the F.B.I. concluded, our prisons are failing in their job of rehabilitating prisoners to take up their responsibilities as citizens.

Role of Federal and State Government: With the passage and signing into law of the Omnibus Crime Control and Safe Streets Act, the Federal government has embarked on a new program of aiding states in developing answers to crime.

Mr. Richard Braun of the Criminal Division of the U.S. Department of Justice outlined what the new law would mean to law enforcement officials in Erie County.

Under this law, federal funds will be available to the states to develop new and innovative crime control and prevention programs. For example, Buffalo Police Chief Frank Felicetta was informed that this money would cover the cost of installing a computer and training computer personnel in the Buffalo Police Department if this was included in the comprehensive state plan. If the proposed consolidation of the police departments in Erie County into one law enforcement agency is agreed to on November 5, it too would be eligible for planning funds.

According to Mr. Peter Preiser of the N.Y. State Crime Control Council, a comprehensive state-wide plan will be submitted to the federal government within the next few months and an action grant should be awarded to New York by April of 1969.

Failure of Citizen Concern: In conclusion, the panels and participants decided that the failure of citizens to become involved, their apathy and wish for more control rather than participating in the prevention of crime was a major factor in the increase in crime. The feeling that crime is the business of the police department, that it is something that happens to other people, that "somebody" should do "something" about it, seem to be prevalent attitudes on the part of the public. People, communities, schools and churches, the panelists agreed, must become involved in preventing crime and the conditions that breed crime.

I've received many letters from people in the District since the Crime Conference containing suggestions or asking what they can do to combat crime. Following are some proposals for action which evolved at the Conference. Many of them are not new but perhaps at this time we need to take stock of ourselves and to resolve anew to act to prevent crime in our home and community.

Pay attention and supervise your children and their activities (such as what television and movies they are watching.)

Be a good example for your children, teach them respect for law and order by showing your respect for these precepts and by obeying every law, no matter how minor, to show your regard for it.

Be willing to stand up and be a witness in court if you observe a crime or serve on a jury if called.

Find out and participate in your community's activities to prevent crime.

Do your schools have courses in good citizenship?

Is your church or club involved in helping those less fortunate to improve their housing, to find jobs, to get a better education?

Volunteer a few hours of your time each week to help tutor some child, teach some skill you possess to underprivileged teenagers, be a Big Brother to a fatherless youngster.

Watch the dispensation of justice in your community and make your opinion known if you feel the causes of justice have not been served.

Support plans to increase police pay: improve training and professionalism among law enforcement officers.

The government can legislate against crime, court systems can be improved, money can be made available for more sophisticated methods of crime detection and all of these improvemeuts will help, but in the last analysis, the first defense against crime is the individual and the degree he is involved in his family, school, church, community. It is really up to each of us to inform ourselves and to work to prevent the conditions that foster crime. If in each community we can rise to this challenge and begin to take constructive action, we will have made a great achievement.

New legislation: *Gun Control.* On July 24, the House of Representatives passed a gun bill by a vote of 304 to 118. Since so many constituents have written to me concerning this legislation, I would like to summarize the provisions of the bill for your information.

Limits on Gun Sales: *Bans:*

Over the counter sales of rifles and shotguns to nonresidents in a state except to those persons from adjoining states.

Long gun sales to persons under the age of 18 years.

Persons who have been convicted of a felony, drug addiction, or mental incompetents from purchasing a gun.

Mail-order sale of ammunition for handguns.

The sale of hand guns and pistol ammunition to persons under the age of 21 years.

Penalties: Provides for a mandatory prison sentence for federal felonies in which a gun is used. One to ten years for a first offense and 5 to 25 years for repeaters. This sentence would be served in addition to the sentence for the basic felony.

Registration and Licensing: Amendments to require federal registration of all guns, of hand guns only and to require that all gun owners have permits were defeated by margins of 3 to 1 or more.

Effect on Sportsmen: The effect of this legislation on law abiding sportsmen will be negligible. A hunter can still buy any gun he wants in his home state and take his gun into any state and purchase ammunition over the counter. He can also purchase a gun to replace a lost, broken or stolen firearm while hunting or competing out of his home state. I met with many sportsmen while I was home with my family in August. I didn't talk with one who didn't endorse the mail order ban. I assured them of Congress' sincere desire not to harm or hamper honest, law-abiding people like themselves. The President and the Congress are simply trying to help keep deadly firearms out of the hands of children, drug addicts, chronic alcoholics, maniacs, murderers and other criminals.

Policemen and Firemen: Last spring Congress passed a new law, which I supported, extending the benefits of the Federal Employees Compensation Act to police officers injured during the enforcement of federal law and also to their survivors.

Since then, I have co-sponsored legislation to extend these benefits to all policemen and firemen killed or totally disabled in the line of duty whether or not a specific federal criminal law happens to be involved.

My theory in extending the act is that we are a nation of travellers. The criminal who shoots a policeman or sets a fire that injures a fireman in West Seneca may just have arrived from Chicago. On the other hand, the would-be victim who is protected by Buffalo police and firefighters might be passing through from Los Angeles.

In short, when a public safety officer dies for law he is dying for America and I believe the American Government has a responsibility to help compensate.

If my bill becomes law, a widow would receive 45% of the monthly wage rate for her deceased husband if she is the sole survivor and this compensation would continue unless she remarried.

If there are dependent children, the widow would receive 40% and each child would get 15% up to a total of 75% of the monthly wage rate of the deceased husband.

In cases of total disability, if there are no dependents, benefits would equal two-thirds of the monthly wage while with dependents, benefits would equal three-fourths of the monthly wage.

Tax Bill: In July of this year, I introduced legislation to increase the personal exemption allowed each taxpayer and dependent from $600 to $1200. Since the cost of living has risen at least 50% since 1948 when present exemption went into effect, I feel now is the time to increase the amount to $1200 to better reflect the times in which we live and to assist the long neglected middle income taxpayer. Support for this bill is building among my colleagues in the House and

I am hopeful that action will be taken on it in the next Congress.

Dollars For College: My staff and I have recently updated our student guide to financial assistance in attending college or vocational school. It outlines federal and New York State loans, grants and scholarships primarily for the undergraduate student in need of financial assistance. I am mailing a copy to each high school senior in the 39th District. But if anyone else wishes a copy, please write and I'll be happy to send you one.

Grants and Contracts: Secretary Robert C. Weaver of the Housing and Urban Development Department recently visited Buffalo to attend a dinner sponsored by the Frontier Housing Development Corporation. I attended with Mr. Weaver and was delighted to be present for his announcement of an award of $400,000 to develop sewer and water facilities in Angola and the lake-shore area of the Town of Evans. This money will enable the Evans-Angola area to build facilities that will promote increased growth of the area.

In recent weeks my office also announced the award of the following grants and contracts:

An advance to the Town of Clarence in the amount of $39,060 for a preliminary study of the town's water distribution system.

A contract to Scott Aviation in Lancaster from the Department of the Navy in the amount of $4.41 million to develop, design and construct a swimmer life support system for deep sea divers. The system will include every device needed by a swimmer for independent existence under the sea and the total package will be developed by the Lancaster firm.

A $41,650 advance from the Department of Housing and Urban Development to the Erie County Water Authority to help finance the planning of a water transmission main to serve Evans and Brant.

A 158,900 project for remodeling and new construction of intensive care units at Veterans Hospital. The newest equipment and specially trained personnel will be installed.

A contract to Cornell Aeronautical Laboratory from the Department of the Air Force for $1,000,000 for the analysis and evaluation of the effectiveness of penetration aids.

A $235,431 grant to the Towns of Evans and Hamburg for the development of recreation areas and a wildlife sanctuary under the Open Space Land Program.

A grant to the Erie-Niagara County Planning Board in the amount of $86,566 for a regional airport study.

A grant to Immaculata College, Hamburg, N.Y., in the amount of $25,567 for construction of academic buildings.

A $579,411 water and sewer facilities grant to the Town of Evans from the Department of Housing and Urban Development for the construction of water distribution lines.

A grant to the Erie County Department of Health in the amount of $206,982 to intensify tuberculosis control services in Erie County.

A U.S. Army contract to Sylvania Electric Products, Inc., in Williamsville, in the amount of $1,200,000 for debugging of helicopter radio sets.

A grant from HEW to the Niagara Frontier Vocational Rehabilitation Center for $175,359 to continue and add new courses for training handicapped people for gainful employment.

A grant from the Public Health Service to the Erie County Health Department for $204,012 for continuation of a project to establish an air pollution program in Erie County.

Sincerely,

RICHARD D. MCCARTHY,
Member of Congress.

CONGRESSMAN BILL GREEN SALUTES AN AMERICAN HERO

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. MOORHEAD. Mr. Speaker, my esteemed and able colleague, the Honorable WILLIAM J. GREEN, of Pennsylvania, was the principal speaker at Philadelphia's Steuben Day celebration, Sunday, September 22, at Independence Square.

In his stirring speech, Congressman GREEN paid tribute to Baron von Steuben not as a gifted German who fought to make America free, but as an American who fought to win independence for his adopted country.

Steuben's devotion and service, Congressman GREEN said, should remind us that—

> All of us are Americans, regardless of our national origin. All of us share the common goals of freedom and independence.

Congressman GREEN used Steuben's example to demonstrate that the social turmoil in America today is neither new nor alarming, and that change and struggle are woven into our Nation's history.

Under leave to extend my remarks, I insert Congressman GREEN's excellent Steuben Day address at this point in the RECORD, and commend it to the attention of my colleagues:

STEUBEN DAY SPEECH, SEPTEMBER 22, 1968

Ladies and gentlemen: We meet here today—in the shadow of freedom's birthplace—to commemorate the great deeds of an American hero.

It is true that Baron Von Steuben was German by birth—and proud of it.

But his cause was the cause of America's freedom.

It is true that he was trained in the military discipline of Frederick the Great.

But he put that discipline to work here in America, transforming the dispirited patriots of Valley Forge into an effective army.

It is likewise true that he was a German soldier who fought valiantly for his native country in the Seven Years' War.

But his greatest deeds were saved for the American Revolution.

"When I drew my sword," he said, "I made a solemn vow that only death could compel me to give up before Great Britain would recognize America's independence."

It is also true that most foreign officers who aided America returned to their countries when the war was over.

But Steuben remained.

He became an American citizen.

His vision shaped the military academy at West Point.

His discipline—which was the backbone of the colonial army—became the foundation for a new national army of a young and energetic democracy.

Yes, Steuben became an American, and remained one until his death in 1794.

Honored by his adopted country, he enjoyed the friendship and esteem of his companion in arms, General George Washington.

Proud of his German heritage, he helped build a new nation.

Strengthened by the discipline of his youth, he helped to bring independence and individual freedom to a promising but struggling land.

And so, it is appropriate that we refer to him today as an *American* hero.

For all of us are Americans—regardless of our national origin.

All of us share the common goals of freedom and independence.

Times have changed but the basic human concerns of every man have not. The ideals which Steuben held in common with Washington, you and I hold in common today.

The cause which united Steuben from Germany and Barry from Ireland unites every American, regardless of his birth or ancestry. And John Barry, whose statue across this park presides over this celebration today, would testify to the justness of the cause which united him with Steuben, Washington, Lafayette and Kosciuszko.

And together, you and I can look back—although we may be of different national origins—to the same heroes and the same principles which made our Nation great.

Steuben—and the other great heroes of the Revolution—mean something today, not only to those of German origin, but to all Americans regardless of origin.

His achievements sum up the experience of all the German people who migrated to America.

And the experience of the German immigrants is the experience of America itself.

That experience began when Franz Pastorius, the first German to set foot on American soil, saw the promise of the new land.

His vision of what America could be prompted him to bring the first thirteen German Mennonite families here to Philadelphia two hundred and eighty-five years ago.

They came for the same reason that others came.

They came to live in freedom and peace, to "escape from tyranny" and religious persecution.

They came to uplift themselves from poverty in a new land of opportunity.

They came because they were adventurous in spirit, self-reliant, and eager to meet the challenges of a new civilization.

And they gave of themselves unselfishly when their new home was in danger.

During the revolutionary war, no group was more solid for independence than the Germans. . . . and none fought better.

As a new nation grew, more Germans came to America, many of them among the first to cross the mountains, to pioneer the Midwest and to settle the vast midland of this country.

And again, when the union was threatened, it had no stauncher ally than its German American citizens.

The Civil War brought hardship and tragedy to everyone.

But more German Americans enlisted in the Union Army than any other segment of the population.

And when the Union was saved, these brave and determined people returned—quietly and peaceably—to their private lives.

But all was not always peace and quiet.

The German people, too, have known what it is like to suffer intolerance and hatred, suspicion and humiliation.

It was not easy, during the first World War, to be German American in this country—just as it is not easy now and was not at times past, to be of other extractions.

And yet, the German people have become—and have always been—an inseparable part of American life, good artisans, good farmers, good businessmen and, above all, good citizens.

This has been your experience.

This has been America's experience.

This has been the story of all people who have migrated to America.

And so, in light of this experience, let us rededicate ourselves today to those things for which our ancestors fought.

Let us ask ourselves today, what would a great hero like Steuben expect of us?

I believe that he would first ask all of us to remain true to the things for which he fought.

I think that he would want us to defend—with our lives, if necessary—the freedoms which were written into the Declaration of Independence and the Constitution of the United States . . .

The freedom to speak our minds . . .

The freedom to worship as we please . . .

The freedom to live and work as our inclinations and our talents dictate.

I think he would have us remember the words of the Declaration of Independence as written by Thomas Jefferson just two blocks from where we stand today: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

I feel that he would tell us that this is what America is all about.

Further than that, I think he would demand that we be men of individual courage and integrity.

He would warn us that, if we are to keep our freedom, we must be prepared to fight for it, as he did . . . that we must be prepared to risk our individual comfort or security in behalf of the rights which we cherish.

He would remind us that many others have died so that we can be free.

And he would ask us, I am sure, to instill in ourselves the sense of discipline which he possessed and which he brought to those demoralized troops at Valley Forge.

All of these are lessons which we learned long ago.

Perhaps we are inclined, at times, to take them for granted, to forget them or to look upon them simply as the lessons of childhood.

But they are not.

They are the lessons of today.

They are written in the headlines of tomorrow's newspapers.

The story of the Revolution is as real as a Soviet threat to the stability of modern Germany.

Past threats to freedom are as real as the depressing sight of the Berlin Wall and the constant reminders that millions of our fellow men are not free and do not have our opportunities.

These are harsh realities that all of us must face.

But the Revolution too was a harsh reality.

It was not some distant romance enshrined here at Independence Hall as if blood was never really shed for our freedom.

Steuben did not exist in marble.

He was a man of flesh and blood, courage and valor, with ideals and motivations.

And if he were alive today, he would issue the same challenge to us which he met nearly two hundred years ago.

And so, today, let us honor Steuben but, better than that; let us follow his example.

Let us recognize his great deeds but let us make his great deeds our own.

And finally, let us admire his ideals and the freedoms for which he fought. But, above all, let us strengthen our own ideals and defend our freedoms, as he did.

In so doing, we shall be better men and better Americans.

In so doing, we shall make a better world.

And, in so doing, we shall pay to Steuben—and to the other heroes of the Revolution—their greatest tribute.

We shall, in effect, be telling them, that we understand what they did for our country and that we intend to keep freedom alive—both in this country and throughout the world.

FIREARMS LEGISLATION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD an excellent resolution adopted by the International Association of Game, Fish, and Conservation Commissioners regarding firearms legislation, as well as the text of a September 11, 1968, press release in which the association's views on firearms registration proposals are stated.

In view of the panic and hysteria abroad in the land, it appears to be most appropriate that careful consideration be given by these responsible managers of the Nation's fish, wildlife, and natural resources.

I am pleased to note that this outstanding group of Americans has joined many other groups of responsible Americans in opposition to unwise firearms control legislation, of which a large amount is now pending before the Congress. The resolution follows:

RESOLUTION 2: FIREARMS LEGISLATION

Whereas, the Bill of Rights assures that the right of law-abiding citizens to bear arms shall not be infringed; and

Whereas, the 17 million persons possessing and using firearms for management and utilization of the nation's wildlife resources constitute a major economic and recreational value and provide the dominant financial support for protection and management of the nation's wildlife resources; and

Whereas, the degree and type of firearms control needed vary considerably among the states because of differences in population density, social attitudes, law enforcement capabilities and other factors; and

Whereas, legislation is now pending before the Congress of the United States for individual gun registration which will cost billions of dollars to administer; and

Whereas, the International Association of Game, Fish and Conservation Commissioners is deeply concerned by proposed legislation that attempts coercion for passage of firearms registration by the states with threats of withholding moneys derived from the federal tax on arms and ammunition:

Now, therefore, be it resolved, That the International Association of Game, Fish, and Conservation Commissioners urges the Congress to limit additional federal controls to strong penalties against the use of firearms in committing federal crimes, and the prohibition of interstate transportation in violation of state law, leaving any further restrictions to be established by the states.

Adopted by the International Association of Game, Fish and Conservation Commissioners, Tucson, Arizona, September 13, 1968.

RELEASE BY THE INTERNATIONAL ASSOCIATION OF GAME, FISH, AND CONSERVATION COMMISSIONERS, DIRECTED FROM TUCSON, ARIZ., TO ATTORNEY GENERAL RAMSEY CLARK AND SELECTED MEMBERS OF THE U.S. SENATE AND HOUSE OF REPRESENTATIVES

The International Association of Game, Fish and Conservation Commissioners read with shock and dismay the statement of the U.S. Attorney General to the U.S. Senate yesterday in which he strongly urged registration of all firearms and licensing of all gun owners.

President of the International, Walter T. Shannon, today at the annual meeting at Tucson, Arizona promptly wired Attorney General Clark the deep concern of the International Association to his stated position advocating unrealistic firearm legislation.

The International, representing the 50 state wildlife conservation agencies of the Nation has long advocated the control of crime with vigorous and prompt enforcement of existing firearm laws without breaching the precious rights of law abiding citizens to own firearms. President Shannon, after reading the press story of the Attorney General's statement, observed that statistics show that of all the millions of law-abiding gun owners in America, less than 1% have ever been convicted of a criminal violation with the use of a gun. He stated further "We are as deeply disturbed as anyone else about lawlessness in our land. Additional gun legislation as advocated by Attorney General Clark would endanger the rights of law-abiding citizens with no proof or positive assurance it would accomplish the control of crime which we all seek."

"Registration of all guns and licensing of gun owners would cost the taxpayers millions of dollars that would give the enforcement agencies little more than a listing of the law-abiding gun owners of the country. Criminals will not register guns or apply for a license to own guns."

"Many law-abiding people contend that registration and licensing of guns is the first step toward confiscation of firearms and eventual disarming of law-abiding citizens. When that happens, only the criminals will have guns," Shannon said.

NOMINATION OF U.S. ATTORNEY CECIL POOLE TO BE A U.S. DISTRICT JUDGE

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1968

Mr. TUNNEY. Mr. Speaker, on May 29, 1968, President Johnson did the State of California the high honor of nominating U.S. Attorney Cecil Poole to be a U.S. district judge for the Northern District of California. In doing so he proposed to give California not only the services of a brilliant and distinguished lawyer but also the opportunity to claim the first Negro Federal judge west of the Mississippi.

I joined at that time in the general hope and belief that Cecil Poole would be promptly and overwhelmingly confirmed by the Senate.

That, Mr. Speaker, was over 4 months ago. Not only has there been no final action upon this nomination, but there has been no action at all. The nomination has been bottled up in the Senate Judiciary Committee. The obvious question, which demands an answer, is "Why"?

On the day Cecil Poole's name was submitted to the Senate it was accompanied by three other nominations to the Federal bench. All three were confirmed within a few weeks.

Since then 17 additional nominations have been sent to the Senate. All 17 have had their hearings. And 11 have been confirmed.

Mr. Speaker, of the 21 nominations

submitted to the Senate since May 29 only one—that of Cecil Poole—has been pigeonholed without even a hearing.

What is the reason for this discriminatory treatment? Why has Cecil Poole been singled out from the other 20 nominees?

So far as I can determine, there is only one difference between Cecil Poole and the other nominees. He is a Negro. There has already been considerable comment to the effect that this is the reason his nomination has been held up. Unless some other explanation is forthcoming, what other conclusion can be reached?

Cecil Poole cannot be faulted upon his qualifications. As one of the Nation's outstanding U.S. attorneys, as a former counsel to the Governor of California, as a former assistant district attorney for San Francisco, and as a successful private practitioner, he possesses in abundance all of the qualifications and credentials necessary to serve in the Federal judiciary.

Mr. Speaker, it is particularly deplorable that Cecil Poole has not received even the courtesy of a hearing. Why not simply schedule a public hearing and invite anyone who opposes the nomination to appear, out in the open, and state his objections? Why the secretive procedure which denies the nominee his day in court and an opportunity to hear and respond to any objections?

There is still time to rectify the wrong that has been done to Cecil Poole. There is still time for the Senate Judiciary Committee, and the Senate, to act. It is imperative that they do so. A cynical rejection of this nomination, without any consideration of its merits, would not only be an affront to the nominee but a grievous breach of faith with an entire generation of young Negroes.

Consider, Mr. Speaker, how long we have been urging young Negroes to prepare themselves for positions of leadership and responsibility. Consider how long we have urged them to get good educations and become qualified to assume high offices and take their rightful places in society. And consider what their reaction will be now if a man who has heeded our urgings and worked his way up the ladder through years of hard work and able service is denied a position in the Federal judiciary without so much as a chance to be heard or to respond to anonymous accusers.

Mr. Speaker, I call upon the Senate to consider this nomination upon its merits and promptly give its advice and consent.

HUMPHREYISM NO. 8

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

From a Collection of Representative HENRY C. SCHADEBERG'S (R. Wis.):

"All these small-town two-bit editors don't publish the true facts. I get tired of having them pick on me." (Granite Falls Tribune, September 22, 1960.)

HIGH-DENSITY-TRAFFIC AIRPORTS

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. ULLMAN. Mr. Speaker, the Federal Aviation Administration recently held hearings on the controversy surrounding its proposed rules for high-density-traffic airports. Due to crowded conditions at many major airports, the rulings would have the effect of excluding small private aircraft from use of these airport facilities.

I would like to share with my colleagues a copy of a letter I received from a constituent, Mr. James F. Busch, of Milton-Freewater, Oreg. Mr. Busch owns a small private plane and also makes use of commercial airlines.

There are many ways in which one may express dissatisfaction with an impending Federal regulation. Mr. Busch has chosen a very humorous, satirical style as his vehicle of expression, and I wish to insert that letter in the RECORD at this point:

READYMIX SAND & GRAVEL CO., INC.,
Milton-Freewater, Oreg.,
September 18, 1968.

ALAN S. BOYD,
Secretary, Department of Transportation, Washington, D.C.

DEAR SIR: We are in the concrete, gravel, asphalt, and block business. In the operation of our business we operate 34 trucks and one airplane.

In the past few years the private car traffic on the interstate highways that we must use has become so heavy that we experience much delay and expense that would be avoided if these private cars were forced to use secondary roads. This is particularly true during the rush hours of 7 a.m. to 10 a.m. and 3:30 p.m. to 6 p.m. Also, there is a great element of danger that could be much reduced by eliminating the private vehicles. As you well know, these private vehicles are operated by non professional drivers and their proficiency is, at best, suspect.

We have noted with great interest the program you are launching at the three public owned airports in New York City. While you have not prohibited the private aircraft from using the airport, you achieve the same result by charging a $25.00 users fee for them only. We are convinced that this same policy would serve our interests very well in the elimination of this bothersome private vehicles traffic from our crowded roads. True, you likely would have difficulty in prohibiting the private cars, but we are sure that a $25.00 trip permit levied against the private vehicles during these rush hours would effectively solve our traffic problem.

There may be some protest at the beginning of this policy, but we are sure that your department and a combination of public carriers could gradually justify the policy by timely and well thought out press and T.V. releases. Then after this program has been accepted by the public as being in their best interest, it would be quite easy to bar them from all of the main roads.

Please let us know if you think the program can be implemented. We are sure that we could enlist the support of the Greyhound Bus Company, Consolidated Freightways and other common carriers.

Sincerely yours,

JAMES F. BUSCH,
President.

THE VIETNAM PLANK

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mrs. KELLY. Mr. Speaker, so much is being written and said concerning the war in Vietnam, that I feel I must insert in the CONGRESSIONAL RECORD a speech I made on this subject at the Democratic National Convention in Chicago in August.

I submit that there is little difference between the plank of the platform of the Democratic Party and the comparable plank in the platform of the Republican Party. The general difference is that the latter calls for an immediate bombing halt, while the Democratic plank calls for a bombing halt with a condition to protect American troops in South Vietnam. The Democratic plank also calls for free elections.

Whatever the differences may be in the respective platforms, I personally believe that the next President of the United States, whoever he may be, will do that which is best for our Nation, our national security and for the protection of the free world and our civilization.

The remarks I delivered on August 28, 1968, in support of the Vietnam plank of the majority report of the Democratic platform committee follow:

IN SUPPORT OF THE VIETNAM PLANK OF THE MAJORITY REPORT OF THE DEMOCRATIC PLATFORM COMMITTEE

(Speech made by Mrs. KELLY at Democratic National Convention, August 28, 1968)

Mr. Chairman, fellow delegates, fellow Americans: What is it we want out of our Vietnam plank?

We want a definition of principles and goals . . . not a tactical manifesto.

We want to instruct the next President of the United States to make a just and honorable peace . . . not to limit his options and prejudice his position at the negotiating table.

We want a declaration to the world of America's peaceful intent and the Democratic party's peaceful purpose—not recrimination about the past.

The majority plank calls "an honorable and lasting settlement" in Vietnam our most urgent task in South East Asia.

It recognizes our willingness to take some risks in the quest for peace.

It supports the talks in Paris.

It calls for a halt in bombing when the President . . . whoever he may be at the time . . . deems it wise.

It calls for shifting a larger share of the interim burden to the South Vietnamese army.

It calls for the establishment of a freely elected government which can command the support of the people of South Vietnam.

It calls upon the next President of the United States and the future Democratic Congress to be "selective" in providing future military and economic assistance to South Vietnam.

My fellow Americans, we are here to nominate the man who will be the next President of the world's most powerful nation. We are not here to instruct an ambassador . . . or a general.

We have defined our principles as a party. We expect our candidate to run on those principles, we expect him ultimately to conduct the office of President without prejudice to the safety of Americans . . . and without prejudice to his long-range effectiveness in filling our peaceful purpose.

Do we want Hubert Humphrey or Eugene McCarthy . . . or George McGovern . . . or any other candidate we may choose to go to the peace table with half his cards face up?

Do we think that any man we select will do less than his utmost for peace . . . or in any way deny the peaceful mandate we have given him?

No, my friends. The majority report is sound, realistic and rational. And it is sufficient.

Therefore, let us accept this plank, my fellow delegates and send our nominee forth as President and not a puppet.

I pray you support the Majority Report!

GERMAN-AMERICANS IN LOUISIANA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. RARICK. Mr. Speaker, Louisiana has a proud heritage—a heritage built by people from many different countries around the world. One of these groups is the German immigrants.

Inasmuch as the Volkfest was recently held in Germany, perhaps our colleagues will find of interest several articles appearing in the Dixie Roto magazine, a magazine supplement of the New Orleans Times Picayune of July 21, 1968.

I include these articles following my remarks:

LOUISIANA'S GERMANTOWN

Germantown. Not a city in Europe, but a quiet, peaceful area in the hill country of North Louisiana 10 miles from Minden.

The story of this community and of the people who settled it is as filled with pain, tragedy, romance and adventure as though it were lifted from between the covers of a best-selling 19th Century novel. Mostly it's a story of freedom-seeking people; people who were willing to sacrifice. It's a story of people who encountered hardship in a new land, but established a landmark in the country they eventually learned to love and respect.

The person most responsible for founding the Germantown colony was Maximillian Bernhard Ludwig—who later called himself "Count Leon." He was born in Germany in 1788. Because of limited freedom in Germany in the early 19th Century to worship as he wished, he began searching for a new homeland. The land he chose was the young country of America.

Ludwig organized a group of citizens who shared his zeal for religious freedom, and whose beliefs were the same as his. He selected the colonists carefully; most were wealthy. Money was important because the journey was to be long and expensive.

Ludwig's pioneers were selected for their ability to "get along," their calmness, their gentle nature. Each had to master a skill. Doctors, teachers, leather craftsmen, carpenters and others who were specially trained were sought out.

After selling his estate near Frankfurt, Ludwig and his family and about 60 other colonists set sail for the Land of Opportunity. The trip took 50 days, and on Sept. 2, 1830, they landed in New York.

Things went wrong from the beginning. America wasn't what they had expected. Many became discouraged and began to disbelieve in Ludwig and his ideals. In 1832, Ludwig took those who would follow and went to Phillipsburg, Pa. Problems greeted them there too. Persecution, discouragement, financial loss, rebellion—these were some troubles that caused Ludwig to eventually decide the East wasn't the place to put down roots. Another journey was planned.

In September, 1834, the colonists loaded their belongings in flatboats and started down the Ohio River, destination unknown. From the Ohio, they floated down the Mississippi. When they reached the Red River, they turned north and headed upriver, again to an unknown destination. In February, 1835, the colonists landed at Grand Ecore, La., on the Red River about five miles north of Natchitoches. Although most of the colonists were bedraggled, tired and almost empty-handed, the spirit to continue remained with them. They built homes on low bluffs along the river. Churches were put up, and the colonists started farming the rich river bottomland.

This was a happy time for the colony. Ludwig and his journey-weary followers were settling down to the harmonious and peaceful life they sought. But this happy period was short-lived. Fate not only dealt them one, but two, deadly blows this time.

Yellow fever invaded the colony. Then came the great flood. Because most of the homes were built on river lowlands, the rushing waters took their toll. Not only homes, but also crops that promised bumper yields were carried away.

The loss of homes, loved ones and crops wasn't the final tabulation of misery and sorrow. Ludwig died, a victim of yellow fever. The disease had thinned the ranks of the colony. Ludwig's wife, Countess Leon, became the leader of the colony, and Dr. George Goentgen became its religious advisor, teacher and secretary.

Nothing was left at Grand Ecore; the colonists decided to seek fairer lands. They hired space on boats headed up-river. This time, they landed at Corianna Allen Settlement, eight miles west of Minden on Dorcheat Bayou. With their dwindling finances, they bought oxen and wagons and headed east.

When the colonists came to the area now known as Germantown, they suddenly knew their six-year-old journey for peace and happiness had ended. The tall trees, sloping hillsides and rich fertile valleys helped them decide to make this land their home. The first task was to purchase land. This was done, and 80 acres were deeded to them. When they learned most of the area was government land and could be had for the asking, they took advantage of the homestead law and shortly an additional 320 acres were added to their farm.

Life wasn't easy at first, but these people were accustomed to hard work, so everyone pitched in and did his share. Men skilled in carpentry and wood-working built houses. Others began to clear land for crops. Wells were dug, and additional tools were bought. Within a few years, the place that was once dense forest became a bustling community. It boasted homes, stores, grist mill, cotton gin, and places for making clothes, shoes and other necessities of life.

Almost 300 acres of creek bottomland and hillside acreage had been cleared within four years after settlement. This land produced cotton, corn, potatoes, peanuts, and several other crops. Livestock provided power, meat and milk.

The early colony maintained its own school; it had a church.

Everything in the colony was community property. A secretary and a treasurer took care of colony business and financial problems. Although each family maintained its own home, bachelors moved into their own quarters when they reached 21. Single women remained in their parents' homes until they were married. Most marriages were between young people who were reared in the colony, although some found mates elsewhere.

All food, clothing and shelter came from the colony's farm. Wool, silk and leather were made into clothes and shoes by the industrious founders of the unusual colony.

Life went well in the colony for almost 50 years. But as the young grew older and married they began to drift away from the colony to make their homes elsewhere. By 1872, only a few families remained on the farm. At this time, Countess Leon and her advisors decided to disband the colony, divide the community property and let each colonist go his way. Most of the older settlers stayed on until death. Younger families moved to new homes nearby.

Countess Leon moved to Bastrop to make her home with her daughter, who had married and left the colony some years earlier. Her brothers-in-law, Philip Hayner and Ben Goentgen, took over the farm in 1873 and worked it until the early 1900s, when another colony resident fell heir to running the farm. He was Frank Krouse Sr., father of the man who was to take the eroded land 25 years later and build it into one of the most productive farms in North Louisiana.

When Frank Krouse began working the 75-year-old farm, the once-proud face of the land was scarred by erosion and nonscientific farming. Over-planting, heavy rains and carelessness had created an ugliness of gullies from hilltops to valleys, and muddy streams were carrying life-giving soil away to the sea. Efforts were made to restore the land by building terraces. This was futile, and pressures on the land to produce created even more problems. When Frank Krouse died in 1912, his son Chester became the second generation Krouse to operate the historic farm.

Chester Krouse was a conservation-minded farmer from the beginning. But his land produced hardly enough to support his young family. At one time, the land's abundance sustained more than a dozen families.

In 1934, Chester Krouse willingly allowed his land be used as a demonstration farm, and drew assistance from the Cooly-Brushy Conservation Demonstration Project. Help became available from the Civilian Conservation Corps. Terracing, pasture planting and tree planting—prime conservation measures—were started that year. During the late '30s, the Dorcheat Soil and Water Conservation District was organized, and Chester Krouse became one of its first participants.

Technical know-how from the Soil Conservation Service of the U.S. Department of Agriculture was applied. First, a soil survey was made. This measured the soil's capabilities and disclosed its problems. Thus, conservation farming became a way of life at the old colony farm.

The rest of this story is mostly of wise land use, treating and rebuilding a wornout, sick soil, and the development of one of Louisiana's most devout and dedicated stewards of the land.

Chester Krouse and his wife Florence reared four children—three sons and a daughter—in the house Frank Krouse built some 80 years ago.

The pace on the Krouse farm has slowed down a bit since Chester's sons went away to college. About 80 acres are now in cropland—mostly potatoes and corn. Another 107 acres is in pasture and meadow. All the old eroded hillsides are now in grass. Tall, wel-managed pine trees stand on 208 acres.

Several of the buildings put up in 1836 remain as a monument to a proud people. Wells dug 130 years ago are still in use. Old rail fences are there, but are falling prey to time. Old furniture, spinning wheels, century-old records and tools used during the dawn of the colony are housed in one of the old buildings. The old cemetery tells a story of dedicated men and women who built a small domain—after experiencing a long, weary and purposeful journey.

Chester Krouse today is concerned about two things. He hopes to hand his sweat-and-tear-soaked land to his sons so its heritage can be preserved. His other hope is to restore the 130-year-old buildings before they weather away. "A museum would be the thing," he says. "All the tools, instruments and relics could be displayed. History could be captured and saved so others could see."

This hope is partly a reality. The Bossier-Webster Parishes Resource Conservation and Development Project is helping pave the way for such a project. One project calls for erection of a museum, and restoration of the old buildings.

Germantown is no longer a town, but the proud people who built it left an image that will linger for years to come.

DEUTSCHES HAUS

(By Betsy Petersen)

"When six Germans get together, they form a singing society," says John Junius. "Every town, every hamlet in Germany has one."

It happens in New Orleans, too: Back in 1928, several German singing societies, some of them dating to the 18th Century, banded together to form Deutsches Haus, a club for Germans in New Orleans. Junius, a charter member of the club, is now 80 years old—and he still joins the Deutsches Haus Saengerchor every Friday for German songs and German beer.

"Singing at the club is our social life," says George Schleh, another member of Deutsches Haus. "We try to come every Friday just to see one another."

The saengerchor is a traditional men's choir, singing "songs 50 or 60 years old," says Karr Koster Sr., another member. "We have some young singers who are very good," he adds. "You're just talking to the old fellows."

The club, housed in the old Galvez telephone exchange building at 200 S. Galvez, provides a bar and lounge for members, plus meeting rooms and a patio for fresh air social events. A dancing society, directed by Mrs. Walter Muendlein, performs traditional dances in costume at several festivals each year.

The most recent festival, the Volksfest (people's festival), dates back to 1910 in New Orleans, when two days of games, good food, singing and dancing were enjoyed by New Orleanians (German and others) in the old Southern Park. "The whole city participated," says Schleh of these early festivals, and he adds, with a reminiscent sigh, "Two whole days of drinking beer."

Recent Volksfests, including the one held last May, have been evening events in the club headquarters—but singing and dancing are still high points. Other annual festivals include the Octoberfest (celebrated, not surprisingly, in October) and the Schlactfest, originally a hog-killing festival, now a party featuring pork served in a variety of ways. All festivals feature singing and dancing, German food and German beer.

At a masquerade held the Saturday before Mardi Gras this year, the Deutsches Haus president, Louis B. Riedl, received an unusual honor: the Order of Carnival of the City of Mainz, one of the few German cities which celebrates the traditionally Latin festival.

Between parties, the club is open to members every evening except Monday, and the older members especially meet there regularly. A juke box provides German music.

Deutsches Haus had one of the first bowling alleys in New Orleans. (The alley was removed several years ago and the space remodeled for the Heidelberg Room, where meetings are held.)

A ladies' auxiliary gives Christmas and Easter parties for children and grandchildren of members, and helps maintain the house. During World War II, says Mrs. Louis Riedl, the auxiliary received an award for wrapping an unusually large number of bandages for shipment overseas.

German classes were recently instituted at Deutsches Haus, and American-born members like Riedl say they pick up a lot of German just coming to the club. "But the only way you can really learn it is to sing it," says Junius.

Membership is no longer limited to people of German extraction—but good German beer and, always, German singing still provide the atmosphere.

"There is a saying in German," says Koster: "Wo man sangt da lasst dich nieder denn bose menschen haben keine leiber." It means, "Whenever you are in the company of singing people, they are happy and relaxed people—bad people have no songs."

THEY CAME TO THE BAYOUS

(By Charles L. Dufour)

In the precarious infancy of the French colony of Louisiana and 250-year-old New Orleans, the first signs of stability came with the arrival of Germans in the city Jean-Baptiste Le Moyne, Sieur de Bienville, founded in 1718.

A handful of Germans reached Louisiana in the very year Bienville established his city on a wide crescent of the Mississippi River, about 30 leagues above its mouth. In November, 1719, a much larger group of Germans reached Louisiana on "Les Deux Freres." According to Andre Penicaut, the French ship carpenter who kept a journal, these Germans arrived with "all kinds of merchandise and personal possessions," so they could not have been the indigent engages that John Law's Company of the West rounded up to settle the infant colony.

Before telling of the Germans in New Orleans and Louisiana, it is necessary first to outline briefly the history of French colonization in what is now the United States. The story begins with Rene Robert Cavelier, Sieur de La Salle. He traveled down the Mississippi from Canada all the way to the Gulf of Mexico in 1682. At the mouth of the Mississippi, on April 9, La Salle claimed all the lands drained by the great river and its tributaries for France, and named the vast territory "Louisiane," for Louis XIV, then reigning in splendor on the throne of France.

La Salle made an abortive attempt to settle Louisiana in 1684, and among the men he recruited at Saint-Domingue for the mission was the first German in the Mississippi Valley. A buccaneer and an artillerist, this German's name, as the French recorded it, was Hiens. After La Salle was murdered by Duhaut, it was Hiens who avenged his chief's death.

"In our presence," wrote Father Anastasius Douay, "he shot the murderer of La Salle through the heart with a pistol. He died on the spot, unshriven . . ."

In the fall of 1717, the Company of the West acquired the right to administer Louisiana; its head, John Law, decided that voluntary colonization would be slow, for there was little enthusiasm in France to go out to Louisiana.

Since a few volunteered to populate Louisiana and the new city named for Philippe d'Orleans, the Regent of France, other measures were taken to secure "bodies" for the colony. These included the deportation of criminals, both male and female, of all degrees of depravity. The jails and houses of correction were emptied, the riff-raff were rounded up in the streets of France. Under heavy guard, thieves, beggars, cutthroats, prostitutes and other derelicts were shipped to Louisiana.

The population of the colony multiplied 20 times in the space of four years, but while this tremendous growth was taking place, very few respectable colonists arrived. Writing in 1721 from New Orleans, Pere Charlevoix stated:

"The people who are sent here are miserable wretches driven from France for real or supposed crimes, or bad conduct, or persons who have enlisted in troops or enrolled themselves as immigrants in order to avoid the pursuits of their creditors."

Bienville's patience wore thin as shipload after shipload of these undesirables were deposited in Louisiana. Finally in October, 1719, he strongly protested against sending out from France any more "deserters, smugglers and scoundrels who are all ready not only to abandon you but also to turn against you."

Continuing his complaint, Bienville wrote: "What attachment also can people have for the country who are sent to it by force and who no longer have a hope of returning to their native land? . . . It appears to me that it is absolutely necessary if we wish to preserve this colony for the King to send it as far as possible only men of good will . . ."

Such then was the situation in Louisiana and in and about New Orleans when Law's Company of the West, soon to be renamed the Company of the Indies, looked elsewhere for colonists. Law's agents, armed with "propaganda pamphlets" in German, sought recruits in the Palatinate, Alsace, Lorraine, Baden, Württemberg, Mainz and Trier.

Law wanted whole families to emigrate to Louisiana. It was an alluring proposition to landless peasants, weary from the seemingly endless wars in which they were swept up. They read in Law's pamphlets of rich soil that produced four crops a year; of the abundance of game: leopards, bears, buffaloes, deer, Indian hens, snipe, turtledoves, partridges, wood-pigeons, quail and many others; and they read of riches. "The land is filled with gold, silver, copper, and lead mines," read a pamphlet, and many a recruit for Law's project dreamed of becoming wealthy.

Perhaps the most telling of all the arguments for a man and his family to sail for Louisiana was the opportunity that the Company of the West provided for a new start in life. The German colonizers of Louisiana would be given land, seeds, livestock and tools. For the improverished Germans, this was almost too good to be true.

The late Prof. J. Hanno Deiler of Tulane University in New Orleans, a pioneer researcher on German immigration, points out that "German historians state that . . . 10,000 Germans emigrated to Louisiana." This figure is much too high, Deiler believes. He point out that many became discouraged by delays and returned to their old homes and that some settled in France.

He also noted the horrible health conditions on many of the ships and the great loss of life resulting from the voyage and disease. "I have come to the conclusion," wrote Deiler in 1909, "that (only) 6,000 Germans . . . left Europe for Louisiana (and) only about one-third—2,000—actually reached the shores of the colony. By this I do not mean to say that 2,000 Germans settled in Louisiana, but only that 2,000 reached the shores and were disembarked . . ."

A French historian, Rene Le Conte, writing in 1924, revises Deiler's estimates downward. It was Le Conte's opinion that no more than 2,600 Germans were recruited by the Company of the Indies and that only 1,600 sailed for Louisiana.

Most of those that survived the rigors of the voyage were ultimately settled up the river from New Orleans on what became known as the German Coast. Less than 40 miles from New Orleans is Bayou des Allemands and the village of des Allemands which recall that the area was settled by John Law's Germans. "Allemand" is the French word for German.

As for the people of this area, they long ago had their German names gallicized. And thus Himmel became Hymel; Edelmaier became Delmaire; Kleinpeter became Clampetre; Schoen became Chaigne; Vogel became Fauquel; Kissinger became Quisingre; Katzenberger became Casbergue; Traeger became Tregre; Trishl became Triche; Huber became Oubre; an Doubs became Toups.

There are other instances of "French" German names in New Orleans and Louisiana. Take for example, the La Branche family. When the progenitor of that family reached New Orleans, his name was Johann Zweig. But when the French finished with his name it was Jean La Branche.

The evidence of two French witnesses bears on the importance to Louisiana's development of its German colonizers. Writing in 1776, more than 50 years after Germans settled in Louisiana, the Chevalier de Champigny contrasted the French criminals with the Germans:

"You cannot find twenty of these vagabond families in Louisiana now. Most of them died in misery or returned to France, bringing back such ideas which their ill success inspired. The most frightful accounts of the country of the Mississippi soon began to spread among the public, at a time when German colonists were planting new and most successful establishments on the banks of the Mississippi, within five leagues of New Orleans. This tract, still occupied by the descendants, is the best cultivated and most thickly settled part of the colony, and I regard the Germans and the Canadians as the founders of all our establishments in Louisiana."

More than a quarter of a century after Champigny penned these comments, Pierre Clement Laussat, the French Commissioner, who received Louisiana from Spain on Nov. 30, 1803, and who transferred it to the United States on December 20, wrote of the Germans as follows:

"What is called here the 'German Coast' is the most industrious, the most populous, the most at ease, the most upright, the most respected part of the inhabitants of this colony."

In the Revolution of 1768 which the French Creoles of Louisiana launched against Spanish Governor Antonio de Ulloa, the Germans were involved, if reluctantly, to enlist their support, the leaders of the rebellion told the Germans that the Spanish authorities would not pay them for produce which they had furnished to recently arrived Acadian refugees. When Governor Ulloa heard of these stories circulated among the Germans, he dispatched one of his officers with the money to the German Coast. This officer, however, was intercepted by the revolutionists to make sure there was no defection by the Germans.

When the 1768 revolution was crushed and its leaders executed, the Germans along with the rest of the population were granted amnesty by the Spanish General Alexander O'Reilly, on the grounds that they would not have committed their offense "if they had not been seduced by the intrigues of some ambitious, fanatic and evil-minded men."

There were four major waves of German immigrants to New Orleans and Louisiana.

1. John Law's Germans.
2. Germans who came after the Napoleonic wars.
3. Germans who arrived between 1840 and 1860.
4. Germans who reached New Orleans between 1865 and the middle of the 1890s.

Among the German immigrants of the early 19th century were some redemptioners, Germans who became indentured servants to the persons who paid for their passage to Louisiana. J. Hanno Deiler in a pamphlet first published in 1889, described the operation:

"Upon their arrival at the port of destination they were detained on board of the vessels until someone was found who covered their debt of traveling and in return received a contract of service which bound the immigrant to hard service for three to eight years according to the amount of his debt and the value of his labor. During this time the redemptioners received lodging, board and clothes, but no wages, and as the contract entered into was legally binding, he could be compelled by the courts to serve his full time . . . During his time of service the redemptioner was a slave.

"Like him, he was completely exposed to the whims of his master, and however hard his services might become he was not at liberty to leave it, for runaways were seized and from every day they had filched from their masters they would get a two-day's penalty. He could be lent or sold to others and even the possibility of bodily castigation was not excluded."

On the eve of the Civil War, nearly 25,000 German-born lived in Louisiana, most of them in or about New Orleans. Among them were trained people—doctors, lawyers, journalists, musicians, engineers, dentists, artisans, and businessmen, according to the excellent book, "The German People of New Orleans," by Dr. John F. Nau.

"The brewing trade was gradually monopolized by Germans. Draymen in the city were Germans. Metal workers were Germans. Street railways were built by German engineers, who also drew up and carried out the plans for the New Orleans waterworks. German architects built many of the houses of the non-German elite."

By 1839, the Germans of New Orleans had their own German theater and Dr. Nau believes that New Orleans was the first city in the United States to have a presentation of Goethe's "Faust" in the German language. In the 1850s there were thriving German newspapers in New Orleans, the Deutsche Zeitung and the Louisiana States-Zeitung, being the best established.

When the Civil War broke out, about 4,000 New Orleans Germans joined the Confederacy. And when, after the fall of New Orleans and the occupancy of part of Louisiana by Federal troops, a Union civil government was set up, German-born Michael Hahn was elected governor.

Today, 250 years after the founding of New Orleans, citizens of German descent take pride in the fact that it was a German who revenged La Salle's murder, that it was German colonizers who first brought stability to Louisiana, and that ever since the American flag was run up in the Place D'Armes, now Jackson Square, in 1803, Germans have made numerous important contributions to the civic, social and cultural life of New Orleans.

TRIBUTE TO NEW PRESIDENT OF GEORGIA PRESS ASSOCIATION

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. STUCKEY. Mr. Speaker, Mr. Thomas H. Frier, editor and publisher of the Douglas Enterprise was elected recently as president of the Georgia Press Association.

This is a proud honor, not only for Mr. Frier, and not only for the people of Douglas but for all of the people of the Eighth Congressional District.

We are proud of Thomas Frier and we know that he will do an outstanding job for the Georgia Press Association, one of the most functional organizations in our State.

Mr. Frier is a graduate of the Henry W. Grady School of Journalism in Athens. He is a member of Sigma Delta Chi, national journalism fraternity. He is the president of the Coffee County Chamber of Commerce. He is a member of the Douglas Rotary Club, Post 18 American Legion, and he is a deacon in the Douglas First Baptist Church.

The respected editor and publisher of the Douglas Enterprise has been active in the Georgia Press Association for many years. He served on the board of managers, as treasurer and also as the vice president. He is also a former chairman of the Georgia Press Institute, an annual event which is sponsored jointly by the University of Georgia and the Georgia Press Association.

CHAMBER OF COMMERCE ATTACK ON U.S. EMPLOYEES

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. UDALL. Mr. Speaker, one of America's greatest indoor—and occasionally outdoor—sports is to knock the diligence, qualifications, and ability of Federal employees. Any number can play this sordid game. One of the latest contestants to enter the competition is, regrettably, the magazine Nation's Business. In its October 1968 issue, this publication, sponsored by the U.S. Chamber of Commerce, has an article which contains insulting and inaccurate references broad enough to damn most of the 3,000,000 Americans who have chosen to work for the Federal Government. Joseph Young, the wise and respected writer for the Washington Evening Star, has done a real service by commenting on the Nation's Business article and refuting its principal contentions. I call my colleagues' attention to Mr. Young's column which follows:

THE FEDERAL SPOTLIGHT: CHAMBER OF COMMERCE ATTACK ON U.S. EMPLOYES VIEWED AS SO MUCH BILGE WATER

(By Joseph Young)

The other day, this column printed some excerpts from an article in the October issue of Nation's Business, in which civil service employes were called "the most mollycoddled working class in the nation"—among other things even less complimentary.

Although I mentioned that the tone of the article was like some we used to read 20 years ago, I want to be sure that readers don't identify me with this out-of-date thinking. And I am surprised that in this day the U.S. Chamber of Commerce, for which Nation's Business is the official voice, would allow itself to be identified with such a gratuitous insult to 3 million Americans.

From my extensive observation—obviously a lot more extensive than that of the article's author—I know that the picture of the federal civil servant "riding the gravy train" is so much bilge water. In the first place, he works at least as hard and as long as any private employe, and in the second place he is not loaded down with "fringe goodies." In much of industry now, the company pays the full cost of employes' life insurance, health benefits and pensions. If annual leave in federal service is more generous, it is also deducted for short absences of a kind usually excused in private business.

SAME OLD ASSUMPTION

What gets my goat really, though, is the same old assumption that government employes don't do anything. What's so bad about their having similar fringe benefits? Because, goes the out-worn stereotype, they don't do any work, that's what's bad about it. This is the uninformed attitude displayed, year in and year out, by this particular type of critic.

I happen to know something about the extent to which people in all parts of this country depend on the work of civil servants.

To begin with, federal workers keep track of time itself—at the Naval Observatory. They are responsible for the safety of air traffic. They catch kidnapers and narcotics pushers and counterfeiters. They deliver 80 billion pieces of mail a year. They inspect the meat you are going to eat, and they are very obstinate about the purity of drugs you may have to take. They are involved in the most advanced scientific research, finding out what goes on everywhere from outer space to inside a human cancer cell.

KEY ROLES PLAYED

As inventors, federal civil servants have played key roles in developing computers, space vehicles, neon lights, wash-and-wear fabrics, push-button dispensers, stretch cotton and concentrated frozen fruit juice. They provide services to veterans, businessmen, farmers, highway-users, young people, old people and the armed forces.

This is a lot of very useful, not to say necessary, work, and it is all authorized by Congress. What gets me is that the people who are always ready to say we should get rid of government employes never say which of all those services we should get rid of.

The old cliche that government employes can't be fired is not worth answering, except that the Nation's Business figure of 1,000 firings a year is about 13,000 short of the actual average of those fired for cause. The total for fiscal 1967 was 13,966.

And, rather than "clinging like barnacles" to their jobs, about one in four federal workers resigns each year—a turnover rate of some concern to the government.

FORGO SOME RIGHTS

Instead of being the "most mollycoddled" workers, they are in some ways the most deprived. For the privilege of serving their fellow citizens, they forgo rights others take for granted, such as the right to strike and to participate fully in the political process. In addition, they are fair game for anyone who wants to take an undeserved shot at them, a la Nation's Business.

The writer makes much of the government's liberal retirement system. Federal workers pay their share for their retirement benefits, while pensions of many private employes are fully funded by employers. Those in the private sector also enjoy Social Security coverage; federal civil servants do not.

Rather, than "running neck-and-neck salarywise" with most private industry workers, the pay of federal workers still falls far short of comparability in most grades—and it will continue to lag by more than a year even after next July's anticipated increase.

Nor do their fringe benefits "far outclass those in industry." Rather, surveys show the industrial average cost of fringe benefits as a percentage of payroll to be 26 percent, compared to 23.8 percent for government.

It's most unfortunate to see such an unjustified attack against public servants in the official organ of the leading association of businessmen at a time when understanding and cooperation between leaders of business and government have reached such a high point. This was highlighted most recently by President Johnson in his address to the postmasters here last weekend.

Applauding industrial leaders who are helping to solve problems of the hard-core unemployed, the President said: "The old days when the responsibilities of government and industry were sharply separate are gone and are over. Men in government today know that America's great human needs just cannot be met by government action alone. Men in industry know that they cannot prosper in a land that is torn by strife and in a land that is divided by despair and hate."

A few days earlier, in announcing the appointment of an Advisory Panel on Personnel Interchange between government and industry, the President called for cooperation and understanding between industry and government.

The Chamber of Commerce hardly helps advance such understanding in allowing its publication to be used for such an unjustified attack on public servants.

WASHINGTON AREA AIRPORTS

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, recently the FAA received an ambitious plan for the expansion of Washington's National Airport. Improving facilities for handling air traffic is undeniably of great importance. I believe, however, that any plan for the Washington area which merits serious consideration must show a broad perspective. Certainly a regional approach would be the most constructive. Rather than considering National Airport in isolation, we should strive to improve service in the Baltimore-Washington region as a whole. For example, we should work for rapid transit not only to link Washington and Friendship Airport, but to connect Baltimore with both Friendship and other regional air transportation centers.

In an editorial on October 7, the Washington Post raised serious objections to the National Airport expansion plan. I believe that these points should be seriously reviewed by all concerned. Only by proceeding with the widest possible vision can we give the air travelers of Baltimore and Washington the finest service in the world, and avoid simply compounding difficulties for the future.

The editorial follows:

EXPANDING NATIONAL AIRPORT

The grandiose plans for rebuilding National Airport submitted to the Federal Aviation Administration recently are just another example of technology attempting to overrun a city. Starting with the assumption that National should continue to be Washington's major airport at least into the 1980s, the planners demonstrated four ways of rebuilding it so that it can accommodate 1980 air traffic. It is hard to argue with their conclusions if you are willing to accept their assumption. But that is to assume the outcome of the crucial argument about National's future and to assume that this argument is settled in a manner that would be against this city's long-range interests.

The attitude of the planners toward the city's needs is found in their letter to FAA: "Due to its close-in location, Washington National is better able to support its metropolitan area than any other major airport. The nuisance imposed on the metropolitan area by the airport is overshadowed by that superior service offered to the area and to the eastern United States." With that, the planners close out their study of the impact of an expanded National on the city except to provide a map of the expected noise levels. That map makes it clear that the adoption of any of their four plans would mean a noise level over South Capitol Street approximately equal to that now existing over Memorial Bridge. The construction of a new runway pointing toward the Anacostia River would, of course, reduce the frequency of air traffic over Georgetown, but it would increase the frequency over the south and east sides of Capitol Hill.

Under the basic assumption of the planners, National in 1980 would be expected to handle 12 million or so local passengers—equal exactly to the Washington traffic handled at both Dulles and Friendship, and twice that handled in 1966. The airport would, it is true, handle this many people with no significant increase in the number of flights, but all that means is that bigger and bigger airplanes would swoop over the city each day even if four-engine jets continue to be barred.

The future of National Airport, if it is to have one at all as an airport, ought to be in extremely short-haul and shuttle flights. And by short-haul we do not mean Washington to Miami or St. Louis. To expand National now would be only to postpone the day when longer flights are moved to Dulles and Friendship where they belong.

If the planners think the city's air traffic needs to have $169 million to $203 million spent on it at this time, and those are the top and bottom estimates in this report, it could best be spent on providing a monorail or other high speed transit system to link Dulles with a transportation center in, say, Rosslyn. Dulles is the finest airport in the Nation today, and it deserves to be treated as such, not as a standby field to be used only when air traffic makes its use absolutely necessary. With a monorail link, the city could continue to have that "superior" service the planners speak of but without the noise, the auto congestion, and the constant safety question that surround National.

CONGRESSMAN ROONEY ADDRESSES POLISH-AMERICAN CONGRESS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. ANNUNZIO. Mr. Speaker, on September 28 my good friend and distinguished colleague from New York, Hon. John J. Rooney, addressed the national convention banquet of the Polish-American Congress in Cleveland, Ohio.

Congressman Rooney has given almost 26 years of dedicated service to his constituents of the 14th District of New York, to his State, and to his Nation. Again and again his constituents have returned him to Congress because of his honesty, his ability, and his hard work.

As chairman of the House Subcommittee on Appropriations for State, Justice, Commerce, the Judiciary, and related agencies, John Rooney has helped to shape intricate legislation beneficial to our country and to all Americans, and he has efficiently guided this legislation to final passage.

Congressman Rooney's remarks at the national convention of the Polish-American Congress are not only timely—they represent a keen analysis of some of the key issues confronting our Nation. I would like, therefore, to call them to the attention of my colleagues in the Congress by including them at this point in the Congressional Record. Mr. Rooney's speech follows:

Speech of Congressman John J. Rooney

Mr. Chairman, Reverend Fathers, Honored Guests, my friends and Drodzy Rodacy:

Once again I feel highly honored to participate in a convention of the Polish-American Congress, an institution which has had a glowing history of service.

I always look forward to these meetings to renew old friendships and make new ones.

I should like to express my deep appreciation for the fine support American Polonia has given me in Congress, for the quarter of a century I have been there, in efforts to secure legislation beneficial to all Americans and for such fine groups as this.

Whatever success I have had or will have in getting needed changes in our outmoded immigration laws, or in obtaining essential enlargement and expansion of Social Security and Medicare benefits for our senior citizens and other citizens in need of various types of public assistance, has been the result of your help and encouragement.

In these trying times I feel I should pay tribute to the Polish-American Congress, and, indeed, all the Polish-American patriotic organizations for their dedication to the best interests of our country.

At a time when the light of freedom has been dimmed in Czechoslovakia—let us hope it is only temporarily dimmed—it is especially important to pay tribute to the untiring efforts of the Polish-American Congress to bring to our attention the plight of those who are enslaved behind the Iron Curtain, and your actions to combat Communist activities aimed at dividing Polonia and the American people.

At the same time you have done a remarkable job of maintaining the close ties between the peoples of Poland and America, ties which go back to the time of the American Revolution. What is especially remarkable is that you are continuing this in spite of the difficult times caused by the Soviet invasion of Czechoslovakia.

In this connection, let me make one thing clear—I do *not* believe the people of Poland should be penalized for the action of a Communist government in Warsaw, dominated by Moscow, in allowing Polish troops to participate in the Soviet invasion of Czechoslovakia. On the contrary, we should not close the doors; we should increase our efforts in trade and exchange programs to give proof to the Polish people themselves that we realize their forced situation.

Vice President Humphrey put it this way in Toledo early this week: "I do not believe that despite the tragedy of Czechoslovakia that we should forego the hope, and indeed, the practice, of trying to build better relationships economically, politically and culturally with Eastern Europe. I think the old era is coming to an end. I do not want to see a restoration of the cold war once more."

Along these lines it is my belief that we should strive to guarantee Poland's present western border—a guarantee that would improve prospects for peace and for more freedom for the Polish people from Moscow domination.

I repeat, in these matters I have just mentioned you can be proud of the achievements of your organizations. But it would not be enough for me to mention the achievements of your organizations without drawing attention to two individuals of whom the whole country can be proud.

I refer first to my colleague in the Congress, Senator Edmund S. Muskie of Maine, who is now a candidate for the second highest office in the land. His Senate record is remarkable; his ability as a Senator unquestioned.

The second individual to whom I refer is Jan Cardinal Krol of Philadelphia. A year ago last June, I had the moving and unforgettable experience of traveling to the Vatican to witness Cardinal Krol's consecration by the Pope.

My knowledge of the accomplishments of your organizations and of their members is no accident.

The fact that I have been permitted to represent Brooklyn for as long as 13 terms is due in great measure to that segment of your vast membership who live and vote in the 14th Congressional District. If I am to continue my 25 years of service, it will be the result of the efforts being made by my loyal friends and neighbors of Polish extraction.

With these expressions of gratitude to you, I should sit down. But instead I feel it necessary to urge you to help our country even more.

We need your active participation everywhere throughout this great nation to help curb the lawless element that runs rampant and too often unpunished in our cities and on our streets. We need your help to identify and to eliminate the causes of crime and civil unrest.

We need your help to regain a measure of unity of purpose and practices in our communities like the unity which is so evident in your organizations—which has been tested again and again by the enemies of Polonia.

Parenthetically, I would add that I wish the Congress of the United States operated with even a portion of the unity and dedication with which the Polish American Congress conducts its significant activities. I can assure you the wheels of the legislative mill would grind out far more worthwhile laws with greater speed and less contention if this were so.

The country needs your unrelenting help to secure immediate consideration by the nations of the world of the needed redress of the wrongs now long suffered by the several nations at the hands of the Soviets and their atheist Communist vassals.

Precious as is our own national security, and welcome as is the development of less hostile and less suspicious relationships with the Kremlin, we cannot forget our friends from whom self-determination and sovereignty were so ruthlessly stolen. You who are so close to this problem and who have such personal interest in its solution must help us if justice is to prevail.

You are well aware of the dilemma in which this country finds itself relative to the balance of payments. The solution of our fiscal problems is not the responsibility of your government alone.

We need the help of every American and of every civic minded organization to plug up the outflow of dollars and to stimulate the in-flow of zlotys, rubles, francs, pounds and every other currency now in circulation. Too often those of us in Congress who try to curb government spending are faced with the all too prevalent attitude of "Stop Government spending, except for the things in which I am interested."

We need your help in these days ahead to achieve greater private investment and less government participation, less government money spent, and less government controls.

This is a great country and you and your Polish forbears have helped to make it so. You have the golden opportunity of helping now so that your grandchildren and their children will honor you as you so proudly honor your own grandsires.

I am confident we can count on your support and assistance in meeting our urgent legislative needs. For that help which I know you will give I commend you and thank you. For the help you have always given, I say in behalf of all our fellow Americans Thank you, and God bless your fine organizations with their loyal and patriotic members. "Sto Lat Niech Zyja Nam"! Dziekuje.

REPORT TO CONSTITUENTS

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. GIAIMO. Mr. Speaker, as is my custom, I intend to report to my constituents the results of the activities of the 90th Congress.

I would like to include my report in the Record at this point in order to share its contents with my colleagues:

Newsletter

Dear Friend: The Ninetieth Congress has effectively drawn to a close. It is appropriate, therefore, that I report to you, my constituents, on the activities of this Congress and my participation in it. Making this report, as you know, is a practice I have followed since I entered the Congress ten years ago and became the first Representative from our community to initiate a system of newsletter reports to the people of our District. Your comments, as always, are welcome.

Ten years can be a long time, but ten years is a very short period in national government where complex problems place a premium on years of experience. This is particularly true in the House of Representatives where positions of responsibility and authority go only to those who have been returned to Washington by their constituency with sufficient regularity to enable them to serve their apprenticeship and "live" for a period of time with the mass of legislation, laws and procedures through which our Republic is governed. A great leader of the U.S. Congress once remarked that, "A man has to learn to be a Representative just as he must learn to be a carpenter, an engineer, a farmer, a lawyer or a doctor". I have been among those privileged to learn about the workings of the House of Representatives. In the past decade, I have observed the changes in leadership; I have seen major programs of historic significance enacted into law; I have witnessed and been a part of many great debates. For these reasons, I believe I am in a position to view the 90th Congress in perspective.

The period 1960 through 1964 was one of creative planning. The challenge of the 1960's was upon us; the country and Congress have been forced to develop better methods for coping with new problems both at home and abroad.

Large steps were taken in the never-ending search for justice; new measures were written, some of which I authored, to enhance the opportunities of all Americans by providing better schools, libraries, housing and jobs. Then, in the 89th Congress (1964–1966) all our labors bore fruit during a Congress which most historians have called the most productive in history.

When the 89th Congress completed its work, the Nation had many of the tools with which to meet the challenges of today. But we had to learn how to use them. It is one thing to declare war on poverty; it is another to wage such a war effectively. We passed legislation to improve our schools, but we must still learn how to use this assistance wisely and well. Reports on the various programs launched by the 89th Congress flowed back to Washington, and the 90th Congress has been busy amending, revising, improving and reforming. Although this has not been an innovative Congress, it has been a Congress concerned with perfecting the work of its predecessors.

Because I have participated in planning and implementing the major legislative programs of the past ten years, I believe that I am in an excellent position to criticize severely those programs which have not measured up to our earlier expectations.

THE ECONOMY, THE CONGRESS, AND YOU

Any program that "overheats" the economy so that progress can only be measured in the false coin of inflation is self-defeating.

I served in the Congress in 1964 when the American people were handed the largest tax reduction in history. Individual income taxes fell an average of 20% while corporate taxes were cut 10%. Many excise taxes were lowered or abolished. This move was designed to stimulate more investment and production and create more jobs. It worked!

But, as so often happens, the economic pendulum swung a bit too far. During this past year, although employment was reduced drastically and jobs and profits were in abundance, the warning flags were flying for inflation. I am happy to report that this Congress responded. The 1964 tax reduction was *partially* reversed (the 10% temporary surcharge this year still insures the average taxpayer a net gain of more than 10% in federal income tax savings since 1964); spending was slashed by $6 billion, and the increased hiring of new employees by the Federal government was halted. I supported these moves because you and I will be the beneficiaries of more moderate prices in the stores and lower mortgage rates on the new homes we may buy if they succeed in stemming inflation. For example, if these steps cut ¾% off of mortgage interest rates, the typical home buyer will save close to $100 per year throughout the period of his mortgage.

Included among these tax measures were provisions that make it a virtual certainty that a comprehensive program of tax reform will be brought before the next Congress. I believe that an overhaul of our Federal tax program is long overdue. Tax reform is a most complicated matter to cope with; it requires experienced judgment and an awareness of the various interests represented in the Congress. I am hopeful that a thorough review of our tax policies will close some tax loopholes and, at the same time, raise the personal exemption, or as I would prefer increase the amount of the standard deduction. Action in these two areas would be a great benefit to the taxpayer in the lower and middle income brackets.

MORE EFFORTS AGAINST GOVERNMENT INEFFICIENCY

In my role as a member of the House Appropriations Committee, I review the budget requests of each Federal agency and department. Much can be done in the fight against inflation by eliminating unnecessary government spending and requiring the agencies of government to utilize their funds with greater efficiency. In past newsletters, I have informed you of my fight against the ineffective utilization of monies allocated to some segments of the poverty program. Therefore, I shall not go into further detail at this time. But there are other areas where waste occurs. For example, I have been particularly concerned with the activities of the Defense Department in this regard.

Because the defense of our Nation is vital to us all, the budget requests of the Defense Department have been treated very liberally by the public and the Congress. I believe this is most unfortunate. The budget of the Defense Department must be scrutinized as carefully as those of other Federal agencies. One item which concerned me in particular during the past year was the appropriation request for the Sentinel Anti-Ballistic Missile System.

Administration and Defense experts have stated for some time that there was no need for such a system and regardless of the question of need there was little guarantee that it would work. (Our defense against nuclear attack is our offensive capability; i.e., the enemy knows that if he attacks first we will be able to survive his first strike and retaliate with enough strength to completely destroy him.) This year, the Administration suddenly proposed the deployment of the defensive Sentinel ABM which would cost $5 billion.

Three former science advisors to Presidents Kennedy and Johnson and numerous other weapons experts believe that the system will not work. In other words, it can be penetrated through the use of sophisticated offensive weapons; it can be overwhelmed by using more ballistic missiles than the system can defend against, or it can be defeated by simple sea-launched missiles.

In summary, because the effectiveness of the system was so much in doubt and the expense so great (it could reach $50 billion), I felt that Congress should have devoted considerably more time to its study. Unfortunately, my initial attempt to require such a study was defeated. I do not intend to give up on this or on my efforts to have the Congress look more closely at what is being spent in the name of defense.

I have long believed that many inefficient government programs would be ferreted out and corrected or ended more quickly if the methods for monitoring these programs were more efficient. As our society grows and becomes more complex, government increases in complexity. To do the job expected, the Congress must have access to far greater information than was ever at the disposal of earlier Congresses. To help the Congress and the general public keep track of government activity, I joined my Republican colleague, Congressman Roth (of Delaware) in sponsoring a bill known as "The Program Information Act". If enacted, this measure would require the President to compile a complete and detailed catalogue of all Federal programs and to keep it updated. The public and the Congress would then be able to scrutinize the activities of the Federal government by reference to a single source.

PROTECTING YOU, THE CONSUMER

The Government's battle against inflation helps to protect the integrity of our dollars. The Federal Government can also do much to help us get what we pay for when we spend those dollars. The 90th Congress enacted a dramatic series of programs to protect the consumer:

A Truth-in-Lending Act to require complete and accurate disclosure of the cost of credit.

Amendments to the Flammable Fabrics Act to provide increased protection from flammable clothing and household fabrics.

A Product Safety Commission Act, which establishes a National Commission on Product Safety to make certain that household products are not household hazards.

A Wholesome Meat Act and a Wholesome Poultry Products Act to insure that meat and poultry processed and sold within states, as well as that sold in interstate commerce is safe and wholesome.

An Automobile Insurance Study Act to investigate unfair and arbitrary practices existing within the automobile insurance industry.

A Natural Gas Pipeline Safety Act to protect persons from the hazards of leaking or exploding natural gas pipelines.

A Fire Research and Safety Act to reduce deaths, injuries, and property losses from fires.

In this Congress, I authored a bill that would encourage the development of a system for licensing automotive repair mechanics. Every day millions of Americans entrust their lives to mechanics who are charged with the responsibility of keeping our automobiles safe for the highways. It seems essential to me that we develop some method for determining whether these mechanics are competent to assume such a tremendous responsibility. Although this Congress has not acted on my proposal, my suggestions have picked up meaningful support, and I am confident that progress will be made in this area in the near future—perhaps in the next Congress.

JUSTICE, LAW, AND ORDER

There can be no argument about the need for better law enforcement in our society. This subject entails some of the most important pieces of legislation on which I wish to report, and therefore, I have reserved it as the last topic of discussion.

The 90th Congress has enacted more measures to stem criminal activity than any Congress in history. The new laws include measures which:

Authorize grants for upgrading state and local police departments.

Make it harder for criminals and other irresponsible persons to acquire handguns by restricting interstate shipments.

Authorize grants to states for prevention of juvenile delinquency and rehabilitation of delinquents.

Make it a Federal crime to travel in interstate commerce to incite a riot, to manufacture firearms, or to teach rioters to use weapons in civil disorders.

Require establishment of minimum standards for burglar alarms and other devices, and for procedures to protect banks and savings and loan associations from robberies and embezzlements.

Provide a Federal Judicial Center to improve judicial administration in the Federal Courts.

Provide benefits to state and local law enforcement officers disabled or killed while assisting in Federal law enforcement.

Authorize the Federal Bureau of Prisons to assist state and local governments in improving their correctional systems.

In my opinion, these are among the most important measures passed by this Congress. I firmly believe that all of our efforts to enact sound legislation and to move forward in the quest for full justice for every man would come to naught unless the laws we do enact are enforced fully. Laws are the instruments by which we govern ourselves and define those freedoms which are every American's due. If they can be ignored, then the freedoms they insure can be ignored.

Primarily, crime control and law enforcement are the responsibilities of state and local authority, and I believe they should be. We cannot—we must not—establish a super Federal police force in our Nation. But the Federal government does have an important responsibility to assist and to support local and state law enforcement officials. That is what the measures enacted by the 90th Congress are designed to do, and that is why I supported them.

CONCLUSION

In the limited space afforded by this newsletter, it is impossible for me to discuss every matter which has come before the 90th Congress. However, I have tried to touch upon some of the highlights and some of the activities which may not have come to your attention. I hope that you will find this report of interest, and again I express appreciation for the confidence which the people of the Third District have placed in me for the privilege of representing them in Washington. I have exerted myself to the full extent of my power and strength to represent you wisely and well. I urge you to write to me at any time you believe I may be of service as your Representative in the Congress.

HEMISFAIR "INOLVIDABLE"

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. PEPPER. Mr. Speaker, it is regretful that so many good things in this life must draw to a close. In this context, I sense a loss today as we mark the end of HemisFair, 1968, in the city of San Antonio, Tex.

Mrs. Pepper and I had the good fortune to attend the international exposition in June and were afforded the gracious hospitality that the people of Texas are so well known for.

HemisFair, 1968, was a resounding success, and for this we can thank the eminent businessmen of San Antonio who teamed up with local, State, and National officials in a spirit of willing cooperation. I would personally like to take this opportunity to commend our distinguished and beloved colleague, HENRY B. GONZALEZ, who contributed so richly to the promotion and success of HemisFair.

Though we must now bid a fond farewell, the memories we share with millions of Americans who visited the exposition were surely unforgettable.

RABBI ARTHUR J. LELYVELD

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. VANIK. Mr. Speaker, I wish to call to the attention of the House of Representatives the celebration of the 10th anniversity of Rabbi Arthur J. Lelyveld as spiritual leader of Fairmont Temple. Rabbi Lelyveld has exemplified the highest traditions of the teachings of his religion. He has been involved deeply in the great moral questions of his community, of the general community of Greater Cleveland, and the great questions facing our country.

He has been a distinguished leader among clergy within the Jewish faith as well as ecumenically. He has interpreted his faith to others through his work as president of the American Jewish Congress. He is an author of note, having recently published a book entitled "Atheism is Dead." His credentials as a great Hebrew scholar and modern, learned sage are of renown throughout the country

The Greater Cleveland community is proud to pay tribute to Rabbi Lelyveld, a great leader among men.

I would include in the RECORD at this point an article in the October 4, 1968, Cleveland Jewish News on the special services marking Rabbi Lelyveld's 10th anniversary at Fairmount Temple, October 11:

> Rabbi Arthur J. Lelyveld's tenth anniversary as spiritual leader of Fairmount Temple will be marked with a festive service on Friday evening, October 11, 8:15 P.M., in the Temple sanctuary. Guest speaker will be Rabbi Jacob Weinstein, spiritual leader of KAN Temple, Chicago, who has been a close friend of Rabbi Lelyveld for many years.
>
> Rabbi Weinstein is a noted leader in the reform movement, and is past president of the Central Conference of American Rabbis. He will pay tribute to Rabbi Lelyveld's work, both nationally and on the local scene.
>
> In honor of the occasion, an original "Hebrew Suite in Four Movements" will be performed by the Temple choir, under the direction of Reuben P. Caplin. The work was especially commissioned by the congregation, and was written by Max Janowski, renowned contemporary composer of Jewish music.
>
> Tenor Robert Nagy, a member of the Metropolitan Opera Company, will be the featured soloist. Mr. Nagy, a former resident of Cleveland, at one time was a member of the Fairmount Temple choir, and studied voice with Mr. Caplin.
>
> The service for the evening will be read by Rabbi Mordecai Schreiber and Rabbi Frank Stern. The evening will conclude with a festive reception in honor of Rabbi Lelyveld.

WHAT OF THE FUTURE?

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. CELLER. Mr. Speaker, as election time draws near, each of us bears the responsibility for shaping the frontier of the present and the future. That there is discontent in the land cannot be denied but we must ask ourselves forthrightly and honestly—"Why the discontent?" What troubles you? The voices of protest? Race hostility? The war in Vietnam? Conditions in the cities? Crime? Let us take each in turn.

First, let me say, we know what each one of us seeks—a job equal to his talents, a living wage, good housing, a good education, security in old age, a society which works within the rules of decent and responsible behavior, the curbing of crime, and foremost, peace.

There is a measure of prosperity for most of us. Twelve million persons within the last 5 years have moved above the poverty line. Long-term joblessness fell by almost 1.4 million persons. The standard of living has increased by 25 percent. The earnings of the average worker with, let us say, three dependents, rose 11.4 percent after income taxes, and one final figure, wages and salaries grew by 68 percent. Educational opportunities have increased, social security payments have been increased, the problems of water pollution and air pollution have been attacked, laws have been passed on motor vehicle safety, highway safety, fire safety, on consumer credit protection, and on fair packaging and labeling. All of this has been to the good and we see a Nation moving steadily forward to meet the needs of the citizens. But how do we meet the anxieties that beset us?

VOICES OF PROTEST

Student unrest grips the Nation, as it does in most of Europe. Youth cries out for change, for greater participation in our decisionmaking bodies, and for social justice. We will do well to listen, but we will also do well to take care that the raucous, irresponsible, destructive voice and methods of a minority within the student body does not close our ears to the just demands of the responsible majority. This disruptive minority, caught in its own immaturity, must be dealt with, with appropriate severity. There is a line between dissent and disorder which we cannot afford to let be erased. I advocate immediate expulsion of the ringleaders. Let them learn to take the responsibility for the consequences of their acts. Let the college administrators meet and decide on a uniform course of action. A determined stand by administrators and parents would go a long way toward halting these undemocratic tactics.

The same can be said of the militant, irrational voice of a minority of black people who incite to riot and destruction and loss of human lives. We have seen such irresponsibility in the behavior of the militant blacks in the Ocean Hill-Brownsville school district. School decentralization could involve the community in the process of education and thus foster a love of learning and self-responsibility. We must not be forced to discard this vital experiment in education by such irresponsibility. What is true of the student militant minority is true of the black militant minority. They do not represent the majority of black people who work for equality of opportunity in jobs, housing, and education within the legal framework. The full weight of the law must be brought to bear upon those who seek to break down the law.

PEACE

On the question of peace, I maintain that each person running for office, in order to merit the public trust, must give his stand on it. For my part, I advocate that we stop bombing to test the willingness of Hanoi to make peace. Should this result in increased infiltration of the North Vietnamese into South Vietnam, then the bombing would have to be resumed. While it is true that we have ceased bombing six times with no result, it is worth a calculated risk to try it a seventh.

I believe that more and more of the fighting should be turned over to the South Vietnamese. I believe that the Allies should be induced to send more of their own men so that there can be an honorable and orderly withdrawal of American troops. To keep Southeast Asia free to develop as it chooses is only one step in obtaining and maintaining peace.

With the invasion of Czechoslovakia by the Soviet Union, we know that we cannot relax our efforts to make NATO work for collective security. We must ratify the treaty for nonproliferation of nuclear arms. We must be alert to the danger of the Soviet Union controlling the Middle East, which is the gateway to three continents. If it is at all possible, there should be a permanent police force in the United Nations which, as an international body, will be charged with making its presence felt in all of the dangerous corner spots of the world.

In keeping with this plan, I would propose a change in our draft laws so that the inequities are removed by eliminating many of the exemptions which now exist, and which many have used to escape their responsibility, placing a greater burden on those who could not fall within the specified exemptions.

CRIME

All of us should be thoroughly familiar with some of the basic facts concerning crime in our country. It is not generally known that one-half of all serious crimes is committed by youths under 17 years of age, living in the cities.

The crime cannot be handled by the Federal Government unless we choose to change the structure of government. We have 371,000 full-time law-enforcement officers in the country, of which 308,000 are local, 40,000 are State, and 23,000 are Federal. Thus, we must know that crime must be handled primarily by the cities, with Federal assistance. The omnibus crime bill passed by Congress is already part of our law, under which a program of aid to the States and cities has been put into operation. The Juvenile Delinquency Prevention and Control Act of 1968 is also in operation. At this time of writing, we are shaping into law the Firearms Control Act which will restrict interstate shipments of firearms, giving the States every opportunity to curb gun use in criminal activity.

As I have said to you before, crime can and will be curbed. In a previous communication to you, I proposed that cities, for example, flood communities with light, put into use noncrippling chemical deterrents, special photographic equipment for identification of criminals, increased patrol activity and better detection devices. Law-enforcement agencies could develop techniques in riot prevention such as slick streets and nonlethal weapons. There should be police callboxes, which should be left open and brightly marked, installed on as many streets as possible.

Already special training has begun in modernization of equipment including two-way radios for patrol officers, new alarm systems, and advanced techniques in identification. Because crime is so large in the 15 to 24 group, we need programs not only of prevention and detection but programs of rehabilitation, and most certainly, in community relations. Yet we must not be so paralyzed by fear of crime that we lose sight of our fundamental liberties. We must remember at all times that a man is presumed innocent until proven guilty. If we break away from that concept, then we and our children may taste the bitter poison of Fascist or Communist police tactics where an accused has no benefit of counsel, no right to a jury trial, and no witness to his execution.

OUR GOALS

We must know that as a people we are capable of achieving the kind of society that history has never known before, and that primarily means that government be not alien to compassion. No person should be in fear of an insecure old age, or live below the poverty line, and where a person is willing and able to work, there should be jobs to fill that need. We must insure that our housing laws be stringent so that shabbiness and ugliness disappear from the cities, that our police force be adequate to protect the person and the property of the citizen, that there be an opportunity for living, not necessarily an easier life but a more fulfilling life. These are not impossible goals.

Our problems are man made and must be man-solved. To your needs, to your wishes, to your goals, I dedicate my life as your Representative and my record in Congress proves, I hope, that I have tried to fulfill my responsibilities toward those I am honored to serve.

Though I cannot outline for you all of the bills which I sponsored and which were enacted into law, there having been over 200 of them, I do mark for your special attention those which I consider of the largest national importance, in this way letting you know how I have discharged and intend to discharge those responsibilities:

The Immigration and Nationality Act of 1965;

The Civil Rights Acts of 1957, 1960, 1964, 1965, and 1968;

The Celler-Kefauver Act, which sharpened our antimonopoly laws;

The Narcotics Addicts Rehabilitation Act. Three constitutional amendments: First, abolition of the poll tax; second, transfer of power in the event of Presidential disability; and, third, permitting the District of Columbia residents to vote for President and Vice President.

The Omnibus Crime Control and Safe Streets Act of 1968;

The Firearms Control Act of 1968, together with a large number of laws concerning crime prevention, judicial reform, administration of justice, and consumer interests.

AMERICAN CIVIL LIBERTIES UNION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. RARICK. Mr. Speaker, the controversial ACLU is discussed in an interesting series of articles commencing with Barron's for August 26, 1968.

Under unanimous consent, I submit Mrs. Shirley Scheibla's article, "Pros and Cons," for inclusion in the CONGRESSIONAL RECORD, as follows:

PROS AND CONS: THE CURIOUS STORY OF THE AMERICAN CIVIL LIBERTIES UNION

(By Shirley Scheibla)

WASHINGTON.—Violence and civil liberties these days seem to be inextricably entwined. Chances are that whenever violence erupts, someone representing the American Civil Liberties Union is already on the spot or quickly appears to jealously guard the rights of the violent ones. A famous recent instance: shortly after TV viewers witnessed the brutal murder of Robert F. Kennedy, an official of the ACLU hurried to protect the civil liberties of the Senator's alleged assassin.

Established 47 years ago with the stated aim of providing legal help in preserving constitutional rights, the ACLU handles litigation chiefly through cooperating attorneys who serve without pay. Through its 46 affiliates in 44 states, the ACLU has defended communists and their sympathizers, fascists, pornographers, draft dodgers, admitted burners of flags, crosses and draft cards and alleged burners of cities. The diversity of its defendants has confounded its critics. Seemingly, the organization's only purpose is the announced one of preserving rights guaranteed by the U.S. Constitution. And ACLU's insistence that it defends the liberties of all by defending those of the most despised has won it many friends.

HITS U.S. DEFENSES

Careful study of ACLU cases, however, reveals that nearly all the causes it has taken up tend to weaken law and order and the ability of society to defend itself. Some landmark cases give communists more freedom to destroy the nation from within. Those involving the draft erode the state's ability to defend itself against armed attack. Other significant ACLU cases diminish the authority of schools and police and the influence of religion.

The cases ACLU refuses to take are just as significant as those it does handle. It has refused to defend right-to-work laws. It also has turned down a request to protect the civil liberties of one group of Washington, D.C., merchants whose businesses were destroyed by riots last spring.

According to the ACLU, holding federally funded Head Start classes in churches and having Catholic nuns as teachers of such classes do not violate the constitutional separation of church and state. Yet it has argued in court that church-and-state separation is violated by inserting the phrase "under God" in the oath of allegiance.

What, then, is this organization which voices such good intentions, yet exhibits such unfortunate tendencies in its litigation? The genesis goes back to the beginning of World War I. The American Union Against Militarism was established to prevent U.S. involvement in the war, and Roger Baldwin, a young Harvard graduate who called himself a "philosophical anarchist," became head of the organization's Civil Liberties Bureau.

Public sentiment forced dissolution of the union soon after the U.S. entered the war. Its Bureau lived on, however, defending conscientious objectors and occasionally members of the International Workers of the World, an organization devoted to waging a class war "until the workers of the world organize as a class, take possession of the earth and the machinery of production and abolish the wage system."

Of necessity, however, the Bureau functioned without Mr. Baldwin. Shortly after the U.S. entered the war, he was jailed as a conscientious objector and not released until July 21, 1919. Following his release, he attended a meeting at the home of Socialist Norman Thomas to decide on the future of the Bureau. Among those attending were Elizabeth Gurley Flynn, who later became chairman of the Communist Party, U.S.A., and Agnes Smedley, who served as a Soviet agent in China until she died and was buried in a Red Chinese cemetery. From that meeting the Bureau emerged in 1920 as the American Civil Liberties Union.

Many years later, Mr. Baldwin wrote an article, published in the September 1934 issue of Soviet Russia Today, in which he said: "When the power of the working class is once achieved, as it has been only in the Soviet Union, I am for maintaining it by any means whatsoever. . . . The class struggle is the central conflict of the world; all others are coincidental." According to a pamphlet by Organizational Research Associates quoted by Rep. John A. Rousselot (R., Calif.) in the Congressional Record for September 20, 1961, Mr. Baldwin "has a record of over 100 Communist-front affiliations and citations." He was the first national director of the ACLU and served in that post until 1950. Currently he is its International Work Adviser.

"ADVOCATE OF TREASON"

Dr. Harry Ward was the ACLU's first chairman. According to the same issue of the Congressional Record, he has over 200 Communist-front affiliations and citations listed by the House Un-American Activities Committee and was chairman of the American League for Peace and Democracy at the same time he was ACLU chairman. The League has been cited as Communist and subversive by the Attorney General, as subversive and un-American by a House Appropriations subcommittee, as a Communist front by the Senate Internal Security subcommittee and as "nothing more nor less than a bold advocate of treason" by the House Special Committee on Un-American Activities.

Serving on Dr. Ward's ACLU board of directors was Scott Nearing, who was also a member of the Garland Fund. The House Un-American Activities Committee said in 1944 that after the establishment of the Fund in 1922, "it was a major source for the financing of Communist Party enterprises. . . ." The Committee has described Mr. Nearing as a "leading writer for the party." The late William Z. Foster served as a member of the ACLU National Committee when he headed the Communist Party, U.S.A.

In its first official statement, in January 1920, the ACLU declared: "Today, the organized movements of labor and of the farmers are fighting the big fight for civil liberty throughout the United States as part of their campaign for increased control over industry. Publicity, demonstrations, political activities and legal aid are being organized nationally and locally. . . . The union of organized labor, the farmers, radical and liberal movements is the most effective means to this."

Before the end of the ACLU's first year, a New York legislative committee characterized it as "a supporter of all subversive movements" and said it "attempts not only to protect crime but to encourage attacks upon our institutions in every form."

CELEBRATED CASES

The Sacco-Vanzetti case, one of the ACLU's first, involved the defense of two anarchists accused of murder. One of the ACLU lawyers in the case was Felix Frankfurter, then a Harvard professor and later a Supreme Court Justice.

Another celebrated early ACLU case concerned Fred Beal, charged with shooting a policeman during a textile workers' strike in Gastonia, N.C. According to the California Senate Fact-Finding Subcommittee on Un-American Activities, Mr. Beal was then a member of the Communist Party, and his bail "was provided by the instrumentality of the ACLU."

In 1925, the ACLU achieved great fame as a result of the so-called Scopes Monkey Trial case. Tennessee state law prohibited public schools from teaching Darwin's theory of evolution. The ACLU advertised in Tennessee papers, offering free legal defense for any teacher who would violate the law. John T. Scopes volunteered. Two brilliant and famous lawyers handled the case, Clarence Darrow for the defense and William Jennings Bryan for the prosecution. Although the ACLU lost, the case launched it on the road to wide popularity. Among government officials who subsequently joined the ACLU were Harold L. Ickes, Secretary of the Interior; Frances Perkins, Secretary of Labor; Lloyd K. Garrison, chairman of the National Labor Relations Board; and Francis Biddle, U.S. Attorney General. (Last year, the ACLU again challenged the Tennessee law and won.)

In the 'Thirties, a bitter fight erupted within the Union between moderates and leftists; the upshot was that in 1940 it adopted a resolution barring Communists from leadership. Miss Flynn refused to resign and was dismissed. Dr. Ward then resigned in protest. (William Foster already had resigned, saying that since he had moved to Chicago he found it too difficult to attend ACLU meetings.)

Since the resolution applied only to those holding office in the ACLU, it did not keep Communists out altogether. Herbert A. Philbrick, who was a Communist for the FBI in the 'Forties, wrote in his book, I Led Three Lives: "Communists had orders to infiltrate the ACLU. They always had kept a token representation in it and were told to strengthen their ties with it." He told Barron's recently that the secretary of a state chapter of the ACLU at that time "was a secret member of the Communist party and a member of my own cell."

The Southern California Staff Counsel for the ACLU's Roger Baldwin Foundation is Abraham L. Wirin, the ACLU lawyer who rushed to the aid of Mr. Sirhan. According to the Congressional Record for September 20, 1961, Mr. Wirin practiced law in partnership with Leo Gallagher, who once ran for office in the Communist party in California. The same issue of the Congressional Record says that in 1954 Mr. Wirin was a candidate for the executive board of the National Lawyers Guild, an organization cited as a Communist front by both the Senate Internal Security Subcommittee and the House Un-American Activities Committee.

STRONG OPINIONS

The Rev. A. A. Heist resigned as executive director of the Southern California chapter of the ACLU in 1952 to become director of a new organization which he founded called the Citizens' Committee to Preserve American Freedoms. According to the Congressional Record of September 20, 1961, "This organization is run by its executive secretary, Mr. Frank Wilkinson, an identified Communist." The Record says: "The Rev. Heist stated in a speech to an audience of high school and junior college students in Pasadena that 'the Constitution of the United States is outmoded, outdated and impotent'."

William A. Kilpatrick, long a prominent member of the ACLU on the East Coast, declared in his 1939 book The Teacher and Society: "The revolution by force and violence was probably necessary in Russia, but it would not be necessary in America. Here, the same goals could be achieved by effectuating change within the framework of the Constitution."

The anti-Communist resolution, of course, has not kept the ACLU from helping the Communists in the courts, and on this score it has an astonishing record of success. In the Steve Nelson case it persuaded the Supreme Court to make state prosecution of Communists virtually impossible. Over-turning the conviction of an admitted Communist party leader for allegedly violating the Pennsylvania state sedition law, the high tribunal said the Smith Act of 1940 gives the federal government exclusive jurisdiction in the field of sedition. Then, in the Yates case, the high court accepted the ACLU contention that advocating overthrow of the government does not violate the Smith Act if the advocacy is "divorced from any effort to instigate action to that end."

A FEDERAL OFFENSE?

In a recent Kentucky case the ACLU argued successfully that sedition is strictly a matter for federal prosecution. The defendants were Alan and Margaret McSurely, Carl and Anne Braden and Joseph Mulloy. According to the Washington Post of September 17, 1967, the local sheriff had hauled a truckload of allegedly seditious material from the Mulloy and McSurely homes. At the time, the Post said, the McSurelys were organizers for the Southern Conference Education Fund. The Senate Internal Security Subcommittee in 1954 found the fund to be under the same Communist leadership and to have the same purpose as its predecessor organization, the Southern Conference for Human Welfare. (The House Un-American Activities Committee has cited the latter as a Communist front.) The Bradens have been identified as members of the Communist Party by the Louisiana Joint Legislative Committee on Un-American Activities. Mr. Mulloy was a poverty worker. The aforementioned William Kunstler was an ACLU attorney in the case.

Thanks to the Union, the Supreme Court has made it virtually impossible to deny membership in bar associations to Communists. The ACLU won the Rudolph Schware case in which the high tribunal ruled that he could not be denied membership in the New Mexico Bar Association because of past membership in the Communist party. Bowing to the ACLU's argument on behalf of Raphael Konisberg, the court declared he could not be prevented from joining the California Bar Association although he would not say whether he ever had been a Communist.

At the behest of the ACLU, the courts also are making it difficult for state governments to deny employment to persons because they are Communists. In a recent case brought by ACLU affiliates, a Kansas federal court struck down a state loyalty oath required of all public officials, employees and teachers. The Minnesota CLU has asked the state supreme court to declare unconstitutional the Minnesota civil service rules denying employment to anyone who advocates Nazism, Communism, Anarchism, Fascism or is "in any manner disloyal to the U.S." And the Northern California CLU won a ruling in a federal district court that a man's refusal to say whether he is a Communist could not bar his employment as a postal worker.

The ACLU also has been effective in blocking at least one subversive investigation. In Tennessee it obtained a federal district court order prohibiting a legislative investigation of alleged subversive activities at the Highlander Education and Research Center.

In like vein, the ACLU has asked the U.S. Supreme Court to declare unconstitutional the provisions of the Subversive Activities Control Act which requires Communist-front organizations to register with the Attorney General. It also filed a complaint against a Justice Department order that the W. E. B. DuBois Clubs register as a Communist-front organization.

LEFT AND RIGHT

When criticized for defending the Left, the ACLU regularly replies that it also has defended the Right. Close examination of its activities of the latter type leads to some disturbing conclusions. The Union defended the Ku Klux Klan—contending that the House Un-American Activities Committee had no right to investigate it. This, of course, fits right in with the ACLU's call for abolition of the Committee.

The ACLU also has defended the right of policemen to belong to the John Birch Society. This dovetails with an ACLU aim to abolish all control over which organizations government employees may join. It also has defended Jehovah's Witnesses, contending that they cannot be required to give the pledge of allegiance to the American flag as a condition for attendance at public schools.

The Union protested revocation of the visa of Michael Struelens, director of the Katanga Government Information Office in New York City. The organization objects to Uncle Sam deciding who shall or who shall not enter the country.

When Governor Ross Barnett was charged with contempt of court for barring James Meredith from the University of Mississippi, the ACLU stepped in with an amicus curiae brief which contended that he had a right to a trial by jury. The Union's critics say that if it obtained all the jury trials it wants in civil rights cases, the courts would break down from sheer overload.

While the ACLU urges college presidents to allow Dow Chemical Co. to recruit students on campus, the Southern California CLU is defending four students who were arrested for allegedly participating in a demonstration to protest the same company's recruitment at State College in Los Angeles.

The Union enthusiastically supports the right of both Left and Right to demonstrate. In a case now pending in the Supreme Court, the ACLU has argued that the threat of a race riot in Princess Anne, Md., was insufficient reason for a court order banning a series of segregationist rallies in that town about two years ago by the National States' Rights Party.

Too, the ACLU contested a regulation of Washington police putting a 100-man limit on demonstrations at the White House. It also applied for an injunction to keep District of Columbia police from using the chemical Mace during riots, and it is seeking an injunction to prevent them from enforcing the statute prohibiting demonstrations at the Capitol. It sued the Los Angeles police chief for breaking up a demonstration against President Johnson. In Washington it argued that an alleged threat against the Chief Executive was, in fact, only rhetorical criticism of foreign policy. After a demonstration against the President in Killeen, Texas, the ACLU went to court on behalf of the demonstrators and won a ruling that the Texas disturbing-the-peace law was unconstitutional.

"BRUTALITY" CASES

In conjunction with lawyers employed by the Legal Service Program of the federal Office of Economic Opportunity, it launched, but lost, suits asking U.S. district courts in Newark and Philadelphia to appoint federal receivers to run the local police departments as a means of eliminating "police brutality," particularly during riots. (The Union also has five "police brutality" cases pending in Mississippi and three in Louisiana.)

The Philadelphia suit also asked for nullification of state laws against carrying concealed deadly weapons, sedition, riot, conspiracy, loitering and obstructing justice. The Newark case asked for a halt to the compilation of police dossiers on civil rights groups.

Asked why the ACLU rushed to the aid of Sirhan Bishara Sirhan, the accused killer of Senator Kennedy, Lawrence Speiser, director of the Washington office of the ACLU, told Barron's: "When President Kennedy was shot, Oswald was questioned by police without counsel; we didn't want this to happen with Sirhan."

ADDRESS OF GOV. RAYMOND P. SHAFER

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. DERWINSKI. Mr. Speaker, a week ago, the Polish American Congress, an organization representing the fraternal, civic, patriotic, veteran, and church groups among our Nation's Polish-American communities, held its quadrennial convention in Cleveland, Ohio.

One of the highlights of the convention was an address by Gov. Raymond P. Shafer, of Pennsylvania, at the convention banquet, Saturday evening, September 28.

Governor Shafer delivered an extremely eloquent and dramatic address and the very vital and current nature of his subject is of special significance. Therefore, I am very proud to place into the RECORD at this point the address of a distinguished American Governor speaking to the delegates of this important national organization:

ADDRESS OF GOV. RAYMOND P. SHAFER

My Fellow Americans:

You gather here in Convention at a critical time in our Nation's history.

Never have we Americans, as a people, been so divided, concerned and often confused by the violence and complexity that dominates our time.

It is a time when we must reach back into our past, into the courage of the people who helped make this Nation the most powerful and freest on earth, to seek a new hope and strength for our future—to find a new confidence in ourselves.

And where better can we look than to the courage, strength, sacrifice and loyalty of Americans of Polish descent and the great legacy they have given our land.

My own Pennsylvania is rich in the heritage of early Polish settlers whose marks of excellence have been left clearly along the path of progress we have made.

Even before the Puritans, Polish citizens were putting their roots deep into American soil from which they can never be torn.

Nor will America forget names like Pulaski that will forever be inscribed in our history.

The lagacy these men of Polish blood bequeathed to us is something more than public service. It is a living force of loyalty and love of country.

In my own State there is the grave of Stephen Decatur, a naval hero, who once gave this toast:

"My country—may she always be right—but my country, right or wrong."

Philosophers have, in the calm of booklined studies, speculated on the content of these words.

They have debated them, discussed them, argued about them. But Decatur forged them in the fires of burning ships, and in the face of Barbary pirates who had forced the mightiest nations on earth to pay tribute which a young America refused to pay.

We are now involved, in what may well be, the most unpopular war in our history. It has weighed heavily upon the hearts of our people.

The wisdom or folly of the Johnson Administration's policies with respect to that war are part of dilemma today. They formed issues on which our political parties will be judges in November.

But no Administration is America. It is only her spokesman. We must never lose sight of that fact—or the fact that the young Americans—many of them of Polish ancestry—who are fighting, bleeding and dying in Viet Nam stand apart from the policies that put them there.

They are American boys. They deserve the respect of Americans.

Whether they are instruments of freedom or victims of tragic bunders, they are our sons. They are performing the duties assigned them just as surely as the continental soldier or the soldier of any other war in which we have been engaged.

And the price demanded of many is the same which their fathers and uncles may have had to pay in a cause where the enemy and his mission stood in much clearer perspective.

They may, indeed, ask themselves whether the spokesmen for this Nation are right or wrong. But any doubts are subordinated to the higher concept of duty. And duty is the handmaiden of love.

The force that binds us to our flag is a mystic, beautiful force. It cannot be fully explained. It can only be felt.

It is what Richard Nixon felt a few years ago when he visited Warsaw.

Permit me to described that feeling in his own words:

"I looked back on my trip to the Soviet Union with little satisfaction and my impending visit to Poland with even less hope," he said.

"I had been briefed before Moscow not to expect any crowds in Poland—first it was Sunday, the only day off the workers were allowed, and secondly, the Polish government had not anounced the time of my arrival or the route of the motorcade.

"As we left the airport exit and turned on to the highway, I noticed small clusters of people shouting at us from the side of the road.

"Then, something hit me in the face. But it was not a rock, it was a bouquet of roses. I turned to Dr. Osker Lange, the Vice Premier and asked him what the people were shouting. He replied: 'Long live America.'

"The hope that was on their faces and in their tears was not because I could promise them freedom, but because they shared my abiding belief that the American spirit might be carried to all lands and all peoples. It was the most living experience of all my trips abroad."

What Dick Nixon found in those roses and faces was the hope and spirit of freedom that only a people who have known oppression can have.

In America, the joy of freedom and liberty has long been with us and many of us have forgotten how difficult it was to earn that joy.

We are becoming a shrieking society of demanding groups who are beginning to tear the fabric of democracy apart, instead of making the giant efforts necessary to keep it together.

Someone must provide the leadership to bring us all back together with ourselves, as a whole Nation, determined to bridge the differences that separate us so that every man and woman and child gets an equal chance at a decent life.

To do that, every individual is going to have to rededicate to the reasons for which America was founded. In just 38 days we Americans will have an opportunity to do just that.

We will be called upon to choose a new leadership or continue with the policies of an old leadership. Never has the choice been so important because this Nation of ours now stands on the threshold of a new unity or total division and destructiveness.

It is up to you and me not to let the American dream become lost or cheapened.

Thank you.

ORANGEBURG HELICOPTER PILOT A VETERAN AT 21

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. WATSON. Mr. Speaker, each generation of young Americans called upon to defend freedom has developed its own distinctive brand of battle expressions. No doubt the doughboy of World War I would have some difficulty in understanding the language of a communications team in Vietnam today just as the expression "over the top" would probably be foreign to the contemporary American fighting man.

Mr. Speaker, I must confess that some of the terms used by our military personnel in Vietnam are too sophisticated for many of us who are veterans of earlier conflicts. However, one thing is certain—our men in Vietnam are writing new chapters in heroism and bravery.

I have been particularly proud of the young men from South Carolina and the record of valor which they have achieved. Although it is not possible to mention each by name, I did want to share with my colleagues a story of one outstanding young man only 21 years of age who hails from my congressional district. As a helicopter pilot he logged about 1,400 combat hours—quite a record for a man who just became old enough to vote. You may not understand the jargon of this brave man, but one can only marvel at his fascinating story of sheer determination and "guts." For this reason I would like to include a recent article from the Orangeburg, S.C., Times & Democrat about CWO Kirk N. Nivens, Jr., as a part of my remarks, as follows:

ORANGEBURG HELICOPTER PILOT A VETERAN AT 21

(By John Faust)

"I spent over 1,400 hours in a Huey hauling Grunts to LZ's and then returning to pick them up at the PC . . .

"The slug popped through the chin bubble, slammed into my shoulder strap, went through the flak jacket and skinned out through my shoulder skin . . .

"We went in on the first lift of 10 ships and we got caught in a crossfire, taking 39 hits. The crossfire from two fifties knocked down three choppers and 19 Grunts got zapped . . . .

"I could see the muzzle flashes of the machine gun looking down between my feet through the bubble and saw the rounds whip by under the ship. We couldn't shoot back because the guns wouldn't depress that far. . . ."

Kirk N. Nivens Jr., a native of Orangeburg and son of Mr. and Mrs. Kirk N. Nivens Sr. of the Old St. Matthews Road, has only lately turned 21 years of age.

But during the first partial quarter century of his life he has been commissioned a warrant officer in the U.S. Army and flown 1,400 combat hours, flying a Huey helicopter in South Vietnam from August, 1967 until August of this year.

The time CWO Nivens spent in Vietnam was endured at the provincial capitol of Tay Ninh. Tay Ninh, according to U.S. Army maps, is located five miles from the Cambodian border in a patch of South Vietnamese ground that, on the map, appears to protrude like a face silhouette into Cambodia . . . a silhouette resembling Charles De Gaulle.

The Vaico Oriental River forms a small part of the border between the two countries but for the most part, the border runs through relatively flat land that is dotted here and there by squares of trees . . . easy infiltration for Viet Cong and North Vietnamese regulars.

The Tay Ninh base is primarily a support base with some 5,000 troops in the area.

When Nivens, a 1965 Orangeburg High School graduate arrived there in August of last year, he was placed under the wing of an experienced aircraft commander to fly as his copilot and gain experience.

"My first mission," said Niven, "was to lift troops on a combat assault to an LZ (landing zone) southwest of Saigon.

"We flew seven troops in the chopper and fortunately didn't draw fire on my first mission. I was apprehensive, to say the least."

Such idyllic flights didn't last long.

One week later while Nivens and his aircraft commander were settling down for a troop landing near a village, an AK 47, automatic rifle of Soviet or Chinese manufacture, opened up and stitched seven plunging hits into the body of the chopper, wounding a crewman in the hand.

"We were about 25 feet off the ground on the final approach," said Nivens, "and I heard the AK when it went off. We landed our Grunts (the term used by the flyers to describe infantrymen) and dusted off."

The "hairiest" mission Nivens participated in took place January 5 of this year.

"We took 39 hits on that one. We went in on a lift of 10 ships into the jungle area to the north of Tay Ninh in a morning drop.

"We got caught in a crossfire from heavy machine guns, three ships got shot down, a crew chief got killed and 19 Grunts were wiped out.

"We put them in," he said, "and when they ran into all that resistance, and we couldn't supply them into that jungle, we called in the Air Force for strikers and decided to lift them out again."

An estimated 700 VC were in the immediate area, of which 200 were killed by the 300 U.S. troops that had landed.

"We were afraid they'd get surrounded," said Nivens, "so we had to go in and get them out."

All but the last five ships had made their pickup when the Communists decided to saturate the PZ (pickup zone) with everything they had.

As the five Huey helicopters were in their short final, heavy machine guns, light automatic weapons, rifles and mortars zeroed into the small area.

"They were hitting us all over," said Nivens, "and we had to go back around for another try. But, they didn't quiet down when we tried it again and you could see the VC rushing across the open field."

Even with seven gunships putting the full effect of their rockets and machine guns into the ranks of the VC, they still persisted in their efforts to wipe out the Americans on the ground.

"The gunships would shuttle back and forth between the area and base where they'd get rearmed . . . but, we just couldn't get into the place.

"Out of 25 Grunts, the VC got nine . . . and I got nicked by a hit that came through the chin bubble, a shoulder harness and my flak jacket, taking the flesh off my left shoulder."

The impact slammed Nivens back from his forward leaning position as he watched for colored smoke that was to be laid down by the ground troops to mark the PZ.

The hail of fire was so intense the choppers were ordered back to base. A check on the five ships showed multiple hits on all, with Nivens' having sustained so much damage it was relegated to the scrap pile.

A hit on the rotor assembly had been so severe that during the flight back to base, the only thing keeping the chopper in the the air was a small cotter pin that resisted the efforts of a key bolt to fall out and put the chopper in a wild drop to the jungle below.

Nivens had two other ships shot from beneath him, once, a lucky hit by a VC gunner punched holes in the oil reservoir, causing the engine to seize up. Nivens autorotated the chopper into an open field that luckily wasn't under observation by the VC.

The second time, believe it or not, a mine put his ship out of action.

An artillery observer was forced down in a rice paddy and we lifted security troops in to set up a perimeter while they pipesmoked the crippled chopper out."

"Pipesmoked" means sending a huge Chinook helicopter in to lift out the smaller chopper bodily.

After the hit ship was taken out, Nivens was dropping in his flareout to pick up the security troops when he heard an explosion.

"I was landing right in the middle of the troops and thought that maybe they had set off a Claymore mine for some reason or had thrown a grenade into the paddy . . . didn't pay it much mind.

"But my engine just quit right on touchdown and when we looked at it found that shrapnel had richocheted through the exhaust stack and into the turbine blades of the jet engine putting it out of commission."

The other security troops were dropped back into the area and the pipesmoke lift requested again. Nivens rode out in another ship.

He had other actions that he regards as "routine." Such as flying treetop height trying to draw unfriendly fire; helping wipe out infiltrating patrols of VC; hauling troops into areas that were not secure and such.

He wears the Distinguished Flying Cross; Air Medal with 40 Oak Leaf Clusters and two "V" devices for valor; Bronze Star; Purple Heart; Good Conduct Medal; National Defense Ribbon; Campaign Medal with two battle stars; Vietnamese Cross of Gallantry for the Tet Offensive; and the Vietnamese Service Ribbon.

Nivens has seen a lot in his 21 years, the majority of it occurring before he was old enough to vote.

He will be stationed now at Hunter Army Air Field at Savannah, Ga., as an advance instrument instructor.

REEVALUATE PRIORITIES

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. STUCKEY. Mr. Speaker, on February 23, a Vietcong ambush immobilized the convoy in which a young man, Specialist Andy L. Musgrove, son of Mr. and Mrs. L. D. Musgrove of Homerville, Ga., was serving as a jeep driver.

Specialist Musgrove realized that the driver and assistant driver of the lead vehicle of the convoy were in a semiconscious state of mind due to initial shock of the attack.

Disregarding the value of his own life, he risked an intense barrage of enemy bullets in order to race to the vehicle, take the controls and lead the following convoy to safety.

For this courageous act, Specialist Musgrove was awarded the Army Commendation Medal with "V" device. He was decorated by the commanding general of the 9th Infantry Division "for conspicuous gallantry for his fellow soldiers and the people of the United States."

Specialist Musgrove is typical of the young people of the Eighth District of Georgia. In a split second, he was faced with a life or death situation. He did not falter for a moment. He made his decision and he acted on it.

What this young man did is what we expect a soldier to do. We take it for granted. That is what he is there for. Andy Musgrove and thousands of other young men just like him risk their lives every day for their country, while we sit comfortably in our homes.

Another young man, Wayne Anderson, is also serving his country. Some people may have forgotten Wayne Anderson. He is a member of the *Pueblo* crew.

And he is a prisoner in North Korea, waiting for the U.S. Government, his Government, to secure his return.

There are many Andy Musgroves and Wayne Andersons serving the United States around the world. Many of these young men may never have the opportunity to become heroes. Many will lose limbs while acquiring their hero status and, these limbs and other losses will be replaced with bronze and silver medals.

The stories of these valiant heroes do not make headlines. They are merely listed as statistics.

But, in the meantime, here at home, we read in the headlines about the dissenters and the peaceniks and efforts are made to arouse sympathy for these individuals. And, we read in the papers about professional agitators who claim to be dissenters and we sometimes see where these agitators have suffered bruises from a blow levied by a police officer after the agitator has spat upon this policeman or thrown a rock or taken some other form of overt physical action.

And, often the sympathy sought has been generated and these agitators—all the while spouting anti-American slogans—are made out to be martyrs and some segments of our society, even some people who are ordinarily considered to be reasonable citizens, begin to yell "police brutality."

Is it not time that we stop paying lipservice to these agitators and anti-Americans and begin giving notice to the true heroes of our country. A man loses an arm or a leg fighting for his country and he should be praised and noticed. An agitator takes a bump on the head from a police officer who is said to be overreacting while performing his duty and that agitator deserves the sympathy of no good American.

Let us reappraise our priorities.

THE RISING MENACE OF ADDICTION

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. PODELL. Mr. Speaker, the number of drug users is increasing among people in all social and economic levels. What is particularly tragic about the present trends in drug abuse is the sharp increase in drug abuse among the young people.

Before my election to this House, I served as the chairman of the New York State Joint Legislative Committee on Penal Institutions. As chairman of that committee, I had a unique opportunity to observe at firsthand the extent of the increased use of drugs and the tragic consequences of drug abuse.

According to the U.S. Bureau of Narcotics as of December 31, 1966, there were 59,720 active narcotic addicts reported in the United States. According to the Bureau of the total number of reported active addicts, 31,191 addicts or 52.2 percent of the total were in New York State. Based on investigations made by the Joint Legislative Committee on Penal Institutions, I am convinced that statistics dealing with known, tagged, and certified active narcotic addicts fall far short of the reality and extent of addiction in our Nation.

For example, Dr. Efren Ramirez, Administrator of the Narcotics Control Agency in the city of New York, reported that the New York City Health Department Control Narcotics Registry reports 35,000 to 40,000 active records for the entire city. Based on the narcotics registry and feedback from community information programs, Dr. Ramirez estimates 100,000 opiate addicts in the city of New York. To this there must be added an additional 100,000 addicted drug uses of other than opiates.

Statistics gathered by the U.S. Bureau of Narcotics indicate that the total number of known addicts is about equally divided between white and Negro people. On the other hand, the Bureau reports that known addicts under 21 years of age numbered 2,118, of these 534 addicts or 25.2 percent were Negro while 1,579 addicts or 74.6 percent were white. This is reflected in the fact that drug abuse is as serious a problem in the suburbs as in the slums, at Ivy League campuses as in ghetto schools, and in the high schools in every variety of neighborhood.

The extent of drug abuse on college campuses is indeed striking and frightening. Commissioner Lawrence W. Pierce, chairman of the Narcotic Addiction Control Commission of New York State, estimates that between 23,000 and 30,000 college students are placing their lives and their futures in jeopardy through experimentation with drugs. Indeed, surveys clearly disclose that entering freshmen to our colleges and universities had already sampled a variety of drugs before their high school graduation. Compounding the campus problem of drug abuse is that fact that some faculty members also indulge in experimentation with drugs.

A major difficulty in coping with the addiction problem is that so many of the abuses are highly skilled, intelligent, and articulate people who have intellectualized drug use and have developed cliches and refulgences which have great appeal. This is particularly true with respect to psychedelics and hallucinogens which have been endowed with some particular mystical significance as holding the key to otherwise impenetrable insights.

This has ever been the way of man. Just slightly over a hundred years ago, many people thought they were achieving new insights about themselves and the universe through intake of nitrous oxide, laughing gas. Robert Southey, a sensitive English poet, wrote:

> I experienced the most voluptuous sensations. The outer world grew dim and I had the most entrancing visions. I lived in a world of new sensations.

These feelings produced by nitrous oxide are in essence the sensations described by LSD users.

In addition to the hazards to which they expose themselves through the use of drugs, to hepatitis and other diseases resulting from the use of instruments not sterile, drug abuse leads to criminal activity. According to the report of the President's Commission on Law Enforcement and Administration of Justice, police estimate that between $3 and $5 worth of property must be stolen to realize $1 in cash on the illegal market. In New York City, the narcotics habit averages to a daily cost of approximately $23. It is reliably estimated that New York City addicts annually steal goods valued from half a billion to a billion dollars amounting to about 50 percent of all thefts in our city.

Crime reports of the city of New York disclose that 20 percent of arrests for felonies against property and 80 percent of arrests for prostitution involved addicts. In fact, in any 1 year in New York City some 19,000 persons arrested for criminal activity admit to narcotics addiction.

Clearly what is urgently needed is a broad education program at all school levels exposing the risks and hazards of drug abuse. Greater deployment of law-enforcement officers to the distribution and sale of narcotics is imperative. In many areas throughout our city, narcotics are openly sold in the streets including streets near high school sites. Greater penalties must be imposed on the pusher to take the profit out of the narcotics business. Improved rehabilitation services must be made available for those ensnared in the addiction trap. Above all, as a creative society we must establish new goals to rid our life of the malaise which afflicts so many of our young people.

THE 1968 AMENDMENTS TO THE OLDER AMERICANS ACT

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, a little over 3 years ago the Older Americans Act of 1965 became law. In the 34 months since its enactment, we have had ample opportunity to evaluate how effectively it has begun to meet the challenge posed by our millions of older citizens.

Statistics alone are meaningless, but when reviewed can become valuable aids in understanding the nature of a problem. In terms of sheer numbers alone, it is clear that the problems of 19 million older Americans cannot be ignored. The fact that by 1980 there will be nearly 25 million older people only serves to sharpen the focus of our concern. Of the problems facing our society today, few indeed are more critical than those facing older Americans. These problems are not limited to a single area, nor are they restricted to those over 65. On the contrary, the questions of income, of health, of housing, and of productive use of time are matters which affect us all.

Though primary responsibility for solving the problems of the aging must remain with State and local governments, with private organizations, and with individual citizens, it is nevertheless clear that insofar as these problems are nationwide, there is a Federal responsibility as well. The Older Americans Act of 1965 was an unequivocal declaration of national concern for the aging. Title II created the Administration on Aging, thereby establishing a strong central point within the Federal Government for focusing concern upon the problems of older citizens. The provisions of this act have meant that the resources made available to provide new opportunities and services for the elderly have been multiplied many times over.

Under title III grants are made to the

States to coordinate and expand existing programs for older people, to carry out demonstrations of programs or activities of particular value, to establish new programs, and to train needed personnel. In 34 months of operation, the plans of 46 States, the District of Columbia, Puerto Rico, and the Virgin Islands have been approved. Some 650 State-approved community programs are now in operation, serving an estimated 600,000 older people in a variety of ways.

Through its grant program in title IV, the Administration on Aging has made 100 grants for research and development of new approaches and programs to meet the needs of older people. Fifty grants have been made under the provisions of the training grant program, to help combat the critical shortage of trained personnel that exists in the field of aging. To date, some 3,000 people have either already received training or are now enrolled in a training program funded under title V.

In addition, the Administration on Aging has carried the major responsibility for administering the Foster Grandparent program, under contract with the Office of Economic Opportunity. The success of this program has been widely recognized and praised—and with good reason—for it offers older people the opportunity of playing a valuable role in providing personal care to infants and children living in institutions. Initially started in 22 States, the program has now grown to include some 4,000 foster grandparents in 157 facilities, in 38 States and Puerto Rico.

Federal concern for the aging has steadily increased over the last 3 years. New housing legislation, medicare, the Older Americans Act, and many other actions taken by Congress have helped generate new interest in, and provided new opportunities for, millions of those who have reached the age of 65. Yet in view of the problems still awaiting solution, the work has barely begun.

The Older Americans Act sets forth 10 major objectives in title I, clearly stating the rights and privileges which should be provided for all our older citizens. Federal responsibility toward attaining these objectives must not falter. It is for this reason, Mr. Speaker, that I so strongly urge passage of the 1968 amendments to the Older Americans Act. The soundness of this legislation has already been demonstrated many times over, so there can be no quarrel about its value. But the time has come when we must act to strengthen and reinforce the Older Americans Act, in order to increase its effectiveness. The older population in this country is not static. On the contrary, it increases by over 800 every day. Clearly then, programs for older citizens must expand to meet this challenge. The 1968 amendments to the Older Americans Act will determine in large measure the degree to which we can succeed in meeting this challenge. If Congress fails to enact these amendments now, we run the very real risk of not only jeopardizing future programs for the aging, but also of seriously weakening those already established. Federal concern for the older members of our society is an acknowledged fact; Federal responsibility must prove equal to this concern.

The amendments we are considering today are both significant and imaginative, and would help open doors of opportunity and participation for increasing numbers of older Americans. The provision to strengthen State agencies on aging, for example, would permit a much-needed increase in statewide planning, evaluation, and coordination of programs for older people. A new section would be added to title IV, authorizing the Secretary of Health, Education, and Welfare to set aside up to 10 percent of the title III appropriation for any fiscal year, to be used on a project-by-project basis for statewide, regional, metropolitan area, or other areawide model projects. Projects will be conducted in priority areas as identified by the Secretary, with the Federal Government providing up to 75 percent of the cost for development and operation of such projects for 4 years.

The significance of this amendment is the flexibility it will give to State agencies and the Secretary in responding to the urgent needs of older people by concentrating on areawide approaches to their problems. Action programs which provide effective organization and allocation of resources for meeting urgent social needs can be implemented throughout an entire city, a county, or region of a State, or on a statewide basis. This broad type of coverage should insure that services to all older people in a given area would be more readily available.

Another important provision of the amendments provides that title III grants can be made for a period of 4 years. Extending the grant period from 3 to 4 years is necessary for two reasons: it would enable States to assure the continuation of proven community projects and services through crucial periods, and would also allow additional time for developing local financial support for community projects.

One of the most significant provisions of the amendments would add an important new title to the Older Americans Act, authorizing a program of "service roles in retirement." The Secretary of Health, Education, and Welfare would be authorized to make grants to, or contracts with, public or nonprofit private agencies so that people aged 60 and over would be employed to render supportive services to children and to older persons with exceptional needs. Preference would be given to low-income older people. Three types of programs would be authorized under this new title:

First. Services by older persons to children receiving institutional care in hospitals, homes for dependent and neglected children, or other establishments providing care for children on a temporary or permanent residential basis. At least 90 percent of the older persons serving in these projects would be low income.

Second. Services by older persons to children in such capacities as aids or tutors in setting such as day care centers or nursery schools for children who are from low-income families—or from urban or rural areas with high concentrations or proportions of low-income persons.

Third. Services by older persons to older persons in need of special, personalized assistance because of physical infirmities or other special circumstances.

This title would thus combine two essential concepts: it would provide new opportunities for older Americans to use their skills and talents in their communities, and at the same time, enrich the lives of neglected children and of less fortunate older people.

A final important provision of the 1968 amendments would transfer funding for the foster grandparent program from the Office of Economic Opportunity to the Department of Health, Education, and Welfare. This transfer seems to me to be imminently sensible and logical. Both Secretary Cohen and the OEO Director, Mr. Harding, have issued a joint statement in support of the transfer.

Mr. Speaker, the legislation we are considering here entails a profound responsibility, and as one of its cosponsors, I do not urge its enactment lightly. The 1968 amendments to the Older Americans Act are absolutely vital to the continuation of our efforts to solve the problems of aging in the modern world. The Older Americans Act of 1965 established a framework for solving these problems—problems which are both formidable and growing. It is encumbent upon us, as Members of Congress not to cripple this framework, but to do all in our power to strengthen and reinforce it.

I firmly believe that all of us have a stake in the quality of American life for all our citizens, and I am convinced that enactment of the 1968 amendments to the Older Americans Act will help improve that quality for the older members of our society. It is for this reason that I again urge prompt and favorable action on this important legislation.

I am also convinced that the time is drawing near for a thoroughgoing review of all our present policies and programs affecting older people. Such a review is not only appropriate, but in this time of rapid change, it is essential. It is for this reason that I along with many others in Congress introduced a resolution calling for a White House conference on the aging in 1970. The resolution has been passed by both the House and the Senate and is now in the hands of the President. It is my firm belief that older Americans not only require, but richly deserve, all the attention, effort and resources available to us.

HUMPHREYISM NO. 9

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the Record, I include the following:

From a collection of Representative Henry C. Schadeberg (R. Wisc.):

"This Administration has no plans of accelerating the war and extending it to the north." (Denver, Colo., Sept. 12, 1964.)

"THE VULNERABLE RUSSIANS"

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. DERWINSKI. Mr. Speaker, the recent action of the Russians against Czechoslovakia reminds one of an old Kazakh proverb quoted in the current volume "The Vulnerable Russians." The proverb warns:

> When you travel with a Russian, make sure you carry an axe.

Not that Czechoslovakia was by any means free to even carry an ax. No state in the Red empire can afford to permit the range of freedom sought by the captive nations of Czechoslovakia. To maintain basic Soviet Russian domination in Eastern Europe, Moscow showed its hand regardless of effects on world opinion and the mythical image of it developed by "detentists" in our country.

This sharp turn of events should necessitate a fundamental reevaluation of our policy toward the U.S.S.R. The so-called pragmatic, survival pact between Moscow and us has cost us heavily in honor, friends, integrity, and security. The book on "The Vulnerable Russians" reveals all this so well. Authored by Dr. Lev E. Dobriansky of Georgetown University, this plainly written work furnishes one a unique background leading to the sordid actions of Moscow in the present. After reading this book, one can rest assured that Red-dominated Czechoslovakia is not the last syndicate member to be straightened out.

The work is now available at the Georgetown University bookstore, White Gravenor, Georgetown University, Washington, D.C. Numerous reviews of the work show an unusual interest in the several theses advanced by the author. For example, the following review, which appeared in the June issue of the New Guard, a publication of Young Americans for Freedom, will give the reader the type of absorption made possible by the work:

> Dr. Lev E. Dobriansky's latest book fills a gap found all too often in one's approach to the Soviet Union. The noted author, economist, political adviser, and currently professor of economics at Georgetown University, bares the USSR for what it is: the unwilling union of many once-sovereign states, some of whom having their own distinctive language, customs and heritage.
>
> Dr. Dobriansky points out that the Soviet Union is not Russia. When the captive nations are mentioned, too many people think only of those countries absorbed by Russian expansionism after World War II. However those non-Russian nations within the borders of the Soviet Union are captive nations in the truest sense of the term. The Ukraine, White Ruthenia, the Baltic states, and Turkestan are just a few. The author notes that of the total population of 230 million in the USSR, only 110 million are Russians. Furthermore Moscow thrives on these non-Russian colonies within the USSR. They form her greatest strength, as well as her greatest weakness. The industry, the resources and the people form the strength; the flames of nationalism, which still burn in the hearts of these once-free, still proud people, form the Soviet Union's major weakness.
>
> The surest way to emasculate the Soviet union, asserts the author, is to detach these captive nations from the grip of Moscow. To do this the flames of healthy nationalism in these states must be fanned. Dr. Dobriansky maintains that emphasis should be given to psycho-political warfare, an area in which the United States lags far behind the Russians. The U.S., which for too long has held a continuously defensive posture in the Cold War, must take the initiative.
>
> We must make no mistake, emphasizes Dr. Dobriansky, that we are at war, a cold war, yet one directed toward the goal of our final subjugation. We must approach this war with a view towards victory. Explaining the nature of this war, and the nature of the enemy—an indispensable element toward any victory—becomes the prime tasks taken on by the author. He traces the threads of Russian imperialist expansionism back to the early days of Muscovy. Even then Moscow was master of psycho-political warfare, propaganda, and power diplomacy. Dr. Dobriansky concludes it is not the ideology of communism that we are fighting, today in Vietnam, yesterday in Korea, Greece, Turkey, China, the Philippines, etc. It is the new wave of the old Russian imperialism that lies masked under the banner of ideological "communism," a "communism" that Marx would be hard pressed to recognize. We should, in short, condemn Communist aggression for what it is—imperialism.—MARK A COYLE and ROYAL M. WHARTON.

PATRIOTISM IS NOT DEAD

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. PETTIS. Mr. Speaker, I attended an outstanding event 2 weeks ago sponsored by the Twentynine Palms Marine Corps Base. It was such an amazing and outstanding success in patriotism that I would like to share this experience with my colleagues.

I watched and listened; they watched and listened; we felt—yes, we experienced together the thrill of our heritage parading before us on the high desert stage of Luckie Park in Twentynine Palms, on Friday night, that memorable 27th of September, 1968. A crowd of 10,000 spectators from southern California and elsewhere in the United States and Canada attended and, despite the comfortable, warm, dry air, there were few dry eyes among them. This was the scene of the Marines' desert spectacular—a military tattoo and evening parade—sponsored, directed, and produced by Marine Corps Base, Twentynine Palms, Calif., Brig. Gen. Regan Fuller, commanding. Patriotism dead: do not believe it. Promptly at 8 o'clock the huge special lights, contributed for the occasion by Warner Bros.-Seven Arts Studios, were extinguished, and a strong spotlight illuminated two Marine noncommissioned officers in dress blues holding a ship's bell, which then was rung with authority by the sergeant major. From the moment of that ringing, an existential link was forged between spectator and performer: a silent clamoring for more could be sensed as the crowd leaned forward to follow the spotlight across the field. The light fell on a solitary marine leading the bulldog mascot toward the crowd. The marine stopped in midfield, saluted, and proceeded forward smartly to the applause of the spectators. Then silent anticipation, as the spotlight shifted to play on the massed trumpeters of the Marines and Canadians and their fanfare: a harmony of service, color, and regal music—the show was on. A 24-gun barrage then saluted the distinguished guests, Lt. Gen. Victor H. Krulak, U.S. Marine Corps, retired, and Mr. J. Gear McEntyre, Canadian Counsel General at Los Angeles. It is difficult to describe the feeling of personal warmth and pride I had in being a part of all this, but the surface of the program hardly had been scratched.

Simulated daylight flooded the green carpet that is the turf at Luckie Recreation Park. Centered was the nucleus of the most impressive flag pageant one could imagine. One by one all the flags that have flown over this Nation from just prior to its inception until the present were introduced by marines in period uniforms from the Marine Corps Recruit Depot in San Diego, who, supported by a stirring narration, told the story of a people who have worked, loved, fought, and died to build a tradition of "liberty and justice for all," where "the pursuit of happiness" is not a dream choked with frustration but a reality. As marine after marine depicted each period in our history, the plaudits of the crowd rose in a crescendo that voiced effusively: "We are grateful, we understand, we are part of it."

This evening was not only a spectacle of patriotic splendor and colorful precision but also of timing: there were no lags. The flag pageant barely had departed to the periphery of a darkened stage, when suddenly a blaze of brilliant brass and dress uniforms sparkled in new light, and equally dazzling martial music marked the entrance in rapid tempo of the Marine Corps base, Twentynine Palms' band in their dress blue uniforms whose outstanding 5-minute performance was followed by the Princess Patricia Canadian Light Infantry Band, Edmonton, Canada. A symphony of white helmet, scarlet tunic, and musical precision greeted the onlookers who were spellbound also by the delayed cadence marching routine and the flawless showmanship of the drum major. From a distant corner of the field came the gloriously unusual sound of the pipes and drums of the U.S. Air Force Pipe Band, Washington, D.C., whose technical excellence thrilled openmouthed spectators, as kilted pipers, drummers, and a dancer each soloed.

The last of the bands boasted a solid blend of instrumentalists who wore the blue jackets of the Canadian Forces Naden Band, Victoria, B.C. The cliche held true: Indeed, these were not the least apt performers. There was no dearth of talent anywhere in this 2-hour highly professional testimony to American patriotism.

The individual performances certainly would have satisfied all of us gathered there, but then as everyone rose to attention, the massed bands mesmerized the gathering with renditions of "O Canada" and the "Star-Spangled Banner," as colors of each nation respectively were raised and spotlighted.

Onto the field marched the marines of

the Provisional Infantry Battalion in full battle dress. All bands "sounded off," the horse-mounted color guard from Camp Pendleton trooped the colors, and the distinguished guests accompanied the commanding general to the reviewing stand. "Ruffles and Flourishes" and the "Flag Officer's March" were played as Lieutenant General Krulak's three-star flag was "broken."

At this point Brigadier General Fuller was introduced. Carefully chosen words explained the purpose of this pageantry as he paid tribute to the masses before him and to the military personnel who were to be honored next on the program. "Patriotism," he said convincingly—in other more effective words—"is very real and very much in evidence in the living testimony that is yours tonight." Personnel to be retired and also those to be decorated moved forward as the commanding general and distinguished guests individually presented their decorations and awards. The marines of the Provisional Infantry Battalion fixed bayonets and passed in review; the honorees joined Brigadier General Fuller to review the troops.

The eyes of 10,000 spectators and a thousand military participants collectively sparkled from the dew that had begun to gather there while the massed bands played "America the Beautiful." Spellbound, each one in his own way experienced in his mind's eye the glorious personal panorama that is his country—truly, a beautiful America. The crowd was silent. A lone piper strode forward to play the "Scottish Lament." Canadian and Marine buglers sounded "Tattoo," and the "Last Post" while the flags of both nations were lowered.

The bands played as they left the field. Reluctant to admit that the 2-hour performance had concluded, the crowd slowly departed—there was no rush to the gates as there is following an athletic contest. Many pushed forward to congratulate and thank Brigadier General Fuller for a thoroughly rewarding experience that they will never forget. An orderly, satisfied people, aided by members of the California Highway Patrol and the San Bernardino County Sheriff's Department, made their way to their homes. An inner glow warmed them as the night cooled.

In retrospect, we saw a town of about 6,000 people, complemented by 4,000 visitors, turned out for the desert spectacular featuring the combined efforts of 1,000 troops of Canada and the U.S. Marine Corps. Some 79 percent of those marines were combat veterans of the war in Vietnam. Cooperative efforts of townsfolk and military personnel from San Diego, Camp Pendleton, and Twentynine Palms, the Twentynine Palms' Park and Recreation District, the Morongo Unified School District, the U.S. Air Force, the Canadian Government, and myriad others, some heretofore mentioned, created this splendid work of art that was the Twentynine Palms' desert spectacular.

Our Nation and its citizens? No one who was there would question where they stand. What about demonstrations—were there no demonstrators? Yes, there were those too—the proper patriotic kind. Tears were noticeable in thousands of eyes, deafening applause was in evidence, standing ovations were the vogue, and throngs were heard singing the "Star-Spangled Banner"—an affirmation of the words of the host of the night, Brigadier General Fuller, who saw patriotism in action. The "Star-Spangled Banner" still waves proudly over the heads of moist-eyed citizens in this our "land of the free and the home of the brave."

ESTABLISHMENT OF A FOREIGN TRADE ZONE AT PORTLAND, MAINE

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. HATHAWAY. Mr. Speaker, a disparaging attack was made in this Chamber last Thursday on the Johnson administration, our esteemed Senator EDMUND S. MUSKIE, and all of the States of New England in connection with the application of the State of Maine for establishment of a foreign trade zone at Portland and a subzone at Machiasport in that State.

A charge was hurled that "the fix is on" in the Johnson administration to approve oil import quotas for the proposed trade zone refinery at complex at Machiasport. It was stated that the agreement by the U.S. company proposing to operate the refinery to contribute millions annually to a nonprofit natural and marine resources foundation for New England projects and to introduce heating oil at competition into New England is an effort to "buy" regional support for the plan.

Such charges, whatever their motivation—and I do not question the motives of the gentlemen making them—could be made only in the absence of knowledge of the facts about the Maine project.

The project was developed and sponsored by Gov. Kenneth M. Curtis, of Maine—its purpose is to bolster the economy of Maine and that of New England generally. It has the support of the Governors of all six New England States and of virtually the entire bipartisan New England congressional delegation. It has the backing of the New England Regional Commission, established under title V of the Public Works and Economic Development Act of 1965, and the New England Council.

Such support is not surprising to those who understand that the project will meet important State, regional, and national economic, social, and security goals.

This project will lower the cost in New England of heating oil to consumers by approximately $50 to $60 million annually. By reducing the cost of oil to the Department of Defense, it will save $6 million annually of tax funds. The size of the proposed refinery, domestically located, will give U.S. Armed Forces an added measure of supply security in the event of emergency.

The plant's location in Maine will help achieve another strategic goal, dispersal of the Nation's refinery capacity. Oil refineries are heavily concentrated along the U.S. side of the Gulf of Mexico.

Washington County, Maine, site of the projected subzone, has been designated a depressed area. The building of the refinery at Machiasport not only will create jobs in itself but also will attract other important industries to provide desperately needed employment opportunities.

In view of such facts as these, it is not surprising that Maine's application for establishment of a foreign trade zone and subzone is receiving such strong bipartisan support. It is a constructive plan, deserving of support.

Why, then, the suddenly vocal and deeply bitter opposition to the project now being expressed in some quarters?

The answer is not far to seek.

The major oil companies and the big, rich independent oil producers, concentrated in a few States, are against the Maine project. As beneficiaries for 10 years of the U.S. oil import program, their vested interests do not wish to share the benefits. They traditionally operate on the basis that "Them that has—gits." They do not want to cut anyone else in on the game.

Their opposition to the Maine project is based solely on their desire to maintain their large profits and to block any competition which would reduce the price of petroleum products in New England.

Opponents referred to the project as an economic giveaway. In fact, the oil import program has operated as a giveaway for 10 years—a giveaway of approximately $500 million annually to the big, rich oil companies. It is enough to finance a small war and that is just what it does—a war against the people of New England.

They want to keep monopoly control over the oil import quotas. They insist on preventing competition within the New England States. Their financial power makes it easy for them to find spokesmen to serve their selfish purposes.

The bipartisan Maine project, assailed in the Chamber as a "Handout" and "political payolla," is, in fact, designed to reduce the price poor families in New England pay for heating oil and gasoline, to provide jobs in a deeply depressed area, to serve the interests of national security, to save money for taxpayers, and to aid in the U.S. balance of payments.

Mr. Speaker, I submit that these are worthy goals. They have extensive bipartisan support. They should not be distorted for selfish political purposes.

I believe the American people are fedup with the influence of big oil in our national affairs. They are rightly skeptical when spokesmen for big oil hurl reckless charges at individuals in an effort to focus attention away from the machinations of greedy men seeking to destroy the just and fair aspirations of a region seeking its own place in the economic sun.

The State of Maine has followed proper legal procedure in its application for creation of a foreign trade zone and subzone. There is a strong presumption in the Foreign Trade Zone Act in favor of granting such application. The act provides:

> If the Foreign Trade Zones Board finds that the proposed plans and locations are suitable for the accomplishment of the purposes of a foreign trade zone under this act, and that the facilities and appurtenances

> which it proposed to provide are sufficient, it shall make the grant.

Mr. Speaker, a public hearing will be held on Maine's application at Portland on Thursday and Friday of this week. Witnesses will produce evidence that plans for the Maine project fully meet these specifications.

The influence of big oil extends far and wide, and I have no doubt that attacks on the Maine project will continue. But the merits of the plan will serve as a shield against such attacks. The right of the people, not the might of the big oil, should and must prevail in this instance.

THE LOW ROAD INTO THE HISTORY BOOKS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. **ASHBROOK**. Mr. Speaker, it is a strange phenomenon of political life that some politicians, having gained office, tend to feel cleansed of all past sins, tend to forget that their lives and statements did not begin anew when they took office. This phenomenon appears frequently when you look at political promises and it recently became quite apparent in the area of political tactics.

In the space of time between 1964 and today, Lyndon Johnson has changed from an apostle of fear and emotionalism to a decrier of these very tactics. He has, apparently by the sheer passage of time, been converted from a master of the political low road to a proclaimer of the political high road.

It was thus that President Johnson called on September 28 for "an end to hate and fear as vote-gathering tactics."

The New York Times quoted the President as coming down hard on the politician "who exploits fear and hate and prejudice." These tactics are, the President said, "choosing the low road."

This position is commendable. All candidates and all Americans should continue to strive toward clean, accurate campaigns. Fairness and a lack of hysteria should be watchwords of any election. But it is astounding that the President could find the impudence to expound on these political virtues.

It takes very little effort to remember the television ads sponsored by the Democratic National Committee—Lyndon's committee—in 1964. Few Americans will forget the little girl in the sunny field picking daisies, the voice growing in the background announcing the countdown, and at "zero" the television screen filling with the nuclear blast scene. Viewers were then treated to the voice of Lyndon Johnson saying:

> These are the stakes, to make a world in which all of God's children can live, or to go into the dark. We must either love each other, or we must die.

This is the politics of fear. This is emotionalism. This is pandering blatantly to fear. Yet last week Lyndon Johnson was saying:

> For some, the temptation is to trade openly on anger and discontent (as if there was no crime in the nation, and, and no lack of enforcement by his attorney general); to arouse emotions in order to exploit them (as if insinuating a little girl is not emotional, and fearful); to blatantly ponder to fear and prejudice; to use the code word of hate (or the bomb?); to offer rhetoric and slogans and angry accusations in the place of solutions (as if there were an answer in that advertisement.)

Last Saturday Lyndon Johnson said:

> There is another road which can be taken, it is the uphill road of responsibility: the way that is often steep, sometimes lonely, always the most difficult. In my opinion this is the only acceptable way today. This is the honest way to go to the people.

"Today" it may seem to the President to be the only acceptable way. But in 1964 nearly anything was acceptable. As another example:

In 1964 another little girl licked an ice cream cone and told TV viewers that people used to explode atomic bombs and that the fallout made children die. This emotional pitch was delivered across the Nation. A Geiger-counter ticked ominously in the background, Barry Goldwater was equated with the killing of children by the line—

> So if he's elected, they might start testing all over again.

Then the voice in the background added:

> Vote for President Johnson on November third. The stakes are too high for you to stay home.

Is this responsible campaigning? Is this not pandering to fear, emotionalism? Is this not a vile, invidious tactic typifying the lowest of all possible roads?

The Democrats took the ad off the air at the request of the Fair Campaign Practices Committee. The committee commented that it had received volumes of mail and phone calls from Democrats and Republicans who were shocked, offended and angered.

The advertisement of Lyndon Johnson's party which saw the social security card torn up also comes to mind, along with other statements of both Johnson and HUBERT HUMPHREY.

Few would stand up for Lyndon Johnson's political virtue based on this campaign statement:

> We are now told that we, the people, acting through government, should withdraw from education, from public power, from agriculture, from urban renewal and from a host of other vital programs. We are now told that we should end Social Security as we know it, sell TVA, strip labor unions of many of their gains, and terminate all farm subsidies.

The President should ask himself—Is this really telling it like it was.

The Democrats under Johnson depicted Goldwater as the beast, the wrecker of society, the amoral candidate. Yet, it was Goldwater who came to Johnson during the campaign and pledged not to make an issue of riots. And, naturally, as Theodore H. White noted, this pledge "was Goldwater's loss."

White also notes Goldwater's decision on the Jenkins affair. It is fitting contrast to Democratic campaign tactics.

White states:

> When the Jenkins affair came out the Republican candidate was in Denver . . . Here if ever was demonstration of his charge of moral decay, of sickness of soul, of bestiality in Babylon. Yet the Goldwater painted as a killer by the Democrats could not bring himself to hurt an individual; urged by his young men to hammer the issue, to make the most of it as if a gift had been given him—he simply refused.

One must assume that Johnson also had control over his running mate, especially since he has exerted so much control in the past 4 years. Yet HUMPHREY was right in there with his form of irresponsibility and his panderings to fear and emotionalism. In Madison, Wis., October 27, 1964, HUMPHREY harangued that the election of Goldwater would create "a garrison state in a nightmare world, isolated from everything except a nuclear reign of terror." He states that Goldwater's positions were "dead wrong—tragically, dangerously wrong. The solutions he offers are no solutions at all. They are instead a sure path to widening conflict and ultimately to a terrible holocaust."

Author Lionel Lokos noted that a week before this statement HUMPHREY "had summed up what he thought the next three weeks would be like in these words: 'the hardest, roughest, and I'm afraid, the meanest of the campaign.' "

In light of the advertising, one might attribute to this statement both planning and prophecy.

The prophets of fear in 1964 are now becoming the decriers of that same form of political fear.

It is a strange phenomenon. Not unlike hypocrisy.

Mr. Speaker, I include at this point the article from the New York Times of September 29, 1968:

JOHNSON DECRIES POLITICS OF FEAR—URGES END OF HATE TACTICS IN GATHERING VOTES AND MAKES UNITY PLEA

(By Bernard Gwertzman)

FORT MITCHELL, KY., September 28.—President Johnson called today for an end to hate and fear as vote-gathering tactics in a plea for unity in this "season of bitter debate."

Without mentioning by name any of the Presidential candidates, Mr. Johnson said, "When feelings are so deep and emotions are so high, it is tempting for some to play upon the fears and uncertainties of their countrymen."

"For some, the temptation is to trade openly on anger and discontent; to arouse emotions in order to exploit them; to pander blatantly to fear and prejudice; to use the code word of hate; to offer rhetoric and slogans and angry accusations in the place of solutions," Mr. Johnson said.

SPEAKS AT COLLEGE

The President's remarks on campaign ethics were included in a speech he had prepared for delivery at dedication ceremonies for Thomas More College here.

Mr. Johnson flew here after addressing the National Postmasters Convention in Washington this morning.

He said here that anyone "who exploits fear and hate and prejudice" was choosing "the low road" to the presidency.

"There is another road which can be taken," he went on. "It is the uphill road of responsibility: the way that is often steep, sometimes lonely, always the most difficult."

"In my opinion," Mr. Johnson said, "this is the only acceptable way today. This is the honest way to go to the people."

Mr. Johnson has endorsed the candidacy of Vice President Humphrey and seemed to be hitting out at both Richard M. Nixon, the Republican candidate, and George C. Wallace, the third-party candidate.

RECALLS SITUATION IN 1787

The President said, "some people discovered a long time ago that it is easier to scare people than to reason with them; it is easier to shout 'fire' than to fight fire; it is easier to condemn 'crime' than to conquer crime."

Both Mr. Nixon and Mr. Wallace have made a major campaign issue of the rising crime rate in the cities, and particularly in Washington.

Mr. Johnson likened the current situation in the United States to that at the Constitutional Convention in Philadelphia in Sepember, 1787.

"Out of a wearying, turbulent assembly," he said, "came the answer to a fundamental American question: Could our people, in spite of all their differences, be one nation, one people? Could the adventure in liberty which began in 1776 live on—or must it die in disunity and defeat?

"That is a question which faces you and me—and all Americans today."

NATIONAL BUSINESS WOMEN'S WEEK

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. JOHNSON of California. Mr. Speaker, the male population's hat is off to our business and professional women as observance of National Business Women's Week, October 20-26, gives credit where credit is most certainly due. More than 3,800 clubs in every congressional district will spotlight woman's role in today's world by means of congresses of career women leaders.

The career woman of today adapts easily to her multiduties life, is gracious and understanding, efficient, and dedicated. In a world of challenges her role is ofttimes difficult but always exciting. The rewards of work well done lie not alone in one's personal satisfaction but also in recognition from the coworker, the neighbor, the friend, or, yes, employer.

I join in saluting all our career women.

SENATE—*Tuesday, October 8, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, our Father, we turn from the wild confusion of the world without, praying that Thou wilt cleanse our hearts from secret faults.

We lift grateful hearts for the heritage that is ours, bought by toils and tears other than our own.

In the eternal struggle of truth and error, tyranny and liberty, give us the assurance that we do not fight alone, but that Thy increasing purpose is bound up with all this human struggle toward the goal of man's redemption from ignorance, hunger, and chains.

Riding forth with knightly valor, may we bear in our hands the commission of ancient days, "He hath sent us to bind up the broken hearts, to proclaim liberty to the captives and the opening of prisons to them that are bound, to proclaim the day of justice of our God."

We ask it in the Name that is above every name. Amen.

CALL OF THE ROLL

The PRESIDENT pro tempore. The Senate having adjourned yesterday in the absence of a quorum, the clerk will call the roll to ascertain the presence of a quorum.

The bill clerk called the roll, and the following Senators answered to their names:

[No. 321 Leg.]

Aiken
Allott
Anderson
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Curtis
Dirksen
Dodd
Eastland
Ervin
Fannin
Fong
Goodell
Griffin
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McClellan
McGee
McIntyre
Metcalf
Mondale
Morton
Moss
Mundt
Murphy
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Russell
Scott
Sparkman
Spong
Stennis
Symington
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from New York [Mr. JAVITS], the Senator from Iowa [Mr. MILLER], the Senator from Maine [Mrs. SMITH] and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kentucky [Mr. COOPER] is absent on official business.

The PRESIDING OFFICER. A quorum is present.

THE JOURNAL

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, October 7, 1968, be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEWIS G. ODOM—A VALUABLE STAFF MEMBER OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. SPARKMAN. Mr. President, Lewis G. Odom, Jr., who during this Congress served as staff director of the Committee on Banking and Currency, has left the committee to go back to Alabama to engage in his first love, the practice of law.

Mr. Odom was one of the most effective and efficient of staff directors and assistants I have ever known. A good many people, including many Senators and others in government have recognized his qualities and have written letters to Mr. Odom expressing their appreciation of his service and regret at his leaving, in which I join.

I ask unanimous consent to have these letters printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON BANKING AND CURRENCY,

July 29, 1968.

Mr. LEWIS G. ODOM,
Banking and Currency Committee,
New Senate Office Building,
Washington, D.C.

DEAR LEW: I write this letter with a considerable conflict of feelings. I am extremely sorry that you are leaving the Banking and Currency Committee, where you will be sorely missed, but on the other hand, I know you will do an even better job in the private practice of law than you have done so long and so faithfully in the United States Senate.

Few people, outside of my own staff, have been as helpful, cooperative, and generous with their time, ideas, and assistance as you have been to me in performing my duties as a member of the Senate. Without your help in just this Congress, there is a good likelihood that we would have had no Flood Insurance Act, no Interstate Land Sales Act, no major amendments to the Urban Mass Transportation Act, and no mutual Fund bill. These measures are but a few among many which will stand as monuments to your ability, ingenuity, and interest in making our country a better nation.

Even as I regret seeing you leave, I hope that this will not be the end of our long association, because we cannot afford to lose the contributions which you still have to offer.

With best personal regards.

Sincerely,

HARRISON A. WILLIAMS, Jr.

U.S. Senate,
Washington, D.C., July 9, 1968.
Lewis G. Odom, Jr.,
Staff Director and General Counsel, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Lew: I was distressed when I was told you were leaving the Committee staff and returning to Alabama to resume your private practice of the law. I can't say that I blame you because I never forget that all of these politically-based Senate staff appointments are dead-end jobs and should be regarded as stepping stones rather than a career.

My best wishes go with you in your new endeavor. I hope you will be so successful that eventually your practice will bring you to Washington. I also hope I will still be here when that happens.

With kindest personal regards.
Sincerely,
Wallace F. Bennett.

U.S. Senate,
Washington, D.C., July 3, 1968.
Mr. Lewis G. Odom, Jr.
Staff Director and General Counsel,
Committee on Banking and Currency,
U.S. Senate, Washington, D.C.

Dear Lewis: I am indeed sorry to learn that you are leaving us at Banking and Currency. Your direction of the Committee work this year was oustanding and your personal regard and assistance to committee members was most appreciated by me.

We will certainly miss you. But the practice of law back home will be an interesting and satisfying experience, I know. Hope some day the people of Alabama will send you back to the Hill. Good luck always.

Best personal regards.
Sincerely,
Tom McIntyre,
U.S. Senator.

U.S. Senate,
Washington, D.C., July 9, 1968.
Mr. Lewis G. Odom, Jr.
Staff Director and General Counsel,
Senate Committee on Banking and Currency,
Washington, D.C.

Dear Lewis: I have already told you of my regret that you have decided to leave the Committee staff. However, I did want to confirm, by means of this letter, my very real appreciation of your services as Staff Director. More than that, I have thoroughly enjoyed our association.

With warm good wishes for your future success, I am
Sincerely,
Edmund S. Muskie,
U.S. Senator.

U.S. Senate,
Washington, D.C., July 30, 1968.
Mr. Lew Odom,
Banking and Currency Committee, U.S. Senate, Washington, D.C.

Dear Lew: I was so very sorry to hear that you are leaving the staff of the Banking and Currency Committee. I know you will be greatly missed. However, I do want to wish you the very best and great success in your new practice. I know that you will bring to it the great energy and hard work that you have exhibited in the past.

Again, please accept my sincere good wishes for what I know will be a most successful and satisfying future.

With best wishes,
Sincerely,
Jacob K. Javits.

U.S. Senate,
Committee on the Judiciary,
Washington, D.C., July 16, 1968.
Mr. Lewis G. Odom, Jr.
Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Lewis: Was sorry to learn that you will be leaving the staff of the Banking and Currency Committee at the end of this session.

You have done an outstanding job as Staff Director and General Counsel of the Committee, and I want to take this opportunity to thank you for your cooperation and assistance.

Wish you the very best in your law practice, and if I can ever be of assistance, please let me know.

Kindest personal regards.
Sincerely,
Edward V. Long,
U.S. Senator.

U.S. Senate, Committee on Banking and Currency,
Washington, D.C., July 16, 1968.
Mr. Lewis G. Odom, Jr.,
Staff Director and General Counsel, Committee on Banking and Currency, New Senate Office Building.

Dear Lew: It was with a great deal of disappointment that I learned that you are leaving your post on the Banking and Currency Committee. While I understand full well the desire to return to your private career, your loss to the Committee will be difficult to fill.

My best wishes for your success.
Sincerely yours,
Charles H. Percy,
U.S. Senator.

U.S. Senate,
Washington, D.C., July 10, 1968.
Mr. Lewis G. Odom, Jr.,
Staff Director and General Counsel, U.S. Senate Committee on Banking and Currency, Washington, D.C.

Dear Lewis: It was with real regret that I noted your decision to resign from the Banking and Currency Committee staff.

You know, of course, how much we depended upon your insight and good sense in the affairs of the Banking and Currency Committee.

It is easy to understand the urge that many of us have to pursue our professions, but I hope you understand that those of us on the Banking and Currency Committee shall miss the valuable services that you have always rendered so well.

Best of luck in your new venture.
Sincerely,
Gale McGee.

U. S. Senate,
Washington, D.C., July 8, 1968.
Lewis G. Odom, Jr., Esq.,
Alexandria, Va.

Dear Lew: It was naturally with the greatest of regret that I read your letter of resignation addressed to the Chairman, a copy of which you very courteously furnished me.

Even in the comparatively short time I've served on the Committee, I have come to have nothing but the greatest respect for your skilful discharge of your responsibilities as Staff Director and for the generous measure of genial and cooperative assistance you have always accorded me.

In all your future endeavours I wish you very great success and satisfaction.

With all good wishes,
Sincerely yours,
Edward W. Brooke.

U.S. Senate,
Washington, D.C., July 8, 1968
Mr. Lewis G. Odom, Jr.,
Staff Director and General Counsel, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Lew: I have your letter of July 2nd with which you enclosed a copy of your letter of resignation addressed to Senator Sparkman.

I am sorry to see you leave the Committee. I have appreciated very much the help you have given me during your tenure as Staff Director and General Counsel, and I wish you well in your new association.

Yours sincerely,
B. B. Hickenlooper.

U.S. Senate,
Washington, D.C., July 8, 1968.
Hon. Lewis G. Odom, Jr.,
Staff Director and General Counsel, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Lew: You were thoughtful to send me a copy of the letter you wrote to Senator Sparkman telling him of your intention to resign from the Committee and return to Alabama to practice law.

You have done a fine job as Staff Director. You have been competent, thoughtful, considerate, fair and very helpful indeed.

You are going to be missed, Lew. I'm sorry you've made the decision but I do wish you a happy and successful time in Alabama and if there's ever anything I can do up here, let me know.

Sincerely,
William Proxmire,
U.S. Senate.

U.S. Senate, Committee on Banking and Currency,
Washington, D.C., July 3, 1968.
Mr. Lewis G. Odom, Jr.,
Staff Director and General Counsel, Banking and Currency Committee, U.S. Senate, Washington, D.C.

Dear Lou: Thank you so much for your kindness in forwarding a copy to me of your letter of July 2nd to Senator Sparkman. While I can appreciate your desire to return to private law practice in Alabama, I do want to observe how much the Committee will miss your counsel at the next session.

Also, as a freshman senator, I would like to thank you on behalf of my staff and myself for all of the assistance you have rendered us.

With kindest regards, I am
Sincerely,
William B. Spong, Jr.

U.S. Senate,
Washington, D.C., July 8, 1968.
Mr. Lewis G. Odom, Jr.,
Staff Director and General Counsel, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Lew: I am so sorry to hear that you will be leaving the staff of the Banking and Currency Committee.

I can certainly understand your reasons for wanting to return to Alabama to practice law, but your leadership and invaluable contributions on the Committee staff will be missed a great deal.

Good luck to you, and please call on me if ever I can help.

With warmest regards.
Sincerely,
Walter F. Mondale.

U.S. Senate,
July 8, 1968.

Mr. Lewis G. Odom, Jr.,
Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Lew: Thank you for your thoughtfulness in writing me about your plans to leave the Senate in order to resume your law practice in Alabama.

You will be missed by your many friends and associates in the Senate. Please accept my best wishes for success and happiness in the years ahead.

With every best wish.
Sincerely,
Francis R. Valeo,
Secretary of the Senate.

COMPTROLLER GENERAL OF THE
UNITED STATES,
Washington, D.C., August 8, 1968.
Mr. LEWIS G. ODOM, Jr.
Committee on Banking and Currency,
U.S. Senate.

DEAR LEW: I recently learned that you are leaving your position as Staff Director and General Counsel of the Senate Committee on Banking and Currency to return to private law practice in Montgomery, Alabama.

It has been a privilege for me to have worked with you over the years. You have a splendid record of devoted and dedicated service to the Government. From the inception of your service to the present time you have discharged your important positions of responsibility with effectiveness and distinction. Your counsel and leadership will be greatly missed throughout the Government.

I join with your many other friends in wishing you happiness and the very best of luck in your new endeavors. Please feel free to call upon us in the General Accounting Office if ever we can be of assistance to you.

Sincerely yours,
ELMER,
Comptroller General of the United States.

INTERSTATE COMMERCE COMMISSION,
Washington, D.C., July 5, 1968.
Mr. LEWIS G. ODOM, Jr.
Committee on Banking and Currency,
U.S. Senate, Washington, D.C.

DEAR LEW: After your long stay in Washington and because of the many many fine friends you have made here, I imagine you would naturally have some mixed emotions about leaving. However, with the vast experience you have acquired and the many contacts you have, I know you will be extremely successful in the resumption of your law practice in Montgomery. Furthermore, I expect a good native Alabamian would rather live in Montgomery than Washington anyhow.

Dorothy joins me in wishing you much success. Anytime you need to contact the Interstate Commerce Commission, I will be more than glad to hear from you.

Best wishes,
JOHN W. BUSH,
Commissioner.

FEDERAL HOME LOAN BANK BOARD,
Washington, D.C., July 3, 1968.
Mr. LEWIS G. ODOM, Jr.,
Staff Director, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR LEW: Your note of July 2 advising me that you are going to Montgomery at the end of Congress produces a deep feeling of regret even though you had already informed me of your plans.

Very frankly I shall miss you and your family greatly. Additionally I feel somewhat like a boat without an "oarsman" insofar as problems I may have before the Senate Committee.

You have been a warm and admired friend since we first came to know each other in 1954. I hope that our paths continue to cross and that there will be occasions for us to work together in the future as we have in the past. Ruth joins me in sending love and best wishes to you and the family. And the latch string will always be out at our house to any of you.

Very sincerely,
JOHN E. HORNE.

EXPORT-IMPORT BANK
OF THE UNITED STATES,
Washington, D.C., July 3, 1968.
Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency,
U.S. Senate, Washington, D.C.

DEAR LEW ODOM: We will miss you very much on the Banking and Currency Committee and I take this opportunity to wish you a very successful and happy time in your new endeavors. I hope you will let me know more precisely where you are planning to be and I shall certainly bear it in mind should occasion arise where a call on you will be mutually helpful.

With every good wish and warm regards, believe me

Sincerely yours,
HAROLD F. LINDER.

SECURITIES AND EXCHANGE COMMISSION,
Washington, D.C., July 8, 1968.
Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency,
U.S. Senate,
Washington, D.C.

DEAR LEW: I wish you great success and happiness in the practice of law. I am sure that you will have many occasions to return to Washington and to visit. Meanwhile, may I express my regrets on behalf of the Commission that you are leaving. I wish also to thank you for the courtesy, understanding and sympathy with which you have dealt with our problems.

With warmest regards,
Sincerely,
MANUEL F. COHEN,
Chairman.

DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT,
Washington, D.C., July 5, 1968.
Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency,
U.S. Senate,
Washington, D.C.

DEAR LEW: Although I am tempted to express a negative reaction to your plans for leaving Washington, I find myself somewhat embarrassed since I am doing the same thing.

In any event, I certainly have enjoyed working with you and have appreciated the assistance which you have rendered to me and my associates.

With this goes my best wishes for a happy and successful future.

With personal regards.
Sincerely yours,
ROBERT C. WEAVER.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
Washington, D.C., July 10, 1968.
Mr. LEWIS G. ODOM, Jr.,
Staff Director and General Counsel, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR LEW: Just a note to wish you every success as you return to Alabama to continue your law practice. It has been a pleasure working with you, through the Senate Committee on Banking and Currency, and I know your fine services will be missed.

I appreciate your kind offer to be of assistance, and you may be sure that I will call on you should the need arise.

With kindest regards,
Sincerely yours,
WILLIAM W. SHERRILL.

THE ADMINISTRATOR OF NATIONAL
BANKS,
Washington, D.C., July 8, 1968.
Hon. LEWIS G. ODOM,
Staff Director and General Counsel, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR LEWIS: I have received your letter with mixed emotions. I hate to see you leave the Senate Banking and Currency Committee where you have done an excellent job, however, I know that you desire to go on to "greener pastures," and I wish for you every success. It has been a pleasure to work with you and you will be greatly missed.

With kindest regards, I am
Sincerely,
WILLIAM B. CAMP,
Comptroller of the Currency.

THE WHITE HOUSE,
Washington, July 13, 1968.
Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR LOU: Thanks very much for your note.

It has been a great pleasure to work with you and all of us here wish you the best of luck, success and prosperity as you resume your law practice in Montgomery.

Warmest wishes.
Sincerely,
BAREFOOT SANDERS,
Legislative Counsel to the President.

U.S. SAVINGS AND LOAN LEAGUE,
Washington, D.C., July 19, 1968.
Mr. LEWIS G. ODOM, Jr.
Senate Banking and Currency Committee, New Senate Office Building, Washington, D.C.

DEAR LEW: It was with mixed emotions that I received your letter of July 2. On the one hand, the Senate will be losing one of the most brilliant and dedicated staff men I have ever had the pleasure to work with. On the other hand, I realize that public service, unfortunately, puts great limitations on the ability of a man to build financial security for himself and his family.

I am sure we will continue to be in touch and no doubt there will be occasions when your many savings and loan friends will turn to you for legal assistance.

Sincerely,
STEPHEN SLIPHER,
Legislative Director.

THE ADMINISTRATOR OF NATIONAL
BANKS,
Washington, D.C., July 8, 1968.
Mr. LEWIS G. ODOM, Jr.,
New Senate Office Building,
U.S. Senate,
Washington, D.C.

DEAR LEW: I was disappointed to learn from your letter of July 2nd that you will be leaving the Hill at the end of this Session of Congress. You have always been cooperative and helpful, and I will miss you.

When you have gotten located in Montgomery, please let me know where you will be as I would like to keep in touch.

With all good wishes, I am
Sincerely,
WAYNE G. WICKMAN,
Administrative Assistant to the Comptroller of the Currency.

THE ADMINISTRATOR OF NATIONAL
BANKS,
Washington, D.C., July 8, 1968.
Hon. LEWIS G. ODOM,
Staff Director and General Counsel, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR LEW: I have your letter advising me of your plan to return to Alabama to resume your law practice. I regret very much to see you leave the Senate Banking and Currency Committee. With your splendid qualifications I am sure that you will do well back in the field of law, and I wish you the best of luck.

With warm personal regards, I am
Sincerely yours,
E. E. COX,
Special Assistant to the Comptroller of the Currency.

EXPORT-IMPORT BANK OF THE
UNITED STATES,
Washington, D.C., July 5, 1968.
LEWIS G. ODOM, Jr., Esq.,
Committee on Banking and Currency,
U.S. Senate, Washington, D.C.

DEAR LEW: I certainly hope that the problems and frustrations of coping with Eximbank legislation is not the cause of your decision to return to Alabama to practice law. Whatever the reason, I hope it won't be too long before we will be seeing you back in Washington in one capacity or another.

It has been a real pleasure to work with you during the uncertain course of the 90th Congress. You were a tremendous help on our bills, and I am sure that the outcome of both S. 1155 and H.R. 16162 would have been far less satisfactory had you failed to devote the time, energy, and talent which you did to the resolution of the many problems which they presented.

Everyone on my staff joins me in sending very warm regards and every wish for success in the future.

Sincerely yours,

B. JENKINS MIDDLETON,
Vice President, Program Planning and Information.

OFFICE OF THE SECRETARY OF THE TREASURY,
Washington, D.C., July 3, 1968.
Mr. LEWIS G. ODOM, Jr.,
Staff Director,
Committee on Banking and Currency,
U.S. Senate, Washington, D.C.

DEAR LEW: Thank you so much for your letter of July 2. I, too, have enjoyed working with you these last few years and I know you will be missed on the Hill.

I wish you every success in your law practice in Montgomery and if I can ever be of any assistance, please feel free to call on me.

Very best regards,

Sincerely,

JOSEPH L. SPILMAN, Jr.,
Deputy to the Assistant Secretary.

THE WHITE HOUSE,
Washington, July 3, 1968.
Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR LEWIS: I wish you all the best in your law practice. I may do the same, here in Washington; let's keep in touch and be mutually useful. It has been a genuine pleasure to work with you during these past years.

With high regard,

Truly,

HARRY C. MCPHERSON, Jr.

THE UNDER SECRETARY OF THE TREASURY,
Washington, D.C., July 5, 1968.
Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR LEW: I appreciate your note of July 2, concerning your decision to return to the practice of law.

It has been a great pleasure working with you on so many matters of mutual concern to the Committee and the Treasury.

With warmest good wishes for the future,

Sincerely,

JOSEPH W. BARR.

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., July 23, 1968.
Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency,
U.S. Senate,
Washington, D.C.

DEAR LEW: I know we will continue to have contact in the future but I want to express my deep appreciation for all of the help you have already given me. I am very grateful.

My period as SBA Administrator has been the most enjoyable and rewarding of my career. One of the primary reasons for this is the fact that the SBA people are so outstanding. This is likewise true of Congressional staff personnel and is most true of Lew Odom. Your experience, talent and perception are matched by your warm and friendly approach.

Your future is destined to be bright and successful. If in any way or at any time I can be of help to you, I would appreciate the opportunity.

Sincerely,

ROBERT C. MOOT.

U.S. GENERAL ACCOUNTING OFFICE,
Washington, D.C., August 7, 1968.
Mr. LEWIS G. ODOM, JR.,
Committee on Banking and Currency
U.S. Senate.

DEAR LEW: I enjoyed your retirement parties very much. As I told you over the phone and at the parties, your leaving makes me feel that I am losing one of my best friends on the Hill and I am sorry to see you go.

You can certainly have the satisfaction of knowing that you have served your State and our country with dedication and distinction. Equally important to us, you have always been most cooperative with the General Accounting Office. This and your apparent understanding of our position when we had to rule against your interests have been greatly appreciated.

When you return to Washington as a Congressman from Alabama I may be retired too but if I am anywhere in this area at that time I will be among the first to welcome you back. In the meantime, if you have occasion to visit Washington please come to see me.

The best of luck to you in your new law practice.

Cordially,

J. E. WELCH,
Deputy General Counsel.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,
Washington, D.C., July 11, 1968.
Mr. LEWIS G. ODOM, Jr.,
Staff Director,
Committee on Banking and Currency,
U.S. Senate, Washington, D.C.

DEAR LEWIS: I was sorry to learn that you are leaving the Committee on Banking and Currency of the U.S. Senate at the end of this Session. All of us in the Department have enjoyed working with you and your staff.

If there is any way in which we can ever be of service to you after you return to Alabama, please do not hesitate to call upon us.

I hope that we will be able to get together for lunch or dinner before you return.

Sincerely,

THOMAS C. MCGRATH, Jr.,
General Counsel.

FEDERAL HOME LOAN BANK BOARD,
Washington, D.C., July 18, 1968.
LEWIS G. ODOM, Jr., Esq.,
Committee on Banking and Currency,
U.S. Senate, Washington, D.C.

DEAR LEW: I am sorry to hear about your plans to leave the Government at the end of this session of Congress because I too have enjoyed working with you.

I wish you every success in your plan to resume your law practice in Montgomery, Alabama. I know that you will do well in such practice and I hope that you will be as happy in that capacity as you have been in working for the Senate Banking and Currency Committee. Please let me know if I can be of any help to you in connection with any problems concerning savings and loan associations that you may encounter in your practice.

Sincerely yours,

MAX WILFAND.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,
Washington, D.C., July 5, 1968.
Mr. LEWIS G. ODOM, Jr.,
Staff Director, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR LEW: I had heard what I hoped was an unfounded rumor but was sorry to have you confirm that you are returning to Alabama.

Certainly you have made life easier for me with your understanding attitude and the fine relationship we have enjoyed. Upon your return to Alabama I hope that everything works out precisely the way you want it to.

Sincerely yours,

P. N. BROWNSTEIN,
Assistant Secretary-Commissioner.

NATIONAL LEAGUE OF INSURED SAVINGS ASSOCIATIONS,
Washington, D.C., July 9, 1968.
Mr. LEWIS G. ODOM,
Staff Director, Senate Committee on Banking and Currency, Washington, D.C.

DEAR LEW: Thank you for your July 3 letter letting me know of your plans to enter the practice of law in Montgomery and of your kind offer to be helpful. I wish you the best of success in your new venture. With your substantial experience with Congressional operations in particular and Federal government operations in general, I assume your practice will make good use of that wide experience. When and if it brings you to Washington again, I hope we may have an opportunity to visit.

Sincerely,

WILLIAM F. MCKENNA,
General Counsel.

JULY 8, 1968.
Mr. LEWIS G. ODOM, Jr.
Staff Director and General Counsel,
Committee on Banking and Currency,
U.S. Senate, Washington, D.C.

DEAR LEW: I appreciate your thoughtfulness in telling me about your plans to resume the practice of law in Alabama at the end of this session of Congress. I was somewhat surprised, but pleased, because I have every confidence that you will be highly successful in your practice and I can assure you that if you continue to stay here from one session to another the years will eventually find you retiring as a Federal employee rather than the successful practitioner you should be.

I appreciate your offer of assistance and want to assure you that for my remaining months of Federal service it will be my pleasure to be of service to you, if you find that I can be helpful.

Cordially yours,

LAWSON B. KNOTT, Jr.

THE AMERICAN BANKERS ASSOCIATION,
New York, N.Y., July 8, 1968.
Mr. LEWIS G. ODOM, Jr.
Committee on Banking and Currency,
U.S. Senate, Washington, D.C.

DEAR LEW: I read your letter of July 2—making your proposed departure from Washington official—with mixed feelings indeed.

Your performance as chief of staff of the Senate Banking and Currency Committee has been outstanding—this is not my view alone, but is shared by my associates in the Washington office. And, after all, we ought to be in a position to know.

I know that Senator Sparkman will miss you very much and so will your friends in the banking community.

On the other hand, I know that you have excellent prospects in resuming your law practice in Montgomery and there is no doubt in my mind but that you will build an outstanding career.

It occurred to me that I have never been to Montgomery and now I have a double reason for visiting there. Not only can I keep in touch with you but it will give me good opportunity to visit with my very good friends, Howard and Win Morris.

With warmest personal regards, and best wishes always.

Sincerely,

CHARLY.

NATIONAL RETAIL MERCHANTS
ASSOCIATION,
Washington, D.C., July 3, 1968.

Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency,
New Senate Office Building,
Washington, D.C.

DEAR LEW: Washington won't be the same.

Sorry to hear you are leaving us, but I hope that your reentering the practice of law will be immediately successful. You certainly have a lot to offer clients, for only a handful of attorneys throughout the country really know what makes Washington tick or where to start to look for the "ticker."

When you get set, send me your address and I'll do the rest.

My best to you.

Sincerely,

JOHN C. HAZEN,
Vice President, Government.

FEDERAL TRADE COMMISSION,
Washington, July 5, 1968.

Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency,
U.S. Senate,
Washington, D.C.

DEAR LEWIS: This town won't be the same without you. After all these years, I just can't believe you are going back to Alabama.

It has always been a pleasure to work with you and I expect you to be a success because you've got it.

With kindest regards, I am

Sincerely,

PAUL RAND DIXON,
Chairman.

NATIONAL ASSOCIATION OF SUPERVISORS OF STATE BANKS,
Washington, D.C., July 8, 1968.

Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR LEWIS: I have received your letter dated July 2 in which you expressed your intention to return to Alabama to resume the practice of law at the completion of this Session of Congress.

It is a real pleasure to join your many friends in wishing you every success in your future undertakings. Your invaluable experience on the Hill and the talents you brought to the Senate Banking and Currency Committee will be missed by your associates there as well as by those of us who found in you a most cooperative and considerate public servant.

You carry with you our every good wish and I sincerely appreciate your kind offer to be of help to us in the future. If we here at NASSB can be of assistance to you in your new career, please let us know.

Cordially,

HOLLIS W. BURT,
Executive Vice President.

THE GENERAL COUNSEL OF THE TREASURY,
Washington, D.C., July 3, 1968.

Mr. LEWIS G. ODOM, Jr.,
Staff Director and General Counsel, Banking and Currency Committee, U.S. Senate, Washington, D.C.

DEAR LEW: It is with great regret that I learn from your letter that you are planning to leave town to resume your law practice in Alabama. It has been a real pleasure to work with you. I can't tell you how much I have appreciated your cooperation and assistance.

I wish you all the success in your new venture. The next time I visit Montgomery I know I will have a friend there.

With best wishes,

Sincerely,

FRED B. SMITH.

DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT,
Washington, D.C., July 3, 1968.

Mr. LEWIS G. ODOM, Jr.,
Staff Director, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR LEWIS: Washington's loss is Montgomery's gain. The pleasant relationship of working with people like you is one thing that makes a career in the Federal Executive Branch attractive. Thank you for your effective support in the past. I hope your law practice may bring you back to Washington now and then. Good luck. I'll miss you.

Sincerely yours,

PHILIP J. MALONEY,
Deputy Assistant Secretary.

FEDERAL HOME LOAN BANK BOARD,
Washington, D.C., July 3, 1968.

Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency,
U.S. Senate,
Washington, D.C.

DEAR LEW: Thank you for the kind note advising of your plans to resume private practice. I wish you the best of luck.

I am sure we will see each other before Congress adjourns. In any event, working with you has been a pleasure and I hope you will call on me in the future if I can be of any assistance.

Sincerely,

ALAN JAY MOSCOV,
General Counsel.

THE WHITE HOUSE,
Washington, D.C., July 5, 1968.

Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency,
U.S. Senate,
Washington, D.C.

DEAR LEWIS: I am sorry to hear that you are leaving Washington but delighted that your new home will be in Montgomery. I hope our paths continue to pass regularly. It has been a great pleasure to work with you over the years.

Best regards,

DOUGLAS CATER.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
Washington, D.C., July 5, 1968.

Mr. LEWIS G. ODOM, Jr.,
Committee on Banking and Currency,
U.S. Senate,
Washington, D.C.

DEAR LEWIS: Your letter of July 2 bringing the news of your impending return to Alabama has left me with mixed feelings. First of all, we will obviously miss your perceptive counsel in the range of common concerns which moved before the Committee on Banking and Currency. On the other hand, I know that your talents and perspective will enable you to make a major contribution to the progress of public affairs in Alabama.

In the meantime, as you leave Washington, let me say that I consider myself fortunate to have had the opportunity to work with you. I have already put your name in my file under "Montgomery, Alabama," and I assure you that I will not hesitate to pick up the telephone to call you for assistance as the need arises.

Please accept my personal best wishes as you resume your law practice.

Sincerely yours,

ANDY.

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., July 3, 1968.

Mr. LEWIS G. ODOM, Jr.,
Staff Director and General Counsel, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR LEW: I have just received your letter telling me of the news that you plan to return to Alabama at the end of this session. I must tell you that it strikes me two ways—first, I feel that the Senate is losing one of the most dedicated and able top level staff people it has been my good fortune to know in the six years I have been here. Second, I hope you don't feel it too presumptuous of me to express the strong hope that you may be returning to this City in the not too distant future as a voting member on the Hill.

I have valued your friendship and your counsel and if there is some way I may be helpful to you in either a private or public endeavor, it would be my pleasure to do so.

Sincerely yours,

NORMAN ABELSON,
Special Assistant to the Administrator.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION—AGREEMENT ON THE RESCUE AND RETURN OF ASTRONAUTS, EXECUTIVE J, 90TH CONGRESS, SECOND SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate go into executive session to consider Executive J, 90th Congress, second session, the agreement on the rescue and return of astronauts.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the agreement.

Mr. ANDERSON. Mr. President, I support the Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched Into Outer Space, and note that the agreement has been favorably reported to the Senate by the Committee on Foreign Relations.

As chairman of the Committee on Aeronautical and Space Sciences, it has been my privilege to follow the development of international space activities and their contributions to international cooperation among nations engaged in the exploration and use of outer space for peaceful purposes. This is an area in which our Government has excelled in its policy and program with regard to cooperation with nations and groups of nations. We adopted a foresighted basic policy in the National Aeronautics and Space Act of 1958 in permitting NASA to develop an international space program, and in declaring that—

> Activities in space should be devoted to peaceful purposes for the benefit of all mankind.

Our global network of tracking stations is proof of our ability to implement our policy in practical ways. Our cooperative arrangements with nations throughout the world offer more proof of the strength of the foundation upon which we are building.

One part of our international space program is carried on through U.S. membership in the United Nations Committee on the Peaceful Uses of Outer Space. On many occasions since the beginning of the space age, the United States has taken the initiative in developing resolutions to strengthen friendly relations among nations in the conduct of their space activities and toward this end our U.N. representatives have worked with other members of the United Nations committee, with the Legal Subcommittee, and with the Scientific and Technical Subcommittee, to insure that outer space is free from some of the problems which plague us here on earth.

The United States played a primary role in the United Nations in negotiating the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies. The Senate gave its advice and consent to this treaty which was formally ratified on October 10, 1967, when it went into force. It was understood at that time that two more treaties would be negotiated to carry out the general principles set forth in the treaty—one on liability for damages from space accidents, and the other on assistance to astronauts and their safe return as well as the return of space objects.

The present agreement, to which the President has asked that we give our advice and consent, represents a detailed implementation of articles V and VIII of the Treaty on Outer Space. Article V provides that astronauts shall be "envoys of mankind in outer space" and that they shall be given all possible assistance in the event of distress or emergency. They are to be safely and promptly returned to the nation which launched them into outer space. Article VIII of the treaty already approved by the Senate provides that the launching state shall have ownership of space objects and requires the return of those which come back to earth.

The agreement which we have before us today is in harmony with the Treaty on Outer Space, but it goes beyond the general principles and sets forth the rights and obligations of nations which are parties to the agreement so that they will know in advance exactly what is required if astronauts or space objects fall into their territory or in places from which they may be recovered and returned to the nation of their origin.

The agreement anticipates many contingencies, and all are for the purpose of insuring the safety and well-being of our astronauts, and guaranteeing that if it is at all possible, U.S. space objects and their component parts will be returned to us.

Mr. President, the Committee on Aeronautical and Space Sciences has had several staff reports prepared on these treaties, in line with our jurisdiction to survey and review and to prepare reports on the space activities of all agencies of the U.S. Government. We find no way in which this agreement would be against the best interests of the United States, and on the contrary find many ways in which the provisions will be helpful to our Nation as well as to others in the future. I understand that the agreement is favored by the Department of State, the National Aeronautics and Space Administration, and the Department of Defense, including the Joint Chiefs of Staff. The agreement represents another step forward in widening the area of international cooperation among nations, and I urge its support by the Members of the Senate.

The PRESIDING OFFICER. Under the order of yesterday, the Senate will proceed to vote on the resolution of ratification to the agreement on the rescue and return of astronauts, Executive J, 90th Congress, second session.

The question is, Will the Senate advise and consent to the resolution of ratification of Executive J, 90th Congress, second session?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. HARRIS], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. HARRIS], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from New York [Mr. JAVITS], the Senator from Iowa [Mr. MILLER], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kentucky [Mr. COOPER] is absent on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. COOPER], the Senator from Colorado [Mr. DOMINICK], the Senator from New York [Mr. JAVITS], the Senator from Iowa [Mr. MILLER], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The yeas and nays resulted—yeas 66, nays 0, as follows:

[No. 322 Ex.]

YEAS—66

Aiken
Allott
Anderson
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Curtis
Dirksen
Dodd
Eastland
Ervin
Fannin
Fong
Goodell
Griffin
Hansen
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McClellan
McGee
McIntyre
Metcalf
Mondale
Morton
Moss
Mundt
Murphy
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Russell
Scott
Sparkman
Spong
Stennis
Symington
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—34

Baker
Bartlett
Bayh
Bennett
Bible
Brewster
Church
Clark
Cooper
Cotton
Dominick
Ellender
Fulbright
Gore
Gruening
Harris
Hollings
Inouye
Javits
Kennedy
Long, Mo.
McCarthy
McGovern
Miller
Monroney
Montoya
Morse
Muskie
Nelson
Ribicoff
Smathers
Smith
Talmadge
Tower

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the President be immediately notified of the Senate's consent to the resolution of ratification.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. LONG of Louisiana. I move that the Senate return to the consideration of legislative business.

The motion was agreed to.

COMMITTEE MEETING DURING SENATE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS SIGNED

The PRESIDING OFFICER announced that on today, October 8, 1968, the President pro tempore signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H.R. 1411. An act to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes;

H.R. 13844. An act to provide additional leave of absence for Federal employees in connection with the funerals of their immediate relatives who died as a result of wounds, disease, or injury incurred while serving as a member of the Armed Forces in a combat zone; and to provide additional leave for Federal employees called to duty as members of the National Guard or Armed Forces Reserves;

H.R. 17787. An act to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; and

H.R. 19136. An act to amend title 5, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on October 4, 1968, the President had approved and signed the following acts:

S. 3030. An act to amend section 3 of the Act of November 2, 1966, to reduce the number of experimental plants authorized for the development of fish protein concentrate, and for other purposes; and

S. 3866. An act to extend the provisions of the Commercial Fisheries Research and Development Act of 1964.

REPORT ON TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Finance:

To the Congress of the United States:

I am pleased to transmit the Twelfth Annual Report on the Trade Agreements Program, as required by the Trade Expansion Act of 1962. The report covers the year 1967.

The remarkable postwar growth of international trade continued uninterrupted in 1967, but at a slower pace. World trade grew by almost 5%, to a new record of $191 billion.

U.S. trade grew by a little more than 5%. Our trade surplus for the year reached $4.1 billion, an improvement over the preceding year. The trade surplus fell off sharply, however, in the fourth quarter of 1967 and through the first half of 1968. We acted to reverse this trend through the Revenue and Expenditure Control Act of 1968 and by new export promotion measures.

The year was highlighted by the successful completion of the Kennedy Round—a milestone in the history of the bipartisan U.S. policy of trade expansion. Tariffs have already begun to come down. The U.S. made the first of five annual tariff reductions on January 1, 1968. The European Economic Community, the UK, Japan and some other major trading countries put into effect two-fifths of their scheduled tariff reductions on July 1, 1968. These tariff cuts will promote trade, higher employment, and higher income among all countries.

America's economic well-being and the strength of the dollar are linked to our sharing fully in the future growth of world trade. I therefore directed the Special Representative for Trade Negotiations to conduct a long-range study of trade policy. This study will benefit from the views and recommendations of members of the Congress, the interested agencies of the government, and a distinguished group of private citizens serving on the Public Advisory Committee on Trade Policy. We must continue to seek ways in which foreign trade can help to keep our economy competitive and healthy and give to all our people the advantages of greater efficiency in production.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 8, 1968.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of Bernard Norwood, of New Jersey, to be a member of the U.S. Tariff Commission which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bill and joint resolution of the Senate:

S. 2671. An act to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government; and

S.J. Res. 191. Joint resolution authorizing the erection of a statue of Benito Pablo Juarez on public grounds in the District of Columbia.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1763. An act to promote the economic development of Guam;

S. 3174. An act to establish a National Memorial to Woodrow Wilson; and

S. 3207. An act to amend section 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 3206. An act to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes; and

S. 3736. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 18707) making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAHON, Mr. SIKES, Mr. WHITTEN, Mr. ANDREWS of Alabama, Mr. FLOOD, Mr. SLACK, Mr. ADDABBO, Mr. LIPSCOMB, Mr. LAIRD, Mr. MINSHALL, Mr. RHODES of Arizona, and Mr. JONAS were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 19908) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PASSMAN, Mr. ROONEY of New York, Mrs. HANSEN of Washington, Mr. COHELAN, Mr. LONG of Maryland, Mr. MCFALL, Mr. MAHON, Mr. SHRIVER, Mr. CONTE, Mrs. REID of Illinois, Mr. RIEGLE, and Mr. BOW were appointed managers on the part of the House at the conference.

The message also announced that the House has passed the following bills, in which it requested the concurrence of the Senate:

H.R. 7195. An act to revise the pay structure of the police force of the National Zoological Park, and for other purposes;

H.R. 10725. An act to amend the act of August 4, 1950 (64 Stat. 411), entitled "An act relating to the policing of the buildings and grounds of the Library of Congress" to provide salary increases for members of the police force of the Library of Congress, and for other purposes;

H.R. 15990. An act to amend the Manpower Development and Training Act of 1962, as amended;

H.R. 16558. An act to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with functions and services of the Commission, to facilitate improvements in program administration and financial management, and for other purposes; and

H.R. 19753. An act to authorize the Secretary of the Army to acquire and convey to the Commonwealth of Massachusetts certain lands in Essex County, Commonwealth of Massachusetts, in exchange for certain other lands, and for other purposes.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred, or placed on the calendar, as indicated:

H.R. 7195. An act to revise the pay structure of the police force of the National Zoological Park, and for other purposes; to the Committee on Rules and Administration.

H.R. 10725. An act to amend the act of August 4, 1950 (64 Stat. 411), entitled "An act relating to the policing of the buildings and grounds of the Library of Congress" to provide salary increases for members of the police force of the Library of Congress, and for other purposes; placed on the calendar.

H.R. 15990. An act to amend the Manpower Development and Training Act of 1962, as amended; to the Committee on Labor and Public Welfare.

H.R. 16558. An act to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with functions and services of the Commission, to facilitate improvements in program administration and financial management, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 19753. An act to authorize the Secretary of the Army to acquire and convey to the Commonwealth of Massachusetts certain lands in Essex County, Commonwealth of Massachusetts, in exchange for certain other lands, and for other purposes; to the Committee on Armed Services.

EXECUTIVE COMMUNICATIONS, ETC.

The **PRESIDING OFFICER** laid before the Senate the following letters, which were referred as indicated:

Report of Department of Defense Support of the President's Youth Opportunity Programs

A letter from the Secretary of Defense, transmitting, pursuant to law, a report of the support provided by the Department to the 1968 President's youth opportunity program (with an accompanying report); to the Committee on Armed Services

Report of Procurement Receipts for Medical Stockpile of Civil Defense Emergency Supplies and Equipment

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes for the quarter ended June 30, 1968; to the Committee on Armed Services.

Report of Public Service Commission of the District of Columbia

A letter from the Executive Secretary, Public Service Commission of the District of Columbia, transmitting, pursuant to law, the 55th Annual Report of the Commission for the calendar year 1967 (with an accompanying report); to the Committee on the District of Columbia.

Proposed Witness Fees and Travel Allowances

A letter from the Assistant to the Commissioner, Government of the District of Columbia, transmitting a draft of proposed legislation to authorize the District of Columbia Council to fix the amount of fees and travel allowances to be paid witnesses in the District of Columbia Court of General Sessions, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on an audit of the Federal Deposit Insurance Corporation, for the year ended June 30, 1967, limited by agency restriction on access to bank examination records, dated October 8, 1968 (with an accompanying report); to the Committee on Government Operations.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report of National Society of the Daughters of the American Revolution

A letter from the Secretary, Smithsonian Institution, Washington, D.C., transmitting, pursuant to law, a report of the National Society of the Daughters of the American Revolution, for the fiscal year ended March 1, 1966; to the Committee on Rules and Administration.

ORDER OF BUSINESS

The **PRESIDING OFFICER**. Under the rules, the presentation of petitions and memorials is the next order of business.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

Resolutions adopted by the Independent Bankers of Minnesota, St. Paul, Minn., relating to matters concerned with banking interests; to the Committee on Banking and Currency.

A letter, in the nature of a petition, from Gerald P. Loursen, Vinita, Okla., praying for a close examination of the misuse and pilferage of supplies in Vietnam; to the Committee on Foreign Relations.

A resolution adopted by the board of supervisors of the county of Kings, State of California, remonstrating against recent actions relating to the grape industry in that State; to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendment:

S. 3531. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis (Rept. No. 1615).

By Mr. LONG of Louisiana, from the Committee on Finance, without amendment:

H.R. 15114. An act to extend to savings notes the provisions of the Second Liberty Bond Act relating to the redemption of savings bonds and the payment of losses incurred in connection with such redemption (Rept. No. 1620);

H.R. 18253. An act relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans of self-employed individuals (Rept. No. 1617); and

H.R. 18373. An act for implementing Conventions for Free Admission of Professional Equipment and Containers, and for ATA, ECS, and TIR Carnets (Rept. No. 1618).

By Mr. LONG of Louisiana, from the Committee on Finance, with an amendment:

H.R. 15798. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk (Rept. No. 1619).

CLARIFICATION OF CONDITIONS RELATING TO CONTINUATION PAY FOR CERTAIN PHYSICIANS AND DENTISTS—REPORT OF A COMMITTEE (S. REPT. NO. 1614)

Mr. RUSSELL, from the Committee on Armed Services, reported an original bill (S. 4158) to amend title 37, United States Code, to clarify the conditions under which physicians and dentists who extend their service on active duty in a uniformed service may be paid continuation pay, and submitted a report thereon, which bill was placed on the calendar and the report was ordered to be printed.

REPORT ENTITLED "GOVERNMENT REPORTS AND STATISTICS"—REPORT OF A COMMITTEE (S. REPT. NO. 1616)

Mr. SMATHERS. Mr. President, as chairman of the Senate Select Committee on Small Business, I submit a report entitled "Government Reports and Statistics," and ask that it be printed.

The **PRESIDING OFFICER**. The report will be received and printed.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. YARBOROUGH, from the Committee on Post Office and Civil Service:

Forty-two postmaster nominations.

By Mr. LONG of Louisiana, from the Committee on Finance:

Samuel B. Sterrett, of Maryland, to be a judge on the Tax Court of the United States.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 4152. A bill for the relief of Francis Charles Miller (Fraz Canto); and

S. 4153. A bill for the relief of Kiriaki Tersenidou; Committee on the Judiciary.

By Mr. ANDERSON:

S. 4154. A bill to provide that the United States disclaims any interest in a certain tract of land; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON:

S. 4155. A bill for the relief of Dr. Alcides Cuello, his wife, Elisabeth Vander Lwan Cuello, and their children, Alcides Cuello, Jr., Cynthia Cuello, and Robert Cuello; to the Committee on the Judiciary.

By Mr. McINTYRE:

S. 4156. A bill for the relief of Dr. Farzin Davachi; to the Committee on the Judiciary.

By Mr. DODD:

S. 4157. A bill for the relief of Wu Shih-Cung; to the Committee on the Judiciary.

By Mr. RUSSELL:

S. 4158. A bill to amend title 37, United States Code, to clarify the conditions under which physicians and dentists who extend their service on active duty in a uniformed service may be paid continuation pay; placed on the calendar.

(See reference to the above bill when reported by Mr. Russell, which appears under the heading "Reports of Committees.")

By Mr. DIRKSEN (for Mr. Tower):

S. 4159. A bill to amend titles 10 and 37, United States Code, to provide equality of treatment for married female members of the uniformed services; to the Committee on Armed Services.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 4160. A bill for the relief of Dr. Barry J. Gurland; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 4161. A bill for the relief of Dr. Ramon T. Guiao; and

S. 4162. A bill for the relief of Branislav Nikola Maksimovic; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 4163. A bill to improve Federal law-enforcement programs, to assist State and local units of government in improving their law-enforcement programs, to provide for study and research in the areas of crime and crime prevention, to aid in the development of experimental rehabilitation programs; and for other purposes; to the Committee on the Judiciary.

S. 4157—INTRODUCTION OF BILL FOR THE RELIEF OF WU SHIH-CUNG

Mr. DODD. Mr. President, I am introducing a private immigration bill for the relief of Mr. Wu Shih-Cung.

Mr. Wu is not a constituent of mine, nor has any constituent of mine interceded in his behalf.

I believe that he should be permitted to remain in this country because the information I have concerning Mr. Wu's case is highly unusual.

In view of these unusual circumstances, I will have more to say about this matter at a later date.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 4157) for the relief of Wu Shih-Cung, introduced by Mr. Dodd, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 4159—INTRODUCTION OF BILL RELATING TO EQUAL TREATMENT FOR MARRIED FEMALE MEMBERS OF THE UNIFORMED SERVICES

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Texas [Mr. Tower], I introduce, for appropriate reference, a bill to amend titles 10 and 37, United States Code, to provide equality of treatment for married female members of the uniformed services. I ask unanimous consent that a statement, prepared by Mr. Tower, relating to the bill, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the Record.

The bill (S. 4159) to amend titles 10 and 37, United States Code, to provide equality of treatment for married female members of the uniformed services, introduced by Mr. Dirksen (for Mr. Tower), was received, read twice by its title, and referred to the Committee on Armed Services.

The statement of Mr. Tower is as follows:

Mr. Tower. Mr. President, the Armed Forces of the United States have been exemplary leaders in establishing codes of nondiscrimination and equal employment practices. However, there are to be found existing inequities and loopholes relative to the privileges enjoyed by women serving in the armed forces.

For example: when one marries while in the service, these are some of the time-honored privileges allowed mates and dependents of *all* men: free medical care; free emergency dental care; an increase in housing allowance for the husband and wife; transportation and moving costs incurred with changes of assignment; base exchange services such as BX, laundry, dry cleaning, and access to base stores at reduced prices; Commissary privileges for wholesale prices in food; theater and entertainment concessions on base. However, when a female member of the armed services marries, she receives none of these military privileges relating to her spouse.

This means no increase in housing allowance to compensate for higher costs, and no free medical or dental service under any circumstances. Only if the uniformed woman does all the buying or encounters all the expenses herself, can the couple avail themselves of the privileges. Even when uniformed women are transferred to another base, travel expenses for spouses would not be paid by the armed services.

The only way the husband of a woman in the service could receive any of these privileges would be if his wife were the sole provider of over fifty percent of the male's living expenses; even in this case the number of privileges would be subject to limitations.

The entitlement to allowances and privileges for a husband of a female officer is based upon the factual determination of whether the husband qualifies as a "dependent" as defined in Section 401, Title 37, U.S. Code. That section prescribes that "a person is not a dependent of a female member unless he is in fact dependent on her for over one-half of his support." The wife of an officer, however, is entitled to "dependent" status regardless of whether she is dependent upon her husband for over one-half of her support.

The bill I introduce today would amend Title 10 of the U.S. Code to include "the husband" or the "unremarried widower" as benefactors of the same privileges enjoyed by the "wifes" or "unremarried widows" of officers in the armed services. Surely those who serve our country in the armed forces should be treated equally and not discriminated against on the basis of sex. The needed legislation I introduce today will remedy this situation.

ADDITIONAL COSPONSOR OF BILL

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from North Carolina [Mr. Ervin], I ask unanimous consent that, at its next printing, the name of the junior Senator from North Carolina [Mr. Jordan] be added as a cosponsor of the bill, S. 4056, for the relief of Dr. Yoshiaki Kitani.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTION

SENATE RESOLUTION 409—RESOLUTION TO PRINT THE REPORT ENTITLED "QUALITY AND EFFECTIVENESS OF INDIAN EDUCATION: DECEMBER 1967 TO JUNE 1968" AS A SENATE DOCUMENT

Mr. MONDALE. Mr. President, the Special Subcommittee on Indian Education has prepared selected documents and materials related to its initial 6 months of operation under the chairmanship of Senator Robert F. Kennedy.

In this short 6-month period, despite many other pressing concerns, Senator Kennedy visited Indian schools and reservations throughout the Western part of the United States, listened to dozens of Indian witnesses and talked privately with an even larger number of our Indian citizens. In that short period of time, his concern for the problems facing Indian children and adults became a national concern, and the question of the quality of educational programs for Indian students became a national issue. It was an extraordinary accomplishment. He pricked the conscience of the Nation and significantly raised the hopes and aspirations of an entire minority group. He became in the process a symbol of compassion and vision for all of the poor and disenfranchised citizens of our Nation.

He has left the Indian Education Subcommittee with a unique set of challenges and goals. It is with these goals in mind that the subcommittee has prepared these materials, to further inform the public of the grave problems facing Indian education today.

I therefore submit a resolution authorizing the printing of these materials as a Senate document and the printing of an additional 2,000 copies for use of the Labor and Public Welfare Committee.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, under the rules, the resolution will be printed in the Record.

The resolution (S. Res. 409) was referred to the Committee on Rules and Administration, as follows:

S. Res. 409

Resolved, That there be printed as a Senate document a report of the Special Subcommittee on Indian Education entitled "Quality and Effectiveness of Indian Education: December, 1967 to June, 1968"; and that two thousand additional copies of such document be printed for the use of the Committee on Labor and Public Welfare.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO SUPPLEMENTAL APPROPRIATIONS BILL

AMENDMENT NO. 1021

Mr. McGEE (for Mr. Bartlett) submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph (4) of rule XVI for the purpose of proposing to the bill, H.R. 20300, supplemental appropriations bill, the following amendment, namely:

At the end of the bill, add the following new section:

"Sec. —. Effective on the date of the enactment of this Act—

"(1) the provisions of section 201 of the Revenue and Expenditure Control Act of 1968 shall cease to apply to civilian employees of the Division of Indian Health (Public Health Service, Department of Health, Education, and Welfare); and

"(2) in applying the provisions of such section to the departments and agencies of the executive branch, the employees of such Division shall not be taken into account."

Mr. McGEE (for Mr. Bartlett) also submitted an amendment, intended to be proposed by Mr. Bartlett, to House bill 20300, the supplemental appropriations bill, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

NOTICE OF NOMINATIONS HEARINGS

Mr. ANDERSON. Mr. President, today President Johnson transmitted to the Senate two nominations which fall under the jurisdiction of the Committee on Interior and Insular Affairs; namely, the directorship of the Bureau of Mines and a member of the Indian Claims Commission.

The President has nominated Mr. John O'Leary to be Director of the Bureau of Mines. I ask unanimous consent to include a biographical sketch of Mr. O'Leary at this point in the RECORD.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

JOHN F. O'LEARY

Born June 23, 1926, Reno, Nevada. Educated in public schools in Nevada and California. Graduated from Central High School in Washington, D.C. Entered U.S. Army 1945—discharged with rating of Corporal in 1946. Received A.B. degree in economics from George Washington University, Washington, D.C., in 1950. Continued graduate work in economics part time 1950–53. Joined staff of the Bureau of Mines in 1950. In 1952, became member of staff of Division of Minerals and Fuels, Office of the Secretary of the Interior, as Specialist in Minerals and Metals. In 1953, became staff member of Office of the Assistant Secretary—Mineral Resources, serving as Specialist in Minerals and Fuels Economics. In 1959, appointed Staff Assistant to the Assistant Secretary—Mineral Resources in the capacity of senior adviser on mineral and fuel programs of the Department of the Interior.

Appointed Special Assistant to the Assistant Secretary—Mineral Resources in June 1962, and appointed Deputy Assistant Secretary—Mineral Resources in March 1963. In that position, assisted in supervision of programs conducted by the Bureau of Mines, U.S. Geological Survey, and five other offices in the Department of the Interior, and served as a principal adviser to the Secretary of the Interior on domestic and international fuels and minerals matters.

On termination of employment with Interior—to join FPC—was awarded the Department's distinguished service award.

Appointed to present position of Chief, Bureau of Natural Gas, Federal Power Commission, March 20, 1967. Position involves responsibility for staff work related to processing of applications for certificates of public convenience and a necessity for construction and operation of interstate pipelines and for providing staff work necessary to establishment of rates for sales for resale of natural gas in interstate commerce, including sales by producers to pipelines.

A more detailed résumé of work experience is attached.

MARCH 20, 1967 TO PRESENT

Chief, Bureau of Natural Gas, Federal Power Commission; GS–18, $27,055–$28,000. Duties include development of capability within the Bureau of Natural Gas for analysis of complex regulatory issues relating to public utility rates and service of the producing and transmission industries. Position involves direction of activities of highly specialized experts in various fields of natural gas regulation. In addition to program development and supervisory activities, incumbent serves as principal adviser and consultant to the Federal Power Commission with respect to natural gas matters, including their relationship to the alternative energy resources and to the national economy.

JUNE 1962 TO MARCH 1967

Deputy Assistant Secretary of Mineral Resources, U.S. Department of the Interior; GS–17, $18,000–$25,080. Served as Deputy Assistant Secretary—Mineral Resources in discharging duties of the Secretary with respect to the development and utilization of minerals and fuels, including Defense Minerals activities, and assisted in exercise of Secretarial direction and supervision over the Bureau of Mines, Geological Survey, Office of Minerals and Solid Fuels, Office of Oil and Gas, Oil Import Administration, and Office of Coal Research. In this position, took substantive responsibility for formulation and implementation of programs related to international petroleum relationships of the U.S., Federal oil shale development, oil import controls, Outer Continental Shelf leasing policy, coal export policy, formulation of Energy R & D programs within the Department, and related matters.

MAY 1960 TO JUNE 1962

Staff assistant to Assistant Secretary, Mineral Resources, U.S. Department of the Interior; GS–15/16, $11,355–$13,750. Advised and assisted the Assistant Secretary for Mineral Resources in formulation of policies and supervision of activities under his direction. Responsible especially for staff studies and recommendations regarding petroleum and fuel programs under the Department, and for programs relating to domestic minerals.

MAY 1959 TO MAY 1960

Staff analyst, Office of Assistant Secretary, Mineral Resources, U.S. Department of the Interior; GS–13, $9890. Served as staff economist of the Office of the Assistant Secretary for Mineral Resources with responsibility for economic studies of all phases of minerals and fuels work of the Department.

JUNE 1953 TO MAY 1959

Business economist, Office of Assistant Secretary, Mineral Resources, U.S. Department of the Interior; GS–9/12, $5060–$8750. Participation in and contribution to formulation of plans for special studies and investigations. Performed independent research to be used in development, coordination and review of the mineral resource programs of the Department. Work involved organization, analysis and interpretation of complex and detailed data relating to production, costs, marketing, distribution and consumption, both domestic and foreign, of products of the minerals and metals producing and processing industries.

JUNE 1952 TO JUNE 1953

Research assistant, Office of Minerals and Fuels, Office of the Secretary, U.S. Department of the Interior; GS–7; $4205. Assignments included the performance of economic research for use of Staff Specialists in the development of programs of the Department; drafting reports summarizing available information and commenting on its significance; analysis of statistical reports, and related activities.

JUNE 1951 TO JUNE 1952

Junior management assistant, U.S. Bureau of Mines, Department of the Interior; GS–6/7, $3450–$4205. As an intern in the Department's third Management Training Program, received a variety of assignments whereby a knowledge of the impact upon the civilian economy of the Department's programs could be outlined.

JULY 1950 TO JUNE 1951

Commodity industry analyst, U.S. Bureau of Mines, Department of the Interior; GS–5, $3,100. Work included responsibility for economic phases of an exhaustive study of the zinc industry, prepared by U.S. Bureau of Mines, for the National Security Resources Board. In addition, familiarity with application of a variety of economic techniques was gained through several months spent in Bureau's base metals branch.

Mr. ANDERSON. President Johnson has also submitted the name of Mrs. Margaret Pierce to be a member of the Indian Claims Commission. I ask unanimous consent that a brief biographical sketch of Mrs. Pierce also appear at this point in my remarks in the RECORD.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

RÉSUMÉ OF MARGARET HUNTER PIERCE

PERSONAL HISTORY

Born: June 30, 1910, Weedsport, New York.

Parents: Dr. Thomas Murray Hunter and Ruby Sanders Hunter.

Religion: Protestant—Member of Georgetown Presbyterian Church, Washington, D.C.

Marital Status: Divorced; one child—daughter, Barbara Hunter Pierce, (14 years old).

EDUCATION

B.A. 1932—Mount Holyoke College, major in English composition and literature; minor in music. Junior year taken at University of Wisconsin. Summer sessions at Detroit City College (now Wayne University) and Syracuse University.

LL. B. 1939—New York University Law School (Evening Division).

EMPLOYMENT

While in law school, served as law clerk and secretary to Ralph B. Plager, then tax attorney in the Legal Department of the Irving Trust Company, One Wall Street, New York, N.Y., 1935–1941.

Law Clerk and secretary to Murray F. Johnson, Partner in firm of Harper & Matthews, 70 Pine Street, New York, N.Y. General practice with emphasis on tax law. 1941–1942.

GOVERNMENT SERVICE

After passing the examination given by the United States Board of Legal Examiners then (1942) required of all attorneys seeking Government employment, I was employed as an attorney as follows:

September 1942–May 1943: Office of Alien Property Custodian, Real and Personal Property Section of the Division of Investigation and Research.

This position required the investigation of the status of property suspected of being alien owned or controlled; to prepare investigation reports containing findings of fact, conclusions of law, and recommendations to the Custodian to vest or not to vest. After three months I was placed in charge of the work of 18 attorneys engaged in this work.

May 1943–June 30, 1945: United States Department of Labor, Office of the Solicitor, Davis-Bacon Section and Wage Adjustment Board (Building and Construction Division of the National War Labor Board).

At the end of my first year here, as a staff attorney, I was promoted to review attorney, supervising the work of 8 other attorneys doing work under the Davis-Bacon Act and for the Wage Adjustment Board. In addition, I handled all correspondence relative to inquiries concerning the wage stabilization program in the building construction industry.

July 1 to December 1945: Employed in private industry.[1]

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[1] During the period July–December 1945, I was employed in private industry to write the Washington Report for a trade journal (Plumbing and Heating business). The articles I wrote dealt with the building and construction industry and legislation relating to that industry.

January–October 1946: National Labor Relations Board, served as a review attorney.

January–November 1947: The United States Court of Claims, law clerk to Judge J. Warren Madden.

November 1947–November 1948: National Labor Relations Board, again served Board as a legal assistant to Board Member Grey. (This was after the passage of the Taft-Hartley Act.)

November 1948–July 1959: The United States Court of Claims, served as permanent law clerk to the court. When junior law clerks were eventually employed, they worked under my supervision. My work involved research and writing in all phases of the court's jurisdiction. In July 1959, I was appointed to the position of Reporter of Decisions and Librarian. In addition to writing the headnotes to the decisions and preparing the court's decisions, orders, and law digest for publication in bound volumes, I have been devising a new law digest of the court's opinions, beginning with July 1958. (Compare the digests in the backs of volumes 140 and 150.) I have prepared a card index system for the law digest, which is kept current. I review all pending legislation, compile legislative histories, examine law journals and call the court's attention to the articles of particular interest to its legal personnel, and assist the judges, commissioners, and law clerks with research problems.

BAR MEMBERSHIPS

Bar of the State of New York. Admitted 1941.

Bar of the District of Columbia. Admitted 1958.

Bar of the United States Court of Claims. Admitted 1951.

Member of the District of Columbia and Federal Bar Associations.

COMMITTEE MEMBERSHIP

Court of Claims.

Committee of District of Columbia Bar Association, presently serving as Secretary to Committee.

Military Law Committee of District of Columbia Bar Association.

Indian Law Committee of Federal Bar Association.

Mr. ANDERSON. The committee will hold a public hearing on these two nominations beginning at 2 p.m. tomorrow, October 9, in room 3110 of the New Senate Office Building. Anyone who wishes to present a statement to the committee will most certainly be welcome.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

Mr. LONG of Louisiana. Mr. President, I move that the Senate proceed to the consideration of H.R. 2767.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. An act (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to; and the Senate proceeded to consider the bill.

DISTRICT OF COLUMBIA PUBLIC SPACE UTILIZATION ACT

Mr. TYDINGS. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on the bill (S. 1246) to authorize the Commissioner of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, public space in, on, over, and under the streets and alleys under his jurisdiction, other than freeways, and for other purposes.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S.1246) to authorize the Commissioner of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, public space in, on, over, and under the streets and alleys under his jurisdiction, other than freeways, and for other purposes, which was to strike out all after the enacting clause, and insert:

That this Act may be cited as the "District of Columbia Public Space Utilization Act".

Sec. 2. As used in this Act—

(1) The term "Commissioner" means the Commissioner of the District of Columbia.

(2) The term "District" means the District of Columbia.

(3) The term "airspace" means the space above and below a street or alley under the jurisdiction of the Commissioner.

Sec. 3. The Commissioner, in conformity with the comprehensive plan for the National Capital prepared under section 4 of the National Capital Planning Act of 1952 (40 U.S.C. 71c), may—

(1) enter into leases for the use of airspace in the District to an extent not inconsistent with the use, operation, and maintenance of, any street or alley;

(2) use airspace for such public purposes as are authorized by law;

(3) enter into agreements with the Federal Government for the purpose of receiving grants or other financial assistance under Federal programs in connection with the construction, use, or operation of any structure in airspace; and

(4) enter into agreements with the Federal Government to enable the Federal Government to construct Federal buildings in the space above and below any street or alley, title to which is in the District.

Sec. 4. Any lease of airspace entered into under this Act shall provide—

(1) that such airspace shall not be used to deprive any real property not owned by the lessee of easements of light, air, and access;

(2) for a clearance of at least fifteen feet between the recorded grade of a street or alley and the lowest portion of any structure (other than supporting columns) constructed over such street or alley;

(3) that upon the expiration or termination of the lease of airspace the Commissioner may require (at the expense of the lessee or his successor in interest) the removal of any structure constructed or erected in such airspace and the restoration of such airspace to its condition prior to the construction or erection of such structure.

(4) that all the rights, duties, terms, conditions, agreements, and covenants set forth and contained in such lease shall run with the abutting real property owned by the lessee and shall apply to the lessee, his heirs, legal representatives, successors, and assignees;

(5) that the lessee shall, at his expense, record a copy of the lease in the Office of the Recorder of Deeds of the District of Columbia;

(6) for the payment of such rents and fees, and the posting of such bond or such other security, by the lessee, as the Commissioner determines to be necessary or desirable; and

(7) for such other terms and conditions as the Commissioner determines to be necessary or desirable.

Sec. 5. The Commissioner may execute a lease of airspace under this Act if—

(1) the lessee of the airspace has a fee simple title to the real property abutting such airspace and the lease is for airspace which lies only within the frontages of such abutting real property which are directly opposite;

(2) the Zoning Commission of the District of Columbia, after public hearing and after securing the advice and recommendations of the National Capital Planning Commission, has determined the use to be permitted in such airspace and has established regulations applicable to the use of such airspace consistent with regulations applicable to the abutting privately owned property, including limitations and requirements respecting the height of any structure to be erected in such air space, offstreet parking and floor area ratios applicable to such structure, and easements of light, air, and access;

(3) the lessee has submitted to the Commissioner, for his review and approval, plans, elevations, sections, a description of the exterior walls, and a scale model, of any structure to be erected in such airspace;

(4) the Commissioner with respect to any structure proposed to be constructed in an area subject to the Act entitled "An Act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital", approved May 16, 1930 (D.C. Code, secs. 5–410 and 411), or the Act entitled "An Act to regulate the height, exterior design, and construction of private and semipublic buildings in the Georgetown area of the National Capital", approved September 22, 1950 (D.C. Code, title 5, ch. 8), has submitted to the Commission of Fine Arts for its review and recommendations, plans, elevations, sections, a description of the texture, material, and method of construction of the exterior walls, and a scale model, of any such structure; and

(5) the Commissioner, with respect to any structure proposed to be constructed over space utilized or to be utilized for the construction and operation of the subway of the Washington Metropolitan Area Transit Authority, has submitted to the Authority for its review and recommendations the plans, elevations, sections, and a scale model of any such structure.

Sec. 6. The District shall not pay the cost of any removal or relocation of publicly or privately owned facilities in a street or alley in connection with the construction of a structure in airspace leased under this Act. No such facilities may be removed or relocated unless the Commissioner has approved all arrangements for such removal or relocation.

Sec. 7. Zoning laws and regulations and other laws and regulations applicable to the construction, use, and occupancy of buildings and premises, including building, electrical, plumbing, housing, health, and fire regulations, shall be applicable to structures constructed in airspace.

Sec. 8. (a) For the purposes of this Act, airspace and structures constructed or erected in airspace shall be deemed to be real property and shall be liable to assessment, taxation, and water and sewer service charges by the District from the beginning of the term or period of such lease. For the purposes of real property assessments and taxation, the value of airspace, other than any structure constructed or erected in airspace shall be its fair market value. No tax or assessment shall be levied with respect to airspace or structures in airspace—

(1) occupied exclusively by the Federal Government or the District government, or

(2) occupied and used by one or more organizations which, under section 1 of the Act entitled "An Act to define the real property exemption from taxation in the District of Columbia", approved after December 24, 1942 (D.C. Code, sec. 47–801a), are exempt from real property taxation.

SEC. 9. (a) Except as provided by subsection (b), all collections, including rents and fees, received by the District under this Act shall be deposited in the Treasury of the United States in a trust fund, from which may be paid, in the same manner as it provided by law for other expenditures of the District, such expenditures as are necessary to carry out the purposes of this Act, including necessary expenses connected with the operation, maintenance, and disposition of property coming into the possession of the District by reason of a default under a lease entered into under this Act. The unobligated balance in such trust fund in excess of $100,000 as of the end of any fiscal year shall be deposited in the Treasury to the credit of such special funds or the general fund of the District in such proportions as the Commissioner may determine.

(b) Taxes (including payments in lieu of taxes), special assessments, and sanitary sewer and water service charges shall be deposited directly to the respective funds to which such revenues are normally deposited.

SEC. 10. If, upon the expiration or termination of a lease of airspace under this Act—

(1) the Commissioner determines that any structure constructed or erected in such airspace should be removed or such airspace should be restored to its condition prior to the construction or erection of such structure, and

(2) the lessee or his successor in interest, upon the request of the Commissioner, fails, after a reasonable time, to remove such structure or to restore such airspace to its condition prior to the construction or erection of such structure,

the Commissioner may remove such structure and restore such airspace. The cost of such removal and restoration shall be assessed against the abutting properties as a tax. Such tax shall be collected in the manner prescribed by section 6 of the Act entitled "An Act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes", approved March 1, 1899 (D.C. Code, sec. 5–506), for the collection of amounts assessed as a tax under that Act.

SEC. 11. (a) The District of Columbia Council shall, after public hearing, promulgate such regulations as may be necessary to carry out this Act.

(b) Any regulations promulgated under this Act may provide for the imposition of a fine of not more than $300, or imprisonment of not more than ninety days, or both, for any violation of such regulations. Prosecution for violations of such regulations shall be conducted in the name of the District by the Corporation Counsel.

(c) The Commisioner shall—

(1) give any person violating a regulation promulgated under this Act notice of such violation, and

(2) set a date by which such person shall comply with such regulation.

Each day after such date during which there is a failure to comply with such regulation shall be a separate offense.

(d) The Commissioner may maintain an action in the United States District Court for the District of Columbia to enjoin the continuing violation of any regulation adopted, under the authority of this Act, by the District of Columbia Council or by the Zoning Commission.

SEC. 12. The Federal Government and District government are each authorized, without regard to the requirements of sections 4 through 11 of this Act, to construct any structure in airspace, subject to the following conditions:

(1) The government proposing to construct any structure in airspace shall have fee simple title to the real property abutting such real property.

(2) The airspace to be occupied by such structure shall be only within the frontages of the real property abutting such airspace which are directly opposite.

(3) The airspace to be occupied by such structure shall not be used to deprive any real property, not owned by the Federal Government or District government, of its easements of light, air, or access.

(4) The construction of any such structure by the District government across a street or alley, the title to which is in the United States, shall be in accordance with an agreement between the Commissioner and the Attorney General of the United States, subject to such terms and conditions as the Attorney General and the Commissioner agree to include in the agreement.

(5) Section 16 of the Act entitled "An Act providing for the zoning of the District of Columbia and regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes", approved June 20, 1938 (D.C. Code, sec. 5–428), shall apply to the construction of any structure in such airspace by the Federal Government and, to the extent required by subsection (c) of section 5 of the National Capital Planning Act of 1952 (40 U.S.C. 71d (c)), to the construction of any structure in such airspace by the District government.

(6) Plans for the construction of any structure in such airspace by the Federal Government or the District government shall be subject to review by the National Capital Planning Commission in accordance with section 5 of the National Capital Planning Act of 1952 (40 U.S.C. 71d).

(7) The construction of any such structure by the Federal Government or the District government shall be subject to the recommendations of the Commission of Fine Arts to the extent required by the Act entitled "An Act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital", approved May 16, 1930 (D.C. Code, secs. 5–410 and 411), or the Act entitled "An Act to regulate the height, exterior design, and construction of private and semipublic buildings in the Georgetown area of the National Capital", approved September 22, 1950 (D.C. Code, title 5, chapter 8).

SEC. 13. If the Federal Government or the District government brings an action to recover the use of airspace leased under this Act, the government having title to the street or alley over or under which such airspace is located shall pay to the lessee of such airspace the fair market value of the remainder of his leasehold interest in such airspace. If the Federal Government recovers the use of airspace over or under a street to which it has title, the District government shall pay to the Federal Government an amount equal to the rents and fees received by the District government for the rental of such airspace or an amount equal to the fair market value of the remainder of the leasehold interest in such airspace, whichever is smaller.

SEC. 14. This Act shall not apply to airspace within the area in the District bounded on the north by G Street Northeast and Northwest, on the South by G Street Southeast and Southwest, on the east by Eleventh Street Northeast and Southeast, and on the west by Third Street Southwest and Northwest.

And amend the title so as to read: "An act to authorize the Commissioner of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, the airspace over and under streets and alleys in the District of Columbia, and for other purposes."

Mr. TYDINGS. The purpose of S. 1246 is to authorize the District of Columbia government to lease airspace above and below city streets for the construction of buildings or other structures or improvements, and to authorize the use of airspace for construction of buildings by the Federal and District governments, and for other public purposes.

The benefits that could accrue to the District of Columbia by enactment of S. 1246 are substantial. By allowing broader and more flexible use of existing public space, significant incentives would be created for the investment of private capital in the rehabilitation and renewal of older sections of the city. Its provisions would particularly encourage investment in the rebuilding of the central business district. The bill would also permit airspace over streets to be used for parks, recreation facilities and other municipal purposes.

The restrictions in the bill, limiting the use of airspace to those who own the abutting land, and requiring approval by those Government agencies responsible for orderly planning of the Capital City, will assure that the authority to use airspace over city streets will not be abused.

Mr. President, the amendment of the House is acceptable. I move that the Senate concur in the House amendment.

The motion was agreed to.

CERTAIN FIXING AND COLLECTION OF RENTS IN THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on the bill (S. 1247) to authorize the Commissioner of the District of Columbia to fix and collect rents for the occupancy of space in, on, under or over the streets of the District of Columbia, to authorize the closing of unused and unsafe vaults under such streets and the correction of dangerous conditions of vaults in or vault openings on public spaces, and for other purposes.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1247) to authorize the Commissioner of the District of Columbia to fix and collect rents for the occupancy of space in, on, under, or over the streets of the District of Columbia, to authorize the closing of unused or unsafe vaults under such streets and the correction of dangerous conditions of vaults in or vault openings on public spaces, and for other purposes, which were, on page 20, line 9, after "insurance", insert "or other acceptable security".

On page 20, lines 10 and 11, strike out ", such policy to" and insert ". Any such insurance policy shall".

On page 20, line 12, strike out ", and to" and insert "and shall".

On page 20, line 16, after "insurance", insert "or other security".

On page 20, line 19, after "insurance", insert "or other security".

On page 21, line 6, after "effected", insert "(1)".

Mr. TYDINGS. The purpose of S. 1247 is to authorize the District of Columbia government to fix and collect rents for the occupancy of space on, under or over streets in the District. This bill will enable the District to collect rent for the use of public space for such purposes as sidewalk cafes and parking lots. The bill will also provide the District with additional income from rental of underground vault space that is now rent-free, and will permit the District to control more effectively the use and physical conditions of these vaults.

The bill does not authorize the District to impose rental charges upon property owners or occupants of private residences who may use abutting public space for lawns, gardens or similar purposes.

Mr. President, the amendments of the House are acceptable. I move that the Senate concur in the House amendments.

The motion was agreed to.

GEORGE WASHINGTON AT PRAYER

Mr. CURTIS. Mr. President, on September 9, 1967, there was unveiled and dedicated at Valley Forge a statue entitled "George Washington at Prayer."

A poem concerning that statue has been written by Mattie Richards Tyler. I ask unanimous consent to have printed in the RECORD a description of the statue, a biographical sketch of the poet, and the poem entitled "George Washington at Prayer."

There being no objection, the items requested were ordered to be printed in the RECORD, as follows:

GEORGE WASHINGTON AT PRAYER

This poem is inscribed to the magnificent statue, "George Washington at Prayer," scultpured by Donald DeLue of Leonardo, New Jersey. It is situated at Valley Forge, Pennsylvania under the guardianship of Freedoms Foundation. The work was largely financed by the Grand Masonic Lodge of Pennsylvania. Freedoms Foundation unveiled and dedicated the monument of September 9, 1967. Thousands of our own citizens, joined by many foreign visitors, were present to pay honor to the memory of George Washington, the Father of our Country!

Mattie Richards Tyler, poet, editor; Associate Editor, Blue Moon International Poetry Magazine for 19 years; National Poet Laureate, Beta Sigma Omicron National Sorority for 24 years; D.C. Branch past President, and D.C. State past President, National League of American Pen Women.

"GEORGE WASHINGTON AT PRAYER

"(Freedoms Foundation, Valley Forge, Pa.)

"What thoughts were in your mind as you knelt here
At Valley Forge? What dreams inspired your prayers?
Your head is bowed in worship, not in fear—
As one who knows his God is close and cares.
You doubtless prayed for men in desperate need,
Your troops at Valley Forge! Some lived, some died;
But one and all, they planted Freedom's seed—
To blossom as our Nation tilled with pride.
Your solemn noble face reveals war's strain,
Your strong clasped hands are raised in supplication;
With fast-closed eyes, you wait for some refrain
To lead you on in faith and dedication.
We kneel with you, George Washington, today . . .
Imploring God for light to see our way."

—Mattie Richards Tyler.

THE NONPROLIFERATION TREATY

I

Mr. PROXMIRE. Mr. President, the treaty to ban the spread of nuclear weapons to additional countries should be ratified as soon as possible. This treaty is designed to prevent the multiplication of nuclear powers from five to 10, 15, or 20. If this should happen, as President Kennedy once said:

> There would be no rest for anyone . . . no stability, no real security, and no chance for effective disarmament. There would only be increased chance of accidental war, and an increased necessity for the great powers to involve themselves in otherwise local conflicts.

U.S. policy has consistently opposed the spread of nuclear weapons since the end of World War II. This policy is reflected in the Baruch plan, the Atomic Energy Act of 1946 and its amendments in 1954, in President Eisenhower's atoms-for-peace plan, and in the test-ban treaty.

The nonproliferation treaty was first proposed by the United States to carry out this policy of long standing. We suggested the first treaty draft. We have been urging agreement to such a treaty for 4 years. We were the principal architects of the treaty which has now been signed by more than 80 countries.

Since this is clearly a U.S. treaty, it seems odd to suggest that its ratification be delayed because of the brutal Soviet suppression of the forces of freedom in Czechoslovakia. This treaty is not a concession to the Soviet Union. We hurt no country more than our own by delaying ratification.

II

Not only are we injuring our own cause, but we may also be injuring Czechoslovakia. That country has consistently been a major supporter of the nonproliferation treaty. Czechoslovakia was among the first to sign on July 1, long before the invasion. Two weeks ago in Vienna at the International Atomic Energy Agency, the Czech delegate called upon other countries "to take all the necessary steps to become a party to this treaty." In an editorial in the Czech Communist Party newspaper, Rude Pravo, on September 24, the assertion was made that "revival of the cold war is of no benefit to either East or West, for it can only harm the normalization of our economy and political, social and private life." Last week, the Czech delegate at the U.N. repeated his country's call for all nations to sign the treaty. The purpose of the treaty and Czechoslovakia's unconditional support for it indicates that a U.S. delay in ratification would harvest no advantage, accrue no benefit for the beleaguered Government of Czechoslovakia.

III

Some have asked why we should ratify a treaty to which the Soviets are likely to be party when the August 21 invasion shows the callous disregard which the Soviet Union has for treaties. We do not believe it to be in the Soviet Union's interest to give its nuclear weapons to other countries. The Soviets have nothing to gain, nor do we, by other nations acquiring a nuclear weapons capability. It is difficult to imagine any peacetime situation in which it would be in the Soviet self-interest to violate the nonproliferation treaty.

Furthermore, the treaty's most important promises will come from the nonnuclear countries, not the Soviet Union. These countries will agree not to manufacture or otherwise acquire nuclear weapons. They will agree to international safeguards on their peaceful nuclear reactors to see that these reactors are not used to manufacture nuclear weapons.

Thus, this treaty does not even involve trusting the nonnuclear countries, much less the Russians.

IV

In conclusion, I would like to add a few brief words on why it is so important that we give our advice and consent to ratification as soon as possible. The eyes of the nonnuclear states are on us at this very moment because we led the way toward this treaty. If there is any hesitation on the part of a nuclear power which has everything to gain and nothing to lose from this treaty, these nations will wonder why they should feel any urgent need to ratify. The momentum behind the treaty will be lost. Those who have any doubts about the treaty may, by our hesitancy, consider their doubts confirmed. Several of the major nonnuclear states who have not as yet signed and whose adherence is important to the effectiveness of the treaty, have indicated they do not intend to proceed until the Senate has acted.

With the spread of nuclear know-how around the world, there is not much time left to reach agreement against nuclear spread. Each week that passes, advanced nonnuclear nations may get closer to acquiring the knowledge and ability to make nuclear weapons, thereby making their decisions to forgo the nuclear option all the more difficult. The events of recent weeks have shown that the world is too dangerous a place to delay, for even a short while, Senate approval of this realistic attempt to reduce the threat of nuclear war.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a copy of a Milwaukee Journal editorial of September 17, 1968, regarding this all-important issue.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WORLD NEEDS NUCLEAR PACT

Arguments that this country should not ratify the nuclear nonproliferation treaty now because of the Russian invasion of Czechoslovakia have no basis in logic.

The treaty, hammered out after six years of negotiation in Geneva, has to do with the security of mankind, not our relations with the Soviet Union. It pledges nonnuclear signatories not to acquire nuclear weapons by any means. It provides that they open their installations for peaceful uses of nuclear power to international inspection. In return it promises them assistance in developing peaceful uses of nuclear energy by the United States, the Soviet Union and Great Britain.

The potential for good, beyond the military gain in limiting nuclear weapon proliferation, is tremendous. Within only a few years atomic power will enable many now underdeveloped nations to have an industrial capacity that would not be possible were they to depend on coal or oil. Desalinization of seawater through atomic plants is expected to become feasible on a large scale and relatively cheap—enabling many areas now lacking water to obtain vital irrigation. In these two fields alone the major nuclear powers, under the treaty, could be of great help to the rest of the world.

Rejection of the treaty because of present differences with the Soviet Union would not harm the Soviet Union. It would gain us nothing. But it would stall the developments badly needed by much of the world and harm a number of small nations eager to progress.

We might all just as sensibly give up eating rice to show our displeasure with Chairman Mao Tse-tung of Communist China. The world needs the nonproliferation treaty. To refuse to approve it out of pique would be ridiculous and harmful.

Mr. DODD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. DODD. Mr. President, I have listened with great interest to the remarks of the distinguished Senator from Wisconsin, as I always do, because they are always worthwhile.

I am sure the Senator is aware of the report of the Committee on Foreign Relations. In that report, there are dissenting views. I wonder if the Senator has taken into consideration the points I raised in the committee and in the report.

I preface my remarks by saying that I have voted for every treaty, agreement, measure and resolution that sought to establish some control over this terrible threat of nuclear warfare. In fact, in May 1963, I introduced a resolution which 33 other Senators cosponsored, calling for the cessation of nuclear tests in the atmosphere and under water. That resolution had something to do with paving the way to the Limited Test Ban Treaty.

What bothers me and some other Senators and some people who are not Members of the Senate is, first of all, the language of the preamble in which the parties to the treaty, including the Soviet Union, agree not to engage in aggressive conduct against any other nation and not to interfere with the independence of any other nation. That preamble is a part of the treaty.

Before the ink was dry, that preamble was violated by the Soviet Union. How in the world can the United States or any other country with good sense enter into an agreement or treaty or ratify one that has already been broken? That is my first point.

Across our land and in Congress the charge has repeatedly been made that those Senators who oppose ratification at this time do not know what they are talking about.

Those of us who took a hard look at this measure agree that in this contract—and that is essentially what the treaty is—every word has meaning, whether it is the preamble or in any other part.

So, when one of the parties to a contract breaks it before it can be ratified, as this treaty must in a sense be ratified by us, I do not think we ought to go any further with it, as a matter of honor and security, until some things are done with respect to this treaty.

My second point is that I went to great lengths, and so did other Senators, to find out whether there are adequate safeguards contained in the treaty, for the American people and other peoples of the free world. The answer is that there are not.

I do not want some individuals to continue telling the American people that this is a good treaty, without contradiction, when the fact is that it is an incomplete and gravely deficient treaty. We are doing business here with the Soviet Union, a country that time and again has broken its solemn obligations. And I do not want people encouraging us to walk into another catastrophe, and the people that I represent, I believe, do not want us to do so either.

If the American people understood the treaty and the circumstances surrounding it, they would be up in arms against it.

It is time to stop the senseless talk about those who oppose the treaty. It is not true that Senators who oppose ratification at this time have some stupid, selfish reason in opposing an effort to stop the spread of nuclear weapons.

I fought as hard as anyone else to try to get reasonable controls in the field of nuclear armament.

As I have pointed out, I introduced a resolution calling for a ban on atmospheric tests, and the present Vice President of the United States was the first one to cosponsor it with me. Thirty-three other Senators joined in.

The Senator from Wisconsin is one of the brightest and finest men I have ever met. He has such a good mind and such an excellent disposition, I am sure that if he had a chance to talk with some of us, he would not be fooled by the unreasoning clamor for ratification.

I have held my tongue in the face of criticism and editorials on this matter. I do not propose to do so any longer.

Mr. PROXMIRE. Mr. President, I have the greatest respect for the ability and knowledge of the distinguished Senator from Connecticut. I am sure that there is great merit to his objection to what is contained in the preamble. However, what has persuaded me that we should ratify the treaty forthwith is that the very heart of the treaty persuades countries that have the technological capacity to develop nuclear weapons not to do so. I do not refer to the Soviet Union. If we had to rely on the word of the Soviet Union, I would agree with the whole thrust of what the Senator from Connecticut has had to say. However, we do not have to rely on their word.

The Soviet Union has the same interest that we have in preventing the spread of nuclear weapons. They have supremacy as far as the nonnuclear countries are concerned. The Soviet Union does not want West Germany or other countries to develop nuclear weapons.

If we ratify the treaty and the nonnuclear countries ratify it, we will have advanced our position somewhat. Senate action on this treaty would not have stopped the possibility of war, I have never said it would; but we would have reduced the possibility that nuclear war might break out.

We have to recognize alternatives in this world. Sometimes they are grim. In this case I feel we do not have any alternative except to do everything we possibly can to prevent 15, 20, or 30 other countries getting the power to plunge the world into a nuclear holocaust that would destroy us.

Mr. DODD. Mr. President, I understand the points the Senator makes. Does the Senator believe that it would be impossible for the Soviet Union or other countries to cheat under this treaty?

Mr. PROXMIRE. Mr. President, I say to my good friend, the Senator from Connecticut, that it is certainly possible and conceivable under this treaty or under any other treaty for the Soviet Union to cheat.

When we recognize the interest that the Soviet Union has in this particular case, we realize that their interest would dissuade them from cheating. Why would they want another country, a country like Czechoslokavia, Japan, or West Germany to have nuclear weapons?

Mr. DODD. Czechoslovakia is owned and operated by the Soviet Union today. They do not care about adequate inspections for the Czechoslovakian people, or any of their other satellites.

That was a more important point to me than the preamble.

I wish the Senator from Wisconsin had talked with scientists and people who are knowledgeable about nuclear matters. He would realize that any agreement with the Soviet Union—which is our sworn enemy—ought to be self-executing. There should be no latitude for treachery. We cannot take any chance. It is that serious a matter.

Just about everyone who knows about the situation tells us that this could happen in the twinkling of an eye.

I heard the distinguished chairman of the Armed Services Committee tell us the other day of the dreadful potential in the use of nuclear power and nuclear warfare.

How can we afford to take a chance when we are dealing with a power that has time and again broken its word?

What happened when we foolishly entered into an uninspected moratorium on nuclear testing? What did the Soviets do? They treacherously violated it. This is not ancient history. They have broken agreements all the time and they still do so.

How in the world can anyone say that we can take a chance or that we have to? I do not want our people blown to bits, and I do not believe the Senator does, either. I would not put it past the Soviets to do so, if they thought they could get away with it. I cannot forget that when Hitler was building his armament, he concealed it by pretending that his arms factories were making stoves and I do not know what else. It is all in the record.

The genius of the Soviet Union is very great. They have great scientists and inventive people. Unless we have the right to inspect such operations and they have the right to inspect such operations, to be sure that there is no violation of the agreement, the chances are too terrible to take. And that is my whole case.

All I ask is that we have a self-executing, iron-clad agreement that no one can break.

I do not believe that many of the parties who signed that treaty before the invasion of Czechoslovakia and before the violation of the preamble would do so today. As a matter of fact, some of the parties are already giving signs that they feel they should never have gotten into it, and I expect this would be true all over the world.

I do not know why we still have to remind people that we are dealing with a treacherous power and that we should be careful about what we do.

Now it is said that we should go into this treaty, in the interest of avoiding catastrophe, without making sure that it cannot be broken. I find this incomprehensible.

Mr. **PROXMIRE**. Mr. President, the Senator from Connecticut asks: How can we afford to take a chance on this kind of treaty? We should ask ourselves: What kind of chance are we taking if we do not sign this treaty? What kind of chance are we taking if we simply permit the operation of the natural forces of defense which a country like Israel or India or West Germany is bound to follow in this technological age? There is the chance.

So far as self-execution is concerned, of all the treaties we might sign with the Soviet Union, this is one instance in which it would seem to me to be in the interest of the Soviet Union to abide by it.

So far as the Test Ban Treaty is concerned, which I supported—to the best of my understanding, it seems to have been abided by; perhaps the Senator has some evidence that it was not—that is an instance in which there is some reason why the Soviet Union might very well violate a treaty we signed. By violating it they could strengthen their position as a nuclear power. That is not so with respect to this treaty. It is to our interest to see that the nonnuclear countries, not simply the Soviet Union, sign that they will not acquire nuclear weapons, that they will not manufacture nuclear weapons. That is what this treaty will do.

Mr. **DODD**. There is much more than that. We guarantee to nonnuclear powers that the countries which have nuclear weapons will not use those weapons against them. That is the justification used in inducing the nonnuclear powers to become parties to this treaty.

May I respond to the Senator's question which he posed rhetorically? I say we cannot afford to take this kind of chance, and the Senator asked: How could we afford not to? What is the alternative?

I will state what I think it is.

We must stand by our principles and say to them: "Look here, if you really want to have a treaty, it's easy to get, and you know it as well as we do. We want to be sure that no one can violate it—you or we or anybody else." There is only one way in which we can be sure. It is a commonsense way. One need not be a scientist or possess extraordinary information to understand this. We know that all parties must have the right to inspect and make sure that it is not being violated. That is not very much to ask.

So we must remain strong, hoping and praying that the Soviets do not lose their senses altogether, as others have done in the past. We must keep our guard up and try to induce them to come to their senses and enter into a good foolproof agreement. That is the course I believe we should pursue.

Mr. **PROXMIRE**. Mr. President, the Senator from Connecticut has made a constructive point on the preamble. Frankly, I have not given it the study I should like to give it.

Mr. **LAUSCHE**. Mr. President, will the Senator yield?

Mr. **PROXMIRE**. I yield to the Senator from Ohio.

Mr. **LAUSCHE**. The Senator from Connecticut has pointed out a weakness in the treaty, because it does not provide for adequate inspection to determine whether a signatory nation has violated the commitment not to transfer nuclear weapons. What is the understanding of the Senator from Wisconsin with respect to the provisions of the treaty giving the signatory nations the ability to determine by investigation whether the United States or Russia is violating the promise not to transfer nuclear weapons to other nations?

Mr. **PROXMIRE**. I wish to yield to the Senator from Rhode Island on this. He is a member of the committee, and he has given that matter study.

Let me simply say that my understanding is that there could be more comprehensive inspection and safeguard provisions in the treaty. I believe it does rely primarily and fundamentally on the interest of the Soviet Union, the interest of the United States, the interest of France and even of Red China, all of whom have nuclear power now——

Mr. **LONG** of Louisiana. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER**. The Senator will state it.

Mr. **LONG** of Louisiana. Are we now proceeding in accordance with the rule of relevancy?

Mr. **PROXMIRE**. May I proceed for 1 minute?

Mr. **DODD**. I may have violated it.

Mr. **PROXMIRE**. The Senator from Louisiana is correct. I am in violation of the Pastore rule of relevance. I expected to be able to speak for a few minutes.

Mr. **LAUSCHE**. May we have 10 minutes?

Mr. **DODD**. We have done a pretty good job of violating the rule. We may as well finish the job.

Mr. **LONG** of Louisiana. I ask unanimous consent that the Senator from Wisconsin may have 5 additional minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **LAUSCHE**. The treaty provides that a study shall be made for 18 months to see how inspection shall be carried out. What the result of that 18-month study will be, no one knows, but I should like to emphasize this fact: The treaty provides in its preamble that no nation signatory to the treaty shall invade the territorial or sovereign integrity of any other nation that has signed the treaty. Russia signed it. Czechoslovakia signed it. As the Senator from Connecticut has said, the ink was not yet dry, and Russia violated the territorial and sovereign integrity of Czechoslovakia.

How can one give credence, praise, and approval to this abominable misconduct, this breach of sacred word? Russia, as the Senator from Connecticut has said, violated its promise. It now has its troops, its tanks, and its artillery in Czechoslovakia. Are we throwing overboard our friends? Are we joining with Russia in the invasion it made? Finally, how can one believe the Russians, when it is thoroughly apparent that the agreement already has been violated by them?

Mr. **PROXMIRE**. Mr. President, I wish to say to the Senator that at no time have I condoned in the slightest the invasion of Czechoslovakia by Soviet Russia.

Mr. **LAUSCHE**. My position is that we are condoning it.

Mr. **PROXMIRE**. That invasion was brutal and vicious, but it is completely irrelevant so far as the treaty is concerned. This treaty is concerned with the spread of nuclear weapons and is concerned with the nonnuclear nations and is an effort on our part to have them agree not to develop or manufacture nuclear weapons.

Mr. **PELL**. Mr. President, I congratulate the Senator and express strong support of his wish that the nonproliferation treaty be ratified as soon as possible.

In these matters we have to make a policy decision. Some risks have been brought forward by the distinguished Senator from Connecticut, but we must weigh the gain against the loss.

In this regard I think that the majority of the members of the Committee on Foreign Relations who considered the matter came to the conclusion that there is more to be gained than there is to be lost by the ratification of the treaty.

I regret though, the recommendation of our committee that we should consent to the passage of the treaty but then advise the President to delay the final ratification.

Mr. **SPARKMAN**. Mr. President, will the Senator yield?

Mr. **PROXMIRE**. I yield to the Senator from Alabama.

Mr. **SPARKMAN**. Mr. President, I do not believe that is an accurate statement. I know there is a statement in there that has been greatly misunderstood, and it is misunderstood because so many people do not understand all the steps involved in the ratification of the treaty.

The first step is consideration by the Committee on Foreign Relations. The second step is the agreement on the part of the Senate to advise and consent. The Senate does not ratify the treaty. The Senate advises and consents, and it gives its consent to the President to ratify the treaty. Then, it is up to the President to complete the ratification whenever he sees fit. That is what we were really pointing out. It is in the hands of the President. I admit the language is not clear. I have been critical. A couple more sentences could have made it clear that it is for the President to decide the proper time to complete the three steps and make deposit of the treaty. Those steps complete the matter, and it is only in that way that the treaty comes into effect as far as we are concerned.

Mr. PELL. Mr. President, the Senator is absolutely correct, but I would add that until now we have usually thought the time lapse between the Senate's giving its advice and consent and the ministerial act of deposit of the instrument of ratification to be routine in nature and primarily a procedural formality following automatically upon the Senate's giving its advice and consent to a treaty. This is an instance where we indicate the possible advisability of a substantive time lag. I believe this could create a dangerous precedent.

Mr. President, no one feels more strongly than I about the situation in Czechoslovakia. I lived there for 2 years, was there at the time of the Communist putsch in 1948 and have gone back there every few years ever since.

However, to equate this situation in Czechoslovakia with ratification of the Nonproliferation Treaty is not proper because they are separate problems. We have also engaged in the use of force in various parts of the globe in the last few years to implement our policy views. And I imagine we may continue to do so.

What we have to do here is to weigh the balance as to whether we will take one step backwards on the part of the Soviet Union to hamper a great move forward on the part of most of the countries of the world.

Mr. PROXMIRE. I thank the Senator from Rhode Island.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I regret very much, but I must insist on the germaneness rule. We are confronted with a filibuster on the tax bill that has been before the Senate for almost 2 years. We do have a germaneness rule for the purpose of permitting the Senate to discuss the matter which is before the Senate.

I have already asked unanimous consent to permit the debate to proceed for 5 additional minutes. This debate could drag on, and the Senate might not consider the treaty. In fact, that was pointed out in the Senator's speech.

On the other hand, the tax bill is here and we agreed to set it aside to take up the defense bill and the Fortas matter. Then, we had a filibuster yesterday in connection with bringing up the tax bill.

I plead with Senators that if they want to engage in nongermane debate, that it be done after the time allotted to germane debate expires.

Mr. President, when will the time under the germaneness rule expire?

The **PRESIDING OFFICER.** It expires 3 hours after the conclusion of the morning hour. The time will be up at 3:42 p.m. The germaneness rule governs until 3:42 p.m.

Mr. LONG of Louisiana. Mr. President, Senators make speeches and inspire other Senators to make speeches and they could use up the entire germaneness period. I must insist on the observance of the rule. One or two Senators have been waiting to make statements, and I am willing to ask unanimous consent that they have time to make the statements they anticipated making. The Nonproliferation Treaty may not come before the Senate, and I know it may not come before the Senate during the time when we have the rule of germaneness.

I would be willing to yield 3 additional minutes for nongermane debate provided we are not asked to yield further and that the statement does not inspire others to participate in the debate.

The **PRESIDING OFFICER.** Is there objection to the request that the matter be continued for 3 additional minutes?

Mr. LONG of Louisiana. Mr. President, how much additional time does the Senator from Connecticut desire?

Mr. DODD. Two minutes.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senator be permitted to proceed for 2 additional minutes notwithstanding the rule of germaneness.

Mr. SPARKMAN. Mr. President, reserving the right to object, and I shall not object, I want to make certain that that request is not dealing further with the nuclear treaty. I would like very much to have the opportunity to make comments in connection with the treaty.

Mr. MANSFIELD. So would I.

Mr. SPARKMAN. If the Senator is going to yield to anyone to speak on that matter, there are other Senators who would like to have time, too. Otherwise, I have no objection.

Mr. DODD. I was only trying to explain something. I do not intend to carry the discussion further at this time. I think it is important, however, that when we discuss the matter, both sides be presented. When we talk, we talk not only to each other but we are talking to the people of the country. And sometimes where statements go out which are unchallenged, they are carried by the news media, and it appears to the public as if everyone agrees. I am tired of having these statements go out unchallenged, with no other voice being heard. This is why people do not understand. I have heard from some of my constituents and they ask, "What in the world is the matter with you? Why are you against ratifying the Nonproliferation Treaty?"

I wish I had a chance to answer the argument by the Senator from Rhode Island that we have done things similar to the Soviet invasion of Czechoslovakia, because that simply is not so. I will do so later.

I thank the Senator from Louisiana.

The **PRESIDING OFFICER.** Is the regular order called for?

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may proceed for not to exceed 10 minutes under the rule of nongermaneness.

Mr. MANSFIELD. Mr. President, will the Senator yield to me first for 1 minuate?

Mr. LONG of Louisiana. I yield 1 minuate to the Senator from Montana. Then, I yield 10 minutes to the Senator from Delaware.

Mr. MANSFIELD. Mr. President, I only wish to say that I am fully in accord with the arguments advanced by the distinguished Senator from Wisconsin [Mr. PROXMIRE], the distinguished Senator from Rhode Island [Mr. PELL], and the distinguished acting chairman of the Committee on Foreign Relations, the Senator from Alabama [Mr. SPARKMAN].

This treaty is good for this country. Seventy-nine other nations, I believe, if not more, have already signed it, although it is true that only one country, Ireland, has ratified the treaty.

Hearings were held before the Committee on Atomic Energy and the Committee on Foreign Relations. At an appropriate time all of the facts on all sides will be brought before the Senate.

In my opinion this treaty is in the best interests of the United States. It is to prevent the spread and the proliferation of nuclear weapons that this treaty came into existence.

I thank the Senator.

NOMINATION OF DAVID BRESS AS U.S. ATTORNEY FOR THE DISTRICT OF COLUMBIA

Mr. WILLIAMS of Delaware. Mr. President, in the Washington Post of October 5 there appeared an article by Mr. Lawrence Feinberg wherein he raised serious questions as to the manner in which Mr. David Bress was selected as U.S. attorney for the District of Columbia in 1965. I quote from this article:

> Montgomery County Council President William W. Greenhalgh said yesterday that the personal intervention of Supreme Court Justice Abe Fortas blocked him from being nominated as U.S. Attorney for the District of Columbia in 1965.
>
> Greenhalgh said Fortas, who had just been named to the High Court, went to President Johnson in August 1965 and "persuaded him that I was too close to (Robert) Kennedy." He added that Fortas told the President that "because the Bobby Baker case was pending in the U.S. District Courthouse, I couldn't be trusted."

Mr. Greenhalgh, a professor of law and head of the legal intern program at Georgetown University Law School, served as assistant U.S. attorney from 1958 to 1963.

I quote further from this article:

> He (Mr. Greenhalgh) said he was recommended to Johnson for the U.S. attorney's post in August 1965 by Nicholas deB. Katzenbach, then attorney general, and by Ramsey Clark, who then was deputy attorney general. . . .
>
> He said that Fortas suggested that the President name his "great and good friend" David Bress as U.S. attorney, and Johnson did so despite the fact that Bress once was Baker's lawyer.
>
> Just before Bress was named, Greenhalgh said that Johnson told Sen. Daniel B. Brewster (D-Md.), "I need a man I can trust."

This article appeared in the Washington Post last Saturday, but I withheld any comment on the allegations contained therein until today, hoping that those mentioned as having personal knowledge of these discussions would recognize the necessity for clarifying the record. Thus far, however, all that we have seen in rebuttal is an indirect denial by an "unidentified" spokesman for Mr. Fortas as appearing in the Washington Post on Sunday, October 6.

This is not enough. The implications behind the allegations as contained in the article of last Saturday are such that they strike at the very heart of the integrity of both our judicial and executive systems.

Here we have a charge, the implication of which is that in 1965 the selection of the nominee for the position of U.S. attorney in the District of Columbia was based, not upon the qualifications of the individual, but upon the effect his selection would have on the outcome of the charges then pending against Mr. Robert Baker.

The additional fact that prior to their Government service both Mr. Fortas and Mr. Bress were attorneys representing Mr. Baker and his companies cannot be overlooked and only emphasizes the importance of clarifying the record.

Mr. President, I am not in a position to pass any opinion as to the validity of these accusations; however, I do say that in view of the serious nature of the implications involved they cannot be ignored, and a mere denial issued by "an unidentified spokesman" for Justice Fortas is not enough.

The implications behind Mr. Greenhalgh's allegations as appearing in the Washington Post of October 5 are that the executive branch, after conferring with a member of the Supreme Court, acted on an appointment in the judicial system with the thought of how it would influence the outcome of a potential court case against Mr. Robert Baker. Nor can we ignore the fact that both Mr. Fortas and Mr. Bress were attorneys for Mr. Baker prior to their Government service.

What makes these allegations especially pertinent at this time is that Mr. David G. Bress has recently been nominated by the President as a Federal judge in the District of Columbia, and the question of his confirmation is now pending before the Senate Judiciary Committee. In fairness to our judicial system and in fairness to the President, Justice Fortas, and Mr. Bress the serious implications behind the charge of Mr. Greenhalgh cannot be ignored.

Therefore I am today forwarding to the chairman of the Senate Judiciary Committee a request that prior to any further consideration or action on the nomination of Mr. Bress as a Federal judge, Mr. Greenhalgh and those others who were mentioned in this article be asked to testify before the committee as to their knowledge of the incident.

I emphasize that I am not passing judgment as to the validity of these allegations; but the Washington Post is a responsible paper and Mr. Greenhalgh was a former assistant U.S. attorney and now that the charges have been printed the far-reaching implications therein cannot be overlooked. The integrity of our judicial system as well as the reputation of the executive branch is at stake.

I ask unanimous consent that there be printed at this point in the RECORD the article appearing in the Washington Post of October 5 by Lawrence Feinberg entitled "Greenhalgh Says Fortas Blocked Him" followed by the article which appeared in the same paper the following day entitled "Intervention by Fortas on Greenhalgh Denied."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Oct. 5, 1968]

GREENHALGH SAYS FORTAS BLOCKED HIM

(By Lawrence Feinberg)

Montgomery County Council President William W. Greenhalgh said yesterday that the personal intervention of Supreme Court Justice Abe Fortas blocked him from being nominated as U.S. Attorney for the District of Columbia in 1965.

Greenhalgh said Fortas, who had just been named to the High Court, went to President Johnson in August, 1965, and "persuaded him that I was too close to (Robert) Kennedy." He added that Fortas told the President that "because the Bobby Baker case was pending in the U.S. District Courthouse, I couldn't be trusted."

Greenhalgh, a professor of law and head of the Legal Intern Program at Georgetown University Law School, served as an assistant U.S. attorney in Washington from 1958 to 1963.

TWO RECOMMENDATIONS

He said he was recommended to Johnson for the U.S. attorney's post in August, 1965, by Nicholas deB Katzenbach, then attorney general, and by Ramsey Clark, who then was deputy attorney general.

Greenhalgh said he had been a friend of Robert Kennedy since 1950 when the two met as students at the University of Virginia Law School.

He said that Fortas suggested that the President name his "great and good friend" David Bress as U.S. attorney, and Johnson did so despite the fact that Bress once was Baker's lawyer.

Just before Bress was named, Greenhalgh said that Johnson told Sen. Daniel B. Brewster (D-Md.), "I need a man that I can trust."

TALK IN BETHESDA

Greenhalgh, a Democrat, made his accusation in a speech to the Montgomery County Press Association in Bethesda. Fortas, who asked the President to withdraw his nomination as Chief Justice on Wednesday, could not be reached for comment.

Greenhalgh said Fortas's approach to Johnson on his appointment was an example of the Justice's "interjecting himself into legislative and executive matters . . . and lends some credence to the apprehensions of the U.S. Senate."

In his talk, Greenhalgh also said that the late David Scull, a maverick Republican who was Montgomery County Council president last year, told him a few months before his death in January that "if Nixon were nominated for President he would switch parties."

Greenhalgh said Scull hoped to run for County executive in 1970 if the voters approved a charter revision that is on the ballot next month.

[From the Washington (D.C.) Post, Oct. 6, 1968]

INTERVENTION BY FORTAS ON GREENHALGH DENIED

A spokesman for Supreme Court Justice Abe Fortas denied yesterday that Fortas intervened to block the nomination of William W. Greenhalgh, now president of the Montgomery County Council, as U.S. attorney for the District of Columbia in 1965.

Greenhalgh made the charge in a speech Friday in which he said that Fortas, who had just been named to the High Court, went to President Johnson in August, 1965, and "persuaded him that I was too close to (Robert) Kennedy."

The spokesman for Fortas said yesterday that Greenhalgh's name was completely unknown to the Justice.

Named to the U.S. attorney post was David Bress. At the Senate hearings on Fortas' nomination to be chief justice, Fortas denied having anything to do with the Bress nomination or any other nomination.

Greenhalgh, a professor of law and director of the legal intern program at Georgetown University Law School, made his accusation in a speech to the Montgomery County Press Association.

He said he was recommended to Johnson for the U.S. attorney's post by Nicholas deB. Katzenbach, then attorney general, and by Ramsey Clark, who then was deputy attorney general. Greenhalgh served as an assistant U.S. attorney in Washington from 1958 to 1963.

Mr. WILLIAMS of Delaware subsequently said: Mr. President, in the Des Moines Register of Monday, October 7, there appeared an article by Clark Mollenhoff entitled " 'Downgrade' Rating of Johnson Nominee."

In this article Mr. Albert Jenner, Jr., chairman of the American Bar Association, is quoted as having said that his committee was very much concerned over the background activities of Mr. David Bress and that they reluctantly gave him a passing grade for promotion to the important judicial post.

In selecting men for lifetime appointments as Federal judges the American people are entitled to more than just a minimum passing grade, and the recommendations of the American Bar Association would be more highly respected if the association were a little more cautious in enforcing a higher standard of ethics than that which was condoned in this particular case.

I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"DOWNGRADE" RATING OF JOHNSON NOMINEE

(By Clark Mollenhoff)

WASHINGTON, D.C.—The American Bar Association (A.B.A.) "downgraded" its rating of David G. Bress, a controversial Johnson nominee for a federal judgeship, because of the questionable handling of a million-dollar estate by the Bress law firm.

Albert Jenner, Jr., chairman of the A.B.A. committee on the federal judiciary, told The Register that Bress has been given the lowest of three possible "qualified" ratings because of the manner in which the Bress law firm handled the estate of a wealthy Washington laundry owner, the late Melvin A. Viner.

Jenner, whose committee came in for sharp criticism in connection with its recommendation of Abe Fortas for chief justice, said that Bress is "a fine trial lawyer" and would probably have been rated as "well qualified" or "exceptionally well qualified" if it had not been for evidence showing the Bress law firm had fabricated new stock certificates and inserted them into the Viner estate without notice to the widow, Mrs. Jeanne S. Viner, or her children.

The stock certificates were fabricated in the Bress and Newmyer law office under the direct supervision of Albert Phillipson, then a junior partner in the law firm. The estate was being handled by Bress as the attorney of record, and Bress was the individual who signed most of the papers filed in court on the estate matter.

Court records show that the new stock certificates carried a special typed qualification that could have forced the widow to sell the stock, valued at more than $1 million, to her deceased husband's brothers for a book value of about $30,000.

Jenner said the Justice Department request for an A.B.A. approval for Bress had been pending for "about a year" before it was finally decided to rate him simply as "qualified" so President Johnson could nominate Bress, now the U.S. district attorney in Washington, D.C., for a post as a U.S. district judge in the District of Columbia.

BRESS QUESTIONED

Jenner, a Chicago lawyer, said he was "so concerned" about the information on the Bress law firm's handling of the Viner estate that he made two trips to Washington this year in connection with it. He said he had questioned Bress for four hours and that he and a Washington lawyer, Robert Ash, also questioned Phillipson extensively.

Jenner said the decision to rate Bress as "qualified" did not amount to approving or condoning the manner in which Bress and Phillipson had handled the Viner estate.

"We downgraded him because of the Viner estate" Jenner said. "Bress denied he was personally responsible for inserting the new stock certificates in the estate, and we found nothing that would prove he was aware of it," Jenner said.

Jenner said it was the responsibility of the Senate to put witnesses under oath and go into it further if there was any doubt about the Bress denial that he knew that Phillipson and the Viner brothers had fabricated the new stock certificates.

Senator John J. Williams (Rep., Del.) has served notice on the Senate's Democratic leadership that he intends to fight the Bress nomination.

In late 1965, Williams objected to Bress for U.S. district attorney on grounds that Bress had been an attorney for Robert G. (Bobby) Baker's Serv-U Vending Co. at the time that Abe Fortas, then a Washington lawyer, was serving as attorney for Baker.

Bress was hired at the suggestion of Fortas because he wished to avoid the possible conflict of interest involved in representing both Baker and the corporation Baker headed.

Williams and Senator Carl Curtis (Rep., Neb.) objected to Bress as part of the network of Baker's lawyers, friends and business associates who were being appointed to important judicial and prosecution posts by President Johnson.

Late in the consideration of the Bress nomination for U.S. attorney, Williams learned of the questionable handling of the Viner estate. He made a hard fight on the Bress nomination, arguing that the Judiciary Committee had not done an adequate job of investigating the estate matter.

Williams was unable to get sufficient attention on the Bress nomination at that time because the Senate was embroiled in a controversy over the nomination of Francis X. Morrissey, a longtime friend and political work horse for the Kennedy family who had been nominated for a judgeship by President Johnson as a favor to Senator Edward Kennedy (Dem., Mass.).

Williams also faced the handicap of having the Bress nomination supported by Minority Leader Everett Dirksen (Rep., Ill). and Senator Roman Hruska (Rep., Neb.).

MULTIPLE ROLE

Williams has contended that Bress should not be permitted to avoid responsibility for the irregular handling of the Viner estate, and he emphasized that Bress had many positions of trust in connection with the stock of the Sunshine Arcade Laundry Co. as well as the estate.

Bress was counsel for the laundry and also was secretary of the corporation with the responsibility for custody of the stock records.

Also, Bress was lawyer for the two surviving Viner brothers, Leonard and Robert, who would have stood to benefit from the fabrication of the new stock certificates and the insertion of those stock certificates into Melvin Viner's estate.

Also, Bress was the lawyer for the estate and for the widow and her children during the crucial period in January and early February, 1955.

Williams argued that Bress should not be permitted to avoid responsibility simply by contending that a junior partner—Phillipson—had engaged in the questionable stock fabrication.

It was Bress who signed most of the papers filed for Leonard and Robert Viner for six months beginning Jan. 8, 1955. This included the period in which the stock certificates were fabricated. After six months, Bress appeared in the case periodically, with Alvin Newmyer and Phillipson handling various details.

WIDOW DISSATISFIED

Initially, the law firm represented the widow, but in mid-February, 1955, Mrs. Viner became dissatisfied with the estate's handling.

Although her husband had been an owner of one-third of the $3-million firm, it appeared that under the management agreement made a part of the fabricated stock she might be left with the income from only one-third of one-half of the $180,000 "book value" of the stock.

Mrs. Viner then hired Bruce Sundlun, a Washington lawyer who had been an assistant U.S. attorney, to press her interests because she felt the multiple roles of Bress might have created a conflict of interest.

Sundlun noted that the stock certificates that represented the widow's share of the estate carried the signatures of Leonard and Robert Viner, but did not carry the signature of Melvin Viner, the deceased brother who had been the dominant figure in the family laundry corporation.

Sundlun immediately questioned whether these stock certificates were actually signed in 1950—the date carried on the certificates. He began to investigate.

Sundlun contended that if the "management agreement" on the fabricated stock was enforced it would leave the widow with about $30,000 for her stock, which would yield her no more than $1,200 to $2,000 a year income.

GETS EVIDENCE

Sundlun, after months of inquiry, was able to establish through affidavits from the firm that printed the stock certificates that the stock certificates in the estate had not been printed until some time after 1953—two to three years after the date on the certificates.

Sundlun then put the Viner brothers under oath and questioned both as to when they signed the stock certificates.

With Phillipson and Bress present, both Leonard and Robert testified under oath that they had signed the certificates in 1950 and 1951 on or about the dates carried on the certificates.

With the Viner brothers on record with inaccurate testimony under oath in the presence of Phillipson, who had a role in fabricating the stock, Sundlun ended the deposition. On the basis of that deposition, Sundlun then went to Albert Newmyer, the other senior partner in the firm, and said he had affidavits and documentary evidence proving that false testimony had been given and that "fraudulent" stock certificates had been inserted in the estate that would disinherit the widow.

Sundlun demanded and received a settlement for Mrs. Viner based on her full share of the estate.

BRESS' STAND

Bress and Phillipson have contended that the stock certificates that were fabricated in 1955 were merely "replacement" certificates for stock that was lost. However, it is admitted that there was no notice to the widow or her two children that the original sock was lost.

In his role as secretary of the laundry company, Bress has admitted that he was custodian of the stock records book and custodian of the corporate records and that these records were kept in the Newmyer and Bress law office.

Sundlun has called the new stock certificates "fraudulent" but he has declined to draw any conclusion relative to Bress.

"As far as I know he (Bress) had nothing to do with issuance of those stock certificates," Sundlun has testified.

However, the record shows that Bress was present Dec. 5, 1965, when the Viner brothers testified they had signed the fabricated certificates in 1950 and 1951 rather than after the death of Melvin Viner.

IOWANS VOTE NO

With Hruska leading the way for Bress, the Senate approved the Bress nomination as U.S. attorney by a vote of 49 to 14. Iowa's Republican Senators Bourke Hickenlooper and Jack Miller opposed Bress.

Hruska argued the stock incident was only a mistake.

Williams challenged this. He contended that the stock certificate substitution was done in secret, and the secret was kept for ten months until the detective work by Sundlun bared it.

The Bress nomination is now pending in the Senate Judiciary Committee, and it is possible it could go to the Senate floor within a week.

Williams is pledged to fight Bress' confirmation. He feels that, in the aftermath of the defeat of the Fortas nomination, it will be possible to force public attention on the case.

The fight on Bress is expected to raise as many questions about the thoroughness and the meaning of A.B.A. ratings and recommendations for judicial nominations as the Fortas nomination did.

RETIREMENT OF JAMES E. WEBB AS ADMINISTRATOR OF NASA

Mr. STENNIS. Mr. President, yesterday the Government lost an outstanding official. James E. Webb officially retired as Administrator of the National Aeronautics and Space Administration after serving for almost 8 years in that capacity. As well as Jim Webb has earned a respite from his arduous duties and awesome responsibilities during this period, I personally regret very much to see him leave.

I have always advocated the necessity for a strong and viable research and development program for this Nation. For the past 7½ years we have had in Jim Webb a man of outstanding personal integrity who was capable of the type of leadership needed to carry out that objective.

I supported Mr. Webb's nomination in February 1961, and at that time stated I felt he was the kind of man that our Government needed to assume the enormous responsibilities that touched so much in the present as well as the future of our Nation. Mr. President, I have never considered myself a prophet, but reflecting back on that statement I do not believe I have ever spoken truer words. No one who has followed closely the tremendous progress of our Nation's civilian space efforts can fail to recognize the handiwork of Jim Webb. Toiling tirelessly and with an unflagging dedication to his responsibilities, he has built an outstanding organization geared to maintaining this country's preeminence in space. He leaves with the satisfaction of knowing that his efforts have been rewarded by our outstanding space successes to date and that at the present time our Nation has the tools to continue to be preeminent in space.

As one Member of the Senate who believes firmly that our Nation's future military security as well as its leadership position among Nations rests in large part on its ability to carry out activities in space, I fervently hope that the Government will continue to utilize the tools that have been provided by Jim Webb effectively in the future. If this is done, I know that Jim Webb would consider this a fitting monument to his accomplishments.

Mr. President, I have been a member of the Committee on Aeronautical and Space Sciences since about the time Mr. Webb was appointed to head NASA. I am not given unduly to praise a man. I am not impressed by a title. I am impressed by a record. But I am certainly impressed with the fact that Mr. Webb, carried out his responsibilities for NASA with an expenditure of $34 billion, in what might be called a crash program; and I have not seen any evidence of any activity of his except that clothed in the highest degree with integrity, honesty, frankness and openness in his dealings with the committee, with Congress, as well as with the public.

Some unfortunate incidents did occur in connection with various programs, but he came out frankly and told the whole truth about them, the good as well as the bad. To me, that is one of the sources of his strength. Congress and the people of this country are entitled to more such practices and more such talent as that from its Government officials.

He never did anything for me and I never did anything for him, but I certainly do like his dedication, honesty, and frankness and consider him to be a fine, effective public official, doing very difficult work, plowing new ground all the time and pioneering previously unblazed trails. I commend him highly and am sincerely sorry to see him leave, even though I am sure he will have a worthy successor.

Mr. SPARKMAN. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. SPARKMAN. I certainly endorse the statements just made by the distinguished Senator from Mississippi. Of course, my State is greatly interested in the space program. An important part of it is located, as the Senator knows, in my hometown of Huntsville.

I have had very close contact with Mr. Webb, having known him way back there at the end of World War II, or thereabouts. He has held many responsible positions, in the State Department, in the Budget Bureau, and in various other governmental activities, where he proved his ability. I was very much pleased when he was named to head the newly formed NASA.

I think he has done a tremendous job. In fact, there have been times when I have wondered how in the world he ever carried on under the great load of his unusual repsonsibilities and the various problems that certainly would have plagued beyond endurance a man of lesser strength than he.

I am very sorry to see Mr. Webb leave NASA. I am sure that there will be a strong man to take his place; but nevertheless, when we have found one, tried and true, and who has proven himself in every way, we hate to give him up. I regret very much to see Mr. Webb leaving NASA.

I extend to him my very best wishes for continued happiness and great success throughout his life.

Mr. STENNIS. I thank the Senator from Alabama for his remarks. Those are my sentiments as well. I did not know Mr. Webb in any official capacity before he came to NASA. He did a fine job there, although I was not so much in contact with him. Again, I am sincerely sorry to see him leave.

In all this $34 billion program there was no hint of slander or suspicion.

Mr. President, I congratulate Jim Webb for a job exteremly well done and wish him the very best in the years ahead.

ORDER OF BUSINESS

Mr. SPONG. Mr. President, I ask unanimous consent that the rule regarding germaneness be suspended and that I be allowed to proceed for 4 minutes.

The **PRESIDING OFFICER.** Is there objection? Without objection, it is so ordered.

NEED FOR MIDDLE EAST SETTLEMENT

Mr. SPONG. Mr. President, some 15 months have passed since Arab-Israel tensions culminated in the 6-day war of June 1967. During that 15-month period, there have been times of hope and optimism and there have been times of discouragement and pessimism for the future of the Middle East.

Unfortunately, the underlying causes of the Arab-Israel conflict have not been removed or mitigated during this period. Instead, they have been allowed to fester and in the process, they have given rise to new conflicts and passions.

If there is anything that can give us hope at this point, it is perhaps the diplomatic proposals and the multinational concern now being expressed over the Middle East.

The United States has always been a strong advocate of a negotiated settlement in the Middle East. We have offered our opinion on what points must be included in any settlement and we have indicated our support for the U.N. mission headed by Swedish diplomat Gunnar Jarring.

Last week, the Soviet Union offered a plan for the Middle East. The plan itself was not without fault. It overlooked a number of the most pressing of the Middle East problems: the arms race, free access of nations to international waters for innocent purposes, and provisions for Arab refugees. In addition, the Soviet proposal failed to include any consideration of the status of Jerusalem, which arouses strong emotions among Arabs and Israelis.

Furthermore, in addition to the omissions in the plan, there is the possibility that the proposal is nothing more than a Soviet gesture, designed to recoup Russian prestige lost in the denouncements of the invasion of Czechoslovakia.

The United States should not, however, permit these vexations to detract it from pursuit of peace and security in the Middle East. While our Nation must proceed with caution, the Soviet Union should be encouraged to reinforce its plan with concrete actions in the direction of a settlement. And, of course, the most positive manner in which the Soviet Union could demonstrate a desire for peace in the Middle East is by exerting influence on the Arab nations to work toward a settlement.

There are, now, indications that the Arabs may be agreeable to an imposed settlement—mainly because they would later have cause to violate it, if they so determined. As with the Soviet plan, an imposed settlement such as this is beset with shortcomings. But, also, as in the Soviet case, the indication of Arab interest in a settlement at all should be explored and encouraged.

Likewise, Israel Foreign Minister Abba Eban should be encouraged to outline Israel views on a settlement when he appears before the United Nations today.

It is obvious that no nation can approach negotiations in the Middle East, knowing from the beginning that all of its conditions will be met. At the same time, Israel's hesitancy to accept an agreement is understandable in view of her experiences with the settlements of 1948 and 1956. But, without negotiations, there will never be assurances that any of a nation's conditions will be met.

And, there can be little hope of preserving any security or particular status quo in the Middle East with guerrilla attacks and surprise actions.

With the 23d regular session of the United Nations now in progress, the facilities of this international organization should be used to exhaust the potential for a settlement. While success cannot be predicted and perhaps is even unlikely, no nation concerned with the Middle East can ignore the recent diplomatic suggestions of interest in a Middle East settlement.

SENATOR EDMUND S. MUSKIE DISCUSSES THE NEED FOR DRAFT LAW REVISION

Mr. YARBOROUGH. Mr. President, in recent days, the distinguished Senator from Maine, EDMUND S. MUSKIE, the Democratic Party's nominee for Vice President of the United States, has been making many friends for himself and for his party. Senator MUSKIE has avoided flamboyant partisanship and rhetorical flourishes that are used by some candidates to capture newspaper headlines. Rather, he has brought his quiet, low-keyed campaign directly to the people of America and has sought to engage the electorate in a thoughtful dialog on the critical issues facing America in this election year.

No speech is a better indication of Senator MUSKIE's desire to talk honestly and sincerely with the people than the one he made at the University of Colorado, at Boulder, last Thursday, October 3, 1968.

Speaking before a group of students at the University of Colorado, Senator MUSKIE confronted directly a critical problem that is uppermost in the minds of many students today—the draft. In a very thoughtful and provocative address, Senator **Muskie** came to grips with this very complex issue. Nor would he talk in vague generalities or simply demagog on the inadequacy of the present system. Rather, the Democratic nominee spoke in terms of specific changes which are needed to make our system of selective service more equitable.

Mr. President, the issue of draft law revision is one of the great issues of this generation and of this decade. Any time young men are drafted to go into battle, possibly to die, it is essential that they be equitably and fairly selected. Even now, although hopeful peace talks are underway in Paris, hundreds of draftees are dying in Vietnam. If escalation continues in this tragic war, it may be assumed that hundreds and even thousands more will die. In this context, selective service is not just a matter of military manpower, it is a matter of human life. Clearly, then, our system of selection must be the best that concerned men can devise.

In his address to the students at Boulder, Colo., Senator **Muskie** clearly demonstrated his concern that a more equitable system must be devised. In his articulate statement, he spoke of the need to adopt a system of random selection of draft registrants, with the youngest man eligible first. This is a proposal that is contained in at least two thoughtful pieces of legislation that were introduced in this session of the 90th Congress. The first, S. 3052, offers a comprehensive revision of our Selective Service System and was introduced by the distinguished Senator from Massachusetts [Mr. **Kennedy**]. The second, S. 3394, would reverse the order of induction and provide a system of random selection as Senator **Muskie** proposed in Boulder, Colo. It was introduced by the distinguished Senator from Michigan [Mr. **Hart**]. I have joined as a cosponsor of both of these bills, which I think offer needed reforms in our present draft laws.

Mr. President, draft reform is a major issue in America today. Among our youth, it may well be the paramount issue. Most certainly, it is an issue of such importance that it should be discussed by any serious candidate for national office. Senator **Muskie** is to be commended for taking this issue to the American people.

I ask unanimous consent that the text of his address at the University of Colorado be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

ADDRESS BY SENATOR EDMUND S. MUSKIE, UNIVERSITY OF COLORADO, BOULDER, OCTOBER 3, 1968

College and university stops have become as frequent as the proverbial railroad whistle stops for political candidates this year. At least, that's been true in my case, and it has been by choice.

I know that many college students are unable to vote. But I do not come here just to seek votes. I come rather to exchange ideas, to challenge and be challenged, and to encourage your participation in this critical election.

In the short time that I've been a candidate for Vice President. I've listened to what you are saying. I've tried to understand and appreciate your views—and the reasons why you hold them. Since this is about the half way point in the campaign, it seems an appropriate time to give you my impression of what young America is saying—and why.

You may regard this as a mid-term exam for you and me.

Few of you have been burdened by the economic uncertainty that has dominated the thinking of previous generations.

The problem of economic survival—the simple fear of what tomorrow may bring—and the limitations it has placed upon earlier generations has never inhibited your vision.

And because of this new freedom, your generation has developed a new perspective, a new point of view about American society.

My generation regards the historic social advances of the past 30 years as milestones of human progress: social security, medicare, the outlawing of segregation, the beginning of an effort to eradicate poverty.

Your generation refuses to rest on the achievements of the past.

You look to the future.

You see some progress, but not enough.

You know that the average American has never been so well off, but you don't like what many Americans are doing with their wealth and leisure.

You know that affluence alone does not guarantee excellence.

You want those Americans who have made it to listen to and have compassion for those who have not.

You resent a system which forces you to serve in war which many of you do not support or understand.

Many of these views are not new to this Nation or to this generation.

What is new is the intensity with which you hold these views, your intention to act on those convictions, and your desire for instant results.

This is a healthy sign, for you and for America.

There is, of course, another side to the coin.

If you want to be heard, you must be willing to listen.

If you want to be respected, you must be willing to respect others.

If you want to participate in the Democratic process, you must be willing to accept Democratic decisions.

If there's something you don't like, work to change it. But don't tear down an institution unless you are prepared to build a better one.

As I said earlier, I came here today to share these thoughts with you and to listen to what a few minutes discussing a subject of interest to all of us—the draft.

Last year the National Advisory Commission on Selective Service completed a comprehensive study of the draft. Its chairman, Burke Marshall, said the Commission's objective was "to find the means of securing the manpower needed for our national security in a manner as consistent as possible with human dignity, individual liberty and fairness to all citizens."

The Commission first rejected the suggestion that the draft be eliminated in favor of a volunteer professional army.

It concluded:

(1) That such a system would not be able to provide larger numbers of men in times of crisis.

(2) That it could become a mercenary force unrepresentative of the Nation, and

(3) That it would probably be prohibitively expensive—present estimates indicate that it would add from $8 to $16 billion a year to the military budget.

If the draft is then to be with us, how best can we reach Mr. Marshall's objective of conducting it with dignity and fairness.

We can begin by admitting that at present the draft does not operate in this manner.

To put it bluntly, the present system is unfair and unjust.

The methods of selection are not uniform. There are over 4,000 local boards with varying classifications and procedures, particularly for college student deferments.

The boards are not representative. Over one-fifth of the members are over 70. Only 1.3% are Negroes.

The appeals procedure is sadly inadequate.

Most importantly, the present system of selecting the oldest first introduces a major disruption into the life of every young man from the time he is 18 until he is 26. He faces 8 years of uncertainty as to when—or whether—he will be called for induction.

I think we ought to change that.

First, I propose that at age 19 all men eligible for the draft should be selected by lottery—by the fair and impartial random system recommended by the Commission. Under this system, a man would have but one year in his life when he was vulnerable to the draft—at age 19. If he were not selected during his 19th year, he would not have to serve, unless, of course, there were a prolonged and extreme emergency.

If a man were selected by this random system, he could choose to meet his obligation by serving at once or by postponing service until he has completed two years of college or vocational training. Those electing to take officer training would serve after completing their undergraduate education. However, student deferments would be understood to be simply postponements of service and not exemptions from service.

There would be certain categories of deferments for extreme hardship, conscientious objection, or essential occupation.

Second, I urge that we broaden the opportunities for those who wish to volunteer by making service more attractive through pay system reform. Better use of personnel in the specialties for which they have been trained, more use of civilians in place of military personnel, and careful re-examination of enlistment standards.

Third, local selective service boards should be strengthened by the adoption of uniform national standards, more adequate appeals procedures, and a greater effort to inform the draft registrant of his status and the timing of his induction.

Finally, I believe we ought to give careful consideration to permitting volunteer national service as an alternative to military service.

We must come to realize that although military security is a major element in preserving national security, the two are not synonymous.

Former Secretary of Defense Robert McNamara expressed it well in 1966 when he said: "In a modernizing society, security means development."

Security is not military hardware—though it may include it. Security is not traditional military activity—though it may encompass it. Security is development. Without development, there can be no security.

The national service alternative would permit us to do, on a much broader and more meaningful scale, the kinds of things we need to do if we are to become the kind of society our declaration of independence and constitution promised.

America today faces a crisis of will. In the past few years we have made great advances in improving the quality of American life. Yet we still face a bewildering array of problems that seem insoluble to many.

Division over Vietnam saps our strength and diverts our engeries.

Our cities are in danger of becoming nightmares of fear and decay.

There are disturbing signs that our races are drifting apart.

Our waters are fouled.

Our air contaminated.

A national mood of unrest, born of frustration over these problems, creates a fertile climate for the merchants of hate and fear.

But we do have the resources to deal with these problems.

The question is whether we have the will to do so, as one people, united in the belief that no one of us is truly free unless every one of us is free.

I believe we have that will.

We can and will end the war.

We can and will rebuild our cities.

We can do all these things, and more.

But we can do so only with the full and vigorous participation of every segment of our society, including our young people.

That is why the national service alternative appeals to me.

It would open constructive channels to the enormous force for good which exists among American youth today.

By making a broad range of alternative services available—from the Peace Corps to the Teacher Corps to VISTA—we could mount a broad attack on the roots of poverty and deprivation at home and abroad, while at the same time insuring that everyone subject to the draft would have the opportunity to engage in alternative service.

There are some problems with the national service alternative which must be recognized:

1. Would it create a haven for draft dodgers?

2. Would it permit an educated elite to escape military service, dooming the poor—black and white—to an ever larger share of the mud and blood of battle?

3. Would it leave enough men subject to the draft to enable us to meet our basic military needs?

4. Could voluntary service programs be fairly equated with military service?

These are hard questions to which I don't pretend to know the final answers. But it seems to me that they are the kinds of questions we ought to be discussing in this campaign—the kinds of questions you ought to be thinking about and searching for answers to.

Draft reform and the national service alternative represent a challenge to you to work for meaningful change within our democratic system—change that will require deeds not words, commitment not indifference. I think you can meet this challenge.

Machiavelli said that: "There is nothing more difficult to carry out, nor more doubtful of success, nor more dangerous to handle, than to initiate a new order of things."

But Francis Bacon stressed the continuing need for new approaches when he said: "He that will not apply new remedies must expect new evils; for time is the greatest innovator."

I think they were both right.

THE NUCLEAR NONPROLIFERATION TREATY SHOULD BE RATIFIED BEFORE CONGRESS ADJOURNS

Mr. YOUNG of Ohio. Mr. President, the Committee on Foreign Relations has reported favorably and without reservation the Treaty on the Nonproliferation of Nuclear Weapons.

The importance of the treaty cannot be overestimated. It is of utmost importance to the future peace of the world that it be ratified by the Senate before Congress adjourns sine die. Failing that, in the event President Johnson calls the Congress to Washington for a special session shortly after November 5, as now seems likely, it is my hope that priority will be given to consenting to the ratification of this important treaty to ban the spread of nuclear warheads and nuclear weapons.

Mr. President, this treaty is not a Soviet invention. For many years both the Soviet Union and the United States have attempted to separate this issue from other issues on which both nations differ, and to support it as an important common goal. The fact is that the United States is the principal architect of the treaty, which we first proposed in 1964. It is based on policies formulated under four administrations and was reflected in the Baruch plan, in the Atomic Energy Act, in the atoms for peace plan, and in the Limited Nuclear Test Ban Treaty.

We ratified the Limited Nuclear Test Ban Treaty. This inhibited the development of nuclear weaponry and prohibited experiments with nuclear weapons on the ground and in the atmosphere, permitting such experimentation only underground and providing precautions against the poisoning of the atmosphere with nuclear fumes. Unlike this Limited Nuclear Test Ban Treaty, which I am glad to say has been fully complied with by the Soviet Union as well as by the United States, the Nuclear Nonproliferation Treaty is in line with our hope that scientists of the Soviet Union and the United States should work together for peace, and that the spreading of United States and Soviet Union nuclear weapons to other nations should be restricted and prevented.

More than 80 countries have now signed the treaty, including the preinvasion Government of Czechoslovakia, a nationalist Communist nation. All signed in good faith, and for the Senate to delay consenting to ratification could be termed by the chiefs of state of many nations as a breach of trust and confidence.

The argument has been made that ratification of the treaty should be postponed as a way of expressing our disapproval of the Soviet-bloc invasion of Czechoslovakia. Let us be realistic. We can expect, for years to come, convulsions and contradictions in Soviet Union policies along with the brutal swings back and forth between aggressiveness and relative peacefulness. In this realistic context we must seek hard, practical agreements with the Russians on matters of common interest, particularly where international security is concerned.

We cannot permit every international dispute that arises to erase the work of past years toward reducing the threat of a nuclear holocaust. If we were to do so and other nations were to follow suit, then all efforts and progress toward world peace gained after painstaking and tedious negotiations would be ultimately destroyed.

There may be some timid persons in Washington who feel that if this Nonproliferation Treaty were to be brought before the Senate for debate and vote, this would be regarded as an affront to the Soviet Union. Very definitely I denounce such arguments. I regret very much that Mr. Nixon has urged that ratification of this treaty be delayed. This treaty is the result of nearly 4 years of patient negotiations spearheaded by leaders of the United States. If Richard Nixon has any reservations about any part of the treaty he also has a duty to the American people to state frankly exactly what are his objections, if any. Otherwise, it is a disservice on his part to urge delay in ratification until after next January.

Mr. President, the Nuclear Nonproliferation Treaty is another of the many steps on the long journey toward permanent peace. It is evidence amid the tensions and strife of this period of international anarchy that men of many nations have not lost the will to strive toward peace. It encourages the hope that other even more meaningful steps will be taken toward permanent peace in the near future and in years to come.

Many leaders of nations now capable of producing atomic weapons are awaiting our action to determine whether their countries shall become signatories to the treaty. We cannot allow their interest to wane or to indicate in any way our reluctance to accept the provisions of the treaty. Delay now might lead to final rejection of the treaty. Ratification would be an important effort to lift the threat of adding new and fearful dimensions to international tensions and disputes. To delay ratification could have tragic consequences for the future, not only of our Nation, but of all mankind.

DEATH OF JOHN F. CONLON, ADMINISTRATIVE ASSISTANT TO SENATOR CANNON

Mr. MANSFIELD. Mr. President, the Senate was deeply saddened by the sudden death last Sunday of John F. Conlon, who served with great ability and effectiveness as the administrative assistant to our colleague, Senator HOWARD CANNON.

Mr. Conlon was among the most widely known of Senate employees and enjoyed the friendship of many hundreds of men and women who work in the Senate family. His service to Senator CANNON spanned nearly two decades; their deep friendship and public alliance predated by many years the Senator's arrival here.

Mr. Conlon, prior to his association with Senator CANNON, was executive secretary to the late Senator from Nevada, E. P. "Ted" Carville.

As evidence of the high regard in which he was held by all who knew him, Mr. Conlon was elected president of the Senate Staff Club soon after returning to Washington with Senator CANNON. He also was elected president of the Administrative Assistants' Association.

Jack Conlon was a true westerner. Born in Los Angeles on May 4, 1911, he came to Reno, Nev., in 1929 to attend the University of Nevada, from which he graduated in 1932 with a bachelor's degree. He went on to serve as Deputy Surveyor General, and in World War II he served for nearly 4 years in the U.S. Navy with the rank of lieutenant commander.

His interests spanned the entire range of western problems, including mining, ranching, water, and resource development, and the improvement of antiquated laws on public lands.

I know that Senator CANNON is deeply grieved by this tragic passing of his valued friend and confidant, whom he often described as his tried and trusted right arm. Jack Conlon will be greatly missed.

But our loss can never approach that of Mrs. Conlon and their family. To her and their children, John and Cyndicy we extend our deep and most sincere sympathy.

RADIATION SAFETY: ACT NOW TO PROTECT FUTURE GENERATIONS

Mr. MONDALE. Mr. President, on behalf of the distinguished senior Senator from Alaska [Mr. BARTLETT], who is necessarily absent today, I ask unanimous consent to have printed in the RECORD a statement prepared by him entitled "Radiation Safety: Act Now To Protect Future Generations."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

RADIATION SAFETY: ACT NOW TO PROTECT FUTURE GENERATIONS

(Statement of Senator BARTLETT)

As the uses of electronic devices emitting radiation increase, so does the potential for causing human damage from exposure to radiation.

Testifying before the Senate Committee on Commerce, Dr. Philip R. Lee, Assistant Secretary of Health, Education, and Welfare, succinctly outlined the extent of the potential hazard this way:

"Health hazards of varying significance can be caused by exposure to X-radiation. Depending on dosage, acute effects may vary from temporary reddening of the skin to more serious types of damage, such as interference with the blood forming functions of the bone marrow. Delayed or chronic effects include such serious consequences as leukemia and other cancers, the production of abnormalities in progeny because of changes in genetic substance, and the development of corneal opacities and cataracts which may not occur until years after the exposure responsibile."

With those types of hazards in mind, and remembering that with certain types of radiation, the damage is accumulative, such as damage to the genes, I think that no one can argue with the philosophy behind H.R. 10790, as amended by the Senate Commerce Committee.

That philosophy quite simple is:

Mindful of the great benefits which can come from medical and commercial use of electronic devices emitting radiation, mindful that excessive exposure to radiation might offset these benefits, mindful that damage from radiation can be accumulative, exposure to all unnecessary radiation should be reduced and development of new and improved medical and non-medical uses of radiation should be encouraged.

In any discussion of control radiation hazard, it is important to emphasize and to reemphasize that the aim is not to discourage the use of X-rays or other forms of radiation, but merely to ensure that there are effective safeguards against unnecessary exposure.

For example, the Committee on Commerce heard testimony that it is possible to reduce exposure to radiation involved in taking medical X-rays without harming the quality of the X-ray image. In proposing performance standards for medical X-ray equipment and a level of competence for persons operating X-ray equipment, we are in no way interfering with physicians use of this important tool. We ask nothing more than that persons receive as little exposure to radiation as possible when being X-rayed.

The Commerce Committee received testimony that a high percentage of the microwave ovens surveyed emitted microwaves in excess of the accepted standard. Apparently, the design of the door is crucial in protecting the public from this exposure, which, incidentally, does not cause the same type of damage as radiation from X-rays.

However, it does seem advisable that performance standards be set to protect the consumer from excessive microwaves, which for one thing, can damage the eye. We do not seek to impede development of this most promising new industry, but to set safety standards now rather than later when it might well cost the industry many thousands of dollars to bring designs into conformity with performance standards.

The Commerce Committee heard witnesses report concern over the ease with which lasers can be built or purchased and that lasers can cause blindness or other serious injuries. Here again, the aim of setting performance standards now rather than later is not to impede development of a new product, but to take action before rather than after the act.

And finally, considerable publicity has been given to reports that some color television sets have been found to emit radiation in excess of general accepted standards. Inasmuch as emission of radiation from color television sets can be kept to a minimum, and inasmuch as necessary exposure of our population to radiation will continue to increase, it seems important that standards be set to ensure that such unnecessary exposure be reduced.

These then are some of the reasons supporting the philosophy behind the Radiation Control for Health and Safety Act of 1968.

I have been studying the problems of radiation health hazards for more than five years. I was chairman at eight days of hearings held last August and this past May on radiation safety legislation.

I think the record of those hearings support passage of H.R. 10790, as amended by the Committee on Commerce.

I now would like to outline briefly the more important of my amendments which were accepted by the Commerce Committee without a dissenting vote.

Perhaps the amendment which has attracted the most attention is a provision which directs the Secretary of Health, Education, and Welfare to develop model standards and laws for licensing X-ray technicians for, in effect, accrediting schools which train X-ray technicians. The Secretary is to encourage the states to adopt these model laws and to report to Congress within three years on the progress the states have made in enacting satisfactory licensing and training accreditation programs.

A number of radiological technicians have written members of Congress urging that the section be amended to provide for minimum federal standards or be dropped from the bill. Their position seems to be that to avoid a proliferation of standards—perhaps standards which would be lower than the qualifications for membership in their organization—there should be federal minimum standards. A proliferation of standards would make it difficult for these technicians to move from state to state, they argue.

Quite frankly, federal minimum standards or licensing might well prove to be the answer in the long run.

However, the committee felt that the states should be given an opportunity to implement their own programs. It is expected that inasmuch as the Secretary will not push the states in this area until he has developed advisory laws and standards, the trend should be for the states to adopt programs similar to the advisory standards. In the event the states do not act, or adopt requirements less stringent than generally agreed on as necessary to insure that the technicians are adequately trained, I, for one, stand ready to introduce a bill establishing federal licensing and accrediting programs without necessarily waiting for three years. If the states do not act, or enact too lenient standards, Congress will be in a much stronger position to pass meaningful legislation in this area than it is now. The testimony makes a good case for some kind of licensing program, but the committee did not have the opportunity to investigate thoroughly the various methods by which such a program could be carried out.

To those who contend that in the absence of federal standards it would be better to drop the provision completely, I would say that almost half of the estimated 100,000 X-ray technicians in this country are not registered by the American Society of Radiologic Technologists. With the guidance to be provided by the advisory standards, I would expect the states to enact meaningful standards, and certainly it is important that standards be established to cover all persons operating medical X-ray machines.

In short, I believe that the amendment as written provides the best and swiftest means for establishing effective and fair licensing and accrediting programs and does so in a way consistent with approaches taken in legislation dealing with air and water pollution control legislation.

Turning to effects of other amendments, the bill provides a mechanism for the notification by the manufacturer to the Secretary, retailer, and consumer of any radiation defects discovered after a product leaves the manufacturer. The manufacturer would be required to remedy the radiation defect after notification of the problem. To avoid unnecessary use of the notification and repair or replacement provisions, the Secretary may authorize an exemption if he is satisfied that the radiation defect does not create a significant risk of injury.

To facilitate the notification of consumers of defective products, if the need should arise, the Secretary is authorized to require retailers to provide manufacturers with the names of customers.

Manufacturers would be required to maintain records, to make reports, and to open their plants to inspection at reasonable times. Inspection would be limited to the facilities and procedures which are related to electronic product radiation safety.

The district courts of the United States have jurisdiction, for cause shown, to restrain the sale of electronic products which do not conform to applicable standards.

The legislation directs the Secretary to conduct studies and report to Congress by January 1, 1970, on present state and federal programs to control health hazards associated with electronic products and other types of ionizing radiation, on the use of nonmedical electronic products in industry, and on practicable methods to measure radiation from electronic products manufactured prior to the establishment of standards.

The Secretary is required to report annually on the administration of the radiation control program and is directed to include a continuing thorough analysis of the incidence of biological injury from electronic product radiation.

Mr. President, this is a most important bill. I am pleased that the Senate acted last week.

Because of differences between the Senate and House approved versions, the bill will go to conference this afternoon. I know the time is short, but I also know that the gentleman from Florida (Mr. Rogers), who worked so hard and effectively to secure House approval of H.R. 10790, is as anxious as I am that the bill become law this session.

The sponsors and supporters of the bill, whether they be members of the Senate or the House, are mainly concerned about one thing—protecting the public from unnecessary exposure to radiation.

As I told the Senate on July 1 of this year, H.R. 10790 establishes a government-industry partnership of great importance to the present and future health of the Nation.

TEXAS FEDERATION OF WOMEN'S CLUBS SUPPORTS BIG THICKET NATIONAL PARK BILL (S. 4)

Mr. YARBOROUGH. Mr. President, the Texas Federation of Women's Clubs, representing thousands of active Texas clubwomen in every area of my State, has adopted as its No. 1 statewide project the preservation of the Big Thicket in east Texas as a national park—S. 4. In the September–October 1968 issue of the Texas Clubwoman, Mrs. Henry Sharper, president of the Texas Federation of Women's Clubs, wrote as follows on their interest in the Big Thicket:

> We urge you to continue the good work being done in behalf of our state project: the preservation of a portion of the Big Thicket for a National Park. You have all received material concerning suggested procedures for clubs and individuals supporting Senator Ralph Yarborough's Bill S. 4. We are certainly proud of the fine letters that have been written—and urge every club in the State to also write. We cannot permit mysterious, historic, and unique Big Thicket with its deep tangled woods and forests, twelve varieties of wild orchids, and wild life, to be destroyed by greedy promoters. Future generations will surely hold us responsible for the destruction of this special gift from Mother Nature. The time for action on this project is now.

Mr. President, the support of this organization is extremely valuable to my effort to gain the passage of S. 4, legislation to create the Big Thicket National Park. I welcome that support and I am thankful for it.

On October 1, 2, and 3, 1968, the Texas Federation of Women's Clubs held a board of directors meeting and workshop in Austin, Tex. It was my great honor to be the speaker at their Big Thicket dinner on October 2. At that time I used the theme of the meeting, "Vision for Action," to emphasize again the need for immediate action on the Big Thicket National Park bill.

I ask unanimous consent that the editorial entitled "The Big Thicket Special Project," published in the September–October 1968 issue of Texas Clubwoman, and a letter from Justice W. O. Douglas of July 25, 1968, to Mrs. Sharper, president of the Texas Federation of Women's Clubs, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE BIG THICKET SPECIAL PROJECT

Have you ever seen a roadrunner break out of a mass of wild azaleas and trot down a path among pitcher plants? Have you ever seen the world's largest American holly or Eastern red cedar or Chinese tallow? Have you ever walked on a thick carpet of mosses and fern where palmettos towered above your head? Or, have you driven down a road at night where phosphorescent lights dance like an old-time brakeman swinging his lantern on a railroad?

Then you've never seen the Big Thicket of Texas—that impenetrable wonderland of plants and animals where only bloodhounds can find lost people. Between Beaumont and the Alabama-Coushatta Indian reservation lies this phenomenally beautiful botanical paradise. Twenty-one varieties of wild orchids dot the towering cypress, water oak and pine forest. This area combines the Everglades of Florida, the Okefenokee Swamp with jungles typical of Tamaulipas and Vera Cruz. Here is one of the last stands of the nearly extinct Ivory-billed Woodpecker—a huge black and white bird; the male having a flaming red crest. About 300 other species make this their home. Bear and panther, although rarely seen, are present in this jungle country of yaupon, red bay, black hickory and spackleberry.

Float down Village Creek or Mill Creek or the Neches River itself and feel the peace of still untrammelled woodland. Driving back roads is not enough to appreciate the beauties of delicate mosses and colorful fungi. Hikers or canoers reap the greatest pleasures of this wonderland.

But civilization is rapidly eating into and eroding our Texas Eden. Every day 50 acres of the Big Thicket disappear by means of the developers, bulldozers or the lumber company saws. We must start now to save this area by creating a National Park that will preserve those pieces which are still near virgin.

On October 20, 1966, Senator Ralph Yarborough introduced the first bill in Congress to create this park. No action was taken and at the very beginning of the present Congress he introduced a new bill, S4, to set aside suitable areas in Polk, Hardin and Tyler counties to create a "chain of pearls" including the most unique and beautiful of the Big Thicket areas. He has striven long and hard for this park and has been aided by the Big Thicket Association and many other conservation organizations over the state who helped secure Padre Island National Seashore and Guadalupe Mountains National Park.

It is to be hoped that members in the Texas Federation will have a large hand in persuading Congress to enact S4 thereby creating the Big Thicket National Park.

The Big Thicket Association has obtained an option on 548 acres of the only remaining virgin area. What can our membership do to support and help them raise the rest of the $250,000 purchase price?

Here are some of the reasons why our TFWC president, Mrs. Henry Shaper has declared preservation of the Big Thicket a special project for her administration. She feels that such a natural area must not be destroyed but must be kept for posterity. In order to let the clubwomen of Texas know about the Big Thicket she has appointed a special committee under the chairmanship of Mrs. Jud Collier and Mrs. William C. Hancock to draw up and present to the club presidents and to their individual club members an action program. The Program includes writing letters to Senator and Congressmen urging passage of S4, the bill to create the Big Thicket National Park. It suggests the purchase and sale of informational material—*The Big Thicket Story* by Dempsie Henley, *Farewell to Texas* by U.S. Supreme Court Justice William O. Douglas, reprints from *Texas Parade magazine* and from Sierra Club magazine.

The action program also suggests that each club devote one meeting to seeing slides or the movie, or having a speaker talk about the Big Thicket. (This suggested program material was mailed to club presidents on July 15th). It also urges support of the Big Thicket Association's land purchase plan—lands to be deeded to the Park when established—by becoming members of this active group, selling note paper depicting the Ivory-billed Woodpecker, or donating money.

Let us work together to interest all the other citizens of our state and nation in preserving what has been called the biological crossroads of North America.

SUPREME COURT OF THE UNITED STATES,
Washington, D.C., July 25, 1968.

Mrs. HENRY F. SHARPER,
The Texas Federation of Women's Clubs,
St. Mary's University, San Antonio, Tex.

DEAR MRS. SHARPER: I am delighted with the news of the Texas Federation of Women's Clubs and their backing of the preservation of the Big Thicket.

Whether you win or lose, I give you all permission to use the Corncob Jelly recipe from Farewell to Texas.

The Big Thicket is one of the rare and unique areas of America. It is what the botanists call a speciation area, as it produces rare and unique flora species.

I have tramped over most of it, and consider it as unique as any place on this lovely continent of ours.

It must be saved for future generations to see and revere the marvelous beauties that once were America—before the smog, before the polluted streams, and before the asphalt and concrete that are possessing most of our land.

May you all carry the flag high and walk proudly in this great cause you espouse.

The Big Thicket is America with all its pristine beauty and glory.

I congratulate you on your resolve to preserve the existing remnants of it.

Yours faithfully,
Justice WILLIAM O. DOUGLAS.

OLDER WORKERS HELP GARDEN STATE PARKWAY

Mr. WILLIAMS of New Jersey. Mr. President, the Garden State Parkway has been the testing grounds for many innovations, including automatic toll collection machines and fold-out maps that make it easy to follow north-south routes.

One of the most heartwarming experiments initiated by the parkway management was described recently in two articles about the senior toll collectors—retired persons who are now back at work at peak hours along the superhighway. D. Louis Tonti, executive director of the New Jersey Highway Authority, has received mail from around the world asking for information about the collectors, 32 of whom are past 70 years of age.

Martin E. Segal's Associated Press column, entitled "Security for You," gave details about the program on September 24. An article published in the July issue of Aging gave additional details. I ask that both be printed in the RECORD.

In addition, we who are members of the Committee on Aging have received abundant information about the success of programs that employ elderly in part-time social service projects. When there is a will to put the energies of the elderly to good use, there is usually a satisfying—and often inspiring—response. Motorists on the Garden State Parkway can see one example of this phenomenon the next time they take a good look at the man behind the toll booth gate.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SECURITY FOR YOU—OLDER WORKERS GOOD BUSINESS FOR GARDEN STATE PARKWAY

(By Martin E. Segal)

While it is illegal to discriminate in employment because of age, many older persons still find their search for employment blocked by myths about aging and its effect on employability. The experience of one employer, New Jersey's Garden State Parkway, should blow that myth skyhigh.

So successful has been the parkway's senior citizen employment program that the older workers are considered among the most valuable and permanent members of the parkway's staff, according to the officials of the New Jersey Highway Authority, operator of the superhighway.

The Garden State Parkway employs older people as toll collectors. Everyone who has travelled this road has been impressed with the courtesy of these employes. They never seem to be too busy to give directions and to say, "Thank You."

From an efficiency standpoint, there are many more plus factors to this group. There is less turnover among the part-time senior citizens than among the younger men working full time as toll collectors.

Five of the first eight older men hired when the program began in 1960 are still employed. All but seven of the over-60 toll collectors now on the job are over 65, and 32 of them are over 70 years old.

EMPLOYED 87 ELDERLY

The decision to hire older persons began as an experiment. There were doubts in some quarters about the prospetcs of putting the older folks to work. These doubts have been dissolved as a result of the program's success.

The original idea behind the move was to obtain extra help at parkway toll booths during peak traffic hours without the cost of full-time hiring. Because the Garden State is a key route to many plants as well as to the Jersey seashore and race tracks, congestion at the tool booths can be a real problem. The part-time older workers have helped make a dent in this problem.

There are now 87 senior citizens employed in the program. They are paid $2.20 an hour. Those who collect Social Security benefits, as most of them do, were limited to an income of $1500 last year. Recent amendments to the Social Security law now allow the men to earn $1680.

Do older folks want part-time employment? This question is best answered by the fact that that there are 1500 applicants for the toll collector assignments.

And it's not only the older persons who benefit from the arrangement. The parkway considers the move to have been a good one. D. Louis Tonti, executive director, told the U.S. Senate Special Committee on Aging: "It's good business for us to make use of this remarkably effective work force. We are not unmindful of the sociological aspects of this question, but the Garden State Parkway, like any other corporation, has a responsibility to operate on a self-supporting basis without the use of tax funds. We hire senior citizens, therefore, because it makes good business sense and not because of sentiment. We are not doing these men a favor."

We now have a federal law outlawing discrimination in employment because of age. But a law by itself is not enough. The people affected have to agree—at least in general—with the concepts on which a law is based.

NEW JERSEY TOLL MEN MEET PEAK PARKWAY RUSH

If any were needed, nearly 90 New Jersey men give daily proof that older "retired" men not only fit into the modern world, but can earn money and perform a public service while doing so.

They are "senior citizen" toll collectors on the Garden State Parkway of the New Jersey Highway Authority. They are all over 60, and 32 are over 70. (One "retired" for the second time recently at 80). What's more, they work only during peak hours of densest traffic on this heavily traveled toll road.

Eight older men were hired as an "experiment" in 1960. Five of them were still on the job in May, when Gov. Richard J. Hughes signed his State's Senior Citizens Month Proclamation with one of the senior toll collectors looking on. There are 1,500 men on the waiting list.

The older workers have less employment turnover than younger men working full time as parkway toll collectors, the authority reports. Mrs. Eone Harger, Director of the New Jersey Division on Aging, noted that the division had helped recruit the original senior toll collectors and called the plan "a New Jersey pioneer effort and a success in offering employment opportunities to older persons."

The plan both serves the public and saves money for the Parkway Authority, which means resultant savings to taxpayers and motorists, says Executive Director D. Louis Tonti. The senior collectors, who must meet the same physical and mental tests as full-time younger men, work during peak traffic hours, each putting in 10 to 15 hours a week.

Speaking before the U.S. Senate Special Committee on Aging, Mr. Tonti said: "We are not doing these men a favor. To the contrary, they are contributing their talents to improve the efficient operation of a super-highway and they earn every dollar they make . . . Its good business for us to make use of this remarkably effective work force."

The "charter" class of senior toll collectors included two hired in August 1960 and six engaged a few months later. One of the August enrollees, Frank M. Dames, of Point Pleasant, still is on the job. He is 73.

Four other 1960 "charter" workers still working are Clarence E. Cartwright, 76, of Newark; Emil Dreschler, 75, of Newark; Joseph L. Bradshaw, 73, of Dumont; and Albert Barthold, 72, of Clifton. Samuel Mensch of Newark, also of the original group, is the man who retired in January at 80.

At his second retirement, Mr. Mensch said that of 60 years he had worked over his lifetime, the ones he had spent with the Parkway were "the most interesting."

To many of the senior collectors, who earn $2.20 an hour, the work means more than an opportunity to augment social security payments or other limited incomes after they retire from full-time employment. Several of them use the phrase "new lease on life" to describe their part-time work.

Last year the senior collectors who are on the social security rolls, as nearly all are, were limited to earnings of $1,500. This year they can earn $1,680 under a new amendment to Federal law without reducing their social security payments.

GOLD

Mr. SYMINGTON. Mr. President, for interest, and possible future reference, I ask unanimous consent to have printed in the Record an article entitled "Gold," written by Dr. Paul A. Samuelson, and published in Newsweek magazine of October 14.

There being no objection, the article was ordered to be printed in the Record, as follows:

Gold

(By Dr. Paul A. Samuelson)

The annual meetings of the International Monetary Fund and International Bank have ended in Washington. It was all relatively peaceful.

As Sherlock Holmes explained to the police, the remarkable thing was that the *dog* did not bark. The remarkable thing last week was how *little* gold was discussed.

This is in sharp contrast with the period following last November's devaluation of sterling and with the gold run of just last March, when speculative hoarding in Zurich and Paris caused us to hemorrhage gold at the rate of a billion dollars a week.

The setting up of the two-tier system of gold pricing terminated the immediate crisis. Once the IMF and the leading nine nations of the world sealed themselves off from the free markets and agreed to deal only with each other, and at the official $35-an-ounce price, speculators no longer faced a one-way, sure-thing gamble.

If they pay $45 an ounce for gold today, they might just find that tomorrow they can only sell it at $38. That may seem a small loss, but when you remember that these deals are done on margin with highly leveraged borrowings, the loss is seen to be a possible 50 per cent or more.

SMOOTH SKIES

So far, the two-tier system has worked. The original fear that some small central bank might bring down the two-tier system by buying at the official price and making sneak sales to the free market in order to capture the differential never made much sense. And subsequent experience has shown that the two-tier system will be vulnerable only to a falling out among the principal nations within the club itself.

Here is where France and de Gaulle become important. I have spoken of the Nine rather than the Ten because France tried to sabotage last March's Washington and Stockholm agreements. That was when France, in the general's words, was an island of serenity in a chaotic world.

The student revolts and general strike of last spring revealed how thin was the veneer of French serenity. Far from being in a position to intervene offensively to topple the status quo of gold parities, France has had to come cap in hand to beg for stabilization loans. This, too, has contributed to recent international stability.

But, of course, the most important factor producing the present lull has been America's dramatically improved balance of payments. Why this improvement? And can it last?

Certainly the improvement has not been in our trade balance and private balance on *current* account. Because of recent overheating in the economy, imports have soared beyond our exports and we remain far from the comfortable trade surplus we enjoyed prior to the Vietnam escalation.

The improvement has been exclusively on *capital* account. Continental investors have been gobbling up Wall Street "bargains." There has also been good reception by Europeans of convertible bond financing by U.S. corporations trying to comply with our mandatory foreign investment controls.

SOME DOUBTS

Since the barometer is steady, can we not look forward to a speedy implementation of "paper gold" in the form of new Special Drawing Rights (SDR's) in the IMF and permanent equilibrium? I must voice some doubts. What comes in on capital account can also go out. The continued attractiveness of American stock prices is not a condition one can rely on!

The next President, whether Nixon or Humphrey, has no hidden weapon to improve our trade balance. If the Vietnam war and its drain of offshore dollars does not come to an end, our international partners will become restive over having to take on unwanted dollars.

Here is where comes the genuine threat to the two-tier system and the promise of international liquidity reform via SDR's. What then?

A question I am increasingly asked is: Will President Nixon devalue, and throw the blame on his predecessors? Here is my answer:

One can bet that only a leader supremely self-confident and willing to take calculated risks would make such a move—as was proven in the case of Harold Wilson when first in office and when for eight hours our government was not in communication with the British while they threshed out the wisdom of an immediate devaluation.

Whether or not a dollar devaluation would be desirable in the long run from an economic and political point of view, nothing in Nixon's Congressional or Vice Presidential career indicates that he is such a man.

THE UNITED STATES MUST ACT TO STRENGTHEN THE NATO ALLIANCE—WEST GERMANY MUST BE DEFENDED

Mr. YARBOROUGH. Mr. President, in recent days, citizens throughout the world have been shocked by the Soviet Union's brutal invasion of Czechoslovakia. At a time when we all thought that the cold war could at last be spoken of as a phenomenon of the past, the leadership of the Soviet Union has stalked into the small country of Czechoslovakia to suffocate the flame of freedom which briefly and hopefully flickered there.

The world is dismayed by this bold act of aggression. Coupled with other recent and troubling movements by the Soviets in Western Europe, the Czechoslovakian crisis has raised serious doubts about Western security in Europe. The significance of the Czechoslovakian invasion is not just that the Soviets made the decision to move in, but that they moved in massively and quickly. In short, the Soviet Union has demonstrated a military readiness and a mobilization capacity that must raise serious questions about their future intentions

The United States has a vital interest in Europe. Historically, culturally, economically, politically, and socially, we are tied to the people of Europe. There can be no doubt in anyone's mind that the United States has a national interest in the welfare of Europe. That interest is affirmed by our membership in the North Atlantic Treaty Organization which reflects our military commitment to this area.

In light of recent Soviet hostilities, it seems necessary for the United States to reaffirm that commitment. If the leaders of the Soviet Union are casting longing glances toward West Berlin, toward West Germany, or toward any Western European nation, then let us assure them that the U.S. commitment to defend freedom against totalitarian aggressors has a special meaning for us in these areas. Let us assure them that the United States will stand firm with arms and men in defense of Western European areas. Let us assure them that the United States will broach no intrusion into these areas.

This reaffirmation of our commitment to our NATO alliance must be one of deeds as well as one of words. If our resolve in Europe is to be unquestioned—if it is to be credible—then it is important that we reexamine our military capabilities in this area.

Our adventuresome involvement in Vietnam—10,000 miles from our shores and perhaps as far removed from our national interest—has so preoccupied our military minds that our capability in Western Europe is weakening. The costly war in Vietnam is draining our military manpower and equipment and is endangering our national interest in Europe.

Mr. President, the crisis of the moment demonstrates the need to make sure that our strategy of flexible response in Western Europe is more than a paper threat. It is my hope that the Soviet invasion of Czechoslovakia is only a momentary relapse into the cold war adventures of the past. It is my hope that the Soviet Union blundered into Czechoslovakia and that this act of aggression represents no new strategy of aggression and no permanent relapse into cold war tactics. It is my hope that the Soviet Union seeks detente with the West, rather than confrontation.

But, if the Soviet Union does intend to adopt an aggressive strategy in Europe, it is essential that the United States, through NATO, be able to respond instantly and emphatically. It is essential that all 15 members of the North Atlantic Treaty Organization fulfill their commitment. The national interests of NATO countries are at stake if the Soviet Union intends further aggression. We must take steps to insure that all forces under NATO are adequately manned, trained, and equipped so that NATO has the flexibility to respond to any Soviet aggression. We have a commitment to defend West Germany if, as they threaten, the Soviets invade that country, and I think that we should publicly reaffirm our determination to defend West Germany against threatened invasion, or actual invasion, by the Soviets. Let the Soviets know of our determination now.

ILLINOIS REPUBLICAN PLATFORM

Mr. PERCY. Mr. President, it is my pleasure to bring to the attention of Members of Congress the Illinois Republican platform of 1968, a document which details the program of the Illinois Republican Party for the next 4 years and which enunciates the aspiration of the Illinois Republican Party to make our State a better place in which to live and work.

The State platform committee adopted as its creed the following statement:

> To offer hope where despair now exists. To offer help where our fellowmen cry out for help. To promise only what we can reasonably expect to deliver. To offer integrity where cynicism and deception abound. To offer dignity and pride in place of dependence and dishonor.

Looking to the future, the platform wisely calls for a "no strings attached rebate to the States of a portion of the Federal Income Tax collections." I enthusiastically support this concept and last year cosponsored in the Senate a bill that would do just that.

This platform has been enthusiastically endorsed by the Republican candidates for office. Republican candidate for Governor, Richard Ogilvie, together with his staff participated actively in its drafting. It has been endorsed by our other Republican State candidates, Robert Dwyer, running for Lieutenant Governor; Donald Carpenter, running for secretary of state; William Scott, running for attorney general; William Harris, running for auditor of public accounts; and Justin Taft, running for clerk of the supreme court.

I shall place this document in the Record because it will be of great interest to Members of the Congress of both parties who share an interest in strengthening State government and seeing present and potential State officials anxious to assume a greater degree of responsibility for the management of the people's affairs. Senator Dirksen; Victor Smith, chairman of the State central committee; Richard Northern, newly elected chairman of the County Chairmen's Association; and I, are proud of the men who wrote the 1968 State platform. They include the following distinguished citizens of Illinois:

Joe Hale, Shawneetown, chairman.
Hamilton Talbert, Chicago.
Phillip Collins, Chicago.
Willard Werer, Chicago.
William B. Kane, Harvey.
John Wall, Chicago.
Joseph Kral, Cicero.
Stephen Mariani, Chicago.
Peter Miller, Chicago.
Paul Ross, Chicago.
Dorothy Rolson, Elmwood Park.
Timothy Sheehan, Chicago.
Harold Smith, Barrington.
David Regner, Mount Prospect.
L. D. LeFleur, Roselle.
Michael Linz, Naperville.
Robert Mitchler, Aurora.
Robert Shaw, Dixon.
James Anderson, Woodland.
Dr. C. E. Cryer, El Paso.
Ralph Killey, Monmouth.
William Demron, Basco.
Wayne Jones, Paris.
Roscoe Cunningham, Lawrenceville.
Henry Schwartz, O'Fallon.
Robert Claus, Collinsville.

I ask unanimous consent that the Illinois Republican platform of 1968 be printed in the Record.

There being no objection, the platform was ordered to be printed in the Record, as follows:

We have so little time.

We have so big a job.

Our nation is in trouble.

The people know this.

Everywhere there is unease and unrest, frustration and despair, turbulence and disunity.

Our cities decay and burn.

Our campuses bubble with discontent.

Our neighbors fear to walk the streets.

Our less fortunate brothers know hunger and squalor, filth and hopelessness.

Our friends across the seas turn away.

Our dollars are debased as inflation dips deep into every grocery sack.

Our land is overwhelmed by urgent problems.

Our young President, his ascendant brother, and a civil rights titan are struck down.

Our pattern of life, our system of government, our basic beliefs are under daily, relentless siege.

There is an aimlessness in America today. We have lost our way in the sea of events. We have lost our sense of national purpose.

There is no firm hand to steer the ship.

We are groping, hoping, praying for something better . . . for stability and balance, for a renewed dedication to principles that have been proved sound, for a just and honorable peace, for the extension of freedom to all peoples, for rational, realistic solutions to the urgent problems which confront us, for new, able, unswervable leadership. *Their* programs have failed. *Their* promises have been proved empty.

Now it is our turn. Ours is a great opportunity, for the people of Illinois, the people of America mean to meet their responsibilities.

Ours is not a sick society, as some of its critics charge with such relish and frequency.

Most Americans want progress in an atmosphere of tranquillity. They want stability and freedom from fear. Most Americans want to end the shame of the ghettos, lift the despairing poor, ease tensions between black and white, lend a helping hand to their less fortunate brethren.

We Republicans, we citizens of Illinois, assembled here in Springfield this day, we have it within our power to help change the very direction of America, to steer this torn and divided land back onto a course of stability and harmony, rightness and unity.

We call on the people of every race and faith and color, rich and poor, young and old. We are Republicans, to be sure, and rightly proud of it, but our invitation to Democrats and Independents is just as warm and just as sincere.

This is our creed: To offer hope where despair now exists. To offer help where our fellowmen cry out for help. To promise only what we can reasonably expect to deliver. To offer integrity where cynicism and deception abound. To offer dignity and pride in place of dependence and dishonor.

We ask of every man something in return. We ask a measure of personal accountability. Just as we pledge to respect the dignity and worth and uniqueness of every human being, so must we hold him accountable for his deeds.

Personal accountability must be restored at home and church and school. Personal accountability must be sustained by the courts. Personal accountability must be etched into the character of each citizen.

This alone shall enable us to create a just and harmonious society. We *can* end the divisions between black and white. We can help all those less fortunate than ourselves. We *can* extend freedom. We *can* show the way to peace at home and abroad.

We can do all these things within the framework of sound, forward-looking Republican philosophy.

We have so little time.

We have so big a job.

Let us get on with it.

INTRODUCTION

The State of Illinois, indeed this very Nation, is at a political, social and economic crossroads. Our system of Government and therefore our political parties face the most serious test . . . the most demanding challenge of a hundred years. Perhaps of our history.

Much is at stake. The people of Illinois are alarmed. There is concern over the present and future course of our State and our Country.

The people know we are in trouble. The unrest and frustration . . . the tension and turmoil are self evident.

The people demand a change . . . but only a change for the better. They have lost patience with political bosses . . . platform platitudes.

They will no longer tolerate the "Alice in Wonderland" politics of the Democrat leadership.

They can ill afford a Party who would buy popularity with tailor-made promises for every class . . . for every creed . . . for every color. The only special interest is that which is in the interest of ALL the people.

The Democrat leadership has failed. They have had their chance at the helm . . . their day in Court. They stand convicted.

Now, the Republican Party is on trial. It has accepted the challenge . . . it must meet the responsibilities . . . propose the solutions . . . solve the problems. It must govern not because of any right to do so, but because the people consent that it do so.

It must be prepared. It must lead rather than rule . . . propose rather than oppose. It must stay close to the people—it must BE the people.

The Republican Party of Illinois offers this Platform as a contract with the people, the full permormance of which is dependent upon the election to office of a Republican Administration and a Republican Legislature pledged to work together for the common good of all Illinoisans.

PLATFORM

I. The Nation

The affairs of our nation are of universal concern. We unequivocally endorse and approve the platform adopted August 6, 1968, at the Republican National Convention. It is both an eloquent and meaningful guideline for our next president.

II. A just and orderly society—The enforcement of law and maintenance of order

During the last Republican State and Federal administrations, neither party included such a plank in their platforms. It wasn't necessary. These things were taken for granted. Today, eight years later, our cities riot and burn, our college campuses fester with revolt. Peace and tranquillity are threatened. We are overwhelmed by assassinations and violence—even anarchy. The people are horror stricken—they are afraid.

Government is founded upon the establishment and enforcement of just laws. Crime and violence destroy a government and the freedom of its people. We submit that there must be IMMEDIATE action to restore the atmosphere of an orderly and peaceful society. We, therefore, recommend the following measures:

Passage of legislation for mandatory imprisonment of those convicted of crimes involving use of firearms.

Passage of legislation holding parents responsible in tort for damages to property caused by their minor children.

A careful study to determine if there is a need for additional anticrime legislation.

An intensive educational program for students and adults stressing understanding and need for individual responsibility of the citizen.

Creation of a State Department of Corrections as part of an overall restructuring of state government.

Establishment of a full-time, professionally trained non-political Pardon and Parole Board.

State-sponsored academies for and easily accessible to all law enforcement officials to better train and equip them for their jobs.

Legislation that would permit, on a statewide basis, transfer of seniority and pension benefits of QUALIFIED law enforcement officers.

A constitutional amendment allowing Sheriffs and Treasurers to succeed themselves in office.

III. Revenue, taxation, and fiscal responsibility

The right to tax if not properly and fairly controlled is the power to confiscate. Our antiquated tax system is neither fair nor adequate and fails to meet the ever-increasing demands for public funds. We suggest that the first and foremost corrective measure to our financial crisis should be insistence on fiscal responsibility in the administration of state and local governments. During the Kerner-Shapiro administrations, for instance, the number of state employees has more than doubled and now totals 102,000. Specifically, we propose:

Approval by the Federal government of a no-strings attached rebate to the states of a portion of the Federal Income Tax collections. This added source of income, together with stringent economics in administration of government, would remove the immediate necessity for either higher taxes or additional revenue devices.

As a responsible party, we also recognize the need for state initiative in planning for future needs. Therefore, we propose a continuing and objective no-nonsense study by the Executive in cooperation with the Legislature of all methods of raising required revenue. This consideration should include among others an assessment of the oppressive inequities in the Personal Property and Real Estate taxing methods, an evaluation of the many reasons for and against a State Income Tax and the classification of property for taxing purposes.

The earlier submission of a budget by the Governor to the Legislature based on performance factors and professional analysis thereby allowing the Legislature sufficient time to adequately study and act on the budget before adjournment.

A homestead exemption law to provide property tax relief for persons over 65.

Realistic evaluation of priorities as to revenue requests by state agencies.

The Republican party recognizes that only constitutional revision can go to the heart of a complicated and outdated taxing system. We, therefore, submit that it is imperative that the proposal for a Constitutional Convention be approved by the voters on November 5th. A Republican administration is pledged to address itself objectively and realistically to these problems.

IV. Natural resources, conservation and recreation

Illinois is blessed with a wealth of natural resources—water, minerals and timber. Its varied, scenic beauty matches that of any state in the nation. Yet, our state ranks 47th out of 50 in recreational development. The last Republican administration put Illinois in the forefront of recreational facilities. For eight years, we have had an almost complete lack of substantial recreational improvements. In some states recreation is the largest industry. Not so in Illinois. At least three times, Governor Kerner vetoed Republican-sponsored legislation which would have enabled our state to catch up on badly needed recreational development. Illinois must move quickly and surely to make up for this inexcusable neglect.

We propose:

Strong and bi-partisan support for the Natural Resources Development Bond Act and recommend its passage at the general election in November.

The creation of a Department of Natural Resources to consolidate and bring together the scattered and overlapping agencies now charged with the responsibility in the field of conservation, pollution control and recreation. Orderly development of natural resources and recreational expansion is imperative and we can ill afford to lose additional time in addressing ourselves to this most urgent problem. We suggest the Governor-Elect select a committee of outstanding citizens who have by their accomplishments distinguished themselves in this field to advise with him in planning a new and imaginative approach.

High priority should be given to study specifically ways and means of upgrading, improving and expanding our state parks.

That the members of the Legislature in cooperation with our next Governor develop intelligent, effective and responsible air and water pollution control measures.

V. Education

We are extremely proud of the outstanding accomplishments of State Superintendent of Public Instruction, Ray Page. His leadership has produced much in the field of education. However, our state is challenged by an almost insatiable demand for more funds, more schools and more educational services.

We believe the cost of education is the primary responsibility of the state, not that of the local property owner; yet 70% of all local property taxes collected in our counties go for educational needs. We submit that this burden cannot be substantially increased. We also note that in the last state appropriation, one out of every three dollars was earmarked for education. Nevertheless the demand—the need—for more funds continues. The revenue reform which can come from a Constitutional Convention, along with the proposed rebate on Federal Income Taxes, will go a long way to greatly alleviate this jigsaw puzzle.

In the field of education, we propose:

Support for the Master Plan Study of the Board of Higher Education. We note specifically and approve their recommendations in relation to new medical schools and enlarging present facilities.

An appropriate increase in the per pupil foundation level for elementary and secondary schools.

Adequate and realistic scholarship programs for students in both public and private schools.

We oppose all discriminatory practices in our state school systems including the nonvoluntary busing of students.

Legislation to encourage reorganization of school districts to the extent that no district will exist without a potential for quality education.

Transfer of the Division of Vocational and Technical Education to the Office of the Superintendent of Public Instruction.

A close and careful study of all programs to see if there is waste and duplication in an attempt to curtail cost without curtailing services and education itself.

Implementation of and support for junior college programs.

VI. Agribusiness

The Illinois Department of Agriculture has done little or nothing of substance for our farm population in the past eight years. Both the present Governor and his predecessor have completely overlooked and neglected this important sector of our economy—still the biggest business in Illinois. Combine agriculture with the industries and businesses related to or associated with it, and Illinois has a sleeping giant deserving of statewide concern and immediate attention.

Farmers today are the heaviest hit of all state taxpayers—4.4% of the population live on the farms of Illinois, receive 3.6% of the total personal income but pay 11.8% of the total property taxes. They have an enormous interest in working for revenue and tax reform. We pledge the next Republican administration to developing the means to alleviate these inequities.

We also recommend specifically:

Establishment of a World's Fair of Agriculture to advertise and promote the tremendous importance to Illinois of farm products and farm exports.

Support of increased research on the state level in the areas of agribusiness and pursuing the continued search for greater efficiency, productivity and marketing.

VII. Highways and transportation

Our highway and transportation system is in a deplorable condition. While the Democratic administration spends 12 to 15 million dollars on an administration building in Springfield originally designed to cost 6 million, our highways rot and decay and our accident rate continues to mount. They have been wantonly negligent. Remedial measures must be given top priority and long-range planning for an adequate highway system must be updated.

The Republican party proposes:

Establishment of a professional Department of Transportation responsive to the construction, development and planning needs of all surface transportation in Illinois, including the administration of our highway programs now under the jurisdiction of the Department of Public Works.

Appointment of a special commission to study inequities in the distribution of highway funds, expansion of the Illinois Tollroad System to include feasible statewide expressways and new financing techniques to allow for construction of roads now.

Special and high priority attention to widening and improving our dangerous and outdated narrow roads and bridges.

Construction of a Kansas City to Quincy to Chicago expressway and a north-south expressway from Rockford south through the heartland of Illinois are excellent examples of the need for construction of statewide expressways in our state.

Promotion of the development of a major commercial airport in the East St. Louis-Belleville-Alton area to serve the second largest population center of our state.

Relief of the many transportation bottlenecks in the greater Chicago area which will include stepped-up studies for realization of a rapid surface transportation system.

Prohibition of future diversion of motor fuel tax funds.

VIII. Social economic, and legal rights of the individual

In a rapidly changing, progressive society the individual rights of all people are a matter of concern to every just and fair-minded citizen regardless of political persuasion or economic interest. Too often the problems associated with these rights are dealt with on a basis of political expediency. Republicans submit that the problems which still exist in the field of human or civil rights must not be approached and cannot be solved by the use of catchy phrases or politically inspired promises any more than by violence, rioting and destruction of property. We condemn all such practices.

The Republican party pledges to every man regardless of his color, national origin or creed that in the eyes of his government he is equal to every other man . . . that there are no "classes" of citizens . . . that no one should have any *more* or *less* rights than his neighbor. We oppose discrimination in any form. We support the local, state and Federal legislation and the decisions of the courts which seek to assure these human rights.

We believe that every man should have the unquestioned right to live and own property where he pleases, to receive as much education as he can be taught and encouraged to consume and to obtain employment of his own choosing commensurate with his ability and training . . . that these rights should be guaranteed by all necessary and appropriate legislation.

IX. The cities—Our urban crisis

The problems of our cities deserve top priority of both state and Federal governments. They transcend into the areas of revenue, transportation, pollution, health, employment, education and welfare. Positive and immediate action by local, state and Federal governmental units working in concert is an absolute necessity. We believe the state can provide the leadership and incentive to bring about a comprehensive and realistic approach to this awesome job through the creation of a Department of Urban Affairs. Duplicating and overlapping programs and services can be consolidated and merged with a resulting increase in efficiency and effectiveness. Federal programs which have failed must be scrapped. Results are needed NOW—not the stifling presence of more and more top-heavy bureaucratic ineffective agencies. We pledge full and complete cooperation on a realistic basis with the city and Federal governments in pursuing practical, workable solutions to these pressing problems.

X. Economic and industrial development

Illinois has all the ingredients to be the No. 1 state in this field. The recently created State Department of Business and Economic Development has fallen far short of its announced objectives. Much valuable time has been wasted. A realistic evaluation and appraisal of this program is necessary. In the meantime, we must move forward. A new revenue article can assure a healthy tax climate. Natural resources are abundant, water and water transportation are excellent. Labor and manpower is plentiful. Cultural and educational advantages are exceptional. A Republican administration will provide the leadership necessary to bring these forces into proper action. Leaders in business and industry must be enlisted in this crusade. A world trade center should be established in Chicago. A workable, attractive industrial bond financing program should be adopted to speed industrial development in the economically depressed and sparsely populated areas of our state. There must be immediate development of the heretofore untapped tourism potential in the scenic areas of the state.

XI. The State government and political subdivisions

It is apparent that just as our Constitution needs the scrutiny of a Constitutional Convention, the organization of our state government needs review. Changing needs and methods require new approaches. We recommend that the Executive and Legislative branches survey carefully various areas of state and local responsibility.

We propose:

The first comprehensive reorganization of the Executive branch of state government in half a century to eliminate the duplication, waste and inefficiency that presently is rampant. This restructuring should include the consolidation of overlapping functions of the various departments and agencies into single, efficient administrative units.

That the Legislature meet in annual sessions.

Creation of unified, bi-partisan, local departments of elections to supervise elections, and continuation of Republican efforts to pass badly needed election reform legislation.

Illinois has 6,454 governmental units—more than any other state in the nation. 71 of our 102 counties each contain 25,000 people or less. 14 contain 10,000 or less. It is obvious our state must give close and careful scrutiny to the problem of realignment of some political sub-divisions and/or their services.

The elimination of duplication of services and administration, especially in the areas of health and welfare.

That the hand of local government be strengthened through grants of home rule authority.

That where counties or other political subdivisions are by law or court decision required to reapportion, the legislature enact only general guidelines and leave to the local governmental unit the power to develop its specific plan of reapportionment consistent with the requirements of law or the Courts.

XII

There are many other areas which need and deserve attention from a Republican administration. They are vitally important to the progress of our state and the prosperity of our people.

Labor

We continue our support of FEPC laws which were initiated under Republican leadership. We note the importance of adequate workmen's compensation legislation. These areas must and will receive the continued attention and appropriate action from a Republican administration and Legislature. The assistance of organized labor must be enlisted to work with government in the areas of industrial and economic development, taxation and equal job opportunities.

Mental Health

The Republican party is pledged to strengthening our mental health programs with particular emphasis on the mentally retarded.

Public Health and Welfare

Careful study of these programs is needed. We must ascertain where they have failed and where they have succeeded. We must cut the waste. Where necessary we must shift the emphasis or change our approaches. We must aid, encourage and assist people to help themselves.

Service Men and Women

We salute our men and women in the military service of our country and pledge to work for enactment of necessary job opportunity legislation and the protection of the economic rights of our returning Viet Nam war veterans.

Conclusion

The election of a Republican administration and Legislature November 5, 1968, will not see our problems automatically disappear. They will remain to be solved in January, 1969. We believe a Republican administration, acting under the guidelines set out in this platform, will be the best suited and best equipped to start the job and to complete it. They are pledged to put first things first and proceed to the task with the energy, determination and leadership which has been sorely lacking during the last eight years.

TEMPORARY JUDICIAL ASSIGNMENTS

Mr. TYDINGS. Mr. President, on April 11 of this year I rose to announce that the Subcommittee on Improvements in Judicial Machinery of which I am chairman would hold hearings on the use of chapter 13, title 28, United States Code, to effect the temporary assignment of Federal judges to courts other than those to which they are appointed. The authority to temporarily assign judges is an extremely valuable tool of judicial administration. Quite frankly, I believe the hearings were necessary to determine whether the Federal judiciary was making the most effective and efficient use of statutory assignment powers, and, if not, whether congressional action to modify chapter 13, title 28, United States Code, was in order. The testimony developed at the hearings held on May 28 and 29 convinced me that much better use could be made of Federal judicial manpower through better utilization of the statutory assignment powers. But subsequent events, in particular a report of the American Bar Foundation and action of the Judicial Conference at its September meeting, convince me that no legislative action is required at this time. However, continued congressional interest in the use of the statutory assignment powers must be maintained.

Let me review the statutory assignment powers, the hearings held by the Subcommittee on Improvements in Judicial Machinery, and the subsequent action of organizations interested in making effective use of a valuable technique of judicial administration.

The temporary assignment of Federal judges is governed primarily by chapter 13, title 28, United States Code. These provisions of law allow both the intercircuit and intracircuit assignment of judges. An active district judge may be assigned "in the public interest," by the chief judge of his circuit to hold court in any district in the circuit (28 U.S.C. sec. 292b) or to sit with the court of appeals of the circuit (28 U.S.C. sec. 292a). An active district judge may be assigned temporarily for service to another circuit—intercircuit assignment—either in a district court or court of appeals or to a special court such as the Court of Claims, by the Chief Justice upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit or by the chief judge of a special court wherein the need for help arises (28 U.S.C. sec. 292 c and d), if the assignment is consented to by the chief judge or judicial council of the circuit from which the judge is to be assigned (28 U.S.C. sec. 295).

An active circuit judge may be assigned "in the public interest" to hold a district court in any district within the circuit by the chief judge of the circuit or by the circuit justice (28 U.S.C. sec 291c). An active circuit judge may also be assigned as a circuit judge in another circuit or to serve on a special court, by the Chief Justice upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit or by the chief judge of the special court where the need arises (28 U.S.C. sec. 291 a and b), if the assignment is consented to by the chief judge or judicial council of the circuit from which the assignment is made (28 U.S.C. sec. 295).

Senior judges may be assigned such judicial duties as they are willing and able to undertake within the circuit by the chief judge or judicial council of the circuit (28 U.S.C. sec. 294c). In addition, a senior judge may be assigned such judicial duties as he is willing and able to undertake in a court outside his own circuit by the Chief Justice upon presentation of a certificate of necessity by the chief judge or circuit judge of the circuit wherein the need arises (28 U.S.C. sec. 294d). An intercircuit assignment of a senior judge does not require the concurrence of the chief judge of his circuit.

Judges of special courts, such as the Court of Claims, are subject to assignments to other special courts or to district or circuit courts, on provisions similar to those relating to active and senior district and circuit judges (see 28 U.S.C. 293 and 295).

To assist the Chief Justice in the performance of his statutory power of designating judges for service outside their circuits, the Judicial Conference established an Advisory Committee on Intercircuit Assignments for the purpose of receiving requests for assignments and making recommendations thereon to the Chief Justice. The Judicial Conference has also promulgated principles and procedures for implementing intercircuit assignments.

The Judicial Conference of the United States has a role in the temporary assignment of judges because it is empowered to "prepare plans for assignment of judges to or from circuits or districts where necessary." (28 U.S.C. sec. 331.) In fact, the original purpose for calling together the Conference of Senior Circuit Judges, the forerunner of the present Judicial Conference, was to settle matters relating to intercircuit assignments of judges. To assist the Judicial Conference in fulfilling its statutory duty, the Administrative Office of the United States Courts is required to "secure information as to the courts' need of assistance," (28 U.S.C. sec. 604 (a)(2)).

Assignments pursuant to chapter 13, title 28, United States Code, have been used extensively to meet the needs of the Federal judicial system. During the period of January 25, 1963, to February 9, 1968, 295 intercircuit assignments were recommended by the advisory committee and all but a handful were carried out. The primary cause of those few not undertaken was illness or death of the judge designated for assignment. In fiscal year 1967, alone, 101 Federal judges spent 2,777 days in service to courts other than those to which they were assigned. These judges spent 828 days on intercircuit assignments and 1,949 days on intracircuit assignments.

During fiscal year 1968 the process of temporary assignments continued apace and, in fact, faced additional strain attempting to fulfill the needs of two of the most heavily burdened U.S. district courts—the U.S. District Court for the District of Columbia and the U.S. District Court for the Southern District of New York. Both courts have, for different reasons, heavy demands for visiting judges. The U.S. District Court for the District of Columbia assigned all of its 12 active district judges to a criminal calendar which had reached a horrendous 1,400-case backlog on July 1, 1967. This action created the need for the outside help of 13 visiting judges—more than one visiting judge was rarely in the District at one time—to avoid substantial disruption to the civil calendar which could have easily resulted from the heavy assignment of judge power to the criminal calendar. The southern district of New York called for the assistance of 11 visiting judges to implement a crash program aimed at cutting the civil caseload in that district which had reached an 11,000-case backlog causing the average litigant to wait 40 months for jury trial.

On May 28 and 29, the Subcommittee on Improvements in Judicial Machinery, of which I am chairman, held hearings on the operation of the temporary assignment system provided for in chapter 13, title 28, United States Code. At these hearings the subcommittee heard testimony from the Honorable Jean S. Breitenstein, judge of the U.S. Court of Appeals, 10th Circuit, and chairman of the Advisory Committee on Intercircuit Assignments of the Judicial Conference of the United States; the Honorable John R. Brown, chief judge of the U.S. Court of Appeals, Fifth Circuit; the Honorable Edward M. Curran, chief judge of the U.S. District Court for the District of Columbia; and the Honorable Henry N. Graven, senior U.S. district judge.

In addition, the subcommittee also received for the record the views of the Honorable George Boldt, U.S. district judge, western district of Washington; the Honorable Wallace Gourley, U.S. district judge, western district of Pennsylvania; the Honorable Alfred Murrah, chief judge of the U.S. Court of Appeals, 10th Circuit; the Honorable Aubrey Robinson, Jr., U.S. district judge for the District of Columbia; the Honorable Sidney Sugarman, chief judge of the U.S. District Court, Southern District of New York; Mr. Ernest Freisen, director of the Administrative Office of the U.S. Courts, and Prof. Paul P. Carrington, of the University of Michigan Law School.

On the basis of testimony elicited and statements presented at the hearings, and after careful consideration of this information, I have reached the following conclusions:

First, the temporary judicial assignments system has won a respected place in the sound administration of the Federal courts and offers invaluable assistance to those courts burdened by vacancies, illness of judges, or overwhelming caseloads. The need for and use of the statutory assignment power, however, varies greatly among the circuits.

Second, temporary judicial assignments are an economic way of dealing with the demands of Federal judicial business.

Third, although the Judicial Conference of the United States has established an advisory committee to regulate intercircuit assignments and has published guidelines for such assignments, there has been little or no effective long-range planning to assure the coordination of judges available for temporary assignment with the need for such judges. The chief judge of the circuits in many instances work out for themselves the needs of their individual courts and, for the most part, the advisory committee only serves to verify the need for assigned judge power before passing the recommendation for an intercircuit assignment to the Chief Justice for approval. The advisory committee's value is significantly depreciated because it has no role in planning special crash programs for the assistance of a particular Federal court or in determining future needs for assigned judge power.

Fourth, no effort is now made to report the experience gained during an assignment. No report other than form JS–10 stating trial time is filed as a matter of policy by the visiting judge although a few veteran visiting judges have begun on their own the practice of filing such reports.

Fifth, senior judges have not been used to optimum advantage on temporary assignments.

I. VALUE OF TEMPORARY ASSIGNMENTS

Although the Federal courts have a common jurisdiction and are governed by uniform rules of procedure, the practices in and work of the district courts are not uniform. Local rules and local ways of doing things allow the Federal judicial system to shape itself to meet local demands.

This diversity within the Federal system has a particular meaning with respect to temporary assignments. Such assignments allow judges to experience and contribute new techniques for judicial administration within the general framework of Federal practice and procedure. Temporary assignments are a vehicle for the interchange of ideas and practices among Federal judges from different parts of our diverse land. U.S. District Judge George Boldt who has held court in every Federal circuit, and who is among the most respected Federal trial judges, attested to the educational value of temporary assignments both to the visiting judge and the court to which he is assigned. His belief in the educational value of temporary assignments was corroborated by both Chief Judge John Brown of the fifth circuit and Chief Judge Alfred Murrah of the 10th circuit.

Broadening the prospectives of Federal judges, however salutary, is not sufficient in itself to justify the concept of temporary assignments. Such an assignment system really exists to relieve the caseload pressure upon a particular court. Where assignments have been made, they have served that role well.

The court of appeals for the fifth circuit, according to the testimony of Chief Judge Brown, has been able to deal with its staggering caseload explosion only through the assistance of visiting judges. The caseload of that court jumped from 582 appeals during its 1959–60 term to 1,160 appeals in its 1966–67 term and, while the court was able to dispose of 554 cases in 1959–60, it completed 1,171 in 1966–67. Although extra authorized judicial manpower for the fifth circuit did not become a fact until 1966, the court of appeals for the fifth circuit was able to handle this situation because it found relief in the use of visiting judges, who sat for a total of 168 judge-weeks between 1960 and 1968. Visiting judges represented between 17 and 29 percent of the judicial manpower of the fifth circuit court of appeals during those years. Their presence allowed the court to increase its total number of sittings to cope in reasonable terms with its caseload.

The example of the fifth circuit is not unique. Visiting judges have recently come to the rescue of the U.S. District Court for the District of Columbia. By assigning its regular judges exclusively to criminal matters and its visiting judges to civil matters, that court has cut into its backlog and kept itself from being overwhelmed by a rising workload.

Prior to the April disorders in the Nation's Capital, the U.S. district court according to testimony of Chief Judge Curran, by marshaling its regularly assigned judges for criminal trial work, had cut its criminal caseload from 1,086 in January 1967, to a little under 700 cases. The visiting judges were used exclusively on civil matters and allowed the U.S. District Court for the District of Columbia to terminate more civil cases than were filed in fiscal year 1968—a feat not achieved by that court in either fiscal year 1967 or fiscal year 1966. Statistics for fiscal year 1968 also show that the U.S. District Court for the District of Columbia was able to cut 2 months off its median time interval for the trial of civil cases, reducing that interval from 27 months in fiscal year 1967 to 25 months in fiscal year 1968.

Although the fifth circuit and the District of Columbia district provide telling examples of the benefit of the visiting judges, many districts and circuits have been aided by the practice of temporary assignments. Such assignments have been particularly helpful where illness or judicial vacancy has hampered the operation of a court. The assigned judges can help a court meet the continuing demands of the public's judicial business until relief in the form of an appointment to fill the vacancy or recovery from illness restores the court's strength.

II. COSTS

Temporary judicial assignments have proven to be an economical way of dealing with problems in judicial administration. While the contrary might have been presumed, figures show that it costs substantially less for a judge to fill a temporary intercircuit assignment than for the Congress simply to create a new judgeship. For the 10-year period covering fiscal years 1958 to 1968 inclusive, the average cost per trial conducted by a judge assigned from another circuit was $250 and the average cost per trial day by a judge on intercircuit assignment was $114. The Administrative Office of the U.S. Courts reports that the annual recurring cost of one district judgeship is $84,900. For a cost 5.25 times that amount over 10 fiscal years intercircuit assignments resulted in 1,784 trials consuming 3,901 trial days. If a trial judge would work 200 days a year trying cases, which generally does not occur, the cost per trial day, on the basis of the annual recurring cost of a district judgeship, would be $424. This compares with $114 cost per trial day on intercircuit assignments.

These figures demonstrate a substantial saving especially if the judge on assignment would not have been effectively utilized in his home court during the assignment period. Of course, there is no real saving if a judge of a heavily burdened court is temporarily assigned away from that court.

III. LACK OF EFFECTIVE CORRELATION OF NEED AND AVAILABILITY

Although the assignments made have assisted the courts receiving aid and although the cost effectiveness of intercircuit assignments has been substantiated, a close look at the workload of the various Federal courts illustrates that assignments have not been used to optimum advantage.

The workload of the Federal courts has been steadily increasing but the increase in work has not been spread evenly throughout the various districts and circuits. The district courts which have been effected most by the rise in judicial business are those located in the metropolitan areas. In fact, the 19 large metropolitan courts have 50 percent of the authorized district judgeships to deal with more than 63 percent of the pending civil business.

In the courts of appeals the number of appeals per judgeship vary from 57 in the eighth circuit and 71 in the first circuit to 119 in the second circuit and 146 in the fourth circuit. The rise in number of appeals during fiscal year 1968 amounts to 15.3 percent for all circuits but the third circuit experienced a 5.1-percent drop in business over fiscal year 1967, while the fourth, seventh, and ninth circuits each experienced more than a 24-percent rise in business.

Just as the rise in business has not been consistent throughout the Federal system, the use of temporary assignments varies among the circuits. The ninth circuit makes, by far, the most use of intracircuit assignments and has been the largest contributor, by far, of active judges for intercircuit assignments. Since 1960, the fifth and second circuits have received the most intercircuit help, 113 and 67 judges respectively, while the eighth received only three and the fourth four judges through intercircuit assignments.

Moreover, some courts with serious backlogs have received little or no help. The eastern district of New York and the eastern district of Pennsylvania are a prime example. The eastern district of New York received no assigned judge power during fiscal years 1965 to 1967 although it had one of the largest backlogs of pending civil cases and it took 20.3 months for that court to provide a jury trial for criminal cases disposed of in fiscal year 1967. It must be noted, however, that visiting judges were provided to assist in a crash program in fiscal year 1968. But the point is that continuous prior help might have avoided the need for last year's crash effort.

The Eastern District of Pennsylvania has the largest number of civil cases pending for more than 3 years of any Federal district courts. It reports one of the largest number of civil filings annually. Its problems are exacerbated by the loss of 20 judge-years over the last decade due to the tardiness in filling vacancies in the district. Between fiscal year 1965 and fiscal year 1967 the Eastern District of Pennsylvania received 130 days of temporary assistance but that was nullified in part by the absence for 68 days in fiscal year 1965 of one regularly assigned judge on intercircuit assignment because of his expertise in handling the electrical antitrust cases.

It must also be noted that both the Southern District of Georgia and the Eastern District of Texas, among the five districts reporting the heaviest weighted caseload, received no temporary help either through intercircuit or intracircuit assignments between fiscal year 1965 and fiscal year 1967.

Courts with low weighted caseloads have not been significant contributors of judge power to temporary assignments. Of the 22 districts with weighted caseload of 25 percent lower than the national average, only seven contributed to helping other courts in fiscal year 1967.

The failure to achieve a better distribution of temporary assignments stems from two factors—first, poor coordination and planning; and second, a failure to recognize the responsibility to accept work beyond the confines of one's court.

The Judicial Conference's Advisory Committee on Intercircuit Assignments has not been serving a positive role in the assignment process. It has properly discouraged intercircuit assignments where the need for additional judge power is not clear or where the judge wishing to be assigned could not be reasonably freed from service to his own court. The Committee has not engaged, however, in any real effort at planning for assignments. The Committee is often presented for approval an assignment already tacitly arranged by the chief judges of the lending and receiving circuits. The Committee has been faced with the development of a number of "crash programs" of temporary judicial assistance for the aid of a particular court but has not been involved in the planning for such programs.

While in some instances both the informal arrangement of assignments by the chief judges involved and the spontaneous development of crash programs by districts or circuits in need of help may prove satisfactory, these practices do not reflect the type of planning for intercircuit assignments contemplated of the Judicial Conference by the directory language of 28 United States Code section 331, which calls for the preparation of "plans" for the intercircuit assignment of Federal judges. Of course, predicting illness or a judicial vacancy is largely impossible but through the use of statistics of previous years, the Conference, acting through its Committee, should be able to pinpoint the sources of potential visiting judgepower. If a roster of potentially available judges were maintained, as has been suggested in the past, a ready source of judges would exist for assignment when the need arose, subject to the needs of the potential visitor's own district or circuit.

It is fair to suggest that greater use of temporary assignments would be encouraged if our Federal judges were to view themselves as, in the words of Judge Learned Hand, "members of a national unitary staff, whose service would be best employed wherever they were most needed." There has been some reluctance on the part of judges to accept responsibility for service beyond the confines of their own court, but it is encouraging to note that this reluctance has greatly diminished. In this regard we must take cognizance of the words of the former chief judge of the 10th circuit, Orie L. Phillips, who wrote:

> Only under a plan by which trial judges can be assigned to other courts and the judicial manpower distributed to meet the needs of the several courts throughout the judicial system and under which each judge feels a responsibility for prompt and competent administration of justice in all the courts in a state or circuit, can we hope to relieve congestion in particular courts and effect that expeditious administration of justice which the courts should afford litigants. * * * But no system or plan will work without an administrative head to guide it.

IV. REPORTS

Several judges who regularly undertake intercircuit assignments have adopted the practice of filing a detailed report with the chief judge of the court visited, with copies to the chief judge of that circuit and to the Administrative Office of the U.S. Courts. These reports typically relate to the judicial matters handled. If these reports were to be filed by each judge as a matter of course after an assignment, and if they were to include constructive comments about the courts operations, such reports would be a valuable means of stimulating improved court techniques.

V. SENIOR JUDGES

Some senior judges have performed invaluable service as visiting judges; others have not been active as assigned judges for three reasons: First, the age and infirmities of some senior judges; second, the per diem rates for visiting judges; and, third, the apparent failure to communicate to some senior judges the opportunity for assignments.

It was suggested during the hearings that a more energetic cadre of senior judges might be developed if more liberalized retirement were provided. I have introduced as part of S. 3055 a plan to allow retirement at 65 after 10 years service. During the course of the hearings it was also suggested, I think wisely, that judges who served for 20 years be allowed to retire regardless of age. Liberalized retirement would not be a wasteful measure. Our Federal courts have been blessed by the continued service of senior judges both within their regular assignment and on temporary assignments. Without exception those senior judges who are not afflicted by the infirmity of age or illness have been willing to accept their share of the Federal workload. Without the assistance of these judges our Federal judicial system would be in very sad condition.

It does appear, however, that the present per diem allowance for visiting judges might be too parsimonious when considered in light of living expenses in some of our large metropolitan areas. It is to be noted that these are the very areas most in need of outside assistance. It might be well for Congress to review the provision for allowances to see if they, in fact, have amounted to a real impediment to the temporary assignment of judges.

It was also suggested during the hearings that some senior judges are not aware of the opportunity for temporary assignments. Each senior judge should be fully aware of the possibility for temporary assignment and those who are able and willing to accept assignments should be fully utilized.

ACTIONS SUBSEQUENT TO SUBCOMMITTEE HEARINGS

Subsequent to the conclusion of hearings by the Subcommittee on Improvements in Judicial Machinery, the American Bar Foundation published a report entitled "Accommodating the Workload of the U.S. Court of Appeals," which touched upon the temporary assignment system. The report endorsed the greater use of such assignments. The foundation report states in pertinent part:

> Fuller utilization of temporary intercircuit assignment can be made within the present system. Some circuits, notably the First and Eighth, have much lighter loads than others, such as the Fifth. Provision should be made so that such assignment requires consultation with but not consent of the assigned judge or the Chief Judge of his Circuit. All judges should be regarded as having service responsibilities to the federal judicial system as a whole.

At the most recent meeting of the Judicial Conference of the United States, a revision of the policies relating to intercircuit assignments was adopted. The new policies were recommended by the Advisory Committee on Intercircuit Assignments. The committee recognized the present difficulties in the intercircuit assignment system and said, in pertinent part:

> The difficulty comes in the correlation of need for judge help with availability of judgepower. Courts in need, through an analysis of caseloads and a projection of re-

> quirements, should make long-range programs which can form a basis for timely requests on courts which may be able to supply assistance. This may be accomplished through greater cooperation among the circuits. Improvement can be made within the framework of the existing statutes.
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> * * * * *
>
> The present system operates largely on an ad hoc, personal arrangement basis. Such a system cannot and will not produce the most advantageous use of judicial personnel. In the circumstances the Committee makes the following recommendations for the approval of the Conference:
>
> 1. Adopt the policy that a federal judge has a responsibility, first, to the particular court of which he is a member, second, to the other courts within his own circuit, and, third, to the courts outside his circuit.
> 2. Except for emergency situations, courts in need of help shall forecast that need by at least six months and advise the committee of the times and places where help is required and of the number of judges desired.
> 3. When there are conflicting requests for the available judges, the committee shall determine the relative priorities of such requests.
> 4. The practice of inter-circuit assignments of active judges on a personal arrangement basis is not approved.
> 5. The committee shall make requests of the Chief Judges of the circuits for judges available to respond to requests for help. The results of such requests shall be reported to the Conference.
> 6. No judge shall be assigned out of his circuit without his consent and, in the case of active judges only, without the consent of the Chief Judge of his circuit.

As I have said, the conference adopted the committee's recommendations. The policy, if effectively administered, should eliminate many of the present deficiencies in the assignment system which I have described. The responsibilities of the judiciary beyond the confines of their regular assignments is, as Judges Hand and Phillips recognized, a prerequisite to the maximum efficiency of the Federal judicial system. The effort to estimate future needs is essential if the available judge power is to be effectively utilized on temporary assignments to courts in need of assistance. Defining such needs must be diligently worked out or the heart of the new policy will be denied its essential force.

The newly stated policy also gives the Judicial Conference Committee an important responsibility for establishing priorities among the requests for assistance. This responsibility is new and its absence has, I believe, impaired significantly the effectiveness of the Judicial Conference efforts in regard to temporary assignments.

As chairman of the Senate Subcommittee on Improvements in Judicial Machinery I intend to watch closely the operation of these new policies. I am convinced that the temporary assignment system is an essential tool of judicial administration and that this tool must be more effectively utilized by the Federal judiciary.

FOREIGN AGGRESSION AGAINST CZECHOSLOVAKIA AND VIETNAM

Mr. YOUNG of Ohio. Mr. President, the invasion and takeover of Czechoslovakia by the armed forces of the Soviet Union and several of its satellite countries is a sorrowful matter. This is, in fact, a cause for dismay in the minds of liberty-loving men and women the world over, equalled only by the military invasion of South Vietnam and the intervention by President Johnson with the Armed Forces of our country in a civil war in South Vietnam.

Czechoslovakia is a nationalist Communist country. Its leaders and most of its citizens are freedom loving and were seeking to provide more liberties and more self-rule for their nation.

We Americans with our tradition of being the most revolutionary people in the world should insist upon the right of a small nation such as Czechoslovakia to determine for itself the way of life of its own people. We Americans are deeply grieved and incensed over the invasion and takeover of Czechoslovakia.

Let me call attention to a remarkable parallel between the immoral, undeclared war the Johnson administration and the military-industrial complex of the United States has caused us to wage in South Vietnam and the invasion and occupation of Czechoslovakia, a country less than the size of Oregon with a population of but 14,300,000 people.

President Johnson from late 1963 to the present time has sent to South Vietnam more than 1,900,000 American fighting men. More than 200,000 American fighting men have been killed and wounded. Hundreds of thousands have served for a year or longer and then have returned safely to the United States. Thousands have died from tropical ailments such as bubonic plague, hepatitis, malaria fever, and other jungle diseases, and thousands of those who have returned are still suffering from the effects of these diseases. And, in addition, thousands have been killed and injured in what the Pentagon terms "accidents and incidents."

There are certain remarkable parallels. For example, the Johnson administration has sought to spread responsibility by obtaining some 53,000 South Koreans to join in our fighting in South Vietnam. In addition, from the Philippine Republic we have secured 2,000 noncombat engineers to serve in Vietnam. Of course, American taxpayers bear the expense of equipping and of maintaining these soldiers from friendly nations.

The Soviet Union likewise sought to spread responsibility among its Warsaw Pact satellites and so Hungarian, Polish, East German, and Bulgarian troops were ordered to join in the invasion and takeover of Czechoslovakia.

In our invasion of South Vietnam and in the invasion of Czechoslovakia, the two most powerful nations in the world placed reliance on massive military power. President Johnson and the rulers of the Kremlin both flouted international law, world opinion and even common decency.

Without a doubt, in the end, in both Vietnam and Czechoslovakia the efforts of the Soviet Union and the United States to impose by military might the will of the rulers of the Kremlin and of the rulers in Washington—President Johnson, Dean Rusk and the Generals of the Joint Chiefs of Staff—will fail. They should fail. Human rights cannot be denied. The human spirit cannot be forever held in bondage or silenced by force.

In Czechoslovakia just as in Vietnam both south and north of the 17th parallel men find the courage and capacity to stand for what they believe and to continue the struggle for independence and freedom regardless of suppression and force from the outside, no matter how formidable.

Our Ambassador Averell Harriman, chief negotiator of the United States in Paris with representatives of Hanoi, stated recently that a total of 85,000 soldiers of North Vietnam had infiltrated south of the 17th parallel which was fixed at Geneva in 1954 as a demarcation line dividing Vietnam into North and South Vietnam with the accompanying statement that this was not to be considered a national boundary. Obviously that force of only 85,000 could not defeat or force to a stalemate even one-third of the more than 600,000 men of our Armed Forces and forces of our clients such as South Korea. Of course, it is evident that the VC, or forces of the National Liberation Front of South Vietnam, men who feel they are fighting for the liberation of their country, form the vast majority of the armed forces which have fought us to a standstill or stalemate in this foreign adventure from 1961 to this bad hour.

Even Gen. William Westmoreland and his chief deputy admitted to me when I was in South Vietnam and Thailand that we Americans were fighting in a civil war in Vietnam. General Westmoreland stated that more than 80 percent of the Vietcong fighting us in the Mekong Delta, which is south and west of Saigon, were born and reared in that area. His then chief deputy, Gen. Richard Stillwell, told me when I talked with him about a week later in Thailand that the bulk of the Vietcong fighting in South Vietnam were born and reared in South Vietnam. He directly admitted that we Americans were involved in a civil insurrection. In the hearts and minds of the VC and of the members of the National Liberation Front, whose head is a Saigon lawyer who is not a Communist, the United States is seeking to perpetuate the same colonial policies that the French attempted from 1946 to Dienbienphu in May 1954. Furthermore, the chiefs of state in every Asiatic nation, almost without exception, regard the United States as the aggressor in Vietnam.

In the United States let us hope that the President who will be inaugurated next January 20, only about 3 months from now, will manifest his devotion to the needs and desires of mankind for peace and plenty. Let us hope that our new President will give immediate priority to the necessity of immediately and unconditionally stopping bombing of North Vietnam. Vice President HUBERT HUMPHREY has already pledged that if elected the first order of business would be to halt bombing of North Vietnam and end the war. Then, that our new President will seek an end to our involvement in the civil war in Vietnam, and take leadership in achieving peace throughout Vietnam with a coalition government in Saigon instead of the present militarist regime and that this new government will then undertake a fair election in South Vietnam—a fair election, not a fake election as was conducted under the supervision of the CIA in September 1967. At that time the ruling junta barred from voting all members of the National Liberation Front, Buddhists and all so-called neutralists, and in addition permitted the soldiers of South Vietnam in many instances to cast their vote first with the other members of their military units and also to cast a second vote in their hamlets and villages. The present militarist regime in Saigon even with all that help from our CIA and from officials of the Johnson administration obtained but 35 percent of the total vote cast.

It is evident now that the Soviet Union and the United States have both blundered. Our newly elected President should next January set an example for the rulers of the Kremlin.

President Johnson had a splendid opportunity following the election in South Vietnam and the adoption of the constitution, which he praised, to then and there say that his intervention with armed forces in South Vietnam had succeeded and we had won the war, and that he was ordering the return of our soldiers. Instead, he escalated and expanded our involvement.

Then later this summer when there was a lull in fighting on the part of the Vietcong in South Vietnam, President Johnson again had the same opportunity to end our fighting and to commence bringing our soldiers home. Instead, our aggression has continued and every community in the United States, even the smallest, has experienced the tragedy of its finest young men being killed or wounded in a foreign land far from our sphere of influence and of no importance whatever to the defense of the United States.

Let there be no more takeovers of countries striving for national liberation such as South Vietnam and Czechoslovakia.

INTERNATIONAL ORGANIZATION OFFERS SUPPORT TO ENDANGERED SPECIES BILL, S. 2984—66 NATIONS PREPARED TO FOLLOW LEAD OF THE UNITED STATES

Mr. YARBOROUGH. Mr. President, one of man's highest responsibilities on this earth is the role he exercises as trustee of nature's wealth and beauty. The numerous woodlands, forests, seashores, rivers, and the multiple varieties of plants and animal life are the greatest of all treasures—and their preservation and protection rest in our hands. We are called in our time to act as stewards for this irreplaceable storehouse, and to preserve our heritage for all time to come.

Unfortunately, time is running out for many of our most unique and valuable species. At this very moment, 250 kinds of birds, fish, reptiles, and mammals are vanishing from the earth. A New York furrier estimated recently that some 7,000 African leopard skins were brought into New York last year. Conservationists say the Somali leopard will be extinct within 10 years unless this killing is brought under control.

In order to deal with this crucial situation, I have repeatedly urged the passage in the Senate of S. 2984, my bill to prevent importation of endangered species. Similar legislation already has passed in the House. It is my hope that the Senate Commerce Committee will not permit this needed legislation to die in the 90th Congress. There is still time to act this session, and, again, I express the hope that the Commerce Committee will report this bill so the Senate may have an opportunity to act before this session ends.

In recent days, the International Union for Conservation of Nature and Natural Resources—IUCN—has reaffirmed its call for the United States to assume the leadership in the protection of endangered species. In a letter to me dated October 4, 1968, Mr. Noel Simon of the IUCN, urged passage of my bill. He noted:

> Adoption of this Bill is critical from the international standpoint not only for its own worth but also for the reason that if the Bill is enacted other nations will be prepared to follow the example set by the United States.

In his letter, Mr. Simon indicated that his organization is in communication with some 66 nations who are prepared to follow U.S. leadership in the enactment of legislation relating to the importation and exportation of endangered species.

Mr. President, it is time for us to take the initiative in this important matter. I ask unanimous consent that the letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

International Union for Conservation of Nature and Natural Resources,
Morges, Switzerland, October 4, 1968.

Re bill, S. 2984, to prevent importation of endangered species.

Hon. Ralph W. Yarborough,
U.S. Senate,
Washington, D.C.

Dear Senator Yarborough: I write to confirm the interest of the International Union for Conservation of Nature and Natural Resources (IUCN) in Bill S–2984.

On behalf of IUCN, I wish to state that adoption of this Bill is critical from the international standpoint not only for its own worth but also for the reason that if the Bill is enacted other nations will be prepared to follow the example set by the United States.

In that connection you may be interested to know that IUCN is presently in communication with 66 nations concerning the introduction of appropriate legislation relating to the import and export of rare and endangered species, and whose future action in this field will be determined largely by the decision taken by the present session of the United States' Congress.

Yours sincerely,

Noel Simon,
(On behalf of the Secretary-General, IUCN.)

CULVER SHOWS DEEP CONCERN FOR FARMERS AS MEMBER OF HOUSE

Mr. PROXMIRE. Mr. President, in his 4 years in the House of Representatives, Representative John Culver, of Iowa, has demonstrated his positive concern about the problems of the American farmer, not simply in speeches or in fruitless complaints but by constructive action.

He has been a consistent supporter of the feed grains program, while criticizing the problems existing within the program and seeking reform. Last spring, for example, when an effort was being made to eliminate advance payments under the program, Culver presented strong arguments to the Secretary of Agriculture pointing out the critical importance of spring payments to his farmers at the planting season. Those advance payments were made.

He has voted for a great deal of other sound agricultural legislation in the 89th and 90th Congresses, including the cropland adjustment program, food for peace, and commodity distribution programs.

In addition, he has taken the lead in the effort in the House of Representatives to close the loopholes which benefit hobby farmers and corporations who enter agricultural loss operations to offset their nonfarm income, and thus enter into unfair competition with legitimate farmers.

Representative Culver has also introduced a Fair Farm Budgeting Act and a Dairy Marketing Conference proposal, and has recommended the creation of a National Advisory Council on Agriculture to provide permanent representation of farm interests before all of the appropriate Federal agencies and departments, as well as before Congress.

But perhaps his most unique and valuable contribution in agriculture has been Representative Culver's program of taking Eastern urban Congressmen out to his congressional district, to live on farms and meet with operators and producers to discuss their problems and needs.

Representative Culver started the program because of the declining influence of the farm bloc in the House of Representatives—a bloc which now totals less than 50 of the 435 seats in that body.

In our interdependent economy—

He points out—

> there can be no permanent progress in any one sector or any one section of the country, unless there is equal progress in the rest. Our objective in bringing these representatives of major metropolitan districts to Eastern Iowa is to demonstrate to them in the most immediate way this interdependence of the factory and the farm, and the direct relationship of agricultural strength and stability to their own constituencies.

Representative Culver recently held one of these farm visits for Representative Jonathan Bingham, of the Bronx, and Representative Don Irwin, of suburban Connecticut. Because it is such a worthwhile program, and because I think many of us might consider similar activity in our own areas, I ask unanimous consent to have printed in the Record several newspaper accounts of this recent visit and the impact which it had.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Cedar Rapids (Iowa) Gazette, Aug. 23, 1968]

FARM "SCHOOL" FOR VISITORS

(By Rich Wendorf)

Two Eastern urban congressmen were told on an Iowa farm Thursday that it is becoming "increasingly important that those members of the house who do not represent agricultural interests become aware of the unique needs of areas like ours, and the interdependence of our agricultural and urban economies."

Congressman John C. Culver spoke on the Cloy Schultz, jr., farm near Postville Thursday afternoon in the first of several scheduled stops on a two-day tour of representative Northeastern Iowa farms with two of his colleagues from the house of representatives.

Congressman Donald Irwin, who represents a Connecticut urban area just outside New York City, Irwin's two children and Jonathan Bingham, representative from the Bronx, Thursday visited three farms and the Fayette county fair and then spent the night with Buchanan county farm families. The tour ended Friday morning after a meeting at Monti.

Both congressmen told the crowd that gathered on the Schultz farm that they have trouble in their home districts explaining why they support the federal assistance plans for farmers.

"Back in my district feeding families is not a problem at all," Irwin said. "My area can be crossed in twenty minutes and is almost completely inhabited by executives or well-paid factory workers, who have no knowledge or interest in farm problems. Thus a visit like this will help me explain to them exactly why I take the stands in congress I do."

Irwin said his most difficult problem was explaining his affirmative vote on a farm proposal when his constituents knew that various farm organizations had refused to support it.

"Agriculture today," he said, "has to speak with one voice. It takes an even greater understanding of rural problems if the Farm Bureau and other organizations fail to support the programs that are meant to strengthen the agricultural economy."

Schultz told the group that he and other local farmers were beginning to feel the effect of deleted assistance already.

The farm tour was a different experience for both congressmen and Irwin decided to take full advantage of his stay by snapping shots of livestock and farm operations with his camera.

Culver asked Schultz to explain to the congressmen exactly how various aspects of farm operations were maintained. Both visitors aimed most of their questions at the problems of finance.

Bingham especially seemed to be amazed at the amount of investment required in farming today and the money put into farm equipment in particular.

Schultz had placed his large machinery in spots along the congressmen's tour with prominent signs indicating the new price of each piece of equipment.

Prices of $10,000 and up on the machinery staggered Bingham, who immediately asked what relations were like with the Iowa banks.

Culver emphasized to his visitors the great decline in the congressional agricultural bloc. He said that in the past few years the number of agriculturally-representative congressmen had decreased from 150 to only 50.

"I hope these visits," he said, "help demonstrate the interdependency of our economy. Urban dwellers must realize that poverty and unemployment on the farm mean poverty and unemployment in the city."

Later in the day the congressmen visited the Gilbert Livingood farm north of Postville and the Grant Grinna and Carsten Clement dairy farm east of Decorah before spending the night on the farms of J. P. Flanagan, Robert Ryan and M. H. Short, all near Monti.

At one point Irwin asked a nearby farmer if he lived up the street. The farmers looked at the dusty gravel road and grinned before Irwin caught himself, laughed and told the group, "I guess you can tell where we're from."

[From the Des Moines (Iowa) Sunday Register, Aug. 25, 1968]

FARMS AWE TWO BIG-CITY LEGISLATORS

(By William Simbro)

POSTVILLE, IOWA.—Take two big city congressmen from the urban East, plop them down in 94-degree heat on alien Iowa farms in August, and what do you have?

Two dog-tired, confused, yet pleasantly surprised U.S. Congressmen—one even proudly sporting real, "down-home" manure on his brightly polished shoes—that's what you have.

Donald J. Irwin, who speaks for a wealthy suburban Connecticut district, and Jonathan B. Bingham, who hails from the bustling boroughs of The Bronx and Manhattan of New York City, spent Thursday and Friday in Iowa.

FIRSTHAND VIEW

The idea was for them to see, first-hand, the kind of growing pains implicit in trying to make a living by producing things for people to eat.

Among other things, the two congressmen discovered that 2-day-old pigs are "cute," farm economics are hopelessly complicated, and—perhaps more importantly—that Iowa farmers, when talked to eyeball-to-eyeball under the shade of a tree, aren't nearly as dumb as mythology occasionally paints them.

On the 570-acre Cloy Schultz farm, a mile southeast of here, Irwin joined in the laughter when he referred to a neighboring farmer as living "down the street."

Irwin, who endeared himself with his friendly, outgoing nature, also laughed at himself later on the tour when he made the only congressional slip into a manure pile.

Shuffling over the Schultz farm, the congressmen saw a $10,000 tractor, a $3,000 portable grinder, a $6,200 feed wagon, and two new silos that cost a total of $14,300. They were surprised.

Schultz told them it costs $40-an-acre to plant corn, not counting the cost of machinery. He said more liberal credit is one of the farmers' greatest needs.

Irwin told Schultz and about 20 neighboring farmers, "One of the hardest things for me to understand is why farmers don't speak in more nearly one voice. I have a terrible time justifying to my constituents [in Connecticut] my vote for a farm bill," Irwin said.

"They read in the newspapers that the Farm Bureau is against the farm programs and my people ask me why I should vote for them if the organization which represents farmers is against them."

Lloyd Schroeder, a neighbor of Schultz, said it was "Republican influence" within the Farm Bureau that was to blame.

The discussion took place under a shade tree, a partial respite from the searing 94 degrees.

Irwin also questioned Schultz closely on when and how corn was picked, and how dry it had to be. And Bingham was surprised to learn that corn stalks and leaves were ground up and used for feed.

After their tour Thursday, the congressmen were picked up by their waiting helicopter and headed for the Fayette County Fair at West Union.

After the tour, both men said they would not go back home as farm experts, but believed they had a better idea—both of the worth and of the problems of Iowa farm life.

"I'll go back feeling that America is a very good place to live in, and to bring up children in," said Bingham, who is a floor manager for Senator Eugene J. McCarthy (Dem., Minn.) at this week's Democratic National Convention.

"It's been great," chimed in Irwin. "But it's more than you can absorb. I'll probably see pigs and heifers jumping over the fence in my dreams."

The congressmen were led by Representative John C. Culver (Dem., Ia.), who conducts such tours annually for other congressmen to help them better understand rural life.

[From the Independence (Iowa) Conservative, Aug. 28, 1968]

URBAN CONGRESSMEN ENJOY COUNTY VISIT

"It is certainly a refreshing thing to see what the heartland of America is about," a New York City congressman told a group of about 60 Buchanan county farmers Friday morning.

The speaker was Rep. Jonathan Bingham, who represents the Bronx in the U.S. House of Representatives. Bingham and another Eastern congressman, Donald Irwin, were concluding a two-day visit to the area with Rep. John Culver of Cedar Rapids, Second district congressman. The trio spoke at a meeting with farmers and the press at Monti hall prior to leaving for Cedar Rapids and the return trip home.

All three stayed overnight Thursday on farms in southeast Buchanan county. Congressman Bingham was the guest of the Robert Ryans who farm four miles northeast of Monti and Congressman Culver stayed at the farm home of the M. H. Shorts one-half mile west of Monti. Congressman Irwin along with his son and daughter slept at the J.P. Flanagan home five miles south of Monti. He represents a suburban Connecticut area outside of New York City.

The visit was arranged by Culver to give the two urban congressmen an insight into Midwest rural living and the farm problems of today.

During Friday morning's meeting Culver proposed that a permanent national advisory council on agricultural affairs be established "to develop and maintain long range coordinated agricultural policies directed toward six integrated objectives." He suggested the council include representatives of the major farm organizations and commodity groups, agricultural production specialists, farm economists, domestic and international trade experts and representatives of both political parties in congress.

This group, he said, would have formal liaison with the Council of Economic Advisors, the Budget Bureau, congress, the Department of Agriculture and other federal agencies concerned with the development of rural America.

Objectives of a coordinated farm policy would include making agriculture a profitable enterprise by reversing the present cost-price squeeze, stabilizing the family farm against the threat of extinction by corporate farms and providing special opportunities to keep talented young people in agriculture, Culver said.

"In addition, agricultural policies should be closely tied to programs directed toward developing better food distribution programs for the hungry at home and abroad, recognizing that this is a separate problem from that of maintaining adequate farm income," he said. "Finally, the national advisory council should direct itself to the larger question of the quality of life in rural America with programs that include housing, education, recreation and public facilities as well as the conservation of our natural resources."

Noting that he has had a "great feeling of hospitality and warmth in Iowa, particularly in Monti," Bingham said it is important for those representing the big city districts to understand the problems of farmers and to promote programs which will assist agriculture. He also spoke briefly on problems encountered in his district which is the home for 500,000 people and yet is only three by five miles in area. "We have no slums but many of my people are hard-presesd to make ends meet," he related.

Irwin said he was "pleased to be here" and that he and his children have "loved everything we've seen." He mentioned some of the advances in agriculture but said that with progress there are often new problems. "Nobody knows better than the farmer that advancements bring more problems," said Irwin.

He also outlined some of the problems in his district and in concluding said "farmers should work together for a common goal."

Both visitors lauded Culver and asked their listeners to "work hard for John." Irwin, who has been elected to congress three times by a narrow percentage, said "John doesn't have it made—this is a tough district." He said he is a strong supporter of Vice President Humphrey for the Democratic presidential nomination. Bingham will be a floor manager for Sen. McCarthy during this week's convention.

Culver, who has not come out in favor of any particular presidential candidate since his friend, Robert Kennedy, was killed, noted that a week ago he visited a collective farm in Czechoslovakia while on a European tour. "There was a great difference, not only in the economic way of life, but socially and politically," said Culver. "We think we have problems . . . we can at least work to improve our situation under the democratic way of life. I hope we count our blessings."

[From the Waukon (Iowa) Republican-Standard, Aug. 27, 1968]

LIVINGOODS HOST CULVER THURSDAY

A Waukon-Postville area farm family, the Gilbert Livingoods, played host to Second District Congressman John C. Culver and two eastern congressmen Thursday afternoon at their home.

Culver and his guests, Congressman Donald Irwin, who represents the Connecticut suburbs of New York City, and Congressman Jonathan Bingham, who represents the Bronx in New York City, arrived at the Livingood farm by helicopter. The Congressmen had just come from touring the Cloy Schultz Jr. farm southeast of Postville in Fayette county.

Culver, Bingham and Irwin had traveled to northeast Iowa to acquaint the men from the urban area with farm problems. Culver said, "If we expect to pass farm legislation in Washington with the farm votes alone, forget it! We need the urban understanding and support."

Livingood, his wife and seven children, gave the Congressmen a complete tour of their farm's production including machinery, elevators, silos, livestock and feeding operations.

Livingood explained the use of several pieces of machinery and also had the prices listed. He said that some of the larger machinery was now shared with neighboring farmers in order to help defray the high cost. Culver pointed out to the easterners that farmers use enough rubber to put tires on six million cars and use more petroleum than any other single industry.

Livingood, who specializes in beef cattle and hogs, explained to them how he feeds the hogs, how long it takes until they are ready for market, and the prices he can expect. He showed them some beef calves which he said he had bought for 27 cents a pound, but could probably market for only 26 cents a pound.

Culver repeatedly stressed the high cost of farm production to the easterners and the low return. He also stressed the farmer's importance to the national economy.

Livingood said that he had been a member of the federal grain bank since its beginning. He said that his farm was rolling and not well suited for growing grain. He and Culver stressed the importance of such federal programs and support for the farmer to the easterners.

Both Congressman Bingham and Irwin said that their farm stay was "an interesting experience," and that they were "impressed with the tremendous investment of the farmer."

"Easterners don't realize what a substantial business farming is," they said.

After their visit to the Livingood farm the Congressmen flew to the Glengate Holstein farm 11 miles east of Decorah.

GOVERNMENT REPORTS AND PAPERWORK

Mr. SMATHERS. Mr. President, as chairman of the Select Committee on Small Business, I invite the attention of Senators to the subject of government reports and paperwork. Our committee staff has recently completed a study of the reporting requirements placed upon the small businessman by the Federal agencies. A committee report on this subject will be released at an early date.

First of all, let me say as spokesman in the Senate for the small business community, that many of us are becoming increasingly concerned about the number and complexity of Federal reports required from businessmen. It is obvious that earlier attempts made to curb this paperwork flow both by the executive branch and by committees of Congress, have not been successful. We know this because our daily mail is filled with complaints from businessmen about Federal agency forms and questionnaires. We know it also because Federal expenditures for reports and statistics over the past 10 years have increased at a rate 50 percent greater than the increase in the Federal budget itself.

The flood of Federal forms and questionnaires works a particular hardship on the small businessman. Many of them cannot afford to hire accountants or "practitioners," as the Internal Revenue Service calls them, nor can they turn on a computer and send out a magnetic tape report on employees, payrolls, withholdings, and the like, as the large corporations do. For the small "mom-and-pop" store and similar small business enterprises, government reports, whether they be Federal, State, or local government reports, in terms of manhours spent, and in some cases, wasted. As one small businessman explained it in his own language:

> The men are out there working, supposedly the plant is going, the maintenance and repair is going on, but I know it isn't. It isn't going on the way it should if I was there. But, I am giving my attention to what I consider to be at least twice as much paperwork as is necessary in my industry.[1]

EIGHT BILLION DOLLARS

The dimensions of this Federal paperwork system are almost beyond comprehension. According to the General Services Administration, the Federal Government spent over $8 billion last year in creating, processing, filing, and storing all kinds of paperwork. In physical volume, some 4.5 million cubic feet of records were filed last year. This works out to the equivalent of 10 billion sheets of standard size typing paper. The Government Printing Office prints over 2 billion public use forms each year for the Federal agencies, or 10 forms for every man, woman, and child in the United States. Of these, about one-half were printed for the Treasury Department, principally for the Internal Revenue Service.

In 1967, some 105 million tax returns were made to the Internal Revenue Service. Of these, about 81 million were income tax returns, and some 22 million were employment tax reports. The Social Security Administration posted earnings reports for about 85 million covered workers last year, and the wages of some 48 million wage earners were reported to the States under unemployment insurance programs.

Also, in 1967, along came the Census Bureau with its 5-year Economic Censuses which covered over 4 million business firms in manufacturing, wholesale and retail trade, mining, and selected service industries. In addition to all this, we had the so-called regular reporting systems of the Federal agencies which encompass everything from crop reporting to the Department of Agriculture to reporting the employment status of minority groups to the Equal Opportunity Commission. This last report involved only 150,000 business firms.

PAPERWORK ANALYSIS

Mr. President, when we look at these massive reporting requirements of the Federal agencies and realize that the largest share of these reports by far is supplied to the Government by business firms, and when we understand that over 95 percent of these business firms are small business firms, the message comes through "loud and clear." It is high time that Congress took firm and positive measures to simplify and reduce the number and complexity of Federal reports and thereby ease the reporting burden placed upon the business community by the Federal agencies. If these reporting and statistical requirements continue to increase at the present rate, we could find ourselves in a situation comparable to the New York Stock Exchange and be forced to close down the Government on certain days of the week in order to catch up with the paperwork.

Permit me to quote from testimony of the vice president of a Massachusetts bank before our committee last year:

> It is paradoxical that our country as the leading nation in the world today, capable of outstanding economic achievements and startling scientific accomplishments should at the same time be literally legislating itself towards a paperwork paralysis.[2]

Some of us well remember that day during the 89th Congress when the distinguished minority leader brought to the Senate floor a few samples of Government forms and regulations. I remember particularly that the Department of Labor's Interpretative Bulletin on Overtime Compensation was described as being "19 feet higher than Niagara Falls." [3]

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[1] See Hearings, page 47.

[2] See SBC Hearings, p. 204.

WHAT CAN BE DONE?

Thus, most of us will agree that something has to be done about Government paperwork and soon. But where do we begin? There is hardly any activity of the Federal Government outside of the Department of Defense that has received more study over the years than these reporting and statistical activities. The predecessor of our Small Business Committee, the Senate Special Committee To Study Problems of American Small Business, studied the problem back in 1939. Its recommendations led to the first Federal legislation on the subject, the Federal Reports Act of 1942. Again, in 1949, the First Hoover Commission created a task force to report on Federal paperwork and in 1955 the Second Hoover Commission studied the problem again. In 1964 and 1965, a House subcommittee published some 500 pages of hearings materials and a 200-page report on Government paperwork. Again in 1966 in a report prepared for the Bureau of the Budget, a distinguished committee headed by Dr. Carl Kaysen, of the Institute of Advanced Study at Princeton, N.J., found that the system is "both inadequate and inefficient." Last year, our committee looked into the matter again, as did the Joint Economic Committee. In fact, there is a lot of paperwork about paperwork, but, as I have indicated, efforts so far to improve the situation have not been successful.

CONGRESSIONAL RESPONSIBILITY

To our committee, it has become clear that Congress itself must face this reporting problem squarely and come forward with the necessary legislative and organizational remedies. There are four good reasons for this: First, it is Congress which creates the need for many of these reporting systems by its demands upon the agencies for information concerning their programs. In fact, as we well know, the legislation itself often requires the establishment of a reporting system which the agency then administers. Second, only Congress, through its appropriations committees can determine which of these reporting and statistical systems should be funded and which should be reduced or abolished completely. Third, the Federal Reports Act of 1942, the basic "reports law," has been effective in reducing the reporting burden of small business enterprises and new legislation is needed to implement Congressional policy in this matter. And fourth, the principal complaint of small businessmen and many individuals is that our tax laws and tax reporting systems have become so complex and involved that only professional accountants and practitioners can understand them. In fact, about one-half of the small business firms must now employ accountants or practitioners for tax reporting purposes, although many of them can ill-afford to do so. In some cases, small businessmen have told us that they have to hire accountants at hourly or daily rates higher than they earn themselves.

FICA REPORTS

After income tax reports, the next largest number of complaints concerns the reporting of employees and their earnings. Here we are involved with not one, but two mammoth paperwork operations: the first is the quarterly report of wages taxable under the Federal Insurance Contribution Act. These FICA reports are used by the Internal Revenue Service for controlling the earnings taxes withheld from each worker and the crediting of depository receipts to the employer's account. The quarterly report on the individual worker, his name, social security number, taxable wage paid and where employed, is forwarded to the Social Security Administration where giant computers post the earnings items to the employees' individual accounts. The dimensions of this reporting system are staggering—some 150 million earnings items posted each year in the quarterly reporting system alone. Excluded from this system are agricultural workers, domestics, and self-employed persons. All of these report to the Social Security Administration but under special reporting systems.

Businessmen are pretty much in agreement that this quarterly reporting to the Social Security Administration is the single most burdensome report of the Federal Government. It is paradoxical that this report falls heaviest on small businesses because most of them do not have access to computers. The large corporations, General Motors, Standard of New Jersey, Ford, Chrysler, and the others, send computer tapes to the Social Security Administration in Baltimore. These tapes contain all the necessary earnings data for each of the employees in the 50 States. The small businessman with, say, 25 or 50 employees, must prepare these returns manually, after accumulating the weekly or biweekly payrolls, over the quarterly period of each wage earner.

Back in 1955, the second Hoover Commission said Social Security did not need these figures quarterly; that once a year was enough. Recommendations for simplifying this system were included in Presidential messages to Congress in 1956, 1957, 1958, 1959, and 1962. Yet recently when I asked the Bureau of the Budget what they were doing about this matter, I was told—and I quote from their letter:

> It would be unwise at this time to effect a changeover to annual wage reporting by employers for social security purposes. The Bureau of the Budget will continue its surveillance of the problem, with particular attention to the expanding use of magnetic tapes as the medium for reporting, but plans no action in the immediate future.

I am sure that the small businessman will be delighted to know that the only relief offered by the Bureau of the Budget for this situation is that he buy, lease, rent, or in some way get access to a computer.

UNEMPLOYMENT INSURANCE REPORTS

The other mammoth reporting system that generates many complaints is the quarterly unemployment insurance reporting program. This reporting system is administered by the States and varies from State to State in accordance with State law, but it is funded jointly by the Manpower Administration of the Department of Labor and the State agencies at a cost of $2 million a year. In 1966, some 48 million workers were covered by this unemployment insurance system in the 50 States. But not all of the States require employers to report the quarterly earnings of each employee. Instead, they permit the employer to file a simple report on the total wages paid and taxes withheld during the period. Some 11 States have gone over to this method which is known as the request reporting system.

Under this system an employer submits wage information only when an employee files a claim for unemployment compensation. According to the State officials using this system, claims are processed and paid as promptly under the "request" system as under the quarterly reporting system. Eleven States get along quite well without such burdensome and costly reporting [4]—but 39 do not. I am sure that most will agree that something is terribly wrong in a system which requires that employers file reports for all workers when, at present, our unemployment rate is under 4 percent on the national average. Not only that, but in the 37 States having quarterly reporting, when a claim for unemployment compensation is filed, the State agency also requests a report from the employer in order to verify the claimant's work and earnings experience and to obtain additional information concerning his earnings, by weeks, within the quarterly period. So why do they require the quarterly report?

I recently raised this problem with the able Assistant Secretary of Administration of the Department of Labor, Mr. Leo R. Werts. Mr. Werts pointed out certain advantages in the quarterly unemployment insurance reports during strikes, mass layoffs, and seasonal shutdowns and other extraordinary situations and went on to point out that the quarterly reporting system is heavily automated while the "request reporting" system is not. Here again, as in the case of social security reporting, I point out that most small business firms are not automated. So, once more, we have a reporting system which discriminates against the small businessman. Is it any wonder that he complains so much?

Let me quote from Mr. Werts' letter:

> We appreciate the fact that the unemployment insurance program places a reporting burden on employers, whatever method the State may choose. The quarterly report is not absolutely essential for unemployment administration but we have not come up with a satisfactory alternative.
>
> Various attempts have been made to improve the administration of our unemployment insurance program since the initial recommendations of the Hoover Commission, and it is hoped that your Committee may be able to shed some additional light in an area that most administrators acknowledge requires betterment.

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[3] See SBC Hearings, p. 203.

[4] The 11 States are: Colorado, Hawaii, Massachusetts, Maine, Michigan, New Jersey, New York, Ohio, Rhode Island, Utah, and Wisconsin. Two additional States, Maine and Washington, are on an annual reporting basis.

CENSUS REPORTS

Another large reporting system which concerns the small businessman is the 5-year census program. The 1967 Economic Censuses which cover manufacturing, mining, wholesale and retail trade, and selected service establishments are being taken this year. As a result, our committee has received many complaints in recent months about the census from small business.

I, for one, have been a supporter of census programs in the past. The Decennial Census is a constitutional requirement, and on the whole the Census Bureau does a very good job in performing this task. I believe that the census offers a more efficient method for collecting needed information and protecting the confidentiality of privacy of business firms and individuals than any other data collection system.

Nonetheless, I do have some misgivings about the questions asked in the current business census about merchandise line statistics. These questions are directed to establishments in wholesale and retail trade and require these firms to report their sales by merchandise lines. Thus, a department store or a discount supermarket is required to report separately its sales of food, textiles, furniture, furnishings, hardware, and so on. Now for the large merchandisers, where these items are sold in special departments or sections, and internal controls are maintained, this type of data can be readily compiled from sales records. But the small retail store, where all sales are rung up on one or two cash registers and commodity sales records may or may not be kept, finds it virtually impossible to furnish the merchandise line statistics required by the Census Bureau. In such cases, the Census Bureau will accept estimates in lieu of actual sales records, but I question the value of these figures, as do many small businessmen who "guestimate" them.

Since the 1967 Business Census is almost completed, it is too late to make any changes now; but before the business census comes around again in 1972, I would urge the Census Bureau to take a good look at these reports. I can understand that this information could be useful to business economists and sales managers, in these days when drug stores sell groceries and grocery stores sell cosmetics, and discount houses sell almost everything. But there is a real question here as to whether the game is worth the candle and the small business community does not think that it is. In any case, in the next census, small business firms should not be required to report merchandise line information.

In the next census, I would urge the Census Bureau to expand its highly commendable program, which in 1957 involved the use of tax returns and other administrative records in lieu of Census reports for some 2 million small business firms.

FEDERAL-STATE COOPERATION

So far I have been discussing principally Federal reports and statistics, but Federal paperwork accounts for only about one-half of the volume of forms, inquiries, directives, and other paper mailed out to business establishments. With some exceptions, for every Federal report a similar or comparable report exists at the State and local government levels. In 1955, the Second Hoover Commission estimated that more than 50 per cent of the Nation's paperwork burden was imposed by State and local governments. As one businessman reported to a congressional committee:

> The real problem seems to us to be on the State level where confusion, duplication, and the accent on seemingly purposeless information is truly alarming.[5]

For the small businessman, it makes little difference whether the report that he has to file is required by a Federal, State, or local government agency—it is just one more report. When the reports to a Federal and State agency are identical or similar, he wonders why these agencies do not coordinate their needs and requirements, so that a single report from him would satisfy all agencies.

I am glad to report that some progress has been made in Federal cooperative reporting systems in such fields as income tax reporting, labor statistics, and specialized reporting in health, education and welfare. To me, one of the most striking of these joint Federal-State programs is in income-tax reporting. The Internal Revenue Service now exchanges income tax information with some 40 cooperating States. As a result the Federal-State tax reporting systems are being brought closer together in terms of coverage, definitions, exclusions, and so forth, so that, so far as the laws will permit, the State return "piggybacks" the Federal return in the cooperating States. To the small businessman or his accountants, this program has resulted in saving many thousands of man-hours in tax reporting since total income declared for Federal tax purposes becomes the starting point for the State tax return.

For the most part, however, these cooperative Federal-State tax and statistical reporting arrangements have been and are limited to specialized activities involving one Federal and one State agency, without any guidance or participation from either the Federal or State executive offices. As a result, much remains to be done across the board, and these cooperative Federal-State ventures will need the full support of both the private and public sectors if the existing information barriers are to be broken down.

Some of these reporting problems were discussed at the Second National Conference on Comparative Statistics, held in Washington last April. This conference was sponsored by the National Governors' Conference, the Council of State Governments, the National Association of Counties, the U.S. Conference of Mayors, the National League of Cities, and other groups and agencies, and met in Washington at the invitation of the U.S. Bureau of the Budget. It dealt with a broad spectrum of Federal, State, and local government information and data problems, including attempts to coordinate these activities at the State level and efforts to make more effective use of available Federal, State, and local data sources and materials. Since the conference was principally concerned with "comparative" statistics for such uses as fiscal policies, population and housing needs, socioeconomic problems in unemployment, crime, welfare, poverty, and the like, little attention was given to the reporting problems of the business community which must supply much of the input to all of these reporting systems. I strongly support the aims of this Conference and urge all Senators to do so also, but I would hope that in the future the Conference would include proposals for reducing the massive flow of Federal, State, and local government paperwork.

NEEDED REFORMS

Mr. President, before closing these remarks, I wish to discuss briefly some proposals for improving the Federal reporting and statistical system. These will be dealt with more fully in our committee report.

As I said earlier, Congress must face this paperwork problem squarely and come forward with the necessary legislative and organizational remedies. I am sure that Senators will agree that there is hardly a committee of Congress which in some way is not dependent upon the accuracy and reliability of the reports and statistics compiled by the Federal agencies. Yet, the principal source of much of this information, as I stated earlier, is the business community, especially the small businessman. When I say that the small businessman is becoming increasingly disenchanted with all of these Government forms and questionnaires and, in some instances, is refusing to comply with compulsory reporting requirements, thereby risking the penalties imposed by our laws, it will be agreed, I am certain, that we have arrived at the crossroads. Either we clean up this reporting and paperwork mess or we will find that some of our time-honored arrangements such as the "self-assessment" tax reporting system and the voluntary cooperation of the business community with the Government will fail us because we will have killed the golden goose by not keeping faith with the public.

In these closing days of the 90th Congress, I do not propose to introduce remedial legislation now, nor do I plan to request the appointment of a special commission or task force to study and report on these matters. The subject has been studied and reported to death over the past 30 years, and the results are as I have described them—"inadequate and inefficient." The fact is that we know now what should be done. Basically, it involves three simple steps to be taken early in the 91st Congress.

First, new legislation is required. The Federal Reports Act should be amended to spell out and implement congressional policy regarding all Federal reporting and statistical activities. The banking and fiscal agencies will not be excluded as in the case under the present law.

Second, we will request the Comptroller General and the General Services Administration jointly to undertake a complete investigation of the Federal agencies engaged or involved in these activities, including the so-called administrative agencies such as the Bureau of the Budget, the Internal Revenue Service, the Social Security Administration, and the Bureau of Employment Security of the Department of Labor. Included in the investigation will be an evaluation of how the new computer technology has been applied to the traditional data collection, processing, and dissemination functions and what the future seems to hold for greater integration of these massive data flows.

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[5] From NFIB survey, p. 85.

Third, we will request the chairman of every appropriate committee and subcommittee in both Houses to examine all new and existing reporting and statistical budget requests for fiscal year 1970 in the light of the results of the above investigation.

One final word about our Small Business Committee, I know that I speak for every member of the committee when I say that we will pursue this paperwork problem in the coming months with every resource at our command.

DEATH OF LAWRENCE M. JUDD, FORMER GOVERNOR OF HAWAII

Mr. FONG. Mr. President, I wish to pay tribute to and to honor the memory of one of Hawaii's most outstanding citizens.

He is Lawrence McCully Judd, a former Governor of the Territory of Hawaii and a Governor for a brief period of American Samoa.

Mr. Judd, the grandson of a famous medical missionary to Hawaii, died last Friday at the age of 81. He was a man who had a genuine love for public service and dedicated practically all of his life serving the Hawaiian government.

Throughout his busy career, the late Mr. Judd maintained a deep and abiding interest in the welfare of Hawaiians, particularly those who were aged and destitute. Up to the time of his death, he served as a trustee of the Lunalilo Estate, an institution which devotes its income to the operation of the Lunalilo Home, a home for aged and indigent Hawaiians.

Lawrence Judd was the son of Albert Francis Judd and Agnes Hall Boyd. He was born in Honolulu in March 1887. His father was a chief justice of Hawaii for 19 years.

His grandfather, Dr. Gerrit P. Judd, was a medical missionary who arrived in the islands in 1828. Dr. Judd became a statesman and adviser to several of Hawaii's kings in the days of the monarchy.

Lawrence Judd became the seventh Governor of the Territory of Hawaii after his apointment by President Herbert Hoover on July 5, 1929. He served as Governor until March 1, 1934. During his administration, he executed stringent economy measures. His administration was described as "competent, vigorous, and progressive."

Mr. Judd had come to government service from business careers with Alexander & Baldwin and Theo. H. Davies & Co., Ltd. After he left office as Governor, Mr. Judd worked on the mainland for several years for the Hawaii Equal Rights Commission in the cause of Statehood for Hawaii.

As a boy, Mr. Judd witnessed the sad and tearful boarding of Hansen's disease—leprosy—patients on ships for the voyage to Kalaupapa settlement on the Island of Molokai for years of lonely confinement.

Little did he know then that one day he was to be in a position of being able to care for their needs and to show them the compassion they desperately needed. He became the resident superintendent of Kalaupapa settlement in 1947–49 and provisional administrator of the department of health's Hansen's disease division in 1949–51.

An article in the Honolulu Star-Bulletin noted:

> Early in his superintendency of Kalaupapa, Mr. Judd called for a relaxation of the laws requiring complete segregation of the patients.

And Mr. Judd is quoted to have said:

> No one disease has been so shamefully misunderstood or so badly mispresented as leprosy . . . the unfortunate sufferer through the ages has been kicked from pillar to post, driven out of his home and community, and often locked up like a wild animal lest he contaminate some other member of society.

Mr. Judd worked continuously for the patients and lived to see many of his recommendations materialize.

After he left the health department, Mr. Judd was appointed Governor of American Samoa in 1953. He is one of the few men to have served as Governor of two American territories.

Illness, however, forced Mr. Judd to resign the Samoa post only 6 months after his appointment.

Mr. Judd had attended Punahou School, then known as Oahu College, and graduated from the University of Pennsylvania.

During World War I, Mr. Judd enlisted as a private and rose to the rank of major in the 1st Hawaiian Infantry. He was a territorial senator from 1920 to 1924 and from 1926 to 1928. He also was a member of the Honolulu Board of Supervisors in 1929 for 6 months.

He held two high government positions during World War II and in March 1944, he was named Honolulu's rent control administrator.

Mr. Judd is survived by his wife, the former Eva Marie Lillibridge; son, Lawrence M. Judd, Jr.; president of Hawaii Lumber Co.; daughters, Mrs. I. Curtis Cluff, Jr., of Kauai; Mrs. Charles F. Du Bois, of Maui; and Mrs. Cedric Toms of Georgia.

The community of Hawaii has indeed lost a stellar citizen and one who truly lived to help make Hawaii a better place for all of us. Lawrence McCully Judd will be long remembered, for he worked and lived in a vital time of Hawaii's history.

Mrs. Fong and I join the people of Hawaii in expressing our deepest sorrow over the loss of an illustrious son of Hawaii. We extend our sincerest sympathy and condolences to the family.

PRISONS A WEAK LINK IN FIGHT AGAINST CRIME

Mr. TYDINGS. Mr. President, in this year so dominated by discussion of the crime problem, we sometimes permit our attention to be riveted to the police. It is understandable. The police are at the frontlines of the crime problem. When there are muggings, car thefts, or burglaries, it is they who respond. They are the most visible—and the most abused—part of the criminal justice system.

What we must not forget is that there are two other parts of the system—courts and corrections—and that we will not be able to make much of an impact on our crime problem unless we are willing to help them too.

Court inefficiency negates whatever progress the police make. The most efficient police force in the Nation, one that can respond to a call in 2 minutes and has an 80 percent apprehension rate—and none does—will not be an effective deterrant if court backlogs prevent defendants from coming to trial. They will be free to walk the streets and, perhaps, to commit new crimes.

Whatever the police and the courts do, they cannot reduce crime if our correctional institutions are not doing their job.

We expect the correctional system to rehabilitate law violators. But, although there are no reliable recidivism rates, some experts say that as many as 70 to 80 percent of those released from prison commit new crimes. Too often, they commit more serious crimes than those for which they were originally convicted.

The car thief becomes a house burglar; the pursesnatcher becomes an armed robber; the street robber becomes a bank robber.

An article published recently in the New York Times magazine, entitled "Our Prisons are Criminal," explains why. The author is Bruce Jackson, a member of the faculty at the State University of New York. Because I think that his story is a striking illustration of the urgent need to improve our prisons, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR PRISONS ARE CRIMINAL

(By Bruce Jackson)

During the summer of 1963 I visited a Midwestern prison that had had a particularly devastating week in the wake of riots that swept American prisons a decade or so earlier. Many buildings had been destroyed and many inmates had been killed or injured, and even in 1963 portions of the yard were scarred by the ruined foundations of buildings that had not yet been rebuilt. Some of the inmates with whom I spoke doubted that a riot could again happen there. "They've gone just the other way," one man said, "they don't bother us at all."

"They" was the administration, and he was pretty much right. The warden never went inside the prison itself and the primary rule for inmates seemed to be: *Don't go over the wall*. Other than that, they pretty much ran their own show. But I wondered: If all those inmates were so adept at self-government, what were they doing in prison in the first place? My concern was increased when I learned that at least 30 inmates had been stabbed in separate incidents during the previous month, hardly a sign of social stability.

When I returned for my second visit in 1964, the warden said, "You planning to go inside and just wander around, like last time?"

"Yes. Any reason I shouldn't?"

"Oh, no."

"Any trouble lately?"

"No, no. Everything's fine. Fine."

I left his office and walked downstairs through the trap, the double gates bracketing the control booth. The gates are rigged so only one set may open at a time, preventing a rush to the outside. When I reached the inner prison I was greeted by two inmates I had met on my previous visit.

"Hi, Bruce," one said, "We heard you was out in front and figured you'd be on your way in, so we waited here."

"What's new?"

"You hear about them niggers all got stabbed a couple days ago?"

"Yeah," the second man said. "Everybody's been carrying a shank here all week."

"Just starting to cool off now."

"But it still might blow. You can't tell with these ——— people."

The entire prison, I found, narrowly missed exploding in a massive race riot. Inmates, white and black, who had got on well for years, were ready to slice each other to ribbons. The production total at the license-plate plant one day was down about 20 per cent—the machine operators were too busy turning out diagonal pieces of sheet steel for knives.

The administration had decided to integrate the prison, they told me. Black inmates were six or eight to a cell; white inmates were one or two to a cell. Almost all cells were the same size. (Once, when I had asked a prison official why the blacks were so overcrowded, he said, "Aw, they're all queer in here anyway." When I suggested that the overcrowding might contribute to the development of situational homosexuality, he told me I didn't understand people.) When the word went out, there was some grumbling among a few inmates, but they were quickly silenced by others who told them, in the words of one of the men who met me by the gates, "If it's gotta come, it's gotta come. We work with those guys every day. We play ball with them. What's the big deal living in the next cell anyway?" The inmates were ready for the move.

But the administration wasn't. It made the worst mistake possible in a prison: it tested the inmates. Instead of making a large-scale reassignment of cells, it moved a very small group of blacks into a white cell block. The inmates immediately saw this as an indication that the administration was afraid. "You *never* challenge anybody in this place," one old-timer said. "That's the surest way to get it. Even if the guy's a creep. A challenge is a challenge."

Inmates who had previously accepted the integration decision found themselves in heated discussions about it. A few beat everyone to the conclusion—they ganged up on a small group of blacks who were walking back to the cell block from the messhall. They killed one and injured the others seriously.

The entire prison began arming itself. Some men walked around with more armor than they ever carried on the streets. As fast as guards discovered knives in cell shakedowns, more were manufactured. At one point knives were leaving the tag plants by the bucketful.

A major disaster was finally averted when an inmate group pointed out to the administration that if integration was to occur, and it had to, it must be done on a large scale. When word went out that the administration was talking with a group of white and black inmates, tensions cooled some. The knives were hidden away and the tag plant once again began stamping out license plates. Not long after, the integration was put into effect on a fairly wide scale, as it should have been at first, and there wasn't a murmur from the inmate population or even a minor slowdown in license-plate production.

Prisons are most peculiar societies, and although they regularly emit signals for the general public (to tell how well or badly things are going), one has to understand the situation before the meaning of those signals is at all useful. The most important signal is how many men commit new crimes after release, but that signal is not easily picked up. To know only that a man is returned to prison does not help us, because we have to know if he committed a new crime or violated parole, and if the latter we have to know if that violation was serious or trivial (did he assault someone viciously or did he stay out too late at night once or twice), etc. It takes a long time for the information to accumulate, and longer still to evaluate that information. As a result, that signal, which is the one that affects the public most, is rarely read meaningfully. Far more dramatic are riots and near-riots, which are often monologues trying to be dialogues.

Inmates and administrators alike are quite aware that, given the proper situation, prisons can suddenly become major news copy. Sometimes inmates will riot, hoping that their complaints (real or imagined) will be taken up by a newsman somewhere, as was partly the case in the recent escape attempt/riot at Atlanta Federal Penitentiary; sometimes an administrator will reveal atrocities committed by a previous administration, hoping that the press will give the state legislature the stimulus it needs to act civilized. Newspapers have been full of such stories from North Carolina and Arkansas.

Although prison disturbances are sometimes a reaction to bad conditions, they are often a reaction to improvements, reflecting inmate resistance to change. The North Carolina experience is a case in point. Commissioner V. Lee Bounds is one of the more intelligent and perceptive prison administrators in this country. He runs a fairly good prison system, has established a work-release program that permits some inmates to work in the outside society during the day and return to the prison at night (not only does this have obvious economic advantages, but it helps avoid the psychological re-entry trauma many inmates have on release). There is a weekend leave program that permits some inmates to go home for visits (which is not only an incentive for good behavior within the prison, but helps maintain family stability); and there is a program that permits some inmates to attend day classes at nearby colleges.

All these amenities were made feasible by removing the more troublesome and agressive inmates from the general prison population and relocating them in one building or complex of buildings. Bounds was then able to have conditions in the other buldings relaxed considerably. But there is a price for such consolidation. It concentrates the troublemakers and may create a dangerous kind of "élitism." (That was once the case with the Federal system's Alcatraz, now closed.) In North Carolina's Central Prison, where 1,038 dangerous inmates were held, a riot broke out in April over visiting hours, hot lunches, pay for inmate labor, and the number of allotted TV sets in each wing (there were two, the rioters wanted four). In the melee 78 inmates were injured and five killed.

In some states this problem is avoided by taking all the inmates defined as dangerous (which sometimes includes inmates someone dislikes or wants out of the way) and locking them in a deep segregation unit. Unlike the solitary confinement punishment cells, these living units are not too brutal: they do have mattresses and the inmates are fed regular meals. The only thing is, they are sometimes left there for years at a time.

There are interesting regional differences in the actions and attitudes of inmates and administrators. In the North, angry or frustrated inmates usually wreck buildings when they riot; in the South, they wreck themselves, by cutting heel tendons or lopping off fingers or toes or hands or feet. Administrators in the North punish by limiting options (i.e., resorting to deep lock-ups) in the South by hurting bodies (an Arkansas committee recommended recently that the prison system reintroduce the whip). Each group acts in terms of what the local economy considers most valuable—material things, freedoms, the physical being. Since in the North there is nothing for most inmates to do, the Northern prison places no value on the body of the inmate and doesn't perceive it as an object for formal revenge; destroying or damaging something valueless never satisfies the vengeful

Prisons in the North and South also reenact in a way their areas' moral histories. Concerned with sin, the North in the 19th century locked men in solitary confinement to meditate upon their faults; inmates were forbidden conversation with anyone and denied any reading matter except the Bible. The word *penitentiary* used to carry a heavy religious connotation, at least for the administrators. Gradually that restrictiveness has been changed, but not without considerable resentment in the outside world. Attempts to increase the work opportunities for inmates (if properly designed, prison labor can be educational) are still savagely opposed by manufacturers and unions. Lobbyists have got on the books a Federal law that prohibits the interstate shipment of goods manufactured by state prison inmates.

In the South, prison was modeled on the plantation at its worst; the prison manager did not even have the responsibility of getting his employer's investment out of his slaves—they came free, sent in an unending stream by a host of judges and juries. Similarities between the brutal Southern prisons of the past (and a few of the present) and plantation slavery are obvious: human beings are perceived as chattel goods; they exist mainly to work the land. The manager of the plantation was answerable to the owner, who wanted to know about profits; the prison administrator was answerable to the state legislature, which wanted to know about costs. But there was that one important difference—in slavery, the physical fitness of the worker was important to the manager; he didn't care if the worker was happy, but he did care if the worker was healthy, since his boss had a cash investment in that body. The plantation manager kept the slaves as well as his economy permitted, but didn't worry about much else. However, in the brutal plantation prisons (I stress that these are on the way out and that in places like North Carolina there was no cash investment in the labor) on the contrary, the live bodies represented something of a liability.

Like other Southern states, Arkansas after the Civil War had a system in which convicts were leased out to private firms. This seemed to make everyone but the convicts happy—the state could punish without cost, sometimes it made a profit, and politicians and their friends could make a great deal of money. Convicts were leased to almost anyone having the price and the connections, the Arkansas Penitentiary Study Commission reported earlier this year, including "farmers, railway companies, building contractors, coal-mine operators, brick manufacturers, and others. The men were thus widely scattered and supervision was difficult. Investigations showed that prisoners were often neglected and mistreated. In the coal mines, convicts were worked through the winter barefooted in icy water, and flogged if they failed to dig as much coal as the contractor wanted. A fourth of the prisoners died every year."

Few people worried about the deaths. It was cheaper to let those men die than supply decent clothing, adequate living conditions and competent medical care. In revulsion, Gov. George W. Donaghey in 1912 turned loose 361 convicts at once; that aroused such concern that the lease system was abolished until the nineteen-twenties, when it was reinstated.

It was stopped again, but another, equally exploitative, practice emerged. Inmates were paroled to specific firms or individuals, and unless they worked to the satisfaction of their employer they were returned to the prison. Often conditions on the job were as bad as or worse than conditions on the prison farm. Medical treatment was so poor that almost any injury or malady could result in death (and for this reason a vague statement of illness was often used to cover up a murder).

The scandals over unexplained bodies in Arkansas's two prison farms, Tucker and Cummins, is not quite so fresh as recent newspaper coverage would suggest. In August, 1966, Gov. Orval Faubus sent Arkansas state police to investigate irregularities at Tucker; the report of that investigation was suppressed, but the police temporarily took over management of the farm. After his election, Gov. Winthrop Rockefeller released the state police report and appointed a study commission to suggest changes in management of both Tucker and Cummins farms. Early in 1967, Thomas Murton, an ex-professor, was appointed to run Tucker; in January, 1968, he was put in charge of both farms. The former superintendent of Tucker and two other former wardens were, in the meantime, indicted on criminal charges.

After Murton's appointment, the prisons were in the headlines regularly as reports of past beatings, murders and general corruption were released. A number of unexplained bodies were uncovered and predictions were made that scores more would be found. Former convicts around the country began seeking out reporters to give statements about brutality and killings. (A favorite torture device of the Arkansas prison, the "Tucker Telephone," was developed by a prison doctor. It consisted of a crank telephone and a generator wired to an inmate's big toe and scrotum.)

Winthrop Rockefeller ordered another state police investigation and put a lid on further press releases. On March 7, Murton was fired. It is hard to say just why. The most obvious inference is that he was uncovering too many cadavers for political comfort. Some have said that it wasn't the bodies so much as his tendency to tell the press about them before he was sure how they got there. His supporters reply to this by pointing out that it is hard to tell much of anything about the Arkansas prison system, for records are quite scanty, and what records do exist sometimes conflict with obvious facts. The official statement accused Murton of turning the whole affair into a "circus."

Certainly some of the deaths were murders, but probably fewer than it appears. Some of the men the records say were killed trying to escape may really have been trying to escape—given the atrocious living conditions on the two farms, it is not surprising that some inmates should make such attempts. But here is a press problem: If you start out with rumors of several hundred murdered men and it turns out that you in fact can document 20 to 30, it is hard to convince the people outside that when you go after the men responsible for the 20 or 30, you aren't covering up for many others. Of course that doesn't always matter: on May 19 the Arkansas prosecutor handling the case said that no action would be taken as a result of the reported prison murders.

Things will change a little in Arkansas now, but I am not optimistic that they will change much. The main result of the scandal is that once again the old image of the Southern labor camps has been revived in the minds of Northern observers. It is an image that does not belong to Arkansas only. A few years ago a man who had spent some time in a Louisiana prison told me about his experiences there:

"I know of instances where arms and legs were broken during an afternoon's work, anything to be able to get into the hospital. I remember one time we were working on the levee with the object of bringing whole trees and logs floating in the Mississippi to land, let them dry out, cut them up and use them that winter as firewood for the wood-burning boilers. If you can imagine in rainy weather, trying to carry whole trees and haul huge logs on your shoulder. . . . One of the boys happened to wander over and say, "I wish I had a broken leg. I'd get into the hospital."

"Well, at the time we were joking about it and one of us said, 'Well, you want your leg broken?'

" 'Yeah,'

" 'Well, we can take care of it for you.'

"And that man thought about it for a minute and he said, 'I'm serious. Can you break it?'

"We laid the lower part of his leg from the knee down over two logs and dropped another in the middle. Word got around. Before the day was over we'd done away with something like half a dozen arms, even more legs.

"Finally, the Man decided to take the whole damned bunch of us in before we crippled the whole force. The Man knew what was going on, but there wasn't anything he could do about it."

It isn't work itself that inmates hate (often the worst prisons are those in which there is no work at all), but work that is humiliating, or exploitative, or senseless. Texas inmates toil the fields and build their own buildings, but working conditions are reasonable and the labor results in excellent institutional food and first-rate housing, so few of the men resent the work. Also, many of the inmates in the construction project appreciate the chance to learn high-paying trades, such as bricklaying or plumbing.

But it is not prisons like those in Texas that get attention; it is rather those in the more barbaric states. And the South does in fact have more than one of these. But so does the North, and no one talks about that at all.

Even now Massachusetts has one of the most wretched institutions in the country, the Correctional Institution at Bridgewater, designed to handle the "criminally insane." Fred Wiseman's portrayal of this place in "Titicut Follies" did not exaggerate; it is the worst place I have visited, North or South. I remember one building in particular with row on row of door-lined corridors, and board floors and brick walls. Every few feet there was a wooden door braced shut by a beam and a Judas-hole to peek through. Some of the rooms had a bed and a pan. none had running water, some had nothing at all but a naked man wrapped in an army blanket.

Through one of the Judas-holes one could see a man walking in a small circle, round and round and round and round. "He doesn't talk to anyone anymore," my guide said. "He just walks in circles now."

"And before?"

"I don't know just what he's supposed to have done. He used to be all right though. I remember when he came in, he was rational, could carry on a conversation, all that stuff. Then the doctor started telling him he'd be out of here soon. Every month or so they'd say he'd get out that month. Went on like that for two years. Then one day he stopped talking. No contact with anyone after that. He's been like this for years now."

We walked on down the hall. The guide told me about one 60-year-old inmate who had been in since the age of 7. His offense: running away from home.

A thin man, old and dry, stopped the guide and said, "When the hell you gonna get me a suit and let me outa here. How about it?" And to me: "I got a job on the Brockton Police Department if I can just get out of here. You ask the chief, he'll tell you. Old buddy a mine. Soon as I get outa here." The guide said something indefinite and the man walked away nodding. This was the section for the killers, I had been told, so I asked what the thin man had done.

"He painted a horse."

"He what?"

"He painted a horse."

"What's wrong with that?"

"It was in a field. A live horse. He was drunk and somebody bet him he couldn't make a horse look like a zebra, I think, so he painted it and they put him in here. For being drunk, probably."

"How long has he been in?"

"Thirty-seven years. By the time they got around to letting him out he really was crazy. He couldn't take care of himself outside now. For his own good we just can't let him go out of here."

As for plain old-fashioned brutality, the North has some of that, too. One Midwestern prison I visited had concrete blocks in a dungeon to which troublesome inmates were chained naked; the dungeon was next to the prison generators and hummed and vibrated intermittently, a total body massage equivalent of the Chinese water torture. Several inmates told me that those not made docile by the chains in the dungeon were subsequently given multiple electroshock therapy "treatments" on the upper floor of the infirmary building. I couldn't check out the story: guards stopped me when I tried to wander out of the shiny public part of the infirmary. I met a man who had been up there for treatments many times, but he didn't remember very much about it; he didn't seem to remember much about *anything*. "He was a truck driver in———for 18 years before he came up here, but he don't remember any street names," an inmate said. I asked why. "Those treatments, man. Like they dissolve the front end of your head." They all laughed, including the man who couldn't remember street names.

I find myself amazed not that such idiocies and brutalities go on in our prisons, but that they do not occur more often than they do. I am amazed that so many competent men go into the correctional field despite all the obstacles put in their way by politics, thoughtlessness and by stupid economies. In this morass where almost every lesson of the social sciences is ignored, a prison system like California's, which attempts to apply all the knowledge it can, stands out as anomalous.

Among the men who stand out is George Beto, director of Texas' massive prison system (12,000 inmates, 14 prisons, 100,000 acres of land). Beto is a former teacher and college president; he is a Lutheran minister with an M.A. in medieval history and a doctorate in educational administration. His methods of work best describe him. He is in his office around dawn, clearing up the paperwork on his desk; he then spends a good portion of his day visiting the individual prisons, talking with Austin officials about matters concerning the prison system and its relations with the rest of the state government (everything from guard salaries to parole requirements), arranging to get more inmates into the college programs, seeing inmates. He is usually home for dinner around 5:30, but quite often shoots out again to meet with inmates or wander around the units. He is willing to talk with anyone, an important factor in inmate relations. All the inmates trust him, even the most cynical. Sometimes, when his sensors pick up feelings of discontent or possibilities of trouble at one of the prisons he turns up with apparent casualness. ("Just happened to be in the neighborhood." Fifteen miles from nowhere at 3 A.M.)

Beto points out that since 95 per cent of all the people in prison are going to come out again *sometime*, and most of these will be out after serving less than two years, society's self-interest should dictate that a good portion of a prison's effort would be toward restructuring the thinking of those inmates who need such restructuring, and training for a useful life those who can be trained.

But society doesn't respond the way it should; it isn't quite that rational. Fewer than 7 per cent of all correctional employees (psychologists, social workers, vocational and academic teachers, and chaplains) are qualified to treat inmates. Half the states have no educational requirements at all for custodial officers; in 28 per cent of the prisons, according to the report done for the President's crime commission, "One can be a 'professional worker' without having graduated from high school. In at least one [prison system] the mail clerk is called a social worker."

Part of the problem in America, I suspect, is a naive faith in the "principle" of deterrence: "If someone is deterred by a certain threat of punishment, twice as many people will be doubly deterred by twice the punishment." The symmetry may be nice, but the sociology is defective. States with death penalties have no smaller homicide rates than states without them; in Texas, where you can do more time for possessing marijuana than for second-degree murder, there are still more people smoking pot than killing each other; in Colorado, where you get 20 years for setting fire to a house but only 10 years for blowing it up, there are still more fires than explosions.

America has the longest prison sentences in the West, yet the only condition long sentences demonstrably cure is heterosexuality. (This assault on heterosexuality begins early in most prison careers. In fact, the worst places for challenges to sexual normality are the county jails, where the innocent and the guilty are often jammed together under brutal conditions for long periods of time. This month's scandalous revelations of homosexual assaults in Philadelphia prisons surprise no professionals in the field; such revelations could have occurred in a thousand county jails had local investigators cared to be as honest.) Long sentences inflict a double punishment; the man who gets one not only serves it, but finds that when he gets out he has no place in the world, for his wife and children usually belong to someone else and technology has passed him by.

Other countries—such as Denmark and Sweden—have immensely improved prison education. Yet in the United States—with all its fancy schools and its splendid mass media, with all its technology and experts—prison education barely makes up for the basic reading and writing skills the inmate never got on the outside. England is about to legalize conjugal visiting rights for married inmate men, because it realizes that there is much social value in keeping an inmate's family together. But in this country people trying to make the prison experience more socially beneficial in almost any way are accused of "coddling" criminals.

The nature of the myopia, though disheartening, is not hard to determine. With rare exceptions, our approach to the problem of crime, and correction is an approach to the symptom rather than the cure.

Maybe we should be honest with ourselves; if what we want is vengeance, we've got pretty good models going in several places right now. If what we want is to make the streets safer, our property more secure, our nights more tranquil, if we want to help those people (and at the same time ourselves), we had best redefine what those places with their walls, their wires, their guns and their bars are required to do.

It is useless to talk about prisons as if they were miniworlds of their own. A prison is a part of our whole social complex, and it can only function well if there is harmony with the rest of the complex. A state may have an excellent prison system, with modern rehabilitative processes and splendid treatment programs, but if the sentencing procedures in the courts are primitive (flat, rather than indeterminate, sentences, and few pre-sentence hearings to determine whether a convicted felon needs prison in the first place) and the parole procedures are restrictive (overloaded parole officers do none of their charges any good; a parole board which lets few men out refuses to give most inmates help at the time they need it most—i.e., when they first return to the outside world), then that prison system can do little.

There is still great resistance to in-community pre-release programs and work-release programs. Both of these permit the inmates and treatment staff to deal with the inmates' problems as they manifest themselves in the outside world, rather than the prison world. An individual may make a satisfactory adjustment to prison, enhancing his chances of parole, but this tells us nothing about how he will behave on the streets.

The direct cost of keeping a man in prison is about 10 times the cost of having him on parole, under supervision in the community. Further, a man on parole may contribute to the economy, while a man in prison is a complete debit. In addition, the inmate's family is often (inadequately) supported by one humiliating welfare program or another, and his children grow up without a permanent male in the household. Between a third and a half of all prison inmates could be paroled tomorrow with no risk to society, but they won't be.

Most wardens I know favor shorter sentences and more parole, not to make their own jobs easier (those reforms make their jobs harder, for the more unmanageable residual group of inmates loses the healthy influence of those who are qualified for parole), but because they think society is better served. But wardens are not so vocal or public a lobby as police and prosecutors, and it is the last who tend to get heard at legislative sessions. Police, for all their recent complaints about maltreatment by the courts, really are the object of a great deal of sentimental respect in this country. However, respect earned by hazardous duty well performed need not put above criticism the testimony of policemen on subjects in which they have little or no expertness. Further, the understandable goals of the police (re addicts, for example: "Keep those people off the streets") do not always coincide with society's interests. It is fitting that legislators should consult with police when they have crime problems, but they should know that there are only certain kinds of information police can offer (they can talk about crime control and criminal apprehension, but not expertly about the effectiveness of rehabilitation programs or the appropriateness of sentences). The policeman never sees the man the prison system happens to help—he sees the failures only.

Prison should be a home for two groups of people; those who take a calculated risk that they can get away with something our society tells them they should not do, and those who need a regimented society of the prison type to survive at all in this world. Ideally, the corrections process halts the development of a criminal career and, in the process, substitutes skills and goals that permit or encourage the criminal to support himself and maintain a life style acceptable to the general population. Far more often, the corrections process merely causes a time gap in the criminal development; in too many cases it accelerates rather than slows or ends that development.

I can think of no prison in the United States that really does its job. The best—like California and Texas—do what they can, but they are trapped in a conceptual nightmare created by outsiders who neither understand the prison's potential nor care very much about its limitations. As long as prisons are filled with inmates who should not be there and as long as prison administrations are handed the job of patching or hiding the major failures or other social agencies, they are going to continue failing.

What, in sum, do we need? This: (1) rational sentencing inspired by the realization that unnecessary or overlong prison terms can make a career criminal or career convict out of a one-time offender; (2) adequate funds for services that will let "correction" be a function rather than a title; (3) humane dwelling places for those citizens who, for whatever reason, cannot survive in any world but prison; and (4) public awareness that prison, any prison, however modern and well-run, is a punishing place to be and that we need add no savagery to it.

REPRESENTATIVE HAMILTON OUTLINES WORLD FOOD-POPULATION CRISIS

Mr. PROXMIRE. Mr. President, I had occasion recently to read Representative Lee Hamilton's article on the "War Against Hunger," appearing in the summer edition of the North Dakota Law Review.

The article is fairly short considering the vastness of the subject. I recommend it to Senators not only because of its lucid exposition and analysis of this complex and extremely vital problem, but because the author makes very clear our failure to solve this problem will spell the ultimate collapse of civilization as we now know it.

I also urge careful consideration of this article by Members of both Houses, as we will shortly have to vote on a conference report on this year's foreign aid bill—legislation that appropriates funds for programs designed to help solve the world food crisis.

Mr. President, I congratulate this distinguished young Democrat for pointing out the magnitude of this problem and how it can and must be solved. I am particularly impressed with his scholarly understanding of the vital necessity for construction of a total economic infrastructure to support a viable, self-supporting, and continuing domestic agriculture in developing nations.

Mr. President, I ask unanimous consent that Representative Hamilton's article, entitled "The War Against Hunger," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The War Against Hunger

(By Lee H. Hamilton)[*]

Hunger threatens world order. This simple but horrible fact has vast implications for Americans. If world order is not maintained, economic development will crumble, violence will erupt, and our quest for a peaceful world will fail.

The goals we seek in the world—peace, justice and economic growth—will elude us if we fail to win the race between food and population. It is a race, then, that simply must be won.

The importance of this challenge was

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stated by President Eisenhower in this way: "The degree of our sacrifice in feeding the hungry is the degree of our understanding of the world today."

Nations have a compelling concern to alleviate hunger, and the United States, with about half of the world's wealth and a standard of income without parallel in the history of the world, must accept a leadership role in seeing that people do not want for food.

This is the day when we are working on a supersonic transport to fly between New York and Paris in two hours, when soon a man will set his foot upon the moon, and when a surgeon can cut into a man's chest, take out his heart, put it into another man's chest, and make it function effectively.

In such a day it is an irony of tragic proportions that we cannot feed ourselves. Surely the first responsibility of the family of man is to provide food for its members.

THE MAGNITUDE OF THE TASK

The task is a frightfully difficult one because population explodes and food production lags.

Nearly 10,000 of the world's population die each day from undernutrition and malnutrition. No one really knows how many hungry people there are in the world. Studies indicate that from one-half to two-thirds of the world's present population is seriously underfed, or malnourished often to the point of starvation.

The Indian diet, for example, has prompted the observation, "It is too much to let you die quickly; it is too little to let you live long."

Hunger, of course, is not a new problem to the world. A historian has written, "If man does not live by bread alone, the history of man is in a sense the history of his struggle for daily bread."

Hunger has been a major factor in man's historical migrations. America itself was, to some extent, a result of European food shortages. Such calamities as the Irish potato famine caused thousands of the Irish to come to this country.

Even a half century ago, President Wilson in a prophetic address on November 11, 1918, recognized that hunger had vast ramifications for the world when he said to the Congress, "Hunger does not breed reform, it breeds madness and all the ugly distempers that make an ordinary life impossible."

Although hunger has always been, two factors intensify the problem. More people are hungry but they are no longer resigned to hunger. They know that life can be better and something can be done. They know that the human race is capable of feeding itself. They know that for the first time in history man possesses the knowledge and the skill to relieve their suffering and that the land can be made to produce more.

Population Increase: A large part of the hunger problem is the sheer number of people. If present population trends continue, by the year 2000 there will have been more people born since 1950 than since the beginning of human history. The projected increase in population in Asia alone during the second half of the 20th century is as great as the population of the world in 1958.

It took the human race from the Garden of Eden to 1830 to reach one billion. In another 100 years there were two billion persons. Then, it took only 30 years to reach 3 billion. By the end of the century the population of the globe will reach 7 billion, double its present size. What required thousands of years to achieve will be duplicated in 30 years. With a net world population increase of 2½ to 3 per cent each year, the world's population doubles in less than 35 years.

The world's present rate of population increase is fantastic—500 million a year, 140 thousand every day, three babies born in the world every second.

The world's current population growth of 2½ to 3 percent a year is so high it faces the human race with disaster in the next century unless it is lowered.

Rate of Food Production: Another part of the hunger problem is that the food supply is not keeping up with population growth. As a result, on a world-wide basis, per capita food production has decreased even though total food production has increased.

Man has usually been able to feed himself. There have been times of famine and losses from the upward trend of both population and food production. But on a global basis man usually has been able to produce more than he needs to survive. There have been and still are imbalances in distribution but the overall supply was more than sufficient to fill demand.

This is no longer true. The world's population is rising faster than our ability to feed ourselves.

In his 1967 State of the Union Address, President Johnson said: "Next to the pursuit of peace the really greatest challenge to the human family is the race between food supply and population increase. That race tonight is being lost."

The Director-General of the Food and Agricultural Organization of the United Nations has stated:

"Food production had failed to increase in 1965 in the world as a whole while in the developing regions it has declined. This setback has been followed by some recovery of production in 1966. The recovery, however, has been largely confined to the developed regions. In the developing regions food production is estimated to have increased by little more than 1 per cent in 1966. And in both Africa and Latin America, where there was no increase in 1965, food production decreased in 1966.

"These two bad seasons have, for the time being, wiped out what little progress in our per capita food production had been achieved in the developing countries in the previous decade. The ground lost cannot be regained easily, for it would take an increase of at least 7 per cent in their food production if the 1964 per capita level were to be regained in 1967."

Food output per person showed progress in the decade immediately after World War II, but in recent years, it has leveled off. Moreover, projections suggest a sharp decline in food production per capita in the future unless food production is accelerated or population growth decreased, or both.

Prior to World War II, the less developed countries were, on the whole, major food exporters. This is no longer true. Since the end of the war their exports of food have decreased and in 1966 they had a food grain deficit on the order of 16 million tons. This deficit will reach 42 million tons by 1975 and 88 million tons by 1985.

An important recent change in the world food situation has been the rapid disappearance of surplus food inventories, especially grain stocks, and today there is no longer a readily available reserve of grain in the world.

Inadequate food production in the less developed countries is only part of the more fundamental difficulty, which is lagging economic development.

The trend of food production, then, is clearly running in the wrong direction and unless it and the rate of population increase are reversed, ominous results will follow. Secretary of Agriculture Freeman states that if this problem is not solved, ". . . the world of the year 2000 will be a grim, sullen, hate-filled planet, tottering on the brink of self-destruction . . . if indeed it hasn't blown itself up long before it reaches the turn of the century."

Results of Hunger: The results of hunger are malnutrition, unrest, violence.

Two-thirds of the world's people live in chronically hungry and malnourished nations and over 70 percent of the children, age one through six, suffer from inadequate diets, especially diets with inadequate proteins, making them easy prey to diseases that would be relatively harmless if they were well-nourished. The average Indian, for example, consumes about 2,400 primary calories a day, compared with the equivalent of about 11,000 a day for the protein-rich American daily diet.

Measles and chicken pox may keep a child home a week or two from school in this country, but in the developing countries a mother having a malnourished child with one of these diseases can usually expect the child to die. These deaths are not usually attributed to hunger, but because these malnourished children simply do not have the defenses that a well-nourished child has to fight off infections, they are vulnerable.

Malnutrition impairs both physical and intellectual development. Iodine deficiencies may result in the form of mental retardation known as cretinism. Rickets, a deficiency of vitamin D or calcium, or both, can leave a person crippled, deformed and even blind. The apathy and lethargy of many populations is frequently nothing more than a manifestation of inadequate energy from inadequate nutrition.

A chronically hungry man is not a whole man. He cannot work effectively. He cannot study and learn to improve his conditions. He cannot think beyond his immediate needs. He cannot build up resistance to disease.

The human suffering that accompanies hunger is tragic enough, but it is only a part of the tragedy of hunger. Hunger also results in violence.

In January, 1958, there existed 23 continuing and prolonged violent clashes around the world. By 1966 there were 40. Significantly, the total number of outbreaks of violence has increased every year. There is a direct relationship between the outbreaks of violence and the economic well-being of the countries involved; and a sure connection between poverty and hunger, on the one hand, and the frequency of violence and unrest in the world. Since 1958 in the rich nations of the world only 1 of 27 nations has suffered a major upheaval on its own territory. On the other end of the economic scale, among the 38 very poor nations, no less than 32 have suffered significant conflicts. Since 1958 then, 87 percent of the very poor, very hungry, poverty-stricken nations have suffered violence.

This makes clear an irrefutable relationship between hunger and unrest.

Where there is hunger, there will be unrest. Where there is unrest, there will be instability. And where there is instability, there is a threat to the peace of the world.

WHAT HAS BEEN DONE

Efforts to deal with the hunger of the world have been extensive in recent years. The United States and other countries have made vast grants and concessional sales of millions of tons of food and fiber and have sent technicians and know-how abroad. Individuals and private groups have been active and generous, and few problems have concerned the international community more than hunger. Despite all these efforts, more fully described in the paragraphs that follow, the task remains more ominous than ever.

Studies: Two excellent and recent studies furnish the basis for broader understanding of the challenge and indicate the direction our efforts must follow.

The most significant study is entitled "World Food Problem", by a panel on World Food Supply of the President's Science Advisory Committee. This panel assessed the requirements necessary to solve the world food problem and made specific recommendations for action on the part of both developed and developing countries.

The panel of experts believes that the world food problem can be solved, provided urgent measures are taken within the next two decades. They emphasize that increases in food production must occur within the developing countries themselves and food aid from donor nations should be conditioned on self-help requirements, and administered to require maximum incentives in the developing countries to increase their own production.

The panel acknowledges that direct food aid will be required for some years to come, but points out that expansion of grants and concessional sales is not in the best interests of either donor or recipient nation, over the long term.

Another significant study, issued in August of 1967 by the Department of Agriculture, analyzes the trends in food production and consumption and outlines food policy requirements for the years ahead. This study concludes that, under any of several assumptions regarding the rate of growth and development in the hungry nations in the years ahead, by 1980 the world as a whole can have a productive capacity greater than that needed to meet world-wide demands for food. However, the report does not imply that the war against hunger is being won. Rather, it emphasizes the necessity of greater urgency in mobilizing to fight the war. If this is done, it concludes, the ever increasing world-wide demand for food can be met.

These studies are enormously important contributions to the war on hunger and provide a blueprint for effective action.

Scientific Research: Scientific breakthroughs are occurring with gratifying regularity, enhancing the possibilities of success in the war on hunger. Lack of sufficient protein in the diets of many people has been a major reason for malnutrition. The lack of protein in food has been estimated to cause premature deaths of as high as 40 percent of all children born in some areas of the world. Calories alone in a diet are not sufficient; there must also be essential tissue-building proteins.

Substitutes for animal proteins must be found to bridge the protein gap. Use of fish and fortified cereal grains hold great promise.

Hybrid cereal crops containing amino acids are being developed for use in many countries. The ability to produce synthetic amino acids at reasonable prices opens up a new range of possibilities in solving the protein gap. Improved technology in producing fish protein concentrate (FPC) has been developed and the blending of several commonly used grains to provide a formulated food of high protein content and mineral-vitamin mix called "Incaparina" has great promise.

The Agency for International Development [AID] undertook last year to introduce CSM, a new blended food consisting of corn, soya and milk. This excellent protein supplement is being given to approximately 40 million children in feeding programs around the world. It is easy to prepare and can be used by itself, as a gruel, fried in oil, mixed with water for a beverage, or added to other ingredients to resemble local food products. In Israel, soy protein has been added to wheat flour with good results.

These scientifically prepared supplements, substitutes and additives offer great potential in ameliorating the world's protein deficiency. The products of scientific research are becoming a major weapon in the war against hunger.

Population Control: An essential part of any long-run answer to the world's food problem is population control. Population management has now become a national and world-wide concern. India has adopted a national program of family planning and, after a slow start, the program now appears to be more sufficiently funded and staffed. Encouraging beginnings in the organization of family planning programs at national and local levels are being made in Pakistan, Korea, Taiwan, Ceylon, Singapore and other Asian countries. In Latin America and Africa incipient programs are underway.

The United States government, foundations and other private institutions have provided help upon request to developing countries in population management. The results of these planning efforts will not be visible immediately and will have no effect on the immediate problem of food. Yet, these long-run programs are necessary to finally bring food and population growth into balance.

AID recently took a significant new step in removing contraceptives from its list of commodities ineligible for shipment overseas. Requested contraceptives may now be purchased in the United States for use in family planning programs in foreign countries. However, assistance is provided only in response to a request from governments or institutions in developing nations. AID's financial commitment in family planning doubled in fiscal year 1967 and full time personnel in population control programs increased from 14 to 40.

Private Sector Efforts: Not all of the work of increasing food production or controlling population has been accomplished by government. Several of the most noteworthy accomplishments have come from the private sector. For example, the Rockefeller Foundation in Mexico sponsored research which enabled Mexican wheat yields to increase from 11 bushels per acre in 1943 to 39 bushels in recent years. The Ford Foundation is now working with West Pakistan to boost its wheat yields.

Volunteer agencies have been deeply and effectively involved in the war against hunger. In 1966 registered United States voluntary agencies increased their support of efforts to improve agricultural production from their own resource by 17 percent over the previous year. In 1967, 73 such agencies were registered with AID's Advisory Committee on Voluntary Foreign Aid. These agencies are involved in a great variety of technical assistance programs, including crop improvement, nutrition, child feeding, extension work, land reclamation, animal husbandry, population planning and food distribution.

Resources of United States cooperatives are especially important in rural development to assist in increasing food production, including institutions of farm credit, agricultural marketing and supply, rural electrification and fertilizer production.

Individuals, too, have been deeply committed to the war against hunger. A marine outboard motor company executive equipped the canoes of fishermen in Ceylon with motors and increased their catch 580 percent. This simple and generous act of a single imaginative businessman enriched the diets of thousands of people. Thousands of American technicians, sponsored by many private groups, have gone abroad to help local farmers increase their yields, help keep their animals healthy, and to pass on to others their farm know-how and their scientific savvy, thus making a creative contribution to the war against hunger.

The role of private enterprise in the development of a self-sufficient, indigenous agriculture is critically important, especially in the development of the infrastructure upon which a productive agriculture rests. Recognizing that developing nations must attract private investment in order to develop its resources, AID has encouraged the involvement of private resources in the war against hunger.

To encourage private companies to invest in developing countries, AID shares with these countries the cost of surveying investment opportunities by paying half of the survey cost if the investment is not made. Total investment resulting from the survey program through June 30, 1967 was approximately 81 million dollars.

Twenty-three agreements signed since June 1, 1966 represent about 50 million dollars with an average of one actual investment out of four completed surveys. These 23 survey agreements should generate 35 million dollars of new agricultural business.

A total of about 70 million dollars went to industrial development banks providing capital on reasonable terms for private ventures in the developing countries.

In addition to investment surveys, AID encourages private resource participation by investment insurance.

By June 30, 1967, 78 developing countries were participating in the investment insurance program under which AID insures American investments in countries against risks of loss due to expropriation, specific risks of inconvertability and loss due to war, revolution or insurrection.

During 1965 and 1966, political risk insurance on agri-business projects totaled 450 million dollars on 113 projects.

During the past year AID has worked out an extended risk guarantee which covers 42 million dollars of United States investment in projects costing 158 million dollars. Projects include fertilizer plants in India and Brazil, a feed mill in Korea and a corn processing and merchandising operation in Thailand involving about 10,000 Thai farmers and with prospects of sharply improving corn exports from Thailand.

AID approved the equivalent of more than 29 million dollars in local currency (Cooley) loans in fiscal 1967 either to American firms and their affiliates or to foreign firms using American agricultural products.

United States Efforts: United States Government efforts to solve the food problem have been enormous. The United States has spent approximately 19 billion dollars in food aid between the enactment of Public Law 480 in 1954 and the end of 1967. Roughly half of this was in sales for local currencies; one quarter was for direct relief and donations and another quarter went for barter and long-term dollar sales. In addition, the United States Government has financed about 20 billion dollars in general economic development aid to non-European countries through the Agency for International Development and its predecessor agencies and through various international organizations.

Recent figures on food aid show that in fiscal 1966, through AID alone, we expended 561 million dollars, in fiscal year 1967—497 million dollars, and 636 million dollars in fiscal 1968.

In the period 1960–66, United States obligations and loan authorizations under food for peace programs amounted to about 10.4 billion dollars. Title I sales for foreign currencies constituted the bulk of food for peace shipments in this seven year period, totaling about 7.8 billion dollars. In the same period shipments under Title II (emergency relief and economic development) totaled 1.4 billion dollars, Title III shipments (distribution by voluntary relief agencies) were valued at 1.9 billion dollars and Title IV shipments (dollar credit sales), which began in fiscal year 1962, were valued at 809 million dollars.

In addition to the Food for Peace Program, food shipments under Sections 402 and 550 of the Mutual Security Act have totaled 553 million dollars in the 1960–66 period. Government programs accounted for about 31 percent of total United States agricultural exports during the period 1955 through 1966. United States food in the last 20 years has been distributed to practically every nation in the world with the Near East and South Asian countries receiving about 50 percent of these shipments, European nations about 17 percent, East Asian nations about 15 percent, Latin America about 10 percent and African nations about 7 percent.

Technical service contracts have provided a major emphasis. AID has about 1,441 technical service contracts in effect in 69 countries. These contracts with individuals, private firms and universities provide technical assistance, advice and training in agriculture and other fields.

Program loans (dollar repayable loans used to purchase United States goods and commodities) are employed by AID to finance imports of agricultural materials and equipment and will amount to about 300 million dollars for that purpose in fiscal year 1968. Project loans (also dollar repayable loans for specific agricultural development projects) finance specific projects such as fertilizer, training institutions and irrigation projects.

The United States also has a Disaster Emergency Relief Program. United States assistance from all sources this year for 62 disasters amounted to 92 million dollars. A substantial increase over previous years was due to the recent drought in India for which the United States Government and voluntary agencies provided 55 million dollars in supplies and money.

The Food for Freedom Act of 1966, which became effective January 1, 1967, changes the concept of food aid programs from surplus food disposal to planned United States production of agricultural products to meet the food needs of hungry nations and makes agricultural commodities more readily available to countries trying to increase their own farm production. The Office of the War on Hunger coordinates these efforts and attempts to bring the benefits of modern science and technology to those in need. It assists emerging nations with the problems of family planning; it works towards an increased harvest of the oceans and the greater use of fish protein; it brings the benefits of modern hygiene and sanitation to the developing nations and maintains liaison with independent foreign aid groups and international organizations; it also helps improve the dietary levels of mothers and children in developing nations.

The Office of the War on Hunger has become the center of a concerted and large-scale effort by the United States to provide leadership in balancing food and population growth trends.

International Efforts: International efforts in the war against hunger have been impressive. The World Bank, the Organization for Economic Cooperation and Development, the United Nations and other international agencies have borne part of the burden.

The United Nations has launched, through the Food and Agriculture Organization, a study of whether and how to organize an international food aid program. In the Kennedy Round, the United States succeeded in gaining agreement among the participating nations to supply millions of tons of food grains annually for food aid.

The United Nations has sponsored research programs, and through its technical assistance programs has sent over 3,000 technicians to more than 60 countries.

That India did not suffer more disastrous famine in 1966 was the result of an international consortium of nations. Under the chairmanship of the World Bank, governments, private organizations and individuals in 43 nations joined in providing 180 million dollars in food and other commodities to meet the threat of starvation to millions.

WHAT SHOULD BE DONE

Notwithstanding all the efforts that have been made, it is clear that the widening food gap in the world is more critical than ever. The moral obligation to act with renewed vigor is compelling. The Biblical promise is you shall inherit the kingdom if you give meat to the hungry and drink to the thirsty. America has never stood by while famine or pestilence raged, and although there are many demands upon our resources, we cannot ignore our responsibilities as leaders in the community of nations. If the interdependence of nations is the great lesson of our time, failure to act will not avoid the problem but will multiply suffering and unrest.

There are some who claim the race between food and people cannot be won. A distinguished scientist, Fairfield Osburn, who has studied this race for years, says that man is plundering his planet and will finally destroy its capacity to produce food. Sir Charles Darwin believed that humanity will breed itself into chaos.

But the race must be won, and most authorities think it can be. They point to many steps which must be taken, including:

Since only one-tenth of the land's surface is cultivated, the land under cultivation must be increased. The land can be made to produce more food.

Food production could be substantially increased with better tools and methods. Incredible as it may seem, more than 70 percent of the world's farmers have a hoe and a plow as their only tools.

Fertilizers, seeds, pesticides must be provided in greater quantities.

Vaccines must be used to control contagious diseases that threaten the world's meat and poultry supply.

The oceans of the world, vast reservoirs of almost inexhaustible food resources, must be exploited.

So to win the race, a massive effort is needed by nations, private organizations and individuals. The agenda for action should include the following measures:

Food Aid: Large food shipments under Public Law 480 to food deficit countries will be needed for some time to come. These shipments may even have to be increased until population control and expanded food production are achieved. When that time comes, however, then the emphasis on food aid should begin to decrease. Emergency food aid to disaster areas should always be anticipated.

Even with its marvelous productive capacity, the United States cannot feed the world and if our farm output were expanded to its full potential, and free food distributed to the world, it would only postpone by 10 or 15 years the day when recipient countries would be faced with disastrous food shortages.

The developing countries now have a deficit of 16 million tons of food grain a year. This deficit will grow to 42 million tons in 1975 and to 88 million tons in 1985 should current production, population and consumption trends continue. Forty-two million tons is larger than the entire current United States wheat crop, and the 88 million tons exceeds by far United States production potential.

President Johnson has said:

"The present food crisis is without parallel in the history of mankind. International cooperation backed by self-help is imperative. We in America can provide only a small margin of the human and material resources needed for food development. The major effort, the will, the leadership, the labor, and even most of the resources, must come from the low-income countries themselves."

Food aid is not the final solution. The solution to the food crisis must come from the developing nations.

The old Chinese proverb is: "If you give a man a fish you feed him for one day, if you teach him to fish you feed him for many, many days."

Food aid from this country must be administered with insistence on maximum requirements of self-help and developing nations must be required to allocate sufficient resources to the development of agriculture. United States economic aid must insist that agriculture be given priority status in the plans of developing nations.

Population Control: The rate of population growth is simply too high and if population increases are not curbed, mankind faces disaster in the next century.

It is encouraging to see additional resources being devoted to family planning by AID. Research into the technology of population planning should proceed and every effort made to disseminate the results of that technology to developing countries. In the long term, investment in family planning will yield more direct benefits than investments in other types of programs.

Assistance should only be offered in response to requests from the recipient countries. These countries must decide the priority they give to population control. Within the country, individuals must participate only on a voluntary basis. The United States Government, foundations, and other private groups must be prepared to render all possible technical and financial assistance to countries requesting it, recognizing the critical importance of reducing the birth rate.

Technical Assistance: Since most additional food must come from increased food production in the developing countries, United States aid programs must shift toward technical assistance to the developing countries so that they may increase food production.

Developing countries lack the manpower, the institutions, and the capital to achieve rapid sustained growth of their agricultural sector. United States technical assistance programs should be designed to help them develop the necessary infrastructure for a sound agricultural economy. In granting technical assistance, the United States should insist that the developing nations carry out research, training and extension work, provide credit and do the other things necessary to support agriculture, including the training of local scientists, teachers, technicians and administrators to assure the growth of the agricultural sector. If a developing country is unwilling to do these things, United States economic aid should be sharply reduced. Assistance should be granted or withheld in large measure on the judgment of whether the developing nation has the determination and capacity to tackle its own problems vigorously. If the developing nation is not willing to give its own agricultural development the highest priority, then no amount of effort by the United States will build in that country a healthy and productive agriculture. United States assistance should recognize that no amount of investment in industry can have the desired effect until hunger, disease, and ignorance are eradicated or at least brought under control.

The questions to ask in making a determination of whether or not to extend technical assistance are: Is the recipient nation using the assistance effectively? Is it making a genuine, honest effort to grow more food and to reduce its population increase? Is it enlarging its own resources, and will it in time be able to rely less on gifts and soft loans and achieve real economic development?

Research and extension organizations, agricultural schools, training centers and credit associations are not as impressive to look at as irrigation projects and dams. But they are vital to the development of modern, efficient agriculture and United States aid programs should place highest priority on institutions which will produce the qualified and dedicated people necessary to assure the success of agricultural development.

The emphasis on technical assistance must be especially strong on creating agricultural research capacity in the developing nation. The central goal of this research capability should be to establish a foundation for a self-supporting agriculture. Without basic and adaptive research, the developing countries cannot be expected to develop a sound agriculture. These countries must increase crop yields three and four times and this can only be done if research capability is emphasized and the products of that research are transmitted to the people.

Research is needed, for example, on the

development of tropical agriculture. There are approximately 6.6 billion acres of tillable land in the world. Of this, 3.3 billion acres are already under the plow and nearly 90 percent of the remaining acres are tropical soil. No one has yet learned to use these soils effectively for food production. Research must provide the foundation for a tropical agriculture capable of producing abundant harvests.

Research is also needed to improve varieties and increase yields of crops and livestock.

Increasing the productivity of land in developing countries is a complex matter, requiring more and better agricultural equipment and material, new economic and social institutions providing accessible credit, increased applied research to devise proper profit incentives, extension services, seeds, fertilizers, irrigation and a variety of other components.

Education is obviously of vital importance to the developing countries and all technical assistance programs must try to produce trained and competent personnel to carry on the work of agricultural development in the country. Since only a small proportion of the foreign students in this country are studying agriculture, greater efforts should be made by our government to attract agricultural students.

The Role of Private Enterprise: The private sector must play a major role. Foreign capital is needed in the developing countries, but it should not be counted on by itself to do the job. It is probably no more than seed capital and the major hope for the long term is the formation and flow of indigenous capital.

In addition to the technical skills, large investments of capital are necessary to meet the agricultural requirements of the developing nations. These nations must develop an agricultural infrastructure including highways, markets, credit institutions, supplier industries, public works and all the rest. A key measure of self-help is the willingness of the recipient nation to encourage the initiative of its own businessmen and farmers. It is not reasonable to anticipate that the advanced countries will provide all the capital necessary to build this infrastructure. A large portion of this capital must be developed and generated within the developing countries themselves.

Private enterprise can supply the extra margin of capital investment necessary to allow the developing countries to speed up agricultural development. Additionally, only private enterprise has the resources needed to contribute the vast array of skills needed to develop an agricultural economy, including fertilizers and chemicals, farm machinery, pharmaceuticals, seeds, irrigation equipment, food processing and packaging.

Recognizing the importance of this contribution, the United States Government should do all it can to promote private enterprise and development, including an expansion and promotion of its investment survey and investment guarantee programs, local currency loans, information services, and leaving to private enterprise those projects and responsibilities for which it is better equipped.

The enormous task before the world in the fight against hunger is too big for governments alone. The private sector business, universities, foundations, churches, voluntary organizations, cooperatives—must join the battle.

Trade: Trade policy of the developed countries toward the developing countries is likewise important. Developing countries must be able to maximize their foreign exchange earnings and they must, therefore, have a fair break in the market place. The United States should provide easier access to its markets for the commodities of the developing nations. If the economies of the developing nations are not permitted to grow and develop, they will not be able to become trading partners of the United States in the future.

Multinational Action: Basically, United States technical and economic programs have been bilateral. Serious consideration should be given to the advantages of multinational cooperation and participation in the efforts to create vigorous agricultural sectors in the economies of the developing nations.

Multinational aid is more free from the suspicion of self-serving, vested interests and foreign national purposes than direct aid. Experience has suggested that multinational aid can enforce more rigorous standards of self-help and it can hold the recipient nations to more realistic and effective standards of eligibility for assistance. A large reservoir of technicians from smaller nations without financial resources to carry on their own aid programs is available to international organizations. The key to successful assistance programs is good personnel, and every nation should be permitted to contribute qualified persons to the war against hunger. With the magnitude of the challenge of the war against hunger, and with food and fiber policy taking the highest priority in every nation's agenda for action, maximum use of resources is essential, and multinational action holds the promise of providing the coordination, cooperation and consultation necessary for success. This international teamwork is essential, for example, if food supplies are going to move effectively from food surplus to food deficit areas and the channels of international trade are to be further opened so that food can move freely and with minimum restrictions.

The United States should strongly encourage other developed nations and international groups to increase their concern with food. The Food and Agricultural Organizations of the United Nations has shown encouraging progress recently with nations other than the United States for the 1966–68 period, doubling the amount of pledges for the 1963–65 period. The World Bank, Inter-American Development Bank, Asian Development Bank, OECD and other international bodies should be urged to move more aggressively in agricultural development.

Several years ago a national magazine carried a picture of two emaciated women, old at 30 years of age, dried and wrinkled skin over bones, one with a gnarled hand outstretched for food, and both with a look of anguish and suffering. Below the picture was a simple legend by W. H. Auden: "Hunger allows no choice—We must love one another or die."

So it is. We must prosecute the war against hunger as aggressively and vigorously as we pursue our own national defense. There are many claims upon our resources today, but none exceeds the claim of seeing that people do not starve.

DISTRICT OF COLUMBIA ADMINISTRATIVE PROCEDURES ACT

Mr. **TYDINGS.** Mr. President, the growth of government in the past few decades has required the development of numerous administrative agencies to perform the modern tasks of government. The District of Columbia has 93 such governmental agencies. These affect almost every aspect of one's life. The right to earn a living, the right to build on one's property—the list is almost endless—are all regulated by administrative agencies.

The bill the Senate considered prescribed administrative procedures for the District of Columbia government. Governmental agencies need rules and regulations regarding such procedures if they are to function properly and provide the citizen with an understanding of how and why the agency operates. In this respect the District is no exception.

Unfortunately, the administrative procedures of the District of Columbia government are not as well established as they ought to be. A 1963 study in the District of Columbia Bar Association Journal found that many of the agencies' procedural rules were ‘informal,” "erratic," and "incomplete." I am told, moreover, that while some rules of procedure have since been issued and clarified, the problem still remains.

Mr. President, in March 1967 I introduced a bill to remedy this situation. Hearings were held on it this April while the House has already acted on a similar measure H.R. 7417, the bill we are now considering. H.R. 7417 is based upon the model act for administrative procedures in the States as approved by the National Conference of Commissioners on Uniform State Laws. To meet the functions of the District it has been modified by the Administrative Law Committee of the District of Columbia bar. The bar is on record as supporting it. In addition, 19 States including Maryland and Virginia have seen fit to enact similar legislation.

Basically, the law serves three functions. First, it provides for the establishment, compilation, and publication in the District of Columbia Register of all rules and regulations now in effect and calls for notification in the Register of any intended deletions, additions, or amendments. As the report accompanying the bill rightly points out, the rights and obligations of a citizen before an administrative agency can hardly be represented and protected when the procedural rules and regulations have not been published or have been inadequately disclosed. This is a minimum requirement.

Second, H.R. 7417 provides the opportunity for fair hearings in "contested cases." It demands that a transcript in such cases be kept and would minimize the possibility of an agency relying on information not available in the record and unavailable to the individual concerned. The press has reported instances where denial of licenses occurred on grounds of evidence not found in the record before the agency. This possibility, I should say practice, strikes me as patently unfair. An individual can thus be denied his means of livelihood and never be able to find out why. Administrative procedures which allow this should not be permitted.

The third area to which the District of Columbia Administrative Procedures Act addresses itself is in a provision whereby the final determination of an agency, with some exceptions, is reviewable in a court of law. Some agencies within the District already allow such judicial recourse. But others do not. Without an overall statutory requirement, there can be no guarantee that judicial review of administrative decisions is definitely established and clearly defined for all. Generally speaking, the standards of review parallel those of the

Federal Administrative Procedure Act of 1946 as developed by court decisions. This provision in the bill affords needed protection for an individual in controversy with an agency of government.

Mr. President, the intent of the bill is to codify the rules of administrative agencies within the District of Columbia and, by so doing, to clarify and protect the individual citizen in his daily contact with government. It is a noble intent, I believe, and one that is achievable by the measures proposed in H.R. 7417. There is no reason why modern government and administrative efficiency are inconsistent with what the role of the individual is and should be in our society. H.R. 7417 amply illustrates their compatibility.

I am delighted that the Senate has passed my bill.

RESEARCH AND EDUCATION NEEDED IN THE HUMAN RIGHTS FIELD

Mr. PROXMIRE. Mr. President, the rush of civilization, at least in the technical and material, has reached such an accelerated pace that the basic human rights of the individual are in danger.

We have in the last two decades seen such breakthroughs in the fields of communications, data processing, medicine, education, and weaponry that we must devote a great deal of effort to understand and eliminate the ill effects these dramatic technological feats are having and will have on the human rights of the individual.

There is a great need for research on human rights and how they relate to our increasingly technological and depersonalized world. We must know how to handle these tools of material well-being in a way that does not do violence to those principles and safeguards of human dignity that give technological advance any real meaning it might have now or in the future.

Yet, it must be realized that research by scholars into human rights, as they are affected by both technocracy and changes in socioeconomic and political thought, must be accompanied with education on all levels. And this education must not only be an exposition to an academic elite of the latest scholarship in the field of human rights; it should also be basic education for all the people of the United States from elementary school on up. Unless we have a truly national awareness of the preeminence of human rights and the absolute necessity of their universal extension and protection, an informed and effective administration policy on human rights will be very difficult to formulate.

Mr. President, while we wait for an end to Senate procrastination in ratifying the various conventions that will help guarantee to others what we enjoy by constitutional right, there is, indeed, much that must and can be done in America to make human rights and their protection more secure here at home and make their internationalization more than just a dream of the oppressed and unwanted. Research and education in human rights are essential parts of that ever-so-important task.

SENATOR LISTER HILL—TRIBUTE TO OUR GREAT AND HONORED COLLEAGUE

Mr. TYDINGS. Mr. President, one of the saddest aspects of these closing days of the 90th Congress is the decision of the distinguished senior Senator from Alabama [Mr. Hill] to retire as a Member of the Senate after so many years of magnificent service to his State, the Nation, and the people of all the world.

Earlier this year, and before Senator Hill had chosen not to run again, I had the opportunity to plan with distinguished leaders of the medical and medical research professions a dinner to honor Lister Hill. Working with Dr. Henry Wagner, president of the Research Societies Council, and Dr. James Warren, president of the Medical Inter-Society Council, we invited several score of the finest medical and research leaders in the world. It is no small mark of Senator Hill's distinction that nearly everyone of these famous and honored physicians and scientists—except a few unable to make the trip—accepted the invitation.

The Vice President of the United States, Hubert H. Humphrey; the Secretary of Health, Education, and Welfare, Wilbur Cohen; many Members of the Senate and the House, and his eminence, Cardinal Lawrence Shehan also attended the dinner.

Mr. President, the giants of the medical and research worlds who came from as far as halfway around the world to indicate their respect for Lister Hill have stated more exhaustively and brilliantly that I ever could the extraordinary contributions to mankind of Lister Hill. I, therefore, think the transcript of this celebration should be a permanent part of the Congressional Record.

Mr. President, I ask unanimous consent to have printed in the Record the transcript of remarks made at the dinner to honor Senator Lister Hill at the Washington Hilton Hotel on March 11, 1968.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Dinner in Honor of Senator Lister Hill Held at the Washington Hilton Hotel, March 11, 1968, Sponsored by the Research Societies Council and the Medical Inter-Society Council

Dr. Robert Williams. Ladies and Gentlemen, I call upon his eminence, Cardinal Lawrence Shehan, Archbishop of Baltimore, to ask the blessing.

Cardinal Shehan. Almighty and merciful Father, look with favor on all of us who are gathered to pay honor to one who has worked so long and so fruitfully for the healing of sickness, for the relief of pain, and for the physical welfare of all his fellow citizens of the United States.

We ask thy blessing on our Country, our President, our Congress, and our Courts, in the hour when our nation is beset with so many difficulties and dangers.

Grant to all our leaders the gift of thy wisdom, that they may lead us steadfastly forward to a just and lasting peace; peace among ourselves and peace with all the nations of the world.

Grant us the gift of seeing and acknowledging our faults and failures and humility to accept those things which may be for the good of the whole world, even at the expense of our own national pride.

Give us an unfailing vision of the better world of Justice and Charity. Grant us the courage and strength to pursue that vision to the end.

Finally, we beseech thee, bless in a special manner, Lister Hill, as he withdraws from the burdensome area of elective office after so many years of honorable and useful service at the highest level of public life.

Open to him new paths of personal honor and continuing usefulness to his country and all its citizens.

These things we ask in the name of the one true God, father of all of us, amen.

Dr. Williams. Thank you, Cardinal Shehan.

Ladies and gentlemen, I would like to start the program by introducing some of the individuals at the head table.

To my extreme left is Dr. Henry Wagner, president of the Research Society's Council. (Applause.) Next is Senator Tydings. (Applause.)

I would like to take this occasion to state that Senator Tydings has been of enormous aid to us in setting up this entire program.

We also owe our deep gratitude to two of his assistants, Mr. Kenneth Gray and Miss Joanne Weaver. (Applause.)

Next I would like to introduce Mrs. Jean White. (Applause.)

And next to Senator Hill is Mrs. Tydings. (Applause.)

And then we have Mrs. Henry Wagner. (Applause.)

And now, Dr. James Warren, president of the Medical Inter-society Council. (Applause.)

I wish to extend each of these individuals a warm welcome for the Research Society Council and the Medical Inter-society Council.

We are here tonight to honor a truly great man. I remember several years ago, a distinguished physician from his own state, Tinsley Harrison, told me that no man had done more for the health of the nation than Senator Lister Hill.

Since he was an Alabamian, I tested this statement from coast to coast, and I found there was universal agreement.

Many books could be written about the contributions of Senator Hill. Tonight we have an outstanding panel to make selected comments regarding different phases of his contributions. You can imagine the enormous difficulty of the task I have given each of these 7 speakers by telling them, within 10 minutes, he must cover the particular aspect which has been assigned to him.

President Johnson was unable to be here tonight and he asked me to read the following letter:

"If any man could be called a father of our Nation's health, it would be Lister Hill. My longtime good friend and colleague and Alabama's senator, he has for decades sought selflessly to improve the quality and availability of medical care.

More Americans today are cured or cared for because of him. More children may expect to lead full, meaningful lives and more parents can expect to become healthy, happy grandparents and great-grandparents because Lister Hill championed their cause and the Nation's well-being through these many years.

No tribute could be more appropriate to this great American than that of the medical profession itself. It is a privilege to add my own outstanding praise to your own." Lyndon B. Johnson. (Applause.)

Now I am going to call on a man who has been familiar with Senator Hill for many, many years. They lived in the same town. Dr. Luther Terry is vice president in charge of medical affairs at the University of Pennsylvania, and was formerly Surgeon General of the U.S. Public Health Service.

Dr. Terry will discuss Senator Hill's family background and early experience. Dr. Terry.

Dr. TERRY. Thank you, Dr. Williams. Your eminence, distinguished members of the Congress, friends and admirers of Senator Lister Hill. It is a real pleasure to join you here tonight and have an opportunity to speak first in this great tribute to him.

During the time I was Surgeon General, I frequently had the wonderful opportunity to appear jointly on the podium with Senator Hill. On the other hand, this was not always an unmixed blessing, because I think any of you who know how well Lister speaks can realize what a difficult situation it is to follow him on the podium.

I was in great glee when I was invited to speak here first tonight, and then I got to thinking, "Well, that is not so good either, because he has a chance to speak after me." (Laughter.)

If I may call your attention to the screen in the far corner to my left, I think you would be interested in seeing some of the things we will be talking about.

Despite all that will be said here tonight, there is little that anyone can add in tribute to Senator Lister Hill. During his long years of labor, presidents, humble citizens, world authorities in science, and fellow statesmen have all joined in saluting him.

He has been honored in citations through innumerable honorary degrees, awards and in every manner acclaimed. And, it has been said wordlessly by many, actually unknown to him, in the eyes of a parent or a child—the child who has been spared a lifetime as a cripple—in the heart of a young man whose dream of a medical career was made possible, in the figures that attest to the nation's steady rise in the higher levels of health care.

Dr. Luther Leontitis Hill, distinguished father of the distinguished senator from Alabama, was one of the eminent physicians of his day. Here is an editorial that was published in the Montgomery Advertiser at the time of his death, reflecting how widely he was loved and respected.

Dr. Hill was a man of keen intelligence and high professional skill. His primary interest and his special talent was in surgery. In 1902 he performed the first successful suture of the heart, in America, of a penetrating stab wound, an operation which, by the way, was performed on a kitchen table in a cabin outside Montgomery by the light of two kerosene lamps.

I have had the privilege and lifetime honor of bearing the illustrious name of Senator Hill's father who was my father's closest friend. Lister Hill was born on December 29, 1894, to Dr. Hill and Lily Lyons Hill, formerly of Mobile, Ala. Those of us who knew her and loved her recognized her as a woman of a quiet charm, unfailing courage, and steady devotion to her family.

His twin sisters, Mrs. C. G. Lasly of Montgomery and Mrs. E. W. Rucker of Birmingham, both married physicians.

Senator Hill and his brother, General L. L. Hill, U.S. Army, retired, turned to public service. Senator Hill's service has included a matchless devotion and achievement in the fields of science and medicine, far surpassing, I am sure, whatever high eminence his talents would have taken him to in the field of practice of medicine.

At Stark University School and at the University of Alabama a young man could earn his rewards as class president, president of the student body, and could, at the same time, polish up his talent for public speaking.

There was wartime service as an officer in World War I as Captain Lister Hill.

And there was Columbia University School of Law and the practice of law in Montgomery.

Still later, there came the first campaign for Congress in 1923, election to the House. In due course, election to the Senate in 1938 to succeed the Honorable Hugo Black, who had been appointed to the Supreme Court of the United States.

Thus began a career of which William S. White, a noted author, has written:

"Countless millions owe their lives to Lister Hill. He has done more for public health than any American in history."

Since that historic swearing-in, the nation has been enriched by the Hill-Burton Act which has added thousands and thousand of beds to our hospitals and nursing homes. He is responsible also for hundreds of public health centers; for the establishment and growth of the National Institutes of Health, wellspring of the Nation's bio-medical research; for the creation and activitation of the National Library of Medicine, the world's largest and finest collection of medical literature; for the Research Facilities Construction Act of 1956; providing vitally needed enhancement of the Nation's facilities for the support of our scientists; for the Allied Professions Personnel Act; the Nurse Training Act; and the Health Profession Education Assistance Act.

Taken together, these acts provide Federal assistance for training physicians, nurses, dentists, technicians, and other medical personnel which are all, as you know, badly needed for growing America.

Champion of other legislation to strengthen local health service planning, to build facilities and to provide help for the mentally ill, to protect the public against chemical additives to food, to provide Federal support for vaccination programs, funds for the Nation's schools of health, and many more. The list is astounding in length, rich in depth, and enormous in its impact on the world's millions.

As statesman and legislative pioneer in health and humanitarian, Senator Lister Hill has served under seven presidents. Here are the words of some of them and others whose lives he has touched:

"There are millions of our people who are better off today and millions who will be better off in the future because of the fine work that you have done on health and welfare legislation." (Lyndon B. Johnson).

"Senator Hill, I am sure it is obvious to the entire membership of Congress that your great personal interest in the field of medicine and health, your tireless efforts on behalf of furthering medical science and in bringing the benefits of that science to the people of our country have made you the outstanding congressional leader in the field of medical legislation in the nation today." (President John F. Kennedy).

"The Hill-Burton Hospital Act has done more to bring the services of modern-day medicine to more people than anything else the Congress of the United States has ever done." (The Honorable Mike Monroney, United States Senator from Oklahoma).

"The brilliant son of a distinguished surgeon, Lister Hill has advanced the cause of medicine through a series of extraordinary legislative achievements. It may be that during his four decades in the Congress of the United States he has done more for public health than has any other American." This was an excerpt from a citation presented by the University of Pennsylvania.

"My heart grows warm every time I think of you, and that is ever so often, and I glow with happy gratitude to you for all that you still accomplish for the prevention of blindness." (The magnificent Helen Keller).

And I can think of no tribute to Senator Hill which is more appropriate than the following:

"On an occasion when he is surrounded by a circle of friends who honor him for the magnificent example that he sets to the younger generations, his sleepless pursuit of knowledge, his integrity of character and the purity of his purpose in maintaining the dignity and high ideals of his profession, it would seem superfluous to chant a hymn of his merits; merits which are known to all who have enjoyed the privilege of his friendship, and by the thousands whom he has comforted and made happier by his science and his skill, his unfailing understanding and his human sympathy.

"We who love him for what he is to us personally and professionally hail the advent of his golden jubilee with the acclaim that is due to the prizewinner in the race of life's noblest achievements."

Now, this may seem a little strange, but it was written by the famous Dr. Rudolph Mattis of New Orleans in tribute to Dr. Luther Leontitis Hill, physician and surgeon of Montgomery, Alabama.

Like father, like son, and in this instance, I can think of no higher praise for either. Thank you. (Applause.)

Dr. WILLIAMS. Next, I will call upon Dr. Tinsley Harrison, prominent professor of medicine in several medical schools, famous educator and investigator, who will talk on Senator Hill's contribution to medical education.

Dr. HARRISON. Dr. Williams, Senator Hill, distinguished guests, each of us, in coming here to honor one of our greatest citizens, has thereby honored himself.

Perhaps none are more aware of this than Dr. Terry and I. Not only are we natives of the same state as the distinguished senator, but both of our fathers were warm friends and professional colleagues of the Senator's father, from whom Luther Terry is named.

Senator Hill is perhaps best known for his achievements in making hospital care available throughout the country and for his support of research in the field of health. But his accomplishments on behalf of health education are equally noteworthy.

We may mention his legislation directly concerned with education; the G.I. Bill, the Vocational Educational Act, the National Defense Educational Act, the National Library of Medicine, and regional libraries, Construction Grants for health education facilities, and scholarships and loans for students of medicine, public health, of dentistry, nursing, and other health subjects.

Without this legislation the present small and future large expansion of the numbers of those being trained in the health fields, could not even have been started, and these several snowballs continue to gain momentum.

Some of the Senator's most important contributions to education have stemmed indirectly as dividends from legislation aimed primarily at research or at patient care. Thus, the trainee policy of the National Institutes of Health has played a major role in developing the additional faculty that was the first essential prerequisite for the expansion of the undergraduate medical education that has been mentioned.

Likewise, the Undergraduate Teaching Grants from the several Institutes have, because of their flexibility, played a beneficial role far out of proportion to the comparatively small sums involved.

The Hospital Construction Program has tended to capitalize continuing education by providing a place where practicing physicians see each other daily and exchange ideas.

If the Regional Medical Program should achieve the outstanding success that we all hope for it, this catalyzing effect will be multiplied manyfold. Indeed, it is improbable that this program could have been initiated without the hospital construction during the two preceding decades.

Historically, medical education developed mainly in association with hospitals. This was true in Egypt, in Greece and is still largely the case in Great Britain. The decision of Abraham Flexner to follow the German pattern and to recommend primary attachment of medical schools to universities, rather than to hospitals, was undoubtedly correct in 1910. The result was an outstanding advance in research, and in the teaching of medical science.

But now, at a time when the application of knowledge lags far behind its acquisition, and when our teaching about the disease the patient has, has outstripped the teaching about the patient who has the disease, one wonders whether a somewhat expanded liaison may not be in order.

Granting that the preservation of a firm tie with universities is an essential, is there any reason why strength and secondary ties are not desirable with all hospitals that wish it, and are willing to provide an academic atmosphere?

Those who regard such a step as hopelessly utopian, or alarmingly radical, are referred to the writings of Hippocrates, who considered medical education and medical care as inseparable parts of a single whole.

There is a strong probability that the purposes of the Regional Medical Program will be markedly facilitated by the presence of medical students at some of the hospitals that are affiliated with the primary centers.

Likewise, there is a possibility, although as yet no certainty, that the students' education will be not harmed but benefited by spending a fraction of his clinical years at such hospitals, provided his activities are supervised and controlled by members of the medical school faculty. Should this prove true, it may be possible to derive large additional dividends in terms of trained medical and allied health personnel from the Hill-Burton Regional Medical Programs.

Multiple pilot experiments differing in detail but all aimed at coordination of Hill-Burton hospitals continuing education under the Regional Program and expansion of undergraduate clinical health education are obviously needed. One suspects that the greatest deterrent to such experiments will be lack, not so much of dollars, but rather, of imagination and curricular flexibility. If so, the medical schools may fail to take advantage of the magnificent opportunities that Senator Hill's wisdom has offered them.

In all countries government has come to play an increasing role in medicine. This is inevitable and the trend will continue. The problem is not whether but how. Senator Hill has clearly visualized both horns of the dilemma. On the one hand, our private practice has the large virtue of providing, under most circumstances, high-quality, readily available care at a relatively small expense for the majority of patients. On the other hand, there are certain areas where the economic, geographic, technical or intellectual climate is such that this system is inadequate.

By attempting to cover these latter areas with governmental funds but with a minimum of governmental control the Senator has been instrumental in combining the best features of our own system with the best aspects of medicine in other countries while tending to avoid the defects of both.

In my view, Senator Hill has played a larger role than anyone else in preserving the private practice system.

In the final analysis, the quality of health care will depend heavily upon the quality of people who provide it, and especially on the quality of the individual physician. Any steps that make medicine a less-challenging career for adventurous spirits will ultimately result in less effective care for patients.

Perhaps the long-range verdict of history will be that of all Senator Hill's contributions to health, the most valuable has been the role he has played in preserving this challenge.

The indirect effect on medical education in terms of the quality of our entering students may be even more important than his direct contributions.

Any measure that improves the health of our people increases their happiness. Ralph Waldo Emerson said, "Happiness is a perfume that you can not pour on others without getting a few drops on yourself."

Thus we can anticipate that the future years, like the past ones, will bring happiness to our Senator. I am sure that all of you will join me in paraphrasing the words from "As You Like It" and expressing the wish to Senator Hill, "In this your life, exempt from public haunt, may find tongues in trees, books in running brooks, sermons in stones, and good in everything". Thank you. [Applause.]

Dr. Williams. Thank you, Dr. Harrison.

Next, I wish to call on Dr. James Shannon, Director of NIH, who will discuss Senator Hill's contribution to research.

Dr. Shannon.

Dr. Shannon. Dr. Williams, Senator Hill, and friends:

First, let me express my pleasure in being invited to join in honoring our distinguished statesman for health.

Thomas Jefferson, a few months after he became President, commented on the importance for the effective discharge of the Government's responsibility to its citizens of having the right man in the right place. This is obviously as important in our day as it was in his.

Our fortunes are still largely determined by the often fortuitous circumstances that bring what Jefferson described as "honest men with understanding" into the right place at the right time. It was not only fortuitous but extraordinarily fortunate for all Americans that Senator Lister Hill was in the right place in the spring of 1956, which was—as I have often said—a critical period in the development of medical research in these United States.

I shall not take time to recount again the problems we had at that time. Let me just say that our total national medical research effort was at a level of approximately $300 million, of which half was provided by the Federal establishment. The budget of NIH was $98 million, but of this—when one removed technical assistance programs and the like—there was a research grant activity of somewhat less than $40 million.

It was this year, on my first round of Congressional hearings as Director of NIH, that I well remember how encouraged I was, first, by the fact that Mr. Folsom, then Secretary of HEW, had agreed to a modest increase in the budget; Mr. Fogarty had substantially increased this. But then, on moving over to the Senate, we moved from a level of—I believe it was $135 million to some $57 million more. And rather than comment on the subsequent Senate action, I would like to read a few excerpts from Senator Hill's Committee report, submitted by him to the Senate in support of his recommendation. And I would recommend all of you who are interested in the history of medicine in this country to pull out this report of the Senate Appropriations Committee, because basically it bears a very similar relationship to the development of modern medical research in this nation as does the Flexner report to the development of modern medical education in this nation.

What I'd like to do is to take a few selected paragraphs from that report to emphasize that it was perhaps less the money than the concepts that Senator Hill advocated that were important and that bore such great fruit in the decade to come.

The Committee said, in part:

"The committee has been impressed with the manner in which the stimulus of available funds has invigorated the entire field of medical research since World War II. The national capacity for growth in productive medical research was grossly underestimated, and some of these underestimates have been made by experts."

I remember Senator Hill inquiring one time as to whether or not they had epidemiologists in the Bureau of the Budget.

Another quote:

"The lack of foresight and imagination displayed by those in the executive branch who are responsible for the grand strategy of medical research has been reflected not only in wholly inadequate appropriation requests, but in a failure to suggest forms of support realistically adusted to the needs of modern research."

"The solution of medical and health problems confronting us today is a long-range undertaking. It follows that continuity and stability of support of responsible investigators is essential, as are training grants for the production of research workers. More prospective qualified investigators will be attracted to medical research, and those already engaged in medical research will be more effective when given an assurance of continuity of their support for the longest possible time. Within the framework of annual appropriations, every effort should be made to provide stable and continuous support to investigators."

And again:

"The committee is convinced that increases substantially greater than those proposed by the House can be used to finance urgently needed research of a high caliber in a number of specific fields"—and this is important—"to extend support of research of a nature fundamental to applied advances and to extend further support to the training of manpower."

And I could go on. I would recommend for those of you who are interested in some of the background of the development of medical research in this country to go to your archives and pull out what I think was an historic report.

Appropriation committees usually deal in dollars and cents, in short terms and highly specified functions. I think that the pleasure that was given us to work with Senator Hill in the development of our programs for the nation is that this was interlaced very heavily with a broad and sound philosophy of the support of science such as is not true, or has not been true in any other country or in any other program in this country.

Senator Hill's dedication to the furthering of man's constant war against disease and bringing to bear on it the fullest capability of modern science through the rapid escalation of research is now emblazoned on the record. He quietly acted on the precepts stated by John Webster, the Elizabethan dramatist, more than 300 years ago, when he said, "Gold that buys health can never be ill spent." During the past decade NIH appropriations have grown to more than a billion. National expenditure on medical research is now approaching two and a half billion. and the practice of medicine has entered a wholly new era of excellence.

These phenomena can be clearly attributed largely to Senator Hill's foresight, persistence, and basically sound philosophy—and above all, his persuasiveness. I know that I can express the admiration, respect, and gratitude of the research community for what he has done for medical research in our time.

Yours has been a job well done, sir, and may good health and happiness be yours in whatever your future may bring. (Applause.)

Dr. Williams. Ladies and gentlemen, it is with enormous pleasure that I present at this time, the Vice-President of the United States. (Applause.)

Dr. Williams. We will proceed now by asking Dr. Russell Nelson, President of Johns Hopkins Hospital, and said by certain ones of my friends to be the number one hospital administrator, to talk on Senator Hill's contribution to hospitals.

Dr. Nelson.

Dr. Nelson. Dr. Williams, Your Eminence, Vice-President Humphrey, distinguished members of Congress, friends and colleagues and admirers of Senator Hill: It is a great personal honor and pleasure to be asked to speak to and about Senator Hill concerning his contributions to hospitals.

Let no one doubt for even a moment that this great man has done more for the building of hospitals in this country than any other person in his generation. This is an undisputed fact.

Senator Hill, if in your retirement you think of another career, America's 7000 hospitals await your decision.

He has been toasted and honored by a host of hospital groups, including being given an award of honor by the American Hospital Association two years ago. I'd like to add to you, sir, the tribute of the nation's three hundred-plus teaching hospitals. These hospitals, the ones which provide the clinical facilities for the teaching and the health professions, which you have also so strongly supported during your public and your private life—Senator Hill, the teaching hospitals thank and salute you.

The Hill-Burton construction program has of course accomplished amazing things. I know of Senator Hill's vast and detailed knowledge of the facts, and I refuse to be trapped by quoting some of them in his presence. Although a kindly gentleman, I suspect he's capable of a very firm tone of correction, and I fear I might be faced with that tone of correction with my inaccuracies. Therefore, Senator, I'll stay rather general in my remarks.

I suspect, though, that in the thousands of hospitals—new ones, additions, replacements, modernizations, and so forth—there's a Hill-Burton in just about every one of the counties of the United States.

You know, the program really ought to be called the Hill Program, in my view; but it's typical of the man we honor tonight to share his works with others; what must have been largely his work is shared by the names of two other fine gentlemen, who are public servants, Burton, and more recently, Harris. I'll bet, though, that in many places in this country, especially in his own South, where things so graciously and easily take very personal identities, that there are plenty of Senator Hill Hospitals, and so it should be.

I suspect this audience has not thought about some contributions beyond buildings and equipment that this hospital program has produced. It caused the establishment of acceptable standards of hospital operations because the states developed licensing of our hospitals. It seems incredible now that this was not done before about 1950, but that is true. With this focus on licensing standards, we also on a voluntary basis in this country developed the accreditation program through the Joint Commission, one of the real success stories of the voluntary health care system. I believe Hill-Burton and Senator Hill helped us very much along this path of developing acceptable standards.

The Hill-Burton program from early on had the aim of fostering a network of interconnected hospitals. State plans created the means for this coordination. Now, some twenty-plus years later, we see the regional medical programs developing the means of these services and Senator Hill, of course, deserves much credit for that program.

But no man, even Senator Hill, is perfect. He fails us by having to leave when we need his guidance most desperately. And, although there are many fine men in Congress, none can really fill his shoes for hospitals. We still need you, sir, and we may have to call on you from time to time.

So, Senator, on behalf of hospitals, I commend you for a good job well done, and we thank you very, very much. (Applause.)

Dr. WILLIAMS. Thank you, Dr. Nelson.

We'll now call on Dr. Michael DeBakey, world-famous surgeon, vigorous catalyst in health advancement, to talk on other contributions by Senator Hill to medical care.

Dr. DeBakey.

Dr. DEBAKEY. Thank you, Dr. Williams. Your Eminence, Mr. Vice-President, distinguished guests and friends of Senator Hill:

Like others here who have preceded me, I should also like to express my grateful appreciation for the high privilege of joining with others here to pay tribute to Senator Hill.

As you have just heard, the catalogue of his major accomplishments in the field of health is almost interminable. He has gained the affection and esteem of the health professions for his inestimable assistance and support in their common battle against disease and premature death. He has earned the gratitude of Americans in all walks of life for his espousal of Federal legislation to bring modern hospital facilities and the products of modern medical research within the reach of all segments of our society, including the indigent, the aged, and the rural populus.

Countless Americans are enjoying health and a productive life today because of Senator Hill's ceaseless efforts to grant every American the God-given right to the best available health care.

With vision and perspicacity unequalled in the history of health endeavors, Senator Hill has sponsored and has established a succession of legislative landmarks that reflect his passionate interest in promoting and preserving the health of the American people.

The impact of these legislative accomplishments has been inestimable in broadening the horizons of medicine and in accelerating the accumulation of new knowledge. Much of what we call marvels of medical care today are derived from these contributions.

Perhaps more important are the marvels to come which are made possible by the opportunities provided through his legislative achievements.

It gives me great pleasure, Senator Hill, to have this high privilege of joining this distinguished group to pay homage to you. We know that future generations will venerate the name of Lister Hill as we do today for your triumphs against the formidable scourge of mankind, disease. Certainly few men can rival your brilliant record in public health education and welfare.

Thank you. (Applause.)

Dr. WILLIAMS. Due to the fact that the program has been so tight, I haven't made the usual side comments I like to make, but I do want to take time to make one now.

I'm said by some of my friends to be persistent in chasing Dr. DeBakey. I went through three secretaries and then aroused him at 1:00 a.m. in Milan, Italy, to engage him in this talk. He said he didn't have his schedule there, but no matter what it was, he was going to be here tonight.

Next, I wish to proceed by asking Mr. Wilbur Cohen, Acting Secretary of Health, Education and Welfare, who has a long, highly-sparkling record of progress in health, education and welfare, to talk regarding Senator Hill's contribution to welfare and to various phases of education.

Mr. Cohen. (Applause.)

Mr. COHEN. Mr. Chairman, Senator Hill, Mr. Vice President, and distinguished friends:

I brought with me a fifteen page speech about Senator Hill, but it's been a very serious evening tonight, and I think the Senator would appreciate it if I didn't read it.

As I think of my own experiences with Senator Hill, under a great many trials and tribulations, two things appeal to me about the man. One is his great sense of humor under strain and stress, and the other is his great modesty. So if you'll permit me, I'd like to tell two little stories which I believe describe these characteristics of Senator Hill.

One, of course, is the story about the very, very wealthy man who was operated on by a very distinguished doctor. The doctor sent the man a bill for $2000 for the operation. The man then went back to the doctor and said, "This is too much." The doctor didn't argue and said, "Make it $1000." The man said, "Well, I think it's still too much." He said "Make it $200." He said, "All right, $200." "Well," he said "if it's only $200, you might as well forget about it; it isn't worth it." He said, "That's right. Thank you very much." And the doctor said to him, "By the way, if you wanted this operation, why did you come to me? You know what my fee is." He said, "Doctor, where my health is involved, money is no object." (Laughter.)

I really sincerely believe that Senator Hill has always put the problem of money second when it comes to health problems, and that is very important.

The other story, some of you—many of you here have heard me tell before, but it does tell, I think, something about the Senator. Right after Medicare was passed, the President sent me and a group of HEW officials to talk to a medical society. It was the first medical society that I spoke to after the passage of Medicare, and you can well appreciate the fear and trepidation I had. Dr. Luther Terry, who was then the Surgeon General, was part of the group and when we got on the plane, we saw a little old lady who was undergoing a great deal of anxiety too. I said to Luther: "You're a physician, go and talk to the lady."

So he went up to her, and said, "I am a physician; is there something I can do for you?" The lady said, "This is the first time I've been on a plane, and I'd like to go to the ladies room. Where is it?" So Dr. Terry went to the stewardess, who said, "Well, just a moment. This is a jet; we're going up to 35,000 feet. If you'll just wait a few moments I'll take her to the ladies room." After the plane got up, the stewardess did take the lady to the ladies room, but she didn't come out for a long time.

Finally, Dr. Terry went to the stewardess and said, "You know, I'm a physician. Is there something I can do? Maybe the lady needs some help, or maybe she's fainted or something." The stewardess said, "Just a minute, Doctor, I'll go into the ladies room." She came out in a moment, and she said, "Oh, everything is all right. The lady is pasting paper towels over the window so nobody can see in." An Dr. Terry said, "My, isn't that modesty on a high plane." (Laughter.)

Its always been a pleasure to work with Senator Hill because during all the very complex legislation that I and others in the Department have worked on with the Senator, he has always shown us courtesy and the modesty on a high plane. These are two attributes of the personality and the integrity of the man that I will always remember.

But tonight I want to tell you some other things about Senator Hill that maybe many of you in the medical profession do not know. He was an earlier supporter of the Civilian Conservation Corps, the Federal Deposit Insurance Corporation, the Federal Farm Credit Corporation. While serving in the House of Representatives, he sponsored, with Senator George Norris the Tennessee Valley Authority Act, for which all of the nation as well as the South can be grateful because of the major impact that legislation had on the economy of the nation.

During his long career he has battled for all of the important causes that promote the well-being of society: The extension of the minimum wage, aid to education, the war against poverty, help for older Americans, the extension of libraries, the vocational rehabilitation program, and of course improvements, as you know, in health services and facilities. But one of his greatest accomplishments was the Rural Telephone Act, which brought modern communications to farms throughout the land.

He has won many victories which have advanced education on all fronts: The National Defense Education Act, which he coauthored at a time when Federal aid to education was still a most controversial issue; the Vocational Rehabilitation Act; the GI

Bill of Rights for World War II and Korean veterans; the Library Services Act; the War Orphans Educational Assistance Act; the National Foundation on the Arts and Humanities; the Vocational Student Loan Insurance; the Higher Education Act; and the Elementary and Secondary Education Act. He was one of the earliest champions of Federal support for education.

He sponsored the original Library Services Act of 1956, which has greatly expanded throughout the nation. Local support for public libraries has picked up, and, ladies and gentlemen, millions of boys and girls and adults throughout this land have received for the first time a library book through new and improved library services because of the foresight of Senator Hill. Millions of new books and materials have been purchased to enrich the libraries' resources, and bookmobiles now bring enlightenment to those in isolated areas.

He has been an inspiration to all of us in the Federal service. His courage, his strength, his warmth and his kindness, his generosity and his dignity have made us all better people. He has nourished our aspirations for the future; his compassion and his wisdom and his gentle humor have earned him many laurels. His experience and dedication as well as his skill and patience in shepherding complex legislation through the Congress has earned him the respect of all who have worked with him.

He has cared for both the young and the old, the well and the sick, the working man, the student, all of the health professions; and he has translated his concern into concrete actions which have benefited all of them.

The nation owes him a debt of gratitude for his great long-range vision of America's well-being. Millions of Americans are better off today, but millions will be better off tomorrow and in years to come because of the work Senator Hill has done.

We pledge to you, Senator Hill, that we shall not forget your monumental good works, and those of us who go one will continue to fight to preserve those programs that you have created—but more so, to build on to them with the same unrelenting and unswerving support that you have given.

Thank you. (Applause.)

Dr. WILLIAMS. Thank you very, very much, Mr. Cohen. I'm sure that all of us are familiar with Vice President Humphrey's long record of magnificent accomplishments in the health activity. In many of these he has been working side by side very closely with Senator Hill.

So tonight we have asked him to say what he wishes, but particularly with regard to Senator Hill as a colleague. Vice President Humphrey. (Applause.)

Vice President HUMPHREY. Truly, this is one of the evenings that all of us will remember, and I'm sure everyone would like to have attended. It's a rare honor and privilege to be invited here. And I see many of our colleagues from the House and the Senate.

I did come here, however, not only because I was invited as Vice President and President of the Senate, but I was checking over your program, and I noticed that not a single pharmacist was represented. (Laughter.)

So while I haven't been given this special dispensation, I represent the American Pharmaceutical Association tonight. (Laughter.)

And I know there're twenty-two medical and research societies here. They're all subsidiary, of course, to the American Pharmaceutical Association. (Laughter.)

And I'm happy to speak up for the parent group. Now let me say a word about this fine dinner that is dedicated to the great record of public service of our esteemed colleague and friend, Senator Lister Hill.

Senator Hill announced that he was retiring from the Senate. There have been a number of people who of late have been announcing their retirement, either from the executive branch or from the legislative branch. And I've been to a dozen or more wonderful dinners, receptions, parties, where there are tributes made to those that are retiring, and where there's gaiety and where there's the finest of everything. And I just want you to know that I'm not at all impressed. I'm not going to retire in any way unless I'm forced out. (Applause and laughter.)

I would like to hear some nice things about me, but I'm not sure I've earned it yet. So I think I'll stick around a little longer.

My dear friend, Lister, our late and beloved friend, Adlai Stevenson, used to say that flattery is all right if you don't inhale it. (Laughter.)

I've been watching Lister up here tonight, and he's been breathing deeply. But it's not flattery when you say it about Senator Lister Hill. It's nothing more or less than a simple statement of fact with some feeling—feeling of great affection for this good man.

Now whatever I say, I suppose my friend Lister will take with a sort of a grain of salt because he knows me so well. I heard the President the other day telling a story about the football player who came to Washington and went to Otto Graham, the coach of the Redskins. He wanted to play on the professional team. Otto said, "Well, what do you have to recommend you?"

"Well," he said, "I did pretty good in college." He said, "I ran a hundred yards fully uniformed in 10.2 seconds."

Otto said, "You did? That's mighty, mighty good. That's good. That is good."

He said, "Well, that isn't all. My average punt during all of my high school—all of my college career—and I played on the first team for three years—was 72 yards."

He said, "Seventy-two yards? In college?"

He said, "That's right."

"Well," Otto said, "that is good. That does recommend you."

And the fellow said, "Well, that isn't all." He said, "You know, I'm quite a passer." He said, "My average pass—and I hit right on target—in all my three years of college football was 52 yards."

"Oh," he said, "that's tremendous." He said, "Listen, you're great." Now Otto Graham said, "I've heard all about your qualities here." He said, "Now every man of course has a few weaknesses. Just what is your limitation or your weakness?"

This chap said, "Well, I have to admit, I do exaggerate a little." [Laughter.]

Vice President HUMPHREY. My good friend Lister Hill knows that I do not exaggerate. I might expound a little longer than I'm supposed to, but I do not exaggerate. I've noticed that there are some house rules tonight, though, about time, which mean little or nothing to me, and I want Lister to feel perfectly at home in my company.

For sixteen years in the Senate he heard me hold forth, and he never ever complained. He might have gone out and said something quietly, but he never, never complained. And now he's getting even. He has me up there in the presiding officer's chair unable to say anything except, "Will the clerk call the role."

I want to make one or two comments about this good man. The first thing I want to tell you is, when I came to the Senate, and after having been there a very short time, a young man came to work for me as an intern. He's a professor of political science now, at one of our great Eastern universities, Swarthmore, and he stayed in my office. He literally had a desk inside my personal office in the Senate Office Bulding, and he wrote his doctorate on the life and work of a Senator. He happened to pick me as the subject.

But the one thing that he has in that document, which I think I have mentioned to my friend, Lister, and if I haven't I want to tonight, is a chapter on Senator Humphrey's favorite Senator. I hope that nobody will take offense, and I hope it doesn't hurt you, Lister, but you were and are my favorite. I think the world of you as a human being, not just as a Senator.

There has already been talk tonight of your tremendous record. Well, you know, as a pharmacist, I sort of figure that the prescription that this country has needed—and it's been filled time after time—is that Rx on there: "Just put on the tab, doctor, just more Lister Hills, and take about four times a day or as needed." And so as a colleague of sixteen years in the Senate, and now as his Vice President, I salute a Senator's Senator, and a public official's public official.

This man has brought honor not only to the Senate and to the Congress and to his state, but to his nation. Above all he has brought honor to himself and to the illustrious name which is his. So we're all very proud of him.

Now I can think of some American statesmen who have qualified for the title of greatness. But as a citizen, I think a great American statesman whose vision and parliamentary skill have enabled us better to meet our national responsibilities, not only to Americans but to all of mankind, is this man you honor tonight.

Lister's 45 years of legislative achievements cover the entire spectrum of human concerns. And here's where Wilbur just cut right in on me. But I'm glad you did, Secretary. We know Senator Hill is Mr. Health. That's what you honor him for tonight, in the main, for fostering all of these great programs in the healing arts.

The National Institutes of Health. Just think of the lives that have been saved because of the vision of this man. Think of the pain that has been eased because of the vision and the courage of this man.

The Hill-Burton Act. I was so pleased to hear the report on hospitals. Because it's true, there's not a community of any size, and surely there's not a county that doesn't have a living tribute, an action tribute, to this man.

Somewhere I read that the purpose of life was not knowledge alone, but action. And Senator Hill has had both knowledge and action.

I'm pleased that he was mentioned tonight as a co-partner with that great Senator, George Norris. Of all the achievements of our illustrious guest this evening, TVA—like his own programs in the healing arts—probably has brought the greater comfort and help to millions and millions of people. The fact is that the TVA is the lifeline of the New South. And Lister Hill symbolizes the New South, and indeed, the New America.

So you can call him not only Mr. Health, but Mr. Public Power.

And as Wilbur mentioned, the Rural Telephone Act. I remember when we were in the Senate and voted on the Rural Telephone Act. So this man has made it easier for people in rural America to have a better life.

And education. Well, the whole structure of education in America is indebted to him. And indebted to his associates who worked alongside of him, for I know that Lister Hill would not want to claim credit alone. He never has. He's very generous. Always willing to share. Out in my county, in the little rural county of Minnesota, there is one of these mobile libraries that comes to little Waverly, Minnesota, once a week, a little country town. And people pour out, literally, from the countryside and empty that mobile library of its books. And every time I see it, Lister, in all candor I think of you. And I've told many people that I knew the man that made it possible.

I wonder how many know in this audience, though, that Lister Hill was also one of the authors of the National Security Act? To unify and modernize our armed forces. We never think of that, but his life has not only been one of what we call national development, but national security. And I think this Senator understands that you can't have any national security without national development, and you can't have any national development without national security. It's a lesson that we could all afford to learn. You can't just do good works. You also have to protect that which you do.

And Mr. Peace could go to his name as well, because I recall, when I was out in Minnesota aspiring to come to the United States Senate, mayor of my city, that there was a man by the name of Lister Hill who was sponsoring a resolution here, the resolution which literally paved the way for the United Nations, for the San Francisco Conference.

Now it takes far more than seniority to achieve that kind of a record of public service. And the rest of the record has been spread out here tonight, including a few things that weren't in the public record. I hear from Dr. Terry that he kind of gave the folks here a little inside glimpse into your life.

It takes a combination of qualities which can earn the trust and the cooperation of first of 95 Senators, and then later on, with our two new States of Alaska and Hawaii, 99 other Senators—ninety-nine individualists. Ninety-nine people of power. And then at the same time to command the respect and the confidence of the Members of the House of Representatives as they work together, because not a single piece of legislation becomes law because of one man. It takes personal warmth and it takes a sort of quality of grace and generosity, which this man, our friend Lister, has in abundance.

You have to be some mean critter if you can't like Lister Hill. You just have to be born mean, that's all, and develop it all the rest of your life. (Laughter.)

Vice PRESIDENT HUMPHREY. So I speak as one who has been his legislative ally, and when I was I found Lister a tower of strength. A worker, Indefatigable, Perservering. Resourceful. Champion of his cause and his program.

And as a legislative foe—if you've ever had that misfortune—let me tell you, he's formidable. He's a worthy antagonist, but he's always fair. He's always considerate, open, and articulate.

I've fought side-by-side with him in countless battles. And I'm proud of every one of them. They've made me feel good. You know, you always feel better when you're alongside a champion. It rubs off on you a little bit. At least you try to pretend it does. And you tell folks about it. And on some occasions, when we've been on opposite sides, I've always known that here was a man who would always treat you with respect. I've always felt that I was working with—never against—a Senator who embodied the very best in American representative government, and for whom there was no greater cause than the public interest.

I believe it was Thomas Jefferson who said one time something like this: that the only legitimate objective of government is the health and the happiness of the people. And if ever there was a Jeffersonian democrat in the capital D and the small d, it's the man that you honor here tonight.

He epitomizes the mandate of the Constitution that he took an oath to uphold. And the only two requirements of the Constitution—the only two requirements, the rest are optional—are to provide for the common defense, and to promote the general welfare. Every member of Congress is required under the oath of office to do that. The rest is optional. But this Senator filled the requirements and took care of all the options as well.

So we honor you, dear friend, and we look to you for continued leadership and counsel. I can't think of you retiring. I almost pity the public with you turned loose on them like this. Because you're really going to be a busy man. But now the whole nation in a very real, personal sense will be able to share this man's qualities, because he'll be getting around even more than he did in his duties in the Senate.

Because as a Senator I've never known anybody who tended to his business with more meticulous detail and more care than this one. I hope therefore, my good friend, that we can look forward to your work for many, many more years. And that you may be as happy in what you seek to do in the years to come as you have been in the years past. So I think I speak for a lot of people in this country when I say tonight that I salute not only a great Senator, but above all, a really great American.

And if you'll let me be personal, a man I like an awful lot. A man who has given to me one of the most precious and priceless gifts that a person can have: the gift of his friendship.

Thank you. (Applause.)

Dr. WILLIAMS. Thank you very much, Mr. Vice President. Now, Senator Hill, these wise and eloquent speakers have given you only a very, very small sampling of our enormous admiration, very profound appreciation and truly warm affection. At this time I would like to present some very, very small presents which may serve a bit, occasionally, as reminders of this occasion.

So if you will come here. Now all of these have reference to Lord Lister whom, as you know, Senator Lister Hill was named from. The first of these that I wish to present is an album of pictures—around thirty-five precious pictures—a personal possession of Lord Lister. And I must say that Dr. John Lister in the Royal College of Physicians cooperated magnificently in helping us accumulate these pictures. (Applause.)

Now, I also want to present some old books, each of which concerns different aspects of the life of Lord Lister, because I've known from past experiences how closely you have held him. (Applause.)

Senator HILL. Dr. Williams, Vice President Humphrey—My friend Sir Hubert Horatio—(Laughter)

Senator HILL.—and my friends: it is said that "From the fullness of the heart the mouth speaketh." I think I would have to say to you tonight that my heart is too full for speech.

I wish that I knew how to thank you for all the many generous, generous words that have ben spoken about me here. The many kind things, the many, many things, that have moved me and touched me deeply. I have but one regret, and that is that my good wife is sick, and could not be here. She has been my kindest critic, my wisest counselor and my best friend. But I shall certainly take great joy in telling her of the tribute that you've paid me here tonight.

And as you present me these books and these collections from Joseph Lister, I'm reminded, sir, of when my father and mother gave me the name of Joseph Lister. My father wrote to him and told him that I had been named for him. He wrote back saying that he wished for his namesake "a life of health, goodness, and usefulness."

I can only hope, sir, that all the tributes paid me tonight by my colleagues here mean that I have in some way measured up to this wish expressed for me by Joseph Lister. It was said of him that he saved more lives than all the wars of the world had cost. And surely I owe to each of you, my colleagues in the Senate, my colleagues in the House, each of you in the profession of medicine, in biological research, all of you here tonight, my deepest gratitude, my deepest appreciation, that you have permitted me to be a laborer with you in the cause, the cause for the health of our people, for the lives of our people, for the happiness of our people.

Yes, men's hearts weigh upon us. Men's lives hang in the balance. Men's hopes ask us "what shall we do?"

I think of the words of Sir William Osler, that immortal physician, when he said: "We're here not to get what we can from, but to give what we can to life." And surely as that great, immortal neurosurgeon, Harvey Cushing, said: "If the life of a doctor be not a divine vocation, then surely no life is a vocation and nothing is divine." When I speak of the doctor, I mean not only the practitioner of medicine, I mean the man in medical research, the man everywhere in this battle for the health of our people, for the health of all people.

Louis Pasteur said: "Health is the patrimony of all mankind."

And so we must continue to go forward to meet the increasing need for more doctors of medicine, of dentistry; more doctors of science; more nurses; more paramedical personnel of all kinds; yes, more hospitals; and more modernization of some of the hospitals that we now have; more medical libraries; more regional centers and regional programs; that the knowledge that we have may get to the patient's bedside.

We must go forward with all these great programs, moving forward for the healing of the sick, making whole the maimed, bringing life and health and happiness to our people, walking with faith and humility in the footsteps of Him who nearly 2,000 years ago was called the Great Physician. (Applause.)

Dr. WILLIAMS. I have just one concluding statement. I'm enormously grateful that each and every one of you could be here, and I rest confident that there's no one who has not in a highly active manner participated in this program.

Thank you very much. (Applause.)

PARTIAL LIST OF THOSE ATTENDING

Dr. Wm. Austen.
Dr. Robert Berson.
Dr. F. J. L. Blasingame.
Dr. Henry Brosin.
Dr. Willis Brown.
Hon. Tim Lee Carter.
Dr. Carlton Chapman.
Dr. Julius H. Comroe.
Dr. Michael DeBakey.
Hon. Daniel J. Flood.
Dr. Robert Good.
Dr. Robert Haggery.
Dr. Tinsley R. Harrison.
Dr. Chas. Hendricks.
Hon. Lister Hill.
Hon. Ralph K. Huitt.
Vice President and Mrs. Humphrey.
Dr. Rudolph Kampmeier.
Dr. Norman Kretchmer.
Dr. Philip Lee.
Dr. Berwyn Mattison.
Dr. Colin McLeod.
Dr. J. F. A. McManus.
Dr. James Merrill.
Hon. Wm. H. Natcher.
Dr. Russell A. Nelson.
Dr. Michael Newton.
Dr. John Nurnberger.
Dr. John Parks.
Hon. Claiborne Pell.
Hon. Jennings Randolph.
Dr. Jonathan Rhoads.
Hon. Paul A. Rogers.
Dr. Edw. Rosenow, Jr.
Dr. David Sabiston.
Dr. Jay P. Sanford.
Dr. Arnold Schaefer.
Dr. James A. Shannon.
Dr. Lloyd Smith.
Dr. Luther Terry.
Hon. Joseph D. Tydings.
Dr. Raymond Waggoner.
Dr. James Warren.
Dr. Ralph Wedgwood.
Dr. Wm. Weil.
Dr. Dwight Wilbur.
Dr. Robert Williams.
Dr. David Wilson.
Hon. Ralph Yarborough.
Mrs. Florence Mahoney.
Dr. Clarence Dennis.

Dr. Wayne Rundles.
Dr. Edward L. Crosby.
Mr. James E. Bryan.
Dr. H. Houston Merritt.
Dr. John F. Maher.

GEORGE SMATHERS

Mr. TYDINGS. Mr. President, it is with regret that I now note the approaching end of a distinguished Senate career: this session is the last of 18 years of Senate service by GEORGE SMATHERS, of Florida. It will be difficult, indeed, to replace him in his key posts on committees and within the Senate leadership.

Senator SMATHERS' work in the Senate has been as broad as it has been long. His excellent talents were fully applied in the Committee on Finance, the Foreign Relations Committee, and the Committee on the Judiciary. Here, he had that rare ability to master an area and then innovate, bringing expertise and concern together to produce meaningful results.

The concern the Senator has shown for the elderly has been skillfully translated into meaningful legislation—the true mark of a successful legislator. These efforts are merely but few examples of Senator SMATHERS efforts, which have ranged from airports and travel taxes to electoral reform and civil service retirement.

Of course, no one familiar with GEORGE SMATHERS' Senate career could limit a description of his accomplishments to a mere record of legislative achievements—for Senator SMATHERS has been one of our party's most skillful and hard-working leaders. From his freshman appointment as deputy floor leader and service as acting majority leader to his secretaryship of the Democratic Conference and membership in the Senate Democratic Policy Committee, he has been a great Senate and party leader.

We will miss GEORGE SMATHERS. I wish him well.

THRUSTON MORTON

Mr. TYDINGS. Mr. President, I desire to speak of a colleague who is retiring at the end of this session after a distinguished Senate career of 12 years—the junior Senator from Kentucky, THRUSTON MORTON. Although all of us certainly respect the Senator's desire to leave this body at this time, it is unfortunate for us and for the Nation to lose such a fine leader, so noted for his calm judgment in times of crisis and wise counsel amidst much confusion.

THRUSTON MORTON leaves Washington after a brilliant career of public service. First, he was the Representative for three consecutive terms for Louisville and Jefferson County, next the Assistant Secretary of State for Congressional Relations in the Eisenhower administration, and finally the junior Senator from Kentucky for two terms. To each job he brought a thoughtfulness, a well-considered moderation, and a sense of personal integrity that earned him admiration and respect from his fellow Senators on both sides of the aisle.

Thus, the Senator soon became a respected and influential leader of his party—as chairman of the Republican National Committee, the Republican Senatorial Campaign Committee, and permanent Chairman of the 1964 Republican Convention—whose good sense, calm reasoning, and astute politics made him an effective party leader to the credit of his party and the Nation, and I must add to the occasional chagrin of Democrats.

But, of course, Senator MORTON's presence reached far beyond the confines of his political party, so that he became an influence upon this entire body, and a national figure. His modern, courageous, and intelligent approach to the difficult issues of our day have contributed as much to the wisdom of national policy as they have to the reputation of their author. Thus, after a relatively short time as Senator, he has become a key Member of this body. To mention just one prominent example, without Senator MORTON's farsighted and vigorous support of the consular treaty last session, this vital step toward moderating the cold war would certainly have failed.

So at this time I should like to praise Senator MORTON for his outstanding record of contribution to his Nation while I express regret that he must leave us at the height of his career.

FRANK CARLSON

Mr. TYDINGS. Mr. President, governing a modern nation is a difficult task requiring devotion, work, and expertise. Glamor and glory often obscure the accomplishments of those of this body whose careers have contributed so much to the Nation. One such man is FRANK CARLSON who, unfortunately, will retire at the end of this session.

Senator CARLSON ends his long and distinguished service of his State as the only man therein to have been Representative, Governor, and Senator. In high office since 1934, there is no doubt that this man has been a superb representative and leader of his State.

I have long been concerned over the strength and competence of State government, and I am only too glad to point to this outstanding State leader. As Governor of Kansas, long before sputnik and present Federal concern, FRANK CARLSON did an outstanding job in improving his State's education system. And his pioneering modernization of mental health programs has made Kansas a leader in this field, and forever belies the notion that States must slavishly wait for Federal guidance to meet modern challenges.

What is so notable about Senator CARLSON's career in Washington was his ability to master a field, such as taxation and have remarkable impact in that area. We in this body all know of the voluminous, intricate, and respected tax work that Senator CARLSON accomplished as a Representative on the Ways and Means Committee and as a Senator on the Committee on Finance.

A Senator and a man whose decency, responsibility, and dedication were well known and loved, FRANK CARLSON's years in the Senate are a memorial to the best in American life.

THOMAS KUCHEL

Mr. TYDINGS. Mr. President, today I wish to give a farewell to a courageous Member of this body whose own integrity and devotion to principle has cost him his seat as the senior Senator from California. THOMAS KUCHEL's brave fight for those ideas which he believed were wisest will remain an outstanding example of democratic leadership for all public officials.

More than once TOM KUCHEL risked his career and position of leadership by unswerving loyalty to those things for which he has fought so brilliantly and effectively: his defense of racial equality, his refusal to deride our judiciary, his defense of the Bill of Rights, and his pride in his record of independent thought and action are all a source of lasting credit to this man, his party, and the U.S. Senate.

It is indeed sad that in these times of change, confusion, and crisis, one of our calmest, bravest, and finest voices will disappear from these Halls. But the Senate and Senator KUCHEL can be proud of the record that he leaves behind him both as a Member of the Senate and a leader in his State. He is progressive yet thoughtful, vigorous yet openminded.

At home, midst the sometimes violent clash of opinion and rhetoric in a growing and changing State, Senator KUCHEL's reasoned leadership has been the focus for sane and sensible politics in California. His battles are certain to be long remembered and, as time passes, more appreciated.

In the Senate also, TOM KUCHEL was a colleague both respected and followed. He was a man whose influence and power derive from the strength of his intellect and admiration of his values rather than the length of his service or threat of his assigned position. TOM KUCHEL was an outstanding member of the remarkable group of historic leaders in this body who have down through the years refused to allow their party, or this body for that matter, to ignore their responsibilities in a changing world.

The Senate will long remember Senator KUCHEL's career as eloquent testimony to the fact that a man can be a vigorous and effective leader even in the most trying times without sacrifice of integrity or self-respect. For fulfilling that ideal, the Senator from California will always have our profound respect and deep admiration.

RAIL PASSENGER SERVICE

Mr. MAGNUSON. Mr. President, in the 1970's and 1980's, according to current estimates, the demand for transportation will more than double—if the growth of our transport industries merely keeps pace with our current national economic growth. It seems to me that these estimates will prove to be too conservative, especially in the field of intercity passenger transportation. Passenger transportation can be expected to grow far faster than freight transportation in a more affluent America.

By the end of the 1980's, we will not have the kind of intercity transport network to meet the needs of the American people unless we begin now to make provision for those needs.

There will be an important place in serving American passenger travel demands for all means of transport—highway, air and rail. When the bill to establish a Department of Transportation was being considered by the Congress I suggested that an Office of Passenger Transportation headed by an Assistant Secretary be established within that Department. It seems to me that such an Assistant Secretary could provide the coordination for overall intercity passenger transportation planning, and give the traveling public a voice in the councils of Government. The Department of Transportation Act did not require the Secretary to designate an Assistant Secretary for that purpose, and Secretary Boyd indicated at least during the initial organizational stage of the Department that Assistant Secretaries were required to handle public affairs, international affairs, and other matters. I think the time has come to reconsider the need for designation of an Assistant Secretary of Passenger Transportation.

On March 3, 1967, I introduced, at the request of the Interstate Commerce Commission, S. 1175, to amend section 13a of the Interstate Commerce Act in a number of respects to provide the ICC with more effective and efficient tools in passenger train discontinuance proceedings. Changes in section 13a, however, do not look to the future of rail passenger service, and means for promoting such services are also needed. Therefore, I called upon the Department of Transportation, the Commission, the rail industry, and the concerned public to come forward with such recommendations for the promotion of modern, efficient rail passenger service.

The Commission, under the chairmanship of Commissioner Tierney, is to be highly commended for responding to this suggestion, and submitting to the Commerce Committee its June 25, 1968, report on intercity rail passenger service in 1968. Commissioner Tierney, during his year as chairman, has appeared many times before the Commerce and Appropriations Committees, and his presentations have always been helpful. This report is another example of his leadership.

The ICC's report points out that in the last 10 years the number of regular intercity trains has declined nearly 60 percent; 13 railroads have abandoned all intercity service, and seven have only one pair of trains left; intercity service over 36 percent of the 1958 routes has been completely eliminated; noncommutation passengers have decreased 40 percent, and first-class passengers have dropped nearly 70 percent; rail investment in new equipment for intercity service has nearly ground to a halt; and, the quality of service has deteriorated in a number of instances. In 1968 alone, the report indicates, intercity passenger miles and revenues decreased 15 percent, and the total costs of remaining passenger service increased more than 20 percent.

The Commission's report thoroughly documents the conclusion that changes in Federal policy are needed, and a comprehensive review of the present and future role of intercity rail service in meeting our national travel demands must be undertaken as a preliminary step toward accomplishing these changes.

On July 19, 1968, after discussing this matter with Chairman Tierney, I introduced, at the request of the Commission, the draft proposal accompanying the Commission's report. Senate Commerce Committee hearings were held on July 24, 25, and 29, 1968.

Agreement was not reached on the ICC's legislative proposals to amend section 13a, and in the time remaining action on this legislation will not be completed. There is general agreement in support of an overall study of the existing and future potential for intercity railroad passenger service in meeting passenger travel needs to be conducted by the Secretary of Transportation in cooperation with the ICC and the State commission. Earlier this Congress, Senator Moss introduced a joint resolution—Senate Joint Resolution 52—proposing such a study and Senator ALLOTT and 24 other Senators joined in cosponsoring a concurrent resolution expressing the sense of the Congress that such an investigation and study be instituted.

The National Association of Regulatory Utilities Commissioners also responded to my suggestions for recommendations. President James W. Karber and Walter J. McDonald, chairman, Committee on Railroads of the NARUC, noting that reasonable men would agree that one last effort should be made to preserve essential rail passenger service, on September 11, 1968, proposed that the Senate enact a resolution calling for the ICC, in cooperation with the State commissions, to conduct a 6-month's investigation of the intercity rail passenger service problem, which would involve the development of a public record made by the holding of hearings open to all interested parties. This resolution would require, upon the conclusion of the investigation, that the ICC and the State cooperators make specific recommendations to the Senate Commerce Committee as to practical means for identifying and preserving essential intercity rail passenger service.

The NARUC and its leaders deserve praise for their recommendations, and for speaking out on this matter of importance to both the States and Federal Government. Any proposed study in this area would be deficient if it did not avail itself of the expertise of the State commissions in this area.

The Federal Railroad Administrator, Mr. A. Scheffer Lang, responding to my request for comments on the NARUC proposal, advised of the Department of Transportation's clear position supporting the ICC-proposed intensive and all-inclusive study of the railroad role in intercity travel demands and needs. Mr. Lang points out that such a study should consider the needs and/or demands for intercity transportation of the next 10, 20, or 50 years. He suggests that a study concentrated on preserving present service could prevent changes in rail passenger service and the development of future rail passenger transport to meet the needs of the 1980's and beyond. Mr. Lang's letter also recognizes that rail passenger service is in a state of decline and change and that questions of public need and traveler demand have not been adequately researched and answered. He further states that the Federal Railroad Administration has a number of projects underway relating to intercity rail passenger requirements, economic analysis of cost factors, appropriate cost basis for study of rail transportation subsidy programs, subsidy requirements, and so forth.

This overall study of the railroad role in intercity travel demands and needs and the public support required in this area is one that it seems to me must be performed by the Department of Transportation because such an evaluation must be made in relation to other modes of travel. Mr. Lang indicates in this letter that Congress has been asked to approve the necessary funding for such a study, and for needed subpena power.

Such a budget request was not included in the current fiscal year budget for the Department of Transportation, but if it is included—and I am hopeful that it will be—in the next budget I will strongly support the appropriation of such funds, and I am certain my colleagues on the Appropriations Committee, many of whom joined Senator ALLOTT in cosponsoring a resolution calling for such a study, will join me in voting in favor of needed funds for such purpose.

It seems to me that the Department of Transportation, in cooperation with the ICC and State commission, which have information gathering authority, can obtain needed information from the rail industry without the need for subpena power. The railroad industry has assured the Commerce Committee that they will cooperate in a Department of Transportation study of rail passenger service needs and demands. I commend Mr. Lang for his support of this proposed study, and for instituting the Federal Railroad Administration studies referred to in his letter.

I agree with the NARUC that there is an area needing a commission study and investigation. Before Congress can determine whether the present and future needs for rail passenger service justify policies requiring greater commitments on the part of the Government, as well as carriers and others, the Congress must have reliable information on the costs of rail passenger operations and the means by which such expenses should be met.

The current edition of Transport Economics, the monthly publication of the Interstate Commerce Commission's Bureau of Economics, contains an analysis of the past 14 years of railroad passenger service indicating that passenger revenues exceeded the operating expenses related solely to passenger and allied services by $35 million.

Mr. Stephen M. Aug, Evening Star business writer, pointed out in an article published in the Star of October 1, 1968, that, depending on which accounting method is used, the Nation's railroads either lost $6.8 billion hauling passengers during the last 14 years, or made a $35 million profit during that period. This morning's Wall Street Journal editorial, entitled "New Math for an Old Problem," adds some pertinent comments on this subject. This editorial notes that the fact remains that railroads are still the most economic form of passenger mass transit, and with growing highway and airway congestion, some short and intermediate-haul passenger trains are, if anything, more essential than they ever were. The editorial concludes:

> What's unquestionably required is a clear and calm assessment of the costs of rail passenger service and of the extent of the public's need for that service.

I have written to ICC Chairman Tierney and urged the Commission to conduct an investigation of certain aspects of railroad passenger service to supplement its earlier report and recommendations. Because of the uncertainty and controversy that exists with respect to the matter of losses incurred by the railroads in providing passenger service, I have asked that this investigation focus on a determination of the actual net costs to the railroads in providing intercity rail passenger service and the means for reducing or meeting such costs. While this investigation need not necessarily be a formal ICC proceeding, I recommended that the Commission seek the assistance and cooperation of all interested parties, including the Department of Transportation and the State commissions.

The Department and the Commission should promptly begin the needed preliminary steps to start the study and investigation. If the necessary budgetary requests are submitted to Congress in January, I promise my full support for favorable action so that the study and investigation can be brought to completion at the earliest possible date.

In a speech to the Railroad Transportation Institute, on October 3, ICC Commissioner Stafford took to task the railroad attitude that passengers have deserted the trains, therefore, there shall be no trains. Commissioner Stafford pointed out the unreality of using deficit figure of $485 million that is frequently mentioned, and suggested instead a more realistic approach. He noted that even feeble railroads efforts to secure passenger traffic have largely become a thing of the past. He strongly urged the rail industry to wholeheartedly support a Department of Transportation in-depth study of the role of passenger service. Commissioner Stafford's speech does not mince words with the rail industry attitude, and I commend it to those interested in a forthright statement on the current rail passenger situation.

I believe the overall intercity passenger study supported by the Department of Transportation, and the investigation I have requested the ICC to conduct will provide the basis for forward looking action to be taken to insure that our Nation's passenger travel requirements will be met not only in the air and on the highways, but also on our Nation's railroads.

Mr. President, I ask unanimous consent to have printed in the RECORD the texts of the articles published in the Evening Star and Wall Street Journal; the NARUC's letter of September 11, 1968, and attached draft resolution; Mr. Lang's letter of October 1, 1968; and my letter of October 8 to the Interstate Commerce Commission.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Oct. 1, 1968]

FIGURES CONFLICT ON PROFIT-LOSSES OF RAIL PASSENGERS

(By Stephen M. Aug)

Depending on whose bookkeeping you choose to believe, the nation's railroads either lost $6.8 billion hauling passengers during the years 1954–1966—as the railroads claim—or made a $35-million profit during the same years on passengers, as an Interstate Commerce Commission bureau reported today.

The ICC's Bureau of Economics, in its monthly publication Transport Economics, says the railroads made a profit hauling passengers in all years from 1959 through 1966. There was a $72 million loss in 1967. Profits ranged from $11 million in 1959 to $78 million in 1962.

The railroads claim they lost money on passengers in every year since 1945, with losses ranging from $724 million in 1957 to $394 million in 1962. The railroad-claimed 1967 loss was $485 million.

The vast differences in the figures are due solely to differences in accounting methods—all the basic figures were supplied by the railroads. The big losses claimed by the industry result from the fact that under normal ICC accounting procedures they may charge against the passenger service a portion of all their expenses—the so-called fully allocated method—which include everything from the president's salary to the cost of replacing tracks and ties.

DIRECT EXPENSES

The figures in the new report charge to the passenger service only the direct expenses of operating the trains—crewmen's salaries, fuel, maintenance of equipment among them.

Some critics of the railroads have contended that the industry, in showing their passenger service deficits only on a fully allocated cost basis, has been less than candid with the public in discussing claimed losses from passenger operations.

The significance of the report is that this is the first time the ICC has shown in a report the so-called out-of-pocket costs of operating passenger trains for a large group of railroads. It also is the first time it has listed such costs—and shown the consequent profits—over a period of years.

For some time even the commissioners have abandoned the use of the fully allocated cost basis in considering railroad requests to discontinue passenger trains. The commissioners prefer to use the out-of-pocket costs.

RAIL PASSENGERS: PROFIT OR LOSS?
[In millions of dollars]

Year	ICC-claimed profit	Railroad-claimed loss
1954	[1] 38	669.5
1955	[1] 46	636.7
1956	[1] 82	696.9
1957	114	723.7
1958	38	610.4
1959	11	543.8
1960	39	485.2
1961	76	408.2
1962	78	394.3
1963	56	398.9
1964	46	410.1
1965	21	420.6
1966	26	399.6
1967	[1] 72	485.0

[1] Loss.

SHAKIEST PROFIT

Ironically, the report shows that while the railroads as a group lost money last year on passengers, several lines that showed a profit are financially the most shaky. Nearly all the big commuter railroads in the Northeast listed a profit, and the ICC says some of these are "attributable to the subsidies granted passenger operations by local, state and federal agencies."

The railroad showing the largest 1967 profit was the bankrupt New York, New Haven & Hartford, with profit listed at $17.6 million. The New Haven claims a loss last year of $10.3 million on passenger service.

The combined loss for the Penn Central—Pennsy and New York Central are shown separately—would be $8.4 million compared to a claimed loss of $85 million.

Outside the Northeast, only two of the 35 large railroads listed individually showed profits: Chicago & North Western at $6.7 million versus a claimed loss of $1.5 million, and Southern Pacific at $1.3 million, versus a claimed loss of nearly $19.7 million.

Southern Pacific has tried continually to get out of the passenger business entirely. Currently it is subject of an ICC proceeding in which an examiner has accused it of downgrading its services to discourage passengers.

Among 1967 figures for railroads serving this area, the report lists the Baltimore & Ohio with a $3.9 million deficit compared with $12 million claimed; Chesapeake & Ohio, $6.2 million compared with $14 million claimed; Richmond, Fredericksburg & Potomac, $229,000 profit and $3 million loss claimed; Seaboard Coast Line $12 million and $37.5 million claimed; Southern $8.6 million and $19.5 million claimed.

[From the Wall Street Journal, Oct. 8, 1968]

NEW MATH FOR AN OLD PROBLEM

The old debate over whether passenger trains make or lose money is on again, full steam ahead. The Interstate Commerce Commission in an economic report says that railroad operating expenses "related solely to passenger and allied services" were exceeded by net revenues for eight consecutive years since 1959.

Moreover, says the ICC, during the last 14 years, taking into account losses from 1954 to 1958 and in 1967, passenger revenues exceeded operating expenses by $35 million.

The reaction of the Association of American Railroads to all this is just about what you would expect, inasmuch as for years now the railroads have been moaning and groaning over passenger service losses and cutting back on that service as fast as the ICC would allow them. And until lately, when the ICC suddenly started blowing the whistle against any further major service cuts, those cutbacks were coming pretty fast.

An AAR spokesman charges the ICC with "financial chicanery" and says that the agency's report "must be some kind of new math."

Now in the revival of this debate over profit or loss neither party—the ICC nor the railroad industry—is wholly without blame. For the railroads have been, for the most part, following the ICC's cost accounting standards which may or may not be as currently appropriate as they might. Then too, years of excessive Federal regulation have certainly increased the railroads' eagerness to lop off passenger trains which, whether they make money or not, are surely less profitable than those that haul freight.

From the public's standpoint, however, this ICC–AAR argument is pretty silly. The fact remains that railroads are still the most economic form of passenger mass transit. With growing highway and airway congestion, some short and intermediate-haul passenger trains are, if anything, more essential than they ever were.

Railroads cannot be expected to provide this service as a form of charity; along with a lot of de-regulating, some public subsidies unfortunately may be needed. What's unquestionably required is a clear and calm assessment of the costs of rail passenger service and of the extent of the public's need for that service.

If it takes some form of new math to settle the issue, so be it. That might be an improvement on the confusing figures the public has been fed up to now.

NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS,
Washington, D.C., September 11, 1968.
Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: We are now witnessing the rapid deterioration and demise of the last remnants of our Nation's rail passenger system—a system which was once the world's finest.

Some feel that passenger trains are outmoded and that their elimination is inevitable just as it was for the stagecoach. Others believe that our crowded airways and clogged highways are not equal to today's transportation tasks, let alone tomorrow's, and that, therefore, it is in the public interest to seek ways to preserve safe, dependable, all-weather rail passenger service.

Surely, reasonable men of both persuasions would agree that during this critical period Government should make one last effort to determine ways, if any there are, to preserve essential passenger service.

It appears unlikly at this time that the Congress will appropriate the two million dollars which the Department of Transportation deems necessary to conduct the kind of broad ranging study proposed in S. 3861. Nor do circumstances permit the luxury of using two years to complete the study as recommended by DOT.

Accordingly, we have prepared the enclosed form of proposed Resolution which urges the Interstate Commerce Commission, in cooperation with State regulators, to undertake and submit to your Committee, within six months, specific recommendations for the preservation of essential inter-city rail passenger service.

These recommendations would be based upon a public record developed through the holding of hearings open to all interested parties. The Resolution urges active participation therein by the Secretary of Transportation and the Postmaster General.

Although the ICC may feel that it does not possess all of the resources required to conduct a broad investigation, it nevertheless cannot deny that it has long-standing responsibilities to the public in seeking to maintain and foster adequate rail passenger service. A copy of the ICC's response to our proposed Resolution is enclosed.

Hearing Examiner John S. Messer in the Southern Pacific Case, ICC Docket No. 34733, has demonstrated what *one* man can do in developing recommendations to conserve essential service. Surely, the ICC, with the diligent use of its resources and the benefit of a public record, can produce timely recommendations which will protect the public interest.

Accordingly, we respectfully request that you promptly submit the enclosed form of Resolution to the Committee on Commerce for its approval.

The State regulators of our Association are deeply grateful for your cooperation in this matter.

Sincerely yours,
JAMES W. KARBER,
President.
WALTER R. MCDONALD,
Chairman, Committee on Railroads.

SENATE RESOLUTION

Whereas, The discontinuance of hundreds of passenger trains in the past several years has resulted in rail passenger service becoming at best sparse throughout the Nation and in some areas ceasing to exist; and

Whereas, The rising tide of passenger train discontinuances has been intensified by the policy of the United States Post Office Department regarding the removal of mail from passenger trains; and

Whereas, The public interest is vitally concerned with the development of a sound and adequate rail passenger service which will be responsive to the needs of a growing America; and

Whereas, It is apparent that the decline in the use of rail passenger service is merely a temporary episode in the Nation's transportation history because our crowded airways and clogged highways will not be equal to tomorrow's transportation tasks; and

Whereas, The preservation of safe, dependable, all-weather mass rail passenger service is essential not only to the traveling public, but also to the national economy and defense; and

Whereas, It is crucial to the future welfare of America that the Federal and State Governments now take prompt action to conserve a nucleus of rail passenger service to provide the foundation for expanding to meet tomorrow's transportation needs, otherwise an enormous expenditure of government funds will be required in the future to restore essential passenger service; and

Whereas, The Interstate Commerce Commission in 1959 made various recommendations based upon a general investigation of the manner in which railroads subject to Part I of the Interstate Commerce Act conducted their passenger business, particularly with respect to the nature and causes of any deficit arising therefrom and the possible ways of eliminating such deficit, *Railroad Passenger Train Deficit,* 306 I.C.C. 417; and

Whereas, It would be in the public interest and of great assistance to the Senate for the Interstate Commerce Commission to conduct at this time another general investigation of the problems of railroad passenger service and, on the basis of a public record developed therein through the holding of hearings open to all interested parties, to formulate anew recommendations for the preservation of essential passenger service under current and foreseeable conditions; now, therefore, be it

Resolved by the Senate, That the Interstate Commerce Commission, acting in cooperation with the national organization of the State commissions as referred to in the Interstate Commerce Act, is hereby strongly urged to undertake and submit to the Committee on Commerce, within six months after the date of enactment of this resolution, specific recommendations for the preservation of essential intercity railroad passenger service in the United States, which recommendations shall be formulated on the basis of consideration of, among other things:

(1) An evaluation of the most practical means for preserving essential railroad passenger service and the role of railroad passenger service in meeting the Nation's growing transportation needs;

(2) The proper role of the railroads and governmental bodies in developing the required quality and quantity of service, including methods of financing operations which are necessary but not economically viable;

(3) The manner in which railroads subject to Part I of the Interstate Commerce Act conduct their passenger business, particularly with respect to the nature and causes of any deficit arising therefrom and the possible ways of eliminating such deficit;

(4) A re-examination of the procedures employed for separating and allocating plant investment, operating expenses, taxes, reserves, and other expenses between passenger service and other services furnished by railroads, in order to determine the appropriateness of developing revised procedures to allocate less expense to passenger service;

(5) An inventory of the present passenger trains still operating, the quality of these trains, and their scheduling in relation to the public convenience;

(6) The use of passenger trains by the Post Office Department with a view toward increasing the transportation of mail thereon in such a manner as to improve postal efficiency and increase railroad revenues allocable to passenger service;

(7) A determination of the possible future use of auto carrier passenger trains and other innovations in intercity rail transportation which show promise of strengthening passenger service to better satisfy public needs; and

(8) The creation of a more effective working partnership between the Commission and the national organization of the State commissions and the State regulatory commissions in order to develop more effective remedies to solve the problems of railroad passenger service; and be it

Further resolved by the Senate, That such recommendations shall be predicated upon a general investigative proceeding, open to participation by all interested parties, and conducted by joint hearings presided over by the Commission and State cooperators selected in accordance with the agreement between the Commission and the national organization of the State commissions; and be it

Further resolved by the Senate, That the Secretary of Transportation, the Postmaster General, and other interested Federal agencies are hereby strongly urged to actively participate in such proceeding and to contribute therein to the full extent of their respective abilities toward achieving the goals of this resolution.

DEPARTMENT OF TRANSPORTATION,
FEDERAL RAILROAD ADMINISTRATION,
Washington, D.C., October 1, 1968.
Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I appreciate having the opportunity to present my views on a resolution proposed by the National Association of Regulatory Utility Commissioners which would have the Senate endorse a six-month study aimed at preserving intercity rail passenger service. As you know, the Department has taken a clear position supporting the intensive and all-inclusive study of the railroad role in intercity travel demands and needs proposed in S. 3861. We have asked the Congress to approve necessary funding for a two-year study and to permit use of the subpoena power to call witnesses and examine records.

Testimony I presented on S. 3861 to the Subcommittee on Surface Transportation examined the need for a broad-based study rather than a repeat of the same type of study which formed the base for the ICC's Hosmer Report and the Senate Commerce Committee's Doyle Report. I know you are familiar with my views in this regard and I shall not repeat them here.

The views I expressed to the Subcommittee were also presented to a committee of NARUC members who met with me regarding their proposed resolution. I advised them any study should consider the needs and/or demands for intercity transportation of the next 10, 20 or 50 years. To concentrate solely on preserving the level and type of service we have today could well prevent changes in rail passenger service concepts and breakthroughs in surface transportation technology which we believe must be made to meet transportation demands of the 1970's and the 21st century. In my opinion, the NARUC proposal would largely be a re-examination of previous studies and existing ICC data and would logically produce the same negative picture of the future of the passenger train that was the conclusion of these previous studies.

While we are primarily interested in the future role of rail passenger service, we are not insensitive to today's problems. We recognize rail passenger service is in a state of decline and change and that questions of public need and traveler demand have not been adequately researched and answered.

Your committee is fully aware of the high speed ground transportation demonstration projects, the auto-train project and surface transportation research and developement activities of the Office of High Speed Ground Transportation. All our work in these areas is directly related to the railroad passenger problem. However, we cannot expect a fast or easy solution of a problem that has been generating since 1945, and which has become more acute with the advent of the interstate highway system and jet transport aircraft.

In addition to OHSGT programs, the Federal Railroad Administration has several in-house projects underway. For your information, they are:

1. A review of appropriate methods for determining intercity rail passenger requirements.
2. Economic analysis of cost factors associated with railroad passenger service.
3. Establishing an appropriate cost base for use in study of rail transportation subsidy programs.
4. Preliminary analysis of subsidy requirements for high, medium, or low levels of rail service.
5. Conferences with rail industry representatives regarding future of long-distance, luxury train service.

I hope you find this information responsive to your request. I would emphasize once more that the study proposed in S. 3861, with necessary funding and the subpoena power, would permit the objective analysis of this vexing problem.

Sincerely,

A. SCHEFFER LANG.

U.S. SENATE
COMMITTEE ON COMMERCE,
Washington, D.C., October 8, 1968.

Hon. PAUL J. TIERNEY,
Chairman, Interstate Commerce Commission, Washington, D.C.

DEAR CHAIRMAN TIERNEY: At the time I introduced the Commission's legislative request, S. 1175, to amend section 13a in a number of respects to provide the Commission with more effective and efficient tools in passenger train discontinuance proceedings, it seemed to me that, in addition, recommendations were needed looking toward the promotion of modern and efficient rail passenger service.

The Commission under your leadership is to be highly commended for responding to this suggestion and submitting to the Commerce Committee the June 25, 1968 Report on Intercity Rail Passenger Service in 1968. This Report was very helpful to the Committee, as well as your testimony at the hearings held by the Senate Commerce Committee on the draft proposals accompanying the Report.

The Commission's Report thoroughly documents the conclusion that changes in federal policy are needed, and a comprehensive review of the present and future role of intercity rail service in meeting our national travel demands must be undertaken as a preliminary step towards accomplishing these changes.

Agreement was not reached on the Commission's legislative proposals to amend section 13a, and in the time remaining action on this legislation will not be completed. There is general agreement in support of the overall study proposed by the Commission into the existing and future potential for intercity railroad passenger service in meeting passenger travel needs. The Federal Railroad Administrator, Mr. A. Scheffer Lang, has advised the Committee of the Department of Transportation's support for this study, and indicated a number of rail passenger service matters now being looked into by the Federal Railroad Administration. A copy of Mr. Lang's letter is enclosed for your information.

The National Association of Regulatory Commissioners has proposed that the Senate enact a resolution calling for the I.C.C., in cooperation with the State Commissions, to conduct a six months investigation of the intercity rail passenger service problem, which would involve the development of a public record made by the holding of hearings open to all interested parties. This resolution would require, upon the conclusion of the investigation, that the I.C.C. and the State cooperators make specific recommendations to the Senate Commerce Committee as to practical means for identifying and preserving essential intercity rail passenger service.

I concur in the Commission's thinking that inasmuch as an evaluation of the present and future value of intercity rail service must be determined by considering it in relation to all other modes of travel, the Department of Transportation is the most appropriate Federal agency to direct the study.

The NARUC is correct it seems to me in suggesting that there is an area needing a Commission study and investigation. Before the Congress can determine whether the present and future needs for rail passenger service justify policies that will require greater commitments on the part of the Government, as well as carriers and others, the Congress must have reliable information on the costs of rail passenger operations and the means by which such expenses should be met.

The current edition of *Transport Economics* contains an analysis of the past 14 years of railroad passenger service revenues and expenses quite different from that usually presented by railroad industry witnesses. A number of newspaper articles have commented on this analysis, and the *Wall Street Journal* this morning contained an editorial suggesting a clear and calm assessment of the costs of rail passenger service and of the extent of the public's need for that service.

I urge the Commission to conduct an investigation of certain aspects of railroad passenger service to supplement its earlier June 25, 1968 Report. Because of the uncertainty and controversy that exists with respect to the matter of losses incurred by the railroads in providing passenger service, this investigation should focus on a determination of the actual net costs to the railroads in providing intercity rail passenger service and the means for reducing or meeting such costs.

While this investigation need not necessarily be a formal I.C.C. proceeding, I recommend that the Commission seek the assistance and cooperation of all interested parties, including the Department of Transportation and the State Commissions.

I urge the Commission to promptly begin needed preliminary steps to start this investigation. I promise my full support for favorable action on a commission budgetary request for this purpose next year so that the Commission's investigation can be brought to completion at the earliest possible date.

In closing, let me commend you and your fellow Commissioners for your actions to insure that the Nation's passenger transportation needs will be met now and in the future.

Sincerely yours,

WARREN G. MAGNUSON,
Chairman.

JUDGE OPPENHEIMER AND THE SECOND AMENDMENT

Mr. TYDINGS. Mr. President, as this Congress draws to a close, it will finally enact a meaningful law to help the States to protect their citizens against gun crime. That bill, soon to be reported from conference, provides less protection than our States and citizens need, but more than it seemed possible to enact a few short months ago.

Aside from the stark and tragic facts of political assassination and the tremendous gun crime rate, increased public understanding of the gun crime issue has been a major element in the increasing public demand for protection against gun crime. Especially helpful toward public understanding have been the articles on the gun crime issue by outstanding legal scholars.

One such article, written by Judge Reuben Oppenheimer, distinguished retired member of the Supreme Bench of Baltimore and the Maryland Court of Appeals, was published in the Baltimore Sun. I ask unanimous consent that Judge Oppenheimer's article "Gun Control and the Second Amendment" be printed in the RECORD. In the article, Judge Oppenheimer presents as accurate, incisive, and concise an analysis of the second amendment's "right to bear arms" as I have seen. His words should be studied by all Members of Congress concerned about the constitutional implications of gun laws.

There being no objection, the article was ordered to be printed in the RECORD. as follows:

GUN CONTROL AND THE SECOND AMENDMENT

(By Judge Reuben Oppenheimer[1])

CONGRESS TAKES AIM

(NOTE.—Goaded by two assassinations, Congress braved the combined opposition of southerners, westerners, target shooters, hunters and the National Rifle Association and took this year its first hesitant steps in the field of gun control in 30 years.

(Only last Wednesday, an Administration-supported proposal to register the sale of all fireams and license their owners was rejected by a lopsided 55-to-31 vote in the Senate. But by the end of the day, the Senate, by an even more lopsided tally (71 to 17), approved legislation to ban the interstate sale—over the counter or through the mails—of rifles, shotguns and ammunition.

(This measure would significantly extend the limited mail-order ban included in the omnibus crime bill President Johnson signed into law June 19. Under that legislation, the interstate sales ban would apply to pistols and similarly concealable weapons.

(The House and Senate versions of the bill that now go to a conference contain these features in common: An outright ban on interstate sale of rifles and shotguns; an interstate mail-order ban on the sale of handgun ammunition; stiff penalties for using a firearm in the commission of Federal crime; limitations on the sale of guns and ammunition to minors.)

As Congress nears the end of the long debate over control of firearms, it is evident that the issues are primarily political rather than constitutional.

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[1] Judge Oppenheimer, a noted legal scholar, retired a year ago after twelve years on the Supreme Bench of Baltimore city and the Maryland Court of Appeals.

Nevertheless, some opponents of more stringent firearms legislation continue to claim that proposed statutes supported by Federal and State law enforcement officials would violate the Second Amendment to the Constitution.

The Second Amendment reads as follows: "A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

The opposition of the National Rifle Association to more effective gun control may prevail, but to reject the proposed legislation because of a supposed absolute right of every individual to bear arms would be to ignore the meaning of the amendment in the light of its history and the many decisions interpreting it.

THE RIGHT TO BEAR WEAPONS

At the time the amendment was proposed, its framers feared the menace of a standing Federal Army, whose dangers to liberty had been shown in England and the colonies. As Federal and state courts have pointed out, the only and obvious purpose of the amendment was to protect the states in the maintenance of their militia against possible encroachment by the Federal power.

Unlike such basic individual freedoms as the right to trial by jury guaranteed by the Bill of Rights, the right to bear weapons was never regarded as an absolute personal privilege by common law.

As early as 1328, the English Statute of Northampton declared that no man should "go nor ride armed by night or by day in fairs, markets, nor in the presence of the justices or other ministers, nor in no part elsewhere." Violations of the statute were indictable under the common law.

RELYING ON THE CITIZENRY

From early times, the English had a militia system, under which landed proprietors were required to have in readiness specified arms, equipment and men at arms. Charles II, in his exile in France during the Commonwealth, had seen the advantage of a standing army under his sole control, and began to form one.

His successor, James II, virtually destroyed the militia, enlarged the army and quartered it upon the defenseless citizenry. After the bloodless revolution of 1688 and James II's flight, the Declaration of Rights asserted that the maintenance of a standing army—without the consent of Parliament—was illegal. The militia system was restored to its former status.

The American colonies had to rely on their citizenry to defend them against foreign and domestic enemies and therefore required every man of military age to arm himself. This was the equivalent of the English militia system which James II had attempted to destroy. One of the grievances recited in America's Declaration of Rights was that the King had kept standing armies among the people in times of peace, without the consent of their legislatures.

The Constitution, as originally adopted, limits the right of Congress to raise and support armies by the provision that no appropriation for that purpose shall be longer than two years. Congress is given the power to organize and arm the militia, while to the states is reserved the appointment of the officers and the training of the militia, according to the discipline which Congress prescribes.

When the Second Amendment was proposed, Elbridge Gerry of Massachusetts, in commenting on its history, noted that the Crown had quartered troops in Massachusetts and had forbidden the organization of a colonial militia. There is no mention in the reported congressional debates on the amendment of any individual "right" to bear arms; the only concern was the protection of the State militia.

The purpose of the amendment to secure a "well-regulated militia" has obviously been achieved. For nearly a century and a half, Congress has provided for the arming of the enrolled organized militia, now generally known as the National Guard. The arms have always been similar to or identical with those provided for the defense forces of the United States. For over 50 years, no member of the organized militia has been required or permitted to supply his own arms.

If the Second Amendment is to be read as forbidding Congress from taking any action in regard to the individual possession or carrying of firearms which would prevent citizens from functioning as state militiamen, there is nothing in the pending firearm legislation which would interfere with that function. The Federal Government itself supplies the arms which the militiamen need.

Most state constitutions have provisions similar to the Second Amendment, some of which were in effect when the amendment was adopted. Almost without exception, state courts of last resort have upheld laws regulating or restricting the carrying of firearms.

COURT IS UNANIMOUS

The Federal courts which have passed on the question have been unanimous in holding that the Second Amendment does not prevent Congress from regulating the sale or possession of firearms. The National Firearms Act of 1934 levied taxes on dealers in certain firearms and required the registration of the arms not acquired in accordance with the provisions of the act.

One case, involving the constitutionality of the act, went to the Supreme Court. The court, unanimously upholding the conviction in the case, held that the Second Amendment does not guarantee the right to keep and bear any weapon not having "some reasonable relationship to the preservation or efficiency of a well-regulated militia."

The Firearms Act of 1938, among other provisions, made it unlawful for any person convicted of a crime of violence to receive a firearm transported in interstate commerce. Two Federal circuit courts upheld the constitutionality of this provision against the contention that it violated the Second Amendment. Both opinions found that the amendment had not been adopted with individual rights in mind, but only to preserve the state militia.

FBI STATISTICS CITED

The Supreme Court reversed one conviction, not because of the Second Amendment, but because it found a statutory presumption as to the effect of possession of a firearm invalid under due process of law. The court declined to review the other conviction.

FBI figures show an 89 per cent rise in serious crimes since 1960. Violent crimes increased by 16 per cent during 1967 and 21 per cent so far this year. Firearms were used in 47 per cent of all murders in 1966 and in 63 per cent of the murders in 1967.

Despite these facts Congress may be persuaded that a more effective Federal control of firearms is inadvisable, but such a conclusion could not validly be based upon the Second Amendment.

WALK FOR DEVELOPMENT

Mr. BURDICK. Mr. President, something happened in Fargo, N. Dak., on Saturday, September 28, that caught the attention of not only the New York Times, but also our own Vice President HUMPHREY.

The Times of that date carried a report on the Nation's first "walk for development"—a walk organized by the American Freedom From Hunger Foundation, a Washington-based group representing the United Nations Food and Agriculture Organization.

An estimated 3,000 people, mostly teenagers, walked a 33-mile route in Fargo and neighboring Moorhead, Minn., to earn money to feed the hungry.

Vice President HUMPHREY considered it an important enough event to send the following telegram to walk headquarters in Fargo:

> I wish I could join you and I am proud of the young people of America for their growing sense of purpose and their unselfishness to those less fortunate. You have a commitment to a worthy cause. America must lead in bringing forth a new prosperity to the developing world. My thoughts will be with you as you walk your 33 miles. I know your steps are the beginning of a long journey—a journey which will end hunger and disease throughout the world.

The Times reported the following details:

> Pledge cards were made out by donors to pay each walker so much a mile. Teachers persuaded their classes to sponsor them, getting a few pennies per student in grade school for every mile, and increased amounts from those in higher grades or in college. Sponsors ranged from the smallest children to downtown merchants.
>
> A Fargo school girl appeared to have the highest in pledges. She was walking for $16.50 a mile.
>
> Downtown, shoppers cheered the walkers on. In residential neighborhoods, men doing their Saturday chores stopped to wave. The walkers waved back, shouted and sang songs.
>
> Some of the walkers carried packs with food and drink, but restaurants and drive-ins along the way got a considerable walk-in trade.
>
> It will be a week or so before the amount earned today can be tabulated, but, according to a spokesman for the sponsoring group, similar walks in Canada have been earning up to a dollar a person.
>
> He estimated that the Fargo-Moorhead walk would bring in $50,000 to $80,000. The money will go for a United Nations agriculture training project in Dahomey, West Africa; a nutritional education program among North Dakota Indian families, and a national information project on freedom-from-hunger campaigns.
>
> Today's was the first such walk (they do not like to call them marches) in the United States. Others have been held in Canada for the last two years and in Western Europe, according to Robert Moses of Fargo, who is in charge of youth activities for the American Freedom from Hunger Foundation.
>
> He said the organization was established in 1961 at the request of the United Nations Food and Agriculture Organization.
>
> A youth committee, with William Schlossman Jr. of Fargo as chairman, planned the march here.
>
> Mr. Moses said the next walks were scheduled for Grand Fords, N.D., and Madison, Wis., on Nov. 2, and at Eugene, Ore., Nov. 16.

H. Brooks James, Assistant Administrator for the Office of War on Hunger, AID, in his congratulatory message to the walkers, said:

> You are joining battle and taking up a new cause. You have enlisted in a new army, together with your sisters and brothers and friends to fight against man's oldest enemies—famine and pestilence, malnutrition and disease. You can be sure that your cause is just. I congratulate you. I salute you and wish you every success as you go out and tell the world what America is all about.

The Fargo-Moorhead Sunday Forum, The Youth Forum, and the North Dakota State University paper, the Spectrum, all gave extensive coverage to this important event.

Mr. President, I ask unanimous consent that the complete text of these three newspaper articles about the Nation's first "walk for development" be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the North Dakota State University Spectrum, Sept. 26, 1968]

Thousands To March: Nation's First Walk To End Hunger This Saturday in Fargo-Moorhead

(By Sandy Scheel)

"It's bigger than the Beatles," invited flyers advertising the first Walk for Development in the nation, being held in Fargo this Saturday. The 33 mile walk along the streets of Fargo-Moorhead begins at 7:30 a.m. and lasts until the last walker completes the route.

"In choosing Fargo as the first walk site, we're playing on the Red River Valley nickname, 'breadbasket of the nation,'" said Robert Moses, American Coordinator for the campaign. "The projects the walks pay for are mainly agricultural, so we're centering our first walks in the agricultural areas of the nation."

Over 1100 high school students had already registered for the walk by last weekend. Bloc registrations by university organizations and additional group and individual registrants are expected to drive the number of participants up near the 400 mark.

SAEs signed up 50 members to march under the chapter's banner. Sigma Chi members will march 20 to 30 strong. Additional Greek support is expected by campus coordinators Ann Kapaun and Susan McNulty.

State and local civil leaders will march with the students in an attempt to raise $80,000 for the campaign. Lieutenant Governor Charles Tighe, Senator Quentin Burdick, Fargo Mayor Herschel Lashkowitz and Moorhead Mayor Ray Stordahl are joining the daylong march through the cities.

"Our goal of $80,000 is based on one dollar per person in the community," said Bill Schlossman, coordinator of the walk.

Purpose of the walk is to raise funds for three projects associated with the United Nations Campaign. The first will help support training boys in Dahomey, West Africa, in methods of agriculture.

A second project will provide training for Indians of North Dakota in nutrition and health education. Additional funds will support a national information agency within the foundation.

Registration forms are available today and Friday at the Information Desk in the Union for late registrants who want to participate.

Walkers find supporters for their walk at specific rates per mile and validate their registration cards at 12 checkpoints along the march route. Three-part cards contain maps of the route. They also include information on preparing for and surviving the walk.

Nationwide TV networks and national press will cover the walk, a preliminary to similar walks which have been slated around the country. Two walks are tentatively scheduled to be held Nov. 2, in Grand Forks and Madison, Wis.

According to Moses, eight or nine walks will be held by the end of the year. Plans are being formed to make the walks an annual event, on John F. Kennedy's birthday.

"A film and manual will be prepared about the Fargo-Moorhead walk to serve as a guide for walks throughout the country," said Moses. "We're hoping to send organizers of the local walk around the country to help their cities plan their walks."

Fargo walkers have received support from throughout the nation. A phone call from President Johnson has expressed his delight and best wishes to the walkers.

"Youth committed to improving the world could make foreign aid obsolete in the next generation," said Leonard Wolf, the new head of the American Freedom from Hunger Foundation.

Wolf, who recently headed the U.S. War on Hunger Program in Latin America was in Fargo last weekend to help complete plans for the walk. The Foundation is expanding efforts in the United States to support the drive to improve development of less-advanced countries, according to Wolf.

"Miles for Millions" walks were held in Ottawa and Winnipeg, Canada, where both the number of participants and the amount raised surpassed the expectations of the planners.

Ottawa residents had nearly 4000 people marching down their streets on April 8, led by former Prime Minister Lester Pearson. By the time the last walker staggered to the end of the Ottawa walk, a total of $82,000 had been earned for United Nations projects.

Further information about the walk may be obtained by calling the local campaign office at 237-0512. The headquarters is located in Room 303 of the Black Building in Fargo.

[From the Fargo-Moorhead (N. Dak.) Sunday Forum, Sept. 29, 1968]

Nice Day for Walking

(By Rod Deckert)

"Ohhhh, oh the pain" . . . "blisters on top of blisters, that's what I've got" . . . "I don't think I can get up again."

It sounds easy enough, to take a walk. But it turned out to be a day of suffering for many of the more than 3,000 persons who "Walked for Development" through Fargo-Moorhead Saturday.

Through their self-imposed agony they were hoping to help alleviate the suffering of others they consider less fortunate by raising thousands of dollars for three Freedom from Hunger projects.

The all-day walk was organized by F-M youths in cooperation with the American Freedom from Hunger foundation, which represents the United Nation's campaign against hunger in the United States.

Made up almost entirely of youths—from grade school to college—the walk started at 9 a.m. at Fargo's Island Park and wound its way for 33 miles through both cities.

Early in the morning the walkers covered a seven-to-eight block area; by mid-day the distance was stretched to several miles as varying degrees of physical endurance emerged.

For the kids, weariness, flushed faces and sore feet seemed to set in after about eight miles. For some of the hopelessly out-of-shape adults it took only a few blocks.

The walk was orderly; police reported only minor problems, such as walking on lawns. At times it was disorganized—frozen baloney sandwiches were passed out at one stopping point, many were left thirsty when refreshments ran out and some walkers were "uptight" about the lack of bathroom facilities along the route.

Why were they walking?

"So people can eat" . . . "to show a concern" . . . "something I can do for poor people" . . . "to get money for the Indians"

Understandably, some of the grade schoolers were a little fuzzy about the walk's purpose. "I just like signing up for things," said Don Roesler, 11, a 6th grader at Agassiz School in Fargo. Outfitted with a knapsack and canteen, Don said, "It's gonna be rough, but I think I'll make it."

One youngster, who was in such a rush he said he could not give his name, was asked if he had a sponsor (each walker had sponsors who pay so much for each mile walked).

"Yup, I wouldn't be walking without one," he said. "I'm not doing this for my own development, you know."

Most of the dignitaries and celebrity types walked for a few blocks as a gesture and then dropped out. Two exceptions were Jim Adelson, of KXJB-TV, and Jack Faroulo, grand exalted ruler of the Fargo Elks. They both made it six miles to the North High check-point after bringing up the rear (the very rear) of the walk. Adelson kept asking, "this isn't a race, is it?", but he earned more than $50 for his effort.

The amount of money pledged per mile varied greatly: 10 cents, 48 cents, 72 cents, "about seven dollars." One boy was worth 27 cents a mile—27 sponsors at a penny a mile.

A few of the adults surprised themselves, lasting until midday and beyond. Bertha Stedje, a parish worker for First Lutheran Church in Fargo, was worth more than $180 by the time she had reached the 1st Avenue bridge (12.3 miles at $15 a mile).

Bertha's companion, Olga Piepkorn, a 6th grade teacher at Nativity School in Fargo, wondered if she was the oldest walker at 62 years.

Was it really worth it, all this walking?

"Oh, man yes, I have a little ache in my bad knee. But I'm walkin' to show my kids I'm with them all the way," said Olga.

With that, the two women hobbled off to cross the bridge into Moorhead.

[From the Fargo-Moorhead (N. Dak.) Youth Forum, Sept. 17, 1968]

Fargo-Moorhead Students "Fire Up" for Foot Power Project

(By Rod Deckert)

"Foot Power" is their slogan and concern for the hungry peoples of the world is their motivation.

They are more than 100 students from seven Fargo-Moorhead area high schools who are organizing a day-long 33-mile "Walk for Development" to raise money for three Freedom from Hunger projects.

On Sept. 28, starting at 9 a.m. at the south side of Fargo's Island Park, young people (adults are welcome too) will walk along a predetermined route through Fargo and Moorhead, returning to the park several hours and many blistered feet later.

The walk will provide funds for the American Freedom from Hunger Foundation, a Washington-based organization representing the United Nations Freedom from Hunger Campaign in the United States. The walk is the first of its kind in the United States, patterned after similar activities in Canada.

The local students are now securing sponsors who will pledge an amount of money for each mile a walker walks. Walkers will submit a pledge card in advance showing the amount per mile the sponsor—a friend, relative, neighbor, local businessman—has agreed to pay the walker.

The pledge card will be carried by the walkers and checked at a number of points along the route to prove to the sponsors that the walkers made it as far as they claimed they would.

Each walker will make a follow up contact with the sponsor to bring in the amount pledged. Each pledge card is numbered and accounted for by student directors of the walk, to assure no money is "misappropriated." Pledge cards along with the money collected will be deposited in a local bank.

Where will the money go?

Of the money collected, 42.5 per cent will support a United Nations agriculture training project in Dahomey, a small West African nation; 42.5 percent will go for a nutritional education program among North Dakota Indian families; and 15 per cent will be used by the Freedom from Hunger Foundation for a national informational project on future efforts.

The Dahomey project will establish five training centers for illiterate rural boys, plus 45 4-H type youth clubs which will train 1,500 boys in agricultural methods. The money will also help purchase seeds, tools, equipment and insecticides.

Under the supervision of the United Tribes of North Dakota, the project on the state's four Indian reservations will provide training for from 8 to 16 qualified Indians and employment on completion of training as nutritional and consumer buying counselors for Indian families.

Coming on the heels of the Chicago demonstrations, the thought of several thousand students moving along the streets of Fargo-Moorhead, regardless of their good intentions or motivations, has brought some adverse reaction to the F–M walk.

But rather than discourage local students, this negative response seems to have made them even more determined and dedicated to making the walk a success. They say they are tired of hearing criticisms about the unconstructive activities of youth, and they want to prove themselves.

"We are walking for something instead of against something," said Bill Schlossman, Jr., a senior at Fargo South who is coordinating director of the walk.

"This is going to be a *walk*, not a march or a protest or a demonstration," said Jackie Voss, publicity chairman and a senior at Fargo North.

The walk organizers admit they are not concentrating on trying to appeal to altruistic desires to "save the starving world," but rather to "fire-up" the students by getting them involved in the activity of the walk first, hoping that most of them will come out of the experience with a deeper understanding of the walk's purpose.

They hope that after, say, 20 miles of walking, when feet begin to hurt and legs start to turn to rubber, the walkers will begin to start thinking about why they are doing this thing.

Jackie said, "It is hard for us in Fargo-Moorhead to comprehend the problem of hunger, and we hope the walk will help us become aware of it."

Although the walk was suggested to them by adults from the Freedom from Hunger Foundation the students are emphatic when they say "this is our project and we are running it."

They have talked with Canadian students and think they have learned something from the Canadians' experiences. As in Canada, they are trying to involve as many adults as possible, including "important" people—politicians, dignitaries, teachers, ministers.

Jackie related a story from the Winnipeg walk:

"A priest was pledged two cents a mile from each of his parishioners. He was a huge person and they thought he might make it a couple of blocks. When he quit, he had walked over 20 miles at $750 a mile."

The students are praying for the same kind of effort here.

[From the New York Times, Sept. 29, 1968]

Three Thousand Aid Hungry by 33-Mile Walk—Donors in Fargo Give Funds for U.N.-Backed Projects

Fargo, N. Dak., September 28.—Fathers with their youngsters, high school and college students, politicians, television personalities, teachers and religious leaders walked together here today to earn money to feed the hungry.

An estimated total of 3,000 people, mostly teen-agers, set out on a 33-mile hike over a pre-set route in Fargo and neighboring Moorhead, Minn.

Most of the marchers were students. Fraternities and sororities from three colleges in the two communities took part. Walking conditions were perfect on a crisp fall day.

Pledge cards were made out by donors to pay each walker so much a mile. Teachers persuaded their classes to sponsor them, getting a few pennies per student in grade school for every mile, and increased amounts from those in higher grades or in college. Sponsors ranged from the smallest children to downtown merchants.

AT $16.50 A MILE

A Fargo high school girl appeared to have the highest in pledges. She was walking for $16.50 a mile.

Downtown, shoppers cheered the walkers on. In residential neighborhoods, men doing their Saturday chores stopped to wave. The walkers waved back, shouted and sang songs.

Some of the walkers carried packs with food and drink, but restaurants and drive-ins along the way got a considerable walk-in trade.

The walk was organized by the American Freedom From Hunger Foundation, a Washington-based group representing the United Nations Food and Agriculture Organization.

It will be a week or so before the amount earned today can be tabulated, but, according to a spokesman for the sponsoring group, similar walks in Canada have been earning up to a dollar a person.

ESTIMATED $50,000 TO $80,000

He estimated that the Fargo-Moorhead walk would bring in $50,000 to $80,000. The money will go for a United Nations agriculture training project in Dahomey, West Africa; a nutritional education program among North Dakota Indian families, and a national informational project on freedom-from-hunger campaigns.

Today's was the first such walk (they do not like to call them marches) in the United States. Others have been held in Canada for the last two years and in Western Europe, according to Robert Moses of Fargo, who is in charge of youth activities for the American Freedom From Hunger Foundation.

He said the organization was established in 1961 at the request of the United Nations Food and Agriculture Organization.

A youth committee, with William Schlossman Jr. of Fargo as chairman, planned the march here.

Mr. Moses said the next walks were scheduled for Grand Forks, N.D., and Madison, Wis., on Nov. 2, and at Eugene, Ore., Nov. 16.

NATIONAL PARKS EXPANSION

Mr. JACKSON. Mr. President, on June 26 I placed in the Record for the information of Senators the first eight of a series of articles on the theme "Will Success Spoil the National Parks?" written by the distinguished Washington correspondent of the Christian Science Monitor, Mr. Robert Cahn.

The series of 15 articles has now been completed. They constitute one of the most comprehensive and readable reviews of our national park system which has appeared in print. Mr. Cahn traveled 20,000 miles and coupled his personal observations with hundreds of interviews in order to tell us about the outdoor areas under the jurisdiction of the National Park Service. He describes the successes and the problems with candor and perception. His articles deserve the attention of the Senate and of all Americans interested in the great natural treasures which are entrusted for safekeeping to our national park system.

Mr. President, I ask unanimous consent that articles numbered 9 through 15 in the series entitled "Will Success Spoil the National Parks?" published in the Christian Science Monitor, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record,

The Rocky Road to Park Expansion

(Note.—President Johnson has proposed that the U.S. national park system be completed by 1972, 100th anniversary of Yellowstone, the first park. But lack of funds plus opposition from various sources to any new park make achievement of this goal highly unlikely even in a decade.)

(By Robert Cahn)

Adirondack Mountains, N.Y.—We followed the graded road through the scenic foothills of the Adirondack state park. Trees on either side were defaced with no-trespassing signs.

Then a large sign: "Elk Lake Lodge, private park, all persons are warned against hunting, fishing, or camping hereon or trespassing for these purposes without express permission from the owners. Violators will be prosecuted."

Not easily intimidated, we pressed on. A few yards up the road, we encountered another sign, pointing to a trail: "Forest Fire Tower, Boreas Mt. Public Welcome. New York Conservation Department."

Funny way to run a public state park. Were we legal or illegal?

If our purpose was hiking, we soon learned, we could follow the trail along New York State lands. But Elk Lake itself—a picturesque jewel in the wilderness—and all the access points to it, were on private property, open only to paying guests.

NATIONAL PARK URGED

And that, we discovered, was one of the chief reasons that Laurance S. Rockefeller and others were advocating the establishment of a national park here. The proposed park constitutes the largest wild area still available east of the Mississippi.

Today, 76 years after New York created Adirondack state park, only 40 percent of the land within the boundary has been acquired for public use. The rest is private. Much of the best wilderness is owned by clubs as well as by lumber companies, real-estate developers, and other commercial interests.

California, the most populous state, has four national parks and eight national monuments with just over 3 million acres; New York, a close second in population, has no national parks and no national monuments with natural areas.

Laurance Rockefeller, the conservation-minded one of the famous brothers, seeks to remedy this imbalance. He helped finance a study in which three experts came up with a plan to establish a 1.72 million-acre Adirondack Mountains National Park. It would include most of the present state park, but would have the advantage of stimulating the purchase and preservation along with it of the private lands within the park.

A national park in this area would also be within a one-day drive for one-fourth of the nation's population.

The New York State Conservation Department, which supervises the forest-preserve lands within the state park, strongly opposes a national park. Chief among its arguments are that the proposed park would disorganize the timber industry, would shut off an area of 1.7 million acres to thousands of hunters who generate $4 million a year in business, and would have an adverse effect on the state's water resources.

Gov. Nelson A. Rockefeller has ducked the issue for the time being, referring it to a study group that is to report back to him in April, 1969. The National Park Service is withholding its own analysis on the issue.

The state-owned wilderness lands in the state park are protected by a "forever wild" constitutional provision that requires Legislature and citizens to approve any change in use. But private lands are gradually being lost to real-estate development and other commercial activity.

HIKERS DIVIDED

In my visit to the Adirondacks area I discovered the issue divides even those using the hiking trails.

"I'm in favor of making a national park

here and keeping the land from being commercially developed," said Alfred Bender, from Long Island, whom I met on the Mt. Marcy trail. "Some of the lakes we used to visit already have been ruined," he added.

"The federal government louses up everything," said Marvin Samansky of New York City, another hiker on the Mt. Marcy trail. "The national park might be good in that it would let a lot more people come. But I'm selfish. If the National Park Service took it over they might put roads in and people would be driving all through it."

It is unfortunate that the National Park Service, in need of additional area to take care of future demands, suffers from its blurred image among some citizens. These citizens think it devotes too much attention to providing roads, campgrounds, commercial development, and mass recreational attractions such as beaches and scenic parkways.

This view of the park service was perhaps encouraged by Mission 66, with its annual ballyhoo about increased visitation and all the road improvements, new visitor centers, and other construction over the 10-year program which ended in 1966. And the recent outburst of articles and TV programs depicting the slumlike conditions in Yosemite Valley have spread the idea that all parks are overcrowded.

Current policies of the National Park Service are swinging away from new roads and increases in park commercial development, although the increasing number of Americans wanting to visit the parks brings new pressure each year to add to campgrounds, roads, and service facilities.

NEW PARKS SCARCE

The National Park Service hopes to acquire additional areas to meet the demands of present and future generations. The federal government also is seeking to help states obtain new park sites before all the prime land goes under the bulldozer or blacktop.

In his 1966 conservation message to Congress, President Johnson asked that the national park system be completed by 1972, the 100th anniversary of the world's first national park, Yellowstone. But no one has ever defined what a "complete" system should include. Furthermore, lack of funds plus opposition from many sides to each new park proposal make it highly unlikely that the park system will be completed even in a decade.

In the last 20 years only two entirely new national parks have been established—Virgin Islands in 1956 and Canyonlands in Utah in 1964. Virgin Islands was entirely a gift from Laurance Rockefeller. Canyonlands was acquired from public domain and state lands.

A 33rd national park, Guadalupe, in Texas, was authorized in 1966, but does not yet have enough area to be legally established and available for visitors. More than 90 percent of the projected park was private property; Congress so far has appropriated only enough money to purchase one-fifth of it.

REDWOOD PARK PLANNED

If the proposal for a redwood national park in California survives the political battle now going on, it could become the 34th national park. With the price tag on the private lands for the park ranging from $65 million to $110 million (depending on whether other federal lands are exchanged), it might take a number of years to acquire the land.

North Cascades National Park in Washington may become the next park available for public use, along with the adjoining proposed Ross Lake and Lake Chelan National Recreation Areas. This complex of rugged alplike mountain ranges, glaciers, valleys, and lakes near the Canadian border is 99 percent in federal ownership, and thus has little land-acquisition cost.

The Senate already has approved the park, and the House is expected to add its approval shortly. The park is mostly wilderness area. Two proposed aerial tramways will allow visitors other than experienced mountain climbers to gain some appreciation of one of the heretofore inaccessible parts of the nation.

PURCHASE PRECEDENT SET

Establishment of a new park area is far more complicated now than in 1872, when Congress could carve Yellowstone out of the abundant public domain and declare it a national park. In the ensuing 90 years other parkland was added to the national park system through transfers from federal agencies or gifts from states, individuals, or philanthropic organizations.

But until 1961, Congress refused to establish any new parks (other than historic sites) which required federal funds for purchase of the basic units. In that year Congress authorized $16 million from general funds to buy privately owned land for the new Cape Cod National Seashore, and thereby gave its blessing to the use of tax funds to buy new parks.

What will be next after the Cascades and redwood parks? The National Park Service has a number of areas under study, and bills have been introduced in Congress for some of them. Much of the area needed for new parks is in private hands and its purchase will require sizable federal funding.

Also, the park service estimates it will take (at present prices) $155 million just to acquire the private lands still to be purchased in park areas that have been authorized since 1961. Noting this tremendous backlog, House Interior Committee Chairman Wayne N. Aspinall says that no additional park areas will be authorized by Congress until a way of financing them has been worked out.

One proposal now before Congress would expand the land and water conservation fund to authorize an additional $100 million a year or more out of continental shelf oil revenues to be used for the purchase of new federal and state park and recreation areas. The issue now is being decided by a House-Senate conference committee which is trying to thrash out disagreements between the two sides of Congress.

If the proposal passes intact, the opportunities for new national parks would be greatly enhanced.

RELUCTANCE LIKELY

However, Congress and the administration will be reluctant to commit money for parks until the Vietnam war costs recede. Furthermore, proposed park areas still must get sufficient backing from Congress and conservation groups to offset the customary opposition of those who, for one reason or another, are against park expansions.

In the populous northeastern section of the nation, which now has but one national park (Acadia in Maine), the only remaining area considered large enough and of park quality is the Adirondacks. Most of the best potential areas are in the West.

Following are some possibilities for new parks and the prospects for their establishment. Those marked (A) have been studied by the National Park Service and approved by the Secretary of Interior's Advisory Board on National Parks.

Alaska—Glacier Bay National Park (A): Redesignate national monument and terminate mining in the area. Glacier Bay would be larger than Yellowstone, now the largest national park. Glacier Bay has spectacular glaciers coming down to the ocean, breathtaking mountain ranges, and rare wildlife species. Prospects—fair.

Alaska—Katmai National Park: The park proposal would redesignate the present national monument, home of the world's largest bear, the brown Kodiak bear, and unique Valley of Ten Thousand Smokes, scene of the violent eruption of 1912. The area is almost entirely wilderness and would become the largest park in the national park system. Prospects—good, once studies have been made.

Arizona—Sonoran Desert National Park: The plan would enlarge present Organ Pipe Cactus National Monument and add most of the Cabeza Prieta federal game range to make a 1,242,000-acre park, all out of federally owned land. Legislation has been introduced in Congress. The area has the last sizable expanse of Sonoran type vegetation in the nation, and is a sanctuary for rare desert bighorn sheep. Prospects—fair.

California—Channel Islands National Park (A): The proposal, introduced in this session by three California congressmen, would greatly enlarge the present national monument consisting of Santa Barbara and Anacapa Islands. It would add San Miguel Island (now under the Navy), as well as Santa Cruz and Santa Rosa Islands (now privately owned). These five islands exhibit a unique combination of islands, seashore, and related marine values resulting from a million-year isolation from the mainland, and include sea elephants, fur seals, sea lions, great rookeries of nesting sea birds and significant geological structures. Prospects—fair.

California—Death Valley National Park (A): Another redesignation of a national monument, with mining to be abolished. Prospects—long delay.

Hawaii—Kauai National Park (A): This park would be in the northwestern portion of the island of Kauai, and would contain such outstanding features as the Na Pali Cliffs, Haena and Barking Sands undeveloped beaches, Alakai Swamp, Waimea Canyon (the Grand Canyon of Hawaii)—all in an area in which rainfall varies from 20 inches to 500 inches a year. Much of the land now is owned by the state. Legislation has not yet been introduced, and there is strong state and local opposition. Prospects—long delay.

Minnesota—Voyageurs National Park (A): This 103,000-acre park on the Canadian border is in an outstanding setting of lakes and wilderness, and would include a 40-mile portion of the route of the voyageurs—the intrepid 18th-century fur traders who opened up America between the Great Lakes and the Rockies. Half of the land would have to come from a lumber company which opposes the park unless other lands are obtained in a trade. Cost of the park—$20 million for the private lands—is also a major problem. Prospects—fair.

Nevada—Great Basin National Park (A): This proposed area would preserve a remarkable cross section of plant and animal life, extending from the desert floor through five life zones to the 13,063-foot Wheeler Peak. The basin contains 14 mountain peaks with an elevation greater than 10,000 feet, the Lehman Caves National Monument, Lexington Arch which spans an opening higher than a four-story building, and five alpine lakes—all within an otherwise arid region. Prospects—poor.

New Mexico—Valle Grande-Bandelier National Park (A): This would combine Valle Grande, one of the greatest collapsed volcanic summits in the world, with Bandelier National Monument and its Indian ruins. Prospects—poor.

Oklahoma or Kansas—Prairie National Park: This park would reserve in its natural state a typical example of prairie, with its bird life, flowers, and sweep of grassland, and would give the opportunity to show the meaning of prairie and the park it played in the development of the country. Prospects—poor.

OTHER AREAS UNDER STUDY

Natural areas having the best opportunity of being added to the park system as national monuments include: Big Thicket, Texas; Biscayne, Florida; Congaree Forest, South Carolina; Florissant Fossil Beds, Colorado; Fossil Butte, Wyoming; Great Salt Lake, Utah; Cape Fear, North Carolina;Hualapai, Arizona; and Fahkahatchee Strand, Florida.

National seashores or lakeshores being considered for establishment include: Cumberland Island, Georgia; Oregon Dunes; Gulf Islands, Florida and Louisiana; Canaveral, Florida; Sleeping Bear Dunes, Michigan; Apostle Islands, Wisconsin; Guam (in the Pacific); and Sandy Hook, New Jersey.

National scenic rivers being considered include: Buffalo River, Arkansas; St. Croix, Minnesota and Wisconsin; Potomac, Maryland and Virginia; Suwannee, Georgia and Florida; Wolf, Wisconsin; and a section of the upper Missouri River in Montana to be designated the Lewis and Clark national scenic river.

Private Pockets in Public Parks

(Note.—Only 7 of the 32 established national parks in the United States are completely in public ownership. Privately owned "inholdings" exist in all the other parks and in many national monuments.)

(By Robert Cahn)

Olympic National Park, Wash.—This 896,000-acre park in and around Washington's rugged Olympic mountains has two distinctions.

It contains some of America's most magnificent scenery and wilderness—snow-capped mountains, rain forests, dense stands of giant Douglas fir, alpine lakes, and miles of primitive ocean beach.

It also contains 550 pockets of private property—6,416 acres divided into more than 1,200 tracts.

National Park Service Director George B. Hartzog Jr. says these pockets of private property—which the service calls "inholdings"—are a threat to the integrity of the park.

For example, an abandoned, half-burned sawmill and a collection of ramshackle cottages desecrate the view in one area. In another, a landowner is believed to be planning to sell to real-estate subdividers property in the heart of the park's winter elk range.

Other national parks also have inholding problems, some of them extensive. Actually, only seven of the 32 established national parks are completely in public ownership. When a national park is established, legally defined park boundaries almost always include *some private property.*

PROPERTY VALUES SKYROCKET

"Inholdings are a major problem," according to Mr. Hartzog. "It's like the worm in the apple. They may not take up much of the total park area. But they tend to cluster around the prime scenic attractions or along natural access routes, where they are seen by millions of visitors."

"On private lands within parks you will find lumber yards, pig farms, gravel pits, logging operations, and sheep and cattle ranches," he says. "Plus power plants and mine shafts, auto junk yards, garbage dumps, private plane landing strips, and proliferating residential subdivisions."

In the 66 national parks and monuments designated as natural areas, private owners hold less than 300,000 of the total 22.5 million acres. But, Mr. Hartzog points out, current inholdings cover twice as much land as is now developed for public use (roads, campgrounds, lodges, stores, etc.) and which absorbs the brunt of visitation.

All of the inholdings in natural areas could have been purchased in 1961 for $59 million. Due to rising land values, these same inholdings would now require $143 million for purchase, an increase of 142 percent in seven years.

Driving along U.S. 101 at the edge of Olympic National Park one day last summer, I noticed a small sign.

"Elwa campsites for sale," it read. "Three miles on right."

Following a tree-lined road alongside the peaceful Elwa River, I came upon the 30-acre subdivision right in the heart of the park. Dirt roads had been bulldozed out of the timber grove, and 50 or more small lots (a tenth of an acre each) were staked out in blocks, side by side and back to back, city-housing-tract style.

On each lot was a sign: "$2,500. $300 Down. $25 a month." Nowhere was there a mention of the fact that the development is in a flood plain on which the Elwa River frequently overflows, and that no houses can be built there—the lots are only for trailers, camper vehicles, and tents.

SPECIFIC EXAMPLES CITED

In another area even deeper into the park I ran across a rundown resort, complete with shabby cottages, tennis courts, a pool, and a small lodge. This was Sol Duc Hot Springs, a major thorn in the park's side until Congress finally appropriated enough money for its purchase by the National Park Service two years ago.

The selling price was $880,000 for the 320-acre resort, more than 3½ times the appraisal obtained by the government five years earlier.

In the southern end of the park, alongside the Quinault River, I saw an 875-acre tract which constitutes Olympic National Park's biggest inholding problem. Park service officials have heard that the owner is ready to sell to real-estate developers and the National Park Service may have to take condemnation proceedings to prevent the land from being subdivided.

The park service succeeded in purchasing three inholdings in the last year; but because of subdivision sales, the number of individual private owners in the park increased from 426 to 550.

A thousand miles south of Olympic Park, the inholding situation at Yosemite National Park confronts park officials with difficult problems. Yosemite's privately owned area is relatively small—720 acres (plus 1,728 acres owned by the City of San Francisco). The troublesome part is that almost all of the 559 owners of private tracts are grouped into three communities.

The most severe problems come from the Wawona area along the south fork of the Merced River.

This already developed section could support camp grounds and visitor facilities for thousands of visitors a year—thus relieving the pressure from overcrowded Yosemite Valley. On homesteaded land acquired before the national park existed, a hodge-podge village has grown up with all the problems of a small town.

The 390 privately owned acres are divided into 458 private tracts. Seventy people live there permanently, and about 1,200 people can sleep at Wawona village each night in the summer.

I saw motels and trailer courts, old cottages, modern $60,000 homes, and others under construction.

In one new development, small lots are being sold for from $5,000 to $10,000; "cottages" being built on them start at $16,000.

In addition to other inholdings problems, park service personnel must spend an enormous amount of time investigating vandalism and domestic squabbles, issuing building permits, watching for fire hazards, and checking on sanitation. (No sewage system exists, and there is real danger of polluting the south fork of the Merced River, which is used by thousands of park visitors each year at a public campground a few miles downstream.)

"The government shouldn't be providing summer homes for a few people within a national park," commented one park official.

The park service has tried to buy up tracts in Wawona village when they come on the market. It now owns 250 acres of the 640-acre Wawona section, as well as the once-luxurious Wawona Hotel (with golf course, tennis courts, and swimming pool). But the history of land acquisition has been one long sad story after another.

The classic example is a tract of 163 acres, near Wawona, purchased in 1948 for $2,550 by a Mrs. Adeline Udell at a county tax sale. The land, on a very steep hillside, has been logged over and was swept by fire in 1951. The park service started negotiations in 1951 for the purchase of the tract, which was then appraised at $14,500.

Mrs. Udell turned down a park service offer of $15,000. In 1956, she gave the park service an option to buy the land for $20,000. But Washington officials decided they could spend only $15,500. By 1959, the asking price had gone up to $25,000, and the land was reappraised at $27,500.

While the park service was still considering it, three men purchased the property in 1961 for $25,000, and later formed the Juniper Land company. The park service offered $31,500 for the land in 1964. The owners rejected it.

The Yosemite National Park superintendent, fearing subdivision, asked his superiors in Washington to start condemnation proceedings. Nothing happened. The park service, in 1965, offered $175,000 for the land. The offer was not accepted.

One summer day in 1965, while Yosemite rangers watched helplessly, bulldozers started tearing up the hillside, crisscrossing it with roads, staking out 123 quarter-acre lots, many of which had slopes too steep for building.

Shortly afterward the government filed condemnation proceedings, took title to the land, and the owners went to court seeking a higher payment than the government appraisal of $175,000. When the case finally came to trial late this June, the Juniper Land Company asked $800,000. A jury awarded them $265,000.

One more inholding has been reduced. But every day, as hundreds of visitors stand at 6,800-foot-high Wawona Point, one of the famous scenic overlooks in the park, their view of mountains and valley is blemished by the ugly, bulldozed scar on the hillside 2,800 feet below.

QUICK-BUCK OPERATORS

Far across the continent in Florida, Everglades National Park holds the dubious distinction of having the largest amount of privately owned land—70,468 acres—within a national park perimeter. In testimony last March before a House appropriations subcommittee, Mr. Hartzog cited the Everglades as an acute example of the inholdings problem.

"In the Taylor Slough—a biological resource of enormous significance—quick-buck operators moved in with bulldozers to create primitive roads so they can peddle 'waterfront' lots," Mr. Hartzog told the subcommittee.

"Farther north, in the labyrinth country of the park, similar real-estate promotions threaten the proposed Inland Wilderness Waterway from Flamingo to the Ten Thousand Islands area. The potential damage from these activities is incalculable."

Besides the inholdings in the older established areas, park service officials face a related problem—the need to purchase private land within the many new national parks, seashores, lakeshores, and scenic riverways that have been authorized since 1961.

Congress considers these private ownerships even more troublesome, especially as land values escalate.

Shortly after Point Reyes National Seashore in California was authorized in 1962, Congress appropriated $14 million to buy the 53,000 acres of private land within park boundaries. Today the $14 million has been spent purchasing 28,312 acres. At present prices, it would take another $45 million to buy the rest.

At Guadalupe (Texas), the nation's 33rd national park, only 14,000 acres have been purchased out of the 71,886 acres of private land within park boundaries. The park cannot be opened until all land is purchased, and Congress left Guadalupe out of the current national parks appropriation.

Indiana Dunes National Lakeshore, authorized in 1966 after a half-century struggle, is still far from becoming operational. The park service has been granted funds to acquire only 100 of the 8,721 acres of privately owned land.

According to the latest estimate, it would take $155 million to buy up all the remaining private land within the park service areas that have been authorized since 1961.

The money to purchase these lands—and those needed for new areas such as the proposed Redwood National Park—is expected to come from the federal share of an expanded Land and Water Conservation Fund, using offshore oil revenues, a proposal initiated by Sen. Harry M. Jackson (D) of Washington, chairman of the Senate Interior Committee.

Also in the new Land and Water Fund Act are concepts urged by Senator Jackson, other conservation-minded congressmen, and the National Park Service to make use of additional methods for speeding up acquisition of lands or preventing private property intrusions in park areas.

One method is the outright purchase of scenic easements to prevent uses by the owner that would interfere with park values.

Another is sellback or leaseback. The park service would buy the private property, then sell or lease it back to the previous owners, or another party after writing into the contract the necessary protection to prevent changes in use of the property that might be adverse to park interests.

In addition, the proposed land-and-water fund will authorize federal agencies (mainly the park service) to spend $30 million a year for the next two years to acquire key tracts which suddenly become available. And the parks director will have $500,000 to use for taking two-year options on private park lands which come on the market. These fiscal shortcuts may prevent land prices from soaring during customary legislative delays in the authorization and appropriation process.

LAND-ACQUISITION POLICY

National Park Service policy on land acquisition is often misunderstood. After Mr. Hartzog had requested funds of Congress to buy up all inholdings, a Richmond, Va., newspaper called the parks director an "ogre" who deprives private landowners of their property rights.

In an editorial titled, "Phooey to George B. Hartzog," the paper called him a federal bureaucrat "who, on the pretext of necessity, argues for the diminution of the people's liberty."

Actually, basic park service policy on land acquisition provides that those owning homes within park boundaries may keep their property as long as they do not put the land to some new use which would be detrimental to the park, or except where the private property prevents necessary development of the park for public use. Condemnation proceedings are a last resort. In many of the new areas, the authorizing legislation provides that even those who sell their homes to the park service, can live in them for a period of years or during their lifetime, but cannot leave them to heirs.

"I don't advocate throwing out the family that wants to live the rest of their lives on the property they own in a park," says Mr. Hartzog. "But we can't tolerate the subdividers and the land speculators who are trying to take advantage of the increased value of land after it comes into the national park system."

Recreation Areas: A New Dimension

(Note.—Park officials ponder how to reconcile new policies with old concepts. Demands for recreational facilities increase. But too much emphasis on water skiing and beach buggies could ruin the idea of a park area as a place for quietly communing with nature.)

(By Robert Cahn)

Cape Cod National Seashore, Mass.—At this comparatively new area of the United States national park system, a visitor can take a ranger-guided nature hike in the sand dunes, walking along some of the marshes, beaches, and woods that so enthralled Henry David Thoreau a century ago.

Or the visitor can drive a "beach buggy" across the dunes, fish from the public beaches, swim in the Atlantic, hunt deer (in season), and cycle along bicycle trails near the ocean.

In short, the Cape Cod National Seashore attracts both those who seek active physical recreation and those who seek to commune with nature.

And thereby hangs a problem for the National Park Service: how to fit time-honored park service conservation policies to a new concept of areas managed primarily for the beach-and-outdoor "physical" recreation needs of nearby urban masses.

Most of the new park areas (other than historic sites) authorized by Congress in the Kennedy and Johnson administrations have been national seashores, lakeshores, and recreation areas close to large urban centers. Each was selected for a special feature—for the most part proximity to a seashore, large lake, or reservoir.

These areas do not need to have the unique scenic elements required of a national park (although many do possess great unusual natural values). And activities banned in national parks—such as hunting, commercial logging, spectator sports, use of houseboats—are allowed at some of the recreation sites.

The predominant requirement is that the area offer visitors an active recreation experience which transcends that normally associated with parks provided by state and local governments. The area also should be adequate for interstate or regional use.

The new national recreation sites meet a need for many Americans unable to travel long distances to national parks (most of which are in the West), or who really seek a beach or active recreation type of outing. In theory (though not yet borne out in practice), the new areas should relieve congestion in crowded national parks.

One negative factor is that the increased emphasis on physical recreation and the expansion of the Blue Ridge and Natchez Trace Parkways (which receive one-tenth of the total use for the more than 250 park service areas) have drained needed personnel from the purely nature parks. Much of the manpower previously applied to protecting resources or interpreting natural values in national parks and national monuments must now be devoted to such services as lifeguard duty and highway or boating control.

Another difficulty is confusion within the park service and among the public as to where the National Park Service is headed.

"We are beginning to color our whole national park system with the introduction of more and more of these recreation areas," comments author Freeman Tilden, an authority on the national park system. "I'm not against recreation areas. They are needed. But if people get oriented to the physical recreation concept of national parks, and not to the view of the parks as places where they find their relationship with nature, it could be disastrous to the best use of national parks."

PRESERVATION ALWAYS A TASK

An even more pressing problem is preservation of the outstanding natural resources that exist in some of the recreation areas. Developing a site for extended mass recreation may destroy or damage much of what makes the area worthwhile.

Cape Cod is a classic example of the good and the bad, the promise and the problems of a national park service recreation area.

Most of the "lower" cape from the elbow at Chatham to Provincetown still has uncluttered marshes, ponds and beaches, birds and bogs for the avid follower of Thoreau. This is due in part to the establishment of the Cape Cod National Seashore.

Protections were written into the Cape Cod authorization law of 1961. The Secretary of the Interior could allow development of portions of the seashore for swimming, hunting, fishing, etc.—recreation needs of the city dwellers—but not at the expense of the unique flora and fauna.

It is too early to pass judgment on the Cape Code National Seashore. The park service development program so far has been minimal. More than half of the private land within the boundaries has yet to be acquired. And the masses from the cities have been slow to invade.

In a visit to Cape Code last fall, however, I found park service officials facing the same problems that confront their colleagues in national park system areas around the United States. It was a time of decision-making, of placing limitations on use before it was too late.

Beach buggies and dune buggies were tearing plant cover off the sand dunes, bulldozers were carving out added beach facilities, and blacktop was being poured for parking areas. One of Thoreau's choice spots now sported a black-topped bicycle trail. New roads were being plotted to the beaches.

By themselves, these activities appeared to be reasonable and in keeping with the primary mission of the national seashore. They would allow millions of visitors to enjoy recreation opportunities in areas previously inaccessible.

But, ask the conservationists, what price is being paid in permanent destruction of the natural values?

Take the beach-buggy problem. These "over-sand" vehicles are allowed on the beaches when used for fishing. But owners have adapted jeeps or other types of transport into camping vehicles. They bring their families for vacations right on the dunes. And every day of such use impairs the beach vegetation and opens the way for erosion. Also, having no sanitation facilities, the beaches are beginning to evidence a pollution problem.

This summer, a new rule has gone into effect at this national seashore; it limits use of any one spot to 72 hours, to eliminate permanent summer camps. New "oversand" routes have been staked out, and beach or sand buggies are allowed only along those routes. Also closer supervision insures that all vehicles staying overnight carry self-contained sanitation facilities.

No new public campgrounds have been allowed in the Cape Cod seashore. The four privately owned campgrounds outside park borders are filled to capacity during the entire season.

DECISION FACED IN DELAWARE

With use of the area expected to rise dramatically when the four-lane, Mid-Cape Highway is extended to the lower cape, authorities will have to decide soon whether to provide park service campgrounds within the park area or possibly establish a large camping facility on the mainland at the base of the cape.

The park service faces another basic planning decision at its newest recreation area in the East, the Delaware Gap Recreation Area voted by Congress in 1965. Situated on the Pennsylvania-New Jersey border straddling the Delaware River, the area puts 47,000 acres of land and a narrow 37-mile lake within easy reach of 30 million people in the New York-Philadelphia sector.

Delaware Gap is not ready for use because Congress has not appropriated funds to buy enough of the privately owned lands to establish a park entity. But when the land is purchased, the park service will have to decide what types of recreation to develop.

National Park Service director George B. Hartzog Jr. is struggling with this question as the area's master plan lies on his desk awaiting approval.

"There is a great demand for camping," Mr. Hartzog told me. "But I'm not going to cover that 47,000 acres with campgrounds just to satisfy demand. We have to be selective. Maybe we should rule out public campgrounds, and place our emphasis entirely on organized youth camping at a few places. We could let private enterprise or other agencies of government provide overnight accommodations outside the park."

Another type of problem affects Fire Island National Seashore. The new area, authorized in 1964 on the small barrier island near New York City, has yet to acquire enough land to become a cohesive unit. And every year pressures are exerted to have a road built along the island's 32-mile length. Such a road, linking bridges at either end of the island, would ruin the area's natural quality, although it would substitute a highway of great scenic value.

The two largest recreation areas in the national park system are in the West—using the reservoirs behind Colorado River dams at Boulder City, Nev., and Page, Ariz.

The 1.9-million-acre Lake Mead National Recreation Area draws heavily from Los Angeles area residents, who take the 300-mile travel distance in typical California stride.

More than 4 million visitors used Lake Mead last year, enjoying the boating, fishing, and water-skiing. But this huge influx overtaxed camp sites and facilities and caused noticeable—though not dangerous—pollution.

The 1.1-million-acre Glen Canyon National Recreation Area in Arizona and Utah has opened up to boat travel some of the most beautiful wild country in the West. Ardent conservationists feel, however, that the wilderness quality was lost forever when Glen Canyon Dam was built and the waters backed up to form Lake Powell along what was once 186 miles of wild Colorado River and hundreds of picturesque side canyons.

The questions now are: How much development should be allowed in the way of campgrounds, or botels or boat marinas? How much will the new fad of houseboats on the lake contribute to further loss of wilderness value? And, what, if anything, could or should be done about the expanding recreation?

At Glen Canyon I learned from superintendent William Briggle that the use explosion had occurred in the last five years—from 9,000 visitors in 1962 to 390,000 in 1967.

Traveling by boat over part of Lake Powell, I noticed few other craft on the vast lake. When National Park Service guide, naturalist Norman W. Salisbury, said we could find visitors camping at any of the hundreds of canyons shooting off from the lake, I picked one at random and challenged him to produce.

As our boat plied Rock Creek Canyon, its towering walls alternately narrowed and expanded; its sandstone cliffs were sometimes close enough to touch. After two miles, naturalist Salisbury was about to admit defeat when the canyon suddenly widened into a box end.

On the shallow beach—two boats and two tents.

The Emmet Lowry and John Hiserodt families from Redlands, Calif., on vacation miles away from the sounds and sights of their city, were having what was to them a wilderness experience. They were camping out, cooking meals over a campfire, taking hikes, and exploring other canyons by boat. Their children, in addition to swimming and exploring, were doing some water-skiing.

VIEWS OF "WILDERNESS" DIFFER

Water-skiing is allowed, of course, in a recreation area. But the very mention of it brings shudders to conservationists who recall Glen Canyon as the great wilderness explored on foot and by raft by John Wesley Powell and left in its wild natural state until Lake Powell was formed.

Lake Powell National Recreation Area also brings cheers or tears—depending on one's viewpoint—for making Rainbow Bridge National Monument accessible to recreationists.

Until the lake was formed, this famed natural arch—309 feet high and 278 feet across—was seen only by a few hardy persons willing to ride the wild Colorado and hike up a canyon, or else come down 14- or 24-mile trails. Now Lake Powell backs up to within a mile of the arch, and tourist boats arrive daily from Wahweap near Glen Canyon Dam. Last year, Rainbow Bridge had 22,000 visitors.

On my visit to Rainbow Bridge, I noted a marked difference in the ways a visitor can approach this world-famous natural wonder. One way is to arrive by sightseeing tour boat, hurry over the one-mile trail gulping down a sandwich, have a two-minute glimpse of the monument, and scurry back down the boat landing.

Another way, as evidenced by farmer Herman Beebe and his wife Gretchen, from Center Point, Iowa, is to pack-in by horseback the 24 miles from Navajo Mountain.

"I've wanted to come here for 20 years—it's been a dream of mine," Mrs. Beebe told me. "This year when we had planned it, I knew it was possible to come by boat. But we decided to make it the difficult way. They say these things mean more when you work for them. It was really worth it to see it this way."

"ALL MANKIND HAS A STAKE"

(NOTE.—Far-seeing conservationists more and more are viewing national parks as treasures for all peoples. A proposed world-heritage trust would stimulate preservation of "superb natural and scenic areas and historic sites for . . . the entire world community.")

(By Robert Cahn)

GRAND CANYON NATIONAL PARK, ARIZ.—"It is truly magnificent," a tall, gracious visitor from Bombay commented one day last fall as he looked into the Grand Canyon.

"But . . ."

The visitor paused as he gazed from the south rim into the yawning, mile-deep chasm carved by nature's forces millions of years ago. His deep-set eyes absorbed the shadings of red, yellow, and blue as the late afternoon clouds sent shadows running across the buttes and spires inside the canyon.

"When your Congress provided that natural areas like this should be maintained unimpaired for future generations of Americans, that was just the first step," he continued. "The Grand Canyon is more than American—it should be preserved for all the world."

Zafar Futehally is honorary secretary of the Bombay Natural History Society and a leader in the movement to emphasize international values of parks of all nations. Mr. Futehally had come to the United States with 34 other representatives from 25 countries. Grand Canyon National Park was the final stop in a four-week course in administration of national parks and conservation areas.

OLD CONCEPT STRETCHED

The concept of each country's international responsibility for preserving its unique natural wonders adds a new dimension to the conservation concepts of many Americans. The time-honored United States viewpoint was perhaps best set forth by the nation's foremost conservation president, Theodore Roosevelt.

"Leave it as it is," said President Roosevelt when he first viewed the Grand Canyon in 1903. "You cannot improve on it. The ages have been at work on it, and man can only mar it. What you can do is to keep it for your children, your children's children, and for all who come after you as one of the great sights which every American . . . can see."

Mr. Futehally and other internationally minded conservationists recognize the effects of the transportation and communications revolutions of the 20th century. The world has shrunk. Millions of foreigners now have heard about and seen pictures and even television views of the Grand Canyon or the Florida Everglades National Parks.

TOURISTS CRISSCROSS

Each year, thousands come to the United States to visit these and other scenic spots. So do thousands of Americans travel to such outstanding areas as Iguassú Falls (Argentina-Brazil), or to the volcanic cone of Japan's Mt. Fuji, or to the spectacular wildlife display of Kenya's Amboseli-Masai game reserve in the shadow of Mt. Kilimanjaro.

Areas of this caliber, unique in the world, should thus be given priority for preservation, says Mr. Futehally. But in the press of competing national demands, the high-sounding principles of conservation do not always win out over the pressures for industrial, agricultural, or commercial and urban development.

Mr. Futehally was too polite to mention specifics. But it is no secret that two of America's greatest natural attractions, the Grand Canyon and Everglades National Park, have in the past few years narrowly escaped extensive man-caused interference. And they may be threatened again.

WILDLIFE DECLINES

In Everglades National Park, a series of flood-control gates and canals constructed by the United States Army Corps of Engineers interfered seriously with the normal flow of water into the Everglades. The adverse effects on the park were intensified during a period of severe drought. Water that normally would have gone into the Everglades park even in the drought years went instead to southern Florida cities and farms, or was discharged directly into the ocean.

Much of the park's wildlife suffered. Reproduction of wading birds declined drastically, the total dropping from 1.5 million in the 1930's to less than 50,000 today. It is also estimated that the number of alligators has declined 95 percent since the 1920's. This reflects the delicate relationship between the amount of water and the abundance of plants and animals on which the birds and alligators depend. (Part of the alligator loss has been due to poaching.)

After complaints from conservationists and the National Park Service, the Corps of Engineers and the Central and South Florida Flood Control Districts agreed to give the Everglades park additional water. The situation has been critical during several recent drought periods. But a written agreement to provide the park with 325,000 acre-feet of water a year, regardless of the increasing domestic demands in Florida, is in process of being worked out now.

CANYON DAM DEFEATED

Two years ago, Grand Canyon National Park became caught in the cross fire of legislation which would have permitted a large hydroelectric dam on the Colorado River just below the park. Areas in the canyon's depths, set aside for their scenic grandeur, would have been flooded as the river backed up behind the dam.

Conservation groups battled the supporters of the dam and forced Congress to listen. At present, the advocates of the dam have lost out, although they have not given up the fight.

For Mr. Futehally and the other participants in the third international course, the pressures of overdevelopment and overcrowding of park areas are not yet imminent dangers in most of their countries. But such pressures can be expected in the future. The great need today is for these countries to set aside more park or conservation areas, to provide money for management and protection of the parks and wildlife reserves and to encourage their citizens to use them.

The participants in this course, and those from 15 other countries taking part in each of the courses held in 1965 and 1966, readily admit their admiration for the United States in pioneering the development of the national parks concept. They are also impressed with the National Park Service's administration of American parks, the planning done for the future, and the quality of interpretive facilities available to the visitor.

LESSONS INCORPORATED

They do not agree that the policies of the park service would necessarily be suited to their particular needs (or that these policies are always best for the United States itself).

However, the best of the principles learned in visits to the United States, or at these international courses, are being incorporated into the planning of other nations as they develop their tasks and conservancy reserves.

In these courses, the National Park Service does not try to hide its own shortcomings. It hopes, in exposing these visitors to the good and the bad, to help them to avoid mistakes in their own programs.

The park and conservation experts from abroad are generally amazed at the amount of public land the United States has set aside for its national park system and the dedication to conservation principles by park rangers and most officials in the National Park Service.

Many countries over the years have asked help from the United States in planning their own national parks or setting up national parks and reserves systems. In the past 10 years the United States National Park Service has sent advisers to more than 25 countries. In the last two years, American advisers have been in Turkey, Jordan, Ethiopia, Tanzania, Colombia, Argentina, Peru, Venezuela, Australia, and Thailand. More than 50 countries have recently sent experts to the United States seeking information and guidance in working out park problems.

PRIVATE GROUPS HELP

The private sector, through American groups such as the African Wildlife Leadership Foundation, the Conservation Foundation, and the New York Zoological Society, has also assisted a number of countries with national park development and wildlife preservation, chiefly in Africa and Latin America.

The United States also realizes it can learn much from other countries.

The Belgian Congo for many years used its four national parks as laboratories for ecological studies. The present national governments of the two Congoes are maintaining these parks effectively, but with less emphasis on basic scientific research.

England in its nature reserves, Poland and Argentina in their national parks, and Germany with its naturschutzparks also do far more basic scientific research than the United States does in its national parks system.

NATIONS COOPERATE

Most science research in U.S. parks has been oriented to specific problems instead of to basic ecological research.

Several African countries, especially Uganda, Kenya, Zambia, and Tanzania, have developed extensive conservation education programs which allow schoolchildren to visit the parks in organized groups.

Countries with common boundaries have in many cases cooperated to establish parks; free sharing of facilities and mutual planning still lies in the future.

Uganda and the Congo have founded national parks on their respective sides of Lake Edward on their common boundary. In the past (but not currently) Zambia and Rhodesia cooperated with parks alongside Victoria Falls. Poland and Czechoslovakia have parks on both sides of the Pieniny River and the Tatra Mountains. Argentina and Brazil have adjacent parks at Iguassu Falls.

In 1932, the United States and Canada decided to set up a Waterton-Glacier International Peace Park on the border shared by the two parks. But for all practical purposes, Canada's Waterton Lakes National Park and the United States' Glacier National Park have been completely separate.

North America's first truly international park was established in 1964. It is on Campobello Island, N.B. There Canada and the United States share the administration and development of Roosevelt Campobello International Park at the site of the summer home of President Franklin D. Roosevelt.

JOINT UNITED STATES-MEXICAN PARK

The United States-Mexican border at El Paso is the site of the latest international effort. Mexico has recently completed a pavilion, visitor center, and small park on its side of the Chamizal in Ciudad Juarez. The National Park Service will soon build a half-million dollar visitor center and small park on its side of the border.

The International Union for Conservation of Nature and Natural Resources (IUCN) is a strong advocate of boundary-sharing parks to act as a force for peace.

"It is high time that conservation comes to the aid of politicians in bringing nations together," says Mr. Futehally, who is an IUCN board member.

Plans are under way for a second world conference on national parks, to be held in 1972 at Yellowstone National Park in Wyoming. This will be part of the commemoration of the 100th anniversary of the national park concept, which originated in 1872 with the establishment of Yellowstone as the world's first national park. The first world conference on national parks, held in Seattle in 1962, was attended by 145 delegates from 63 countries.

The keynote speaker, U.S. Secretary of the Interior Stewart L. Udall, called for "a common market of conservation knowledge" and commended the conference for striking "a wholesome note of sanity in a troubled world."

"It is a sign that men are questioning the false gods of materialism and are coming to realize that the natural world lies at the very center of an environment that is both life giving and life promoting," he said. "There is hope in this meeting . . . that the values of the spirit are reasserting their primacy—and this in turn gives fresh hope in other vital areas of human endeavor."

WORLD TRUST PROPOSED

In 1965, at the White House conference on international cooperation, one of the major recommendations was establishment of a world heritage trust to encourage preservation of areas such as the Grand Canyon and the Everglades, the Serengeti Plains in Tanzania, Angel Falls in Venezuela, Mt. Everest in Nepal and Tibet, and spectacular animal species.

The proposed trust, the recommendation states, "would be responsible to the world community for the stimulation of international cooperative efforts to identify, establish, develop, and manage the world's superb natural and scenic areas and historic sites for the present and future benefit of the entire world citizenry."

Last year in Amsterdam at the International Congress on Nature and Man, Russell E. Train, president of the Conservation Foundation, urged implementation of the world heritage trust through the activities of the United Nations Educational, Scientific, and Cultural Organization.

Mr. Train said the protection of significant areas is not just a matter of local or even national concern. In his words:

"All mankind has a stake in such areas. . . . The time has come when this principle must be established at the highest level of international affairs and made the subject of priority action by governments and peoples, individually and collectively.

"The question is no longer whether we can afford to undertake such a program. We cannot afford not to."

WHAT IS A PARK EXPERIENCE?

(NOTE.—Throughout 20,000 miles of travel and many interviews, a Monitor writer sought answers to this deep yet simple question. He discovered that the experience can be "a wordless awareness," a feeling of oneness with nature, a sense of self-discovery as "part of the whole of living creatures, a part of life's beauty.")

(By Robert Cahn)

WASHINGTON.—When National Park Service people try to explain the ultimate benefit to be gained from a national-park visit, they inevitably use the phrase "a quality park experience"—or sometimes just "a park experience."

Just what is this "park experience"? During 20,000 miles of travel through park-service areas, I sought the answer.

"Everything around us is transmitting beauty," said David D. Condon, 34-year veteran of the service. We were hiking along May Lake Trail in Yosemite National Park one afternoon late last summer.

"Coming in contact with the goldenrod, the deer, the giant sequoia, we are better able to understand that there is some force, some unseen plan to this whole universe," he continued. "We are having an experience with eternity. And if we can perceive the beauty here, that ability can enrich our lives no matter where we are, and we can see beauty better than before we had the park experience."

That was one answer.

Looking through the visitor register a few weeks later at Anhinga Trail in Everglades National Park I found another equally eloquent in its way.

MARGARET'S MOTHER COMMENTS

In the column set aside for "Comments," a mother had carefully penciled:

"Margaret saw her alligator."

For Margaret that was probably as fine a park experience as anyone could ask.

The phenomenon is hard to define. It is often a wordless awareness. Sometimes we park visitors do not even realize it is happening.

"One may lack words to express the impact of beauty, but no one who has felt it remains untouched. It is renewal, enlargement, intensification," wrote conservationist-author Bernard de Voto.

It is, perhaps, easier to explain what a park experience is not.

Rep. John P. Saylor of Pennsylvania, who has gone camping with his family at national parks for more than 25 years, likes to tell of the time at Yellowstone when a man, trailing a wife and three small children, rushed to the rim of Old Faithful geyser.

"How long before it will go off?" the man asked.

Mr. Saylor looked at his watch. "About 40 minutes," he replied.

"Come on kids, we cant wait," the man answer, herding the youngsters and his wife into the car with a New York license plate.

"And to think that those people had driven clear across the country," laments Mr. Saylor.

EXPERIENCED ENVISIONED

His concept of a national-park experience includes a place to relax and "untense," the congressman says.

"You can't appreciate what is there if you're looking at your watch or thinking about all your problems. You have to forget time and realize that you're there to observe something that the Almighty has created. It is unusual. So see it and enjoy it. But also see the bigger picture."

Many people go to the national parks looking for the wrong things and thereby miss their park experience.

"National parks are not cozy roadside tourist attractions, designed to satisfy the curiosity of mankind in padded comfort," says Mrs. Gale Koschmann Zimmer, a naturalist at Everglades National Park.

Mrs. Zimmer believes one of the big problems for the future is to explain to visitors before they come to a park what it's like. If they want to look at safe captive animals, they had better see them at a zoo; if they want to swim and water-ski, play ball or take sunbaths, they should go to a city park or public beach. Says Mrs. Zimmer:

"I think we betray the ideal behind the whole national-park system if we try to plane down all the rough spots, shoot all the touchy animals, fence off all the cliffs, and offer the visitor a national-park scene in the safe comfort of his own living room. With Thoreau, I'd like to know 'an entire heaven and an entire earth,' and I think basically our natural national parks should offer an entire heaven and an entire earth."

RUGGED PHYSICIST HIKING

On the Appalachian Trail, at Double Spring shelter in Great Smoky Mountains National Park, I met space scientist Daniel Hale from Huntsville, Ala. This rugged physicist, who has been to the antarctic twice and the North Pole area once, and is helping to plan the Mars mission, had been hiking alone for two days from the summit at Clingmans Dome, down to Forney Creek, and now back up to the summit again. The satisfaction of roaming the wilderness alone was written on his countenance and in his bearing.

To the wilderness hiker solitude is the only way to get a real park experience. But who can say that the man or woman who looks out on nature's majesty from a highway turnout, or stops to listen to the birds or walk in the pines a few yards from a lodge or public campground, may not be getting just as much or more fulfillment from the park?

My own impressions of national parks over the past 20 years have been based mostly on ventures close to roads and lodges. Yet I have never been disappointed in the quality of my park experiences.

It would be hard to duplicate the inspiration I felt one November day many years ago at the Grand Canyon rim as I watched snowflakes paint a cover of white on the buttes and mesas below. Or the sense of oneness with nature that came to me as I stood beside a little lake in Everglades National Park before dawn and watched the blackness on either side dissolve into mangroves, and the seemingly empty mangroves gradually reveal their night visitors, a score of snowy egrets which, one after another, rustled into view midst the foliage, stretched their wings and flapped gracefully away into the dawn.

I asked Secretary of the Interior Stewart L. Udall what he thought a national-park "experience" should be.

"It isn't enough just to see majestic scenes, to watch Old Faithful erupt, or to see some other wonder of nature," he replied. "Our job ought to be to help visitors get an appreciation of the importance of nature, how its system works, and how it affects their lives. They should leave with a new insight, a new set of 'eyes' as it were."

From George B. Hartzog Jr., park-service director, came this answer:

"A park experience means different things to different people in different places. Each area is unique. A certain historical area may give the visitor a sense of his place in the stream of humankind. A natural area can give one a new perspective on the place you have in this God-given web of life. It is re-creative, refreshing."

Sharon Francis, writer, wilderness adventurer, and currently White House staff assistant for beautification, says the national park experience "is one in which all the faculties are stretched. One comes down from the peaks with capacities expanded; feelings aware! Best of all, one breaks free of the cocoon of man-made gadgets and comforts with which we envelop ourselves in civilization and forges, in the wilds, a reassuring self-sufficiency."

TILDEN'S BOOK NOTED

Author Freeman Tilden, who has been visiting and writing about national parks for a quarter of a century, says that parks are a place where individuals can find themselves a part of the whole of living creatures, a part of life's beauty.

"Beauty is the individual's shock, his apprehension, his discovery," Mr. Tilden writes in a small book called "Interpreting Our Heritage." "What he discovers is more than what he sees or hears. He has discovered something of himself, hitherto unrealized. . . .

"Sometimes we think, in our egotism, that nature has provided these beauties as a special act on our behalf. If I may be allowed a harmless bit of fantasy, I shall imagine a conversation you might have with Nature on this point. After hearing you patiently on the subject of Beauty, Nature would perhaps say something like this:

"I see the source of your error. It derives from your very limited knowledge. You are thinking that I have a Department of Beauty —that I deal with beauty as one of my activities. Really, I do not *intend* beauty. I *am* beauty. I am beauty and many other things, such as you are trying to express by your abstractions like Order, Harmony, Truth, Love. What you see in my scenic manifestations is the glamour behind which lies an Absolute Beauty of which I myself am an expressive part. You do not understand? Naturally, it is difficult. But you are trying: I do like *that* in you, little man.

"No, we can only shadowly comprehend, and perhaps the mystery will always tantalize us. But, fortunately for our spiritual welfare, we live with the Fact. And this fact is, that in the presence of unsullied, unexploited, 'raw' nature, we are lifted to a height beyond ourselves. . . . We grow in dimension and capacity."

A Look at Tomorrow's Parks

(Note.—Early next month federal and state officials will meet to fashion recreational-development plans for the vast Yellowstone-Grand Tetons area. It's part of a major new approach, as the National Park Service seeks to revise its blueprints in the light of present conditions and expected future needs.)

(By Robert Cahn)

Washington.—In a map-and-chart-filled Denver office, for four days last month, 10 National Park Service officials and consultants sat around a paper-strewn table. Their task: to come up with a master plan for the kinds of national parks Yellowstone and Grand Teton should be 10 to 20 years from now, or even up to the year 2000.

At these two essentially automobile-access parks, the roads, campgrounds, and lodges are crowded all summer, at times past capacity. And within a few years, tourists arriving at nearby airports in 500-passenger jets will compound the problem.

So the experts asked themselves some hard questions:

Should lodges, campgrounds, and roads be expanded to keep up with the expected deluge of tourists? Or should all new lodging and camping facilities be kept outside the park? Should private vehicles be barred altogether within the parks and be replaced by public transportation?

How can more visitors be attracted away from roads and encouraged to venture into the back country? How can more people be accommodated off-season, especially in winter?

How can wildlife be protected from people-intrusion? How can people see more wildlife safely? Will increasing water pollution force a limitation on use of Yellowstone Park?

FINAL PLANS SHAPE UP

Early next month, supervisors of national forests and representatives of other federal and state agencies having recreation facilities or potential near Yellowstone and Grand Teton will meet with the park-service planning team. At this final meeting they will fashion a proposed regional development plan to be presented to National Park Service director George B. Hartzog Jr. and other federal officials.

It is appropriate that Yellowstone, set aside in 1872 as the world's first national park, should also be the springboard for a new look into what the next century holds for national parks.

Although parks traditionally have had "master plans" to guide their development, today the National Park Service is revising all park plans.

Wherever possible, regional planning is being considered. Officials agree that park service problems no longer can be worked out nor can the people's recreation demands be met within the confines of the national park system. The 32 operating national parks are only part of the overall national recreation picture. The planners say their use must be coordinated with other federal, state, and local recreation planning and with greatly expanded recreation opportunity provided through private enterprise.

A VISIT IN 1984

Let's look ahead to about 1984—not in Orwellian style, but as some park planners visualize the possibilities.

Let's imagine that Mr. and Mrs. George Norton of Camden, N.J., and their two teenagers are about to make that long-awaited automobile trip to see some of the national parks. In December they go to the nearest big-city national visitor center, in Philadelphia. There they get booklets and borrow home-play television tapes describing several parks. At the visitor center, they learn that if they know the exact date they will be in Yellowstone, advance reservations can be made (by computer) for a two-day stay at a campground, or for enroute stops at state campgrounds or private motels or campgrounds.

The Nortons, who prefer a less rigid schedule, elect to go without reservations in June to Yellowstone and other western national parks. When they arrive in Billings, Mont. (160 miles from Yellowstone), they head for the regional visitor center. An information guide checks a computer and advises them that Yellowstone is full for the next two days. But they can be booked to visit and stay at the Gallatin National Forest the next day, at Red Rock Lake National Wildlife Refuge the second day, and then into a commercial motel in West Yellowstone.

As the Nortons approach West Yellowstone, they tune their car radio to a special wave length. Out of the wide-open spaces comes the voice of a national park naturalist, identifying the trees, mountains, and wildlife they are seeing, and describing what lies ahead in the park.

Because only cars with advance reservations for the few public campgrounds are allowed in the park, the Nortons arrange for a Yellowstone tour in an electric-powered, open-air minibus. They walk the final quarter mile to Old Faithful Geyser because all roads and parking areas were moved away from the fringe of the geyser back in 1971.

BEARS FORSAKE ROADSIDES

At a road turnout in Hayden Valley, a park service naturalist gives them information about the buffalo and moose grazing in a field nearby. He explains the ecology of the area—how each plant or animal (including man) fits into a total environmental order. Before returning to West Yellowstone for the night, the Nortons visit Yellowstone Falls and the canyon area and also see other geysers.

The next day the minibus takes them to the starting point of a seven-mile hike to Hart Lake. On the hike they are several black bears. (Strict enforcement of "no feeding" rules has forced panhandling bears to forsake roadsides and look for natural foods.) The Nortons spend their last night at a wilderness camp (food, bedding, and primitive facilities provided) at Hart Lake. Then on to another park.

That's how it *might* be in 1984.

Meanwhile, back in 1968, a good many matters require immediate attention.

Most important, to many observers, is the need for a clearly defined and workable national recreation policy. The present policy is an often conflicting hodgepodge. The Bureau of Outdoor Recreation has just published a report listing 263 separate federal recreation programs supervised by 57 agencies in nine Cabinet departments and 36 independent agencies, advisory boards, commissions, and councils. Many of the agencies are in open competition with one another.

SOME INTERAGENCY FEUDING

The Agriculture Department's Forest Service and the Interior Department's National Park Service have been feuding recently over loss of Forest Service land for Cascades National Park and over a proposed highway to be built through a part of Sequoia National Park into Forest Service land at Mineral King, Calif. (to serve a proposed Walt Disney ski resort development).

The Army Corps of Engineers and the Bureau of Reclamation are continuously proposing projects of various sorts that affect natural resources. The Army engineers also defied the administration and all other federal agencies involved in recreation by opposing the $7 "Golden Eagle passport," because they did not want admission fees collected at their reservoirs.

Other differences arise regularly between the Bureau of Public Roads and a number of federal and state recreation agencies over location and width of roads through wilderness or scenic areas.

A few of the interagency disputes are finally settled by the President or Congress; most get resolved by the Bureau of the Budget. Fortunately for conservationists, deputy budget director Philip S. Hughes, the adjudicator of disputes in the executive area, is himself a dedicated conservationist who tries to preserve both interdepartmental relations and natural values.

PRESIDENT'S COUNCIL

The President's Council on Recreation and Natural Beauty is supposed to provide leadership in setting natural recreation policy. On the council are the Secretaries of Interior, Agriculture, Defense, Commerce, Housing and Urban Development, Health, Education, and Welfare, and Transportation. But in the past six years, only two major disputes have been put on its agenda; both were settled before the council met. It meets very infrequently and the Cabinet members usually send deputies.

The Citizens Advisory Committee on Recreation and Natural Beauty in its 1967 annual report suggested that the President's council "could offer a forum in which a broad approach to the national interest could be taken without regard to historic jurisdictional jealousies and commitments to policies which may no longer be relevant."

The 1968 citizens-committee report stated: "There is still no force in the federal government which can be brought to bear on environmental problems no matter where they occur."

EFFECTIVENESS QUESTIONED

Appointment this year of the Vice-President to head the President's council may help the situation. But last month, at the first meeting called by Vice-President Hubert H. Humphrey, only one Cabinet member showed up, and he arrived in midmeeting.

Laurance S. Rockefeller, chairman of the citizens advisory committee and one of the nation's leaders in the effort to preserve natural values, doubts that the President's council ever could exercise the authority it needs in order to become effective.

Mr. Rockefeller holds that power should be vested in a commission established "to coordinate all elements of recreation and conservation in our society. It should have equal representation from Congress, the executive departments, and outstanding citizens."

The Bureau of Outdoor Recreation, directed by Dr. Edward C. Crafts, is currently completing a five-year effort to develop a nationwide plan for recreation. Congress hobbled the agency in the beginning by placing it in one department (Interior) and by giving it the power only to "promote coordination" of federal plans and activities related to outdoor recreation, instead of the power to "coordinate" such plans.

When the Bureau of Outdoor Recreation's nationwide plan is finished, it will offer guidelines for national recreational policy. Because of the restraints placed on the agency, the plan will not be effective unless backed by presidential and congressional action.

As previous articles in this series have indicated, the basic problem facing the National Park Service is how to cope with the increasing pressures for greater use without destroying the resources and without lowering the quality of the visit.

In 1916 with only 350,000 people visiting the then 13 national parks, the object was to attract enough additional visitors to convince Congress that the areas were worth preserving or developing. A half-century later: 40 million people visit 32 operating national parks. Both population and use of parks continue to escalate. The options are: to create more national parks; provide more federal and state recreation areas to ease pressure on the national park system; expand facilities such as campgrounds and lodges at the expense of certain natural values; place restrictions on use; or a combination of these solutions.

NEW FACILITIES TO BE BASIC

Director Hartzog says that park service plans contain no increase in capacity of overnight lodging in the major crowded parks. The emphasis on whatever new facilities are needed will be on the basic side—cafeterias, snack bars, and mountain-type chalets with primitive facilities. Mr. Hartzog also hopes to start a system of youth hostels in national parks.

One of the great needs of the future is for development by the private sector of campgrounds, lodges, and motels on the fringes of national parks. At present, one of the obstacles to private development is government competition. A family can visit a national park for $1 a day; or it can spend an entire summer touring national parks at a total outlay of $7 for a "Golden Eagle" permit—less than the cost of one night at a motel. The park service is experimenting with fees for public campgrounds (to be run by concessionaires), in addition to entrance fees or a Golden Eagle passport.

Lumber and mining companies with big holdings near western national parks may in the future enter the recreation business on a large scale.

CITY ACCENT EXPECTED

Regional planning for recreation also will have to include more extensive state and city development of parks and recreation, especially in making more recreation areas available close to cities. Money now is available from the Land and Water Conservation Fund to aid states. A diversified nationwide recreation capability is needed to give people more choices of places to go for the specific type of outdoor activity they desire.

Most criticism of the National Park Service comes from conservationists who desire greater restrictions on mass access to the parks to ensure preservation of the resources. Some critics, however, think that more should be done to help the average park user.

"A balance has to be achieved between preservation and use," says Deputy Budget Director Hughes. "It wouldn't be good if the park service concentrates just on preservation. The system has to accommodate a large number of people who just want to see the parks from the roads."

WIDER PENETRATION URGED

Laurance Rockefeller maintains that no harm would be done by opening up a little more of some of the large parks to access by the average tourist. "People are trapped in the same areas of Yellowstone that were available almost a century ago," he says.

Representative Wayne N. Aspinall (D) of Colorado, chairman of the House Interior Committee, points out another need: to curb the taking over of choice national park camping spots weekend after weekend by people living nearby.

"These parks belong to the people," Mr. Aspinall told me. "They don't belong only to the people who live closest to them."

In my visits to a number of parks last summer it became obvious that many of the people most in need of the values that can be obtained from a national park visit—such as big-city ghetto residents and other low-income families—appeared to be absent.

QUESTION POSED

The question came to mind:

Is affluent America doing as much as it should to make the inspirational values of parks more available to those now left out? The answer to such a question may also help decide the kind of national park system America has by the year 2000.

The ultimate answer rests not with Congress or the National Park Service, but with all the people. Their national parks—a unique American contribution—have played a relevant role in developing the kind of nation that exists today. By the way they live, the values they cherish, and the way they treat each other as well as their great resources—in all these ways Americans will decide the kinds of parks they will have tomorrow.

HOW WOULD YOU RUN THE NATIONAL PARKS?

(By Robert Cahn)

WASHINGTON.—"We hear plenty from the conservation groups about what is wrong with our policies," said a National Park Service official. "But we rarely hear from the general public, the average park users, except when they've received bad service at a concession restaurant in a park, or been bothered by a noisy campground neighbor."

The park service has been unable to conduct public-opinion surveys of those who use national parks. Thus officials often have less information than needed to do the necessary long-range planning.

To help fill this need, and to give readers of this series an opportunity to express their views, key topics are presented below.

You are invited to mark a √ in the squares that most nearly conform to your own ideas of how the park service should handle a particular situation. If no single statement fully expresses your view on a subject, feel free to mark more than one square in each category. Space for additional comments is provided in the last column. You are invited to place the page in an envelope and mail it to: "National Parks," The Christian Science Monitor, Boston, Mass. 02115. (Pages should reach Boston by Sept. 3 to be included in a compilation the Monitor will publish later.)

Here are the categories:

1. Overcrowding: Although less than 5 percent of each park is used for tourist conveniences, some national parks, such as Yosemite, Yellowstone, Grand Canyon, and the Everglades, are jammed with visitors in developed areas during most of the tourist season. To relieve overcrowding, the park service should:

A. Build more campgrounds, lodges, and roads to take care of more people. ☐

B. Start a reservation system for campgrounds ☐

C. Limit the stay in a campground to the number of days it takes to see the major attractions, with a maximum of three days ☐

D. Reserve most of the campground space and visitor facilities for those who live more than 200 miles away. ☐

E. Take all campgrounds out of the parks and encourage development of private areas or use of national forests on the park fringes. ☐

F. Establish a limit for entrance to each park, much as you would for a theater. When a certain capacity is reached, a park would be closed and reopened only to fill vacancies. ☐

G. Increase camping fees and entrance fees. ☐

H. Leave things as they are. ☐

2. Services and attractions. Park users, planners, and some conservation groups disagree over what kind of accommodations, services, and recreation attractions should be provided in national parks. The park service should:

A. Provide for additional low-cost overnight lodging facilities with the help of government subsidies if necessary. ☐

B. Provide for more visitor services such as stores, restaurants, coin laundries, etc. ☐

C. Allow more entertainment such as concerts, movies, organized recreation, conventions, and special events. ☐

D. Reinstate the nightly fireball at Yosemite Valley that was stopped this year. ☐

E. Limit expansion of park or concession services to the basic needs of those who can be accommodated without overcrowding. ☐

F. Prohibit any entertainment that would tend to attract visitors to a central location. ☐

3. Roads. The present road system in many national parks is not capable of taking care of increasing numbers of visitors, and some roads are not wide enough for trailers. Also, some U.S. highways go through sections of national parks. I believe:

A. Absolutely no more new roads should be built in national parks. ☐

B. Any roads built should be of the primitive scenic type—narrow, low speed, and following rivers and the natural terrain. ☐

C. Interstate and other U.S. highways should be allowed to pass through national parks, with turnouts provided so that cross-country travelers can have easy access to parks. ☐

D. All U.S. highways should be removed from parks. Until this can be accomplished, fees should be charged on these roads to discourage through traffic. ☐

E. New transportation techniques, such as aerial tramways, rapid-transit systems, helicopters, monorails, and air-cushion systems, should be adopted for travel inside national parks. ☐

F. All automobiles should be left out of crowded parks, and minibuses or other types of public transportation be provided. ☐

G. A maximum speed limit of 35 m.p.h. should be the law in national parks, with lower limits on narrower roads. ☐

4. Roadside bears. Some people say it is disgraceful to make beggars of the black bears that roam the roadsides at Yellowstone National Park waiting for handouts from tourists. Others say that seeing these bears and their cute cubs along the highways is one of the highlights of a park visit. Feeding bears is against park regulations and also dangerous. The park service should:

A. Leave the situation as it is. The visitors enjoy seeing the bears. ☐

B. Trap bears that have taken up residence in unnatural environments of highways and campgrounds and restore them to their natural habitats (even though this would mean many visitors might not see a bear); take away unnatural food sources by enforcing rules against feeding bears and by more frequent garbage pickups. ☐

C. Provide access points and lookouts where bears and other wildlife might be seen. Conduct prebreakfast and dinnertime ranger-guided tours to see wildlife at the best viewing hours. ☐

5. Grizzly bears. Two young women were fatally mauled by grizzly bears at Glacier National Park last year. The park service should:

A. Eliminate grizzlies from all national parks. ☐

B. Leave things as they are. Grizzlies have as much right to be in Glacier as do humans. ☐

C. Prohibit hikers from using parts of the park known to be inhabited by grizzlies. ☐

D. Eliminate all refuse dumps (which attract bears) from chalets, lodges, and back-country campsites. ☐

6. Wilderness. Large portions of most national parks will soon be designated by Congress as wilderness areas, to be preserved for all time from building of roads, lodges, or permanent structures and from mechanical intrusions. But there is disagreement over how much of a park should be set aside and what should be allowed in wilderness areas. I believe:

A. All of the present wilderness-type area in a park should be preserved; there should be no additional development at all on these lands; and wilderness should extend to the edge of roads. ☐

B. There should be a buffer area of at least one-quarter of a mile between roads or permanent buildings and the wilderness areas. ☐

C. When designating wilderness areas, the park service should set aside sufficient land to provide for future developments such as new campgrounds, motor-nature trails, or self-guided nature trails. ☐

D. In places of exceptional scenic beauty which are inaccessible except to experienced mountaineers or by several-day hikes, aerial tramways should be built to allow more people to share these vistas, or to be used as starting points for hikes in the midst of wilderness country. ☐

E. Sufficient area should be left out of wilderness designation in order to permit a few small, primitive chalet-type lodges and youth hostels. ☐

7. Government and private sector. Some people feel that the federal government is in unfair competition with private individuals in the field of recreation because such low fees are charged at campgrounds. (Most parks have only a $1 a day entry fee, and a $7 annual Golden Eagle permit allows visitors to spend an entire summer camping in parks.) The government should:

A. Raise the Golden Eagle fee to $25. ☐

B. Charge nightly rates for use of public campgrounds in parks, in addition to the Golden Eagle fee. ☐

C. Turn campgrounds over to concessionaires for management and allow them to charge appropriate camping fees. ☐

D. Enter into partnership agreements with private companies and/or individuals to build public campgrounds and motels on the fringe of park areas. ☐

8. Balances of nature. Among the traditional purposes of national parks are providing habitats for all native animals and maintaining the animals in a completely wild state for public enjoyment. Parks are not large enough, however, to provide all the necessities of life for some wildlife species such as elk, deer, and the large predators such as wolves and mountain lions. Some animal populations have become too large; others have disappeared. The National Park Service should:

A. Let nature take its course. If a species cannot adapt to modern conditions, there is very little man can do to save it. ☐

B. Remove excess elk (by trapping or shooting) when they exceed the capacity of the range. ☐

C. Provide food for the important species of wildlife, such as elk, moose, bison, and bighorn sheep, so that these populations can be maintained at the highest levels possible. ☐

D. Determine what human influences are causing wildlife problems, and develop park-management programs designed to offset man's adverse impact. ☐

E. Eliminate nonnative plants and animals from park areas. ☐

F. Restore wolves, cougars, bears, and coyotes to park areas where they once were native. ☐

9. Visitor-use information.

A. Within the last year our family has visited one ☐ two ☐ three or more ☐ national parks.

B. We stayed one day ☐ two days ☐ three or more days. ☐

C. We camped overnight in public campgrounds accessible by road ☐; packed into primitive back-country camps ☐; stayed at lodges ☐; stayed outside the park. ☐

D. We traveled by automobile ☐; camper vehicle ☐; trailer ☐; public transportation. ☐

E. We visited no national parks. ☐

10. Other comments:

JOHN LINDSAY SPEAKS OUT ON LAW AND ORDER

Mr. TYDINGS. Mr. President, one of the most remarkable and brilliant leaders in American life, Mayor John Lindsay, of New York, recently published an essay which lays bare the basic issues in the current national debate over law and order.

In that essay Mayor Lindsay urges full and firm enforcement of the law by use of modern technology as well as traditional constitutional police practices. But he also warns that the reckless hate mongering and hysteria employed by demagogs will fail to solve the crime problem, and also endangers the rights and liberty of every one of us.

Mayor Lindsay points out that just as our current crime crisis has been decades in the making, it cannot be eradicated by any "quickie" solutions or shortcuts across our constitutionally guaranteed freedoms. He reminds us that the suppressors of freedom have always imposed their totalitarianism in the name of law and order.

Mayor Lindsay also reminds us that if we choose to repeal some parts of the Bill of Rights to cut the crime rate, no part of our freedom can be secure. As Mayor Lindsay says:

> Once the road to repression is taken, it is hard—very hard—to turn back. Each new loss of liberty as it fails to bring instant peace, brings down a call for abolition of another right, until the most brilliant document for the protection of citizens ever conceived becomes a shell—while criminal violence goes on.

Mayor Lindsay's clear-sighted call for a war on crime without attacks on our liberty should be examined closely by every Member of Congress. We must never forget that law and order are but the means to safeguard freedom, not ends to which freedom may be sacrificed.

For if we forget—

Says John Lindsay—

we will have security and we will have order. What will be missing is liberty. What will be missing is the quality which sets the life of the free man so far above the life of the slave.

I ask unanimous consent that the complete text of Mayor John Lindsay's essay, entitled "Law and Order," published in Life magazine for September 27, be printed in the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

The Mayor of New York Attacks the Dangers of the Campaign Issue Called "Law and Order"

(By John V. Lindsay)

Once again we find ourselves in the heat of a national political campaign for office and for power. But this is also a time of uncommon turmoil for Americans; a time when bitter confrontation and violent upheaval have hit our ghettos and our campuses; a time when two great voices for social justice and compassion have been shot down by acts of madness; a time when many of our citizens have lost faith that we can resolve our troubles peacefully. And it is at such a time—as citizens begin to doubt themselves and each other—that we may, out of fear and desperation, turn to false remedies for the answers to real problems.

That is what is beginning to occur today. Across the country. we hear demands for "law and order"—indeed "law and order" has become the principal domestic issue this year. Let us understand—fully and honestly—the implications of what is happening.

Only a very small minority of our citizens favor disorder and lawlessness as a means or an end; still, we have had far too much of both in this country during the last four years. Good Americans—hard-working, responsible—are genuinely and rightfully disturbed at the growth in crime, the militancy of some protesters, the rapidity with which change is overwhelming values they have held all their lives. And there can be no response to their concern which does not admit at the outset the urgent need to prevent disorder. For when a community is gripped by fears, it loses its freedom to live in peace and confidence; to use the streets of the neighborhood; to greet fellow citizens as men who share common goals.

The guarantee of domestic peace is an inherent constitutional right, and a principal obligation of the state. In New York we know enough of this priority to have added 4,000 men to our police force in the last year; to have made our force among the highest-paid in America; and to have given top-level precedence to its modernization.

But that is not the issue. What is dividing Americans so badly from one another is the diagnosis and remedy too many of us seem ready to apply.

We have come to be enthralled by simplistic solutions which promise, but cannot deliver, a speedy end to crime; which proclaim that a greater use of naked force will restore domestic peace; and which hold that we can guarantee the safety of our future by denying the lessons of our past and the heritage of the Bill of Rights.

We would face a terrifying dilemma if these assumptions really reflected the truth. We might then have to choose between the random terror of the criminal and the official terror of the state. We might then have to concede, openly and candidly, that The Great Experiment in self-government died, the victim of violence, before its 200th birthday.

But we need make no such concession. For all the certainty of those who preach repression, it will never be an effective weapon in the battle against crime or violence. At best, it can only be a temporary sedative for the fear disorder breeds. The real struggle will be long and hard. It will require compassion and patience as well as determination and perseverance. It requires, also, the public's recognition that Supreme Court decisions, refusal to shoot looters and freedom of peaceful assembly are not responsible for the growth of crime and violence.

Does it help, for example, to gun down a 15-year-old boy because he was looting a store? The men who run our police forces—the men who bear the brunt of the fight against crime—do not think so. According to a survey by the International Association of Chiefs of Police, the overwhelming majority of ranking officers in cities hit by rioting last spring believe that deadly force should be used only as a last resort—in the face of a direct, immediate threat to life.

This reflects more than compassion. It also reflects a strong belief that more force would spawn only more violence; that more innocent lives, both police and civilian, would be lost; and that the overriding goal, restoring order in the streets, would be lost.

This was one of the major lessons of the bloody summer of 1967. It was one of the major findings of the Commission on Civil Disorders. And it is a lesson which should be learned by those who seek electoral triumph by preaching to the darker instincts now abroad in this nation. Rapid deployment of police; swift dispersal of crowds; isolation and detention of inciters; calm determination to restore order; these are the techniques police around the country have used successfully to control outbreaks of trouble. This is the kind of training we must encourage if the beginning of trouble is not to reach a violent, bloody conclusion.

We are told, too, that the courts are coddling criminals; that the rights of suspects are being placed above those of society; and that, as a consequence, the crime rate is increasing.

What are the facts? Since the *Miranda* decision—which required police to inform suspects of their constitutional rights before questioning them—we have had two exhaustive studies on this decision's effect. Both of these studies, taken in two large cities, have come to the same conclusion; there has been no discernible effect on the conviction rate. Either suspects have confessed to crimes anyway, or else the police had enough evidence to convict without a confession.

The policeman's real handicap is not the fact that courts today are implementing the Bill of Rights but that he is restricted by archaic technology. The capacity to deal effectively with more crimes lies not in force or deception but in new tools; voice prints, computerized information centers, single-digit fingerprints. Our officials also need the funds to hire and equip the men they need to prevent and detect crime.

And while it is true that the national crime rate has increased since recent controversial court decisions, it was also increasing before these cases—up 63% in the '50s over the '40s. It was increasing a hundred years ago, when a national magazine called the crime rate "shocking." It has been increasing because of the complex pressures and forces which drive men to crime, *not* because the Supreme Court has enforced our Constitution.

There is much, then, that is simply irrelevant in today's frantic calls for repression. There is also something dangerous. For, what happens if we begin to yield to this kind of demand for "law and order"? What happens if recent Supreme Court decisions are overturned, if police are ordered to arrest without any restraints on their conduct, or if peace officers are instructed to shoot looters? What happens if, after this victory for "law and order," we find—as we will—that the crime rate is still going up, that the streets are still not safe, that more and more lives have been lost, and that America is being divided into armed camps?

The answer, I am afraid, is that these defeated hopes will escalate into new and more dangerous demands. We see now the consequences of unfulfilled promises of another kind: look to the angry streets of the ghetto, where some have simply abandoned hope of peaceful progress and preach violent insurrection. We might well see this process repeated among white Americans, who would call for further abrogations of fundamental legal rights.

Perhaps some would then look at criminal law and demand to know why we need a unanimous jury vote to convict a person of a crime? Why not declare a suspect guilty if he won't talk? Why not cast aside the privilege between clients and lawyers, between confessors and priest? And why presume a man innocent until proven otherwise? If the police arrest someone, isn't he probably guilty anyway?

What all this suggests is an old truth: that once the road to repression is taken, it is hard—very hard—to turn back. Each new loss of liberty, as it fails to bring instant peace, brings down a call for abolition of another right, until the most brilliant document for the protection of citizens ever conceived becomes a shell—while crime and violence go on.

We have already seen this process at work this summer. Many citizens have equated individual criminal acts and outbreaks of ghetto disorders with noisy but peaceful demonstrations in the streets. They have begun to assume that the exercise of a constitutional right is no different from a crime or a riot—if those exercising that right happen to dress in unorthodox fashion or hold disagreeable beliefs.

Certainly it is a matter of concern when Americans find the ordinary channels of discussion and decision so unresponsive that they feel forced to take their grievances to the streets. And surely some who demonstrate are thoroughly objectionable, seeking confrontation and hoping for a brutal response to win sympathy.

But this is exactly why those who uphold the law must be wiser and calmer than those who seek to repudiate it. It is exactly why violent suppression of those who use—and seek to abuse—constitutional rights will, in the end, only increase the likelihood of more disorder and more conflict. It was, after all, a mob which taunted, jeered and physically provoked an armed force on our soil into what we now call the Boston Massacre—the British "over-reaction" we now regard as an assault on ideas and freedom as much as on people.

I do not minimize the dilemma that confronts us. I am mayor of a city which has had up to a quarter of a million people marching for and against the same controversial cause on the same day. We have made mistakes. We have had difficulties. But we have shown that a well-trained, efficient police force can protect both the rights of the demonstrators and the peace of the city.

In spite of this evidence, some argue that the only way to insure peace and order in a city is to restrict demonstrations. What is next? Shall we keep order by refusing men the right to hold peaceful meetings in large cities? Shall we uphold the law by suppressing controversial newspapers? Shall we forget what history has always taught us: that those who suppress freedom always do so in the name of "law and order"?

We dare not forget this. Those of us who believe in this country had better join the raging debate and begin to speak in support of that law and that kind of order which has kept America vital for almost two centuries.

The basic law of this land guarantees the right of free speech and peaceable assembly, in time of crisis and of tranquillity.

American law and our legal order presumes a man innocent until proven guilty; it insists that punishment be imposed in a court by judge and jury, not on the street by armed officers.

The Constitution provides that the law shall be made and changed only by the elected representatives of the people assembled in the legislatures, and not by those who take the law into their own hands.

Let us remember this heritage of law and order—and the heritage of liberty that we have built for ourselves and our children. It is a framework and a foundation which has served us too well and too long to be destroyed now.

Let us remember, too, what our adversaries have taught us. We have heard loud cries this year that we should insure our safety by placing bayoneted soldiers every five feet, and by running over nonviolent demonstrators who sit down in the streets.

You can now see the kind of society that would be. Look to the streets of Prague, and you will find your bayoneted soldier every five feet. You will see the blood of young men—with long hair and strange clothes—who were killed by tanks which crushed their nonviolent protest against Communist tyranny. If we abandon our tradition of justice and civil order, they will be *our* tanks and *our* children.

We must never forget how this great nation came all this way—how hard we have fought to achieve equal justice under the law, how long we have had to struggle to develop an order which protects individual rights and permits dissent. And we must never forget that we must go on from here, that there is much work to be done.

For if we forget, we will have security, and we will have order. What will be missing is liberty. What will be missing is the quality which sets the life of the free man so far above the life of the slave.

VICE PRESIDENT HUMPHREY: A GOOD MAN

Mr. PELL. Mr. President, Vice President HUMPHREY has had an unparalleled record in these past years for fighting to make our Nation a more unified and stronger one and a more humane one. There are few people about whom one can say with a full heart: "He is a good man." And, HUBERT HUMPHREY is a man about who this statement can be made without qualification.

I have been going around our country as much as I can speaking on his behalf and urging our fellow citizens to support him.

In this connection I ask unanimous consent to have printed in the RECORD the editorial published in Sunday's New York Times endorsing Vice President HUMPHREY for President.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HUMPHREY FOR PRESIDENT

In 1960 many independent voters could not see much difference between John F. Kennedy and Richard M. Nixon, two seemingly cool, calculating, ambitious young politicians. However, this newspaper believed that there were significant differences in conviction and outlook. We endorsed Mr. Kennedy.

In 1968 many voters assert that they cannot see much difference between Mr. Nixon and Hubert H. Humphrey, but, again, this newspaper believes that there are significant differences in conviction and outlook. We endorse Mr. Humphrey.

Mr. Humphrey has superior claims to the Presidency in three critical areas. The first of these is foreign affairs, specifically arms control and the search for peace. The most important international issue today is a slowing of the nuclear arms race. The competition in these deadly weapons is once more spiraling upward and threatens to slip out of human control. No subject will be more important for the next President. For nearly twenty years Mr. Humphrey has devoted himself tirelessly to this problem. He was the author of the bill establishing an independent Arms Control and Disarmament Agency in 1961. In season and out he worked to stop the nuclear tests which were poisoning the atmosphere, efforts that finally resulted in the limited Nuclear Test-Ban Treaty. President Kennedy was indulging in no exaggeration when he said to Mr. Humphrey: "This is your treaty."

Mr. Humphrey is now actively working for the ratification of the Nuclear Nonproliferation Treaty, which would commit the existing nuclear nations not to distribute nuclear weapons to other countries. He would, we believe, dedicate himself wholeheartedly to the search for practical ways of lessening the overwhelming nuclear danger. As the original proponent of the Peace Corps and of the Food-for-Peace Program, he has the talent and the active concern needed to strengthen the United Nations and to build new international institutions.

In contrast, Mr. Nixon took no initiative on disarmament when he was Vice President and showed much less interest in the subject. He is now urging a delay in the ratification of the Nonproliferation Treaty. Even worse, he has resurrected the "missile gap" argument misused by President Kennedy and insists that he will not enter into arms negotiations with the Soviet Union until sometime in the future when this country has reached new and unspecified superiority in nuclear strength. He is busily promising to outstrip the Russians in space and to build a nuclear Navy "second to none." The United States does not need a President intent on speeding up both the arms race and the space race.

In addition to being an internationalist with a broad and imaginative outlook in foreign affairs, Mr. Humphrey is a proven activist in domestic affairs. He was the original sponsor of Medicare and the skillful parliamentary manager for much of the social reform legislation enacted during the Kennedy-Johnson Administrations. He fully understands that the desperately urgent needs of the nation's cities for better housing, higher quality education, cleaner air, improved hospitals and mass transit facilities can only be met if there is vigorous Presidential leadership and coherent public planning.

While Mr. Humphrey attempts to get to the root of urban problems, Mr. Nixon is promising, in effect, to attack the surface signs of social unrest by more energetic use of police measures. His modest proposals for encouraging "black capitalism" through tax incentives are all right as far as they go, but they do not go very far. His is an essentially conservative economic strategy involving deferment of costly new domestic programs for years. This strategy is full of danger, threatening decay and congestion for the nation's hard-pressed cities.

The third area in which Mr. Humphrey is unquestionably preferable to his opponent lies in the quality of his political leadership and in the character of his political support. Mr. Humphrey is the only candidate in this election who has substantial backing in both the white and the Negro communities. He has earned Negro trust because no man in public life has worked harder or longer to achieve equality of opportunity for all citizens. It is a matter for considerable concern whether the next President will be able to communicate effectively with black as well as white citizens and whether in his capacity as a national party leader he sees himself primarily competing with George C. Wallace for reactionary segregationist votes or as heading a liberal-and-moderate coalition drawn from both races.

An endorsement of a candidate is in this instance also a favorable judgment on the personality and character of one man and an adverse judgment on his rival. Mr. Humphrey is a warm, generous, idealistic, open man. Mr. Nixon has gradually risen above the personal abuse and the narrow partisanship of his early campaigns, but he remains slick and evasive on some of the central issues.

We have left until last the perplexing question of Vietnam. As we have made clear in many previous editorials, The Times does not find the statements of either candidate satisfactory on the war issue. But Mr. Humphrey has given unmistakable signals that he intends, if elected, to move away from the errors of the past. It is our judgment, based on an appraisal of the character and public record of the two candidates, that Mr. Humphrey would be more inclined than his opponent to seize the initiative for peace.

It must be borne in mind that the Vice-Presidency is a uniquely awkward office. No man has ever been seen at his best in it. A Vice President is in a weak position because he has no personal mandate from the people separate from that of the President on whose ticket he was elected. Yet he has a constitutional responsibility to serve as the President's standin, a responsibility which he cannot relinquish as easily as a Cabinet officer or lesser official can resign an appointive office.

Like most of his predecessors, Mr. Humphrey has resolved the ambiguities of his office in favor of defending the President's policies in public and trying to influence them in private. Not until the memoirs of the Johnson Administration have been written will it be possible to assess Mr. Humphrey's role in the international policy struggles of this Administration over the "bombing pauses" and other Vietnam decisions. But it is significant that the former members of the Johnson Administration who are rallying to Mr. Humphrey's support include its best-known doves.

Looked at in the perspective of his 23 years in public life, Hubert Humphrey is a humanitarian, an authentic and effective liberal, and a man of proved character, courage and judgment who can be depended upon to lead the nation in the ways of peace.

In the span of the present campaign, proof that his judgment is superior to that of Mr. Nixon has been provided by their respective choices of Vice President. Senator Edmund S. Muskie has experience, dignity and moral force. He is in himself a cogent argument for preferring the Democratic ticket, especially when it is recalled that four Vice Presidents in this century have succeeded to the Presidency on the death of the incumbent.

In the brief period since nomination, Gov. Spiro T. Agnew has already proved from his injudicious, intemperate remarks that he is utterly inadequate.

The sole persuasive argument offered for Mr. Nixon's election is that he might produce a period of calm and consolidation. But this presupposes that he is a popular and widely trusted figure like General Eisenhower, which he manifestly is not, as his divisive and partisan record over the years make clear. Moreover, the strenuous demands upon America's leadership both at home and abroad do not permit four years of rest and passivity. This critical era calls for a leader with ideas, enthusiasm, energy and a clear moral commitment.

This newspaper believes that Hubert H. Humphrey is such a leader, and in the truly critical situation—foreign and domestic—in which this country finds itself, we strongly urge his election to the Presidency of the United States.

THE NEW GOVERNORS

Mr. PERCY. Mr. President, I am proud to say that our Nation can look forward to high-quality State government in 1969. Many of the men running for Governor in the various States are forward-looking, up-to-date statesmen who promise to bring innovative, courageous ideas to State government. A prime example is Richard Ogilvie, of Illinois.

Recently he stated that State aid for elementary and high schools must be increased at least $100 a pupil next year. Although this proposal would cost the taxpayers some money, he contends that the extra money is needed to overcome serious inner city cultural and educational problems.

This is the kind of man we need in government today—one who is not afraid to speak out on the issues of the day as well as seek responsibility in the State rather than try always to pass it on to Washington.

Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Chicago Tribune of October 8. It should make interesting reading for all Senators.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OGILVIE URGES STATE AID HIKE FOR EDUCATION

(By Casey Banas)

PEORIA, ILL., October 7.—Richard B. Ogilvie, Republican candidate for governor, said today that state aid for elementary and high schools must be increased at least $100 a pupil by next year's legislature.

Ogilvie, in appearances before Illinois Education association meetings in Peoria and Pekin, said state aid to education "is neither adequate nor equitable." He warned that failure to raise aid to education substantially will result ultimately in higher costs for public welfare programs and penal institutions.

SUPPORTS 1966 RECOMMENDATION

He supported the 1966 recommendation of the governor's task force on education to raise state aid to $600 a pupil. The current figure is $400, but he emphasized that a $100 raise is "the minimum increase acceptable for the next biennium."

The state aid formula should be revised to give school districts with high density population additional funds, Ogilvie said. This change would provide extra money needed to overcome serious inner city cultural and educational problems, he added.

Ogilvie said Illinois ranks 47th among the 50 states in the percentage of funds local school districts receive from the state. Altho the average school district in the United States receives 40 per cent of its budget from state sources, the average Illinois public school system gets 23 per cent of its revenue from the state, he said. Ogilvie said this figure should be raised to at least 33 per cent.

TEACHER REVIEW ASKED

Ogilvie called upon the University of Illinois to review teacher educational programs to determine whether the 15 hours of college educational courses now required for state certification should continue to be mandatory. He added that many educators have told him that teacher certification should be given to liberal arts graduates who have not taken any education courses.

Later in the day, Ogilvie campaigned in Macomb and Galesburg. He began a week-long tour of 11 college campuses with talks before student groups at Bradley university in Peoria and Western Illinois university in Macomb.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

The Senate resumed the consideration of the bill (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 1000

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendment No. 1000.

The PRESIDING OFFICER. The clerk will read the amendment.

The assistant legislative clerk read the amendment, as follows:

At the appropriate place, insert the following:

"The Food and Agriculture Act of 1965 is amended by adding at the end of title VII thereof the following:

" 'SEC. 710. Notwithstanding any other provision of law, beginning with the 1970 crop years, payments aggregating more than $20,000 under all programs which are provided for or extended under the provisions of title II through V of this Act may not be made to any producer. For the purposes of this section, payments include wool incentive payments, wheat marketing certificates, price support and diversion payments, and the dollar value (as determined by the Secretary of Agriculture) of any payments-in-kind made to a producer, but do not include the amount of any price support loan made to a producer.'

"SEC. 3. Section 402 of such Act is further amended by repealing, effective with the 1970 crop of upland cotton, section 103(d)(12) of the Agricultural Act of 1949, as amended."

Mr. WILLIAMS of Delaware. Mr. President, there should not be any controversy about this amendment. Surely the Presiding Officer and my good friend from Louisiana will both support it. I see no reason why they would not. This is identical to the amendment which passed the House of Representatives earlier this year but which was lost in conference.

The amendment is applicable only on crops beginning in the crop year 1970. It has no retroactivity. It merely limits to $20,000 the amount that can be paid in cash subsidy to any one farmer.

The Department of Agriculture has called to the attention of the Senate the fact that it does not have enough money to operate under the present system. There is already a provision in this bill now before us to exempt the Department of Agriculture from the expenditure controls on the basis that it will need more money. I opposed that exemption, but I was overruled.

Adoption of the amendment now pending will provide a minimum saving under the farm program of approximately $400 million. That is the minimum estimate. The estimate runs as high as $600 million. While only a part of this saving would apply this year, nevertheless we are going to need it equally as bad in the year 1970.

If the chairman of the committee is willing to accept the amendment we can vote on it now.

Mr. LONG of Louisiana. Mr. President, the Senator well knows that the Senator from Louisiana is not in a position to accept the amendment. He does not have the expertise or experience in this field to even debate it to the extent that it should be. It is a matter which falls primarily within the jurisdiction of the Appropriations Committee and the Committee on Agriculture and Forestry. Therefore it should not be added to this bill, a tax bill. Adding a nontax amendment to a tax bill complicates the work in conference since the House tax conferees also are not experts on agricultural amendments and will not want to act on it.

The Senator from Louisiana hopes the Senate will not add this amendment to the bill, because it will further complicate a bill on which it is going to be difficult enough to arrive at some agreement in conference the way it is now.

In any case, the Senator from Louisiana would not be able to agree to the amendment. I hope the amendment will not be agreed to. A more appropriate way to consider this amendment is for the Senator from Delaware to offer it as an amendment to a bill from the Committee on Agriculture and Forestry, when Senators who have jurisdiction and responsibility in that area are here to debate it. The Senator from Lousiana knows how determined the Senator from Delaware is to have a vote on his amendment. The Senator from Delaware did not offer his amendment in the committee, but certainly he is not bound by that course. He can offer it on the floor if he wants to, but I hope he will not further complicate the bill by adding this amendment.

Mr. WILLIAMS of Delaware. I might say to the Senator from Louisiana that as a member of the committee I would not want to complicate the bill. I realize that H.R. 2767 is a bill dealing with amendments to the Internal Revenue Code; however, I call the Senator's attention to the fact that last week the Senate did agree to an amendment which did not deal with the Internal Revenue Code but the purpose of which was to exempt the Department of Agriculture and the Commodity Credit Corporation, specifically, from the provisions of the $6 billion expenditure controls, thereby allowing them to spend about $1 billion to $1.5 billion more than they would have spent otherwise.

I am not sure whether the Senator from Louisiana supported it or not, but that is beside the point. The amendment has been agreed to.

Since this bill does deal with the financing of the Department of Agriculture I think it is only appropriate to offer this amendment as a means of helping find a good way to finance it—to help cut down some of its costs. Certainly that would be a major step in the right direction.

However, I have another purpose in offering the amendment. I believe it would help this bill in the House of Representatives, because that body, by a rollcall vote, has already approved the identical language in this amendment. So when it comes up for consideration in the House of Representatives I cannot conceive of any reaction by that body except enthusiastic support for it.

I, therefore, believe we are not delaying action; we are merely putting something into the bill which the House of Representatives has already said it would support. Certainly this is a matter on which the Senate itself should take favorable action.

As I have stated, it was not my suggestion that we open this bill up to a Pandora's box, but it has been opened. It has been opened by the amendment to exempt the Department of Agriculture from the spending controls, and, as the Senator from Louisiana well knows, the expenditure control section of the Williams-Smathers package approved last April was an important part of the revenue-producing measure enacted at that time. It was an important part of the 10-percent tax surcharge enacted by Congress, and this amendment would help fill the void which was created by shooting the bottom out of the bucket, so to speak, by the exemption of these various agencies.

So I insist upon action on the amendment, Mr. President. Recognizing that there are not enough Senators present to obtain the yeas and nays, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll and the following Senators answered to their names:

[No. 323 Leg.]

Aiken
Allott
Anderson
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Curtis
Dirksen
Dodd
Fannin
Fong
Goodell
Hansen
Harris
Hart
Hartke
Hatfield
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McGee
Morton
Mundt
Murphy
Pastore
Pearson
Percy
Prouty
Randolph
Russell
Sparkman
Spong
Thurmond
Williams, Del.
Yarborough
Young, N. Dak.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Cannon
Eastland
Ervin
Griffin
Hayden
Jackson
McClellan
McIntyre
Metcalf
Moss
Pell
Proxmire
Scott
Smathers
Stennis
Symington
Tydings
Williams, N.J.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. WILLIAMS of Delaware. Mr. President, I shall be very brief, and the Senate will be able to vote in a few moments.

The pending amendment would limit the payments to not more than $20,000 under all programs which we provided for under the provisions of titles II through V of the Agriculture Act.

This limitation on the payments under the agriculture program is not retroactive. It would not affect the payments in this calendar year, but it would be applicable with the beginning of the 1970 crop year payments, which would make it entirely prospective. Retroactivity is not involved.

However, the question has been asked, Why is this amendment offered as a part of this bill, which in itself is a revenue measure? The reason it is offered as a part of this bill and the reason it is germane to this bill is that last week the Senate adopted an amendment, sponsored by the Senator from Louisiana, which exempted the Commodity Credit Corporation from the provisions of the mandatory expenditure ceiling of $6 billion. That was approved by Congress on the premise that the Commodity Credit Corporation did not have the money with which to finance its operations next year, and the Director of the Budget was not willing to assign the money to it from some other agency or program.

This amendment, which is identical to the language approved by the House of Representatives earlier this year, would limit these payments to $20,000. The closest estimate I can get is that it would provide a minimum saving of $400 million a year, and the estimates run as high as $600 million a year. Certainly, at a time when we are short of money with which to operate the Government this is a reasonable limitation to put on the program.

The Department of Agriculture keeps insisting that it is short of money. It is sending out notices about how it is going to cut back on all soil conservation projects, drainage programs, and other popular programs in the various areas if they do not get more money. However, it is significant that last month at about the same time they were sending out the bulletin about cutting back the appropriation for the watershed allotments throughout the country, which are popular projects, they also put out a report in which they told farmers that they have plenty of money for the authorization of loans to those who want to turn their farms into recreational areas. If a farmer wants to turn his farm into a golf course or a hunting lodge the Department has plenty of money to finance it, but they are telling us at the same time that they do not have money with which to finance the watershed projects and other essential projects.

This is another typical case of a department threatening to curtail the most popular projects if Congress does not exempt them from spending controls.

The Agriculture Department has been exempted under one provision of this bill, and therefore it is germane that we place a limitation on the amount of payments to be made to any one farmer—and certainly $20,000 is a liberal amount.

On May 23, 1968, I put into the RECORD—I shall not put it in again—a list of all such payments in excess of $50,000. Five operations received over a million dollars each, and 15 received between $500,000 and $1 million each. They are all in the RECORD of May 23; but why should we pay a half million dollars or a million dollars to any so-called farming operation not to cultivate their land or as a subsidy on the crops they produce?

I believe this amendment should be adopted overwhelmingly by the Senate, and I am ready to vote.

Mr. LAUSCHE. Mr. President, I rise to support the Senator from Delaware with respect to the amendment he is asking the Senate to adopt.

I have in my hand a copy of the RECORD of September 9, 1968. It contains a tabulation of the subsidies paid by the Government to farmers in an amount over $20,000.

Mr. President, the RECORD shows that there are 9,952—and I would say in many instances "alleged"—farmers who are receiving an aggregate of $408,139,006 for the year 1967.

While I was Governor of Ohio the word was circulated, and I heard it, that the purpose of the Federal subsidy was to keep the little farmer alive. The argument was made that for the establishment of a sound economy and social system the more people we could keep working on the land, with all of its inspiring influence, the better society and the economy would be. I believed in that principle. That has always been my belief.

It came rather pointedly one day when I went to a fair in a county in Ohio. One man came up to me and said, "Governor, my name is so and so. I am nothing but a farmer down in Harrison County." Those words hit me pretty hard. He said, "I am nothing but a farmer down in Harrison County."

I said to myself, "Nothing but a farmer who in those days rose in the morning when the first cock crowed and worked in the night until the sun went down. He is the man who paid his taxes; he abided by the law; his sons responded to the call of Government in time of war; he labored in the field, strengthened by the work that he was doing. Parched in face, wrinkled and tanned by the burn of the sun, worked in the field he did, and he was 'nothing but a farmer.' "

I wanted a cessation of the migration of people from the farms into the cities. My fear then was that our metropolitan areas were getting too big and that economic problems would arise that would eventually prove insolvable.

Help the small farmer. But let us see what is happening. Here is a farmer, the Home Commercial and Sugar Co. Would this bill apply to the sugar industry?

Mr. WILLIAMS of Delaware. Yes.

Mr. HOLLAND. No.

Mr. LAUSCHE. What is the opinion of the Senator from Delaware?

Mr. WILLIAMS of Delaware. It applies to all soil conservation payments under titles II through V of the Agriculture Act. This does not cover sugar payments.

Mr. LAUSCHE. Any way, it applies or it does not apply.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. LAUSCHE. I shall yield in a moment, but first I wish to complete my statement.

Mr. President, there is $1,353,770 to help the poor farmer. Then, I go on to this astounding fact: A payment of over $4 million as a help to the farmer; numerous payments of $1 million and more; many more payments of $100,000 up to $500,000, all to help the little farmer.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. LAUSCHE. I shall yield in a moment.

Mr. President, it does not make sense to me and it is not justice for the taxpayer. I shall not try to enumerate the large and many payments that have been made under this program. They are completely unjustified but it seems that there is an insuperable barrier which cannot be broken and which means the continuation of these payments.

About 2 months ago the Senator from Delaware, I believe, started an attack upon the Government by offering an amendment providing for $20,000, then $50,000, and then $75,000. How high did the Senator get? Does the Senator recall?

Mr. WILLIAMS of Delaware. There was an amendment to provide a limitation of $100,000, but the amendment was rejected.

Mr. LAUSCHE. But the Senator from Delaware finally offered a limitation of $100,000. Is that correct?

Mr. WILLIAMS of Delaware. Such an amendment was offered. I supported it, but I did not offer it. I offered a measure to limit payments to $50,000. That amendment covered all payments. The list to which the Senator refers covered all payments, including sugar.

The amendment before us is the exact amendment that was passed by the House of Representatives this year, and I hope we can at least take that step this year. It covers payments under titles II and V, and it does not cover the sugar act.

Mr. LAUSCHE. Well, it should.

Mr. WILLIAMS of Delaware. I agree. The amendment I offered the first time and the one we voted on in June did cover all, but I thought we would try to get this proposal through if we can.

I would like to call to the attention of the Senator some of these so-called farmers that this restriction would affect. The Arkansas Board of Penal Institutions, which is the penitentiary in Arkansas, collected $177,207 as one of these small farmers. The Louisiana State Penitentiary drew $89,697. In addition, we have an operation in Mississippi, the Mississippi Delta Pine and Land Co., receiving $653,252 and that company is owned by British interests; the owners are not even American citizens.

These are payments to corporate-type farms. This does not help small family-type farmers or those operating small farms, because they cannot afford to put a portion of their land under the soil bank or to receive acreage reserve payments. They have a limited amount of acreage, and they have to have that available for use themselves; they have to utilize all of their acreage. On the other hand, the large corporate-type operation can put one-half or one-third of their farms in the soil bank.

What we are doing, without these controls, is financing with taxpayer money the expansion of the corporate-type farm, and we are doing it to the detriment of the small individual farmer.

I think there should be a limitation which would give an advantage to the small farmer; he needs that opportunity.

Mr. LAUSCHE. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I believe the point was brought out that I wanted to make clear. This amendment would not apply to the sugar payments. The payments in the list referred to by the Senator from Ohio are sugar payments out of a special processing tax levied for that purpose, and the tax has been so much more than adequate to make those payments that the Federal Government has profited very greatly from that processing tax from year to year.

I want to make that clear. I am sure the Senator from Delaware and I agree that sugar payments are not involved in his amendment which is addressed wholly to certain titles of the 1965 farm bill.

Mr. WILLIAMS of Delaware. The Senator is correct, the identical amendment passed the House of Representatives. However, I would say that I agree with the Senator from Ohio that it should cover sugar as well. That can be dealt with later. But I am trying to get through something here that at least would be a step in the right direction.

I should like to comment on one point made by the Senator from Florida; and that is, on the sugar program being a moneymaking operation for the Government. Let us get the record straight. It is true that sugar payments made to the farmers are paid out of taxes collected as a processors' tax, but these taxes are passed on to the American consumers.

Taxes paid by the American consumer who uses this sugar are put in a special fund and used to make the subsidy payments. It cannot be said that it is self-financing any more than one could say that the farm program is self-financing if we were to take all income taxes paid by the American farmers and set them aside in a special fund to pay the farm subsidies. The mere fact that subsidies are paid with earmarked funds does not mean it will not cost the taxpayers anything because it is the consumers who pay the tax.

The amendment which I offered earlier this year and on which the Senator from Ohio was commenting, did cover sugar payments; but, as I said at the beginning of my remarks, the amendment before us today is one which I felt was all the Senate would accept and one which we would have an excellent opportunity of keeping in the House of Representatives. The House has already, by a rollcall vote earlier this year, approved the identical language.

I think I should also point out that this amendment does not affect the price-support program loans. Price-support loans are not affected at all. Whether they should be continued is a subject that can be dealt with under a later bill.

When I offered a similar amendment to an appropriation bill earlier this year I was advised it would receive much more support if it were offered on a legislative bill dealing with an extension of the agricultural program. I agreed that it would be more palatable. Later the Agriculture Committee did have before it an agricultural bill, and I appeared before the committee and testified on behalf of the amendment. The committee did not see fit to accept it, and it was offered on the floor of the Senate. I got about the same vote as I did before. So, let us face it; that was only an excuse. This is as good a time—in fact a better time—than any I know of for the Senate to decide whether it wants to take at least this minimum step to place a limit on these payments.

Mr. LAUSCHE. I thank the Senator from Delaware very much.

Mr. President, last April 2, we passed the 10-percent surtax bill. We also declared by resolution that there should be a reduction of governmental spending in the amount of $6 billion.

I know of no better place to begin to put the principle into effect that was enunciated on April 2 than with this bill right now.

I also point out that there are a number of States which have no farmers who receive above $20,000. I should like to enumerate them: Alaska, Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, Virginia, and West Virginia.

The largest sums are paid to a few States. I gladly support the Senator from Delaware in the amendment which he has offered and anticipate that we will lose, as we have lost in the past; but the day of reckoning will come and, someday, there will be a realization of the impropriety of this program.

Mr. HOLLAND. Mr. President, in the first place, let us talk about sugar for a minute. Sugar payments are not involved in the bill, for a very good reason. They were not included in the 1965 bill. They are in a separate program. They are financed by a separate processing tax, which has been more than adequate to carry the program, so that large amounts over and above the amount of the payments have been retained by the Federal Government as general revenue each year out of that tax.

In addition, the sugar payments are graduated. The small producer gets the maximum amount. It is graduated down from 80 cents per hundred pounds at maximum to 30 cents per hundred pounds at minimum. Where there are very large corporate producers, so far as the payments are concerned, they are less than half as much as for the small producer.

No attack has been made on that program. The sugar consumers of the Nation have had a well-balanced price program which frequently has been way under the world price. There has been no heavy fluctuation in the sugar price. The program in general has been acceptable to our people. Therefore, no attack has been made on that.

I am glad now to yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, these programs do not involve grants to farmers at all. That is where so many Senators are completely wrong. With respect to soil and water conservation, there is nothing more precious, especially for the future of America, than the conservation of our soil and water resources. These payments are part of that. Farmers are paid to carry on better soil-conserving practices. We also have the land retirement programs which every farm organization believes is the cheapest way to bring production more in line with needs. This limitation would affect payments for retiring land. It would also affect wool payments. The wool producers of this Nation would like nothing better than a little higher tariff to protect their industry. In the absence of adequate tariff protection however, we would have no wool production in this country at all, if it were not for the payments. Without the payments, there would be no profit whatsoever in the wool business.

These wool payments are financed from import duties.

In the case of the wheat-certificate program, that is financed in part by the users of wheat. The farmers are only assured 100 percent of parity for that portion of the wheat consumed in the United States. If these payments were eliminated then all the wheat farmers would get is the low wheat price of about $1 a bushel. This would mean a bankrupt agriculture.

I cannot emphasize too much that these are not grants. If we put on a limitation of $20,000, we will keep many farmers out of the programs. Even the average farmer of today may be involved in several programs at once—wool, wheat, cotton, and land retirement.

If you add these payments together you can see why many farmers would have to stay out of the programs. The very objectives of the programs are to conserve soil and water and hold down production by retiring land.

If we limit the payments the bigger farms receive, they will not participate in the programs. These are not grants, the farmer is only being paid for a service rendered, we are not giving them a break.

Mr. HOLLAND. Mr. President, in the first place, I want to make clear what we are doing. We are considering this amendment, for the third time in this session. It was knocked out when it was proposed to the appropriation bill. It was knocked out again at the time the 1965 bill was proposed to be under consideration for an extension. Now we are trying to do it for the third time when there is just a little over half the membership of the Senate present and after the other two attempts have been soundly defeated, when practically all the membership of the Senate was present. That is the first thing I want to call attention to.

The second thing I want to call attention to is that the 1965 Farm Act is the particular child of the distinguished Senator from Louisiana [Mr. ELLENDER] who is not here, and who was here and did successfully defend his bill on both of the other occasions.

So far as the Senator from Florida is concerned, he wished he could speak with the eloquence and with the experience of the Senator from Louisiana [Mr. ELLENDER] but he cannot. But he is certainly going to stand up here and state what he believes are the principal objections to this particular amendment.

The biggest objection, from the standpoint of principle, to this amendment is that it will knock out, destroy, kill, do away with the wool program. Mr. President, the wool program is an intelligent effort on the part of this Nation to build up a production of wool in this country which will take care of our most vital needs in the event of war or of emergency, which would stop the majority of our wool supply, which comes from overseas, as Senators know. This amendment is a direct attack at the wool program.

Mr. President, I ask unanimous consent at this time that a list prepared by the ASCS of the U.S. Department of Agriculture, showing the number and amount of payments to the wool producers in various classifications, be placed in the RECORD at this time as a part of my remarks.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Number and amount of payments, $5,000 and over, shorn wool and unshorn lambs marketed in 1967

Amount of payment:	*Number of payments*
$5,000 to $9,999	1,088
$10,000 to $19,999	542
$20,000 to $29,999	134
$30,000 to $39,999	54
$40,000 to $49,999	20
$50,000 and over	30
Total	1,868

Mr. HOLLAND. Mr. President, as Senators will see—and I am sure they may not have a chance to see the tabulation printed tomorrow, because they may vote today—134 woolgrowers received price-support payments of from $20,000 to $29,999; 54 received price-support payments of from $30,000 to $39,999; 20 received such payments in amounts from $40,000 to $49,999; and 30 received payments of $50,000 and over.

Mr. President, I call attention to this fact because it is quite clear that a majority of the wool produced is produced by people struggling on the great arid acres where the sheep are raised, trying to meet the objective of our Nation, which is to produce a substantial part of our national consumption of wool. I have the objective which has been stated. It is to produce 300 million pounds of shorn wool, grease basis, each year. That was regarded as the minimum which our Nation should produce to be sure we would be able to take care of our vital needs in the event we were cut off from our offshore supply.

A former Secretary of Agriculture is present now in the Senate, and I am sure he knows the whole history of this movement. The effort has been to keep us as self-sufficient as possible for our most vital needs of wool in the event of war or other great emergency. To destroy that program would be a catastrophe, and I hope Senators will realize that that is what they are asked to do now.

I want to call attention to another fact. So vital is the wool production that the one single exception under which the Secretary of Labor and the Secretary of Agriculture, by their combined efforts, are bringing in foreigners for a 3-year period to work in this country, is for tending of sheep. There are, as I understand, between 1,600 and 1,700 Basques, who are completely necessary for the ongoing, heavy sheep production and heavy sheep tending in the western part of our Nation. That is the only exception which is made for long-time importation of foreigners to do necessary work in this Nation.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HOLLAND. I shall be glad to yield in a moment.

I hope Senators will realize this amendment is designed to kill the wool program. My State has no wool production worthy of the name. I just know that this is an objective of great importance to our Nation, and the amendment is so drafted as to completely kill that program.

Now I am glad to yield to the Senator from Indiana.

Mr. LONG of Louisiana. I am sure the Senator knows the Finance Committee has no particular competence in this area or to say what these farm payments should be or should not be. We have jurisdiction under the Sugar Act, and I know something about that; but the competence in this area lies primarily in the Committee on Agriculture and Forestry and to some extent in the Committee on Appropriations.

As I understand that this is a matter the Senate has already voted on in this Congress?

Mr. HOLLAND. Already voted on twice, as I stated, and on both attempts the amendment was soundly rejected.

I call attention to that fact because I am conscious of the fact that the principal opponent of the amendment, the principal author of the 1965 act, which would be so badly lacerated if this amendment were adopted, is the distinguished colleague of the Senator from Louisiana, who at the present time cannot be here in the Senate to defend his bill as he did successfully on those two prior occasions.

Mr. LONG of Louisiana. That supports the position the Senator from Louisiana takes—that we do not really have competence in this area. We do not have jurisdiction of it. If we go to conference with conferees of the House of Representatives, I am sure the conferees of the House, who will be members of the Ways and Means Committee, will tell us the Ways and Means Committee does not have jurisdiction in this area and that they do not have any experience or particular competence in that field. The conferees would probably want to respect the jurisdiction of other committees, with the feeling that this is a matter that members of other committees should act on.

I certainly do not feel it is something the Senate Finance Committee should act on, especially in view of the fact that it is late in the session and, the Senator tells me, the Senate has already voted on it twice with respect to matters in which the appropriate committee had some jurisdiction.

Mr. HOLLAND. I thank the Senator.

Mr. President, may I fill in my remarks by saying that my assistant, counsel for the Senate Committee on Agriculture and Forestry, has just procured these figures from the Department. The wool production which is domestic now is about 41.4 percent of our national domestic needs, which is regarded as a minimum for our security in the event we get into serious trouble.

Mr. President, with reference to the program as a whole, I shall not detain the Senate any great length of time, but I want it distinctly understood that this amendment covers land diversion payments and it covers other payments that are made to the producer direct. The amendment covers wheat marketing certificates and other types of payments under the four titles of the 1965 bill.

There is much hue and cry to the effect that this payment system destroys the little people and makes greater growth for the big. I am sure the Senators who make that statement feel that way, but I just want to tell them, after 15 years or more on the Agriculture Committee, that they are just exactly wrong; that, to the contrary, a cutoff entirely of this program would mean that little people would go out of business and that big people, who can produce more economically, and do produce more economically, would get bigger, and there would be fewer and fewer and fewer producers in business.

Such an amendment as this is destructive of the small growers in the field of wheat production, feed grain production, and cotton production. Those are the fields that are covered here, in addition to wool, which I have already mentioned.

There are others who feel it is a terrible tragedy——

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HOLLAND. If I may finish this sentence, I will then yield to the Senator.

There are those who feel it is a terrible tragedy for a man to be paid up into the thousands of dollars for taking land out of wheat production or feed grain production or cotton production.

Mr. President, you cannot get heavy acreage out of production, you cannot divert heavy acreage, without taking it from the heavy producer, as the former Secretary of Agriculture sitting here beside me [Mr. ANDERSON] knows. When you take from each of many small producers a little moiety of acreage, in the first place, you make it impossible for them to live, and in the next place, when you add it all up, you do not have any substantial acreage diverted, reduced, or taken out of production.

So the only way you can get substantial acreage out of production is to persuade, by one means or another, people who have large farms, with large acreage, to divert as much as they are willing to divert, or as much as the law will permit them to divert, out of their production.

Mr. President, instead of being a weakness of the law, it is a strength of the law insofar as diversion is concerned, that there is an appeal made to take substantial acreage, from people who have substantial acreage, out of production, so as to reduce the total that is being produced. The only way you can achieve any real, meaningful reduction is to get some of the big farmers to put some of their acreage into the diversion program.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. LAUSCHE. Mr. President, the little farmer will still be covered by the law. He will be permitted to receive a subsidy of up to $20,000. In the richest county in Ohio, 12 or 13 years ago, farmers had an average annual income of about $10,000. That was the aggregate product of their return to themselves on their work, in addition to the food which they raised.

So it is pretty hard for me to understand how this law is going to destroy the little farmer. It may be argued that production will be increased. But we have not done a good job in that. I have been here for 12 years, and each year I have heard that the more lands you take out of production, the more fertilizer is put into the remaining land, and the more irrigation is developed.

But aside from this program, we are spending money to develop irrigation plants all over the country. I believe the program is not of the great value which the Senator from Florida claims it to have.

If the Senator will yield further——

Mr. HOLLAND. I yield to the Senator from Ohio.

Mr. LAUSCHE. I wish to repeat certain figures here. I mentioned some of them a moment ago.

Alaska has no farmer receiving $20,000 or more. Neither do Connecicut nor Delaware. Hawaii has 26, Idaho 79, Illinois 24, Indiana 26, Iowa 16—I cannot quite believe that, but it is obviously so—Kentucky 7, Maine 1, Maryland none, Massachusetts none, Michigan 5, Minnesota 11, Montana 91, Nebraska 51, Nevada 6, New Hampshire none, New Jersey none, New York none, North Carolina 71, North Dakota 47, Ohio 8, Oregon 78, Pennsylvania 2—with probably 12 or 13 million people—Puerto Rico 91, Rhode Island none, South Dakota 22, Utah 19, Vermont none, Virgin Islands none, Virginia 2, West Virginia none, Wisconsin 4, and Wyoming 12.

I have identified those States which have 100 or fewer farmers receiving $20,000 or more subsidy for alleged reduction of the production of food throughout the Nation.

To conclude, I cannot see how the fixing of a $20,000 limitation will hurt the little farmer.

Mr. HOLLAND. Mr. President, if the Senator has concluded, I will show him just exactly how it will hurt.

The great grain farms, which are not in his State nor in mine, consist of hundreds of acres of fertile land, some of them many thousands of acres. If this limitation is voted, the only thing that those big farmers can do is either continue their massive production or even enlarge it, which they can do at much smaller unit prices of production than can the small people. As a matter of fact, the one time we attempted this action before, which was in 1960, we found that exactly that result ensued. In 1960, we voted, in the appropriations bill, a $50,000 limitation. We had a terrible time on it in conference. I was in the conference at the time. I see on the floor also the Senator from Colorado [Mr. ALLOTT], who was in that conference, and he may remember that we had in lawyers from the Department and otherwise—we had a good many lawyers sitting in that conference—and we thought we had worked the matter out pretty well, but the results were so disastrous from the standpoint of increased production by the big farmers that we promptly dropped the thing the next year, and it has never been renewed since that time. I do not know whether my distinguished friend from Ohio was in the Senate at that time.

Mr. LAUSCHE. Yes; I was.

Mr. HOLLAND. Unless he followed the matter carefully then—I doubt if he did, because he was not then on the Agriculture Committee or the Appropriations Committee—he probably does not know that we had a disastrous experience with an effort at limitation at $50,000. This is a $20,000 limitation, as proposed here. We dropped it like a hot brick after a 1-year trial, because it simply does not work out as those conscientious friends of limitation think it should.

I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, of course, the distinguished Senator from Florida is entirely correct. The experience we had in 1960 should have been enough of a warning to anybody as to what would happen if the amendment of the Senator from Delaware were adopted.

But if the Senator will permit me, I should like to say a few words about another aspect of this same question. I shall devote myself to the wool program.

I say to the Senator from Ohio that he is talking about two entirely different things here. In the case of grains, he is talking about trying to hold down and limit production, and to support the price. With respect to wool—and that is what I intend to say a few words about—we are trying to build production.

Back in 1955, the country produced 234 million pounds of wool. We then had a sheep population of 27,137,000 head.

The goal of the Wool Act is to reach

an annual production of 300 million pounds a year.

If we do this and follow the lead of the Senator from Delaware, we will put the wool people even farther behind than they are now.

Production of wool has fallen. In 1955 it was 234 million. The highest it ever went was in 1960 when it reached 265 million. It was 259 million the next year and then 246 million. It was 148 million pounds of wool as of 1967.

By the same token, the sheep population of the country has gone down from 27 million to 19,184,000 in 1968.

I should also point out that all of the domestic wool production goes into the textile mills here in the United States. None of it is exported. But it does help to keep our domestic textile mills open, which are suffering heavy pressure from foreign imports.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, I have the floor. I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, do I correctly understand with respect to the wool that there is need for more wool and, therefore, the remedy is to pay a subsidy to the wool growers to induce them to produce wool?

Mr. ALLOTT. The Senator is correct.

Mr. LAUSCHE. And do I also correctly understand that with respect to other foods, too much is produced and, therefore, we pay a subsidy to reduce production?

Mr. ALLOTT. In effect, it is to reduce it, but to stabilize the price.

Mr. LAUSCHE. I do not understand how the same remedy is applied in the one instance to increase growth and in the other to reduce it; and I do not understand how that can be rationalized.

Mr. ALLOTT. In the case of wool, the money, or part of it, is collected from wool imports. What I was trying to point out to the Senator was that his argument cannot be applied both ways to both things.

Mr. LAUSCHE. The Senator is applying it that way.

Mr. ALLOTT. I am concerned about the wool and the sheep business of this country.

If the Senator lived in the great West, he would witness the situation and would realize that the sheep industry is a vital part of the economics of our State and of the West. He would see this gradual deterioration with people going out of business year after year. I am sure that the Senator would not then take the attitude he does about this matter.

We have not provided the protection for our sheep people over the years that we should have provided. They have marched up and down to the Tariff Commission several times in the last 12 or 14 years with no appreciable results.

Frankly, while the sheep business is one of the most marginal businesses that I know of in the United States, I simply could not in all conscience vote for such an amendment merely because a few people may get over $20,000. Considering the size of their operation, the land they have to keep under control—either lease or hold—and considering the expenses of their operation, all we are doing today, particularly when we include the very restrictive labor clauses that have been adopted by Congress on various things, we are gradually eliminating the wool business from this country.

I would hope that we reject the amendment. I spoke against it before. It just is not reasonable. I speak against it in this instance from the standpoint of our sheep growers in this country.

I thank the distinguished Senator for yielding.

Mr. FONG. Mr. President, will the distinguished Senator from Florida yield?

Mr. HOLLAND. Mr. President, I will be glad to yield to the Senator from Hawaii in a moment. However, I have a hearing waiting to bring out the supplemental appropriations bill, and the distinguished Senator from Louisiana [Mr. ELLENDER] is not present to defend the agricultural program from this attack. I am trying to speak in his place. I know how he feels about this.

He feels that the adoption of the amendment would destroy his work and the work of the Committee on Agriculture and Forestry for many years in trying to keep a more profitable and more agricultural business in existence through supports at reasonable prices of the food and fiber of this Nation.

I will yield shortly, if the Senator will permit me to complete my remarks on a couple of these points.

GENERAL EFFECT

The general effect of the amendment is that of a monkey wrench in the farm program machinery. Farm programs have generally been designed to provide adequate supplies of food and fiber at prices that are fair to producers and consumers, and to maintain an efficient agricultural plant. Under present farm programs, payments represent a part of the price a farmer receives for his commodity and for the use of his land. They are not a matter of Federal largesse. A limitation on payments would, to the extent it was effective, therefore, deprive the farmer of a fair price for his commodity and a fair charge for the use of his land.

Price support and diversion payments are both used as a means of controlling production. They may provide an incentive for producing adequate supplies, or an incentive for restricting production to the quantity needed. To the extent that the proposed amendment might be effective, it would impair these controls. Farmers who were prevented from participating fully in the program would have to decide whether to increase production, produce other commodities for which they could obtain fair prices, divide up their lands among producers eligible to receive the full payment, or adopt some other alternative. The result might be the production of inadequate supplies with high prices to consumers, or the production of excessive supplies with low prices to producers and large volumes being acquired and stored at increased Government cost. Under either of these alternatives the cost of the program to the consumer or the Government would be likely to be increased, no savings would be achieved, the objectives of the program would not be realized, and the efficiency of our farm plant would be impaired.

EFFECT ON THE WOOL PROGRAM

Mr. President, I am glad that the Senator from Colorado, from his own experience, has supplemented my comments with reference to wool. We do not have experience in our State in this field.

Let us look at the effect the amendment might have on the wool program. Wool is an essential and strategic commodity which is not produced in quantities and grades in the United States to meet domestic needs. The purpose of the program is to encourage the annual domestic production of approximately 300 million pounds of shorn wool, grease basis. Incentive payments are made to producers to achieve this purpose, but the amounts paid have not been adequate therefor. Production in 1967 was 188.2 million pounds, well below this objective. A total of 238 producers received payments in excess of $20,000 under this program in 1967. To the extent that the amendment of the Senator from Delaware is effective in reducing returns to these producers, it would discourage their production and obstruct accomplishment of the program. The incentive payment was 65.8 percent of the producer's return from the marketplace or about 39.7 percent of the producer's total return for his product. Removal of this incentive for these larger producers should do much to destroy the program.

EFFECT ON FEED GRAINS

In the case of feed grains, unlike wool, the program objective is to prevent excessive production. An acreage diversion program is authorized whenever in the absence of such a program the supply would be likely to be excessive. For 1968 price support payments for corn are at a rate of 30 cents per bushel on the projected yield of the acreage planted up to 50 percent of the base acreage. To qualify for these payments, the producer must divert 20 percent of his base acreage and keep within his permitted acreage. Diversion payments are made for certain additional diversion at a rate equal to 45 percent of the sum of the county loan and payment rates, roughly 45 percent of $1.35, or about 61 cents a bushel. The objective is to divert 30 million acres, about 10 million more than last year, and bring production down to 2 or 3 percent below requirements instead of last year's 2 or 3 percent above requirements.

Mr. President, are we going to destroy the viability of this program, its flexibility, and its ability to move up and down as conditions may require? Are we going to bring chaos back into the farm community by the adoption of this amendment? I hope not.

Mr. YOUNG of North Dakota. Mr. President, will the gentleman yield?

Mr. HOLLAND. I yield.

Mr. YOUNG of North Dakota. Mr. President, if we set a limit of $20,000 this year, next year it will probably be lowered to $5,000. This is the usual pattern in matters like this.

If we had a small limitation, only smaller farmers would be eligible for land retirement. The smaller farmers cannot afford to retire land when they already, in most cases, need more farmland.

When we retire land—as we have in the case of corn, about 25,000,000 acres this year—It is necessary to get practically all of the corn farmers to participate. Otherwise the program is not effective in reducing production.

This year we will have the second biggest corn crop in history with 25,000,000 acres retired. If it were not for those retired acres, we would be in an impossible situation. The market would be flooded with corn and prices would be even lower.

Mr. HOLLAND. The Senator is correct.

The proposed amendment would, first, reduce the incentive for large producers to divert additional acreage, and second, reduce their incentive to participate in the program at all. In the latter case they could restore their 20-percent diversion to production and, in addition, plant as many aores above their bases to feed grains as they saw fit.

Overproduction in feed grains would soon be reflected in overproduction of livestock and livestock products.

That is what happens to the big people when an amendment like this is adopted. In order to stay in business, they have to increase production rather than decrease it.

The amendment is therefore inimical to the basic purpose of this program. It is possible that the Secretary, by increasing price support and diversion payment rates, and reducing loan rates might counteract to some extent the increased production resulting from this amendment. But forcing such action in this manner would result in lower results at higher costs.

EFFECT ON COTTON

In the case of cotton, one of the principal objectives of the payment program has been to make cotton available to domestic mills at competitive prices. For 1968 the farmer receives 10.76 cents per pound for diverting 5 percent of his allotment, and 6 cents per pound for diverting and additional 30 percent. Price support payments amount to 12.24 cents per pound on the acreage planted up to 65 percent of the allotment. The national average loan rate is 20.25 cents per pound. Payments therefore represent well over one-third of the producer's assured gross return for his cotton if he plants 65 percent of his allotment, well over a fourth if he plants his entire permitted acreage. To deny any producer this portion of his return on any part of his crop would have an adverse effect not only on him, but also on his financiers, his suppliers, his employees, and the people who process or handle his cotton. The effect on our agricultural plant and the economies dependent on it would be in direct ratio to the number of farmers affected and the magnitude of the effect upon them. It would appear very unlikely that such producers could continue to supply the mills with low-priced cotton or that the current type of program based on payments could be maintained.

EFFECT ON WHEAT

I am glad the Senator from North Dakota is present. The Senator from Kansas was in the Chamber a few minutes ago, and I hope he will return.

Wheat, like feed grains, is a voluntary program designed to keep production in line with demand. Much of the wheat is produced in areas where there are few or no alternative crops. If the producer is denied a sizable portion of his marketing certificates, he may be compelled to increase production in an attempt to maintain his income.

IN SUMMARY

Mr. President, it is impossible to foretell all the legal and practical problems that would be likely to flow from the proposed amendment. We have had one experience with price support limitations. Such a provision was contained in the Agricultural Appropriation Act, 1960. It was worked on very carefully in conference in an attempt to clear up all the problems. But we did not succeed. A sizable number of questions came to light later, and the lawyers of the Department prepared a rather lengthy opinion in an attempt to answer them. The provision proved to be not workable, and it was not renewed the following year.

The amendment is destructive of our farm plant and our farm producers with little way of telling where it will end. It can accomplish no desirable purpose, but it will force producers to rearrange their affairs to meet it. This may result in their producing more than we want or less than we want. Producers denied a full return from one crop may turn to another, and it may make for a complication of the problems in the other crop. Livestock, fruits, vegetables, and other commodities not subject to direct price support may be adversely affected. The price support program is like an engine designed to operate on a certain mixture of air and gasoline. If we reduce the amount of gasoline, the engine will not run. The current price support program runs on payments. Reduoing the payments will impair the program's effectiveness and will result in waste rather than saving.

Like the proponent of this amendment, the Senator from Delaware, I am not fully in accord with the programs under the 1965 act. But since that is the law, I do not believe that we should prevent the programs under it from being properly carried out. I was one of those who urged that we extend it just 1 year, and Congress has extended it just 1 year, in the hope that in the next 2 years—in 1969 and 1970—we can work out a better program. We are always striving for something that is better. But since that law has been extended for these 2 years—it comes to an end at the end of 1970—it will give us time next year to work out something that is better. The action of our committee and the committee of the other House, and the floor action in both Houses, finally ended with the extension of an additional year, so that we now have 2 years—1969 and 1970—in which to consider this always complex problem and to try to work it out to the better advantage of the country and of the agricultural producers and users throughout the Nation.

I hope that by the adoption of this amendment we will not destroy the program we have enacted to serve for the next 2 years, a limited period in which we can look at every aspect of this program and come out with the soundest program which minds dedicated to the cause of agriculture can develop in the next 2 years.

I yield to the Senator from Hawaii.

Mr. FONG. Mr. President, I am sorry that the distinguished Senator from Ohio is not in the Chamber. A few moments ago he read into the RECORD the fact that 26 entities in the State of Hawaii received more than $20,000 in subsidy payments.

The payments to these 26 individuals or entities were sugar compliance payments, not a subsidy. These payments are made to Hawaii's sugar producers because they comply with all the requirements of the Sugar Act—by adhering to production restrictions, by paying "fair" wages to workers, by not employing child labor, and if they are processors, too, by paying "fair" prices for sugarcane.

Approximately 237,000 acres in the State of Hawaii are devoted to the growing of sugarcane. In the growing of sugarcane in my State, very large operations are necessary. Many of these plantations are 2,000 to 3,000 acres in size—some of them 10,000 acres—and they employ many, many men.

The sugar industry in Hawaii is a $200 million industry. It pays approximately $69 million in wages to our sugarworkers, who are the highest paid agricultural workers in the world. With fringe benefits, they receive an average $26 per day. There are more than 12,000 sugarworkers in the State of Hawaii, and its sugar industry has more than 12,500 stockholders. So these payments are not to one individual but to 12,500 individual stockholders.

Although the amendment offered by the distinguished Senator from Delaware does not affect compliance payments so far as sugar is concerned, I am still opposed to the amendment because I believe that it is very arbitrary and grossly unfair. It is unjust and discriminatory.

First, it would keep control on large farmers but would deny them payments of over $20,000 for complying with these controls.

Second, it would discriminate against large farmers and legal entities. The fact that a farm is large does not mean it is making money. The fact that a farm is small does not mean it is losing money.

Third, I believe that to limit the amount to $20,000 would be very arbitrary and very discriminatory. It would be discriminatory so far as corporations are concerned. It would be discriminatory so far as partnerships are concerned.

Fourth, I believe that this amendment, if adopted, would lead to subterfuge.

If a family should have four or five members who would be entitled to payment of over $20,000, by subterfuge they could cut their farm into small units so that each could receive $20,000. If a corporation was running a farm, it could divide itself into various corporations and by subterfuge come under the amendment of the distinguished Senator from Delaware.

Mr. President, to propose such a limit, particularly without providing any substitute program for the protection of America's farm industry, would seriously disrupt America's basic farm programs, which keep America's dining tables filled with foodstuffs at moderate prices. It would lead to chaos in the farm industry. The entire program would be jeopardized. The farmers who are entitled to more than $20,000 certainly would not comply with all the rules and regulations and all the other restrictions with which they must comply now for the payments they are receiving. If they are denied this payment, they will forgo the payment of $20,000, and I believe this program would be in chaos.

If this amendment is adopted, it will be followed by an amendment to restrict compliance payments in the sugar industry, and such a limitation on the sugar industry would wreak havoc in the State of Hawaii, which produces one-sixth of all the sugar produced in America. It would destroy the sugar industry in my State. It would destroy the jobs of 12,000 employees in my State, and would jeopardize the holdings of 12,500 stockholders in my State.

This, in turn, would deal a staggering blow to Hawaii's economy, which is based heavily on the sugar industry, which brings in over $200 million a year.

While the limitation would drastically slash compliance payments on sugar it would leave standing the Federal excise tax on every pound of sugar processed in the United States, another instance of rank discrimination, especially when the Federal Government has already profited to the tune of $500 million on the sugar program since it was enacted.

Mr. President, the sugar industry of Hawaii pays more than $12 million a year in sugar taxes for the production of sugar to the Federal Government and it receives in return only $11 million in compliance payments. So the Government is making $1 million a year on Hawaiian sugar because of the processing tax.

Therefore, I oppose the amendment because I think it is very unfair, it is arbitrary, discriminatory, unjust; it would lead to another amendment which would eliminate compliance payments to the sugar industry, and it would leave standing the Federal excise tax on every pound of sugar processed in the United States.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. YOUNG of North Dakota. Mr. President, the Senator from Hawaii has made an excellent statement.

If the $20,000 limitation should become law, in the next year or the following year, the law would be applied to payments on sugar. The operators would find it impossible to work under the sugar program.

There is nothing the big sugar users would like better than high imports and no tariffs or low tariffs. We enacted programs for sugar and wool to maintain some semblance of production in the United States. Under the present sugar program we produce only 50 percent of the total U.S. requirements.

As far as my own State of North Dakota is concerned, I suppose no more than 100 big farmers receive payments of more than $20,000 a year. We are the most agricultural of all the States but I am concerned about the future of these programs. We are also in the sugar business, and if this amendment were applied to sugar, we might as well kiss the sugar industry goodby.

Mr. FONG. Mr. President, I agree heartily with the words of the distinguished Senator from North Dakota.

I know if this amendment were agreed to, it would be followed immediately by an amendment to restrict sugar compliance payments. If this amendment were offered and agreed to, it would wreak havoc on the entire sugar program of the United States.

We grow only 60 percent of our sugar in the United States and the sugar program has been enacted to protect the sugar industry which is so necessary to our economy. The sugar program has been enacted to protect the consumer so that he will have a reasonable price so far as sugar purchases are concerned. In addition, it is an instrument of foreign policy. We have many friends who depend on the sale of sugar to the United States and it is necessary that we buy the sugar from them. Otherwise they will not be able to have a stable government. Therefore, if the proposal were to be passed by Congress it would wreak tremendous havoc on the entire sugar program in our Nation.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. ALLOTT. Mr. President, I wish to compliment the Senator on the very fine statement he has made and particularly for that part of the statement in which he points out what the next logical step would be for the proponents of this amendment, if it were to be agreed to.

The interest of the State of the Senator from Hawaii is in cane sugar and the interest of the States of the Senator from North Dakota and myself is in beet sugar, but we know what the next step would be. They would want to strike out sugar compliance payments. At this time I do not think it is amiss to call attention to the fact that, even though there have been critics of the sugar program, per pound sugar has kept its low prices in constant dollars—not devalued dollars—better than any other commodity in the United States.

Mr. FONG. The Senator is correct. The price of sugar is 48 cents for 5 pounds. I was reading an ad of a supermarket the other day. The price is less than 12 cents a pound. In all other developed countries we know they pay as much as 13 cents, 14 cents, and 15 cents a pound.

Mr. President, it is because of the sugar program that consumers pay low prices. In comparison with other staples, sugar has advanced the least in price.

Mr. ALLOTT. It kept its stability in constant dollars.

Mr. FONG. Yes.

Mr. ALLOTT. I thank the Senator for his statement.

I know the Senator from Florida and other Senators have to attend an appropriation meeting for which they are now overdue. I hope we vote on the amendment soon.

Mr. PERCY. Mr. President, I wish to indicate my support for the amendment of the distinguished Senator from Delaware. I should also like to take this opportunity to commend my colleague in the House, Hon. PAUL FINDLEY, for his leadership in this issue in the other body. If we are ever to get decisionmaking in agriculture back to the marketplace and the farm and away from Federal Government bureaucracy, we must begin somewhere. This is the most equitable and fair place to start, with an amendment that will have no adverse effect on the family farm.

The PRESIDING OFFICER (Mr. McINTYRE in the chair). The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS]. On this question the yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished Senator from Arkansas [Mr. FULBRIGHT]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. SMATHERS (when his name was called). Mr. President, on this vote I have a pair with the distinguished Senator from Georgia [Mr. TALMADGE]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. McCARTHY], the Senator from South Dakota [Mr. McGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. GRUENING] would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Louisiana would vote "nay."

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Oregon would vote "nay."

On this vote, the Senator from Connecticut [Mr. RIBICOFF] is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting, the Senator from Connecticut would vote "yea," and the Senator from Oklahoma would vote "nay."

On this vote, the Senator from Idaho [Mr. CHURCH] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from Idaho would vote "yea," and the Senator from South Carolina would vote "nay."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from New York [Mr. JAVITS], the Senator from Iowa [Mr. MILLER], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kentucky [Mr. If present and voting, the Senator COOPER] is absent on official business. from Colorado [Mr. DOMINICK], the Senator from Iowa [Mr. MILLER], and the Senator from Texas [Mr. TOWER] would each vote "nay."

Also, if present and voting the Senator for Maine [Mrs. SMITH] would vote "yea."

On this vote, the Senator from New York [Mr. JAVITS] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from New York would vote "yea," and the Senator from Utah would vote "nay."

The result was announced—yeas 23, nays 41, as follows:

[No. 324 Leg.]

YEAS—23

Aiken
Boggs
Byrd, W. Va.
Cannon
Case
Dodd
Goodell
Griffin
Hartke
Hatfield
Jackson
Lausche
McIntyre
Morton
Pastore
Pell
Percy
Prouty
Proxmire
Scott
Tydings
Williams, Del.
Young, Ohio

NAYS—41

Allott
Anderson
Brooke
Burdick
Byrd, Va.
Carlson
Curtis
Dirksen
Eastland
Ervin
Fannin
Fong
Hansen
Harris
Hart
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Long, La.
McClellan
McGee
Metcalf
Mondale
Montoya
Moss
Mundt
Murphy
Pearson
Randolph
Russell
Sparkman
Spong
Stennis
Symington
Thurmond
Williams, N.J.
Young, N. Dak.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Mansfield, for.
Smathers, for.

NOT VOTING—34

Baker
Bartlett
Bayh
Bennett
Bible
Brewster
Church
Clark
Cooper
Cotton
Dominick
Ellender
Fulbright
Gore
Gruening
Hayden
Hollings
Inouye
Javits
Kennedy
Long, Mo.
Magnuson
McCarthy
McGovern
Miller
Monroney
Morse
Muskie
Nelson
Ribicoff
Smith
Talmadge
Tower
Yarborough

So the amendment of Mr. WILLIAMS of Delaware was rejected.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. LONG of Louisiana and Mr. ALLOTT moved to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. MONDALE. Mr. President, I should like to rise in support of the effort being made today to blunt the effect of the hasty and unwise decision made by this body in approving the amendment relating to the medicaid program.

Mr. President, this amendment seems to me to undermine the very goals which the Congress established in passing the medicare and medicaid programs in the last session. These programs established a very important principle and it was this: High quality comprehensive health services should be a right of all Americans, not the privilege alone of those with the ability to pay for them. It also established a second premise: That such health care could only be achieved by eventual abolition of the present two-class system of health care, one for the rich, another for the poor, separate and unequal.

The medicaid program was designed to help unify the system of health care in this Nation, by bringing the medically indigent—those with enough money for daily needs, but not enough to pay for health care—up to a par with those welfare recipients government financing already was helping.

States only now are beginning to be able to carry out the medicaid program. Yet now we have before us an amendment that would cripple this effort.

Mr. President, Minnesota has long led the Nation, not only in health research, but also in the field of medical care.

Ever since 1945, the State of Minnesota has offered its welfare recipients high-quality comprehensive health services. With the medicaid amendments, it has included in its programs the aged, disabled, blind, or members of families with dependent children whose incomes simply could not cover the high cost of medical care, and those needy young people under the age of 21 whose parents did not earn enough to pay for their children's medical care.

Minnesota now has a unified system of comprehensive care, fully planned and budgeted in accordance with the will of the Congress.

Today, out of the blue, Minnesotans are facing the prospect of a tremendous financial blow: $16 million less than originally had been planned to pay for such desperately needed health services.

Their options, like those of other States, are indeed disastrous to contemplate. The burden of financing could shift to the overburdened States and counties already in or on the verge of deficit financing. Or the programs themselves could be cut.

The State commissioner of welfare informs me that in Minnesota, the current formula in the Long amendment would mean that Minnesota might have to cut back as much as 23 percent—almost one-fourth—on its programs to make up the difference between the formula on which they had originally budgeted, and the new amendment formula.

Mr. President, I agree with Senator LONG's concerns about the rise in expenditure levels. But I must disagree with his assertion that States offering comprehensive health services to all categories are squandering money on the middle-income group. It is interesting to note that the medically indigent category—in Minnesota—the one Senator LONG directs his amendment to—includes persons with family incomes below the federally established poverty income. The so-called medically indigent family of four in Minnesota may have an income only up to $3,100 to have their children be eligible for Government assistance. Families living on $3,100 a year are far from what anyone would call affluent. In fact, what is causing the rise in medical care expenditures in Minnesota is that needed services are at last being made available to the very poor.

There is another thing that bothers me about Senator LONG's amendment, and that is who it would affect. Forty percent of those participating in Minnesota's medical assistance program are children and youth under the age of 21. Only 9.4 percent are in the age categories 21 to 64, while 50 percent are age 65 and over. There seems the implied assumption in Senator LONG's explanation that we are hurting the relatively affluent working-age parents. If the program in Minnesota is cut, the effect would be to hurt those who deserve it least—young children and the aged.

Mr. President, I agree with Senator LONG's concerns about the cost of health services. But I would submit that the problem of medical care costs requires not the congressional meat-ax approach, but a more sensitive kind of surgery.

As the Democratic platform states:

> What is required is new, coordinated approaches to stem the rise in medical and drug costs without lowering the quality or availability of medical care. Out-of-hospital care, comprehensive group practice arrangements, increased availability of neighborhood health centers, and the greater use of subprofessional aides can all contribute to the lowering of medical costs.

Mr. President, I agree with Senator LONG and others that the question of costs is important. Hearings have already been held on this subject recently, and more may well be needed.

I would suggest strongly that we not act in haste, for the matter is too important—not only to the States and counties, but for the thousands of people whose lives will be affected.

Mr. President, I am not prepared to say, as this amendment would have me say, that the best way for Minnesota to set its priorities in health care is to separate services. I do not feel qualified to make that judgment.

I am not prepared to say, as this amendment would have me say, that glasses for a 20-year-old, "medically indigent" that will enable him to get a job are less important than glasses for a 10-year-old categorical recipient to enable him to see in school. Yet States might have to react this way.

In sum, Mr. President, I am not prepared to say, as this amendment would have me say, that the old, the disabled, the blind, the members of families with dependent children so recently entitled to medical care they so badly need suddenly are now second-class citizens. Nor am I willing to say that suddenly States and counties must somehow field this Federal football.

Mr. President, as one of the poverty program administrators put it, "without intervention, the poor get sicker and the sick get poorer." Medicaid represents the kind of intervention that can help stop that cycle. Good health is a passport—a passport to opportunity for a better life. Healthy people can work. Healthy people can get better jobs and education. Healthy people can escape the poverty that makes them now dependent on what sometimes seems the whimsical behavior of Congress.

Mr. President, I think we must continue this kind of intervention in the name of good health. I urge us to act in that spirit today.

MEDICAID AMENDMENT WOULD UNFAIRLY PENALIZE MARYLAND BY $8.54 MILLION IN FISCAL YEAR 1969

Mr. TYDINGS. Mr. President, on September 24 the Senate adopted an amendment to the pending tax bill offered by the chairman of the Finance Committee which, if it is enacted, will have the most serious effect on the medicaid program in the State of Maryland and throughout the country. This amendment would deprive Maryland of a Federal payment amounting to an estimated $8.54 million in this fiscal year. That amount is the Federal share of a Federal-State matching plan to provide health services for the medically indigent.

The Long amendment would alter the payment formula, cutting the Federal share for Maryland from 50 percent to 25 percent for programs serving the medically indigent under title XIX of the Social Security Act.

I voted against this amendment. I support the amendment offered yesterday by Senator JAVITS to protect the medicaid program from the drastic effects of the Long amendment.

The 1965 amendments to the Social Security Act originated the medicaid program by authorizing Federal assistance to States establishing or expanding programs of medical care for the needy and the medically needy. The Federal Government shares in the cost, according to a State's own wealth, based on per capita income. In order to qualify for Federal assistance, States had to provide a minimum of five basic medical care services—hospital inpatient care, hospital outpatient care, laboratory and X-ray, physicians' services, and skilled nursing home care—at least for persons in federally assisted welfare and disability programs. They were required to continue to provide all services they were offering prior to enactment of title XIX.

Participating States were given the option of adding certain other services and expanding coverage to persons who are not welfare recipients but might be reduced to dependent status by a costly illness. These beneficiaries of the medicaid programs have been called the "medically indigent."

When the medicaid program came into existence, the State of Maryland was already providing medical care services to recipients of federally assisted welfare programs and to the medically needy. Title XIX enabled the State to add certain services for which Federal matching assistance was available, and also to raise slightly the income level for eligibility. According to the payment formula established in the 1965 amendments, the Federal share of the cost of the medicaid program in Maryland has been 50 percent. Under the Long amendment, the Federal share for services to the medically indigent would be cut exactly in half, from 50 percent to 25 percent. Furthermore, this would be retroactive to July 1, 1968, the beginning of this fiscal year.

Dr. William J. Peeples, commissioner of the Maryland Department of Health, has informed me that, translated into dollars, this amendment will reduce Federal assistance to the State of Maryland by an estimated $8.54 million for this fiscal year alone. The State does not have the money to absorb that loss. Therefore, the services to the medically indigent in our State would almost certainly have to be abandoned entirely.

Mr. President, this reduction in the program was proposed last year and wisely rejected by the conference committee. It has been heralded as an economy measure, but I maintain that to curtail a program that is helping needy people acquire the health care they need is a false economy. It is commonsense that a patient who has the benefit of preventive care is less likely to eventually become a public charge than is the patient who has neglected medical problems because he could not afford proper care. And it is both commonsense and common decency to provide health services to sufficient citizens who are not welfare cases but who might be reduced to dependency by a major accident or illness.

It is true that the cost of the medicaid program for both the participating States and the Federal Government has mounted unexpectedly high. That increase is due partly to rising costs of medical services, but it is also a result of the people's response to the availability of proper medical care. The growing number of patients who formerly would not have been able to afford proper care reveals the vast need that exists.

Even though adjournment is imminent, we must find a way to block enactment of this unwise provision. It may be that we will have to postpone further action on this bill and take it up, along with the provisions which have been amended to it, according to normal Senate procedure during the 91st Congress.

But if this bill is passed this fall, I will appeal to the conferees on behalf of the people of Maryland and people in all States who so immeasurably benefit from the medical assistance program, to delete the Long amendment and thereby maintain the present level of Federal sharing in the medicaid program.

AMENDMENT NO. 1002

Mr. MONDALE. Mr. President, I call up my amendment (No. 1002), and ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, the reading of the amendment is dispensed with; and, without objection, it will be printed in the RECORD.

The amendment (No. 1002) is as follows:

At the appropriate place, insert the following:

"SEC. 9. (a) Notwithstanding the provisions of section 202(d) of the Social Security Amendments of 1967, any provision of law (other than the Social Security Act) requiring or having the effect of requiring the disregarding of earned income by a State in determining the income and resources of an individual claiming assistance under a State plan approved under part A of title IV of the Social Security Act shall remain in force and effect with respect to individuals who, for the month of June 1968—

"(1) claimed aid under such plan, and

"(2) received income which, by reason of any such provision, was disregarded in determining the need of such individual for purposes of his claim for aid under such plan.

"(b) Subsection (a) shall apply only in the case of States—

"(1) which, as of the date of enactment of this section, have failed to comply with the requirements of section 402(a) (7) and (8) of the Social Security Act (as amended by the Social Security Amendments of 1967),

"(2) which could not lawfully comply with such requirements without approval by the State legislature, and

"(3) in which there was commenced no regular session of the State legislature during the period commencing January 1, 1968, and ending on the date of the enactment of this section.

"(c) Subsections (a) and (b) of this section shall be effective, in the case of any State, only until whichever of the following first occurs—

"(A) July 1, 1969;

"(B) the end of the month following the month in which there is terminated, after the date of enactment of this section, a regular session of the State legislature; and

"(C) the date on which the State complies with the requirements of sections 402(a) (7) and (8) of the Social Security Act (as amended by the Social Security Amendments of 1967)."

Mr. MONDALE. Mr. President, I modify my amendment on page 1, line 8, to add the following words: following the word "effect" and before the word "with", insert "beginning with the month following the month of enactment of this section".

The PRESIDING OFFICER. Will the Senator send his modification to the desk, please?

Mr. MONDALE. Yes.

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

"SEC. 9. (a) Notwithstanding the provisions of section 202(d) of the Social Security Amendments of 1967, any provision of law (other than the Social Security Act) requiring or having the effect of requiring the disregarding of earned income by a State in determining the income and resources of an individual claiming assistance under a State plan approved under part A of title IV of the Social Security Act shall remain in force and effect beginning with the month following the month of enactment of this section with respect to individuals who, for the month of June 1968—

"(1) claimed aid under such plan, and

"(2) received income which, by reason of any such provision, was disregarded in determining the need of such individual for purposes of his claim for aid under such plan.

"(b) Subsection (a) shall apply only in the case of States—

"(1) which, as of the date of enactment of this section, have failed to comply with the requirements of section 402(a) (7) and (8) of the Social Security Act (as amended by the Social Security Amendments of 1967),

"(2) which could not lawfully comply with such requirements without approval by the State legislature, and

"(3) in which there was commenced no regular session of the State legislature during the period commencing January 1, 1968, and ending on the date of the enactment of this section.

"(c) Subsections (a) and (b) of this section shall be effective, in the case of any State, only until whichever of the following first occurs—

"(A) July 1, 1969;

"(B) the end of the month following the month in which there is terminated, after the date of enactment of this section, a regular session of the State legislature; and

"(C) the date on which the State complies with the requirements of sections 402(a) (7) and (8) of the Social Security Act (as amended by the Social Security Amendments of 1967)."

Mr. MONDALE. Mr. President, this is a minor, technical amendment, to deal with a temporary problem in nine States, including my own State of Minnesota. The problem is that under the 1967 social security amendments several earnings exemption plans for AFDC recipients employed in Federal programs were terminated as of June 30 of this year. In place of these special plans, the 1967 amendments established a new general earnings exemption policy which becomes effective on July 1, 1969, next year.

In the interim period of 1 year, the amendments of the 1967 act permitted each State to proceed optionally as it saw fit.

The problem is that there were nine States whose legislatures did not meet during that interval, and thus they were unable to determine an optional plan. Thus, in Minnesota and eight other States, many AFDC recipient mothers were working for OEO, Headstart, teachers' aids under title I of the Elementary-Secondary Act, and so forth, and overnight the earnings exemptions which they were operating under, in those States, were cut off. They found they were working, in effect, for no increased pay, contrary to the policy which had existed and prior to the policy that will be in effect on a general basis starting July 1, 1969.

This amendment will not cost any money. Its purpose is to correct what was a mistaken impression that all the States could meet to adopt an optional plan.

I ask the floor manager of the bill, the chairman of the Finance Committee, if he could accept the proposed amendment.

Mr. LONG of Louisiana. Mr. President, I have not had an opportunity to discuss this amendment with other members of the committee, except briefly and momentarily. As I understand it, the amendment relates to a problem which particularly affects the State of Minnesota. It has to do with the work incentive program for public assistance recipients, and about 2,000 people could be affected. To the extent that these recipients are encouraged to work and earn money, the amendment would save in assistance costs.

So far as I know, there is no objection to the amendment. I would be perfectly willing to accept the amendment, and I would hope the House would agree to it.

Mr. MONDALE. Mr. President, I move the adoption of the amendment.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. AIKEN. Mr. President, I wish to support the amendment of the Senator from Minnesota. My reasons for doing so are much better explained in a series of letters I have received, one from John J. Wackerman, commissioner of social welfare of Vermont; one from Mr. Daniel J. Holland, executive director, Bennington-Rutland Opportunity Council, Inc., Community Action Agency for southwestern Vermont; one from Philip H. Hoff, Governor of the State of Vermont; and one from Thomas C. Davis, State director, Office of Economic Opportunity.

These letters explain my reasons and the reasons why this amendment should be adopted, because we were one of the nine States which unfortunately, according to our legislative practices, are left out of the program for the 6-month period.

I ask unanimous consent to have the letters printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

STATE OF VERMONT,
DEPARTMENT OF SOCIAL WELFARE,
Montpelier, September 9, 1968.

Hon. GEORGE D. AIKEN,
U.S. Senator,
Washington, D.C.

DEAR GOVERNOR: In response to your telegram of September 6th, Vermont is affected so that it cannot implement the permissive exemption casewide until July 1, 1969, because earnings subject to exemption approximate $24,000 monthly and grants would be required to be increased by this amount. The State's share of this is roughly $7,200 per month, i.e., $86,400, which is not budgeted.

By not permitting continuation of the special exemptions, individuals only are adversely affected. The State and Federal government, insofar as finances are concerned, benefit so long as the individual continues in employment. Much of the incentive for continuing in employment is lost, however. In one instance, a woman living in a Vermont town and earning $193.05 monthly as a Community Aid under OEO, her grant from AFDC was reduced from $153.00 monthly to $46.00, the balance of the exemption attributable to work expenses still being allowed. I enclose a copy of her letter. Although it raises hell with the program in some other particulars, it points out vividly I think, the effect of not having the incentives in the legislation take effect simultaneously.

I trust this letter is responsive to your telegram and sheds more light on the problem.

Very sincerely yours,

JOHN J. WACKERMAN,
Commissioner.

BENNINGTON-RUTLAND OPPORTUNITY COUNCIL, INC., COMMUNITY ACTION AGENCY FOR SOUTHWESTERN VERMONT,
Bennington, Vt., September 3, 1968.

Senator GEORGE D. AIKEN,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR AIKEN: I am writing this letter on behalf of my Board of Directors in reference to the recent Amendment made in the Social Security Act of 1967. This Amendment deleted exemptions of certain earned incomes relative to Title I, Neighborhood Youth Programs, and other related O.E.O. Programs. As a result of this, the incentive to participate in these programs is greatly reduced. We have found this especially so in our Neighborhood Youth Corps (out-of-school program) which is concerned mainly with dropouts; these young people, finding that their income exemptions have been deleted thereby reducing the family assistance on the other end, have lost incentive and, in some cases, have dropped out of the program entirely.

Inasmuch as the State of Vermont's budget is on a biennial basis and cannot meet the increased cost of the program as of July 1, 1968, we are of the opinion that it is necessary that something be done on a National basis so as to afford Vermont and the people in these programs the opportunity to plan for this change.

On behalf of the people that this Agency serves, we would appreciate any assistance you might be able to give to the preservation of the exemption of certain income of AFDC families until July 1, 1969. It is my understanding from Commissioner Wackerman that Vermont on that day will actually be able to implement the program in the proper way.

Sincerely,

DANIEL J. HOLLAND,
Executive Director.

STATE OF VERMONT,
Montpelier, September 9, 1968.

Hon. GEORGE D. AIKEN,
Senator From Vermont,
Senate Office Building,
Washington, D.C.

DEAR SENATOR AIKEN: In determining the income of persons on welfare who were participating, by virtue of their employment, in the Title I program under the Elementary and Secondary Education Act, the Manpower Development and Training program and Office of Economic Opportunity, Community Aid program before July 1, 1968, the Department of Social Welfare was required to exempt certain earned income. This, of course, acted as an incentive to persons on welfare to participate in these programs and gain the benefits of work experience and retraining.

The Commissioner of Social Welfare informs me that the specific exemptions referred to above were deleted by an amendment to the Social Security Act passed in 1967 which took effect July 1, 1968. In place of the specific exemption the Congress made it permissive for the states to exempt a certain amount of earned income in all AFDC families between July 1, 1968 and July 1, 1969.

Vermont, unfortunately, as many of the states that budget on a biennial basis, could not avail itself of the option to disregard in all cases because of the increased program cost. It plans to do so July 1, 1969 and is of the opinion that to do so would be sound social policy.

In the interim, however, the incentive for some families no longer exists. The Commissioner advises me that he and several OEO-CAP directors are concerned with the effect this gap is having on motivating people to help themselves.

It is his understanding that an effort will be made in the Congress to continue the exemption provisions for the special programs until July 1, 1969 and that this subject has been discussed by Commissioner Whittemore, Chairman of the New England Commissioners, with both Senators Harris and Metcalf, who are sympathetic to this position.

I would appreciate any assistance that you may give in securing an amendment to preserve the incentives that existed prior to July 1, 1968 until they can be implemented across the board.

Very truly yours,
PHILLIP H. HOFF,
Governor.

STATE OF VERMONT,
OFFICE OF ECONOMIC OPPORTUNITY,
Montpelier, Vt., August 30, 1968.
Sen. GEORGE AIKEN,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR AIKEN: I am writing this letter in relation to the recent implementation of an Amendment made in the Social Security Act of 1967. This Amendment deleted exemptions of certain earned incomes and related OEO programs. As a result of this, the incentive to participate in these programs is removed.

Congress did make it possible, however, if a state could budget to cover this exemption, to have the program continue exempting a certain amount of income in all AFDC families from July 1, 1968 to July 1, 1969.

Unfortunately, as you know, Vermont's budget is on a biennial basis and cannot meet the increased cost of the program. After discussing the matter with Commissioner Wackerman, I am of the opinion that something, if possible, will have to be done on a national basis so as to afford Vermont and possibly other states the opportunity to plan for this change.

It has been brought to my attention that Senators Harris and Metcalf are sympathetic to the position of extending this exemption to July 1, 1969.

On behalf of the people this office serves, I would appreciate any assistance you may be able to give, in relation to the preservation of the exemption, of certain income of AFDC families until July 1, 1969 when Vermont can actually implement this program in the proper way.

Sincerely,
THOMAS C. DAVIS,
State Director, Office of Economic Opportunity.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that a statement I have prepared on the amendment be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MONDALE AMENDMENT

The 1967 Social Security Amendments require the States to disregard certain earnings of AFDC recipients as an incentive to work. This provision becomes mandatory on July 1, 1969, though the States are encouraged to implement the provision earlier. To encourage early State action, the 1967 Amendments also terminate similar work incentive provisions under other laws, such as the Economic Opportunity Act.

What we have now learned is that some States have had no opportunity to implement the new earnings incentive because the State legislature has not been in session since January 2 of this year, when the Social Security Amendments became law. In these States, the work incentive under other laws has ended while the new work incentive has not yet taken effect.

The amendment before us is drawn specifically to extend work incentives under the other laws only in those States whose legislatures have not met since the 1967 Amendments were signed into law. In any case, the provision expires June 30 of next year.

Only about 2,000 persons are involved. I do not believe any of us want to remove the incentive for these public assistance recipients to work. I recommend that the amendment be approved. It is an amendment that will save us money because the recipients who work will receive lower assistance payments.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. ANDERSON. The Senator stated this affects only the State of Minnesota.

Mr. MONDALE. No.

Mr. ANDERSON. That statement was made. It is not correct.

Mr. MONDALE. Nine States are affected. Those are the States whose legislatures did not meet, under their rules. Therefore, they could not adopt their own optional plans. If the Senator wishes to know the names of the States——

Mr. ANDERSON. No. I strongly support the amendment. It was stated that it affected only Minnesota.

Mr. MONDALE. It affects nine States.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. CURTIS. Will the Senator inform us which States are affected?

Mr. MONDALE. Minnesota, Mississippi, Missouri, Nebraska, South Carolina, Utah, Vermont, Washington, and Wisconsin.

Mr. CURTIS. Will the Senator state again what his measure proposes to do?

Mr. MONDALE. It simply permits those nine States, for the interval between 1 month from now and July 1, 1969, to proceed on the basis of earning exemptions ongoing in those States until the general earning exemption takes over on July 1, 1969.

Mr. CURTIS. With respect to what aspect of the Social Security Act?

Mr. MONDALE. It refers to the earning exemption under AFDC.

Mr. CURTIS. The AFDC?

Mr. MONDALE. That is correct.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Minnesota.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 1007

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendment No. 1007.

The PRESIDING OFFICER. The amendment of the Senator from Delaware will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 1007) is as follows:

At the appropriate place insert a new section as follows:

"SEC. —. REMOVAL OF INTEREST LIMITATIONS ON GOVERNMENT BONDS

(a) The first sentence of the second paragraph of the first section of the Second Liberty Bond Act (31 U.S.C. 752) is amended by striking out "not exceeding four and one-quarter per centum per annum,".

(b) The second sentence of section 22(b) (1) of such Act (31 U.S.C. 757c) is amended to read as follows: "Such bonds and certificates may be sold at such price or prices, bear such interest rate or afford such investment yield or both, and be redeemed before maturity upon such terms and conditions as the Secretary of the Treasury may prescribe."

(c) The second sentence of section 22A (b)(1) of such Act (31 U.S.C. 757c-2) is amended to read as follows: "Such bonds shall be sold at such price or prices, afford such investment yield, and be redeemable before maturity upon such terms and conditions as the Secretary of the Treasury may prescribe."

(d) Section 25 of such Act (31 U.S.C. 757c-1) is repealed.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I shall not delay the Senate long on this amendment.

Under the present law we have a situation where the Federal Government cannot sell a Government bond with a maturity of more than 7 years and pay more than 4.25 percent interest. We all know that with prevailing interest rates that ceiling is a farce and that neither the Government nor anyone else can borrow money at 4.25 percent interest, under conditions today.

The result is that the Government is following one of two procedures: Either financing all of the debt in short-term money, with short-term loans of less than 7 years, which is, in effect, monetizing the debt; or selling bonds through various agencies—for example, FNMA or some of the other agencies—which are not restricted from paying a higher rate of interest on a longer term.

So under the present situation we have this ridiculous situation: If a man has $5,000 at one time to invest today, he can buy Fannie May the participation certificate, with 12 or 15 years' maturity, we will say, and obtain around 6.5 percent interest, and that bond is guaranteed 100 percent by the Federal Government, both as to principal and interest. It is just as sound as any Government bond, series E or any other. But you have to have $5,000; that is the lowest denomination that was sold the last time.

If you have only $1,000 to invest at one time you can buy a straight Government bond with 20- to 30-year maturity, which bears a coupon of 4.25 percent or less and you can get around 5.75

percent, or you can buy a 6-percent Government note but you have got to have $1,000 at one time to buy these because that is the lowest denomination sold. However, if you do not have $1,000 and are buying E bonds, such as the $25 bond on the payroll deduction plan, they come under this legal ceiling, and the Government can only pay 4.25 percent. The result is that the only money the Government is borrowing at the 4.25-percent rate is from the working people or small savers, who are least able to afford it.

Today interest rates are the highest they have been in 100 years, but the only people who cannot participate in the benefit, if one may call it a benefit to receive these high interest rates, are the small investors.

Heretofore under the savings bond plan the savings bonds have paid an interest rate higher than was available under other types of Government bonds. That was in order to encourage the small investor to buy the series E bonds. As a result the small investors were drawing from 0.25 to 0.5 percent more in interests. Then in order to keep that privilege from being abused a ceiling was provided as to the number of E bonds any one individual could buy during the calendar year.

Today we see the situation completely reversed to where now the man who is buying E bonds on the payroll savings deduction plan is penalized because they pay the lowest rate of interest, only 4.25 percent. On a bond for which he pays $75 he can get $100 at maturity; but their maturity is beyond the 7-year period, and therefore they come under the 4.25-percent ceiling. It ends up that small investors are the only ones limited as to the amount of interest they can receive.

I do not think that is fair. I do not think it is fair from the standpoint of the small investor, but beyond that, it certainly does not make sense for the Federal Government to have on the statute books a law saying, "We will not pay over x amount of interest on a bond beyond a maturity date of 7 years."

Money is a commodity, and interest is the price of that commodity whether interest rates are high or low. When the Government, like any other institution, goes into the money market to borrow money it pays the prevailing rates of interest, or the investor puts his money elsewhere. The Federal Government today is having to compete with private industry and thus having to pay these higher rates.

This amendment has nothing to do with whether you favor high interest rates or low interest rates. The high interest rates are an accomplished fact. They are a fact of life. AAA bonds today yield about 6.5 percent, with the result that the Government, which can finance at slightly less than that, is still having to pay nearly 6.5 percent. I think the removal of this fictitious ceiling on long-term interest rates is long overdue, and I hope the Senate will unanimously agree to this amendment. I have discussed it with the Treasury Department, and they agree that the so-called ceiling is a farce. It does not control the amount of interest we are paying; it merely forces all Government borrowing into short-term notes.

I am not suggesting that the Government should, at today's prevailing interest rates, refinance the national debt on a long-term basis. I think it would be a mistake for the Government to lock itself in at today's high rates unless it sold the bonds in a manner where the bonds would have a short and reasonable call period. Then if interest rates were to get lower, as we all hope they will, the debt could be refinanced and the Government could take advantage of the decreased rates. But that is something the Government could protect itself on as it sells the bonds.

I hope this amendment will be overwhelmingly agreed to by the Senate.

Mr. LONG of Louisiana. Mr. President, at a time when interest rates are going down, thank the merciful Lord, it would seem inappropriate to me for us to be lifting the ceiling on the interest the Government can pay.

I do not think anyone can contend that this amendment would save the Government any money. I assume the Senator's amendment does not apply to Government bonds already outstanding.

Mr. WILLIAMS of Delaware. No, it does not. It simply removes the ceiling.

I am not proposing this as a matter of saving money. I do not think the Senator from Louisiana means to argue here that the Government is saving money by taking advantage of the working man who is buying E bonds. If it wishes to save some money why does not the Government try to borrow some 4.25-percent money from larger investors?

Interest rates are the highest they have ever been. Why penalize the small investor?

Mr. LONG of Louisiana. Mr. President, let me say that if this amendment were agreed to, it would be distinctly unfair and inequitable to the great number of people, who bought bonds in the past, bought them for themselves, their children, and others, and just left them there to draw whatever interest the Government might provide for this kind of bonds.

This amendment discriminates against those who bought bonds in the past which are still outstanding if they continue to hold these bonds. Of course, if they just come in, cash the bonds, and buy new bonds at higher interest rates, it would increase the cost and still discriminate against anyone who left his money with the Government, with no intention of drawing it down.

It is a bad situation either way. If these people keep their old bonds, this amendment will discriminate against them. If they do come in and cash their old bonds, it will cost the Government a great deal of money.

Therefore, Mr. President, the amendment would either create a great inequity, on the one hand, or would greatly increase the cost of Government, on the other.

Furthermore, we have some competitive factors that have not been taken into account. Nowadays the banks, and savings and loans are our best helpers in selling the Government bonds and in providing funds for housing. When the Government proceeds to raise the interest rates on Government bonds, to step up competition against the banks, and savings and loans, which are seeking the same funds for savings accounts, there is bound to be controversy and resentment on the part of the banks and also less funds available for housing.

Mr. President, I for one would hope we could bring interest rates down. I am very much in favor of bringing interest rates down. In my judgment, the interest rates under this administration, under the Kennedy administration, and under the Eisenhower administration have been altogether too high. In general, high interest rates amount to a hidden tax on the public, which for the most part is passed on the middle and lower income people who are the bulk of the consumers in this country. On a public and private debt of $1.2 trillion, an interest rate which is 2 points higher than it need be amounts to a tax of $34 billion, which tends to be passed on from the manufacturer to the consumer.

This is one of the few indications we have left of our displeasure with high interest rates, and to remove it, in my judgment, would be nothing more than a vote to go along with the high interest rate policy, which I oppose, no matter whether it is there because of the policies of a Democratic president or a Republican president, or whether the high rates exist because of the war in Vietnam, or for other reasons. It seems to me that this is a poor time to raise interest rates and remove all restraints that exist, when we have, at long last, seen something of a downturn in interest rate patterns.

I personally hope the amendment will be rejected.

Mr. WILLIAMS of Delaware. Mr. President, I shall comment just briefly. The Senator from Louisiana very properly and correctly points out that the banks may not approve of this. That is true. The banks would much prefer that the small depositors put their money in the banks, and the banks would then get a higher interest rate when they lend it to the Government.

If the interest rates are to be considered a hidden tax for the benefit of the money lenders—and he said it; I did not—then it is a shocking indictment when we realize that this hidden tax has developed under the present administration. Interest rates have gone to fantastically high points under the present administration. There is no question about that.

I notice that the World Bank, the International Bank for Reconstruction and Redevelopment, a couple of weeks ago sold a bond with a due date of October 21, 1994.

They will pay 6⅜ percent and are priced at $99.25. In addition, they guarantee that these bonds will not be called for 13 years, so that even if the interest rates go down to 4 or 5 percent within the next 5 or 10 years they will still pay this 6⅜ percent for 13 years before the bonds will be called.

These high yielding bonds, with their Government guarantee, are not available for the small investors.

Frankly, I cannot understand why they extended the call period on the bonds to 13 years. In my opinion this was a mistake and will cost the taxpayers more than necessary. This is 13 years before they can be called, and they in effect are guaranteed by the U.S. Government. Those bonds were sold within the last couple of weeks at 99.25 percent with a coupon of 6⅜ percent, or a yield of nearly 6.5 percent.

Why should we pay the large investor 6½ percent and then insist on the small investor, who is buying these bonds on the payroll deduction plan, getting only 4¼ percent?

I do not think it is fair. We have a ceiling on the little investor and none on the banks. They know that they can buy the FNMA participating certificates. At the same time this amendment removes the ceiling on regular Government bonds with maturities of over 7 years.

Today the U.S. Government cannot sell a bond with a maturity date beyond 7 years and pay over 4¼ percent. However, the way the Government gets around this ceiling is to sell them with maturities of less than 7 years.

The other day they paid around 6 percent on a 7-year note. If one looks over the daily report listed in the Wall Street Journal he will find Treasury notes that bear coupons for 6 and 6¼ percent. There is one 6-percent bond selling for $101.

Those with lower coupon rates are selling below par. These are Government bonds, and they have the same U.S. Government behind them as the E bonds have. Heretofore, until this administration, the E-bond holder was paid more interest than was paid on the larger long-term bonds. It is now completely reversed; the small investor is paid the lowest rate of interest.

The small savers who are buying these series E bonds and the boys in Vietnam are being encouraged to buy their bonds and to lend the money to the Government at 4.25 percent for patriotic reasons. However, a man who has a larger amount of money is loaning his money to the Government and getting 6 and 6.5 percent for it. Why?

For an administration that has said so much about its interest in the little fellow I have been amazed that they have not been here long ago to get this inequity corrected.

As the Senator from Louisiana said, this policy of the Johnson administration has every indication of being a hidden tax on the poor for the benefit of the moneylenders.

I hope we can correct the situation today.

Mr. GOODELL. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. GOODELL. Mr. President, I was interested in the argument of the Senator from Louisiana. By some sort of reasoning process, he claimed that the amendment of the Senator from Delaware would be unfair to those who had purchased savings bonds during World War II or subsequently, as many of us did.

To carry the argument advanced by the Senator from Louisiana to its logical conclusion, it seems to me that the only way we can guarantee justice and fairness, by his definition, to those who buy bonds is to put a guaranteed interest rate on our bonds, or hold all interest on our bonds, savings or otherwise, at a certain level, and say it cannot go beyond that level.

We have a concept that money has a price. We have a free market for money. The interest rate rises and drops according to the demand for money.

Mr. WILLIAMS of Delaware. The Senator is correct. The interest rate is the price the borrower pays when he goes into the market.

We have outstanding a 3½-percent Treasury bond that matures in 1998. When it was sold it was sold at par, but today that bond is selling between $77 and $78. The yield now is $4.90.

The man who bought that bond a few years ago has lost.

We have a 3-percent bond due in 1995 selling at $78; another Government bond bearing a coupon of 4⅛ percent and maturing in 1994 sells at $83 to yield 5.25 percent.

All of these bonds were sold at par at a time when the prevailing interest rates were represented by the coupons these bonds bear.

This is true with all of them. There is a 6-percent bond maturing in 1975 that is selling for $102. It is bringing a premium because interest rates have gone down somewhat.

I spoke a moment ago of bonds sold by the World Bank, bearing 6⅜ percent. This was a 26-year bond, with a guarantee that they will not be called for 13 years. Suppose the interest rates drop one point, those bonds would bring $108 and $110.

The man managing the debt is supposed to protect the Government.

If this ceiling on interest rates for long-term bonds had been removed years ago we could have saved millions in interest charges today.

It is just good commonsense that we do not have a ceiling on interest. No corporation in America would consider such action. The board of directors of any corporation would never pass a firm rule that for the next 50 years the company would refuse to pay over 4 or 5 percent for money. The corporation would have to pay the prevailing interest rates if and when it goes in the market. That is all there is to it.

In my opinion the greatest contribution we could make toward lowering the interest rates would be to stop having the Government usurp the money market, as we are doing, by creating such tremendous deficits. We are siphoning off all of the available money to finance the Federal debt.

Last year, with a $25 billion deficit, which we did not finance through taxes it meant that we had to borrow that $25 billion in competition with private industry on the open money market. There has just been a demand for more money than there was available. As long as that condition continues, interest rates will be high and our money markets will be tight. If we can curtail our expenditures both with respect to industry and Government we will see the interest rates come down. It is unrealistic that there should be a ceiling on the long-term bonds.

Mr. GOODELL. Mr. President, the Senator has pointed out the cause of interest rates varying. And there are many factors. He pointed out some of them—the deficit and the Government expenses and a variety of other causes. However, when we impose an arbitrary ceiling on long-term interest, and thereby manacle the managers of the debt so they do not have the flexibility to manage the debt, is it not true that what we do is cost the taxpayers of this country millions of dollars in extra interest rates that they have to pay?

Mr. WILLIAMS of Delaware. One representative of the Treasury Department made the statement that had this artificial ceiling never been in effect no doubt much of our debt would have been projected on a long-term basis when interest rates were lower, and interest charges today could have been one-half to $1 billion less than they are now. All the money we borrowed 5 or 6 years ago at lower rates has to be refinanced today at the highest level we have had. Had it been financed on long terms when interest rates were 4¼ or 4½ percent it would represent a savings of millions today for the taxpayers.

I do not believe this ceiling makes sense. I do not believe it is good for the country or for the taxpayers to have this ceiling on long-term rates. We are monetizing our debt through short-term financing.

I remind Senators that until a couple of years ago 5 years was the maximum that our Government could sell a note and pay over 4¼ percent. We extended it last year to 7 years. The Treasury said that at the least it should be 10. The ceiling should be taken off altogether. It does not make sense. The World Bank sold a 26-year bond with a coupon of 6⅜ percent, which is guaranteed indirectly by the American taxpayers. FNMA sold participation certificates of 25- or 30-year maturity which pays 6½ percent. Yet there is a law against the sale of a direct Government obligation on the same terms. This amendment has nothing to do with the savings F bonds bought heretofore. They are not going to be helped by the rejection of this amendment any more than they would be by its adoption. It could help the purchasers of savings bonds that are sold in the future.

Mr. GOODELL. People who purchased those bonds in the past are caught with the interest rate of those bonds, regardless of whether or not this amendment is adopted.

Mr. WILLIAMS of Delaware. It does not affect it one iota.

Mr. GOODELL. If we are to do justice today to those who are responding to the patriotic appeal to buy savings bonds, we must have this type of amendment. Certainly, we are not going to make the argument that we are going to refuse to do justice today to those who respond to patriotic appeals and buy savings bonds because people in the past bought bonds at a lower rate.

Mr. WILLIAMS of Delaware. I believe it is only fair. The Government is putting on a drive with the boys in service and with the working men in the plants to get them to buy savings bonds by payroll deduction. Why not pay them the prevailing rate of interest?

This is an amendment of fairplay, and I hope it will be adopted.

Mr. LONG of Louisiana. Mr. President, it seems to me that the Senator from Delaware agrees that interest rates are too high and should be brought down. I happen to believe that the President of the United States at this moment wants the Federal Reserve Board to use its powers to bring the interest rates down rather than to increase them.

The tax law that the Senator cosponsored was for the purpose of helping to bring interest rates down. The way the Federal Reserve Board is organized makes it difficult—even when the administration is adopting policies to try to bring interest rates down—to bring about that result. There is a certain amount of difficulty in achieving that result, but the administration tells me that today they think interest rates should come down further. They have come down somewhat and should come down more.

I do not see how a vote for this amendment can be construed as anything other than a vote for further increases in interest rates rather than a vote to reduce them. The 4¼-percent ceiling is the only indication we have had in the law that we oppose high interest rates. I should like to see more restraint in the law to make it difficult for any administration to adopt a policy of high interest rates.

Short of that, this is one thing that is an indication of opposition to high interest rates; and a vote to lift this ceiling can be regarded as nothing more than encouragement for those who would like the high interest rates to continue and to increase. Instead we should bring them down to a more reasonable level.

Mr. WILLIAMS of Delaware. Do I understand that the Senator from Louisiana is fearful that if we repeal this ceiling it will be an indication to get higher interest rates? This ceiling has been the law for the last 25 years. It has not worked. Under this law we have seen interest rates advance to the highest level in a hundred years. Certainly, removing the ceiling is not going to change that picture except for the better. I hope the amendment is adopted.

Mr. LONG of Louisiana. Mr. President, the interest rates to which the Senator refers are not the highest they have been in a hundred years on these particular bonds. In recent weeks they have come down somewhat.

Mr. WILLIAMS of Delaware. They are near the highest point they have reached in the last hundred years—that is a matter of record—and they are approximately 2 to 2½ percent higher than they were under the Eisenhower administration.

Mr. LONG of Louisiana. I am happy to say that they are coming down somewhat in recent weeks. Here are some figures with respect to Government bonds. Looking at 3- to 5-year issues, the high point appears to be approximately 5.77. Now it is approximately 5.36. On taxable bonds, the high point would appear to have been 5.44, and now it is 5.12. These reductions have occurred in recent weeks.

That is some progress, and we are hoping to see interest rates come down more.

It seems to me that this amendment would do nothing more than to retard this decrease by raising interest rates on these particular types of bonds.

Insofar as the Senator's amendment would attract money from building and loan institutions into government bonds, it would make procuring money that much more difficult for people who want to use savings and loan funds for housing in this country.

Mr. WILLIAMS of Delaware. I am not representing the building and loan institutions in America. I am representing the American taxpayers and those who are going to buy these savings bonds. The banks can well take care of themselves.

Mr. President, I ask unanimous consent that the quotation list on Treasury bonds and Treasury notes, published in today's issue of the Wall Street Journal, be printed at this point in the RECORD.

There being no objection, the quotation list was ordered to be printed in the RECORD, as follows:

GOVERNMENT, AGENCY AND MISCELLANEOUS SECURITIES
OCTOBER 7, 1968

[Over-the-counter quotations: Source on request. Decimals in bid-and-asked and bid change represent 32ds (101.1 means 101 1-32). a-Plus 1-64. b-Yield to call date. c-Certificates of indebtedness. d-Minus 1-64.]

TREASURY BONDS

		Bid	Asked	Bid change	Yield
3⅞s, 1968	Nov	99.26	99.28		5.04
2½s, 1963-68	Dec	99.15	99.17		5.05
4s, 1969	Feb	99.14	99.16	−0.1	5.37
2½s, 1964-69	June	98.14	98.18	−.1	4.65
4s, 1969	Oct	98.25	98.29	−.2	5.16
2½s, 1964-69	Dec	97.13	97.17	d	4.67
2½s, 1965-70	Mar	96.28	97.0	−.2	4.68
4s, 1970	Feb	98.12	98.16	−.2	5.16
4s, 1970	Aug	97.26	97.30	−.3	5.18
2½s, 1966-71	Mar	94.17	94.25	−.3	4.79
4s, 1971	Aug	96.12	96.20	−.5	5.29
3⅞s, 1971	Nov	95.24	96.0	−.4	5.29
4s, 1972	Feb	95.26	96.2	−.4	5.30
2½s, 1967-72	June	92.2	92.10	−.2	4.80
4s, 1972	Aug	95.13	95.21	−.4	5.26
2½s, 1967-72	Sept	91.18	91.26	−.4	4.81
2½s, 1967-72	Dec	91.5	91.13	−.2	4.79
4s, 1973	Aug	94.15	94.23	−.5	5.25
4⅛s, 1973	Nov	94.20	94.28	−.4	5.28
4⅛s, 1974	Feb	94.14	94.22	−.4	5.28
4¼s, 1974	May	94.20	94.28	−.5	5.32
3⅞s, 1974	Nov	92.30	93.6	−.6	5.19
4s, 1980	Feb	87.22	88.6	−.10	5.41
3½s, 1980	Nov	83.14	83.30	−.8	5.32
3¼s, 1978-83	June	78.28	79.12	−.14	5.28
3¼s, 1985	May	78.0	78.16	−.12	5.20
4¼s, 1975-85	May	86.26	87.10	−.12	5.42
3½s, 1990	Feb	77.18	78.2	−.12	5.22
4¼s, 1987-92	Aug	84.14	84.30	−.12	5.38
4s, 1988-93	Feb	82.10	82.26	−.8	5.26
4⅛s, 1989-94	May	82.24	83.8	−.10	5.34
3s, 1995	Feb	77.16	78.0	−.12	4.42
3½s, 1998	Nov	77.18	78.2	−.12	4.90

GOVERNMENT, AGENCY AND MISCELLANEOUS SECURITIES—Continued

OCTOBER 7, 1968—Continued

[Over-the-counter quotations: Source on request. Decimals in bid-and-asked and bid change represent 32ds (101.1 means 101 1–32). a-Plus 1–64. b-Yield to call date. c-Certificates of indebtedness. d-Minus 1–64.]

U.S. TREASURY NOTES

Rate	Maturity date	Bid	Asked	Yield
5¼	11-68	99.31	100.0	4.84
5⅝	2-69	100.0	100.2	5.40
1½	4-69	98.14	98.22	4.30
5⅝	5-69	100.2a	101.2a	5.49
6	8-69	100.14a	100.18a	5.30
1½	10-69	97.2	97.10	4.34
1½	4-70	95.20	96.20	4.32
1½	10-70	94.8	94.12	4.50
5	11-70	98.31	100.3	5.47
5⅜	2-71	99.20	99 28	5.43
1½	4-71	92.18	93.0	4.52
5¼	5-71	99.14	99.22	5.38
1½	10-71	91.8	91.18	4.56
5⅜	11-71	99.21	99.29	5.41
4¾	2-72	97 25	98.1	5.40
1½	4-72	89.24	90.24	4.40
4¾	5-72	97.22	97.30	5.30
1½	10-72	88.10	89 10	4.46
1½	4-73	87.4	88.4	4.45
1½	10-73	85.30	86.30	4.45
5⅝	8-74	99.20	99.24	5.68
5¾	11-74	100.18	100.26	5.59
5¾	2-75	100.12	100.20	5.63
6	5-75	101.27	102.3	5.62

FNMA NOTES AND DEBENTURES

4⅜	4-69	99.4	99.16	5.40
4.65	5-69	99.12	99 16	5.51
6.10	6-69	100.9	100.13	5.46
5⅛	7-69	99.18	99.26	5.37
6	12-69	100.6	100.14	5.61
4⅝	4-70	98.4	98.20	5.59
6.60	6-70	101.0	101.12	5.72
4⅛	9-70	96.28	97.20	5.44
5¾	10-70	99.24	100.8	5.62
6	3-71	100.0	100.16	5.77
4⅛	8-71	95.4	96.4	5.62
4¾	9-71	99.20	99.28	5.80
5½	9-71	96.0	97.0	5.63
4⅛	2-72	97.8	98.8	5.71
5⅜	6-72	94.28	95.28	5.63
4¼	6-73	93.8	94.8	5.67
4½	2-77	91.0	92.0	5.72

WORLD BANK BONDS

3½	1969	98.24	99.24	3.55
5⅜	1969	99.8	100.8	4.85
5¾	1969	99.16	100.16	5.25
6⅛	1970	100.8	101.8	5.21
5.80	1970	99.24	100.24	5.40
3½	1971	92.8	93.0	6.10
3	1972	90.8	91.8	5.61
4½	1973	92.0	93.0	6.10
3⅜	1975	84.16	85.16	6.05
3	1976	81.24	82.24	5.90
4½	1977	87.16	88.16	6.30
4¼	1978	84.0	85.0	6.36
4¼	1979	83.8	84.8	6.36
4¾	1980	87.24	88.24	6.07
3¼	1981	76.0	77.16	5.73
4½	1982	82.16	84.0	6.29
5	1985	86.16	88.0	6.16
4½	1990	79.0	80.16	6.16
5⅜	1991	88.0	89.16	6.25
5⅜	1992	88.0	89.16	6.23
5⅞	1993	93.0	95.0	6.27
6½	1994	100.0	101.16	6.38
6⅜	1994	98.8	98.16	6.49

BANKS, FOR COOPERATIVES

5.90	11-68	100.0	100.2	4.87
6.20	12-68	100.2	100.4	5.23
6.20	1-69	100.2	100.4	5.56
6.00	2-69	100.-	100.4	5.54
5.55	4-69	99.3	100.0	5.54

INTER-AMERICAN DEVELOPMENT BANK

4¼	12-82	80.16	82.16	6.12
4½	4-84	80.0	82.0	6.34
4½	11-84	80.0	82.0	6.30
5.20	1-92	86.16	88.16	6.14
6½	11-92	100.0	100.2	6.34

GOVERNMENT, AGENCY AND MISCELLANEOUS SECURITIES—Continued

OCTOBER 7, 1968—Continued

[Over-the-counter quotations: Source on request. Decimals in bid-and-asked and bid change represent 32ds (101.1 means 101 1–32). a-Plus 1–64. b-Yield to call date. c-Certificates of indebtedness. d-Minus 1–64.]

U.S. TREASURY BILLS

Maturity date bid asked			Maturity date bid asked		
	Discount			Discount	
10-10	5.65	4.97	2- 6	5.30	5.20
10-17	5.38	4.96	2-13	5.31	5.23
10-24	5.33	4.95	2-20	5.33	5.25
10-31	5.33	4.95	2-27	5.33	5.26
11- 7	5.18	5.02	2-28	5.32	5.22
11-14	5.20	5.04	3- 6	5.34	5.27
11-21	5.22	5.08	3-13	5.34	5.27
11-29	5.23	5.10	3-20	5.34	5.28
11-30	5.16	5.04	3-24	5.33	5.29
12- 5	5.17	5.10	3-27	5.34	5.28
12-12	5.17	5.10	3-31	5.31	5.24
12-19	5.17	5.10	4- 3	5.36	5.33
12-26	5.18	5.12	4-22	5.37	5.33
12-31	5.09	4.92	4-30	5.35	5.27
1- 2	5.26	5.23	5-31	5.33	5.26
1- 9	5.27	5.16	6-30	5.34	5.30
1-16	5.26	5.17	7-31	5.32	5.22
1-23	5.26	5.16	8-31	5.30	5.22
1-30	5.27	5.18	9-30	5.24	5.20
1-31	5.27	5.14			

FEDERAL LAND BANK

Rate	Maturity date	Bid	Asked	Yield
4⅛	2-72-67	94.24	95.24	5.53
4½	10-70-67	97.8	98.8	5.44
5½	10-68	99.30	100.0	5.36
5.95	12-68	100.1	100.5	5.09
4¾	1-69	99.18	99.26	5.37
4⅜	3-69	99.4	99.20	5.21
5.60	4-69	99.28	100.8	5.11
4¼	7-69	98.16	99.16	4.91
4⅝	7-69	98.24	99.24	4.95
6¼	9-69	100.14	100.22	5.49
4¼	10-69	98.0	99.0	5.26
5¾	1-70	99.28	100.12	5.44
5⅛	2-70	98.24	99.24	5.31
6.30	2-70	100.16	101.0	5.52
3½	4-70	96.24	97.24	5.10
6.20	4-70	100.12	100.24	5.68
5⅛	7-70	98.20	99.20	5.34
6.00	7-70	100.4	100.16	5.69
3½	5-71	94.16	95.16	5.40
5.70	2-72	99.16	99.24	5.78
3⅞	9-72	93.16	94.16	5.45
5⅞	10-72	99.30	100.30	5.61
4⅛	2-78-73	88.8	89.8	5.62
4½	2-74	93.24	94.24	5.65
4⅜	4-75	92.0	93.0	5.67
5	2-76	94.24	95.24	5.71
5⅜	7-76	98.0	99.0	5.53
5⅛	4-78	95.8	96.8	5.64
5	1-79	93.0	94.0	5.78

FEDERAL HOME LOAN BANK

5.85	10-68	99.31	100.1	4.94
5⅝	11-68	99.30	100.2	6.03
5½	1-69	99.28	100.0	5.44
5.85	2-69	100.0	100.2	5.53
5.65	2-69	99.31	100.1	5.53
5⅜	3-69	99.24	100.0	5.36
6.25	4-69	100.8	100.10	5.53
6.00	5-69	100.4	100.6	5.62
6.30	6-69	100.14	100.16	5.56
5¾	7-69	100.2	100.4	5.57
6.00	9-69	100.2	100.10	5.66
6.00	2-70	100.8	100.16	5.61
6.00	3-70	100.8	100.16	5.64
6.00	4-70	100.6	100.14	5.70

FIC BANK DEBENTURES

5.75	11-4	99.31	100.1	5.10
5.75	12-2	99.31	100.1	5.35
5.95	1-2	100.1	100.3	5.37
6.10	2-3	100.2	100.4	5.55
6.45	3-3	00.8	100.10	5.53
6.25	4-1	100.7	100.9	5.55
5.95	5-1	100.3	100.5	5.60
5.65	6-2	99.30	100.0	5.62
5⅝	7-1	99.30	100.0	5.62

Mr. WILLIAMS of Delaware. This chart shows that these long-term bonds guaranteed by the U.S. Government today are drawing rates as high as 5.62 percent, but in order to participate a man must have a minimum of $1,000. At the same time they are selling these participation certificates through the various agencies—100 percent Government-guaranteed bonds—in $5,000 denominations that are drawing 6⅜ and 6½ percent.

Yet we have a legal ceiling whereby the Government cannot sell a bond with a maturity of over 7 years that carries a coupon rate in excess of 4¼ percent.

This ceiling is a farce.

Mr. LONG of Louisiana. People can invest their money in many things which will pay a higher interest than Government bonds pay. Government bonds are not supposed to provide the highest investment yield, at least insofar as this ceiling exists, it does tend to have a restraining influence on interest rates; it is an indication we disapprove of high interest rates. It would seem inappropriate to repeal it now, at the very time we are trying to bring interest rates down.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Has the Treasury Department expressed any opinion on the advisability of being allowed to raise the interest rates above 4.25 percent so as to induce the ordinary individual to buy savings bonds, and thus, in a measure, spare the Government from paying 6.25 percent to the buyers of the $1,000 bond and more in value?

Mr. WILLIAMS of Delaware. As to what the Government's position would be on the E bonds if this ceiling were removed I am not able to answer.

The Treasury Department in testifying before our committee, repeatedly, for years in preceding administrations has complained that the 4.25-percent ceiling on interest rates was a farce. It has no effect when interest rates are 4.25 percent or lower, and when they get higher than 4.25 percent they are forced to finance the debt in short-term bonds or through some agency of the Government like FNMA.

Interest rates are not controlled simply by passing a law. If that were true why not pass a law providing that with respect to rates on all Government borrowing the Government would not pay more than 4¼ percent? Why not say the Government will not pay over 3 percent? It is just as easy.

But the point is, if the Government is paying less than the prevailing rates who is going to lend money to them? To be realistic, money is a commodity, and if the Government is going to borrow $1 billion or $2 billion a month more than it is collecting in revenue, it is going to create a shortage in the money market, and interest rates will be higher. That is why some of us supported so strongly the tax bill and the expenditure reductions of $6 billion. If the pressure is removed in the money market interest rates will decline.

I hope interest rates continue to decline, and they will if we exercise some degree of fiscal restraint at the Executive and congressional levels.

This amendment is not offered as a means of controlling interest rates but just in the spirit of fairplay. Why single out the man buying a series E bond and say that he will receive only 4¼ percent interest while others receive 6 percent interest or more?

Why continue this farce of a ceiling on regular Government bonds that bear a maturity of 7 years or more?

Why continue to monetize our national debt and thereby further fan the fires of inflation?

Mr. LAUSCHE. Has the Treasury Department at any time said to the Committee on Finance that the interest rate limitation of 4.25 percent is not fair compared with the 6.5 and 6.25 percent being paid to the larger investors?

Mr. WILLIAMS of Delaware. I do not know that they have, but it is true nevertheless.

Mr. LAUSCHE. I wish to ask the Senator from Louisiana if there has been any expression of opinion by the Treasury Department with respect to giving the little buyer a fair return so that it will be in some measure comparable to the interest paid to the bigger investor?

Mr. WILLIAMS of Delaware. I do not recall that they have.

Mr. LAUSCHE. I am asking the Senator from Louisiana.

Mr. WILLIAMS of Delaware. If the Senator would yield to me briefly, I would add that heretofore the principle of savings bonds was that they paid to those holders 0.25 to 0.50 percent more than prevailing interest rates available for other types of investors. That was done to encourage small investors. To keep that plan from being abused they put a ceiling on the amount that could be bought by one individual during each calendar year.

Mr. LAUSCHE. It is my understanding that the Treasury Department has said that the interest rate being paid on savings bonds is not adequate. What is the understanding of the Senator from Louisiana?

Mr. LONG of Louisiana. I recall requests to raise the interest rate ceiling under the Eisenhower administration. Under this administration my recollection is that the Treasury has, when they have been asked, indicated that they favored taking off the interest rate ceiling. However, the Treasury has not, to my knowledge, specifically requested an interest rate increase—at least in this session of Congress. Certainly they are not asking for it in this bill.

I personally believe that taking off the interest rate ceiling simply would lead to higher interest rates. Certainly it would not lead to lower interest rates. On this basis, I oppose the measure. People still buy those bonds, and a lot of them are bought out of a sense of patriotism. I cannot see that raising the ceiling is going to do anything but raise interest costs and the cost of government. In any case, the Treasury Department is not asking for the interest rate ceiling to be taken off in this bill.

Mr. LAUSCHE. Has the Treasury Department asked for it on another bill. I understand it has.

Mr. LONG of Louisiana. As I indicated before it is my impression that the Treasury Department has supported taking off the interest rate ceiling but they have not in this session of Congress made any specific request on this. Certainly they have not asked for it on this bill. I know I have not heard from them recently in this respect since interest rates have been going down, rather than up.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS]. On this question the yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT] and the Senator from Maryland [Mr. BREWSTER] would each vote "yea."

On this vote, the Senator from Idaho [Mr. CHURCH] is paired with the Senator from Pennsylvania [Mr. CLARK]. If present and voting, the Senator from Idaho would vote "yea," and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Connecticut [Mr. RIBICOFF] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Connecticut would vote "yea," and the Senator from Louisiana would vote "nay."

On this vote, the Senator from West Virginia [Mr. RANDOLPH] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from West Virginia would vote "yea," and the Senator from Oregon would vote "nay."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from New York [Mr. JAVITS], the Senator from Iowa [Mr. MILLER], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kentucky [Mr. COOPER] is absent on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Colorado [Mr. DOMINICK], the Senator from New York [Mr. JAVITS], the Senator from Iowa [Mr. MILLER], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 47, nays 18, as follows:

[No. 325 Leg.]

YEAS—47

Aiken
Allott
Boggs
Brooke
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Curtis
Dirksen
Fannin
Fong
Goodell
Griffin
Hansen
Hart
Hatfield
Hickenlooper
Hill
Hruska
Jackson
Jordan, Idaho
Kuchel
Lausche
Mansfield
McGee
McIntyre
Mondale
Morton
Moss
Mundt
Murphy
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Scott
Stennis
Symington
Thurmond
Tydings
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—18

Anderson
Byrd, Va.
Dodd
Eastland
Ervin
Harris
Hartke
Holland
Jordan, N.C.
Long, La.
McClellan
Metcalf
Montoya
Russell
Sparkman
Spong
Williams, N.J.
Yarborough

NOT VOTING—35

Baker
Bartlett
Bayh
Bennett
Bible
Brewster
Church
Clark
Cooper
Cotton
Dominick
Ellender
Fulbright
Gore
Gruening
Hayden
Hollings
Inouye
Javits
Kennedy
Long, Mo.
Magnuson
McCarthy
McGovern
Miller
Monroney
Morse
Muskie
Nelson
Randolph
Ribicoff
Smathers
Smith
Talmadge
Tower

So the amendment of Mr. WILLIAMS of Delaware was agreed to.

AMENDMENT NO. 1005

Mr. MONTOYA. Mr. President, I call up my amendment No. 1005 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> At the end of the bill insert the following new section:
>
> "SEC. —. Section 306(a)(1) of the Consolidated Farmers Home Administration Act of 1961 is amended by changing the period at the end thereof to a colon and adding: '*Provided*, That the interest on any loans for water and waste disposal facilities insured hereafter under this title, notwithstanding any other provision of Federal law, shall not be tax exempt for income purposes under Federal law.'"

Mr. MONTOYA. Mr. President, I ask unanimous consent that the name of the Senator from Wisconsin [Mr. PROXMIRE] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONTOYA. Mr. President, this amendment is being sponsored by approximately 22 Senators, who have asked me to have their names appended as cosponsors.

The purpose of the amendment is to try to generate funds in the private sector of our economy for municipalities that cannot sell their bonds in order to finance construction of sewerage and water works.

Congress has recently voted, by unanimous consent, to increase the rate of progress in the rural community water and sewer program.

This amendment will make it possible to carry out that authorization, and to do it with the greater use of private capital.

Of all public programs that need to be pushed ahead by every possible means, none deserves a heavier emphasis than this campaign to bring water and waste disposal services up to standard in rural areas.

Here is one of the great, gaping deficiencies that generate rural poverty and aggravate domestic turmoil in this country. There are still 30,000 towns without adequate water systems and 40,000 without sanitary waste disposal systems in rural areas of the United States. We must end the long delay in equipping our smaller towns and countryside with these bedrock public services—water systems and sewer systems. They are vital to a better kind of rural community development, a better national distribution of industry and jobs, and an easing of the burdens borne by overloaded, overcrowded cities.

Briefly, the purpose of the amendment we now offer is this: The rural water program was launched by act of Congress in 1961 through one of the great rural service agencies, the Farmers Home Administration. We expanded the program in 1965 to include sewer projects.

It was known as the Aiken Act, introduced primarily by the senior Senator from Vermont. I joined in its sponsorship. The act was passed unanimously. We are trying to implement this act and to activate its provisions through better financing arrangements.

For the first several years this was mainly an insured loan program, carried on with funds supplied by private lenders as well as Government.

Then 2 years ago the Treasury Department intervened to shut off insured lending for water and sewer projects to small municipal governments, and other public subdivisions of the States whose bond issues are tax exempt. They may now be served only with direct Government loans.

This has constricted the programs, because of the paucity of Federal funds for this purpose.

The Treasury Department, in opposing the insurance of tax-exempt issues, stated that the loss of tax revenues to the Treasury would substantially exceed the benefits of tax exemption to the borrowing public body. They also pointed out that the cost to the general Federal taxpayer is greater in the case where there is a federally guaranteed tax-exempt obligation. They recommended a less costly alternative which would provide for the Federal Government to make the loan directly, and either hold the loan to maturity and finance it with general Federal Government borrowing, or sell the loan in a way that discards the tax-exempt status of the income from the loan.

The amendment we now offer, if enacted, would permit the Farmers Home Administration to sell their loans in a manner discarding the tax-exempt status of the income on such loans. The agency would buy bonds from the public districts, using the agricultural credit insurance fund, at interest rates not to exceed 5 percent under present law. The cost of any differential between the lending rate and the rate at which loans would be sold from the fund would be paid by the Farmers Home Administration. There would be no further cost to local public bodies under this new financing method; and the bill, if enacted into law, would in no way interfere with the normal right of public bodies to issue tax-exempt obligations.

The private lender, at the time of purchasing a loan from the agricultural credit insurance fund, would agree to pay Federal income taxes on the interest earned on such loans.

Assuming that lenders would require 6 percent on loans on which the interest was not tax exempt, and would require 4 percent on loans which were tax exempt; also assuming that the community borrowing the funds paid 5 percent, the loss or gain to the Government would be as follows:

If the FHA was allowed to sell insured loans on which the interest rate was tax exempt, the net loss to the Government for each $100 million loaned would be $1 million.

This loss is determined as follows:

First. The lender would receive 4 percent. The borrower would pay 5 percent, thus giving the Government a 1-percent gain on each $100 million loaned.

Second. But the Treasury would lose the tax revenue on the interest the lender receives. Assuming the lender was in the 50-percent income tax category, this would amount to $2 million lost for each $100 million loaned.

On the other hand, under the proposed amendment whereby the FHA sold the loans on the nontax exempt basis, the net gain to the Government for each $100 million loaned would be $2 million.

This gain is determined as follows:

First. The lender would receive 6 percent. The borrower would pay 5 percent, thus giving the Government a 1-percent loss of $1 million on each $100 million loaned.

Second. But the Treasury would gain tax revenue on the interest the lender receives. Assuming the lender was in the 50-percent income tax category, this would amount to $3 million gained for each $100 million loaned.

So it is good business for the Government to do this, and it will also generate many millions of dollars so that these communities can go on with their programs.

Mr. President, without action to revive the use of private capital in this program, rural water development and waste control are going to be held back drastically—for many communities, disastrously. Local public bodies account for 70 percent of project plans developed. At present these projects can be funded only with direct Federal loans, and the budget this year permits only $75 million for direct loans. Demand is for some $500 million worth of projects urgently needed—projects in an advanced stage of planning, and sidelined only for lack of financing. The amendment we propose would ease that backlog at minimal cost, possibly even at no added cost to the Government.

Congress has recently acted in an equitable manner to uphold tax-exempt financing of smalltown industrial bonds that work for the general benefit of the rural economy and the national interest.

These rural community water and sewer projects, vital as they are, deserve the same consideration.

No other form of financing is available to them.

They are not gigantic projects. They involve no town larger than 5,500 population. They average $150,000 a project. And under the law those systems that combine service to several small communities may not exceed $4 million.

In this time of enforced restraint on Government financing of domestic programs, we see all the more reason to encourage private investment in improvements that deserve a high priority even for Government support.

Approval of this amendment will let work proceed on many hundreds of water systems and sewer systems that communities in the rural areas are ready to build, with loans only, if permitted to do so.

It is my hope that this amendment will be adopted, because it is urgently needed by 30,000 communities in this country.

I am hopeful the chairman of the committee will accept the amendment.

Mr. LONG of Louisiana. Mr. President, the amendment of the Senator from New Mexico has much to recommend it. We on the committee have not had the opportunity to give it the study that it really deserves. I am sure it has a good deal of popular appeal, and I note that the Senator has added the names of a number of cosponsors who agree with him on this matter.

I have discussed the matter with the Senator from Delaware [Mr. WILLIAMS] and certain other members of the committee. We concede the amendment appears to have much merit, although it may give rise to some problems of which, at the moment, we are not aware.

I am willing to accept the amendment and take it to conference, consider it there, and see if the House of Representatives will agree to it. There may be some problems that do not meet the eye, and if there are, we will consider them in conference.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. I concur with the position of the chairman of the committee. I think there are many arguments that could be made in favor of the proposition. As the chairman has pointed out, we have not had a chance to study it. If problems arise, I am sure the Senator from New Mexico would recognize that the matter should be held up until it could be studied further in committee; but I, too, am willing to take the amendment to conference with the intent that, if we do not find any problems, we will try to keep it in the bill.

Mr. MONTOYA. Mr. President, I am certainly grateful to the Senator from Louisiana and the Senator from Delaware for the very favorable position they have taken. I am sure they will not find too many problems with this amendment, because we have given it thorough study. I have been in communication with the Treasury Department and the Department of Agriculture. I have consulted with the senior Senator from Vermont on the matter, and I feel reasonably sure that the Government stands to gain from the enactment of this amendment, both moneywise and otherwise.

Mr. LONG of Louisiana. Mr. President, I have here a letter from the Department of Agriculture, which supports the amendment of the Senator from New Mexico. I ask unanimous consent that the letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 19, 1968.

Hon. RUSSELL B. LONG,
Chairman, Committee on Finance, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of May 17, 1968, requesting a report on S. 3165, a bill "To amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to public bodies which upon sale by the Farmers Home Administration shall bear taxable interest."

The Department of Agriculture recommends that this bill be enacted.

The bill would permit a more efficient and equitable means of financing Federal credit assistance through the Farmers Home Administration to local public bodies. In line with Administration policy, the Secretary does not now make insured loans to public bodies. About 70 percent of the present requests for Farmers Home Administration community facilities come from public body type applicants. As of January 1, 1968, active loan requests from public bodies numbered approximately 892 for a total amount of about $159 million. During the first six months of fiscal year 1968, it was necessary to reject 1,738 applications from public bodies totaling $375 million due to lack of funds.

The bill would eliminate the Federal income tax exemption under the Internal Revenue Code with respect to the earnings received by private lenders on insured loans to tax-exempt public bodies for water and waste disposal facilities when loans are purchased by such lenders from the Agricultural Credit Insurance Fund administered by the Farmers Home Administration.

Communities could obtain loans from the Federal Government at interest rates, not to exceed 5 percent under present law, which would be comparable to the current market rates on better quality, long-term tax-exempt bonds. The cost of any differential between the lending rate and the rate at which the loans will be sold would be paid by the Farmers Home Administration. We have been informed that there would be a significant overall saving to the Government, since the Federal revenue loss from tax-exempt interest exceeds the interest savings from tax-exempt borrowings. No significant changes would be required in the administration of the present Farmers Home Administration program. There would further be no additional cost to local public bodies under this new financing method.

The proposed sale of taxable rather than tax-exempt bonds would contribute to the relief of current pressures on the tax-exempt bond market, which would, in turn, help to reduce the costs of state and local borrowing for other public facility projects.

The Bureau of the Budget advises that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

ORVILLE L. FREEMAN.

Mr. LONG of Louisiana. I am also informed that the Treasury Department finds no objection to the amendment, and actually favors it. I ask unanimous consent that a letter from the General Counsel of the Treasury Department to that effect be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE GENERAL COUNSEL
OF THE TREASURY,
Washington, D.C., July 1, 1968.

Hon. RUSSELL B. LONG,
Chairman, Committee on Finance
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on S. 3165, "To amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to public bodies which upon sale by the Farmers Home Administration shall bear taxable interest."

The bill would provide that the interest on any loans for water and waste disposal facilities insured hereafter by the Secretary of Agriculture under the Consolidated Farmers Home Administration Act of 1961 shall not be exempt from Federal income taxation. Thus the interest on such insured obligations of State and local public bodies would be subject to Federal income taxation notwithstanding the provision of section 103(a) of the Internal Revenue Code of 1954 which specifically exempts the interest on State and local obligations from Federal income taxation.

The Secretary of Agriculture is authorized under the 1961 Act to make water and sewer loans to public bodies on a direct or insured basis. The volume of direct loans has been limited, however, because of their immediate impact on Federal budget outlays. The volume of insured loans has also been limited, because the insurance of these loans to public bodies would involve a Federal guarantee of tax-exempt obligations, which would be a needlessly costly method of financing. Accordingly, the insured loan program has been used primarily to meet the needs for water and sewer loans by private associations.

A detailed statement of the Department's position on the question of tax-exempt guarantees appears in the enclosed report of the Secretary of the Treasury to the Congress as required by the Participation Sales Act of 1966 (Senate Banking and Currency Committee Print, January 21, 1967, pp. 20–24).

Although the Farmers Home Administration method of financing insured loans is in substance little different from financing these loans with obligations issued by the Treasury or by the Federal National Mortgage Association, in the case of the Farmers Home Administration operation the insured notes are technically the obligations of local public bodies. Thus, the enactment of S. 3165 is essential in order to permit Farmers Home to insure loans to public bodies without selling tax-exempt bonds to private investors.

Tax-exempt bond financing of these loans would add directly to the Federal program costs and would also tend to increase interest rates on tax-exempt bonds issued by States and localities to finance educational, health, and other local public facilities. Federal programs designed to provide credit assistance to the States are counterproductive when they are financed in the tax-exempt bond market by the Federal Government in competition with the States' own bond issues, especially in light of the dependence of the tax-exempt bond market on investors in relatively high Federal income tax brackets. We are also concerned that Federal guarantees of tax-exempts for this program could lead to demands for similar guarantees under other federally assisted public facility programs.

S. 3165 would enable the Farmers Home Administration to fund its program of low interest loans to public water districts by selling the loans with taxable interest on an insured basis to private investors. Farmers Home would advance the funds at interest rates, not to exceed 5 percent under present law, which would be comparable to the current market rates on better quality long-term tax-exempt bonds. The cost of any differential between the lending rate and the rate at which the loans will be sold would be paid by Farmers Home, and there would be significant overall savings to the Government since the Federal revenue loss from tax-exempt interest exceeds the interest savings from tax-exempt borrowings. A Treasury Department analysis of the Federal revenue loss compared to the interest savings to State and local public bodies from tax-exempt financing appears in the Joint Economic Committee print, "State and Local Public Facility Needs and Financing," volume 2, December 1966, chapter 20.

The Farmers Home Administration has for years been directly advancing funds to water and sewer and other borrowers and then financing its loan portfolio either by selling its own notes to the Treasury or by selling packages of the insured loans to private institutional investors. In the latter case Farmers Home makes up the difference between the low interest rate charged the borrower and the higher rate required by the investor, retains the title and servicing of the loans, assumes all of the loan risk. and stands ready to repurchase the loans after a prescribed holding period at the option of the investor.

There need be no additional costs to local public bodies under the proposed financing method, as compared with guaranteed tax-exempts. Also, no significant change would be required in the administration of this program, since under existing arrangements the Farmers Home Administration itself services both the direct and the insured loans.

For these reasons, the Department recommends favorable action on S. 3165.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the Administration's program to the submission of this report to your Committee.

Sincerely yours,

FRED B. SMITH,
General Counsel.

Mr. AIKEN. Mr. President, I ask the Senator from New Mexico: Is this not the outgrowth of a difference between the Treasury Department and the Farmers Home Administration which arose about a year or two ago?

Mr. MONTOYA. That is correct.

Mr. AIKEN. As a result of which the Treasury set out to bear down on all tax-exempt community projects under all agencies of the Government, as I understood it, but did not get much further than the farmers.

Mr. MONTOYA. Well, the Farmers Home Administration was actually the victim of the Treasury directive.

Mr. AIKEN. That is right.

Mr. MONTOYA. And have been restricted to a point where they cannot service the needs that exist in the rural communities of America.

Mr. AIKEN. If there is some loss on the sale of the bonds on the part of the Farmers Home Administration, I do not think that would be very large.

Mr. MONTOYA. No, I do not, either.

Mr. AIKEN. I remind the Senate that Congress has this year increased the authorization for grants for these water and sewage programs from $50 to $100 million, which certainly would amply cover everything that would be required, and far more than that, I suspect.

I think this is a good amendment. I know it is needed. I know there is a long list of communities that are hopeful of getting assistance, or at least loans, for establishing water and sewage systems. Senators will find that is particularly true in every community that has a cheese plant.

Mr. MONTOYA. I think every Senator has communities in his own State that suffer from a paucity of funds, and they cannot go into the open market unless they go with a guarantee.

Mr. AIKEN. That is true. It has great importance for farm people and people who live in villages, and has contributed tremendously to the economy of the country.

Mr. MONTOYA. And a better standard of living.

Mr. AIKEN. That is right; much better.

A SOUND PROGRAM FOR RURAL DEVELOPMENT

Mr. SYMINGTON. Mr. President, for a number of years we have heard a great deal about the importance of developing the rural communities of America, making available to them wherever possible, sewer and water systems comparable to similar conveniences available in urban areas.

We have also heard a great deal in recent months and years about "creative federalism," which, as we understand it, means "positive thinking" to accomplish through cooperation at all levels of government a better way of life for those less fortunate.

Unfortunately, in this Government of ours all too often it is difficult, even impossible, to get a meeting of the minds between those interested in development and those who are all too ready to point out why some program would not work, without ever coming up with ways to achieve worthwhile objectives.

For the first 6 years of the decade, rural communities in Missouri made great strides in developing water and sewer systems under the sponsorship of the Farmers Home Administration. As evidence of the soundness of these programs, Mr. Everett Jose, Director of the Farmers Home Administration in our State, wrote me recently that 120 rural water districts financed by FHA funds are now in operation in Missouri.

Considering the fact that this program is furnishing important service in marginal areas which have a low density of potential customers, the fact that all but 13 of the Missouri districts are meeting their schedules on bond payments is most encouraging. The problem of those which have been delinquent has stemmed from an overestimation of the number of users. Time will correct this problem in most of the 13 in question.

This program in Missouri, and in many other States throughout the country was achieved almost entirely without Federal funds because the Farmers Home Administration had the authority and used the authority to insure bonds issued by water and sewer districts.

Most of these bond issues were in the $200,000 to $1 million class—usually much smaller than what municipal bond houses would buy. The buyers generally believed the risk was too high, the consequences too great to fool with these small issues.

The Farmers Home Administration, to its credit, solved this problem by issuing the bonds and grouping them so that they became a worthwhile investment for the big bond buyer.

Then, some 2 years ago, someone at the Treasury Department decided that the sale of these municipal bonds was a tax loophole that could be closed by an order to the Farmers Home Administration that these bonds could no longer be insured. The alternative offered by Treasury was that the same type of work would be continued by direct loans of Federal money, financed, of course, by the sale of Treasury bonds.

As a result of that order, coupled with the budget restrictions resulting from the Vietnam war, the rural water and sewer district program in my State was cut back from some 50 projects a year, valued at $14 million, to a half dozen projects, totaling $3 million a year.

As a direct result of this Treasury order, on December 31, 1967, the Missouri office of the Farmers Home Administration had a backlog of 138 project applications; only 21 have been activated since that time; and literally dozens of other Missouri communities are eager to file applications. But the State office frankly told local leaders that they could give no encouragement for action in the foreseeable future.

The same situation that exists in Missouri is also true in many other States, to a greater or lesser degree—depending largely on the initiative shown in local communities and the degree of cooperation and encouragement given by the Farmers Home Administration personnel in each State.

Finally, as a result of continued efforts on the part of a number of us here in the Senate and by Members of the House, with the cooperation of the Farmers Home Administration, and, we understand, the enlightened approval of the Treasury Department, a program was worked out to meet this need; and S. 3165 was introduced in the Senate by the distinguished senior Senator from Louisiana, the chairman of the Senate Agriculture Committee.

It is my understanding that this bill, because Federal taxation was involved, was then referred to the Senate Finance Committee, and that favorable reports have been received on it from both the Departments of Agriculture and Treasury. But, unfortunately, it has not been reported to the floor.

In view of the need, on September 24, the junior Senator from New Mexico [Mr. MONTOYA], a member of the Senate Agriculture Committee, introduced the same bill as amendment No. 1005 to H.R. 2767. I had previously advised Senator MONTOYA of my interest in his amendment; but here today I want to congratulate him for moving ahead and express with him the hope that his amendment will be accepted by the distinguished chairman of the Senate Finance Committee, Senator LONG, and will be taken to conference where I would hope it will receive approval of the conferees from the House.

As presented by Senator MONTOYA on September 24:

> No program for development in communities of 5,500 or less deserves a higher rating than does this campaign to bring water and waste disposal services up to standard in rural areas.
>
> Here is one of the great, gaping deficiencies that generate rural poverty and aggravate domestic turmoil in this country.
>
> There are still 30,000 towns without adequate water systems, and 40,000 without sanitary waste disposal systems in rural areas of the United States.
>
> We must end the long delay in equipping our smaller towns and rural countryside with these bedrock public services—water systems and sewer systems. They are vital to a better kind of rural community development, a better national distribution of industry and jobs, and an easing of the burdens borne by overcrowded, overloaded cities.

The solution offered last March by Senator ELLENDER, and reintroduced as an amendment by Senator MONTOYA, is relatively simple, and would be a practical application of the concept of "creative federalism." Best of all, it will get these projects moving again; and equally important, in view of the present squeeze on the Federal funds, it will result in a net gain rather than a net loss for Treasury.

Under the amendment, bonds issued by local public bodies will continue to be tax exempt in form and substance. They will be offered for direct sale to private investors. Only when no private investor comes forward on the regular basis of tax-exempt financing will the Farmers Home Administration buy the bonds. FHA will charge the going rate for direct Government loans—now generally 5 percent.

FHA in turn will place the bonds with private investors. The bonds will in no way be changed from tax-exempt form. However, separate agreements between FHA and investors will provide that investors will receive the going insured-loan interest rate—now 6¼ percent—and in turn will pay Federal income tax on their interest earnings.

As a result of these two transactions, it is anticipated that the Government would more than break even. On every $100 million of bond financing, it will cost FHA $1¼ million for private money to replenish the funds advanced to the rural communities. However, Treasury estimates that the investors generally are in the 50 percent income tax bracket. Consequently, taxes per $100 million worth of bonds will range above $3 million, which would more than offset FHA's deficit on the first transaction.

Mr. President, I join wholeheartedly in support of this amendment.

Mr. MONTOYA. I have no further statement on this matter, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. GOODELL. Mr. President, yesterday in debate a great deal was said with reference to the provision limiting medicaid commitments of the U.S. Government retroactive to July 1. A great deal was said about the State programs that would be affected in about 24 of the States. There was also considerable reference to the State of New York, and the amount of Federal money going into the State of New York for the medicaid program.

I shall develop the details of the New York situation and some of the recommendations that have been made on the merits of a change in the medicaid program.

Mr. HART. Mr. President, I wonder if, before the Senator does that, he will yield to me to make a brief statement with respect to Michigan.

Mr. GOODELL. I yield to the Senator from Michigan for that purpose.

Mr. HART. Mr. President, I believe the RECORD should reflect the situation that will be applicable in Michigan under the medicaid change that the able Senator from New York has brought to our attention in the last hour.

My remarks will reflect a report made to me by officials of the Michigan Department of Public Health, to whom we have talked by telephone today. According to our public health officials, the medicaid amendment almost strikes panic in their institutions.

This year, between January and July, 75,600 individual people received services as medically needy in Michigan. As I understand, the "medically needy" are those with income and resources beyond the figure that would permit them to be on public welfare, but within the following income limits: For one person, an annual income of $1,900; for two persons, an income of $2,700; and for each individual additional person in the family, an amount of $420. One can readily see we are not talking about the affluent, or those who press the ceiling to become affluent, when we are talking about those who are medically needy in Michigan, numbering some 75,000 who received services in the first 7 months of this year.

The State matching money for medically needy is contingent on the Federal matching formula in effect on the date of the State appropriation act. Therefore, with the change in the Federal formula they would not have a program for medically needy—only for those getting public assistance.

If they can expand the class of persons they could consider as getting public assistance to include those in nursing homes—who would be eligible for public assistance if they were in their own homes—then the loss to Michigan would be $12 million—the public assistance formula staying at 50 percent.

If they cannot, and the medicaid matching formula goes to 25 percent, then Michigan would stand to lose $29.4 million.

They are strongly of the belief that no steps as drastic as this, reacting so directly and heavily on a State, with so many repercussions at the State level, should be taken without the fullest, most detailed analysis and hearings. They would, I am sure, have me express to the Senator from New York their appreciation for the fight he is making to insure that we do understand fully what is involved here, and, based on that kind of record, know what it is appropriate that we do in the light of the circumstances.

I thank the Senator from New York.

Mr. GOODELL. Mr. President, I thank the Senator from Michigan.

Mr. President, I ask unanimous consent that I may yield next to the Senator from Alabama without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

MODEL CITY PROGRAM

Mr. SPARKMAN. Mr. President, one of the first model city programs was established in my home town of Huntsville, Ala. Considerable work has been done on the program.

I ask unanimous consent to have printed at this point in the RECORD an article entitled "Model City Program Is Explained," written by Karen Offik, and published in the Huntsville Times on September 10, 1968; and also an article entitled "A New Dimension in City Planning," written by Bill G. King, director of the model city program, Huntsville, Ala., and published in the Alabama Municipal Journal of July, 1968.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Huntsville (Ala.) Times, Sept. 10, 1968]

MODEL CITY PROGRAM IS EXPLAINED

(By Karen Offik)

What is Model Cities? Why Huntsville? What can the average citizen of Huntsville expect to gain through this program? What are the present and future implications of the Model City Program? What is the confusion about the difference between the Central City urban renewal project and the Model City project?

All of these questions will be answered in this introductory article about the Model City Program.

First: Why Huntsville?

The City of Huntsville is fortunate in having been selected as one of the first generation cities in the Model Cities Program authorized by Congress in the "Demonstration City and Metropolitan Development Act of 1966." It is administered by the U.S. Department of Housing and Urban Development.

Of the 193 cities that competed for the 20 million dollars for planning that Congress set aside, sixty-three were selected, with Huntsville one of the first to receive the honor.

What is Model Cities? Model Cities is a six-year project, Phase I (the planning stage) of which will end in November, 1968. It is a model City with its own Model City council, Model City planning committee, neighborhood branches, and Model City planning committees.

The Model Cities Program provides a unique opportunity for American urban communities to come to terms with major social, economic, physical, and human resource problems.

Its primary goal is to seek out major problems in housing, education, employment, health, transportation, social services, police and security, beautification, codes and technology, and public information. It must, further, establish priority to the areas requiring immediate renewal.

The Model City Programs primary purpose is to help alleviate major blight areas and to devise solutions for them.

In order to give us much impetus to the project as possible, the City of Huntsville's contract with the U.S. Government requires that the program office operate under the same system of city government as all other city departments.

Therefore, all planning committees report to the Model City Council which is the coordinating body just as the Huntsville City Council is the coordinating body of Huntsville on city governmental action.

What is the difference between the Central City urban renewal project and the Model City project?

It may come as a surprise to some citizens of Huntsville that the Model City Program is not the same program as the Central City urban renewal project, which is concerned with the renovation of the Huntsville downtown area and with the rebuilding of various old government structures, such as the Madison County Courthouse and the Municipal Building.

The Model City Program is active in seeking to alleviate blight problems that the Central City is only to a small per cent presently concerned with. For instance, the Model City and the City as a whole, as shown in this statistic of families with income less than $3,000, gives 64 per cent to the Model City Area and only 11 per cent to the rest of the City.

What can the average citizen of Huntsville hope to gain by the Model City Program? What will it cost him? Should he support it?

The City of Huntsville must continue to prosper. It is and will become one of the leading progressive cities in the U.S. The Model City Program can only add prestige, never take it away.

As for the money involved, it must come either now or later for the blight problems must be solved either now or later. The difference is this: will the problems be solved through the Model City Program with the help of government appropriations, or will the City of Huntsville choose to solve these problems on its own, with its own funds, and at a much later time. That is the difference. It is the difference that should and must become the underlying factor when speaking of present and future implications concerning the Model City Program.

Finally, should the people of Huntsville support Model Cities? This decision must be left to the people.

It is their choice. It is their hope. It is their future.

[From the Alabama Municipal Journal, July 1968]

A NEW DIMENSION IN CITY PLANNING

(By Bill G. King, director model city program, Huntsville, Ala.)

The model city program was established by act of Congress in 1966—"The Demonstration City and Metropolitan Development Act of 1966." This action by the Congress of the United States opened up a whole new world of comprehensive city planning to eliminate slum and blight in the nation's cities.

WHAT THE ACT DOES

The act itself basically proclaimed that the number one domestic problem in the United States is the slum and blight problems facing the nation's cities. But it went even a step further by declaring that perhaps programs to eliminate these problems should be designed by the cities themselves rather than experts located in Washington. For years the cities have been saying to Washington that they know their problems better than anyone in Washington and that they could solve them if they had the financial resources to do it. Now it has come about! Washington is saying prove it. The Model City program is indeed a demonstration program wherein the cities—with financial assistance from Washington—are going to demonstrate their ability to solve the slum and blight problems through a six year Model City program, one year planning and five years of implementation.

When the act was passed, Congress set aside $20 million for planning and 193 cities made application. Sixty-three were selected, with Huntsville, Alabama, one of the first named. The cities range from a population of 5,000 to eight million, and cover 33 states, Puerto Rico, and the District of Columbia. In some cities only a small portion of the population is involved. In others, such as Smithville, Tennessee, the entire county is within the Model City border.

STATISTICALLY SPEAKING

Huntsville's Model City area includes approximately ten percent of the population (15,000 people). This area includes the major problem areas of the City of Huntsville.

Statistically, a large gap exists between the Model City area and the city as a whole, as shown below:

[In percent]

	Model city area	City total
Families with income less than $3,000	64.0	11.0
Percentage of males 14 and over in labor force unemployed	20.0	3.0
Criminal arrests as percentage of persons 18 years and over	23.6	6.8
Percent of all housing units which are substandard	20.0	11.0
Percent of persons 25 and over with less than 8 years' education	53.0	18.0
Infant deaths as percent of births per year	7.5	2.5
Incidence of TB per 1,000 population	32.5	4.4

Note: 55 percent of all TB cases in the county are found in the study area.

The solutions to the problems are not readily available. If they were, the need for planning would be nil. We in Huntsville do not yet have the answers, but we plan to get them through the planning portion of our program.

The planning process, which began in February, will end in November, 1968. At that time, Huntsville will submit a general plan for a five-year program which will aim at reducing the gap between the lives of people living within the Model City area and the lives of other citizens of Huntsville. In the plan will be a one-year implementation program which will outline the progress for the first year.

FOUR STEPS IN PLANNING

The planning process has four basic milestones: (1) The administrative structure which is the hiring of the staff and the establishment of the offices. (2) Data collection and analysis—during this phase of planning all existing data is compiled and computerized. All arrest information, health, education, housing, etc., surveys are made door-to-door gathering all information available from each resident. All existing agencies operating within the city are drained for information on existing programs, etc. (3) Problem evaluation and determination of goals—once relationships between poor housing, unemployment, bad health, etc. are shown through the computer program, problems will be discernible—not just problems of crime and housing, but how they relate and which one should have priority, or whether some should work simultaneously. (4) Formulation of five-year plan—this last step during the planning program is merely putting together all of the planning ideas for submission to the HUD Regional Office in Atlanta.

PEOPLE INVOLVED IN PLANS

One of the unique things about the planning process is the people involved. Virtually every agency, industry, and college in the area is involved. City department heads, churches, authorities and residents of the area make up thirteen planning committees. The planning committees include: Education, Health, Employment, Housing, Recreation, City Services, Social Services, Codes and New Technology, Data Processing, Police and Crime, etc. The committees are made up of resource people (professionally trained in that particular area) and residents elected by their neighbors.

The Model City planning concept is a new and real dimension in planning. The program is being planned with—rather than for—the people within the area. Forty-eight residents are seated on the thirteen planning committees. The first few meetings of the planning committees were a little shaky. In some cases there was reluctance on both sides (resource people and residents) but as meetings continued they began to smooth out. A great deal more respect is now shown for each other.

In the Police and Security Committee, for instance, Chief of Police Dyar and two of his assistants are the resource people assigned to that committee. They meet with four elected residents from the area. Some of the projects that have already been discussed are: juvenile courts in the areas, made up of people from the area, adult review boards, policemen walking the beat so that children can learn the police are not bullies or enemies.

QUESTION OF FUNDING

The question as to whether the program will continue to be funded has been asked many times. We do know that the program has already been funded for the first year implementation. If it is never funded past the first year, Huntsville has already benefited beyond anyone's imagination. We will, for a full year, have taken a look in depth, together with people from the area, at some of our most critical problems. This alone is worth the entire cost of the program.

If Huntsville is successful, maybe some other cities across the country can benefit by our comprehensive demonstration program.

MR. NIXON'S CRITICISM OF MUTUAL FUND INDUSTRY LEGISLATION

Mr. SPARKMAN. Mr. President, Mr. Nixon has again followed a peculiar course. He has sent a private letter to leaders in the securities industry for private circulation. According to Mr. Nixon's top economic adviser, Alan Greenspan, it was not made public because it covers "a narrow policy area."

This is another action by Mr. Nixon designed to serve conflicting purposes. He appeals to the securities industry on a straight self-interest basis. At the same time he covers up his blatant disregard for the public interest and the interest of investors. It was an appeal to a limited number of brokers and investment bankers, in effect, attacking the protection and security of 25 million American owners of shares of common stocks.

Why did not candidate Nixon release this letter to the public? Was it possible that he knew that millions of Americans have confidence in investing in common stocks just because of the protection afforded by the SEC?

Mr. President, on October 2, 1968, the New York Times published the text of former Vice President Nixon's letter on the securities industry.

I am very sorry that the former Vice President, as a part of his campaign, saw fit to write this letter. He had a right to present his case in any way he wanted to do so, but it seems to me that if he was going to make a political issue out of this, it should have been made in the form of a speech so that the whole country might have known about it. I do not know how the New York Times was able to get the letter, but it did.

Mr. President, the legislation dealt with a very broad area when we consider the hundreds of thousands and millions of people that own stocks and own shares in mutual funds. I believe that one out of every eight people in this country own such shares of stock. However, be that as it may, there are some points in the letter that I think we should challenge.

Mr. Nixon's statement shows a lack of understanding of the role of independent agencies in the Federal Government. By legislation and by practice, regulatory agencies are independent. Responsible Presidents do not even try to interfere with these important regulatory bodies. It is either naive or malicious to charge that securities regulation has been subject to "heavy-handed bureaucratic regulatory schemes" by the Johnson administration.

The last time a President sought to dictate to an independent agency in the Federal Government was when Nixon was Vice President and, as a result, the Dixon-Yates scandal was exposed. It was a scandal that resulted from the very practice which candidate Nixon is now engaging in—namely, trying to interject political pressure where it does not belong.

The Securities and Exchange Commission is a bipartisan organization with its members including identified Republicans as well as identified Democrats. The SEC's activities have never been the subject of partisan debates. Candidate Nixon's political maneuvers tend to undermine not only the independence but also the bipartisan nature of the SEC and renders a disservice to the American investor.

Mr. Nixon neglects to recognize the broadly accepted practices and legal protection underlying the operations of the SEC. The agency conducts not only extensive studies but it holds open hearings which afford opportunities to all parties to present facts and to have their views fully revealed. If Mr. Nixon understood this regulatory process he would not talk about "bureaucratic domination" and "a legalistic and bureaucratic approach."

Of all the industries subject to broad regulation none has supported its regulatory agency, the SEC, more than the securities industry. Of course, there have been differences in views between the Commission and some of the securities industry, but more often than not the New York Stock Exchange and other stock exchanges have worked in harmony and effectively with the SEC for the benefit of the industry and investors.

Mr. Nixon in his letter recognizes the fantastic growth of the securities industry and the fact that one out of eight Americans own shares of mutual funds or common stock and that, indirectly, 100 million Americans benefit from stock investments by way of pension plans or insurance policies. He neglects to add that most of this growth occurred primarily since the SEC was established. There is not the slightest evidence that the SEC did anything other than encourage the broadening of stock ownership in America.

This regulatory body has dealt in one of the most sensitive and one of the most difficult areas where hundreds of billions of dollars are at stake. There has never been any scandal or corruption associated with this agency.

The history of the SEC makes Mr. Nixon's political intrusion all the more crass.

Mr. Nixon has directed his criticism particularly, as I interpret it, at two things.

First, he finds fault with the bill which passed the Senate several weeks ago by an overwhelming majority. That bill seeks to bring some order into the mutual fund industry. He is quite critical of that even though the Senate Committee on Banking and Currency considered the measure and reported it with a strong vote. The Senate itself passed the bill by an overwhelming vote. The measure was supported largely by the industry itself.

It is not the kind of a bill that we started with. We worked from the original bill, and we worked long and hard. We held extensive hearings. We gradually pulled the two sides together until practically everything that went into the bill—I believe with the exception of one item—of any consequence was worked out between the Securities and Exchange Commission and the industry itself.

I feel very strongly that we did an excellent job on the bill. I said on the Senate floor at that time that if the House did not take action during this session of Congress, when the new Congress returns in January, I plan on the first day on which we are allowed to introduce legislation to introduce a bill identical with the bill that passed the Senate. The Senate spoke its will on the matter.

I have been assured also by the chairman of the subcommittee on the House side that dealt with the matter that he is going to do the same thing. I understand that my good friend, the Senator from New Hampshire [Mr. McINTYRE], who is a member of our committee and who worked very hard on the mutual fund bill, proposes to introduce a bill along the same lines, but with some changes which he advocated in the committee.

The second thing that Nixon directs his criticism toward is the study that we have proposed to make of the market operations in this country. The origin of that study was a speech made by a good solid Republican—William McChesney Martin—on the 75th anniversary of the New York Stock Exchange when he called attention to the tremendous impact that institutional buying and mutual fund buying had on the stock market and pointed out that it was something that ought to be looked into.

The president of the New York Stock Exchange agrees with the legislation. The industry as a whole agrees with it.

Going back to the mutual funds, the chairman of the New York Stock Exchange participated in the deliberations on this matter and was very helpful to us.

The securities dealers themselves agreed that something ought to be done. All of them join in saying that we ought to make this study.

I am at quite a loss to understand what Mr. Nixon hopes to gain by this document when the people to whom he is writing think this ought to be done. Certainly it will not gain support, as I see it, from the millions of people who want to be protected.

The Securities and Exchange Commission was set up for the purpose of protecting big and little investors in this country.

I do not believe that the criticism offered by the former Vice President was sound. I regret very much that he made this attack, if we may call it an attack, upon what Congress and this administration have been doing with reference to the securities market. The things we have been doing are exactly in line with what the people engaged in the industry and administering the securities markets say we ought to do.

Mr. President, I ask unanimous consent to have printed at this point in the Record the letter to which I have referred.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Text of Nixon's Letter on Securities Industry

Washington, October 1.—Following is the text of Richard M. Nixon's letter, entitled "The Role of the Securities Industry in the National Economy," sent to a number of business leaders.

"Today, one out of every eight Americans owns shares of mutual funds or common stocks in American industry. Directly and indirectly, 100 million Americans benefit from stock investments by way of pension plans or insurance policies. This broad base of individual ownership of American industry is the foundation of our free economy.

"The fantastic growth of our securities industry and the dramatic increase in public participation has overburdened our nation's stock exchanges and raised questions about the impact of institutional investing on the market and on our economy and the effectiveness of existing law providing full and adequate protection for the investor.

"These are sophisticated, complex questions. The reaction of this Administration to these new challenges, however, has been simply to trot out the same tired old "cure-alls" of the Democratic party, that is, more heavy-handed bureaucratic regulatory schemes.

"What is needed—and it will be a first priority of my Administration—is an independent, comprehensive, economic study of the role of financial institutions in our economy, the relationship of financial institutions to our nation's growth, the requirement for investor protections and the interrelationship of all financial institutions. Such a study is imperative before steps are taken which might seriously impair the nation's ability to continue to raise the capital needed for its future economic growth.

"MUTUAL FUND POWERS

"During the past Congress, a joint resolution was adopted authorizing a Securities and Exchange Commission study which would involve some of these issues. Even before the study could be initiated, the Justice Department and Securities and Exchange Commission advanced proposals designed to alter the basic character of the securities markets, involving drastic changes in the stock exchange rate structure and altering the economic relations of brokerage firms, institutional investors and individual investors. Tragically, those who would suffer most are the small broker dealers, the small, independent businessmen.

"The Administration has further sought wide-sweeping new regulatory powers over the mutual fund industry, which powers would be tantamount to 'rate fixing' in a highly competitive industry. Agencies of the Administration have sought, sometimes with but more often without legislative authority, to establish bureaucratic domination over the competitive relations and everyday activities of banks, savings institutions, insurance companies and institutional investors.

"The actions of this Administration are characterized by a legalistic and bureaucratic approach rather than one sensitive to the needs of our free economic system. Another priority of my Administration and an important plank in the Republican platform is a further and long-overdue study of the executive departments by an independent commission patterned after the Hoover Commission. One of the major items on the agenda of that commission must be a determination of the proper role which those agencies now regulating economic institutions are to play in insuring our nation's economic stability and growth.

"The free and healthy operation of the market is of utmost importance to the investor; to the nation, the orderly growth of the industry and its ability to attract new investment provides the flow of capital essential to our nation's economic well-being and expansion.

"LAWS FOR DISCLOSURE

"Our securities laws were designed to protect the investor by insisting on full and complete disclosure. This has been the order of the day since the securities acts of the 1930's were written. I believe in the full enforcement of the securities laws to assure absolute protection for the investor; abuses of law should be vigorously prosecuted. I believe, furthermore, that the Federal Government should be continually sensitive to the needs for improvement in these laws to insure investor protection. The philosophy of this Administration, however, has been that disclosure alone is not enough and that the Government can make decisions for the investor better than he can make them for himself. This philosophy I reject.

"By its actions, my Administration will evidence its faith in the American investor and in the strength and viability of American financial institutions so essential to the success of our free economy."

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. PROXMIRE. Mr. President, I commend the distinguished Senator on his statement concerning the famous Nixon letter on the securities industry.

On Sunday the New York Times stated that this was the first serious mistake, the first serious blunder by the Republican nominee for the Presidency, in their view, in this campaign.

I think it was for the very reasons that the distinguished Senator from Alabama has enumerated. In the first place, if ever there was an industry that was involved in the public interest, it is the securities industry. As the Senator said so well, there are 20 million stockholders in this country.

This letter was an attack on the Securities and Exchange Commission regulations as well as an attack on the action taken by the Congress of the United States.

While there is no question that the SEC should be watched very carefully and that at times the Securities and Exchange Commission may be overzealous, the overwhelming majority of the people in this country recognize that the basic law is a good, desirable, and necessary law, that our investors need protection, and that the SEC has done a commendable job of enforcing that law.

As I understand it the securities industry itself very largely supports the administration of the Securities Act by the SEC. As the Senator has said so well, the industry itself has in large part supported the mutual fund bill.

As a matter of fact, it is my understanding—and I ask the Senator from Alabama to correct me if I am wrong—that this bill was arrived at on the basis of very extensive discussions not only in hearings but also informal discussions with people from the mutual fund industry, and that the SEC had agreed that this was the kind of bill they could live with, this was the kind of bill that would be constructive, this was the kind of bill that would provide the protection for the millions of investors in mutual funds, and this is the kind of bill which is necessary in view of developments in recent years.

I recall vividly the testimony of Robert Haack, the new president of the New York Stock Exchange and former head of the securities dealers, who appeared and was very helpful in suggesting the way in which the commissions that mutual funds salesmen enjoy could be regulated.

This was a very delicate problem. It is true that we did consider the present system which provides, as I understand it, price fixing on the mutual funds commissions. A Federal law declaring that they cannot be cut, that no competition is permitted, and anybody who does attempt to compete on the basis of commission price is violating the Federal law and could be put in jail and fined. Many people in the industry felt that this was wrong. However, it was difficult to arrive at a system fair to the industry and fair to the public in handling this difficult problem.

Mr. Haack, as I recall, was one of those who felt that securities dealers could provide self-regulation, and self-regulation is what we wrote into the bill.

The presidential nominee argues that this is price fixing. It seems to me that it is very hard to accept that, in view of the very careful way this was developed to get away from what is price fixing now in the law in commissions, and also to do it in a way that was acceptable to the industry and was practical and workable.

Mr. SPARKMAN. The Senator refers to price fixing, and as it is in the law now it really is price fixing.

Mr. PROXMIRE. In the law at the present time.

Mr. SPARKMAN. Yes.

Mr. PROXMIRE. Yes, indeed.

Mr. SPARKMAN. We tried to work a correction on it.

Mr. PROXMIRE. That is why I was so shocked when Mr. Nixon's letter was revealed, wherein he charged that this would result in price fixing.

Mr. SPARKMAN. The Senator will recall that much of the testimony before our committee was that if we would remove the price fixing and put it on a free competition basis, the market would take care of itself. When we proposed to do that, there was a great outcry from the industry, and we more or less reversed our thinking and let the price fixing remain, but gave the National Association of Security Dealers the self-imposed responsibility of self-regulation.

Actually, the law provides this, in effect: Anyone who sells mutual funds at a price lower than that fixed in the prospectus by the fund itself shall be guilty of a crime.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. MONDALE. It is a felony.

Mr. SPARKMAN. It is a felony.

Mr. MONDALE. If an agent were to sell me a mutual fund certificate at a price less than the fund prescribed, in the eyes of the law as it is now written, he is the same as a man who robs a bank.

Mr. SPARKMAN. The Senator is correct. The Senator does not believe that that is free and open competition in the usual sense of free enterprise, does he?

Mr. MONDALE. I agree with the Senator from Alabama.

As a matter of fact, there was a simple way to resolve the dispute in the mutual fund issue, and that was first, to remove the felony requirement, so that the salesmen could compete on the basis of his fee and, second, to require an arm's length contract between the adviser corporation and the fund. In that way, there would be competition. But that is the last thing that some of the industry wanted.

Mr. SPARKMAN. The Senator will recall that when we started to do what was recommended to us—that is, to repeal section 22(b), which provides this price fixing—there was an outcry. Some of us felt all along that we should accept the offer of the securities dealers for self-policing, as they do in the stock exchange. And that is what we went back to.

Yet, Mr. Nixon says that we were seeking to destroy free competition. I fail to understand it. Surely, he must not have consulted with the president of the American Stock Exchange or the president of the New York Stock Exchange or the president of the National Association of Securities Dealers with reference to this matter, because this is in line with their recommendations.

The Senator will recall that the only point we did not resolve completely by agreement with the mutual fund people was the matter of the payment of fees to trustees—management fees. We worked out a solution that we recommended on the floor of the Senate. There was some discussion on the floor of the Senate. The Senator from Utah [Mr. Bennett], the Senator from Massachusetts [Mr. Brooke], the Senator from New Hampshire [Mr. McIntyre], and other Senators took part in that debate. Finally, we worked out a solution on the floor of the Senate which made it possible for court action to be taken to determine whether or not management fees were reasonable. But we made it certain that when the case made certain showings, from there on the burden of proof was on the plaintiff, who was seeking to get this action.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. MONDALE. I wonder how many holders of mutual fund certificates realize the manner by which many mutual funds have been established. I believe it is important to know this.

What often happens is that a group will set up a mutual fund and then create another corporation, which might be called the adviser corporation.

Mr. SPARKMAN. It is almost a holding company. Of course, it is a side company, instead of being vertical.

Mr. MONDALE. The Senator is correct. They give the legal appearance of being two separate independent corporations, but one really controls the other.

Mr. SPARKMAN. Yes.

Mr. MONDALE. And as the mutual fund grows——

Mr. SPARKMAN. And they have grown tremendously in the last 10 or 15 years.

Mr. MONDALE. I believe that now more than $40 billion of American consumers' money is invested in mutual funds.

As these funds grow, the adviser corporation is free to establish the fee it regards to be adequate for its services.

Mr. SPARKMAN. The Senator is correct.

Mr. MONDALE. I believe that in some funds the fee charged by some principals in the adviser corporation is more than one-half million dollars a year.

Mr. SPARKMAN. Or more.

Mr. MONDALE. Or more. And the fund corporation itself is not free to establish an arm's-length contract because it is owned and run by the adviser corporation.

Mr. SPARKMAN. There is no room for arm's-length dealings. They are almost like Siamese twins.

Mr. MONDALE. So the only remedy of the poor mutual fund stockholder is to come to an annual meeting and complain. If his views fail to prevail his only recourse then is to go into Federal court and allege "waste"—an exceedingly difficult, if not impossible burden of proof.

Mr. SPARKMAN. But he can do that only with permission of the Securities and Exchange Commission. He has to go there first and get their permission.

The Senator from New Jersey [Mr. Case] participated quite ably in that debate. It was his amendment that really solved this question. I am glad to see the Senator from New Jersey in the Chamber.

Mr. MONDALE. Mr. President, if the Senator will yield, I have one more question.

Mr. SPARKMAN. I yield.

Mr. MONDALE. Did Mr. Nixon's letter go to the mutual fund industry?

Mr. SPARKMAN. It was sent to the securities dealers. I do not know the individuals to whom it was sent.

Mr. MONDALE. Does the Senator recall if this statement was issued publicly or privately?

Mr. SPARKMAN. No. That is the thing I cannot understand. It seems to me he would have made the statement in a public speech; or if he wanted to make a policy statement, that he would have made it available to everyone. No. It is a private letter written to someone who could see to it that it reached the proper places.

Mr. PROXMIRE. I understand the letter was sent to 2,000 people, but it was a private letter. The Senator has called attention to a very significant aspect of the matter. It is a private letter dealing with the most public interests.

Mr. SPARKMAN. I wish to call to the attention of the Senator from Minnesota this fact. Mr. Nixon's aide, when asked why it was not a public statement, said that it dealt with such a narrow policy field.

I do not have Mr. Nixon's letter before me. I gave it to the reporter. I have asked that the letter which the New York Times published be printed in the Record as a part of my remarks.

In the letter he refers to the fact that one out of every eight persons in the United States owns stocks or shares in a mutual fund and that 100 million people are benefited or are beneficiaries. I cannot conceive of something that affects 100 million people being a narrow field of policy.

Mr. MONDALE. Did any of these letters go to holders of mutual fund shares?

Mr. SPARKMAN. I have mutual fund shares. I did not receive one.

Mr. MONDALE. I wonder why.

Mr. SPARKMAN. Furthermore, our committee wrestled with this matter for 2 years. Did the Senator from Minnesota receive a letter?

Mr. MONDALE. No. I was inadvertently stricken from the list.

Mr. SPARKMAN. Did the Senator from Wisconsin receive a copy of the letter?

Mr. PROXMIRE. No; I was inadvertently left out.

Mr. MONDALE. Perhaps we could write and have our names placed on the list.

Mr. SPARKMAN. I received a letter from the Republican Committee the other day asking for a contribution, but they did not include a copy of the letter.

Mr. BROOKE. Mr. President, will the Senator yield?

Mr. SPARKMAN. The Senator from Massachusetts is on our committee, and he took a very active part in the mutual fund legislation and helped us to work out the knotty problem on the floor of the Senate to which I referred.

Mr. BROOKE. I hope the distinguished Senator from Alabama responded to the letter asking for a contribution to the Republican Party.

Mr. SPARKMAN. I still have it, waiting to receive a letter on the mutual funds.

Did the Senator from Massachusetts get a copy of the letter on mutual funds?

Mr. BROOKE. As a matter of fact, the Senator from Massachusetts did not get a copy of the letter. However, I would like to say, having read it, that I know of this letter, and I see nothing inconsistent with the protection of the investor which was stated by the distinguished Republican presidential candidate in his letter addressed to certain people in the industry.

I think further that it should be pointed out that there was disagreement within the committee itself on the basic philosophy of this matter and I think the distinguished Republican candidate for President, and the next President of the United States, was merely saying in his letter that he was in opposition to the philosophy of the present administration in not letting the investor make up his own mind as to what he wanted to do rather than having the Government do it for him.

I think that was the thrust of the letter from Mr. Nixon. Certainly he was in favor of further study, as was our committee in favor of further study; and there was difference of opinion within the industry itself. The industry was certainly not willing and ready to have the Government come in and give further regulation to the industry. They thought they were policing it very well themselves. As our distinguished chairman will remember, there was very little evidence in the testimony before the committee to indicate there had been any great abuses in the industry at all.

Mr. SPARKMAN. No. I am not sure if the Senator heard this. I said that recently when William McChesney Martin made a speech at the 75th anniversary of the New York Stock Exchange, the Senator will remember when he called attention to the seriousness of the impact of institutional mutual fund buying on our various stock markets, he started people thinking.

Talking about differences in our committee, as I recall I believe that a study was recommended unanimously and was accepted by the Senate unanimously.

Mr. BROOKE. Yes.

Mr. SPARKMAN. I believe we worked it out on a basis fair to everyone, and I cannot quite agree with the Senator from Massachusetts that he can see nothing in the letter that is objectionable. Certainly, I would object to his criticizing the bill that we passed relating to the mutual funds. I pointed out that the bill, as finally worked out, was passed, as I recall, by almost a unanimous vote in the Senate.

I construe his letter as being critical of the study. I believe the letter starts off in about the third paragraph with a critical remark on the study. I do not have the letter before me. I gave it to the reporter.

Mr. PROXMIRE. Will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. PROXMIRE. Is not the principal criticism by the Senator from Alabama that this was done privately and secretly and without knowledge by the general public or the investing public; but that it was directed to a narrow segment of the securities industry which some people might feel would gain by a looser rein by the SEC?

It is not that the former Vice President, the Republican nominee, takes a position with which we disagree. It is that he handles it in this particular way.

Mr. BROOKE. If 2,000 letters were sent out it was not a private matter.

Mr. PROXMIRE. And he should have known it was not a private matter.

Mr. BROOKE. I am sure that Mr. Nixon was merely voicing opposition. I think he was voicing opposition to the administration in dealing with securities. He feels the Government should not get into the field of securities to a greater degree than it already has done so. This is the basic feeling of the industry itself. It was very well testified to before our committee in hearings.

Mr. PROXMIRE. He wants to roll it back. His letter indicates we have gone too far now in regulation. He talks about the heavy hand of bureaucracy on the securities industry.

As I have said, it is not the merits. I think the merits are pretty clear in all of our minds. The main issue is the way he did it without a public statement. As the Senator from Alabama has said, it was not done in a speech or statement made available to all of us, but to very narrow segments of the industry, and 2,000 is a narrow segment when one considers how big the industry is.

Mr. President, one of the most interesting, I think, and shrewdest analyses of a political, economic financial action that I have seen in a long time was written by Eileen Shanahan entitled "Capital View: A Blunder," published in the New York Times for last Sunday, October 6, 1968, in its Business and Finance section, in which she analyzes the action Mr. Nixon took.

It is so appropriate to the colloquy we just had on Mr. Nixon's action that I should like to read part of it into the RECORD:

Why did Nixon do it? Who on earth advised him? And does he really imagine that the views he expressed are unanimously—or even generally—shared in the securities business?

These are the questions that official Washington has been asking itself since the publication, early this past week, of what has become known here as the "Secret Letter to Wall Street."

The manner of release of Mr. Nixon's policy statement on securities regulation is considered a blunder by friend and foe alike. The unanimous conclusion in the Capital is that he should not have opened himself to charges of attempting some sort of secret deal by distributing the statement to people in the industry and failing to make it available to the general public. This is the point on which the politically oriented here have focused.

SUBSTANTIVE MISTAKES

Those who know something about current issues in securities regulation—and the history and dramatis personae thereof—are more fascinated, however, by what they see as the substantive blunders in Mr. Nixon's statement.

Item: Mr. Nixon denounced a pending study of the impact of institutional investors on the securities markets, which study was the brain-child not of the Securities and Exchange Commission but of a Republican member of Congress, Representative Hastings Keith of Massachusetts.

Item: That same study was approved by Congress (and presumably could not be canceled now, by any President), without any opposition whatever, either among the elected officials who voted for it or among the affected industries and organizations, who testified in favor of it.

Item: Mr. Nixon made it sound as if he intended to make the S.E.C., and all the other agencies that regulate business, do exactly what he told them to. Although no President has ever really kept hands off the activities of these agencies, legally that is exactly what Presidents are supposed to do. When Presidents have actually intervened, they have usually done so with some restraint and taken some pains to disguise the fact.

Item: Mr. Nixon made it sound as if he would *immediately* end what he called the "heavy-handed bureaucratic regulatory schemes" of the S.E.C. In fact, it could be as late as mid-1970 before he even achieves a Republican majority on the commission. He would not be able to name his own chairman, unless he wanted to name one of the two Republicans now on the commission, until mid-1969.

Item: In denouncing the proposed reduction of sales commissions on New York Stock Exchange transactions, Mr. Nixon attacked, in effect, the president and board of governors of the New York Stock Exchange, which have approved the cut, along with many other leaders of the securities business who think the step is proper and necessary.

Of course, the securities industry is divided on this issue, as it is on many others. There are certainly those in the industry who oppose the rate-cut and the companion move to ban commission splitting among brokers.

But the wonder here in the capital is that Mr. Nixon chose to ally himself so totally with this opposition group, as if it represented the entire securities industry.

It does not, as events of the last few days have shown, even represent all of the mutual fund industry—the suspected, but not proved, source of the policy statement. At least two major figures in the industry have checked in with the S.E.C. since publication of the letter to say they had no part in its preparation and disapprove at least its truculent tone if not its substantive message.

FUND INDUSTRY LOSS

Most of the fund industry feels that it has much to lose from the abolition of commission-splitting—a key method that funds use to reward brokerage houses that are swelling fund shares.

But what surprises people here who know about securities regulation is the assumption implicit in the Nixon letter that the reduction in commissions and ban on commission-splitting could be averted once Mr. Nixon became President.

Mr. President, I ask unanimous consent that the remainder of the article be printed in the RECORD.

There being no objection, the remainder of the article was ordered to be printed in the RECORD, as follows:

The changes in commissions will be voted on by the entire New York Stock Exchange membership beginning Thursday. If the members turn down the reduction the S.E.C. could—and almost certainly would—immediately start legal proceedings aimed at forcing the planned reductions, or possibly even larger ones. It has ample statutory authority to do this, although it could well wind up in a race with the clock to complete the prescribed legal procedures and order the rate reduction by Jan. 20.

There is another element in the picture, however, and that is the role of the Justice Department's antitrust division. There is no question but that the rate reduction and ban on commission splitting now pending before the stock exchange's membership has a good chance for approval primarily because the antitrust division has threatened something even worse.

Whoever wrote the policy statement on securities regulation appeared to assume that the Justice Department would remove its pressure for an end to all fixed sales commissions, once a Nixon-appointed Attorney General was in office.

Washington feels there is reason to doubt this. Perhaps the most vigorous period of antitrust enforcement in the last two decades came during the Eisenhower Administration, particularly the second Eisenhower Administration when the Attorney General was one of Mr. Nixon's oldest and closest political friends, William P. Rogers. Those who were running the antitrust division at that time held the view that the Republican party could never afford to be soft in its antitrust enforcement; that since the party did not believe in Government regulation of business it had to make sure there were no impediments to competition, the free-market regulator.

Thus the general view here is that Mr. Nixon (assuming he saw the statement at all) was given a misleading impression that any good Republican or securities dealer would share the position taken in the statement. The question is why he did not know that major portions of the securities industry are not all that dissatisfied with the S.E.C. (and that, surprisingly, the agency remains in good standing with liberals, as well).

The conclusion here is that Mr. Nixon was the victim of some poor staff work. And that is the biggest surprise.

Mr. PROXMIRE. Mr. President, I also ask unanimous consent that another interesting article, the lead article, entitled "Nixon Over Wall Street: His Statement Is a Puzzler," by Terry Robards, also be printed in the RECORD at this point. It is another fine analysis of the substantive implications of the Nixon letter.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIXON OVER WALL STREET: HIS STATEMENT IS A PUZZLER

(By Terry Robards)

Politics thundered into Wall Street with a resounding impact last week in response to Richard M. Nixon's policy statement on regulation of the securities industry.

While there was some doubt about the motivation for Mr. Nixon's letter to financial industry executives, there was little doubt about the market's reaction. Volume on the New York Stock Exchange boomed to the second-highest level in history Thursday and most major market indexes leaped to record highs.

Still, Wall Street was divided in its response to the Nixon position. Some securities industry officials were highly enthusiastic, some thought Mr. Nixon had made a serious tactical error and others were just plain puzzled.

There were some who conceded that Mr. Nixon himself may not have given his personal stamp of approval to the letter and that, once it was made public, he felt he could not issue a retraction, lest he merely add to the confusion and resultant publicity about it.

It was disclosed Wednesday that Mr. Nixon had sent a letter to top executives in the securities business, in which he vowed to end what he called "the heavy-handed bureaucratic regulatory schemes" of the Securities and Exchange Commission under the Johnson Administration.

In the letter he said a first priority of his Administration would be to call for an independent comprehensive economic study of the role of financial institutions in the nation's economy. He was critical of the S.E.C.'s efforts to reduce brokerage commission rates and cut the charges that mutual funds make to investors.

"Our securities laws were designed to protect the investor by insisting on full and complete disclosure," he said, adding later, "The philosophy of this Administration, however, has been that disclosure alone is not enough and that the Government can make decisions for the investor better than he can make them for himself."

Wall Street's immediate reaction was that the letter really was meant to be a message to the business community in general—perhaps a promise that a Nixon Administration would involve the Federal Government less in the business community's affairs.

But this interpretation left a number of major questions unanswered. Nobody seemed to know why, for instance, Mr. Nixon had felt constrained to deliver such a message to the very group on whose support, both financial and at the polls, he is most assured of receiving anyway.

Certain political advantages did seem plausible. Under the Johnson Administration, the S.E.C. has attempted to push a mutual fund reform bill through Congress. The bill would cut into the fund industry's income and, as such, is highly unpopular within the industry itself.

Although the bill seemed to be hopelessly stalled in the House Commerce Committee, Mr. Nixon could have been trying to assure the industry that a Nixon Administration would not promote similar legislation. According to a year-old study by the National Association of Securities Dealers, there are 90,000 securities salesmen.

Many of these salesmen work for small brokerage firms whose dominant business is selling mutual-fund shares. Obviously, they would be enthusiastic about any policy that would appear to protect their interests.

The brokerage community, as well as the mutual-fund industry, also have an interest in recent changes proposed by the S.E.C. in commission-rate structures—changes that will go into effect before the year-end as a result of a Big Board proposal.

The changes involve volume discounts on large-block transactions and an end to the practice known as the "give-up"—or the splitting of commissions between two or more brokerage houses on a single securities transaction.

Referring to these changes, along with a suggestion by the Justice Department that commissions be set strictly on a negotiated basis, Mr. Nixon said such proposals were "designed to alter the basic character of the securities markets, involving drastic changes in the stock exchange rate structure and altering the economic relations of brokerage firms, institutional investors and individual investors."

On Thursday Robert S. Driscoll, president of the Affiliated Fund and American Business Shares, called a press conference in Philadelphia to comment on Mr. Nixon's statement. "We are pleased," he said, "that Mr. Nixon apparently recognizes that further study is necessary before give-ups are eliminated."

But the response to Mr. Nixon's policy statement was by no means universally enthusiastic. Some fear was expressed privately in some of Wall Street's top-level executive suites that Mr. Nixon's position might upset the delicate relationship between the securities industry and the Government.

Some members of the industry feel that relations with the Federal Government have been improving in recent years and that the recent changes in Wall Street's commission structure were beneficial to the investing public.

The timing of Mr. Nixon's letter also was intriguing, coming as it did just after two of the most sensational and significant securities cases in the history of the S.E.C. had achieved national prominence.

The appellate court's decision in the Texas Gulf Sulphur Company "insider's" suit and the S.E.C.'s administrative action against Merrill Lynch, Pierce, Fenner & Smith, Inc., have, in the opinion of many legal experts, added new interpretations to the securities laws.

By referring to "heavy-handed bureaucratic regulatory schemes" in this context, Mr. Nixon appeared almost to be condoning disregard for the securities laws, despite his statement later that he believes in the full enforcement of these laws.

Obviously, Mr. Nixon was not condoning any breach of the laws, but some industry sources did question his statement in this light. They also questioned his call for a broad study of the role of financial institutions.

A similar study already has been authorized by Congress and is to be conducted by the S.E.C. with the full cooperation of virtually all segments of the securities industry. The upcoming study, in fact, is one of the few actions proposed by the S.E.C. recently that has met with near-unanimous support from the industry.

All of this still does not answer the question: why did Mr. Nixon decide to make a formal policy statement on securities regulation? There are two schools of thought on what the answer may be.

One is that Mr. Nixon's letter, quite simply, was tantamount to an appeal for financial support from the sector of the electorate where he has his greatest support—the business community.

"I hate to say it," said a senior partner in a large securities firm, "but what he has done is written a letter which, in effect, says, 'Look, send me some money and we'll lift the pressure off you when we get in.' "

The top man at one of the nation's largest investment companies asked, "Is he that hard up for money for his campaign?" Still another senior industry official said, "It is the first serious mistake of his campaign. He had the votes and had the money, so why did he have to do it?"

Equally plausible, however, is the original idea that Mr. Nixon intended his statement to be a message to the entire business community. "I think it is good politicking," said the research partner at one of the nation's largest brokerage concerns.

One of the securities industry's top leaders rejoined, however, that "harassment, like beauty, is in the eye of the beholder and I'm not sure you can say with any certainty that we've been harassed."

ECONOMIC DEVELOPMENT OF GUAM

Mr. BURDICK. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1763, to promote the economic development of Guam.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1763) to promote the economic development of

Guam, which was to strike out all after the enacting clause, and insert:

SHORT TITLE

SECTION 1. This Act may be cited as the "Guam Development Fund Act of 1968".

PURPOSE

SEC. 2. For the purpose of promoting economic development in the territory of Guam, there is hereby authorized to be appropriated to the Secretary of the Interior to be paid to the government of Guam for the purposes of this Act the sum of $5,000,000.

SEC. 3. Prior to receiving any funds pursuant to this Act the government of Guam shall submit to the Secretary of the Interior a plan for the use of such funds which meets the requirements of this section and is approved by the Secretary. The plan shall designate an agency or agencies of such government as the agency or agencies for the administration of the plan and shall set forth the policies and procedures to be followed in furthering the economic development of Guam through a program which shall include and make provision for loans and loan guarantees to promote the development of private enterprise and private industry in Guam through a revolving fund for such purposes: *Provided*, That the term of any loan made pursuant to the plan shall not exceed twenty-five years; that such loans shall bear interest (exclusive of premium charges for insurance, and service charges, if any) at such rate per annum as is determined to be reasonable and as approved by the Secretary, but in no event less than a rate equal to the average yield on outstanding marketable obligations of the United States as of the last day of the month preceding the date of the loan, adjusted to the nearest one-eighth of 1 per centum, which rate shall be determined by the Secretary of the Treasury upon the request of the authorized agency or agencies of the government of Guam; and that premium charges for the insurance and guarantee of loans shall be commensurate, in the judgment of the agency or agencies administering the fund, with expenses and risks covered.

SEC. 4. No loan or loan guarantee shall be made under this Act to any applicant who does not satisfy the agency or agencies administering the plan that financing is otherwise unavailable on reasonable terms and conditions. The maximum participation in the funds made available under section 2 of this Act shall be limited (a) so that not more than 25 per centum of the funds actually appropriated by the Congress may be devoted to any single project (b) to 90 per centum of loan guarantee, and (c) with respect to all loans, to that degree of participation prudent under the circumstances of individual loans but directly related to the minimum essential participation necessary to accomplish the purposes of this Act: *Provided*, That, with respect to loan guarantees, the reserves maintained by the agency or agencies for the guarantees shall not be less than 25 per centum of the guarantee.

SEC. 5. The plan provided for in section 3 of this Act shall set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement, repayment, and accounting for such funds.

SEC. 6. The Governor of Guam shall make an annual report to the Secretary of the Interior on the administration of this Act who shall then forward copies of such reports to the Speaker of the House of Representatives and the President of the Senate.

SEC. 7. The Comptroller General of the United States, or any of his duly authorized representatives, shall have access, for the purpose of audit and examination, to the books, documents, papers, and records of the agency, or agencies, of the government of Guam administering the plan that are pertinent to the funds received under this Act.

Mr. BURDICK. Mr. President, the purpose of S. 1763, passed by the Senate on August 30, 1967, is to establish a $5 million economic development loan fund for the territory of Guam which will provide a mechanism to help the territory develop a viable civilian economy.

The House has amended the bill by striking all after the enacting clause, but the text of the bill has been changed very little. The Department of the Interior, by letter of March 8, 1968, has pointed out that certain language which appears in section 4 of the bill as passed by the Senate is ambiguous. That section requires that the maximum participation in the funds made available under the act shall be limited to 25 percent of funds available to any single project and to 90 percent of any loan guarantee. The Department of the Interior has suggested substitute language which reads as follows:

> The maximum participation in the funds made available under section 2 of this Act shall be limited (a) so that not more than 25 per centum of the funds actually appropriated by the Congress may be devoted to any single project, (b) to 90 per centum of loan guarantee, and (c) with respect to all loans, to that degree of participation prudent under the circumstances of individual loans but directly related to the minimum essential participation necessary to accomplish the purposes of this Act: *Provided*, That, with respect to loan guarantees, the reserves maintained by the agency or agencies for the guarantees shall not be less than 25 per centum of the guarantee.

A second amendment adopted by the House provides that the Governor of Guam shall make an annual report to the Secretary of the Interior on the administration of this act and that copies of the report will be sent to the Speaker of the House and to the President of the Senate.

Mr. President, the changes in the bill made by the House are perfectly acceptable to me as the chief sponsor of this legislation. Therefore, I move that the Senate concur in the amendment of the House to S. 1763.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from North Dakota.

The motion was agreed to.

CONTINUANCE OF CIVIL GOVERNMENT FOR THE TRUST TERRITORY OF THE PACIFIC ISLANDS

Mr. BURDICK. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on the bill, S. 3207, to amend section 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 3207) to amend section 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, which was to strike out all after the enacting clause, and insert:

That section 2 of the Act of June 30, 1954 (68 Stat. 330), as amended, is amended by deleting "and $35,000,000 for each of the fiscal years 1968 and 1969," and inserting in lieu thereof a comma and the following: "for fiscal year 1969, $5,000,000 in addition to the sums heretofore appropriated, for fiscal year 1970, $50,000,000 and for fiscal year 1971, $50,000,000".

SEC. 2. The Act of June 30, 1954 (68 Stat. 330), as amended, is amended by adding a new section 3 as follows:

"SEC. 3. There are hereby authorized to be appropriated such sums as the Secretary of the Interior may find necessary, but not to exceed $10,000,000 for any one year, to alleviate suffering and damage resulting from major disasters that occur in the Trust Territory of the Pacific Islands. Such sums shall be in addition to those authorized in section 2 of this Act and shall not be subject to the limitations imposed by section 2 of this Act. The Secretary of the Interior shall determine whether or not a major disaster has occurred in accordance with the principles and policies of section 2 of the Act of September 30, 1950 (64 Stat. 1109), as amended (42 U.S.C. 1855a)."

Mr. BURDICK. Mr. President, in January 1968, Senator METCALF, Senator Moss, and I took an extensive tour through the Trust Territory of the Pacific Islands and upon our return to Washington cosponsored S. 3207 to provide an increase in the authorization for operation of the Government of Micronesia. As originally passed by the Senate, S. 3207 increased the present ceiling on authorization from $35 million annually to $120 million to be expended over the fiscal years 1970, 1971, and 1972. In order to assist the territory in recovering from typhoon damage which frequently occurs there, S. 3207 contained further authorization of up to $10 million for any single disaster to aid in the recovery operations.

The House has amended the bill to provide for a new ceiling of $50 million, but only for each of the years 1970 and 1971 in order to meet the health, education, and economic needs of the territory. The House also amended the Senate bill to provide that in the case of typhoon disasters there would be authorized not to exceed $10 million in any 1 year, rather than $10 million in any single disaster.

Mr. President, it had been my hope that we could establish a ceiling over a longer period of time than 2 years in order that officials of the trust territory could properly plan for the public works and other projects so desperately needed in the islands. However, due to the lateness of the session and the virtual impossibility of holding a conference with the House, I believe we should accept the bill as passed by the House.

Mr. President, I move that the Senate concur in the amendment of the House to S. 3207.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from North Dakota.

The motion was agreed to.

PAUL L., MARGARET, AND JOSEPHINE KIRSTEATTER

Mr. BURDICK. Mr. President, on behalf of the senior Senator from Alaska [Mr. BARTLETT], who is necessarily absent today, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 909, a bill for the relief of Paul L., Margaret, and Josephine Kirsteatter.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 909) for the relief of Paul L., Margaret, and Josephine Kirsteatter which was, on page 2, line 5, strike out "in excess of 10 per centum thereof".

Mr. BURDICK. Mr. President, the bill was passed by the Senate on December 7, 1967. The House, in passing the bill on May 7, 1968, however, struck that portion of the bill that prohibits payment to any agent or attorney for services rendered in connection with the claim.

Mr. President, I move that the Senate concur in the House amendment to S. 909.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Dakota.

The motion was agreed to.

JOSÉ ESTRADA

Mr. BURDICK. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives amending S. 2675.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2675) for the relief of José Estrada, which was, to strike out all after the enacting clause, and insert:

> That, for the purposes of the Immigration and Nationality Act, José Estrada shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 18, 1961 and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

Mr. BURDICK. Mr. President, on June 24, 1968, the Senate passed S. 2675 to grant the status of permanent residence in the United States to the beneficiary retroactive to July 18, 1961.

On October 3, 1968, the House of Representatives passed S. 2675 with a technical amendment that does not affect the overall purposes of the bill.

I move that the Senate concur in the House amendment to S. 2675.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Dakota.

The motion was agreed to.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

The Senate resumed the consideration of the bill (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts.

Mr. BROOKE. Mr. President, I rise in opposition to the medicaid provision contained in the pending tax bill, and in support of the efforts of many of my colleagues to have it deleted or modified.

When medicaid was first initiated in 1965, it was designed to meet the needs of those children whose parents were too poor to provide them with proper medical and dental care. It was recognized that the cost of living varies considerably among the States, and so each State was encouraged to establish its own standards for participation in this program. Within 2 years, 25 States had become participants in a program which presently helps to meet the hospital costs and doctors' expenses of more than 4 million children.

My own State of Massachusetts was one of the first to take advantage of this program, and combined Federal-State expenditures now total $300 million annually. Under the Massachusetts program, extensive services are provided to the ill and the disabled. Doctors' expenses, whether furnished in the office, hospital, or the patient's own home, are covered by the program. Medicaid provides both inpatient and outpatient hospital services, dental services, laboratory and X-ray services, prescription drugs, and a variety of other medical and supportive services. The State welfare agencies have wisely recognized that a sick or disabled person must be treated thoroughly and well if the program is to be effective.

In Massachusetts, where the cost of living is quite high, a father of two, whose wife is not working, becomes eligible for assistance if his income is less than $413 per month. This means a family becomes eligible for medicaid when its net is approximately $100 per month per person, or a total family income of nearly $5,000 per year for a family of four. This figure corresponds almost exactly to the poverty level established in the State of Massachusetts.

Mr. President, my State was encouraged to establish this high level for participation in medicaid by the Department of Health, Education, and Welfare. Under the bill which passed last year, the Federal Government agreed to pay 50 percent of the costs. The program has been initiated, the commitments have been made. What is even more important, thousands of children and needy parents are now receiving assistance for the first time. With better health, these people have greater hope and an increased ability to become productive members of society.

I believe it is too late now to impose even lower ceilings for Federal participation than those enacted by the Congress last year. The fact that the Federal share has exceeded our expectations is an indication of the success of the program, not its failure. There are still millions of children in this country who should be receiving medicaid assistance but have not yet been covered; the program should not be cut back, but expanded.

Mr. President, I refer again to the example of the State of Massachusetts because it is the one with which I am most familiar. Massachusetts will lose $40 million outright if the present provision is enacted. But Massachusetts is not unique; 23 other States also stand to lose substantial income if this provision is retained. The States which are the hardest hit are frequently those with the largest budgets and the most expenses to begin with. They are also the ones whose people pay the highest taxes, not because they are wealthier, but because an urban society requires more public services and a larger role for government than a rural society.

To require States whose resources are already heavily committed to bear 75 percent of the cost of a program for which the Federal Government had previously promised 50 percent participation is, in my view, unconscionable. To make that provision retroactive to the beginning of this fiscal year is to break faith with State and local government and with the people of those States.

If ceilings must be established, and if Federal participation must be limited in order to meet our Federal budgetary requirements, then let us enact those limitations in the orderly process of legislation. Let us hold hearings. Let us determine a feasible level for Federal participation. Let us give the States time to come up with alternate plans and to find alternate sources of revenue. Let us, at the very least, give the provision adopted by the Senate on September 24 an effective date of July 1, 1969, as was suggested yesterday by my good friend from New York, Mr. GOODELL.

Let us not penalize our States and our people, or establish a dangerous precedent by which the Federal Government can renege on its commitments in midyear. For then the credibility of the Federal Government would be questioned, and the attainment of better Federal, State, and local cooperation could be impeded for many years to come.

Mr. President, I urge the Senate to reconsider its earlier decision and to adopt a more reasoned, helpful, and constructive course of action.

Mr. GOODELL. Mr. President, as we debate the merits of the amendment in the pending bill to restrict medicaid provisions, I think we should keep in mind that amendments have been adopted that would exempt the commodities program from the expenditure ceiling. The projections on expenditures for the commodity credit program turned out to be something over $1 billion short, so we will have to expand more than $1 billion in excess of what was projected.

In the case of medicaid, the point is made that projections will be $700 million less than the actual cost of medicaid program in this fiscal year.

So we have a clear situation. When we underestimate the cost of the Commodity Credit Corporation by over $1 billion, it is the disposition of the Congress to exempt that $1 billion-plus from the expenditure ceiling, but when we have an underestimation of the cost of the medicaid program by $700 million, it appears to be the disposition of some in the Congress to cut the medicaid program. It comes down literally to a question of commodities versus people.

The medicaid program is a program that has been established by the Congress, it has been modified, and we now have an obligation to fund it. We certainly should not change the rules of the game in the middle of the fiscal year, when the States and localities have attempted to follow the Federal law and Federal guidelines and expended money, and when the legislatures are not in session to change the State laws.

MEDICAID

New York State initiated its medicaid program in May 1966 and assigned responsibility for administering it to the State department of social services.

ELIGIBLES

Five groups are eligible under the program: First, persons receiving all or part of their incomes from the federally aided public assistance programs; second, persons who reside in the State and, except for having enough income for their daily needs under State assistance standards, could qualify for public assistance under the Federal eligibility requirements but are without sufficient income or resources to pay for needed medical care; third, persons under the age of 21 without sufficient resources or income to pay for needed medical care; fourth, inpatients 65 and over in tuberculosis and mental institutions; and, fifth, adult general assistance money payment recipients—21 and over—and other medically needy persons whose income and resources are insufficient to meet all the costs of medical care—no Federal financial participation in the cost of medical care is claimed for this group.

Based on a family of four persons, with one wage earner, the income exemption level for "hospital only" medical assistance—before the Federal enactment—was $5,200. The Department proposed and the State board of social welfare recommended the following factors for computing family incomes: an income exemption up to $5,700; savings exemptions up to one-fourth of that amount; and exclusion of the annual cost of health insurance premiums as well as the amount of Federal and State income taxes paid.

Subsequently, legislative action established these standards, pegged to the four-in-a-family base: a net income exemption of $6,000; savings up to 50 percent of exempt income; life insurance with a face value of $1,000 per person; or, lacking insurance, establishment from existing savings of a burial reserve in the same amount for each member of the family; and deduction of health insurance premiums and paid State and Federal income taxes in computations of net income.

The Department estimated that about one-third or not more than 6 million of the State's 18 million residents would be potentially eligible, on the basis of income and resources, for medical assistance under the program, with maximum potential expenditures of about $1 billion on a 1965 cost basis.

I emphasize here that total Government expenditures for medical assistance in the State of New York in 1965 were $241,229,000. In calendar year 1967, the total expenditures in the State of New York—all governmental expenditures for medical assistance—were $606,668,000.

For all medical care except inpatient services, a deductible payment is required for the medically needy with an annual income of $4,500 or more. The deductible is the amount of money a person or family must pay annually toward medical expenses before the program will pay any costs. There are two methods for determining the deductible: First, 1 percent of the gross annual income; or second, 5 percent of that part of the applicant's net income which is in excess of 80 percent of the minimum income exemption. The lesser amount must be paid.

SERVICES

In addition to the five basic medical services—physicians' services, inpatient hospital services, outpatient hospital services, skilled nursing home services, and laboratory and X-ray services—10 other medical care services are provided in the State program. While many of these were already included in New York's previous medical care program, the State broadened some services and established several new programs. These included home care, provision of medical care to medically indigent children, inclusion of patients over 65 years of age in institutions for tuberculosis and mentally disabled, outpatient care including clinic and emergency room care, and allowance for inclusion of the cost of deductibles—coinsurance and premium costs—required under title 18.

Full social services are available to all applicants for medical assistance. The same broad coverage of social services available under the other titles are also available to the medically needy on a selective basis. Social services are now available to eligible patients in mental hospitals and for persons released from such institutions.

CABINET COMMITTEE'S REPORT

In January 1968, an ad hoc cabinet study committee appointed by the Governor, concluded that despite the many benefits of the State's medicaid program, experience had made it clear that the program had encountered medical, fiscal, and administrative problems that required urgent attention. The committee consisted of the commissioners of the departments of social services, health, and local government. It criticized Federal cost formulas which have not placed curbs on costs and offered no incentive to economize, especially in the area of hospital management. Furthermore, it objected to the Federal action in 1967 limiting Federal sharing in the cost of the medically needy. The committee stated that as a result of this action the State had to consider three alternative approaches to amend the original medical assistance program:

First. Cut back eligibility levels to those called for by the new Federal amendment to the law;

Second. Adopt eligibility standards by geographic regions;

Third. Institute cost-sharing—coinsurance—and deductible features.

It was estimated that the New York medicaid program, unless amended, would represent a $300 million additional cost to State, Federal, and local governments in fiscal year 1968–69. This rising cost, according to the committee, might threaten access to medical care for everyone in the State, including those who finance their own medical expenses with health insurance. In light of this fiscal prospect, the committee supported the proposal for adoption of a State universal health insurance—UHI—plan. UHI, it contended, would prevent the large-scale cancellation of voluntary insurance by medicaid eligibles and should become the preferred method for financing medical care. It would represent the first line of health defense while medicaid should be viewed as the second line of defense to protect those who are medically needy and those whose insurance benefits have run out.

The committee identified three major administrative problems that were mainly a result of the lack of planning time to put the medicaid program into effect. First, there was a critical need for fast, reliable, and uniform data to insure a sound basis for administrative decisions and management control. The committee recommended that it be empowered to take immediate steps to develop a statewide data collection and analysis system for the administration of medicaid at the State and local levels. Second, the committee found a need to improve State-local medicaid coordination and therefore proposed that measures be designed to insure prompt and effective interchange between State and local personnel. Finally, it asked for authority to review pertinent State studies and arrange for additional studies on the feasibility of utilizing fiscal intermediaries.

The committee advanced six other proposals for moderating costs and improving health care:

First. To improve the quality of care, steps should be taken to maximize the impact of prompt and thorough care throughout the continuum of prevention, cure, and rehabilitation.

Second. To improve medical care facilities a continuing effort should be made to improve the quality and balance of medical care facilities within each region of the State.

Third. To relieve the existing critical shortages of trained manpower in the health and social service professions and occupations, a pool of trained manpower should be developed so that shortages would not act to push costs disproportionately upward.

Fourth. To evaluate spiraling medical vendor payments, the present reimbursement formula and fee schedules of medicaid should be subjected to review.

Fifth. To administer the medicaid program at maximum effectiveness, staffing in both the Departments of Health and Social Services should be completed as rapidly as possible.

Sixth. To account for the varying relative resources and responsibilities of Federal, State, and local levels of government, a continuing review of current and prospective costs of medicaid should be undertaken.

IMPACT ON LOCAL GOVERNMENT

Consultants to the ad hoc Cabinet Committee on Medicaid reported on the impact and problems of medicaid as seen by local government officials in late 1967. Three areas of investigation were covered—finance, administration, and medical resources.

In upstate New York, approximately one-third of the total cost of medicaid was being borne by the counties—Peat, Marwick, Mitchell & Co., "Study of Medicaid, State of New York," January 12, 1968, Appendix 111—Survey of Local Government Offices. Most counties indicated that the program could be supported at its present level of expenditure—1967—within their existing sources of income. But officials felt that a reduction in State or Federal funds would severely hamper the program and cause local governments to cut back their services. According to county officials, other fiscal resources for raising the additional funds did not exist. All of the upstate county officials agreed that the program had not reached its peak in late 1967. However, they estimated that by July 1968 maximum enrollment would likely be attained. At the time the survey was conducted only about 35 percent of the estimated number of people eligible for Medicaid were enrolled in the upstate counties. The study found that an increased enrollment from 35 to 100 percent would probably cause program costs to jump 200 to 300 percent in the upstate areas.

New York City has had a long history of extensive medical assistance programs for welfare recipients. The city also has had facilities under its direction to provide medical assistance at no cost to large numbers of people. As in the upstate counties, approximately one-third of the cost of the medicaid program for New York City residents was being borne by the city. City officials indicated at the time they were interviewed that they expected the program to peak out in mid-1968 with an estimated claim payout of about $65 million a month. It was believed that nearly 70 to 80 percent of those eligible were now enrolled in the program—much higher than upstate.

The administration of medicaid at the county level is the responsibility of the local social services department. Both upstate and New York City officials felt that the dual participation of the State department of social services and the department of health resulted in confusion between State and local authorities. All of those interviewed agreed that paperwork should be simplified and standardized and that greater use of the computer should be made to assist in quality audits of services. Most also believed that the imposition of mandatory fees and rates by the State resulted in excessive cost for the program and suggested that local government set fees and rates with the State establishing a ceiling.

In the upstate counties officials felt that the program provided an incentive for young doctors to practice in rural areas and underscored the need for new medical facilities and personnel. Many officials felt that because of limited facilities and personnel, the heavier demand had possibly reduced the quality of medical service. New York City officials emphasized the need for some method of redistributing medical services to geographic areas where they are most needed, especially nursing home and hospital clinic facilities. Upstate officials stated that the basic steps for improving the program included the development of a differential level of eligibility by area and the establishment of differential rates and fees. State established eligibility levels and fees were too high for rural upstate areas, it was claimed. New York City officials concurred that differential area rates should be established. They also urged that the program be operated on the State level under one agency. Other recommendations made by city officials included encouragement of group medical practices, simplification of enrollment and eligibility requirements, combining medicare and medicaid, and finally, recruitment of more qualified program administrators.

Mr. President, I have taken this time to go through the development of the medicaid program in the State of New York because I believe it should be self-evident from the record that the medicaid proposal adopted by Congress left many approaches for different States to qualify for maximum benefits.

The States went into this program and tried to qualify and get a full program that would be effective and help the maximum number of people in their States.

New York State proceeded in good faith. The cabinet committee appointed by our Governor has made some significant and meritorious recommendations for improving the medicaid program and its administration.

Congress should take cognizance of these recommendations.

Congress in legislative committee should in its wisdom revise the program as indicated by the record.

The guidance and advice of experts and those who are administering the program at the State and Federal and local levels should be obtained.

Congress should not at this time renounce its obligation and repudiate its responsibility to State and local governments that have in good faith established these programs.

The net result of adopting the amendment that is now contained in the pending legislation will be to force States and local governments all across this land where effective programs are in operation to increase taxes. We will throw the burden back to the taxpayers at the State and local level for obligations that had been contracted for at the inducement of the Federal Government through the Federal medicaid authorization proposal.

This is plainly unfair. It changes the rules in the middle of the game. It changes the price tag on the merchandise.

If I may say so—and this is most important—if such a change is imposed by Congress at this time, it will deprive many needy human beings of the medical assistance that they need.

At a later time in the discussion, I shall elaborate on the kinds of individuals who are helped by the medicaid proposal as it is administered in the State of New York. It would be a cruel, tragic contradiction if, having launched this program and recognized the problems in its administration and the costs, we now turn our backs on those individuals who have finally been encouraged to believe that their needs will be met responsibly by an effective program of partnership between Federal, State, and local governments.

Mr. President, I trust that the Congress of the United States will not take such action. I recognize the fiscal need of our country. I say simply to my colleagues and to the American people that we can meet those fiscal needs without sacrificing the programs that are aimed at human needs in our society. We must have a priority for the programs of human needs.

It would be a compounding of tragic circumstances if we, in the same legislation, exempt the Commodity Credit Corporation expenditures from the expenditure ceiling imposed by Congress and cut the medicaid program to ribbons.

The contrast is there. The choice is there in its cruelest terms.

I trust Congress will not say, "Commodities first. People later." That would be the effect of the passage of the bill in its pending form with the amendments that have been agreed to.

COMMITTEE MEETING DURING SENATE SESSION TODAY

Mr. LONG of Louisiana. Mr. President, I was requested earlier today to obtain unanimous consent that the Committee on the District of Columbia be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, is that permission for the committee to meet today?

Mr. LONG of Louisiana. Today.

Mr. WILLIAMS of Delaware. The day is over. We are going to quit. They do not need permission to meet tonight.

Mr. LONG of Louisiana. I made the request earlier.

Mr. WILLIAMS of Delaware. I object now, because it is a late time to do this. They can meet without consent. The Senator cannot get retroactive consent.

The PRESIDING OFFICER. The request has been granted by the Chair.

Mr. WILLIAMS of Delaware. If it has been granted before, that is all right.

Mr. WILLIAMS of Delaware subsequently said: Mr. President, in line with the earlier request, the Chair was of the impression at that time that there had been a previous order granted for the committee to meet.

I understand now that the previous order had not been granted. Therefore, there was no consent for that committee to have met during the session of the Senate today.

I think the Chair will confirm that that is the correct procedure. I object to the request now.

The PRESIDING OFFICER. The Chair inquires of the Senator from Louisiana if he had earlier made a unanimous-consent request for that committee to meet.

Mr. LONG of Louisiana. Mr. President, I stated that I had been requested to ask that the committee be permitted to meet, and I did make the request. It was objected to, and so far as I am concerned, that settles the matter.

The PRESIDING OFFICER. Objection is heard.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

The Senate resumed the consideration of the bill (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts.

Mr. LONG of Louisiana. Mr. President, as the Senator from Louisiana has undertaken to explain on other occasions, the medicaid program has greatly exceeded cost estimates.

When we went to conference with the House of Representatives last year, we had an amendment which is virtually identical to that which was objected to by the Senators from New York and certain other Senators. The amendment which I offered to the present bill was the same amendment we had in conference at that time. It was estimated at the conference that the cost of the Senate and House provisions were about the same.

I have a table showing the income limits under the House recommendations which the Congress approved. Under the law, medicaid would not be available to persons whose income exceeded 133⅓ percent of AFDC payments. This table illustrates the extent to which the income limits now used and approved by HEW exceed those figures which were supplied by the Department of Health, Education, and Welfare to the conferees and upon which we relied when we legislated.

Mr. President, this table shows that in many States, the limitations on the persons to whom this program was to be made available have been greatly increased apparently by action of the States in cooperation with officials in the Department of Health, Education, and Welfare. That is the only way that the magnitude of these differences can be explained.

I cannot really complain about any State government making its program available to people for whom Congress never intended to be eligible. On the other hand, as a Member of the Senate and as a member of the Committee on Finance, I very much object to and bitterly resent those in the Department of Health, Education, and Welfare—cooperating with State authorities in extending the range of eligibility for this program to people who were never intended to qualify for it in the first instance.

Let us take a look at a figure at the top of this column on the chart I have. The conferees were told last December that in the State of California a person would not be eligible for medicaid, under the 133⅓-percent limitation, unless his income was less than $1,600 per year. Now we are told that based on current practices, California can have a $2,400 a year income limit for medicaid. That is a 50-percent increase over the figure of last December.

In California this program is estimated to cost $798 million in fiscal 1969 of which the Federal share is $400,402,000. That is a great deal of money.

Then we look at the figures for a four-person family in California. The figures furnished us in December by HEW indicated that the limitation would be $3,100. We are now told that the new maximum for California is $3,600, an increase of 16 percent.

In Connecticut, it was estimated that the maximum income limit would be $1,900 for single persons. We are now told that the new maximum is $2,400. That is a 26-percent increase.

Furthermore, we were told that for a four-person family the maximum was to have been $3,800; now we are told it is $5,600, or an increase of 47 percent.

In New York, the estimate was $2,000 maximum income for an individual. Instead, we see the figure at $2,200, a 10-percent increase. With regard to a family of four, the figure was moved up from $3,900 to $4,900, or a 26-percent increase.

So, Mr. President, in considerable measure what we have here is a program which is greatly exceeding its estimates in large part because people who were never intended to be eligible, can be classified as medically indigent, with the full cooperation of the Department of Health, Education, and Welfare, which made the original estimates.

The approach of the Senate bill of last year was to say that this program is greatly exceeding all cost estimates; but if a State really wanted to do a lot; if it were willing to put up a higher percentage of State money where it had liberal eligibility standards we would be willing to cooperate.

It will be noted that in the main, States which are participating in this program tend to be States with higher per capita incomes. In other words, this tremendous expenditure is occurring in the States where there are relatively fewer needy people, compared with other States of the Union. That is perhaps the case because those States have relatively less needy people on the one hand and greater income on the other. With more matching money available to those State governments, those States are in a position to take a program of this sort—which, as welfare programs go, would claim a lesser priority in a State with many needy people, relatively speaking—and extend it to all sorts of people who were not expected by the Congress to be classified as medically indigent.

Senators will recall that title XIX was the outgrowth of the old Kerr-Mills bill. Politically, that bill was thought of initially as something of a response to the medicare proposals, in the early years. It was intended to provide medical care to those who could not qualify for public welfare and to relieve the pressure for a medicare program. It was estimated that the expense of this program would constantly rise until we enacted medicare. Well, medicare has been enacted. It is costing us some $5 billion a year, and the Federal general revenues share of this program also continues to increase. Medicaid, itself is a $2.4 billion program. It is still going up, and will continue to do so until something is done to bring this program under control.

The Senator from Louisiana had not intended to offer his amendment until he found that the amounts by which this program was exceeding estimates meant that reductions would have to be made elsewhere, in areas where it would be more difficult to make the reductions. The Federal Government has many programs which will have to be reduced drastically, which may very well claim a higher priority than this program. Upon that basis, it was felt that it might be well to find some way to try to bring medicaid under some kind of control.

I ask unanimous consent to have printed in the RECORD a chart indicating the difference in the estimates of persons at various income levels who would be eligible for medicaid, which helps to show how the cost of this program came to exceed the estimates given us last year, in December, by $700 million and how those costs will continue to soar unless we act.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

TITLE XIX LIMITATION UNDER PRESENT LAW (133⅓ PERCENT OF AFDC PAYMENT)

[All figures furnished by Department of Health, Education, and Welfare]

	1 person			4 persons		
	Figure furnished to conferees (December 1967)	Figure now used (October 1968)	Percent increase or decrease	Figure furnished to conferees (December 1967)	Figure now used (October 1968)	Percent increase
California	$1,600	$2,400	50	$3,100	$3,600	16
Connecticut	1,900	2,400	26	3,800	5,600	47
Delaware	1,500	1,200	−20	3,000	3,000	
District of Columbia		2,200			4,100	
Hawaii	1,800	1,800		3,600	3,700	3
Illinois	1,400	1,700	21	2,800	4,600	64
Iowa	1,200	1,500	25	2,400	3,500	46
Kansas	1,900	1,900		3,800	3,800	
Kentucky	1,400	2,400	71	2,700	4,800	78
Maryland	1,400	1,500	7	2,700	3,000	11
Massachusetts	2,200	2,400	9	4,300	4,700	9
Michigan	1,500	2,400	60	3,000	4,200	40
Minnesota	1,800	2,200	22	3,500	4,500	29
Nebraska	1,000	1,800	80	1,900	3,200	68
New York	2,000	2,200	10	3,900	4,900	26
New Hampshire	1,700	1,900	12	3,300	4,300	30
North Dakota	1,600	2,200	38	3,200	4,300	34
Oklahoma	1,400	1,400		2,700	2,800	4
Pennsylvania	1,600	1,700	6	3,200	3,800	19
Rhode Island	1,500	2,700	80	2,900	4,500	55
Utah	1,500	1,400	−7	3,000	3,000	
Vermont	1,200	2,300	92	2,300	4,400	91
Washington	1,700	2,600	53	3,400	4,300	26
Wisconsin	1,800	2,000	11	3,600	4,000	11

Mr. LONG of Louisiana. Mr. President, if we cannot resolve this impasse one way or the other, in my judgment the Department of Health, Education, and Welfare should be made to take a major reduction in their personnel.

Mr. President, it would be only poetic justice that that department, having undertaken those programs in a mandatory area at a cost far more than was intended, should have to take the heaviest cutback of any program in Government. If they cannot be responsible in their estimates, there is some question whether the people over there are the kind of people who should be administering the program.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CURTIS. Mr. President, I wish to concur in the Senator's feeling about this particular section of the social security law. I think we are stating it rather mildly when we remember the entire program was presented to the Committee on Finance with a minimum cost, at a time when the attention of the committee, the Senate as a whole, and the country, was drawn to the two major parts of medicare.

I cannot believe that HEW was totally unaware of the type program they were ushering in. There was not the disclosure made to the committee that there should have been.

INTENTION TO CALL UP CALENDAR NO. 1100, SENATE RESOLUTION 13, RELATING TO CREATION OF A COMMITTEE ON VETERANS AFFAIRS

Mr. CURTIS. Mr. President, I had asked the distinguished Senator to yield to me for another purpose. Can the Senator from Louisiana, or perhaps the assistant majority leader, the distinguished Senator from West Virginia [Mr. BYRD] tell me whether there will be a morning hour tomorrow?

Mr. LONG of Louisiana. I believe that the request was that we stand in adjournment until tomorrow.

The PRESIDING OFFICER. The Senator is correct.

Mr. LONG of Louisiana. So at the conclusion of today's business the Senate would be in adjournment until 12 noon tomorrow, at which time I would expect that we would have morning hour business.

Mr. CURTIS. Mr. President, I would like to serve notice on the Senate generally and individually that the junior Senator from Nebraska expects to call up Calendar No. 1100, Senate Resolution 13, relating to a change in the Standing Rules of the Senate to provide for the creation of a Committee on Veterans' Affairs. I expect to call up that measure tomorrow during the morning hour.

I might say in explanation that I think the Committee on Rules and Administration has reported this matter, and since it is in the same language as a legislative measure that passed the Senate, the Senate should vote it up or down before we adjourn, so if there is to be such a committee it can be taken into account when Senators are assigned beginning next January; and if there is not to be such a committee, that should be taken into account.

My purpose in calling up the measure is not to disregard the wishes or desires of any Senators with respect to how they wish to vote, but I believe the matter should be disposed of.

I thank the Senator from Louisiana for yielding.

AUTHORITY FOR SELECT COMMITTEE ON SMALL BUSINESS TO FILE REPORTS DURING THE ADJOURNMENT OF CONGRESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Select Committee on Small Business be authorized during the adjournment of the second session of the 90th Congress, to file with the Secretary of the Senate a report entitled "Selected Problems of Small Business in the Area of Federal Procurement," and that the report be printed, along with any individual, supplemental, minority views, or illustrations

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Select Committee on Small Business be authorized during the adjournment of the second session of the 90th Congress, to file with the Secretary of the Senate a report entitled, "Small Business and Rural America," and that the report be printed, along with any individual, supplemental, minority views, or illustrations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Select Committee on Small Business be authorized during the adjournment of the second session of the 90th Congress, to file with the Secretary of the Senate a report entitled, "Export Expansion—1968," and that the report be printed, along with any individual, supplemental, minority views, or illustrations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Select Committee on Small Business be authorized during the adjournment of the second session of the 90th Congress, to file with the Secretary of the Senate a report entitled, "Status and Future of Small Business in the United States," and that the report be printed, along with any individual, supplemental, minority views, or illustrations.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 15 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, October 9, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate October 8, 1968:

U.S. TARIFF COMMISSION

Will E. Leonard, Jr., of Louisiana, to be a member of the U.S. Tariff Commission for the remainder of the term expiring June 16, 1969, vice Dan H. Fenn, Jr., resigned.

Herschel D. Newsom, of Indiana, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1974, vice James W. Culliton, term expired.

INDIAN CLAIMS COMMISSION

Margaret Hunter Pierce, of the District of Columbia, to be a commissioner of the Indian Claims Commission, vice William M. Holt.

BUREAU OF MINES

John F. O'Leary, of Maryland, to be Director of the Bureau of Mines.

POST OFFICE DEPARTMENT

Robert L. Hardesty, of the District of Columbia, to be a member of the advisory board for the Post Office Department, vice Robert MacNeal, deceased.

OFFICE OF EMERGENCY PLANNING

Mordecai M. Merker, of Virginia, to be deputy director of the Office of Emergency Planning, vice Myron R. Blee.

WITHDRAWAL

Executive nomination withdrawn from the Senate October 8, 1968:

U.S. TARIFF COMMISSION

Bernard Norwood, of New Jersey, to be a member of the U.S. Tariff Commission for the remainder of the term expiring June 16, 1969, vice Dan H. Fenn, Jr., which was sent to the Senate on April 3, 1968.

HOUSE OF REPRESENTATIVES—*Tuesday, October 8, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Psalm 143: 10: *Teach me to do Thy will for Thou art my God and Thy spirit is good.*

Eternal Father of us all, breathe upon us Thy lifegiving spirit as we wait upon Thee in prayer. We come to Thee facing tasks that tower above our ability to handle well and living through days that disturb us with their demanding duties. In the midst of these responsibilities may the strengthening power of Thy presence keep our hearts clean, our minds clear, and our spirits courageous.

Help us to hear Thy still, small voice sounding through the thundering noise of these tumultuous times, and hearing it may we work together with Thee to fashion our beloved country into an instrument of good will through which Thy good will may be done on earth.

In the Master's name, we pray. Amen.

THE JOURNAL

The **SPEAKER**. The Clerk will report the Journal of the preceding session.

CALL OF THE HOUSE

Mr. **HALL**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 375]

Abbitt
Adair
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Belcher
Bell
Berry
Blackburn
Blanton
Blatnik
Boggs
Bolling
Bow
Brasco
Brooks
Brown, Calif.
Burke, Fla.
Bush
Button
Byrne, Pa.
Cabell
Cederberg
Celler
Clark
Clausen, Don H.
Conable
Conyers
Corman
Cowger
Cramer
Curtis
Daniels
Davis, Wis.
Devine
Dickinson
Diggs
Downing
Dwyer
Edwards, Calif.
Edwards, La.
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Ford, William D.
Fuqua
Galifianakis
Gallagher
Gardner
Giaimo
Gray
Green, Pa.
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jarman
Karsten
King, Calif.
Kleppe
Kornegay
Kupferman
Landrum
Leggett
Long, La.
Lukens
McCarthy
McClory
McClure
Machen
Martin
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Minish
Mink
Minshall
Moore
Morris
Morton
Mosher
Moss
Murphy, N.Y.
Nelsen
Nichols
Olsen
Ottinger
Patman
Pepper
Pickle
Pollock
Pucinski
Purcell
Railsback
Rarick
Reifel
Resnick
Riegle
Robison
Rogers, Colo.
Roudebush
Roush
Roybal
Ruppe
Ryan
St. Onge
Sandman
Satterfield
Scheuer
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Tenzer
Tunney
Utt
Waldie
Walker
Watts
Whitener
Wiggins
Willis
Wilson, Charles H.
Winn
Wyatt
Wylie
Zwach

The **SPEAKER**. On this rollcall 277 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

The **SPEAKER**. The Clerk will read the Journal of the preceding session.

Mr. **RUMSFELD**. Mr. Speaker, I demand that the Journal be read in full.

The **SPEAKER**. The Chair assumes that the Journal is always read in full.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **RUMSFELD**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. The gentleman from Illinois makes the point of order that a quorum is not present. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 376]

Abbitt
Adair
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Belcher
Bell
Berry
Blackburn
Blanton
Blatnik
Boggs
Bolling
Bow
Brasco
Brooks
Brown, Calif.
Broyhill, Va.
Burke, Fla.
Bush
Button
Byrne, Pa.
Cabell
Cederberg
Celler
Clark
Clausen, Don H.
Conable
Corman
Cowger
Curtis
Daniels
Devine
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Esch
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Ford, William D.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmats
Giaimo
Gray
Green, Pa.
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Hathaway
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Howard
Hull
Hungate
Jarman
Karsten
Karth
Kastenmeier
King, Calif.
Kleppe
Kupferman
Landrum
Long, La.
Lukens
McCarthy
McClory
McClure
Machen
Mailliard
Martin
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Morris, N. Mex.
Mosher
Moss
Nelsen
Nichols
Olsen
Ottinger
Patman
Pepper
Pickle
Pollock
Purcell
Railsback
Reifel
Resnick
Riegle
Robison
Rogers, Colo.
Roudebush
Roush
Ruppe
Ryan
Sandman
Satterfield
Saylor
Schadeberg
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Teague, Calif.
Tenzer
Thompson, N.J
Tunney
Utt
Waldie
Walker
Whitener
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wylie
Zwach

The **SPEAKER**. On this rollcall 279 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. **RUMSFELD**. Mr. Speaker, I object to dispensing with further proceedings under the call.

Mr. **MADDEN**. Mr. Speaker, I move that further proceedings under the call be dispensed with.

Mr. **TAFT**. Mr. Speaker, I object.

The **SPEAKER**. The gentleman from Indiana [Mr. MADDEN] has moved that further proceedings under the call be dispensed with. An objection is not in order.

The question is on the motion offered by the gentleman from Indiana.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. **TAFT**. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER**. The Chair will state that the rollcall that has just been concluded discloses that a quorum is present and no business has been transacted up to this point.

So the motion was agreed to.

THE JOURNAL

The **SPEAKER**. The Clerk will continue to read the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **TAFT**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 377]

Abbitt
Adair
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolling
Bow
Brooks
Brown, Calif.
Broyhill, Va.
Burke, Fla.
Bush
Button
Cabell
Carey
Cederberg
Celler
Clark
Clausen, Don H.
Cleveland
Conable
Corman
Cowger
Curtis
Daniels
Devine
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, Ala.
Esch
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Ford, William D.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Gilbert
Gross
Grover
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harsha
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Irwin
Johnson, Calif.
Karsten
King, Calif.
Kleppe
Kupferman
Landrum
Long, La.
Lukens
McCarthy
McClory
McClure
Machen
Martin
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Monagan
Moore
Morris
Morton
Mosher
Moss
Nelsen
Nichols
Olsen
Ottinger
Patman
Pepper
Pickle
Pollock
Purcell
Railsback
Reid, N.Y.
Reifel
Resnick
Rhodes, Pa.
Riegle
Rivers
Robison
Rogers, Colo.
Ronan
Roudebush
Roush
Ruppe
Ryan
Sandman
Satterfield
Saylor
Scheuer
Schweiker
Selden
Shipley
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Tenzer
Thompson, N.J.
Tunney
Utt
Waldie
Walker
Whitener
Wiggins
Willis
Wilson, Charles H.
Wright
Wyatt
Wylie
Zwach

The **SPEAKER**. On this rollcall 277 Members have answered to their names, a quorum.

Mr. **ALBERT**. Mr. Speaker, I move to dispense with further proceedings under the call.

The **SPEAKER**. The question is on the motion offered by the gentleman from Oklahoma.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. **STEIGER** of Wisconsin. Mr. Speaker, on that I demand a division.

PARLIAMENTARY INQUIRIES

Mr. ABERNETHY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. ABERNETHY. Mr. Speaker, at what point in the proceedings would it be appropriate for the distinguished minority leader to advise the House how much more time will be devoted to the childrens' hour?

The SPEAKER. The Chair will state that that is not a parliamentary inquiry

Mr. ALBERT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. ALBERT. Mr. Speaker, does this filibuster prove that certain Members are afraid for Mr. Nixon to debate Mr. HUMPHREY?

The SPEAKER. The Chair will state that that is not a parliamentary inquiry.

Mr. RUMSFELD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HOSMER. Mr. Speaker, I demand regular order.

The SPEAKER. The gentleman from Illinois has made a parliamentary inquiry, and the Chair feels that the gentleman should be permitted to state his parliamentary inquiry.

Mr. RUMSFELD. Mr. Speaker, my parliamentary inquiry is that I am curious to know if there is any indication on the part of the leadership on the other side of the aisle as to whether or not there is any intention to schedule the election reform legislation, and the legislative reorganization legislation?

The SPEAKER. The Chair will state that that is not a parliamentary inquiry.

The question is on the motion offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. STEIGER of Wisconsin), there were—ayes 76, noes 10.

So the motion was agreed to.

Mr. STEIGER of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will state that it does not require a quorum to dispense with further proceedings under the call of the House.

THE JOURNAL

The SPEAKER. The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. STEIGER of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

The SPEAKER. At this time the Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 8781. An act to authorize the Secretary of the Interior to exchange certain lands in Shasta County, Calif., and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 653) entitled "An act to amend the Tariff Schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7735) entitled "An act relating to the dutiable status of aluminum hydroxide and oxide, calcined bauxite, and bauxite ore."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17324) entitled "An act to extend and amend the Renegotiation Act of 1951."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2938. An act to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes.

CALL OF THE HOUSE

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 378]

Abbitt
Adair
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Belcher
Bell
Berry
Betts
Blackburn
Boggs
Bolling
Bow
Brooks
Brown, Calif.
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Carey
Cederberg
Clark
Clausen, Don H.
Conable
Corman
Cowger
Curtis
Daniels
Devine
Dickinson
Diggs
Dingell
Dwyer
Edwards, Calif.
Edwards, La.
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Ford, William D.
Fuqua
Galifianakis
Gallagher
Gardner
Giaimo
Gross
Gurney
Haley
Halleck
Hanley
Hanna
Hansen, Idaho
Hardy
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jacobs
Karsten
King, Calif.
Kleppe
Kupferman
Landrum
Long, La.
Lukens
McCarthy
McClory
McClure
Martin
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Nelsen
Nichols
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Pollock
Purcell
Railsback
Rees
Reifel
Resnick
Rhodes, Pa.
Riegle
Rivers
Robison
Rogers, Colo.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Teague, Tex.
Tenzer
Thompson, N.J.
Tunney
Utt
Waldie
Walker
Watts
Whitener
Whitten
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wylie
Young
Zwach

The SPEAKER. On this rollcall 286 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

The SPEAKER. The Clerk will continue to read the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. THOMPSON of Georgia. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. GIBBONS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GIBBONS. Mr. Speaker, is this a filibuster or a Nixon buster?

The SPEAKER. The gentleman from Georgia makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. ZABLOCKI. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 379]

Abbitt
Adair
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Belcher
Bell
Berry
Blackburn
Boggs
Bolling
Bow
Brooks
Brown, Calif.
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Carey
Cederberg
Celler
Clausen, Don H.
Colmer
Conable
Conyers
Corman
Cowger
Curtis
Daniels
de la Garza
Dellenback
Devine
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Ford, William D.
Fuqua
Galifianakis
Gallagher
Gardner
Giaimo
Green, Oreg.
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Karsten
Kelly
King, Calif.
Kirwan
Kleppe
Kupferman
Landrum
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McMillan
Martin
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Nelsen
Nichols
Olsen
O'Neill, Mass.

Ottinger
Patman
Pepper
Pickle
Pollock
Purcell
Railsback
Reid, N.Y.
Reifel
Resnick
Rhodes, Pa.
Riegle
Robison
Rogers, Colo.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schweiker
Selden
Shipley
Sikes
Sisk
Slack
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Steiger, Wis.
Stratton
Sullivan
Tenzer
Thompson, N.J.
Tunney
Utt
Waldie
Walker
Watts
Whitener
Wiggins
Willis
Wilson, Charles, H.
Wyatt
Wylie
Young
Zwach

The **SPEAKER** pro tempore (Mr. Mills). On this rollcall 280 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

The **SPEAKER** pro tempore. The Clerk will continue reading the Journal of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **CLEVELAND**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. The Chair will count.

One hundred twenty-eight Members are present, not a quorum.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 380]

Abbitt
Adair
Addabbo
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Belcher
Bell
Berry
Betts
Blackburn
Boggs
Bow
Brooks
Brown, Calif.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Carey
Cederberg
Celler
Clausen, Don H.
Conable
Corman
Cowger
Curtis
Daniels
Devine
Dickinson
Diggs
Donohue
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Ford, William D.
Fuqua
Galifianakis
Gallagher
Gardner
Giaimo
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Karsten
King, Calif.
Kleppe
Kluczynski
Kupferman
Landrum
Long, La.
Lukens
McCarthy
McClory
McClure
McCulloch
MacGregor
Martin
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, N.Y.
Nelsen
Nichols
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Podell
Pollock
Pryor
Purcell
Quie
Railsback
Reid, N.Y.
Reifel
Resnick
Rhodes, Pa.
Riegle
Rivers
Robison
Rogers, Colo.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Tenzer
Tuck
Tunney
Utt
Vigorito
Waldie
Walker
Watts
Whitener
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wylie
Young
Zion
Zwach

The **SPEAKER** pro tempore (Mr. Mills). On this rollcall 280 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

The **SPEAKER** pro tempore. The Clerk will resume the reading of the Journal.

PARLIAMENTARY INQUIRIES

Mr. **MADDEN**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER** pro tempore. The gentleman will state it.

Mr. **MADDEN**. The chairman of the Rules Committee has been called from the floor, and he has asked me to handle the rule, House Resolution 1315, which is for the legislation calling for the amending of the so-called television provision as to presidential candidates. Would it be in order if I would ask unanimous consent to have a change in the resolution and substitute the Vice Presidents to debate instead of the Presidents to debate?

The **SPEAKER** pro tempore. That is not a parliamentary inquiry, the Chair will state.

Mr. **GERALD R. FORD**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER** pro tempore. The gentleman will state it.

Mr. **GERALD R. FORD**. If and when we get to the rule to which the gentleman from Indiana refers, would it be permissible to amend the rule to provide for the consideration of the clean elections bill, so that we can get that legislation on the floor?

The **SPEAKER** pro tempore. If such an amendment were germane to the matter, it could be considered.

Mr. **GERALD R. FORD**. A further parliamentary inquiry, Mr. Speaker.

The **SPEAKER** pro tempore. The gentleman will state it.

Mr. **GERALD R. FORD**. If the previous question is defeated and the rule is opened up, could an amendment be made to the rule to provide in the rule for the consideration of the clean elections bill?

The **SPEAKER** pro tempore. If that amendment were germane to the resolution it would be in order to consider it, yes.

Mr. **MADDEN**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER** pro tempore. The gentleman will state it.

Mr. **MADDEN**. Is there any rule to handle the situation that exists here today, where the minority for 3 hours has called quorum calls in order to filibuster against taking up the resolution providing legislation that the three candidates for President carry on a television debate?

The **SPEAKER** pro tempore. That is hardly a parliamentary inquiry.

The Clerk will resume the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **STEIGER** of Arizona. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 381]

Abbitt
Adair
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Belcher
Bell
Berry
Blackburn
Boggs
Bow
Brooks
Brown, Calif.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Carey
Clausen, Don H.
Colmer
Conable
Corman
Cowger
Curtis
Daniels
Devine
Dickinson
Diggs
Dow
Dwyer
Edwards, Calif.
Edwards, La.
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Ford, William D.
Fraser
Fuqua
Galifianakis
Gallagher
Gardner
Giaimo
Gray
Gross
Gurney
Haley
Halleck
Hanley
Hanna
Hansen, Idaho
Hardy
Harsha
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Horton
Howard
Hull
Hungate
Irwin
Jarman
Joelson
Karsten
King, Calif.
Kleppe
Kluczynski
Kupferman
Landrum
Long, La.
Lukens
McCarthy
McClory
McClure
Macdonald, Mass.
Martin
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Moorhead
Morris, N. Mex.
Mosher
Moss
Murphy, N.Y.
Nelsen
Nichols
Olsen
O'Neill, Mass.
Patman
Pepper
Pickle
Podell
Pollock
Pucinski
Purcell
Quie
Railsback
Reifel
Resnick
Rhodes, Pa.
Riegle
Rivers
Robison
Rogers, Colo.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Stubblefield
Sullivan
Talcott
Tenzer
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Whitener
Widnall
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wylie
Young
Zwach

The **SPEAKER** pro tempore (Mr. Mills). On this rollcall 279 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

The **SPEAKER** pro tempore. The Clerk will proceed with the reading of the Journal of yesterday.

PARLIAMENTARY INQUIRY

Mr. **MADDEN**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER** pro tempore. The gentleman from Indiana will state it.

Mr. **MADDEN**. Mr. Speaker, owing to the fact that the chairman of the Rules Committee has asked me to take up House Resolution 1315, which provides an open rule and 1 hour of general debate for consideration of Senate Joint Resolution 175, to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President, my inquiry is this: I know, owing to the fact that we came in at 12 o'clock and it is now 3:30, the minority side has carried on a system of quorum calls which have taken 3½ hours of the time of Members.

Mr. GERALD R. FORD. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Indiana will state his parliamentary inquiry.

Mr. MADDEN. Mr. Speaker, I will state my parliamentary inquiry. Mr. Speaker, a number of State legislatures over the Nation have a rule—and I do not know whether this body has a similar rule—that where an organized agreement, we might say, on the part of the minority side——

Mr. GERALD R. FORD. Mr. Speaker, regular order.

The SPEAKER pro tempore. The gentleman from Indiana will state his parliamentary inquiry.

Mr. MADDEN. Mr. Speaker, since a group has decided to impede the progress of legislation, and a number of State legislatures have a rule to the effect I have indicated, I am inquiring as to whether a similar rule exists in the House of Representatives, that the guards can lock the doors and prevent Members from leaving during the progress of or after a quorum call has taken place?

Mr. GERALD R. FORD. Mr. Speaker, regular order.

Mr. MADDEN. Mr. Speaker, is there such a rule in the House of Representatives?

The SPEAKER pro tempore. Yes. The Chair advises the gentleman there is such a rule. And it may become necessary to enforce that rule.

Mr. MADDEN. Mr. Speaker, I have another parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MADDEN. Mr. Speaker, how long will it be before the time should come to enforce that rule?

The SPEAKER pro tempore. It depends upon the patience of the Chair.

The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

PARLIAMENTARY INQUIRY

Mr. MacGREGOR. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Minnesota will state it.

Mr. MacGREGOR. Mr. Speaker, should the time come when the Chair is constrained to invoke the rule referred to by the gentleman from Indiana [Mr. MADDEN], would that mean those Members who are conferees and who are here from the committee of conference would be prevented from returning to that conference committee for the conference on the Senate side, so as to discharge our responsibilities with respect to the gun control legislation?

The SPEAKER pro tempore. Yes. If the doors should be closed, they will remain closed until a quorum is present.

Mr. MacGREGOR. And the Members would then be prevented from proceeding with the gun control conference.

The SPEAKER pro tempore. The Clerk will proceed with the further reading of the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. RUMSFELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

One hundred sixty-seven Members are present, not a quorum.

Mr. DENT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. A parliamentary inquiry cannot be asked at this time.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

Mr. DENT. Mr. Speaker, a point of order, which relates to the call of the roll.

The SPEAKER. The House will be in order. The Clerk will proceed with the call of the roll.

Mr. DENT. Mr. Speaker, the point of order relates to the proper calling of the roll.

The SPEAKER. The gentleman will state his point of order.

Mr. DENT. The point of order is the doors were ordered closed, and the doors to the outside of the Chamber are open in the cloakrooms.

The SPEAKER. The Chair has given instructions to close all doors and allow no Members out.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 382]

Abbitt
Adair
Anderson, Ill.
Andrews, N. Dak.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Mich.
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Carey
Celler
Chamberlain
Clark
Clausen, Don H.
Conable
Corman
Cowger
Curtis
Daniels
Derwinski
Devine
Dickinson
Diggs
Dow
Dwyer
Edwards, Calif.
Edwards, La.
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Fuqua
Galifianakis
Gallagher
Gardner
Giaimo
Gross
Gurney
Haley
Halleck
Hanley
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Ichord
Karsten
Kastenmeier
Kee
King, Calif.
King, N.Y.
Kleppe
Kupferman
Laird
Landrum
Leggett
Long, La.
Lukens
McCarthy
McClory
McClure
McCulloch
Martin
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Moorhead
Morris, N. Mex.
Mosher
Moss
Murphy, N.Y.
Myers
Nelsen
Nichols
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Pollock
Purcell
Quie
Railsback
Reifel
Resnick
Riegle
Robison
Rogers, Colo.
Roudebush
Roush
Ruppe
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Tenzer
Tuck
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wylie
Zwach

The SPEAKER. On this rollcall 277 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The doors were opened.

THE JOURNAL

The SPEAKER. The Clerk will continue to read the Journal.

PARLIAMENTARY INQUIRIES

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Indiana will state it.

Mr. MADDEN. Mr. Speaker, do I correctly understand that the order of the Speaker in closing the Chamber doors, in view of the 4-hour delay since noon in quorum calls on the part of the minority, will apply until the business of the day is completed?

The SPEAKER. Will the gentleman restate his parliamentary inquiry?

Mr. MADDEN. Mr. Speaker, I withdraw my inquiry.

Mr. HOSMER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOSMER. Mr. Speaker, a point of order having been made of no quorum, a quorum having been called, and a quorum having been found present, and the further proceedings under the call having been dispensed with, does that mean that the doors of the House are now unlocked?

The SPEAKER. The gentleman is correct.

The Clerk will continue to read the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

PARLIAMENTARY INQUIRY

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. MADDEN. Mr. Speaker, observing the commotion over on the minority side, I inquire would it be in order to again order that the doors be closed?

The SPEAKER. At this point the answer is, No.

The Clerk will read.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. STEIGER of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from

Wisconsin makes the point of order that a quorum is not present. The Chair will count.

One hundred seventy-five Members are present, not a quorum.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors—all the doors to the Chamber. The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 383]

Abbitt
Adair
Anderson, Ill.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Celler
Clark
Clausen, Don H.
Conable
Corman
Cowger
Curtis
Daniels
Derwinski
Devine
Dickinson
Diggs
Dow
Dwyer
Edwards, Calif.
Edwards, La.
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fino
Fisher
Fuqua
Galifianakis
Gallagher
Gardner
Giaimo
Gross
Gurney
Haley
Halleck
Hanley
Hanna
Hansen, Idaho
Hardy
Harsha
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Karsten
Kee
King, Calif.
Kleppe
Kupferman
Landrum
Langen
Leggett
Long, La.
Lukens
McCarthy
McClory
McClure
McCulloch
Martin
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Myers
Nelsen
Nichols
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Pollock
Purcell
Quie
Quillen
Railsback
Reifel
Reinecke
Resnick
Riegle
Robison
Rogers, Colo.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Tenzer
Tunney
Utt
Waldie
Walker
Whitener
Widnall
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wylie
Young
Zwach

The SPEAKER. On this rollcall 282 Members have answered to their names, a quorum.

Without objection——

Mr. ADAMS. Mr. Speaker, reserving the right to object——

The SPEAKER. The Chair recognizes the gentleman from Oklahoma. Does the gentleman from Oklahoma wish to make a motion? Does the gentleman from Washington insist on his right?

Mr. ADAMS. Mr. Speaker, reserving the right to object——

The SPEAKER. The Chair reserves the right to object, too.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent——

The SPEAKER. Does the gentleman from Oklahoma make a motion?

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The doors were opened.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further reading of the Journal be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. RUMSFELD. I object.

The SPEAKER. Objection is heard.

PARLIAMENTARY INQUIRY

Mr. ADAMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. ADAMS. Mr. Speaker, if under a call of the House, after the call has been made and there is not a motion to dispense with further proceedings, is it true that the doors remain locked, and those that are here must remain present, but that it takes a majority vote of those present to issue a call to the Sergeant at Arms to bring others to the Chamber?

In other words, that if the doors remain locked, and we did not have a dispensing with further proceedings under the call, what would happen is that the situation would freeze, that those who were present would be required to stay, and that a warrant would not be issued unless there was a majority vote?

The SPEAKER. The Chair will state that no further business would be transacted until further proceedings under the call had been dispensed with.

Mr. ADAMS. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ADAMS. It is my understanding that under rule XV—and I direct this as a parliamentary inquiry—that though the call had been made, if there was not a motion made for a majority vote to go and get the Members, and a quorum was present and the doors were locked, the business could proceed even though the call had been started? Is that correct or incorrect?

The SPEAKER. The Chair will state that further proceedings—in this case the reading of the Journal—could not proceed until further proceedings under the call have been dispensed with.

Mr. ADAMS. I thank the Chair.

The SPEAKER. The Clerk will read.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

PARLIAMENTARY INQUIRY

Mr. PUCINSKI. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. Mills). The gentleman will state his parliamentary inquiry.

Mr. PUCINSKI. Mr. Speaker, is it in order to inquire whether it is fair to assume that the Republican leadership——

Mr. GERALD R. FORD. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Illinois asked the Chair to recognize him to state a parliamentary inquiry. The gentleman will state it.

Mr. PUCINSKI. Mr. Speaker, I wonder whether the Republican Party has lost control of the kiddie car?

The SPEAKER pro tempore. That is not a parliamentary inquiry.

The Clerk will read.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. MORTON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. Mills). The gentleman from Maryland makes the point of order that a quorum is not present. The Chair will count.

Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 384]

Abbitt
Adair
Anderson, Ill.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Celler
Clark
Clausen, Don H.
Corman
Cowger
Curtis
Daniels
de la Garza
Dent
Derwinski
Devine
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Fuqua
Galifianakis
Gallagher
Gardner
Giaimo
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jacobs
Karsten
Kastenmeier
Kee
King, Calif.
Kleppe
Kupferman
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
Lukens
McCarthy
McClory
McClure
McCulloch
McDonald, Mich.
Martin
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Moorhead
Morris, N. Mex.
Mosher
Moss
Murphy, N.Y.
Myers
Nelsen
Nichols
Olsen
Ottinger
Patman
Pepper
Pickle
Pike
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Riegle
Robison
Rogers, Colo.
Roudebush
Roush
Ruppe
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Tenzer
Tuck
Tunney
Utt
Waldie
Walker
Whitener
Widnall
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wylie
Zwach

The SPEAKER pro tempore (Mr. Mills). On this rollcall 277 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further reading of the Journal may be dispensed with.

Mr. MacGREGOR. I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will continue to read.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. MacGREGOR. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. JOELSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 385]

Abbitt
Adair
Anderson, Ill.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Carey
Cederberg
Clancy
Clark
Clausen, Don H.
Corman
Cowger
Curtis
Daniels
Dent
Derwinski
Devine
Dickinson
Diggs
Dow
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fino
Fisher
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hammer Schmidt
Hanna
Hansen, Idaho
Hardy
Harsha
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jones, Ala.
Karsten
Karth
Kee
King, Calif.
Kleppe
Kupferman
Kuykendall
Kyros
Landrum
Langen
Leggett
Lloyd
Long, La.
McCarthy
McClory
McClure
McDade
McDonald, Mich.
McFall
McMillan
Martin
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
Ottinger
Patman
Pepper
Pickle
Pike
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Rhodes, Pa.
Riegle
Rivers
Robison
Rogers, Colo
Roudebush
Roush
Ruppe
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Steiger, Ariz.
Stratton
Sullivan
Talcott
Teague, Tex.
Tenzer
Tuck
Tunney
Utt
Waldie
Walker
Whitener
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Charles H.
Wyatt
Wydler
Wylie
Young
Zwach

The SPEAKER pro tempore (Mr. MILLS). On this rollcall 259 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further reading of the Journal may be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. RUMSFELD. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. DELLENBACK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

One hundred fifty-eight Members are present, not a quorum.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 386]

Abbitt
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bell
Berry
Blackburn
Blatnik
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Cederberg
Clark
Clausen, Don H.
Colmer
Corman
Cowger
Curtis
Daniels
Davis, Ga.
Derwinski
Devine
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Fino
Fisher
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jones, N.C.
Karsten
Kastenmeier
Kee
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyros
Landrum
Langen
Leggett
Lipscomb
Long, La.
McCarthy
McClory
McClure
McDonald, Mich.
McFall
Macdonald, Mass.
Martin
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Moorhead
Morris, N. Mex.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neal, Ga.
Ottinger
Patman
Pepper
Pickle
Pike
Poage
Podell
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Robison
Rogers, Colo.
Roudebush
Roush
Ruppe
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stephens
Stratton
Sullivan
Teague, Tex.
Tenzer
Thompson, N.J.
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER pro tempore (Mr. MILLS). On this rollcall 259 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further reading of the Journal may be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. TAFT. I object.

PARLIAMENTARY INQUIRIES

Mr. ANDREWS of Alabama. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ANDREWS of Alabama. Mr. Speaker, if I could assure my Republican friends that Mr. Wallace would be easy on Vice President Nixon, would that bring this thing to an end?

The SPEAKER pro tempore. The Clerk will read.

Mr. WRIGHT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Texas will state his parliamentary inquiry.

Mr. WRIGHT. Mr. Speaker, under rule 11 of the rules of the House it is held that it shall always be in order to call up for consideration a report on legislative business from the Committee on Rules.

I discover that on one occasion the Chair did recognize a member of the Committee on Rules to call up a resolution providing a special order for the consideration of the bill. On that occasion one of the Members made a point of order against the consideration of that resolution to the effect that no business was in order until after the reading and the approval of the Journal of the proceedings of the previous session. After debate, the Speaker overruled the point of order on the ground that under clause 51 of rule 11 it shall always be in order to call up for consideration a report from the Committee on Rules, and that like a motion to adjourn, which is "always in order," such report may be called up before as well as after the reading of the Journal.

The other Member, Mr. Tracey, appealed from the decision of the Chair. This appeal was laid upon the table by a vote of yeas 195, nays 73.

Mr. Speaker, my inquiry is this: Under that rule and under that precedent would it not be in order, particularly in view of the very obvious dilatory tactics being employed on the part of certain Members of this body on the other side of the aisle to prevent the transaction of business, for the Chair to recognize a member of the Committee on Rules as the spokesman of the Committee on Rules to call up a rule in order that the business of the House may be transacted and the will of the majority of the Members of the House may be worked?

The SPEAKER pro tempore. Did the gentleman from Texas [Mr. WRIGHT] put his inquiry in the form of a parliamentary inquiry?

Mr. WRIGHT. Yes, Mr. Speaker. At the end of the statement was a question mark. The question is, Would it be in order under the circumstances and in view of this precedent for the Chair forthwith to recognize the gentleman from Indiana [Mr. MADDEN] who acts at the direction of the Committee on Rules to call up a special order for consideration of the bill and permit the House to work its will?

The SPEAKER pro tempore. The Chair understands the gentleman's parliamentary inquiry.

Mr. YATES. Mr. Speaker, with reference to that particular point, may I call the attention of the Chair to rule XI, section 22, which states that—

> It shall always be in order to call up for consideration a report from the Committee on Rules (except it shall not be called up for consideration on the same day it is presented to the House, unless so determined by a vote of not less than two-thirds of the Members voting.

As I understand the gentleman from Texas and his inquiry of the Chair, it is whether it is not in order for a Member to call up a report from the Committee on Rules——

Mr. HOSMER. The citation and precedent used by the gentleman from Oklahoma and also the rule cited by the gentleman from Illinois appear to have reference to proceedings either before or after an act such as the reading of the Journal and not within the pending business which is the reading of the Journal.

I wish to point out to the Chair the distinction between the situation posed by the parliamentary inquiry of the gentleman from Texas and his precedents, and the situation actually before the House at this moment when there is pending an unread Journal.

The SPEAKER pro tempore (Mr. MILLS). The Chair is ready to respond to the parliamentary inquiry of the gentleman from Texas [Mr. WRIGHT]. The Chair will state that the Chair is aware of the precedent to which the gentleman points and poses in propounding his parliamentary inquiry, and appreciates the gentleman from Illinois [Mr. YATES] calling attention of the Chair to the rule, and the statement of the gentleman from California [Mr. HOSMER].

However, in Cannon's Precedents, volume 6 of the 1936 edition, section 630, the ruling pointed to by the gentleman from Texas [Mr. WRIGHT] has been superceded by a subsequent ruling of the Chair:

> On January 23, 1913, immediately after prayer by the Chaplain and before the Journal had been read, Mr. James R. Mann, of Illinois, made the point of order that a quorum was not present. A call of the House was ordered, and a quorum having appeared, Mr. Augustus P. Gardner, of Massachusetts, proposed to present a conference report.

Of course, a conference report is a highly privileged matter.

> The Speaker ruled that no business was in order until the Journal had been read and approved.

Thus it would not be in order for the Speaker to recognize a member of the Committee on Rules to present a rule before the completion of the reading of the Journal of yesterday.

Mr. WRIGHT. Mr. Speaker, may I propound a further parliamentary inquiry?

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WRIGHT. Under the rules I discover that the reading of the Journal may be dispensed with only on one of two conditions: the first is a unanimous-consent request—which has been attempted repeatedly today and always has been objected to—the other is by a suspension of the rules. There clearly are precedents by which a reading of the Journal has been dispensed with by a suspension of the rules. Is it true that a suspension of the rule could not occur today and that no motion could be accepted to that purpose, in that today is not the first or third Monday?

The SPEAKER pro tempore. It is the understanding of the present occupant of the chair that the Chair can recognize only for such purposes on the first and third Mondays of the month.

Mr. WRIGHT. Very well.

One further parliamentary inquiry, Mr. Speaker, and I appreciate the indulgence of the Chair in this matter.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WRIGHT. Under these circumstances is it the opinion of the Chair, then, that the House and the Chair are utterly powerless to work their will to require the continued attendance of Members on the other side of the aisle, so long as a minority is fearful of the results of the action of the House on a bill and willing repeatedly to absent itself to break a quorum?

The SPEAKER pro tempore. The Chair will state that that may be a borderline parliamentary inquiry.

Mr. WRIGHT. I ask in the opinion of the Chair is there nothing we can do about it?

The SPEAKER pro tempore. May the Chair respond to the gentleman in all sincerity that the House can always work its will when a quorum will remain on the floor.

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Speaker, if there are 257 Members in one part of the House, and if they keep 218 Members on the floor, there is a quorum present, is there not?

The SPEAKER pro tempore. The Chair will state that the gentleman has answered his own parliamentary inquiry.

Mr. DENT. Mr. Speaker, a point of information.

The SPEAKER pro tempore. The Chair cannot recognize the gentleman for that purpose.

Mr. DENT. Mr. Speaker, a point of information, I understand, under the rules is a right that is not debatable under the action on a point of information.

My information is relative to whether or not the parliamentary inquiry can follow my information.

The SPEAKER pro tempore. The Chair does not understand the gentleman's point of information.

Mr. DENT. Then, Mr. Speaker, I will change it to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the parliamentary inquiry.

Mr. DENT. Mr. Speaker, are not the Republican Members also responsible for maintaining the majority? Are not all Members of the House responsible for maintaining a quorum?

The SPEAKER pro tempore. The gentleman's question answers itself.

The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. CLEVELAND. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will see to it that the doors are closed, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 387]

Abbitt
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bell
Berry
Blackourn
Blatnik
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Cederberg
Celler
Chamberlain
Clausen, Don H.
Conyers
Corbett
Corman
Cowger
Curtis
Daniels
Derwinski
Devine
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Karsten
Kee
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kupferman
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
McCarthy
McClory
McClure
McDonald, Mich.
McEwen
McMillan
MacGregor
Martin
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
Ottinger
Patman
Pelly
Pepper
Pickle
Pike
Podell
Poff
Pollock
Purcell
Quie
Railsback
Reid, N.Y.
Reifel
Reinecke
Resnick
Riegle
Robison
Rogers, Colo.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Springer,
Stafford
Stratton
Stuckey
Sullivan
Teague, Calif.
Tenzer
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER pro tempore. On this roll call 265 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The doors were opened.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further reading of the Journal be dispensed with.

Mr. STEIGER of Wisconsin. Mr. Speaker, I object.

PARLIAMENTARY INQUIRIES

Mr. WAGGONNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. Mr. Speaker, there has been a great deal of confusion today. I would like to make an inquiry as to whether due diligence is being paid to the proceedings of this day with regard to what the Journal and the CONGRESSIONAL RECORD will show tomorrow. I want to be sure that the Journal and the RECORD will both reflect the fact that this maneuver was not caused by a southerner but by Yankees from Illinois and Wisconsin.

The SPEAKER pro tempore. The Chair will state to the gentleman from Louisiana [Mr. WAGGONNER] that the Journal and the RECORD will, of course, reflect the proceedings of the day.

Mr. WRIGHT. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WRIGHT. I thank the Speaker for permitting me this additional parliamentary inquiry. I shall try to make it not a frivolous but a serious motion. It is a serious inquiry and the Chair has been real patient with this Member, and I appreciate it.

On occasion the Chair has held that certain motions and points of order amounted to dilatory tactics, and that that was their obvious motivation, and on those occasions the Chair has summarily refused to recognize such obviously dilatory points of order and motions.

Mr. Speaker, my point of parliamentary inquiry is: would the Chair not feel that under the present situation, with repeated points of order being made that a quorum is not present, immediately followed by the absenting of themselves by certain Members who have come in to answer the quorum, to be a rather obvious dilatory tactic, and one which might obviously lend itself to the assumption on the part of the Chair that a quorum having been established and proven so frequently and repeatedly during the day, would be presumed to be present for the completion of business?

The SPEAKER pro tempore (Mr. MILLS). The Chair is ready to respond to the parliamentary inquiry posed by the gentleman from Texas.

It is the understanding of the Chair that no occupant of the Chair has ever in the history of the Congress held that a point of order that a quorum is not present is a dilatory tactic. The reasoning, obviously, is that the Constitution itself requires the presence on the floor of the House of a quorum at all times in the transaction of the business of the House of Representatives.

Mr. JOELSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. JOELSON. Do those precedents to which the Chair has referred take into effect that part of the time the quorum was called that a large portion of the Members deliberately walked off the floor?

The SPEAKER pro tempore. The Chair will state that that is not really a parliamentary inquiry, and that the Chair cannot follow the activities of each and every Member of the Congress at that point.

Mr. GERALD R. FORD. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. GERALD R. FORD. Mr. Speaker, before raising the point of order, I believe it is pertinent to point out that there are more Members on our side of the aisle present than there are on the other side.

The SPEAKER pro tempore. Let the Chair say that the Chair doubts that that is really a point of order.

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to place before the House a privileged motion to suspend the rules.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

Mr. GERALD R. FORD. Mr. Speaker, I object to the motion of the gentleman from Washington.

Mr. ADAMS. Mr. Speaker, might I say that I have just asked for unanimous consent, and I have not made the motion.

Does the gentleman object to my unanimous-consent request to make a privileged motion to suspend the rules?

Mr. GERALD R. FORD. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. RUMSFELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 388]

Abbitt
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Carey
Carter
Cederberg
Celler
Clausen, Don H.
Conyers
Corman
Cowger
Curtis
Daniels
Dent
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Irwin
Jacobs
Karsten
Karth
Kee
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kupferman
Kuykendall
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
McClory
McClure
McDonald, Mich.
McMillan
Mailliard
Martin
Mathias, Calif.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Pike
Pollock
Purcell
Quie
Railsback
Rarick
Reifel
Reinecke
Resnick
Riegle
Rivers
Robison
Rogers, Colo.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Tuck
Tunney
Utt
Waldie
Walker
Watts
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER. On this rollcall 258 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the further reading of the Journal be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. MACGREGOR. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. MACGREGOR. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman makes the point of order that a quorum is not present.

For what purpose does the gentleman from Washington rise?

Mr. ADAMS. Mr. Speaker, I have a unanimous-consent request.

Mr. Speaker, I ask unanimous consent that I may be permitted at this point to offer a privileged motion to suspend the rules.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. MACGREGOR. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

The gentleman from Minnesota makes the point of order that a quorum is not present. Evidently a quorum is not present.

Mr. NATCHER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 389]

Abbitt
Adair
Albert
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Celler
Chamberlain
Clark
Clausen, Don H.
Conyers
Corman
Cowger
Curtis
Daniels
Davis, Ga.
Dent
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Findley
Fisher
Flynt
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gettys
Giaimo
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Halpern
Hanna
Hansen, Idaho
Hardy
Harrison
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jacobs
Johnson, Pa.
Karsten
Karth
Kee
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kornegay
Kupferman
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
McClory
McClure
McDonald, Mich.
Mailliard
Martin
Mathias, Calif.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, N.Y.
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neal, Ga.
Ottinger
Patman
Pepper
Pickle
Pollock
Purcell
Quie
Railsback
Rarick
Rees
Reifel
Reinecke
Resnick
Riegle
Rivers
Robison
Rogers, Colo.
Rosenthal
Roudebush
Roush
Ruppe
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stephens
Stratton
Stuckey
Sullivan
Teague, Calif.
Teague, Tex.
Tenzer
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER. On this rollcall 248 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further reading of the Journal be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. STEIGER of Wisconsin. Mr. Speaker, I object.

The SPEAKER. The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. TAFT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. MILLS) Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 390]

Abbitt
Adair
Anderson, Ill.
Anderson, Tenn.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Bates
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Carey
Celler
Chamberlain
Clark
Clausen, Don H.
Conte
Conyers
Corman
Cowger
Curtis
Daddario
Daniels
Dent
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fino
Fisher
Frelinghuysen
Galifianakis
Gardner
Garmatz
Giaimo
Gilbert
Gray
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jacobs
Johnson, Pa.
Karsten
Karth
Kee
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
McClory
McClure
McDade
McDonald, Mich.
McMillan
Martin
Mathias, Calif.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Podell
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Rhodes, Pa.
Riegle
Robison
Rogers, Colo.
Roudebush
Roush
Ruppe
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Teague, Calif.
Teague, Tex.
Tenzer
Thomson, Wis.
Tunney
Udall
Utt
Waldie
Willis
Wilson, Charles H.
Wyatt
Wydler
Wylie
Walker
Whitener
Whitten
Widnall
Wiggins
Zwach

The SPEAKER pro tempore. On this rollcall 248 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PARLIAMENTARY INQUIRY

Mr. WATKINS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WATKINS. Would I be in order at this time to ask permission that H. R. GROSS, from Iowa, be given permission to revise and extend his remarks on the proceedings and happenings here today if and when he returns?

The SPEAKER pro tempore. The Chair regretfully responds to the gentleman, that is not a parliamentary inquiry.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further reading of the Journal be dispensed with.

Mr. RUMSFELD. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. CONABLE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. MILLS). The Chair will count.

One hundred thirty-eight Members are present, not a quorum.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 391]

Abbitt
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Carey
Celler
Clancy
Clark
Clausen, Don H.
Conyers
Corman
Cowger
Curtis
Daddario
Daniels
Dent
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fino
Fisher
Frelinghuysen
Fulton, Tenn.
Galifianakis
Gardner
Garmatz
Giaimo
Gilbert
Gray
Green, Pa.
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Horton
Howard
Hull
Hungate
Karsten
Karth
Kee
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
McClory
McClure
McDonald, Mich.
McMillan
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Pike
Podell
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Rhodes, Pa.
Riegle
Rivers
Robison
Rogers, Colo.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Teague, Calif.
Teague, Tex.
Tenzer
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Watts
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER pro tempore. On this rollcall 251 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that further reading of the Journal may be dispensed with.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. **TAFT**. Mr. Speaker, I object.

The **SPEAKER** pro tempore. Objection is heard.

The Clerk will continue to read the Journal of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **SCHWENGEL**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 392]

Abbitt
Abernethy
Adair
Anderson, Ill.
Anderson, Tenn.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Battin
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Carey
Celler
Clark
Clausen, Don H.
Colmer
Conyers
Corman
Cowger
Curtis
Daddario
Daniels
Davis, Wis.
Denney
Dent
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Fino
Fisher
Flynt
Frelinghuysen
Galifianakis
Gardner
Garmatz
Giaimo
Gilbert
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Horton
Howard
Hull
Hungate
Jacobs
Karsten
Karth
Kee
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
McClory
McClure
McDonald, Mich.
McMillan
Martin
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Pike
Podell
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Riegle
Robison
Rogers, Colo.
Rooney, N.Y.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Stubblefield
Sullivan
Teague, Calif.
Teague, Tex.
Tenzer
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The **SPEAKER** pro tempore. On this rollcall 251 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that further reading of the Journal be dispensed with.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. **STEIGER** of Wisconsin. Mr. Speaker, I object.

The **SPEAKER** pro tempore. Objection is heard.

Mr. **ADAMS**. Mr. Speaker, I ask unanimous consent to make a privileged motion to suspend the rules to dispense with further reading of the Journal.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

Mr. **STEIGER** of Wisconsin. Mr. Speaker, I object.

The **SPEAKER** pro tempore. Objection is heard.

The Clerk will continue to read the Journal of the proceedings of yesterday.

The Clerk proceeded to read the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **RUMSFELD**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 393]

Abbitt
Abernethy
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Battin
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Carey
Celler
Clark
Clausen, Don H.
Conyers
Corman
Cowger
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Fino
Fisher
Flynt
Frelinghuysen
Galifianakis
Gardner
Garmatz
Giaimo
Gilbert
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jacobs
Karsten
Kee
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kyros
Landrum
Langen
Long, La.
McClory
McClure
McDonald, Mich.
McMillan
MacGregor
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Mize
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Pike
Podell
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Riegle
Robison
Rogers, Colo.
Rooney, N.Y.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Teague, Calif.
Teague, Tex.
Tenzer
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The **SPEAKER** pro tempore (Mr. MILLS). On this rollcall 255 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that further proceedings on the Journal be dispensed with.

Mr. **TAFT**. Mr. Speaker, I object.

The **SPEAKER** pro tempore. The Clerk will continue to read the Journal of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

MOTION OFFERED BY MR. CONTE

Mr. **CONTE**. Mr. Speaker, I move that the House do now adjourn.

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. CONTE) there were—ayes 61, noes 90.

Mr. **CONTE**. Mr. Speaker, I demand tellers.

Tellers were ordered, and the Speaker pro tempore appointed as tellers Mr. CONTE and Mr. ALBERT.

The House again divided, and the tellers reported that there were—ayes 67, noes 110.

So the motion was rejected.

The **SPEAKER** pro tempore. The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **CLEVELAND**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 394]

Abbitt
Abernethy
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Battin
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Carey
Celler
Clark
Clausen, Don H.
Conyers
Corman
Cowger
Curtis
Daddario
Daniels
Davis, Ga.

Davis, Wis.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Fino
Fisher
Flynt
Frelinghuysen
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Gilbert
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jacobs
Jones, Mo.
Karsten
Kee
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kyros
Laird
Landrum
Langen
Long, La.
McClory
McClure
McDonald, Mich.
McMillan
MacGregor
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Pike
Podell
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Riegle
Roberts
Robison
Rogers, Colo.
Rooney, N.Y.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER. On this rollcall 250 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further reading of the Journal be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. STEIGER of Wisconsin. Mr. Speaker, I object.

PARLIAMENTARY INQUIRIES

Mr. ANDREWS of Alabama. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS of Alabama. I would like to know how many pages have been read and how many remain.

The SPEAKER. That is a very proper inquiry.

Mr. ANDREWS of Alabama. I am most interested in the reading.

The SPEAKER. The Chair will state that there are 68 pages and the Clerk has already read 38.

Mr. RIVERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from South Carolina will state his parliamentary inquiry.

Mr. RIVERS. Will the Chair define the term "dilatory tactics?"

Mr. BROWN of Michigan. Mr. Speaker, regular order.

The SPEAKER. The Chair will ask the gentleman from South Carolina to elaborate upon what he means by dilatory action.

Mr. PELLY. Mr. Speaker, regular order.

Mr. RIVERS. If the Chair does not recognize dilatory tactics, I shall withdraw my parliamentary inquiry.

The SPEAKER. The Chair might understand them, but the Chair wanted to get the gentleman's understanding.

Mr. RIVERS. I have asked the Chair if he would define the term "dilatory tactics."

The SPEAKER. Well, the Chair can state that there has been a lot of dilatory action that has been going on under the rules of the House.

Mr. DINGELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Michigan will state his parliamentary inquiry.

Mr. DINGELL. Mr. Speaker, I wonder if the distinguished minority whip, the gentleman from Illinois [Mr. Arends], would tell us why the Republicans are so afraid of having Mr. Nixon debate Mr. Wallace.

The SPEAKER. The Chair did not hear the gentleman's parliamentary inquiry.

Mr. DINGELL. I wonder if the distinguished gentleman from Illinois, the minority whip, would tell us why the Republicans are so scared of having their tiger debate George Wallace.

The SPEAKER. The Clerk will read.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

Mr. HOSMER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from California will state his parliamentary inquiry.

Mr. HOSMER. Mr. Speaker, would it be permissible under the rules of the House yet during this session for the Committee on Rules to convene and consider a rule on the congressional reform legislation?

The SPEAKER. The Clerk will read.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. RUMSFELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 395]

Abbitt
Abernethy
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Battin
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Carey
Celler
Chamberlain
Clausen, Don H.
Conyers
Corman
Cowger
Curtis
Daniels
Davis, Ga.

Davis, Wis.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Fino
Fisher
Flynt
Frelinghuysen
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Gilbert
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jacobs
Jones, Mo.
Karsten
Kee
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kyros
Landrum
Langen
Long, La.
McClory
McClure
McDonald, Mich.
McMillan
Macdonald, Mass.
MacGregor
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Pike
Podell
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Riegle
Roberts
Robison
Rogers, Colo.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Stuckey
Sullivan
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER. On this rollcall 250 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the further reading of the Journal be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. STEIGER of Wisconsin. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

The Clerk will continue to read the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. STEIGER of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 396]

Abbitt
Abernethy
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brademas
Brooks

Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Carey
Cederberg
Celler
Chamberlain
Clausen, Don H.
Colmer
Conyers
Corman
Cowger
Curtis
Daniels
Davis, Ga.
Denney
Dent
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Fino
Fisher
Flynt
Frelinghuysen
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Gilbert
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Karth
Kee
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kyros
Landrum
Langen
Long, La.
McClory
McClure
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Pike
Podell
Pollock
Purcell
Quie
Railsback
Raifel
Reinecke
Resnick
Riegle
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Roudebush
Roush
Ryan
Satterfield
Saylor
Schneebeli
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Utt
Waldie
Walker
Watts
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The **SPEAKER**. On this rollcall 240 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent to dispense with further reading of the Journal.

Mr. **TAFT**. Mr. Speaker, I object.

The **SPEAKER**. The gentleman from Ohio objects.

Mr. **ADAMS**. Mr. Speaker, I ask unanimous consent to offer a privileged motion to suspend the rules and provide for suspension of the reading of the Journal at this time.

Mr. **TAFT**. Mr. Speaker, I object.

Mr. **WRIGHT**. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The **SPEAKER**. The Chair will not recognize the gentleman at this point.

The Clerk will read.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

PARLIAMENTARY INQUIRY

Mr. **JOELSON**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER** pro tempore (Mr. Mills). The gentleman will state it.

Mr. **JOELSON**. Would it be possible to terminate these quorum calls by agreeing to substitute Mr. Agnew for Mr. Nixon in the TV debates?

The **SPEAKER** pro tempore. The Chair doubts if that qualifies as a parliamentary inquiry.

Mr. **JOELSON**. Mr. Speaker, how about an old Ronald Reagan?

The **SPEAKER** pro tempore. The Clerk will continue to read the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **TAFT**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. The gentleman from Ohio makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 397]

Abbitt
Abernethy
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Bates
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Carey
Cederberg
Celler
Clark
Clausen, Don H.
Colmer
Conyers
Corman
Cowger
Curtis
Daniels
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Fino
Fisher
Flynt
Frelinghuysen
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Gilbert
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Horton
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
Keith
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kyros
Landrum
Langen
Lennon
Long, La.
McClory
McClure
McDonald, Mich.
McFall
McMillan
Macdonald Mass.
MacGregor
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
O'Neal, Ga.
Ottinger
Patman
Pepper
Pickle
Pike
Podell
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Riegle
Rivers
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Roudebush
Roush
Ryan
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Stephens
Stratton
Sullivan
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The **SPEAKER**. On this rollcall 238 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that further reading of the Journal be dispensed with.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

Mr. **TAFT**. Mr. Speaker, I object.

The **SPEAKER**. Objection is heard.

Mr. **ADAMS**. Mr. Speaker, I ask unanimous consent to offer a motion to suspend the rules and suspend the reading of the Journal.

The **SPEAKER**. Is there objection to the request of the gentleman from Washington?

Mr. **TAFT**. Mr. Speaker, I object.

The **SPEAKER**. Objection is heard.

The Clerk will continue with the reading of the Journal of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

PARLIAMENTARY INQUIRY

Mr. **PUCINSKI**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state his parliamentary inquiry.

Mr. **PUCINSKI**. Mr. Speaker, we have had, in the last 12 hours, 23 quorum calls. My parliamentary inquiry is this: In the event that a quorum does not respond on one of these quorum calls, is it then in order to make a motion to arrest the absent Members and bring them down here?

The **SPEAKER**. Such a motion would be in order if a quorum is not present.

Mr. **PUCINSKI**. I thank the Speaker.

The **SPEAKER**. The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **RUMSFELD**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 398]

Abbitt
Abernethy
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bell
Berry
Blackburn
Blatnik
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Buttton
Byrnes, Wis.
Cabell
Cahill
Carey
Cederberg
Celler
Chamberlain
Clark
Clausen, Don H.
Colmer
Conyers
Corbett
Corman
Cowger
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Feighan
Fino
Fisher
Flynt

Frelinghuysen
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Gilbert
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kyros
Landrum
Langen
Lennon
Long, La.
McClory
McClure
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
O'Neal, Ga.
Ottinger
Patman
Pepper
Pickle
Pike
Pollock
Purcell
Quie
Railsback
Rees
Reifel
Reinecke
Resnick
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Roudebush
Roush
Ryan
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Stephens
Stratton
Stuckey
Sullivan
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER. On this rollcall 234 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further reading of the Journal be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. STEIGER of Wisconsin. Mr. Speaker, I object.

The SPEAKER. The Clerk will continue to read the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. STEIGER of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 399]

Abbitt
Abernethy
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Carey
Cederberg
Celler
Chamberlain
Clark
Clausen, Don H.
Colmer
Conyers
Corbett
Corman
Cowger
Curtis
Daddario
Daniels
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Feighan
Fino
Fisher
Flynt
Frelinghuysen
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Gilbert
Gray
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kyros
Landrum
Langen
Lennon
Long, La.
McClory
McClure
McCulloch
McDonald, Mich.
McFall
McMillan
Macdonald
MacGregor
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
O'Neal, Ga.
Ottinger
Patman
Pepper
Pickle
Pike
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Roudebush
Roush
Ryan
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Stephens
Stratton
Stubblefield
Sullivan
Talcott
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER. On this rollcall 234 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER. The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. CLEVELAND. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 400]

Abbitt
Abernethy
Adair
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brademas
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Carey
Cederberg
Celler
Chamberlain
Clark
Clausen, Don H.
Colmer
Conyers
Corbett
Corman
Cowger
Curtis
Daddario
Daniels
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Dowdy
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Feighan
Fino
Fisher
Flynt
Frelinghuysen
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Gilbert
Gray
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Halpern
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kyros
Landrum
Langen
Lennon
Long, La.
Long, Md.
McClory
McClure
McCulloch
MaDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Pepper
Pickle
Pike
Pollock
Purcell
Quie
Quillen
Railsback
Reifel
Reinecke
Resnick
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Roudebush
Roush
Ryan
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stephens
Stratton
Sullivan
Teague, Calif.
Teague, Tex.
Thompson, Wis.
Tuck
Tunney
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER pro tempore (Mr. MATSUNAGA). On this rollcall 232 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

The SPEAKER pro tempore. The Clerk will continue reading the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. THOMPSON of Georgia. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 401]

Abbitt
Abernethy
Adair
Anderson, Tenn.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brasco
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Carter
Celler
Chamberlain
Clausen, Don H.
Collins
Colmer
Conyers
Corbett
Corman
Cowger
Curtis
Daniels
Davis, Ga.
Davis, Wis.
Denney
Derwinski
Devine
Dickinson
Dowdy
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Frelinghuysen

Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Gilbert
Griffiths
Gross
Gubser
Gurney
Haley
Hall
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hosmer
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyros
Landrum
Langen
Lennon
Long, La.
Lukens
McClory
McCloskey
McClure
McCulloch
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Myers
Nelsen
Nichols
O'Hara, Ill.
O'Neal, Ga.
Ottinger
Passman
Patman
Pepper
Pickle
Pike
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Roudebush
Roush
Ryan
St Germain
Sandman
Saylor
Schadeberg
Schweiker
Selden
Shipley
Sisk
Skubitz
Smith, Calif.
Smith, Okla.
Smith, N.Y.
Snyder
Springer
Stafford
Stephens
Stratton
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Utt
Vander Jagt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wyatt
Wydler
Wylie
Zion
Zwach

(The House being in session when the RECORD went to press, the proceedings of today will be continued in the next issue.)

EXECUTIVE COMMUNICATIONS, ETC.

2261. Under clause 2 of rule XXIV, a letter from the Assistant Secretary of the Interior transmitting a copy of an application by the Mitchell Irrigation District of Mitchell, Nebr., for a loan under the Small Reclamation Projects Act, pursuant to the provisions of section 4(c) of the act, referred to the Committee on Interior and Insular Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FULTON of Pennsylvania:

H.R. 20301. A bill to guarantee productive employment opportunities for those who are unemployed or underemployed; to the Committee on Education and Labor.

By Mr. KLUCZYNSKI:

H.R. 20302. A bill to provide that the reduction in expenditures required by section 202 of the Revenue and Expenditure Control Act of 1968 shall not apply to expenditures from the highway trust fund; to the Committee on Ways and Means.

By Mr. NIX:

H.R. 20303. A bill to revise the laws relating to the transportation of mail so as to provide the Postmaster General greater flexibility in the procurement of such transportation; to the Committee on Post Office and Civil Service.

By Mr. TIERNAN:

H.R. 20304. A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITTEN:

H.R. 20305. A bill to amend the Uniform Time Act of 1966 so as to reduce from 6 to 4 months the period for which daylight saving time shall be in effect; to the Committee on Interstate and Foreign Commerce.

By Mr. WYDLER:

H.R. 20306. A bill to establish a community development corporation program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity and stability in their community, and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 20307. A bill to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations; to the Committee on Post Office and Civil Service.

H.R. 20308. A bill to amend title 5, United States Code, to provide for the inclusion of certain periods of reemployment of annuitants for the purpose of computing annuities of surviving spouses; to the Committee on Post Office and Civil Service.

H.R. 20309. A bill to amend title 5, United States Code, to authorize the payment of an appropriate allowance, in lieu of quarters and subsistence, to employees of the Corps of Engineers, Department of the Army, engaged in floating plant operations; to the Committee on Post Office and Civil Service.

H.R. 20310. A bill to amend title 5, United States Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McCULLOCH:

H.R. 20311. A bill to implement section 4 of the 20th amendment; to the Committee on the Judiciary.

By Mr. NIX (for himself and Mr. OLSEN):

H.R. 20312. A bill to amend title 13, United States Code, relating to census questions; to the Committee on Post Office and Civil Service.

By Mr. RIVERS (for himself and Mr. BATES):

H.R. 20313. A bill to amend title 37, United States Code, to clarify the authorization for the payment of continuation pay for medical and dental officers of the uniformed services; to the Committee on Armed Services.

By Mr. BINGHAM:

H.R. 20314. A bill to promote the advancement of biological research in aging through a comprehensive and intensive 5-year program for the systematic study of the basic origins of the aging process in human beings; to the Committee on Education and Labor.

PETITIONS, ETC.

Under clause 1 of rule XXII,

406. The SPEAKER presented a petition of Mr. Louis F. Roth, of San Francisco, Calif., relative to redress of grievances, which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

MY COUNTRY AND MY FLAG—ARTICLE BY MRS. EDNA M. HERRON, COLUMBUS, OHIO

HON. FRANK J. LAUSCHE

OF OHIO

IN THE SENATE OF THE UNITED STATES

Tuesday, October 8, 1968

Mr. LAUSCHE. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an article entitled "My Country and My Flag," written by Mrs. Edna M. Herron, of Columbus, Ohio.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MY COUNTRY AND MY FLAG

(By Edna M. Herron)

We in America have enjoyed abundant blessings and freedom, given us by God, through our patriotic founders.

Let's take a look at the 56 patriots who faced hanging for signing the Declaration of Independence. Some were well educated and brilliant, others had no formal education at all. They were natives and immigrants, young and old coming from a dozen different directions, but they had two things in common; they loved their country enough to risk their lives, reputations, and fortunes and they looked to Our Heavenly Father for divine guidance and wisdom and, therefore, knew right from wrong. Thomas Jefferson, John Adams, and Ben Franklin are familiar names but there were many others who are not so well known. There is not time to name them all so will mention just a few.

There was John Hart of New Jersey, who at 65 left his farm and grist mills. He was classed as a traitor by King George, so Hessians raided his farm where his wife lay dying. Hart was forced to flee like a hunted animal. When he was able to return home, his wife was dead and his children gone. He died two years after the signing. Another man, Judge Richard Stockton and his family moved in with friends to avoid the red coats, but a Tory informed on him and he was seized and beaten and dragged off to prison. When he was finally released he returned to find nothing left except a tangled clump of trees and bushes and a rusty pump, to show that a house once stood there. With everything gone he was forced to depend upon charity. Sam Adams and John Hancock had rewards on their heads by proclamation of the King. But they were brave and courageous men who wanted freedom and independence and were not afraid to fight for it. One could go on and on citing acts of bravery by these patriots.

As I read about these men and their families and friends, the history of America and the pageantry of her building passed before me. (Think about your Country.)

The stage—her spacious land reaching from the broad Atlantic to the blue Pacific's shore. Carpeted in green and patterned with vagrant fragile flowers, sprinkled with shining crystal dew. Fields of yellow wheat and tall green corn, vast deserts, starlit forests and broad highways. Tall trees bending to the fury of a storm, quiet paths meandering over hill and dale, ablaze with autumn coloring. Lofty mountains and beautiful valleys.

The song of birds, soft summer winds. The beautiful white blankets of snow covering all ugliness and the glittering beauty of sun on ice-covered trees and shrubs. Great cities, large factories and railroads spread like a giant web, carrying produce and travelers to all parts of her land. Dotted here and there, quiet, deep blue lakes and woven through the carpet of green, rivers that look like silver ribbons. while in the skies, planes flying swiftly to all corners of the world. Then nestled in her countryside, lazy, sleepy, friendly little towns with little homes on little streets with smoke curling from their chimneys, where people live and love and learn and within whose walls are peace and gracious living. A lovely sunrise, the evening twilight, church bells calling the people to prayer and organ music falling softly on the air.

The cast—a father welcomed home at end of day, a mother singing softly a lullaby to her baby. Children with voices loud and clear, laughing, playing, unafraid. A lover and his lass and the aged who walk with faltering steps and people of all nations seeking shelter.

The theme—friendship and the building of a great nation which extends the hand of friendship, gives strength to the weak, a haven to the poor and needy and a refuge from storm. The story of America, our heritage.

The old days pass in revue.

In the year 1492, a young man named Columbus, who had vision and faith, set sail from Spain upon an uncharted sea, seeking a new world. After many weary and discouraging days and months at sea and when he was almost at the point of turning back, he sighted land. His dream had come true. He named the new country America. America—that later was to become the mother of fifty states.

The new world was a vast wilderness, inhabited by Indians, wildlife of all kinds and wealth beyond the wildest imagining. It spelled danger and yet offered to the seeking people of the old world, a haven, a place to establish liberty and religious freedom. To this land came the pilgrim fathers seeking these things. They knelt in a prayer of Thanksgiving at Plymouth Rock. With homes established they began exploring and building. The story of the hardship the pioneers endured to give us America is the history of our country. We think of the pioneer man as a courageous, tough and resourceful character—and he was, but the real heroes, or heroines, were the women who went West. While hard on the men, the wilderness was the complete opopsite of everything women liked and it took great courage just to go. Yet the women came, accompanying their menfolk with full knowledge that hard work and exposure would age them early; that Indians and wild animals would most likely claim some or all of their families. In this sense women had to have more courage than the men. But loving and faithful they worked beside their husbands, bearing their children, keeping the home. The oxcart and covered wagon days. Men and women moving ever Westward. The Indian massacres, heartbreak and discouragement, burying their dead in lonely isolated spots. Then forging ever ahead in their struggle for independence. Carving homes out of the wilderness.

Men whose names are synonymous with freedom, Benjamin Franklin, Paul Revere, John Paul Jones and many others. Our first President, George Washington, the Declaration of Independence, the Constitution, the Bill of Rights, religious freedom, the birth of our flag and the first time it was flown at Fort McHenry, the land grants, the gold rush, the first railroad, schools and universities, progress.

The Civil War era, a dark spot in our history when the question of slavery divided our country. The Emancipation Proclamation, men in gray and men in blue fighting for a principle that all men shall be free and equal.

Lincoln's speech at Gettysburg, a humble man who rose to the highest office in his country. His assassination. Beloved by friend and foe alike, his tomb became a national shrine.

New improvements and inventions, the telephone and telegraph, the automobile and many others. Again, years of peace and prosperity, dreams and aspirations. People happy and contented. Then the Spanish-American War, the first war outside our America. Admiral Dewey in Manila Bay. The sinking of the battleship Maine, Teddy Roosevelt and his Rough Riders.

Again a people moving ever forward towards greater goals, and another call for help. This time to make the world safe for Democracy and to end all wars. Led by General Pershing, the youth of our land sailed again to foreign soil. Flanders Field where poppies grow and the Tomb of the Unknown Soldier in Arlington Cemetery, became another shrine to freedom in World War I.

The years passed, war was forgotten, we were content with what we had. Our lives were free. We were still progressing, comfort and inventions that would be unbelievable to our forefathers were ours. The airplane, the radio, radar, mechanized machinery, the far reaches of the world ours in a few hours time. Then suddenly our way of life was threatened.

Our fleet had been bombed at Pearl Harbor, thousands of our sons had been killed. Our sons and daughters hastened to answer the call of their country. Children became men and women overnight. Our cities and little towns hummed with activity. Our children became our shield—they marched on paths around the world, they sailed the seven seas, they swept the ocean's floor and flew the starlit path of sky. Through sun or fog, through night or storm, with courage strong and faith undimmed, they kept our Flag upon its mast. History has recorded their deeds of heroism.

The spirit of America's immortal commanders marched with them. Washington, Harrison, Grant, Pershing, Eisenhower and the brave youth who gave their last full measure of devotion to keep our country free, at Gettysburg, Valley Forge, Manila, Pearl Harbor, Bataan, Africa, Normandy, Alaska, Corregidor, Japan—our Flag on Mt. Suribachi. We took the torch they held. Our pledge we gave to "keep the faith".

As the funeral ships and trains were bringing our heroic dead home from the Alaskan, the Pacific, the European and Asiatic fronts, and we were burying our dead from World War II, we were again calling our youth to service, again preparing to safeguard our lives and liberty by armed forces in Korea, under General MacArthur. A truce and agreement was finally reached and most of our servicemen came home again.

We now have Viet Nam—and already some 26,000 of our boys have given their lives and over 162,000 have been wounded. General Creighton Abrams is in charge. In this war, for the first time in our Armed Forces, church services and Mass are held each night and before a battle whenever possible. We are in an undeclared war, fighting for the rights and freedoms of an oppressed people. How long it will last no one can be certain. Our flag has been desecrated in many foreign countries. The Word God has almost been ruled out of our lives by our Supreme Court. There are riots and mobs looting and killing in our cities and in many countries of the world. Communism and all the other "isms" are trying to get a hold on the minds of our youth. It must be stopped some way.

We must teach Americanism to our children. The schools should have a *must course in American history*. The love of country should be uppermost in our minds and hearts. Our conduct should prove to all the world that a part of each one of us is forever wrapped in the folds of our beautiful Flag. We, our country and our Flag are inseparable. There is no flag in the world as beautiful as the Flag of the United States of America, or so full of meaning. It is the symbol of an idea, of liberty and freedom to every one under its protection.

The following poem written by Thomas E. Wicks, Sr. tells the story. (Look at your Flag and think.)

"I am your flag.
I was born on June 14, 1777.
I am more than just a cloth shaped into a design.
I am the refuge of the world's oppressed people.
I am the emblem of the greatest sovereign nation on earth.
I am the inspiration for which American patriots gave their lives and fortunes.
I have led your sons into battle from Valley Forge to the bloody ridges of Korea and now the mucky swamps of Viet Nam.
I walk in silence with each of your honored dead to their final resting place beneath white crosses row on row.
I have flown through peace and war, strife and prosperity and amidst it all, I have been respected.
My red stripes—symbolize the blood spilled in defense of their glorious nation.
My white stripes—signify the burning tears shed by Americans who lost their sons.
My blue field—is indicative of God's Heaven under which I fly.
My stars—clustered together, unify 50 States as one, for God and country.
Old Glory is my nickname and proudly I wave on high.
Honor me, respect me, defend me with your lives and your fortunes.
Never let my enemies tear me down from my lofty position, lest I never return.
Keep alight the fires of patriotism, strive earnestly for the spirit of democracy.
Worship eternal God and keep his commandments and I shall remain the bulwark of peace and freedom for all mankind.
I am your flag.
This is my country, this is my flag, may God protect both always.
God bless America."

STUDY ON HOUSE COMMITTEE CALENDARS

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. DOW. Mr. Speaker, today I am inserting a study of the legislative calendars of the House committees prepared for my office by the Legislative Reference Service. As is indicated in the preface to the analysis, this is the first such study known to have been prepared on House committee calendars and I am hopeful that it will be of use to the committee staffs and to the Congress.

Before coming to Congress I was active in the business community. There I learned that a proper study and analysis of the problem is essential before changes are implemented. In this Congress I introduced a bill, H.R. 7874, which would take the same approach by requiring the Library of Congress to report to the Congress on a yearly basis, its progress in the field of automated data processing.

This study of the calendars published by the House committees was requested with the same view in mind. I appreciate the efforts of two House staff members, Mr. Robert C. Ketcham, my administrative assistant, and Mr. Paul G. Zurkowski, legislative assistant to Congressman BOB KASTENMEIER, who have become active in searching for better ways that Congress can be served. They deserve some of the credit for seeing the need for this analysis The study follows:

THE LEGISLATIVE CALENDARS OF COMMITTEES IN THE HOUSE OF REPRESENTATIVES, AS OF 1969: A COMPARATIVE ANALYSIS—A DRAFT REPORT PREPARED ACCORDING TO THE INSTRUCTIONS OF THE HONORABLE JOHN DOW

(By Walter Kravitz, analyst in American National Government, Government and General Research Division, September 10, 1968)

INTRODUCTION

Seventeen committees of the House of Representatives currently issue legislative calendars. Many have produced them for several decades, a few for more than half a century. Yet, so far as we can discover, no study of these documents has ever been published. Indeed, the literature on, and even by, Congress is totally devoid of all but passing references to the very existence of committee legislative calendars.

This report describes, compares, and analyzes House committee calendars as of mid-1968. In the main, it concentrates on content and format: content, in order to explore the comprehensiveness, or lack of it, with which calendars provide information; format, to discover how usefully the calendars arrange the information they present.

After a brief historical review, the report discusses the general structure of the calendars. This is accompanied by a description of the way in which this report organizes data about the calendars. All of the types of information published are then grouped into five general categories, and each is considered in detail. Next, additional format and miscellaneous considerations are examined.

There follows an attempt to establish reasonable criteria for evaluating the calendars, and, finally, a series of suggested improvements based upon those criteria.

It is not the intention here to censure or to lay reproaches at the door of any committee or the staff of any committee for the state of its calendars. By its very nature, a comparative analysis will inevitably make it appear that the publications of some committees are deficient in some respects. But these deficiencies may be more apparent than real, or they may not be relevant to the special circumstances of the committee.

First, some of the omissions noted herein are obviously superficial and unimportant, and are mentioned solely for the sake of exhaustiveness.

Second, the advisability of publishing certain types of information, or of publishing them in greater or lesser detail, or of utilizing certain formats, is often a matter of judgment upon which a member of equally reasonable positions are possible.

Third, certain kinds of data do not appear in some calendars because they are simply not relevant to the concerns, jurisdiction, and operating methods of the committee involved. Obviously a committee will not publish a list of petitions received if it receives no petitions. Cases of this kind are cited in the report, but it may be assumed there are many more we have overlooked or about which we have no knowledge.

Fourth, some committees probably would report certain kinds of events if such events had taken place. For example, when we found no mention of a rollcall vote on the conference report of any measure in a committee's calendar, that fact appears in the report. But it is quite possible that none of the committee's reported measures to date elicited such a vote, and that if such a vote had occurred the calendar would have recorded it. The likelihood of this circumstance is enhanced by the fact that this survey does not deal with final calendars but only with those published, for the most part, before the half-way mark of the second session of the 90th Congress.

Finally, there may be other equally compelling reasons, such as a lack of staff time, for the condition of a committee's calendar. These, too, may be unknown to us.

I. History of House committee legislative calendars

In the sweep of the House of Representatives' 179-year history, the practice of publishing committee calendars is a relatively recent phenomenon. The oldest calendars began to appear in 1913, a scant 55 years ago. Prior to that date some committees published dockets of bills referred to them, but these were usually produced only at the end of a session. Moreover, they were a far cry from the detailed calendars we know today, or even the primitive one of 1913. But the influence of the docket system still lingers; to this day a few committees assign docket numbers to each measure received.

The first House committee calendars of which we find any record were produced by the Committees on the Judiciary and on Naval Affairs at the beginning of the 63rd Congress.[1] Judiciary published 69 numbers during the whole of that Congress, Naval Affairs, 9 numbers. Between 1919 and 1945 an additional 14 committees took up the practice. Not all committees, however, published uninterruptedly. The Committee on Public Lands, for example, produced calendars only from 1919 to 1924. Although the Committee on Ways and Means put them out in 1919 and 1920, it did not begin continuous publication until 1927. Similarly, the Committee on Post Office and Post Roads published calendars from 1920 to 1930, then dropped them until 1937.

By the end of 1946, only 15 of the then 48 House committees—less than one-third—were producing legislative calendars. The Legislative Reorganization Act of 1946 led to a drastic alteration in this ratio. That Act consolidated the 48 committees into 19, thereby wiping out many non-calendar-producing units. Of the 19 "new" committees organized at the beginning of 1947, six were in fact old committees, untouched by the consolidation. All were already publishing calendars and all continued to do so. They were the Committees on Agriculture, Expenditures in the Executive Departments (later renamed Government Operations), the District of Columbia, Foreign Affairs, Merchant Marine and Fisheries, and Ways and Means.

Some of the new committees consolidated several calendars into one. For example, Post Office and Post Roads, renamed Post Office and Civil Service in 1947, amalgamated its own publication with that of one of the units it absorbed, the Civil Service Committee. Judiciary did the same with the Patent Committee's calendar. Armed Services combined the calendars of Military Affairs and Naval Affairs into a single publication. The production of Banking and Currency's calendars, begun in 1939, was not disturbed by its absorption of Coinage, Weights, and Measures. The new Committee on House Administration took over the jurisdiction of ten previously existing groups, and converted the calendar of one of them, the Committee on Printing, into its own.

The 1946 Act also may have spurred the production of calendars indirectly through its section 133(b) which directed each committee to keep a complete record of all committee action. At any rate, several new committees created by the amalgamation of older units that had not published calendars nevertheless immediately proceeded to do so, including the Committees on Public Works, Veterans Affairs, and Education and Labor. Interstate and Foreign Commerce followed suit in 1949, as did Interior and Insular Affairs in 1951. Science and Astronautics began to produce calendars upon its organization as a permanent standing committee in 1959.

By the summer of 1968 there were 21 standing House committees; 17 of them were publishing calendars, all except Appropriations, Rules, Standards of Official Conduct, and Un-American Activities. It is generally assumed that Appropriations, Rules, and Un-American Activities do not produce calendars because they deal with relatively few measures directly or because the nature of their activities is not especially suitable to the production of such documents. The Committee on Standards of Official Conduct did not become a permanent committee until April 3, 1968; as of July 29, 1968 no measures had been referred to it.

Table.—Earliest appearances of Committee Legislative Calendars in the House of Representatives

1913 (63rd Cong.)—Judiciary; Naval Affairs (now: Armed Services).

1919 (66th Cong.)—Public Lands (1919–1924); Ways and Means (1919–1920; 1927–).

1920 (66th Cong.)—Post Office and Post Roads (1920–1930; 1937–) (now: Post Office and Civil Service).

1924 (68th Cong.)—Foreign Affairs.

1927 (69th Con.)—Military Affairs (now; Armed Services).

1928 (70th Cong.)—Agriculture.

1931 (72nd Cong.)—Expenditures in the Executive Branch (now: Government Operations); Printing.

1935 (74th Cong.)—Indian Affairs; Merchant Marine and Fisheries; District of Columbia.

1939 (76th Cong.)—Banking and Currency.

1945 (79th Cong.)—Patents; Civil Service (now: Post Office and Civil Service).

1947 (80th Cong.)—Armed Services; House Administration; Public Works; Veterans Affairs; Education and Labor.

1949 (81st Cong.)—Interstate and Foreign Commerce.

1951 (82nd Cong.)—Interior and Insular Affairs.

1959 (86th Cong.)—Science and Astronautics.

Sources.—U.S. Catalogue of the Public Documents of the . . . Congress and of all departments of the Government of the U.S. from the period 65th to the 76th Congress, 1913 to 1940.

Library of Congress records.

II. General structure and types of calendar information

The fundamental building block of all calendars is the main "calendar." This semantic confusion is unfortunately inevitable. In its purse sense, "calendar" is ordinarily taken to mean a register or list of things and/or events. A legislative calendar is a list of legislative measures and/or events, and every committee calendar is based upon one or more of these. But most committee calendars contain a great deal more than this, information of a supplementary and recapitulatory kind. It should be understood, therefore, that when we speak of a committee calendar, we mean the entire publication, and that when we discuss the main calendar or calendars we mean the fundamental registers contained in the publication.

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[1] U.S. Catalogue of the Public Documents of the 65th to the 76th Congress and of all departments of the Government of the U.S. from the period 1913 to 1940. Additional historical information is derived from Library of Congress records.

The data reported in the 17 currently published House committee legislative calendars cover a broad spectrum of information. For purposes of systematic and meaningful analysis, this report organizes all types of information into five broad categories. The first three are chronologically successive stages of the legislative process. The fourth consists of organizational and institutional information. The fifth is a catch-all for content that does not fall easily into the first four.

The five categories deal with:

1. measures received by the committee;
2. committee action on those measures;
3. subsequent legislative history of those measures;
4. the committee as an organization;
5. miscellaneous information of interest to the committee and/or about other committee activities.

Each of these five categories is examined in turn and in detail: what specific kinds of information appear, how complete that information is, what format is used to present the data, and how the committees differ in all these areas.

III. Measures received by the committee

This category includes items of information that identify the kinds of matters referred to the committees by the House of Representatives, and that list, describe, and give ancillary data about them. It also includes devices that permit a reader of the calendar to find that information.

A. Identification and Listing

In theory, committees may have referred to them: House bills, resolutions, joint resolutions, and concurrent resolutions; senate bills, joint resolutions, and concurrent resolutions; petitions and memorials; and messages and reports from the executive branch. Not all committee calendars, however, list every one of these:

1. House bills received—all calendars.
2. House joint resolutions received—all calendars.
3. House concurrent resolutions received—16 calendars (all except the District of Columbia Committee).
4. House resolutions received—16 calendars (all except Agriculture).
5. Senate bills received—all calendars.
6. Senate joint resolutions received—13 calendars.
7. Senate concurrent resolutions received—9 calendars.
8. Petitions and memorials received—9 calendars.
9. Executive communications received—13 calendars.

The most obvious explanation for the absence in some calendars of certain types of measures and matters is that the committees do not receive them. The Agriculture Committee, for example, evidently has no House resolutions referred to it, and the District of Columbia Committee does not receive House concurrent resolutions.

Four committees list Senate bills, but neither Senate joint nor concurrent resolutions: District of Columbia, Post Office and Civil Service, Science and Astronautics, and Veterans Affairs.

Four committees list Senate bills and joint resolutions, but not concurrent resolutions: Agriculture, Government Operations, Interior and Insular Affairs, and Merchant Marine and Fisheries.

Petitions and memorials received are listed by 9 committees: Armed Services, Banking and Currency, Public Works, Science and Astronautics, Merchant Marine and Fisheries, Foreign Affairs, Government Operations, Interior and Insular Affairs, and Post Office and Civil Service.

Executive communications of various sorts, including messages, annual reports, and requests for legislation, are listed by all committees except Education and Labor, House Administration, Judiciary, Veterans Affairs, and Foreign Affairs, although Foreign Affairs does have a list for annual reports received. Because of its special interest and jurisdiction in such matters, the Government Operations calendar includes a list of executive reorganization plans received.

In summary, all committees list House bills, House joint resolutions, and Senate bills. The overwhelming majority list House concurrent and simple resolutions. Most list Senate joint resolutions and executive communications of one sort or another. And about half list Senate joint and concurrent resolutions.

B. Descriptions of Measures

Every committee provides certain basic information about the measures referred to them:

1. Bill or resolution number—all calendars.
2. Sponsor or sponsors—all calendars.
3. Date of introduction—all calendars.
4. Full title of the measure—all calendars.

Two committees present descriptions of a measure's contents beyond that given in its title, and then only occasionally: Agriculture, and Banking and Currency. A few committees summarize in some detail the contents of bills and resolutions upon which they have taken action; those will be considered below under *Committee Action on Measures Received.*

C. Ancillary Information About Measures

Many committees supply data on similar and identical measures in past Congresses and in the current Congress. Not all of these committees, however, give equal amounts or types of information.

1. Two committees supply all of these data in considerable detail, in a separate column next to each measure listed: Armed Services, and Science and Astronautics.
2. Three additional committees frequently give citations to identical bills in previous Congresses: Agriculture, Interior and Insular Affairs, and Merchant Marine and Fisheries.
3. Ten committees make it a practice to cite next to, or near, each measure other identical bills received: Agriculture, Armed Services, Government Operations, Interior and Insular Affairs, Judiciary, Merchant Marine and Fisheries, Post Office and Civil Service, Public Works, Science and Astronautics, and Ways and Means.
4. Seven committees cite similar measures: Agriculture, District of Columbia, Education and Labor, Government Operations, Interior and Insular Affairs, Merchant Marine and Fisheries, and Science and Astronautics.

In all, 12 committees provide one or another or all of this kind of additional information. The most complete coverage is supplied by Science and Astronautics. The next most complete appears in the calendars of Agriculture, Interior and Insular Affairs, and Merchant Marine and Fisheries.

D. Searching Devices

The principal searching devices favored by most committees are subject and author indexes. Since most list their bills and resolutions serially by their number designations in the main calendars, additional number indexes are usually not necessary. However, some committees lump together different kinds of measures, for example, resolutions and joint resolutions. Others assign a docket number to each measure received and list by these numbers. Numbering indexes are usually provided for the docket systems.

Every committee supplies either an author index or a subject index, but not all give both.

1. Author index supplied—16 calendars (all except Interstate and Foreign Commerce.)
2. Subject index supplied—15 calendars (all except House Administration, and Merchant Marine and Fisheries).

The content of these indexes varies somewhat. Among the 16 calendars that *index by author,* the following variety of information is supplied:

1. Bill or resolution number—all calendars (16).
2. Title of bill or resolution—14 calendars (all except House Administration, and Foreign Affairs).
3. Date of introduction—2 calendars (House Administration, and Government Operations).
4. Subcommittee assignment of the measure—1 calendar (House Administration).
5. Action on the measure—1 calendar (House Administration).
6. Docket number assigned to the measure—1 calendar (Public Works).

Although 14 committees supply bill titles in their author indexes, only 7 give the full title: Merchant Marine and Fisheries, Banking and Currency, Education and Labor, Veterans Affairs, Judiciary, Ways and Means, and Armed Services. The remainder cite abbreviated versions of the titles.

Turning next to the 15 *subject* indexes, we find that the depth of indexing—by which we mean, principally, the relative narrowness or broadness of the subject headings used—varies considerably from committee to committee.

1. Two calendars index by quite broad subject only: Interstate and Foreign Commerce, and Science and Astronautics.
2. The remainder (13) provide fairly detailed subject headings, either by keywords in titles, by names of persons and/or places, by names of statutes or subjects of statutes, or by any combination of these.
3. Subject indexes supplying bill or resolution numbers—all calendars.
4. Subject indexes listing bill or resolution titles—all calendars. Only 6, however, cite full titles: Interstate and Foreign Commerce, Banking and Currency, Armed Services, Education and Labor, Judiciary, and Government Operations. Interior and Insular Affairs occasionally cities full titles; at other times it gives abbreviated versions of the titles.
5. Subject indexes listing bill or resolution sponsors—12 calendars (all except Public Works, Veterans Affairs, and Ways and Means).

In addition, the Public Works Committee includes in its subject index its docket numbers and page references to executive communications.

The Public Works Committee calendar is also unique in that it places all measures received in a single listing, assigning to each measure a docket number. Since the measures appear serially according to their docket numbers rather than according to their bill or resolution numbers (as they appear in all other committee calendars), special docket number indexes are made necessary. These the Public Works calendar supplies: by House bill number, by House resolution number, and so forth.

The Interior and Insular Affairs Committee provides a separate table listing Senate bills received serially by bill number, probably because it lumps all Senate bills and joint resolutions into one main calendar listing.

The Interior Committee is also the only committee to supply a separate subject index for executive communications received.

In summary, every committee calendar contains indexes of one sort or another. All provide number indexes; most of them list measures received serially by bill or resolution number. All but two calendars contain subject indexes, although the thoroughness of the subject indexes varies considerably. Finally, most subject and author indexes provide a certain basic amount of similar information.

E. Miscellaneous

Two committee calendars provide statistical summary tables of measures received: Judiciary, and Veterans Affairs. Agriculture gives a figure for the total number of measures received to date.

F. Format

The variety in the kinds of information calendars record about measures and matters received is a relatively simple affair compared with the array of arrangements the committees, going their separate paths, have evolved for presenting the data.

The basic pattern for all committees is that of the main "calendar" (defined in its narrow sense as a register or listing of things or events). The calendar format, taken in this sense, is a staple for all committees, but each has evolved one or more variations on this basic theme.

Considering for a moment only measures (that is, bills and resolutions) referred to the committees, 9 calendars present separate lists for each type of measure they receive: that is, one for House bills, one for House resolutions, one for House joint resolutions, one for Senate bills, and so forth.

The number of lists per committee necessarily varies according to the number of types they record. Thus:

1. Seven separate calendar lists, one for each type of measure recorded—4 committees (Banking and Currency, Foreign Affairs, Judiciary, and Ways and Means).
2. Six separate calendar lists, one for each type of measure recorded—2 committees (Government Operations, and Merchant Marine and Fisheries). Both omit Senate concurrent resolutions).
3. Five separate calendar lists, one for each type of measure recorded—2 committees (Agriculture, which omits House resolutions and Senate concurrent resolutions, and Science and Astronautics, which omits Senate joint resolutions and concurrent resolutions).
4. Four separate calendar lists, one for each type of measure recorded—1 committee (District of Columbia, which omits House concurrent resolutions and Senate joint and concurrent resolutions).

Seven committees present separate lists for some types of measure and combined lists for other types, as follows:

1. Two publish separate lists for House bills and Senate bills, a single list for all House resolutions (simple, joint, and concurrent), and omit all other types entirely: Post Office and Civil Service, and Veterans Affairs.
2. Two publish separate lists for each type of House measure, but a single calendar combining all Senate measures received: Education and Labor, and House Administration.
3. Armed Services presents a separate list for each type of House measure and for Senate bills, but a combined list for Senate joint and concurrent resolutions.
4. Interior and Insular Affairs prints a separate list for each type of House measure, but a single calendar for Senate bills and joint resolutions, the bills listed first, the joint resolutions following.
5. Interstate and Foreign Commerce combines House joint and concurrent resolutions in a single calendar, Senate joint and concurrent resolutions in another calendar, and separate lists for all other types.

If the committees that publish separate lists for each of the seven types of measures represent one extreme, the Committee on Public Works represents the other. It presents a single calendar in which all types of measures received are lumped together.

In terms of separate calendar types published:

1. Sixteen committees publish a separate calendar list for House bills.
2. Thirteen publish a separate list of House resolutions.
3. Fourteen publish a separate list of House joint resolutions.
4. Twelve publish a separate House concurrent resolutions list.
5. Fourteen publish a separate Senate bill list.
6. Eight publish a separate Senate joint resolution list.
7. Four publish a separate Senate concurrent resolution list.

The formats for indexes are not quite so varied.

1. Separate author and subject indexes—12 calendars.
2. Combined author and subject indexes—2 calendars (those of Armed Services, and Science and Astronautics).
3. Author index only—2 calendars (House Administration and Merchant Marine and Fisheries).
4. Subject index only—1 calendar (Interstate and Foreign Commerce).

Of the nine committees that list petitions and memorials referred to them:

1. Five place both in a single calendar: Armed Services, Banking and Currency, Public Works, Science and Astronautics, and Merchant Marine and Fisheries. The latter includes executive communications in this same listing.
2. Four use separate calendars for petitions and memorials: Foreign Affairs, Government Operations, Interior and Insular Affairs, and Post Office and Civil Service.

Executive communications, reports, etc., are arranged as follows:

1. A single list for executive communications of all kinds—9 calendars (Agriculture, Banking and Currency, Government Operations, Interior and Insular Affairs, Interstate and Foreign Commerce, Merchant Marine and Fisheries, Post Office and Civil Service, Public Works, and Science and Astronautics).
2. One list for communications accompanied by bill drafts, another list for annual reports and all other communications—2 calendars (District of Columbia, and Ways and Means).
3. Only an annual report list—1 calendar (Foreign Affairs).
4. Executive communications listed by agency—1 calendar (Armed Services). This involves six separate tables.

IV. Committee action on measures received

This category includes calendar information about executive agency reports solicited by the committees, subcommittee action on measures, full committee action on those measures, data on hearings, and indexes to action taken.

A. Executive Agency Reports

Most committees now make it a regular practice to ask executive agencies for their opinions, in the form of reports, on measures of interest or concern to those agencies. Reports also may be solicited from agencies with a special expertise in the subject matter of the measures. When appropriate, agencies of the legislative branch—the General Accounting Office and the Library of Congress, for example—are also asked for opinions. Of the 17 House committees that issue legislative calendars, all but two publish some information about solicited agency reports.

One of the exceptions is the Committee on House Administration. Most of the measures referred to this group concern the activities of Congress as an institution and more particularly the internal operations of the House of Representatives, subjects in which no executive agency has any particular expertise or responsibility. On the other hand, the Committee also deals with legislation concerning elections and the Library of Congress that might conceivably be of interest to certain agencies. It is possible that the House Administration Committee does solicit agency reports on such measures. The Committee's calendar, however, makes no mention of any solicitation on these or any other matters.

The other exception is the Committee on Interstate and Foreign Commerce, for reasons unknown.

Among the 15 calendars that mention agency reports the variation in kinds of information published is relatively slight:

1. Names of agencies solicited—14 calendars (all except Government Operations).
2. Dates of requests for reports—15 calendars.
3. Names of agencies submitting reports—14 calendars (all except Government Operations).
4. Dates of agency reports—14 calendars (all except Government Operations).

The calendar of the Committee on Government Operations includes only the dates that reports were requested, or that no reports were requested. Agency names, the receipt of agency reports, and the nature of such reports are nowhere mentioned.

Ten committees indicate whether or not agencies approve or disapprove of the measures upon which they report (all except Education and Labor, Foreign Affairs, Government Operations, Judiciary, and Veterans Affairs).

1. Six always do so in brief, that is approval or disapproval (Armed Services, Interior and Insular Affairs, Post Office and Civil Service, Public Works, Science and Astronautics, and Ways and Means).
2. One sometimes gives further information (Banking and Currency).
3. Two sometimes gives fairly detailed summaries of the reports (Agriculture and District of Columbia).
4. One usually gives a detailed summary of the reports (Merchant Marine and Fisheries).

B. Subcommittee Action

Most committees refer the bulk of the measures they receive to subcommittees. Of the 17 committees currently issuing legislative calendars, one has no subcommittees—the Committee on Ways and Means. In the calendars of the remaining 16, information on subcommittee activities is given in a variety of ways.

The fact that a measure has been referred to a subcommittee appears as follows:

1. Thirteen calendars indicate for each measure received whether it has been referred to a subcommittee.
2. Three mention subcommittee referral only if that subcommittee has held hearings on the measure (Interstate and Foreign Commerce, Public Works, and Veterans Affairs).
3. One gives referral information only in lists under the subcommittees' names (House Administration).

Not all calendars name the subcommittees to which specific measures were referred:

1. Name of subcommittee always given—12 calendars.
2. Name of subcommittee given if hearings were held—1 calendar (Public Works).
3. Name of subcommittee not given—2 calendars (Interstate and Foreign Commerce, and Veterans Affairs). Commerce Committee referrals are found under subcommittee hearings lists, if such hearings were held.
4. Date of referral to subcommittees—7 calendars (Agriculture, District of Columbia, Education and Labor, Foreign Affairs, Government Operations, Judiciary, and Merchant Marine and Fisheries).

Other data about subcommittee actions include:

1. Hearings held and dates of hearings—14 calendars (all except Armed Services and House Administration). Armed Services hearings must be found indirectly.
2. Hearings were in open or executive ses-

sion—7 calendars (Agriculture, Foreign Affairs, Interior and Insular Affairs, Merchant Marine and Fisheries, Post Office and Civil Service, Veterans Affairs, and Interstate and Foreign Commerce). Other committees give indirect evidence of open hearings in their lists of published hearings.

3. Date of subcommittee final action—all 16 calendars (Administration only occasionally, in its subcommittee lists). Thus, 7 calendars give very complete information on subcommittee referrals and action, and another 6 give fairly complete information, while three publish only minimal information.

C. Full Committee Action

In the normal course of events, subcommittee consideration is followed by action in the full committee. Some committees approve the recommendations of their subcommittees almost pro forma; others scrutinize those recommendations at great length. In some committees, particularly important pieces of legislation are never referred to subcommittee; the full committee does all the work.

Full committee action on measures is recorded in the 17 calendars as follows:

1. Hearings and dates of hearings—12 calendars (all except House Administration, Post Office and Civil Service, Public Works, Science and Astronautics, and Veterans Affairs).

2. Hearings were in open or executive session—7 calendars (Agriculture, Foreign Affairs, Interior and Insular Affairs, Merchant Marine and Fisheries, Post Office and Civil Service, Veterans Affairs, and Interstate and Foreign Commerce).

3. Dates of full committee consideration, other than hearings—12 calendars (all except House Administration, Post Office and Civil Service, Public Works, Science and Astronautics, and Veterans Affairs).

4. Date of full committee final action—all calenders.

5. House report number on each measure reported—all calendars.

The Foreign Relations Committee occasionally records the committee vote on reporting a measure.

D. Hearings

Here are summarized the varieties of data about hearings:

1. Subcommittee hearing dates—14 calendars (all except Armed Services, House Administration, and Ways and Means which has no subcommittee).

2. Designation of subcommittee open and executive session hearings—7 calendars (Agriculture, Foreign Affairs, Interior and Insular Affairs, Merchant Marine and Fisheries, Post Office and Civil Service, Veterans Affairs, and Interstate and Foreign Commerce).

3. Notation that hearings were or were not printed—12 calenders (all except Education and Labor, House Administration, Interior and Insular Affairs, Science and Astronautics, and Veterans Affairs).

4. Dates of full committee hearings—12 calendars (all except House Administration, Post Office and Civil Service, Public Works, Science and Astronautics, and Veterans Affairs).

5. Designation of full committee open and executive session hearings—7 calendars (same as 2 above).

6. Number of witnesses at hearings—2 calendars (Merchant Marine and Fisheries, and Ways and Means).

E. Searching Devices

While indirect, the searching devices described under *Measures Received by the Committee* are also useful in finding action data on those measures. Most directly helpful in the House Administrative calendar is the author index which includes an action column. In addition, however, many calendars provide special indexes pointed toward direct access to information about what the committees have done with the measures referred to them.

1. Complete list of bills reported by the committee—10 calendars (Armed Services, Banking and Currency, District of Columbia, Government Operations, Interstate and Foreign Commerce, Post Office and Civil Service, Public Works, Science and Astronautics, Veterans Affairs, and Ways and Means).

2. List of bills reported but not finally acted on—1 calendar (Foreign Affairs).

3. Digest of bills reported but not finally acted on—1 calendar (Banking and Currency).

4. List of bills reported that give committee action in detail—3 calendars (Banking and Currency, Post Office and Civil Service, and Veterans Affairs).

5. Numerical index of the committee's reports to the House—3 calendars (Banking and Currency, Interior and Insular Affairs, and Ways and Means).

6. List of concurrent resolutions approved—1 calendar (Interior and Insular Affairs).

7. Hearings by full committee and each subcommittee that give total committee action in detail—2 calendars (Education and Labor, and Science and Astronautics).

8. List of printed hearings—8 calendars (Agriculture, Armed Services, Banking and Currency, Foreign Affairs, Interior and Insular Affairs, Judiciary, Merchant Marine and Fisheries, and Post Office and Civil Service).

9. List of hearings not printed—1 calendar (Agriculture).

10. List of all hearings—7 calendars (Armed Services, District of Columbia, Government Operations, Merchant Marine and Fisheries, Post Office and Civil Services, Veterans Affairs, and Ways and Means).

11. Senate reports acted on—1 calendar (Ways and Means).

In addition, some committees that handle unique kinds of measures publish special listing for them:

1. Agriculture: watershed projects with hearings held and action taken.

2. Government Operations: hearings and reports on executive reorganization plans.

3. Post Office and Civil Service: list of commemorative stamp bills received, with committee action.

F. Miscellaneous

Four committees assign docket numbers to all measures received: Banking and Currency, Interior and Insular Affairs, Post Office and Civil Service, and Public Works.

Two committees publish rather detailed summaries of all measures they report: Banking and Currency, and Ways and Means.

Two committees supply statistical summaries of action taken: Judiciary, and Veterans Affairs.

G. Format

As with data about measures received, the basic informational format of all calendars is the serial listing of measures, i.e., the "calendar". Each of the 17 committee publications carries an action column of some sort in all of its main calendar listings, but not all committees list the same kind of information in those columns. Moreover, some committees divide their activities reports into more than one column.

The data supplied in these main calendar action columns include:

1. Reference to subcommittees—13 calendars (all except House Administration, Public Works, Veterans Affairs, and Ways and Means which has no subcommittees). Interstate and Foreign Commerce indicates reference to subcommittee but not the subcommittee name or number.

2. Subcommittee hearing dates—13 calendars (all except Armed Services, Education and Labor, House Administration, and Ways and Means).

3. Subcommittee action and dates—12 calendars (all except Education and Labor, House Administration, Interstate and Foreign Commerce, Veterans Affairs, and Ways and Means).

4. Indication that hearings were open or executive—6 calendars (Agriculture, Foreign Affairs, Interior and Insular Affairs, Merchant Marine and Fisheries, Post Office and Civil Service, and Veterans Affairs).

5. Indication that hearings are printed—11 calendars (all except Banking and Currency, Education and Labor, House Administration, Interior and Insular Affairs, Science and Astronautics, and Veterans Affairs).

6. Dates of full committee consideration—10 calendars (all except Armed Services, Education and Labor, House Administration, Public Works, Post Office and Civil Service, Science and Astronautics, and Veterans Affairs).

7. Dates of full committee final action—16 calendars (all except Education and Labor).

8. House report numbers on measures reported—15 calendars (all except Education and Labor, and House Administration).

Thus, three committees provide complete action information in their main calendars (Agriculture, Foreign Affairs, and Merchant Marine and Fisheries); eight supply almost complete information; four give a little more than the most essential information (Armed Services, Public Works, Science and Astronautics, and Veterans Affairs); and two give only the most basic data (House Administration, and Education and Labor).

Two committees provide a separate column for agency report information: Public Works, and Veterans Affairs. Veterans Affairs supplies the same information in column form in its table of measures reported. The remaining 13 committees give agency report data in the action columns of their main calendar lists.

Some of the committees that omit information from their main calendar lists supply them in other formats. A few that carry complete or relatively complete data in their main calendars also reproduce or supplement it in more compact tables.

For example, eight committees publish separate calendar lists under the names of their standing subcommittees: Agriculture, Armed Services, District of Columbia, Education and Labor, House Administration, Interstate and Foreign Commerce, Judiciary, and Science and Astronautics. However, not all give the same kind or amount of information:

1. All 8 give measure numbers.

2. Three give sponsor names: District of Columbia, Education and Labor, and House Administration.

3. Four always give a brief title or subject: District of Columbia, Education and Labor, Interstate and Foreign Commerce, and Judiciary.

4. One always gives a complete title: House Administration.

5. One sometimes gives a brief title, at other times nothing: Science and Astronautics.

6. Three give dates of hearings: Education and Labor, Interstate and Foreign Commerce, and Science and Astronautics. (Education thereby fills the lack in its main calendars.)

7. Two indicate subcommittee meeting dates without specifying that these are dates of hearings: Armed Services, and Education and Labor. (Armed Services thereby partially makes up for omission of such data in its main calendars.)

8. One notes whether hearings were printed: Interstate and Foreign Commerce.

9. Three give date of subcommittee report to full committee: Agriculture, Education and Labor, and House Administration.

10. Two give dates the full committee met on the measure: Armed Services, and Science and Astronautics.

11. Two give date of full committee action and the nature of that action: Education and Labor, and House Administration.

12. Two indicate the number of the House report on the measure: Education and Labor, and House Administration.

The subcommittee calendars published by Education and Labor are limited to those measures upon which hearings have been held, but supply complete information on these. The calendars of Judiciary list only measures pending. Agriculture and the District of Columbia give no more than identifications of the measures referred.

Five calendars give substantial action information: Armed Services, Education and Labor, House Administration, Interstate and Foreign Commerce, and Science and Astronautics.

In addition, two provide separate lists for full committee activities: Education and Labor, and Interstate and Foreign Commerce.

In the calendar of the Committee on Interstate and Foreign Commerce, one cannot tell to which subcommittee a measure has been referred unless that subcommittee has held hearings on the measure.

Seven committees provide a general list of hearings: Armed Services, District of Columbia, Government Operations, Merchant Marine and Fisheries, Post Office and Civil Service, Veterans Affairs, and Ways and Means.

Merchant Marine and Fisheries publishes a list of all meetings of the committee, a list of all open hearings, a list of all executive hearings, and a list of all hearings printed.

The Armed Services Committee calendar contains a Miscellaneous Table in which hearing dates are given, without bill designation but with subject matter, and an indication that the hearings were printed.

V. Subsequent legislative history of reported measures

For each measure it reports to the House of Representatives, every committee supplies basic information about its subsequent fate in the legislative process. Many go much further, recording in voluminous detail every significant step toward enactment. Others provide lesser but nevertheless quite full detail; a few report only the highlights.

Subsequent legislative history is here grouped under the headings of five chonological stages in the legislative process: action on a rule to bring the measure to the House floor, House consideration, Senate consideration, conference procedure, and final enactment.

A. Obtaining a Rule

For most important but non-privileged legislation, the usual route to House floor consideration is through a "rule" (actually, a resolution) reported by the Committee on Rules and adopted by the House. Nine calendars contain some account of the steps in this procedure: Agriculture, Banking and Currency, Education and Labor, Foreign Affairs, Interior and Insular Affairs, Judiciary, Post Office and Civil Service, Veterans Affairs, and Ways and Means.

Of the committees that make no mention of rules procedure, some, like the District of Columbia and House Administration, ordinarily do not need to employ it for their measures by virtue of special privileges. Others may use consent calendar, private calendar, and/or suspension of the rules procedure for the bulk of their jurisdiction, or their measures may have some specially privileged access to the floor. Thus, the absence of rules data in eight calendars does not necessarily indicate a deliberate omission.

The most comprehensive coverage of rules resolutions is presented by the Agriculture, Banking and Currency, Education and Labor, and Judiciary calendars.

1. Some indication of action on a rule—9 calendars.

2. Nature of the rule—6 calendars (Agriculture, Banking and Currency, Education and Labor, Post Office and Civil Service, Veterans Affairs, and Ways and Means).

3. Resolution number of the rule—8 calendars (Agriculture, Banking and Currency, Education and Labor, Foreign Affairs, Interior and Insular Affairs, Judiciary, Post Office and Civil Service, and Ways and Means).

4. Report number on the rules resolution—7 calendars (Agriculture, Banking and Currency, Education and Labor, Foreign Affairs, Interior and Insular Affairs, Judiciary, and Post Office and Civil Service).

5. Date of House action on the rule—8 calendars (Agriculture, Banking and Currency, Education and Labor, Foreign Affairs, Interior and Insular Affairs, Judiciary, Post Office and Civil Service, and Ways and Means).

6. Rollcall vote on the rule, if any—5 calendars (Agriculture, Banking and Currency, Foreign Affairs, Judiciary, and Ways and Means). The lack of this information in some calendars may be due to the absence of such rollcalls; most rules are adopted without a record vote.

B. House Consideration

Every calendar gives some account of House floor action on measures reported. Banking and Currency, Foreign Affairs, and Science and Astronautics go into considerable detail. Banking and Science also supply page citations to the *Congressional Record*.

1. House action dates and nature of final action—all calendars.

2. House rollcall votes, or other kind of vote, on final passage—12 calendars (all except Government Operations, House Administration, Merchant Marine and Fisheries, Public Works, and Veterans Affairs).

3. Mention of House amendments to the measure—11 calendars (all except Foreign Affairs, Government Operations, Merchant Marine and Fisheries, Post Office and Civil Service, Public Works, and Veterans Affairs).

C. Senate Consideration

Every calendar records the date of final action in the Senate on their measures.

In addition:

1. Nine calendars usually report the date a measure was referred to a Senate Committee and often the name of that committee: Agriculture, Armed Services, Banking and Currency, District of Columbia, Education and Labor, Foreign Affairs, Government Operations, Judiciary, and Veterans Affairs.

2. Fifteen calendars give the Senate committee report number and its date—all except Interstate and Foreign Commerce, and Science and Astronautics.

3. Seven calendars publish the Senate vote, if any: Agriculture, Banking and Currency, District of Columbia, Foreign Affairs, Judiciary, Post Office and Civil Service, and Ways and Means.

D. Conference Procedure

All but two committees reported the most essential information about the conferences on their measures, if any. The two exceptions were Government Operations and House Administration, whose jurisdictions entail such procedure much less frequently than do those of other committees.

The greatest amount of detail on conferences was supplied by Foreign Affairs and Interior and Insular Affairs, with eight others not far behind: Agriculture, Armed Services, Banking and Currency, Education and Labor, Judiciary, Science and Astronautics, Veterans Affairs, and Ways and Means.

1. Date of request for conference—13 calendars (all except Agriculture, District of Columbia, Government Operations, and House Administration).

2. Date House conferees were appointed—14 calendars (all except Government Operations, House Administration, and Public Works).

3. Names of House and Senate Conferees—9 calendars (Agriculture, Banking and Currency, Foreign Affairs, Interior and Insular Affairs, Judiciary, Merchant Marine and Fisheries, Science and Astronautics, Veterans Affairs, and Ways and Means).

4. Date Senate conferees were appointed—13 calendars (all except District of Columbia, Government Operations, House Administration, and Public Works).

5. Conference meeting dates—7 calendars (Agriculture, Armed Services, District of Columbia, Education and Labor, Foreign Affairs, Interior and Insular Affairs, and Science and Astronautics).

6. Date of conference agreement or disagreement—15 calendars (all except Government Operations, and House Administration).

7. House conference report number—15 calendars (all except Government Operations and House Administration).

8. Date of House action on conference report (or on acceptance of the Senate version)—15 calendars (all except Government Operations and House Administration).

9. Nature of House action on conference report (or on acceptance of the Senate version)—13 calendars (all except Government Operations, House Administration, Public Works, and Science and Astronautics).

10. House vote on the conference report, if any—8 calendars (Agriculture, Banking and Currency, Education and Labor, Foreign Affairs, Interior and Insular Affairs, Judiciary, Post Office and Civil Service, and Ways and Means).

11. Date and nature of Senate action on the conference report—13 calendars (all except Government Operations, House Administration, Judiciary, and Merchant Marine and Fisheries).

E. Final Approval

Every calendar records the public law number of each of its measures that receive final approval, and the date of that approval.

F. Formats

The committee employ three basic formats in which they report data on subsequent legislative histories: the action columns of the main calendar lists of bills and resolutions received (15 calendars); the subcommittee lists of measures referred to them (2 calendars); and lists giving the status of measures reported by the committees (10 calendars). Every committee uses at least one of these and several use two.

In addition, every committee provides one or more supplementary lists and tables of one kind or another.

1. Fifteen calendars record subsequent legislative history in their main calendar lists. Eleven provide quite extensive data there.

2. Six use only the main calendar lists: Agriculture, District of Columbia, Interior and Insular Affairs, Interstate and Foreign Commerce, Judiciary, and Merchant Marine and Fisheries. All of these also publish one or more supplementary tables.

3. Eight committees provide the data in their main calendars, and then either recapitulate or summarize it in the more compact form of a listing of the status of bills and resolutions reported: Armed Services, Banking and Currency, Foreign Affairs, Government Operations, Post Office and Civil Service, Public Works, Science and Astronautics, and Ways and Means. The Foreign Affairs status list deals only with measures not yet finally acted upon.

4. Education and Labor records subsequent legislative history in its subcommittee calendars, recapitulates in a status list, and provides one supplementary table

5. House Administration records the information in its main calendars and its subcommittee calendars, and in one supplementary table.

6. Veterans Affairs gives the data only in a status list, but also provides a public law list.

The supplementary tables are of a varied nature:

1. Seven committees print public law lists

arranged by public law number: Agriculture, Armed Services, Banking and Currency, Foreign Affairs, Interior and Insular Affairs, Judiciary, and Ways and Means.

2. Four committees provide public law lists arranged by bill and resolution number: Interstate and Foreign Commerce, Merchant Marine and Fisheries, Post Office and Civil Service, and Veterans Affairs.

3. Private law lists—3 calendars (Armed Services, Interior and Insular Affairs, and Merchant Marine and Fisheries).

4. Numerical index of conference reports—2 calendars (Interior and Insular Affairs, and Ways and Means).

5. Numerical index of House reports—3 calendars (Banking and Currency, Interior and Insular Affairs, and Ways and Means).

6. Judiciary publishes a list of House-passed measures pending in the Senate.

7. Foreign Affairs prints a list of measures reported but not finally acted upon.

8. Ways and Means provides a numerical index of Senate reports on its measures.

9. House Administration prints a list of funds authorized for House committees.

10. District of Columbia supplies a list of bills in conference.

VI. The committee as an organization

Legislative calendars today are more than merely a record of measures referred to and acted upon by committees, or even of the subsequent legislative histories of those measures. They contain, in addition, information about the committee as an operating and institutionalized group: its full membership roster, subcommittee rosters, staff, jurisdiction, and rules.

Twelve categories of data appear in the calendars, but no single committee presents all of them. The most nearly comprehensive are the calendars of Armed Services, District of Columbia, Government Operations, and Post Office and Civil Service.

1. Full committee roster, by party and seniority—all calendars.

2. Subcommittee rosters—all calendars except Ways and Means, which has no subcommittees.

3. Rosters of conference committees in which the committee is currently participating—1 calendar (Foreign Affairs).

4. List of some or all professional committee staff—12 calendars (all except District of Columbia, Education and Labor, Interior and Insular Affairs, Science and Astronautics, and Veterans Affairs).

5. Subcommittee staff—4 calendars (Armed Services, Foreign Affairs, Public Works, and Science and Astronautics).

6. Committee jurisdiction according to House Rule XI—12 calendars (all except Agriculture, Foreign Affairs, Interstate and Foreign Commerce, Judiciary, and Veterans Affairs).

7. Additional elaboration of committee jurisdiction—7 calendars (Armed Services, Banking and Currency, District of Columbia, Education and Labor, Government Operations, Interstate and Foreign Commerce, and Science and Astronautics).

8. The committee's rules of procedure—7 calendars (Armed Services, Banking and Currency, District of Columbia, Government Operations, Post Office and Civil Service, Public Works, and Science and Astronautics).

9. Reprint of some House rules on committee procedure—5 calendars (District of Columbia, Education and Labor, Government Operations, Post Office and Civil Service, and Public Works).

10. Brief history of the committee—5 calendars (Armed Services, District of Columbia, Education and Labor, Government Operations, and Ways and Means).

11. Information about extra funds authorized to the committee—4 calendars (Agriculture, Armed Services, Interior and Insular Affairs, and Post Office and Civil Service).

12. Regular committee meeting days—9 calendars (Agriculture, Armed Services, Banking and Currency, District of Columbia, Government Operations, House Administration, Interior and Insular Affairs, Merchant Marine and Fisheries, and Post Office and Civil Service).

Two committees publish information unique to their activities:

1. Merchant Marine and Fisheries lists the rosters of its Boards of Visitors.

2. House Administration lists its membership rosters on joint committees.

Finally, Foreign Affairs gives the date each of its members was appointed to the committee.

VII. Miscellaneous information

A. About Other Committee Activities

1. List of miscellaneous committee publications—10 calendars (Armed Services, Education and Labor, Foreign Affairs, Government Operations, Judiciary Merchant Marine and Fisheries, Post Office and Civil Service, Public Works, Science and Astronautics, and Ways and Means).

2. List of committee prints—5 calendars (Banking and Currency, Education and Labor, Interior and Insular Affairs, Merchant Marine and Fisheries, and Post Office and Civil Service).

3. List of special reports and documents—2 calendars (Judiciary, and Merchant Marine and Fisheries).

4. List of investigative reports—2 calendars (Government Operations, and Post Office and Civil Service).

5. Lists of committee meetings other than hearings—2 calendars (Interior and Insular Affairs, and Veterans' Affairs).

6. Lists of special reports or publications issued—3 calendars (Agriculture, Armed Services, and Foreign Affairs).

7. List of legislative histories published—1 calendar (Ways and Means).

B. About Other Matters of Interest to the Committee

1. Two calendars provide descriptions of measures in other committees of interest to their own members: Merchant Marine and Fisheries, and Ways and Means.

2. Two calendars include lists of laws enacted in the current Congress of interest to the committee: Agriculture, and Merchant Marine and Fisheries.

3. Two calendars list executive messages of interest to their committees: Agriculture, and Ways and Means.

4. Two committees print the rosters of the full committee of the Senate with parallel jurisdiction to their own and also of the Senate subcommittees: District of Columbia, and Interior and Insular Affairs. The District of Columbia calendar provides the names of Senate committee staff, as well.

5. The District of Columbia calendar includes a piece on the origin and form of the government of the District.

6. House Administration prints a table of funds the committee has authorized for studies by other committees and a table of miscellaneous authorizations from the House contingent fund.

7. Science and Astronautics carries a list of amendments enacted to the National Aeronautics and Space Act of 1958.

VIII. Additional format and miscellaneous considerations

All calendars but one are printed on pages 11½ inches by 9 inches. Banking and Currency is published in a smaller format, 11 inches by 7½ inches.

The number of pages in each calendar varies according to the committee's workload, the amount of information it chooses to provide, and the length of the Congress to date. As of mid-1968:

1. The average number of pages per calendar was 297.

2. Eleven of the 17 had 300 pages or fewer, and six had more than 300.

3. Ten of the 17 had between 145 and 300 pages.

4. Ways and Means had the thickest calendar (780 pages), Judiciary the next thickest (640 pages).

5. Science and Astronautics had the thinnest publication (67 pages), District of Columbia the next thinnest (145 pages).

Surprisingly, only 14 of the 17 calendars provide a table of contents. The three that do not are Armed Services, Science and Astronautics, and Veterans Affairs. In two tables of contents there appears an alphabetically arranged list of the main subject headings in the subject index: Interstate and Foreign Commerce, and Post Office and Civil Service.

Every committee but one numbers the successive editions of its calendar. Education and Labor does not.

There is little uniformity among the committees in the frequency and regularity with which they publish their calendars. A telephone survey of committee staff elicited the following information:

1. Nine committees claim they have no regular publishing schedule.

2. Three attempt to publish approximately once a month: Interior and Insular Affairs, Interstate and Foreign Commerce, and Veterans Affairs.

3. District of Columbia tries to publish about once every two months.

4. Education and Labor claims it publishes approximately once every three months.

5. Banking and Currency claims to bring out its calendar about once every four months; Science and Astronautics, three times a year but not necessarily every four months.

6. Ways and Means publishes once every month or two.

The actual average frequency of publication was calculated by comparing the serial number of the latest available calendar and the number of months of this Congress as of publication date. (Education and Labor was excluded because its calendars are not numbered.) The approximate average rates of publication were as follows:

1. Once every one or two months—11 calendars.

2. One per month—2 calendars (Foreign Affairs, and Veterans Affairs).

3. Once every two months—8 calendars (Agriculture, Armed Services, District of Columbia, Interior and Insular Affairs, Interstate and Foreign Commerce, Merchant Marine and Fisheries, Post Office and Civil Service, and Ways and Means).

4. Once every three months—3 calendars (Banking and Currency, Judiciary, and Public Works).

5. Once every four months—three calendars (Government Operations, House Administration, and Science and Astronautics).

IX. Evaluation criteria

How does one go about evaluating committee legislative calendars? The two most reasonable criteria would appear to be comprehensiveness of information and ease in finding that information. But this formulation evades more fundamental questions. What information should they carry, and why? And even more basic, for whom are the calendars intended? Are they meant solely for the use of the committee's members and staff? Are they to be judged according to their usefulness to Members whose measures have been referred to the committee? To Members who have a special interest in such measures? To interested executive agencies? To the press, special interest groups, private individuals, the general public? Are they meant to be records of historical value?

There are no formal rules of the House dealing with committee calendars and no established criteria about their purposes, much less about their proper content, format, or general characteristics. In the absence of such criteria each committee has been free to go its own way, responsive only to its own perceptions—planned, static or changing—

about the purposes its calendars should fulfill. Internal evidence suggests that committees have looked to the House calendars and to those of their sister committees for some specific models of content and format. The presence of strikingly identical tables in several calendars may be coincidental in some cases; in others it surely results from conscious appropriation of what appears to be useful. At any rate, committees have made decisions of that sort not under formal constraints, but rather in response to their own ideas of purposes and usefulness, based upon experience or whim or both.

Despite the absence of these formal constraints, there is a marked similarity in the general shapes of the calendars; the actual content and formats in most calendars and the way in which they are published therefore provides a body of evidence from which one may reasonably infer the audiences to which they are directed and the purposes they are thought to serve.

For the most part, the evidence suggests that committee calendars are intended to serve all of the audiences suggested above, but not all to the same degree. They appear to be primarily designed to inform audiences inside Congress about the status of measures referred to a committee. Usefulness to persons and organizations outside Congress seems to be incidental. Status appears to include not merely mention of the current situation of a measure but also how it got there. At the same time, the committee calendar serves to present in a single place the complete legislative history of all measures of a similar nature, a compilation that does not exist in such detail in any other source.

A brief word about uniformity. Uniformity for its own sake serves no useful purpose and may actually inhibit committees with unique problems that demand unique presentations. Reasonable uniformity, on the other hand, makes for ease in finding information. Moreover, uniformity may become necessary when and if committees choose to take advantage of computerized production.

X. Suggested improvements

A. Features of Some Calendars That Should Be Adopted by All

1. Every calendar should provide a table of contents. This is the most elementary kind of finding device and easily compiled.
2. Every calendar should attempt to provide complete legislative histories in at least two forms: in the action columns of its main calendars, and in a shorter, more compact list of measures reported.
3. Every calendar should provide a list of printed hearings. This is a vital source of information for Members of Congress. The calendars too often make it difficult or impossible to discover whether published hearings are available.
4. Every calendar should provide as detailed a subject index as is practicable. The depth of indexing will necessarily vary according to the complexity of each committee's jurisdiction, but within that limitation indexes should be complete and thorough.
5. Committees should consider following the example of Banking and Currency and Ways and Means in publishing extended summaries of measures they report.

B. New Features

1. More frequent and regular publication: the more frequently a calendar appears, the more current will be its information and the more useful it will be to all concerned.
2. A schedule of upcoming hearings: Such a schedule would be of particular interest to all who are concerned with the subject matter. The more frequently a calendar appears, the more useful the schedule.
3. Oversight information: Every committee is enjoined by the Legislative Reorganization Act of 1946 to maintain a continuing surveillance of agencies under its jurisdiction. In line with this injunction, committees might present a list of such agencies, a list of the programs under their jurisdictions, a list of important statutes they have produced, and a summary of oversight investigations and activities in the current Congress.
4. Expiring legislation: Almost every committee is responsible for regularly required legislation. A list of these items, and when they are due to expire, and which have already been extended would give all Members some idea of the matters they will have to consider.
5. A listing of minority staff, if any: This would be particularly useful to minority Members.

C. Computerization

At least one committee of the House is considering producing its calendar with the aid of automatic data processing techniques and machinery. Production of calendars in this fashion is now technically feasible and offers several attractions, principally decrease in production time, greater ease in producing calendars more frequently, and the almost instant ability to print out selected portions of the calendar upon request. Moreover, computers are now capable of producing detailed indexes of various kinds.

THE WAY TO VICTORY IN VIETNAM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, October 8, 1968

Mr. THURMOND. Mr. President, the editor of the Columbia, S.C., Record has made a valid case of the fallacy of Mr. Humphrey's dependence of expecting cooperation of Ho Chi Minh to end the war in Vietnam. Since when can we expect cooperation from Ho Chi Minh?

The Democratic presidential aspirant would stop the bombing if Ho Chi Minh would cooperate and agree to reestablish the demilitarized zone—DMZ. This is wishful thinking. Why would this Communist aggressor agree to this when the U.S. policy already prevents our forces from crossing the DMZ?

Mr. President, in my judgment the editor of the Columbia Record has added another chapter to show the tragic fallacy of supporting the "no-win" policy in Vietnam.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

No Substitute for Victory

Like most other politicians who have made proposals for peace in Vietnam, Hubert Humphrey depends on the cooperation of North Vietnam's government.

He said he would stop the bombing of North Vietnam "as an acceptable risk for peace" if the Communists gave direct or indirect evidence, by deed or word, of their "willingness to restore the demilitarized zone between North and South Vietnam."

Why should Ho Chi Minh want to restore the DMZ as a no-man's-land barrier between the two countries? As far as North Vietnam is concerned, the zone is already a dependable defensive line where policy prevents the South Vietnamese and Americans from crossing.

North Vietnam shows no interest in ending the war except on its own terms, which include the total takeover of South Vietnam and the expulsion of all Americans and other foreign co-defenders.

The North's heartland is free from exposure to attacks because of executive action by President Johnson that limits American bombing to the panhandle that borders the South.

As long as North Vietnam remains in the war it can count on almost unlimited aid from the Soviet Union and Red China, whose ships and trains have unhampered access for delivery.

While American ground forces can harass the invasion routes through the DMZ, the North Vietnamese can still use the "neutral" territories of Laos and Cambodia for troop columns, supply shipments and hit-and-run sanctuaries.

The only present military strategy to end the war is to make it so expensive for the Communists that they will agree to a negotiated settlement. There is little hope for this eventuality, for the Reds have the initiative and can decide just how much they are willing to spend to conquer the South.

In the meantime, North Vietnam enjoys the prestige of humbling the greatest nation in the world, of frustrating America's vaunted military strength, of having the Americans begging for terms.

This pleases the Soviet Union, for it ties down the major portion of the United States military strength, weakens her ability to meet commitments elsewhere, and opens the door to Russian imperialist maneuvers in East Europe, the Middle East, the Mediterranean, East Africa, Latin America and elsewhere around the world.

Of course, there is a way for the U.S., the South Vietnamese and their allies to end the war. They could invade the North, cut port and rail sources of supplies and attack the vulnerable economy of the country. The United States is capable of bringing the war to an early end militarily, but nobody mentions, much less considers, the obvious method because of fear that it would provoke the Red Chinese and the Russians. So we withhold the only weapon that the Communists respect: overwhelming power.

Neither Johnson nor Humphrey nor any other candidate or official of the U.S. government has come forward with an effective substitute.

NORTH AMERICAN-ROCKWELL BRONCO

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. DEVINE. Mr. Speaker, it is gratifying to note the Marine Corps and Air Force have a newly developed aircraft which is performing well in Vietnam combat operations. I refer to the North American-Rockwell Corp.'s OV-10A Bronco, used as an armed reconnaissance aircraft by the Marine Corps in the difficult DMZ area, and for forward air control operations by the Air Force. Significant is the fact the OV-10A is doing these jobs well in the face of heavy enemy ground fire, and the airplane and crews are surviving. Both services have flown a total of more than 3,500 combat hours in the OV-10A Bronco since the first contingent of aircraft arrived in Vietnam early in July.

The rugged OV-10A is manufactured to military specifications by the Columbus, Ohio, Division of North American-Rockwell. I note in the Air Force Bien Hoa Newsletter that this aircraft has been most successful in directing air strikes. This article quotes one of the OV–10A pilots as saying:

> I was really impressed with the OV–10. It's visibility is good, it's highly maneuverable, it can get into and out of the target area fast and it can identify targets from a much higher altitude letting you catch the enemy more by surprise. The biggest advantage of the OV–10 over other FAC aircraft presently in use is its reaction and response time. We can get to the target faster when the ground forces need us, and this saves lives.

It was reported to me the maintenance of the OV–10A brings a gleam to the eyes of the crew chiefs with its very low maintenance man-hours per flight hour, drawing much favorable comment from commanders regarding its availability for continued missions. Commenting on the plane's low-maintenance requirements, one commander declared:

> If we have no more problems with the rest of the OV–10A's than with these first ones, we will have a real gem in operation. It is real nice to have an airplane in my squadron that we don't have to constantly tinker with to keep it flying.

I have read other comments from our combat pilots as "This airplane is a cut above any airplane in which I have flown." "The Bronco has increased the flexibility of our operations because of our ability to get from one place to another rapidly. We can work a much larger area."

I note that two Marine Corps pilots, Capt. E. W. Kimmel and Capt. S. P. Robertson, were the first to log 100 combat flight hours in 1 month in the OV–10A. Operating near the DMZ, they flew 43 and 42 missions respectively to exceed the 100-hour mark during August. During this month, the Marines fired 62,900 rounds of ammunition and 4,932 rockets.

A reporter from the Cleveland, Ohio, Plain Dealer recently visited Bien Hoa Air Force Base, flew in an OV–10A on a combat mission, and wrote the following story:

[From the Cleveland (Ohio) Plain Dealer, Oct. 2, 1968]

OHIO-BUILT AIRCRAFT WINS PRAISE IN VIET

(By Michael D. Roberts)

BIEN HOA.—A new aircraft manufactured in Columbus is making its initial appearance in Vietnam and is being acclaimed and applauded by pilots flying it and those in the sky nearby.

The OV–10, an observation and forward air control plane, is being used by both the Air Force and Marines. The twin-engine aircraft arrived here earlier this summer and has been used on combat missions.

The Air Force version of the OV–10 is still undergoing evaluation at Bien Hoa but is participating in actual operations.

Built by the North American Aviation Corp.'s Columbus division, the plane was designed in 1965 originally as a special counter-insurgency aircraft capable of carrying a wide range of ordnance and operating from makeshift air fields.

It is actually the first airplane designed from scratch for a Vietnam-type conflict to see action here. It is also the first plane designed specifically to perform forward air control duties.

The FAC (forward air control) is a vital part of the air war in Vietnam. No strike mission is allowed to take place without a FAC on target to direct the tactical bombing.

FAC's are needed because of the nature of the war that often puts the enemy in areas where friendly civilians and troops may be living or operating.

The Army and the Air Force have been using O–1's, Cessna Bird Dogs, an aircraft that virtually had to be brought from retirement, along with the newer 0–2.

Both planes are fragile and slow. The speed of the FAC is important when troops are in contact.

"The jets can get to places quick enough but they have to wait for the FAC in some instances," said Lt. Col. Stuart E. Kane, who is leading the 12-man evaluation team for the Air Force OV–10.

"The OV–10 can move in faster and get the job done quicker," he added.

Flying in an OV–10 and then flying a jet strike mission with it as a FAC bears out the effectiveness of the new aircraft.

The visibility from the OV–10, which is nicknamed the Bronco, is 100% better than from any other FAC. It is armed with four machine guns to be used only in emergency. It is capable of carrying bombs and Sidewinder missiles although the Air Force has no plans for such armament at the moment.

It can fly faster than 300 miles an hour, a marked improvement over the O–1's top speed of 90 knots, and can carry five times the number of marking rockets.

The OV–10 will not take the place of the older FAC's, but will rather supplement them. Since TET, the demand for air strikes has increased and with it the need for additional FACs.

The communications system in the OV–10 is remarkable. The FAC pilot can keep in contact with five different parties on the ground and in the air, making for more accuracy and safety in missions.

"The OV–10 is actually a flying communications center," Col. Kane said. "That is one of its most important functions."

Flying a mission with Major Jim Rigney of Birmingham, Ala., in the OV–10 showed the effectiveness of the FAC on target. A landing zone for a helicopter assault was quickly marked by the OV–10 in less than half the time previously required.

The next day a bombing mission with Maj. Mark J. Stubber, of Massillon, O., an A–37 jet pilot who had the OV–10 as FAC, gave an indication what the Ohio-built aircraft means.

When Stubber asked the FAC to re-mark the target after the first pass, a smoke rocket was put down in less than two minutes. The entire mission took only an hour from takeoff to landing. Much of the time saved was because of the OV–10.

"It's a fine airplane," Rigney, Kane and the evaluating team agreed. The six planes at Bien Hoa are undergoing constant evaluation and all the data obtained on their performance is fed into computers.

"Say we have trouble with the brakes," Kane explained. "We will know just how many thousands of times they functioned and at just what landing they failed."

All the Air Force seems interested in the new plane, even the F100 pilots Rigney guided in while preparing the landing zone.

"Hey, Drama FAC, how do you like your new machine?" one pilot called over the radio.

"An outstanding bird," Rigney replied.

"Roger, that."

There is one other thing, from the correspondent's point of view, that makes the OV–10 valuable and even medicinal.

When you fly in these jets and FAC's, and you are not used to it, the seats get awfully hard. Spending four hours over a target because of a slow FAC is like sitting on a brace of Viet Cong punji sticks.

The OV–10 helps reduce this posterior fatigue, too.

Mr. Speaker, I am also including a status report on the Bronco, formerly known as the OV–10–A:

NORTH AMERICAN-ROCKWELL CORP., COLUMBUS DIVISION, OV–10A STATUS REPORT

OV–10 SURVIVABILITY

Field reports from both Air Force and Marine Corps OV–10 combat bases show increasing battle damage incidents. Significant is the fact the aircraft, after taking multiple hits from enemy guns through the 12.7 mm class, are making it home, and the crews surviving. These reports state control cables have been shot out (the OV–10 has dual flight control systems); bullets have penetrated the self-sealing, foam protected fuel tanks; numerous rounds have hit wings, fuselage and control surfaces, and a bullet ricocheted off the bullet resistant windshield of one OV–10. Normally, night crews have the aircraft back in flight status the following day. One Marine Corps pilot flew his OV–10 through several trees, sustaining major damage to one wing and engine, but managed to fly home. The OV–10, built to military specifications, is proving to be a rugged aircraft with a high survivability factor.

AIR FORCE OV–10 COMBAT EVALUATION

The Air Force flew 59 sorties (against 63 scheduled) for 107.6 hours and controlled 21 air strikes during the week ending 22 September. Sortie fill rate was 93.6%, which is good considering the sortie schedule was predicated on the availability of six aircraft and an average of only four was available. As of the above date, 247 combat sorties had been flown for 402.5 hours and 117 air strikes controlled.

Seven turnarounds were made during one day of forward operating location staging. A single crew chief turned the OV–10 around in an average time of 45 minutes, reporting it could have been done faster if required. Flare racks have been received and flares dropped during night operations with no problems reported. The retransmit function of the VHF–FM was successfully demonstrated by linking two ground units which were otherwise unable to make contact.

OV–10A maintenance man-hours per flight hour for the second week of the SEA evaluation was 3.4, which includes all time spent on the operational aircraft. Unscheduled MMH/FH was 0.71.

AIR FORCE OV–10 TRAINING (EGLIN AIR FORCE BASE)

The training squadron had flown 3,055 sorties for 4,152 hours on the 22 aircraft through 28 September. During the week ending on this date, the squadron flew 351.5 hours with an operation availability of 94.4% and a maintenance availability of 90.8%. A total of 255 sorties were scheduled and 238 flown, with eight lost to maintenance.

PROJECT LEAPFROG

The Air Force conducted OV–10A flight tests at Edwards Air Force Base to verify take-off and landing performance data at gross weights between 8500 and 9500 pounds. Using the Navy recommended single engine fly-away speeds, the preliminary Edwards data confirms the contractor data: At 9000 pounds take-off gross weight (light weight OV–10 FAC), the OV–10A clears a 50-foot obstacle in 850 feet on a 59-degree day at sea level, and 1250 feet on a 103-degree day at sea level. Lift-off speed at this weight was 72 knots. If the operational situation dictates, the OV–10 can be flown off as low as 62 knots. At this speed the 50-foot obstacle is cleared in less than 1000 feet on a sea level hot day. This lower lift-off speed does not provide single engine flyaway capability, but the aircraft can be controlled to land straight ahead, or for the pilot to eject, in case of engine loss. If enough altitude had been gained, the aircraft would quickly reach single engine speed in a shallow dive. North American Rockwell is requesting Navy permission to conduct take-off tests at the lower speeds, at no direct cost to the government, to verify controllability and performance positions.

OV–10A DELIVERIES

The September quota of OV–10A deliveries to both the Air Force and Marine Corps was met. Cumulative total now stands at 135 aircraft delivered against 132 scheduled. Deliveries remain three ahead of schedule.

FIRST TO LOG 100 COMBAT HOURS

Two Marine Corps OV–10A pilots, Captain E. W. Kimmel and Captain S. P. Robertson, were the first to log 100 combat flight hours in one month. Operating near the DMZ, they flew 43 and 42 missions respectively to exceed the 100-hour mark during August. Even with adverse weather conditions, the Marine Corps squadron flew 455 combat hours during the first two weeks of September. The Marines fired 62,900 rounds of 7.62 ammunition and 4,932 rockets (HE & WP) in August.

CENTENNIAL JUBILEE CELEBRATION

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, October 8, 1968

Mr. FANNIN. Mr. President, an outstanding ecclesiastical event is taking place in the historic city of Tucson, Ariz. Many Roman Catholic Church officials have come to the city to celebrate the rebuilding of the St. Augustine Cathedral and the 100th anniversary of the founding of the Tucson diocese.

I should like to share with the Senate an outstanding editorial published in the Tucson Daily Citizen of October 3 in honor of this event. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

St. Augustine's First 100 Years

Stilled voices of past ages are blending with vibrant voices of the present in historic St. Augustine Cathedral this evening.

The occasion is the Centennial Jubilee of Ecclesiastical Jurisdiction in the Roman Catholic Diocese of Tucson, which comprises most of Arizona, including Phoenix and Maricopa County.

Dozens of church leaders are in Tucson to take part in the festivities, which include a concelebrated Mass of Thanksgiving and a liturgy of dedication for rebuilt St. Augustine Cathedral. Among the concelebrants will be Archbishop Luigi Raimondi, Pope Paul VI's delegate to the United States.

Never has the Southwest, despite its rich history which has been influenced strongly by the Roman Catholic Church, seen as large or as distinguished a gathering of church leaders.

The diocese is honored by their presence and the city is proud to welcome them.

St. Augustine Cathedral and the Diocese of Tucson are links to a Spanish and Mexican heritage that began in 1539, when Fray Marcos de Niza roamed north from Sonora through what is now Southern Arizona.

Father Eusebio Francisco Kino added to that heritage by bringing the Cross of Christ to the Indians and by founding many missions. His most notable was San Xavier del Bac, started in 1700.

As the Roman church influenced the immigration of Europeans to the Southwest, it was inevitable that in 1868, the Holy See would make the newly completed Church of San Agustin, built that same year on the site of the present Greyhound Bus Terminal, the seat of the new Diocese of Tucson, then comprising all of the Arizona Territory.

Later, the growth of the diocese led to the construction of a cathedral at its present site at 192 S. Stone Avenue. It was completed and dedicated in 1897 as St. Augustine Cathedral.

Today, an almost new St. Augustine's rebuilt under the direction of the diocesan bishop, the Most Rev. Francis J. Green, represents a culmination of that heritage.

Tucson salutes Bishop Green and joins in this prayer for the second hundred years of St. Augustine's and for the Diocese of Tucson:

"May peace be within your walls, prosperity in your buildings."

RICHARD M. NIXON ISSUES STATEMENT ON THE DECLINE OF THE SUPERIORITY OF THE U.S. NAVY

HON. ALEXANDER PIRNIE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. PIRNIE. Mr. Speaker, control of the high seas is as strategically important to the United States as air and missile superiority. Unfortunately, in the last 8 years civilian planners in the Department of Defense have placed so-called cost reduction ahead of the urgent needs of our Navy.

We, on the House Armed Services Committee, have long realized the growing seriousness of the problem and have taken the initiative to help solve it. Specifically, on two occasions, we authorized funds for the construction of nuclear frigates even though the Department of Defense did not request them. Unfortunately, the Department has refused to spend them despite the obvious need for this type of vessel.

On October 2, Richard M. Nixon issued a statement on the decline of U.S. Navy superiority. His thoughtful analysis of the situation reveals his deep concern about this matter and evidences his intention to take decisive action designed to regain for the United States superiority on the high seas. I am sure my colleagues will be interested in the full text of these remarks which follows:

New York, October 4.—Republican Presidential Candidate Richard M. Nixon issued the following statement in Norfolk, Va. Wednesday on the decline of U.S. Navy superiority:

"Americans must come to grips with two critical facts:

"First, the Soviet Union is making a very impressive bid to become the world's number one sea power.

"Second, the United States has not been doing what it should to keep them from overtaking us.

"At the end of President Eisenhower's Administration, our Navy held not only an unquestioned superiority but also the momentum to maintain that superiority. But new civilian leaders of the Defense Department decided we could take a breather from the brisk Eisenhower pace.

"There was an open discounting of the Soviet naval threat. The strategic advantages gained in the 1950's began to melt away. There was an abrupt default on the Eisenhower commitment to a nuclear-powered Navy.

"Over vigorous protests from Congress and the Navy, conventional rather than nuclear power was required for our latest aircraft carrier, the John F. Kennedy.

"Now the carrier has been launched and most naval authorities around the world describe that decision as an irretrievable and major mistake. Just last week, the authoritative London publication, 'Jane's Fighting Ships', again mourned the error

"Congress finally forced the euphoric defense planners to change their plans. But Congress could not stop the departmental dragging of feet. So our first nuclear carrier, the Enterprise, will not get its full complement of nuclear escorts until 1972. The Nimitz, also a programmed nuclear carrier, will not have nuclear escorts until 1976. Two additional nuclear carriers won't have nuclear escorts at all, according to present plans.

"One more example: The freeze on nuclear submarines. This decision cut back new development and set the upper limit of nuclear subs at 69, despite the Navy request for 105. The result has been a widely acknowledged submarine gap vis-a-vis the Soviet Union. Why did it happen? The reply from top-side Defense Department is that the Navy always asks for more than it needs, so its requests must be cut just on principle. I say that's a poor way to provide naval strength for our country.

"In these and other ways our future Navy strength has been compromised. While defense leaders have temporized, the Soviet Union has mounted a major challenge against western seapower. In an important policy change, the USSR undertook a crash program of shipbuilding, and in just about 10 years has created a powerful modern navy. She has mass produced submarines on a wartime schedule, and today has about 380 operational subs as compared to our 150.

"Moreover, her navy is one of the most modern and efficient afloat. Two-thirds of our ships are of World War II vintage and must therefore spend an inordinate amount of time in port for repairs.

"By contrast, Soviet ships are known in world ports as among the most modern and most reliable vessels. New vessels are constantly increasing the size of the Soviet Navy. A good part of our ship building merely replaces old ships which are being retired. In addition, the Soviets have built a merchant marine fleet which threatens to surpass ours in the early 1970's. Their fishing fleet is already the world's largest and most modern. They have also taken the lead in oceanographic research.

"Soviet ships in the Mediterranean have increased from 6 to 46 in a single year. In the Baltic Sea the Soviets have built up a five to one advantage over NATO seapower.

"There is new Soviet activity in the Sea of Japan, where 16 Soviet Vessels suddenly moved into action last winter when the North Koreans seized the Pueblo. With the planned British pull-back East of Suez, the Soviets now threaten to move into the Indian Ocean as well.

"Communist governments in both Hanoi and Havana are kept going in large measure by Soviet shipping and seapower.

"Now, Admiral Gorshkov, the man who has built the new Soviet Navy, boasts that the U.S. will have to admit in time that it no longer has mastery of the seas.

"'Jane's Fighting Ships' now predicts that the fight for the Western Pacific may well be between China and the Soviet Union. The U.S. has underrated Soviet strength, says Jane's, and may be left out entirely 'along the whole Pacific seaboard from Siberia to Sumatra.'

"Have these Developments stirred our civilian defense leaders to action? Not at all. Last summer, the department announced a reduction of the current naval force by removing 50 ships and 100 aircraft from active service. Even though it was agreed to go ahead on the new high speed submarine which had earlier been cancelled, authority has been witheld to proceed with the super-quiet attack submarine, the one the Navy's planners and Admiral Rickover contend is the most important.

"Clearly, we face a troubled future for

our naval strength. Democratic-controlled congressional committees, meeting in closed and open sessions, have explored these developments. They have called for action, and experts have warned repeatedly that America is in danger of falling behind. One democratic senator has complained that we are bogged down; others have attacked their own party's planners. The word has spread throughout the Department of Defense—and reported in a number of publications—that the United States is in great danger of becoming 'second best' on the seas, particularly in submarine power.

"I say that second best isn't good enough. Most assuredly not when the defense of the United States is at stake.

"It is time to put a fresh team in charge—one that is fully alert to the strategic challenge from our adversaries, and fully committed to meeting that challenge.

"My Administration will provide that leadership. It will restore the goal of a Navy second to none."

MAIL CALL VIETNAM—LETTER FROM S. SGT. R. GLENN VENIE, JR., SPOKANE, WASH.

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Tuesday, October 8, 1968

Mr. JACKSON. Mr. President, the Spokane Chamber of Commerce has for some time issued a newsletter, entitled "Mail Call Vietnam," to young men of the Spokane region who are serving with our Armed Forces in Vietnam.

It is a bright, newsy publication with the kind of information our fighting men enjoy reading—lots about sports and local developments.

Howard Watson, manager of the armed services department of the Spokane Chamber of Commerce, recently wrote to me, enclosing a copy of the letter the chamber received from S. Sgt. R. Glenn Venie, Jr., son of Mr. and Mrs. Glenn Venie, Sr., East 13417 15th Avenue, Spokane. Sergeant Venie had been receiving the newsletter since February.

Young Venie, who has since returned home and is now enrolled at Eastern Washington State College, wrote a most inspirational letter. He said that his letter, dated July 14, was written to thank those who supported him in Vietnam and to explain why he was in that battle-torn country.

At a time when a vocal minority of young people can close down a major university or prevent the U.S. Vice President or former Vice President from talking to the American people, it is refreshing to hear from the quiet majority, represented here so eloquently by Sergeant Venie.

I recommend to all Members of Congress—for that matter, to all Americans—the words of this fine young soldier, and ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 14, 1968.

ARMED SERVICES COMMITTEE,
Spokane Chamber of Commerce,
Spokane, Wash.

DEAR SIRS: I feel I must write this letter to thank those who support me and my men in the task now at hand. War has never been easy but neither has freedom nor the prices of freedom been easy. Never has an armed conflict caused so much debate and reaction as this one in Vietnam. For those who say Ho Chi Minh is a Nationalist, I ask that they come and look at the women and children put to death by flame throwers and grenades. The village elders brutally butchered because they would not give the V.C. rice and young men. Look at the terror and death brought upon 2½ million innocent people in Saigon by random rockets. Is this nationalism? Is it the way we gained our freedom from England nearly 200 years ago? It is unfortunate that people have such short memories.

For those who fight our draft and say it is unconstitutional, I ask that they come here. Watch how the Viet Cong draft forced warriors. Watch a man refuse and see his brains blown all over by a .30 caliber bullet. You don't see the many draft dodgers or demonstrations here or in North Vietnam. Life is too precious.

Has our society become so unbalanced that our young people now want something for nothing? Have we now become so content with what we have that we can tell the rest of the world to go to hell? If this is true, then it is just a matter of time until we begin to see at home what 500,000 men have already seen here. Maybe not in my generation or the next, but it will come. I hope to be married some day, and to have a son, but I could never in my heart father a child with that kind of future as a possibility.

Maybe I'm not with the "hip" generation. What's so cool about being dirty and smelling like a pig? I see it every day, by necessity. But I also see men who would give a week's pay to be able to bathe and feel like a human being again.

I am a staff Sgt. in the U.S. Army. I turned 21 three months ago and am now a weapons platoon leader. Right now my company is sitting on a bridge waiting. For what we're not sure—you never are. We expect another offensive on Saigon and this bridge must not fall. If it had fallen during Tet, we would have lost Ton Son Nhut. But our armor crossed this bridge and hit the airstrip just as a breakthrough was imminent. Is it stupid to die for an ugly cement bridge in some far-off land? I don't think so, not when there are lives on the other side of the bridge that are depending on you.

I return home the middle of September and hope to start the winter quarter at Eastern. I'm proud of the job I've done, and that my friends have done. We've given it our best, and can face our country, but most important, ourselves, with that knowledge, and it is important.

I hope this letter has made a little bit of sense. We are winning this war, and it makes me sick to hear that some of our fellow countrymen, even some in Congress, would rather we sell the world down the river than make a sacrifice for what we know is right and just.

Sincerely yours,
S. Sgt. GLENN VENIE, Jr.,
Company A1/27, Infantry.

REPORT TO CONSTITUENTS

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. PELLY. Mr. Speaker, during each session of Congress I report to my constituents on a regular basis through my newsletter.

As the second session of the 90th Congress draws to a close I am ready to make my final report. In this connection, I want to share with my colleagues the contents of this final newsletter:

THE 90TH CONGRESS, SECOND SESSION, PART TWO

Congress was called back into session following the national political conventions to complete work on a few major issues, but the time wasted pointed exactly at what many of us said prior to the August recess; the history of rump sessions shows that little is ever accomplished in the heat of a Presidential campaign.

The work of the past weeks could easily have been finished prior to the August recess had the leadership of the House scheduled it. Instead, Congress was called back and days were wasted in both the House and Senate because there weren't enough Members in town to constitute a quorum.

In total, this post-convention Session should not have been called. The time should have been spent by the Congressmen in their Districts talking to the people they represent about the issues so very vital to their future.

The business in Washington, D.C., means that I will only be home for a few weeks prior to the November General Election, but I intend to meet and talk with as many people as I can during this time.

Early this year I foresaw that this was going to be a lengthy session, so I made it a point to increase the number of short visits in the District during the year to compensate for what proved to be the lack of a lengthy and meaningful stay at the conclusion of the Congressional business.

And, meanwhile, this is my last report to you on the 90th Congress.

EDUCATION

In the field of education, the 90th Congress did much to advance the cause of education, which, to me, is the foundation of progress and the well-being of mankind. My support went to all eleven education measures of a national scope which came before the past session of Congress, and as we face the problems of our urban areas we must realize that basic is the need of adequate schools and recreational facilities as well as good teachers and well-trained supervisors and counsellors. The 90th Congress can point with pride to the advances made in the field of education.

AMERICA'S URBAN CRISIS

The United States is engulfed in an urban crisis. Events in the cities over the past four years have thrust upon our Nation the harsh reality of widespread violence and destruction of a huge intensity. And, this urban crisis is more than civil disorders and unmet social needs—it is a crisis of confidence, of leadership and of human relationships that contributes to a depression of the national spirit. The situation demands a recognition that just as the customary indicators of progress are no longer completely valid, so also the customary responses, whether they be the establishment of one more Federal program, the appointment of another blue-ribbon study commission, or an after-the-riot plea for law and order, are woefully ineffective.

No one can dispute the fact that many costly Federal programs have been enacted to alleviate the growing problems of the nation's urban areas. Since the 1930's, with the birth of the welfare program, project after project has been added, yet we still are faced with the criticality of a basic failure of that system to eliminate the causes of these problems.

The problems of the cities are compounded today by increasing population, deteriorating ghettos and lack of local funds coupled with an unprecedented rush to the city from the rural areas. This has created an almost overbearing need for streets, schools, hospitals and the myriad of city services.

The 90th Congress has responded, and I am pleased that in some instances it has responded in a manner of revenue sharing with local government rather than the long-used and largely incompetent method of handouts. Some of the recently passed legislation in Congress will go a long way in meeting the challenges of the 1970's.

For example, there is the mammoth Housing and Urban Development Act of 1968, a bill I supported in the House. This bill incorporated some of the features of the Home Ownership Foundation Act which I co-sponsored early last year when it was introduced by itself as separate legislation. This is a plan which, basically, makes home ownership available to low-income families by providing assistance payments to reduce interest costs on FHA-insured home mortgages. This measure adopts the principle that the individual is the most important element in a government-person relationship, and it will go a long way in making it possible for many families to get out of the depressed neighborhood in which they presently live by being able to secure a loan not now possible.

The bill goes much further by permitting construction of schools and hospitals in congested areas; it helps to build mass transit systems to and from the cities; it permits demolition of old buildings which are a health hazard; and it eases restrictions on home improvement loans.

Among other bills I have supported are those to ease the urban crisis such as the Clean Air Act; the Food Stamp Act; Economic Opportunity Amendments of 1967; Vocational Rehabilitation; anti-crime measures such as juvenile delinquency bill, Law Enforcement and Criminal Justice Assistance Act, and penalties for inciting riots; also health programs such as bills on mental health, mental retardation, and Partnership for Health.

Above all, let me emphasize I believe the administration of Federal funds, which, of course, really means the administration of your money, can best be handled by the local officials where the local problems exist. To say that funds are best administered by a central source in Washington, D.C., is to say that local officials are incompetent, and while I don't subscribe to such a theory, I am sure that neither do the officials of the courthouses and statehouses of our Nation. In general, I support Federal revenue sharing and so-called block grants without federal control.

DEPARTMENT OF PEACE

It is recognized that there is no easy road to peace and security in the world. The United States Government must re-evaluate the concepts of the true meaning of peace and place them in a positive frame of reference. And, it is for this reason, as well as to take the first step in this direction, that I co-sponsored a bill to establish a Department of Peace, with a Secretary at its head, and a Joint Committee on Peace in the Congress which would make a continuing study on matters relating to peace.

MERCHANT MARINE AND FISHERIES

Over a year ago the House of Representatives voted overwhelmingly in favor of a bill I sponsored to establish an Independent Maritime Administration, but unfortunately the Senate has failed to act on the measure. In the meantime, the United States, faced with the war in Vietnam, is paying millions of dollars to foreign carriers to get supplies to our fighting men because our merchant marine is old and inadequate. Over all, we are abdicating our maritime position to the Soviet Union.

On the subject of fisheries, there are many problems remaining unsolved, such as the serious economic threat caused by imported fish products. Much of our fishing fleet as a result is old and inefficient.

Both of these industries are vital, not just to the Pacific Northwest, but to the entire Nation.

DEACTIVATION OF RESERVISTS

When the USS PUEBLO was seized the President called up more than 17,000 Air Force and Navy Reservists allegedly to meet this new challenge. But, the past few months have shown that many if not most of these men are performing routine duty, they are being used for such things as pitching tents for summer camps, or just sitting about doing nothing. Mail from some constituents has pointed up this situation, but my protest to the Secretary of Defense has failed to bring action to assist those whose lives were so adversely affected. Following my protest, an announcement of token releases of reservists was made, but this certainly does not satisfy the broken faith of the Government with these reservists, with their families, with their employers and with the American people. They should never have been called upon to make such costly personal sacrifices merely to perform routine functions.

CITIZEN SUCCESS STORY: OPERATION CRIME STOP

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, October 8, 1968

Mr. FANNIN. Mr. President, so often letters come to my office in which the writer expresses dismay at his seeming inability to make a definite effort toward solving the difficult problems of our time. Certainly the breakdown in law and order is of paramount concern to the citizens of this Nation at this time.

If I may be permitted, I should like to share with Congress what, to my mind, is an imaginative and far-reaching program in Phoenix, Ariz., called Operation Crime Stop. This program was the outgrowth of a handful of civic-minded citizens who decided that they would do something about the problems of crime in our streets. They formed the Citizens Committee on Respect for Authority. I understand that the committee was organized about 6 months ago, and that the first quarter in which they operated the crime index in Phoenix went down 17 percent as compared to the previous year.

The heart of the operation is a program designed to make citizens alert and able to report crime. The police department in Phoenix reports that during August 1968 there were 39,600 citizen calls, an increase of 8,000 over the previous month. They also credit the Crime Stop operation with the prevention of 74 major crimes simply because citizens participated in calling the new Crime Stop number.

One of the local bakeries has printed a small sticker affixed to each loaf of bread giving the phone number of Crime Stop and the city abounds in window and bumper stickers giving further publicity to this citizen effort.

I ask unanimous consent that the most recent newsletter from the Citizens Committee on Respect for Authority be printed in the RECORD, for I think it gives full and unrehearsed evidence of the spontaneity of this program and the depth and interest of interested and concerned individual citizens.

This is a tangible, workable, citizen-sponsored program Mr. President, that shows Americans can and will respond to the challenge that faces America today.

There being no objection, the newsletter was ordered to be printed in the RECORD, as follows:

CITIZENS COMMITTEE ON RESPECT FOR AUTHORITY: A MESSAGE FROM THE PRESIDENT

It is with a deep sense of gratitude that this Newsletter comes to you. We know that God has truly had His hand in helping our Committee progress so rapidly. As we have endeavored to meet the various needs in the communities, He has shown the way for us to do each job by involving more and more individuals.

For example, I would like to tell you in detail what has transpired during the last week. After a long, hot summer of trying without success to procure a building for the clothing needed to return children to school through the "Stay-in-School" program, we asked for spot radio announcements telling the need for a building. A Mr. Jack Wise of Pacific Western Mortgage Company heard the announcement and arranged with the Good Samaritan Hospital for us to use a building east of the hospital for a "Clothing Bank". Then things began to "pop". O'Malley Lumber Company generously donated lumber for shelves which Mr. Ben Wohlberg built. Pipe was donated for the racks by Jorgenson Steel, thanks to a telephone call from Bill Swanson to Mr. Jorgenson. Lois Banks was able to get six gallons of paint donated from the William Cochran Painting Contractor. Then we were faced with a furniture problem and Marcella Gruening called Mr. Switzer, who arranged for Dixie Wohlberg and her to meet with Walt Switzer and Clifford Carpenter at the Downtown store. The outcome was: contribution of two desks, a full-length mirror, four movable clothing racks and other items of furniture.

The committee has been faced with considerable expense each time we wished to make contact with all members of the committee. Postage is extremely high, as you all know, and we have been reluctant to spend the amounts required for printing until a better way was shown to us for communication. Bert Lough proffered the use of his Rex Rotary for an unlimited time. The machine is being completely rejuvenated and will be available for use of all committee chairmen at the 1139 E. McDowell building. There is room for an office and we are now working on acquiring a telephone. Keys are available from Dixie Wohlberg, Lois Banks, Ann Polunsky, Barbara Cawthorne or me. If you will arrange to have your stencils cut, Lois will run the copies. (275–1283)

Among our list of unsung heroes, besides those mentioned above are: Henry C. Richter, who has gotten paper donated for committee use from Butler Paper Co. and Zellerbach Paper Co. Ned Mullan has allowed us free use of his copy machines and provided postage on numerous occasions. He also provided trucks when needed to transport heavy and bulky items.

We are indeed grateful to all who have helped and those who will come forward in the future. For six months I am sure that those of us who serve on the Board have felt that we were "doing it all alone" and that "no one else cared." Your generosity and interest has proven that we are wrong, and we give you a big vote of thanks!!!!!

ELAINE FRYE,
President, C.C.R.A.

REPORTS FROM THE COMMITTEE CHAIRMEN

We report three meetings since June, one general and two workshop meetings. Project: Questionnaire to all Legislative Candidates . . . planned by special committee appointed by President Elaine Frye. It is expected to be in the mail before Oct. 10th. Other immediate project is to revise the bail bond law. Under study is establishment of permanent Grand Jury and revision of the Juvenile Code with establishment of facilities for mentally disturbed children. The Committee sent questionnaires to 22 Circuit Judges and received 16 replies, most of which were returned in form of letters filled with suggestions and offers of full cooperation. Anyone willing to help with petitions, please call. Phone Chrmn. Nancy Mitchell 959–1025 or drop a card to me at Scottsdale P.O. 3532, Scottsdale.

Freda A. Harmon,
Chairman of Legislative Subcommittee.

The Police Subcommittee is helping the Police Department with an intensified effort to recruit new officers so that police personnel will be brought up to the authorized number. There will be a one-week period during the middle of October when tables will be set up during the evening hours at each of ten different shopping centers around the city. This will be done two or three evenings that week. The tables will be 'manned' by two individuals who will hand out brochures to interested passersby. These brochures will tell the qualifications required for one to become an officer and will also give general information pertaining to salaries, responsibilities, training, and where one may apply.

Needed: Volunteers from Citizens' Committee have promised to "Man" the tables and hand out materials. If you are on the police subcommittee already, consider this as part of your contribtuion in the overall effort and contact Jane Austin, 959–3309 to tell her when you will be available. If you are not on that committee, but would agree to help out, you will be welcome and appreciated. Call Jane!

Bill Swanson,
Chairman, Police Subcommittee.

Needed, more volunteers: We hope to have a booth at the Arizona State Fair this year. It will be our purpose to have applications filled at the booth and hope to have petitions ready for signing on the "Bail Bond Reform." As you remember, these petitions will ask for an amendment to the Arizona Constitution providing that persons who are picked up on a felony charge while already on bail for a felony, will be denied further bail until brought to trial on the first charge. Various other materials will also be available for distribution.—If you would like to work a shift at the fair, Please Do Call Mrs. David Nicol (955–6265), who is scheduling the hours for working in the booth. Men & women both can help. If you have not as yet participated in the committee work, here is a chance to see for yourself how much good is being done. Do get involved! Do care! Do your share!

The Board wishes to express heartfelt gratitude to Ann Polunsky, who successfully got the Stay-in-School program under way. Because the school year has begun and demands are pressing for Ann to substitute teach, she has found it necessary to step down as chairman. It is vital that we have someone who can be reached when needed and we are grateful that Barbara Cawthorne has agreed to undertake the responsibility with the helpful hand of Ann to guide her.

Three sensitivity meetings were held to acquaint the women with each other, a school official and their roles in the program. 23 children have been contacted in South Mountain and Phoenix Union High Schools and are being helped. All have returned to school. A fourth meeting on September 24th will add 15 additional women, who will care for 15 more children.

The "Clothing Bank" is located at 1139 E. McDowell Road. New, or good used clothing suitable for high school students is needed NOW to stock the "bank." Additional furniture will be gratefully accepted, since it is a pretty big, bare room. Window draperies would be a welcome addition. Do Contact Dixie if you can help out on any of the above items. She will see that someone is there when you bring it over.

Barbara Cawthorne,
Chairman Stay-in-School Committee.
Ann Polunsky,
Cochairman.
Dixie Wohberg,
Clothing Chairman.
Joan Newth,
South Mountain Contact.

The Crime Stop Subcommittee exists for the sole purpose of aiding Law Enforcement Agencies in the Implementation of citizens' involvement programs such as "Crime Stop." Mesa's contingent of our committee has been successful in getting a "crime stop" telephone number for their city also. Scottsdale is still working on it, and Phoenix reports a steady decrease in the crime rate since the inception of its "Citizen Alert" and Crime Stop number, 262–6151.

Ken Abrams,
Chairman Crime Stop Committee.

Narcotics Anonymous has been doing a tremendous job in rehabilitation but their program needs immediate financial support to continue with their efforts. It is important that this Citizens' Committee support the efforts of these existing organizations which have been operating successfully. For more information on Narcotics Anonymous contact Dr. William W. Phillips at A.S.U.—961–6333. Make checks payable to Narcotics Anonymous and send to either Dr. Phillips or Al Swart, 1632 E. Harvard, Phoenix, Arizona 85006.

At the present time, we are working with Mr. Allen Cook, Director of the State Department of Corrections in an effort to plan and support the vast program of juvenile correctional facilities which are necessary for our state. You can ask the people running for the Legislature to support Mr. Cook's recommendations for additional facilities and personnel.

We hold with the President's Crime Commission Report that the primary function of the courts is to protect society from malicious action. We also believe, as the report states, that rehabilitation is one of the important ways to protect society. The inadequacy of our present correctional program is evidenced by the huge increase in juvenile crime (72.69% of all felony arrests in 1967 involved juveniles). Since the judges elect the juvenile judge, ask the men running for judicial offices to select a juvenile judge who will be realistic about the correction of juvenile delinquents.

Most important—there are hundreds of young people 8 to 15 years old who need the direction and companionship of a mature adult. Volunteer to be a Big Brother (277–5421) or a Big Sister (945–5121) today. No other involvement will give you so much satisfaction.

Can you give one Thursday morning a year to take four or five boys on a tour of the Arizona State Prison? This tour has proven to put 45% of boys in trouble back on the right road. If interested in participating call Doc Gordon of Hobby Lobby at 937–5807. The 7th Step Foundation takes over the rehabilitation of the remaining 55%. They, too, need drivers Monday evenings. Speakers available. 258–7977.

Ned Mullan,
Chairman, Juvenile Problems Subcommittee.

Letters have been sent to the judges of the courts introducing the "Court Watchers" and explaining our aims which are: 1) to educate the people on our courts' procedures and 2) by our watchful presence, let the judges, county attorneys, public defenders and all public employees know that we are supporting needed improvements in our system of justice. A workshop has been held to inform our volunteers as to court procedures and what to look for when visiting the courts.

The Court Watchers subcommittee functions only when there are volunteers who observe in the courts regularly and who send in their report forms promptly. In time, from tabulated information, we will better be able to see what is happening in our courts. At the present, there are about 80 Court Watchers observing on a regular weekly schedule. We need many more volunteers so that all the courts can be scheduled for regular visits.

Mrs. Dale Trostle,
Chairman Court Watchers Subcommittee.
Mrs. Clyde P. Minard,
Cochairman.
Mrs. B. F. O'Connell,
Telephone Chairman.
Mrs. Robert Haefner.

First meeting of the Scottsdale Citizens Committee will be the end of October. If you know someone who wants to get "involved" call Mrs. Pat Matheisen, 947–2834.

THOUGHT FOR THE DAY

Have you been "one of those" who has made the statement: "I signed up to work on that committee, but I am not doing anything! Nobody ever called me!" Did it ever occur to you that a chairman has tried to reach you, could not, and went on down to the next name on the list? This might have happened numerous times. Our chairmen are all busy people and find it difficult to keep trying over and over to reach one individual. Why not call the chairman of a committee in which you are interested and volunteer, instead of pouting "'cuz you weren't called"? Let's get in there and work! Pick a number from this Newsletter to call.

PRAISE FOR THE POLICE OF METROPOLITAN NASHVILLE-DAVIDSON COUNTY

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. FULTON of Tennessee. Mr. Speaker, among the most praiseworthy of the unsung participants in this year's national political campaign are the local police officers who provide 90 percent of the security for the traveling candidates.

In the past week, the officers of the Metropolitan Nashville-Davidson County, Tenn., police have twice been called upon to undertake this demanding task in behalf of Vice President Humphrey and Senator Muskie. On both occasions they carried out their jobs with the quiet effectiveness that is the hallmark of an outstanding police force.

The task facing our metro police in connection with the Vice President's visit was formidable because of the extent of Mr. Humphrey's itinerary while in Nashville which took him to many parts of Davidson County.

Nonetheless, the metro police, through coordination with the Tennessee Highway Patrol and Federal security officials, handled the entire task without incident and with high efficiency.

More than 125 metro policemen were involved in the security activities which took many hours of careful planning. Many of those officers who participated did so on their own time, giving up their days off. Their duties included the handling of traffic, the security of locations where the candidates would visit, and the routes over which they would pass as well as coordinating with the metropolitan fire department to insure fire safety at all locations.

In the execution of these major duties as well as the carrying out of hundreds of other tasks related to this type of security mission, the men of the Metropolitan Nashville-Davidson County Police Force have done an outstanding job and are to be highly commended.

THE 1968 AMENDMENTS TO THE OLDER AMERICANS ACT

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. BOLAND. Mr. Speaker, the legislation we are considering today is of great consequence to millions of older Americans. Three years ago the enactment of the original Older Americans Act was hailed as the start of a new day for all our older citizens; and the intervening years have proven the truth of this statement. It is incumbent upon us, as Members of Congress, to insure that the good beginning already under way be yet further strengthened and reinforced. It is for this reason that I strongly urge enactment of H.R. 19747, the 1968 Amendments to the Older Americans Act. The present and future well-being of millions of our older citizens depends upon it.

It is clear that the problems of nearly 20 million older Americans cannot be ignored. The fact that by 1980 there will be 25 million older people can only sharpen the focus of our concern. The problems most of them face are critical and cover a broad spectrum, ranging from income, housing, and health, all the way to the productive use of time. Insofar as these problems are nationwide, Federal responsibility for attempting to solve them is clear and undeniable.

The Older Americans Act of 1965 was an unequivocal declaration of the Nation's concern for its older citizens. Title I set forth 10 objectives for older Americans, with responsibility for achieving them to be shared jointly by Federal, State, and local governments. Title II established the Administration on Aging within the Department of Health, Education, and Welfare, creating a central facility in the Federal Government which could concentrate upon the needs of the elderly. Title III authorized grants to the States to stimulate and assist communities to establish new programs for older people and to expand ones already in existence; while title IV authorized funds for studying and developing new approaches for solving the problems of the elderly. Title V authorized appropriations for the specialized training of persons to help carry out programs for older people; and title VI established an Advisory Committee on Older Americans.

The funds appropriated under this act have been modest, but the results have been far reaching. Under title III, for instance, as of July 1, 1968, a total of $21,022,000 has been appropriated. To date, the plans of 49 States have been approved, and over 900 State-approved community programs have been initiated, directly affecting the lives of more than 600,000 older people in a variety of ways.

Under the title IV grant program, 100 grants have been made for research and development of new approaches and programs to meet the needs of older people. To help combat the critical shortage of trained personnel in the field of aging, 50 grants have been made under the title V program. This means that there are now some 3,000 people who have already received the necessary training or who are now enrolled in a training program under title V.

In addition to its other functions, the Administration on Aging has carried the major responsibility for administering the foster grandparent program, under contract with the Office of Economic Opportunity. The great success of this program has been widely recognized and praised. Initially begun in 22 States, the program has now grown to include some 4,000 foster grandparents in 157 facilities, in 38 States and Puerto Rico.

The Older Americans Act of 1965 has provided a framework within which both energy and creativity have been able to work. It has recognized the responsibility of State and local governments, and it has proved the soundness of the idea that opportunities and services must be offered to people where they live—in their own home communities. Significant beginnings to solving the problems of the elderly have indeed been made, but the time has come when we must act to strengthen and reinforce the Older Americans Act in order to increase its effectiveness. The task of the Congress with regard to this proposed legislation is neither complicated nor difficult: We have only to vote for the 1968 Amendments to the Older Americans Act, as presented in H.R. 19747. Time is of the essence, and we cannot afford to delay, for we are not dealing here with a static situation. On the contrary, with every day that passes, 820 people join the ranks of those aged 65 and over. Clearly then, programs for elderly must expand to meet this challenge.

H.R. 19747 contains provisions which are both necessary and imaginative. The provision to strengthen State agencies on aging, for example, would make possible a much-needed increase in statewide planning, coordination, and evaluation of programs for older people. The importance of this provision is the flexibility it would give State agencies in responding to the crucial needs of older people by concentrating on areawide approaches to their problems. Better coverage over a broad area would insure more readily available services to all older people in a given area.

Equally commendable is the provision that title III grants could be made for a period of 4 years, rather than the present 3-year period. Enactment of this provision would enable States to assure the continuation of proven community projects and services through critical periods, and would also allow additional time for developing any necessary local financial support for community projects.

The provision transferring the funding for the foster grandparent program from the Office of Economic Opportunity to the Department of Health, Education, and Welfare is eminently sensible. The success of the program, as it has been administered by the Administration on Aging, makes it only logical that funding for the program be brought under the same administration.

The provision which would add a new title VI to the Older Americans Act is of particular importance. The new title would be known as "Service roles in retirement," and would provide employment opportunities for people aged 60 and over to render supportive services to children and to older people with exceptional needs.

Examples of services which might be provided under this program are the following:

First. Services to children receiving institutional care.

Second. Services of older people in such capacities as aides or tutors in day care centers in rehabilitation schools for children who are poor.

Third. Services to older persons in need of special, personalized assistance.

Priority would be given to projects involving people of low income who are no longer working. Under provisions of this title, people of low income must constitute at least 75 percent of the participants of any project carried out under this title. This new title would thus combine three key concepts: It would provide gainful employment for those over the age of 60 who need it most; it would provide new opportunities for older people to use their skills and talents in their home communities; and it would also enrich the lives of neglected children and of less fortunate older people.

Mr. Speaker, I feel that enactment of H.R. 19747 is absolutely vital for continuing our efforts to meet the challenges and solve the problems of our older citizens. Enactment of this legislation will accomplish two major objectives: It will provide new ways in which older people may be of service to others; and it will strengthen and increase the ability of State agencies to provide effective programs for all of their older residents.

The Older Americans Act of 1965 established the framework of coming to grips with the problems of our older citizens. It is now up to us to see to it that this framework is strengthened and made even more effective.

HUMPHREYISM NO. 10

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

From a Collection of Representative HENRY C. SCHADEBERG (R. Wis.):

"Viet Nam is our great adventure, and a wonderful one it is." (Remarks, Staff of U.S. Embassy, Saigon (Washington Daily News, Nov. 1, 1967).)

WHO'S RESPONSIBLE FOR LOW FARM INCOME?

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. LATTA. Mr. Speaker, the Democrats have been in control of this Congress continuously since 1954, and they have been in control of the office of President since 1961. The Secretary of Agriculture, Mr. Orville Freeman, a Democrat, has been in office since 1961 and has been charged with the responsibility of presenting and administering farm programs in addition to administering the other affairs of the Department of Agriculture. After all these years, it is now time to take a look at what has been happening to the farmers of America under these Democrat-controlled Congresses and Democrat administrations.

At the outset, Mr. Speaker, let me say there are almost 900,000 fewer farms today than there were in 1960. The loss of these farming operations means the loss of over 4½ million people from rural America. These people did not quit the farm without cause. For the most part, the causes are directly or indirectly related to the actions and programs of Democrat administrations.

This year our farmers have been receiving from 73 to 74 percent of parity—the lowest in 30 years—for what they have been producing. They have been receiving these record low prices at the same time they have been paying more and more for what they purchase. As you may have read, Mr. Speaker, it was just announced that the cost of living in the United States has risen for the 19th consecutive month. This inflation hits our farmers harder than any other group as their income—thanks to administration programs—remains relatively fixed.

Farm prices are now so low that it takes two bushels of corn to purchase a $2 haircut. A farmer must sell almost four bushels of oats to pay for this same haircut. During the last 7 years, the farmer's cost of production has increased 31 percent, and farm debt has increased by 90 percent. The total farm debt in the United States now stands at $49.9 billion, a figure greater than the entire Federal budget in 1951.

In 1967 alone, farmers suffered an 11.5-percent drop in realized net income. Realized farm income declined by $1.9 billion from 1966 to 1967.

According to the President's own Commission, rural poverty now encompasses 14 million Americans; and coming from the administration itself, this must be taken as ample proof of the fact that it has completely and totally failed to maintain any semblance of a fair and reasonable income for the American farmer. To have been so successful in keeping farm income down and farm costs up, the administration must have had to put forth considerable effort. Let me recall some of the efforts, or lack of the same, by this administration which have contributed to the crisis now facing American agriculture:

First. This administration has steadfastly refused to increase the support price of price-supported commodities. Historically, Government price-support programs have fixed the market price of commodities and continue to do so. On July 31, 1968, I offered an amendment to the farm bill on the floor of this House to fix the level of price supports to be made available to wheat and feed grain cooperators at 100 percent of parity. Had I had the support of the Democrat leadership, my amendment would have passed the House; and with Senate and White House approval, farm income would have increased almost immediately. Under my amendment, farmers would have received $2.61 a bushel for wheat, $1.62 for corn, and 89 cents for oats.

Second. Since coming to this Congress, I have pointed out the need for month-to-month programing of Ohio's Soft Red Winter wheat under Public Law 480 to the Department of Agriculture. The administration has—to the detriment of our wheat farmers—failed to so program our wheat. The regular programing of Soft Red Winter wheat under Public Law 480 is essential if our wheat farmers are not to continue to suffer from low market prices at harvesttime.

Third. Under the guise of a phony war on inflation, the Great Society has been waging a campaign to keep farm prices down. For instance, what did the Chairman of the President's Council of Economic Advisers say about reducing corn prices? Here is his exact quote from the NBC "Today" show of March 10, 1966:

> There aren't a great many things we can do. But we're trying to do every one of them that is available. For example, I mentioned the fact that (an) increase in supplies of pork depend on the difference between the price of hogs and the price of corn. The government's acquired large stocks of corn in its past price support operation, now we're releasing them into the market.
>
> We're selling various commodities out of our agricultural stockpiles. We're trying to avoid buying for domestic distribution programs, or overseas aid programs, those commodities that are in short supply on the farm side.
>
> We've persuaded the Defense Department—you know, if their menus say that you can get prunes every 17 days, and prunes are high in price this year, and peaches are lower, well, buy peaches instead of prunes.
>
> This kind of thing can be a little help. And we're trying to use every device we can to take pressure off prices that doesn't need to be there.

What did Secretary Freeman say about anticipated price declines for farm commodities? He was elated. Look at the headline from a New York Times article of April 1, 1966:

> FREEMAN ELATED BY DROP IN FARM PRODUCT PRICES
>
> Secretary of Agriculture Orville L. Freeman expressed pleasure today with the fact that the prices of farm products had dropped recently.
>
> It was the first time in the memory of Federal farm officials that a Secretary of Agriculture indicated that he was pleased with a decrease in farm prices. Like Mr. Freeman, the officials were happy to note that consumers would benefit from lower prices by this summer.
>
> "If the food marketing industry will respond quickly to lower farm prices over the next several months," Mr. Freeman told a news conference, "retail prices also can be lower sooner."
>
> Not only have farm prices fallen since Feb. 15, Mr. Freeman said, but the average prices of all farm products should be 6 to 10 per cent lower in the fourth quarter of the year than they are now.

Fourth. Mr. Speaker, everyone in this House knows that this administration has dumped huge stocks of Commodity Credit grains on the domestic market in order to depress grain and livestock market prices and to force noncooperators into Government programs. This dumping of Government-owned stocks has reduced the income of every midwestern farmer in America. Yet the administration and the Democrat majority on the House Agriculture Committee have resisted every effort to limit the authority of the Secretary of Agriculture to dump grain on the market for price-depressing purposes. It is not any wonder that our midwestern farmers are fearful of the actions of and dissatisfied with the present administration's farm policies.

Fifth. To the detriment of the farmer, this administration has purposely cut back on the purchases of pork and dairy products in the Department of Defense just as prices had started to rise.

Sixth. This administration has brought the farmer lower prices by underestimating the number of cattle in the United States by as many as 4 million head and the number of turkeys by as many as 5 million birds.

Seventh. The exportation of cattle hides from the United States has been restricted by the administration, and prices have suffered accordingly.

Eighth. The importation of meat into this country has increased steadily under this administration. In 1960, the last year of the Eisenhower administration, 451.1 million pounds of meat were imported. In 1965, the first full year of the so-called Meat Import Act of 1964, the United States imported 613.9 million pounds. This year, meat imports will total 990 million pounds. Meat imports for the first 6 months of 1968 were 21 percent higher than for the same period last year.

Ninth. The administration has boosted raw sugar imports at the same time our own farmers were seeking authority to increase domestic beet and cane production. Mr. Speaker, with our critical balance of payments, I cannot understand the administration's thinking when it chooses to send dollars abroad to buy sugar which can be produced at home by our own farmers.

Tenth. The dairy industry has suffered from the lack of forthright and effective administration actions to reduce price-depressing dairy imports.

Eleventh. The Federal Government has purchased foreign food products for our Armed Forces at the same time these commodities were in surplus in the United States.

Twelfth. President Johnson has personally urged housewives to restrict their purchases of certain food items in order to depress prices.

Thirteenth. The administration failed

to protect American agriculture from price-depressing imports generally by failing to exact meaningful agreements at the tariff negotiations at Geneva.

Fourteenth. This administration has permitted the importation of large quantities of vegetable oil from Communist Russia at the same time we had a surplus of soybean oil in this country.

Fifteenth. The administration has sought reductions in the funds for agricultural research programs.

In fact, Mr. Speaker, the agricultural policies and programs of this administration have been such miserable failures that Democrat candidates are counseled not to discuss them. During the 1966 campaign, Democratic congressional candidates attending a Washington briefing by Mr. Freeman were advised to "slip, slide, and duck" questions on administration farm policies.

I could go on and on, Mr. Speaker, reciting actions of this administration which have contributed to low farm income in America. However, Mr. Speaker, this would really not tell the whole story. I think we need to look at some of Mr. Freeman's proposals to understand fully what he really had in mind for the farmer.

Let us go back to the 87th Congress where one of the most revolutionary and radical bills in the history of farm legislation was proposed by Secretary Freeman. He asked the Congress in H.R. 6400 to completely surrender its legislative duties and responsibilities by delegating to the Department of Agriculture the authority to write and enforce complex control and subsidy legislation for every single farm commodity produced in America. Under this bizarre bill, Mr. Freeman could have written a control plan for every one of our 256 commodities; and after doing so, he would have merely needed to send a summary of the basic features of his programs to the Congress. Under the terms of the proposal, the Congress could not have amended them and would have had to "take them or leave them." Unless the Congress acted to reject them within 60 days, his proposals would have automatically become law. After this, there would have been a so-called referendum of farmers, but only after the Secretary had decreed who could vote and what the choices would be in the referendum. Fortunately, the Congress rejected Freeman's proposal.

Later, Mr. Freeman proposed legislation for the three major commodities—corn and feed grains, wheat, and dairy products. The heart and soul of this bill was a strict control plan for dairy, corn, and wheat farmers. Contained in section 440 of this bill was a provision for the imprisonment of dairy producers who did not keep their records and make such reports as Secretary Freeman directed for a period of not more than 1 year and fines up to $2,000 or both. The Congress again wisely rejected this Freeman proposal.

The Democrat-controlled Congress than passed a strict control program for wheat producers, proposed by the Democrat administration, which among other things repealed the 15-acre exemption which had been so important to Ohio's small farmers.

The following spring—1963—wheat farmers across the Nation expressed their displeasure with the Democrat administration's wheat program and soundly defeated it in the largest referendum ever held for a farm program. In fact, Mr. Speaker, the farmers in the Fifth District of Ohio voted 9 to 1 against this plan. Notwithstanding the vote in this referendum which clearly expressed the wishes of the farmers, a Democrat administration and a Democrat-controlled Congress took away the farmers' right to vote and burdened our wheat farmers with the present price-depressing wheat certificate program.

Mr. Speaker, I have attempted to refresh the memory of my colleagues on some of the actions and proposals which have caused the American farmer real concern. Is it any wonder that he is disenchanted with Democratic administrations and Democrat-controlled Congresses? Our Nation's farmers deserve a better break than they have been receiving. It cannot come too soon.

BATTLE IN THE CAUSE OF HUMAN RIGHTS

HON. JOHN YOUNG

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. YOUNG. Mr. Speaker, the GI Forum held its national convention recently in the city of Corpus Christi, Tex. Among the notables who addressed this national organization was the distinguished Vice President of the United States, the Honorable HUBERT H. HUMPHREY. Mr. HUMPHREY delivered the speech in masterful style with great punch and it was well received by the Forum representatives from all over the Nation. While, expectedly, there may be room for something less than complete agreement with all that the Vice President said on this occasion, the speech contained a great deal of well-reasoned, solid substance which should be of interest to this body and the Nation. Under unanimous consent I include it in the RECORD, as follows:

BATTLE IN THE CAUSE OF HUMAN RIGHTS

(Address by Vice President HUBERT H. HUMPHREY before the American GI Forum national convention, Corpus Christi, Tex., August 9, 1968)

My fellow Spanish-speaking Americans, Muy Buenas Noches, Amigos.

This is almost an anniversary for the American GI Forum and myself, because it was about twenty years ago, on a very hot day in Philadelphia, that I stood before the convention of my Party, the Democratic Party, and I asked that Party to take a stand on the question of human rights. I said then what this organization has symbolized ever since. I said: "It is time for this nation to walk out of the shadows of states' rights and into the bright sunshine of human rights." And we did. We made that first step. We opened that door and looked out to a brighter day.

It was in that same year, 1948, that Dr. Hector Garcia was fighting another battle in the cause of human rights. An American soldier, citizen of this land, brave and true to his country, had been killed in action—Felix Longoria—I'm sure you remember him. He had been refused burial in Three Rivers, Texas. And why? Not because he was not a citizen, because he was a citizen. Surely not because he had failed to love his country, for he had given his life for his country. But because of prejudice; because of lack of understanding; and really because of prejudice due to his Mexican American background.

Dr. Garcia fought this unjust action and decision. He made it a national issue. He spoke up not just for a man. He spoke up for a purpose and a principle and he won. He won not only for Felix Longoria, but he won for all Americans. He won for the cause of human decency, and today, the body of Private Longoria rests in Arlington Cemetery, the same place where our beloved President John Kennedy and our good friend Senator Robert Kennedy, are now buried and resting in peace.

It almost seems impossible that such a thing could happen, but it did. But what was more significant was that somebody cared and somebody had the fortitude and courage to speak up and to rally the sense of goodness that is in this country. And you know, I really believe that there is a great deep sense of basic goodness in America. I believe that that sense of goodness can be aroused. And when it is, that the American people will do the right thing, as they did in the instance of the burial of Felix Longoria.

CRUSADE TO SECURE JUSTICE

This struggle to secure simple justice for one Mexican American boy and family helped convince this good friend of mine, Dr. Garcia, to expand his one man crusade—to expand it against intolerance and inequality whereever he found it. He and his followers—and there are thousands of them now—founded the American GI Forum. They founded it, as I recall, right here in Corpus Christi in 1948. And they chose for their inspiration the philosophy of a great Saint, St. Francis of Assisi. You remember what St. Francis said in his immortal prayer: "Where there is Darkness, Light. Where there is Hatred, Love. Where there is Despair, Hope."

Ladies and Gentlemen, that is the purpose of a free people, and that's the purpose of the American GI Forum. That's the purpose of this country: Where there is darkness, let there be light. Where there is hatred, love; and where these is despair, hope.

SPANISH-SPEAKING AMERICANS NEEDED A VOICE!

The early supporters of the GI Forum came from the cotton fields of South Texas, from the sheep and goat raising lands of Southwest Texas, from the oil country around Midland and Odessa, and indeed, from the big cities.

It was a local program and a local operation at first. Then it grew, and it grew rapidly across the entire Southwest. And, as we see here tonight, it has grown all across this vast land of ours. Many states are represented—for the Spanish speaking Americans need a voice! They needed to speak in a concert as one. They needed an organization to help them battle those age-old prejudices and discriminations which had haunted their people and haunted this land. And, today, look at what we have, so you can take heart. Today the GI Forum stands as one of America's great national organizations, together with LULAC, the Community Service Organization, and others like MAPA, a political force out in California, not just striving to secure equality and justice for Spanish-surnamed Americans, but striving to secure equality, liberty and justice for all Americans everywhere throughout this country.

You've done something else. You have not only organized the past resolutions, to get together in your conferences and convention,

but you have organized to make your voices heard in political activity.

A COUNTRY OF REPRESENTATIVE GOVERNMENT

Ladies and Gentlemen, you have organized in a country that has representative government; in a country where it is the rule of law that should control; in a nation that is wedded to the principle of government by the consent of the governed, political life, political activity, political participation, political action is vital! I want to commend these organizations, whatever may be your partisan views, whatever your views on candidates, *for taking a stand, for understanding one thing above all*: that your voices must be heard, not only in your towns, in your villages and in your cities, but your voices must be heard in concert in the Halls of Congress, at the White House, in the Governors offices, and wherever there are public officials. That is what we mean by political activity.

VOICE HAS BEEN HEARD

Your voice has been heard in Washington! You've been at it now for 20 years. It's been heard in the states with large Spanish speaking populations, and it will be heard this Fall, if you want it heard; and it can be heard decisively this Fall when the American people elect a President, elect a Congress, and elect their state and local leaders.

PEACEFUL POLITICAL ACTION IS WAY TO REDRESS GRIEVANCES

I believe that this group, the Spanish-surnamed peoples, the Mexican Americans, can set an example for all minorities—an example of peaceful, effective, active political action. This is the way to get things done, and I believe you can do it.

We have a way in this country to redress our grievances. We do not need to take to the streets. We need to take to the ballot box. That's the way to get it done.

When I think of the fact that there are millions of you—and there are—your voice can be the voice of thunder in the political arena. It will be heard, if you want it. And I really call upon you to mobilize and to organize; to speak up for what you want and what you believe in; and to do it in an active and effective manner. Do it in a manner which will engender the respect, and indeed the praise of the American people, when you do it through political action, rather than through violence; when you do it peacefully, rather than through disorder. Oh, what a good experience and what a good example this could be, at a time when we desperately need it. So, do it!

ACCOMPLISHMENTS ARE PRECEDED BY BREAKTHROUGHS

I'm not going to run down the list of what I think we have been able to accomplish these recent years. I can just tell you one thing, the same as many of your leaders can say tonight—we have accomplished more in the last few years than we have in the preceding twenty-five or fifty.

Ladies and Gentlemen, you know what Democracy is? Democracy is the "starts," the "beginnings." Once you make the beginnings, then you get the achievements. You have to make the breakthroughs. You have to make the starts. You have made some beginnings. You have made some wonderful accomplishments these past several years. Mexican Americans have been appointed to high public offices. They've been elected to office. Many projects have been funded and many injustices have been corrected. We know that more has been done than ever before. But, that isn't enough. We know that even more remains undone. The fact is, that when we're able to do something that helps correct the injustices, it only arouses us to want to do more. You know, when you find that it is impossible to do anything, you lose hope; but when you find that it is possible to do something, you then have hope that you can do everything. And that is the healthy restlessness that I see in the American people.

FERMENT IN AMERICA TODAY

We now know that we can win these old battles against these ancient enemies of man. We now know that we can win the struggle against disease and illiteracy, against fear, discrimination and intolerance. We know we can. We know we can begin to win this war on poverty. And because we know that we can begin to win some victories, we are anxious for a great success. We want to do more than we've ever done before. This is why there is a ferment in America today, not because we're not doing anything. We're restless and we're anxious, and at times we are frustrated because we have been able to do something and we want to do so much more. That's what's happening in our country.

So we have a sense of urgency, and I hope we always will. I don't want this America of ours to become too patient. I don't want us to become timid. I don't want us ever to become self-satisfied. We should never compare ourselves even with others; we must have our own standards.

URGENT TASK OF PEACE IS STOPPING ARMS RACE

The first among all the urgent tasks that confront this nation—and confront everybody—no matter who they are or from whence they come, is this task of peace—a reduction of international tensions which are today drawing far too great a share of the world's resources away from the urgent needs of people—the arms race which consumes our wealth and endangers our very lives.

You did not fight the wars of the past, and your boys are not fighting and dying in Viet Nam today, so that there would be more danger, more misery, and more war. America has fought its wars and built its unparalleled defensive strength to achieve a ground work for lasting peace; not for conquest, not to punish, not to have dominion, but rather for self-determination of nations and for dignity of people.

We can say with great honor and integrity that our men, and the men that are represented here tonight, gave of themselves and some of these families gave everything—not to make America bigger, or richer, or stronger, but to make a world safer—safer for many people.

GUARANTEE OF BASIC FREEDOMS IS ROAD TO PEACE

We have never wanted this world to be made in our image. We have not wanted it stamped: "Made in the USA." We wanted this world safe, as the late President Kennedy put it, "Safe for diversity, for differences." But we've wanted it a world in which men and women of every race, creed, and national origin, or every kind, could fashion their own lives without the fear of aggression, or brute force.

My fellow Americans, it is right and noble that a nation that has been blessed as this one, a nation blessed, I'm sure, by Divine Providence, blessed by a great system of government and economy, that this nation should want to see that other people can live in peace, and live without fear.

What a terrible poison is fear and hatred. This great country of ours that you represent, this American GI Forum, so appropriately named, has waged a constant struggle against fear, and hatred, and intolerance, and brutality wherever it may be found. So, you are surely in the spirit of your land.

ONLY THE BRAVE DARE PURSUE PEACE

I believe it is time now to move ahead with equal courage, to seize the rewards of peace. I believe that much of this world of ours today is more ready than ever for reconciliation.

I have called for a new era in American foreign policy based on peaceful engagement rather than containment or hostile confrontation. I believe that humanity is at long last awakening to the Fact that war is no longer a suitable means of settling international disputes.

To be more specific, I believe that the time is coming when it will be possible for us to sit down with the Soviet Union, another super-power, to talk about mutual reduction of both offensive and defensive weapons. How important that will be! It means a massive international effort, too, on our part, to start closing the gap here at home, between the rich and the poor.

I also believe that the time is at hand when we must have all possible American initiative; when we must take the first steps for a peaceful world. Why do I say that? Because we have more to lose than anyone else, and we have more to do it with than anyone else.

Remember, that the work of the peacemaker is not the work of a coward. Only the brave dare pursue peace. Only the weak speak in terms of belligerency and anger and hatred. Let us be strong enough to love and not to hate, to seek peace.

THE PROMISE OF AMERICA: JUST AN EQUAL CHANCE

My friends, there are such urgent tasks here at home. So much to do. So much for us to deal with. Oh, what a fortunate people we are. How lucky to be alive at this time. We know there are special problems that are faced by many Americans of Mexican descent, your people; and they are my people too, because we are all Americans. So many have been denied just a chance. We are not talking now about being denied wealth, or privilege. But so many people have been denied just a chance. Just a chance! Remember this, that the promise of America, above everything else, is a chance—your chance—the right to live and to work, to be yourselves; the right to make something out of your life. This above all, is the promise of this land.

AMERICA'S MANY CULTURES AND TRADITIONS MAKE IT A GREAT COUNTRY

As I said at El Paso: "Our purpose is grander than simply guaranteeing the opportunity to achieve a decent American standard of living. We are talking about providing a material basis on which a cultural tradition, that is precious to America, can grow and flourish." It is true, you know, there is something more important than bread or wealth. It is true that man does not live by bread alone. It surely is true that every American ought to have the right of economic opportunity, of a job, of ownership. Yes, those are basic rights that ought to come with the fact of American citizenship. But there's something even more important than that in this wonderful country of ours. And that is, the right to be yourself, to have your own culture, your own religion, your own way of doing things. And that richness of cultural tradition that blesses this land of many people from many, many, many sources, is what makes America not only rich, abundant, and powerful, but is what makes America beautiful.

FEDERAL GOVERNMENT RECOGNIZES IMPORTANCE OF BILINGUAL EDUCATION

This cultural tradition was recognized with the passage of the Bilingual Education Act. That was the first recognition, by your Federal Government, of the special importance of the ability to speak two languages. Being able to speak two languages is to be able to preserve a cultural tradition.

Do you know what happened to that Bilingual Education Act? Well, we had quite a time with it. The President asked for it to be funded and my good friends here at the House, who all worked to help us, know that by only one vote—just one vote—it was lost in the House of Representatives. That tells you how important one man is—one vote.

I was on a trip to the West when I heard about this, and I, as presiding officer of the Senate, wired back to every member of the Senate Committee. I asked the Senate to reverse that action. I asked the Senate to put money into the bill so we could have some money for funding the Bilingual Education Act, and the Senate put in ten million dollars. That bill is in conference now, and we will come out with not as much as we wanted, but we are not going to let it die.

We must launch a major program in this country of bilingual education, including teacher training, scholarships, textbooks, curriculum reform, and research. This will help our country so much, not just for Spanish speaking Americans, but bilingual education everywhere in this country where they need it, or where they want it, even including our Indian reservations. It can be done. And we ought to have it done!

EEOC MUST BE PROVIDED NECESSARY TOOLS

You have tonight, in this audience, two of the Commissioners—and maybe more—but two that I've recognized—of our Equal Employment Opportunity Commission: Vincente Ximenes and Dr. Luther Holcomb, who are with us. These men are dedicated, dedicated to the proposition that any form of discrimination that happens to be in their jurisdiction: discrimination in employment and in employment practices, must go—must be done away with.

We must, therefore, adequately fund—that is, we must provide the tools, the resources, for our Equal Employment Opportunity Commission so that these good men can do their work. That is what I mean by political action, watch every vote in Congress, every vote in the Legislature, watch every agency that is established to help secure these rights.

FEDERAL GOVERNMENT SHOULD BE MODEL EMPLOYER OF MEXICAN AMERICANS

I want to state right now, that if I'm privileged to serve as the President of this land, I pledge here that the Federal Government will be the model employer of Mexican Americans—the model employer—and that means from the White House on down!

We'll open up employment. We've already made some progress. President Johnson has taken some important steps. But, I want it on the record here that the one way to demonstrate to all Americans—to every private employer, to every state government, to every mayor, to every organization—that we really believe in non-discrimination, and that we really have faith in and believe in the capacities and the qualities of our people—and in this instance, of the Spanish speaking people, the Mexican people—the one way to make it ring true is for the highest office of this land, right down to the lowliest office of this land, to practice it; and I will practice it, so help me!

This also includes greater responsibility for the Inter-Agency Committee on Mexican American Affairs chaired by Commissioner Ximenes, and a specific, detailed program of action for that committee. I might add, Mr. Chairman, a secretariat, that is, a staff to help that committee accomplish its objectives on schedule.

GIVE THE POOR A GREATER VOICE IN PROGRAMS

And it also includes giving the poor a greater voice in the planning and the implementation of local community action programs. You know what I mean: these programs are designed to help the poor and one of the best ways to help the poor is to let the poor help themselves. People have to learn how to take responsibility, and if the Federal Government isn't willing to trust the people, then why should the people trust the Government?

I know that there will be mistakes made. And, I want to make it quite clear, as I speak on the public record—I know that if we permit, and if we encourage, the poor to have a greater voice in the planning, the execution, and in the administration of local community programs—I know that there are going to be mistakes. I know that some of the money will not be spent as well as if you had some graduate of the Harvard Business School handling your affairs. I know that. I know that the people will not always run the local community action program as well as the AT&T or General Motors runs their business. But I want to tell you something: the important thing in a democracy is not that it is 100 percent efficient, but that it is 100 percent just and humane. That is what is important.

You can read the Old and the New Testament, the Declaration of Independence, the Constitution of the United States and the Emancipation Proclamation, and you'll find many words about love, brotherhood, God and country. And you'll find many words about decency and humanity, but you won't find one word that says efficiency. Not once. I happen to believe that you ought to try to be as efficient as humanly possible, but if the price of efficiency is to deny the people the chance to run their own affairs; if the price of efficiency is to deny people the chance to have something to say about their lives, then I think we had better start re-evaluating what our values are in this country.

I thought I ought to explain what I am thinking about, because I can just hear somebody coming back and saying: "You know what that Vice President said when he was running for President? He went out there and recommended that the poor people have something to say about their lives and to run some of the programs affecting their lives, and look, they wasted some money." Well, Ladies and Gentlemen, I want to tell you something, you don't have to be poor to waste money. In fact, the poor waste less than anybody, because they have less to waste.

JOB OPPORTUNITIES NEEDED FOR MINORITIES

Well, I thought you might be interested in my views. I think that this . . . this new spirit in our country, that's so desperately needed, includes giving able-bodied men the chance to support their families with dignity and pride. And when I say the chance, I mean making that chance, not just saying that there is a chance. If we are half as ingenious in opening up job opportunities to people of the minorities, we'll have a lot of jobs for people of the minorities.

FARM WORKERS MUST HAVE PROTECTION OF NATIONAL LABOR RELATIONS ACT

Just a week ago, I sat in a hotel room on a Sunday morning, eight o'clock, having breakfast with a remarkable man. I had met him before. I had read much about him. I knew that he was giving of his life for the poor people. His name is Cesar Chaves. I'm well aware that he's a man of controversy. Most people that amount to anything are. I sometimes get worried when too many people start to like you all at one time. I listened to this man tell the story of the migrant worker in the Valley. He told me just one thing that rings in my mind tonight. He said: "We want no special favors, Mr. Vice President. We merely want the chance to build a union so that the members can help themselves." That's all they ask for.

I think you ought to know where I stand on this matter. Not where I stand now, but where I've stood, for a long, long time, because I didn't get any of this election religion. Not a bit. I've had it a long, long time.

I happen to believe that the farm workers of America—and I'm not talking about family farmers, I'm talking about those factory farms; we know what we're talking about—tell it as it is. The kids say, and that's what I'm gonna do, tell it as it is—these farm workers of America must have this chance to have their union and to bargain collectively. They must be covered by the National Labor Relations Act and with the full rights under the law to organize—the full rights to organize and to bargain collectively.

EQUAL RIGHTS AND BENEFITS FOR FARM WORKERS

Let me just expand on that for a moment. I do not believe that any person can really enjoy their meal if they know that the food they are eating—and you really pay plenty for it—has been prepared, produced and processed under conditions that are less than fair labor standards. You ought not to be very happy eating that kind of food.

I think the present minimum wage coverage for farm workers must be extended. We must push forward to achieve other fringe benefits which other factory workers have enjoyed for a generation.

It is wrong, morally wrong, economically wrong, politically wrong, to exploit anybody. The most exploited worker in America today is the migrant farm worker. We have got to put a stop to it!

All the Government has to do is to permit these people to have the benefits of the law that other workers have.

I have been a friend of the worker for a long time, and, by the way, it hasn't hurt America a bit—not one bit! The American workers made America prosperous.

BRACERO ACT KILLED BUT GREEN CARD COMMUTER NEW THREAT

I cast the tie-breaking vote, as President of the Senate, when an attempt was made to revive the Bracero Program. Now, we must come to grips with a new problem. It is called the problem of the Green Card Commuter.

Ladies and Gentlemen, these are not difficult problems. They are just simple problems of justice—simple problems of fair play. We are going to have to make up our mind as Americans how we want Americans to live. I don't think I have any right as a public official to stand idly by and let other Americans be exploited while I enjoy the good things of life. I don't intend to do it as a citizen, as Vice President or as President.

DRAFT: NATIONAL LOTTERY SYSTEM

In my campaign, I've already proposed that young men be selected for the draft on the basis of what we call the Fair and Impartial Random System, on a National Lottery. I think that is the fair system.

"LA RAZA" MUST BE REPRESENTED IN DRAFT BOARDS

Let me say something about the draft boards. These draft boards should be fully representative of the local community; and that means where there is a large Spanish surnamed population, *La Raza* must be justly and fairly represented!

FULL BENEFITS OF CITIZENSHIP TO EVERY AMERICAN

All that I have said to you tonight is direct, clear, and indeed, almost simple, because all I have talked to you about is what you want for yourself. I want a fair chance, and I have had it. Why shouldn't somebody else have it? This is not a country for the aristocrats or for the privileged. This is the country in which every American is to have the privilege of the full benefit of American citizenship. In other words, privilege for all, benefits for all, a chance for all. Sometimes I think we complicate things far too much. We talk about legal structures, and we talk about laws, when really what we ought to be talking about is "do unto others, as you would have them do unto you," and that will settle it pretty well.

TWENTY YEARS OF WORKING TOGETHER

So, we join here tonight, really, in a celebration of twenty years of working together, living together, achieving together, planning together, and looking ahead together. And I think these are objectives that we can strive for—that I have talked of tonight—and that we can achieve rather quickly. We can do it, just as we did it when we charged our country with responsibility to implement equal opportunity.

I helped do that twenty years ago in the Democratic Party. It took a long time, and some people are still holding back. But, let us make it crystal clear: segregation, discrimination, intolerance, bigotry, all those evils that have plagued this nation and mankind for so many decades and generations are things of the past. The remnants still hang on. There are a few of them that are still here, but they've had their day. They're dead and gone! The trouble is some of them haven't been buried, and we're going to get at that job!

LET US CONTINUE THIS STRUGGLE TOGETHER!

So I ask you to do one thing. Look, this is not a one man job, and it isn't a one organization job. I have had the privilege of working with the American GI Forum since the first time you testified before the committee in the Congress. You may not even remember that I got a little citation from you a long, long time ago. I've cherished that. We've been together for almost, now, twenty years, and I suggest that we can continue this struggle together. And I ask your help.

Gracias; amigos, Gracias.

TWO SOLDIERS FROM CITY DIE IN VIETNAM WAR

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. LONG of Maryland. Mr. Speaker, Sgt. Jimmy A. Smallwood and Sp4c. Calvin M. Perkins, two fine young men from Maryland were killed recently in Vietnam. I wish to commend their bravery and honor their memory by including the following article in the RECORD:

TWO CITY SOLDIERS DIE IN VIETNAM WAR

Two soldiers from Baltimore, one a 23-year-old career sergeant and the other a 20-year-old draftee, have died in the Vietnam war, the Department of Defense reported yesterday.

They were:

Sgt. Jimmy A. Smallwood, son of Thomas A. Smallwood, 804 Cathedral street, and Mrs. Alice Smallwood, 3811 Annellen road.

Spec. 4 Calvin M. Perkins, 20, son of Mr. and Mrs. James H. Perkins, 3801 Copley road.

Sergeant Smallwood died October 2 in Japan. He was severely burned when mortar shells exploded during a cleanup detail in Vietnam on September 29, his mother said yesterday.

He had been in Vietnam since May, serving with the 52d Infantry. It was his second tour in the war zone, Mrs. Smallwood said.

A native of Baltimore, Sergeant Smallwood enlisted in the Army shortly after graduating from Dunbar High School in 1962. He served three years in Panama and spent some time in Germany before going to Vietnam.

In addition to his parents, his survivors include six sisters, Mrs. Rosa Crowell, Mrs. Alice R. Mills, Mrs. Barbara Carter, Mrs. Margaret Hughes, Mrs. Patricia Brown, and Mrs. Rita King, all of Baltimore, and a brother, Isaac J. Smallwood, of Washington.

Specialist Perkins, who had been in Vietnam since December, was killed October 3 when a mine exploded while he was on combat duty. He was in the infantry.

Mrs. Perkins said her son, a native of Baltimore, was drafted into the Army July 28, 1967, one month after he graduated from Forest Park High School.

He served first at Fort Bragg, N.C., and Fort Gordon, Ga. He was at Fort Dix, N.J., before being ordered to Vietnam.

Mrs. Perkins said her son in his frequent letters always wrote that he "wanted to come home."

In addition to his parents, Specialist Perkins is survived by two brothers, Ralph and Jeffrey Perkins, three sisters, Ella Mae and Joyce Perkins, and Mrs. Gloria Garrett, of Baltimore; his maternal grandmother, Mrs. Cora Harrison, and his paternal grandparents, Mr. and Mrs. Junior Perkins, all of Baltimore.

HIGH-DENSITY TRAFFIC AIRPORTS

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1968

Mr. DORN. Mr. Speaker, I am very concerned about the proposed FAA rule making for high-density airports. It appears the proposal is a negative approach to a problem that is in desperate need of positive solution.

Mr. Speaker, safety must come first; congestion at our major airports must be eliminated. Washington National is a classic example. The question is, How should it be accomplished? The FAA proposal seems to favor one segment of the air transportation industry over another. Since airports and air traffic facilities are built by public funds and paid for in part by those who use them, they must be available equally to all.

The private sector of aviation is a substantial contributor to the economy of the Nation and the restrictions proposed against operation of private and business aircraft would have severe repercussions. The American economy flourishes today because industrial firms are moving into small towns in every State, providing economic growth and millions of jobs. General aviation plays a major role in this development. Company owned and chartered aircraft serve as a vital link between these new industrial complexes and the metropolitan centers. These small planes carry key personnel to the major cities. Business could not be conducted efficiently without this service. In my own district, many firms maintain these aircraft and many others use charter services.

Restricting these flights is not the answer. The answer lies in the proper use of facilities already available. Early this year, I introduced a resolution expressing the sense of the House that the President should direct the Secretary of Defense to enter into a leasing agreement with the Secretary of Transportation to operate the facilities at both Bolling and Anacostia for general aviation purposes. These fields are convenient to downtown Washington and they are scarcely being used today.

Another great airport not being fully utilized is Friendship at Baltimore. A few miles out of Washington is Dulles International virtually unused. These are facilities which I feel should be placed in full use before placing unnecessary restrictions on private aircraft. The situation at Washington National is urgent. The solution is to use Dulles and Friendship for commercial airlines to a much greater degree.

The public interest must be the prime consideration. General aviation is growing and the use of fast, light planes by businessmen and individual citizens is going to mushroom in the years ahead. We must not impede this progress.

WHY A NATIONAL MARITIME STRATEGY?

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

WHY A NATIONAL MARITIME STRATEGY?

In the press of everyday problems, politics and the pursuit of pleasure, people often forgot the Polaris ballistic missile weapons system. Unseen, the submerged missile submarines cruise silently at depth in the oceans, poised in instant readiness, well forward, 24 hours each day. Inherently invulnerable, their year 'round vigil stabilizes our strategy.

Polaris, soon to be supplemented by Poseidon, provides flexibility and a wide range of strategic choices. The system, once at sea, wrested the initiative from Soviet hands. It serves as the cornerstone of our strategy.

Revolutionary change, the constant of the 20th Century world, dictates continuous reassessment of national military strategy. The present power situation compels changes, with emphasis on sea-based strength. The first building block for the shift to a "national maritime strategy", the Polaris, makes possible the "full scale redetermination of strategy to fulfill the objectives of our national interest", as called for by resolution of this year's Navy League convention.

If Polaris provides the alpha of the planning process, the omega is SABMIS (Seabased Anti-Ballistic Missile Intercept System). SABMIS rounds out the broad oceanic mix fulfilling the primary purpose of military planning, the preservation of the Republic. Utilizing the vast, oceanic spaces, in extension of a fixed ABM system, SABMIS would give defense in depth and far greater flexibility to protect cities and provide for the safety of citizens against nuclear attack.

With the scope of mobile strategic systems defined, what national needs must be met beneath the stabilized nuclear umbrella? Historic experience confirms, once the threat of nuclear attack is muted, the probability of wars at lower levels of violence increase. The dynamics of Communist ambitions reaffirm the assumption of ever-increasing conflict. The Navy League "national maritime strategy" resolution focuses on this fact: "The recurring crises subsequent to 1946 have placed increasing significance upon the strategic capability of sustained movement and the sustained presence of mobile stabilizing power."

THE FUTURE ARENA

Revolutionary technological advances, such as long range tactical air, weapons of mass destruction and the like, effected a significant strategic shift. The seas became both the strategic heartland and the arena for future warfare. With domination of the land from the oceans now possible, U.S. fleets, with their discriminate power projection potential and their amphibious readiness, are recognized as key instruments in the preservation of peace. For these reasons, the formulation of a maritime strategy becomes imperative, and defense policy must reflect the requirement for rapid reorientation to curb the erosion of our position of world leadership.

An ocean cushioned United States enjoys

a natural advantage of defense in depth and an enviable strategic position. The integrity of the concept of a forward strategy must be maintained. Our significant strategic weakness has been our failure to capitalize on this marked advantage, while permitting nuclear weapons to entice our thinking toward the rigid regimentation of continental concepts of land warfare.

Strategy, boiled down to basics, is largely a matter of movement. Well-conceived plans make possible the expeditious movement of power where needed. This flow of power occurs mainly at sea, reinforced by movement both over the oceans and under. Frequently, the presence of power and the will to use it, is by far the most effective element of national strength. The dramatic manifestation of this is seen in the blockade, effectively demonstrated in Soviet Premier Khrushchev's Caribbean retreat. This primacy of sea lines of communication stems from the geo-political physical fact of life being that the earth is seven-tenths water.

World trade mounts at an explosive rate. Ships carry more than 98 per cent of this international trade across the seas. Just as nearly 99 per cent of the logistical supplies for our fighting men in Viet Nam are sent in ships, sealift sustained our actions in Lebanon. Sealift enabled our expedious intervention in the Dominican Republic.Unassailable statistics show how sealift affects our strategy. As a key task, mobile naval power provides protection to these ships to deliver the beans, bullets, tanks and people needed to wage war.

OCEANIC COMMUNICATION AND PROSPERITY

Long term prosperity, just as national security, depends upon firm lines of oceanic communications. The industrial potential of a flourishing, but resource-deficient, nation dictates the provision of protection to the shipping that carries 66 of the 77 essential materials to our manufacturing centers from foreign shores.

The re-orientation of national strategy to the sea starts with the intellectual process. Oceanic advancement commences on the college and university campuses. Happily, the Sea Grant College program and the Marine Engineering and Resource Development Act of 1966 are already sparking expanding intellectual activity of scientists, scholars and students within the university complex. As a next step toward gaining governmental blessing for the formulation of a national maritime strategy, an oceanic counterpart of the Rand Corporation should be established.

With the Viet Nam strategic situation now in limbo, and the post-Viet Nam defense dialogue about to receive increasing attention, the imperative of an interjection of the maritime viewpoint into future strategy is compelling. By its resolutions the Navy League is firmly on the record for the required reorientation to a maritime defense strategy. As pointed out by the Secretary of the Navy, "One of the significant developments of the past decade has been the growth in size and quality of this Soviet Navy. There are clear signs now that Soviet policy-makers intend to use the capabilities of this new power, and we may be embarked on an era of global maritime importance."

The facts, in substantiation, are compelling. What is called for is oceanic understanding. In this premise, the leadership of the League, I am confident, is providing the oceanic vision while spearheading the action this nation desperately needs.

If the broad and beautiful oceans beckon—it is because there is untapped strategic strength in the seas. With enlightened urgency the Navy League calls for a "new grand strategy of the oceans."

CHARLES F. DUCHEIN,
National President,
Navy League of the United States.

JAMES A. FARLEY

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mrs. KELLY. Mr. Speaker, Walker Stone of the Scripps-Howard Newspapers on August 29, 1968, wrote an article about James A. Farley, in the Rocky Mountain News entitled "Old Politician Farley Watches, Cares." Jim Farley has dedicated many years of his life to the service of the people of our country and our own State of New York, as well as the Democratic Party. Although he is now in private industry, he still takes great interest in the affairs of our Nation and the world, and of the Democratic Party. It was wonderful to see Jim at the recent Democratic National Convention in Chicago. During my three terms as Democratic national committeewoman for the State of New York, I always found Jim's vast experience and deep insight plus his personal integrity of great comfort to me. For the benefit of all of my colleagues I herewith insert in the RECORD a copy of Mr. Stone's article about a great American:

OLD POLITICIAN FARLEY WATCHES, CARES

(By Walker Stone)

CHICAGO, August 28.— James A. Farley, 80 years of age, six feet, two inches tall, balances on the balls of his feet as he listens to returns on the TV set in his Blackstone Hotel suite to the roll call from the stockyard auditorium.

It is the roll call on the Vietnam resolution—whether the Democrats stick with their president or take off in a new direction.

There is perhaps no man in Chicago today to whom it could make less difference personally. Jim Farley is no longer a part of the Democratic apparatus, no longer hopeful of reward nor fearful of reprisal.

But he still cares. It is his party.

He sways back and forth, in his black mohair suit, following the returns, until it is certain the vote has upheld the Administration position on Vietnam and all the bad guys on the other side have been recorded and counted out.

To an old politician like Jim Farley it is most important that the other side shall be on record, so they can be treated accordingly.

Then the incoming Democratic president can handle matters in line with the ancient and honorable rules of political spoils, even if Jim Farley has nothing to do with it.

MANAGED F. D. R.'S CAMPAIGN

He set the pattern 36 years ago.

He managed the campaign of Franklin D. Roosevelt for the Democratic nomination in Chicago. And the old Farley rule was FRBC—for Roosevelt before Chicago: You either were, and in, or you were not, and out.

That made a big difference in those days.

They were not like these days.

In 1932, when Jim Farley barged into Chicago, carrying the FDR banner, Republican Herbert Hoover was president. There were no federal relief or welfare programs. Some 11 million were unemployed, which, compared to the present population of available working force, would mean about 20 million unemployed.

Nobody was on strike. Anyone who had a job wouldn't think of giving it up. They were the days when you accepted pay decreases to keep a job, rather than ask for any increases to stay on a job.

It was different than today, when telephone electricians have been on strike, bus drivers are on strike and taxicab drivers are on strike. It is difficult today to travel from downtown loop hotels to the stockyards amphitheater. It is practically impossible to communicate by telephone.

OLD-FASHIONED CONVENTIONS

By modern measurement, the 1932 Democratic Convention may have been the last of the old-fashioned Democratic conventions. It promised to reduce federal spending 25 percent. It promised a "federal budget annually balanced." It looked with abhorrence on a budget of 4 billion, of which almost $1 billion went for military purposes. It was the last of the dying days when the Democrats were the party of economy—days that dated back to when Thomas Jefferson reduced the federal spending from $7 million to $4 million, days that dated back to when Andrew Jackson paid off the federal debt.

That was a tidy little convention Jim Farley ran here in 1932 compared to today's.

Opponents to FDR then were not as ungovernable as the McCarthy's and McGovern's of today. They were relatively reasonable, such as the rambunctious Al Smith of the east side of New York, such as Albert Richie, the wet governor of Maryland when prohibition was the chief urban issue; such as "Alfalfa Bill" Murray, whose farmers of the prairies thought they were being cheated.

When the fourth ballot votes nominating FDR were cast, they closed ranks, to elect a Democrat.

But 1932 must be looked back upon as a watershed in American history.

What came afterward couldn't be counted against what went before.

MORE GRAFT IN THE WAR ON POVERTY

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. SCHERLE. Mr. Speaker, once again, evidence of shocking graft and mismanagement which has characterized the administration of the war on poverty has been uncovered. Published accounts of flagrant violations and abuses connected with the OEO are so extensive that the American taxpayer is ready to scrap the entire program and insist that the functions be taken over by responsible local community and welfare agencies.

This time the scene is New York City, where reports indicate that officials of the Neighborhood Youth Corps embezzled $1.8 million from the program during the summer of 1967.

Numerous times during debate and committee discussion, I have urged the responsible congressional committees and administration officials to take a closer look at how "antipoverty" chiefs are spending the taxpayer's money.

Congressional responsibility does not end with the mere appropriation of money. There is no excuse for our failure to provide continuous monitoring of the billions of dollars which have been spent under this program.

Why should the war on poverty be given a blank check?

The Federal Government, in cooperation with State, local governments, and private business must assist in efforts to provide each American an opportunity to become a productive member of our society. But we cannot stand by while dollars intended for the poor are squandered or stolen.

It is time for Congress and the Johnson administration to open the books on this program to determine the true extent of the loss—both to the taxpayer and to the poor.

My colleagues, I commend to your attention the following article from the Des Moines, Iowa, Sunday Register, October 6, 1968:

FEAR $1.8 MILLION NEW YORK LOSS—ONE OUT OF FIVE POVERTY UNIT CHECKS TAKEN—BRING OFFICIAL BACK FROM CALIFORNIA

NEW YORK, N.Y.—Investigators said Saturday a spot check of Neighborhood Youth Corps records here indicates that one of every five paychecks as embezzled during the summer of 1967.

They say the pattern would mean about $1.8 million stolen in that period alone.

"That figure seems a little high at this point," said prober Edward Weintraub of the city Department of Investigations. "But no one has made any conclusions yet. We don't know how much money is lost. This is the biggest governmental mess I've ever seen."

RETURN OFFICIAL

While the investigation continued, a city detective escorted the fired fiscal affairs director of the city's Human Resources Administration back to New York Friday night to face charges of embezzling nearly $23,000 from an HRA employe loan fund.

Mrs. Helynn Lewis, 38, a divorced mother of three, was returned from California, where she had been arrested Thursday on a New York City warrant.

Mrs. Lewis was arraigned Saturday before Criminal Court Judge Francis X. O'Brien, who set bail at $25,000 and remanded her to the Women's House of Detention pending a hearing Tuesday.

She is charged with second-degree grand larceny and possession of stolen property.

City Investigations Commissioner Arnold Fraiman had reported originally that Mrs. Lewis' alleged embezzlement was not connected with the Neighborhood Youth Corps, which the HRA runs, but he said Friday that she had illegally transferred a missing $22,912 from Youth Corps funds to the HRS's employe loan fund.

REACTIVATED FUND

The loan fund originally had been set up with contributions by HRA executives to tide over new employes until their first paychecks arrived.

The fund was ordered closed out by HRA Commissioner Mitchell I. Ginsberg last January. But the agency said the fund was reactivated last June and August, by checks drawn from another account and then deposited.

Mrs. Lewis was fired from her $19,000-a-year job Sept. 21 when she refused to cooperate in an investigation of missing HRA funds.

City officials have given a minimum estimate of loss during the 1967 summer of $450,000. For the 1968 summer, Fraiman originally estimated a $240,000 loss, and Ginsberg later gave an "under $1 million" appraisal.

The two officials attributed the loss to employes who created fictitious work sites and cashed checks made out to nonexistent corps members "working" at those sites. Six persons, including four HRA employes, were arrested in that scheme Sept. 13.

VOCATIONAL EDUCATION AMENDMENTS OF 1968

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. BOLAND. Mr. Speaker, I want to express my vigorous support for the vocational education amendments before us today—a package of legislation that would help hundreds of thousands of young men and women throughout the United States to train for meaningful employment.

For too long we have neglected that portion of our Nation's youth who did not choose the path to college. For too long we have witnessed the disproportionately high rate of unemployment experienced by our young people. The large incidence of joblessness and dependency among our country's young men and women is invariably correlated with low educational achievement, and their ignorance, poverty, and unemployment are not only interrelated, but also self-perpetuating. Our traditional educational programs have appeared unable to hold our youth in school for a sufficient length of time and are unable to train effectively those who do stay in school.

The Vocational Education Amendments of 1968 seek to correct the weaknesses of the previous vocational legislation. The amendments would create a viable framework to equip young people with the skills they must possess, if they are to secure adequate employment. And the legislation would prepare them with a sound basic education which can be used as a foundation for further education and training, should they decide to continue their studies.

The new legislation would authorize exemplary programs and projects to ease the transition from school to work. Such innovations as intensive guidance and counseling, as well as initial job placement, may be attempted. Programs may be undertaken to acquaint students early in their educational careers with the wide variety of occupations open to them, and the prerequisites for them.

Special provisions have been included for the disadvantaged student. Beginning with fiscal year 1970, 25 percent of the amount of each State's allotment which is in excess of its base allotment, would be used for programs for the disadvantaged. By disadvantaged we mean students who due to academic, socioeconomic, or for other reasons have difficulty succeeding in the regular vocational program. Grants would be authorized for the construction, equipment, and operation of residential schools to provide vocational education for young people 15 through 20 years of age, who need full-time study on a residential basis in order to benefit fully from such an education. This provision would be of particular value to the student whose school does not have vocational courses or cannot offer them because of limited facilities. And it would be most beneficial to the student whose present environment is not readily conducive to further education and training.

Special provisions have also been made to assure adequate funding for programs for those individuals who have completed or left high school and are able to study on a full-time basis before entering the labor market. Beginning with fiscal year 1970, 25 percent of the portion of each State's allotment which is in excess of its base allotment, would be used for programs to enable these persons to prepare for good jobs. Funds have also been directed to help the physically and mentally handicapped succeed in a modified vocational program.

The amendments would assist the States to expand their programs of work-study, which, by simultaneously combining education with work experience, can teach students the value of learning a skill to get a good job. The amendments would provide for 100-percent Federal financing for the States to hire personnel to coordinate such programs, and to provide instruction related to work experience. They would also provide reimbursement to employers for certain costs they may incur while providing on-the-job training, and would pay the costs of providing other services, such as the transportation of students participating in the program. The amendments would increase the proportion of Federal matching funds which will be available under the work-study program from the previous 75 to 80 percent.

Under the amendments assistance would be offered to the States and local educational agencies in the development of curriculums better adapted to the requirements of new and changing occupations, and in the dissemination of existing curriculum materials.

A National Advisory Council on Vocational Education would be established on a permanent basis to review the operation and administration of vocational education programs and to conduct independent evaluations of their activities. The States would also be required to establish advisory councils, and to set forth long-range plans for vocational education in the State.

Another important section of the act is an amendment to the Education Professions Development Act—an amendment that would provide leadership development awards for qualified vocational education personnel to pursue programs of advanced study. And funds would be authorized for vocational educators and administrative personnel to participate in institutes, exchange programs and programs of in-service education. In view of the expansion forecast for vocational education, this program would be an important step in securing the necessary teaching personnel and the administrative staff needed by every State and local district.

The advanced funding provisions of the Elementary and Secondary Education Act have been extended to cover vocational education to assure adequate planning well ahead of a project's implementation.

The provisions of the 1968 Vocational

Education Amendments, in short, will greatly strengthen this country's effort to help its youth find meaningful jobs.

AN IMPORTANT EDITORIAL ON LAW AND ORDER

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. WOLFF. Mr. Speaker, there has been a great deal written about the need for law and order in the United States. There is an understandable concern about the problems of crime and violence.

Of all the words that have been written about law and order none has summed up the situation with more clarity and insight than the editorial in Newsday on Monday, October 7. Because I believe this editorial shows understanding and vision on the problem I commend it to my colleagues' attention and, under leave to extend my remarks, I include it in the RECORD at this point:

LAW AND ORDER

The overriding issue of the 1968 presidential campaign is "law and order"—but what do the words mean?

Are they code words for police brutality and repression in the black ghettos of America—or do they offer police protection against criminals who make the streets unsafe at night? Does the doctrine of "law and order" demand a crackdown on student demonstrators who take their grievances to the streets—or does it assure the right of peaceful protest? Does this 1968 campaign slogan promise equality before the law—or repression at the hands of the law?

"Law and order"—as Richard M. Nixon, Hubert H. Humphrey and George C. Wallace have discovered—is an issue that is all things to all men. It draws its sustenance from the multitude of problems which confront America in the late Sixties. But it is an issue that plays on one man's hopes and another man's fears while escalating the mood of tension and turmoil in the nation.

The first, and most nagging, aspect of the "law and order" issue is the war in Vietnam. It has prompted one of the most furious outpourings of political protest in the history of the nation, and the protest has been accompanied by waves of violence. Americans are not accustomed to inconclusive wars. Yet, our toll of dead and wounded exceeds 200,000 and still there is no end to the fighting. The national pride is offended by this struggle which no one seems able to win and the war is an ever-increasing irritant to the body politic.

A second aspect of the "law and order" issue is the disaffection of youth. The Vietnam war has served as the catalyst for many protests, but it does not explain away the rash of campus revolts—some of them violent. This student movement stems not from the poor or the deprived but from those most privileged. In turn, the behavior of these students has outraged the blue-collar and lower white-collar groups.

EXPLOSION OF CRIME

A third aspect is the sudden explosion of crime—robberies, stickups, muggings and other types of personal violence. Crime erodes the confidence of Americans in their local governments and, in some cases, contributes to the racial mistrust.

A fourth aspect is the ghetto problem. Looting and burning have perplexed and angered many Americans. They can't understand why, when the civil rights movement has progressed so far, the Negro should take to the streets with torch and gun. Too often, white Americans do not recognize the misery of slum life, the degradation of poverty, and the sense of isolation from the mainstream of community life that goad some Negroes to riot. Too often, the white community answers by demanding more police, forgetting that more law does not necessarily mean more order.

Beyond all this, the population explosion coupled with the communications explosion has created a bewilderment in America. The population has increased from 150,000,000 to 200,000,000 in less than 20 years. Instant communication through TV has all but abolished distance. As events happen, we see them from wherever they happen. We are bombarded with violence, and we react violently.

DEALING WITH DISSENT

How shall we deal with violent dissent in our society? The answer is complex, but Associate Justice Abe Fortas supplies one answer. He calls for the provision of places where dissenters may meet and at the same time not interfere with normal life. At the same time we must have better police—better paid, better educated, and in particular better trained to withstand the provocation of a lawless minority that frequently invites a brutal reply. Sir Robert Peel, in establishing the London Metropolitan Police 140 years ago, warned: "No (officer) is justified in depriving anyone of his liberty for words only, and language, however violent . . . is not to be noticed."

Americans like simple answers for difficult problems. Too many of them believe that if domestic tranquility is breached by rioting, the answer is to apply maximum counterforce. That will not work. It never has worked. What Americans must do is to solve the social ills that help create crime and disorder, to foster respect for law, and to practice respect for law themselves. Too many of them obey only those regulations they like. Too many are cynical about the police.

Most of all, the next President, by example and leadership, must re-create order in our country by rebuilding respect for the law—by enforcing the laws when cynics seek to breach them, but also by recognizing that the right to protest and dissent is basic if America is to remain a democracy. A country divided must be reunited.

ADDRESS BY ALOYSIUS MAZEWSKI

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. DERWINSKI. Mr. Speaker, Mr. Aloysius Mazewski, as president of the Polish National Alliance, delivered an address Friday, September 27 at the Seventh National Convention of the Polish American Congress at the Sheraton Cleveland Hotel. In the great American tradition of one land settled by many people, we are justifiably proud as Americans of our individual national backgrounds. As an American of Polish ancestry, I feel this address by the newly elected president of the Polish American Congress expresses the great appreciation for our Nation and the proper repect for the culture of foreign lands which has enriched America. I include it herewith:

SPEECH OF PRESIDENT ALOYSIUS A. MAZEWSKI

This Seventh Quadrennial Convention of the Polish American Congress places our community of ten million Americans of Polish origin at the crossroad of history.

One era of our activities is drawing to a close. It was an era of growth, of taking root in the American soil, of adjustments in our social and cultural values so they not only conform to the pattern but enriched the fabric of our nation and of the American way of life.

The end of this era heralds the advent of new.

Thus, reviewing our past in the gladness of our hearts, we scan the new horizons that lie ahead of us.

Time is subject to continual change. Yet it contains within itself certain real and intrinsic values that tower above the law of change.

Among these is our spiritual and cultural heritage steeped in a millennial existence of the Polish national and in reverence for its contribution to the progress of man.

My generation and yours, standing at the crossroad of our Polish American history has a two-directional choice.

Either we follow in the footsteps of our parents and grandparents and cultivate the cohesive force of our Polish and Polish American heritage; or we allow our children and grandchildren to disappear in the nameless mass of people who lack cultural and spiritual roots, and ignorant of their historic background, are searching vainly for the succor of personal identity.

These moments of truth and of the choice of directions were brought about by inexorable laws of life. We stand at the juncture where old generations are passing away and where the third, fourth and fifth generations of Americans of Polish ancestry are coming of age and entering all walks of American life.

We must address ourselves to these young people, we must convince them that their future, their standing in our communities, their recognition in the political life of the nation, on all levels—federal, state, county and city, their advancement in professions, in business, in the field of education, in scientific inquiry and in technological progress is of utmost interest to us.

We must convince them by deeds and far-sighted, imaginative and boldly conceived programs that their brighter future lies within the sociological and ethnic framework of our Polonia.

This is the crossroad at which we stand at this moment of truth.

In a larger sense, this symbolism applies to the whole American nation.

Imperceptibly, during the past few decades, we have evolved into a pluralist society, contrary to the pressures of Anglicization that were applied to our parents and grandparents.

And in this pluralist society, an American seeks to satisfy his need for personal identity and for belonging to a group of similar cultural background and spiritual heritage.

He realizes with increasing clarity that ethnic ancestry is an indispensible tributary to the mainstream of American life. It flows constantly from ancestral wellsprings of cultural and spiritual values and merges with our immensely rich diversity that made America the most powerful nation on earth and the leader of mankind's freedom forces.

And our Polish American tributary to the mainstream of American life is significant. It flows from the fountainhead of our national origin and from the proud history of Poland and of our participation in the exploration, development and defense of the United States.

If we offer our younger people this sense of identity that they need, if we support their aspirations within the framework of the Polish American Congress, then we will open vast vistas of a brighter future for all Americans of Polish ancestry.

The climate is propitious for implementing our plans. That our native-born generations sense the value of their ethnic identity, is attested by many facts. One of these is their reaction to the slurring and defaming of Poland and of Polish names. Our compatriots of Polish origin, who for various reasons, and perhaps, through our faults of omission, do not belong to our organization, do not participate actively in our undertaking, react strongly and voluntarily against anti-Polish and anti-Polish American propaganda.

In their hearts, they wish their ancestral land well. They want Poland to be strong and secure. They want justice for Poland. They want Poland's return to the western family of nations. However, these individual sentiments have yet to find a collective expression, which can be offered by the Polish American Congress.

And there is one more facet in our life that needs to be corrected. We are prone to spread at times distasteful jokes about ourselves. Some of our people, ignorant of the great Polish past in America, either suffer from inferiority complex, or are overly sarcastic in their comments on contemporary Polonia.

These shortcomings should and must be avoided in our dealings with younger generations.

I firmly believe, that within the next few years we will be able to institute a far-reaching program for our younger people. Accomplishing this, we will lay foundations for a truly bright and great future of our Polonia. And by increasing our influence, our membership in fraternal, civic and cultural organizations, we will be in a stronger position to help the Polish nation in its fight for freedom and independence.

Let us, therefore, apply ourselves to the task of enlarging meaningful communications between our generations and the younger people of our Polonia.

REPORT TO CONSTITUENTS

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. ESCH. Mr. Speaker, each year I report to the people of the Second District on the action which the Congress has taken. I include my report on the 90th Congress at this point in the RECORD:

WASHINGTON NEWSLETTER

(By MARVIN L. ESCH, Member of Congress, Second District, Michigan)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

A PERSONAL MESSAGE FROM YOUR CONGRESSMAN

As the 90th Congress approaches adjournment, I want to take this opportunity to report to you what the Congress has done—and left undone—over the past two years.

Congress has not been entirely responsive to the vital issues facing the American people. It has failed to set priorities—something that is essential in a time of war and monetary crisis. The crisis in our cities, the rise in lawlessness, the failure of our foreign policy, the division in our nation—these have not been fully attacked by the 90th Congress.

Yet there have been some steps forward. Many old programs have been renewed and greatly improved. Debate has begun to focus attention on creative new ideas—ideas which may be the key to long-range solution of our problems. Some new programs have been approved. Strong action has been taken to cut back on the ever-spiraling federal budget.

I have attempted to face these issues objectively and straight forwardly as your representative. The comments and ideas which many of you have brought to my attention through letters, questionnaires and personal visits during my office hours throughout the District have been most helpful to me.

The discussion that follows is an effort to continue that communications process. Whether you agree or disagree with the stands I have taken in representing you, I'd like to have your views. Much of my effectiveness as your Congressman is based on hearing from you.

Sincerely,

MARVIN L. ESCH,
Member of Congress.

VIETNAM

The Vietnam War and the Paris Peace talks still appear to be stalemated. So far the U.S. has suffered more than 26,000 deaths and 160,000 wounded. The Vietnamese civilians have experienced an untold number of casualties in what appears to be almost a perpetual war. The cost of the war to American taxpayers is fast approaching the $100 billion mark.

Congressman Esch has continually asked, "How much more can we afford to lose?" He believes that we must seek an honorable peace in Vietnam and offered a specific proposal toward that end early in his term.

"I hope the day is not far off when we can welcome our boys home, phase out the draft and apply the billions we're spending in Vietnam to solving the many neglected problems we have here at home."

THE DRAFT

"The antiquated system under which we now call men to serve their nation imposes unequal, unfair and frequently irrational requirements on draftees and it must be reformed."

Esch introduced legislation requiring national standards to avoid the present situation whereby Michigan furnishes proportionately more than her share of draftees. He detailed extensive and specific reforms. However, the disinterested majority of the Armed Services Committee has blocked all constructive changes in the law.

FARM

Although few major farm bills were considered, the Congress did approve the legislation, introduced by Mr. Esch, to assure greater farmer control over the price received for products.

"There has been a tragic failure to deal with the major farm crisis facing our nation. Millions of farmers are forced out of business each year. Farm prices today are as low as they were in the height of the depression. New initiatives are essential."

EDUCATION

The Education and Labor Committee of which Mr. Esch is a Member, has approved substantial and extensive improvements in the Higher Education Act and the Elementary and Secondary Education Act.

At the same time, Mr. Esch has worked on a number of innovative programs in the area of urban education and review of federal support for higher education. A special report on these issues is being prepared and is available on request.

Major forward steps were taken in the field of vocational education with the passage of the Vocational-Technical Education Act which Mr. Esch co-sponsored.

"I can conceive of no more important objective for education—and for our country—than this: that every citizen be prepared for a decent job at a decent wage and that no longer will the non-college-bound student be a second class citizen.

URBAN CRISIS

The crisis in our cities is symbolized by the riots which wracked 125 cities in 1968. But it encompasses far more—there are gigantic traffic tieups; the air and water are poisonously polluted; business has decayed and industry is leaving. Ghetto dwellers long promised more than can be delivered, have become restive and bitter.

Congress passed major new housing legislation including special tax advantages for ghetto firms and incentives for home ownership. New job training programs and vocational education have been steps forward to meeting unkept promises.

The broad, over-all difficulties, however, were hardly touched.

"The great fallacy of our decade is in believing that government programs alone can solve any problem. There must be a mobilization of all our human and economic resources—government, church, civic groups, the private sector and labor—to challenge the decay of our cities."

CRIME

The national crime rate has risen by 88% since 1960. Fear and violence rule many of our streets. Congress took first steps in meeting this problem with the passage of the Omnibus Crime Bill which established new training programs for local law officers, and encouraged better police-community relations.

"We cannot ignore the long-range social problems that create a climate for crime, but neither can we tolerate violence and the threat of violence to rule our cities.

"Law enforcement must remain primarily a local function. The Federal government must provide needed technical training and financial help.

"Organized crime, however, since it stretches across state lines, can only be combatted through a nationally-directed effort. The time to take action is now. I have joined in supporting an extensive 12 point program to strengthen federal capabilities in this field."

CONSERVATION

Conservation forces won a major victory when Congress assured that a percentage of all off-shore oil receipts will be set aside for the Land and Water Conservation Fund. Serious setbacks came when acreage was cut in the San Rafael Wilderness Area and the Redwood National Park. Esch told the House:

"We have an obligation to preserve our great natural resources and beauty for the generations to come. 'America the Beautiful' is a national goal of great importance."

LEGISLATION

Legislation is a big part of a Congressman's job. Mr. Esch has sponsored and co-sponsored some 61 bills. The following is a status report on some of his major bills. Copies of these and other pieces of legislation are available from the Congressman's office upon request.

H. Res. 284—Establish a Select Committee on Standards of Conduct for Members of the House of Representatives. Status: Approved in an amended form.

H.R. 7468—To regulate Imports of Milk and Dairy products. Status: Hearings before House Ways and Means Committee.

H.R. 8852—To charter a National Home Ownership Foundation. Status: Incorporated in an amended form as part of the Omnibus Housing Act of 1968. Signed into law by the President as P.S. 90–488.

H.R. 9228—Granting consent to a Great Lakes Basin Compact. Status: Passed both

House and Senate and signed into law as P.L. 90-419.

H.R. 10348—To establish a National Commission on Public Management. Status: Pending before Committee.

H.R. 11265—To extend the Adult Education Act. Status: Incorporated into Elementary and Secondary Education Act and signed into law as P.L. 90-247.

H.R. 11308—To extend the National Foundation on the Arts and Humanities. Status: Passed both Houses after amendments during debate. Signed into law as P.L. 90-348.

H.R. 11583—Agriculture Fair Practices Act. Status: Passed and signed into law as P.L. 90-288.

H.R. 11619—To provide for increased safety consideration in construction of Federal-aid highways and access roads. Status: Hearings before Public Works Committee.

H.R. 11835—To make grants to local law enforcement agencies to assist them in the prevention and control of riots. Status: Incorporated into the Omnibus Crime Control Act and signed into law as P.L. 90-351.

H.R. 12826, H.R. 12827—Provide across the board increase in allowable outside income for veteran pensions. Status: Pending before Veterans Affairs Committee.

H.R. 13481, H.R. 13488—Series of bills to fight organized crime. Status: Some aspects included in Omnibus Crime Control Act.

H.R. 17145.—To establish a Commission on Hunger Status: Passed House of Representatives. Pending in Senate.

H.R. 18366—Vocational Education Act. Status: Passed House and Senate in different forms. Pending before House-Senate Conference Committee.

H.R. 16729—Student Assistance under the Higher Education Act. Status: Passed and signed into law as P.L. 90-460.

H.R. 18763—To authorize preschool and early education programs for handicapped children. Status: Reported by Education and Labor Committee.

H.R. 17011—To designate as Wilderness Areas the Seney and Huron Islands and the Michigan Islands National Wildlife Refuges. Status: All members of Michigan joined Mr. Esch in this legislation. It is pending before the Interior Committee.

H.R. 19194—To prohibit dumping of polluted materials into navigable waters of the United States. Status: Pending before Public Works Committee.

ACTION LINE

Congressman Esch has maintained his office in Washington as a liaison between local communities and federal officials. As a result he has been able to cut red tape & help many areas receive federal assistance for worthwhile & needed local projects.

The most recent result of these efforts was a $1.5 million grant to bring water into the southern portion of Monroe County. This is one of many such water and sewage programs underway and in the planning stages for Monroe County. Congressman Esch was also instrumental in securing an on-the-job training program in Monroe which has been successful in retraining some 250 people for more productive and rewarding jobs.

Elsewhere in the district, the Congressman has helped to move applications and funds for Head-Start programs, the Lenawee County Medical Facility, Adrian Urban Planning Assistance, Small Business loans for flooded areas, Ann Arbor Model Cities program, Ann Arbor Urban Mass Transportation study, Livingston County BASIC Program, Ypsilanti Urban beautification project, Plymouth workable planning program, projects to upgrade education in all areas of the District, and many others.

Besides specific local projects, Congressman Esch has provided direction for many district-wide concerns. He has supported efforts to clean up polluted lakes and rivers—particularly Lake Erie—and helped to formulate plans for flood control. Safer highways continued to be one of his major goals and he has consistently pointed out and helped to eliminate roadside hazards.

"Dealing with the federal government," Esch said, "can be a frustrating and time consuming experience. The doors of my office are always open to citizens and local communities who need help in their relationships with government. Until Washington streamlines its programs and procedures—as many of us have demanded—and until we develop a more sensible system of revenue distribution, I encourage communities to work within the structures and programs that exist. I'm ready to help wherever and whenever it's needed in the process."

Many people are not aware that one major function of a Congressman is to assist people to cut the red tape in dealing with the Government. Nearly 2,000 people have appealed to Congressman Esch for assistance. Here are some of the results in actual letters to the Congressman. If you have similar problems, please contact the Congressman by phone or letter at one of his offices listed on the front of this newsletter. He will assure that your case gets full and proper consideration.

Action on a military request: "I want to thank you for taking an interest in my letter concerning our son's health. I was pleased by the attention the Army officials gave his case."

"We are proud that our son can serve in the Army." (A mother from Adrian.)

Action on an immigration matter: "I'm pleased to inform you that we have now received our registration cards and are permanent residents of this fine country. This was only possible through your kindness." (An alien from Ypsilanti.)

Action on a Post Office complaint: "Many thanks for your careful attention to our mail situation. We are getting a mail delivery now." (A woman from Adrian.)

Action on a Social Security mix up: "We received our Social Security check August 17. We want you to know one small family in Michigan appreciates what you have done." (A family from Pinckney.)

Action on a tax problem: "We wish to extend our thanks for the time and effort you put forth on the matter of the refund on excise tax. We have the check and are pleased." (A couple from Ottawa Lake.)

CONFERENCE COMMITTEE APPOINTMENT

The Speaker of the House of Representatives appointed Congressman Esch to the House-Senate Conference Committees on both the Elementary and Secondary Education Act and the Higher Education Act. Conference committees iron out differences between House and Senate versions of bills—often making major decisions and determining final disposition.

Congressman William Ayres, ranking minority member of the House Education and Labor Committee, commenting on the appointment said, "it is rare that a freshman member is placed on a major conference committee and even more unique for one to serve on two such important conferences in his first term."

A REPUBLICAN VOTE IS A VOTE FOR A RECESSION

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. ANNUNZIO. Mr. Speaker, on October 2, the distinguished democratic candidate for Vice President of the United States, Senator Edmund Muskie addressed the American Bankers Association at the Conrad Hilton Hotel in Chicago. Senator Muskie presented what I feel was an outstanding address and dealt at length with one of the important issues of the day, our economy.

In less than a month, the American people will not only be voting for a President but will also be voting to determine the economic future of this country. I think it is important that the record be made clear as to which party stands for economic progress and which party stands for an economic program that could throw this country into another recession. Senator Muskie's speech clearly pins the labels on the proper party. In part, Senator Muskie said:

> We have had four recessions in the 22 years since World War II. Three occurred in the Republican years. The Kennedy-Johnson years have given us seven years of uninterrupted economic expansion.
>
> When Mr. Nixon left office in 1961, his Administration left a stagnant economy with a 7 percent unemployment rate. In no year from 1954-60 was the average rate below 4 percent. Now after 7 years of the Kennedy-Johnson-Humphrey Administrations, the unemployment rate is down to 3.5 percent and it has been below 4 percent since 1965.
>
> In the seven years from 1953-60, the real output of the economy grew by only 19 percent. By 1960 the gap between what we could produce and what we were producing was over $50 billion in 1967 prices. From 1961 to 1968, real output has risen 45 percent in a period of steady expansion—a record in American history.
>
> During the Nixon years, less than 4½ million jobs were added to the economy with an *increase* in unemployment of about 2 million. Since 1961 we have added 10½ million jobs, reducing unemployment by 2 million.
>
> After-tax income per person rose less than $180 in the Nixon years; it has gone up more than $650 since 1961. After-tax corporate profits rose only $3 billion in the Nixon years; they have risen $19 billion since 1961.
>
> The lesson from this record should be clear. Starting in 1961, despite the serious foreign and domestic problems besetting the country, the Democratic Administrations have greatly reduced unemployment and increased production and real income.

Mr. Speaker, not only has the Democratic Party guided this Nation to its most prosperous level in history but the party's presidential candidate, Vice President Humphrey is proposing new methods to increase that prosperity such as the National Urban Development Bank or the so-called Marshall plan for American cities. This is a dynamic new program that would not only help all localities but would reduce the costs of bond and debt obligations of our American communities and thus enable more money to go into improvements rather than into interest payments.

Because Senator Muskie's address to the bankers so correctly outlines the plan of economic progress of the Humphrey-Muskie team, I am including a copy of his address in my remarks so that anyone reading these remarks will see that a vote for the Republican ticket is a vote for a recession:

Excerpts for Remarks by Senator Edmund S. Muskie to the American Bankers' Association, Chicago, Ill., October 2, 1968

> In this year's election we will be setting our Nation's course for at least the next four years.

Your professional concerns are with the effect of that course on economic conditions in our country and abroad.

Your individual concerns are with the kind of society we will have—the quality of life we will enjoy, or suffer.

Both concerns underlie the challenges of social justice, of poverty in the midst of affluence, and of order in conflict with dissent. They are also tied to the challenge to improve the quality of life for all Americans:

To control air and water pollution;

To make our cities and towns livable;

To meet the needs of transportation, education, housing, and conservation.

The key challenges of the 1968 campaign are trust and confidence—

Trust and confidence in the men who aspire to lead the Nation; and

Trust and confidence in our political and economic systems, and their capacity to meet the needs of our society.

No one should underestimate the doubts which have been expressed on both counts.

One question posed by all these challenges is this: can we adequately finance the public and private investments in ways which will strengthen the political and social fabric of America?

We can, if we maintain a dynamic and expanding economy.

We can, if we are willing to invest the fruits of that economy in our society.

In campaign terms the question is: which candidate and party are best qualified to maintain full-employment prosperity?

Which candidate and party are most likely to encourage sound investments in our society?

To judge which party can best meet these challenges, let's look at the economic record of the past sixteen years.

We have had four recessions in the 22 years since World War II. Three occurred in the Republican years. The Kennedy-Johnson years have given us seven years of uninterrupted economic expansion.

When Mr. Nixon left office in 1961, his administration left a stagnant economy with a 7 percent unemployment rate. In no year from 1954–60 was the average rate below 4 percent. Now after 7 years of the Kennedy-Johnson-Humphrey administrations, the unemployment rate is down to 3.5 percent and it has been below 4 percent since 1965.

In the seven years from 1953–60, the real output of the economy grew by only 19 percent. By 1960 the gap between what we could produce and what we were producing was over $50 billion in 1967 prices. From 1961 to 1968, real output has risen 45 percent in a period of steady expansion—a record in American history.

During the Nixon years, less than 4½ million jobs were added to the economy with an *increase* in unemployment of about 2 million. Since 1961 we have added 10½ million jobs, reducing unemployment by 2 million.

After-tax income per person rose less than $180 in the Nixon years; it has gone up more than $650 since 1961. After-tax corporate profits rose only $3 billion in the Nixon years; they have risen $19 billion since 1961.

The lesson from this record should be clear. Starting in 1961, despite the serious foreign and domestic problems besetting the country, the Democratic administrations have greatly reduced unemployment and increased production and real income.

THE PROBLEM OF INFLATION

From 1961 to 1965 the nation had a record of excellent price stability—the wholesale price index rose only 2 percent and the consumer price index increased only 5½ percent—while the unemployment rate was gradually reduced from 7 precent to 4 percent. Then the sudden increase in demand due to the unexpected increase in Vietnam war expenditures started prices rising.

Inflation is a tough problem. No one has the simple answer to keeping price increases down while we maintain full emlpoyment. The Republicans had about the same rate of inflation from 1953–60 as the Democrats have had since 1961, but they had inflation with unemployment rising by about 2½ percent.

Recent rates of inflation must be slowed down. First of all, we must be willing to follow a responsible monetary and fiscal policy. This means *raising* taxes when necessary as well as reducing them when desirable. If the surtax had been passed when it was asked for—in early 1967—the economy would be better balanced with a slower rate of inflation now.

But we cannot sacrifice full employment for price stability. That cost is too high. A one percent increase in the unemployment rate means over 700,000 men thrown out of work, with all the attendant personal misery and social unrest.

We must reduce inflationary pressure, supplementing monetary and fiscal policy—

By raising the rate of increase in productivity through better job-training, inducements to labor mobility, and an emphasis on investment for modernization of plant and equipment, and

By maintaining and increasing competition in the economy.

But these remedies take time, and even with the rest of fiscal policies, the present wage-price spiral will not end tomorrow. We must have the cooperation of labor and business in a mutual effort to reduce the rate of inflation *now*.

Vice President Humphrey has suggested a vehicle for that effort in his proposal to convene a conference on wage-price policy, composed of business and labor leaders, government officials, and public members, permanently staffed and meeting in the President's executive office.

Another area of concern is the balance-of-payments.

As you know, the problem is one of liquidity, not solvency. Many of our dollars have gone abroad to buy long-term assets—companies, factories, stocks, bonds. U.S. *liquid* reserves have been falling and foreign *liquid* claims on the U.S. have been rising. At the same time, U.S. *total* assets abroad rose from $70 billion in 1960 to about $115 billion in 1967, while *total* liabilities went from $45 billion in 1960 to only $65 billion in 1967.

The U.S. is strong and solvent internationally. The only possible problem is a liquidity shortage.

In the early 1960's the administration was faced with the problem of a large balance of payments deficit—$3.4 billion in Mr. Nixon's last year, 1960—and unemployment was still around 6 percent. Tightening up on fiscal policy would have *raised* unemployment—a clearly unacceptable alternative. Restricting trade would have thwarted the Kennedy round negotiations and invited retaliation—another unacceptable result. The Kennedy administration reluctantly asked for first the interest equalization tax and then voluntary controls on capital flows.

These steps reduced the deficits from 1964 to 1966, but the sudden expansion of the Vietnam war, with its foreign exchange costs and inflationary pressure, caused an unexpected deterioration in 1967. Reluctantly, the administration made the voluntary program compulsory in January 1968.

The combined effects of the controls, European recovery from the 1966–67 recession, and the surtax cooling off U.S. inflation, seem to be moving the balance of payments into surplus this year.

Make no mistake. We have not once and for all solved these problems. We have proved that we can deal successfully with them if we have the will.

But we have not yet fully shaped the financing techniques to mobilize our great capital market and to harness its resources—

To rebuild our cities;

To provide adequate housing for all American citizens;

To educate and train our youth;

To provide urgently needed transportation facilities;

To clean up our water and our air;

And to eradicate poverty in the next decade.

The Vietnam conflict has absorbed resources which might otherwise be devoted to some of these urgent domestic tasks.

But when these resources become available, we will still have the problem of channeling them into the areas in which they are most needed.

In part, this is a matter of national priorities. In large measure, it is a financial problem.

How can we find the means for financing all of these great and important tasks without overburdening our financial structure?

This is the new challenge before us.

Let me talk about its dimensions. It can be measured in terms of public debt.

At present there are $120 billion of State and local government securities outstanding. About $15 billion in new obligations are being issued every year. If our State and local governments merely carry forward their present capital expenditure programs, we can expect State and local government debt to increase by two-thirds in the next ten years.

If we take into account new requirements in housing, in mass transit, in airways and airports, in water and air pollution control, in education, in health, and other State and local concerns.

If we take into account the budgetary pressures that will face the next President of the United States, State and local Government debt will rise 2½ times in the next ten years.

Such a vast growth in State and local government debt, raises serious questions about the ability of our capital market to absorb such a high level of State and municipal securities without sharp increases in interest rates. This would compound the already serious financial problems of State and local governments.

This is not the only question.

The relative roles of the Federal Government, of State and local governments, of private enterprise, and of community action groups can now be seen only in general outline. But there is one basic element—the need for a soundly conceived financial plan, which would combine the efforts of the three levels of government and private enterprise in a common partnership.

One of our efforts to develop new, imaginative and effective methods for financing capital investments was the participation sales act of 1966, which made financing more accessible, and at lower rates of interest, for a variety of Federal loan programs.

There were two basic reasons for that act: First, impatience with the obsolete rules then applying to the budget of the United States; and, second, a desire to bring more private lenders into high risk, but socially important lending programs. The act had the added advantage of unburdening the budget from charges on it that would result if these loans were held by a Federal agency.

You can imagine what your own bank's income statement would look like if you treated an increase in your loans as an expense. That was the rule that applied to the Federal budget.

Controversy over the participation sales act was a major reason for the appointment of the distinguished Commission on Budget concepts under the chairmanship of Mr. David Kennedy. The Commission's report resulted in a major reform in the Federal budget—the unified budget.

The Participation Sales Act, and the concept of a pool of loans and a standard market instrument which it embodied, has been an inspiration and stimulus to imaginative proposals in other areas.

Here I refer to the provisions of the Housing and Urban Development Act of 1968, which authorizes private lenders to issue federally guaranteed participation certificates in pools of FHA and VA mortgages. This should enable housing to compete more effectively with other uses of funds in periods of credit restraint.

Governor Mitchell of the Federal Reserve Board has also suggested the use of a standard market instrument issued against a pool of loans to help channel additional bank funds into regions of our country in which such funds are in chronic short supply.

The participation sales technique may also be applicable to the financing of State and local government expenditures.

Another proposal to ease the municipal bond market was the administration's proposal in this session of Congress to provide the financing for anti-pollution programs through federally subsidized taxable municipal bonds.

The recommendation foundered because of a fear that this would be a first step in eliminating entirely the Federal income tax exemption for all State and municipal borrowings. That exemption has been regarded as a charter of fiscal independence from the Federal Government. State and local governments did not want that charter breached.

There is a sound way to overcome that problem.

Vice President Humphrey has proposed a National Urban Development Bank to help finance a Marshall plan for American cities.

The Bank and its regional affiliates would—

Fund non-profit neighborhood development corporations;

Guarantee loans made by private lenders for inner-city and metropolitanwide development;

Offer loans to inner-city businessmen whose opportunities are limited by lack of financing;

Fund quasi-public housing development corporations.

In addition to supporting private development, the bank could also purchase obligations of state and local governments to finance important federally-supported programs. It could purchase these obligations at rates comparable to the rates on tax-exempt municipal obligations, the difference between its lending rate and its borrowing rate would be met by federal appropriations.

I see a development bank offering these advantages over traditional financing of state and local government programs:

(1) It would broaden the market for municipal obligations;

(2) It could open new channels of communication and new means for coordinating federal assistance to state and local governments; and,

(3) The bank could maintain and strengthen the ultimate fiscal independence of state and local governments.

This would give renewed strength to our federal system—it would aid these jurisdictions to meet their responsibilities on their terms and not simply on terms laid down by the federal government.

This, I believe, is an important path to be explored. It may, in turn, open up other avenues of federal-state-local partnership to meet the vast and growing financial demand for new public facilities and social welfare projects.

As leaders of our financial community, you must serve the Nation with your influence and your help. We have needs that we must not, we dare not, fail to meet.

If we do fail to meet them, the republic may not survive. For in President Kennedy's words:

"If a free society cannot help the many who are poor, it cannot save the few who are rich."

CONGRESSMAN CLARENCE MILLER'S END OF THE SESSION REPORT

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. MILLER of Ohio. Mr. Speaker, I am soon going to be sending my regular quarterly newsletter to residents of the 10th District of Ohio. This issue contains a report on the activities of the 90th Congress. I would like to insert this newsletter in the RECORD:

THE 90TH CONGRESS—A LOOK AT THE RECORD

WHAT IT DID

The 90th Congress adjourned in early October, after approximately twenty-one months of legislative activity. During this time over 300 new laws were enacted, ranging in subject matter from riot control to conservation.

The economic condition of our country's finances did much to dictate the attitudes of the 90th Congress. Faced with the threat of runaway inflation, a spiraling national debt and with a war in Southeast Asia which continues to siphon off billions of tax dollars each year, the Congress was in no mood to compound the problem with a rash of expensive and untimely new programs.

Unlike the 89th Congress, the 90th Congress was not inclined to enact new laws at the directive of the executive branch. It was nobody's puppet. Change for the sake of change, as practiced by the 89th Congress served only to heighten the problems of our nation's economy. The 90th Congress tried to put back the pieces.

Sensitive to the increasing demands being placed upon our nation's economy the 90th Congress moved to ease the burden. It reduced to its lowest level since WWII the Foreign Aid Program. It demanded and forced upon a reluctant administration a cut-back of approximately $13 billion worth of federal spending.

At the same time however, the 90th Congress was fully aware of the domestic ills besetting our nation and moved to the attack. It passed the Anti-Crime Bill which overturns recent Supreme Court decisions which had worked against the best interests of our law enforcement agencies. It strengthened and expanded upon the vocational training programs now in effect. Alert to the increasing demands of inflation and to the plight of those living on fixed incomes it increased benefits for our nations veterans and social security recipients.

AND DIDN'T DO

As a strong advocate of tax reform I was disappointed to see Congress adjourn without coming to grips with this very serious problem. Early last year I submitted a bill which would help the taxpayer. The bill called for an increase in the personal income tax deduction from $600 a year to $1000. The administration refused to support this proposal contending that such action would mean the loss of $11 billion a year in revenue to the federal government. My argument is that Congress should move to tighten up the tax loop holes which exist, and stop belaboring the taxpaying middle class American at the expense of the tax dodgers and international financiers. I will continue to advocate tax reform and will continue to work toward a more equitable solution of this problem.

Another area of concern which I felt needed attention and which failed to receive consideration during the 90th Congress was a bill to provide for revenue sharing between the federal government and the states. I feel such a bill would permit the states considerably more control over the expenditure of your tax dollar and would lead to a more efficient use of available tax revenues.

DISTRICT DEVELOPMENTS

"Progress is our most important product"—Such is the slogan of one of our leading national companies. Much the same can be said for Southeastern Ohio during the past few years.

Prompted by an increasing local awareness of the problems that have heretofore restricted the growth and advancement of Southeastern Ohio area residents have set about to correct these conditions. New water systems, new hospitals, new educational facilities—have all helped to point the way to a new and brighter future for the citizens of the 10th District.

Some of the most recent project developments of interest are—

Buckeye Hills—The U.S. Soil Conservation Service announced the approval of the Buckeye Hills Resource Conservation and Development Plan. The approval permits project directors to initiate application for federal funds to assist with the implementation of this five-county program.

The project plan which encompasses Monroe, Morgan, Noble, Washington and Belmont counties, will do much to improve the economic, conservation and recreational conditions within the area.

Muskingum Area School—Construction is underway for the new Muskingum Area Joint Vocational School and Technical Institute at Zanesville. The Vocational School which will serve residents of Muskingum County anticipates an initial enrollment of 600 students. The Technical Institute which will serve residents of a six county area including the 10th District counties of Morgan, Noble, Perry and Muskingum has an initial anticipated enrollment of 300. The $3.5 million complex is expected to be ready for classes next September.

Ohio River Bridge—Every effort continues to be made at local, state and federal levels, to expedite completion of the new Ohio River Bridge at Gallipolis. Construction is proceeding at an accelerated pace and it is expected that the new $8.5 million structure will be completed by next September.

Rio Grande—Congressman Miller is shown with Dr. Alphus Christensen, President of Rio Grande College discussing final arrangements for the construction of a new physical education building for the college. The $600,000 facility is expected to be completed by December 1969.

Logan Reservoir Project—Flood control for the Hocking Valley got a big lift with the recent announcement by the Ohio Dept. of Natural Resources and the U.S. Army Corps of Engineers that a tentative site has been approved for the Logan Reservoir project. Though the project is still very much in its infancy stage, this approval was a major hurdle toward getting federal authorization for this much needed facility.

MILLER VOTING RECORD

Indicated below is a recap of my votes on some of the important issues acted upon during the first and second sessions of the 90th Congress which I didn't have the opportunity to report to you in my earlier newsletters.

First session (January–December 1967)

H.R. 4573—To increase National debt limit—No.

H.R. 9960—To reduce appropriation for Rent Supplement Program—Yes.

H.R. 6431—To extend assistance for the Federal Mental Health Program—Yes.

H.R. 10226—To extend free mailing privileges to additional servicemen—Yes.

H.R. 10730—To extend provisions of the Older Americans Act to develop programs to help the elderly—Yes.

H.R. 10480—To prohibit public desecration of the American flag—Yes.

H.R. 421—To make it a Federal crime to travel interstate with the intent to incite a riot—Yes.

H.R. 7659—To authorize mid-decade censuses—No.

H.R. 12474—To appropriate $4.6 billion for National Aeronautics and Space Administration—No.

H.R. 11816—To provide Disability and Death benefits to State and Local Police and their families if killed or injured apprehending violators of Federal laws—Yes.

S. 602—To authorize $887 million for the Appalachia Program—Yes.

S. 780—To provide authorization over a three-year period for Air Pollution and Research Control Programs—Yes.

H.R. 13054—To prohibit discrimination because of age against workers aged 40–65—Yes.

H.R. 13893—To authorize $2.87 billion in Foreign Aid for Fiscal year 1968—No.

H.R. 7819—Final passage of Elementary and Secondary Education Bill for Fiscal years 1969 and 1970—Yes.

Second session (January–October 1968)

H.R. 11601—To require creditors to provide their customers complete information about the cost of their credit—Yes.

H.R. 14743—To remove the Gold Cover requirement from Federal Reserve notes—No.

H.R. 15398—Expand the School Lunch Program—Yes.

H. Res. 1099—To provide an official code of conduct for House members—Yes.

Congressman Gerald Ford, the House Minority leader, congratulates Congressman Miller for perfect attendance record during the 90th Congress. Miller was one of four out of the 435 House members and the only freshman member to answer every one of the over 800 roll call and quorum calls taken during the 90th Congress.

H.R. 16819—To provide authorization through 1972 for Rehabilitation Programs for the disadvantaged and the disabled—Yes.

H.J. Res. 958—To direct the Secretary of Transportation to conduct a comprehensive study of the Auto Insurance System—Yes.

H.R. 16729—To deny funds under the Higher Education Act to any individual willfully engaged in disruptive campus activities—Yes.

H.R. 16027—To increase compensation rates for veterans—Yes.

H. Res. 1197—To provide for a Comprehensive Program to combat organized crime and riots—Yes.

H.R. 15414—To impose a 10% surtax on corporate and individual income taxes—No.

H.R. 14096—To impose penalties for the unauthorized possession of LSD and other hallucinogenic drugs—Yes.

H.R. 17903—The Public Works Appropriation Bill which included funding for flood control and conservation—Yes.

H.R. 15067—To extend through Fiscal year 1970 the Higher Education Program—Yes.

H.R. 17126—To provide for a one year extension of the Farm Program—Yes.

H.R. 15045—To extend provisions of the Manpower Training Act—Yes.

H.R. 19908—To authorize $1.6 billion in Foreign Aid for Fiscal year 1969—No.

DISTRICT ACTIVITIES

This year as last the Congressman's Mobile Office visited the various County Fairs throughout the 10th District. The highlight of this year's display was a public opinion poll on current issues of national interest. Results of the poll have been released to the news media on a county-by-county basis. Here is a compilation of results of the poll based on answers from the 12 Fairs held to date. We would like to take this opportunity to thank the approximately 5,000 persons who took the time to provide us with their views.

	Percent
Registration of all firearms	22
Registration of handguns only	12
No registration of firearms	66
Discontinuance of the mail-order sale of firearms	40
Limited restrictions on the mail-order sale of firearms	28
The continuance of the mail-order sale of firearms	32
Lowering the voting age to 18	51
Maintaining the voting age at 21	49
A complete bombing halt in Vietnam while the Paris peace talks are underway	19
Continuance of the present policy of limited bombing during the Paris talks	14
An all-out effort in the Vietnam fighting	67
The continuance of present farm programs	39
The gradual elimination of Federal farm programs	38
The immediate discontinuance of Federal farm programs	23

MAJOR LEGISLATION OF 90th CONGRESS

Bill	House		Senate		Status
	Reported	Passed	Reported	Passed	
Investment tax credit (H.R 6950)	Mar. 15, 1967	Mar. 16, 1967	Mar. 23, 1967	May 9, 1967	Public Law 90–26, June 13, 1967
Veterans' benefit (S. 16)	Feb. 8, 1967	Mar. 20, 1967	Jan. 31, 1967	Feb. 7, 1967	Public Law 90–77, June 13, 1967.
Air pollution control (S. 780)	Oct. 3, 1967	Nov. 2, 1967	July 15, 1967	July 18, 1967	Public Law 90–148, Nov. 21, 1967.
Wholesome Meat Act (H.R.12144)	Sept. 21, 1967	Oct. 31, 1967	Nov. 21, 1967	Nov. 28, 1967	Public Law 90–201, Dec. 15, 1967.
Social security benefits (H.R. 12080).	Aug. 7, 1967	Aug. 17, 1967	Nov. 14, 1967	Nov. 22, 1967	Public Law 90–248, Jan. 2, 1968.
Codes of ethics (S. Res. 266, H. Res. 1099).	Mar. 14, 1968	Apr. 3, 1968[1]	Mar. 15, 1968	Mar. 22, 1968[1]	Action completed.
Tax surcharge-excise taxes (H.R. 15414).	Feb. 23, 1968	Feb. 29, 1968	do	Apr. 2, 1968	Public Law 90–364, June 28, 1968. 8
Truth in lending (S. 5)	Dec. 13, 1967	Feb. 1, 1967	June 29, 1967	July 11, 1967	Public Law 90–321, May 29, 1968.
Anticrime (H.R. 5037)	July 17, 1967	Aug. 8, 1967	Apr. 29, 1968	May 24, 1968	Public Law 90–351, June 19, 1968.
Juvenile delinquency (H.R. 12120).	Sept. 19, 1967	Sept. 26, 1967	June 28, 1968	July 8, 1968	Public Law 90–455, Aug. 1, 1968.
College assistance S. 3769)	July 8, 1968	July 25, 1968	July 11, 1968	July 15, 1968	Awaiting Presidential signature.
Vocational education (H.R. 18366).	do	July 15, 1968	do	July 17, 1968	Do.

[1] Adopted.

EVERY CANDIDATE SHOULD BE HEARD

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. DORN. Mr. Speaker, every candidate for President should be accorded a respectful hearing. Those who boo and heckle the candidates for the highest office in the land are doing our democratic processes an injustice. Every candidate's views should be made known and made available to the American people. Only in this way can the American people make a wise and judicious decision for this the highest office in the world.

Mr. Speaker, the Honorable George C. Wallace addressed the National Press Club here in Washington yesterday. I commend the Washington Post for its fairness in carrying the full text of Governor Wallace's address. Mr. Speaker, the following is Governor Wallace's address as it appeared in the Washington Post, Tuesday, October 8:

WALLACE ON VIETNAM: "WE WILL NOT ALLOW CONFLICT TO DRAG OUT"

(The prepared text of a speech yesterday by third party presidential candidate, George C. Wallace, before the National Press Club)

In my travels of the past several months which have carried me through the length and breadth of this great Nation, among other things, two questions have been asked me with ever-increasing frequency—first—who is to be your running mate? This was settled last Thursday in Pittsburgh, with the naming of Gen. Curtis LeMay, as fine a gentleman and as courageous a soldier as this Nation has ever produced—and second, what is your knowledge and what are your policies and proposals for administering the foreign policy of this country? The news media and others want to know if I am an "expert" in this field.

I say to them that from the condition of our foreign policy I do not believe we have any "experts", and if experts got us in this shape, then it is high time we tried something else. For the past two decades or more the other two parties have alternately tried their hands at managing our foreign affairs with consistently worsening results. They have tried everything from "brinksmanship" to disarmament and one has been no more effective than the other.

STRONG POLICY NEEDED

What this country needs is a strong well-defined policy to guide our foreign affairs. This policy must be clearly stated and well understood by our own people and by our friends and foes alike. In my judgment, the absence of any such well-defined and consistent policy over the past 20 years or more has contributed to the world conditions now existing.

Our foreign policy must be designed to secure a just and lasting peace. This can best come about when nations deal with one another on a basis of mutual trust and understanding. This must be coupled with complete frankness and determination as to objectives and courses of action. If a Nation will only say what it means and means what it says, it will gain the respect, if not always the admiration of other nations. It is here that we have failed. We have equivocated so often that we have caused friendly, as well as unfriendly nations, to have serious doubts as to our determination and reliability.

We sincerely feel that the road to peace lies through international cooperation and understanding. We will pursue this goal to the limits consistent with our own national interest. We will not abandon the United Nations unless it first abandons us. We will give it every fair opportunity at solving international disputes, however, we will not subordinate the interests of our Nation to those of an international organization. We feel that member nations should bear their proportionate share of the cost of operation and we will insist that they do so. We also feel that the officers and officials of this organization, including the Secretary-General, must conduct themselves with an air of objectiveness and impartiality and we will insist that this be done. We will give this organization every opportunity to succeed in its purpose but should it fail, we would reappraise our relationship with it.

Foreign aid and assistance, economic and military, will be granted on a basis of what is in the best interest of our own Nation as well as the receiving nation.

There are numerous extravagances and excesses in the foreign aid program and certain nations are receiving foreign aid from us who should be denied it. We promise not to grant aid and assistance to the nations who oppose us militarily in Vietnam and elsewhere throughout the world. We will apply this same prohibition to those nations who seek our economic and military destruction by giving assistance to our enemies. We must follow this course in order to protect the economic welfare and national security of our own country.

We will continue to aid those countries who need our help, who deserve it, and have earned the right to it. We will eliminate waste and corruption from these programs and we will use foreign aid as an instrument of foreign policy in such a manner as to further the interest of our own Nation.

We believe strongly in the free enterprise system for America and in encouraging free trade between this and other nations. However, should the increasing inflow of imports from low-wage nations endanger employment or marketing by American industry. we will approve reasonable quantative limits on such imports. We feel that our home industry is entitled to a fair share of the present market and of future growth. We would seek negotiations in this area before requesting legislation.

MIDEAST INITIATIVES

We will have our Department of State, and other interested agencies of Government work toward the lowering of trade barriers against American goods in a manner consistent with the policy of our Administration on controlling imports into the American market.

A serious situation now exists in our balance of payments resulting from overexpenditures in the area of foreign aid, a lack of efficiency in the operation of certain international programs and a failure to require our allies to fund their share of the heavy military expenditures necessary to our common defense.

As I have stated, foreign aid will be granted on a basis of need and in a manner consistent with the best interest of our own country and denied to those who are seeking to destroy us. We will insist on efficiency in operation and the elimination of waste and corruption from international programs to which we are a party. We will work to reduce our military expenditures overseas, not by lessening military strength and preparedness, but by requiring our allies to assume their share of the burden and costs.

The Middle East is still an area of high potential danger to world peace. We will take the initiative in encouraging mutual cooperation between the adversaries in this area and in seeking the mutual respect of each for the United States. We will encourage multi-lateral discussions seeking means of resolving and stabilizing boundaries and providing for the free use of water and land routes throughout this area. Binding nonaggression agreements must be developed.

WOULD AID ISRAEL

Until there are sincere neogtiations and some form of positive agreement between Israel and the Arab nations we must assure that no imbalance of force comes to exist in this area. Nothing could more endanger the peace.

If Russia persists in its arming of the Arab nations to such an extent as to pose a threat to their neighbor, this country must assure that Israel is kept at a commensurate level of strength. Under these conditions we will join with the other nations of the free world in providing sufficient arms and equipment to Israel to maintain a balance of force in this area.

Western Europe is still an area of vital importance to this country and in our concern with the conflict in Southeast Asia we must not lose sight of the significance of our relationship with our European allies. We must remain strong in this part of the world and we must assure that our allies there remain economically and militarily strong. We will continue to support the North Atlantic Treaty Organization, retaining our troop strength in that organization and urging that our allies and member nations do likewise.

We will deal patiently but firmly with the present French Government convinced that in due time it will again return to full partnership with its Western allies of long standing.

TIED TO LATIN AMERICA

We will remain concerned for the captive satellite nations of Eastern Europe and share with them their hopes and aspirations for their eventual and inevitable return to the family of free nations. Recent events in Czechoslovakia clearly show that freedom cannot exist within the Communist philosophy and the total unreliability of the political relationship between Russia and her satellites.

This country is tied closely to the nations of Latin America economically, geographically, security-wise, socially and politically.

We will continue to provide aid and assistance to these nations to enable them to achieve political and economic stability and to better prepare themselves to resist the threat of Communist infiltration and subversion from Red Cuba.

These programs will be designed to aid in the development of the agricultural and industrial potential of these nations and in the development and proper utilization rather than the exploitation of their tremendous natural resources. We will see that the principles of the Monroe Doctrine once again become the cornerstone of American policy in this hemisphere.

We will continue to seek the liberation of the Cuban people from the Castro tyranny by strengthening the economic pressures on his government. To do so, we must secure a greater degree of cooperation from our allies than we have had in the past and their trade with Cuba must be effectively minimized, if not completely curtailed.

LIFT RHODESIA SANCTIONS

If we are to frustrate Castro's attempt to export subversion throughout Latin America we must increase the quality and effectiveness of our military aid and assistance to our Latin American allies. This aid will be more carefully planned and efficiently administered.

Despite earlier misjudgments by the news media and our political leaders of the character and purposes of Castro, we then knew, and know him now for what he is. All economic and political pressures will be exerted to gain freedom for the Cuban people.

We will provide assistance to those emerging nations of Africa and Asia who desire such assistance and who have demonstrated a reasonable capability and intention of using such assistance for the good of their people. We will not aid in the replacing of one form of despotism with another, and we do not intend to become concerned with or involved in the internal quarrels of national groups of factions.

We strongly disagree with the present economic sanctions and pressures applied to Rhodesia and the Union of South Africa. We will lend every effort toward having these eliminated. We consider these two countries to be good friends and allies of this country and they will be respected and treated as such.

We will base the foreign affairs of this country on the principle of assisting and cooperating with our friends and recognizing and treating our enemies as such.

MUST SUPPORT TROOPS

We will seek to regain the respect of our Nation which it merits and deserves. This can best be done by maintaining a position of strength and adopting an attitude of firmness and fairness. When we do this many of our existing difficulties will be resolved and new difficulties are less likely to arise.

As for Vietnam, this is a problem in and of itself and not one to be treated lightly or sparingly in a general discussion of foreign policy. It will be covered in detail in our Party platform to be released late this week and in later discussions during the campaign.

Let me say this today—This is one of the most critical situations with which this Nation has ever been confronted. It is too late to engage in debate as to why we are so deeply involved and committed in Vietnam. The fact is that we are so involved and that we have more than a half-million servicemen now committed to the proposition of life or death in that conflict. They must be supported with the full resources of this Nation.

The prime consideration at this time is an early end to hostilities. We earnestly desire that the conflict be terminated through peaceful negotiations and we will lend all of our aid, support, effort, sincerity and prayer to this end. Negotiations will be given every reasonable and logical chance for success and we will be patient to an extreme in seeking an end to the war through this means.

CONVENTIONAL WEAPONS

If it becomes evident that the enemy does not desire to negotiate in good faith, that our hopes for termination of hostilities in this manner are not being realized and that the lives and safety of our committed troops are being further endangered, we must then seek a military solution.

Hopefully such a situation will never arise, but should it come to pass, I would then seek the advice and good judgement of my Joint Chiefs of Staff as to ways and means of reaching a military conclusion to this conflict with the least loss of life to our American servicemen and our South Vietnamese allies, stressing the fact that this is to be accomplished through the use of conventional weapons.

I would retain full control, as a civilian Commander-in-Chief, of final decision, but I would pay heed to and consider to the fullest extent this advice and judgment of my military advisors.

Most of all, this Nation must depart from the "no win" policy now being followed and this conflict must be terminated at the earliest possible moment through one or the other means I have mentioned, and I hope and pray it is through peaceful negotiations. We will not allow this conflict to drag on indefinitely wtih its great drain on our national resources and manpower.

FEDERAL FISCAL AID TO STATES AND MUNICIPALITIES

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. PODELL. Mr. Speaker, several weeks ago the Advisory Commission on Intergovernmental Relations published a monumental, two-volume study entitled "Fiscal Balance in the American Federal System." This report deserves the careful study and consideration of every Member of this House since it deals objectively, factually, and perceptively with the future development of our federal system.

For some years before I was elected to this House, I served as the chairman of the New York State Assembly Committee on Local Finance and consequently worked with many aspects of the problems delineated in this report from the viewpoint of a State legislator. From that point of view, I am convinced that a healthy, viable federal system can survive only if we address ourselves constructively to many of the recommendations proposed by the Advisory Commission on Intergovernmental Relations. The alternative will be a growing concentration of power in Washington, alienation of our people from the exercise of governmental power and authority far removed from the scene of the action, and skyrocketing administrative costs as the taxpayers' dollars move from their pockets to Washington and then filter back home through a hierarchy of administrative agencies, each removing from the dollar the amount it requires to meet operating costs.

In its eighth annual report, the Advisory Commission on Intergovernmental Relations sounded a clear warning about the threat to the States resulting from the concentration of fiscal power in Washington. The report said:

> The states are on the verge of losing control over the metropolitan problem; if they lose control they lose the major responsibility for domestic government in the United States and, thus, surrender a vital role in the American Federal system. So, at the close of 1966 the tremendous task of financing, servicing, and governing metropolitan America clearly poses the greatest challenge to Federalism since the Civil War.

Federal financial assistance programs have in recent years so expanded in scope as to embrace virtually every State and local activity. Since 1960 Federal grant-in-aid programs have so substantially increased as to become a major factor in the Federal budget. Within the State of New York, for example, total Federal grant-in-aid programs increased from $355 million in 1958 to over $800 million in 1967. However, in view of the categorical nature of Federal grant programs, these Federal funds are not evenly distributed among the various units of local government. Federal participation in welfare programs result in a significantly higher distribution of Federal funds to the city of New York and to county governments which operate the welfare administration agencies.

In 1965, the last year for which such figures are available, the counties in New York State received approximately $111 million in Federal funds amounting to 13.2 prcent of total county tax revenues. The city of New York received $220 million constituting approximately 9 percent of local tax revenues. In contrast, the State's towns received $3,146,000 constituting but 1 percent of their total tax revenues while villages received $3,949,000 amounting to 2 percent of total village revenues.

There has been a particularly striking increase in Federal aid to education rising from $28 million in 1960 to $204 million in 1966. The most dramatic increased occurred in 1966 when Federal funds jumped from $67 million to the $204 million figure. However, receipt of these funds by the State are encumbered by an administrative thicket requiring compliance with more than 20 project grant programs.

Preservation of our Federal System requires not only a more rational approach to the nature of Federal fiscal assistance programs but also improved performance standards by State and local governments. Clearly this is an obligation about which the States are acutely aware as reflected in the number of State constitutional conventions which have been held in recent years and planned for the future. Major obstacles in present State constitutions to more effective and responsible local government revolve primarily around limitations on local government power to borrow money and limitations upon their taxing powers.

Since local governments must function, recourse has been made to the creation of special districts to provide essential services with the district borrowing money and receiving revenues through user charges. In addition to special use districts, there has also been greater resort to the use of public authorities. The magnitude of public authority operations can be gaged from the fact that in New York State their total assets in 1965 amounted to almost $7 billion. Their total outstanding debt amounted to $4.5 billion which is two and half times the outstanding indebtedness of all local governments in the State with the exception of New York City. The total authority indebtedness of $4.5 billion amounts to four times the total State indebtedness—exclusive of New York City—and is equal to the total New York City indebtedness.

In many respects the recommendations of the Advisory Commission on Intergovernmental Relations are controversial. But they are controversial only because the issues are critical and in imperative need of resolution. I am certain that the proposals and the recommendations of the Advisory Commission will be fully considered by the 91st Congress and will reflect the desires of this House to preserve the Federal System as an effective and responsive structure of our democratic Republic.

"LAUGHTER FROM THE RAFTERS"

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. AYRES. Mr. Speaker, those of us who live in northern Ohio, turn daily to the column of George Condon in that outstanding newspaper, the Cleveland Plain Dealer.

We, who date back over the years, remember George Condon as one of the best investigative reporters in our Nation. A man of great integrity and fairness, he early developed stories that caused legislative changes on both a local and national level.

In recent years, he has turned his great ability to the field of satire and whimsy and has received nationwide recognition in this field.

Now the publishing house of Doubleday & Co. has wisely decided to publish in book form 103 of his Cleveland Plain Dealer columns. This book has received universal acclaim and is fast becoming a best seller.

I know that the work of George Condon is known to many Members of this body and that they will be pleased that they now can secure so many of these timeless columns under one cover.

The Cleveland Plain Dealer, under the direction of Editor Tom Vail, is famed for the quality of its editorial staff. The George Condon book, "Laughter From the Rafters," will add to the luster that is already theirs.

My good friend, Bob Hope, a longtime resident of my area, has written the foreword for George Condon's book. No one, in all history, has a greater sense of satire than that great comedian. Like George Condon, Bob Hope also has a great feeling of responsibility for the welfare of his fellow man. We are indeed proud of these two great Ohioans.

The foreword to George Condon's "Laughter From the Rafters" by Bob Hope follows:

> Some people think of Cleveland as a leaky valve in the heartland of America—but George E. Condon is not one of them. In his first book, *Cleveland: The Best Kept Secret*, George squealed on my old hometown. Among other things hitherto classified, he told so many people about that great fighter, Packy East—that's me, folks!—that even Jack Dempsey asked for my autograph. Jack told me, "Write it like you used to fight, Bob. Just put it on a piece of canvas. It will look more natural laying there."
>
> The last time I visited Cleveland, the police came out to meet me. It reminded me, in a way, of the time I left the city many years ago, only then the cops were chasing me. That's progress, any way you look at it.
>
> But I didn't preempt this space to talk about Bob Hope.
>
> Not much I didn't! Seriously, folks, this is about my friend George. He's been writing a daily column for *The Plain Dealer* since I left Cleveland. That takes him back to the McKinley Administration. (For the benefit of non-Clevelanders, Fred McKinley was in charge of handing out city-owned bathing suits at the Edgewater Bath house for twenty-two years—one of the most successfull administrations in history.)
>
> George Condon, as you'll see from this book, is the kind of man who had the courage to come to grips with modern civilization; a hero in the Packy East mold, you might say, and, like Packy, he usually winds up on his back, thrown by passing automobiles, sardine cans that don't open, doors that slam in his face, and automatic elevators that refuse either to automate or to elevate. It's not that the world is too much for him; he's just not for this world. And when, like the rest of us, he is busy losing his bouts with automation, technology, and the machine age, he gets so many wry laughs out of it, you have to join in. That's the way it is with a shot of wry. It's an eye opener that lets you see what a comic world this really is.
>
> Most books today are about sex and sin and how to murder your grandmother with a meat cleaver, but George eschews such superficial stuff, along with his Mail Pouch tobacco, and knuckles down to the important issues of the day, like the need for reviving the front porch as an American institution.
>
> You can tell from this that George Condon has his serious moments, too, and that's when he gets in some good words about Cleveland and perks up my pride in my old hometown. The thing is, there's a lot of the

life I used to love and live back in Cleveland contained in this book, and it's reassuring to be reminded that laughter still comes easy there.

Mr. Speaker, Robert Cromie, nationally famed critic for the Chicago Tribune, recently reviewed "Laughter From the Rafters."

His review follows:

One of Last Funny Men Writes Treasure

(By Robert Cromie)

There aren't many funny men left in the literary world, and someone should declare George E. Condon, Cleveland Plain Dealer columnist, a national treasure. For proof, read "Laughter from the Rafters" [Doubleday, $4.95], a gathering of his chosen essays.

Condon, as must any good feature writer, has the gift for viewing things from odd and whimsical angles. All of you, I would guess, have read warnings from the National Safety Council on the dangers to be found inside any typical American home. Condon discovered a fellow who began brooding about them. Now he virtually lives in his neighborhood saloon.

"'I love my wife,' he told everybody, 'and I don't really like to drink. But it's a lot safer here than it is at home. The National Safety Council people have yet to issue the first warning about the hazards of sitting in a beverage room. All they tell you is not to drive if you've been drinking, so I'm just sitting tight.'"

It also seems worth mentioning that Condon is scrupulously honest in his reporting. In a piece titled "White Tornado and Dockerty's Wall," for example, he mentions that during a conversation in the local pub the subject of television came up, "and all because of a strange combination of circumstances." Then he has second thoughts.

"It wasn't so much a combination of circumstances," he explains, "as it was a combination of ingredients that Dockerty the Barkeep managed to bring together in a glass."

One of the most charming stories in this charming book tells of Gus Utter, a veteran Cleveland newspaper man, and was set down a few days after his death in tribute to "an irreplaceable blithe spirit" who was so fond of zany characters that "when he couldn't find them, apparently he did the next best thing—he invented them," Gus himself qualified as an original, too.

He was quite mad about snakes, and they about him, Condon declares, and when someone offered to lend him a boa constrictor Gus happily put it in a basket and took it along to his favorite bar. A fellow elbow-bender asked what the basket contained:

"'A boa constrictor,' replied Gus truthfully.

"That drew a big laugh, so he opened the basket. The boa constrictor rose sinuously to its full height and stared lovingly into Gus Utter's eyes, scornful of the sound of bodies falling off the nearby bar stools.

"Almost everybody loved the guy."

The cunning Condon has a way with lead paragraphs that hooks you:

"They say it happened in a Cleveland bank several years ago when one of the tellers totaled up his money at the end of a very busy day and discovered that he was a million dollars short." Or:

"It is probably common household knowledge by this time that I am one of the shrewdest shoppers of our time. The word gets around. When I enter a supermarket or hardware store, there is a sudden hush every time, and then the customers fight to get as close to my little cart as they can. The effect is comparable to that which would be achieved if Nijinsky suddenly stepped out on the ballroom floor for a quick whirl." Or:

"We are all susceptible to sudden realizations; they can strike at any hour of the day or night and they are almost always shockers. I remember sitting upright in my bed one night, brought out of a sound sleep by the appalling realization that dogs no longer chase cats."

And you shouldn't miss the piece about the Sandusky wolfscare. Pleasure reading of a high sort.

HUBERT HUMPHREY AND INESCAPABLE FACT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. ASHBROOK. Mr. Speaker, columnist Murray Kempton is well known for his aggressive liberal point of view, and while I have not agreed with him on many occasions, I have always respected him for the sharp comments he makes about political affairs. For example, his column, "A Time To Resign," in the New York Post, October 4, 1968.

I must admit that this is one of the most extraordinary articles I have read at any time. Here is a direct quote:

> To support or vote for Hubert Humphrey is to confess yourself so without pride that you will continue in office a political party which lied to you in 1964, and which has made more decent Americans ashamed of their country than at any time since the war with Mexico.

What is more, this is only the beginning. Kempton continues with:

> There must be millions of people who are ashamed of having voted for Mr. Johnson. Can anyone say now that Mr. Humphrey as a person or the Democrats as a party offer the smallest assurance that we will not again be ashamed?

This is artillery fire of massive caliber and it is not muted in the slightest by the pronoun "we." Even so, the biggest blast is yet to come:

> The inescapable fact is that the Democratic Party deserves to lose. It has lied to us, cheated us, abused us, degraded us, filled decent persons with thoughts of treason, and turned thousands of private men desperately to bay. If the Democrats can go unpunished for that, they can get away with anything.

I insert the full column in the RECORD at this point, as "inescapable fact":

A Time To Resign

(By Murray Kempton)

The laggard but perceptible movement of former supporters of Senators Kennedy and McCarthy to Vice President Humphrey is, George Backer says, "what everybody knew would happen." George Backer was for Hubert Humphrey before Chicago, a thing not quite so hard as to be for Hubert Humphrey after Chicago.

"There's no place else to go," Mr. Backer explains. "The young are learning for the first time that life involves compromise."

What George Backer may have overlooked is that a good many persons, young or old, realize this election has very little to do with life.

Walter Lippmann has endorsed Mr. Nixon. I wish I could follow him that far, but it seems to me that Mr. Humphrey has suffered quite enough degradation as it is. Mr. Humphrey knows what Walter Lippmann thinks of Mr. Nixon. How can Mr. Humphrey feel when he finds that Walter Lippmann prefers Mr. Nixon to him?

But to support or vote for Hubert Humphrey is to confess yourself so without pride that you will continue in office a political party which lied to you in 1964, and which has made more decent Americans ashamed of their country than at any time since the war with Mexico.

It is to elect a President who cries in public, who talks about his identification with the poor and means George Meany, about his kinship with men of peace and means General Ky, and about his commitment to law, order and justice and means Mayor Daley.

Mr. Humphrey's speech on Vietnam was less interesting for the desperation of its attempt to suggest by grimace that he has differences with the President than for his unabashed looting of Mr. Johnson's mendacities of four years ago. He warned us that Mr. Nixon will get us in a wider war in exactly the same tones that Mr. Johnson warned about Senator Goldwater in 1964.

And that reminder of our dreadful past is what this is all about. We could probably trust the President when he was talking about Senator Goldwater, but we know now that we could not trust him talking about himself. Can anyone, at this stage of his life, trust Hubert Humphrey talking about himself?

It is always argued that, if you do not vote for one candidate, you are responsible for the election of the other. No one ever seems to notice that, if you vote for a candidate, you may be responsible for his election, which can be a considerable burden on the conscience.

There must be millions of people who are ashamed of having voted for Mr. Johnson. Can anyone say now that Mr. Humphrey as a person or the Democrats as a party offer the smallest assurance that we will not again be ashamed?

There is, for collectors of straws, the argument of Senator Muskie. Nothing in our politics seems more curious than his sudden discovery as an excuse for voting Democratic. He has been an almost invisible Senator, who devoutly supported the Vietnam war and docilely accepted the nomination of a political party which had just spent four days running an obscene movie calculated not just to degrade but actually to inflame its audience.

The inescapable fact is that the Democratic Party deserves to lose. It has lied to us, cheated us, abused us, degraded us, filled decent persons with thoughts of treason, and turned thousands of private men desperately to bay. If the Democrats can go unpunished for that, they can get away with anything.

Mr. Justice Goldberg and Ambassador Ball have joined Mr. Humphrey and are offered us as examples to follow. I respect them both immensely, except for one small but disabling common fault. They sat with Mr. Johnson through varying periods while he directed this country on its shameful course, spoke their minds privately and even resigned without saying why.

They were publicly mute in an hour calling for their voices. They are splendid men but they don't know how to resign. Now it is up to us less splended men to show them how.

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. SCHERLE. Mr. Speaker, this is the 260th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

LEGALITY OF SOVIET TROOPS IN HUNGARY

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. FINDLEY. Mr. Speaker, the great concentration of Soviet troops in Czechoslovakia must not cause us to forget that there are other European countries who also have unwelcomed units of the Soviet Army. Hungary is an outstanding example of the illegal occupation by divisions of the Red Army, and I include in my remarks at this point an excellent memorandum, prepared by the American Hungarian Federation, which discusses the legality of the Russian troop development:

MEMORANDUM ON THE LEGAL AND POLITICAL STATUS OF MILITARY FORCES OF THE UNION OF SOVIET SOCIALIST REPUBLICS IN HUNGARY

At the present time, there are about 75–80,000 Soviet Russian troops stationed in Hungary. Though their presence is disliked by the overwhelming majority of the Hungarian people, their presence is enforced under the May 27, 1957 Agreement between the Kádár authorities in Hungary and the Government of the Union of Soviet Socialist Republics.

It is the contention of the American Hungarian Federation that the May 27, 1957 Agreement was concluded with a State still in the state of *debellatio,* and which was, therefore, unable to exercise the attributes of its political sovereignty vis-á-vis its contract partner. Therefore, the Treaty of May 27, 1957 cannot be accepted as a valid and binding contract between two full subjects of international law falling under the dictum: *pacta sunt servanda*. As a result, the Treaty fails to create any rights on the part of the Government of the Union of Soviet Socialist Republics or any obligations on the part of the sovereign State of Hungary.

It is also the contention of the American Hungarian Federation that even if the Treaty should be recognized as one of limited validity by having been concluded between one sovereign State and one State which had still preserved limited international personality, the presence of Soviet Russian armed forces in Hungary still remains a fruit of aggression condemned in numerous resolutions of the United Nations General Assembly. The only counterclaim of the Government of the Union of Soviet Socialist Republics could be an express invitation on the part of a Hungarian Government responsive to its national aspirations and dedicated to its independence and well-being (U.N. Gen. Assembly Res. 1004—ES II).

It is our respectful request to those Governments whose representatives voted for the various General Assembly Resolutions of the United Nations between 1956 and 1962 demanding the withdrawal of Soviet Russian armed forces from the State of Hungary, to increase their diplomatic and political pressure upon the Government of the Union of Soviet Socialist Republics in order that these Soviet Russian forces be withdrawn from Hungary. For only such a step would restore full political sovereignty and national independence to the people of Hungary, who are in the final analysis the ultimate possessors of Hungarian State sovereignty.

In support of our contentions, we present the following evidence:

A. THE FACT OF RUSSIAN AGGRESSION OF NOVEMBER 4, 1956

The Kádár Government and its political residue, the Revolutionary Workers' and Peasant Party, was formed on Czechoslovak territory in the early hours of November 4, 1956. It consisted of a few Communist leaders (János Kádár, Ferenc Muennich and Antal Apro) who deserted the legal Government of Hungary headed by Prime Minister Imre Nagy. The Nagy Government was brought into power in accordance with the constitutional provisions of the 1949 Constitution of the People's Republic of Hungary, though under popular pressure of widespread demonstrations. The legal character of the Nagy Government was recognized in a radio address by János Kádár himself, and later objections to the Nagy Government by Kádár and his colleagues were restricted to certain actions of that Government rather than to its inherently legal status.

Thus, on November 4, 1956 the Kádár Government could not be considered as a belligerent part to a civil war in Hungary, even by the application of the most flexible standards of international law. The Kádár Government, at the moment of its conception did not (a) possess jurisdiction over any Hungarian territory; (b) maintain any armed forces of its own, except for isolated an uncoordinated bands of armed secret police units, and (c) it did not represent even one Hungarian political party, as the Hungarian Workers Party was split in regard to loyalty between Prime Minister Imre Nagy and János Kádár. Therefore, it was not an international personality and had no rights under international law to ask for the intervention of a foreign power into the affairs of the Hungarian State.

To quote the British international lawyer, George Schwarzenberger:

". . . the rule prohibiting intervention in exclusively domestic affairs makes illegal in relation to a recognized government any premature recognition of rebels as belligerents, as an alternative government, or as a separate state." (*A Manual of International Law* (*New York; 1963*) *I, 63*).

Schwarzenberger adds also:

"Until a revolution or a civil war has reached serious proportions, any form of intervention by another State in favour of insurgents constitutes an illegal interference in the domestic affairs of a sovereign state."

This state of affairs refutes clearly the argument of the Kádár representative to the United Nations that "the Hungarian Government asked the Soviet Union as one of the signatories of the Peace Treaty, to re-establish democratic order in Hungary." (*U.N. Document A–3521, 1957*).

This state of affairs was aptly characterized by various General Assembly Resolutions on the subject whether Russian intervention in Hungary was a clear aggression against a sovereign State, or whether it was a justified entry into a civil war in that State.

There was no resistance against the Nagy Government by persons or groups sympathetic to the Kádár view as of November 3, 1956 and the leftist opponents of the regime had no organized armed forces. This evidences that

(1) The Kádár forces had no sizeable popular backing;

(2) Could not assemble for the purposes of forming a Government on Hungarian soil over which they claimed sovereign rights.

(3) They were not even *bonafide* rebels but only efficient administrators of a foreign power invading Hungary.

Resolution 1004 ES–II of the United Nations General Assembly of November 4, 1956 reenforced by Resolution 1131 of the 11th Session clearly recognized Sovied Russian interference as a breach of the Paris Peace Treaty of 1947 and the United Nations Charter, and described it "as an intolerable attempt to deny to the Hungarian people the right of a Government freely elected and representing their national aspirations."

Modern international law literature confirms that the General Assembly during its 1956 Emergency Session and its 11th Session has given true expression to existing law rather than just making a political judgment in condemning Russian aggression. In 1949 the International Court of Justice declared in the *Corfu Channel Case:*

"The Court can only regard the alleged right of intervention as the manifestation of a policy of force, such as has in the past given rise to the most serious abuses and such as cannot, whatever the defects in international organization, find a place in international law . . . Between independent states, respect for territorial sovereignty is the essential foundation of international relations."

The Peruvian draft to the Special Committee on International Law of the United Nations in 1956 defined aggression as follows and received considerable support from Western delegations:

(a) Invasion by the armed forces of a State or territory belonging to another State or under effective jurisdiction of another State;

(b) Armed attack against the territory, population or land, sea and air forces of a State by land, sea or air forces of another State;

(c) The organization, or the encouragement of the organization by a state of armed bands within its territory for incursions into the territory of another State, or the toleration of the organization of such bands in its territory, or the toleration of the use by such armed bands of its territory as a base of operations, or as a point of departure, for incursions into the territory of another State as well as direct participation in or support of such incursions."

There exists no doubt that the actions of the Government of the Union of Soviet Socialist Republics following November 4, 1956 in Hungary have exhausted all three definitions of the Peruvian draft on aggression.

Even the Soviet Russian draft to the same Commission in 1956 enumerated several acts of aggression in a similar context, emphasizing the findings that whoever commits the enumerated acts first must be considered as the aggressor. Finally, the Soviet Russian doctrine of *bellum justum* contending the righteousness of "wars of national liberations waged to defend the people from foreign attack and from attempts to ensalve them, or to liberate the people from capitalist slavery, to liberate colonies and dependent countries from the yoke of imperialism" fails to have any validity in the case of Hungary. For here there was no other aggression except a Russian one; no other power made an attempt to enslave Hungary, and the socio-political order of Hungary was a people's democratic one.

In reaffirming the view that intervention into the politico-social order of a State by another State must be regarded as an act of aggression, two more international lawyers may also be mentioned:

Professor Quincy Wright in his book *The Role of International Law in the Elimination of War* (1961) writes:

". . . in a situation of civil strife, the state is temporarily prohibited from acting. A government beset by civil strife is not in a position to invite assistance in the name of the state." (P. 61)

As a result, the Government of the Union of Soivet Socialist Republics would have had no legal basis to interfere even if the so-called Kádár Government were a *bona fide* rebel government and would have asked for Soviet Russian intervention in the affairs of the Hungarian State.

Professor Wolfgang Friedmann in his book *The Changing Structure of International Law* (1964) establishes the following principles of international law on intervention:

(1) ". . . that it is based upon a society of sovereign states, regardless the structure and ideology of the regime. From this fol-

lows the illegality, by international law, of foreign interference in internal changes as such, as distinct from internal changes which constitute an actual or imminent attack upon the security of another state . . ."

(2) ". . . it would follow from this premise that any attempt by a foreign power to interfere with internal change, either by assisting rebels to overthrow the legitimate government, or by helping the incumbent government to suppress a revolution, is contrary to international law." (pp. 264–65)

Neither of the exigencies (i.e., actual or imminent attack) occurred in the case of Hungary. The Nagy Government of the Hungarian State did not menace the Soviet Union. Rather, it publicly proclaimed its neutrality and was willing to assume the international law obligations of the status of neutrality. The Nagy Government asked for the opening of formal negotiations on the withdrawal of Soviet troops from Hungary, thereby showing its peaceful intervention regarding the solution of the major outstanding issue between the two Governments.

In conclusion, both the opinion of most international law writers, advisory opinions of the International Court of Justice, and resolutions of the United Nations General Assembly between 1956 and 1962 unanimously agree that the intervention of the Government of the Union of Soviet Socialist Republics with its armed forces in Hungary leading to the forcible removal of the constitutionally organized Nagy Government and its replacement with the Kádár group which was willing to do its bidding, was a clear and complete violation of both international customary law and existing treaty obligations of the U.S.S.R.

B. THE VALIDITY OF THE TROOP STATIONING TREATY OF MAY 2, 1957

International society is based on the principle of sovereign equality. As a corollary, only fully sovereign States qualify as proper subjects of international law and may conclude treaties which establish rights and obligations under international law. In the twilight zone are so-called dependent states, in the past best-known as protectorates. The Permanent Court of International Justice in the case of *Nationality Decrees in Tunis and Morocco* (1924) emphasized that the legal relationship between the protecting Power and the dependent State varies from one case to the other and that the fact and degree of dependency may only be determined by the knowledge of the particular facts of the treaties involved.

According to Professor J. L. Brierly of Oxford University, a treaty establishing a protectorate is not needed for establishing the dependent status of a state. In his *Law of Nations* (1950) he refers to the *de facto* dependency of many of the Central American states during the first two decades of the 20th century to the United States without any treaties establishing a protectorate. "Even when native governments have been allowed to function, American officials have controlled the expenditure, collected the customs, commanded the constabulary, had the right to construct naval bases for American use and a practically complete control of foreign relations. A similar de facto protectorate by Great Britain in Egypt also existed from 1882 until 1914, when a protectorate was declared." (p. 119)

Let us investigate the position of the Kadar Government in Hungary in May 1957 vis-a-vis the Government of the Union of Soviet Socialist Republics, and the legal bases as defined by the two Contracting Parties.

The legal basis for the agreement was given as the membership of the Hungarian State in the Warsaw Mutual Security Treaty of June 2, 1955, which in Article 5, provides:

"The Parties agree on the establishment of a Joint Command for certain elements of their Armed Forces which shall be allocated by agreement between the Parties, and which shall act in accordance with jointly established principles."

This, of course, contains no express authorization of the stationing of the troops of one member on the territory of the other, but implicitly includes such a possibility by the establishment of a Joint Command for parts of their armed forces. To rely on the Warsaw Pact for the legal status of the Soviet Russian armed forces in Hungary would be at best speculation, at worst legal casuistry.

Thus, the legal basis for the Agreement must evolve from the character of free consent on the part of the Government of Hungary, a sovereign and equal partner of the Government of the Union of Soviet Socialist Republics during the negotiation, signing and ratification of the May 27, 1957 Treaty.

What were, however, the facts of the case and their legal implications under international law?

It is the contention of the American Hungarian Federation that the Government of the Union of Soviet Socialist Republics exercised far-reaching sovereign powers in Hungary in the period preceding and during the negotiation, signing and ratification of the Troop Stationing Treaty of May 27, 1957 and therefore, the State of Hungary had not yet recovered its full political independence and territorial sovereignty when asked to agree to a significant auto-limitation of its territorial and political sovereignty. As a result, the May 27, 1957 Treaty is at best of limited validity, having been signed by the Government of the Union of Soviet Socialist Republics with a State which had had a dependent relationship to it. At worst, Hungary was in the state of *debellatio*, and the signature of the externally imposed Kadar Government has been null and void.

As evidence, we present the following facts:

As late as March, 1957, the Soviet Russian Military Command was in direct control of peace and tranquility in Hungary. It established curfews, designated crimes against public security, and its advisors, and some Rumanian advisors as well, were instrumental in crushing attempts of resistance against the so-called Kádár Government and investigating prisoners by the Secret Police. Thus, military and police power in May 1957 still rested directly or indirectly with the armed forces of the Government of the Union of Soviet Socialist Republics in Hungary. The Hungarian army was still in a state of partial disarmament and reorganization and could not exercise an independent function at that time.

Forces of the Soviet Russian military command in Hungary were instrumental also in destroying the legal Government of Hungary by arresting the Minister of Defense, General Paul Maléter on November 3, 1956, while negotiating at the headquarters of the Soviet Russian forces; by arresting Prime Minister Imre Nagy as soon as he had left his asylum at the Yugoslav Embassy upon receipt of a letter of free conduct by the so-called Kádár Government; and by arresting other members of the cabinet, including Minister of State Istvan Bibo, who holed himself up in the Parliament Building as a last symbol of the legal Government of the Hungarian State.

From this state of affairs even the status of *debellatio* may be deduced, as all of Hungary had been occupied by Soviet Russian armed forces, the opposing Government was destroyed and no armistice or peace treaty signed with the legal regime.

The claims of the so-called Kádár Government of Hungary to speak in the name of the sovereign Hungarian State in May, 1957, cannot be taken on face value. Though acquiring the State of bureaucracy by the violent destruction of the Nagy Government by military forces of the Soviet Union, they had not yet organized a stable government and Party structure and there was no clear agreement even within the ranks of their new Party on the advisability of the presence of Soviet Russian troops in the country. The Central Committee of the Socialist Workers and Peasant Party had been organized only in February, 1957, and the first Party conclave was held only after signing the Troop Stationing Agreement.

These facts are not only known to the historian of the period, but they formed the basis for the interpretation of events by the General Assembly of the United Nations, which, though not a law-creating agency, certainly can, with some reservations be accepted as a law-interpreting forum.

Between November 4, 1956 and December 10, 1957 the General Assembly voted in favor of twelve resolutions on the situation in Hungary with overwhelming majorities ranging from 48 against 11 with 16 abstentions on the most comprehensive Resolution 1005 on November 9, 1956, to 60 against 10 with 10 abstentions on Resolution 1133 on September 14, 1957, approving two reports of its Credentials Committee (February 27, 1957 and December 9, 1957) in failing to accept the credentials of the representatives of the Kádár Government as the proper representatives of the Hungarian State.

The principles laid down in the various U.N. General Assembly Resolutions during these 13 months may be summarized as follows:

1. The Hungarian people "have demonstrated clearly the desire . . . to exercise and to enjoy fully their fundamental rights, freedom and independence" (*Resolution 1005—ES II*) and have "the right to government responsive to its national aspirations and dedicated to its independence and well-being." (*Resolution 1004—ES II*)

2. In order for them to enjoy fundamental rights, "the withdrawal of Soviet forces from Hungary is necessary." (*Resolution 1005—ES II*), as "the overwhelming demand of the Hungarian people for the cessation of intervention of foreign armed forces and withdrawal of foreign troops is manifest." (*Resolution 1131—XI*)

3. The Soviet Russian army of occupation "has been forcibly deporting Hungarian men, women and children from their homes to places outside of Hungary, thereby violating both the principles of the United Nations Charter and the principles of the Convention of the Prevention and Punishment of the Crime of Genocide, in particular articles II (c) and (e), to which Hungary and the Union of Soviet Socialist Republics are parties, and also article two of the 1947 Peace Treaty." (*Resolution 1127—XI*)

4. "The present Hungarian regime has been imposed on the Hungarian people by the armed intervention of the Union of Soviet Socialist Republics." (*Resolution 1133—XI*)

Thus, the lack of binding character of the May 27, 1957 Agreement evolves from the findings of the U.N. General Assembly Resolution alone. The Government is not based on a free consent of the Hungarian people (this has nothing to do with free elections, it is the absence of any free consent including toleration of a coup d'etat by domestic forces), rather the people have specifically demonstrated their will against the conclusion of such a Treaty and the former legitimate Government of Hungary was officially asking for their removal. Furthermore, the Soviet Russian forces of occupation have been guilty of severe and repeated violations of international law over and beyond the illegality of their presence in Hungary.

C. THE POLITICAL PROBLEM OF SOVIET RUSSIAN TROOPS IN HUNGARY

It must be made clear that while the international legal basis for the presence of Soviet Russian troops in Hungary is very questionable at least, they are still stationed there now for ten years in definance to the twenty-three United Nations General Assembly resolutions requesting their withdrawal. This is a clear and undeniable flouting of the United Nations Charter and prestige of that organization which would be in the interest of the member states to remedy in a peaceful, but effective manner.

May the American Hungarian Federation respectfully request Your Government which agreed with the principles laid down in the various resolutions of the U.N. General Assembly, to search for ways in which the withdrawal of Soviet Russian troops may be secured from Hungary so that the Hungarian State may reacquire its political sovereignty and national self-determination. We are aware that the Hungarian question forms part of the overall question of European security and its solution presupposes agreement on force levels between the Western Powers and the Soviet Union in Central Europe, but we hope that Your Government will take active steps to further the solution of the underlying problem: the presence of Soviet Russian forces in Hungary in violation of United Nations General Assembly Resolutions and the dicta of international law against intervention into the domestic affairs of a sovereign State. If the forces of the Union of Soviet Socialist Republics are withdrawn, we believe that the other problems, like lack of free elections and the regard of the Government toward national aspirations, will be slowly corrected in an evolutionary manner, but any real progress toward such a state of affairs remains manifestly impossible as long as Soviet Russian forces continue to be stationed in Hungary, or until their return is possible without any effective countersanctions.

CRIME STATISTICS AND PRESIDENTIAL POLITICS

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. PODELL. Mr. Speaker, the people of the United States have long since been inured to the fact that every 4th year contains five seasons, a silly season added to the normal spring, summer, autumn, and winter of the other 3 years. We are now in the midst of our quadrennial silly season and Mr. Richard M. Nixon and Mr. George C. Wallace are busy infiltrating the atmosphere with nonsense about crime to the extent that even the browns and the gold which herald the fall season are subdued as if shamed by the national travesty.

Mr. Wallace insists that he deserves to be the President of the United States because he proposes to convert his presidential limousine to a national electric chair and to dedicate his time, his efforts, and his energies to serving the American people as their lord high executioner.

Because he should know better, Mr. Nixon is even worse. For 8 long years, the American people endured Mr. Nixon's presence one heartbeat away from the Presidency. Yet Mr. Nixon bears eloquent testimony to the fact that during those 8 years he has learned nothing about the awesome responsibilities of the Presidency of the United States. Certainly that is the only reasonable conclusion to be drawn so long as Mr. Nixon in his public speeches insists upon equating the office of the President of the United States with that of the office of the police chief of the District of Columbia. Exactly 8 years ago, in reply to a news conference question, President Eisenhower declared it would take him 2 weeks to think of something of value that Mr. Nixon contributed to his administration. In the 8 years that have passed since that question was posed, General Eisenhower has still not found the answer. Mr. Nixon's approach to the issue of law and order makes it abundantly clear that that poser can never be answered; that Mr. Nixon was so close to the Presidency but paradoxically so far removed from presidential responsibility that he is totally blind to its ambience.

Mr. Nixon's approach to problems of crime in suggesting that there is a Democratic or a Republican way of enforcing law and order is not only mischievous but dangerous. In simplest terms, Mr. Nixon's discussion about crime and its reduction can be defined only as the big lie in the campaign. California, with Republican Gov. Ronald Reagan in occupancy of the executive mansion, has a higher crime rate than any other State in the Union. Will Mr. Nixon drum Mr. Reagan out of the Republican Party for weakness in maintaining law and order?

The crime rate in the city of Baltimore is much higher than the rate in Chicago. Is Mr. Nixon ready to throw the Maryland Governor off his national ticket for his inability to maintain law and order?

New York State ranks high among the States in its crime rate and New York City ranks high among cities. Are Governor Rockefeller and Mayor Lindsay to be drummed out of the Republican Party because in Nixon's view they are Democrats when it comes to law and order? And what about the Governor of Pennsylvania and the Governor of Florida, both Republican executives of States whose crime rates are among the Nation's leader? Are their days as Republicans numbered under the Nixon thesis?

It is high time that Mr. Nixon spoke soberly and frankly to the American people. The issues confronting the American people are critical involving war or peace, domestic tranquillity or violence, whether larger proportions of our people will share in our wealth and in our resources or whether we will seek to preserve a society where private affluence seeks to live next door to public poverty. This is not the time for Mr. Nixon to play cops and robbers.

ATHENS LEADER IN HOME LOANS

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. STEPHENS. Mr. Speaker, on September 25, 1968, the Daily News in Athens, Ga., contained an article on the high number of mortgage loans which have been closed in Athens during the past year.

In this period of "tight money" and its effect on the homebuilding and loan industries, I think these statistics of what growth is still occurring in a medium-size Georgia community will be of interest to all of the Members of Congress. I submit it, therefore, for insertion in the RECORD:

ATHENS LEADER IN HOME LOANS

(By Bob Fort)

In spite of the "tight money" situation and its critical impact on new home building and availability of home loans, Athens has maintained a relatively higher number of mortgage loans closed than many other Georgia cities.

This is reflected in the latest issue of Georgia Business, the publication of the Bureau of Business and Economic Research at the University of Georgia. In essence, it shows that more mortgage loans were closed in a 12-month period in Athens than in other areas of comparable size and population.

Athens is rated higher than Albany, Americus, Macon, Waycross and similar-sized communities, and higher even than Augusta, Columbus and Moultrie.

In local business activity, the publication shows that mortgage loans in June 1968 numbered $975,000. A year before, in June 1967, the total was 10 per cent higher, and in May 1968 it was 5 per cent more. For a 12-month period the entire increase amounted to 71 per cent, compared with these changes in other cities:

Columbus, 44 per cent; Macon, 51 per cent; Savannah, 25 per cent; Valdosta, 42 per cent; Waycross, 30 per cent.

While several other cities rated higher than Athens in mortgage loan increases for the 12-month period, they showed less of an increase—and in some cases, decrease—between May and June of this year.

Further reflected in the bureau's current statistical tabulation are lower savings and investments—which financial experts say are directly related to the amount of money which can be committed for mortgage loans. The Athens increase for the 12-month period in question was 8 per cent (as compared with the 71 per cent increase in mortgage loans closed).

Other Athens and Clarke County business activity figures for the 12-month period included:

Electricity consumed, up 13 per cent; bank debits, up 7 per cent; telephones in service, up 8 per cent; water pumped, up 7 per cent; new passenger car registrations, down 1 per cent; insured unemployment, up 9 per cent; postal receipts, up 13 per cent.

Clarke County sales were up by 15 per cent over the 12-month period, although there was a 7 per cent decrease between May and June of this year.

THE SO-CALLED FREEDOM FIGHTERS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. RARICK. Mr. Speaker, we continue to read much in the press about the alleged conditions of mistreatment and suppression existing at this time in peaceful Rhodesia. Quite an uproar has been made by many so-called journalists—journalists who would pride themselves on being fair—concerning freedom and government.

Many Americans find it interesting to note that most of these same journalists have remained strangely silent on the Communist invasion of progressive Czechoslovakia, which crushed and extinguished the small but growing flicker of freedom in that country.

A parallel exists here which I think will be of interest to our colleagues. An analysis of this parallel appeared in the September 16, 1968, Rhodesian Commentary, which I ask follow my comments.

The article follows:

What Public Abroad Should Know: The So-Called Freedom Fighters

The Czechoslovakian invasion illustrated what a bitter mockery the concept of freedom became in a country which was a satellite of Russia, said Mr. Justice Lewis when, in Salisbury High Court, he sentenced 21 Africans, found guilty of receiving military training outside Rhodesia, to nine years' imprisonment with hard labour.

The undisputed evidence in the case had lent emphasis to important facts that should be brought to the attention of the public, and particularly the overseas public, in view of the tragic happenings taking place in Czechoslovakia.

The judge told the accused that they were all members of a banned organization, Z.A.P.U. During the period when this organization operated as a political party in this country it established a reign of terror among African people not prepared to join it. The organization used intimidation, arson, petrol bombings, stonings, beatings and even murder.

To put a stop to this, it became necessary to outlaw this party and its successor, the P.C.C., which adopted the same tactics, said the judge.

These were all matters of which the Court took judicial notice through the hundreds of cases with which it dealt during that period.

"Your party," said the judge, "did everything possible to subvert the 1961 Constitution when it was in operation and you have had the temerity to raise the question of the 1961 Constitution in this court.

"The undisputed evidence in this case reveals that officials of this banned party, operating in Zambia, have since early 1964 invoked the assistance of foreign aid in furtherance of their aims to send people like you for political indoctrination, military and sabotage training in Communist countries."

The judge said the object of such training in Russia, North Korea and China was to send them back into this country after training to commit acts of terrorism.

It was also established that this "evil scheme" was put into operation more than 18 months before U.D.I. was declared and at a time when this country was unquestionably operating under the 1961 Constitution.

Furthermore, it was abundantly clear on the evidence that this aid had not been given on a distinterested basis, said Mr. Justice Lewis. On the contrary, these countries had encouraged or infiltrated men into this country for Communist purposes.

One accomplice witness had told the court that the Russian instructors in his group said they were being brought into this country to fight the soldiers in Rhodesia.

"Other evidence reveals that you were taught to regard the United States and Britain as hostile countries," said the judge. "In North Korea you were taught how to organize the masses and I quote from one of the statements made, you were also taught 'how bad the British and Americans were'."

The judge expressed the hope that those persons in Britain and the United States who either tacitly or vociferously supported "people like you", as so-called freedom fighters—"you, who have been instructed by your Communist mentors to regard Britain and the United States as your enemies"—would come to appreciate the irony of that situation.

AN ENCOURAGING DEVELOPMENT IN THE OTEPKA CASE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. ASHBROOK. Mr. Speaker, as I have stated before, the case of Otto F. Otepka, the State Department security officer who has been battling State for 5 years, has never been a politically partisan issue as far as Congress is concerned. Both Democrats and Republicans, in the House and Senate, have supported Otepka in his effort to vindicate himself from charges brought against him by a vicious and vengeful clique in the State Department. Time and space do not permit a detailing of the almost unbelievable vendetta waged against this courageous Federal employee who put national security above pressure from high State officials.

To repeat, as far as Congress is concerned partisan politics was absent as members of both parties sided with Otepka against the State Department. Now, however, this issue might well become a subject of contention as far as the presidential race is concerned.

Willard Edwards, in his column of October 5 in the Chicago Tribune, reports on an interview he recently held with the Republican presidential candidate, Richard Nixon. Nixon, who is familiar with Otepka's plight, stated:

> It will be my intention to order a full and exhaustive review of all the evidence in this case with a view to seeing that justice is accorded this man who served his country so long and so well.

The presidential candidate further stated:

> I will not, of course, prejudge the case but examine all the reports, all the hearings, to reach from the evidence an objective finding.

For those Democrats and Republicans in Congress who have long supported Otepka in his fight, this is indeed encouraging. Perhaps with a new administration the American public will learn who actually mutilated the documents, a violation of Federal law, which the State Department charged Otepka of perpetrating. Perhaps we will learn how valid is the refusal of the Justice Department to prosecute for perjury those who gave false testimony to a senatorial subcommittee. Perhaps the long overdue overhaul of the executive branch which Candidate Nixon has promised will end once and for all the chicanery unearthed by the Senate subcommittee in its extensive hearings on the State Department.

For the 3 million Federal employees, fair, firm, and responsible action in the executive department will be a rebirth of confidence in the Government which they seek to serve.

I place the column by Willard Edwards appearing in the Chicago Tribune on October 5 and entitled "Otepka Justice Must Wait for Nixon Election," in the RECORD at this point. I place the column, "Otepka Vows Court Battle To Obtain Vindication," in the Government Employees Exchange of October 2, in which Otto Otepka tells why he must go to court if necessary to obtain justice, in the RECORD at this point:

[From the Chicago Tribune, Oct. 5, 1968]

Otepka Justice Must Wait for Nixon Election

(By Willard Edwards)

EN ROUTE WITH NIXON, October 4.—If Richard M. Nixon becomes President of the United States, Otto F. Otepka, will be accorded the justice denied him for five years in his celebrated struggle for reinstatement as the state department's top security officer.

That pledge was made by the Republican nominee in an interview with this reporter which dealt also with his plans to attack a staggering problem—low morale among 3 million government employes provoked by an arrogant bureaucracy too long in power.

Nixon did not hesitate when asked about his views on what a bipartisan Senate group has labeled "the Otepka tragedy."

He was familiar with the circumstances leading to Otepka's harassment which began in December, 1960, when Nixon was nearing the end of eight years in office as Vice President and a new administration was preparing to take over.

"It will be my intention," he said, "to order a full and exhaustive review of all the evidence in this case with a view to seeing that justice is accorded this man who served his country so long and so well. I will not, of course, prejudge the case but examine all the reports, all the hearings, to reach from the evidence an objective finding."

More than a million words of testimony taken by the Senate internal security subcommittee will be available for this review. The subcommittee reported last Jan. 6:

"A dedicated and loyal patriot . . . suffered extraordinary, calculated harassment because he attempted conscientiously to carry out the national security program."

REFUSED TO RELAX SECURITY

Otepka's troubles began when he was asked by two members of the incoming Kennedy cabinet late in 1960 to relax security regulations in connection with newly appointed state department officials. He refused. The subsequent story of his ordeal [isolation, surveillance, tapping of his telephone] has been compared by some to the circumstances of the infamous Dreyfus case which shook France at the beginning of the century.

Fired in November, 1963, Otepka launched a legal struggle for vindication. He won a partial victory four years later when Secretary of State Dean Rusk was forced to concede the falsity of most of the charges used to justify the dismissal. Rusk canceled the discharge, substituting an official reprimand and demotion, and stripped Otepka of his security duties.

Otepka, determined to clear his unblemished government record of any stigma, kept on fighting but the Civil Service Commission a week ago rejected his final appeal. He announced his intention to seek justice in the federal courts.

A new President and new secretary of state may make it unnecessary for him to continue a legal fight which already has cost him more than $25,000. Since he remains a government employe, a simple executive order could restore his former standing.

CALLED "SECOND-CLASS CITIZENS"

Nixon sees the Otepka case as symbolic of the treatment of many federal employes as "second class citizens" by superiors who ignore their constitutional rights.

"Federal employes are not going to be treated as numbers in a machine under the new administration," he said. "The success of any administration depends upon the pride, the dedication, and the professional spirit of those who staff the functions of the government.

"I will see to it that snooping, meddling, and pressure by the federal government on its employes is ended. A first priority of my administration is a thoro and long overdue study of the executive department by a Hoover-type commission. Obviously, something is wrong with employe morale. We must reestablish a sense of pride in public service and restore the dignity of the federal worker."

Otepka was gratified but not surprised by Nixon's statement. Two years ago, he confided, he met Nixon at a Washington reception and the former Vice President remarked that he was familiar with the state department officer's tribulations.

"I hope I suffer them with the same fortitude you showed when you were under attack for exposing Alger Hiss," Otepka said.

"Stay in their fighting," Nixon counseled. "Some day the worm will turn."

[From the Government Employees Exchange, Oct. 2, 1968]

OTEPKA VOWS COURT BATTLE TO OBTAIN VINDICATION

"I am going to take this gross miscarriage of justice into the Federal courts," said Otto F. Otepka in an interview with the *Exchange* confirming that the Board of Appeals and Review, U.S. Civil Service Commission, September 25 rejected his plea for a reversal of Secretary of State Dean Rusk's December 1967 decision under which Mr. Otepka was severely reprimanded and demoted in rank, salary and position.

Mr. Otepka's punishment grew out of his testimony before the Senate Internal Security Subcommittee during its 1963–1965 investigation of alleged lax security practices in the State Department. He was charged with violating a 1948 Presidential directive that was issued by Harry Truman at the time of the Alger Hiss scandals.

In June 1967, over Mr. Otepka's protests, the State Department dropped other charges against Otepka involving the alleged mutilation of certain documents. The Department conceded that Mr. Otepka did not mutilate the documents in question but Mr. Otepka wanted the charges to go to a hearing in order to learn the identity of the person who did the actual multilation. When the Department's hearing officer refused to allow any witnesses to be heard or evidence presented into the record on the mutilation charges, on the ground it was "irrelevant" to the remaining charge, Mr. Otepka asked the Commission to undertake a full discovery proceeding so that the real offenders could be disciplined under Civil Service rules, or prosecuted if a Federal law had been violated. First the Commission's Appeals Examining Office and now its Board of Appeals and Review refused to have the investigation made, upholding Rusk on the alleged ground of irrelevancy.

"I shall persist in my efforts to avail myself of every legal remedy so that the American people can learn of the chicanery used not only against me but against other Federal employees who simply did their jobs as they should be done," said Mr. Otepka.

"The statement by the Board of Appeals and Review that I must be punished because as an experienced security officer I knew that the 1948 directive prohibited the giving of information to Congress, except through certain channels, simply does not make sense in my case," declared Mr. Otepka. He has been on extended leave without pay from the Department to enable him to devote his full time in the preparation of his case before the Commission and the courts. He believes the just resolution of his case, with the full facts before the public, is important to every government employee who may be called to testify before a Congressional committee that is investigating corrupt practices in the executive branch.

"It was my experience of over 25 years as a government security officer, including eleven years with the Commission itself, that taught me a lot more than the Commission has said in its partisan decision", Mr. Otepka stated.

"The appellate record before the State Department and the Commission amply demonstrates to any objective reader that those who were over me, from the lowest to the highest rank, devised and participated in a scheme to destroy my effectiveness because of my stubborn resistance to their emasculation of sound security practices," Mr. Otepka explained.

"When I uncovered their scheme, through the use of my investigative ability, it would have been foolish to confide in and seek the help of the same persons and their allies, who were trying to destroy me. While I was testifying along with my superiors before the Internal Security Subcommittee, I learned that they had tapped my telephone and intercepted whatever conversations I had, official or personal, and that they had lied about me and about Department security practices knowingly with the intent to harm me. In view of the conflicts between my testimony and theirs, the Chief Counsel of the Subcommittee asked me to substantiate my testimony. I did this by producing three documents which I placed into the record as part of my testimony. I gave no documents to the Subcommittee until after my phone had been tapped and after my superiors had lied. These facts were all in my appeliate record before the Department of State and the Commission," Mr. Otepka insisted.

"I proceeded in an entirely legal manner. By telling the truth I relied on a law enacted by Congress that compelled me to give unvarnished facts regarding corruption to these representatives of the American people, not to avoid my duty by suggesting that the answers be requested from my superiors. In my case my superiors were the ones guilty of corruption and to have expected them to cooperate in my behalf would have damaged my own integrity," Mr. Otepka concluded.

TRIBUTE TO THE LATE HONORABLE ELMER J. HOLLAND

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mrs. KELLY. Mr. Speaker, I wish to join with my colleagues in paying tribute to the late Elmer J. Holland, an outstanding member of the Pennsylvania delegation.

Elmer Holland served as chairman of the Select Subcommittee on Education of the Committee on Education and Labor. He consistently took the lead in promoting progressive legislation beneficial to workers throughout our entire Nation. The landmark provisions of the Manpower Development and Training Act of 1962 originated in his subcommittee and stand as a monument to his service in Congress. His devoted efforts will be remembered by millions of Americans in years to come.

His outstanding eight terms in Congress are a career which is enviable and will be difficult to equal.

I wish to express my sincere sympathy to his entire family on his loss.

CONGRESSMAN ST. ONGE REPORTS TO THE PEOPLE

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. ST. ONGE. Mr. Speaker, we often hear the comment that no one in America agrees on much of anything these days. As we look about the world and the times in which we live, there seems to be some truth to that observation. Like all generalizations, however, it could be very misleading. We live in a most trying era, where everything is moving more rapidly and changes are taking place at a fast pace. While this may be confusing, we must learn to recognize the truth and to think clearly.

This is the sixth annual report to my constituents of the Second Congressional District. Each year at the conclusion of the session of Congress, I submit a report to the people giving them a summary of the activities, the major issues, and my own views and actions. I do not expect all of my constituents to approve everything Congress has done or to agree with every action taken by me. Rather is the report being submitted in the belief that most of my constituents agree with my actions, and thus I feel that I express the will of the greatest number of the people.

THE SECOND DISTRICT

Our district has made rapid strides in many ways over the past few years. The four counties comprising the district—New London, Middlesex, Tolland, and Windham—had a population of 411,919 during the 1960 census, but by June of 1968 we passed the half-million mark. This is an increase of nearly 11,000 people per year.

The rapid growth in population was accompanied by the growth and development of old and new industrial enterprises, which keep the population employed and the economy of eastern Connecticut in a healthy condition. Our farms are fewer in number, but they continue to produce most efficiently for our needs. We are plagued with the usual problems characteristic of America today associated with rapid growth: new roads, new schools, high taxes, jammed highways, air pollution, water pollution, housing needs, inadequate transportation, et cetera. Our district is truly a cross section of present-day America: some rural and some urban, some agriculture and some industry, some wealth and some poverty, all religions, races, and nationality groups, and all the hopes and frustrations of America of the 1960's.

THE 90TH CONGRESS

The 90th Congress covers the 2 years 1967 and 1968. What sort of a Congress was it? Two years ago I described the 89th Congress as being "one of the most productive in our history." The Congress just concluded was totally different. It was perhaps a most independent Congress. It has taken very seriously its legislative responsibilities. It was slow-moving and not as dramatic in its achievements; at times it was even querulous and unsure of itself. This, of course, is a reflection of the times.

While the 1967 session extended over 11 months, the 1968 session lasted approximately 9 months. Over the 2-year period Congress was in session for 19 out of the 24 months. Which only proves that the job of being a Congressman is a full-time job requiring full-time dedication. As many of my constituents know, I spend most of my time in Washington when Congress is in session, and get back to the district to see my family or to attend local events only during weekends.

MY OWN ACTIVITIES

The period of the 90th Congress was a most active one for me. I served on two important committees and several subcommittees, which handled vital legislation. The Judiciary Committee dealt with crime and riots, civil rights, Federal juries, gun control, immigration, investigation of automobile insurance, law enforcement, and others; the Merchant Marine and Fisheries Committee handled problems of conservation, estuarine areas, U.S. merchant marine, the Coast Guard, oceanography, boating accidents, and the like.

Over the 2 years I sponsored 107 bills and resolutions. This is the largest number I introduced in any of my three full terms in Congress. The significance of this figure is not the large number, but the variety of subjects and the wide scope of my interests in behalf of the people. Of the 107 bills, 80 dealt with public issues, while 27 were private bills, mostly immigration measures to unite families. A number of these were enacted, others remained in committee.

THE WORLD SCENE

The world of 1968 will go down in history as one of turmoil, confusion, and disunity. It has been a year of trying events in this country and abroad. We witnessed the assassinations of Martin Luther King and Senator Robert F. Kennedy, we experienced the riots in our cities and their aftermath, the student demonstrations on the campuses, the rise of the McCarthy movement on the one hand and the Wallace movement on the other, the events associated with our national political conventions, and the campaign that followed. We also witnessed the invasion of Czechoslovakia by the Soviet Union and the destruction of whatever democracy existed in that unhappy country.

Nevertheless, the war in Vietnam still continues to dominate the world scene and to cause grief for America. Our major hope is for peace in Vietnam so that we can bring our men home as soon as possible, but our difficulty in attaining peace with honor still remains a major frustration for the American people. Many, if not most, of our activities in Congress were overshadowed by the war.

On several occasions I joined with some of my colleagues in Congress in urging steps to end the war, such as cessation of the bombing of North Vietnam to encourage peace negotiations, establishment of United Nations peacekeeping forces, a reevaluation of our role in Vietnam, and possibly a gradual withdrawal of our troops. Our efforts to obtain peace in Vietnam have thus far proved fruitless. In view of this and indications from certain world leaders that if there were a cessation of the bombing serious negotiations would follow, I believe we should stop the bombing now and concentrate all our efforts on a negotiated peace settlement.

THE DOMESTIC SCENE

At home, we are beset with problems, many of which may be attributed to the impact of the war. The Nation's economy is in a strong position. Employment, personal income, business profits, and economic growth continue at a high rate. Unemployment is around 3.5 percent, perhaps the lowest in the past quarter of a century. The major threat on the economic horizon is inflation which has been growing steadily over the past year. This is particularly noticeable in the rising cost of living, and is creating difficulties for working families and those living on modest or fixed incomes.

Congress has passed several corrective measures in recent months, among them the income tax surcharge, the $6 billion cut in Federal expenditures, and protection of U.S. gold holdings. I am hopeful that inflation will level off in the coming months, otherwise Congress will have to consider further measures to check inflation when it convenes in January.

MAJOR LEGISLATION

In all, the 90th Congress enacted about a thousand bills, perhaps about 100 are of national significance, and I will briefly discuss the most important of these.

Crime control: There can be no question about the need to control crime, preserve order, and improve law enforcement in our society. At the same time we must seek to eliminate the causes of crime and violence, and extend social justice. Crime control is essentially a State and local responsibility. The Federal Government must assist the States and local communities in crime prevention and control, but it cannot take over for them.

In 1968 Congress passed the Omnibus Crime Control and Safe Streets Act, which came out of my committee and which I consider as landmark legislation. It provides grants to aid State and local police, prohibits interstate shipment of handguns to individuals and over-the-counter sales of firearms, overturns certain Supreme Court decisions on the rights of criminals, and provides State and local governments with greater authority in law enforcement. Another law passed this year is the Juvenile Delinquency Act to assist courts, correctional systems, and community agencies in the prevention and control of juvenile crime.

Consumer protection: The 90th Congress has unquestionably enacted more measures for the protection of consumers than any other Congress. Among them are: The Consumer Credit Act, also known as truth-in-lending, which requires lenders and retailers to provide their customers with full information about cost of credit, disclosure of interest rates, and prohibits loan sharking; the Wholesome Meat Act and Poultry Products Act seek to upgrade inspection procedures of meat and poultry and require States to improve their inspection standards; Natural Gas Pipeline Safety Act, to establish safety standards for transportation and storage of gas and pipeline facilities; the Flammable Fabrics Act and the Fire Safety and Research Act, to provide greater public safety against fire hazards.

Congress has also authorized a study of the auto insurance industry, including high premium costs and delays in bringing accident cases to trial; adopted the Interstate Land Sales Disclosure Act to protect investors, including many elderly citizens, against deceptive advertising of land sales; established a commission on product safety to identify hazardous household goods; strengthened controls of air and water pollution; and radiation control for health and safety. I supported these measures because they will help protect the health, safety, and well-being of our citizens.

Education: Despite our progress in education, we still have nearly a million young people who drop out of school each year and about 5 million adult Americans who are illiterate. The previous Congress made great strides in education and the 90th Congress extended these programs in order to provide greater educational opportunities for all Americans. Thus, funds were made available for special programs in low-income neighborhoods, for school libraries and textbooks, for children of non-English-speaking families, handicapped children, and education centers for youths and adults; also, for the training of school personnel, Teacher Corps for needy school districts. The Vocational Education Act and Manpower Training Act provide training for the unemployed and vocational education to teach the unskilled.

In the field of higher education, loans to students, college construction and other programs were extended, and new programs were started to help poor college students and to assist colleges in sharing technical resources. I supported all of these measures because I believe that education is the best investment for our Nation's future and is, therefore, a most important responsibility of government at all levels in today's world.

Senior citizens: There are today nearly 20 million Americans over the age of 65, and their number is growing. More than half of them had no medical or hospital insurance prior to the enactment of medicare, and four out of five persons over 65 have a disability or a chronic disease. I am proud to have been one of the cosponsors of the original Medicare Act, as well as last year's bill which provided a 13-percent increase in social security benefits, raised the monthly minimum, allowed greater outside earnings for the elderly, and other benefits. I was also a cosponsor of the bill to extend the Older Americans Act, supported the Manpower Training Act, and the Age Discrimination Act to prohibit discriminatory practices in hiring workers between 40 and 65 because of their age.

Health: Several important measures were adopted in the field of health, among them: Health Manpower Act for the construction of new facilities for medical and nursing schools, increase enrollment to provide more doctors and nurses; the

Child Health Act to reduce infant mortality, give dental care to poor children; the Child Nutrition Act to extend the school lunch and milk programs; the Partnership for Health Act for health planning and services to communities, including rat control.

Miscellaneous: Of no lesser importance are the following: Housing and Urban Development Act of 1968, which launched one of the most ambitious housing programs in the Nation's history, designed to wipe out slums in the next decade, including construction of 1.5 million homes in 3 years, enabling low-income families to purchase homes, new programs for rental and cooperative housing for poor families, the elderly and handicapped, rural housing, extension of model cities, flood insurance, and reinsurance for merchants in riot-prone areas; Civil Rights Act of 1968 to protect persons exercising their voting rights, jury duty and school attendance, and prohibit discrimination in housing; the Economic Opportunity Act to lessen poverty through such programs as Headstart, day care centers, adult basic education, and neighborhood youth corps.

Others are the Veterans' Pension and Readjustment Act to provide a cost-of-living increase to all pensioners, and educational allowances for veterans; no loss of benefits to veterans who receive a pension in addition to social security—I was one of the first in Congress to urge its enactment—guaranteed home loans for veterans; reimbursement to States for care of veterans in State homes—another of my bills enacted; military pay raise for men in the Armed Forces; salary increase for Federal and postal workers; loans to family farmers for small business enterprises; Air Quality Act to combat air pollution; national trails system; scenic rivers system, Redwood National Park, and the National Holidays Act, including Columbus Day, which I cosponsored.

OTHER SERVICES

I devote much time in Washington to help communities, business firms, and individuals from my district. For communities it may involve a post office building or postal services, a Federal or court building, water and sewer facilities, urban renewal, housing projects, a hospital wing, open-space land for parks or recreational areas, and the like. For business firms it means Federal contracts for the production of goods and services needed by our Government, such as at Electric Boat in Groton and firms in other parts of the district, and development of new business enterprises. Then, there are contracts and grants for college construction, facilities for the Coast Guard Academy and other Federal installations, university research projects, urban planning, pollution control programs, aid to schools, and antipoverty projects. All of these help maintain a high rate of employment and a stable and growing economy.

For individuals, there are many services in regard to their personal problems. These may involve military hardship cases, welfare assistance, social security benefits, veterans problems, employment, immigration, student loans, housing problems, tours to Washington by families and school groups. These requests for help run into many hundreds over the year.

I welcome your inquiries, your letters expressing views on legislation and on vital issues, and requests for assistance with problems involving the Government. Every effort will be made to provide as much help as possible in such instances.

I deeply appreciate the support and encouragement from so many of you in the Second District and shall continue to represent you to the best of my ability. It is truly an honor and a privilege to serve the people, and I look forward to doing so in the years to come in a more secure and united America and a more peaceful world.

Address all correspondence to: Congressman WILLIAM L. ST. ONGE, House Office Building, Washington, D.C. 20515.

INCLUSIVE TOUR CHARTERS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. PICKLE. Mr. Speaker, on August 2, 1968, I offered an amendment to H.R. 17685 on the subject of inclusive tour charter authority for the scheduled air carriers. My amendment amended section 401(e)(6) of the Federal Aviation Act of 1958 to read as follows:

> (6) Any air carrier, other than a supplemental air carrier, may perform charter trips (including inclusive tour charter trips) or any other special service, without regard to the points named in its certificate, or the type of service provided therein, under regulations prescribed by the Board.

That amendment was agreed to by the House. My remarks on the floor of the House made the purpose of my amendment perfectly clear. It was designed to insure that our scheduled carriers would have similar inclusive tour charter authority to that being authorized for our supplemental carriers. I will repeat what I said at the time my amendment was offered—in simplest terms, the amendment will say that when an independent tour operator has organized his trip, and is shopping around to find someone to provide the air transportation, he may purchase that service either from a scheduled airline or from a supplemental airline. My amendment was intended to give the Civil Aeronautics Board a clear statutory direction to authorize inclusive tour charter trips by scheduled air carriers.

In view of the clear purport of my amendment I was surprised to read the remarks of the senior Senator from Oklahoma. In his statement at the time of the Senate's concurrence with the House amendments, appearing in volume 114, CONGRESSIONAL RECORD, page 26793 of September 13, 1968, the senior Senator from Oklahoma stated it to be his assumption that under my amendment tour operators would not be permitted to charter aircraft from scheduled carriers for the operation of inclusive tours without a satisfactory demonstration that an expansion of the inclusive tour charter program was required by the public convenience and necessity. I am at a loss to understand how such a misinterpretation of both the clear statutory language and its intent could be reached.

The views of the senior Senator from Oklahoma would vitiate my amendment and render it meaningless. They would destroy the statutory right of inclusive tour charters that Congress created for our scheduled carriers, by giving the Board the discretionary power to withhold that right. My amendment was designed to accomplish just the opposite objective—to insure that the scheduled carriers would have the opportunity to engage in inclusive tour charters, subject to reasonable regulations of the Board.

To equate regulation of rights with the power to destroy or withhold such rights, as the senior Senator from Oklahoma's views do, not only violates both the letter and spirit of my amendment, but also well established constitutional and administrative legal principles.

In my remarks accompanying my amendment I discussed the kind of regulations that the Board might continue to impose upon the inclusive tour charter authority of the scheduled carriers, that is the 2-percent mileage limitation on off-route charters and conditions to insure that the inclusive tour charters would be bona fide ones. Those regulations contemplate the existence of inclusive tour charter authority for the scheduled carriers, not the denial of such authority.

In short, the amendment to section 401(e)(6), as adopted by both Houses, grants scheduled carriers positive authority to conduct inclusive tour charters; it does not extinguish that right under the guise of administrative agency regulation.

REPORT TO CONSTITUENTS: THE RECORD OF THE 90TH CONGRESS

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. THOMPSON of New Jersey. Mr. Speaker, the work of the 90th Congress is almost complete. As is my custom, I hereby insert my report to my constituents on the record of the 90th Congress, which I intend to reprint at my expense and send to my constituents:

THE 90TH CONGRESS

Each Congress tends to have a character of its own, and the 90th was no exception. This was essentially a conservative Congress, shaped by the moods of the people and their concerns at home and abroad. But a conservative Congress is not necessarily an ineffective Congress. We cannot predict how historians will view our work of the last two years, but I think some comments are now possible.

The 90th Congress acted to consolidate, to refine and, in some instances, to expand many of the landmark programs enacted by the 89th Congress in education, health, and conservation. While consolidation may not appear to be a dramatic process, it is very important. It enables the Congress to evaluate the programs it has established, and to reshape them to meet new and changing conditions. In addition to this consolidating function, the 90th Congress also passed important measures in Social Security, housing, consumer protection, anti-pollution efforts, and crime control.

The disappointments of the 90th Congress were not so much in its direction as in its emphasis. The drain of the war in Vietnam made it impossible to fully fund the programs we enacted in the 89th Congress. This meant that while domestic problems were not ignored, they were not completely solved either. There is much to be done if we are to meet the pressing needs of our cities; if we are to cleanse our air and water; if we are to improve health standards for our people; if we are to assure quality education for our children; and if we are to assure employment opportunities for all those who seek jobs.

In this brief report I cannot fully discuss all the achievements of the 90th Congress. But examination of four important areas, as well as a look at what will face the 91st Congress, will provide some flavor of past and future.

EDUCATION

Some years ago the Congress undertook a national commitment to see that every American child has the opportunity for a good education. The 90th Congress continued and expanded this commitment, while reshaping certain key programs to meet special needs.

The two basic education programs, the Elementary and Secondary Elementary and the Higher Education Acts, were both extended in this Congress. New Jersey schools and students have already felt the impact of these two measures. For example, 16,000 New Jersey students will this year help pay their college costs with the aid of one of the Higher Education Act's programs.

But the 90th Congress also refined certain provisions of both of these Acts to make them responsive to demonstrated problems. One such refinement, which I sponsored, is the Education for Public Service title of the Higher Education Act. This new program recognizes the increasing need of our Federal, State and local governments for trained personnel, and therefore authorizes new programs to help prepare graduate and professional students to enter public service.

Another potentially important measure is the Educational Professions Development Act, which establishes new programs to improve the quality of our education. It does this by providing fellowships and other support for preserving training and advanced training for teachers and other educational personnel.

The 90th Congress also continued the earlier effort in vocational education, but greatly expanded and redirected this effort in the Vocational Education Act Amendments of 1968. These Amendments emphasize training for jobs with futures, jobs created by our computer-age economy.

I am confident the 91st Congress will not turn its back on our unmet needs in education. The demand for increased and more varied federal aid for education will surely grow, and I expect the next Congress will conclude, as the 90th did, that education is a high-priority item on our national agenda.

HEALTH

It is no accident that since 1963 the infant death rate in the United States has declined 13% and there are 4,000 new first-year places in our medical schools. These may seem like unrelated statistics; but I think they show the fruits of five years of innovative Federal health legislation. America's investment in better health for her citizens is beginning to pay dividends. The 90th Congress continued this investment.

The Health Manpower Act of 1968 revises and extends the major health manpower laws. It provides—

Grants to medical and nursing schools for construction of new facilities and rehabilitation of old ones;

Grants to improve medical education programs;

Incentives to increase enrollments in medical and nursing schools;

Enlarged scholarship and loan programs for medical and nursing students.

In short, this Act will help meet the growing need for trained doctors and nurses.

The Child Health Act of 1967 expands health care services for children, and will help continue the fight against the diseases which strike down young people through immunization services and more vigorous efforts to screen and treat children with disabling conditions.

Other measures, such as the Partnership for Health Act Amendments of 1967, will help our States and local communities provide better health care to their citizens.

I would expect that the 91st Congress will continue the effort already underway to help ensure that every American has the benefits of top-notch health services. America, the wealthiest nation, should also be the healthiest nation.

CONSERVATION

The 90th Congress had an impressive record in the areas of conservation, passing several measures to help save our natural resources. The Redwood National Park Act, which I cosponsored, establishes a National Park of 58,000 acres in California, thereby saving for us and for posterity some of the oldest and most magnificent Redwoods in our country. The National Trails and National Scenic Rivers Acts established certain scenic trails including our own Appalachian Trail and rivers which will be protected from despoilation for future generations to enjoy. The Congress also acted to protect the Great Swamp National Wildlife Refuge by placing it under the protection of the Wilderness Act. This area in Morris County is a wildlife and bird sanctuary.

Timely conservation measures cost relatively little money, but are among the most important actions which we can take to preserve our national heritage. Once a Redwood is cut down, or a wildlife sanctuary invaded, it is literally impossible to undo the damage and to restore the natural environment. I would hope the 91st Congress will continue to give conservation a high legislative priority.

CRIME CONTROL

The 90th Congress enacted more measures to stem criminal activity than any Congress in history. The new laws include measures which—

Authorize grants for upgrading state and local police departments;

Authorize grants to states to prevent juvenile delinquency and to rehabilitate delinquents;

Authorize grants to organize, train and equip law enforcement agencies to prevent and control riots;

Provide benefits to state and local law enforcement officers disabled or killed while assisting law enforcement.

The primary responsibility for law enforcement has been and must remain with local police agencies. But the Federal Government should help these agencies in every possible way. This was the intention of the Omnibus Crime Control Act of 1968. This Act will provide Federal funds to local law enforcement agencies for updating the expensive modern equipment needed to fight crime effectively, and for increased police manpower to make local police forces more effective.

In addition to this important measure, the Congress acted to deal with the problem of juvenile crime. FBI statistics show that in 1967 one out of every 2 persons arrested for a serious crime was under 18. Once involved in crime, the FBI statistics show that the juvenile is likely to commit repeated criminal acts. To help prevent juvenile crime and to rehabilitate those who slip into delinquency, Congress passed the Juvenile Delinquency Prevention and Control Act which I cosponsored. This Act authorizes Federal payments up to 90% of the cost of anti-delinquency programs sponsored by state and local agencies, and up to 60% for special facilities for rehabilitating delinquents. I believe more attention should be paid to the problem of juvenile crime, and would hope the next Congress will take a hard look at the present system for administering criminal justice to juveniles. I believe we need improved procedures, as well as more judges and probation officers. The solution to effective law enforcement is not abandonment of traditional American principles, but the improvement of our institution.

Our free enterprise economy continues its unparalleled strength and vitality. Since 1961, all income groups and all industries in America have made substantial economic progress. This progress has been accompanied by the highest employment of recent times. The unemployment rate has averaged only 3.8% over the last two years.

Although there has been some increase in the wholesale price index, the average consumer price rise has been only 2% per year since 1961, a far better record than that of any other major industrialized county. This chart tells the story.

Economic advances, 1961–67

	Percent
Wages and salaries	67
Income per farm	55
Corporate profits after taxes	106
Other business earnings	27

All indications point to a continued expansion of our industrial and business sectors with a marked rise in gross national product. Most forecasters agree that the surtax enacted last July did not depress the economy. As a result, there is no economic bar to marshalling the resources to meet our domestic problems in the immediate years ahead.

WORK OF AMERICAN YOUNG PEOPLE IN AID

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call the attention of Congress and the American people to the fine work of our young people in the Agency for International Development.

In countries around the world which are seeking to develop their economies, their natural resources, and their standards of living, many American young people are hard at work in the assistance programs of AID.

In areas where their decisions can mean the difference between success and absolute disaster for whole villages, our people work at the crossroads. They work as teachers and administrators, putting theory to practice bringing new knowledge and new technology to the developing countries.

At one of these important crossroads in India stands Jim Levinson, advising the people of India as Chief of the Nutrition Branch for the U.S. AID program.

Jim's home is the city of Pittsburgh where his family has long been known for their civic mindedness and active participation in community affairs. His grandfather, Samuel Levinson, deceased, was a leader and top-flight businessman. He and his wife, Rose, have long been known for their charity and their civic contributions through the Levinson Foundation established for the people of the Pittsburgh community. Jim's father, Aaron Levinson, is now president of the Levinson Steel Co. Aaron and his good wife Sonia have been long time personal friends of mine, and I share their pride in the fine work of their son Jim.

It is a pleasure to place in the CONGRESSIONAL RECORD the excellent articles from the International Development Review and the magazine Time of India in which Jim Levinson reports on the progress being made in the AID program's efforts to end malnutrition in modern India.

The articles follow:

[From International Development Review, June 1968]

COMBATING MALNUTRITION: A WORKING MODEL

(By F. James Levinson and Alan D. Berg)

While the world food problem is still thought of primarily as one of agricultural production—and its solution most frequently stated in terms of fertilizer, high yielding seed varieties, pesticides and agricultural credit—there is today increased consciousness of what might be labeled the qualitative side of the food problem. A number of articles, monographs and scientific reports written of late have posed this "quality" factor as a vital requisite—along with agricultural production (the "quantity") and population control—to any program seeking to successfully combat the basic threat of inadequate world food supply.

Once thought of almost exclusively as a humanitarian issue, nutrition has emerged in the late sixties as an issue commanding major policy attention. High level pronouncements, deliberations, and decisions now reflect a growing awareness that:

Malnutrition during childhood is responsible for a staggering rate of mortality.

Among most survivors malnutrition leaves the scar of physical and, recent evidence suggests, mental retardation.

The toll malnutrition takes on the bodies and minds of millions places a massive drag on a nation's social and economic development.[1]

Like the first settler in newly opened territory, the enlightened food policy leader knows where he wants to go and why it is important to get there. He knows there is more than one way to realize his destination and he knows there are difficulties. The early explorers have done this much for him—and their work continues.

But in territory so unmapped, how does the policy leader go about charting the way to a national program? For the policy leader, unlike the early settler, advice comes freely from many quarters. Nary a nutrition conference passes without a catalog of directions drafted for his eye. But how do these mesh with reality? What are the relative economics of the various approaches? How does the policymaker systematically weigh the many alternate means of achieving the predetermined targets? How, in short, does he design an operational plan to *reach effectively the largest number of people for the smallest investment of resources in the shortest period of time?*

These are the questions examined in recent months by the Government of India. The result is a Comprehensive Nutrition Plan, incorporating a minimum cost model which, to our knowledge, is the first of its kind ever constructed in the field of nutrition.[2]

Basically, the model seeks to estimate particular Indian deficiencies for the year 1970–71 and to compare a number of possible avenues to determine the most economical way to overcome these deficiencies. Estimates of deficiencies are based on projected availability of each category of food produced in 1970–71, less estimated waste. These estimates are categorized by age and income group. The nutrient contents of these foods have been calculated, so that a daily per capita intake of each nutrient could be estimated for each age and income group. Finally, the intake figures were subtracted from the official minimum daily requirements for each nutrient set by the Indian Council of Judicial Research. For purposes of the Indian Plan, estimates were made only of deficiencies of protein, vitamin A and iron—those nutrients considered most critical by Indian nutritionists. A distinction was made between "animal grade" protein and total protein because of the general difference in nutritive value.

For purposes of the model, the population was divided into four income groupings, by and large homogeneous groups of households with similar food consumption patterns. It was decided to designate as a target group for the model the critical 1–6 age group in the lowest income category; this income category embraces more than 70 percent of the Indian population.

As determined from a computer exercise carried out by the Indian Institute of Public Opinion, the 1970–71 deficiencies for the low income, 1–6 age group were as follows:

	Total protein	"Animal grade" protein	Vitamin A	Iron
Deficiency per person per day	21.9 gms	2.8 gms	3,068.6 I.U	12.5 mg.
Deficiency per total group per year	608,524 tons	75,025 tons	79,681 Bn. I.U	322 tons.
Intake as a percent of recommended allowances.	57.4 percent	45.1 percent	12.4 percent	37.5 percent.

Given these deficiencies, the next step was to determine a minimum cost solution for the target group, one that could be implemented under Indian conditions. This was no easy matter. Unlike smallpox, malaria and other public health problems, there is no professional consensus on how best to attack malnutrition. There are, in fact, more than a dozen starting points, each with its own band of advocates. The aim of this linear programming exercise was to measure pros and cons of each of these possibilities, taking into consideration economics, cultural factors, and realistic administrative constraints.

The costs compared were for the most part alternatives of production and processing rather than distribution. For example, the exercise did not compute the costs of subsidies or other government devices which might be used to assure that the bulk of a given product would be consumed by those in greatest need. The findings do, however, provide a basis upon which both public and private investment decision-making vis-a-vis these alternatives can begin.

Here are some of the findings:

a) It is invariably more costly and in many (but not all) respects harder to combat deficiencies by relying solely upon stepped up food production. In the case of protein, it would take enormous increases in food production to close the gap solely by catering to conventional eating habits. It is possible that in time—with continued increases in foodgrain yields and perhaps with some form of subsidy—adequate amounts of protein will be available from cereals to meet the requirements of the target group. The quality of this protein, however, will not be adequate unless, for example, the quality is enhanced by the fortification of the cereals with amino acids.

In the case of vitamin A, a 297 percent increase in vegetable production or a 217 percent increase in fruit production would be required to meet the target group's deficiencies through "conventional" foods.

b) The single most inexpensive means of meeting the protein deficiency of the target group is with edible-grade flour from oilseeds such as groundnut, cottonseed and soy. This flour can be used in low-cost high-protein foods (such as Bal Ahar). The flour can also be further refined into protein concentrates or isolates for more sophisticated foods, or liquefied into a protein solution which can stretch the supply of high fat buffalo milk through the process of "milk toning." By coincidence, the amount of groundnut flour required to meet the deficiency of the target group is almost exactly that which could be produced if all groundnut cake produced in India were converted into edible flour.

c) The least expensive means of meeting the group's animal grade protein deficiency is with fish protein concentrate—although only the nonvegetarian portion of the population could benefit.

d) When reasonable administrative, social and logistical constraints are taken into account, it is clear that there can be no single solution to the protein problem. The least cost solution instead calls for differing amounts—an optimum mix—of each of the foods described above.

e) The best solution to deficiencies in vitamin A and iron is the fortification of commonly consumed foods with these nutrients in their synthetic form. Imaginative new ways are being sought to introduce fortifying nutrients into the common diet. Work is currently under way in India, for example, on the fortification of salt and tea.

The Plan, presented by India's Minister of State for Health and Family Planning to the National Nutrition Advisory Committee earlier this year, sets forth a three year program based on these results. While it is premature to measure the effect this Plan may have on future programs, it is clear that the model has focused attention of those concerned on the problem as a whole. It has provided thoughts on how and where a resource-scarce nation can concentrate its energies and resources. It has provided a basis for follow-up computer runs that would include such alternatives for the future as the development of new cereal strains with higher protein content and quality, of low-cost consumer protein foods in the commercial sector, and of single cell protein from petroleum and other sources. All of these now vary too greatly in price to have been included in this exercise. Perhaps as important as the short-term effects of the Indian Government's Plan is the model it represents—a model which may be helpful to other developing nations trying to come to grips with the same problem.

[From Time of India, June 29, 1968]

NUTRITIONAL FIRSTS

(By F. James Levinson)

The installation of Modern Bakeries units in nine urban centres in India represents far

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[1] See "Malnutrition and National Development," *Foreign Affairs,* October 1967.

[2] Copies of the Plan may be obtained from the Nutrition Advisor to the Government of India, Ministry of Health and Family Planning, Nirman Bhavan, New Delhi.

more than 100 million loaves of bread per year. It represents a series of significant landmarks—significant "firsts"—in India's effort to combat malnutrition, now increasingly recognized as a qualitative as well as a quantitative problem for vast segments of the populace.

Modern Bakeries bread is, to begin with, the first fortified bread produced on a large scale in India. Fortification is a public health breakthrough of major importance, one which virtually eliminated deficiency diseases in countries of North and South America which embarked on wheat product enrichment programmes. (In the U.S., the enrichment of bread flour in the 1940's was conceded to be the most important human health programme undertaken in that generation). Since the establishment of the first Modern Bakeries unit six months ago, several private bakers have also begun fortifying. Hopefully within the next year, most of India's bread will be fortified, not necessarily with the same formula, but with similar combinations of nutrients which will help meet India's serious deficiencies.

In addition to fortification with the "standard enrichment formula" of thiamine, riboflavin and niacin, to combat beri beri and pellagra, and of iron to reduce anemia. Modern Bread includes vitamin A, the first time this nutrient has been added to bread manufactured on a large scale *anywhere in the world*. This has only recently become possible with the development of vitamin A in a dry form suitable for use in a mill or bakery. The addition of vitamin A attacks what is next to protein—calorie malnutrition, India's most serious nutrient deficiency. It has been estimated that 14,000 children go blind each year as a result of severe karatomalacia; all told there are over a million cases of preventable blindness in India today. Addition of vitamin A to foods such as Modern Bread (six slices of which provide 50 per cent of the minimum daily requirements) can help enormously in eliminating this needless drain on India's human resources.

Along with vitamin A, Modern Bread includes for the first time in South Asia, the amino acid, lysine. Lysine is of special significance in a country where most of the protein consumed is of vegetable origin (primarily foodgrains) and of lower quality than milk, eggs or meat which are far more expensive. It is, in fact, the inadequate quality of the protein more than the quantity which constitutes India's protein gap. The purpose of adding lysine, which, for wheat products, is the amino acid in shortest supply, is to boost the quality of the protein and thereby permit its efficient utilisation by the human system for the building of muscle and body tissue.

Today 15 per cent of the bread produced in Japan is fortified with lysine. And even in the U.S. where lysine deficiency is largely unknown (because of the large amounts of animal protein consumed), several new varieties of bread are lysine-fortified.

Malnutrition is by no means unique to lower income groups. Surveys carried out by Indian research institutes and by the Central Statistical Organisation reveal widespread deficiencies among middle class urban dwellers as well. One of the tragedies of malnutrition among this group is that, all too frequently, it is detected to late. Young children who do not receive adequate amounts of essential nutrients, often look perfectly fine on the surface. Beneath the surface, however, malnutrition takes its toll on the physical and mental vitality of the child—a toll which could be irreparable.

Finally, and perhaps the most important, Modern Bread represents the first official acceptance of the principle of food fortification—a recognition that even India's lowest income groups can be saved from the scars of malnutrition without requiring basic changes in eating habits. The fortification of foods with protein, vitamins and minerals, which has been so dramatically introduced with Modern Bread, can be extended to numerous other foods. Research is in fact underway in India on the fortification of maida, atta, rice and even salt (which may have the greatest potential of all).

Overall the Government of India has every reason to be proud of these nutritional "firsts" which represent the work of dedicated scientists and creative policy makers. It is the kind of activity Jawaharlal Nehru surely had in mind when he talked about the importance of enriching foods, and the need to strive for better nutritional value. He would have certainly been proud today.

[From Time of India, June 29, 1968]

VITAL NUTRIENTS

(By Alan D. Berg, Chief, Food Resources & Regional Development Division, USAID, New Delhi)

Our heartiest congratulations to Modern Bakeries and its dynamic Director on the inauguration of its Delhi unit. The Modern Bakeries project is clearly a landmark in India's effort to combat malnutrition. The enrichment of this bread with six important nutrients makes it the most nutritious loaf of bread produced anywhere in the world on so large a scale. We are proud indeed to be associated with this project.

HUNGARIAN FREEDOM FIGHTERS FEDERATION RESOLUTION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. DERWINSKI. Mr. Speaker, the Hungarian Freedom Fighters Federation, one of the most militant and effective supporters for the cause of freedom in the world, presented a very pertinent resolution at its Seventh Congress held September 1, 1968. The resolution dealing with conditions in Eastern Europe with particular emphasis on Hungary and Czechoslovakia merits broad attention:

RESOLUTION

Resolution of the Seventh Congress of the Hungarian Freedom Fighters Federation, U.S.A., concerning the current crisis in East Europe

The bridge designed by Western concern in search for betterment of the prevailing conditions in Eastern Europe and built by miscalculation of political realities collapsed under the weight of Russian tanks invading Prague.

Based on our unique personal experience and first hand knowledge of Soviet tactics we warned the Secretary General of the United Nations as early as July 27th, 1968 in a telegram to be prepared for those eventualities which have since become facts.

In 1956 a spontaneous, popular, armed repudiation of Communism failed in Hungary despite the gallantry of the Hungarian people and of the unanimous condemnation of the Russian aggression by world opinion.

Just recently and in contrast, a carefully designed and officially controlled effort by the Czechoslovak Communist Party toward liberalization, within the framework of the Warsaw Pact was similarly crushed as soon as it became apparent that a meaningful degree of individual freedom in Czechoslovakia might be achieved.

The Hungarian Freedom Fighters Federation U.S.A. never subscribed to the notion that a one-sided bridge-building policy can ever achieve any beneficial results.

The Seventh National Congress of the Federation presents the following conclusions:

1. Behind the Communist ideological tirades Russian imperialistic aims are hidden and realized by naked Russian aggression.

2. It is evident that the Kremlin's recent foreign policy decisions have been suggested by the military, alarmed by the possibility of losing control over tactically important geographical areas.

3. In view of the Russian generals' growing influence in policy making, further aggressive moves of the Red Army can be expected in order to secure advantageous positions.

4. The invasion shortly following the Bratislava agreement demonstrates again the utter disregard of moral and international obligations by the Soviet government.

5. In the face of naked Russian aggression any relaxation of Western military alertness and preparedness seems to be suicidal.

6. The brute exhibition of force clearly showed to the Western Communist parties and sympathizers that they can count on the "support" and "brotherly friendship" of the Soviet Union only as long as they are willing to serve the interests of Russian nationalism over and above their own. The implementation of the concept of "humanized Communism" is hopeless under such circumstances.

The Hungarian Freedom Fighters Federation U.S.A. deems the following measures necessary and feasible.

The resolutions made by the NATO ambassadors in Washington D.C. on August 31st, 1968 and the policy described by the representative of the U.S. Department of State should be immediately and greatly expanded. In details:

A. A decisive, immediate and public repudiation of any secret obligations establishing the status-quo in Eastern Europe is needed if such obligations exist. If such obligations never existed diplomatic timidity shall not honor and perpetuate the de facto established lines of the status-quo.

B. To discourage further military adventures of the Russian Army the urgent revigoration of the NATO alliance and the updating of conventional armament for the armed forces of the Alliance is imperative.

C. Recently established economic policies for better East-West relations must be reevaluated. As a starting step, a revocation of economic concessions should follow the Russian aggression in Czechoslovakia.

D. Inept and timid diplomatic statements, inviting aggression should be ceased by high level officials in the NATO Alliance. Forceful and unequivocal pronouncements, such as that made by the U.S. President warning against invasion of Rumania, should make it evident that no further aggressions will be tolerated.

The appeasement in 1938 resulted in World War II. An appeasement in 1968 may very well sow the seeds of World War III. History seldom repeats itself: still those who are unable or unwilling to learn from the lessons of the past deserve to be victimized by the repetition of history.

September 1, 1968 at the Seventh Congress of the Hungarian Freedom Fighters Federation U.S.A.

DR. ANDRAS POGANY,
President.
BAAN VITEZ,
Vice President, World Federation.
LASZLO PASZTOR,
Secretary General.
ISTVAN GEREBEN,
Vice President.

SENATE—*Wednesday, October 9, 1968*

The Senate met at 12 noon, and was called to order by Hon. FRANK J. LAUSCHE, a Senator from the State of Ohio.

Hon. FRANK CARLSON, U.S. Senator from the State of Kansas, offered the following prayer:

Our Father in heaven, it is with grateful hearts that we bow before Thee in reverence and humility.

Thou hast taught us to love truth and goodness and beauty. May Thy truth make us free—free from pride and prejudice and all the ugly sins of disposition that so easily beset us.

Teach us to respect the feelings of others more than our own rights, and the rights of others more than our own feelings.

Teach us to differ without anger, to know the best, and to know that it is better to earn liberty than to praise it.

Help us, we pray, to be worthy of freedom—free from social wrong, free from individual contempts, pure of heart and hand, despising none, defaming none, and defrauding none.

We beseech Thee to open up the minds of men that we may learn to live together in peace, no man exploiting the weak, no man hating the strong—each race working out its own destiny, unfettered, self-respecting, and fearless.

All of which we ask in the name of our Lord and Master. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The bill clerk read the following letter:

> U.S. SENATE,
> PRESIDENT PRO TEMPORE,
> *Washington, D.C., October 9, 1968.*
>
> *To the Senate:*
>
> Being temporarily absent from the Senate, I appoint Hon. FRANK J. LAUSCHE, a Senator from the State of Ohio, to perform the duties of the Chair during my absence.
>
> CARL HAYDEN,
> *President pro tempore.*

Mr. LAUSCHE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, October 8, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 19910) to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 19910) to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

Philip J. Daugherty, of the District of Columbia, to be a member of the District of Columbia Council.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar beginning with postmasters.

Mr. CURTIS. Mr. President, reserving the right to object, will the Senate return to the period for the morning-hour business?

Mr. MANSFIELD. Yes.

Mr. CURTIS. I have no objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

POSTMASTERS

The bill clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER (Mr. HARTKE in the chair). Without objection, the nominations are considered and confirmed en bloc.

TAX COURT OF THE UNITED STATES

The bill clerk read the nomination of Samuel B. Sterrett, of Maryland, to be a judge of the Tax Court of the United States.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

DISTRICT OF COLUMBIA COUNCIL

Mr. MANSFIELD. Mr. President, at the desk is a nomination which I understand was reported earlier today. I ask unanimous consent that the Senate proceed to the consideration of the nomination.

The PRESIDING OFFICER. Without objection, the nomination will be stated by the clerk.

The bill clerk read the nomination of Philip J. Daugherty, of the District of Columbia, to be a member of the District of Columbia Council.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations and the Subcommittee on Financial Institutions of the Committee on Banking and Currency be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF TIME FOR FILING REPORT ON H.R. 15681

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations have until midnight tonight to file a report on H.R. 15681 to consolidate and revise foreign assistance legislation relating to reimbursable military exports.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE INVOCATION BY SENATOR CARLSON

Mr. LAUSCHE. Mr. President, it is my understanding that the delivery of the invocation at the opening of today's session of the Senate by Senator CARLSON marks one of the very few times in the 23 years Dr. Harris has served as Chaplain that a layman has been invited by him to give the invocation.

As I listened to the prayer of Senator CARLSON, I was struck by its beauty and inspirational quality. It struck me especially because it expressed thoughts so reflective of the true character of Senator CARLSON.

The Senator from Kansas possesses the rare quality of statesmanship combined with a deep religious purpose. He has been a true religionist, a true believer in God. He has participated in the Wednesday morning breakfast prayer meetings held by Senators. He has presided over the presidential prayer meeting each fourth year at least since I became a Member of the Senate.

At the risk of being repetitious, I shall repeat portions of what he said this morning:

> Teach us to respect the feelings of others more than our own rights, and the rights of others more than our own feelings.
>
> Teach us to differ without anger, to know the best—and to know that it is better to earn liberty than to praise it.

Finally, he said:

> We beseech Thee to open up the minds of men that we may learn to live together in peace, no man exploiting the weak, no man hating the strong—each race working out its own destiny, unfettered, self-respecting and fearless.

Senator Carlson, I gladly say to you that the thoughts you expressed in the prayer this morning describe your true character—a good man, a good Senator, a devoted citizen of the United States. I was inspired to see you and hear you deliver this beautiful prayer this morning.

Mr. CARLSON. Mr. President, I feel that I am unworthy of the kind remarks of the distinguished Senator from Ohio [Mr. Lausche], but I deeply appreciate them.

FOR SUMMER RECESS OF CONGRESS

Mr. McGEE. Mr. President, once again we have arrived at that period of the year when the adjournment of the Congress appears to be in sight.

And once again, that date of adjournment is approximately 3½ months after the date when Congress, under the law, is supposed to adjourn—or June 30.

And once again, Mr. President, we have witnessed the futility of the hope that if we just somehow put off a decision to act on my longstanding proposal to make this a full-time Congress with a specified period of recess, it will come to pass of its own accord.

For the past 6 years, I have made an annual request of the leadership. I have asked and dozens of other Members of this body have joined me that at the beginning of the congressional session we recognize that the pressure of congressional business in this day and age simply does not permit an annual adjournment date which gives Members any time with their families in the school vacation months of the summer. Therefore, we should recognize that Congress should be operated on a full-time basis—year round—with a specified summer recess during the month of August.

Years ago, Mr. President, I introduced legislation which would accomplish a summer recess. It had the support of numerous of my colleagues in this Chamber, as well as many Members of the House of Representatives—to say nothing of the wives and children of our colleagues and our staffs and their families. Hearings were held on that legislation, and it received great sympathy from our distinguished majority leader. But it never reached the Senate Calendar.

Last year, in July, when it became obvious no adjournment was in sight, 28 of my colleagues in this body—from both sides of the aisle—joined in a formal letter to the majority leader, again asking for consideration of an August recess. This was done, I might add, after assurances at the January caucus that the passage of the congressional reorganization bill, providing for an August recess by August 1 if not adjourned sine die by July 31, would undoubtedly make a recess a reality in 1967. We took note in that letter that it was apparent that the House of Representatives had no intention of considering that portion of the Senate-passed reorganization bill, and that, in view of the sentiments expressed at the January caucus, an August recess would give us some time to spend with our children home from school.

Well, the inevitable occurred. We not only did not achieve a summer recess in August, we were not able to adjourn sine die until December 15—just 10 days prior to Christmas. This was even worse than our record in 1966 when we did not adjourn sine die until October 22.

My latest efforts to secure an August recess began on January 16 of this year, when I again wrote to the majority leader—2 days prior to the convening caucus—to express once again my plea for some time in the approaching summer to spend with our families and children. I would like to read a paragraph from that letter:

> I have read with interest your publicly expressed hope that the Congress may adjourn by August 1. If I may be permitted to say so, this has become an annual pat pronouncement that wears pretty thin by the end of the summer. Long since should we have discovered that this Body can no longer pretend to set a short session with adjournment at an arbitrary date. The sooner we reconcile ourselves to the fact that this is a year-round job and because the events of the world must more often than not become a year-round Body, the sooner we will be dealing with the facts of our time.
>
> In 1967, for example, we more or less stumbled into a 10-day recess around the Fourth of July—but not soon enough for those of us with families to make firm plans in advance for it. Moreover, between the middle of June last summer and Labor Day, the Senate managed not to be in session some 25 days or more.

A reply from the majority leader indicated that to even discuss a summer recess further would weaken the case for a sine die adjournment by August 2—prior to the national party conventions.

Well, we all know only too well what has happened since this January. August 2 has come and gone. The national conventions have come and gone. But a sine die adjournment has not come.

Once again there were many days during the past year when the Senate managed not to be in session—including four periods of "recess"—none of which coincided with school closings or recesses, with the exception of the Easter period. Those periods were February 8 to February 14, April 11 to April 17, May 29 to June 3, and July 3 to July 8.

Mr. President, I am not making these remarks here today to cast any reflections upon the majority leader. To the contrary, I have discussed this matter with him many, many times over the years. I know his sympathies lie with the concept. I believe he would like to see this body able to transact its business in an orderly fashion each year so that July 31 sine die adjournments could become a reality.

But I do suggest, Mr. President, that wishing it would come true simply does not, and has not, worked. We should face that simple fact.

I can think of no better time than right now, at the end of this session, to pledge to ourselves that, when the Congress reconvenes next January, we take affirmative action to establish the procedure—already approved in the Senate vote on the reorganization bill—of a definite, preestablished, and nonwaivable summer recess in the month of August. We should resist the temptation to anticipate November or even December recesses, for the times undoubtedly will require a full-time Congress, and concentrate and plan instead on a guaranteed, 30-day recess in the summer.

Mr. President, I hope the majority leader will accept this suggestion in the spirit in which it is offered; and I would like to advise him at this time that, prior to the convening caucus next January, he will again be the recipient of my plea in behalf of this plan.

I am well aware that some critics of this plan suggest that to preset a period of recess or adjournment flies in the face of possible need to be in session to act or react to some national or international crisis or problem. But I suggest in all seriousness that if the world manages to hold together in December or November it could probably manage to survive in August instead.

On that point, Mr. President, I think it should be noted that most of the other parliaments of the free world recess or adjourn their deliberative bodies during the month of August—another advantage, in my opinion, why we should make our recess coincide with theirs. Surely there would be some desirability to being in session when our NATO allies are in session and to be in recess when they are in recess.

The other advantages of a year-round Congress, with a summer recess, I have repeated often. But they bear repeating. First, a year-round Congress would be more efficient—for America and for its Members. The uncertainties of a congressional session in an organizational age seem incongruous at best. Inability to plan ahead, to have at least a token method of procedure and operation, is bound to create tensions—both personal and governmental.

Second, a guaranteed summer recess may go a long way toward eliminating the fear the majority leader recently expressed that the Senate is turning into a Tuesday-to-Thursday club. Any tendency to "get your free days in when you can best afford to be absent" would be greatly diminished, in my opinion.

Third, once a regular procedure were established for a year-round Congress, perhaps the age-old debate over calendar-year budgets versus fiscal-year budgets could be resolved to accommodate itself to this concept. Certainly it would go a long way toward solving the problems of last-minute supplemental appropriations bills each year.

Last, but most importantly, it would enable Members of Congress to enjoy to some degree the luxury enjoyed by most other Americans—some time to be with their families when their children are not off somewhere in school. Nothing vanishes so fast for a father as his children's early years, and once lost, they can never be recaptured. Absentee parenthood need not be a price to be paid for public service—particularly when there is a simple way to avoid it.

It is time we faced up to this problem.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may proceed for 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF DAVID BRESS AS U.S. ATTORNEY FOR THE DISTRICT OF COLUMBIA

Mr. WILLIAMS of Delaware. Mr. President, yesterday I placed in the RECORD two newspaper articles which had been published in the Washington Post. The first article, entitled "Greenhalgh Says Fortas Blocked Him," was published on October 5, and the second article, entitled "Intervention by Fortas on Greenhalgh Denied," was published on October 6. Under the circumstances, Mr. President, I ask unanimous consent that both these articles be printed today in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 5, 1968]

INTERVENTION BLAMED FOR APPOINTMENT LOSS—GREENHALGH SAYS FORTAS BLOCKED HIM

(By Lawrence Feinberg)

Montgomery County Council President William W. Greenhalgh said yesterday that the personal intervention of Supreme Court Justice Abe Fortas blocked him from being nominated as U.S. Attorney for the District of Columbia in 1965.

Greenhalgh said Fortas, who had just been named to the High Court, went to President Johnson in August, 1965, and "persuaded him that I was too close to (Robert) Kennedy." He added that Fortas told the President that "because the Bobby Baker case was pending in the U.S. District Courthouse, I couldn't be trusted."

Greenhalgh, a professor of law and head of the Legal Intern Program at Georgetown University Law School, served as an assistant U.S. attorney in Washington from 1958 to 1963.

TWO RECOMMENDATIONS

He said he was recommended to Johnson for the U.S. attorney's post in August, 1965, by Nicholas deB. Katzenbach, then attorney general, and by Ramsey Clark, who then was deputy attorney general.

Greenhalgh said he had been a friend of Robert Kennedy since 1950 when the two met as students at the University of Virginia Law School.

He said that Fortas suggested that the President name his "great and good friend" David Bress as U.S. attorney, and Johnson did so despite the fact that Bress once was Baker's lawyer.

Just before Bress was named, Greenhalgh said that Johnson told Sen. Daniel B. Brewster (D-Md.), "I need a man that I can trust."

TALK IN BETHESDA

Greenhalgh, a Democrat, made his accusation in a speech to the Montgomery County Press Association in Bethesda. Fortas, who asked the President to withdraw his nomination as Chief Justice on Wednesday, could not be reached for comment.

Greenhalgh said Fortas' approach to Johnson on his appointment was an example of the Justice's "interjecting himself into legislative and executive matters . . . and lends some credence to the apprehensions of the U.S. Senate."

In his talk, Greenhalgh also said that the late David Scull, a maverick Republican who was Montgomery County Council president last year, told him a few months before his death in January that "if Nixon were nominated for President he would switch parties."

Greenhalgh said Scull hoped to run for County Executive in 1970 if the voters approved a charter revision that is on the ballot next month.

[From the Washington Post, Oct. 6, 1968]

INTERVENTION BY FORTAS ON GREENHALGH DENIED

A spokesman for Supreme Court Justice Abe Fortas denied yesterday that Fortas intervened to block the nomination of William W. Greenhalgh, now president of the Montgomery County Council, as U.S. attorney for the District of Columbia in 1965.

Greenhalgh made the charge in a speech Friday in which he said that Fortas, who had just been named to the High Court, went to President Johnson in August, 1965, and "persuaded him that I was too close to (Robert) Kennedy."

The spokesman for Fortas said yesterday that Greenhalgh's name was completely unknown to the Justice.

Named to the U.S. attorney post was David Bress. At the Senate hearings on Fortas' nomination to be chief justice, Fortas denied having anything to do with the Bress nomination or any other nomination.

Greenhalgh, a professor of law and director of the legal intern program at Georgetown University Law School, made his accusation in a speech to the Montgomery County Press Association.

He said he was recommended to Johnson for the U.S. attorney's post by Nicholas deB. Katzenbach, then attorney general, and by Ramsey Clark, who then was deputy attorney general. Greenhalgh served as an assistant U.S. attorney in Washington from 1958 to 1963.

Mr. WILLIAMS of Delaware. Mr. President, yesterday when I first had these articles printed in the RECORD I quoted from them and stated that I was directing a letter to the chairman of the Committee on the Judiciary asking that these allegations be checked before acting on the nomination of Mr. Bress. I wish to read from my statement of yesterday:

> Mr. President, I am not in a position to pass any opinion as to the validity of these accusations; however, I do say that in view of the serious nature of the implications involved they cannot be ignored, and a mere denial issued by "an unidentified spokesman" for Justice Fortas is not enough.

Mr. President, continuing, I stated:

> Therefore I am today forwarding to the Chairman of the Senate Judiciary Committee a request that prior to any further consideration or action on the nomination of Mr. Bress as a Federal Judge, Mr. Greenhalgh and those others who were mentioned in this article be asked to testify before the committee as to their knowldege of the incident.

At another point in my remarks, I said again:

> I emphasize that I am not passing judgment as to the validity of these allegations; but the Washington Post is a responsible paper and Mr. Greenhalgh was a former assistant U. S. Attorney and now that the charges have been printed the far-reaching implications therein cannot be overlooked. The integrity of our judicial system as well as the reputation of the Executive Branch is at stake.

Continuing, I added:

> In fairness to our judicial system and in fairness to the President, Justice Fortas, and Mr. Bress the serious implications behind the charge of Mr. Greenhalgh's cannot be ignored.

Mr. President, I ask unanimous consent that my entire statement of yesterday be reprinted in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, in the Washington Post of October 5 there appeared an article by Mr. Lawrence Feinberg wherein he raised serious questions as to the manner in which Mr. David Bress was selected as United States Attorney for the District of Columbia in 1965. I quote from this article:

"Montgomery County Council President William W. Greenhalgh said yesterday that the personal intervention of Supreme Court Justice Abe Fortas blocked him from being nominated as U.S. Attorney for the District of Columbia in 1965.

"Greenhalgh said Fortas, who had just been named to the High Court, went to President Johnson in August 1965 and 'persuaded him that I was too close to (Robert) Kennedy.' He added that Fortas told the President that 'because the Bobby Baker case was pending in the U.S. District Courthouse. I couldn't be trusted.' "

Mr. Greenhalgh, a professor of law and head of the Legal Intern Program at Georgetown University Law School, served as Assistant United States Attorney from 1958 to 1963.

I quote further from this article:

"He (Mr. Greenhalgh) said he was recommended to Johnson for the U.S. attorney's post in August 1965 by Nicholas deB. Katzenbach, then attorney general, and by Ramsey Clark, who then was deputy attorney general. . . .

"He said that Fortas suggested that the President name his 'great and good friend' David Bress as U.S. attorney, and Johnson did so despite the fact that Bress once was Baker's lawyer.

"Just before Bress was named, Greenhalgh said that Johnson told Sen. Daniel B. Brewster (D-Md.), 'I need a man I can trust.' "

This article appeared in the Washington Post last Saturday, but I withheld any comment on the allegations contained therein until today, hoping that those mentioned as having personal knowledge of these discussions would recognize the necessity for clarifying the record. Thus far, however, all that we have seen in rebuttal is an indirect denial by an "unidentified" spokesman for Mr. Fortas as appearing in the Washington Post on Sunday, October 6.

This is not enough. The implications behind the allegations as contained in the article of last Saturday are such that they strike at the very heart of the integrity of both our judicial and executive systems.

Here we have a charge, the implication of which is that in 1965 the selection of the nominee for the position of United States

> Attorney in the District of Columbia was based, not upon the qualifications of the individual, but upon the effect his selection would have on the outcome of the charges then pending against Mr. Robert Baker.
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> The additional fact that prior to their government service both Mr. Fortas and Mr. Bress were attorneys representing Mr. Baker and his companies cannot be overlooked and only emphasizes the importance of clarifying the record.
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> Mr. President, I am not in a position to pass any opinion as to the validity of these accusations; however, I do say that in view of the serious nature of the implications involved they cannot be ignored, and a mere denial issued by "an unidentified spokesman" for Justice Fortas is not enough.
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> The implications behind Mr. Greenhalgh's allegations as appearing in the Washington Post of October 5 are that the Executive Branch, after conferring with a Member of the Supreme Court, acted on an appointment in the judicial system with the thought of how it would influence the outcome of a potential court case against Mr. Robert Baker. Nor can we ignore the fact that both Mr. Fortas and Mr. Bress were attorneys for Mr. Baker prior to their government service.
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> What makes these allegations especially pertinent at this time is that Mr. David G. Bress has recently been nominated by the President as a Federal Judge in the District of Columbia, and the question of his confirmation is now pending before the Senate Judiciary Committee. In fairness to our judicial system and in fairness to the President, Justice Fortas, and Mr. Bress the serious implications behind the charge of Mr. Greenhalgh cannot be ignored.
>
> Therefore I am today forwarding to the Chairman of the Senate Judiciary Committee a request that prior to any further consideration or action on the nomination of Mr. Bress as a Federal Judge, Mr. Greenhalgh and those others who were mentioned in this article be asked to testify before the committee as to their knowledge of the incident.
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> I emphasize that I am not passing judgment as to the validity of these allegations: but the Washington Post is a responsible paper and Mr. Greenhalgh was a former assistant U.S. Attorney and now that the charges have been printed the far-reaching implications therein cannot be overlooked. The integrity of our judicial system as well as the reputation of the Executive Branch is at stake.

Mr. WILLIAMS of Delaware. Mr. President, the reason I review my earlier remarks is that today in the Washington Post there is published an editorial taking strong exception to the fact that these charges were made and leaving the inference that I originated the allegations.

Apparently, the editor overlooked the fact that it was in his own newspaper last Saturday that the charges first appeared, and they appeared under the byline of their own reporter, Lawrence Feinberg.

Let me read from the editorial, which is entitled "Cheap Politics":

> There is a partisan meanness and pettiness in current Senate obstruction of presidential nominations that demeans those taking part in it. Vital judgeships are being left vacant out of sheer partisanship; and the ringleaders in this frustration of justice are generally those who have been crying loudest about delays in criminal prosecution. On transparent pretexts, politicking Senators have held up confirmation of such eminent nominees as John P. Frank, Harold Barefoot Sanders, Dean Page Keeton of the University of Texas Law School and Cecil F. Poole, the U.S. Attorney at San Francisco, whom the President had named to judgeships.

Surely this editor of the Washington Post does not mean to charge his own reporter with originating these allegations against Mr. Bress on the basis of "partisan meanness and pettiness."

I depart from the editorial further to state that so far as I know, I have no objections to any one of these nominations he mentioned above. If their nominations were before the Senate this morning, unless someone presented contrary evidence, I would vote for their confirmation. I vote on each nomination based upon its merits. I do have great reservations as to the advisability of confirming Mr. Bress, but not being a member of the Judiciary Committee, I have nothing whatever to do with when that committee acts.

Now, Mr. President, to continue reading from the editorial:

> The latest instance of this sort involves David Bress, the U.S. Attorney here, chosen by President Johnson for a seat on the District Court. Mr. Bress is a lawyer of exceptional ability and distinction who served, during his long period of private practice in the District of Columbia, as president of the local Bar Association and whose tenure as U.S. Attorney has been wholly honorable. By every rational test he is qualified to sit on the District Court. Yet Sen. John Williams of Delaware has chosen to hold up the appointment, although the Judiciary Committee completed hearings on it a month ago. The pretext for delay in this instance is that Montgomery County Council President William Greenhalgh declared in a speech last week that Justice Abe Fortas had intervened with President Johnson to obtain the U.S. Attorneyship for Mr. Bress.
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> Mr. Greenhalgh was a disappointed contender for the U.S. Attorneyship. He is quoted as having said in his speech that Justice Fortas told the President that "because the Bobby Baker case was pending in the U.S. District Courthouse, I couldn't be trusted" as prosecutor. This is a scandalous charge and ought not to be made without full documentation.

Mr. President, I could not be in more complete agreement that this is a scandalous charge. It should not be made if not fully documented; but where were the charges made, and where did I get my knowledge of those charges? Out of the Washington Post, from a story on its front page last Saturday.

Mr. President, I quote now from their article written by Lawrence Feinberg as appearing in the Washington Post of last Saturday.

> Montgomery County Council President William W. Greenhalgh said yesterday that the personal intervention of Supreme Court Justice Abe Fortas blocked him from being nominated as U.S. Attorney for the District of Columbia in 1965.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Continuing to read from the article by Mr. Feinberg:

> Greenhalgh said Fortas, who had just been named to the High Court, went to President Johnson in August, 1965, and "persuaded him that I was too close to (Robert) Kennedy." He added that Fortas told the President that "because the Bobby Baker case was pending in the U.S. District Courthouse, I couldn't be trusted."
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> Greenhalgh, a professor of law and head of the Legal Intern Program at Georgetown University Law School, served as an assistant U.S. attorney in Washington from 1958 to 1963.
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> TWO RECOMMENDATIONS
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> He said he was recommended to Johnson for the U.S. attorney's post in August, 1965, by Nicholas deB. Katzenbach, then attorney general, and by Ramsey Clark, who then was deputy attorney general.
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> Greenhalgh said he had been a friend of Robert Kennedy since 1950 when the two met as students at the University of Virginia Law School.
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> He said that Fortas suggested that the President name his "great and good friend" David Bress as U.S. attorney, and Johnson did so despite the fact that Bress once was Baker's lawyer.
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> Just before Bress was named, Greenhalgh said that Johnson told Sen. Daniel B. Brewster (D-Md.), "I need a man that I can trust."

Mr. President, I repeat what I said yesterday, the implications behind the allegations as contained in this article by Mr. Feinberg are such that they raise questions as to the integrity of both our judicial and our executive systems.

They cannot just be brushed aside or ignored. Congress would be negligent in its responsibilities if it did not pursue the questions raised.

When I placed these articles in the RECORD I emphasized that I was not passing judgment as to the validity of these allegations but that the Washington Post is a responsible paper and Mr. Greenhalgh was a former assistant U.S. attorney and now that the charges had been printed the far-reaching implications therein could not be overlooked.

The integrity of our judicial system as well as the reputation of the executive branch is at stake.

Mr. President, let me add that I think the reputation of this newspaper, likewise, is at stake, because if it finds that its own writer was writing an irresponsible story then the newspaper owes a retraction.

I feel that whoever wrote the editorial did not realize the facts. I am hoping that the newspaper will recognize it is criticizing not what I said but rather the validity and accuracy of an article published on the front page of its own newspaper—a story written by one of its own reporters.

If the charges are unfounded, as the editorial would indicate, then I would say it is scandalous and that they should do something to retract it.

However, if the original story is true then it does raise questions, and if Congress did not check further into the validity of the charges before it acts on the nomination of Mr. Bress it would be subject to criticism. It does raise questions as to whether, in the selection of an appointee in our judicial system consideration was given not so much to the qualification of a man for the job but to how his appointment would affect the outcome of the judicial prosecution against Robert Baker.

Mr. President, I cannot conceive of that having been one of the points considered at the time, but if it was, then surely Congress has every right to check these allegations—not only the right but also the responsibility.

I hope that we will get the cooperation of the one who wrote the article, a reporter who surely checked his facts before writing. Then the committee can have all the information before it and be able to make its decision before Congress adjourns.

PROMPT ACTION CAN SAVE LAKE ERIE, A DYING LAKE

Mr. YOUNG of Ohio. Mr. President, a recently issued report of the Federal Water Pollution Control Administration offers hope that there may yet be time to save Lake Erie from the relentless river of pollution that threatens to destroy it for all time. While stating that "man is destroying Lake Erie" the report which took 5 years to complete at a cost of $3 million, outlines measures that can be taken to reverse the pollution trend. It makes crystal clear that this may be the last opportunity to save the lake from becoming a dismal swamp.

Mr. President, a firm start in the effort to clean up Lake Erie and other of our Nation's lakes and streams was initiated by Congress in enacting the Water Quality Act of 1965 and the Clean Water's Restoration Act of 1966. We in the Senate earlier this year approved another important legislative proposal in this effort, the Water Quality Improvement Act of 1968 which I am happy to state was passed by the House of Representatives earlier this week. Much of the credit for this important legislation belongs to the distinguished junior Senator from Maine [Mr. MUSKIE] who has taken leadership in our Nation in the war against water and air pollution. He deserves the gratitude of all Americans for his untiring efforts to clean up our Nation's polluted rivers, lakes, and streams and the air that envelops our cities.

We must now strictly enforce the legislation on the statute books and maintain a coordinated effort with State and local governments to save Lake Erie as well as our other fresh water resources.

Mr. President, the wastes from expanding cities and booming industries oozing into the once clear waters of Lake Erie, killing the life beneath its waves and soiling its shores with filth and scum, has made a cesspool of Lake Erie, a 250-mile long inland sea which is sick and dying. This, at a time when we need the lake as never before as an irreplacable supply of drinking water, as a recreational outlet, and as an indispensable resource for commerce and industry. Every day relentless flows of industrial wastes, inadequately treated sewage, and other obnoxious contaminants pour into our once crystal clear and beautiful lake to intensify the problem.

One of the most serious conditions is created by the large surplus of algae which fouls fisherman's nets and clogs intake filters to the extent that the taste of algae is present in the drinking water derived from the lake. More than 2,600 miles of Lake Erie is already dead and unable to support desirable forms of animal life. Algae which cannot be seen without the aid of a microscope in healthy waters abounds throughout the lake in 50-foot lengths clogging municipal water intake valves. Much of it finds its way ashore to rot on the beaches, producing a most disagreeable odor. Public beaches near my home city, Cleveland, have, in fact, been declared unsafe for swimming since the 1940's.

Ohioans in my youth and young manhood could be proud of the beautiful sandy beaches stretching for miles along the inviting waters of Lake Erie. Thousands would crowd to the beaches to find relief in Erie's waters from the summer's heat. Today, unsanitary swimming beaches stretch for miles along the Erie shoreline. The beaches remain beautiful, but the water is putrid. Officials of Cleveland, following a "swim if you must" policy, have warned people throughout the last 10 years to stay away from its lakefront beaches and have discouraged those who wished to bathe in the waters offshore. According to a study conducted several years ago, only 11 of 28 beaches tested regularly were acceptable for swimming every month of the bathing season. A lot of filth has worked its way into the lake since then, so present conditions are much worse.

Even more important, algae robs the water of its oxygen content without which the normal plant life and animal life of the lake can not be maintained.

No longer may fishing enthusiasts enjoy productive excursions to many favorite lake areas, for polluted waters have caused many species of fish to die and disappear entirely from the lake. Today, only one high-quality fish, the perch, is abundant.

The commercial fishing industry on Lake Erie has been greatly curtailed by excessive contamination. Ten years ago, Erie, Pa., boasted a commerical fishing fleet of 30 ships. Today there is one. Ten years ago, a boat with a crew of five would usually catch 8,000 pounds of fish on one trip. Today, a two-man crew is fortunate if they catch 500 pounds of fish on one trip. During these few years, five species of fish have been completely eliminated from the lake. During the past decade, the total catch from the U.S. waters of Lake Erie has declined 45 percent and the loss in terms of dollar value is staggering.

Algae feed upon the phosphorous content of municipal and industrial waste dumped into the lake by cities and factories each year. Of the 137,000 pounds of phosphorous discharged daily, 72 percent comes from the neglect of cities in dumping untreated or only partially treated sewage into the lake. Detroit is cited by the report as the main polluter in this regard with its only partially-treated sewage contributing more waste to the lake than all other major cities combined. Cleveland, Toledo, Akron, Euclid and Wayne County, Mich., were also listed in the report as high contaminators. The report predicted that if its recommendations are implemented the growth of algae would be greatly reduced, probably within 3 years if phosphorous discharges were controlled.

Six percent of municipal waste from a population of 10 million Americans living along the shores of Lake Erie in 1965 was deposited with no treatment at all; 41 percent received only primary treatment; and 53 percent received secondary treatment. Approximately 79 percent of the municipal waste from the Canadian population of 1,200,000 living on Lake Erie in 1965 received secondary treatment, 12 percent primary treatment and 9 percent no treatment whatever.

Each year 33 million tons of sediment flows into Lake Erie. A prime offender in this is the U.S. Army Corps of Engineers, which produced about 9 million tons of the sediment while dredging harbors. This polluted dredging material should properly be diked. Admittedly, this will cost money, but it will be money well spent in saving one of our greatest natural resources. Incidentally, in disposing of this dredging waste in the lake the corps is acting in violation of the law which exists pursuant to a treaty entered into by the United States and Canada in 1909 to prohibit pollution of Lake Erie. Evidently, the corps has determined that the cheapest way to clean up the lake is to fill it up.

Industrial waste also constitutes a serious problem and Michigan cities are mostly responsible for it. The Ford Motor Co. plants at Dearborn and Monroe, Mich., account for 19.7 percent of the total industrial waste into the lake. The Republic Steel plants at Cleveland, Lorain, and Buffalo rank second with a total percentage of 14.9 percent, and Bethlehem Steel in Lackawanna, N.Y., ranks third with 13 percent. Besides the phosphorous content of industrial waste, oil and chemicals poured in from factories and from ships also affect the water's taste and odor, and are responsible for killing the fish in the lake and making it unfit for public use. Pesticides, washed into the lake from farms and orchards, threaten fish, wildlife, and people, and defy the usual water-purification systems.

Lake Erie is used as a source of supply by 27 municipal waterworks serving many communities. These systems serve millions of people and a large number of industrial concerns. In many areas the supply of unpolluted water is rapidly disappearing. Some cities must place their intakes at excessive distances offshore and at staggering costs. Millions of people depend on Lake Erie for drinking water. In excess of 600 million gallons are drawn each day from the lake to fulfill the needs of these people.

Most of this filth into Lake Erie comes from the rivers that flow into it. It is estimated that of the 3 million tons of debris and filth pouring into Lake Erie every day, the Detroit River contributes more than half. Another major contributor is the Cuyahoga River. Debris-filled, oil-slick, dirty-looking waterways define the Cuyahoga at many places along its course. Some beaches are blocked completely by dead trees and stumps, while the banks are dotted with numerous small dumps. Trash ranging from tin cans to refrigerators is a common sight along the river. In the navigation channel, where the Cuyahoga flows through Cleveland, even more debris exists and the water surface is often black with oil from the industrial outfalls.

The Cuyahoga River has a bacteriological count that is four times higher than a stream of raw sewage. The river is so saturated with oil that it sometimes catches fire. The lakefront in the Cleveland area is littered with debris consisting of discarded lumber, tree limbs, metal cans, paper products, dead fish, oil slicks, grease and scum. The same is true in other metropolitan areas bordering the lake.

Mr. President, we are losing the battle to save our lakes and streams—losing it to municipal, industrial, and commercial pollution, which we have tolerated until it has grown to monstrous proportions.

We shall start to win that battle only when we stop tolerating pollution of our Nation's lakes, rivers, streams, and make it public policy to prevent it.

To make such a decision will be painful. It will cost a great deal of money—perhaps $50 to $100 billion over the next 15 years. It will be bitterly resisted by influential segments of industry and at many levels of government.

Mr. President, stricter enforcement and stronger State programs must be started at once. Industries must be compelled to reduce their waste discharges—limits must be imposed on those industries, especially Michigan industries, which pollute Lake Erie. Efforts must be made to speed construction of sewage treatment plants and the diversion or disinfection of sewage discharges must be accomplished to rid the lake area of its bacteria and other health hazards.

The bill before the House of Representatives to prevent oil spillages from polluting the Nation's beaches and waterways out to the 12-mile limit would be an important step in correcting these problems. Additional, far more reaching and all-inclusive legislation will be needed before the job is complete. More State action and coordination is essential. However, Federal responsibility cannot be neglected, especially as water pollution does not recognize State boundaries.

If this task is not undertaken, we will have to abandon many of our water uses, including recreation and fishing, and possibly eliminate Lake Erie as a domestic and industrial water supply. If corrective measures cannot be taken with Lake Erie, which the report states is the most able to be corrected because of its physical geography, then its fate will await all our Nation's lakes.

Mr. President, it is almost inconceivable that a nation of supposedly civilized people would be so blind to its own self-interest and the welfare of its people to allow one of our Nation's greatest God-given natural resources to be contaminated and polluted beyond redemption and the use of fresh, clear water and beautiful uncontaminated waterfronts denied to future generations. Now is the time for concerted, coordinated efforts to overcome once and for all this enormous problem.

Mr. President, in this morning's Washington Post there appeared an excellent editorial entitled "Lake Erie Is Dying" which clearly and concisely points out the need for prompt action to save this great national treasure. I ask unanimous consent that the editorial be printed in the Record at this point as part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Post, Oct. 9, 1968]

Lake Erie Is Dying

Cleveland Mayor Carl Stokes' recent jest that Lake Erie is the only body of water in the world to constitute a fire hazard may prove in the short run more prophetic than funny. The report released Wednesday by the Federal Water Pollution Control Administration leaves little room for doubt that this most contaminated of the five Great Lakes is indeed in the throes of death. To be blunt, it is being tortured to death by man. Untreated waste from industries and municipalities in the past 50 years, the report notes, have prematurely "aged" Lake Erie's natural life by some 15,000 years. A map in the survey of polluted tributaries feeding the Great Lakes looks like an acute case of varicose veins. During summer months, concentrations of nutrients, radioactive and toxic substances, acids, oil, trash, debris and other wastes have effectively choked off a full 25 per cent of the Lake's life-sustaining oxygen supply.

If there is anything happy in this man-made horror story, it is that despite all this negligence, Lake Erie is still alive, and it can be saved:

The cleanup of Lake Erie is less a problem of engineering than it is a problem of diverse, inadequate, and unwieldy changing governmental policies, funding, and management. The technical engineering methods of waste control are known or close at hand with the main requirement being only their coordinated application.

Thus, the five states and 13 million people for whom the Lake Erie basin is an economic lifeline have in this report a critical call for action. And so, too, do the American people, for the Great Lakes must certainly qualify among our great natural treasures.

EXECUTIVE COMMUNICATION (S. DOC. NO. 109)

The PRESIDING OFFICER laid before the Senate a communication from the President of the United States, transmitting proposed supplemental appropriations and other provisions for the fiscal year 1969 in the amounts of $469,829,000 in budget authority, all for the executive branch, and $4,180,000 in proposals which will not increase budget authority, which, with accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

S. 3517. A bill for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation (Rept. No. 1625).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 1339. A bill for the relief of Capt. Donald D. Folkers (Rept. No. 1626);

S. 2584. A bill for the relief of Ludger J. Cossette (Rept. No. 1627);

S. 3373. A bill for the relief of Dr. Andres Raul Fernandez (Rept. No. 1633);

S. 3392. A bill for the relief of Ah Mee Locke (Rept. No. 1634);

S. 3440. A bill for the relief of Dr. Pedro Sarduy Brito (Pedro S. Sarduy) (Rept. No. 1635);

S. 3447. A bill for the relief of Yau Ming Chinn (Gon Ming Loo) (Rept. No. 1636);

H.R. 1528. An act conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of John T. Knight (Rept. No. 1637);

H.R. 1596. An act for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras) (Rept. No. 1628);

H.R. 2263. An act for the relief of Henry E. Bullock (Rept. No. 1638);

H.R. 2282. An act for the relief of certain employees of the Naval Weapons Center, Concord, Calif. (Rept. No. 1639);

H.R. 2283. An act for the relief of Dr. Ray F. McMillan (Rept. No. 1629);

H.R. 2288. An act for the relief of Charles B. Franklin (Rept. No. 1622);

H.R. 2792. An act to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes (Rept. No. 1640);

H.R. 4939. An act for the relief of Joseph H. Bonduki (Rept. No. 1623); and

H.R. 8096. An act for the relief of certain individuals employed by the Department of the Air Force at Kelly Air Force Base, Tex. (Rept. No. 1641).

By Mr. HART, from the Committee on the Judiciary, without amendment:

S. 2721. A bill to amend section 2 of the act of February 11, 1903, relating to appeals in certain antitrust actions, and for other purposes (Rept. No. 1649).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

H.R. 17864. An act to amend titles 5, 10, and 37, United States Code, to codify recent laws, and to improve the Code (Rept. No. 1624); and

H.R. 18612. An act to enact title 44, United States Code, "Public Printing and Documents," codifying the general and permanent laws relating to public printing and documents (Rept. No. 1621).

By Mr. SCOTT, from the Committee on the Judiciary, without amendment:

S. Res. 82. Resolution to refer the bill (S. 960) entitled "A bill for the relief of Arlene Coats, a partnership consisting of Sidney Berkenfeld and Benjamin Prepon," to the chief commissioner of the Court of Claims for a report thereon (Rept. No. 1661); and

S. Res. 89. Resolution to refer the bill (S. 1090) entitled "A bill for the relief of the O'Brien Dieselectric Corp." to the chief commissioner of the Court of Claims for a report thereon (Rept. No. 1662).

By Mr. THURMOND, from the Committee on the Judiciary, without amendment:

H.R. 3193. An act for the relief of Reddick B. Still, Jr., and Richard Carpenter (Rept. No. 1663).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

H.R. 859. An act for the relief of Public Utility District No. 1 of Klickitat County, Wash. (Rept. No. 1664).

By Mr. HRUSKA, from the Committee on the Judiciary, without amendment.

H.R. 2760. An act for the relief of Sondra D. Shaw (Rept. No. 1665); and

H.R. 5677. An act for the relief of Robert L. Miller and Mildred M. Miller (Rept. No. 1666).

By Mr. HAYDEN, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 10256. An act to render the assertion of land claims by the United States based upon accretion or avulsion subject to legal and equitable defense to which private persons asserting such claims would be subject (Rept. No. 1631).

By Mr. SPARKMAN, from the Committee on Foreign Relations, without amendment:

H.R. 15681. An act to consolidate and revise foreign assistance legislation relating to reimbursable military exports (Rept. No. 1632).

By Mr. LONG of Louisiana, from the Committee on Finance, without amendment:

H.R. 7567. An act to amend the Internal Revenue Code of 1954 with respect to the definition of compensation for purposes of tax under the Railroad Retirement Tax Act, and for other purposes (Rept. No. 1650);

H.R. 14095. An act to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes (Rept. No. 1651);

H.R. 18486. An act to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system (Rept. No. 1652); and

H.R. 18942. An act relating to the income tax treatment of certain statutory mergers of corporations (Rept. No. 1653).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 2393. A bill to fix date of citizenship of Alfred Lorman for purposes of War Claims Act of 1948 (Rept. No. 1642);

S. 2957. A bill for the relief of Soon-Hie Cho Young (Rept. No. 1643);

S. 3289. A bill for the relief of Dr. Francisco A. Aviles (Rept. No. 1644);

S. 3464. A bill for the relief of Dr. Kenneth Siu (Rept. No. 1645);

S. 3573. A bill for the relief of Diego M. Gimenez, Jr. (Rept. No. 1646);

S. 3776. A bill for the relief of Dr. Jose Ramon Portela y Margolles (Rept. No. 1647); and

H.R. 5818. An act for the relief of Clifton R. Kindt (Rept. No. 1648).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

H.R. 2478. An act for the relief of Josefina Policar Abutan Fuliar (Rept. No. 1654); and

H.R. 15450. An act to amend section 101(a) (27)(D) of the Immigration and Nationality Act (Rept. No. 1655).

By Mr. ERVIN, from the Committee on the Judiciary, with amendments:

S. 1169. A bill for the relief of the Pine Hall-Pomona Corp., successor of Pine Hall Brick & Tile Co. (Rept. No. 1656).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 11394. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes (Rept. No. 1659);

H.R. 15003. An act to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing (Rept. No. 1657);

H.R. 17332. An act to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain use of gasoline and lubricating oil (Rept. No. 1658); and

H.R. 18101. An act to amend section 337 of the Internal Revenue Code of 1954 with respect to the recognition of gain or loss on sales or exchanges in connection with certain liquidations (Rept. No. 1660).

REPORT ENTITLED "OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY"—REPORT OF A COMMITTEE (S. REPT. NO. 1630)

Mr. ERVIN. Mr. President, the Subcommittee on the NATO Status of Forces Treaty has submitted to the full Committee on Armed Services its annual report covering the operation of article VII of the treaty, together with the other criminal jurisdictional arrangements relating to our Armed Forces abroad. This report, which covers the 1 year between the period December 1, 1966, through November 30, 1967, has been approved by the full committee and I submit this report and ask that it be printed, with illustrations.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance:

Will E. Leonard, Jr., of Louisiana, to be a member of the U.S. Tariff Commission; and

Herschel D. Newsom, of Indiana, to be a member of the U.S. Tariff Commission.

Mr. Mr. EASTLAND, from the Committee on the Judiciary:

Morton L. Susman, of Texas, to be U.S. attorney for the southern district of Texas; and

Albert J. Henderson, Jr., of Georgia, to be U.S. district judge for the northern district of Georgia.

By Mr. ERVIN, from the Committee on the Judiciary:

J. Paul Teal, Jr., of North Carolina, to be U.S. marshal for the western district of North Carolina.

By Mr. DODD, from the Committee on the Judiciary:

Jon O. Newman, of Connecticut, to be U.S. attorney for the District of Connecticut.

By Mr. SCOTT, from the Committee on the Judiciary:

David Stahl, of Pennsylvania, to be U.S. circuit judge, third circuit.

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs:

Margaret Hunter Pierce, of the District of Columbia, to be a Commissioner of the Indian Claims Commission; and

John F. O'Leary, of Maryland, to be Director of the Bureau of Mines.

By Mr. YARBOROUGH, from the Committee on Post Office and Civil Service:

Robert L. Hardesty, of the District of Columbia, to be a member of the Advisory Board for the Post Office Department; and

Twenty-three postmaster nominations.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. CARLSON (for himself and Mr. HANSEN):

S. 4164. A bill to amend section 131 of title 23 of the United States Code; to the Committee on Public Works.

(See the remarks of Mr. CARLSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MURPHY:

S. 4165. A bill for the relief of Cecil Henry Wyant; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 4166. A bill for the relief of Elena Aguilera de Gutierrez; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 4167. A bill for the relief of Vasilios Cypriotis, Ioannis Karaoulanis, and Georgios J. Kornias;

S. 4168. A bill for the relief of Yam Tung Kung; and

S. 4169. A bill for the relief of Maria Villablanca; to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 4170. A bill for the relief of Tai Oy Yee (nee Tam); to the Committee on the Judiciary.

By Mr. CARLSON:

S. 4171. A bill for the relief of Dr. and Mrs. Joao Fanganiello; and

S. 4172. A bill for the relief of Dr. and Mrs. Gerald Dixon Smith; to the Committee on the Judiciary.

By Mr. MOSS:

S. 4173. A bill for the relief of Demetre John Demertzis, Vasilike Demertzis, John Demertzis and Efstathios Demertzis; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 4174. A bill to direct the Secretary of Health, Education, and Welfare to conduct certain demonstration projects designed to encourage recipients of aid to families with dependent children to seek employment; to the Committee on Labor and Public Welfare.

S. 4175. A bill for the relief of Dr. Leslie Frank Smith; to the Committee on the Judiciary.

(See the remarks for Mr. MONTOYA when he introduced the first above bill, which appear under a separate heading.)

S. 4164—INTRODUCTION OF BILL RELATING TO AMENDMENT OF SECTION 131, TITLE 23, UNITED STATES CODE

Mr. CARLSON. Mr. President, on behalf of myself and the Senator from Wyoming [Mr. HANSEN], I introduce a bill to amend section 131 of title 23, United States Code, being the part of the Highway Beautification Act of 1965 which relates to outdoor advertising devices, to eliminate the Federal-aid primary system from those highways adjacent to which outdoor advertising devices are to be controlled pursuant thereto, to change the date by which State compliance therewith must be effected from January 1, 1968, to January 1, 1972, and to similarly extend other dates relating thereto. This amendment would leave outdoor advertising devices adjacent to the Interstate System subject to the controls which said act demands of the States under sanction of the 10-percent penalty. Thus to amend said act would be in the public interest in that it would save some $447,113,000 in the costs of carrying out the highway beautification program. Second, it would permit long-established businesses which rely almost entirely upon highway advertising to continue to exist, the primary system having been in existence since 1921, whereas the Interstate System is comparatively new with relatively few established businesses adjacent thereto.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 4164) to amend section 131 of title 23 of the United States Code, introduced by Mr. CARLSON (for himself and Mr. HANSEN) was received, read twice by its title, and referred to the Committee on Public Works.

S. 4174—INTRODUCTION OF BILL RELATING TO MEETING THE WELFARE CRISIS

Mr. **MONTOYA**. Mr. President, I am introducing today legislation which I believe will contribute to the solution of one of the most pressing problems of our time. Many people have said and with much reason that our present welfare system is bankrupt and must be completely overhauled. Many are pressing for some form of guaranteed annual income or a form of negative income tax to take its place.

Mr. President, I believe that one of the most terrible mistakes we could make in response to the welfare crisis would be to adopt a system which is based on the theory that millions of our citizens are to be handed out a dole and then forgotten. This would be wrong from so many viewpoints. It would be expensive, it would be difficult to carry out; but most important of all it would in a very real sense represent a decision to put millions of people on the trash heap. It would be saying to those millions that you are so hopeless and we have so little confidence in you and in our country that all we are going to do is give you money and then relegate you to the nooks and crannies of America—beyond the pale in another time and place. Mr. President, this is not the right way, it is not the best way for America.

We hear some who say that we are now such a productive nation that it should be public policy to allow millions of people to live off the economy without producing anything which contributes to that economy. This is utter nonsense. How can anyone say that all the things which are needed to be done have been done? How can anyone say that we do not have to rebuild our cities, plan better the development of our open areas, and develop our human resources? How can anyone say that when so many human needs go unnoticed and unmet? There is plenty to do in America and I say that we had better get doing it. But, Mr. President, the way to make sure that we will not do anything is to adopt one of these schemes which is based on the theory that there is no work to do for many people and that they should be neatly discarded and then forgotten.

But there is little doubt, Mr. President, that the present welfare system needs to be amended to improve the chances for people who have to depend on welfare to get off the rolls and into productive, independent lives. One thing which we must all keep in mind is that the very great majority of people who have had to go on public assistance do not want to be there. They want to get off. Mr. President, what we must make sure of is that the system works to help people get off the rolls and does not work in a way that gives people disincentives for getting off.

Last year the Congress took some important steps in that direction. We conducted a study of the system which led to some important changes in the welfare program, although we also took some action which I believe was unfortunate, but which I believe we will correct in time.

But before I describe some of those actions we took last year, let me give the members of this body a brief description of those who are on welfare. The Federal Government assists the States in financing four separate programs of cash public assistance. Three of the programs are aimed at adults. The first is old-age assistance, which gives money to needy people over age 65. With the coming of age of the social security program and the increased benefits which we passed last year, only a small proportion of the aged must depend on public assistance today. Only one out of 10 aged people receives public assistance and half of those also get some social security benefit. Today the typical person on old age assistance is a widow about 76 years of age. The number of people on old-age assistance is continuing to go down even though the number of older people continues to rise. It is not this program which has created the welfare crisis.

The next adult assistance program is the program which helps the States to finance payments to the blind. The number of blind people who have to depend on public assistance also is getting fewer and fewer. Only 80,000 of the blind have to depend on assistance and the number is going down each month. It is not this program which has created the welfare crisis.

The third adult category is aid to the permanently and totally disabled. This category of assistance has been going upward on a very gradual basis ever since it was set up in 1950. And it is likely that the numbers will continue to grow gradually until the social security disability program and workmen's compensation programs are modified to protect more workers and their families who are faced with the disability of the family breadwinner. But the numbers of disabled people who have had to go on public assistance has not gone up as fast as it would have if we had not had the social security program, the vocational rehabilitation program and other programs which help treat and prevent disability. It is not this program which has created the welfare crisis.

The one federally assisted program which has shown continued and high rates of growth is the program of aid to families with dependent children—AFDC. This program now accounts for over two-thirds of all public assistance recipients and well over half of the funds. And this is the program which is growing at high rates even during a period of high employment, low unemployment, and unprecedented levels of economic activity. Mr. President, this is the program which is the cause of the welfare crisis. This is the program to which we must turn our attention whenever we are considering the public welfare problem. And it is this program toward which my legislation is directed.

Let me now briefly remind my colleagues of some of the more important provisions which the Congress enacted last year to deal with this growing problem. It is interesting to note, Mr. President, that during the period when the Congress was considering this legislation—from March 1967, to December 1967—this program added almost a half a million people to the rolls. Just think of that—during a 9-month period the rolls increased by well over 400,000 people. In this 1967 social security amendments we took, I believe, several important and constructive steps to meet the welfare crisis. We required the States to supply adequate day care services to the mothers in these families who are referred for jobs or training. We set up a special work training program to be run by experts of the Labor Department and directed solely at AFDC recipients.

We recognized that there were only a very small proportion of able-bodied men on the AFDC rolls—less than 80,000 out of over 5½ million recipients—but we did not ignore them. We required that each of them be referred to the work incentive program within 30 days of coming on the rolls and we included other measures to assure that able-bodied men were trained and placed in jobs.

Finally, Mr. President, we required the States to ignore the first $30 a month in earnings of a public assistance family and one-third of the earnings above that amount. Thus, the Congress attempted to meet the problem of the growing rolls by measures which were designed to furnish support to the hundreds of thousands of AFDC families who want to get off the rolls and become self-supporting and independent. Mr. President, I believe we are on the right track. People do not want to be shoved aside and forgotten while the rest of the Nation progresses. They want to be a part of that action. They want to be independent and self-reliant. But we have a welfare system which not only does not help people get off the rolls but actually hinders them in their efforts to do so. And the proposals for a guaranteed annual income or negative income tax will not change that—it will actually increase the ill effects in the present system. While the Congress has dealt with what I believe are the three main ingredients of a successful attack on the problem—adequate day-care services, opportunities for work and sound training, and an earnings incentive—we have not dealt with the third area in an effective manner. There may be more need for day-care services and we may need to give more financial support to the training programs, but I feel certain that we have not acted correctly in the area of work incentives. Thirty dollars and one-third is just too small. For example, the public assistance recipient who sees that she gains only $1 in net income for every $3 of work after the first few days of each month, may very well think that there is not much use in leaving her children with someone else for such a small gain. But, unfortunately, Mr. President, there is hardly any research or experimentation with various forms of work incentives on which the Congress can base an informed and intelligent decision in the matter. After more than 30 years of the AFDC program, the Department of Health, Education, and Welfare still had not done one good study of the effect of the program on incentives to work or how the problem could be met.

I personally believe that the 1967 provision will turn out to be inadequate. And, unless we take steps now to get pertinent information we still will not know the best route to take when results under the 1967 provision are in.

I suggest that a much more promising approach would be to allow all recipients to earn the difference between their monthly grant from welfare and a national standard of income. This is the kind of guarantee of annual income which I would like to see—a proposal which says to the recipient that he can earn up to the guaranteed level without losing any of his public assistance. Thus, instead of having a guaranteed level which is financed out of tax money, we would have a level which people could work toward. This is the type of proposal I would like to see studied.

As I indicated earlier, AFDC recipients want to work. A study conducted in the ghettos of New York City showed that the overwhelming proportion of the women on welfare wanted to get trained and placed in good jobs. And, I submit, it will go much better in the future of our country if we have children growing up today with the example of a parent going out to work and gaining the satisfaction of being independent rather than the example of a parent who draws his dole and spends the long days in idleness. The parent could hardly have self-respect in such a situation, and he most likely would not have the respect of children, family, or friends.

Mr. President, my bill would direct the Secretary of HEW to conduct a substantial experiment in appropriate areas of the Nation of the kind of proposal which I have outlined. Instead of the $30 and one-third earnings exemption, AFDC families could earn the difference between their grant and the poverty level set forth in my formula.

Mr. President, I ask unanimous consent to have printed in the Record at the conclusion of my remarks a chart containing the formula of earnings exemptions which I have in mind for AFDC families, and setting forth specific examples of how the formula would be applied and the effect it would have in providing work incentives over and above the present law.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MONTOYA. There would also be included in the legislation a built-in formula for raising the income level automatically—according to the Department of Labor cost-of-living consumer indexes—when the cost of living increases; that is, standards of income levels would be kept current with living costs.

Moreover, no State would be permitted to lower its welfare payments as a result of the enactment of such legislation, nor to exclude provisions for added welfare benefits for those having "special needs"; that is, medical care, special diets, care by an attendant, and so forth.

The Secretary of Health, Education, and Welfare would be required to compare the results of my proposed system with the results under the law, and with one or two other alternatives if the Secretary believes it to be desirable. The Secretary would then prepare a formal report to the results of the experiment to the Congress. We would then be in a position to evaluate the proposals in an informed manner and arrive at a decision based on facts and not theories.

I believe that the proposal which I have outlined will prove to be the most effective. I believe it would reduce the costs of poverty and other assistance programs over the long run, simplify procedures for welfare eligibility and payment determinations, and add to the working force through reduction of impediments to employment. Moreover, I believe that my proposal will show that the proponents of the negative income tax and other proposals which would hand out millions of tax dollars for doing nothing are on the wrong track, both for the people involved and the Nation as a whole.

But I am willing to put my beliefs to the acid test of experience.

Mr. President, I also ask unanimous consent for inclusion in the Record at this point the text of my bill, and I urge Senators to study it and then join me in securing its prompt passage.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 4174) to direct the Secretary of Health, Education, and Welfare to conduct certain demonstration projects designed to encourage recipients of aid to families with dependent children to seek employment, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 4174

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") shall, under the authority contained in section 1115 of the Social Security Act, conduct demonstration projects under which recipients of aid to families with dependent children (under programs established pursuant to title IV of such Act) who participate in such projects will be permitted to earn, without having any reduction in the amount of the money payments otherwise payable to them under such programs, such amounts as may be necessary to bring the total annual income of the family unit to which they belong above the poverty level.

(b)(1) Participants in such demonstration projects will be permitted to earn (without having any reduction in the amount of the money payments otherwise payable to them under a program established pursuant to title IV of the Social Security Act) amounts as follows:

(A) in case such participant belongs to a family consisting of one member, $600 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $2,000;

(B) in case such participant belongs to a family consisting of two members, $800 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $2,600;

(C) in case such participant belongs to a family consisting of 3 members, $1,000 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $3,200;

(D) in case such participant belongs to a family consisting of 4 members, $1,200 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $3,800;

(E) in case such participant belongs to a family consisting of 5 members, $1,400 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $4,400;

(F) in case such participant belongs to a family consisting of 6 members, $1,600 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $5,000;

(G) in case such participant belongs to a family consisting of 7 members, $1,800 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $5,600; and

(H) in case such participant belongs to a family consisting of more than 7 members, such amounts as the Secretary shall determine to be appropriate to carry out the purposes of the demonstration project.

(2) The amounts provided for in paragraph (1) of this subsection shall, when applied to any participant in a demonstration project under this Act who lives on a farm, be reduced by 30 per centum.

Sec. 2. Demonstration projects under this Act shall be carried on for a period not in excess of 12 months. The Secretary shall, at the earliest practicable time after the termination of such projects, make a report to the Congress on such demonstration projects together with any recommendations he may have for changes in the provisions of title IV of the Social Security Act which relate to earnings by recipients of money payments under programs established pursuant to such title.

The effect of the above would be to exempt AFDC welfare recipients from having deductions made against their welfare payments for earning additional income. Thus, a nonfarm family of 4 members could earn the difference between welfare payments and income up to $3,800, or an additional $1,200, *whichever is greater*.

The following examples (based on a family of four) show how the formula would be applied, and set forth the work incentives

Exhibit 1

TABLE OF EARNINGS EXEMPTIONS ALLOWED AID FOR DEPENDENT CHILDREN (AFDC) FAMILIES

Number of family members	Nonfarm		Farm (70 percent of nonfarm)[1]	
	Weighted cost standard	Offsetting standard	Weighted cost standard	Offsetting standard
1 member	$2,000	$600	$1,400	$420
2 members	2,600	800	1,820	560
3 members	3,200	1,000	2,240	700
4 members	3,800	1,200	2,660	840
5 members	4,400	1,400	3,080	980
6 members	5,000	1,600	3,500	1,120
7 members	5,600	1,800	3,920	1,260

[1] This is consistent with the social security poverty index, which has a 30-percent reduction for rural areas.

contained in the formula over and above existing law:

1. *New Jersey (non-farm):* New Jersey pays a monthly assistance allowance of $280 for a family of four—or a total of $3360 per annum. This represents one of the highest public welfare payments in the 50 states, meeting 100% of basic needs. Yet, there must be incentive for these families to become self-supporting, and by applying the above formula the effect would be as follows:

The $3360 in welfare benefits is but $440 below the non-farm weighted cost standard; hence, the family would be permitted to earn an additional $1200 since this is the greater amount. (*Comparison with Existing Law:* Under present law, if the mother in an AFDC family of four has annual earnings of $2200, she would have her assistance grant of $3360 reduced by $1227 to $2133 for a total income of $4333. Under this proposal, the family would have $3360 plus $1200 in earnings for a total income of $4560.)

2. *New Mexico (non-farm):* My own state of New Mexico pays $183.36 monthly to a family of four, meeting 95% of the $193 for monthly basic needs—for a total of $2200. This is $1600 below the $3800 weighted cost standard for a non-farm family of four, but is greater than the $1200 offsetting standard; hence the family would be permitted to earn an additional $1600 yearly without penalty to welfare payments. (*Comparison with Existing Law:* Under present law a family of four in New Mexico would have their grant reduced from $2200 to $1173, based on earnings of $2200 for a total income of $3373. Under this proposal, however, the family could achieve a total income of $3800 based on the same earnings.)

3. *Mississippi (farm):* The State of Mississippi pays but $40 per month to a family of four, although basic needs as established by the State are $194.09. Assuming that farm family costs are 70% of the cost-of-living of non-farm families, the $480 in welfare payments deducted from the $2660 cost standard would be $1180—the additional amount which the family would be permitted to earn since it is greater than the $840 offsetting figure. (*Comparison with Existing law:* Under present law, if a family had earnings of as little as $1080 no further assistance would be paid. But under this proposal, a family of four could have earnings of as much as $2810 and still receive the $480 in public assistance grant.)

RESOLUTIONS

SENATE RESOLUTION 410—RESOLUTION TO PAY A GRATUITY TO BEATRICE B. STAVES

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 410); which was placed on the calendar:

S. Res. 410

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Beatrice B. Staves, mother of W. Henry Staves, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 411—RESOLUTION TO PAY A GRATUITY TO MARY HALL STOUGH

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 411); which was placed on the calendar:

S. Res. 411

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mary Hall Stough, widow of Bernard H. Stough, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, and said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 412—RESOLUTION TO PAY A GRATUITY TO EMMA T. DILLON

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 412); which was placed on the calendar:

S. Res. 412

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Emma T. Dillon, widow of John F. Dillon, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 413—RESOLUTION TO PAY A GRATUITY TO DOROTHY S. BERG

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 413); which was placed on the calendar:

S. Res. 413

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Dorothy S. Berg, widow of William Berg, Jr., an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 414—RESOLUTION TO PAY A GRATUITY TO ALBERTA N. CONLON

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 414); which was placed on the calendar:

S. Res. 414

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Alberta N. Conlon, widow of John F. Conlon, an employee of the Senate at the time of his death, a sum equal to ten and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 415—RESOLUTION RELATING TO FURNISHING OF ADDITIONAL TRANSPORTATION VEHICLES IN NIGERIA

Mr. PEARSON. Mr. President, I submit with the distinguished Senator from Massachusetts [Mr. Brooke] a resolution calling upon the President to make available surplus aircraft and any other vehicles of transportation that might be needed to support an international humanitarian relief effort to ease the starvation in Nigeria which is growing more critical with each passing day.

The need for such a concerted attempt to ease the terrible suffering of the war-torn Nigerians has never been more urgent. Though an accurate accounting is impossible, estimates indicate that as many as 8,000 people a day are dying from starvation as a result of the civil war.

Mr. President, since this tragic struggle began last year I have been concerned lest the United States find itself directly involved in what is essentially an African problem. This does not mean our Government should remain indifferent to the humanitarian needs created by the war, as the resolution Mr. Brooke and I introduce today so clearly states. But it does mean that we should not become involved, or lend support to, any military, economic, or even humanitarian aid effort which will prolong the struggle with attendant unfortunate consequences for all concerned.

As I said in a statement to this body just a few days ago, it is my opinion that the Organization for African Unity or some other international agency with African support and cooperation should be given the opportunity of directing the type of adequately supplied relief program that is needed to relieve the suffering that has become a stain on the conscience of mankind, yet preserve the principle of African control which I feel is essential in this case.

Mr. President, as the distinguished Senator from Massachusetts [Mr. Brooke] observed in hearings before the Foreign Relations Subcommittee on African Affairs just the other day, taking the question of Nigerian relief before the General Assembly of the United Nations, as has been proposed, can only succeed in embroiling the matter in extraneous cold war issues. In addition, the independent African states through the OAU have made it clear that they do not wish the matter formally considered by the world body. To attempt to circumvent this expression of opinion by a clear majority of African nations would accomplish little except to anger our African friends and thus doom the General Assembly motion to failure and perhaps injure our diplomatic relations on the continent for some time to come. Such an approach, because of its inevitable diplomatic side effects, might actually set back, rather than advance the expansion of international humanitarian relief efforts.

These considerations need not hinder the development of any effective relief program, however. I am told that our Air Force currently has 197 C–119 cargo planes in storage or in the process of reclamation or preparation for use in various programs. Moreover, there are 260 other C–119's in use by the Air Force Reserve and the Air National Guard that will be disposed of in the future. Certainly some of these, or even newer planes could be made available to the

OAU, UNICEF, or Red Cross or some other agency currently working on the Nigerian problem for the inauguration of a large-scale relief program.

It would be my hope as well that the United States would also provide such food and operating personnel as may be needed to make the program a success.

Mr. President, the resolution Mr. Brooke and I submit today is only a starting point. It is designed to get the relief question off dead center without compromising the principle of African direction of African affairs or the integrity of the Nigerian Government. It is important that any relief program have the support of the Nigerian Government if it is to be effective in both preserving the Nigerian federal system and in bringing relief to the millions who are starving in the rearguard areas currently not involved in the fighting. It is also important, of course, that any such relief effort have the confidence of the Ibo people who populate the breakaway Republic of Biafra. If their fears of genocide are to be answered, relief should be under international supervision.

Mr. President, it is my belief that the resolution offered today by the distinguished Senator from Massachusetts [Mr. Brooke] and myself meets these needs. The international agencies who would be given help under this proposal already have the cooperation of the Nigerian Government and yet have the integrity that should command the respect and trust of the Biafrans. This approach also allows the United States to offer meaningful humanitarian support without becoming directly involved and thus compromising both our interests and those of the Africans. It would permit the implementation of an African relief program under their direction and at their request. And this is as it should be.

Mr. President, I ask unanimous consent that the resolution to which I refer be printed in the Record.

The **PRESIDING OFFICER**. The resolution will be received and appropriately referred; and, under the rules, the resolution will be printed in the Record.

The resolution (S. Res. 415) was referred to the Committee on Foreign Relations, as follows:

S. Res. 415

Whereas reliable reports indicate that there is a tragic loss of life through starvation in areas affected by the current Nigerian civil war; and

Whereas present relief operations are inhibited by poor roads, bad weather, inadequate transport, and the inaccessibility of certain areas to overland supplies; and

Whereas only massive shipments of vital food supplies can immediately reduce the tragic rate of starvation: Now therefore, be it

Resolved, That it is the sense of the Senate that the President shall act to increase significantly the number of surplus aircraft and other vehicles of transportation which may be available for relief purposes to the Organization for African Unity, the International Committee of the Red Cross, UNICEF, or other suitable agencies currently operating in Nigeria with the consent of the Government of Nigeria; and these vehicles shall be made available at the request of the participating agencies and the Government of Nigeria; and

Resolved further, That the Government of the United States shall solicit the cooperation of other nations in this humanitarian effort.

THE NIGERIAN CIVIL WAR

Mr. BROOKE. Mr. President, I am pleased to cosponsor with the junior Senator from Kansas [Mr. Pearson], a resolution urging the United States to make available support facilities to alleviate the suffering in Nigeria.

For nearly a year and a half, the most populous country in Africa has been engaged in a bloody and tragic civil war. Thousands of lives have been lost, and the development of a potentially rich and prosperous nation has been gravely impeded.

I was in Nigeria in January of this year. During my stay I talked with literally hundreds of the citizens of that country. I met with Government officials and traditional leaders, with members of the business and professional community, with university students and members of the press. Before and during my visit, and since my return, I have discussed the situation with informed persons on both sides of the conflict, including missionaries, Peace Corps volunteers, and members of the academic community. At all times I have sought the best and the fullest information attainable.

Mr. President, I deplore the suffering which this continued conflict has brought to the people of Nigeria's eastern states. But I have consistently refrained from urging direct U.S. intervention or the intervention of other non-African organizations in this civil war. I do not intend to urge such intervention now. I do feel, however, that our country should stand ready to assist the Nigerian Government, the Organization of African Unity, and the relief agencies working with them, in every way possible. It is for this reason that I am sponsoring the present resolution urging the President of the United States to be prepared to make available to authorized relief agencies and the Government of Nigeria such transportation and support facilities as they may require.

I deeply respect the humanitarian concerns which have propelled many of my fellow Americans to urge direct involvement in the relief effort. I believe even more deeply in the principle that nations and individuals must choose their own direction, and must play the leading role in determining the kind of aid which will be acceptable and helpful to them. We must beware of imposing our standards, however well-meaning, upon another sovereign people.

In Nigeria, we are dealing with much more than a single crisis situation, however wretched it may be. We are faced, in the final analysis, with the question of the ability of a new nation to deal with internal conflict. Our primary aim should be to bolster the capacity of the Nigerian Government—and by definition, of any legitimate government—to cope with suffering and strife. We will not increment that capacity by providing direct assistance to those who are in rebellion.

The U.S. Government already has provided millions of dollars of food and medical relief. This aid has wisely been channeled through the International Red Cross, an international body which has the confidence of both sides in the conflict. It is through this organization or UNICEF, or the Consultative Committee of the Organization of African Unity, that aid must still be supplied. As Prime Minister Trudeau, of Canada, wisely observed last week, any attempt at unilateral action, or any effort which does not act in coordination with the Federal Government of Nigeria, would constitute an act of war against Nigeria. Such actions would not take into account the objectives and intentions of the leaders of the eastern region, who believe that none of their people will be saved unless the eastern region remains autonomous. An airlift of food would be regarded, at best, as an increment to their own military holding action. Given the determination of the rebels to hold out indefinitely in the bush, and taking into account also their recent plea for aid from Communist China, such action on our part might simply prolong the conflict.

By the same token, it would not serve to refer this issue to the United Nations. A U.N. debate is likely to be lengthy and inconclusive. It may well raise the danger of further injecting the larger East-West controversy into the Nigerian crisis, for the Soviet Union will hardly let Africans forget that the United States refused to sell arms to the Nigerian Federal Government. The disaster now occurring is too great to allow it to become an occasion for cold war propaganda. On grounds of both pragmatism and principle, I think other forums and other channels offer the best hope for expediting a settlement.

The best answer is still the one desired by the Nigerians and the Africans themselves: an African solution to an African problem. Let us provide such support as is necessary, but let us provide it at their request and for their use. To do otherwise is to intrude more deeply than is wise or necessary, a role which we have already found creates both distrust abroad and dissension at home.

Mr. President, no one feels the dimensions of this situation any more deeply than the people of Nigeria. No one fears its consequences any more darkly than the leaders and the people of the other African states. And finally, no one else can find the solution.

Let us do everything in our power to save the innocent, but let us do it in a way which facilitates, rather than hinders, an end to the war. Let us most of all, in our efforts to bring peace and well-being to the world, be sensitive to the abilities and requirements of others. In that way only can we truly help them to help themselves and to work with us toward a common and desirable goal.

Finally, Mr. President, I would address a special plea to the leaders and the people of "Biafra." Colonel Ojukwu, the leader of the Eastern forces, is a sincere and dedicated man. With greater temperance I believe he could have made a singular and valuable contribution to the progress of a united Nigeria. Instead, he felt compelled to lead his people away from union and into a tragic and futile battle. Now, driven by fear and ingrained suspicions, Colonel Ojukwu and his followers have promised a fight to the end. One can respect his personal heroism. But it is not heroism to take millions of innocent people to their deaths as well. It is not heroism to prepare for guerrilla war even after the population centers and transportation routes are taken by Federal forces. It is not heroism to tie up the resources of a whole nation in extended conflict, or to condemn millions of civilians to a struggle for subsistence in the bush. In my view, and in the view of informed and impartial observers throughout the world, it is folly to continue this conflict. No policy is better calculated to disrupt Nigerian and African political and economic development for years to come, or to prevent the peaceful reintegration of the Ibo people into a united and prosperous Nigeria.

It is my sincere hope that the leaders of the eastern states, and the reasonable men who remain there, will reconsider this decision, and will choose that course best designed to provide for the ultimate well-being of all the people of Nigeria. Then and only then will Nigeria and the nations of Africa and of the world be able to replenish and rebuild the war-torn areas, unhindered and unafraid.

SENATE RESOLUTION 416—RESOLUTION URGING AN APPROPRIATE MEMORIAL HONORING THE LOST BATTALION OF WORLD WAR I

Mr. JAVITS. Mr. President, I rise to submit a resolution that would result in the creation of a battle monument, honoring the "Lost Battalion" of World War I.

The September–November 1918 Meuse-Argonne campaign constituted the greatest battle in American history up to that time. More than 1,200,000 Americans took part in this 47-day campaign along a front that extended from southeast of Verdun at the Argonne Forest. Out of this battle action emerged the legend of the "Lost Battalion." For 5 days, a valiant detachment of American soldiers, under constant enemy fire and lacking food, water and medical supplies, held fast even though completely surrounded by German forces.

On October 2, 1918, Maj. Gen. Robert Alexander, commander of the 77th Division, ordered the understrength 1st and 2d Battalions of 308th Infantry Regiment to the attack. Maj. Charles Wittlesey, commanding the 1st Battalion, led the assault. The offensive of which this attack was a part failed everywhere, but Major Wittlesey and his men reached a ravine just south of their objective.

Thus began the legend of the "Lost Battalion." Cut off from the other U.S. forces—sewed up in a pocket approximately 300 yards long and 60 yards wide—Major Wittlesey's men dug into the thickets of the Argonne Forest to secure their positions.

Attempts made to reach the "Lost Battalion" were repulsed by the Germans. By October 5, Major Wittlesey and his men were suffering severely, having been isolated for 3 nights and lacking sufficient food, water and medical supplies, and they were surrounded by a fresh German division, the mortars, machineguns, flamethrowers and rifles of which lashed at them relentlessly.

On October 7, Major Wittlesey received a surrender message from his German counterpart. He sent no reply. The Germans launched a fierce attack with flamethrowers, and were repulsed. Paralleling this action, a major American attack was launched, and the "Lost Battalion" was reached.

The "Lost Battalion," in reality, consisted of the 1st Battalion of the 308th Regiment and elements of the 307th and the 306th Machinegun Company. It would have been lost to the enemy, save for the heroism and tenacity of the American fighting men involved. Published figures vary, but of the 550 men sealed off in the pocket, one source lists 252 survivors, 107 dead, 190 wounded, and 63 missing. Major Wittlesey, Captain McMurty, and Captain Holderman each received the Congressional Medal of Honor and the survivors of the "Lost Battalion" volunteered to remain on the frontline.

The deeds of the men of the "Lost Battalion" constitute a legend and a symbol, equaling such other moments in American history as the Alamo, when Americans have done that which has been necessary regardless of the cost to themselves. It is only fitting, therefore, that the Nation should honor the men of the "Lost Battalion" in like manner.

The **PRESIDING OFFICER**. The resolution will be received and appropriately referred; and, under the rules, the resolution will be printed in the RECORD.

The resolution (S. Res. 416) was referred to the Committee on Armed Services, as follows:

S. RES. 416

Whereas the Lost Battalion, portions of two battalions of the Seventy-seventh Division, United States Army, fought heroically during the Battle of the Argonne Forest, in October 1918, for approximately five to six days while being without food, water, and medical supplies, and being completely surrounded by a German division; and

Whereas the Lost Battalion refused to surrender, and suffered great losses, including one hunderd and seven killed, one hundred and ninety wounded, and sixty-three missing; and

Whereas it is appropriate to honor the members of the Lost Battalion on the fiftieth anniversary of their acts of bravery: Now, therefore, be it

Resolved, That the American Battle Monuments Commission, with the consent and cooperation of the Secretary of the Army, is urged to erect an appropriate memorial at Arlington National Cemetery, Virginia, to honor the Lost Battalion on the fiftieth anniversary of its heroism and bravery in October 1918, during the Battle of the Argonne Forest.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954—AMENDMENT

AMENDMENT NO. 1022

Mr. METCALF submitted an amendment, intended to be proposed by him, to the bill (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts, which was ordered to lie on the table and to be printed.

NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS TO SUPPLEMENTAL APPROPRIATION BILL, 1969

AMENDMENT NO. 1023

Mr. SPARKMAN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 20300) making supplemental approriations for the fiscal year ending June 30, 1969, the following amendment, namely:

"SEC. —. Section 408(e)(1)(A)(iv) of the National Housing Act, as amended, is amended by striking the phrase 'the control of any such institution' and inserting in lieu thereof the following: 'except that the Corporation may upon application by such company extend such one-year period from year to year, for an additional period not exceeding three years, if the Corporation finds such extension is warranted and shall not be detrimental to the public interest'."

Mr. SPARKMAN also submitted an amendment, intended to be proposed by him, to House bill 20300, making supplemental appropriations for the fiscal year ending June 30, 1969, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

AMENDMENT NO. 1024

Mr. McGEE (for Mr. MAGNUSON) submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, the following amendment, namely: at the appropriated place in the bill, insert:

"CHAPTER VIII.—PUBLIC WORKS

"DEPARTMENT OF DEFENSE—CIVIL

"DEPARTMENT OF THE ARMY

"*Corps of Engineers—Civil*

"*Construction, general*

"The Secretary of the Army, acting through the Chief of Engineers, is authorized, in connection with the construction of the Lower Monumental Lock and Dam project, Washington, to provide protection to the historic archeological finds at the Marmes Rock Shelter area adjacent to the Palouse River, Washington, and to pay for such protection from any funds available for the project."

Mr. McGEE (for Mr. MAGNUSON) also submitted an amendment, intended to be proposed by Mr. MAGNUSON, to House bill 20300, supra, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

AMENDMENT NO. 1025

Mr. PASTORE submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 20300) the following amendment, namely:

"ALLOWANCES AND OFFICE FACILITES FOR FORMER PRESIDENTS

"For an additional amount for 'Allowances and Office Facilities for Former Presidents', $40,000, and funds appropriated under this head shall be available hereafter for travel and related expenses of former Presidents and not to exceed two members of their staffs."

Mr. PASTORE also submitted an amendment, intended to be proposed by him, to House bill 20300, supra, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

AMENDMENT NO. 1026

Mr. PASTORE submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 20300) the following amendment, namely:

'UNITED STATES SECRET SERVICE

"Section 3056 of title 18, United States Code is amended by striking out the second clause and inserting in lieu thereof the following: 'protect the person of a former President and his wife during his lifetime, the person of the widow of a former President until her death or remarriage, and minor children of a former President until they reach sixteen years of age, unless such protection is declined'."

Mr. PASTORE also submitted an amendment, intended to be proposed by him, to House bill 20300, supra, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

A CABINET DEPARTMENT OF PEACE

Mr. HARTKE. Mr. President, it is gratifying to me that my bill to establish a Cabinet-level Department of Peace (S. 4019) and the companion House bill introduced by Representative SEYMOUR HALPERN (H.R. 19650) is receiving serious attention from a variety of persons.

An early response was a telegram from James G. Patton, president of the United World Federalists, which reads:

> Thank you for introducing S. 4019 to establish a Department of Peace. Will do all we can to obtain passage of this important legislation.

Another well-known leader of American thought, the editor of the Saturday Review and of McCall's magazine, Norman Cousins, has written:

> As President of the World Association of World Federalists and as an officer of the United World Federalists, I hope you will accept my congratulations on and warmest thanks for your cosponsorship of the Department of Peace bill . . . This is a most exciting and promising initiative, and you and all associated with the Bill deserve the thanks and approbation of peace-minded men everywhere.

News articles and editorials have appeared in several places. The Dearborn Guide had a fairly lengthy description of the proposal by a Washington-based correspondent. The Baptist Press, which is a news service for Baptist publications throughout the country, has sent out a lengthy story on the Peace Department. The Willmar, Minn., West Central Daily Tribune on September 28 published an editorial commending the Department of Peace idea. Special postcards prepared by the California-based organization, "Another Mother for Peace," are beginning to arrive in my office and probably in those of other Senators—cards which bear this message:

> The only race we cannot afford to lose is the human race!
>
> We who have touched the moon and set a course for the stars must now begin the imperative journey toward a peaceful earth.
>
> This age demands a Secretary of Peace.

An article dealing with the Peace Department proposal and the organization which sponsors these cards is scheduled to appear in the November issue of McCall's magazine.

An article, prepared at the initiative of its editor, dealing with the proposed Peace Department is slated to appear in the publication of the Agency for International Development, "War on Hunger." Under the bill, AID would become a part of the proposed Department.

Requests for more information have come from such groups as the Universities Committee on the Problems of War and Peace of Greater New York; the international relations program of Northwestern University; the Peacemakers Academy Committee of the International Research Fund, Inc.; the Peace Research Laboratory, located in St. Louis, Mo.; and from others.

Only yesterday at a luncheon held in the Friends' William Penn House a few blocks from the Capitol about 25 persons from a dozen peace organizations met to discuss the Peace Department idea and to lay first plans toward its promotion in the next few months as we prepare for reintroduction of the bill in January. I might add that it is my intention at that time to invite other Senators to be cosponsors of the Senate bill, since there was little time to do so just before the September 11 presentation of it. The CONGRESSIONAL RECORD, pages 26350–26358, includes the bill text. As noted there, the Senator from Oregon [Mr. HATFIELD] and the Senator from Texas [Mr. YARBOROUGH] joined me in the introduction of the bill, and since that time the Senator from West Virginia [Mr. RANDOLPH] has become a cosponsor at his own request. There are about 30 cosponsors in the House.

Organizations represented at the luncheon yesterday, which was initiated by the Friends and whose discussion was led by Dr. Clair Cook of my staff, included a broad spectrum of peace interest: Women Strike for Peace; United World Federalists; Council for Humanist and Ethical Concern; Arms Control and Disarmament Council; National Public Affairs Committee, Council of Young Women's Christian Association; Women's International League for Peace and Freedom; Friends' Committee on National Legislation; United Nations Association; Members of Congress for Peace Through Law; Council for Christian Social Action of the United Church of Christ; and William Penn House.

Another luncheon, initiated by one of these groups, will be held next week on October 17 with about a hundred women expected to be in attendance. Again, the topic will be the Department of Peace bill, which both I and Representative SEYMOUR HALPERN as initiators of the parallel bills have been asked to address.

A television "talk back" show on September 16 over a Cincinnati station spent an entire hour on the Peace Department as Mrs. Barbara Avedon of the "Another Mother for Peace" organization interviewed Robert Lansing, star of the TV series "One O'Clock High." The idea was also aired by radio over the well-known Chicago Show of "Kup" Kupcinet. Several noted Hollywood personalities, including Bess Myerson, Donna Reed, Debbie Reynolds, and others, have publicly acclaimed this cause.

The strong and ready response to the Department of Peace suggestion shows that the judgment I offered on September 11 was correct when I spoke of this idea—which goes back as far as 1799 to Dr. Benjamin Rush's essay, "A Plan of a Peace Office for the United States"—as one whose time for achievement has now arrived. "This is so," I said then, because of the "changed nature of our world."

> More particularly, and in addition, there is today the overwhelming demand of this Nation that something must be done to save us from any more Vietnams. The people are sick of war, and in particular of this war. . . . But "peace is everybody's concern and nobody's business" as a regular, high-level, ongoing activity of the Federal Government.

I did not mean to imply that our Government does nothing to further the cause of peace. Indeed, we do much and in a wide variety of ways. But all of the peace activities are subsidiary portions of the work of some other Cabinet department or independent agency. Here would be a constant focal point for all of these, with a dramatic and positive impact available only by putting a Department of Peace into the Cabinet as a peer of the Department of Defense, of State, or of any other agency.

Mr. President, I ask unanimous consent that the editorial published in the West Central Daily Tribune, of Willmar, Minn., be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Willmar (Minn.) West Central Daily Tribune, Sept. 28, 1968]

A PEACE DEPARTMENT?

(An editorial by O. B. Augustson)

Yesterday we mentioned that in all the presidential campaigning the most important issue is that of the Vietnam war. In itself it is to our thinking the most major question. Further we would state that this war has had a lot to do with other problems which have arisen in our nation and society—ill by products of the war and its effects upon our people. The unrest it has created, how the war even is reflected in the racial question not to forget the cost of the war which also is having its effects on the economy of the country and viewed by many as a wasteful enterprise.

As to wars which seem to plague this age there surely is room for plenty of thought on that subject. An age of greatest education, age of greatest civilization, age of greatest advance of religions, greatest age of affluence—all this—and yet the stage of the most devastating wars in all history and actually standing on the brink of a war which could wipe out all mankind and the civilization the earth has been boasting about. The age when mankind may be conquering space and may be setting foot on a moon and yet losing the earth itself. What an incongruous affair all this is!

The answer of course lies with governments and national leaders and world leaders and the higher up you go in the ranking of the nations the greater the responsibility. What the leaders of the United States of America do and what the leaders of the Soviet Union do pretty well tells the story. And if those big major powers think only in terms of material things, their material interests wherever they may think they are and think only in terms of military force to attain those ends—then God pity humanity.

Major powers that have great departments for war—secretaries of war, pentagons and kremlins just as if might makes right or such is the only answer to the controversies or the problems of mankind. One sided? It surely is so.

In this connection it is interesting to note that Senator Hartke of Indiana, Senator Hatfield of Oregon and Senator Yarborough of Texas have introduced a bill for a Department of Peace in our federal government. Surprised at such a thought? Should not be. Perhaps this is something our country could well use—and the past would surely give proof of its need. A department that would have just as much to say about this matter of war as the war department. A department that would be able by study, knowledge and precepts to not only guide and advise the Congress but the administration as well. At the same time to counteract the huge influence of the war department which some think are running our foreign policy today.

And one could even add that in this Department of Peace would be the voice of the Christian church which in recent years has suffered much around the world because of bad world policy. The absence of a Department of Peace is a weakness in our government and God knows such an arm of government is more needed today than at any time in all history. For unless there is new direction in this world, and that includes our own beloved country—all may be lost.

THE MORGANTOWN POST WELCOMES FEDERAL YOUTH CENTER

Mr. **BYRD** of West Virginia. Mr. President, it was most heartening to me to read in a recent edition of the Morgantown, W. Va., Post a glowing tribute to the Federal Youth Center—the former National Training School of Washington, D.C.—which will begin operating soon in Morgantown.

The editorial should do much to allay inherent reservations which some people might have about the presence of such a correctional facility.

I am proud to have been instrumental in relocating the old National Training School at Morgantown, and I share the hope of Morgantown Post Editor John F. Quigley that visitors to the institution will be "surprised, pleased, and impressed."

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Morgantown Post, Oct. 2, 1968]

Plan To Welcome Some Fine Neighbors

In a few weeks, or perhaps a few months if minor delays persist, the new Federal Youth Center on the Old Kingwood Pike will be open for business and the first group of boys brought here from other institutions in the Federal Bureau of Prisons system.

Those who haven't yet visited the site of the new institution should do so. It's a most impressive institution, a fantastically fitting and beautiful setting, and a well-organized facility in every way.

The living quarters for the troubled young men between the ages of 16 and 20 who will live here are simple but adequate, and the boys will pay their debt to society with responsibility for their actions, with hope and with dignity.

There are no fences at the Federal Youth Center. The only barrier to escape is the terrain, which sweeps steeply upward from the center on all sides. In addition, Director Roy E. Gerard and his staff are making intensive plans for patrols to prevent escape and searches to recapture those who do flee from custody.

Inevitably, a few of the young men will slip away and may very possibly wind up stealing a car or breaking into a shop in or near Morgantown, despite elaborate and careful plans to prevent such crimes.

There will be numerous policing advantages to the new institution to more than offset such a potential problem. Officers at the Federal Youth Center have been trained or will be trained to assist local authorities in any emergencies that may develop in the city or elsewhere in the area. With the current weaknesses in our city law enforcement force, such a fact is most comforting. Additionally, training in handling crowds and disturbances will be made available to local officers, and the local police do have plans to take advantage of such training.

We have said it before, and we are now more convinced than ever, that Bureau of Prisons institutions are among the finest assets a community can have. The employes are not only well-paid by comparison, but they are carefully selected and almost invariably are fine citizens and wonderful neighbors.

We hope the entire community will join us in helping to welcome the 190 or so employes of the Federal Youth Center when the institution reaches its full strength in the next few months.

And don't fail to visit the place if the opportunity arises. You will be surprised, pleased, and impressed.

NATIONAL STANDARDS AND WELFARE

Mr. **HANSEN**. Mr. President, all of us are rightly and properly concerned about the welfare problem and are seeking ways to cope with it. The Wall Street Journal, in its lead editorial today, October 9, has commented on the problem of welfare.

For those who contend that the easy solution is a guaranteed annual income, it should be observed that such a solution would be a sure way of "locking in" to the present welfare system recipients who might otherwise be motivated to break these bonds.

Likewise, supporters of the idea that welfare should be taken over and run exclusively by the Federal Government, with national standards being uniformly imposed, overlook two important facts:

First. That living costs vary greatly; and as the Wall Street Journal editorial points out, "equality would merely mean inequality for those in areas where costs are highest"; and

Second. Federalization would tend to stifle the local experimentation that is needed if better welfare approaches are even to be devised.

The wisdom of encouraging part-time work or the acceptance of full-time low-paying jobs, without penalizing the welfare payment recipient, is obvious.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Review and Outlook: National Standards and Welfare

Practically everybody, liberal, conservative or whatever, agrees that the nation's welfare setup is a disaster, and a good many people would like to toss the whole problem into the lap of the Federal Government.

There are, however, a number of objections to this "solution." An obvious one is that the Government, which even now carries a large share of welfare's financial problems, already has more problems than it can handle. To thrust all of welfare's woes on Washington now would merely be compounding chaos.

Even assuming the Government at some future time gets its finances in better shape, broad disagreement exists among welfare theorists as to just what the Federal role should be. Some planners merely want more money, while others argue for new Federal controls and programs atop the present system" and still others would abandon most present programs and start afresh with something like a guaranteed annual income.

At the same time various theorists argue that it is actually public attitudes that will have to be remade before much progress can be achieved toward easing the welfare crisis. This is a work-oriented culture, the reasoning runs, but changing technology and other factors are making it impossible for many citizens to find any work to do.

Even if there were merit in that last idea (and it sure shrugs off the 12% rise in jobs in the past half dozen years), it simply won't be widely salable in this country in the foreseeable future. Americans are a compassionate people and by and large want to help those who can't help themselves. But few of them are of a mind, as yet anyway, to accept unnecessary idleness as meritorious.

Given the hard fiscal realities, then, it looks as though the nation for the present at least will have to make do with the resources and attitudes at hand. Even so, it shouldn't be impossible to gradually lessen the welfare troubles, although a full solution is likely to be as elusive as an "end" to poverty.

To begin with, the welfare situation is one more compelling reason for curbing inflation's pressure. In addition to ballooning local, state and Federal welfare budgets, inflation strikes hardest at the poor, whether they are on welfare rolls or not.

Much can also be said for diminishing the wide disparity of welfare payments among states and localities. In Mississippi welfare families get as little as $34.90 a month, while in New York an average family may draw $344. There are at least a couple of reasons though, why the difference should be reduced without imposing equality through "national standards."

For one thing, in this huge and disparate country living costs vary widely; equality would merely mean inequity for those in areas where costs are highest. More important, Federalization would tend to stifle the local experimentation that is needed if better welfare approaches are ever to be devised.

In this area, after all, the planners are dealing with human motivation, an ephemeral concept if there ever was one. Consequently there may be merit in current projects that reduce—but do not eliminate—payments when a welfare recipient gets a low-paying job. That concept might be even more promising if governments would stop raising minimum wages and in the process wiping out many jobs that could provide welfare families with a start toward a better life.

Yet the most hopeful approach to welfare problems is still through education. Here, too, continuation of largely local control would provide the flexibility and sensitivity that are needed to ease what still are fundamentally local problems.

Action, in any case, is clearly imperative. If the U.S. cannot better cope with its welfare woes at a time of record prosperity, what hope is there of averting real tragedy in times of economic distress?

While most of the nation believes in help for the helpless, it also believes in the greatest possible degree of self-help and the greatest practicable dispersal of governmental powers. If it wants to preserve those standards, for its own welfare, it's time to get busy.

WILL CRITICS OF HUMAN RIGHTS CONVENTIONS PERSIST IN 1969?

Mr. PROXMIRE. Mr. President, over these past 2 years, I have spoken constantly on the vital necessity of the Senate giving positive advise and consent to ratification of the various human rights conventions. Hearings have been held and the Senate has ratified only the Supplemental Slavery Convention and the Protocol on the Status of Refugees. These two treaties have been ratified by the Senate after it was made clear they posed no threat to the sovereignty of the United States and the continued application of Federal and State law.

I call particular attention to the recently ratified Protocol on the Status of Refugees. This instrument contains appeal to the International Court of Justice for those seeking the protocol's protection. This appeal from national jurisdiction is not a policy departure, as previous treaties also contain appeals to international adjudication. However, the extension of such appeal to the field of human rights is indeed a breakthrough that hopefully will ease acceptance of the other human rights treaties by the Senate.

It would seem that if ever the lunacy literatti had a case, it was in opposition to just such an appeal contained in the provisions of the Protocol on Refugees. However, neither they nor those hairsplitters of international law possessed of some repute spoke out against either the principle of such a treaty and appeal nor the specific protections it contains.

It is my fervent hope that in light of the recent events in Nigeria-Biafra and Czechoslovakia, these critics now see how much is to be gained by a reaffirmation of U.S. leadership in human rights. I trust that they have also noticed how much has already been lost.

The tragic events in both areas, which are repetitions of horrible and disastrous events barely three decades since past, should teach such critics a lesson one would have thought long since learned.

Mr. President, I call on all those who have voiced opposition to the human rights conventions to support instead their swift ratification and join those of us who are determined that there shall be no more Biafras and no further Czechoslovakias.

RESIGNATION OF LEONARD H. MARKS AS DIRECTOR OF U.S. INFORMATION AGENCY

Mr. SCOTT. Mr. President, one of our Nation's great daily newspapers, the Denver Post, recently paid editorial tribute to the Honorable Leonard H. Marks, Director of the U.S. Information Agency, on the occasion of the announcement of his resignation as head of USIA. It was also announced that Mr. Marks would head the U.S. delegation to the Intelstat Conference on Communication Satellites to be held in Washington in February of 1969.

I would like to add my voice in tribute to Leonard Marks for his outstanding work as Director of the U.S. Information Agency for the past 3 years. The U.S. Senate on October 4, 1968, confirmed the nomination of 592 dedicated USIA career Foreign Service information officers. These officers were confirmed under the provisions of the Pell-Hays Act, enacted into law by this Congress, culminating 15 years of effort to create a satisfactory Foreign Service career personnel system for this vital Agency.

This action is in itself a tribute to Leonard Marks and the career service.

Mr. President, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Leonard Marks

President Johnson made a sharp departure from precedent in 1965 when he appointed Leonard H. Marks, an attorney, as director of the U.S. Information Agency.

Marks' two immediate predecessors had been journalists, Carl T. Rowan, a prominent newspaper reporter, and Edward R. Murrow, a famous newscaster who died in 1965.

As a noncelebrity, Marks promised nothing more than good administration of the agency. Now that he's announced his retirement after three years of service it can be said that he succeeded very well.

Marks has done an energetic job of transmitting U.S. information abroad. He's been a steady advocate of giving bad news as well as good—to build confidence in the United States as a nation which operates in the open. But he's also been capable of getting involved in the hard slugging for the minds of millions of people in Asia, Europe and elsewhere.

We wish Marks success in his new work in a world satellite program, a federal post which carries the rank of ambassador. His experience will be a fine asset in the new program.

TRIBUTE TO SENATOR HILL

Mr. HARRIS. Mr. President, on behalf of the Senator from Alaska [Mr. Bartlett], who is absent today, I ask unanimous consent to have printed in the Record a statement prepared by him for delivery in the Senate today.

There being no objection, the statement by Senator Bartlett was ordered to be printed in the Record, as follows:

The Nation's "Doctor" Retires

Mr. Bartlett. Mr. President, men come and go in the Senate. They stay for varying lengths of time and leave marks of greater or lesser distinction. Few pass this way who leave no imprint, but it is few also who leave truly distinctive marks. The 90th Congress seems to have had an unusually large proportion of these great men, but I would like to take particular note of one of them who is leaving when this Congress adjourns. I refer to the distinguished senior Senator from Alabama (Senator Hill) who, after more than forty-five years of exemplary service to the state of Alabama and to the nation, has decided to return to private life. His decision will bring to an end the congressional career of the man who has probably done more than any other to advance the health of this nation.

Lister Hill came into the Senate in 1938, after fifteen years of service in the House of Representatives. He brought with him an intense interest in health problems which had manifested itself as early as 1928 when his efforts in the House resulted in the establishment of the Gorgas Memorial Institute of Tropical and Preventive Medicine. His concern about the nation's critical health problems became greater in the Senate.

If heritage has any demonstrable impact in determining one's predispositions, then one might observe that Lister Hill's interest in health problems came to him naturally from his father who was a well-known surgeon. If one's name could be regarded as saying something about him, then it might be concluded that there is some curious relationship between Lister Hill's intense interest in medical matters and the fact that he is named for a renowned British physician. Whatever might have generated this interest is largely of academic concern now. What is significant is that Lister Hill embarked upon a career in the Senate which has had an extraordinary impact upon the provision of health services in the United States. As a result of his efforts, we now have more and better health facilities, more doctors, nurses and other critically needed health personnel, greatly intensified research into those areas where too little is known about the ills which plague mankind, and huge amounts of federal money being provided to support these activities.

Beginning with the now famous Hill-Burton hospital construction act of 1946, Lister Hill has enjoyed a succession of monumental legislative triumphs. To him belongs the credit for establishing one of the largest medical research institutions in the world, the National Institutes of Health. It was his efforts which led to the creation in 1956 of the National Library of Medicine, today the world's largest medical library. Through his leadership, federal funds for medical research have been provided for the construction of health research facilities. His concern about the mounting shortage of critically needed health personnel led to enactment of a series of laws designed to attract more people into the health professions and to help finance the cost of their training. The Health Professions Educational Assistance Act is probably the most far-reaching in effect, but other legislation supporting the training of professional and practical nurses, public health personnel, and people in a variety of allied health professions has also had enormous impact.

No significant aspect of the nation's health problems has escaped the attention of the senior senator from Alabama. He has directed through the Senate legislation which benefits the mentally ill and the mentally retarded, the handicapped, migrant workers, the aged, and those who suffer from the major killing diseases of our day, heart disease, cancer and stroke. He is responsible for measures concerned with food and drug protection, drug abuse and alcoholism, vocational rehabilitation and preventive medicine. With complete accuracy, it can be said that every major piece of health legislation which Congress has enacted during the last twenty years bears the distinctive imprint of Lister Hill. He was the author of most of it. That which he did not sponsor has been tailored by his expert hand and guided through the Senate with incomparable skill.

His reputation as a spokesman for the nation's health may have obscured other accomplishments of major importance. He was the author of the bill which created the Department of Defense, unifying the disparate branches of the armed forces. He was among those leaders who urged creation of the United Nations. While still a young congressman, he sponsored, together with the late Senator George Norris, the highly controversial Tennessee Valley Authority legislation which resulted in transforming the Tennessee Valley from a pocket of poverty and destitution into a prosperous industrial area. These accomplishments alone might have been sufficient to assure Lister Hill a distinguished place in history, but I suspect that in the public mind, they will continue to pale beside the extraordinary work he has done in behalf of the nation's health.

Hospitals, clinics and nursing homes by the thousands are scattered throughout the country as visible monuments to this great man. Patients who are the beneficiaries of improved medical care, better designed and equipped facilities, greater abundance of doctors and nurses, and cures for heretofore incurable diseases, could provide living testimony to Lister Hill's good works.

Mr. President, I shall sorely miss Lister Hill when he departs from the Senate, for he is a highly esteemed colleague and a very dear friend. I can take some consolation from the fact that I shall not be alone, for I am sure he will be missed by all his colleagues in the Senate. We have known him, loved him and admired him for too many years not to feel acutely his absence. The Senate is losing one of its most eloquent and wise statesmen. The nation is losing a zealous, dedicated and compassionate champion.

DEPARTMENT OF JUSTICE SHOULD ENFORCE ANTIRIOT LAWS

MR. ATTORNEY GENERAL: THE NATION DEMANDS AN ANSWER

Mr. **MURPHY.** Mr. President, on October 3, the San Diego Union, in an editorial, asked a question which is being asked by many Americans: Why has the Department of Justice failed to enforce the antiriot laws presently on the books?

Certainly, so long as professional troublemakers feel that the Justice Department will not enforce the laws that Congress has written, the country will continue to witness further sad spectacles as the professional troublemakers journey from State to State stirring up and making trouble wherever they can.

Mr. President, as the San Diego Union states:

> The Nation must ask why not? And demand an answer.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REVOLUTIONARIES ACTIVE: ANTIRIOT LAW GOES UNENFORCED

The unfailing accuracy of the Federal Bureau of Investigation in warning of the revolution brewing within the United States of America was again illustrated in Washington, D.C., this week.

Revolutionaries, said Mr. Hoover, director of the FBI, "have contempt for the majority and for our democratic processes. They regard themselves as the nucleus of an elite dictatorial ruling class of the future. These extremists openly avow that their aim is to overthrow the existing order."

The vows were again repeated at a meeting of the House Committee on Un-American Activities this week by Jerry Rubin, leader of the leftist Youth International Party, and others who sought by talk and dress to make a mockery of the democratic process.

At that House committee meeting James L. Gallagher, staff investigator, testified there can be no doubt Rubin and his ilk sought to disrupt the Democratic National Convention in Chicago through elaborate plans.

The exhibitionists disrupted the House committee activities in Washington to divert attention from the depth of the conspiracy that maligned the city of Chicago and its police.

They undoubtedly sought to draw attention from the report of the Federal Bureau of Investigation Tuesday of growing security threats from increasing espionage by Russia, Red China and from the mushrooming "New Left" movement on American college campuses.

The hippies, the "over-age" students and the New Left are talking "about sabotage, violence and the forcible destruction of certain key facilities," the FBI reported.

At its national convention last June at Michigan State College, one of the groups called the Students for a Democratic Society held workshops in sabotage and explosives, the FBI reported.

There can be no doubt that the groups are engaged in a massive conspiracy to overthrow the United States as we know it. This is the testimony of the House experts. It is the opinion of the FBI. And it is visible to the average citizen from Columbia to Berkeley and from Chicago to Washington.

The 1968 Civil Rights Act makes it illegal to cross a state line to incite, organize, promote, encourage, participate in or carry on a riot.

Rubin has done it. David Dellinger, Abbie Hoffman, Rennie Davis and numerous others of the so-called New Left have done it. They brag about it. Yet the Justice Department has yet to bring a single indictment under the Civil Rights Act of 1968 or any other subversion statute.

The nation must ask why not? And demand an answer.

NOMINATING CONVENTIONS AND NATIONAL PRIMARIES

Mr. MOSS. Mr. President, there is no doubt but that a great many Americans were dissatisfied with the outcome of both the Republican and Democratic National Nominating Conventions. Even though the presidential candidates selected in each instance were the overwhelming choice of the delegates, the feeling persists that their nominations were stage-managed and controlled by party officials, and that the convention system thwarts the will of the people.

There has been a lot of talk since Miami and Chicago about abolishing the convention system entirely, and replacing it with a national presidential primary in which the people could have a direct voice in the selection of the nominee of their political party—could decide for themselves who they wanted to be their standard bearer in the race for the presidency.

We went through this same syndrome in Utah some years ago, and after a period of trial and analysis in which we substituted a State primary for State nominating conventions we evolved a hybrid system which is part-convention and part-primary, and which has proved most satisfactory.

I should like to talk about the Utah system here today, as a basis for a bill which I shall propose in the 91st Congress, in which I shall recommend we pattern our national nominating processes after those which have worked so well in my own State.

Utah's dissatisfaction with the convention nominating system peaked in the 1940 election. At the Democratic State convention that year, Herbert Maw, a nonorganization candidate, won the Democratic gubernatorial nomination and was elected. The convention fight was very bitter, and there was considerable grumbling both inside the convention hall and among the electorate generally about what they felt were efforts to manipulate the party machinery in favor of candidates who were the choice of party leaders.

One of the first requests Governor Maw made of the State legislature when it convened was that the party conventions be abolished and a direct primary system be substituted. The request fell upon sympathetic ears. But not wishing to see any individual nominated for an important post with less than a majority of the votes, the legislature provided for two primaries. Should a candidate receive a majority in the first party primary, he would be the party nominee. If more than two candidates were running for the party nomination, however, and none of them received a majority, then the law required a party runoff among the two highest candidates, with the person who won the runoff chosen as the party nominee.

It was only a short time, however, before the weaknesses of this system became apparent. All too often no candidate received a majority in the first primary, and it would be necessary to hold a second primary. There was no objection to this when there were a number of candidates in the second primary, but when there were only a handful, the process came under considerable criticism because of the expense of printing ballots, setting up polling places, paying election judges, and financing all of the other costs of the election. In some instances, if my memory serves me correctly, it was necessary to go to all of this expense for a single candidate. In thrifty Utah this was considered a substantial waste of public funds.

But a far greater source of dismay to those who hoped to find in the primary process the epitome of democracy was the fact that voters turned out in far greater numbers in the first primary than they did in the second one. Oftentimes there would be only a handful of voters the second time around, so the nominee finally chosen was not really the choice of the majority.

This was nearly always true if he had been one of a sizable number of candidates in the first place, and therefore far from a majority candidate in the first primary, and the choice of only a handful of voters in the second one.

An example of this occurred in the State's largest county, Salt Lake, where there were three State senate positions to be filled. This meant, that in the first primary, the Democratic Party could select six senatorial nominees and the Republican Party six. The runoff would then reduce the number to three for each party. But in the second primary only about half as many people voted as in the first one. Often in the first primary the citizens really turned out—in the second primary it was mainly the candidate's personal friends.

By the 1950's it became evident that the direct primary alone was not a sound system. Not only were candidates being chosen by a minority, but it was hard to let the people know what each candidate stood for. There was no party platform on which a candidate could run—there were just dozens and dozens of individual statements of policy and promise which no voter could possibly sort out and remember.

Also, the political parties were dying on the vine. There was less incentive to get out and work in a party when there was no opportunity to have a say in what principles it should stand for and what candidates it should run.

I will not take the time here to discuss the fundamental and necessary place political parties have in our election process—I am sure that this body would grant my premise—I can only say that when it became evident the political parties in Utah were deteriorating under the direct primary system and we were not getting majority candidates either, we decided some changes had to be made.

So our State legislature went to work again and devised our present hybrid system of both a nominating convention and a direct primary. At our State nominating conventions the delegates reduced the field to two candidates for each National and State office—two for the U.S. Senate, when that office is up, two for each of our congressional seats, and two for the governorship and all of the State offices, when, of course, their term is ending.

Thus, each candidate has only the problem of convincing the delegates to the State convention that he should be one of the two candidates chosen—he does not have the very expensive and exhausting job of convincing all of the voters in his political party that he is the best qualified. He has also, of course, to be willing to stand on the platform which the nominating convention drafts—but which he can help influence either as a witness at platform hearings or as a delegate.

Once the two candidates are chosen they run in a general primary in which each voter asks for the ballot of the party of his choice, and decides between the two candidates listed. One of the candidates has to be a majority choice.

I think such an amalgam might work very well nationally. It would give the people of America a voice in choosing directly the candidate they wished to head their party ticket for the Presidency. Had such a system been in effect during the two nominating conventions this year, the two names which would have appeared on the nationwide Republican primary ballot would probably have been Richard Nixon and Nelson Rockefeller; on the Democratic primary ballot Hubert Humphrey and Eugene McCarthy. Questions on party policy and the party platform could have been debated in the platform committees and before the convention before the balloting took place, with each candidate making the decision, of course, as to whether he could or could not run on the platform which the convention ratified.

The question of whether a third party wished to call a national convention, and appear on the ballot in each State, could still be settled much the way it has this year—through the filing of petitions and the paying of filing fees in accordance with the laws of each State. Some State laws would undoubtedly have to be changed.

But it seems to me that a general system which combines the best of both the nominating conventions and the open primary would be a great improvement over what we have, and would be a reasonable approach to what is obviously a growing national problem.

The convention-primary system would encourage a considerable degree of party responsibility, and would give us a statement of party policies and objectives. And it would give people an opportunity to see what those who know him best—members of his own political party—think of a candidate. The open primary would allow the rank and file party members to have the last say on both the candidate of their party.

MISS NANCY ALWARD, 4-H LEADER FROM NEW HAMPSHIRE

Mr. McINTYRE. Mr. President, this week is National 4-H Week and an outstanding young 4-H leader from New Hampshire has been selected this year as one of nine 4-H reporters to the Nation.

As a reporter to the Nation, Miss Nancy Alward of Epping, N.H., represents some 3 million 4-H members throughout the Nation in telling the 4-H story to national organizations, businesses, civic groups and government leaders.

The 4-H organization is one of the largest youth groups in the world and, having met and talked with this fine 4-H representative from New Hampshire, I can honestly say that the 4-H clubs in America produce some of our finest young Americans.

Nancy Alward's contributions to her school and community are in the highest traditions of the 4-H movement; I therefore ask unanimous consent that a short article about her, prepared by the U.S. Department of Agriculture, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Miss Alward—who lives on a 50-acre, 40-animal beef farm—has gone in for variety in her 10 years in 4-H. She has also already been New Hampshire Dairy Princess, a delegate to a national 4-H Citizenship short course, to National 4-H Congress, in Chicago and to National 4-H Conference in Washington, D.C.

In 4-H food and nutrition, she has prepared about 700 meals—including 125 outdoors—and has canned and frozen bushels of fruits and vegetables from her own garden. She has made most of her own clothing, spent about 1200 hours in child care and 1100 in home management and home improvement. In field crops she has worked about 275 acres in three years, and in livestock raised 3 beef heifers, 6 beef steers, and a hog. One year she had a grand champion steer and a first place heifer at State Fair, and last year she won the "best cattle showman" trophy at the State University. She belongs to several dairy and livestock associations; has judged, and coached a county livestock judging team, and been on the State livestock judging team.

Her other 4-H projects have incluled health and safety, dog husbandry, horsemanship, and her favorites—leadership and citizenship. In leadership, she has attended and emcee'd county and State junior leader conferences, and organized and conducted junior leader classes. She has been chairman of the State Youth Institute and president of the State Older Youth Advisory Council. She was enrolled two years in Scouts and two years in Campfire Girls. She has represented 4-H at a Farm Bureau meeting, a Grange Youth Rally, and on a Kiwanis program.

In school, she is a University of New Hampshire sophomore, planning to enter Animal Science. She is a top honor student and popular campus leader. In high school she was on the student council, yearbook staff, in the chorus, in junior and senior plays, and was drama club president. She also enjoyed sports—especially softball, volleyball, and basketball. *In her church* she has directed the youth fellowship several years, been a steering committee chairman, and summer kindergarten teacher.

She has traveled extensively in and outside her State, spoken to many audiences, and been on numerous radio and TV broadcasts. Her hobbies include swimming, boating, crafts, community service, and nature study. She has a brother and a sister in 4-H, and her parents—Mr. and Mrs. Robert P. Alward—are county 4-H livestock leaders.

FROM THE POLICE BLOTTER

Mr. HANSEN. Mr. President, this is the season for sweeping oratory and grinding campaigns. This is the season when many of us politicians almost convince ourselves that we alone are responsible for making the world go round.

So I was delighted to read from the Aspen Times of Aspen, Colo., that life there is moving along quite nicely despite our self-centered clamoring and trumpeting on the so-called national scene.

I commend selected items from the Aspen "Police Blotter" to my good friends from Colorado and ask unanimous consent that they be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Aspen Times (Colo.), Sept. 26, 1968]

Police Blotter

THURSDAY, SEPTEMBER 19

Jay Parker impounded two horses on Sept. 12 found at Red Butte Drive. He stated that they will be sold at public auction if they are not claimed.

FRIDAY, SEPTEMBER 20

A disturbance at the Woodlander bar was reported.

SATURDAY, SEPTEMBER 21

Angel Haight reported a family disturbance.

Policeman Joe Lee ran into a parked bus at Hopkins and Monarch in a police squad car. No injuries were sustained.

David Wilheim reported that in his absence, children had apparently used his yard for an apple fight leaving garbage can lids for shields.

SUNDAY, SEPTEMBER 22

Esco reported the theft of an auto, which was subsequently recovered.

Norman Alsaher reported the theft of an auto. It was recovered where it had run into a fence.

Joyce Steimp reported a car stolen from the Tom's Market lot. It was recovered where it had run into a trash house.

Joe Frie reported finding a Land Rover, ZG 1153 on Ajax Mountain about two miles down from the Sundeck.

MONDAY, SEPTEMBER 23

Steve Lack reported that a large black male great dane had knocked him off his bicycle.

Helmut Schloffer reported that a large black great dane ate approximately $50 worth of flowers from the garden at the Weinerstube restaurant.

Darya Schwarm reported that her son Fritz's dog brought a leather packet full of tools home.

BIDWELL TAKES HOSE TO PLAZAWALL-SITTERS

Aspenite Bert Bidwell, in protest against a number of what he called "hippies" sitting on the wall of the Mountain Plaza where his shop is located, turned a hose on the wall and the wall-sitters.

Owner of the Mountain Shop, Bidwell called on Aspen Police Department on Wednesday, Sept. 25 at approximately 6:45 P.M. and reported that a number of "hippies" had been sitting on his wall all day, playing the flute and the harmonica. Officer Greg Holmback reported to the scene and explained to Bidwell that before the persons could be removed, a complaint would have to be signed.

Bidwell indicated that he wanted some more immediate action. He proceeded outside and turning on his hose, wet down the wall and the people on it. Holmbeck turned the hose off.

John Norton, one of the people sitting on the wall, filed a complaint of disturbing the peace against Bidwell. Cited as witnesses were Ed Bartless, Philip Davis Fayette Hauser, Julie Sorenson and Shantus Nike, who were also sitting on the wall.

Bidwell signed a counter complaint this morning, Thursday, at 10 A.M. charging Norton and his witnesses with disturbing the peace and trespassing.

The defendants will appear in Magistrates Court.

INAUGURAL ADDRESS BY MORRIS B. ABRAM, PRESIDENT, BRANDEIS UNIVERSITY

Mr. BROOKE. Mr. President, last weekend I was privileged to attend the inauguration of Morris B. Abram as president of Brandeis University in Waltham, Mass. Dr. Abram is the second president of this university, which was founded just 20 years ago, in October 1948. He succeeds the distinguished educator and new chancellor of Brandeis, Abram L. Sachar, in a position which is both challenging and rewarding. I know that Dr. Abram will serve with distinction, sensitivity, and imagination. I ask unanimous consent that his outstanding inaugural address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

INAUGURAL ADDRESS OF MORRIS B. ABRAM AT BRANDEIS UNIVERSITY, OCTOBER 6, 1968

Chancellor Sachar—whose imagination and zeal created this distinguished University; members of the faculty—who have brought renown to its name and inspiration and challenge to its students; students—who have been worthy of the faculty; Trustees—who have supported this University with judgment and substance; alumni—whose pioneering faith has been confirmed; Women's Committee—who in twenty devoted years have built an outstanding library of remarkable diversity; administrative staff—whose devotion has equalled their task; Fellows and Council Members—who have conferred distinction on the University and conveyed its meaning to their communities; philanthropic statesmen, usually called donors—whose successes in the outside world have contributed vision and resources to the academic world; distinguished delegates of great universities and learned societies; ladies and gentlemen—

I speak here today with a clear understanding that I shall soon listen. I am here today to share the university forum, not to preempt it; to engage in discussion, not to shrink from it.

I accept this office and this opportunity to open a dialogue, one in which all members of this community will participate and which must continue without interruption, whatever the issues that may arise. We must speak candidly, we must listen sensitively, and we must learn from each other. We are a community, and we must live as one to gain the mutual support required by these times. Students, faculty and administration compose three elements, but they must work in a common effort, frequently ignoring rigid, compartmental lines which events and required responses have blurred.

The university is truly at the vortex of the crisis of our time in the United States, in France, Mexico—everywhere.

It is a compliment to education that men in this time of trouble should crystalize their attention, anxieties, frustrations and even angers on the university. In effect they are saying, frequently in unacceptable ways: "Our society is in deep trouble. The university has the capacity to redeem or reform society if the university has the will and is itself reformed." At least these critics assign to the university a central role frequently denied by the actions of legislative appropriation committees and private citizens of means. The critics are saying that the university is more important than its supporters say it is.

I should like to record here my tentative views on some of the crucial questions which have been asked of me by students, faculty and interested friends in the recent tumultuous months. I do not know whether I shall adhere to these views twenty years or twenty month or even twenty days from now. They in no way conflict with the principles stated by Chancellor Sachar on this occasion twenty years ago when he pledged:

"Brandeis will be an institution of quality, . . . a school of the spirit, . . . a dwelling place of permanent values. Brandeis will offer its opportunities of learning to all."

Chancellor Sachar, I accept, applaud and will preserve every one of these principles—without deviation or exception.

Now I turn to the specific challenges. I see the university as playing a central role as a community of scholars, a commonwealth of learning. This is a unique, indispensable role which no other institution can play and without which present knowledge cannot be transmitted to future generations, nor the frontiers of truth extended.

An institution which is less than a community of scholars or a commonwealth of learning is not a university, and one which purports to be more may at worst impair its central mission or at least perform poorly a task for which it is not properly equipped.

Students ask: "With the world on fire, why should I spend four years in books and laboratories? Wouldn't I be more useful if I responded to the impulse to plunge into the ghetto and the streets to engage directly in the fight against poverty, ignorance, racism and war?"

I was a counsel at the Nuremberg Trials. I cannot deny the feeling that each of us must accept a certain share of the moral responsibility for the mess the world is in unless we seize our opportunity to reform it. However, the question is not *whether* a qualified man should devote himself to attacking the ills and wrongs of the world, but *when*.

The four years at Brandeis are irreplacable. Here and at other great centers of learning students have the chance, not likely ever to occur again in the life cycle, to train, sharpen and hone themselves to become the cutting edge of social change or scientific progress. The good student may also be an activist. However, if for any reason a choice must be made between activism and a full academic experience, that choice should be understood for what it may be: whether to be a sharp instrument all of one's life minus four years, or a dull instrument all of one's life. Students at Brandeis have the basic qualifications, otherwise they would not be here. In their case then, the question may be whether to maximize or squander one of society's greatest assets—of which there is severe shortage—namely, fully developed human talent.

Many say: "Granted that a college education is critical. May the courses not be made more relevant to the world in which we live? Why can't we as students relate what we learn in the classrooms to the society around us?" Since the purpose of a university is to help develop an educated man, its relevance should be tested against that purpose. Brandeis' curriculum is based entirely on subjects of academic distinction, and all are pursued far enough to challenge the intellect. Therefore, a great experience in any of the schools at Brandeis is in my judgment relevant.

The question then is how to fully engage today's activist students in this educational experience. The problem is one of motivation, and here the students' own interest and testimony should be of the greatest usefulness. If, for example, the current wide and proper interest in the race question could be used to stimulate deep, rigorous academic involvement in the disciplines of anthropology, economics, history, politics and psychology, all of which have something to say on the problem—so much the better. I see no reason why central problems of our day should not be used to lead into the study of every discipline which illuminates the subject. This would require considerably more interdisciplinary cooperation and would perhaps tie more faculty as well as students into rewarding interdepartmental relationships. The only peril to be avoided at any cost is that in learning something of everything we may learn too little of anything. I do not propose to preside over a university of superficialities. At Brandeis the motto shall stand: "Truth even unto its innermost parts." The innermost parts of today's truths in some social sciences may be not only in textbooks but also in the laboratories of life.

Some have asked what I think about making the university, more of a moral force. Others have directly suggested that Brandeis, as a great liberal university should be politicized—by that, I suppose, made into a corporate or organic political force taking stands and backing these with its resources. Although I have been in the world of politics, I do not know how to accomplish such a goal—and I pronounce it to be a bad one.

A university is a community of scholars. It is not a church nor a political party. It does not itself vote. It should be crammed full of people who think, vote and participate in every level of life, including politics. Here the faculty, students and administration must—as individuals—always feel free to take whatever position they wish on Vietnam or any other subject of interest or concern. Moreover I applaud those who feel a special obligation to speak out because they are learned and influential men. Nevertheless, the university itself must not be a dogmatist. It must be a free and open place. I look upon the university as providing the forum for individual and group study and expression. The university should hold the soap box steady for others to stand on—to study, to declaim, to debate and to preach whatever truth they see or feel. A university which has been politically programmed tilts the soap box and becomes the very antithesis of what an institution of higher learning should be—even if the particular dogma espoused is considered at the moment to be eternal truth.

A university politicized—radicalized or conservatized—is a university doomed, as the lesson of German universities under the Nazis proved. I also give you the tragic example of many South American universities, which were politicized around 1918, and made cockpits for the invading forces of contending political parties who sought to manipulate the university as a tool. Such institutions are rarely places of academic distinction or freedom. A dogmatic institution is hospitable only to those who support its dogmas. It cannot be pluralistic; it cannot be a community, and it will not long be a residence of scholars.

I know that it has become fashionable in some circles to downgrade the tolerant principles of the liberal political creed. I am willing to examine and re-examine every substantive opinion, including those to which I am most committed. However, I am not prepared to reject the liberal methodology of fair play, civil liberty and due process as the only way in which a civilized society can pursue truth, prevent the encrustation of error and insure the fulfillment of man's creative talents and inclinations.

The university has frequently been threatened from the outside. State legislatures, Congressional investigating committees, fundamentalist fanatics and racial segregationists have at one time or another sought to tie the hands of educational administrators and muzzle the voices of the academy.

Today, however, the danger to dissent within the university comes also from a new direction. It comes from within. I spoke with a professor of another university a few months ago about this. I deplored what I perceived to be a developing intolerance within the academic community on certain issues, particularly those of foreign policy and the war. To my amazement, the professor stated flatly that he thought there were some points of view which were so wrong that they should not be tolerated within the university. This illustrates a discernible trend to make certain views, widely held in the academic world, a principal test of a man's acceptability within the university.

In foreign affairs this tendency is expressed by an absolutist opposition to American involvement in Vietnam. Now, I share the view that American involvement in Vietnam was and is a grave and tragic mistake. But I do not believe that in the academy, as in society as a whole. the majority has a right to stifle the voice of the minority. The university, long the protector and protestor for the right of the dissenter to be heard, must live by its own principles. Which one of us, who today holds the majority view on this issue, will in another day and on another issue find himself the dissenter, suffering under pressures to conform?

Everywhere I go people ask the question, "Do you expect a riot at Brandeis?"

I can give no certain answer about a riot. The right of students to protest seems to me to be a right and not a privilege. The right of students, faculty or anyone else to disrupt the learning process is no right at all. It is a wrong. And I will do everything I can to resist it. I reject the modern paeans to violence. I know that violence begets violence and that those who favor it for "good purposes" are far outnumbered by those who are prepared to use it for evil. When the beast of violence is out of its cage, no man is safe, least of all the scholar.

If the purpose of a disruptive demonstration is to get my attention or to have students' voices heard, there is no need to riot. Here at Brandeis the students will be heard—so will the faculty and the other elements of the university.

I happen to believe that this generation of youth has exhibited some remarkable characteristics. For one thing, they can distinguish between the first, second and third order of moral principles. Thus, they are disturbed by a society which seems to care more about what two consenting adults do in private than what a nation does to a black child in Harlem or a yellow child in Hue, Vietnam.

I grew up—and I know many of you did, too—in a world in which boundaries meant a great deal—state boundaries, regional boundaries, national boundaries. But the students here at Brandeis and the better students now in the universities of our country are different. They may well be the first generation in all history who are really prepared to be citizens of a common country and a common world. I don't know whether the world is prepared to accept this generation's visions and desires. Sometimes I rather doubt that it is. However, as a father of five, I know that today's students are remarkably realistic and deeply committed to the building of a better world than that in which we live. They disconcert us by taking seriously some of the precepts we preach. They do not fool themselves, and they will not permit themselves to be fooled. Such people must be listened to. They have some new news to tell, and we must get with it.

Who exposed a Mississippi which sanctioned or covered up the lynchings of hundreds of its black citizens? Their names and their ages—remember them—were: James Earl Chaney, 22; Andrew Goodman, 20; and Michael Henry Schwerner, 24.

Who showed us the great moral wrong of a draft which tilts the scales of citizenship against the poor and the black?

The young.

Who this August in Chicago, forced us to face the question, who shall protect the citizen when police act outside the law?

The young.

Today's students are physically, emotionally and educationally more mature than my generation at the same age. Moreover, they have become perceptive social critics of society. The reformers among them far outnumber the disrupters. There is little reason to suppose that students at a university such as Brandeis, if given the opportunity, will not infuse good judgment into decisions about the rules governing their lives in this community. At least rules which have their support will be more enforceable than those established under a theory that my wife and I and the faculty are *in loco parentis* to 2,000 young adults.

The dress and taste of the young—including my own—sometime startle me. But I have learned to readjust my reaction by conjuring up in my mind's eye the appearance of some of history's heroes. I ask you to do the same: I give you the moral paradigm of our age, Ghandi; the intellectual model, Einstein. Turn the clock back and reflect on the image of the hermit, John the Baptist—the preacher, Jesus—and the law-giver, Moses. I like to think that each of them would have been comfortable at Brandeis, but none of them would have passed a parade dress inspection.

The faculty who came to Brandeis 20 years ago were daring men and excellent scholars. They must have been drawn to the university by the attraction of an ideal and a commitment to some principle above self-advancement. Because of the law of intellectual magnetism by which excellence attracts excellence, that faculty has gathered to its circle other superb scholars and students.

I relish the opportunity of working closer with this faculty in a common effort to produce here an educational excellence without equal. I will need the support and the assistance of the faculty in solving a host of problems of university-wide concern. We must consider together not only matters of procedure, but many issues of educational substance and student needs. If methods of university governance established in the past are inadequate for the present, so, too, may be many time-honored traditions of the academy.

The President and the faculty have a responsibility to the students and to the university as a whole which can be ignored by either only at the peril of the university. I am prepared to enter a thorough examination of the whole panoply of educational and administrative issues which are on the agenda of the modern university. There is nothing sacrosanct except quality education and the viability of Brandeis as a university and as an ideal. Brandeis is a young and relatively small university and should be adaptable to experimentation. This, for example, could conceivably be an institution at which the traditional slogan of "publish or perish" could be rephrased to read: "Publish and prosper; teach and prosper; teach and publish and prosper doubly."

It will take many weeks and months to accomplish all that we must do together. I know there is an impatience sometimes expressed by the young but often shared by others to do everything today and to dismiss as worthless any institution which cannot reform itself overnight. It may be well to recall some words from the Hebrew Ethics of the Fathers: "The day is short, the work is great. . . . It is not thy duty to complete the work, but neither art thou free to desist from it."

This university is a treasure bestowed on America in the name of its Jewish community. As three hundred years on these shores have justified the faith of the Jew in the liberal institutions of America, twenty years of Brandeis have demonstrated that the American Jewish community is fully prepared to develop and support American institutions of excellence to parallel the brilliant individual achievements which have been evident since the establishment of the community.

At the outset I saluted the people and groups who gave this university birth and who have supported it for twenty years. Now I would like to salute an intangible, the intellectual tradition and the prophetic idealism of the people of the book—the tradition of Louis D. Brandeis and of the university which bears his name.

That is a good place to end this inaugural speech and a good note on which to begin a new decade.

THE NEXT STEP FORWARD?

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "NAFTA: The Next Step Forward?" which I wrote for the September 1968 issue of the Columbia Journal of World Business.

There being no objection, the article

was ordered to be printed in the RECORD, as follows:

NAFTA: THE NEXT STEP FORWARD?

WHAT IS NAFTA?

The proposed free trade area discussed in this issue does not have a formal name. It has been variously called the Free Trade Area (FTA) in accordance with the definitions laid down in the General Agreement on Tariffs and Trade (GATT) or, as Senator Javits advocates in order to avoid connotations of North Atlantic exclusivity, the Industrial Free Trade Area (IFTA). Since it is often assumed that the initial membership would consist of Canada, the United Kingdom and the United States, the name North Atlantic Free Trade Area (NAFTA) will be used throughout the discussion of this proposal. When other industrialized nations, as well as developing countries on an associated basis, agree to join the organization, another name will presumably emerge.

As proposed, the group would follow precedents already set by other combinations; tariffs and quotas on the imports of each member from the others would be gradually eliminated over a prescribed period of time. Some sensitive or strategic commodities such as agricultural products, crude and refined petroleum would be excluded from the agreement or handled under special provisions. There would probably be an obligation to remove restrictions on capital flow among members. Measure to ensure "fair" competition and eliminate "non-tariff" barriers would undoubtedly be necessary.

By its nature a free trade area, as opposed to a common market or customs union, keeps to a minimum the number of polices which must be harmonized among the members. The degree of economic integration is, therefore, not necessarily great, and the probability of reconciling a smaller number of divergent national interests increases. It is also true, however, that lesser degrees of integration imply limited economic gains to the members. The free trade area permits members to go as far as they wish or can toward the goal of integration.

(By JACOB K. JAVITS)[1]

The United States took a vigorous and imaginative approach to the challenge and opportunities that preceded the five-year Trade Expansion Act of 1962, as well as in the round of trade talks that followed passage of that historic measure. The Trade Expansion Act of 1962 greatly expanded the President's power to negotiate trade agreements with foreign nations. Authority was given to the President to decrease any duty to a rate 50% below that existing on July 1, 1962. It authorized the President to reduce tariffs to zero on certain manufactured products, if the United States and EEC countries accounted for at least 80% of the total world export trade value in those products. The Kennedy Round—officially the sixth worldwide tariff negotiating conference under the General Agreement on Tariffs and Trade (GATT)—was made possible by the Trade Expansion Act of 1962.

The earlier initiative now stands out in sharp contrast to the vacillation and delay that has characterized U.S. trade policy in the post-Kennedy Round period. If the present course remains unchanged, the consequences for the United States and the world economy as a whole could prove to be extremely serious in the months ahead.

More than a year after the 1962 Act has expired, the United States has yet to formulate even the framework of future trade strategy. The best the Administration has offered is a status quo approach. Meanwhile, the achievements of the recently concluded GATT negotiations are already under severe attack from those who wish to retreat from a policy of trade liberalization to one of protection. Many aspects of trade policy as well as related questions of foreign economic policy are still left unanswered. Trade policy issues are further clouded by the dual problems of the U.S. balance of payments deficit and the international status of the dollar.

Part of the blame is due to the Johnson Administration's failure to accord trade policy planning sufficiently high priority and adequate resources. Also, its unwillingness to oppose openly protectionist legislation and its tendency to deal with it privately in the confines of Senate-House Committees have eroded considerably public and congressional support for our trade policy. This is a dangerous course over the long run, even though in the short run it may appear to be more "realistic." However, it must also be recognized that the United States today is confronted by an entirely different set of problems abroad than it was six years ago.

In the late 50's and early 60's the world was progressing on a fairly predictable course. European economic revival, decolonization, U.S.-Soviet confrontation in the cold war and the emergence of Communist China as a world power were then the principal issues. The West responded with the Marshall Plan, the International Monetary Fund (IMF), North Atlantic Treaty Organization (NATO), the Organization for Economic Cooperation and Development (OECD), a series of mutual defense pacts and large-scale economic and technical assistance to the developing nations in Africa, Latin America and Asia.

In response to the commercial challenge posed by the formation of the European Economic Community (EEC), the U.S. Congress enacted the Trade Expansion Act in 1962. To meet the political challenge posed by European political unification, the United States pressed its Grand Design of an Atlantic Community: an equal partnership between the United States and a united Western Europe which was willing and able to share the responsibilities of protecting world peace and fostering world economic growth.

It took the shock of President de Gaulle's veto of the United Kingdom's application to join the EEC in January 1963 to begin to make the government in Washington realize that, as a nation, the United States was entering a new phase of international relations and power alignments. The vision of Britain finally emerging as a part of continental Europe failed to materialize. The U.S.-Soviet confrontation in Europe diminished in intensity, and with it came the lessening of Western European concern over the Soviet threat, the weakening of NATO by France's departure from it, and a greater Western European desire for independence from U.S. political and economic influence. The Soviet-Chinese rift and the gradual decline of Russian influence in Eastern Europe have also become basic factors in international calculations.

In short, the United States has entered into a phase of international relations far more complex, far more ambiguous, and far more contradictory than the preceding period. The period ahead is not likely to be responsive to simple or grandiose strategies. It will require persistent and imaginative exploration of new policies, and these policies must take this new transitional situation into account. To gather the threads of the many elements of this situation into a cohesive strategy will not be an easy or quick task. President Johnson and his closest advisors have regretfully failed thus far to display sufficient sensitivity to this situation.

THE NEXT STEP

It is in this context that we must discuss the feasibility of NAFTA—its potential as the next step in global trade liberalization, its implications for the United States and its relevance to the dilemma facing the United Kingdom and Canada at this time. The question for Britain is how to maintain an influential role in world affairs and, at the same time, to deal with the basic weaknesses of a relatively undynamic economy, the absence of expanding overseas markets and recurring attacks on sterling. Canada is looking towards new markets for its exports and for new partners abroad.

The world is now facing a situation where regional trade groupings will be a fact of life and where the unconditional most-favored-nation principle will become applicable between trading communities or asssociations rather than nations. NAFTA could well represent the next practical step after the Kennedy Round to liberalize world trade. If the next attempt at trade negotiations by the traditional multilateral approach fails—or, even possibly, is insufficiently promising to be attempted—then the United States would be wise to shift to the only other practical approach that is sanctioned by GATT, the establishment of a free trade area among willing industrialized countries as the first move toward a more generalized agreement.

On the other hand, if another round of multilateral negotiations succeeds, then a number of nations would be so close to free trade that the GATT countries could commit themselves to full free trade at a fixed date and undertake other commitments as if they were in a formal free trade area.

As far as the less developed countries are concerned, they have gained little thus far from the traditional multilateral approach under GATT. Still, significant advantages could accrue to them from a free trade area similar to those which Greece and Turkey obtained from the EEC as associated members. These could include transitional tariff preferences within the area for their manufactured products as well as assistance to accelerate their economic development.

For a number of reasons the NAFTA concept is relevant to the United States. It is relevant in the context of future relations to Wesern Europe, which even in the post-Gaullist period is not likely to be willing to adhere to the concept of an Atlantic Community. NAFTA could be an excellent way to maintain mutually beneficial trade relations with Europe. It would not require a supranational political institution, surrender of sovereignty, a common external tariff or mandatory international economic policy coordination. Yet NAFTA could still serve as a means to preserve Western economic unity, as a link between the EEC and the European Free Trade Association (EFTA) and as a stimulant to international commerce and economic growth. While Atlantic unification is now a viable project, the successful conclusion of the Kennedy Round and the negotiations in the International Monetary Fund over the creation of new international reserves (SDRs) are proof that a strong community of interest remains on which to build for the future. NAFTA could symbolize that future.

Under the new conditions now emerging, the Atlantic Community approach as embodied in the Trade Expansion Act does not appear to be realistic. On the other hand, NAFTA fits in well with these conditions, without abandoning the fundamental U.S. commitment to trade liberalization—a commitment to enhance the well-being of the American people and economy while, at the same time, enhancing the expansion of world commerce, which is of vital concern to our trading partners and, in the final analysis, to our own national security.

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[1] Senior Senator from the State of New York, Jacob K. Javits is a notable legislator whose interests span a broad spectrum of domestic and international issues. An activist in all the causes he espouses, Senator Javits vigorously supports an industrial free trade association (IFTA), a description which he prefers to NAFTA. Such an association has many merits, not the least of which is simplicity.

TRADE LIBERALIZATION

Given the present mood of Congress, NAFTA could also be the appropriate way to continue on the road toward trade liberalization. Congress is now under heavy pressure from industry and labor to nullify, at least to some degree, the reduction of U.S. tariffs agreed to in the Kennedy Round and to block any drastic steps toward abandonment of the remaining walls of protection, such as the American Selling Price method of valuation. NAFTA represents a firm commitment to free trade in a slow, gradual and clearly predictable process without the idealistic political connotations of the Trade Expansion Act.

The NAFTA approach could be a useful instrument to improve the economies of the United Kingdom and Canada and thereby strengthen their capabilities to share our economic, political and military responsibilities in Europe as well as in the developing regions of the world. To the extent that NAFTA enables them to do so, our own burdens and responsibilities would be reduced. As Professor Hawkins' article on the economic consequences of NAFTA for the United States indicates, NAFTA would entail no significant trade or balance of payments costs or benefits to the United States. This is an important consideration at a time when the country is suffering from persistent balance of payments difficulties.

The United Kingdom has necessarily abdicated much of its former great power role in recent years; due to the recurring difficulties of sterling's external payments position, this role has diminished. The process was accelerated by the November 1967 sterling devaluation.

Despite courageous steps to remedy it, the United Kingdom's domestic economy has remained undynamic in comparison with those of Western Europe and the United States. After much hesitation about the risks of another rejection, Britain again applied for membership in the EEC in 1967. The British Government had concluded that, both politically and economically, it was what the country needed to restore it to a significant international position and to revitalize its economy.

That membership in the EEC has not become a fact thus far does not obviate the soundness of the objectives sought by the British Government. However, it does raise the question of how long Britain can wait for EEC membership, the extent to which this delay retards its economic revitalization and whether there are any alternative approaches for the United Kingdom. In view of the seriousness of its economic condition, Britain cannot wait indefinitely, but membership in a broadly based NAFTA has trade growth and political advantages comparable to membership in the EEC.

CANADIAN RELEVANCE

Canada's interest in NAFTA is both economic and political. There are a growing number of leaders in Canada who believe that under conditions of free trade—whether a number of countries participated or if only the United States and Canada—Canadian industry would increase its efficiency and competitiveness as a result of cheaper component imports and the economies of scale that would result from gaining unrestricted access to other markets. Whether this could be attained through the multilateral GATT approach is questionable.

In Canada, as in the United Kingdom, Australia, New Zealand and Japan, there is also deep concern about being left out of the regional trading blocs now being formed or under consideration. Membership in NAFTA would bridge this gap and relieve fears of economic isolation.

From the political point of view, NAFTA is looked upon as a means to broaden Canada's political ties and thereby increase its independence from the United States. It is also the economic basis for a more effective and meaningful role for Canada in international affairs. In no sense would membership in NAFTA mean a limitation on Canada's sovereignty and freedom of action.

By every yardstick we have reached the end of an era in international economic affairs. The future course of events remains clouded in doubt. No one can be certain of the shape of new alignments. This does not mean that we must sit back and let events take their course. On the contrary, it is incumbent on the United States as a leading economic power in the world to develop new policies that will free international commerce from artificial impediments. The NAFTA proposal merits full consideration in any new trade strategy for the economically unaligned countries of the world.

VIOLENCE BY AUTOMOBILE ACCIDENTS

Mr. DIRKSEN. Mr. President, during the past several months, much has been said in the Halls of Congress and elsewhere about violence in the streets, violence by guns, and the like, but not much has been said nor has much attention been given to violence on the highways and byways of America from automobile accidents.

I do not believe that the people of America, including those of us in public life, fully understand the statistics on automobile accidents. These statistics must be evaluated after very close analysis:

First. Fifty-three thousand auto deaths in 1967 and rising by 6 percent in 1968;

Second. Twenty-five thousand auto deaths annually due to or connected with alcohol use;

Third. Fifty percent of auto deaths affected the under-30-years-of-age group;

Fourth. Forty-two percent of fatal traffic accidents involve only one automobile;

Fifth. One-third of auto accidents on high-speed roads caused by dozing or sleepy drivers;

Sixth. Twelve billion dollars economic loss and still rising; and,

Seventh. Ten thousand auto deaths could be eliminated if safety belts were used.

So that people can start thinking about these grim statistics of life, limb, and economic losses, and start exercising themselves about this subject matter, I ask unanimous consent that the following items be placed in the RECORD:

First. Letter of September 10, 1968, to approximately 2,000 local radio and television stations;

Second. Reply from one of the receivers of such letter—KOL radio 1300, Seattle, Wash.;

Third. "Hard Decisions in Highway Safety," by John D. Lawlor, National Safety Council executive vice president;

Fourth. News item on increase in auto mishaps for first 6 months, 1968;

Fifth. Article by Julian A. Waller, M.D., "Alcohol and Highway Safety," Traffic Safety Research Review reprint;

Sixth. "What You Can Do About Drinking and Driving," by Insurance Institute for Highway Safety and six additional brief statements in traffic safety;

Seventh. Five brief statements on safe driving appearing in magazines submitted by the National Automobile Dealers Association.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

U.S. SENATE.

GENTLEMEN: Enclosed is a copy of the letter sent to approximately 2000 local radio stations and television stations which is self-explanatory. Previously, a similar letter was sent to 25 of the Nation's top T.V. and Radio personalities who have talked and entertainment shows asking that they invite knowledgeable guests to discuss the subject matter contained in the letter as a means of influencing the public to an excitement and concern relating to the high rate of deaths and injuries and economic loss due to highway and street automobile accidents and how each individual among the 200 million Americans can help to stop this needless violence and slaughter on our highways of America. The response from the T.V. stars was encouraging.

The genesis of this letter emerged during the public hearings of the U.S. Senate Antitrust and Monopoly Subcommitee on Automobile Insurance when this writer asked a series of questions on what is being done by Insurance Companies, by Insurance Departments, by State Agencies, by Industries related to automobile travel, such as Auto Manufacturers and Oil Companies, and by Civic, Religious and Trade Groups.

Thanking you, I am,

Sincerely yours,

PETER N. CHUMBRIS,
Counsel to Senator Everett McKinley Dirksen and Chief Counsel to Minority, U.S. Senate Antitrust Subcommittee.

U.S. SENATE,
September 10, 1968.

The auto driver's individual responsibility in stopping auto deaths, injuries, and economic losses

GENTLEMEN: At a time when Congress is debating the improvement of its gun control law and curbing violence in America, Congressional Committees are conducting Public Hearings and discussions on automobile insurance and the impact of auto accidents thereto.

Radio and/or TV stations have had prominent guests discuss gun control and violence control. There has also been much said about traffic safety. However, the impact on the public in the gun and violence control discussions seem to be far more effective from the millions of letters Congressmen and Senators receive from their constituents, while in comparison very little mail from the public comes in relating to the slaughter on the highways and the streets of America due to auto accidents. What can be done to awaken the people of America as to the responsibility of each individual in eradicating the 53,000 deaths and 3 million injuries annually, at a total economic cost of 12 billion dollars.

Very few people realize, and they must be taught to realize, that the above statistics can be lowered *only* by less accidents on the highways.

1. Beginning with 1961—25,000 American boys have been killed in Viet Nam, while during the same eight year period, 400,000 Americans have been killed and over 20 million have been injured by motor vehicle accidents on U.S. highways and streets. 50% of the auto deaths are persons under 30 years of age—our youth, our most precious asset;

2. Testimony reveals that in the past ten years auto insurance companies as a group took in $44 billion in premiums and paid out over $45 billion.

3. That auto accidents are increasing in number although billions are being spent to build safer dual and divided highways.

How can these accidents be curtailed?

1. All segments of our society should be fully committed to the reduction of the slaughter on our highways through safe vehicles, safe highways and by safe drivers.

2. Parents must make their 17 to 25 year olds understand that death by automobile is the number one cause of death for that age group. Further, for that reason the family auto insurance premium is almost doubled because of their driving habits. The majority of youth drivers must suffer for the bad driving habits of the other youth drivers.

3. Thus, the youth—through existing youth organizations or special local youth auto safety organizations throughout America—should devote themselves to safe driving and urge all youth to join in youth crusades for safe driving to save lives, injuries and dollars. Millions of drivers never have an auto accident in their lifetime.

4. Also, there should be Mothers Crusades for Safe Driving to save the lives of their children.

5. Law enforcement officers and administrators should enforce traffic laws strictly and justly so that the unfit, unqualified and repeated offender-drivers be removed from the highways until they could prove their fitness to drive.

6. Every driver must be thoroughly and constantly indoctrinated to the fact that full attention to driving his auto is the safest way of avoiding an auto accident, and each driver should be taught to avoid bad driving habits that cause the unnecessary slaughter of the highways, which bad driving habits can be discussed in detail on your program.

7. Every driver must be made to realize that when he has an accident or commits a traffic violation, he may lose his preferred insurance premium rating, thus necessitating paying higher premiums in the future and possibly cancellation of auto insurance. If all drivers knew this, they would drive as carefully as if police cars were following them.

That brings me to the crux of this letter. How can we generate that same excitment and concern the people have shown in urging gun control legislation into a similar excitment and concern in the direction of stopping this unnecessary slaughtering of people by motor vehicle accidents? Radio and TV are viewed or heard daily or weekly and reach, in the course of time, the greatest percentage of drivers on our nation's highways. If these facts are brought to their attention vividly and over a reasonable period of time, I am confident that you will put into motion a nationwide project of dedicated effort to arouse in each individual driver that excitment and concern that is needed for he, himself, and his neighbor to eradicate bad driving habits, which cause destruction of lives and a loss of billions of dollars to our people and cause a continued increase in auto insurance premiums.

There are many slogans today on safe driving, but very few on the impact on the drivers' pocketbooks through increased insurance premiums or economic losses. Few people realize that each auto-insured driver must bear the increased premiums caused by the accidents of the other drivers, and, if caused by him, the driver will lose his preference rating and pay a higher auto insurance premium. The driver may also suffer great economic losses due to the accident.

The reading of this letter on your program will help, but a knowledgeable guest talking it out with you will be the most effective procedure.

Sincerely yours,

Peter N. Chumbris,
Counsel to Senator Everett McKinley Dirksen *and U.S. Senate Antitrust and Monopoly Subcommittee.*

KOL Radio,
Seattle, Wash., September 11, 1968.

Mr. Peter N. Chumbris,
Counsel, Senator Everett M. Dirksen, *U.S. Senate, Antitrust and Monopoly Subcommittee, Washington, D.C.*

Dear Mr. Chumbris: I am in receipt of your letter dated September 10 and welcome the opportunity to help reduce the alarming rate at which Americans are being slaughtered in any way I can. We certainly plan on reading your letter on our weekend discussion program and will have traffic safety experts on the air at the same time.

You are probably aware of the fact that Washington State has a fairly good safety record in comparison to other states, but year after year our fatalities increase with no end in sight. To combat fatalities, especially over holiday weekends, Radio KOL performed a live experiment called "Operation Save-a-Life" last December 29th. Our Program Director and my self were given double straight shots of whisky, no mixer allowed, at twenty minute intervals. With the fine cooperation of the Safety Council, the Washington State Patrol, the Seattle Police Department, the King County Sheriff's Office, AAA and many other groups, we were given coordination tests at regular intervals with over half a dozen various types of equipment. We also were asked to drive a dual-control car through obstacle courses from time to time, all of this being carried live on the air. The results were staggering and so were we! We did prove that even a few short snorts can and probably will lead to trouble.

As part of KOL's continuing campaign to lower fatality and injury rates, we are happy to put together a program as you suggest. If at all possible I would like to have Senator Dirksen on the program, too. We realize he has a very busy schedule, but if we could arrange a specific time for a phone call, I would like to tape some comments from Senator Dirksen for inclusion in the program.

Here in Seattle we will get people from law enforcement agencies, the Safety Council and others to participate in the program. With very little effort we can put together a sixty minute program that will inform and shock the average motorist to the point of taking careful reappraisal of his techniques.

Please advise me as to the possibility of setting up a telephone interview with Senator Dirksen. As soon as we have a set time, I will make definite plans for producing and airing the program.

Thank you for your interest and your effort in this most important matter, and we look forward to hearing from you again.

Yours very truly,

Bill Munson,
News Director.

[From Trial magazine]

HARD DECISIONS IN HIGHWAY SAFETY

(By John D. Lawlor, executive vice president, National Safety Council)

Since the advent of the motor vehicle in our traffic stream, vehicle control and management have traditionally been left in the hands of states and local jurisdictions. This has resulted in a wide variety of solutions and supposed solutions to our traffic accident problem and to a great lack of uniformity in approach and method.

Gradually, over the years, certain national organizations emerged, such as the American Association of State Highway Officials, the National Committee on Uniform Traffic Control Devices, and the National Committee on Uniform Traffic Laws and Ordinances. These groups developed recommended standards for many functions applying to traffic safety and control and achieved a degree of success.

Until recently the federal government's role in the nation's traffic picture has been slight. Since the early 19th century, the federal government has provided federal aid to construct and maintain our main highways, but otherwise it has exercised no important control over traffic safety and highways.

In 1956, a most significant event occurred when the Congress enacted the Federal Aid Highway Act. This authorized the construction of a 41,000 mile system of limited access, divided highways to link all the major cities in the country. That system is now more than half completed.

It is estimated that during 1966 this system saved the lives of 4,000 persons who would have died had they been riding on ordinary roads. Federal passage of this highway act represents one of the most difficult and costly decisions that was ever made in the cause of traffic safety.

WORLD'S LARGEST PROJECT

The Interstate System is the largest public works project in the history of the world. With such a highway system, human error in motoring does not result in such serious consequences as it did in the past. As the Interstate System moves toward completion, it must be determined whether another highway system of an even higher type will be authorized.

The federal government did little more in the highway safety field until 1966. After extensive hearings by congressional committees, the National Traffic and Motor Vehicle Safety Act and the National Highway Safety Act were enacted.

The former authorized establishment of safety standards for motor vehicles and equipment and authorized grants for safety research. The latter required states to improve their highway safety programs and for this purpose authorized financial assistance to them on a matching basis and through the states to local jurisdictions.

Thus far, thirteen standards for state highway safety programs have been issued.

These two acts and the hearings preceding them captured the imagination of the public concerning highway safety for the first time in history. But the public's quickened interest in traffic safety has appeared to settle somewhat.

This may have contributed to the fact that the program has failed to gain certain badly-needed official support. When the President ordered economy in government operations, Congress failed to appropriate significant funds to carry out the federal-state objectives of the Highway Safety Act. While the purposes of the Act can be carried out in the future, important advantages have been lost in terms of more momentum and confidence at state and local levels of government.

Fortunately, the states and local jurisdictions have continued to upgrade their traffic safety programs in their own interests and with their own resources. But the pace of their efforts has been and is being seriously handicapped.

Traditionally, highway safety consists of the three E's—enforcement, engineering and education. It is apparent that we have made a great deal of progress in engineering and will continue to do so.

It is in the areas of enforcement and education that the really troublesome problems arise. In our democratic society, the people are sovereign. But the sovereign has not yet been adequately sold on the necessity of certain inconveniences for the sake of traffic safety.

This is one of the primary reasons why it has been so difficult to enact such legislation as periodic motor vehicle inspection. In one instance, at least, the law was passed then repealed as a result of public pressure.

Having a vehicle inspected once or twice a year is an inconvenience and often an expense. Most people would rather not be bothered because they have not been convinced of the necessity for this inconvenience.

DO NOT MIX

Control of the drinking driver is another very difficult problem calling for hard decisions. Special studies have repeatedly shown that alcohol is involved in at least 50 per cent of our fatal traffic accidents.

The role of drugs, and drugs and alcohol in combination, has not yet been sufficiently studied and the dimensions of the problem are not well enough known.

Twenty-eight states have enacted laws requiring a driver suspected of drunk driving to submit to a blood-alcohol test or face suspension of his driver's license. These are known as implied consent legislation.

Such laws, however, are generally publicly unpopular, except when an intensive public education campaign has convinced the people of their desirability and necessity.

Here we have another hard decision that must still be faced by many of our states.

Only 33 of our states have any kind of law requiring re-examination of drivers for renewal of drivers' licenses. Some of these only cover cases where illiteracy or advanced age are involved, and many of them are of insufficient strength to be effective.

There have actually been cases found in which persons receiving financial assistance for the blind have held drivers' licenses.

Driver re-examination is another area that is publicly unpopular and politically sensitive. Here again, hard decisions must be made by the people and their legislators.

The great majority of American citizens who ever face American justice in the courts do so in the traffic courts only. Here is where the average violator obtains his opinion of American justice.

Eventually, justice of the peace courts and the fee system must be entirely abolished. Funds and personnel must be made available for conducting our traffic courts in an atmosphere of justice and dignity.

Again, hard decisions must be made, and they must ultimately be made by the people themselves.

The matter of public education has two facets. The first is teaching and motivating drivers and pedestrians to act safely. The second is convincing the public to support the officials who are willing to make the necesary hard decisions for traffic safety, many of which require appropriations out of public funds.

Although millions of dollars are spent each year in public traffic safety education efforts, progress continues to be slow. We must discover ways to influence more successfully the citizen in these matters.

This is basic to improvement in our whole traffic system.

IRONY

It is ironic that in cases of small disasters, or even when one individual is in danger, millions of dollars are spent in attempting to save one or two lives. This is as it should be.

However, the attrition of our citizens and property in traffic accidents occurs so gradually that it seems that the public hardly notices.

Imagine the consternation if 55,000 of our citizens were wiped out in one incident. It would not then be difficult to obtain any kind of corrective measures necessary, regardless of their cost or inconvenience.

Following the Iroquois Theatre fire in Chicago in 1903, stringent legislation was enacted throughout the country concerning building materials and the provision of exits and maximum occupancy in public places.

The sinking of the Titanic in 1912, in which 1,517 lives were lost, led to marine safety legislation and the establishment of a permanent and costly iceberg patrol in the North Atlantic.

Yet, the public still cannot get excited about the 150 lives lost every day in traffic accidents in this country.

Public indifference to traffic safety is further illustrated by the fact that among those drivers who have safety belts available in their automobiles, only about one-third use them at all. Most of this use is only for long high-speed trips.

This attitude prevails although 29 per cent of our fatalities occur at speeds of 30 miles per hour or less. Only 8 per cent happen at speeds between 61 and 70 miles per hour.

The National Safety Council, the U.S. Public Health Service, and the American Medical Association have recently agreed that universal use of safety belts can save 8,000 to 10,000 lives a year.

The new federally prescribed automobile safety standards which are meant to reduce injury severity assume that car occupants are properly belted.

There is now much discussion about eventually requiring the use of safety belts by law. However, so far, the hard decision to buckle one's safety belt still rests with the individual.

The companion bill to the Highway Safety Act of 1966—the Motor Vehicle and Traffic Safety Act—required the Secretary of Transportation to prescribe safety and design standards for motor vehicles manufactured after January 1, 1968.

This effort has been moving along as authorized. While it involved a direct confrontation between the federal government and the automobile industry, the public was not involved in any important respect. There has also been no evidence so far of buyer resistance by the public to the cost of these new safety features.

WISE MEN WILL DIFFER

Wise and reasonable men will differ about Viet Nam and the course to pursue in using our resources to bring peace to a hostile world; they will disagree on the procedures needed to deal with civil rights; or unemployment; or the balance of payments.

We are fortunate however, that there is no basic disagreement among knowledgeable people as to what measures must be taken to reduce the death toll on our highways. There is disagreement as to matters of emphasis, but over the years a sound body of traffic safety doctrine has been developed by consensus.

This doctrine was first incorporated into the Action Program of the President's Committee for Traffic Safety and is now reflected in the highway safety standards issued by the U.S. Department of Transportation.

While we desperately need much more research into accident causation, we cannot wait for these research results to be forthcoming before we take further action.

The empirical approach is the best we have at the moment. The American public, both as a group and as individual citizens and drivers, and our elected officials, must make the hard decisions to implement this body of doctrine.

In summary, success in attaining a national goal of vastly improved traffic safety is increasingly a responsibility of the individual. In a way, it is a test of our democracy as to whether or not the citizen is willing to discipline himself by agreeing to unpopular requirements which in the end may well save his own life.

First Half Auto Mishaps Cost $6.4 Billion

The nation's estimated economic loss from traffic accidents during the first six months of 1968 stands at $6,405,312,000, an increase of about $619 million above the loss figure of $5,786,350,000 for the same period last year, the Insurance Information Institute reported yesterday.

The rise in economic loss during the first half of 1968 was due to increases of 6 per cent in highway deaths, 7 per cent in traffic accidents and 4.5 per cent in injuries over the same period of 1967, the institute said.

NEW RECORD LOOMING

The institute claimed that if the trend set during the first half of this year continues during the second half, 1968 will set a new high record in traffic accident experience.

The economic loss for June was estimated at $1,113,840,000, a $15 million increase over June, 1967. The institute attributed the rise over the same month last year to increases of 8 per cent in traffic deaths and 4.4 per cent in accidents. Traffic injuries remained at about the same level as last June.

The National Safety Council reported 4,820 highway deaths during June, compared with 4,460 for the same month in 1967.

Estimated economic loss figures, the Institute said, include such factors as lost wages, medical expenses, property damage and the service costs of insurance.

[From Traffic Safety Research Review, September 1968]

Suggestions for Educational Programs About Alcohol and Highway Safety

(By Julian A. Waller, M.D.)

(Abstract—In this article, Dr. Waller presents some basic guidelines for the development of alcohol education programs based on currently available research data. A breakdown of the groups to be reached by these programs is given and includes not only the drinking populations but those who indirectly influence their behavior such as judges and driver licensing personnel, and those whose activities are directed to the reduction of death and injury such as physicians, police and legislators. The basic body of information which should be made available to the general public is outlined and, in addition, special information for each particular group is detailed.)

(This report was supported by a grant from the Insurance Institute for Highway Safety through the California Traffic Safety Foundation. The opinions expressed are those of the author and not necessarily those of the sponsoring organizations.)

The subject of alcohol and highway injury commonly elicits highly emotional responses not only because of the thousands of deaths involved each year, but because alcohol, which is classified as a drug, has for many centuries been both widely used and subject to strong taboos within many cultures, including large segments of Western society. Any educational effort, therefore, will be viewed by some as too strong and by others as too weak, often reflecting particular moral, religious and legal orientations. These reactions, however, are not the criterion with which the specific educational programs should be primarily concerned, although they do play an important role in determining the methods of presenting or "packaging" programs. Rather, concern should primarily be with the extent to which these programs can reach and affect those most likely to get into trouble on the highway as a result of drinking, those most in a position to deal with such persons, or those in a position to favorably modify the morbidity or mortality pattern in other ways.

Four basic questions must underlie any educational program. These are:

For what purposes is the information given?

What populations are to be reached?

With what material?

In what manner?

An attempt will be made to answer the first three questions, the fourth being predominantly in the domain of education specialists.

A SCHEME FOR CLASSIFYING COMBINATIONS OF DRINKING BEHAVIOR AND RISK OF HIGHWAY INJURY INVOLVING ALCOHOL AMONG DRIVERS AND PEDESTRIANS WHO DRINK

Normative (light to moderate social) drinkers		Deviant drinkers			
Low injury risk	High injury risk	Heavy social drinkers		Individuals with problems	
		Low injury risk (?)	High injury risk (?)	Low injury risk	High injury risk
Most middle-aged drivers and pedestrians who usually drink 1 to 3 drinks at a sitting.	(a) Young drivers. (b) Elderly pedestrians. (c) Drivers or pedestrians with alcohol plus drugs or other special combination of factors such as medical condition or extremely poor basic driving skills. (d) Persons with no history of alcohol problems who go on a binge or drink heavily during divorce action or other acute emotional trauma.	It is suspected that some heavy drinkers among the "jet set," young adult males, and some ethnic groups may be social drinkers conforming to group norms that are deviant for the overall population of drinkers in the United States. It is not known which, if any, of these drinkers have low injury risk after heavy drinking. On the basis of pharmacologic and other laboratory data about the effects of alcohol on driving most would be expected to be in the high risk group.		Solitary problem drinkers and persons with alcoholism who may be at low risk of highway injury but conversely at high risk of home injury because they go on binges at home and do not venture on the streets or highways at such times.	(a) Problem drinkers and persons with alcoholism-deviant individuals drawn either from the normative population at large or, more likely, from the deviant social drinking groups (e.g. problem drinking is reported to be more common among Irish, Negroes, and Indians). (b) Occasionally, persons with other chronic emotional problems who incidentally use alcohol to excess (e.g. persons with schizophrenia, or with sociopathic pattern marked by sex, drug, alcohol and many other offenses against society).

TYPES OF DRINKING AND RISK GROUPS

Before answering these questions a very brief review of information and hypotheses concerning alcohol and highway safety is warranted. Consistent data available over many years and from many parts of the nation indicate that:

About half of drivers and pedestrians fatally injured in crashes have been drinking and most of these have blood alcohol concentrations of 100 mg% (0.10% by wt.) or higher.[1-3]

Few drivers or pedestrians using the highways but not in crashes have alcohol in their blood, and fewer still have such high blood alcohol concentrations.[4-7]

Most drivers and pedestrians in crashes after drinking are not typical of the total driving or walking population.[8-10]

The public, by and large, is unaware of these facts.

On the basis of available data about drinking and other characteristics of drivers and pedestrians in crashes and of the rest of the driving and walking population, I would divide those who drink and drive, or who drink and become pedestrians, into groups shown in the accompaning chart. Currently available information suggests that two thirds or more of drivers and pedestrians in crashes after drinking come from the group of high risk deviant individuals with problems, while the remainder are predominantly high risk normative social drinkers, with some probably being high risk deviant social drinkers.[8-10] The data implicating the high risk deviant individuals with problems are the most extensive at this time. Undoubtedly, some individuals from the low risk groups also occasionally get into trouble with alcohol present, but it is probably almost a chance phenomenon. Certainly, an educational program to change the drinking practices of the low risk groups can be expected to have little payoff in terms of fewer crashes.

PURPOSES OF INFORMATION TO BE GIVEN

As noted earlier, three basic purposes of educational programs are to modify directly drinking-driving or drinking-walking behavior, to change the activities of those who can indirectly affect this behavior, and to change the activities of those who can in other ways act to reduce the morbidity and mortality. For example, modification of the approaches used by judges and driver licensing authorities may indirectly affect drinking-driving behavior. Modification of the driving task might reduce the total number of crashes without in any way changing the frequency of specific drinking-driving combinations, while better packaging may, in similar fashion, change the injury pattern. Specific information about the role of and complications of alcohol and alcoholism with respect to emergency treatment may change the effects of those injuries that do occur. A fourth goal which may be added is that of changing behavior of specific groups for the purpose of providing baseline information and subsequent data to evaluate the nature and extent of the problem of highway crashes or violations attributable to the use of alcohol, and of any changes referable to specific educational or other programs.

It is strongly urged that educational programs concerned with alcohol and highway safety present a balance among these four goals. Programs are likely to have much greater impact if all goals are sought, or even if only the latter three are sought, than if they strive primarily or entirely for changes in drinking-driving or drinking-walking behavior as has been the usual practice of past and present educational campaigns throughout the nation. It is further strongly urged that new educational programs be tried out in limited geographic areas first, and that carefully designed evaluation methods be used before such programs are widely applied.

POPULATIONS TO BE REACHED

Specific educational programs can be aimed at the following populations, recognizing, of course, that there will be considerable overlap among some groups:

1. To change drinking-driving or drinking-walking behavior.
   a. General adult population
   b. Young drivers and prospective drivers
   c. Elderly persons
   d. Persons with medical conditions
2. To increase the effectiveness of individuals who can indirectly affect this behavior.
   a. Judges and jurors
   b. Driver licensing authorities
   c. Physicians and other health personnel
   d. Purveyers of alcoholic beverages
   e. Legislators
3. To change activities of those who can in other ways act to reduce morbidity and mortality.
   a. Physicians and other health personnel
   b. Police and rescue personnel
   c. Urban and highway planners
   d. Legislators
4. To improve the collection, recording and analysis of baseline and subsequent information about the nature and extent of the problem.
   a. Police agencies
   b. Courts
   c. Driver licensing authorities
   d. Physicians and other health personnel
   e. Legislators

INFORMATION TO BE GIVEN

A basic body of information should be available for all groups. To this may be added information specific to the particular goals being sought with the individual group or groups in question. The basic body of information would cover the following points:

1. Alcohol can adversely affect both drivers and pedestrians with respect to highway safety.[4, 7]

2. About half of all drivers and adult pedestrians fatally injured in highway crashes have been drinking.[1, 4] Among those responsible for initiating crashes the proportion is even higher.[3] The data have been consistently similar wherever the problem has been scientifically examined throughout the nation and dating back over a third of a century.

3. In most crashes involving alcohol the driver or pedestrian who has been drinking has a blood alcohol concentration of 100 mg% (0.10% by wt.) or higher.[1, 3] This concentration is equal to or greater than the amount of sugar normally in the blood. In order to reach this concentration, a 150 lb. person, drinking between one and two hours after an average meal, would have to drink 7½ ounces of 80 proof liquor in one hour. This equals about 5 standard 1½ oz. jiggers of gin, bourbon, scotch or vodka in one hour.[11]

4. In contrast only one in ten drivers using the roads but not in crashes has been drinking, and only 2 or 3 in a hundred have blood alcohol concentrations of 100 mg% (0.10% by wt.) or higher.[5, 7]

5. The ingestion of alcohol is a factor in many minor crashes also, although not to the same extent as in fatal crashes.[5]

6. Although crashes involving alcohol occur somewhat more frequently on weekends, they are a problem throughout the week and through every season of the year.[12] Contrary to common belief, they are not limited just to holidays and weekends.

7. Laboratory studies show that many persons are adversely affected with respect to driving at blood alcohol concentrations under 50 mg% (0.05% by wt.) and that all are adversely affected, *no matter what their drinking habits* at blood alcohol concentrations of 100 mg% (0.10% by wt.) or higher.[13]

8. Most persons are adversely affected by alcohol long before they appear intoxicated.[11] The person who looks as if he "only had a couple" very often has had 5 to 10 drinks or even more and is extremely dangerous either as a driver or as a pedestrian.

9. Although many, if not most, drivers occasionally drive shortly after drinking,[14] studies show that most—*but not all*—persons in crashes after drinking have previous histories and current patterns that indicate they are problem drinkers rather than social drinkers.[8, 10] Frequently, drinking an amount of alcohol sufficient to cause a crash is an indication of sick behavior.

10. In the interest of caution, it is better not to combine driving and drinking at all. However, for those who find they must on occasion mix these two activities, a reasonable guide—no matter how well they think they can hold their liquor—is to have no more than one drink (single jigger) per hour, to dilute it with water, soda or other nonalcoholic liquid, and to have food of some sort with the drink.

Footnotes at end of article.

SPECIAL INFORMATION FOR SPECIAL GROUPS

For *young drivers* it should be stressed that one of the most dangerous combinations as far as highway safety is concerned is the combination of inexperience in driving and inexperience in drinking. While many adults can get away with drinking one or two drinks before driving, the teenage and young adult driver cannot. No person with less than two years driving experience or who has been drinking hard liquor for less than two years should under any circumstances consider driving after drinking. If you must experiment with alcohol, don't drive afterwards.

The *elderly*, persons with *medical conditions*, and those who are *taking medications* should be informed that although many drivers and pedestrians can avoid trouble on the highway after drinking one or two drinks there are certain important exceptions. Individuals who, for any reason, have poor eyesight or hearing, who have hardening of the arteries, heart disease, diabetes, epilepsy and certain other medical conditions, or who are taking medicines such as tranquilizers, or medicines for high blood pressure, allergies, or colds, may be particularly susceptible to the effects of even small amounts of alcohol. Some of these individuals should not drink at all. Others may find that the usual guide of no more than one drink (single jigger) per hour does not provide sufficient protection for them, and their "rule of thumb" should be no more than one drink every one and a half to two hours.

It would seem that information for bartenders and other commercial *purveyors* would have only limited usefulness since they commonly are already aware of the amount of alcohol consumed when they serve the patron more than he can safely handle. Social purveyors (hosts and hostesses), however, may not be aware of the extent to which food can reduce the blood alcohol concentration. They should be informed that the serving of food before drinks can reduce the blood alcohol concentration by as much as one half, and that the serving of food with drinks may reduce the concentration by one quarter to one third.[15]

The informational programs for *judges* and *driver licensing personnel* can be similar, the goals being to show these persons how they may more effectively control drinking-driving behavior indirectly, and to convince them to include in official records information useful for baseline and subsequent documentation. To these groups it should be made clear that:

a. Over 9 out of 10 problem drinkers are in the general population and *not* on skid row. This explains why so many of the individuals who end up with crashes or arrests involving alcohol appear on superficial investigation to be "solid citizens".[10]

b. Problem drinkers often can be identified by the fact that they have blood alcohol concentrations of 150 mg% (0.15% by wt.) or greater and have had previous arrests or other contact with community service agencies resulting from misuse of alcohol.[8]

c. Fines, jail terms, or suspensions of licenses are likely to have only limited effectiveness in preventing further driving after drinking by individuals who are problem drinkers. One study showed that as many as a third of those persons who have had their licenses suspended, and two thirds of those with licenses revoked, are known to continue to drive anyway.[17] Many others may also be driving without being detected. Corrective measures that take the problem drinking into consideration may have greater success, for example, referral to treatment facilities, including, among others, Alcoholics Anonymous. Frequently, problem drinkers do not identify themselves as such and must be explicitly told that they are such and that this is the cause of their difficulty in driving and in other areas of their lives. In addition, until there is some evidence of control over the drinking problem, the licenses of such individuals may have to be revoked under licensing laws regulating driving privileges of persons with medical handicaps to driving.

d. Official records often are of only limited usefulness because they fail to record the presence of alcohol even where it was apparent to the investigating officer and others that the subject had been drinking. When drunken driving charges are reduced, the original charge as well as the final one should be noted on the permanent criminal and driving records. Persons brought under police surveillance for other offenses, whether involving traffic or not, should have notations relative to presumed state of alcoholic intoxication and to tests done to determine the blood alcohol concentration. This information can serve as a guide to the possible existence or absence of a drinking problem should subsequent offenses occur involving alcohol.

The informational program for *physicians and other health personnel* has as goals the improvement of emergency care for those injured on the highway, the changing of the patient's drinking pattern through recognition and treatment of previously unidentified problem drinking, and the improvement of baseline and subsequent information about the nature and extent of the problem. The additional information to be transmitted to these groups is:

a. Physicians, even if carefully trained, are commonly unable to determine either the presence or amount of alcohol in the body by means of the usual clinical tests for intoxication. For illustration, in one study, a physician who had actually seen a group of drivers operate vehicles after drinking, was able to identify the adverse effects of alcohol by clinical examination in only two thirds of the individuals in whom he could identify such effects simply by watching them drive. Another physician, who had not observed their driving, identified even fewer as "under the influence" on the basis of clinical examination alone.[11] The only effective means to identify the presence and amount of alcohol is through chemical and other analytical tests.

b. Failure to identify that injured persons have been drinking and that they are problem drinkers may have adverse effects by increasing the likelihood of diagnostic and therapeutic error. Examples include errors in diagnosis of the reason why altered states of consciousness exist, errors in choice and use of anesthesia, and failure to recognize early signs and symptoms of delerium tremens.

c. Blood alcohol concentrations should be determined for all adults being treated for injury. Concentrations of 100 mg% (0.10% by wt.) or higher should suggest possible drinking problems with implications for both immediate and long range treatment.

d. If done for the purpose of guiding medical treatment there is no medicolegal problem in the determination of the blood alcohol concentration.

The goals of educational programs for *police agencies* are to improve emergency treatment of the injured, to promote more effective identification of the role of alcohol in crashes and law violations and to obtain more accurate baseline and subsequent information about the nature and extent of the problem. For the improvement of emergency treatment, training in first aid, not specifically identified with the role of alcohol, is required. The following information for police personnel should be added to the basic informational package:

a. The usual sobriety tests given by police officers and physicians grossly underestimate the amount of drinking and the extent of impairment. For example, a study in Australia showed that when police officers recorded drivers as "had been drinking—not under the influence" the average blood alcohol concentration was 120 mg% (0.12% by wt.), or higher than the usual presumptive limit for impairment.[18]

b. In at least three quarters of crashes at night it is reasonable to expect that someone has been drinking—usually heavily—whether he appears to have been drinking or not.[19] Therefore, blood or breath alcohol determinations should be standard operating procedure for all crashes and citations during nighttime hours.

c. Police records of crashes and citations frequently note the presence of alcohol in only a small percent of the cases where the persons, in fact, have been drinking. This information, which can be of value in obtaining convictions, in finding out the extent of the problem, and in measuring the effect of new programs, often is absent simply because there is no place on the citation and crash investigation forms for recording if the person had been drinking and what the blood or breath alcohol determination revealed. All records should provide for recording this information, whether or not the person is charged with drunken driving.

The purpose of information for *highway and street planners* is to simplify the driving task. While this would benefit most drivers it may be of particular benefit to persons driving while under influence of alcohol or for those who must drive where there are pedestrians who have been drinking. The specific information needed is:

a. Most crashes involving alcohol occur at night when the degrading effect of alcohol on vision, comprehension, and reflex action are compounded by the effects of darkness.[6 19]

b. The effects of alcohol and darkness can to some extent be overcome by:

(1) Use of larger signs with high nighttime contrast.

(2) Illumination of signs.

(3) Placement of signs sufficiently in advance of decision points, taking into account factors such as darkness, reduced comprehension, and probable speed in excess of posted limits.

(4) Adequate lighting at intersections and crosswalks.

(5) Adequate lighting near places that serve alcoholic beverages since customers leaving such places frequently cross the street directly instead of going to the nearest crosswalks.

No specific programs can be outlined in advance for *legislators*. Many of the informational items have legislative implications. The specific information to be provided to legislators would depend on the particular legislation being sought. Additional questions not specifically considered in the previous discussion include implied consent and presumptive limit legislation, and the possibility of zoning the sale of alcoholic beverages so that alcohol cannot be sold in places that can be reached with ease only by automobile. Questions such as that of zoning, in the opinion of the author, are highly specialized and do not generally fall within the purview of public information programs except in a limited sense.

FOOTNOTES

[1] Heise, H. A. "Alcohol and Automobile Accidents," *J.A.M.A.*, 103:739–741, 1934.

[2] Freimuth, H. C., Watts, S. R. and Fisher, R. S. "Alcohol and Highway Fatalities," *J. Forensic Sci.*, 3:65–71, 1958.

[3] Nielson, R. A. *A Survey of Post-Mortem Blood-Alcohols from 41 California Counties in 1966*. California Traffic Safety Foundation, San Francisco, April, 1967, 9 pp. and tables.

[4] Haddon, W., Jr., Valien, P., McCarroll, J. R., and Umberger, C. J. "A Controlled Investigation of the Characteristics of Adult Pedestrians Fatally Injured by Motor Vehicles in Manhattan," *J. Chron. Dis.*, 14:655–678, 1961.

[5] Borkenstein, R. F., Crowther, R. F., Shumate, R. P., Ziel, W. B., and Zylman, R. *The*

Role of the Drinking Driver in Traffic Accidents. Dept. of Police Admin., Indiana Univ., Bloomington, Mar. 9, 1964, 245 pp.

[6] McCarroll, J. R., and Haddon, W., Jr., "A Controlled Study of Fatal Automobile Accidents in New York City," *J. Chron. Dis.*, 15:811–826, 1962.

[7] Holcomb, R. L. "Alcohol in Relation to Traffic Accidents," *J.A.M.A.*, 111:1076–1085, 1938.

[8] Waller, J. A. "Identification of Problem Drinking Among Drunken Drivers," *J.A.M.A.*, 200:114–120, 1967.

[9] Waller, J. A., King, E. M., Nielson, G., and Turkel, H. W. *Alcohol and Other Factors in California Highway Fatalities.* Presented at annual meeting, Amer. Assn. for Automotive Medicine, Phila., October 20, 1967.

[10] Selzer, M. L., Payne, C. E., Westervelt, F. H., and Quinn, J. "Automobile Accidents As an expression of Psychopathology in an Alcoholic Population," *Quart. J. Stud. Alc.*, 28:505–516, 1967.

[11] Coldwell, B. B. *Report on Impaired Driving Tests.* Queen's Printer and Controller of Stationery, Ottawa, Canada, 1957, 218 pp.

[12] Waller, J. A. *Holiday Drinking and Highway Fatalities.* Presented at annual meeting, Amer. Public Health Assn., Miami Beach, October 26, 1967.

[13] Goldberg, L. "Tolerance to Alcohol in Moderate and Heavy Drinkers and Its Significance to Alcohol and Traffic." *Proc. 1st International Conf. on Alcohol and Road Traffic.* Kugelbergs Boktrycheri, Stockholm, 1951, pp. 85–106.

[14] Casper, R. L. "Drinking and Driving in a Community Setting." *Proc. 4th International Conf. on Alcohol and Traffic Safety,* Dept. of Police, Admin., Indiana Univ., Bloomington, 1966, pp. 105–111.

[15] Touvinen, P. I. as quoted by Harger, R. N. and Hulpieu, H. R. in "The Pharmacology of Alcohol," *Alcoholism* (ed. G. N. Thompson), Chas. C. Thomas Co., Springfield, Ill., 1956, pp. 103–232.

[16] Straus, R. and Bacon, S. D. "Alcoholism and Social Stability," *Quart. J. Stud. Alc.*, 12:231–260, 1951.

[17] Coppin, R. S. and Van Oldenbeck, G. *Driving Under Suspension and Revocation.* Report #18, Research & Statistics Section, Div. of Admin., California Dept. of Motor Vehicles, Sacramento, Jan., 1965, 28 pp.

[18] *Royal Commission Into the Sale, Supply, Disposal or Consumption of Liquor in the State of Victoria, Appendix to Report Part I Victoria, 1964–65.* A. C. Brooks, Govt. Printer, Melbourne, 169 pp.

[19] Waller, J. A. Unpublished data.

[From the Insurance Institute for Highway Safety, Washington, D.C.]

What You Can Do About Drinking and Driving

Alcohol in relation to highway safety is the subject of one of the program standards required by the National Highway Safety Bureau under the Highway Safety Act of 1966.

The standard will guide states and communities in the development and implementation of programs to reduce traffic accidents caused from drinking and driving.

These programs should include, as a minimum, chemical testing procedures for determining blood-alcohol concentrations in the human body; an implied consent law, under which persons arrested for driving while intoxicated would be deemed to have given their consent to such a test; and provisions for testing drivers and adult pedestrians involved in fatal crashes.

Here are facts about this subject that everyone should know:

Misuse of alcohol leads to some 25,000 traffic deaths and over 800,000 crashes annually.

Problem drinkers and alcoholics comprise the largest group of offenders, but all who drive while drinking contribute to the problem.

Researchers estimate that the risk of an accident increases 6 to 7-fold among drivers with blood-alcohol levels of 0.10 per cent by weight, and more than 25-fold among those with 0.15 per cent.

0.10 per cent blood-alcohol is reached, on the average, by a 150-pound person drinking an amount equal to five 1½ ounces of liquor in a one-hour period after an average meal. The concentration is greater and is reached faster in the absence of food.

Here are things *you* can do:

As a citizen and a driver, you can . . .

Understand that laws relating to drinking and driving are for your protection and the increased safety of all.

Tell your public officials that you support strict enforcement of laws against drinking and driving.

Practice discretion. In the interest of caution, it is better not to drive at all after drinking. Those who find they must on occasion mix the two should follow this rule: Drink only the equivalent of one 1½-ounce jigger of liquor per hour, diluted with nonalcoholic liquid, and accompanied by food.

Support programs aimed at identification and treatment of problem drinkers and alcoholics.

Write to the Insurance Institute for Highway Safety for additional information on alcohol in relation to highway safety.

As a host or hostess, you can . . .

Serve alcoholic beverages only to adults. Studies show that alcohol has an especially adverse effect on inexperienced drivers.

Provide food for guests when alcoholic beverages are to be served.

Allow time for guests to assimilate alcoholic beverages before they drive. Do away with the *"one for the road."*

Arrange transportation for guests whose ability to drive has become impaired.

[From the Insurance Institute for Highway Safety, Washington, D.C.]

What You Can Do in Driver Licensing

The Highway Safety Act of 1966 marked the beginning of a new era in traffic safety, providing for safer vehicles and tires, more research and development, and for federal-aid money for state and local safety programs.

The National Highway Safety Bureau, established under the Act, has issued minimum standards for state safety programs, including those for driver licensing. The standard for driver licensing calls for a program that includes periodic re-examination of drivers.

As the states seek to meet new standards in driver licensing, here are things *you,* as a citizen and driver, can do to help:

If your state law *requires* periodic re-examination of drivers—

Cooperate fully with regulations designed for the safety of all.

Recognize the responsibilities, as well as the privileges, that go with a driving permit.

Obey all traffic laws, for the safety of others and the protection of your driving privilege.

If your state law *does not require* periodic re-examination of drivers—

Inform your state officials and lawmakers that you support this concept as part of a sound driver license program.

Through citizen groups, help to generate public support that will enable the strengthening of your driver licensing laws.

Demand fair and impartial enforcement of your state's licensing laws, and all other traffic safety regulations.

[From the Insurance Institute for Highway Safety, Washington, D.C.]

What You Can Do in Traffic Records

The National Highway Safety Bureau, established by the Highway Safety Act of 1966, has issued minimum performance standards for state and community traffic safety programs.

One of the thirteen initial standards relates to traffic records systems and the gathering of information necessary to point the way to more safety on the streets and highways.

States and communities have begun to implement the new highway safety standards.

Here are things *you* can do:

Support the concept of accurate and complete traffic records. Keep good records yourself, comply with state and local registration, accident-reporting, and licensing laws.

Cooperate with motor vehicle administrators, police and others as they seek to collect reliable, up-to-date information.

Inform public officials and administrators of your support for the national highway safety standards, including the very basic standard prescribing the collection and rapid retrieval of traffic information.

Assist public officials and administrators as they attempt to upgrade existing traffic records systems to conform with the recommended national standards.

[From the Insurance Institute for Highway Safety, Washington, D.C.]

What You Can Do

America's hope has been transformed into a promise in the war against traffic accidents!

Congress has set the stage. New federal laws provide for safer tires and vehicles federal safety funds, improved standards, more research into accident causes.

Here are things you can do:

You can as a citizen—

Demand fair and impartial administration of traffic laws.

Support sound traffic safety programs.

Speak up for traffic safety through your local safety organization and through civic, fraternal and professional groups.

You can as a motorist—

Know and obey the traffic laws of your community and state.

Know the limitations of your driving skill and seek to improve.

Equip your vehicle with safety features and have it inspected periodically.

At all times, adjust your driving to road, weather and other conditions.

Use your safety belt and insist that your passengers do so.

[From the Insurance Institute for Highway Safety, Washington, D.C.]

What You Can Do in High School Driver Education

With the enactment of federal legislation and establishment of the National Highway Safety Bureau, Congress has supplied meaningful leadership to America's effort to reduce traffic accidents.

This new Bureau will supervise activities designed to—

Expand safety research and development.

Provide federal-aid safety funds to states and communities.

Establish minimum standards for state and local safety programs.

Minimum standards have been issued for state traffic safety programs. Among the standards are those for *high school driver education.* This is an element of traffic safety that has traditionally received strong support from the automobile insurance business. Automobile insurance companies, through the Insurance Institute for Highway Safety, have pledged their continued support for high school driver education.

Here are things *you* can do:

Express your support for driver education to your state officials, your lawmakers, and your local school board.

Assist them in finding ways and means for making driver education available to *all* students.

Demand meaningful certification of teachers and highest curriculum requirements in your state driver education program.

Encourage all eligible students to enroll in driver education courses.

Support the upgrading of adult, remedial, and other driver education programs.

[From the Insurance Institute for Highway Safety, Washington, D.C.]

WHAT YOU CAN DO IN MOTOR VEHICLE INSPECTION

Periodic motor vehicle inspection is an accepted means of helping to reduce traffic accidents. It can play an important role in a state's total traffic safety program.

Under provisions of the Highway Safety Act of 1966, the National Highway Safety Bureau has issued minimum standards for traffic safety programs in the states, including standards for the regulation of periodic motor vehicle inspection.

The automobile insurance business, through the Insurance Institute for Highway Safety, has pledged its continued support for periodic inspection of motor vehicles.

Here are things that *you* can do, as a citizen and as a driver.

If the laws of your state *do not* require periodic motor vehicle inspection—

Express your support of this concept in safety to your state and local officials, and to your lawmakers.

Participate actively in voluntary inspection programs.

Equip your vehicle with such safety features as windshield washers, backup-lights, and seat belts. Keep doors locked and seat belts fastened while the vehicle is in motion.

If the laws of your state *do* require periodic motor vehicle inspection—

Do not permit shoddy inspection practices.

Report violations of inspection procedures to authorities.

Rely on sound driving practices, as well as a mechanically safe vehicle, to help prevent traffic accidents.

[From the Insurance Institute for Highway Safety, Washington, D.C.]

WHAT YOU CAN DO IN EMERGENCY MEDICAL SERVICES

The Highway Safety Act of 1966 has sparked incentives in areas of the traffic safety that have previously been largely overlooked.

Through minimum performance standards issued under the Act, Emergency Medical Services for traffic victims will be given increased attention.

As federal, state and local governments strive to implement these improved standards for emergency medical services, here are things you can do:

You can as a citizen—

Recognize that anyone is a potential accident victim; that your life, at some time, might depend on successful emergency medical services.

Support the teaching of first-aid techniques; learn them yourself.

Assist in an inventory of emergency medical services in your state and community.

Give active support to administrators, doctors, other professional people responsible for improved emergency services.

You can as a driver—

Acquaint yourself with emergency medical services and procedures; be prepared to help put them into effect if the occasion arises.

Cooperate at all times with those having immediate responsibility for implementation of emergency medical services at accident scenes.

Alert authorities to accidents or other situations requiring emergency medical services when you are first to learn of the need.

"THEY DARED ME TO TRY IT, DAD—I DIDN'T SEE THE OTHER CAR"

There's nothing tougher for some teenagers to turn down than a dare.

I dare you to cut history. I dare you to eat seven banana splits. Go on, I dare you to run that red light.

That's the problem. Too many dares happen in a car full of kids. And too many kids die on a dare. (Last year, 7,700 teenagers were killed in automobile accidents.)

The driver of the kids-full car is king. It's his . . . his road . . . his moment to perform, surprise, impress, frighten and look big.

But, you're at work . . . or at home. How can you know if he's showing off, dragging, speeding, taking curves at sixty?

Check his tires. If they're wearing out too fast, chances are he's driving too fast—or even dragging. If his brakes are going fast, he's going fast, too. And making too many emergency stops. If he's getting traffic tickets, that's the clincher.

Once you know, what do you do? Take his license away for a while. Then dare him to drive right. And make it a dare he can't turn down.

Your teenager's driving can be one of the biggest problems you'll ever face. Your new car dealer hopes this series will help you to help him. The National Automobile Dealers Association commends the *Saturday Evening Post* for its cooperation in this campaign.

NATIONAL AUTOMOBILE
DEALERS ASSOCIATION,
Official Organization of America's Franchised New-Car and Truck Dealers.

"AW COME ON, DAD—ARE YOU GONNA GIVE ME A DRIVER'S TEST, TOO?"

This young man has had all the driver education he can get—in the classroom and on the road. He knows he's a good driver. He knows he's ready for his driver's license—and the family car.

But, do his parents know?

When it's time for your teenager to drive, it's your place to be sure he's ready. Driver education is essential for every teenager. And it's great. But, when the chips are down, *your* teenager is your responsibility—not the school's.

So *you* be sure. Be sure he's learned his lesson well. Put him through every kind of driving situation. Drive together in the country, in bumper-to-bumper traffic . . . and try the tight situations, like parking on a hill. That way you'll know when he's ready to solo.

He may complain now. But someday he'll respect you . . . for doing your best to keep him alive.

Your new-car dealer hopes this message will help your teenager. The National Automobile Dealers Association commends the *Saturday Evening Post* for its cooperation.

NATIONAL AUTOMOBILE
DEALERS ASSOCIATION,
Official Organization of America's Franchised New-Car and Truck Dealers.

"OH DAD, NO. NOBODY GOES ON A DATE IN A BUS"

She's horrified. Her father won't let her ride in the boy's car. And it's their first date!

Dad checked the car carefully. The tires were shot. One light was broken. The car, in fact, was on its last wheels. And no daughter of his was going to ride in a wreck like that!

Even if the boy broke the date.

Sound old fashioned? Maybe. But it's still sound. 7,700 teenagers died in traffic accidents last year. He doesn't want his daughter to be a statistic this year.

Smart parents would rather spoil a good time than risk their teenagers' lives in unsafe cars.

It's a lot better to break a date than a neck.

Your new-car dealer hopes this message will help your teenager. The National Automobile Dealers Association commends the *Saturday Evening Post* for its cooperation in this campaign.

NATIONAL AUTOMOBILE
DEALERS ASSOCIATION,
Official Organization of America's Franchised New-Car and Truck Dealers.

YOU DIDN'T LET HIM CROSS THE STREET UNTIL HE KNEW HOW—PLEASE DON'T LET HIM DRIVE UNTIL HE KNOWS HOW

Then it was a case of watch-out-for-cars.

Now it's a case of watch-the-road, watch-the-other-driver, watch-the-signs and watch-your-own-driving . . . *every single second.*

Aside from parents, high school driver training is the best watch maker there is. Teenagers who take these classes average half as many accidents and tickets as those who don't.

That's why new car dealers encourage driver training . . . and save taxpayer dollars . . . by loaning more than 34,000 new cars each year to our schools for driver instruction.

If your school doesn't offer a course in driver education, send your teenager to a good, private driving school. Or teach him yourself to the best of your ability. And, of course, appeal to your school board to establish driver training.

Remember: Your child can't drive until you say so. So, please say *no* until he knows how.

Your neighborhood new car dealer hopes this message will help your teenager. The National Automobile Dealers Association commends the *Saturday Evening Post* for its cooperation.

NATIONAL AUTOMOBILE
DEALERS ASSOCIATION,
Official Organization of America's Franchised New-Car and Truck Dealers.

THE NIGHT DRIVER

Children aren't alone in worrying about things that go "bump" in the night. Ask anyone who's ever driven a car on strange streets or unfamiliar roads after the sun has gone home at a sensible hour. Even your home neighborhood can offer hazards just because the streets *are* familiar.

When vision decreases at night (and 90% of your driving decisions are based on sight), you need skills that can take over. Some are merely road courtesy. Others are simple tricks and trumps that, hopefully, prevent bumps. The following are recommended by the safety experts of the National Automobile Dealers Association.

What, for example, is a reasonable speed limit? It's not always the one posted. Since it takes longer to see signs, obstacles and cars at night, you need more time to see—and react. A slower speed, even on your own comfortable street, gives you precious seconds of extra sight. Leave a few minutes earlier, to allow time.

Equally important is giving other drivers time to see *you*. Dawn and dusk are especially chancy. Subdued lighting often blurs the edges and fools the senses (ask any women who's ever been complimented by candlelight!). The new car dealers who make up N.A.D.A. advise turning on headlights when it's dawn, twilight, or cloudy—even when *you* don't need lights to see the road. Your headlights will signal oncoming drivers at an hour when their own vision is hazy.

Of course, all signal devices are vital at night. Left or right turn? Lane change? Give clear warning—well in advance. Pump your brake pedal when you slow down suddenly—your flashing stoplights are a good alert.

Maybe the other driver is able to stop on a dime, but why short-change him?

If you're dazzled by oncoming headlights, you can help yourself by looking slightly to the right. Watch the edge of the road or the painted line. And *do* dim your brights before an approaching car (even if it doesn't return the courtesy). With only one pair of headlights' dimmed, you've still cut glare by half.

Be prepared, should your car break down. Carry flares. Keep them in a place that's easily reached: under your seat, in the glove compartment or the trunk. First, try to pull completely off to the right of the road. Turn on all interior and exterior lights, and raise the engine hood to alert approaching drivers. Set at least three flares behind your car, placed where they can guide traffic around you. (Never light flares inside the car, or place them near dry brush or anything flammable.) When help comes, put out the flares completely.

And a final tip to the woman driver: should you be approached or followed, just remember that night crawlers are scared off by publicity. Lock your doors, roll up your windows, and *honk!* like mad. It works!

A series in the interest of safe driving . . . respectfully yours

NATIONAL AUTOMOBILE
DEALERS ASSOCIATION,
Official Organization of America's Franchised New-Car and Truck Dealers.

MIDDLE EAST PEACE

Mr. PERCY. Mr. President, yesterday, in his address to the United Nations General Assembly, Israeli Foreign Minister Abba Eban enunciated a policy on Middle East problems which was tantamount to taking the first step toward Middle East peace. The openness, reasonableness, and flexibility of the Israeli position requires a constructive response from the Arab States if they share Israel's desire for peace. I pray that Arab leadership will seize this opportunity to move toward a peaceful settlement of the Mideast problem.

RECORD OF PRESS CONFERENCE STATEMENTS BY REPUBLICAN LEADERSHIP OF CONGRESS

Mr. DIRKSEN. Mr. President, it has been customary throughout each legislative year for the Republican leadership of the Congress to meet in conference and thereafter to hold a press conference in order to present some written statements which we carefully document and keep together so that they can be offered at the end of a legislative period, printed in the CONGRESSIONAL RECORD, and then printed as a document.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a compendium of all these statements for the legislative year 1968, and that they be printed as a document.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

A RECORD OF PRESS CONFERENCE STATEMENTS MADE BY SENATOR EVERETT MCKINLEY DIRKSEN AND REPRESENTATIVE GERALD R. FORD FOR THE REPUBLICAN LEADERSHIP OF THE CONGRESS

(Presented by Mr. DIRKSEN)

THE REPUBLICAN LEADERSHIP OF THE CONGRESS

For the Senate:

Everett McKinley Dirksen, Leader.

Thomas H. Kuchel, Whip.

Bourke B. Hickenlooper, Chairman of the Policy Committee.

Margaret Chase Smith, Chairman of the Conference.

George Murphy, Chairman of the Republican Senatorial Committee.

Milton R. Young, Secretary of the Conference.

Hugh Scott, Vice Chairman, Republican Senatorial Committee.

For the House of Representatives:

Gerald R. Ford, Leader.

Leslie C. Arends, Whip.

Melvin R. Laird, Chairman of the Conference.

John J. Rhodes, Chairman of the Policy Committee.

H. Allen Smith, Ranking Member, Rules Committee.

Bob Wilson, Chairman, Republican Congressional Committee.

Charles E. Goodell, Chairman, Committee on Planning and Research.

Richard H. Poff, Secretary of the Conference.

William C. Cramer, Vice Chairman of the Conference.

Presiding Officer: Ray C. Bliss, Republican National Chairman.

FOREWORD

The Republican Leadership of the Congress—its membership listed on the preceding page—meets regularly throughout each Congressional session and periodically issues statements of position and opinion on matters of interest and concern to the public and the Party.

In addition, the Leadership meets quarterly with the Republican Coordinating Committee, the organization representative of national Party leadership and action which it created in 1965, to compose and publish "task force reports" of similar but more detailed nature.

The following pages contain the texts of the statements of the Republican Leadership of the Congress as presented in nationally reported press conferences during 1968 and printed here as a Senate document.

CONTENTS

Credibility (Feb. 29).
Defense (July 18).
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Federal Spending and Taxation (Feb. 21).
Foreign Policy (July 18).
Law and Order (June 13, Sept. 12).
The Middle East (May 3).
The Republican Party (Sept. 12).

CREDIBILITY

FEBRUARY 29, 1968.

Mr. FORD. For four long, costly years the American people have been plagued by growing, gnawing doubts;

Doubt that the Johnson-Humphrey Administration understands the nature and the enormity of our multiple domestic problems;

Doubt that this Administration comprehends the scope and viciousness of individual and organized crime in the United States;

Doubt that this Administration is at all aware of the housewife's dreadful dilemma as living costs continue to rise every day;

Doubt that this Administration is doing anything whatever—in practical, visible, meaningful ways—to solve the frightening problems of our cities;

Doubt that this Administration is qualified to control rioting and strife in our streets;

Doubt that this Administration appreciates the impossible economic position into which it has forced the American farmer;

Doubt that this Administration knows the meaning and menace of the mounting Federal deficit and overwhelming national debt;

Doubt that this Administration has any awareness whatever of the degree to which the dollar has been weakened, both at home and abroad;

Doubt that this Administration understands the meaning of the word "inflation" and how it has been brought about by its own wasteful, needless spending on every front;

Doubt that this Administration realizes that we cannot *spend* our way *out* of poverty or *into* prosperity;

Doubt that this Administration sees the effect of its suffocation of state and local leadership and personal self-reliance;

Doubt that this Administration cares at all about clean elections, the only means available for insuring good and responsible government;

Doubt that this Administration knows the vital need for telling our people the truth, the whole truth, and nothing but the truth;

Doubt that the Johnson-Humphrey Administration realizes the rapid rate at which we are hurtling into fearful danger at home and abroad.

Therefore, Mr. President, our Question-of-the-Week: "Today doubt—tomorrow disaster?"

FEBRUARY 29, 1968.

Mr. DIRKSEN. This growing, gnawing doubt that has so plagued our people for so long extends to problems and perils far beyond our borders.

Doubt that the Johnson-Humphrey Administration realizes the dangers we face in spreading our forces and our resources so widely, so thinly, around the world;

Doubt that this Administration has foreseen, or now sees, the extent of the disintegration of NATO;

Doubt that this Administration appreciates the degree of disaffection on the part of our one-time friends and allies;

Doubt that this Administration knows how to prevent local conflicts from escalating into World War III;

Doubt that this Administration is qualified to solve predictable international crises without war;

Doubt that this Administration understands that the only thing the world respects is moral and military strength;

Doubt that this Administration's insistence upon ever greater foreign aid is wise or practical;

Doubt that this Administration is capable of administering properly the billions we have poured into the Alliance for Progress;

Doubt that this Administration is equipped to prevent the rapid drain of our gold to nations abroad;

Doubt that this Administration is qualified to defend the dollar against the mounting attacks upon it;

Doubt that this Administration's passion for "building bridges" with Red nations bent upon our destruction makes any sense at all;

Doubt that this Administration has any even remote understanding of the extent and degree to which our position and prestige throughout the world have been weakened and demeaned;

Doubt that the Johnson-Humphrey Administration, bankrupt in foreign policy and bogged down in foreign war, can prevent future crises anywhere, or, most importantly, end the conflict in Viet Nam.

Therefore, Mr. President, our Question-of-the Week: "Today doubt—tomorrow disaster?"

DEFENSE

JULY 18, 1968.

Representative FORD. The defense of the nation is the first duty of any Administration. In this, the Johnson-Humphrey Administration is failing the American people. Its short-sighted and wishful defense policies, unless promptly reversed, may expose our country to grave danger in the decade ahead.

Gen. Wheeler, Chairman of the Joint Chiefs of Staff, has said that "The growth of Soviet nuclear power and the trend of certain defense policies combine to make me anxious about the nation's future capacity for survival."

Demand meaningful certification of teachers and highest curriculum requirements in your state driver education program.

Encourage all eligible students to enroll in driver education courses.

Support the upgrading of adult, remedial, and other driver education programs.

[From the Insurance Institute for Highway Safety, Washington, D.C.]

What You Can Do in Motor Vehicle Inspection

Periodic motor vehicle inspection is an accepted means of helping to reduce traffic accidents. It can play an important role in a state's total traffic safety program.

Under provisions of the Highway Safety Act of 1966, the National Highway Safety Bureau has issued minimum standards for traffic safety programs in the states, including standards for the regulation of periodic motor vehicle inspection.

The automobile insurance business, through the Insurance Institute for Highway Safety, has pledged its continued support for periodic inspection of motor vehicles.

Here are things that *you* can do, as a citizen and as a driver.

If the laws of your state *do not* require periodic motor vehicle inspection—

Express your support of this concept in safety to your state and local officials, and to your lawmakers.

Participate actively in voluntary inspection programs.

Equip your vehicle with such safety features as windshield washers, backup-lights, and seat belts. Keep doors locked and seat belts fastened while the vehicle is in motion.

If the laws of your state *do* require periodic motor vehicle inspection—

Do not permit shoddy inspection practices.

Report violations of inspection procedures to authorities.

Rely on sound driving practices, as well as a mechanically safe vehicle, to help prevent traffic accidents.

[From the Insurance Institute for Highway Safety, Washington, D.C.]

What You Can Do in Emergency Medical Services

The Highway Safety Act of 1966 has sparked incentives in areas of the traffic safety that have previously been largely overlooked.

Through minimum performance standards issued under the Act, Emergency Medical Services for traffic victims will be given increased attention.

As federal, state and local governments strive to implement these improved standards for emergency medical services, here are things you can do:

You can as a citizen—

Recognize that anyone is a potential accident victim; that your life, at some time, might depend on successful emergency medical services.

Support the teaching of first-aid techniques; learn them yourself.

Assist in an inventory of emergency medical services in your state and community.

Give active support to administrators, doctors, other professional people responsible for improved emergency services.

You can as a driver—

Acquaint yourself with emergency medical services and procedures; be prepared to help put them into effect if the occasion arises.

Cooperate at all times with those having immediate responsibility for implementation of emergency medical services at accident scenes.

Alert authorities to accidents or other situations requiring emergency medical services when you are first to learn of the need.

"They Dared Me To Try It, Dad—I Didn't See the Other Car"

There's nothing tougher for some teenagers to turn down than a dare.

I dare you to cut history. I dare you to eat seven banana splits. Go on, I dare you to run that red light.

That's the problem. Too many dares happen in a car full of kids. And too many kids die on a dare. (Last year, 7,700 teenagers were killed in automobile accidents.)

The driver of the kids-full car is king. It's his . . . his road . . . his moment to perform, surprise, impress, frighten and look big.

But, you're at work . . . or at home. How can you know if he's showing off, dragging, speeding, taking curves at sixty?

Check his tires. If they're wearing out too fast, chances are he's driving too fast—or even dragging. If his brakes are going fast, he's going fast, too. And making too many emergency stops. If he's getting traffic tickets, that's the clincher.

Once you know, what do you do? Take his license away for a while. Then dare him to drive right. And make it a dare he can't turn down.

Your teenager's driving can be one of the biggest problems you'll ever face. Your new car dealer hopes this series will help you to help him. The National Automobile Dealers Association commends the *Saturday Evening Post* for its cooperation in this campaign.

National Automobile
Dealers Association,
Official Organization of America's Franchised New-Car and Truck Dealers.

"Aw Come On, Dad—Are You Gonna Give Me a Driver's Test, Too?"

This young man has had all the driver education he can get—in the classroom and on the road. He knows he's a good driver. He knows he's ready for his driver's license—and the family car.

But, do his parents know?

When it's time for your teenager to drive, it's your place to be sure he's ready. Driver education is essential for every teenager. And it's great. But, when the chips are down, *your* teenager is your responsibility—not the school's.

So *you* be sure. Be sure he's learned his lesson well. Put him through every kind of driving situation. Drive together in the country, in bumper-to-bumper traffic . . . and try the tight situations, like parking on a hill. That way you'll know when he's ready to solo.

He may complain now. But someday he'll respect you . . . for doing your best to keep him alive.

Your new-car dealer hopes this message will help your teenager. The National Automobile Dealers Association commends the *Saturday Evening Post* for its cooperation.

National Automobile
Dealers Association,
Official Organization of America's Franchised New-Car and Truck Dealers.

"Oh Dad, No. Nobody Goes on a Date in a Bus"

She's horrified. Her father won't let her ride in the boy's car. And it's their first date!

Dad checked the car carefully. The tires were shot. One light was broken. The car, in fact, was on its last wheels. And no daughter of his was going to ride in a wreck like that!

Even if the boy broke the date.

Sound old fashioned? Maybe. But it's still sound. 7,700 teenagers died in traffic accidents last year. He doesn't want his daughter to be a statistic this year.

Smart parents would rather spoil a good time than risk their teenagers' lives in unsafe cars.

It's a lot better to break a date than a neck.

Your new-car dealer hopes this message will help your teenager. The National Automobile Dealers Association commends the *Saturday Evening Post* for its cooperation in this campaign.

National Automobile
Dealers Association,
Official Organization of America's Franchised New-Car and Truck Dealers.

You Didn't Let Him Cross the Street Until He Knew How—Please Don't Let Him Drive Until He Knows How

Then it was a case of watch-out-for-cars.

Now it's a case of watch-the-road, watch-the-other-driver, watch-the-signs and watch-your-own-driving . . . *every single second.*

Aside from parents, high school driver training is the best watch maker there is. Teenagers who take these classes average half as many accidents and tickets as those who don't.

That's why new car dealers encourage driver training . . . and save taxpayer dollars . . . by loaning more than 34,000 new cars each year to our schools for driver instruction.

If your school doesn't offer a course in driver education, send your teenager to a good, private driving school. Or teach him yourself to the best of your ability. And, of course, appeal to your school board to establish driver training.

Remember: Your child can't drive until you say so. So, please say *no* until he knows how.

Your neighborhood new car dealer hopes this message will help your teenager. The National Automobile Dealers Association commends the *Saturday Evening Post* for its cooperation.

National Automobile
Dealers Association,
Official Organization of America's Franchised New-Car and Truck Dealers.

The Night Driver

Children aren't alone in worrying about things that go "bump" in the night. Ask anyone who's ever driven a car on strange streets or unfamiliar roads after the sun has gone home at a sensible hour. Even your home neighborhood can offer hazards just because the streets *are* familiar.

When vision decreases at night (and 90% of your driving decisions are based on sight), you need skills that can take over. Some are merely road courtesy. Others are simple tricks and trumps that, hopefully, prevent bumps. The following are recommended by the safety experts of the National Automobile Dealers Association.

What, for example, is a reasonable speed limit? It's not always the one posted. Since it takes longer to see signs, obstacles and cars at night, you need more time to see—and react. A slower speed, even on your own comfortable street, gives you precious seconds of extra sight. Leave a few minutes earlier, to allow time.

Equally important is giving other drivers time to see *you*. Dawn and dusk are especially chancy. Subdued lighting often blurs the edges and fools the senses (ask any women who's ever been complimented by candlelight!). The new car dealers who make up N.A.D.A. advise turning on headlights when it's dawn, twilight, or cloudy—even when *you* don't need lights to see the road. Your headlights will signal oncoming drivers at an hour when their own vision is hazy.

Of course, all signal devices are vital at night. Left or right turn? Lane change? Give clear warning—well in advance. Pump your brake pedal when you slow down suddenly—your flashing stoplights are a good alert.

Maybe the other driver is able to stop on a dime, but why short-change him?

If you're dazzled by oncoming headlights, you can help yourself by looking slightly to the right. Watch the edge of the road or the painted line. And *do* dim your brights before an approaching car (even if it doesn't return the courtesy). With only one pair of headlights' dimmed, you've still cut glare by half.

Be prepared, should your car break down. Carry flares. Keep them in a place that's easily reached: under your seat, in the glove compartment or the trunk. First, try to pull completely off to the right of the road. Turn on all interior and exterior lights, and raise the engine hood to alert approaching drivers. Set at least three flares behind your car, placed where they can guide traffic around you. (**Never light flares inside the car**, or place them near dry brush or anything flammable.) When help comes, put out the flares completely.

And a final tip to the woman driver: should you be approached or followed, just remember that night crawlers are scared off by publicity. Lock your doors, roll up your windows, and *honk!* like mad. It works!

A series in the interest of safe driving . . . respectfully yours

NATIONAL AUTOMOBILE DEALERS ASSOCIATION,
Official Organization of America's Franchised New-Car and Truck Dealers.

MIDDLE EAST PEACE

Mr. **PERCY**. Mr. President, yesterday, in his address to the United Nations General Assembly, Israeli Foreign Minister Abba Eban enunciated a policy on Middle East problems which was tantamount to taking the first step toward Middle East peace. The openness, reasonableness, and flexibility of the Israeli position requires a constructive response from the Arab States if they share Israel's desire for peace. I pray that Arab leadership will seize this opportunity to move toward a peaceful settlement of the Mideast problem.

RECORD OF PRESS CONFERENCE STATEMENTS BY REPUBLICAN LEADERSHIP OF CONGRESS

Mr. **DIRKSEN**. Mr. President, it has been customary throughout each legislative year for the Republican leadership of the Congress to meet in conference and thereafter to hold a press conference in order to present some written statements which we carefully document and keep together so that they can be offered at the end of a legislative period, printed in the CONGRESSIONAL RECORD, and then printed as a document.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a compendium of all these statements for the legislative year 1968, and that they be printed as a document.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

A RECORD OF PRESS CONFERENCE STATEMENTS MADE BY SENATOR EVERETT MCKINLEY DIRKSEN AND REPRESENTATIVE GERALD R. FORD FOR THE REPUBLICAN LEADERSHIP OF THE CONGRESS

(Presented by Mr. DIRKSEN)

THE REPUBLICAN LEADERSHIP OF THE CONGRESS

For the Senate:

Everett McKinley Dirksen, Leader.

Thomas H. Kuchel, Whip.

Bourke B. Hickenlooper, Chairman of the Policy Committee.

Margaret Chase Smith, Chairman of the Conference.

George Murphy, Chairman of the Republican Senatorial Committee.

Milton R. Young, Secretary of the Conference.

Hugh Scott, Vice Chairman, Republican Senatorial Committee.

For the House of Representatives:

Gerald R. Ford, Leader.

Leslie C. Arends, Whip.

Melvin R. Laird, Chairman of the Conference.

John J. Rhodes, Chairman of the Policy Committee.

H. Allen Smith, Ranking Member, Rules Committee.

Bob Wilson, Chairman, Republican Congressional Committee.

Charles E. Goodell, Chairman, Committee on Planning and Research.

Richard H. Poff, Secretary of the Conference.

William C. Cramer, Vice Chairman of the Conference.

Presiding Officer: Ray C. Bliss, Republican National Chairman.

FOREWORD

The Republican Leadership of the Congress—its membership listed on the preceding page—meets regularly throughout each Congressional session and periodically issues statements of position and opinion on matters of interest and concern to the public and the Party.

In addition, the Leadership meets quarterly with the Republican Coordinating Committee, the organization representative of national Party leadership and action which it created in 1965, to compose and publish "task force reports" of similar but more detailed nature.

The following pages contain the texts of the statements of the Republican Leadership of the Congress as presented in nationally reported press conferences during 1968 and printed here as a Senate document.

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Credibility (Feb. 29).
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Foreign Policy (July 18).
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The Middle East (May 3).
The Republican Party (Sept. 12).

CREDIBILITY

FEBRUARY 29, 1968.

Mr. FORD. For four long, costly years the American people have been plagued by growing, gnawing doubts;

Doubt that the Johnson-Humphrey Administration understands the nature and the enormity of our multiple domestic problems;

Doubt that this Administration comprehends the scope and viciousness of individual and organized crime in the United States;

Doubt that this Administration is at all aware of the housewife's dreadful dilemma as living costs continue to rise every day;

Doubt that this Administration is doing anything whatever—in practical, visible, meaningful ways—to solve the frightening problems of our cities;

Doubt that this Administration is qualified to control rioting and strife in our streets;

Doubt that this Administration appreciates the impossible economic position into which it has forced the American farmer;

Doubt that this Administration knows the meaning and menace of the mounting Federal deficit and overwhelming national debt;

Doubt that this Administration has any awareness whatever of the degree to which the dollar has been weakened, both at home and abroad;

Doubt that this Administration understands the meaning of the word "inflation" and how it has been brought about by its own wasteful, needless spending on every front;

Doubt that this Administration realizes that we cannot *spend* our way *out* of poverty or *into* prosperity;

Doubt that this Administration sees the effect of its suffocation of state and local leadership and personal self-reliance;

Doubt that this Administration cares at all about clean elections, the only means available for insuring good and responsible government;

Doubt that this Administration knows the vital need for telling our people the truth, the whole truth, and nothing but the truth;

Doubt that the Johnson-Humphrey Administration realizes the rapid rate at which we are hurtling into fearful danger at home and abroad.

Therefore, Mr. President, our Question-of-the-Week: "Today doubt—tomorrow disaster?"

FEBRUARY 29, 1968.

Mr. DIRKSEN. This growing, gnawing doubt that has so plagued our people for so long extends to problems and perils far beyond our borders.

Doubt that the Johnson-Humphrey Administration realizes the dangers we face in spreading our forces and our resources so widely, so thinly, around the world;

Doubt that this Administration has foreseen, or now sees, the extent of the disintegration of NATO;

Doubt that this Administration appreciates the degree of disaffection on the part of our one-time friends and allies;

Doubt that this Administration knows how to prevent local conflicts from escalating into World War III;

Doubt that this Administration is qualified to solve predictable international crises without war;

Doubt that this Administration understands that the only thing the world respects is moral and military strength;

Doubt that this Administration's insistence upon ever greater foreign aid is wise or practical;

Doubt that this Administration is capable of administering properly the billions we have poured into the Alliance for Progress;

Doubt that this Administration is equipped to prevent the rapid drain of our gold to nations abroad;

Doubt that this Administration is qualified to defend the dollar against the mounting attacks upon it;

Doubt that this Administration's passion for "building bridges" with Red nations bent upon our destruction makes any sense at all;

Doubt that this Administration has any even remote understanding of the extent and degree to which our position and prestige throughout the world have been weakened and demeaned;

Doubt that the Johnson-Humphrey Administration, bankrupt in foreign policy and bogged down in foreign war, can prevent future crises anywhere, or, most importantly, end the conflict in Viet Nam.

Therefore, Mr. President, our Question-of-the Week: "Today doubt—tomorrow disaster?"

DEFENSE

JULY 18, 1968.

Representative FORD. The defense of the nation is the first duty of any Administration. In this, the Johnson-Humphrey Administration is failing the American people. Its short-sighted and wishful defense policies, unless promptly reversed, may expose our country to grave danger in the decade ahead.

Gen. Wheeler, Chairman of the Joint Chiefs of Staff, has said that "The growth of Soviet nuclear power and the trend of certain defense policies combine to make me anxious about the nation's future capacity for survival."

When Admiral Rickover, father of our nuclear submarine fleet, was asked by members of the Senate Armed Services Committee whether he would today more confidently command the American or the Soviet submarine force he answered instantly: "The Soviet submarine force."

Many professional military leaders believe our nation will eventually be imperilled by recent and present defense policies. In this era of increasingly sophisticated and complex technology, the lead time of most weapons systems exceeds the Constitutional limit on Presidential tenure. Thus, ironically, the far-sighted defense decisions of the Eisenhower Administration provide our margin of safety today. But where will we stand in the 1970's if we continue the Johnson-Humphrey Administration policies?

President Eisenhower sought peace through a defense posture second to none, the traditional American concept. He was able to bring peace to Korea and his successor was able to avert war in the Cuban missile crisis because the United States still had clear strategic superiority. But the Johnson-Humphrey Administration over the past five years has:

1. Curtailed expansion of our long-range strategic missile force;

2. Watched in bewilderment as the Russians have doubled the number of their intercontinental ballistic missiles in one year;

3. Ended big bomber production, reduced our existing force, refused to approve an advanced, manned strategic bomber, and wasted time and resources on development of the TFX aircraft, that, as experts predicted, proved totally unsuitable for Navy use.

4. Delayed the improvement for our nuclear Navy, permitted the Soviet Union rapidly to close the gap in nuclear-powered submarines and allowed the Russians to establish and expand their fleets in the Mediterranean and the Indian Ocean.

5. Half-heartedly, under heavy pressure from Republicans and concerned Democrats in the Congress, agreed to the deployment of a thin antiballistic missile defense for the protection of our people.

6. Weakened our ability to respond to emergency situations such as the seizure of the USS Pueblo by concentrating attention on Vietnam and spreading other available forces, at high risk, too thinly around the world. (This is the 178th day since the Pueblo's seizure.)

7. Allowed the American merchant marine to shrink into virtual insignificance and avoided adoption of a comprehensive maritime strategy and program at the very time the Soviets are stepping up theirs.

8. Diluted and dissipated the successful and prudent posture of seeking peace through strength, which had been bipartisan American policy since World War II, to the point where Soviet spokesmen are openly claiming strategic parity as the price of peace.

It is highly significant that Soviet Communist Party chief Brezhnev recently assailed the Republican Coordinating Committee's endorsement of the doctrine of strategic superiority for the United States. Brezhnev said the Soviet Union would "remain vigilant, increase its military preparedness and 'keep our powder dry'."

The next U.S. Administration must be equally diligent to keep America's powder dry, to ensure our long-range survival through adequate defense planning. The Johnson-Humphrey defense policies have demonstrably failed to face up to the realities of peace and security in a perilous world. They have left us with a genuine and growing *capability gap* that *must* be closed quickly.

THE FARM PROBLEM

March 14, 1968.

Mr. Dirksen. Just a year ago this month, we emphasized that the American farmer has again become "the victim of the Johnson-Humphrey Administration's double-edged sword: a new record-high in farm operating costs—a near-record low in farm prices—and, we repeat, with no real benefit received by the American consumer." That statement is even more harshly accurate than it was in March of 1967. The American farmer and his family are being crushed between the hammer and anvil of soaring costs and plummeting prices. They can look for no help whatever from this Administration.

No wonder farmers are leaving the farms. Since 1960, some four million farmers have left their farms.

By this date a year ago, Republicans in both House and Senate had introduced more than 50 bills designed first to check and then to remedy the damage being done the farmer and the consumer by the Johnson-Humphrey cost-price squeeze and by its open door policy for agricultural imports. Not one of those Republican recommendations has been given even passing consideration. We can only conclude that they have been stamped at the White House "N.I.H."—not invented here—and promptly thrown into the circular file.

But the damage to America's biggest business—agriculture—continues to mount and the distress of America's farm families becomes more acute every day. In alarmed reaction to it, the Administration has recommended to the Congress a 7-point plan to "bring new prosperity to rural America," no single feature of which is new and no one of which offers any real help or hope to our nation's embattled farmers. For they are indeed embattled in an economic struggle they cannot hope to win without bold, imaginative, common sense leadership—the kind they have yet to see in the Johnson-Humphrey Administration.

Therefore, Mr. President, our Question-of-the-Week.

Are you Really trying to help America's farmers?

March 14, 1968.

Mr. Ford. The war in Viet Nam—the soaring cost of living—reckless, wasteful Federal Government spending—Federal fiscal and monetary policies that are blind or willful or both—rocketing interest rates—and the credibility of this Administration on these and every other issue—these are the terrifying problems that face every American family and none with greater menace than to the family on the farm.

The impact of inflation and of ever higher interest rates can be pin-pointed at once as the principal causes of the sky-high operating costs our farmers face today, as they have for four long years. For instance, in 1967 the net real income for each American farm dropped $605 below the average for 1966. At the same time, the average net indebtedness of the American farmer increased by $1,337 per farm. So, on the average, American farmers fell behind by almost $2,000 last year.

Furthermore, the inept production and marketing policies of the Johnson-Humphrey Administration must take chief blame for the near-rock-bottom prices the farmer receives. Only as these policies are changed and these policy-makers replaced can the American farm regain its rightful, profitable place in the economy.

The corrective and constructive proposals made over many months by the Republicans in Congress have, as Senator Dirksen notes, been wholly ignored. They can no longer be! Not in partisan, political interest but in that of the most productive and essential industry we have—America's agriculture. Nothing yet proposed, or imposed, by this Administration has helped in the least. To the contrary, many of the policies of the Administration have been decidedly harmful. There *must* be a better way! Believe me, there *is!*

Therefore, Mr. President, our Question-of-the-Week:

Are you really trying to help America's farmers?

FEDERAL SPENDING AND TAXATION

February 21, 1968.

Mr. Ford. Let there be no mistake about it! The House of Representatives will not—I repeat, not—consider the tax surcharge proposal that has been made by the Johnson-Humphrey Administration without an equal, or greater, immediate reduction in non-essential Federal expenditures.

The overwhelming deficit with which we are faced, *certain to be far larger than the $8 billion estimated by the Administration*, makes a sharp and prompt and massive reduction in these non-essential expenditures imperative. The American people will not stand for anything less!

In addition to the proposed tax surcharge, the Administration has now presented its proposed tax on travel. On this, Senator Dirksen will comment. I share his views completely.

The Johnson-Humphrey Administration's philosophy, practices and policies seem to have a single theme—tax and tax, spend and spend. We think there is a far better solution to these now overwhelming economic problems which have plagued us for so many months.

The President himself repeatedly places emphasis, with great pride, on the *spending* record of his Administration. He claimed, most recently, that in 1960 the Administration spent $3 billion for Government training programs, that in 1964 this rose to $4 billion, that this year it will be $12 billion.

In 1960, he boasts, Federal programs for the poor totaled only $9 billion, whereas in 1964, his first year as President, it rose to $12 billion and now totals $28 billion.

In 1960 he points out that Federal spending for health, education and welfare totaled $19 billion, then in 1964 rose to $23 billion and this year will reach $47 billion.

If these massive expenditures had produced—or were now producing—real results for our people no one would question them. But, the fact is, they have not and there is no indication whatever that they will.

In each of these areas Republicans have proposed alternatives—with private enterprise directing them—that would produce far better results for far less money.

Tax and tax, spend and spend—with no apparent interest in competent management of these programs, many of which have proved disastrous. Tax and tax, spend and spend—with no evident concern about the enormous squandering of the people's dollars which every day, more and more, are strewn along this Administration's reckless course.

Therefore, Mr. President, our Question-of-the-Week: "Tax and tax? Spend and Spend?"

February 21, 1968.

Mr. Dirksen. Let there be no mistake about it! The Senate and, I suspect, the House, will *not* approve the travel tax proposal as presented by this Administration.

That proposal, conceived in error and haste, contains so many weaknesses and loopholes as to be both unacceptable and unworkable.

The road to utter confusion, like that to a better known place, is often paved with good intentions. This appears painfully true of this proposal.

In the first place, the alleged statistics on travel and travel expenditures, on which the proposal is based, can be and have been, seriously questioned. The President's own Industry-Government Special Task Force on Travel report reveals, in the opinion of expert observers, a shocking degree of error as to what those expenditures really are. Indeed, it concludes that, in several important categories, the actual travel balance results *favorably* for the United States.

Second, this travel tax is quite unlikely to achieve the purposes intended. The well-to-do will not be affected nor will students quietly subsidized by their parents.

Those seriously affected by this proposal are—as always—the middle-income taxpayers, to whom this travel tax would represent a minimum of 15% increase in the cost of travel, a mountain of paper work and a severe restriction on personal freedom.

Third, it is very doubtful that this travel taxation will reduce our balance of payments deficit in any significant way. If the Administration *really* wants to save millions, if not billions, of dollars now flowing overseas so liberally it can (1) reduce selectively our heavy troop-and-dependent commitments in areas where not needed (2) cancel all unnecessary Government travel, (3) practice old-fashioned American thrift at home by cutting back by hundreds of millions of dollars the many non-essential Federal expenditures that so plague and weaken us.

Finally, our present and rather pallid program for attracting *foreign* tourists funds *into* this country could well be given a vigorous and imaginative shot in the arm.

Taxing good and honest Americans in yet another painful and pointless way, while restricting their freedom of movement at the very same time, is not—I repeat, not—the way to bring our overseas deficit into proper balance.

Therefore, Mr. President, our Question-of-the-Week: "Tax and Tax? Spend and Spend?"

FOREIGN POLICY

JULY 18, 1968.

Senator **DIRKSEN**. The defense of the nation is not alone a matter of military force. It depends also upon foreign policies realistic in concept and unflinching in spirit.

All around the globe we see our foreign policies in disarray.

In Western Europe there is growing distrust of the United States and dismay as to the future. NATO, freedom's shield on that continent, has been allowed virtually to disintegrate. In the Middle East indecision alienates our friends and heartens our enemies, and Russian diplomatic and military—especially naval—power has moved into the vacuum the Administration has permitted there.

In Latin America, the Administration's fumbling with the alleged "Alliance for Progress" proves it to be neither an alliance of promise nor one capable of progress in present hands.

The dangerously disturbed state of affairs almost everywhere alarms us with good reason, for we fail to see in this Administration's policies, practices and philosophy any hope of solution for it.

By way of vivid example, we have hoped for months for Administration support of the atomic desalinization plan placed before it long ago by Americans of unquestioned eminence and ability and enthusiastically endorsed by thousands of citizens around the world.

The Middle East is again a powder-keg immensely dangerous to world peace. Even so, the Administration continues to maintain that this extraordinary atomic project-for-peace, which promises to replace ancient hatreds with hope in the Eastern Mediterranean, is "not politically feasible".

This we cannot accept. The proposal is a thoughtful, practical initiative for peace without parallel in recent years. It might well restore stability in that tormented region. We strongly urge the adoption of that Eisenhower-Strauss proposal at the earliest possible moment.

The improved military capability of Arab nations with French and Soviet planes and weapons has created a power imbalance in the Middle East which is dangerous to peace. It can be corrected only if this nation will make available suitable and necessary weapons and F-4 Phantom jet planes to the Republic of Israel.

The defense of this nation is tied as surely to statesmanlike economic proposals as it is to military hardware. We serve neither America nor mankind with sanity by ignoring them.

We repeat that the defense of our nation is the first duty of this Administration. It is clear and alarming that this primary responsibility is not being met.

LAW AND ORDER

JUNE 13, 1968.

Senator **DIRKSEN**. In 1976, it will be 200 years that this good land became a new nation. It began with but three million people. Today it exceeds 200 million. The basic law under which it was launched as a Republic not only created a structure of government but also recited the purposes for which the Constitution was ordained. Among those purposes was the establishment of justice and the insurance of domestic tranquility.

Save for the long civil strife more than a century ago, the refinement and expansion of justice has gone forward and domestic tranquility has been preserved.

During most of those two centuries authority has been respected, the laws have been generally obeyed and enforced, human life has been protected and safeguarded, a feeling of security has prevailed, and the right of private property has been upheld. Ours has been a good history.

But, in our time, something has happened.

Authority is challenged. The burning of draft cards, the seizure of school administration offices, the riotous rupture of peace in the cities—all are challenges to authority.

The law has been flouted. Riots in cities large and small, the ghastly increase in serious crime, all these attest to disobedience to law and the inadequacy of enforcement.

The sanctity of human life is so callously disdained. A young President is shot down. A young Senator is shot down. A non-violent Christian crusader is shot down. Each year there are thousands of murders and homicides.

Private property rights are ignored by the robber, the looter and the arsonist.

Too much of the language of today is uncouth and un-American. "Burn baby, burn!" becomes a slogan. "Get guns!" becomes an arrogant war cry.

A brooding insecurity arouses the fears of the citizenry.

The flag is deliberately desecrated at home and abroad. There is doubt that we really are "One nation, under God, indivisible."

The nation has paid a terrible price in lives, in peace of mind, in haunting fear and insecurity, in property damage, in prestige and a tarnished image abroad.

Whatever the cause—be it in the homes, the schools, the courts, in public stewardship or some other field—both the problem and the remedy are reasonably clear.

What does it take?

The law must be obeyed and enforced. No disorderly society can long survive. "There is no grievance," said Abraham Lincoln, "that is a fit object of redress by mob law."

A sacred regard for human life must be restored. Fear seems to be the only universal passion. Even the hardened criminal fears swift, certain, speedy punishment. Mandatory sentences written in the law might help to stem the crime tide.

Respect for authority must be restored. Without it, we may find ourselves on the road to disaster.

The hateful language of destruction which comes so readily to the tongue should be discouraged at every turn.

The flag is the embodiment of the principles of this Republic. The very Republic suffers by its desecration.

Finally, the time has come to rethink our history. It should have emphasis in every school, church and forum in the land. The legacy which is ours came from those who were here before us. Into this land they built their skills and talents, their hopes and dreams, their tears and sacrifices. Today, we are the trustees of America. Upon us is a two-fold duty. The one is to those who came before us and gave us this land for our inheritance. The other is to those who shall come after us.

Perhaps three words can state the whole case: dedication, discipline, duty.

JUNE 13, 1968.

Representative **FORD**. One full week ago, meeting in the shadow of violence and tragedy, the House passed and sent to the President the Law Enforcement Assistance and Criminal Justice Act of 1968.

The House vote was 368 to 17.

The Senate vote was 72 to 4.

These overwhelming majorities reflected the massive demand of an aroused America that crime must be stopped. People must feel safe to walk in their own neighborhoods, sleep in their own homes, work in their own stores. The law must be upheld and lawbreakers must be punished.

But a week has passed and President Johnson has not signed this comprehensive crime bill into law. What is he waiting for?

Immediately, the President clouded this life-and-death legislation by attacking its gun control provisions, incidentally authored by Senate Democrats, and utterly ignoring the nine other urgently-needed sections of the omnibus bill, many of which bear a Republican stamp.

The major gun control provisions Congress already has approved still await the President's signature, along with other long-overdue, anti-crime provisions.

What is the President waiting for?

Instead of taking prompt and constructive action, he appointed another study commission. Even if he intends to veto the crime bill, he should do so without delay so we can re-enact it over his veto.

A whole week has been lost. Projecting the FBI Crime Index statistics over an average week, more than 70,000 major crimes occur in this country; some 246 murders, 530 rapes, 3400 robberies and over 5000 aggravated assaults have ticked off the crime clock since Congress did its duty a week ago today.

What is the President waiting for?

Besides the gun control sections, the Crime Bill on the President's desk contains these important provisions:

1. Block grants of Federal funds to assist State governments in the war on crime—sponsored by Sen. Dirksen in the Senate and Rep. Cahill in the House—urged by virtually all State Governors of both parties over the opposition of the President and the Attorney General.

2. Federal prohibition of all private electronic eavesdropping and wire-tapping, along with carefully defined permission for such surveillance by enforcement officers under court authorization and supervision. This was introduced in the House by Rep. McCulloch, Rep. Poff, and other minority members of the Judiciary Committee and the Republican Task Force on Crime. The President's own Crime Commission made these recommendations. He has opposed them. These are major weapons in the fight against organized crime, espionage and subversion.

3. Authorization for a National Institute of Law Enforcement and Criminal Justice, first proposed in the January 1967 Republican State of the Union message by Senator Dirksen and me, and incorporated in the bill by Rep. McClory.

4. Amendments authored by Sen. Scott, Sen. Allott and Rep. Railsback to modify and clarify recent Supreme Court decisions on the admissibility of confessions and other evidence.

5. Provisions for "community service officers" proposed by Sen. Percy and Rep. Goodell to improve relations between police and citizens. An overall application of Rep. Broyhill's amendment to recent appropriation bills concerning Federal civil servants who are convicted of crimes related to riots. Sen. Murphy's amendment requiring future Directors of the FBI to be confirmed by the Senate. An amendment by Sen Hruska to help States fight organized crime.

All these matters are awaiting final approval at the White House.

What is the President waiting for?

SEPTEMBER 12, 1968.

Representative FORD. The source: The annual Crime Report of the F.B.I. The period of time: 1960–67. The cold, harsh fact: crime in America, in that period, rose 89%!

Seldom has there been such a scathing indictment of American leadership. Rarely has there been so obvious a need for a change.

The F.B.I. reports that, during 1967 alone: violent crime was committed each minute; murder was committed every 43 minutes; forcible rape was committed every 19 minutes; aggravated assault was committed every 2 minutes; robbery was committed every 2½ minutes; burglary was committed every 20 seconds; larceny was committed every 30 seconds; auto theft was committed every 48 seconds.

Never in our history has our national leadership been so vulnerable to criticism—and replacement—as it is today in the face of such stark statistics.

Frightening as these facts are, we have reason to be equally concerned about another: the apparent collapse of our people's confidence in the orderly and just society our forefathers strove so hard and so long to build. That loss of confidence can be attributed only to America's lack of leadership at the highest level.

The Law Enforcement Code of Ethics published in the F.B.I. Report, in its opening paragraph, reads:

"As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice."

The Johnson-Humphrey Administration has failed to apply this philosophy of law enforcement and now seeks to cover its glaring deficiencies in a torrent of words and statistics. The incredible fact is that the Johnson-Humphrey Administration has ordered their Attorney General not to execute new laws enacted upon Republican initiative by the people's representatives in Congress, to wage effective war on the Mafia and other organized crime activities.

Clearly this nation needs new leadership, in the White House, in the House of Representatives, and certainly in the Department of Justice, to carry out the unequivocal pledge of the Republican Party Platform for protection of the public peace and safety and elimination of criminal activity and social injustice in every form.

Therefore, our Question-of-the-Week:

Mr. President, When Can We Expect Order With Justice Under Law?

THE MIDDLE EAST

MAY 3, 1968.

By the Republican Leadership:

Today marks the first day of the 21st year of independence of the State of Israel. We congratulate the men, women and children of Israel upon their extraordinary success to date.

Now the Middle East is becoming a tinderbox of fearful dimensions.

And the Johnson-Humphrey Administration still has no firm policy there.

It is a cold, harsh fact that *unless* a firm, clear, credible policy for the Middle East is soon declared and implemented, the Eastern Mediterranean potential for World War III will take frightening root.

And the Johnson-Humphrey Administration still has no firm policy there.

Nearly a year ago—and most recently this month—the Republican Party, represented by the unanimous vote of its Republican Coordinating Committee, made the following specific recommendations:

1. *The United States should assume active and imaginative leadership in the international community and in the United Nations to secure a political settlement in the Middle East based on the following principles:*

(a) *An end to the state of belligerency between the Arabs and Israel and recognition by all states in the area of Israel's right to live and prosper as an independent nation.*

(b) *As an essential part of a permanent settlement in the Middle East, the United States should insist on, and aid in, the rehabilitation and resettlement of the more than one million Palestine Arab refugees who have been displaced over the past 20 years.*

(c) *The United States should join with other nations in pressing for international supervision of the holy places within the City of Jerusalem.*

(d) *The United States should continue to strive for international guarantees of innocent passage through international waterways, including the Straits of Tiran and the Suez Canal.*

2. *The United States should propose a broad-scale development plan for all Middle Eastern States which agree to live peacefully with their neighbors.* This should include the bold imaginative Eisenhower-Strass Plan to bring water, work and food to the Middle East by construction of nuclear desalinization plants.

3. *The United States must fully recognize the implications of increasing Soviet activities in the Middle East and North Africa, and be alert, firm and resourceful in countering them.*

4. *The United States, in furtherance of peace in the Middle East, should strive with other nations for agreed limitations on international arms shipments to the area; but failing such an agreement the United States should be prepared to supply arms to friendly nations sufficient to maintain the balance of power and to serve as a deterrent to renewed open warfare.*

5. *Finally, the United States should make a determined effort to expose and isolate the militant troublemakers in the Middle East. We should support and encourage only non-aggressive non-Communist leaders.*

The Republican Leadership of the Congress now reaffirms and again endorses each of these recommendations in its entirety.

Let no American be unaware of the fact that Russia has moved into the Middle East and the Mediterranean with tremendous and increasing naval and diplomatic strength in the biggest Soviet power-grab since the end of World War II.

And the Johnson-Humphrey Administration still has no firm policy there.

Spearhead of the Russian Middle East policy is the modern and constantly growing Russian navy. Today, for the first time, the Kremlin has a fleet on permanent duty in the Mediterranean. It has missile cruisers, missile submarines, a helicopter carrier and amphibious landing forces with the most modern of equipment. These give the Kremlin the means of intervening in troubled countries entirely around the Mediterranean rim.

It is an ominous fact that Russia is dramatically gaining in strength at sea in the strategic, vital Mediterranean area.

And the Johnson-Humphrey Administration still has no firm policy there.

The American people, so sorely troubled here at home, can no longer tolerate such blindness to the danger of World War III present today in the Middle East. We urge—no, we demand—of the Johnson-Humphrey Administration that it move now—with courage, clarity and firmness—to assure the State of Israel and the American people that peace and progress in the Middle East can and will be won.

THE REPUBLICAN PARTY

SEPTEMBER 12, 1968.

SENATOR DIRKSEN

Senator DIRKSEN. The Republican Party, in its Platform of 1968, solemnly pledges to every American that "we shall think anew and act anew". And indeed we shall!

That platform, specifically, pledges us:

To dedicate our efforts toward restoration of peace both at home and abroad;

To bring about a national commitment to rebuild our urban and rural slum areas;

To enable family farm enterprise to participate fully in the nation's prosperity;

To bring about quality education for all;

To assure every individual an opportunity for satisfying and rewarding employment;

To attack the root causes of poverty and eradicate racism, hatred and violence;

To give all citizens the opportunity to influence and shape the events of our time;

To give increasing attention to the views of the young and recognize their key role in our present as well as the future;

To mobilize the resources, talents and energy of public and private sectors to reach these goals, utilizing the unique strength and initiative of state and local governments;

To re-establish fiscal responsibility and put an end to increases in the cost of living.

The Republican Leadership of the Congress reaffirms and endorses to the full each and all of these platform purposes and pledges.

We pledge our strong support of the Nixon-Agnew ticket as the new leadership this nation *must* have. With this new leadership we will face squarely and resolve successfully the grievous problems the American people face today.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

Mr. MANSFIELD and Mr. CURTIS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. MANSFIELD. Mr. President, I move that the unfinished business be laid before the Senate.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts.

Mr. MANSFIELD. Mr. President, if I may be heard——

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The question is not debatable.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. CURTIS. Is a motion that the Senate proceed to the consideration of Calendar No. 1100, Senate Resolution 13, to create a Veterans' Affairs Committee, in order as a substitute for the pending motion?

The PRESIDING OFFICER. The motion is not in order. Only one motion to consider business is in order at any one time. The question is not debatable.

The question is on agreeing to the motion of the Senator from Montana. [Putting the question.]

The motion was agreed to, and the Senate proceeded to consider the bill (H.R. 2767).

Mr. MANSFIELD. Mr. President, may I be heard?

The PRESIDING OFFICER. The Senator from Montana.

Mr. MANSFIELD. Mr. President, may I say to the distinguished Senator from Nebraska that, in reviewing the RECORD of yesterday's proceedings, I read what he said he would do today respecting Senate Resolution 13. I would like to make a statement on that matter so that the air will be cleared on the question of the action contemplated by the leadership on this matter.

For that purpose, Mr. President, I suggest the absence of a quorum and ask unanimous consent that I retain the floor when a quorum is obtained.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

Mr. MANSFIELD. Mr. President, this will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 326 Leg.]

Aiken
Allott
Baker
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Curtis
Dodd
Eastland
Ervin
Fannin
Fong
Hansen
Harris
Hart
Hartke
Hickenlooper
Hill
Holland
Jordan, N.C.
Jordan, Idaho
Lausche
Long, La.
Mansfield
McGee
Metcalf
Montoya
Moss
Mundt
Murphy
Pastore
Prouty
Randolph
Russell
Scott
Sparkman
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from South Carolina [Mr. HOLLINGS], the Senators from Washington [Mr. JACKSON and Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Minnesota [Mr. MONDALE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Virginia [Mr. SPONG], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from New York [Mr. GOODELL], the Senator from Michigan [Mr. GRIFFIN], the Senator from Illinois [Mr. PERCY], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Anderson
Carlson
Dirksen
Hatfield
Hayden
Hruska
Javits
Kennedy
Kuchel
McClellan
McIntyre
Miller
Pearson
Pell
Proxmire
Smathers
Stennis
Thurmond

The PRESIDING OFFICER. A quorum is present.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. Is it in order to suggest the absence of a quorum again, pending arrival of the Senator from Nebraska?

The PRESIDING OFFICER. The suggestion of an absence of a quorum at this time is subject to a point of order, until further business has been transacted.

Mr. RUSSELL. Mr. President, I move that the Senate do now adjourn.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia.

The motion was rejected.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time to be terminated within 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CREATION OF A VETERANS COMMITTEE

Mr. MANSFIELD. Mr. President, on May 13, 1968, Senate Resolution 13, a resolution to amend rule XXV of the Standing Rules of the Senate, was reported unanimously by the Senator from Nevada [Mr. CANNON] and others, for the Committee on Rules and Administration.

Since that time, the distinguished Senator from Nevada [Mr. CANNON], who has been spearheading a resolution of this nature for several years—a resolution that seeks to create a Committee on Veterans Affairs in the Senate—has urged the leadership consistently and at every opportunity to call the resolution up for action. By necessity, Senator CANNON could not be in the Chamber. I understand he is now en route to Nevada to assist in the funeral arrangements for his valued administrative assistant.

There have been reasons why this matter has not been brought to the floor of the Senate up to this time. The distinguished Senator from Nebraska [Mr. CURTIS] raised the issue late yesterday afternoon and he certainly deserves a response, as do all of the many Senators who support this measure.

Mr. President, as I mentioned, this morning I read in the CONGRESSIONAL RECORD of yesterday's Senate proceedings that the Senator from Nebraska [Mr. CURTIS] announced late in the afternoon that he had decided to call up for consideration Calendar No. 1100, Senate Resolution 13, establishing a separate Veterans' Committee in the Senate. The leadership—so far as I know—was not consulted on this matter.

May I say that the leadership of the Senate, indeed the entire Senate, is already on record in this Congress as favoring the establishment of a Senate Committee on Veterans Affairs. Such a proposal was included in the reorganization bill passed by the Senate early in the first session. I, along with the great majority of the Senate, favor this reorganization plan—a plan that was recommended by a joint committee of both Houses.

And while the Senate acted favorably, House approval is still required to enact this measure that so many Senators consider vitally important.

Reports from the other body—as recent as its proceedings through last night and early this morning, and perhaps even at this moment—indicate a vigorous last-ditch effort on the part of some Members of the House to reach the consideration of the congressional reform bill which contains this provision for a Senate Committee on Veterans' Affairs. If I read this morning's press reports correctly, it is the expressed aim of these House Members to bring this bill to a House vote before adjournment.

The leadership was surprised and a little concerned that an attempt would be made at this time to influence those proceedings—to gut from the reorganization bill one of its most compelling features—a separate Committee on Veterans' Affairs. Such action serves only to undercut all of the efforts for congressional reform during this Congress.

I realize full well that Senate Resolution 13 is cosponsored and supported by an overwhelming majority in this body. I favor its enactment. Let me remind the Senate, however, that the establishment of this committee by this resolution requires only Senate approval and does not need the concurrence of the other body. Action can thus be scheduled at any time up to and including the very last day of this session.

With this in mind, it has been the leadership's intention to make no effort to undermine the reorganization bill by prematurely passing this separate highly important resolution. Indeed, action on this matter should occur at the end, if not on the very last day of the session so long as the congressional reorganization reform measure remains pending in the House. This has been the leadership's intention from the beginning, but a public announcement to that effect would have been tantamount to the removal of this key provision from the Reorganization bill.

I would not like to see the issue forced in this way, at this time. I believe any effort—though made with the best intentions—would serve only to jeopardize the enactment of badly needed congressional reform. But I believe the remaining chance for the reform measure—however slim—must still be preserved and that the Senate should not remove this feature from the bill at this time.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. CURTIS. I want to thank the majority leader for his graciousness. I want to assure him I have no desire to call the matter up. I shall not call it up. I am happy to rely on his assurance that this matter will have attention during this term. I appreciate the fairness and generosity of his statement.

I do want the record to show that the junior Senator from Nebraska proceeded within the rules, and also perhaps was in error in one regard. I intended my announcement, which I believe is not required by the rules, made yesterday as a notice and somewhat of an invitation for discussion of my intention to do that. I did fail to seek out the distinguished majority leader individually and have a verbal conversation about it with him. I went on the assumption that, while other Senators were acting for him at that particular moment on the floor, those individuals, together with the employees of the Senate, would see that my message would reach him. I, perhaps, was in error. But I assure the Senator there was no attempt to conceal anything or not to take into account the wishes of the most gracious and fair majority leader. With his statement, I am perfectly satisfied. So far as the junior Senator from Nebraska is concerned, I shall rely upon it, and any intention I had to force the matter up will not be followed through.

Mr. MANSFIELD. Mr. President, I wish to thank the distinguished Senator from Nebraska for what he has just said, and to assure him that he acted entirely within the rules, as is the right of any Senator. I wish to assure him further that, as far as the Senator from Montana is concerned, he did not for 1 minute think the Senator from Nebraska had in mind any ulterior motives, but that he was acting in good faith. I think the air has been cleared. I would hope it would be possible for the House to face up to its responsibility and consider the reform measure which is before it now.

May I say further—and this is for emphasis—that this matter has been before the Democratic policy committee on every occasion on which it has met, and that the consensus, without question and unanimously, was that as long as the Senate had passed a Senate veterans preference amendment with the Congressional Reorganization Act, we ought to give the House a chance to face up to this measure and in that way achieve the objective which we all desire, without taking up a separate piece of legislation, which we may well be forced to do, and will do if the House does not act.

Mr. CURTIS. Again I thank the distinguished majority leader for his graciousness.

ORDER OF BUSINESS

Mr. RANDOLPH. Mr. President, I ask unanimous consent that I may address the Senate for 10 minutes.

The **PRESIDING OFFICER.** Is there objection? Without objection, it is so ordered.

Mr. DODD. Mr. President, will the Senator yield me 10 seconds?

Mr. RANDOLPH. I yield to the Senator from Connecticut.

GUN CONTROL ACT OF 1968—CONFERENCE REPORT

Mr. DODD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 17735) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER.** The report will be read for the information of the Senate.

The assistant legislative clerk read the report, as follows:

CONFERENCE REPORT (H. REPT. No. 1956)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 17735) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Gun Control Act of 1968".

TITLE I—STATE FIREARMS CONTROL ASSISTANCE

PURPOSE

SEC. 101. The Congress hereby declares that the purpose of this title is to provide support to Federal, State, and local law enforcement officials in their fight against crime and violence, and it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection, or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title.

SEC. 102. Chapter 44 of title 18, United States Code, is amended to read as follows:

"CHAPTER 44.—FIREARMS

"Sec.
"921. Definitions.
"922. Unlawful acts.
"923. Licensing.
"924. Penalties.
"925. Exceptions: Relief from disabilities.
"926. Rules and regulations.
"927. Effect on State law.
"928. Separability clause.

"§ 921. Definitions.

"(a) As used in this chapter—

"(1) The term 'person' and the term 'whoever' include any individual, corporation, company, association, firm, partnership, society, or joint stock company.

"(2) The term 'interstate or foreign commerce' includes commerce between any place in a State and any place outside of that State, or within any possession of the United States (not including the Canal Zone) or the District of Columbia, but such term does not include commerce between places within the same State but through any place outside of that State. The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone).

"(3) The term 'firearm' means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

"(4) The term 'destructive device' means—

"(A) any explosive, incendiary, or poison gas—

"(i) bomb,

"(ii) grenade,

"(iii) rocket having a propellant charge of more than four ounces,

"(iv) missile having an explosive or incendiary charge of more than one-quarter ounce,

"(v) mine, or

"(vi) device similar to any of the devices described in the preceding clauses;

"(B) any type of weapon (other than a shotgun or a shotgun shell which the Secretary finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and

"(C) any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled.

The term 'destructive device' shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10; or any other device which the Secretary of the Treasury finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting purposes.

"(5) The term 'shotgun' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

"(6) The term 'short-barreled shotgun' means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(7) The term 'rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

"(8) The term 'short-barreled rifle' means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches.

"(9) The term 'importer' means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term 'licensed importer' means any such person licensed under the provisions of this chapter.

"(10) The term 'manufacturer' means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution; and the term 'licensed manufacturer' means any such person licensed under the provisions of this chapter.

"(11) The term 'dealer' means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, (B) any person engaged in the business of repairing firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms, or (C) any person who is a pawnbroker. The term 'licensed dealer' means any dealer who is licensed under the provisions of this chapter.

"(12) The term 'pawnbroker' means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

"(13) The term 'collector' means any person who acquires, holds, or disposes of firearms or ammunition as curios or relics, as the Secretary shall by regulation define, and the term 'licensed collector' means any such person licensed under the provisions of this chapter.

"(14) The term 'indictment' includes an indictment or information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

"(15) The term 'fugitive from justice' means any person who has fled from any State to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding.

"(16) The term 'antique firearm' means—

"(A) any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; and

"(B) any replica of any firearm described in subparagraph (A) if such replica—

"(i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or

"(ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

"(17) The term 'ammunition' means ammunition or cartridge cases, primers, bullets, or propellent powder designed for use in any firearm.

"(18) The term 'Secretary' or 'Secretary of the Treasury' means the Secretary of the Treasury or his delegate.

"(19) The term 'published ordinance' means a published law of any political subdivision of a State which the Secretary determines to be relevant to the enforcement of this chapter and which is contained on a list compiled by the Secretary, which list shall be published in the Federal Register, revised annually, and furnished to each licensee under this chapter.

"(20) The term 'crime punishable by imprisonment for a term exceeding one year' shall not include (A) any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secretary may by regulation designate, or (B) any State offense (other than one involving a firearm or explosive) classified by the laws of the State as a misdemeanor and punishable by a term of imprisonment of two years or less.

"(b) For the purposes of this chapter, a member of the Armed Forces on active duty is a resident of the State in which his permanent duty station is located.

"§ 922. Unlawful acts.

"(a) It shall be unlawful—

"(1) for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce;

"(2) for any importer, manufacturer, dealer, or collector licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce any firearm or ammunition to any person other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, except that—

"(A) this paragraph and subsection (b)(3) shall not be held to preclude a licensed importer, licensed manufacturer, licensed dealer, or licensed collector from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received; and this paragraph shall not be held to preclude an individual from mailing a firearm owned in compliance with Federal, State, and local law to a licensed importer, licensed manufacturer, or licensed dealer for the sole purpose of repair or customizing;

"(B) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firearm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of this title, is eligible to receive through the mails, pistols, revolvers, and other firearms capable of being concealed on the person, for use in connection with his official duty; and

"(C) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States;

"(3) for any person, other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, the State where it maintains a place of business) any firearm purchased or otherwise obtained by such person outside that State, except that this paragraph (A) shall not preclude any person who lawfully acquires a firearm by bequest or intestate succession in a State other than his State of residence from transporting the firearm into or receiving it in that State, if it is lawful for such person to purchase or possess such firearm in that State, (B) shall not apply to the transportation or receipt of a rifle or shotgun obtained in conformity with the provisions of subsection (b)(3) of this section, and (C) shall not apply to the transportation of any firearm acquired in any State prior to the effective date of this chapter;

"(4) for any person, other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, to transport in interstate or foreign commerce any destructive device, machinegun (as defined in section 5845 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary consistent with public safety and necessity;

"(5) for any person (other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector) to transfer, sell, trade, give, transport, or deliver any firearm to any person (other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector) who the transferor knows or has reasonable cause to believe resides in any State other than that in which the transferor resides (or other than that in which its place of business is located if the transferor is a corporation or other business entity); except that this paragraph shall not apply to (A) the transfer, transportation, or delivery of a firearm made to carry out a bequest of a firearm to, or an acquisition by intestate succession of a firearm by, a person who is permitted to acquire or possess a firearm under the laws of the State of his residence, and (B) the loan or rental of a firearm to any person for temporary use for lawful sporting purposes; and

"(6) for any person in connection with the acquisition or attempted acquisition of any firearm or ammunition from a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false, fictitious, or misrepresented identification, intended or likely to deceive such importer, manufacturer, dealer, or collector with respect to any fact material to the lawfulness of the sale or other disposition of such firearm or ammunition under the provisions of this chapter.

"(b) It shall be unlawful for any licensed importer, licensed manufacturer, licensed dealer, or licensed collector to sell or deliver—

"(1) any firearm or ammunition to any individual who the licensee knows or has reasonable cause to believe is less than eighteen years of age, and, if the firearm, or ammunition is other than a shotgun or rifle, or ammunition for a shotgun or rifle, to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age.

"(2) any firearm or ammunition to any person in any State where the purchase or possession by such person of such firearm or ammunition would be in violation of any State law or any published ordinance applicable at the place of sale, delivery, or other disposition, unless the licensee knows or has reasonable cause to believe that the purchase or possession would not be in violation of such State law or such published ordinance;

"(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located, except that this paragraph (A) shall not apply to the sale or delivery of a rifle or shotgun to a resident of a State contiguous to the State in which the licensee's place of business is located if the purchaser's State of residence permits such sale or delivery by law, the sale fully complies with the legal conditions of sale in both such contiguous States, and the purchaser and the licensee have, prior to the sale, or delivery for sale, of the rifle or shotgun, complied with all of the requirements of section 922(c) applicable to intrastate transactions other than at the licensee's business premises, (B) shall not apply to the loan or rental of a firearm to any person for temporary use for lawful sporting purposes, and (C) shall not preclude any person who is participating in any organized rifle or shotgun match or contest, or is engaged in hunting, in a State other than his State of residence and whose rifle or shotgun has been lost or stolen or has become inoperative in such other State, from purchasing a rifle or shotgun in such other State from a licensed dealer if such person presents to such dealer a sworn statement (i) that his rifle or shotgun was loss or stolen or became inoperative while participating in such a match or contest, or while engaged in hunting, in such other State, and (ii) identifying the chief law enforcement officer of the locality in which such person resides, to whom such licensed dealer shall forward such statement by registered mail;

"(4) to any person any destructive device, machinegun (as defined in section 5845 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary consistent with public safety and necessity; and

"(5) any firearm or ammunition to any person unless the licensee notes in his records, required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Paragraphs (1), (2), (3), and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, licensed dealers, and licensed collectors. Paragraph (4) of this subsection shall not apply to a sale or delivery to any research organization designated by the Secretary.

"(c) In any case not otherwise prohibited by this chapter, a licensed importer, licensed manufacturer, or licensed dealer may sell a firearm to a person who does not appear in person at the licensee's business premises (other than another licensed importer, manufacturer, or dealer) only if—

"(1) the transferee submits to the transferor a sworn statement in the following form:

" 'Subject to penalties provided by law, I swear that, in the case of any firearm other than a shotgun or a rifle, I am twenty-one years or more of age, or that, in the case of a shotgun or a rifle, I am eighteen years or more of age; that I am not prohibited by the provisions of chapter 44 of title 18, United States Code, from receiving a firearm in interstate or foreign commerce; and that my receipt of this firearm will not be in violation of any statute of the State, and published ordinance applicable to the locality in which I reside. Further, the true title, name, and address of the principal law enforcement officer of the locality to which the firearm will be delivered are______________

____

Signature________________ Date________.'

and containing blank spaces for the attachment of a true copy of any permit or other information required pursuant to such statute or published ordinance;

"(2) the transferor has, prior to the shipment or delivery of the firearm, forwarded by registered or certified mail (return receipt requested) a copy of the sworn statement, together with a description of the firearm, in a form prescribed by the Secretary, to the chief law enforcement officer of the transferee's place of residence, and has received a return receipt evidencing delivery of the statement or has had the statement returned due to the refusal of the named addresses to accept such letter in accordance with United States Post Office Department regulations; and

"(3) the transferor has delayed shipment or delivery for a period of at least seven days following receipt of the notification of the acceptance or refusal of delivery of the statement.

A copy of the sworn statement and a copy of the notification to the local law enforcement officer, together with evidence of receipt or rejection of that notification shall be retained by the licensee as a part of the records required to be kept under section 923(g).

"(d) It shall be unlawful for any licensed importer, licensed manufacturer, licensed dealer, or licensed collector to sell or otherwise dispose of any firearm or ammunition to any person knowing or having reasonable cause to believe that such person—

"(1) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

"(2) is a fugitive from justice;

"(3) is an unlawful user of or addicted to marihuana or any depressant or stimulant drug (as defined in section 201(v) of the Federal Food, Drug, and Cosmetic Act) or narcotic drug (as defined in section 4731(a) of the Internal Revenue Code of 1954); or

"(4) has been adjudicated as a mental defective or has been committed to any mental institution.

This subsection shall not apply with respect to the sale or disposition of a firearm or ammunition to a licensed importer, licensed manufacturer, licensed dealer, or licensed collector who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms or ammunition, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

"(e) It shall be unlawful for any person knowingly to deliver or cause to be delivered to any common or contract carrier for transportation or shipment in interstate or foreign commerce, to persons other than licensed importers, licensed manufacturers, licensed dealers, or licensed collectors, any package or other container in which there is any firearm or ammunition without written notice to the carrier that such firearm or ammunition is being transported or shipped; except that any passenger who owns or legally possesses a firearm or ammunition being transported aboard any common or contract carrier for movement with the passenger in interstate or foreign commerce may deliver said firearm or ammunition into the custody of the pilot, captain, conductor or operator of such common or contract carrier for the duration of the trip without violating any of the provisions of this chapter.

"(f) It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm or ammunition with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

"(g) It shall be unlawful for any person—

"(1) who is under indictment for, or who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

"(2) who is a fugitive from justice;

"(3) who is an unlawful user of or addicted to marihuana or any depressant or stimulant drug (as defined in section 201(v) of the Federal Food, Drug, and Cosmetic Act) or narcotic drug (as defined in section 4731 (a) of the Internal Revenue Code of 1954); or

"(4) who has been adjudicated as a mental defective or who has been committed to a mental institution;

to ship or transport any firearm or ammunition in interstate or foreign commerce.

"(h) It shall be unlawful for any person—

"(1) who is under indictment for, or who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

"(2) who is a fugitive from justice;

"(3) who is an unlawful user of or addicted to marihuana or any depressant or stimulant drug (as defined in section 201(v) of the Federal Food, Drug, and Cosmetic Act) or narcotic drug (as defined in section 4731 (a) of the Internal Revenue Code of 1954); or

"(4) who has been adjudicated as a mental defective or who has been committed to any mental institution;

to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

"(i) It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe that the firearm or ammunition was stolen.

"(j) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, which is moving as, which is a part of, or which constitutes, interstate or foreign commerce, knowing or having reasonable cause to believe that the firearm or ammunition was stolen.

"(k) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm which has had the importer's or manufacturer's serial number removed, obliterated, or altered.

"(l) Except as provided in section 925 (d) of this chapter, it shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

"(m) It shall be unlawful for any licensed importer, licensed manufacturer, licensed dealer, or licensed collector knowingly to make any false entry in, to fail to make appropriate entry in, or to fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

"§ 923. Licensing

"(a) No person shall engage in business as a firearms or ammunition importer, manufacturer, or dealer until he has filed an application with, and received a license to do so from the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. Each applicant shall pay a fee for obtaining such a license, a separate fee being required for each place in which the applicant is to do business, as follows:

"(1) If the applicant is a manufacturer—

"(A) of destructive devices or ammunition for destructive devices, a fee of $1,000 per year;

"(B) of firearms other than destructive devices, a fee of $50 per year; or

"(C) of ammunition for firearms other than destructive devices, a fee of $10 per year.

"(2) If the applicant is an importer—

"(A) of destructive devices or ammunition for destructive devices, a fee of $1,000 per year; or

"(B) of firearms other than destructive devices or ammunition for firearms other than destructive devices, a fee of $50 per year.

"(3) If the applicant is a dealer—

"(A) in destructive devices or ammunition for destructive devices, a fee of $1,000 per year;

"(B) who is a pawnbroker dealing in firearms other than destructive devices or ammunition for firearms other than destructive devices, a fee of $25 per year; or

"(C) who is not a dealer in destructive devices or a pawnbroker, a fee of $10 per year.

"(b) Any person desiring to be licensed as a collector shall file an application for such license with the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. The fee for such license shall be $10 per year. Any license granted under this subsection shall only apply to transactions in curios and relics.

"(c) Upon the filing of a proper application and payment of the prescribed fee, the Secretary shall issue to a qualified applicant the appropriate license which, subject to the provisions of this chapter and other applicable provisions of law, shall entitle the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign commerce during the period stated in the license.

"(d)(1) Any application submitted under subsection (a) or (b) of this section shall be approved if—

"(A) the applicant is twenty-one years of age or over;

"(B) the applicant (including, in the case of a corporation, partnership, or association, any individual possessing, directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is not prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under section 922 (g) and (h) of this chapter;

"(C) the applicant has not willfully violated any of the provisions of this chapter or regulations issued thereunder;

"(D) the applicant has not willfully failed to disclose any material information required, or has not made any false statement as to any material fact, in connection with his application; and

"(E) the applicant has in a State (i) premises from which he conducts business subject to license under this chapter or from which he intends to conduct such business within a reasonable period of time, or (ii) in the case of a collector, premises from which he conducts his collecting subject to license under this chapter or from which he intends to conduct such collecting within a reasonable period of time.

"(2) The Secretary must approve or deny an application for a license within the forty-five-day period beginning on the date it is received. If the Secretary fails to act within such period, the applicant may file an action under section 1361 of title 28 to compel the Secretary to act. If the Secretary approves an applicant's application, such applicant shall be issued a license upon the payment of the prescribed fee.

"(e) The Secretary may, after notice and opportunity for hearing, revoke any license issued under this section if the holder of such license has violated any provision of this chapter or any rule or regulation prescribed by the Secretary under this chapter. The Secretary's action under this subsection may be reviewed only as provided in subsection (f) of this section.

"(f)(1) Any person whose application for a license is denied and any holder of a license which is revoked shall receive a written notice from the Secretary stating specifically the grounds upon which the application was denied or upon which the license was revoked. Any notice of a revocation of a license shall be given to the holder of such license before the effective date of the revocation.

"(2) If the Secretary denies an application for, or revokes, a license, he shall, upon request by the aggrieved party, promptly hold a hearing to review his denial or revocation. In the case of a revocation of a license, the Secretary shall upon the request of the holder of the license stay the effective date of the revocation. A hearing held under this paragraph shall be held at a location convenient to the aggrieved party.

"(3) If after a hearing held under paragraph (2) the Secretary decides not to reverse his decision to deny an application or revoke a license, the Secretary shall give notice of his decision to the aggrieved party. The aggrieved party may at any time within sixty days after the date notice was given under this paragraph file a petition with the United States district court for the district in which he resides or has his principal place of business for a judicial review of such denial or revocation. In a proceeding conducted under this subsection, the court may consider any evidence submitted by the parties to the proceeding. If the court decides that the Secretary was not authorized to deny the application or to revoke the license, the court shall order the Secretary to take such action as may be necessary to comply with the judgment of the court.

"(g) Each licensed importer, licensed manufacturer, licensed dealer, and licensed collector shall maintain such records of importation, production, shipment, receipt, sale, or other disposition, of firearms and ammunition at such place, for such period, and in such form as the Secretary may by regulations prescribe. Such importers, manufacturers, dealers, and collectors shall make such records available for inspection at all reasonable times, and shall submit to the Secretary such reports and information with respect to such records and the contents thereof as he shall by regulations prescribe. The Secretary may enter during business hours the premises (including places of storage) of any firearms or ammunition importer, manufacturer, dealer, or collector for the purpose of inspecting or examining (1) any records or documents required to be kept by such importer, manufacturer, dealer, or collector under the provisions of this chapter or regulations issued under this chapter and (2) any firearms or ammunition kept or stored by such importer, manufacturer, dealer, or collector at such premises. Upon the request of any State or any political subdivision thereof, the Secretary may make available to such State or any political subdivision thereof, any information which he may obtain by reason of the provisions of this chapter with respect to the identification of persons within such State or political subdivision thereof, who have purchased or received firearms or ammunition, together with a description of such firearms or ammunition.

"(h) Licenses issued under the provisions of subsection (c) of this section shall be kept posted and kept available for inspection on the premises covered by the license.

"(i) Licensed importers and licensed manufacturers shall identify, by means of a serial number engraved or cast on the receiver or frame of the weapon, in such manner as the Secretary shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer.

"(j) This section shall not apply to anyone who engages only in hand loading, reloading, or custom loading ammunition for his own firearm, and who does not hand load, reload, or custom load ammunition for others.

"§ 924. Penalties.

"(a) Whoever violates any provision of this chapter or knowingly makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter, or in applying for any license or exemption or relief from disability under the provisions of this chapter, shall be fined not more than $5,000, or imprisoned not more than five years, or both, and shall become eligible for parole as the Board of Parole shall determine.

"(b) Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships, transports, or receives a firearm or any ammunition in interstate or foreign commerce shall be fined not more than $10,000, or imprisoned not more than ten years, or both.

"(c) Whoever—

"(1) uses a firearm to commit any felony which may be prosecuted in a court of the United States, or

"(2) carries a firearm unlawfully during the commission of any felony which may be prosecuted in a court of the United States,

shall be sentenced to a term of imprisonment for not less than one year nor more than 10 years. In the case of his second or subsequent conviction under this subsection, such person shall be sentenced to a term of imprisonment for not less than five years nor more than 25 years, and, notwithstanding any other provision of law, the court shall not suspend the sentence of such person or give him a probationary sentence.

"(d) Any firearm or ammunition involved in our used or intended to be used in, any violation of the provisions of this chapter or any rule or regulation promulgated thereunder, or any violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5845(a) of that Code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

"§ 925. Exceptions: Relief from disabilities.

"(a)(1) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, sold or shipped to, or issued for the use of, the United States or any department or agency thereof or any State or any department, agency, or political subdivision thereof.

"(2) The provisions of this chapter shall not apply with respect to (A) the shipment or receipt of firearms or ammunition when sold or issued by the Secretary of the Army pursuant to section 4308 of title 10, and (B) the transportation of any such firearm or ammunition carried out to enable a person, who lawfully received such firearm or ammunition from the Secretary of the Army, to engage in military training or in competitions.

"(3) Unless otherwise prohibited by this chapter or any other Federal law, a licensed importer, licensed manufacturer, or licensed dealer may ship to a member of the United States Armed Forces on active duty outside the United States or to clubs, recognized by the Department of Defense, whose entire membership is composed of such members, and such members or clubs may receive a firearm or ammunition determined by the Secretary of the Treasury to be generally recognized as particularly suitable for sporting purposes and intended for the personal use of such member or club.

"(4) When established to the satisfaction of the Secretary to be consistent with the provisions of this chapter and other applicable Federal and State laws and published ordinances, the Secretary my authorize the transportation, shipment, receipt, or importation into the United States to the place of residence of any member of the United States Armed Forces who is on active duty outside the United States (or who has been on active duty outside the United States within the sixty day period immediately preceding the transportation, shipment, receipt, or importation), of any firearm or ammunition which is (A) determined by the Secretary to be generally recognized as particularly suitable for sporting purposes, or determined by the Department of Defense to be a type of firearm normally classified as a war souvenir, and (B) intended for the personal use of such member.

"(5) For the purpose of paragraphs (3) and (4) of this subsection, the term 'United States' means each of the several States and the District of Columbia.

"(b) A licensed importer, licensed manufacturer, licensed dealer, or licensed collector who is indicted for a crime punishable by imprisonment for a term exceeding one year, may, notwithstanding any other provision of this chapter, continue operation pursuant to his existing license (if prior to the expiration of the term of the existing license timely application is made for a new license) during the term of such indictment and until any conviction pursuant to the indictment becomes final.

"(c) A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act) may make application to the Secretary for relief from the disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of such conviction, and the Secretary may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to act in a manner dangerous to public safety and that the granting of the relief would not be contrary to the public interest. A licensed importer, licensed manufacturer, licensed dealer, or licensed collector conducting operations under this chapter, who makes application for relief from the disabilities incurred under this chapter by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary grants relief to any person pursuant to this section he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor.

"(d) The Secretary may authorize a firearm or ammunition to be imported or brought into the United States or any possession thereof if the person importing or bringing in the firearm or ammunition establishes to the satisfaction of the Secretary that the firearm or ammunition—

"(1) is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10;

"(2) is an unserviceable firearm, other than a machinegun as defined in section 5845 (b) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece;

"(3) is of a type that does not fall within the definition of a firearm as defined in section 5845(a) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, excluding surplus military firearms; or

"(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm or ammunition.

The Secretary may permit the conditional importation or bringing in of a firearm or ammunition for examination and testing in connection with the making of a determination as to whether the importation or bringing in of such firearm or ammunition will be allowed under this subsection.

"§ 926. Rules and regulations.

"The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter, including—

"(1) regulations providing that a person licensed under this chapter, when dealing with another person so licensed, shall provide such other licensed person a certified copy of this license; and

"(2) regulations providing for the issuance, at a reasonable cost, to a person licensed under this chapter, of certified copies of his license for use as provided under regulations issued under paragraph (1) of this subsection.

The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

"§ 927. Effect on State law.

"No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State so that the two cannot be reconciled or consistently stand together.

"§ 928. Separability.

"If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

Sec. 103. The administration and enforcement of the amendment made by this title shall be vested in the Secretary of the Treasury.

Sec. 104. Nothing in this title or the amendment made thereby shall be construed as modifying or affecting any provision of—

(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954);

(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

(c) section 1715 of title 18, United States Code, relating to nonmailable firearms.

Sec. 105. (a) Except as provided in subsection (b), the provisions of chapter 44 of title 18 United States Code, as amended by section 102 of this title, shall take effect on December 16, 1968.

(b) The following sections of chapter 44 of title 18, United States Code, as amended by section 102 of this title shall take effect on the date of the enactment of this title: Sections 921, 922(l), 925(a)(1), and 925(d).

TITLE II—MACHINE GUNS, DESTRUCTIVE DEVICES, AND CERTAIN OTHER FIREARMS

Sec. 201. Chapter 53 of the Internal Revenue Code of 1954 is amended to read as follows:

"CHAPTER 53.—MACHINE GUNS, DESTRUCTIVE DEVICES, AND CERTAIN OTHER FIREARMS

"Subchapter A. Taxes.
"Subchapter B. General provisions and exemptions.
"Subchapter C. Prohibited acts.
"Subchapter D. Penalties and forfeitures.

"SUBCHAPTER A—TAXES

"Part I. Special (occupational) taxes.
"Part II. Tax on transferring firearms.
"Part III. Tax on making firearms.

"Part I—Special (occupational) taxes

"Sec. 5801. Tax.
"Sec. 5802. Registration of importers, manufacturers, and dealers.

"Sec. 5801. Tax.

"On first engaging in business and thereafter on or before the first day of July of each year, every importer, manufacturer, and dealer in firearms shall pay a special (occupational) tax for each place of business at the following rates:

"(1) IMPORTERS.—$500 a year or fraction thereof;

"(2) MANUFACTURERS.—$500 a year or fraction thereof;

"(3) DEALERS.—$200 a year or fraction thereof.

Except an importer, manufacturer, or dealer who imports, manufactures, or deals in only weapons classified as 'any other weapon' under section 5845(e), shall pay a special (occupational) tax for each place of business at the following rates: Importers, $25 a year or fraction thereof; manufacturers, $25 a year or fraction thereof; dealers, $10 a year or fraction thereof.

"Sec. 5802. Registration of importers, manufacturers, and dealers.

"On first engaging in business and thereafter on or before the first day of July of each year, each importer, manufacturer, and dealer in firearms shall register with the Secretary or his delegate in each internal revenue district in which such business is to be carried on, his name, including any trade name, and the address of each location in the district where he will conduct such business. Where there is a change during the taxable year in the location of, or the trade name used in, such business, the importer, manufacturer, or dealer shall file an application with the Secretary or his delegate to amend his registration. Firearms operations of an importer, manufacturer, or dealer may not be commenced at the new location or under a new trade name prior to approval by the Secretary or his delegate of the application.

"Part II—Tax on transferring firearms

"Sec. 5811. Transfer tax.
"Sec. 5812. Transfers.

"Sec. 5811. Transfer tax.

"(a) RATE.—There shall be levied, collected, and paid on firearms transferred a tax at the rate of $200 for each firearm transferred, except, the transfer tax on any firearm classified as any other weapon under section 5845(e) shall be at the rate of $5 for each such firearm transferred.

"(b) BY WHOM PAID.—The tax imposed by subsection (a) of this section shall be paid by the transferor.

"(c) PAYMENT.—The tax imposed by subsection (a) of this section shall be payable by the appropriate stamps prescribed for payment by the Secretary or his delegate.

"Sec. 5812. Transfers.

"(a) Application.—A firearm shall not be transferred unless (1) the transferor of the firearm has filed with the Secretary or his delegate a written application, in duplicate, for the transfer and registration of the firearm to the transferee on the application form prescribed by the Secretary or his delegate; (2) any tax payable on the transfer is paid as evidenced by the proper stamp affixed to the original application form; (3) the transferee is identified in the application form in such manner as the Secretary or his delegate may by regulations prescribed, except that, if such person is an individual, the identification must include his fingerprints and his photograph; (4) the transferor of the firearm is identified in the application form in such manner as the Secretary or his delegate may by regulations prescribe; (5) the firearm is identified in the application form in such manner as the Secretary or his delegate may by regulations prescribe; and (6) the application form shows that the Secretary or his delegate has approved the transfer and the registration of the firearm to the transferee. Applications shall be denied if the transfer, receipt, or possession of the firearm would place the transferee in violation of law.

"(b) Transfer of Possession.—The transferee of a firearm shall not take possession of the firearm unless the Secretary or his delegate has approved the transfer and registration of the firearm to the transferee as required by subsection (a) of this section.

"Part III—Tax on making firearms

"Sec. 5821. Making tax.
"Sec. 5822. Making.

"Sec. 5821. Making tax.

"(a) Rate.—There shall be levied, collected, and paid upon the making of a firearm a tax at the rate of $200 for each firearm made.

"(b) By Whom Paid.—The tax imposed by subsection (a) of this section shall be paid by the person making the firearm.

"(c) Payment.—The tax imposed by subsection (a) of this section shall be payable by the stamp prescribed for payment by the Secretary or his delegate.

"Sec. 5822. Making.

"No person shall make a firearm unless he has (a) filed with the Secretary or his delegate a written application, in duplicate, to make and register the firearm on the form prescribed by the Secretary or his delegate; (b) paid any tax payable on the making and such payment is evidenced by the proper stamp affixed to the original application form; (c) identified the firearm to be made in the application form in such manner as the Secretary or his delegate may by regulations prescribe; (d) identified himself in the application form in such manner as the Secretary or his delegate may by regulations prescribe, except that, if such person is an individual, the identification must include his fingerprints and his photograph; and (e) obtained the approval of the Secretary or his delegate to make and register the firearm and the application form shows such approval. Applications shall be denied if the making or possession of the firearm would place the person making the firearm in violation of law.

"SUBCHAPTER B—GENERAL PROVISIONS AND EXEMPTIONS

"Part I. General provisions.
"Part II. Exemptions.

"Part I—General provisions

"Sec. 5841. Registration of firearms.
"Sec. 5842. Identification of firearms.
"Sec. 5843. Records and returns.
"Sec. 5844. Importation.
"Sec. 5845. Definitions.
"Sec. 5846. Other laws applicable.
"Sec. 5847. Effect on other law.
"Sec. 5848. Restrictive use of information.
"Sec. 5849. Citation of chapter.

"Sec. 5841. Registration of firearms.

"(a) Central Registry.—The Secretary or his delegate shall maintain a central registry of all firearms in the United States which are not in the possession or under the control of the United States. This registry shall be known as the National Firearms Registration and Transfer Record. The registry shall include—

"(1) identification of the firearm;

"(2) date of registration; and

"(3) identification and address of person entitled to possession of the firearm.

"(b) By Whom Registered.—Each manufacturer, importer, and maker shall register each firearm he manufactures, imports, or makes. Each firearm transferred shall be registered to the transferee by the transferor.

"(c) How Registered.—Each manufacturer shall notify the Secretary or his delegate of the manufacture of a firearm in such manner as may by regulations be prescribed and such notification shall effect the registration of the firearm required by this section. Each importer, maker, and transferor of a firearm shall, prior to importing, making, or transferring a firearm, obtain authorization in such manner as required by this chapter or regulations issued thereunder to import, make, or transfer the firearm, and such authorization shall effect the registration of the firearm required by this section.

"(d) Firearms Registered on Effective Date of This Act.—A person shown as possessing a firearm by the records maintained by the Secretary or his delegate pursuant to the National Firearms Act in force on the day immediately prior to the effective date of the National Firearms Act of 1968 shall be considered to have registered under this section the firearms in his possession which are disclosed by that record as being in his possession.

"(e) Proof of Registration.—A person possessing a firearm registered as required by this section shall retain proof of registration which shall be made available to the Secretary or his delegate upon request.

"Sec. 5842. Identification of firearms.

"(a) Identification of Firearms Other Than Destructive Devices.—Each manufacturer and importer and anyone making a firearm shall identify each firearm, other than a destructive device, manufactured, imported, or made by a serial number which may not be readily removed, obliterated, or altered, the name of the manufacturer, importer, or maker, and such other identification as the Secretary or his delegate may by regulations prescribe.

"(b) Firearms Without Serial Number.—Any person who possesses a firearm, other than a destructive device, which does not bear the serial number and other information required by subsection (a) of this section shall identify the firearm with a serial number assigned by the Secretary or his delegate and any other information the Secretary or his delegate may by regulations prescribe.

"(c) Identification of Destructive Device.—Any firearm classified as a destructive device shall be identified in such manner as the Secretary or his delegate may by regulations prescribe.

"Sec. 5843. Records and returns.

"Importers, manufacturers, and dealers shall keep such records of, and render such returns in relation to, the importation, manufacture, making, receipt, and sale, or other disposition, of firearms as the Secretary or his delegate may by regulations prescribe.

"Sec. 5844. Importation.

"No firearm shall be imported or brought into the United States or any territory under its control or jurisdiction unless the importer establishes, under regulations as may be prescribed by the Secretary or his delegate, that the firearm to be imported or brought in is—

"(1) being imported or brought in for the use of the United States or any department, independent establishment, or agency thereof or any State or possession or any political subdivision thereof; or

"(2) being imported or brought in for scientific or research purposes; or

"(3) being imported or brought in solely for testing or use as a model by a registered manufacturer or solely for use as a sample by a registered importer or registered dealer;

except that, the Secretary or his delegate may permit the conditional importation or bringing in of a firearm for examination and testing in connection with classifying the firearm.

"Sec. 5845. Definitions.

"For the purpose of this chapter—

"(a) Firearm.—The term 'firearm' means (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length; (5) any other weapon, as defined in subsection (e); (6) a machinegun; (7) a muffler or a silencer for any firearm whether or not such firearm is included within this definition; and (8) a destructive device. The term 'firearm' shall not include an antique firearm or any device (other than a machinegun or destructive device) which, although designed as a weapon, the Secretary or his delegate finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

"(b) Machinegun.—The term 'machinegun' means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any combination of parts designed and intended for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.

"(c) Rifle.—The term 'rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger, and shall include any such weapon which may be readily restored to fire a fixed cartridge.

"(d) Shotgun.—The term 'shotgun' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of projectiles (ball shot) or a single projectile for each pull of the trigger, and shall include any such weapon which may be readily restored to fire a fixed shotgun shell.

"(e) Any Other Weapon.—The term 'any other weapon' means any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a barrel with a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or a revolver having a rifled bore or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition.

"(f) Destructive Device.—The term 'destructive device' means (1) any explosive, incendiary, or poison gas (A) bomb, (B) grenade, (C) rocket having a propellent charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than one-quarter ounce, (E) mine, or (F) similar device; (2) any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellent, the barrel or barrels of which have a bore of more than one-half inch in diameter, except a shotgun or shotgun shell which the Secretary or his delegate finds is generally recognized as particularly suitable for sporting purposes; and (3) any combination of parts either designed or intended for use in converting any device into a destructive device as defined in subparagraphs (1) and (2) and from which a destructive device may be readily assembled. The term 'destructive device' shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10 of the United States Code; or any other device which the Secretary of the Treasury or his delegate finds is not likely to be used as a weapon, or is an antique or is a rifle which the owner intends to use solely for sporting purposes.

"(g) Antique Firearm.—The term 'antique firearm' means any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar type of ignition system or replica thereof, whether actually manufactured before or after the year 1898) and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

"(h) Unserviceable Firearm.—The term 'unserviceable firearm' means a firearm which is incapable of discharging a shot by means of an explosive and incapable of being readily restored to a firing condition.

"(i) Make.—The term 'make', and the various derivatives of such word, shall include manufacturing (other than by one qualified to engage in such business under this chapter), putting together, altering, any combination of these, or otherwise producing a firearm.

"(j) Transfer.—The term 'transfer' and the various derivatives of such word, shall include selling, assigning, pledging, leasing, loaning, giving away, or otherwise disposing of.

"(k) Dealer.—The term 'dealer' means any person, not a manufacturer or importer, engaged in the business of selling, renting, leasing, or loaning firearms and shall include pawnbrokers who accept firearms as collateral for loans.

"(l) Importer.—The term 'importer' means any person who is engaged in the business of importing or bringing firearms into the United States.

"(m) Manufacturer.—The term 'manufacturer' means any person who is engaged in the business of manufacturing firearms.

"Sec. 5846. Other laws applicable.

"All provisions of law relating to special taxes imposed by chapter 51 and to engraving, issuance, sale, accountability, cancellation, and distribution of stamps for tax payment shall, insofar as not inconsistent with the provisions of this chapter, be applicable with respect to the taxes imposed by sections 5801, 5811, and 5821.

"Sec. 5847. Effect on other laws.

"Nothing in this chapter shall be construed as modifying or affecting the require- Act of 1954, as amended, with respect to the ments of section 414 of the Mutual Security manufacture, exportation, and importation of arms, ammunition, and implements of war.

"Sec. 5848. Restrictive use of information.

"(a) General Rule.—No information or evidence obtained from an application, registration, or records required to be submitted or retained by a natural person in order to comply with any provision of this chapter or regulations issued thereunder, shall, except as provided in subsection (b) of this section, be used, directly or indirectly, as evidence against that person in a criminal proceeding with respect to a violation of law occurring prior to or concurrently with the filing of the application or registration, or the compiling of the records containing the information or evidence.

"(b) Furnishing False Information.—Subsection (a) of this section shall not preclude the use of any such information or evidence in a prosecution or other action under any applicable provision of law with respect to the furnishing of false information.

"Sec. 5849. Citation of chapter.

"This chapter may be cited as the 'National Firearms Act' and any reference in any other provision of law to the 'National Firearms Act' shall be held to refer to the provisions of this chapter.

"Part II—Exemptions

"Sec. 5851. Special (occupational) tax exemption.

"Sec. 5852. General transfer and making exemption.

"Sec. 5853. Exemption from transfer and making tax available to certain governmental entities and officials.

"Sec. 5854. Exportation of firearms exempt from transfer tax.

"Sec. 5851. Special (occupational) tax exemption.

"(a) Business With United States.—Any person required to pay special (occupational) tax under section 5801 shall be relieved from payment of that tax if he establishes to the satisfaction of the Secretary or his delegate that his business is conducted exclusively with, or on behalf of, the United States or any department, independent establishment, or agency thereof. The Secretary or his delegate may relieve any person manufacturing firearms for, or on behalf of, the United States from compliance with any provision of this chapter in the conduct of such business.

"(b) Application.—The exemption provided for in subsection (a) of this section may be obtained by filing with the Secretary or his delegate an application on such form and containing such information as may by regulations be prescribed. The exemptions must thereafter be renewed on or before July 1 of each year. Approval of the application by the Secretary or his delegate shall entitle the applicant to the exemptions stated on the approved application.

"Sec. 5852. General transfer and making tax exemption.

"(a) Transfer.—Any firearm may be transferred to the United States or any department, independent establishment, or agency thereof, without payment of the transfer tax imposed by section 5811.

"(b) Making by a Person Other Than a Qualified Manufacturer.—Any firearm may be made by, or on behalf of, the United States, or any department, independent establishment, or agency thereof, without payment of the making tax imposed by section 5821.

"(c) Making by a Qualified Manufacturer.—A manufacturer qualified under this chapter to engage in such business may make the type of firearm which he is qualified to manufacture without payment of the making tax imposed by section 5821.

"(d) Transfers Between Special (Occupational) Taxpayers.—A firearm registered to a person qualified under this chapter to engage in business as an importer, manufacturer, or dealer may be transferred by that person without payment of the transfer tax imposed by section 5811 to any other person qualified under this chapter to manufacture, import, or deal in that type of firearm.

"(e) Unserviceable Firearm.—An unserviceable firearm may be transferred as a curio or ornament without payment of the transfer tax imposed by section 5811, under such requirements as the Secretary or his delegate may by regulations prescribe.

"(f) Right to Exemption.—No firearm may be transferred or made exempt from tax under the provisions of this section unless the transfer or making is performed pursuant to an application in such form and manner as the Secretary or his delegate may by regulations prescribe.

"Sec. 5853. Transfer and making tax exemption available to certain governmental entities.

"(a) Transfer.—A firearm may be transferred without the payment of the transfer tax imposed by section 5811 to any State, possession of the United States, any political subdivision thereof, or any official police organization of such a government entity engaged in criminal investigations.

"(b) Making.—A firearm may be made without payment of the making tax imposed by section 5821 by, or on behalf of, any State, or possession of the United States, any political subdivision thereof, or any official police organization of such a government entity engaged in criminal investigations.

"(c) Right to Exemption.—No firearm may be transferred or made exempt from tax under this section unless the transfer or making is performed pursuant to an application in such form and manner as the Secretary or his delegate may by regulations prescribe.

"Sec. 5854. Exportation of firearms exempt transfer tax.

"A firearm may be exported without payment of the transfer tax imposed under section 5811 provided that proof of the exportation is furnished in such form and manner as the Secretary or his delegate may by regulations prescribe.

"SUBCHAPTER C—PROHIBITED ACTS

"Sec. 5861. Prohibited acts.

"It shall be unlawful for any person—

"(a) to engage in business as a manufacturer or importer of, or dealer in, firearms without having paid the special (occupational) tax required by section 5801 for his business or having registered as required by section 5802; or

"(b) to receive or possess a firearm transferred to him in violation of the provisions of this chapter; or

"(c) to receive or possess a firearm made in violation of the provisions of this chapter; or

"(d) to receive or possess a firearm which is not registered to him in the National Firearms Registration and Transfer Record; or

"(e) to transfer a firearm in violation of the provisions of this chapter; or

"(f) to make a firearm in violation of the provisions of this chapter; or

"(g) to obliterate, remove, change, or alter the serial number or other identification of a firearm required by this chapter; or

"(h) to receive or possess a firearm having the serial number or other identification required by this chapter obliterated, removed, changed, or altered; or

"(i) to receive or possess a firearm which is not identified by a serial number as required by this chapter; or

"(j) to transport, deliver, or receive any firearm in interstate commerce which has not been registered as required by this chapter; or

"(k) to receive or possess a firearm which has been imported or brought into the United States in violation of section 5844; or

"(1) to make, or cause the making of, a false entry on any application, return, or record required by this chapter, knowing such entry to be false.

"SUBCHAPTER D—PENALTIES AND FORFEITURES

"Sec. 5871. Penalties.

"Sec. 5872. Forfeitures.

"Sec. 5871. Penalties.

"Any person who violates or fails to comply with any provision of this chapter shall, upon conviction, be fined not more than $10,000, or be imprisoned not more than ten years, or both, and shall become eligible for parole as the Board of Parole shall determine.

"Sec. 5872. Forfeitures.

"(a) Laws Applicable.—Any firearm involved in any violation of the provisions of this chapter shall be subject to seizure and forfeiture, and (except as provided in subsection (b)) all the provisions of internal revenue laws relating to searches, seizures, and forfeitures of unstamped articles are extended to and made to apply to the articles taxed under this chapter, and the persons to whom this chapter applies.

"(b) Disposal.—In the case of the forfeiture of any firearm by reason of a violation of this chapter, no notice of public sale shall be required; no such firearm shall be sold at public sale; if such firearm is forfeited for a violation of this chapter and there is no remission or mitigation of forfeiture thereof, it shall be delivered by the Secretary or his delegate to the Administrator of General Services, General Services Administration, who may order such firearm destroyed or may sell it to any State, or possession, or political subdivision thereof, or at the request of the Secretary or his delegate, may authorize its retention for official use of the Treasury Department, or may transfer it without charge to any executive department or independent establishment of the Government for use by it."

Sec. 202. The amendments made by section 201 of this title shall be cited as the "National Firearms Act Amendments of 1968".

Sec. 203. (a) Section 6107 of the Internal Revenue Code of 1954 is repealed.

(b) The table of sections for subchapter B of chapter 61 of the Internal Revenue Code of 1954 is amended by striking out:

"Sec. 6107. List of special taxpayers for public inspection."

Sec. 204. Section 6806 of the Internal Revenue Code of 1954 is amended to read as follows:

"Every person engaged in any business, avocation, or employment, who is thereby made liable to a special tax (other than a special tax under subchapter B of chapter 35, under subchapter B of chapter 36, or under subtitle E) shall place and keep conspicuously in his establishment or place of business all stamps denoting payment of such special tax."

Sec. 205. Section 7273 of the Internal Revenue Code of 1954 is amended to read as follows:

"Sec. 7273. Penalties for offenses relating to special taxes.

"Any person who shall fail to place and keep stamps denoting the payment of the special tax as provided in section 6806 shall be liable to a penalty (not less than $10) equal to the special tax for which his business rendered him liable, unless such failure is shown to be due to reasonable cause. If such failure to comply with section 6806 is through willful neglect or refusal, then the penalty shall be double the amount above prescribed."

Sec. 206. (a) Section 5692 of the Internal Revenue Code of 1954 is repealed.

(b) The table of sections for part V of subchapter J of chapter 51 of the Internal Revenue Code of 1954 is amended by striking out:

"Sec. 5692. Penalties relating to posting of special tax stamps."

Sec. 207. (a) Section 201 of this title shall take effect on the first day of the first month following the month in which it is enacted.

(b) Notwithstanding the provisions of subsection (a) or any other provision of law, any person possessing a firearm as defined in section 5845(a) of the Internal Revenue Code of 1954 (as amended by this title) which is not registered to him in the National Firearms Registration and Transfer Record shall register each firearm so possessed with the Secretary of the Treasury or his delegate in such form and manner as the Secretary or his delegate may require within the thirty days immediately following the effective date of section 201 of this Act. Such registrations shall become a part of the National Firearms Registration and Transfer Record required to be maintained by section 5841 of the Internal Revenue Code of 1954 (as amended by this title). No information or evidence required to be submitted or retained by a natural person to register a firearm under this section shall be used, directly or indirectly, as evidence against such person in any criminal proceeding with respect to a prior or concurrent violation of law.

(c) The amendments made by sections 202 through 206 of this title shall take effect on the date of enactment.

(d) The Secretary of the Treasury, after publication in the Federal Register of his intention to do so, is authorized to establish such periods of amnesty, not to exceed ninety days in the case of any single period, and immunity from liability during any such period, as the Secretary determines will contribute to the purposes of this title.

TITLE III—AMENDMENTS TO TITLE VII OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Sec. 301. (a) Title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351) is amended—

(1) by striking out "other than honorably discharged" in section 1201, and substituting therefor "discharged under dishonorable conditions"; and

(2) by striking out "other than honorable conditions" in subsections (a)(2) and (b)(2) of section 1202 and substituting therefor in each instance "dishonorable conditions".

(b) Section 1202(c)(2) of such title is amended to read as follows:

"(2) 'felony' means any offense punishable by imprisonment for a term exceeding one year, but does not include any offense (other than one involving a firearm or explosive) classified as a misdemeanor under the laws of a State and punishable by a term of imprisonment of two years or less;".

Sec. 302. The amendments made by paragraphs (1) and (2) of subsection (a) of section 301 shall take effect as of June 19, 1968.

And the Senate agree to the same.

Thomas J. Dodd,
Samuel J. Ervin, Jr.,
Joseph D. Tydings,
Warren G. Magnuson,
John O. Pastore,
Philip A. Hart,
Roman L. Hruska,
Everett McK. Dirksen,
Hugh Scott,
James B. Pearson,
Managers on the Part of the Senate.
Emanuel Celler,
Peter W. Rodino, Jr.,
Harold D. Donohue,
Robert W. Kastenmeier,
William M. McCulloch,
Charles McC. Mathias, Jr.,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. DODD. Mr. President, I move the adoption of the conference report.

Mr. MANSFIELD. Mr. President, I think it might be advisable if we had someone on the other side present to consider this matter.

Mr. DODD. It was signed by 16 out of 20 members of the conference.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the adoption of the conference report.

The report was agreed to.

Mr. HRUSKA. Mr. President, my arrival in the Chamber was delayed. I had hoped to make these remarks prior to the adoption of the conference report; but it is of no moment that they appear in the Record at a later time.

The bill embraced in the conference report is one which has been thoroughly considered by Congress. It is a very comprehensive piece of legislation. It is some 60 printed pages in bill form. It amends very substantially the National Firearms Act of 1934, the so-called Machine Gun Act. Also the Federal Firearms Act of 1938 is replaced.

There are some provisions in it which are not satisfactory from the standpoint of the Senator from Nebraska and many others who have interested themselves in the revision of these two firearms control acts. On the other hand, there are many provisions which are very satisfactory. I am confident that they will be very advantageous and beneficial in this vital field.

Insofar as those provisions which are not desirable are concerned, it is my view, certainly, that we should give the new law a chance. We should allow its operation and its enforcement a reasonable period of time in which to work, and an opportunity should be provided for the purpose of demonstrating either the wisdom or the lack of wisdom of our having enacted certain of its provisions. I refer particularly to the provision which includes all types of ammunition under the regulation and control of the bill, including component parts for the reloading of shells and cartridges. I refer to the import provisions which are protectionist and will be easily circumvented. I have reference also to the provision for a mandatory sentence to be imposed on those convicted defendants who have committed Federal gun crimes. There may be other provisions as well, but certainly these are among the most controversial.

As I have stated, it is advisable to allow a reasonable period of time to elapse before we consider further legislation in this field. Too often, there is the tendency to say, "Let us enact a law," and when it is enacted to say, "Now the problem is taken care of." But we who have been studying the problem for awhile know that is often not the fact.

The law itself does not deter those who start out with the idea that they are not going to be bound by the law in the first place. The people who misuse guns, Mr. President, are in that category. It cannot be said, that just because a law is passed by which it is made illegal for them to own a firearm, because of their previous record or their status, that they are going to obey that law. Criminals are not in the business of obeying laws; they are in the business of violating laws.

Of course, in the enforcement of any law will be found the key to whether or not the particular approach of that law is good or bad.

I commend the Senator from Connecticut for his persistence in the matter of this legislation. We started out on this road at least 5 years ago. From the beginning this Senator believed that revision and amendment of the 1934 and 1938 acts should be made. It was a matter of what kind of revisions, what kind of amendment, should be made. The Senator from Connecticut has followed the matter persistently and well. I do not think he was as tractable as he should have been on some of the points of dispute between us. On balance, I found him not to be wanting too much. In that respect, I have a great deal of forgiveness in my heart, and I am willing to concede, for the sake of argument, that perhaps he had some merit on his part.

I am sure that at all times there was motivation generally along the idea that we should try to enact some legislation which would reduce or tend to reduce and prevent crime, and particularly with respect to the misuse of firearms. To that goal, I am sure both of us remain dedicated.

Mr. DODD. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. DODD. I am grateful for the Senator's remarks and his kindly references to me. I have stated on an earlier occasion that the Senator from Nebraska deserves great credit for the progress we have made on the gun bill; and I reiterate that statement today. Without his help, we could not have come this far. He has been a most constructive member of the committee, and deserves great credit, I am glad to publicly acknowledge.

Mr. HRUSKA. Mr. President, I might say further that the real issue, which was properly and justifiably denied in this body as well as in the other body, was that of Federal registration or licensing of guns and gun owners. That issue this body met four square. There were four attempts and four variations of that effort, and each one of them was decisively turned down, as it should have been.

In the House of Representatives, that concept was turned down by a ratio of almost 2 to 1. I think that fairly and squarely reflects the sentiment of the American people. They are not ready for that type of Federal regulation and control. If anything is to be done in that direction, it should be by the municipalities and the States, which are capable of enforcement of that kind of law.

RATIFICATION OF TREATY ON NONPROLIFERATION OF NUCLEAR WEAPONS ADVOCATED NOW BY SENATOR RANDOLPH

Mr. RANDOLPH. Mr. President, recently the Vice President of the United States forcefully stressed the need to halt and turn back the costly and dangerous arms race in the world today. He made an eloquent plea for prompt approval of the Treaty on the Nonproliferation of Nuclear Weapons. HUBERT HUMPHREY said:

> There is a treaty now before the Senate which would stop the spread of nuclear weapons. That treaty must be ratified now. If this Nation cannot muster the courage to ratify this treaty—a treaty which in no way endangers our national security, but adds to it by keeping these weapons out of the hands of a Nasser . . . a Castro . . . and many others . . . there can be little hope for our future in this world. We must ratify this treaty.

On yesterday the able Senator from Wisconsin [Mr. PROXMIRE] urged immediate action.

Mr. President, I agree. We must ratify this treaty. It is a pact which the United States has been seeking for 4 years to prevent the number of nuclear powers from increasing from five to 10 to 15 or possibly 20. Our world lives under the horrible umbrella of nuclear bombs possessed by five nations. Can we visualize the tragedy, the horror, and the uncertainty which would exist when 15 or 20 countries have the nuclear weapons capability?

There are those persons who say we should delay ratification because the Russian invasion of Czechoslovakia, in violation of the U.N. Charter, proves again that "you can't trust the Russians." That observation seems true, but it misses the mark. To reproach the Soviet Union by delaying ratification is a misuse of the treaty, developed after long and arduous negotiations.

The critical commitments in this treaty are not dependent on trusting the Russians. These commitments are from the nonnuclear countries who are on the threshold of being able to manufacture nuclear weapons. The seven countries closest to achieving this capability, according to the U.S. Atomic Energy Commission, are Australia, Canada, the Federal Republic of Germany, India, Italy, Japan, and Sweden.

If these countries become parties to the treaty—and two of them have already signed—they will agree not to manufacture nuclear weapons. They will also agree to accept international safeguards on their peaceful nuclear activities to insure that no nuclear weapons are made there.

It is the promises of these nonnuclear nations which are vital. I would not say we do not care whether the Russians give nuclear weapons away. Certainly we care. We consider it a threat. But I do not think they will. Russia's recent experience with their satellite countries will, if anything, make her less likely to provide satellites with nuclear weapons. It is my belief that the most probable way the bomb will spread is by the nonnuclear powers. And even as to those promises, it is not a matter of trust, for the treaty provides for safeguard inspections.

Many people say we should delay in order to punish the Soviets for invading Czechoslovakia. The Reds raise a bloody sword, and we seem to fight back with a white feather.

Mr. President, if we attempt to punish the Soviets in this manner, we will only punish ourselves and the other countries who want this treaty. It is in our national interest. The United States proposed it first in 1964. We submitted the first draft. We pushed it through, finally securing acceptance by most other countries just this year.

I joined with 98 Senators to achieve this pact in 1966 when the Senate adopted the Pastore resolution, Senate Joint Resolution 179, 89th Congress, second session. This is a broad worldwide, multilateral agreement—not merely a United States-Soviet deal. Over 80 countries have signed—I repeat 80 countries. Are we now to tell them we will not let this treaty come into being because we wish to punish one of the 80 countries? Such a position does not make sense.

It might be said we were punishing Czechoslovakia by preventing the treaty from coming into force. The Czechs have been strong advocates of this treaty. They participated actively in its drafting. I call to the attention of Senators a statement by the Czech delegate to the Geneva Disarmament Conference on July 23, 1968, before the deplorable invasion. He praised the treaty, pointing out that Czechoslovakia "had a share in elaboration of the treaty and was among the first to sign it." He added that world public opinion regarded the treaty as a "victory of commonsense and an expression of the responsibility of the respective statesmen to future generations." He called on other countries to sign the treaty.

This is the same delegate who, one month later, on August 22, 1968, intervened in the deliberations of the Conference to call its attention to the Russian invasion of Czechoslovakia. He read the statement of President Svoboda making clear that Czech authorities had not given their consent to the entry of foreign troops.

Czechoslovakia said this treaty was in her national interest before the invasion. She is still of that view. Recently her representatives in Vienna called on other countries to become parties to the treaty. He did not specifically mention the United States. But his language was clearly intended to include us.

Mr. President, whom do we punish by delay—Czechoslovakia, the Soviet Union, or the United States? This is a treaty initiated by the United States, and the United States suffers and the world suffers. I sense no way in which delay will prove, more than has been done so far, our distaste and our outrage over the Soviet invasion.

Major "near nuclear" countries are waiting on this Senate to act before they act on the treaty.

Of the seven countries I have listed which are nearest to developing their own nuclear weapons and delivery systems, five have told us they were watching the Senate before deciding what to do. In Japan, for example, Vice Foreign Minister Ushiba announced publicly on September 16 that that country will withhold its signature until the U.S. Senate acts. Ushiba is quoted in the Washington Post of September 17 as saying that it would be "embarrassing for Japan to become embroiled in a debate over the treaty against a background of U.S. indecision." The article further reports that Prime Minister Sato might not be able to submit the Nonproliferation Treaty to the December session of the Japanese Diet if the Senate fails to ratify the treaty.

Why is Japan waiting on us? Because this is a U.S. idea—a U.S. sponsored treaty—a treaty which U.S. representatives had convinced Japan she should sign. The United States assumed the leadership in convincing nations of the need, the value, and the benefit of this treaty—this was leadership in the pursuit of a stable world.

No one doubted that it would be difficult to have some of these countries sign the treaty. But all except one of the seven—India—finally had been persuaded—or so the executive branch believed. Now they ask why they should sign when we will not consent to ratification. They ask us why, but we cannot answer their question. The United States cannot persuade others to sign while we do not act. If we continue to delay, the momentum is lost and the treaty seriously endangered. The loss of this treaty means the loss of a historic opportunity for progress in the control of nuclear weapons.

We have the power to give life to the Nonproliferation Treaty. But the cost of its demise, should we delay, will by borne by all mankind. What do we deny the Soviets that we do not deny ourselves if we refuse to approve this treaty now? How would delay prove that we are dealing sternly with the Soviet Union? How would the acquisition of nuclear weapons by Japan, Australia, Germany, Italy, Canada, India, or Sweden aid Czechoslovakia? How would this frightening possibility be a triumph of our interests over those of the Soviet Union?

Mr. President, clearly there can be no valid justification for delaying consideration and ratification on the Nonproliferation Treaty. I repeat, we should act now.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States submitting a nomination was communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting the nomination of James P. Alger, of Utah, to be judge of the district court of Guam, which was referred to the Committee on the Judiciary.

THE RAILS THAT OPENED UP THE WEST

Mr. ALLOTT. Mr. President, once in awhile a member of the executive branch exposes his real thoughts with respect to problems which face this country. Mr. George M. Stafford, Commissioner of the Interstate Commerce Commission, recently delivered an address, entitled "The Rails That Opened Up the West," before the Railroad Transportation Institute's fall seminar in Denver, Colo., on October 3, 1968.

This is a very thoughtful address, and it is addressed specifically to the problems we face in transportation in the United States today and the problems we will face in the next 20 or 30 years.

I congratulate Mr. Stafford on speaking out plainly and frankly on this question. While I realize that everyone may not necessarily agree with all of his views, it is a thoughtful document which I believe deserves the consideration of every Member of the Senate, especially those who are interested in implementing our transportation, particularly our rail transportation, in this country.

I ask unanimous consent to have the address printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE RAILS THAT OPENED UP THE WEST

(Remarks of George M. Stafford, Commissioner, Interstate Commerce Commission, before the Railroad Transportation Institute's fall seminar)

Transportation today, as in the past, is one of our most pervasive economic necessities. The health and progress of the Nation are inescapably linked with the planning and development of channels of commerce for tomorrow.

Transportation routes shaped both the direction and the ebb and flow of the migrations that peopled the North American continent. New frontiers beckoned with their promises of fertile farm lands, virgin pasturage, and unexploited mineral or forest wealth. Men were infected with the wanderlust, and dreamed of the opportunities for prosperity and adventure to the West. Yet, without the dawn of the railroad era, these lands might have remained untouched and our wealth untapped. However, as the rails opened the gates to the West, the tide of commerce flowed steadily. Throughout America's past, railroads were as influential as the pioneering urge or the location of natural resources in determining the direction of the westward movement.

We shall soon celebrate the 100th anniversary of that date when the first transcontinental rail route became a reality.

The events that have transpired for railroads in this period are now legend. From a position of unparalleled transportation dominance at the turn of the century, to the financial despair of the Great Depression, and finally to the so-called "Golden Era" of the 60's. But, doubts are much in evidence regarding what the future holds.

As you are well aware, the Commission has just completed hearings on the second general rate increase proceeding in so many years. At that, it was only the second since 1960, which is something of a record. I do not, of course, intend to comment on the present proposal.

There is presently much concern by the railroads that the average return on investment in the rail industry is too low. Last year it amounted to 2.45 percent, which is a definite contrast with the higher prevailing returns of the competitive modes. However, it is nevertheless encouraging to note that earnings in 1967 for Class I railroads were 45 percent above those for 1961.

There are hopeful signs for the industry's future, not only in traffic growth, but in other areas as well. The industry has done much to curb the economic waste resulting from intramodal duplication, for example, but there is still much room for improvement in such matters as labor agreements and passenger operations.

Intramodal duplication will be significantly less important in the future than in the past. Carriers in all sections of the Nation have been actively engaged in seeking willing merger partners for some time now. A number of these proposals have been approved by the Commission and several more are in various stages of development. The Nation's railroad system has been altered to a large degree, mostly on the Eastern Seaboard to date, and it remains to be seen what the result will be in other areas. It is, of course, still too early for most mergers to show dramatic savings from the elimination of duplicate facilities. But there is little doubt that these savings will materialize and thereby strengthen the participating carriers' financial condition.

Labor contracts are not within the purview of the Commission. However, your industry faces ever increasing costs of labor, which is part and parcel involved in the ex parte increases that must be ruled on by the Commission and, if approved, paid for by the public. Railroad employees are as entitled to increased wages as other members of society; however, the industry and the union should come to grips with the question of whether their present agreements measure up to the transportation conditions of today. It does not seem realistic to me, for example, that Santa Fe must use 18 different sets of train crews in operating its "Super C" service between Los Angeles and Chicago in an elapsed time of only 35 hours. This amounts to an average of less than two hours per crew. Agreements that allow minimum use of labor, yet at maximum cost, must be reexamined in light of today's economic priorities. After all, your employees have a big stake in the continued success of the industry and it seems only fair to me that they should be asked to share in the responsibility for it.

Finally, there is the matter of passenger operations. In 1967, these produced deficits amounting to some 485 million dollars, computed according to the Commission's accounting separation rules. These rules apportion common costs between freight and passenger operations. The deficit figure is often mentioned and when it is compared to total passenger revenue of some 878 million dollars, the picture really looks dark.

However, I think it would be more candid if it were explained that many of the costs included in the deficit figure would continue even if there were no passenger trains in operation. In fact, in the same year 1967, when total operating expenses related solely to passenger and related services are subtracted from comparable revenues, the deficit is only 72 million dollars. Now I do not mean to imply that even that amount may not be a handicap to the railroads today, but it is a vastly lower figure than is commonly referred to when passenger losses are discussed. Furthermore, many people, with implicit if not explicit rail encouragement, interpret the passenger deficit figure to mean that profits earned by railroads on freight service are reduced by the amount of the so-called deficit, and that such deficit results in higher costs for freight service. Actually, only in cases where, or to the extent that, the revenues from passenger service fail to equal the costs that would be avoided by discontinuance of the passenger service does the so-called deficit become an actual drag upon profits from the freight service.

I tend to agree with those who view passenger service as a by-product of freight service, in which the cost to the railroad of providing passenger service may be considered to be only the cost that would be "saved" by discontinuance of the passenger service. This cost is the marginal or avoidable cost. On this basis, it might be found that certain individual trains and individual railroads' passenger trains were profitable.

I am aware, of course, of the traditional railroad view of the passenger situation. In short and simple terms, it is that passengers have deserted the trains, therefore, there shall be no trains. It was no doubt discouraging to many railroads in the early 1950's to see the number of passengers decrease when these same railroads had just made substantial investments in new equipment. But at the same time, I do not think the only recourse was to throw up one's hands in despair.

Granting that passenger travel by train has in fact declined markedly over the past two decades, I think the question has to be asked "Why?" The normal response from the railroads is that businessmen and others require the speed of jet planes and the family prefers its own automobile. Others who perhaps would be rail users have been diverted to buses by such things as new and comfortable double-deck equipment and the interstate highway equipment. All of these things are possibly true, but does that necessarily lead to the conclusion that there is no market for rail service?

At present, even feeble efforts to secure passenger traffic are a thing of the past. At a time when airlines emphasize pretty girls whose only duty is to soothe each passenger's cares and serve drinks and food, the railroads continue the tradition of requiring their passengers to suffer at the hands of conductors, a group in general terms as insensitive to the needs of today's traveling public as a computer to a newborn baby. At a time when such slogans as "Leave the driving to us" and "Up, up and away" are hammered into the mind of the public by TV, radio, magazine and newspaper advertising, there is almost no indication by the railroads that they have *one* passenger train let alone nearly 600.

This fact was brought to my attention most dramatically in August when I chanced to glance at a magazine called *Signature*, put out by the Diners Club. Inside the cover was a beautiful full page ad of the Canadian National entitled "Train travel is alive and well in Canada." That same day, I might also mention, I received a letter from Mrs. Raymond Kasper, Bellwood, Ill., who had just concluded a pleasant train trip to California, telling of her experience and how relieved she was that the California Zephyr, which she used, would be available to the public in the future. She concluded with the following comment:

"I would suggest you advertise travel more by train, because people are not aware of the thrilling experiences to be gained by this means of travel. As an example, when we told our friends we were taking our vacation by train, they exclaimed, 'the train, nobody travels by train anymore' or 'why don't you fly?' Actually, flying would have cost us about $150.00 more [not] counting our food and baggage fees, etc. Any[way], we're glad we took the train, especially the Zephyr."

I am well aware that the railroad industry spends millions every year on promoting innovations such as the land-bridge and Big John cars. But whether you like it or not, and call it nostalgia if you will, the public thinks of railroads as synonymous with passenger trains, and I for one think the industry would do well to review its own position as to what its public image should be. We have recently seen, I think, the results of a negative policy that has been followed for the past decade. By this statement I do not mean to imply that the hundreds of passenger trains that have been discontinued should not have been. Economic considerations are, of course, of as grave importance to railroads as they are to any business. I do think, though, that the public should have been educated to the financial dilemma that the railroads were confronted with, while at the same time, the railroads made a serious attempt to bolster the patronage of those trains still in operation. Perhaps the AAR might use some of their new advertising time to focus on this problem. I think this campaign is a good idea to provide some insight to the public of the benefits provided by the railroads but a recent "commercial" I heard talked so much about computers, it could just as well have been sponsored by IBM.

The railroads, I might point out, are not the only carriers who have encountered tough competition from the airlines for passenger traffic. Look at the transatlantic ocean carriers for example. In 1967, their traffic declined by 27 percent, continuing a trend of probably as long duration as the trend in rail traffic. While the number of sailings and ships has no doubt decreased, one of the leaders, Cunard, is not only continuing its operations, it is in the process of building a new Queen Elizabeth 2. Furthermore, as reported recently in *Business Week*, a number of ship operators are becoming increasingly involved in the cruise business. Two points mentioned in the article seem applicable to rail operations and might well be considered. These are:

1. Operators are naming other lines or an outside agency as their passenger sales agent, thus permitting wholesale pruning of their own staffs, in turn reducing front-office overhead costs.

2. Ideas on where to cruise and where to board vessels are being revised, with considerable attention to fly-cruise arrangements which encourages family travel without the husband who will fly to a port along the way to join them later.

With regard to the change in ticket operations, it would not only reduce costs, but likely assure more efficient service to the public. Too often these days in discontinuance proceedings, we hear reports of busy telephone lines at rail terminals, the failure to give information about trains or supply timetables, and the refusal to take reservations when space is in fact available. In one recent case, we heard of a call to a station that was simply terminated in the middle of the conversation because the hour of closing had arrived. Use of an outside agent would avoid any such future criticism aimed at the carriers, pinpoint the responsibility if similar criticism was made, and in my opinion, result in increased patronage.

Considering the use of trains not solely as a means of point to point travel, but in addition as a sort of "land cruise," the scenic wonders of this great Nation offer a magnificent opportunity to cash in on the public's new found leisure, their never ending wanderlust, their historical romance with trains, and their present financial ability to participate in such endeavors. I believe that I never experienced such breathtaking beauty as last year on the Zephyr between Denver and Oakland. To reach Denver, I took a plane. I may have been a pioneer of sorts in the "fly-land cruise" venture, but I know how enjoyable it was and cannot help but imagine that there are hundreds of thousands of others who would make such a trip if it were only promoted. One of the cruise operators I mentioned has enlisted the Diners Club/Fugazy Travel organization to promote their operations, and one of their first moves was to paint a sunburst complete with a pair of 20-foot eyes on the liner Independence. Imagine what new vision like that might do for your trains.

In any event, it is of little use to look back and indicate what might have been done in 1955 or 1960. It is time to now consider what must be done in 1975 and 1980. The Commission, I believe, has taken steps necessary to assure that we will be in a position to make such a determination.

Early this summer, the Commission proposed to the Congress that a comprehensive study be initiated to determine the national need for rail service as a part of a total transport system. The Commission has recognized that there is presently insufficient information available as to the needs of the public for intercity passenger service in the years ahead and proposed the study to remedy the matter.

We suggested that the study specifically encompass the following areas:

1. the existing capacity of all modes for meeting national passenger needs;

2. anticipated expansion of that capacity by 1975 and the estimated transportation needs at that time; and

3. the ability of the existing and projected resources to meet passenger needs adequately, efficiently, economically, expeditiously, safely, and comfortably, at least as far as 1975.

Railway Age in its "Viewpoint" of July 22, 1968, said "Railroads must be bold, innovative and gambling." In fact, the land-bridge piggybacking and unit trains already offer dynamic proof that today's railroads are not content with status quo, and these are likely only the bare beginnings of the new day that is emerging for railroads. But what I am wondering is why America's railroads have been so unwilling to take any steps, that is any positive steps, toward a solution of the Nation's passenger problems. The publicity and government attention stemming from frequent discontinuances, the Commission's report to Congress, frequent allegations of poor service and the call for federal regulation of the quality of service have all focused the limelight on rail passenger operations. Yet there has been no support from the railroads for our recommendation that a study be made.

Whether the study we proposed is actually undertaken is very much in doubt, particularly since it has failed to generate your support. In my opinion, the public is entitled to know what forms of transportation are required for the future health and welfare of the Nation. If, as the railroads suggest, there is no longer a need for long-haul passenger service, the in-depth study by the Department of Transportation would certainly reveal it. However, it may appear to some that the railroads are withholding support because they fear the study will show the contrary. I hope that is not the reason railroad support has not been forthcoming. Nevertheless, I believe the railroads are taking a very short-sighted view of their commitment to the public. Whatever the reason, it s my hope that the matter will be given further consideration.

As Life said a few weeks ago in a feature article on passenger trains, "The tracks took the country west. but that is history."

I believe this is one page of history that is not yet complete. Give us your help so that it will be treated properly.

Thank you.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1969—CONFERENCE REPORT

Mr. HILL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of October 3, 1968, pages 29426–29429, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. JAVITS. The Senator from South Dakota [Mr. MUNDT] was very eager to be here, just as I was, and the Senator from Alabama knows I have gone to great trouble to be present for the consideration of this report.

I should like to publicly thank the Senator from Alabama for the unusual courtesy he displayed to me in allowing this matter to come up precisely at the moment I could be present. He is an old friend, and I wish to thank him for that personally.

The Senator from South Dakota is on his way to the Chamber from his office. I know that the Senator from Alabama has some explanations to make. I hope the Senator will bear with me so as to accommodate Senator MUNDT.

Mr. HILL. I shall make my statement on the conference report at this time.

Mr. President, the bill, as approved in the committee of conference, would provide a total of $18,566,568,800, or $734,956,200 under the budget estimates, $466,777,200 under the amount allowed by the Senate, $1,333,697,500 over the amount allowed by the House, and $1,777,047,800 over the amount appropriated for fiscal year 1968.

That is due largely to the fact that we have items in the bill this year that we did not have last year—for example, the item for the Office of Economic Opportunity. Previously, those appropriations had been carried in the supplemental bills, and this year they are in this bill. So that increases greatly the size of the appropriation in this bill, nearly $2 billion.

In connection with Senate Amendment No. 10, proposing an additional amount of $90,965,000 for fiscal year 1968 for "School assistance in federally affected areas" under Public Law 874, the managers on the part of the House offered on several occasions to agree to the Senate figure if the Senate conferees would agree to the deletion of the Senate language. The conferees on the part of the Senate replied that they could not agree to this inasmuch as the money had been appropriated in the Second Supplemental Appropriation Act, 1968, but the funds were not released by the Bureau of the Budget for allocation to the eligible school districts. As the bill comes to the Senate today, the item for "School assistance in federally affected areas" contains the funds allowed by the Senate but without the Senate language offered by Senator MUNDT, and agreed to by the Senate by a vote of 59 to 5.

For the Department of Labor the conference agreement provides $692,076,000, a reduction of $100,000 from the Senate allowance, an increase of $17,950,000 over the House allowance, an increase of $29,889,000 over the 1968 appropriation, but a decrease of $37,621,000 from the budget estimates. I emphasize that the reason why the amount in this bill is larger than that of last year, is that we put items in the bill this year which we did not have last year, such as that for the Office of Economic Opportunity. In the past, appropriations for the Office of Economic Opportunity had been included in supplemental appropriation bills.

For the Department of Health, Education, and Welfare the conference agreement provides $15,861,342,800, an increase of $1,295,469,800 over the House allowance, a decrease of $463,806,200 from the budget requests, and an increase of $1,576,178,800 over the 1968 appropriations.

The conferees agreed that $5,310,000 of funds currently available under the appropriation for "Buildings and facilities, PHS" will be available for the environmental health facility at Morgantown, W. Va., and that this project shall have high priority.

The conferees approved a total of $1,394,052,500 for the National Institutes of Health, an increase of $20,290,500 over the House allowance, but a decrease of $39,705,500 from the Senate allowance.

For the regional medical program, the Senate allowed $68,922,000. The conferees agreed on $61,907,000. The Senate report directed that funds be utilized for clinical trials of Astromid-s, a drug reported to be very helpful in the treatment of heart attacks. Should the applicant's request for drug trials be approved, the tests must also include other drugs available for the same purpose.

Mr. President, the managers on the part of the House, in filing the conference report on this bill on October 1, included the observation that they "agreed to no specific items of earmarking within the appropriations to the National Institutes of Health—including regional medical programs."

The managers on the part of the Senate feel strongly that this language is not binding upon the National Institutes of Health. Over the past two decades, both House and Senate Appropriations Committee reports have contained specific suggestions and directives as to ways in which the various Institutes might pursue promising research leads which had the potential for conquering specific diseases and lowering specific death rates.

During the course of each year's hearings on appropriations for the Institutes, both House and Senate committees receive testimony from scores of distinguished nongovernmental scientists as to specific ways in which progress can be accelerated against the major killers and cripplers of our time. As the stewards of the taxpayers moneys, we feel we have an obligation to aid in shaping the programs of the various Institutes so that they will bring the maximum benefit to the American people in terms of longer and more productive lives.

Time permits the mention of only a few areas in which this earmarking has resulted in tremendous progress against disease and disability.

Just 2 weeks ago, the National Cancer Institute released a report based upon a study of end results in treatment covering nearly 400,000 cancer patients handled at 100 hospitals in all parts of the country from 1940 to 1964. That report noted that one in three cancer victims today is cured of the disease—as against one in four only a decade ago. It was just about a decade ago that both House and Senate Appropriations Committees earmarked funds to accelerate the evaluation and application of the Pap smear to cancer of the cervix, one of the most common causes of cancer. As a result of this earmarking, the survival rate for cancer of the cervix has jumped from 45 percent to 60 percent. Comparably, the survival rate for patients with cancer of the colon has increased from 31 percent to 46 percent in the same period of time. As a result of specific earmarking in last year's Senate report, the National Cancer Institute has established a number of task forces against the major forms of cancer.

In like fashion, progress against mental illness has been little short of miraculous. As recently as 1955, there were 558,000 patients in public mental hospitals. Today there are approximately 400,000 patients in these same hospitals—a fantastic reduction of approximately 150,000 mental patients in the short span of 13 years. The National Institute of Mental Health has played a major role in this reduction. It was the House Appropriations Committee which, in 1957, directed the establishment of the Psychopharmacology Service Center in the NIMH. There is general agreement that it has played the most significant role in the evaluating and encouraging the use of a wide spectrum of drugs effective against various forms of mental illness. Additional contributions in the fight against mental illness have been made by the steadily increasing training programs and hospital improvement programs of the Institute—both again the result of specific earmarking based upon testimony from leading nongovernmental experts in the field of mental illness.

Heart disease claims 1 million victims each year. Over the past 20 years, the National Heart Institute has played the leading role in the support of cardiovascular research in this country, and at hearings before our Senate Committee earlier this year the distinguished surgeon, Dr. Michael E. DeBakey, testified that the remarkable surgical and other advances against previously incurable heart disease directly paralleled the growth of the National Heart Institute budget. From the early days of its support of open-heart surgery, the National Heart Institute has moved forward over the years to its present support of work in the development of an artificial heart. In addition, it is playing the leading role in the evaluation of a number of drugs which show great promise in the prevention of additional heart attacks.

In 1964 and 1965, an epidemic of German measles resulted in the birth of 30,000 deformed infants. The shocking toll taken by that epidemic motivated both House and Senate Appropriations Committees in 1966 to earmark a special sum of money for intensive work toward the development of a vaccine against German measles. That vaccine is currently being field tested by the Public Health Service and experts tell us that it will be in use before the next predicted epidemic of German measles in 1970 and 1971.

From the early years of the Institutes when we supported a specific allocation to bring down the cost of streptomycin—a drug which played a key role in the 80-percent reduction in deaths from tuberculosis—to the recent earmarking of funds to support kidney dialysis centers and to finance fundamental research investigations of kidney failure, we have contributed through our specific directives to the effectiveness of the programs of the National Institutes of Health.

As Members of the Congress, we are not passive hostages to an indifferent fate. We hold long weeks of hearings and accumulate hundreds of thousands of words of testimony because it is our constitutional duty to review the programs of the National Institutes of Health and to help them decide upon priorities. Does anyone suggest that we should make lump sum appropriations to each Institute without any reference to the health needs of the American people? We are dealing here with tax moneys contributed by the people, but we are also dealing with far more important matters involving their health and survival.

Therefore, Mr. President, in full realization of our duties and responsibilities, the managers on the part of the Senate here and now reiterate their insistence upon the suggestions and directives contained in that section of the Senate Report 1484 which relate to the activities of the National Institutes of Health. We expect the Director of the National Institutes of Health, and the subordinate Directors of the various Institutes, to pay close heed to these recommendations.

For the Office of Economic Opportunity, the conference agreement provides $1,948,000,000, an increase of $75,000,000 over the House allowance, but a decrease of $140,000,000 from the Senate allowance, and an increase of $170,000,000 over the 1968 appropriation.

The Department of Labor shall assure that not less than $10,000,000, over and above funds obligated in fiscal year 1968 for community senior service programs—title I–B of the act—will be available to continue, to expand, and to extend these projects to other rural and urban areas.

I believe it important, too, to point out that in respect to the Senate's directing certain expenditures for the OEO health programs—$90,000,000—and for family planning—$13,000,000—as well as a priority consideration for family planning activities of the Children's Bureau, these actions were not challenged by the House conferees. I make mention of this fact so that there will be no doubt as to the intent of this Congress on these issues.

There is $50,000,000 of community action program funds—title II of the act—for "Senior Opportunities and Services" to assist the elderly poor.

Mr. President, I move the adoption of the conference report.

Mr. JAVITS. Mr. President, I wish to address myself to the conference report, and I wish to do so in some detail. The Senator from South Dakota [Mr. MUNDT], who was also a conferee, is desirous of participating in the debate. I am very anxious that the Senate act on this matter, but in view of the absence of the Senator from South Dakota at this moment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I note that in the conference report the statement of the managers on the part of the House deleted certain earmarking contained in the Senate report, however no mention was made of the Senate directions to the Office of Economic Opportunity for specific program expenditures. I am particularly interested that not less than $10 million, over and above funds obligated in fiscal year 1968 for community senior service programs under title I–B of the act, will be available to continue and expand these projects to other rural and urban areas. The other direction of great importance is that not less than $50 million in community action funds under title II of the act, be earmarked for "Senior Opportunities and Service."

While participating in the meeting of the conferees I heard no discussion with regard to deleting any of the Senate earmarking within the appropriation for the economic opportunity program; thus, is it not your opinion that the directions to the Office of Economic Opportunity, as contained within the Senate report, remain in effect?

Mr. HILL. Mr. President, the Senator is exactly correct. Just a few minutes ago, in explaining the bill, I stated on behalf of the Senate conferees that the Department of Labor shall assure that not less than $10 million over and above funds obligated in fiscal year 1968 for community senior service programs—title I–B of the act—will be available to continue, to expand, and to extend these projects to other rural and urban areas.

I also stated that there is $50 million of community action program funds, title II of the act, for "Senior Opportunities and Services" to assist the elderly poor.

Mr. BYRD of West Virginia. I thank the Senator.

Mr. JAVITS. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield.

Mr. JAVITS. It will be remembered, in connection with those items, that we also covered in colloquy on the floor the fact that we had asked the OEO to allocate a certain sum of money for small business activities—I believe it was $5 million.

Mr. HILL. Yes.

Mr. JAVITS. Would the Senator confirm that that is in the same category?

Mr. HILL. Yes. The Senator is correct.

Mr. JAVITS. I thank my colleague.

Mr. President, again I suggest the absence of a quorum.

The PRESIDING OFFICER. (Mr. BYRD of Virginia in the chair).

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. To take as a specific example amendment No. 65, which is before the Senate in the conference report, it is reported in disagreement. Now, do the rules permit the conference report to be agreed to by the Senate; and after it has been agreed to, may the Senate then take up specific items in disagreement which it may then act upon affirmatively or negatively and which may be subject also to the proposal of a Senate amendment?

The PRESIDING OFFICER. First, it would be necessary to act on the conference report before acting on the amendments in disagreement.

After the conference report is agreed to, then the amendments would be taken up in order, unless the Senate decrees otherwise.

Mr. JAVITS. Now, Mr. President, is the same thing true as to amendments in technical disagreement?

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. Mr. President, one further parliamentary inquiry. If the conference report is approved and the Senate refuses to concur in the House action—that is, the Senate refuses to recede in respect of an amendment in disagreement—then what ensues in terms of further conference with the House?

The PRESIDING OFFICER. If the Senate disagrees with the House on a particular amendment, then the Senate could insist on its amendment and ask for a further conference with the House, or it could be disposed of by receding.

Mr. JAVITS. That is, by agreeing to what the Senate desires?

The PRESIDING OFFICER. It could not recede with an amendment, but the Senate could insist on its amendment, in which case the House could accept the Senate version or could demand or seek another conference. The Senate could not recede with an amendment.

Mr. JAVITS. Mr. President, the conference would then be confined to the items upon which the Senate had refused to recede. Is that correct? I refer to the items in disagreement on which the Senate had refused to recede.

The PRESIDING OFFICER. Everything that is cleared in the conference report is out of the picture, so to speak. The only items that could be sent back to conference would be those amendments on which the two Houses were in disagreement.

Mr. JAVITS. One further parliamentary inquiry. Nevertheless, although all the others would be excluded from conference, the fact is that in order to send the bill to the President, the whole bill has to go, including the items on which the House and Senate would continue in a deadlock?

The PRESIDING OFFICER. That is correct.

Mr. CASE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE. So long as the bill is not resolved as to every item, the bill has not passed the Congress?

The PRESIDING OFFICER. That is correct.

Mr. MUNDT. Mr. President, will the Senator from New York yield for a parliamentary inquiry?

Mr. JAVITS. I yield.

The PRESIDING OFFICER. The Senator will state the parliamentary inquiry.

Mr. MUNDT. By agreeing to the conference report now, I would not lose my right, as I understand, to move to reject the conference report later because I find myself in disagreement?

The PRESIDING OFFICER. Once the conference report is agreed to, everything in the report is cleared and is out of the picture.

Mr. JAVITS. Mr. President, I think I have the Senator's point. Will the Senator allow me to clarify it?

Mr. MUNDT. Yes.

Mr. JAVITS. Mr. President, just as I am interested in amendment 65, which I raised as a specific example, the Senator from South Dakota is interested in amendment No. 10. I make this parliamentary inquiry: Is it a fact, assuming the approval of the conference report, which motion has been made by the Senator from Alabama, amendment No. 10 will be called up in the Senate thereafter, and the Senate may vote to refuse to recede from its version of amendment No. 10? If the Senate votes affirmatively on that proposition, the bill is still open and the bill cannot go to the President until that is resolved; is that correct?

The PRESIDING OFFICER. The question that would come before the Senate with regard to amendment No. 10 would be whether the Senate concurred in the House amendment to the Senate amendment No. 10.

Mr. JAVITS. Or whether the Senate shall refuse to recede.

The PRESIDING OFFICER. The question would be on whether or not the Senate concurs in the House amendment.

Mr. JAVITS. And if the Senate voted it down, then the Senate would not concur and it would remain in disagreement. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. MUNDT. Mr. President, accepting the conference report at the present time would not preclude my right to move that the Senate not concur in amendment No. 10 later on in the debate. Is that correct?

The PRESIDING OFFICER. Adoption of the conference report at this time would not preclude the Senator from South Dakota from asking that the Senate not agree to House amendment to Senate amendment No. 10.

Mr. MUNDT. And the same would apply to amendment No. 65?

The PRESIDING OFFICER. Yes; that the Senate not recede from its amendment No. 65.

Mr. CASE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE. The only option, however, in the event of the approval by the Senate of the conference report, is to reject the House amendment. The Senate cannot, for example, reject or agree with a new amendment?

The PRESIDING OFFICER. To the conference report?

Mr. CASE. To the conference report.

The PRESIDING OFFICER. That is correct.

Mr. JAVITS. I thank the Presiding Officer. I think it is very clear, and we are all guided by this colloquy. Now if I may be recognized——

The PRESIDING OFFICER. The Senator from New York.

Mr. JAVITS. Mr. President, this was one of the most arduously contested conferences in which I have ever participated. An extremely strong stand was taken by the House conferees, almost as a unit. I would say that, in the main, the Senate conferees also took a very strong position with regard to the many items which were in contest.

I think, on the whole, in many cases, with the two exceptions to which I shall refer, one being Senator MUNDT's problem and one of my own, considering the temper of the conference—and I think I was in most of the sessions in which the real business was done—the Senate did stand very manfully by the position taken by the committee of the Senate and by the Senate itself.

I give great credit to my beloved colleague, the Senator from Alabama [Mr. HILL] and to the other conferees, who, in many cases, did not themselves agree, and may not have voted with the majority, but who nevertheless accepted the very good faith obligation which rested on those Senators as conferees.

I would like to refer particularly to the fact that the conference accepted a $50 million increase over the House figure which we made to programs under title 1 of the Elementary and Secondary Education Act, in view of the deeply dug-in position of the House, that was an agreeable success.

With respect to the antipoverty program, in which the mover here was the Senator from Rhode Island [Mr. PASTORE], who made a tremendous fight resulting in the Senate's adding some $215 million, the conference accepted an increase over the House figure of $75 million. There again, it was really an enormous struggle, and I think on the whole the result was very creditable from the Senate point of view.

On the Teacher Corps, where we really faced, Mr. President, a difference in positions which I doubted for a long time could ever be resolved, it finally was resolved, and though the Senate had to take a very material reduction, the other body did give enough so that at least the Teacher Corps can be continued, including funds for training and instructing new people. The appropriation of $20.9 million, we are told by the Department, will permit the whole operation to remain stable, and also retain its stability within the context of the need for training new members of the Teacher Corps in various summer courses.

I say to the Senator from California [Mr. MURPHY] and other Senators who took a new attitude toward the Teacher Corps because they had seen it work in their own communities—I believe the Senator from Arizona [Mr. FANNIN] was included in that group who had not initially been particularly friendly to the program—that their influence helped us immeasurably in bringing about this final solution which, while not entirely satisfactory to me, is nevertheless, in my judgment, considering the temper of the conference, an extraordinary resolution of what seemed to be an absolutely impossible difference of views.

Also, Mr. President, I think those who are interested in the bilingual education program—the Senator from Texas [Mr. YARBOROUGH] was one of the important figures in that effort, as was I, because of its importance to New York—should be gratified that it will begin to be funded, and that $7,500,000 is provided for that purpose, again after a very sharp contest on the subject.

The Senator from California [Mr. MURPHY] offered a program to deal with the specific problem of school dropouts. There again, notwithstanding a very deep feeling on the part of the conferees for the other body that they would not do anything about that, they finally did permit the program to get underway with an appropriation of $5 million; and I think the Senate view was very importantly upheld.

We have a similar situation, Mr. President, in another new program, and this was essentially the gravamen of the feeling of the House conferees, on the medical treatment of narcotics addiction. Here, too, Mr. President, after the most exhaustive kind of debate—and this is a matter of greatest importance to the great seaport cities like New York, Los Angeles, and many others, as well as to the slums of the country—again, over what started as the firmest kind of opposition on the part of the House conferees, $8 million of the money otherwise allocated to the National Institutes of Mental Health was earmarked for use in the prevention and treatment of narcotics addiction in community mental health center—a helpful move to get this program off the ground and give it an opportunity to show what it is capable of doing.

In the same category, Mr. President, and again to move forward what I consider to be a critically important national activity, the conference also, again after the same kind of very profound struggle, let the Corporation for Public Broadcasting get off the ground, with an appropriation of $5 million—only $1 million less than had been approved by the Senate.

Those are some of the salient aspects of the matter. Before I pass on to matters in which there is some continuing unhappiness—fortunately, there are not very many—I should like to pay tribute to the Senator from Alabama [Mr. Hill].

Senator Hill, Mr. President, as is well known, has been literally the apostle of assistance to medical research. I think he has every right, as he terminates a very illustrious career of service here, to take the deepest satisfaction in the enormous advances in medical science, and in the extension of the lifespan of our people, which is attributable to the work of a great national institute for health research. He has literally, like Moses, sustained them with his own outstretched arms. I have a deep sentimental interest in this area myself, for one of the first things I did when I was a Member of the House of Representatives was to sponsor legislation to create the National Heart Institute, in which effort I was joined by former Senator Pepper, then a Member of this body from Florida.

This enterprise is a matter of greatest importance to all Americans and to me, and I think it must be said, in connection with this bill, on which Senator Hill has again performed so magnificently in this particular area in which he has such great concern, that his efforts have flowered in a most extraordinary way, as a tribute to the creativity of one Senator; and I think it is very proper that that matter be emphasized in connection with this bill.

Mr. President, to move to other matters, there was a very deep controversy in the conference, and the matter was finally resolved, though left in technical disagreement, with respect to the so-called Whitten amendments, which had been very materially revised by the Senate, but which the House conferees absolutely insisted had to stand as they were agreed to by the House of Representatives, notwithstanding the deep feeling, which I shared with one or more of the other conferees, that the effect of those amendments would be to inhibit the efforts to bring about compliance with the Supreme Court's decision with respect to equal opportunity in the public schools of the country made in 1954, and would tend to invalidate the Civil Rights Act of 1964, particularly title VI, which dealt specifically with means to enforce what the Supreme Court found to be the law of the land.

It is my judgment that this was a most invidious provision; nonetheless, I was outvoted, and I have no complaint about that. That is the way we work. When the matter went to the other body, it went essentially with the point of view of the House of Representatives. Mr. President, I wish to state that I consider it a most important development in the public interest that the other body took action to turn down the recommendation of its own conferees, and to accept the Senate version, which I think is a fair resolution of the controversy which does not take the regressive step of canceling out both the policy and the practice which we had adopted and which, indeed, had been implemented in detail through exchange of correspondence with the Secretary of Health, Education, and Welfare only last year.

Again, Mr. President, I wish to make it clear that, just as I expect my views to be respected by my colleagues for sincerity, and for the fact that I act with respect, I respect the views of those who voted against me in the conference; but I know I will be pardoned for expressing the deep gratification for the manner in which this very stormy debate, which could very well have caused the whole conference to fall by the wayside, was resolved by the action of the other body, as indeed was proper, because that is where the challenged provisions originated, rather than here, where we accepted and were satisfied with the Senate version.

So, that matter is hopefully disposed of, and I hope it will remain disposed of. I shall certainly do nothing to disturb it.

There are two items, however, which will be raised. One concerns amendment No. 10 relating to the provision for impacted school areas. I will not deal with that. I am anxious to hear the debate of the Senator from South Dakota [Mr. Mundt], who has been the leading figure in the discussion of that matter.

The matter on which I have a considerable problem is contained in amendment No. 65. Amendment No. 65 deals with this highly controverted question of what to do about the young people on our college campuses who may have participated in some form of disruption, as it is called in the bill, on the college campus and how and under what conditions they should be cut off from the enjoyment of any Federal programs for aid to higher education of students.

There was a very material difference between the two Houses on this subject, the other body putting an express bar upon any applicant, that bar to be enforced by the United States itself. The operative language was very sharply criticized in the Appropriations Committee, and, I believe, on the floor as well, as being highly general and very difficult to interpret and subject to interpretations which would reach the innocent and be most unfair to them.

After very considerable discussion and real creativity on the part of the Senator from Oregon [Mr. Morse], with whom I worked very closely, a compromise was worked out which, for all practical purposes, made a cutoff mandatory but defined the terms of reference so that the question of disruption and conviction by a court of record of any student engaged in such disruption was very clearly spelled out in what I consider to be excellent language for use by the court.

The essential difference, however, was that the basic authority was given to the institution—that is, to the college or university—rather than to the United States itself, so that the disciplinary authority of the university or college was maintained, although the action required was mandatory. However, at least, when it was carried out, it would be carried out by the college or the university itself, thereby sustaining its disciplinary function and prestige and assuring the relationship between the individual student and his college or university, rather than transferring that relationship to the U.S. Government.

We felt strongly, the Senator from Oregon [Mr. Morse], I, and others—the Senator from Oregon being chairman of the Subcommittee on Education—that, having fought so hard to prevent the Government from interfering, regulating, and controlling higher education through the use of Federal aid, we were serving that broader purpose by insisting, as we did, upon the Senate provision.

The matter went back in disagreement, and the other body in this case has opted to stand it by its own position. This raises very serious problems for this reason. I will not pursue it at any length, but in the first place, all of the criticism made here as to uncertainty, confusion, and looseness in the language, and difficulty in understanding or interpreting the language remains in the House language. That is fully spread upon the Record. But, to compound the difficulty, Congress itself—and it is now law—has enacted two very different versions of the same idea. Hence the individual student will be subject at given times to three different kinds of legislative action in this regard.

This in itself is confusing, especially as the authority in each case is vested in a different entity.

I have already pointed out that if we accept what the other body has done, the authority is vested in the United States and the Federal Government itself is required to cut off the benefit of a Federal program. On the other hand, in the higher education bill, which is the substantive provision in respect of higher education—which is now law, already passed by the House and Senate—we give this very same authority to the university or college, exactly as the original Senate version of this bill did. Then, to compound the situation even more, we enacted in the appropriations bill for independent offices which contains provision for the National Science Foundation, a provision which also—though in different language and somewhat different terms—gives to the institution of higher education authority to cut off a student under these circumstances from the enjoyment of any Federal program.

So, we have two laws and one conference report, each of which is different.

Mr. President, I have one other significant point. The House provision which the House now insists upon is limited by the appropriation bill. So it would only be effective for 9 months, and the basic higher education bill which has now become law and which contains generally the Senate approach, is the permanent substantive law, not limited by time as is an appropriation bill.

This is a very confusing situation. I regret very much and deplore the fact that it was enacted in this way. I think it is very confusing to the institutions concerned.

I do not think it adds to our majesty when we are seen to be wandering all over the lot on three different bills. I do not see that our action builds up the confidence of the students in the fact that we in Congress know what we are doing.

It seems to me that we only contribute to student disillusion by the confusion created in these three different provisions in three different measures, two of which have already become law.

I have not yet determined whether I shall oppose the effort to get the Senate to concur, which is the only course left to me. I want to discuss the matter further with the Senator from New Jersey [Mr. CASE] and others of my colleagues. It is a question in all of these matters of proportion. There is a lot at stake in the bill, a great deal that is extremely important to our country, including higher educational institutions and the very students who might be affected by this particular provision.

Mr. President, I point out to the Senate the box into which Congress and the country has gotten itself on this particular subject. Whatever we did, it would have been so much better to do the same thing again. We should have at least been consistent in respect of all types of dealings with students and higher educational institutions. However, instead of that, under our committee system and the conference reports and actions taken by various committees, these things can happen. We have gotten ourselves into a box and we are faced, if we go along with this provision, with a totally different approach, a totally different authority to administer it and in somewhat different terms and very serious differences. The Senator from Oregon [Mr. MORSE] argued this matter and pointed out the serious problems of proof that would occur under the House bill.

On the other hand, it is limited, if we do accept it, to only the 9 months of the remainder of the fiscal year. Although it is confusing and contradictory, it at least has a limited life—it is not permanent law—and Senators will have to make up their minds on balance, because we never can vote here on black or white, which way they are going to go.

I did wish to raise the question on the first presentation of the matter, because it may very well be raised for a vote among the Members of the Senate.

Mr. President, in order to allow Senator MUNDT to be present on the floor when action is taken in this matter, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, this bill appropriates more than $18 billion for literally hundreds of programs which touch the lives of nearly every community in this country.

I have been deeply concerned that Federal spending on this scale will be used as a wedge to introduce Federal control over community affairs.

The Senate Committee on Appropriations 2 years ago rebuked the Department of Health, Education, and Welfare for harassing school officials and for promulgating school guidelines which contravened the intent of Congress.

The committee said the Department's field investigators tended to act more as inquisitors than representatives of the Government. When the Appropriations Committee issued its report on the fiscal year 1967 HEW appropriations, it had these strong words about the Department's guidelines:

> Nor is it the function of the Department to promulgate onerous education guidelines which contravene the legislative intent of Congress in enacting Titles IV and VI of the 1964 Civil Rights Act.

The issue was brought to a test in the Senate by an amendment which would have restored $927,000 which the committee cut from funds budgeted for enforcement of these guidelines. On the vote in the Senate on that amendment to restore these funds 2 years ago, the amendment was rejected by a vote of 40 to 25. I submit that that shows clearly the intent of the Senate that the Department of Health, Education, and Welfare had gone beyond the intent of Congress.

The debate and the vote occurred as recorded in the CONGRESSIONAL RECORD, volume 112, part 18, pages 23905–23917.

A House study last year found the same "astonishing arrogance—that all good judgment and wisdom reside in Washington, that educators in Washington alone are innovative, are the best and only judges of what is innovative or creative."

It is with a measure of satisfaction, then, that I note the provisions of this bill which prohibit the use of Federal funds to force the busing of students or to force children to attend schools against the choice of their parents.

Frankly, I feel we should go further and accept the original House language which provided the following:

> SEC. 409. No part of the funds contained in this act may be used to force busing of students, abolishment of any school, or to force any student attending any secondary school to attend a particular school against the choice of his or her parents or parent.
>
> SEC. 410. No part of the funds contained in this act shall be used to force busing of students, the abolishment of any school or the attendance of students of a particular school as a condition precedent to obtaining federal funds otherwise available to any state, school district or school.

This language makes clear beyond any possibility of evasion the intent of Congress that Federal funds shall not be used as a vehicle for Federal control over our schools.

The Senate language, while not as forceful as the House provisions, nevertheless serves clear notice on the Office of Education that Congress wants a stop to the OEO's highhanded practices.

It makes unequivocal the will of Congress that Federal funds are not to be used to intimidate school officials into following policies that go beyond the requirements of law. It demands an end to the practice of holding the schoolchildren of this Nation hostage to the achievements of goals which are unrelated to education.

Mr. President, our schools have a vital role in passing on to future generations the values that have made this country great and which will help make our children into the kind of men and women we would like them to be.

If the Federal Government ever reaches the point where it can tell us what to teach and how to teach and how to organize our educational programs, then I think we will have lost our say over the future of our children.

At no time in our history has this function of education been more important, and at no time has the challenge been greater.

I am convinced that the closer we can keep the schools to the people, the better school system we will have and the greater will be our success in meeting the challenges of the day.

Mr. RUSSELL. Mr. President, I also wish to make some observations about the manner in which the Department of Health, Education, and Welfare has attempted to take over and dominate the operation of the schools in my part of the country. They not only have undertaken to dominate the method of operation of the schools, but also have usurped the prerogatives of the parents of the children in the Southern States.

As my colleagues know, the House of Representatives has agreed upon the language in sections 409 and 410 of H.R. 18037 as it was passed by the Senate. This language, as I understand it, would reaffirm and restate to the Department of Health, Education, and Welfare that it is not the purpose of Congress to allow the executive branch of the Government to use Federal funds to force busing of students or the imposition of other fundamental changes in local educational policy in order to overcome racial imbalance.

They also serve notice that the Congress does not intend for the Department to utilize the practice of withholding Federal funds from schools in order to coerce the "voluntary" acceptance of absolute Federal dictation in the administration of our schools.

It should be understood by everyone that these provisions will not in any way hamper the original purpose of a reasonable program of assuring that no child in this country is discriminated against in being permitted to enter any school due to his race, creed, religion, or ethnic origin.

I hope that this language will limit the activities of this Department to the areas that are actually sanctioned by existing law.

Section 410 contains a provision requiring the Secretary of Health, Education, and Welfare to assign as many persons to the investigation and compliance activities of title VI of the Civil Rights Act of 1964 related to elementary and secondary education, in the other States of the Union as are assigned to the 17 Southern and border States. It insists that he begin to administer title VI on an equitable basis throughout the Nation.

I may say, Mr. President, that last year when the Elementary and Secondary Education Act amendments were before the Senate, at a conference attended by a number of Senators including Senators Morse, Mansfield, Stennis, and Hill, and the present Secretary of Health, Education, and Welfare, we had a very firm understanding and promise from the present Secretary of Health, Education, and Welfare that the Department would enforce this act in the same fashion in the Northern States as in those of the South.

Senator Wayne Morse, floor manager of that bill, said in the Senate on December 11, 1967, at page 35705 of the Congressional Record, volume 113, part 26:

> I think that there is no answer to the argument of the Senator from Georgia that the enforcement policies in regard to noncompliance cases have been very much centered on the South. . . . Certainly the Senator from Georgia has a basis for complaint when he points out that the enforcement seems to have been weighted against the South, to the advantage of noncompliars in other parts of the country.

I might say, Mr. President, that the Senator from Oregon uncharacteristically understated the true situation. Until we started to harass the Department in regard to this matter, they had no rules whatever relating to schools outside the South. However, in promising that things would be different in the future, Senator Morse continued:

> I am happy to say that the Department assures me that in the future it will be enforcing Title VI of the Civil Rights Act in an evenhanded fashion throughout the 50 States. . . . We shall be watching it very carefully.

However, Mr. President, as has been the case in regard to a number of other similar promises relating to this and other aspects of the program the action has not been taken. If the committee of the distinguished Senator from Oregon has given this situation any attention after the debate of last December, I am not aware of it. The Department of Health, Education, and Welfare now admits that no money will be withheld during this school year in regard to any school system outside of the South not found in violation of a court order. I hope the provision in this bill makes unmistakably clear that Congress expects the Department to begin to make delivery on its promises to enforce this act equally and equitably throughout the entire United States.

Mr. President, I, of course, do not consider the total provisions of section 409 and section 410 to be full or adequate redress of the grievances which schools in my part of the country justly have in regard to the Federal Government's school desegregation program. They do not absolutely secure either assurances that the Department will now administer the program in accordance with the clear requirements of the law or that they will administer the program equally in all parts of the country.

The absolute failure and refusal of the bureaucrats who are responsible for the administration of this program to apply those elementary principles of justice that are required by equity and should characterize the administration of every Federal program is a sad commentary, indeed, on the ill will that some people in power in this Government still harbor against the part of this country from which I am proud to come.

I am frank to say that in almost 36 years as a Member of this body I have never seen a greater abuse of Federal law by a Federal agency than the HEW's highhanded and regional administration of title VI of the Civil Rights Act of 1964. Mr. President, when title VI of the Civil Rights Act was being discussed on the floor of the Senate in 1964, the senior Senator from New York [Mr. Javits] and the senior Senator from Rhode Island [Mr. Pastore] were among those who most strongly championed its adoption. I do not think it can be successfully questioned that the announced purpose of title VI, under the authority of which the Office of Civil Rights in HEW has promulgated what they call school desegregation guidelines, was to prohibit the forced separation of the races in the public schools. In other words, it was the purpose of the title to strike down forced assignment of students because of race and to institute a system in which students would be free to attend the schools of their choice without regard to race, creed, or national origin.

Let us consider a brief review of some statements made by the sponsors of the bill, including the Vice President of the United States, who was the floor manager of the bill, that indicate very clearly what the Senate considered to be the purpose of title VI at the time the legislation was pending.

In other words, what was the legislative intent? Let us consider the Congressional Record, volume 110, part 6, at page 7054, where the senior Senator from Rhode Island [Mr. Pastore] gave an example of why he considered title VI of the Civil Rights Act of 1964 to be necessary. Referring to segregation of hospital facilities in Greensboro, N.C., the senior Senator from Rhode Island said:

> The doors of these two hospitals were not open to a large segment of the Greensboro community. Their modern medical care was denied to those whose skin was colored—denied strictly and solely on the basis of the color of the patient's skin. The federal funds that helped to build these hospitals were raised, of course, by taxation—taxes paid by both white and Negro citizens. But the Negro in need of care could not get it at these hospitals simply because he was a Negro . . . That is why we need Title VI of the Civil Rights Act, H.R. 7152—to prevent such discrimination where federal funds are involved.

The Senator from New York was even clearer as to what he considered to be the purpose of this provision of the 1964 act. On page 12688 of the Congressional Record, volume 110, part 10, the senior Senator from New York [Mr. Javits] made the following statement, and I quote:

> But what we have been objecting to is the use of unconstitutional means, such as the denial of opportunity for the Negro child in the public schools to enroll in a school where he belongs, in his own neighborhood, whether it is mixed or whether it is only white or colored. That is the real essence of the argument.

Mr. President, I would like to quote another statement made on the same day, as recorded on page 12683 of the Congressional Record, volume 110, part 10:

> There is segregation in law where there is a denial of the opportunity to enter a particular school because of race, but it is not segregation in law where there is no denial of that opportunity because of race, de facto or otherwise.

As a matter of fact, the senior Senator from New York, in a colloquy with the distinguished senior Senator from Florida [Mr. Holland] took the position that the operation of the schools in New York, even if they were segregated, was proper, as will be found on page 12686 of the Congressional Record, volume 110, part 10:

> So when the Senator from Florida refers to the allegations by some groups that 31 Junior High Schools in New York City are segregated, I point out that they are not segregated in fact or in law or in any other way, in the way the schools in the South are segregated. In the New York City schools, any white children or any Negro children can be admitted.

The manager of the bill, the then Senator from Minnesota and present Vice President of the United States, was equally clear in his interpretation of the meaning of title VI. One of the many statements which he made in this regard can be found on page 12291 of the Congressional Record, volume 110, part 10, when he said, after referring to one of the decisions of the courts in this field:

> This case makes it quite clear that while the Constitution prohibits segregation, it does not require integration. The busing of children to achieve racial balance would be an act to effect the integration of schools. In fact, if the bill were to compel it, it would be a violation because it would be handling the matter on the basis of race. The bill does not attempt to integrate the schools, but it does attempt to eliminate segregation in the school systems. . . . The fact that there is a racial imbalance per se is not something which is unconstitutional.

Mr. President, I could read a number of other statements having the same tenor and effect. I shall read just one other from then Senator Humphrey, of Minnesota, when he refers to the weight that should be given his statements in the interpretation and administration of the law. It can be found on page 12716 of the Congressional Record, volume 110, part 10, when he said:

> I am manager of the bill, and as a part of the legislative history, that would have some importance. It would not be important because those words came from Senator Humphrey, but it would be important because the Senator from Minnesota is the manager of the bill.

Mr. President, these statements clearly indicate the legislative intent of the bill when it passed the Senate. I may say that the title originated in the Senate, and, in my opinion, cloture would never have been imposed had there been any assertion that the bill would be interpreted and applied in the unfair and unconstitutional fashion in which it has been applied through the Southern States.

Mr. President, the people in my part of the country did not welcome this legislation, but they have, in good faith, in practically every instance in my State, undertaken to conform to it. They have undertaken to establish a genuine and bona fide freedom of choice system in the administration of the schools.

The statements to the effect that all the bill sought to do was to assure that the door of no school would be closed to any child due to his race, creed, or national origin, has been complied with in good faith in practically every one of the 159 counties in my State and in all of the 300 or 400 school districts.

Mr. LONG of Louisiana. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. LONG of Louisiana. I completely agree with what the Senator from Georgia is saying. The thing that concerns me is that when we have such a plan as was put into effect by the district judge in the Eastern District of Louisiana—a very fine judge, may I say, and he was born and reared in Massachusetts—it provided that children could go to the school nearest their homes. If that school was predominantly Negro or was predominantly white, they could go to whichever school they preferred, whether Negro or white. Whichever one the children wished to go to, that was their choice. If a child thought it was better for him to go to a school predominantly of the opposite race, he would have that privilege.

In my judgment, nothing could be fairer than that—give a child the choice of going to the school nearest to him or to a school at a greater distance, if he wanted to—complete freedom of choice to go to a school that was predominantly either white or Negro.

For one to say, "No, that is wrong. We will force children to go to a school they do not want to go to"——

Mr. RUSSELL. Or their parents.

Mr. LONG of Louisiana. Yes. Both Negroes and whites.

Mr. RUSSELL. The bureaucrat puts himself in loco parentis and says, "I know more about what is good for a child. You have got to do this or that or the other," in absolute disregard of the wishes of the parent, the child, or the local school board.

Mr. LONG of Louisiana. Some of us have been treated as second class citizens, if we are white southerners. Some of the bureaus in the HEW have undertaken to treat Negro citizens of the South, also, as second class citizens.

Mr. RUSSELL. These people seem to be so drunk with the power they have assumed, I believe they associate themselves in some way with the deity, or some power much greater than any mortal man knows of, or can administer.

Mr. LONG of Louisiana. It would seem to me that some of those people think that integrating the races is more important to the people than health, education, or even life itself.

Mr. RUSSELL. As I say, they put themselves up as bureaucrats knowing what is best, ignoring what the parent, the child, or the teacher may think. The bureaucrats in Washington are not even interested in the community or in communicating with any of the residents of that community.

To indicate how general the understanding was that bona fide freedom of choice was what was required by title VI of the Civil Rights Act, I refer to a letter from the President of the United States, who has been given credit in many places—and I think with great justification—for being responsible for the bill's passing the Senate. In 1966, the President answered a letter that was written him by 19 Members of the Senate, protesting the distortions in the school guidelines as set forth by the Office of Education early in the year, and insisting that bona fide freedom of choice was all that was required by the law.

On May 16, the President responded in part as follows:

> The guidelines accept freedom of choice as consistent with the Constitution and laws. They are, however, designed to assist school authorities in administering freedom of choice plans to make sure the choice is, in fact, free. . . . The guidelines are not designed to compel desegregation beyond that inherent in a fairly working free choice plan, to strike down freedom of choice, or to achieve "racial balance." . . . In short, the guidelines do not abandon freedom of choice, they seek to guarantee it in fact.

Mr. President, I ask unanimous consent to have the entire letter printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit No. 1.)

Mr. RUSSELL. Mr. President, the President's statement to this effect is especially significant when we consider the clear requirements of section 602 of title VI relating to school guidelines, which reads as follows:

> No such order, rule, or regulation shall become effective unless and until approved by the President.

Mr. President, is there any Member of this body who has received any assurance that the President has approved or even seen the most recent guidelines announced by the Department of Health, Education, and Welfare? I would like to point out that the requirements of the guidelines have been escalated from year to year, and at no time have any of the guidelines that have been taken down into the Southern States and used to threaten the school administrators borne any indication that the President has reviewed or approved them, as required by this section of the law.

Mr. President, there is today not the slightest resemblance on the part of the Department to any meaningful freedom of choice in any aspect of its program; instead, the administration of it is marked by bureaucratic coercion and force.

On November 21, 1967, less than 1½ years after the President of the United States reaffirmed the essential importance of freedom of choice in regard to title VI compliance, Mr. F. Peter Libassi, then Director of HEW's Office of Civil Rights, was questioned by the senior Senator from North Carolina [Mr. Ervin] in a special hearing before the Senate Education Subcommittee on this very important matter. I quote from the hearings:

> Senator Ervin. In other words, if there is a freedom of choice, even in a genuine case, the Department will not recognize a genuine case of freedom of choice unless its produces integration.
>
> Mr. Libassi. That is right.

That shows how, in the administration of the law, from the time it was passed in 1964 to 1967, the administrators have abandoned any pretense of the stated objective of the law at the time it was passed, and have undertaken to establish entirely new objectives in their administration of the act.

Mr. President, I shall not go into any further history of title VI at this time. I wish to say, however, that I have never taken lightly statements made on the floor by Senators who are in charge of bills as to the intent of that legislation. And on occasions when I have managed legislation, I have been careful to state my honest opinion and judgment as to what the pending legislation really entailed and proposed to do. I give credit for the same intent to those who handled this bill. But it is the worst kind of evasion of responsibility for the Senate to permit any executive department to effectuate fundamental changes in local educational policies through the subversion of clear requirements in existing law.

Mr. President, I have from time to time complained here that in the administration of this law, which is supposed to be national in its application, the only application of it has been confined strictly to the Southern States. I stated here, last year after the Senator from Oregon [Mr. Morse] in presenting amendments to the Elementary and Secondary Education Act, had stated that the law would be applied throughout the entire United States, that I did not believe it would be done until after the elections this fall. I stand on that statement.

However, the Civil Rights Commission has stated that there was as clear and compelling evidence of the existence of segregation in States outside the South, particularly in the State of New York and the State of Illinois, as there was in any Southern State, but not one dime has been withheld from any one of those schools; and it will not be done until after the election this November. It may be then that you will see some slight movement, because it has become the master case of hypocrisy and political cheapness in the entire history of our Nation to contemplate the one-sided administration that has been given this law up until this time.

The Department has undertaken to excuse its acts on the ground that they were not violating the law; but I point out that this is sheer fantasy and a hoax. Consider, for example, a small rural county in the South, the county in which I live, for example, in which there are only two high schools and two elementary schools. With the adoption of the freedom-of-choice plan, it has been made clear that any of these schools are open to any student. However, the Department comes in and denies this freedom of choice unless a sufficient number of students, in the opinion of these bureaucrats, choose to go to a school that was formerly of the other race. If that is not an undertaking to apply the law to overcome racial imbalance, I do not see any other purpose. I do not see how anyone can contend that the requirement that all students within a school district in a particular grade, attend a particular school is not the ultimate in undertaking to overcome racial imbalance.

Mr. President, I would like to call attention to the report of the Civil Rights Commission, which was established here by law to police and to report on various conditions throughout the country as to how the efforts of the Congress to deal with this problem are functioning. There is one statement in the Civil Rights Commission report of 1966, which deals at great length with the title "Racial Isolation in the Public Schools," that covers the whole subject matter of the report:

> Racial isolation in the schools is intense whether the cities are large or small, whether the proportion of Negro enrollment is large or small, whether they are located North or South.

Yet, Mr. President, some 2 or 3 years ago they sent one investigator to Illinois. He reported that segregation was being enforced in the schools there by gerrymandering school districts or other means, and he recommended the funds be cut off.

But instead of the funds being cut off, he apparently was cut off, because nobody ever heard anything more from him. The telephones were soon operating between Washington and Chicago, and nothing was ever done about it. The parents of the colored children, in one instance, in a school in Illinois, went into the Federal courts and secured a ruling that the state of segregation in the school was in violation of title VI of this act, but that school has not suffered the loss of one single dime of Federal funds. Yet one bureaucrat can go down from Washington to a Southern State and deny those schools their fair share of participation on his own finding—not that of a court.

Mr. President, it has not required a very high degree of courage for any administrator to deny funds to the schools in the Southern States. They have not applied the law outside the South. This same report of 1966 of the Civil Rights Commission stated that the school system of the city of Buffalo, N.Y., had a particularly acute case of racial segregation in its schools; but we have not heard of any funds being cut off from any of the schools in the city of Buffalo, any more than they were in the South Holland Elementary School District south of the city of Chicago, to which I referred a few moments ago.

I say, Mr. President, the sectional imbalance in administration of this law today is a national disgrace. Section 410 of this bill, H.R. 18037, does contain a clear and definite finding and mandate that as many representatives or agents from the Department of Health, Education, and Welfare shall be assigned to States outside the South and border States as are assigned in the South and border States. I do not know whether even that will permit any administration to have the courage to apply the same means of enforcement to schools outside of the South that they have within the South; but it will certainly be a very manifest and palpable breach of faith if the law is not applied more equitably in the future.

Mr. President, I have become increasingly indignant over the sectional manner in which this law has been administered. I think that closer attention will be paid after the election this year to the fact that there is still a strong feeling in this country that the local people are capable of administering local schools, and that local boards of education in one section of the country can undertake to apply a Federal law as fairly as those in any other section. I think we will find strong evidence that the American people are sick and tired of the Federal Government increasingly controlling institutions which have always been looked upon as being of a peculiarly local nature; and the day of reckoning may come sooner than some of those who have been active in this area may think.

I hope, Mr. President, that the Senate will accept a role in securing fairness in the administration of these laws that will be more in keeping with the reputation and the standing of the Senate in the past. There has been a time, even at the time when I came to the Senate, when this body would not have tolerated for 1 day any such abuse in the administration of law as we have seen for 4 long years in this case.

We shall continue to undertake to secure justice in this matter, and we shall continue to fairly apply the freedom of choice rule that was the standard that was promulgated time and again here on this floor, when this matter was before the Senate. As far as I am concerned, I shall, Mr. President, devote my efforts to see that this situation is not permitted to continue indefinitely. If title VI of the Civil Rights Act of 1964 is to be abused and distorted in its administration, I propose to see to it that all of the citizens of this country have the benefit of that abuse and distortion, and I shall undertake to see that the agents who are sent into other sections of the country by the Civil Rights Commission admit that there is segregation on a scale completely unknown in the South since the passage of this act. I shall continue my efforts to remove from the escutcheon of this country this blot of an unfair and sectional administration that has existed up until this time.

EXHIBIT 1

THE WHITE HOUSE,
Washington, D.C., May 16, 1966.

Hon. RICHARD B. RUSSELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I appreciate receiving your joint letter of May 2 concerning the Title VI Guidelines recently issued by the Office of Education. The purpose of these guidelines has been widely misunderstood, and I am happy to have an opportunity further to clarify their intention.

The guidelines accept freedom of choice as consistent with the Constitution and laws. They are, however, designed to assist school authorities in administering freedom of choice plans to make sure that the choice is, in fact, free. In this respect they are modeled upon the decisions and decrees of courts facing similar problems in desegregation suits.

The guidelines are not designed to compel desegregation beyond that inherent in a fairly working free choice plan, to strike down freedom of choice, or to achieve "racial balance." If they are capable of such an interpretation, Secretary Gardner's letter of April 9 should have served to clarify these misconceptions. As he stated, the percentages to which you take exception are designed simply as an administrative guide to assist the Department in reviewing over 2,000 separate school districts in connection with the operation of free choice plans.

We believe—and I am sure you agree—that Title VI places upon the Executive Branch the obligation of assuring itself that free choice plans are in fact working fairly. The guidelines are designed to insure that both we and local school boards fulfill our respective obligations. In short, the guidelines do not abandon freedom of choice, they seek to guarantee it in fact.

Through enforcement of Title VI, as well as through lawsuits under Title IV, we seek good faith efforts to comply with the law. All but a small number of school districts in the states you represent have indicated their willingness to do so. And this I find immensely encouraging.

As you indicated in your letter, all of you have advocated acceptance of the law and urged people to adjust themselves to it.

I am, therefore, counting on you to assist us in urging school districts to make every effort at good faith compliance with the law and, if free choice plans are adopted, that such plans are fair and workable. If we are to get on with our shared objective of improving the educational system of this country, which is so vital to our future as a nation, then we must do so in complete good faith.

I will be glad to have the Attorney General go over with you any question you have about the legal basis of the guidelines.

Sincerely,

LYNDON B. JOHNSON.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The Senator from South Carolina is recognized.

Mr. THURMOND. Mr. President, I wish to express my deep regret that the House of Representatives, on a very close vote of 175 to 167, expressed its preference for the Senate language in the HEW appropriations bill which prohibits funds being used to forcibly "overcome racial imbalance." We all realize that the present language is a reaffirmation of congressional opposition to forced integration and is a restatement of the present law. To my way of thinking, the House language was preferable because HEW makes the patently false claim that their policies and guidelines are not aimed at overcoming what they call racial imbalance. As one school superintendent put it in a letter to me recently:

> The OCR folks, untrue though they be, claim that they make no requirement now relating to imbalance.

The specific intent and purpose of the Office of Civil Rights of the Department of Health, Education, and Welfare is to pressure local school boards to close schools or require students to attend schools out of their neighborhood in order that the school will take on the appearance deemed necessary by the field representatives in the Office of Civil Rights.

Mr. President, HEW is supposed to carry out the legislative intent of the laws administered by that Department, and Congress has not given that agency the power to force children to attend certain schools in order to overcome racial imbalance. If the only question here was desegregation then we would not be here; the law now requires that students may attend the school they choose. If HEW was concerned with the quality of education instead of dictating guidelines on forced integration, debate would not be necessary. If HEW was concerned with the health of the schoolchildren then I would not receive as many complaints as I receive from constituents.

Mr. President, I wish to read parts of two letters I received recently from a parent and a school superintendent on the attitude of the Office of Civil Rights. After telling how he tried all summer to get some indication of what HEW would require the school district to do to qualify for Federal funds, one superintendent noticed they were placed on the deferred list even though no local witnesses testified against the present desegregation plan. He went on to say:

> Our school district is still operating under the Freedom of Choice plan as we feel that this is in compliance of Title VI. The relationship between negro and white has been excellent. We have had no complaints and people are satisfied with the situation as it is *now*. The Administration and Board of Trustees are interested in *education of all races* and not *integration only*. As things are going smoothly, I am most distressed that the HEW office will not accept the satisfaction of both races in our community and not bring about a condition that may cause unrest, boycotts and maybe even rioting.

Mr. President, the inequitable situations which result from the blind adherence of HEW to the policy of forced integration can be illustrated by a letter from a parent in a district where the school board was forced to take action not in the overall best interest of good education. He wrote:

> On August 24, 1966, my two sons were registered to attend Orange Grove Elementary School. On August 30, just two days before school started, the Principal of this school informed my wife by telephone that:
>
> (a) Our children could not attend Orange Grove School, even though we had some time ago chosen this school under the Freedom of Choice Policy.
>
> (b) No child from the Wespanee Subdivision where we live could attend Orange Grove School.
>
> (c) Only negroes are permitted to choose the school under the Freedom of Choice policy.
>
> Consequently, it was necessary then to have our children registered in Albermarle Elementary School.
>
> In April of 1966, I signed a school choice form indicating Orange Grove School as our choice. This choice was made because of our expected change of residence to a location near the half way point between Orange Grove and Albemarle Schools. The notice received from your office (with the school choice form) which explained the desegregation plan stated in part:
>
> "No choice will be denied for any reason other than overcrowding. . . . Should any student be denied his choice because of overcrowding he will be promptly notified and given a choice among all other schools in the system where space is available."
>
> The above information was erroneous and deceptive insofar as my case is concerned. First, our choice was obviously not denied due to overcrowding since children from the new Plantation Apartments are permitted to attend Orange Grove School even though located closer to Albemarle School. Also, a major portion of the Wespanee Subdivision is closer to Orange Grove School than are the Plantation Apartments. Secondly, we were not given another choice in accordance with the statement contained in your notice and as quoted above.

Mr. President, for too long now we have acquiesed to the dictatorial power-grabbing policies of HEW. I believe it is high time that HEW returned to its proper role of enforcing the law instead of forcing integration, while giving little consideration to the already herculean task of providing good education to our children. The 1964 civil rights bill and the provisions of the Elementary and Secondary Education Act dealing with desegregation were designed to prevent discrimination and are not licensed to forcefully integrate every classroom and school activity. Why not let every child attend the school of his choice? There is no valid reason for denying some students their choice of schools just to overcome racial imbalance. I remain opposed to the present policies of HEW and believe that control of our schools should be returned to the local school boards and the policy of freedom of choice should be the guiding principle in order that every child can receive a good education without being bused across town or forced to go to any school against his wishes. Mr. President, I desire that my vote be recorded against the adoption of the conference report in the event there is not a rollcall.

Mr. STENNIS. Mr. President, I shall not detain the Senate for but a few moments.

I was a member of the conference committee on the pending measure. I am familiar with the progressive development of the so-called guidelines. I was sitting right here and heard the statement made by the now Vice President and also by the distinguished senior Senator from Rhode Island when they guaranteed, as they were mustering votes to impose cloture—and I am sure they did so in good faith, as far as they could—that this was the correct interpretation of the bill they proposed to pass. It was certainly a reasonable interpretation as to the meaning of the specific words with respect to the busing of schoolchildren for the purpose of effecting racial balance.

That law was passed for the reason that every informed Member of the Senate believed that interpretation to be correct. It has not been changed one iota since then. But it has been interpreted by HEW and, to a certain extent, by the courts so as to ignore those provisions that were written in the bill by the sponsors of the bill—not by the opponents, but by the sponsors of the bill.

The enforcement has been the most open, brazen, deliberate, and willful act that I have ever seen in Government. I have repeatedly said this to the HEW officials, the Secretary and others, along with the Senator from Georgia, the Senator from Alabama, and others. Those officials repeatedly promised some relief on many of these points. However, we are now down to the proposition of adopting some additional points that I want to call to the attention of Senators who represent States outside of the southern area exactly what they are voting for.

We have been solemnly promised over and over again that these so-called guidelines were going to be enforced in other areas of the country as they were in our area. That promise, for some reason, has been altogether ignored until within the last few months. This thing is so plain and flagrant that when the Senator from Oregon [Mr. MORSE] learned the facts a year ago when he was handling the Elementary Education Act he told them face to face that he would have no part in it and it would have to be remedied. Later he so stated on the floor.

I think the Senator from Georgia has already quoted from the speech of the Senator from Oregon. I believe that if every single Senator would read the RECORD and see what has been done, they would reach the same conclusion as that reached by the Senator from Oregon. However, at this time if the pending conference report is agreed to, we will be voting for a mandate, a new section in the law. Reading from page 64 of H.R. 18037, the amendment says:

> Provided that the Secretary—

Meaning the Secretary of Health, Education, and Welfare—

> shall assign as many persons to the investigation and compliance activities of title VI of the Civil Rights Act of 1964 related to elementary and secondary education in the other States as are assigned to the seventeen Southern and border States to assure that this law is administered and enforced on a national basis, and the Secretary is directed to enforce compliance with title VI of the Civil Rights Act of 1964 by like methods and with equal emphasis in all States of the Union and to report to the Congress by March 1, 1969, on the actions he has taken and the results achieved in establishing this compliance program on a national basis * * *.

Mr. President, that is fair warning to all Senators who represent States outside of the area where this measure has been enforced. It is fair warning that they are voting a mandate on themselves. I do not know what will be done, but I predict that if this is carried out, Senators will feel the results in their own local school districts. They will hear from the mothers and other people. Then, for the first time, there will be some chance to get a provision of this kind considered on a national basis.

Much interest in changing this law will not be aroused in Chicago so long as it is not enforced in Chicago, or any other area.

Frankly, that is one of the things I want to see brought out. Let us see what the reaction will be nationally. I do not want it enforced there with the venom and almost evil intent at times by these executives or officials as has been shown in some areas of our part of the country. But if this is a national policy, we will see what happens now, under this direct mandate of Congress, which is a change of policy.

Now I shall refer to another change of policy in this amendment.

I ask unanimous consent that a section

of a booklet entitled "The Principal Laws Relating to the Establishment and Administration of the National Forests and to Other Forest Service Activities" be printed at this point in the RECORD.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

PERCENTAGE OF RECEIPTS PAYABLE TO STATES AND COUNTIES

Act of May 23, 1908 (35 Stat. 260) and Section 13 of the Act of March 1, 1911 (36 Stat. 961), as amended by the Acts of June 30, 1914 (38 Stat. 441); September 21, 1944 (58 Stat. 737); and April 24, 1950 (64 Stat. 87); 16 U.S.C. 500

Twenty-five per centum of all moneys received during any fiscal year from each national forest shall be paid at the end thereof by the Secretary of the Treasury to the State or Territory in which said national forest is situated, to be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the national forest is situated: *Provided*, That when any national forest is in more than one State or Territory or county, the distributive share to each from the proceeds of said forest shall be poportional to its area therein. In sales of logs, ties, poles, posts, cordwood, pulpwood, and other forest products the amounts made available for schools and roads by this Act shall be based upon the stumpage value of the timber.

Mr. STENNIS. This section appears on page 41 of the booklet, and it refers to the national forest law going back as far as May 1908, with successive amendments down to and including April 24, 1950—all of which predates any civil rights act.

That section provides that—

> 25 per centum of all moneys received during any fiscal year from each national forest shall be paid—

That is mandatory, and it goes back to 1908—

> at the end thereof by the Secretary of the Treasury to the State or Territory in which said national forest is situated, to be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the national forest is situated.

Mr. President, it is as plain as the nose on one's face. That was enacted, and the spirit of it, at least, was an enactment in lieu of taxes. This land is exempt from ad valorem tax—the vast areas of some counties that are national forests. Congress was trying to even up the equities and said, "We will let you share. The Federal Government will not pay taxes, but when the timber is marketed, then you will get a share of the proceeds."

The point is that under the demand of HEW, this money was withheld; money that belonged to those districts under the mandate of this old law has been withheld from these school districts which did not satisfy the HEW officials. It was bodily and willfully withheld and was not paid, and it is lying there now.

I have the figures with respect to my own State. In 1967 they withheld $59,900 nationwide, and $16,000 of that was withheld from my State. The next year there were more sales in more districts—$173,000 of this forest proceeds fund was withheld from my State alone, and funds were withheld from other States.

Mr. President, that is recognized by that amendment, and this provides that notwithstanding any other provision, moneys received from national forests, to be expended for the benefit of public schools or public roads, and so forth, may not be recommended for withholding by any official employed under appropriations contained therein.

Now, that is a change of policy. This is an appropriation bill. It had to be expressed in the form of a limitation. But this says that HEW shall not, in the administration of its affairs, make any recommendation for withholding this particular money.

We have conferred with the officials of HEW, and they agree that under this language they will have no authority to act in this field. I say that at this time for legislative history. That statement was made in the presence of the Senator from Georgia and the Senator from Alabama as well as myself.

I asked HEW, "What about the money you are already holding?" We could not make this bill apply to it under well-known rules of procedure, and they said they would not have anything to do with that.

I believe it is very clear, indeed, that with this change of policy, it is certainly up to the Federal Government, under the mandate of this change of policy, to pay that money now to those little school districts from which it has been withheld heretofore. I hope it will not be necessary to come back here or go to court and sue about it. It is a practice that has been brought to the attention of Congress.

If this bill is passed and Congress has repudiated and changed the rule so far as this appropriation money is concerned, that is as far as they can go on this kind of bill.

So I hope that this little mite at least will be released now, with a reasonable time to look into it. It would not take more than a few days or a few weeks at the most. I certainly shall call it to the attention of the proper authorities, with that hope.

Mr. President, as one who is concerned, may I affirm and say that I heartily agree with the points made by the distinguished Senator from Georgia as he outlined the record, the practice that has been going on under the administration of HEW, as to these funds. I express the hope, too, that this will become a national policy. I do not see how HEW can come back here next year and ask for any kind of money unless they have a real showing that they are carrying out not a promise but a mandate of Congress in this field. I believe now that they will. I have told them that I do not know whether they are to blame, because they might have been getting orders from some high source. This is a political matter, and it has been handled in that way. I do not believe there is any doubt about the pattern. They handled it that way, trying to make a showing, and they want to make that showing at the least political cost. I hope that this mandate of Congress, this change of policy, will revoke that pattern and move into a higher plane and a more just and a more reasonable method of proceeding in this field.

I thank the Senate for its indulgence. I especially thank the Senator from Georgia, who has labored in this matter as a matter of principle from year to year, and has had promises made to him over and over again which, for one reason or another, were repudiated year after year. Some of the fine language in most of it is his, as is part of the amendment we discussed. He has never pleaded for any favors or anything else about this matter, simply for what is just and right. It was enacted as a national policy, and that is the basis on which we have tried to put it.

Mr. President, I ask to have a memorandum printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

CIVIL RIGHTS ACT OF 1964—BUSING PROVISION

Section 4–7(a) of Title IV, declares that "nothing herein shall empower any official . . . of the United States to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another and one school district to another in order to achieve such racial balance . . ."

Senator Humphrey, Floor manager of the bill, was emphatic and unequivocal that this limitation in Title IV applies to the entire act and particularly to Title VI. In an exchange with Senator Byrd of West Virginia, which appears at page 12715 of the CONGRESSIONAL RECORD for June 4, 1964, volume 110, part 10, Senator Humphrey was asked "What does the word 'herein' mean?" in the above quoted provision of Title IV:

"Mr. HUMPHREY. It means within the act.

"Mr. BYRD of West Virginia. Does it mean the act or the title?

"Mr. HUMPHREY. It means the act. . . .

* * * * *

"Mr. BYRD of West Virginia. But would the Senator from Minnesota also indicate whether the words . . . would preclude the Office of Education, under Section 602 of Title VI, from establishing a requirement that school boards and school districts shall take action to relieve racial imbalance wherever it may be deemed to exist?

"Mr. HUMPHREY. Yes. I do not believe in duplicity. I believe that if we include the language in Title IV, it must apply throughout the act . . .

* * * * *

"Mr. HUMPHREY. As to racial balancing, Judge Beamer's opinion in the Gary case is significant in this connection. In discussing this case, as we did many times, it was decided to write the thrust of the court's opinion into the proposed substitute . . ."

* * * * *

"Mr. BYRD of West Virginia. Suppose the Office of Education establishes a regulation that there shall be no racial imbalance in the schools of any district which receives Federal assistance. Cannot the Office of Education, pursuant to carrying out this regulation, deny assistance to school districts where racial imbalance exists?

"Mr. HUMPHREY. Let me read the substitute: *Provided*, that nothing here shall empower any official or court of the United States to issue any order.

"Mr. BYRD of West Virginia. 'To issue any order', but does it provide that the Office of Education shall not cut off Federal assistance?

"Mr. HUMPHREY. But in order to cut off Federal assistance, the President would have to issue the order, if the Senator would read Section 602.

"Mr. BYRD of West Virginia. The words

are: No such rule, regulation, or order shall become effective unless and until approved by the President.

"Mr. Humphrey. That is correct.

"Mr. Byrd of West Virginia. What assurance does the Senator give me that the President will not approve such a requirement?

"Mr. Humphrey. Because I do not believe the President will violate the law."

At pages 12716 and 12717 of the Congressional Record, volume 110, part 10, Senator Javits came to the aid of Senator Humphrey in reassuring Senator Byrd.

"Mr. Javits. I believe I know what the Senator from West Virginia (Mr. Byrd) is asking about. I had a great deal to do with drafting the point we are talking about.

* * * * *

"Taking the case of the schools to which the Senator is referring, and the danger of envisaging the rule or regulation relating to racial imbalance, it is negated expressly in the bill, which would compel racial balance. Therefore, there is no case in which the thrust of the statute under which the money would be given would be directed toward restoring or bringing about a racial balance in the schools. If such a rule were adopted or promulgated by a bureaucrat, and approved by the President, the Senator's State would have an open and shut case under Section 603. That is why we have provided for judicial review. . . ."

Senator Humphrey rejoined the discussion at page 12717, returning to the Gary case which he had mentioned earlier.

"'I would like to make one further reference to the Gary Case. This case makes it quite clear that while the constitution prohibits segregation, it does not require integration. The busing of children to achieve racial balance would be an act to effect the integration of schools. In fact, if the bill were to compel it, it would be a violation, because it would be handling the matter on the basis of race and we would be transporting children because of race. The bill does not attempt to eliminate segregation in the school systems. The natural factors such as density of population, and the distance that students would have to travel are considered legitimate means to determine the validity of a school district, if the school districts are not gerrymandered, and in effect deliberately segregated. The fact that there is a racial imbalance per se is not something which is unconstitutional. That is why we have attempted to clarify it with the language of Section 4."

Mr. BYRD of Virginia. Mr. President, I wish all the American people could have heard the debate and the discussion which has taken place on the floor of the Senate this afternoon.

The Senator from Mississippi has just brought out some extremely interesting and important points in regard to the activities of the Department of Health, Education, and Welfare.

Earlier, the Senator from Georgia made a powerful indictment of the administration of this law by the executive branch of Government.

He went back to the day in 1964 that the civil rights bill was enacted. He pointed out that the manager of the bill, the present Vice President of the United States, said that under that measure, if it were enacted, the Federal Government would not have the right to do what the Department of Health, Education, and Welfare has been doing in the last 2 years.

Mr. President, I think that if the facts brought out by the Senator from Georgia were made known to the American people from coast to coast, the American people would rise up against the usurpation of power by the executive branch of Government.

Another aspect of this matter that the Senator from Georgia emphasized today is the unfairness with which this law has been administered.

Let us assume the law should be administered the way they are administering it now—and I do not make that assumption, but let us assume it—then I submit that in fairness it should be administered that way not just in one part of the country but it should be administered that way in New York, California, Illinois, Ohio, Pennsylvania, and in all the States of this Nation.

I submit that when the Department of Health, Education, and Welfare administers the law on the basis it has administered it, and applies it only to one section of the country, then, Mr. President, it seems to me that those of us in the Senate, and the American people, can very well question the sincerity on the part of those who are administering this law when they say they want to help the Negro people and that they want to abolish discrimination.

I say let us abolish it everywhere.

As the Senator from Georgia pointed out, the Civil Rights Commission has cited any number of cases where there is equal discrimination, and perhaps more discrimination in New York State and in other States outside the South.

Let us enforce this law as it was placed on the statute books. If the Department of Health, Education, and Welfare wants to enforce it only in one section of the country, I say that is wrong. I say it is not only unfair to that section of the country but it is also unfair to other sections where the law is not being enforced and presumably discrimination is occurring without the Federal Government attempting to alleviate it.

So I feel the Senator from Georgia today, with the material he placed in the Record, has rendered a great service to our Nation. It seems to me that those of us in Congress on both sides of this civil rights question have an obligation to see that the law is enforced fairly and not just enforced in one section of the country.

The amendment in the present bill seeks to accomplish just that purpose.

Mr. JAVITS. Mr. President, I wish to say to Senators that I am ready to have the conference report approved, except that the assistant to the Senator from South Dakota [Mr. Mundt] asked that I give the Senator the benefit of a quick quorum call.

Mr. President, I suggest the absent of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the conference report.

Mr. HRUSKA. Mr. President——

Mr. JAVITS. Mr. President, may I restate the parliamentary situation. We have now ascertained from the Chair, by rulings, that approval of the conference report must precede consideration of the items in disagreement.

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. Amendment No. 10 is in disagreement as it came over from the other body. If the Senate does not concur in amendment No. 10 as determined by the other body, it will then be in disagreement and there will have to be a conference upon that item, and the bill cannot go to conference until that question is disposed of. It will not affect the other items in the conference report which will thereby have been approved, except for other items in disagreement which may be similarly challenged; is that not correct?

The PRESIDING OFFICER. That is a correct statement.

Mr. HRUSKA. I ask for the yeas and nays.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

Mr. JAVITS. Mr. President, again may I just be sure, so that we all understand the situation, because a number of Senators are interested in amendment No. 10. I therefore propound the following parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. When amendment No. 10 is called up by the clerk, and should it be in disagreement, is that question then debatable and upon that issue the Senate will have to decide and the yeas and nays may be ordered upon that issue; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. HRUSKA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Nebraska will state it.

Mr. HRUSKA. Am I not within my rights to ask for the yeas and nays on the pending motion?

The PRESIDING OFFICER. The Senator is correct.

Mr. HRUSKA. That is what I asked for. I request once more the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, if I may be recognized, so that we may know exactly what is afoot, the Senator from Nebraska is, of course, completely within his rights in asking for the yeas and nays. I apologize to him because I thought what he was seeking was to be sure that we got the yeas and nays on the proposition of the Senator from South Dakota [Mr. Mundt]. Of course, we must deal with the question of the conference report as a whole, but I want to make clear to Senators, in the absence of the Senator from Alabama [Mr. Hill] who, quite in good faith thought that this would be done routinely and so went down to a conference—at which I was due, also—that the only thing that will now happen, if the conference report is approved, is that each item reported in disagreement and which is set forth in the report of the managers of the House, including the item about impacted areas and other items which are in disagreement, will be called up separately.

Any Senator who wants to do so may contest any item and seek to have the Senate stand by its own position as contradistinguished to whatever the House has done—in some cases, the House has adopted the position of the Senate, in which case I assume there is no reason for proceeding further, but in some cases the House has not, as for example the one in which the Senator from South Dakota [Mr. MUNDT] is quite interested. There, too, notwithstanding the vote, I propound again another parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. Notwithstanding the vote, and assuming the vote is favorable, it will still be possible to act separately on every item in disagreement; is that not correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. I want to be sure that the Senate understands that, so that we will not stop anyone, when we adopt the conference report as such.

Mr. KENNEDY. Mr. President, this appropriations bill is as important to the future of our country as is any other we have voted on, or will vote on, this year. It appropriates funds for education; for health; for employment programs; for the poverty program; for the Corporation for Public Broadcasting; for consumer protection activities; and for literally hundreds of other items all related to the health and well-being of our country and of its people.

The report of the Senate Committee on Appropriations, which accompanied the bill when we considered and passed it before sending it to conference, runs to some one hundred pages. It is, quite literally, a catalog of our national commitment to bettering the lives of millions and millions of Americans, rich and poor, black and white, old and young.

Under the astute and compassionate guidance of Senator LISTER HILL, the committee has set priorities and goals for the executive branch—a difficult task in this time of very great pressure on the Federal budget. Senator HILL and his colleagues on the committee deserve our praise and appreciation for their work.

I noted with particular interest two items regarding activities of the Office of Economic Opportunity. One relates to expenditures of program funds for the elderly poor, and the other to funds for neighborhood health centers.

I would like to quote briefly from the committee's report, its comments on programs for the elderly poor:

> In its review of the operations of the Office of Economic Opportunity over the past year, the committee has found a disturbing lack of expenditure of program funds for the elderly poor. The committee notes that the Economic Opportunity Act was significantly amended in the last session in five titles to emphasize the need for a major expansion of activities on behalf of the elderly poor. Despite these authorizations, OEO has continued to relegate older persons programs and services to second, or less, priority with the result that less than 5 percent of OEO funds were specifically directed to serve the 55 and above group which represents from 25 to 30 percent of the Nation's poor. Even though the Congress authorized a major new special emphasis program, senior opportunities and services, section 222(A)8, in the 1967 session through which OEO could have channeled major program funds to meet the legislative intent, the committee notes that only a few token, last minute programs were funded under this section.
>
> Unfortunately, this is not a new situation within OEO priorities. For the past 4 years the Congress and outside private agencies have been urging OEO to give greater equity to the needs of the elderly. OEO has chosen to give only token acknowledgement to these reasonable requests. The Committee, therefore, feels that it has no choice but to specifically require OEO to meet its statutory and programmatic mandate and earmarks $50 million in title II funds to be channeled through section 222(A). We believe that such an earmark will allow OEO to develop a significant national older persons program without constraint on its other program plans. The committee also instructs OEO to maintain its current level of expenditures on behalf of the elderly in all OEO titles.

Mr. President, we badly need this mandate. Last year, the Committee on Labor and Public Welfare took thousands of pages of testimony, in hearings all around the country, on the operation of OEO programs. We found a distressing lack of attention to the problems of the elderly poor, and so stated in the strongest possible terms in our report accompanying the 1967 amendments to the OEO legislation. Still, however, there has not been sufficient response to meet the overwhelming needs of those of our senior citizens who lack sufficient income to make their retirement years ones of dignity and pride. I sincerely hope the explicit direction of the Senate Committee on Appropriations will be heeded, as regards this much-needed effort on behalf of the elderly poor.

The second item deserving our close attention relates to funds for the neighborhood health center program.

The neighborhood health center program is a notable breakthrough in the health field. It not only brings new health services and new health jobs to poor persons, but demonstrates new systems of health care and provides new patterns of community involvement to solve the basic social and economic problems which have for so long been major obstacles to good health care.

During the past 3 years, 47 neighborhood health centers have been opened. Hundreds of other local communities have expressed their desire to develop similar programs.

This impressive beginning has been made possible because the poor themselves, and the health professionals—such as the American Medical Association—agree that this program provides a necessary step in solving our health problems.

This necessary step is provided by offering more effective delivery of services in the areas where the people live, by focusing on the needs of the entire family, by being available at convenient hours, and by organizing on a team basis to make full utilization of both scarce professional skills and new neighborhood workers.

This program has trained and employed more than 2,000 poor people in the health field. Neighborhood residents are given special training to work as family health workers, aides to doctors and nurses, and assistants in the laboratory and business office. Over half the jobs at health centers are filled by neighborhood residents.

I am pleased that the Office of Economic Opportunity is giving greater emphasis to the development of such programs in rural as well as urban areas. The President's National Advisory Commission on Rural Poverty found 14 million poor and frequently destitute people in these rural areas receiving medical care which was "not only inadequate in extent but deficient in quality."

This rural health problem is just as severe as the problem existing in our urban areas, and through the neighborhood health center program, we have discovered a way of effectively combating poor health among our poor.

I was the original sponsor of the neighborhood health center program, and it is a great satisfaction to me to see its success.

The Committee on Appropriations has directed that OEO expend not less than $90 million on the neighborhood health center program in fiscal year 1969. This amount will bring new health services and new health jobs to more than 1 million additional urban and rural poor people, and will permit the continuation of those neighborhood health center programs presently operating.

It is my understanding, from conversations I have had with the Senate conferees, that the members of the conference committee did not not intend any change in the Senate's earmarks for these two programs. Further, nowhere in the conference report itself is there any indication that the conferees intended to change the Senate's earmarks in these two programs. Consequently, I think we can all rest assured on this point, which has been clear all along but on which I do not think there should be any doubt.

Mr. President, this morning the members of the Committee on Labor and Public Welfare unanimously agreed to a resolution honoring Senator LISTER HILL. I ask unanimous consent that the text of this resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE OF THE U.S. SENATE EXPRESSING PROFOUND ADMIRATION FOR AND BEST WISHES TO THEIR BELOVED CHAIRMAN, THE SENIOR SENATOR FROM ALABAMA, THE HONORABLE LISTER HILL

Whereas, our beloved colleague and distinguished Chairman, Senator Lister Hill of Alabama, is leaving us at the height of his career; and

Whereas, during his forty-five years in the Congress of the United States he has with courage and dedication committed his heart, his intelligence, and his vision and leadership to unceasing efforts to advance the health, education, prosperity and well-being of all our people; and

Whereas, his passion for human excellence, his thirst for ever-expanding knowledge, his command of the legislator's art, and his vast experience in the councils of government

have benefited and inspired all who have had the honor to serve under him; and

Whereas, as Chairman of this Committee he has been our wise counsellor, our valiant leader, our generous benefactor and our kind friend: now therefore, be it

That we, the Members of the Committee on Labor and Public Welfare, express in the official minutes of the Committee our profound admiration for his matchless record of contributions to our Nation, and our best wishes to him for a long, happy, and always fruitful life.

> WAYNE MORSE, Oregon; RALPH YARBOROUGH, Texas; JOSEPH S. CLARK, Pennsylvania; JENNINGS RANDOLPH, West Virginia; HARRISON A. WILLIAMS, Jr., New Jersey; CLAIBORNE PELL, Rhode Island; EDWARD M. KENNEDY, Massachusetts; GAYLORD NELSON, Wisconsin; WALTER F. MONDALE, Minnesota.
>
> JACOB K. JAVITS, New York; WINSTON L. PROUTY, Vermont; PETER H. DOMINICK, Colorado; GEORGE MURPHY, California; PAUL J. FANNIN, Arizona; ROBERT P. GRIFFIN, Michigan.

Mr. KENNEDY. Mr. President, it has been an honor and a privilege to serve on the Committee on Labor and Public Welfare under the chairmanship of LISTER HILL. He has always been, to me, a valued friend and a wise and patient counselor. And he has always been, to the committee, a chairman who combines strong and effective leadership with scrupulous fairness.

His notable achievements in the field of our Nation's health have brought him national acclaim and international repute. With dedication, devotion, and drive he has literally singlehandedly wrought far-reaching changes in our health systems—changes which have brought health care for the first time to millions of Americans, and have raised the level of health care for all Americans. If in his 45 years of public service he had nothing more than this, he would be forever cited in the Nation's annals as one who made an outstanding contribution. But he has done much more—as in introducing the original Tennessee Valley Authority legislation, and in helping shape the National Defense Education Act, the GI bills, the Federal Deposit Insurance Corporation, the Federal Farm Credit Corporation, and literally hundreds more. His interests in bettering the lives of Americans has been as broad as his skill has been great.

Mr. President, my two brothers served on the Labor Committee with Senator HILL, as I do now. I know the esteem they both had for him as a colleague and as a friend. In fact, I first met LISTER HILL when I came to the Senate in the 1950's to visit my brother in his Senate office.

Mr. President, we will miss LISTER HILL—as a Senator and as a friend.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Washington [Mr. JACKSON], the Senator from Ohio [Mr. LAUSCHE], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], the Senator from Maryland [Mr. TYDINGS], and the Senator from Pennsylvania [Mr. CLARK] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Washington [Mr. JACKSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Missouri [Mr. SYMINGTON], the Senator from Georgia [Mr. TALMADGE], and the Senator from Maryland [Mr. TYDINGS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from New York [Mr. GOODELL], the Senator from Michigan [Mr. GRIFFIN], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from Kansas [Mr. PEARSON], the Senator from Illinois [Mr. PERCY], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is detained on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from New York [Mr. GOODELL], the Senator from California [Mr. MURPHY], the Senator from Kansas [Mr. PEARSON], the Senator from Illinois [Mr. PERCY], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 56, nays 3, as follows:

[No. 327 Leg.]

YEAS—56

Aiken
Allott
Anderson
Baker
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Curtis
Dodd
Ervin
Fannin
Fong
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Kuchel
Long, La.
Mansfield
McClellan
McGee
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Pastore
Pell
Prouty
Proxmire
Randolph
Scott
Sparkman
Spong
Stennis
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—3

Eastland
Russell
Thurmond

NOT VOTING—41

Bartlett
Bayh
Bennett
Bible
Brooke
Cannon
Church
Clark
Cooper
Cotton
Dirksen
Dominick
Ellender
Fulbright
Goodell
Gore
Griffin
Gruening
Hollings
Inouye
Jackson
Lausche
Long, Mo
Magnuson
McCarthy
McGovern
Monroney
Morse
Morton
Murphy
Muskie
Nelson
Pearson
Percy
Ribicoff
Smathers
Smith
Symington
Talmadge
Tower
Tydings

So the conference report was agreed to.

The PRESIDING OFFICER. The first amendment in disagreement will be stated.

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 7 to the aforesaid bill, and concur therein with an amendment, as follows: Strike out the sums of "$82,200,000" and "$79,200,000" proposed by said amendment, and insert in lieu thereof "$78,740,000" and "$75,740,000", respectively.

Mr. HILL. Mr. President, I move that the Senate concur in the House amendment to Senate amendment No. 7.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

The PRESIDING OFFICER. The next amendment in disagreement will be stated.

Mr. JAVITS. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. JAVITS. As far as I know, only Senate amendments Nos. 10 and 65 may be the subject of some contest. If agreeable to the Senator from Montana and to the Senate, might we not approve all the other items as the House has passed them, and then take whatever action the Senate may desire with respect to Senate amendments Nos. 10 and 65?

Mr. HILL. Mr. President, I move that the Senate concur in the amendments of the House of Representatives to Senate amendments Nos. 11, 13, 15, 17, 19, 31, 32, 42, 49, and 52.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

The House amendments concurred in are, as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 11 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum named in said amendment, insert "$156,900,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 13 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum of "$144,600,000", "$140,600,000", and "$34,000,000" proposed by said amendment, insert "$128,600,000", "$124,600,000", and "$50,000,000", respectively.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 15 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$143,144,000."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 17 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum named in said amendment, insert "$5,500,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 19 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$89,417,000."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 31 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$49,931,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 32 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum named in said amendment, insert "$7,200,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 42 to the aforesaid bill, and concur therein with an amendment as follows: Strike out the sums of "$68,922,000" and "$62,900,000" proposed by said amendment, and insert in lieu thereof "$61,907,000" and "$56,200,000", respectively.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 49 to the aforesaid bill, and concur therein with an amendment as follows: Strike out the matter inserted by said amendment, and insert the following:

"BUILDINGS AND FACILITIES

"The Secretary may accept a conveyance by donation deed of the site for an environmental health facility at Morgantown, West Virginia, notwithstanding a right of reverter in the donor if the property ceases to be used as an environmental health facility."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 52 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter stricken and inserted by said amendment insert the following:

"For grants under sections 2, 3, 4(a) (2) (A), 12, and 13 of the Vocational Rehabilitation Act, as amended, $368,990,000 of which $345,900,000 is for grants for vocational rehabilitation services under section 2; $3,200,000 is for grants under section 3; $8,000,000 (to remain available through June 30, 1971) shall be for planning, preparing for, and initiating special programs to expand vocational rehabilitation services under section 4(a) (2) (A); and $1,890,000 (to remain available through June 30, 1970) is for grants with respect to workshops and rehabilitation facilities under section 12: Provided, That the Secretary shall, within the limits of the allotments and additional allotments for grants under section 2 of such Act, allocate (or from time to time reallocate) among the States, in accordance with regulations, amounts not exceeding in the aggregate $10,000,000, which may be used only for paying the Federal share of expenditures for the establishment of workshops or rehabilitation facilities where the State funds used for such expenditures are derived from private contributions conditioned on use for a specified workshop or facility, and no part of the allotment or additional allotment to any State for grants under section 2 of said Act other than the allocation or reallocation to such State under this proviso may be so used: *Provided further*, That the allotment to any State under section 3(a) (1) of such Act shall be not less than $25,000."

The **PRESIDING OFFICER**. The clerk will state the amendment of the House of Representatives to Senate amendment numbered 10:

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 10 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"For grants and payments under the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and under the Act of September 23, 1950, as amended (20 U.S.C., ch. 9), $90,965,000, fiscal year 1968."

Mr. **HILL**. I move that the Senate concur in the amendment of the House of Representatives.

Mr. **MUNDT**. Mr. President, I rise in opposition to that motion. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. **MUNDT**. Mr. President, when the conference considered Senate amendment No. 10 on the school assistance program, Public Law 87-4, which appears on page 15, line 17 through line 2 on page 16 of H.R. 18037, the appropriation bill for the Departments of Labor and Health, Education, and Welfare and related agencies for fiscal year 1968, the compromise that the House conferees offered to the Senate conferees was that the House would recede on the money item, $90,965,000, but not on the language that appears on page 15 of the Senate-passed bill, which reads as follows:

> *Provided*, That these funds shall not be subject to the provisions of the Anti-Deficiency Statute, Revised Statutes 3679, section 665(c), title 31, United States Code: *Provided further*, That the expenditure of this appropriation shall not be taken into consideration for the purposes of title II of the Revenue and Expenditures Control Act of 1968.

Mr. President, all the Senate conferees held fast, however, and told the House conferees to take amendment No. 10 back in disagreement for a vote on the precise Senate amendment, which included the money provision and the language just as I have read it.

For all intents and purposes, I believe that that was what our conferees expected would be done, and that was what our conferees told those of us in the Senate who were vitally interested in this provision would be done. It was expected the House would take a vote on our amendment.

However, it did not work out that way, and in the House of Representatives, the motion that the House presented in lieu of the matter inserted by our Senate amendment was as follows:

> For grants and payments under the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and under the Act of September 23, 1950, as amended (20 U.S.C., ch. 9), $90,965,000, fiscal year 1968—

So Senators will see that the House did not have the opportunity to vote either for or against the language we inserted on the Senate side, which made it certain that the impacted area school systems would get the full entitlement to which they are entitled. Therefore, Mr. President, we have been through this hassle many times, but the funds that were appropriated in the second supplemental for this program were never used.

My amendment, which I presented to the Members of this body, cosponsored by many of my colleagues on both sides of the aisle, added some muscle to the language of the bill.

The two provisions to H.R. 18037 that were added on the floor were completely ignored by the other body, and the conferees did not give the House of Representatives the opportunity to vote my language up or down, since the motion that was considered in the House of Representatives merely authorized the funds.

I must remind the Senate that when this issue was before us at the time we had this appropriation bill on the floor, the rollcall vote was 59 to 5 in favor of the two provisions which I have just read, and Senators will undoubtedly recall how they voted on the issue.

I repeat, for the benefit of my colleagues, that we have gone through this exercise before with no results. We have a firm commitment to the school people in the States, under the law, to provide the funds for this program. It is for that reason that I have moved to reject the Labor and HEW conference report on Senate amendment No. 10, with instructions or an understanding to our conferees that this language is not approved by the Senate, as the amendment they brought back from the conference was not in accordance with the amendment passed by the Senate by its vote of 59 to 5.

I hope that the Senate will today reassert its position which it took overwhelmingly in that 59-to-5 vote, to put in the language without which experience has shown that mere appropriation of the funds is meaningless, because we have done that several times in the 90th Congress.

We have here, unfortunately, a difference of opinion between the executive branch of the Government and Congress. Congress has held that as long as this is the law, as long as school districts have prepared their budgets, signed contracts with teachers, and set up their school systems with the firm expectation that they would get 100 percent of the entitlement written into the law, we feel it is breaking faith with the school districts of America to deny it to them.

The executive argues that the legislation is not perfect, and not satisfactory from the executive viewpoint, that it has some flaws, and I suspect that it does. So when we have appropriated the money, they have found one reason or another for not passing it out. By sending this matter back to conference with the understanding on the part of our conferees that they are to insist that this time the House conferees take this matter back for a vote by the House of Representatives membership, we may, it is true, be delaying the passage of this appropriation bill by some 48 hours, but I submit that is a much better thing to do than to deny children on the air bases and Government installations of this country a full 9 months of education.

If we do not do this, we run into the prospect that some of the schools will have to close. Others will operate with a short term of 7 months, 6 months, or 8 months; and other schools will be placed in complete jeopardy in their capacity to educate the children.

In the main, in most of our States, these children are the children of the forces fighting for freedom in Vietnam today, sent there by the order of the Government to fight under freedom's flag. Their offspring living on these bases certainly are entitled to an education. The local communities cannot provide it. In some instances, they are located on Federal property without a tax base. Unless we make this money available, with the mandate that we supported by this 59-to-5 majority when we voted on the floor of the Senate, there is no assurance that they will be able to continue their educational careers.

I can think of nothing worse for the morale of men far from home, fighting in this war, than to get a letter from the wife that the kids are out of school, that there is no money, that they cannot keep the school open; and they cannot keep it open because there are only two places from which they can get money to run the school. The first is the tax base, of which in many instances is entirely inadequate.

And in many instances they have none. And the other is by the fulfillment of the commitment provided for in Public Law 874, the full entitlement for these schools.

I point out that these are the funds for the present school year. This is an emergency, and certainly we can afford a delay of 48 hours so that the conferees can meet and the House can express its will. If the House refuses to go along and says, in effect, "Let the kids stay out of school; invalidate the public law by not passing the funds to implement it," then we might have to retreat. But we are entitled to have an expression of the attitude of the Members of the other body.

By rejecting amendment No. 10, as I urge, we will be sending this back to the conferees and the House conferees will be required to take it back for a House vote. We will get this matter resolved firmly and terminate the controversy.

Mr. SPONG. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. SPONG. Mr. President, is the Senator from South Dakota aware that, in some instances, money beyond the 80 percent has been advanced to school divisions and that these school divisions are now being called upon to have the overpayment credited against future appropriations?

Mr. MUNDT. The Senator is correct. And this is one of the things inherent when I said that we might have to close down schools entirely and deny the children of servicemen who are serving overseas an opportunity to go to school. That is why it is important to have this language. Otherwise it is a gesture of futility.

No Senator should go and tell the school district, "I did everything for you. I voted to appropriate the money." That is meaningless and an exercise in futility. It is a deception and a fraud, because when we have done this without this kind of mandatory language, they have denied funds to the school districts involved.

Mr. SPONG. Mr. President, will the Senator yield further?

Mr. MUNDT. I yield.

Mr. SPONG. Mr. President, since last January when the Office of Education announced that the existing appropriation for the impacted areas program would cover only 80 percent of the fiscal 1968 entitlement for the 1967–68 school year, many local school officials and Members of Congress have been working to obtain a $91 million supplemental appropriation to provide full entitlement for the Public Law 874 program in fiscal 1968.

On July 2, 1968, after both the House and Senate had taken rollcall votes which indicated support for the supplemental appropriation, the funds were included in the second supplemental for fiscal 1968. The President, however, allowed the appropriation to lapse at the end of July. He did so, despite indications that the Congress wished these funds to be released and despite pleas from numerous school officials.

I have several times recited the problems brought upon school districts as a result of the withholding of these funds. Since 1951 school districts have always received close to 100 percent entitlement, and some districts had already obligated or spent funds which they anticipated receiving as usual. In addition, some districts were "overpaid" by the Office of Education after the congressional action in early July and will be forced to repay the amount of the overpayment out of fiscal 1969 entitlements. Thus, school budgets for 2 fiscal years face disruption because of shortsightedness and irresponsibility on the part of the executive branch of the Government.

When the Labor-Health, Education, and Welfare appropriations bill for fiscal 1969 was brought to the Senate floor, however, we added an amendment reappropriating the supplemental funds and exempting them from the antideficiency statutes and the spending reduction provisions of the Revenue and Expenditure Control Act of 1968. We did so by an overwhelming vote. The House later, by a rollcall vote, agreed to reappropriate the $91 million. The House did not, however, have the opportunity to vote on the exemptions from the antideficiency statutes and the spending reduction provisions of the Revenue and Control Expenditure Act placed on the appropriation by the Senate.

I know that the Vocational Education Act which recently cleared the Congress exempted most education programs from the spending reduction provisions of the Revenue and Expenditure Control Act, but because of the trouble we have encountered in having these funds released, I believe the Senate should insist on inclusion of all the Senate language with regard to the fiscal 1968 impacted areas supplemental appropriation.

Mr. President, I therefore, join with the Senator from South Dakota in asking that the Senate insist upon the language last adopted. I also point out that the Senate has voted on this matter already three times during the present session.

I think it is important that we insist upon this language and that the House have an opportunity to vote upon the Senate language.

I ask the Senate to join in rejecting the conference report as to amendment No. 10.

Mr. MUNDT. Mr. President, I thank the Senator. He has been an ardent and consistent supporter of the program. I hope he will have the influence which I think he has with Senators on his side of the aisle and that a motion to reject amendment No. 10 will prevail.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. ALLOTT. Mr. President, I wonder if the Senator would read the language. I do not find it on my desk at the present time. I would like to have the language read so that the Senate can be informed.

Mr. MUNDT. Mr. President, the language is on page 15 of the bill as it passed the Senate. This was the language that was adopted and confirmed by the rollcall vote of 59 to 5.

It reads as follows:

> *Provided*, That these funds shall not be subject to the provisions of the Anti-Deficiency Statute, Revised Statutes 3679, section 665(c), title 31, United States Code: *Provided further*, That the expenditure of this appropriation shall not be taken into consideration for the purposes of title II of the Revenue and Expenditures Control Act of 1968.

That language was put there because it was under the guise of those pieces of legislation in which the Executive justified a denial of the funds which had been promised.

Mr. ALLOTT. Mr. President, I subscribe to the position of the Senator. He has been in the forefront of this fight for the last 3 years. I know that some people are opposed to the program. However, I do not think they really realize the nature of the program.

This was based on those areas in which there were large Federal installations. It was for the purpose of assisting school districts in formulating and carrying on their schools. These are the only funds which go to school districts which are not circumvented and surrounded with rules and laws for special use of one kind or another.

As I have said on the floor of the Senate before, if we deprive the school districts of these funds, we deprive them of the bone and muscle and blood of their districts. We might deprive the school district of some of the other funds in dozens of educational appropriations and in doing so we would deprive them of a particular program within the school. That might be a program for special children, or something of that sort. But in this instance the money goes to the support of the school. Therefore, it can be used for salaries, for lights, for janitors, for teachers, for anything that the school district would appropriate its own money for.

In my State I have a classic example to cite. In the town of Security, which is not far from Fort Carson in Colorado Springs, a town of some 14,000 people, the effect of cutting out this money would be to raise the school mill levy from 31.5 or 32 up to 72 to 73 mills.

This is a community of modest, ordinary sized homes and less than modest homes. It is a very nice community, a new community. But the homes are not large. They are not pretentious. They are just ordinary homes of ordinary citizens.

This community, like others in my State—and I am sure like others in many other States—simply could not afford to conduct a school and could not raise the taxes to support the school if they were going to more than double the mill levy in that particular city for the support of the schools.

States have instances in which they have schools located on military or Government reservations. However, in those which are not located on such reservations, what we are actually doing is the thing that the Senator from Virginia is talking about. They will have to repay this money in some instances.

This is not true in my State, because we could not do that. Also, we will have to take the position that they are going to withdraw the budgeted funds, the funds put into their budgets when they were submitted last year. This money will be taken away from the schools. Therefore, they will have withdrawn support from them.

I cannot understand the attitude of the administration on this particular matter. There seems to be a preference for specialized programs and, at the same time, they are perfectly willing to withdraw this money in the case of those schools which are adjacent to Federal installations which have had to build additional buildings and provide additional facilities to educate additional children. They will pull this money out of those schools and leave them without their budget.

Many schools will have no choice but to just close down or operate on such a reduced schedule that their educational facilities for all practical purposes will become meaningless or greatly diminished.

I hope the Senate will support the Senator in this matter. We have been up and down this road several times. The Senate has spoken loudly and clearly. I think this is one place where we ought to stand firm.

Mr. MUNDT. Mr. President, I thank the Senator for his presentation. He has been most helpful in this matter for several years. This has been a recurring controversy throughout the 90th Congress.

If we do not reject amendment number 10 and send this legislation back to conference, they will not simply have to strike out some specialty funds or perhaps curtail the remedial reading courses or some other specialized courses, but in fact in some cases the schools themselves will have to be closed down.

I should like to add, Mr. President, for the benefit of some of my colleagues in the western part of the country, that not just military installations and not just military people and children are involved—although they are the most seriously and immediately affected—but also, we have among other problems the vast Indian reservations in the Middle West.

One of the things we are trying to do is to get the Indians to leave the reservation, when they can get satisfactory outside employment or find jobs or get training in an adult education course or take some vocational training to pick up with their families and move to some community around the periphery of the reservation. So what happened? The Federal Government has an obligation to educate Indian children. It has a great system of reservation schools and boarding schools and partnership schools with non-Indian communities along the edges. But many of them move into areas which are not prepared to take an influx of Indian children, so the local community then is expected to educate these people who temporarily move in with their families for some particular purpose of employment, and they are unable to assume their fair share of the tax burden. They have thus relieved Uncle Sam of the necessity of educating them on the reservation, but they have imposed on the private community and the private taxpayer a great, new burden.

That is one of the provisions which is equalized by Public Law 874. That is one of the situations which is critical, which is met by the funds appropriated in this bill and by the language which the Senate has approved.

I believe quite a few other Senators wish to speak on this matter, because many States are much more directly involved than is the State of South Dakota.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. METCALF. I am grateful to the Senator from South Dakota.

When I was a Member of the House of Representatives, it was my privilege to handle the impacted area bills on the floor as the legislative representative of the Committee on Labor and Public Welfare. It was also my privilege to introduce the original bill, about which the Senator from South Dakota has spoken, to transfer Indian schools from the old act and to take care of them under the impacted area act.

It is my opinion that the best way we can take care of Indian termination is to provide that the various services we provide for other people in the economic sector of our country will be provided for the Indians. So I am in complete accord with the Senator from South Dakota. I feel that we have an obligation to the people who live not only on military reservations—that is permanent legislation now—but also the people who live on forest land and are working on national forest land, which is nontaxable, the people who live on Indian reservations, and the people who live on all other Federal lands and attend schools.

I should like to tell the story of the Lame Deer School.

Mr. MUNDT. I have been in Lame Deer, and I can appreciate the situation.

Mr. METCALF. This is under Public Law 815, of course. When we passed the law, we provided that the Indians could participate in an impacted area program. We made a survey of all the Indian boys and girls in the Lame Deer Reservation. I do not recall the exact figures, but when the school opened, there were twice as many young Indian children than we had anticipated, and we had to double the capacity of the school.

The Lame Deer School has changed the entire aspect of the community. The public service room is used by the Indian women for various women's activities.

This has been one of the greatest things that has happened to the Northern Cheyenne Reservation. We have to continue to operate the Lame Deer school under Public Law 874. When it was opened, I suppose all the little Indian children came in and felt like Custer. They said, "Where did all those Indians come from?"

We had to build twice as big a school for those Indian children. We give them free lunch. We have educated and developed so that for the first time people of the Northern Cheyenne Reservation have completed college—the first time that Northern Cheyenne people have completed a college education. We are training leadership on that reservation.

That is only an example of what is happening all over the country. This is one of the most important and significant programs we have. Indians are only an example. In our part of the country, we are paying for some of the education of the people who are working and living on the forest reservations.

So the Senator from South Dakota is making a most important and most significant contribution by saying that this very important provision of the bill should go back for further discussion in conference.

Mr. MUNDT. I thank the Senator. I am glad he mentioned Lame Deer, because when I was a member of the House Committee on Indian Affairs, I accompanied a distinguished Montana Representative who at that time was chairman of the committee, Mr. James O'Connor. We held hearings in Montana and throughout the Indian country—South Dakota, Oklahoma, North Dakota, and in the Southwest wherever Indians were located.

At that time—about a quarter of a century ago—Lame Deer was really one of the sorry looking places we examined. The opportunities for employment were not there. The land which had been given to the Indians was about the least fertile land in the State of Montana. They did not have adequate housing; they did not have adequate schooling.

I was delighted to hear the Senator tell about the great improvement which has taken place and how this impacted area money has contributed to that improvement.

I can tell the Senator that what has happened in Lame Deer has been duplicated in Mission, S. Dak., and Eagle Butte, S. Dak., to mention just two other Indian reservations with which I am familiar.

I cannot imagine the Senate now backtracking on a public pledge and position it took in a rollcall vote just a few weeks ago, recorded as 59 to 5, and denying these children the educational opportunity to which they are entitled.

I do not know whether other Senators care to speak in support of this matter, but if any of the five who opposed it then still oppose it and come up with arguments different from those we heard at that time, I may have something to say later in the afternoon. I have heard enough Senators speak to make me feel that the Senate will concur in my position to send this matter back to conference. I urge a "no" vote on the pending rollcall.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. PASTORE. Mr. President, I associate myself with everything that the Senator has said. This is a commitment of honor we have made to these communities.

As I have said possibly 15 times before, I would assume the likelihood is that the administration has no heart for this kind of legislation. They have indicated that time and time again. But Congress feels otherwise and correctly so. We have said so on numerous occasions, and our conviction of the justice of our stand is strengthened with each repetition.

If we are going in effect to repeal this law at all, we should repeal it forthrightly. We should not undercut it by way of the appropriations route. We should not emasculate our obligation to these impacted areas.

It is my understanding that this matter categorically was not put before the membership of the House. Is my understanding correct?

Mr. MUNDT. The Senator's understanding is correct.

Mr. PASTORE. I believe the issue has not heretofore been crystallized, and I would hope that this debate has crystallized that issue. It has brought it to the surface, and it cannot be submerged by subterfuge

I am in support of the motion made by the distinguished Senator, and I would counsel that we not prolong the debate, because delay is likely to disperse our troops. We understand the issue; it has been explained thoroughly. I am for it, and I hope other Senators are, also.

Mr. MUNDT. Mr. President, I appreciate the very important support of the Senator from Rhode Island.

I am prepared to vote, unless there are arguments arrayed against us.

I do not wish to indicate in any way that our Senate conferees let us down.

Mr. PASTORE. No, no, no.

Mr. MUNDT. They made a good fight. There was a misunderstanding along the line some place and the differences were not presented to the House. The chairman of the committee was the distinguished Senator from Alabama, who, if memory serves me correctly, is the author of the kind of language we are now talking about.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. PASTORE. I echo the Senator's praise, I have nothing but commendation for the distinguished conferees on the part of the Senate. I repeat, the issue would not be crystallized in the Senate. The membership of the House has complete knowledge of what we are trying to do, and its fate is in their keeping. If this matter goes back and if the House membership then votes against it, we will know we have done everything in our power—and there is no alternative.

Mr. MUNDT. The Senator is correct. I hope the Senate supports my arguments here today and votes "no" on the pending question. A "no" vote will send the controversy back to conference.

Mr. HANSEN. Mr. President, I would like to indicate my support for the amendment. I have joined as a cosponsor of it. It concerns my State of Wyoming very importantly.

I do not need to call attention to the fact that school budgets have to be prepared considerably in advance of the academic year. As a consequence, it is necessary for responsible school trustees to take action ahead of time to anticipate the various sources of income with which they will have to meet necessary school expenses, and the funds that have been coming into these school districts under Public Law 874 have in some cases played a very important part and in some cases a major part in the income of school districts.

It has been pointed out that this bill affects school districts contiguous or adjacent to military reservations. It has been pointed out that districts within Indian reservations or next to Indian reservations are affected.

I would call attention to my home county of Teton. We have yet another situation that affects us mildly. I live in a county which is more than 97 percent federally owned and because of that fact we have military service personnel, sports, fishery and wildlife personnel, national park life personnel, and forest service personnel present. We find we would be in a tough situation were it not for the help we get from Public Law 874.

This is just another instance of the contribution this law makes to the support of education in the State of Wyoming. It has been pointed out that these funds go to the several school districts with no strings attached. These are special funds, as the distinguished Senator from South Dakota pointed out. These are moneys that pay salaries of teachers, janitors, schoolbus drivers; and they pay for the lights, fuel, and other bills incident to the running of the school. They also help buy textbooks. In each of these cases these funds are vitally important.

I was interested in the colloquy of my good friend, the distinguished junior Senator from the great State of Montana [Mr. METCALF]. He spoke about Lame Deer, Mont. I could mention Elk, Wyo., and Moose, Wyo., and an area called Buffalo, near Jackson Hole country, all of which have children in schools supported by money that comes to those school districts in Teton County through Public Law 874. We would do real damage to them, those children in Fremont County, as well as the school district in Laramie County, where the Francis E. Warren Air Force Base is located, if they are not permitted to continue to prepare budgets in an orderly fashion so that the support they receive from Public Law 874 continues without disruption and diminution.

Consequently, I would like to add my voice and support to this amendment. I think it is vital to the school districts of the West and my State of Wyoming.

Mr. METCALF. Mr. President, we have talked a great deal today about Indian reservations, but it has been pointed out that the impacted area program originally developed out of the impact on small towns, small communities, and some military reservations. Then, we said, "See how the West has suffered under impacts for many, many years." We had the Forest Service, parks, Indian reservations, and all of these things, and gradually this impact resulted so that we have problems equal with other areas.

So it is not only military but also the impact of the Federal ownership of so much land in our State that we have contributed that we recognize we have the same problem that they have all over America in the military. This is an obligation we have assumed and that we have said we will take care of over many years.

I used to handle this bill under a suspension of the rules on the floor of the House of Representatives. This is the most popular program over there. If they get a chance to vote for it the House will vote for the same proposition we are presenting here.

I urge the adoption of the proposal.

Mr. HANSEN. Mr. President, I thank my distinguished friend. I yield the floor.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The question is on the motion of the Senator from Alabama to concur in the House amendment to the Senate amendment.

Mr. HILL. Mr. President, I want to say on behalf of the Senate conferees that this $90,965,000 is now in the bill. The House conferees would not agree to that amount of money or the language trying to force the President to be sure and spend the money for impacted areas. We put the $90,965,000 in the second supplemental bill. We put it in this bill. We went to conference with the conferees and insisted they keep the $90,965,000 and also accept the language the Senate put in to make sure the President did not refuse to spend the money. The money is now in the bill.

In addition to the money now being in the bill, there is also $1,476,993,000 for elementary and secondary educational activities.

There is also some $520,845,000 for impacted areas for the present fiscal year. There is also some $20,900,000 for the Teacher Corps. There is also some $171,900,000 for the education professions development activities. There are millions and millions of dollars in this bill for education of all sorts and kinds. The $90,965,000 is in the bill.

The Senate conferees did their best in conference with the House conferees to take the language and the moneys to assure the expenditures, and the House conferees would not accept the language. We have the money in the bill and all of these other millions of dollars for elementary and secondary schools.

Several Senators. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama to concur in the House amendment to the Senate amendment.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Mr. President, Senators who wish to concur with the House of Representatives, which takes a position counter to the Senator from South Dakota [Mr. Mundt] will vote "aye." Those who wish to follow the argument of the Senator from South Dakota [Mr. Mundt] will vote "no"; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. JAVITS. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama [Mr. Hill] that the Senate concur in the amendment of the House of Representatives.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the distinguished minority leader, the Senator from Illinois [Mr. Dirksen]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Alaska [Mr. Gruening], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Nevada [Mr. Bible], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Arizona [Mr. Hayden], the Senator from South Carolina [Mr. Hollings], the Senator from Washington [Mr. Jackson], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from South Dakota [Mr. McGovern], the Senator from Oklahoma [Mr. Monroney], the Senator from Oregon [Mr. Morse], the Senator from Maine [Mr. Muskie], the Senator from Wisconsin [Mr. Nelson], the Senator from Connecticut [Mr. Ribicoff], the Senator from Missouri [Mr. Symington], and the Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Arkansas [Mr. Fulbright], the Senator from South Carolina [Mr. Hollings], the Senator from Washington [Mr. Jackson], the Senator from Washington [Mr. Magnuson], the Senator from Oklahoma [Mr. Monroney], the Senator from Oregon [Mr. Morse], the Senator from Connecticut [Mr. Ribicoff], the Senator from Missouri [Mr. Symington], and the Senator from Maryland [Mr. Tydings] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett], the Senator from Massachusetts [Mr. Brooke], the Senator from Kansas [Mr. Carlson], the Senator from Kentucky [Mr. Cooper], the Senator from New Hampshire [Mr. Cotton], the Senator from Colorado [Mr. Dominick], the Senator from New York [Mr. Goodell], the Senator from Michigan [Mr. Griffin], the Senator from Kentucky [Mr. Morton], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], the Senator from Illinois [Mr. Percy], the Senator from Maine [Mrs. Smith], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] is detained on official business, and his pair has been previously announced.

If present and voting, the Senator from Utah [Mr. Bennett], the Senator from Massachusetts [Mr. Brooke], the Senator from Kansas [Mr. Carlson], the Senator from Colorado [Mr. Dominick], the Senator from New York [Mr. Goodell], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], the Senator from Illinois [Mr. Percy], the Senator from Maine [Mrs. Smith], and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 15, nays 42, as follows:

[No. 328 Leg.]

YEAS—15

Anderson
Byrd, W. Va.
Eastland
Ervin
Hill
Holland
Jordan, N.C.
Long, La.
Proxmire
Randolph
Russell
Smathers
Sparkman
Stennis
Williams, Del

NAYS—42

Aiken
Allott
Baker
Boggs
Brewster
Burdick
Byrd, Va.
Case
Curtis
Dodd
Fannin
Fong
Hansen
Harris
Hart
Hartke
Hatfield
Hickenlooper
Hruska
Javits
Jordan, Idaho
Kennedy
Kuchel
McClellan
McGee
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Pastore
Pell
Prouty
Scott
Spong
Thurmond
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Mr. Mansfield, for.

NOT VOTING—42

Bartlett
Bayh
Bennett
Bible
Brooke
Cannon
Carlson
Church
Clark
Cooper
Cotton
Dirksen
Dominick
Ellender
Fulbright
Goodell
Gore
Griffin
Gruening
Hayden
Hollings
Inouye
Jackson
Lausche
Long, Mo.
Magnuson
McCarthy
McGovern
Monroney
Morse
Morton
Murphy
Muskie
Nelson
Pearson
Percy
Ribicoff
Smith
Symington
Talmadge
Tower
Tydings

So the motion of the Senator from Alabama was rejected.

Mr. MUNDT. Mr. President, I now move that the Senate insist on its amendment identified as No. 10. We have acted on it overwhelmingly, and I would think a voice vote now would suffice.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Dakota.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the next amendment.

The assistant legislative clerk read as follows:

Resolved, That the House further insist on its disagreement to the amendment of the Senate numbered 65 to the aforesaid bill.

Mr. JAVITS. Mr. President, we asked the Senator from Alabama not to include in the general unanimous-consent request this particular amendment, so that we might have an opportunity to give consideration, in the course of the debate, to the situation which the Senate now faces.

Mr. President, I am convinced that a very large group of Senators thoroughly disapproves of the provisions of section 411 which has been insisted upon by the other body. The Senator from Rhode Island [Mr. Pastore] and other Senators have analyzed the vagueness of the standards there set and the general difficulties which are involved in applying it, and especially the derogation of the authority or prestige of colleges and universities which cannot themselves, at least, deal with the fundamental disciplinary problem which is involved in this amendment.

We think it is most ill-advised. However, we are faced with this dilemma: This particular amendment would apply only for 9 months, whatever may be its construction.

We do not know what its construction will be. We think it is practically impossible to construe. I say that as a lawyer. But it will apply only for 9 months. On the other hand, the Senate amendment, which would be the alternative, is permanent legislation which has already been adopted in the Higher Education Act in a somewhat different form.

I think I have touched base with about all Members of the Senate who are interested, and it seems to us, much as we oppose what the House has done, we would be compounding our own embarrassment, considering the limited area in which we can proceed, if we adopted another piece of permanent legislation, having just adopted one in the Higher Education Act.

Therefore, I gather, in view of the short duration which the House provision would be in effect, anyway, the inclination is that we let the manager of the conference report join No. 65 with the others, about which there has not been much concern in the Senate, and let the matter stand at that pass.

If any Senator disagrees with me, I hope very much we might hear from him now.

Mr. CASE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE. I rise, not necessarily for the purpose of disagreeing, but for the purpose of attempting, to the extent that I can, to help in clarification of what the Senator from New York has rightly said is a rather ambiguous provision.

There are a number of respects in which this ambiguity exists, it seems to me, and whether colloquy on the floor of the Senate can be very helpful, I am not sure; but in view of the fact that the length of the life of this provision will be 9 months, it may very well have some value in assisting the administrators in actually applying the provisions of the section.

For example, the House language is silent as to the effective date of the section for the purpose of determining whether a crime which shall have been committed would come under the scope of the section. Of course, the Senate language makes that clear. But under the House language it might be said, under one interpretation, that financial assistance could be withheld from a student if he had been convicted of any crime under the section any time, say 2 years ago.

I take it that it is not the intention of the manager, and specifically now of the Senator from New York, of opening up the provisions of this program to any such interpretation of the House languages as that.

Mr. JAVITS. Very frankly, I think we are just going to have to leave that question to the courts, because this is a matter in which the privies are the students. It may very well be that this whole provision is so loosely drawn that the courts just will not be able to enforce it, or the courts may adopt some rule of thumb.

So I would like to answer the Senator as follows: It would be my judgment that the whole of the section would be incorporated within the provision—and I am not seeking to make this the law; the law will be what the section reads, and nothing I can say about it will change it—but, as a lawyer, I say simply the only feasible way for the courts to resolve the matter is to treat the whole provision as relating to the time for which the funds are appropriated. In that way it can be administered. If the funds are going to be cut off, then all the other parts of the section should relate to the time within which the funds appropriated are available or are being spent. That is about the best I can do as a lawyer, trying to see my way about it.

Mr. CASE. If any other Senator has any animadversions on the subject, I would be happy to hear them. I would certainly say the Senator has not overstated what I would hope would be the position of any reasonable administrator of this program, because, as he so well points out, if any other interpretation, or, rather, not so much interpretation of the language, but if any other use of the language is attempted to be made, then we are in utter confusion. Certainly, I cannot believe any administrator would assume, no matter what some other people may have said, that the Congress intended to create that condition.

Mr. JAVITS. It seems to me that the choice between the two provisions is a choice between permanent law and the applicability of whatever restraint was placed upon the use of the funds, in the classic definition which the Appropriations Committee believes it can proceed under without a suspension of the rules. I shall place in my remarks the classic language, but a limitation on the use of funds rather than a condition is entirely permissible in an appropriation bill. Therefore, a limitaton, it seems to me, must have relation to the time within which the funds that are appropriated are to be obligated or expended.

Given the choice of two approaches—permanently, which is in the Senate version, and an application solely to the phrase which precedes everything in section 411, "No part of the funds appropriated under this Act," and so on—it seems to me that the view which I as a lawyer have expressed to the Senator from New Jersey appeals to me to be the way in which we can deal with this situation feasibly.

Mr. CASE. I thank the Senator. Will the Senator yield for another question?

Mr. JAVITS. I yield.

Mr. CASE. Both the Senate and the House language are an improvement, in one sense—that is, in respect of the meaning of the term conviction as it applies to a possible situation in which an appeal from a conviction in nisi prius is intended.

Mr. PASTORE. Mr. President, we on this side of the aisle cannot hear a word that the Senator from New Jersey is saying because there is so much confusion in the Chamber.

The PRESIDING OFFICER. The Senate will be in order.

Mr. CASE. I thank the Senator from Rhode Island. While it is much more appropriate for him than for me to ask for order, it would be a shame to miss any of this interesting colloquy.

Mr. PASTORE. The Senator from New Jersey is smiling.

Mr. CASE. The Senator from New Jersey has a broad grin.

Quite seriously, I ask these questions. I, therefore, ask the Senator from New York or any other manager of the bill who may wish to address himself to the point: What would be the situation of a student, who was convicted, between the time of his conviction and the time when he might take an appeal; or, having taken an appeal, when the appeal has been finally decided by a court of highest jurisdiction?

Mr. JAVITS. I may say here, too, I am baffled by the language that is used in terms of citizenship, should the crime be of that seriousness.

In terms of any other disqualification, the word "conviction" would normally require that the conviction should have been finally sustained. What a court would do under this language, in terms of the interim during which the appeal was pending, which will in normal circumstances not exceed the 9 months which are finally involved, because we are dealing only with the period to the end of fiscal 1969, is something which, it seems to me, leaves the House language completely up in the air. No Senator has pointed that out more accurately than has the Senator from Rhode Island [**Mr. Pastore**]. I feel certain that I do not know how to cope with it.

But, obviously, in a very short time, perhaps, from that point of view, that problem will solve itself.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PASTORE. I realize there is an ambiguity in the provision as to the meaning of the term "conviction," but I believe that is well. What we have established here is the local authority of the university to make a decision. Under what circumstances, of course, is somewhat ambiguous, but from my own experience, I know that most universities, where there is a question of doubt and the case is meritorious, have loan funds of their own.

This provision does not involve the expulsion of the student; it merely involves a question of a loan, or the guarantee of a loan, and if there is any such doubtful case, I think it could be resolved by the institution, by making the loan on its own.

I am a trustee of Brown University, and I know there is a loan fund from which, in worthy cases, that can be done. This amendment, of course, only has to do with loans or guarantees of loans supported by Federal credit. I think if such cases should arise, the students would not be prejudiced in any way, as far as they are concerned. But as far as the amendment is concerned, we have left it up to the authorities to make the final decision; and psychologically, I think that is a good thing.

Mr. CASE. I am most grateful to the Senator from Rhode Island. I think his position is a very reasonable one, in the difficult circumstances in which we find ourselves. He is the kind of comrade who——

Mr. PASTORE. Do not use the word "comrade." Say "friend."

Mr. CASE. The kind of friend. I withdraw the other word. Companion, I would say.

Mr. PASTORE. All right.

Mr. CASE. That is the sense in which I used the word. He is the kind of companion that you would rather have at your side in difficult times than anyone else. And this is a difficult question we are dealing with here.

There is another point, if I may address myself to it briefly, that I should like to raise, and that is what, in the judgment of my colleagues, is the meaning of the word "applicant" in the House language. Specifically, does it refer both to the student and to the institution of higher learning, or only to the one?

The comment made by the Senator from Rhode Island adds a little point to this question. It might very well be true that the individual institution might find other funds to deal with a situation which it thought was unfairly dealt with by the Federal law, but an overassiduous administrator might think that this was contemptuous conduct on the part of the institution. I wonder, therefore, if the institution is an applicant.

Mr. PASTORE. No, if the Senator will yield, that is why I made the statement.

I think it is well that we make this history. I do not think it ought to be considered contemptuous. There are some borderline cases that will be difficult to decide.

There is an ambiguity in the act as written as to what we mean by "conviction." Do we mean after appellate review and every procedure is exhausted, or do we mean simply after conviction by a lower court, without appeal to a higher court?

I think "applicant" refers to the student, and not to the institution having any such arrangement with the Federal Government.

I believe the matter can be resolved without prejudice to the student.

Mr. JAVITS. Mr. President, I should like to add one other point about the first question the Senator from New Jersey asked, and that is that I would doubt very much that the court would give ex post facto effect to a statute of this kind, which represents a civil disability, really, of which there has been no previous notice. If any student were convicted before this limitation on expenditure provision is passed, he would have had no concept that this would be one of the disabilities involved.

I think that bears upon the argument that it really cannot, under any sensible approach to this idea, have ex post facto application, either as to the institution itself and what it is permitted to do with the student, or as to the basic cause for which the student becomes disqualified.

Mr. CASE. I am most grateful to my colleague.

I take it that, while the Senate Chamber has not been completely filled, there have been a good many Senators present during our discussion of these points, including the last point. And I take it that the general silence, except for the comments of the Senator from New York on this point, suggests that no one in this Chamber is likely to attack any administrator under this program for not attempting to give the provision an ex post facto effect and application.

I am relying very heavily on this and the other assurances that have been given by the Senator from New York and the Senator from Rhode Island, on the assurances of commonsense, and, I think, most of all on the fact pointed out by the Senator from New York that this provision will have application only for the very brief period of this fiscal year.

Mr. JAVITS. That is correct; and incidentally, when we deal with the Senate provision, there was heretofore no substantive law.

We do not, therefore, confuse the situation even worse for people who feel like the Senator from New Jersey and me and the Senator from Rhode Island, by having two pieces of settled law—one in the higher education bill, which is permanent law, and the other in the pending appropriation bill, which is also permanent law.

For those reasons, I am minded to just try to live with this thing, much as I disapprove of it, especially in view of the vagueness which I think can work out well or badly, depending on how the administrators deal with it. However, I think that on balance we are better advised at this stage of the proceedings to try to live with it than to engage in an effort which may prove to be counterproductive and make matters worse.

Mr. CASE. Mr. President, I thank my colleague. I do not think it is inappropriate or wrong in the circumstances to say one other thing. Several of us have been advised informally, but very directly, by those in the executive branch who will have the responsibility for administering the program, that despite its imperfections they believe that with reasonable interpretations of the sort we have been laying out here in some part, they will be able to live with the House amendment.

Mr. JAVITS. I would like to confirm what the Senator has said.

I point out to the Senate that even though the Senate provision is mandatory, there is a provision as to who exercises the mandatory power. Perhaps, though, the amendment we are discussing now is even silent on that subject unless one assumes, and nobody has mentioned it, that we are talking about the U.S. Government. That is not necessarily so. Or perhaps they may assume that we are talking about the disburser of the funds. That is again not necessarily so.

I would assume that the disburser of the funds could create an agency at the university or college itself without running afoul of at least the text here incorporated.

For all of those reasons, I feel, as I have stated, that the best exercise of our responsibility is to live with this provision, whatever it may mean, for the next 9 months rather than try to contradict or otherwise change the rather excellent provision which we have already incorporated in the Higher Education Act.

Mr. HILL. Mr. President, I move that the Senate recede from amendment No. 65.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

Mr. HILL. Mr. President, I move that the Senate disagree to the amendment of the House to Senate amendment numbered 10 to the bill, further insist on its amendment numbered 10 to the bill, request a further conference with the House, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. Hill, Mr. Russell, Mr. Stennis, Mr. Magnuson, Mr. Bible, Mr. Byrd of West Virginia, Mr. Javits, and Mr. Cotton conferees on the part of the Senate.

AUTHORITY FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE HOUSE AND REFER MESSAGES FOLLOWING THE RECESS OF THE SENATE TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives and to refer any messages following the adjournment or the recess of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING THE SESSION OF THE SENATE TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this evening, it stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER Without objection, it is so ordered.

ORDER TO PROCEED TO CONSIDER THE EQUAL TIME BILL TOMORROW MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, contrary to the plans which the leadership and the distinguished senior Senator from Rhode Island [Mr. Pastore] had thought we could put into operation tonight, at the conclusion of the reading of the Journal and the saying of the prayer by the Chaplain, the Senate turn to the consideration of the equal time bill.

The PRESIDING OFFICER. Without objection——

Mr. LONG of Louisiana. Mr. President, is that a conference report?

Mr. PASTORE. No. It is a privileged matter.

Mr. MANSFIELD. It is a privileged matter. It would mean that the pending business would not be returned to the calendar and would not be subject to debate on the question of taking up, either.

Mr. MILLER. Mr. President, I have about a 15-minute speech that I would like to make tomorrow morning. Could that be fitted in with the unanimous-consent request?

Mr. MANSFIELD. If the Senator would like, we can come in at 9:30.

Mr. MILLER. I would rather do it later in the morning. I would like to agree to the unanimous-consent request, without jeopardizing my opportunity to get in at some time later in the morning.

Mr. MANSFIELD. Mr. President, this is a privileged matter. I could bring it up. We do want to get out of here some time this week or next week.

I understand that a lot of time will be spent on the equal-time bill tomorrow by Senators from the other side of the aisle. I hope that the Senator will understand, which I am sure he does, the situation in which the leadership of the Senate finds itself.

Mr. MILLER. I do understand.

Mr. MANSFIELD. How about coming in at 9:45 in the morning?

Mr. MILLER. Mr. President, I cannot come in at 9:45.

Mr. MANSFIELD. Why does the Senator not take his chances during the course of the day? He can get 15 minutes under a unanimous-consent request.

Mr. MILLER. Would the majority

leader be good enough to give me the 15 minutes from 11:45 a.m. to 12 noon?

Mr. PASTORE. Mr. President, reserving the right to object, I think the majority leader ought to accommodate the Senator. I would give him the time.

ORDER FOR RECOGNITION OF SENATOR MILLER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Iowa [Mr. Miller] be recognized for 15 minutes tomorrow morning between a quarter to 12 and noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, there will be no time limitation on debate on the equal-time bill?

Mr. MANSFIELD. The Senator is correct. We are well aware of the situation in which the Republicans find themselves.

Mr. CASE. Mr. President, would the majority leader like to be in our position?

Mr. MANSFIELD. We have an idea of what they hope to do. I hope they will do their best to see that we get home before the polls close on the evening of November 5.

Mr. JAVITS. Mr. President, may we have some idea of what will happen tonight?

Mr. MANSFIELD. Mr. President, as always I try to cooperate with our Republican colleagues. We understand that they have a $1,000- or a $500-a-plate dinner at 7 o'clock, and we want to accommodate them. We know that if we do not, it will be hard to get a quorum.

Mr. HRUSKA. Mr. President, to keep the record straight, it is $100.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that five resolutions reported from the Committee on Rules and Administration be called up and considered at this time. They will be very brief and noncontroversial.

The PRESIDING OFFICER. Without objection, it is so ordered.

GRATUITY TO BEATRICE B. STAVES

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 410) was considered and agreed to, as follows:

S. Res. 410

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Beatrice B. Staves, mother of W. Henry Staves, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

GRATUITY TO MARY HALL STOUGH

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 411) was considered and agreed to as follows:

S. Res. 411

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mary Hall Stough, widow of Bernard H. Stough, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

GRATUITY TO EMMA T. DILLON

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 412) was considered and agreed to, as follows:

S. Res. 412

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Emma T. Dillon, widow of John F. Dillon, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

GRATUITY TO DOROTHY S. BERG

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 413) was considered and agreed to, as follows:

S. Res. 413

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Dorothy S. Berg, widow of William Berg, Jr., an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

GRATUITY TO ALBERTA N. CONLON

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution, (S. Res. 414) was considered and agreed to, as follows:

S. Res. 414

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Alberta N. Conlon, widow of John F. Conlon, an employee of the Senate at the time of his death, a sum equal to ten and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide—LSD—and other depressant and stimulant drugs, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Staggers, Mr. Jarman, Mr. Rogers of Florida, Mr. Satterfield, Mr. Springer, Mr. Nelsen, and Mr. Carter were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the joint resolution (S.J. Res. 175) to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 2671. An act to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government;

H.R. 551. An act to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes;

H.R. 8781. An act to authorize the Secretary of the Interior to exchange certain lands in Shasta County, Calif., and for other purposes;

H.R. 13480. An act to make proof of financial responsibility requirements of section 39(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia inapplicable in the case of minor traffic violations involving drivers' licenses and motor vehicle registration; and

S.J. Res. 191. Joint resolution authorizing the erection of a statue of Benito Pablo Juarez on public grounds in the District of Columbia.

EXECUTIVE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate go into executive session.

The PRESIDING OFFICER (Mr. Spong in the chair). Without objection, it is so ordered.

U.S. TARIFF COMMISSION

Mr. LONG of Louisiana. Mr. President, at the desk are two nominations to the U.S. Tariff Commission which were unanimously reported earlier today by the Committee on Finance. I have discussed this matter with the leadership on both sides of the aisle, as well as the senior members of the committee, and I ask unanimous consent that the Senate proceed to the consideration of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

The legislative clerk read the nomination of Will E. Leonard, Jr., of Louisiana, to be a member of the U.S. Tariff Commission.

Mr. DODD. Mr. President, I was pleased to learn that the Senate Finance Committee at its meeting this morning had voted to approve the nomination of Mr. Will E. Leonard, Jr., as a member of the U.S. Tariff Commission.

Mr. Leonard will bring to his new position a long experience on the Hill, combined with a specialized knowledge of the matters with which he will have to deal in his new assignment.

He first came to Washington in 1960 as legislative assistant to the senior Senator from Louisiana. He held this position until 1965 when, in competition with other lawyers on the Senate staff, he won a congressional staff fellowship to Harvard University.

His 1 year at Harvard enabled him to obtain his master's degree in law, specializing in tax and trade law.

With this new expertise, Will Leonard returned to Washington in 1966 as professional staff member of the Senate Finance Committee.

There are many outstanding members on the Senate staff. But I know of no staffer who is more widely respected by Senators as well as by his immediate colleagues.

This respect is based on many things. It is based in the first instance on his exceptional competence, and on his knowledge of law and the legislative process and of matters relating to finance and trade.

But it is based in almost equal degree on the warmth of his personality and on his unfailing courtesy and helpfulness.

I am certain that Will Leonard will serve with distinction in his new assignment. As one of the many Senators whose privilege it has been to know him, I wish him the best of luck.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The legislative clerk read the nomination of Herschel D. Newsom, of Indiana, to be a member of the U.S. Tariff Commission.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. LONG of Louisiana. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT

Mr. HILL. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 14096.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide—LSD—and other depressant and stimulant drugs, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HILL. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Hill, Mr. Yarborough, Mr. Williams of New Jersey, Mr. Pell, Mr. Kennedy, Mr. Javits, Mr. Murphy, and Mr. Dominick conferees on the part of the Senate.

ORDER OF BUSINESS

The PRESIDING OFFICER. What is the will of the Senate?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPONG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). Without objection, it is so ordered.

THE SITUATION IN THE MIDDLE EAST

Mr. SPONG. Mr. President, yesterday, I spoke briefly on the situation in the Middle East and the indications of widespread interest in securing a settlement for the hostilities which plague the area.

Peace in the Middle East is thwarted not only by the events of June 1967 but also by the hostilities which have existed during the 20 years that the Israeli state has existed.

As I noted yesterday, the United States and Russia have both suggested guidelines for the solution of Middle Eastern problems. The Arabs have reportedly indicated an interest in a settlement.

And, yesterday, Israeli Foreign Minister Abba Eban listed nine principles which his Government believes should form the basis for a settlement. We should be encouraged by this action.

I believe that these developments suggest the time is propitious to explore all possible means of securing a Middle East settlement.

It is undoubtedly most logical at this point to work through the United Nations. The U.N. is now in session and representatives of the various nations are currently in New York. The U.N. has the facilities available for discussion and negotiation. In addition, the U.N. has been involved in the Middle East question for over 20 years and is familiar with the various arguments and disagreements in the area. As a matter of fact, a U.N. representative, Dr. Gunnar Jarring, has been intimately involved in discussions with the various Middle Eastern nations, over the past 11 months. Certainly, these arrangements should be used to the utmost.

The U.N. can, however, only provide so much. Ultimately, the peoples of the Middle East themselves must determine and accept the settlement. These are the persons who will have to live with the terms of the agreement and who will mainly be responsible for preserving it.

At this time, I would, however, urge the Middle East nations to review the various indications of interest in a settlement and to explore intensely all possibilities of agreement. There must be a determination of permanent boundaries and the respect of each of the Middle East nations for the sovereignty and territorial integrity of the others. None of the greater powers can effectively guarantee such arrangements on a day-to-day basis. Thus, the Middle Eastern nations themselves must be ready to make the next moves.

COMMITTEE MEETING

Mr. LONG of Louisiana. Mr. President, inquiry was made of me—and I have not cleared it on the other side of the aisle—whether there will be objection to the Committee on Banking and Currency meeting during the session of the Senate tomorrow. If there is to be objection, I will delay long enough to find out if it is to be agreed to.

Mr. WILLIAMS of Delaware. Personally I have no objection. Some members of the committee have left for the night, and there is no way I can find out tonight.

Mr. LONG of Louisiana. Then, I shall not make the request, Mr. President.

PROGRAM

Mr. LONG of Louisiana. Mr. President, I believe that the pending business now is the revenue bill that we have been debating for some time.

The PRESIDING OFFICER (Mr. Spong in the chair). The Senator is correct.

Mr. LONG of Louisiana. Mr. President, if no other Senators desire to speak at this time——

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. I did not quite understand, Mr. President, why the equal-time bill, so-called, is a matter of priority.

The PRESIDING OFFICER. The equal-time bill has passed both Houses of Congress.

Mr. JAVITS. And it is a conference report.

The PRESIDING OFFICER. It is not a conference report. It is a privileged matter coming over from the House.

Mr. JAVITS. I thank the Chair. So it will not displace the pending business.

The **PRESIDING OFFICER**. The Senator is correct.

Mr. **JAVITS**. Do I correctly understand from the Senator from Louisiana that the actual proceedings tomorrow on the equal-time bill will precede the pending business and that the pending business will not actually be acted on, by amendment or third reading or anything else, until this priority business is disposed of?

The **PRESIDING OFFICER**. The Senator from New York is correct. That is as a result of the unanimous-consent agreement.

Mr. **LONG** of Louisiana. Mr. President, as I understand the parliamentary situation, the equal-time bill is a privileged matter and could be called up by the Senator in charge of the bill at any time he chose to call it up, and it could also be set aside at any time the Senate decides to set it aside.

The **PRESIDING OFFICER**. The Senator is correct.

Mr. **JAVITS**. Mr. President, will the Senator yield?

Mr. **LONG** of Louisiana. I yield.

Mr. **JAVITS**. But there is a unanimous-consent request that it will be called up and dealt with the first thing tomorrow.

The **PRESIDING OFFICER** (Mr. SPONG in the chair). The unanimous-consent agreement provides that the equal-time bill will be laid before the Senate immediately after the prayer tomorrow.

Mr. **JAVITS**. I thank the Presiding Officer.

Mr. **LONG** of Louisiana. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER**. The Senator will state it.

Mr. **LONG** of Louisiana. Mr. President, if the leadership or any Senator in charge of the equal-time bill had cared to move that it be laid before the Senate immediately after the prayer, would he not have the right to do that?

The **PRESIDING OFFICER**. The Senator is correct.

RECESS UNTIL 10 A.M. TOMORROW

Mr. **LONG** of Louisiana. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 10 a.m. tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 10 minutes p.m.) the Senate recessed until tomorrow, Thursday, October 10, 1968, at 10 a.m.

NOMINATION

Executive nomination received by the Senate October 9, 1968:

DISTRICT COURT OF GUAM

James P. Alger, of Utah, to be judge of the District Court of Guam for the term of 8 years, vice Paul D. Shriver, resigning.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 9, 1968:

POSTMASTERS

ALABAMA

Virginia S. Hicks, Thomaston.

ALASKA

Mildred M. Hinshaw, Glennallen.
Bernard C. Iverson, Wrangell.

CALIFORNIA

Clifton W. Carney, Eagle Mountain.
Kenneth Burke, Felton.
Frederic J. Rupp, Sacramento.

CONNECTICUT

Anthony M. Chiappetta, Cos Cob.
Joseph J. Maruzo, Milldale.

FLORIDA

Dorothy M. Kongas, Long Key.

ILLINOIS

Eunice M. Pohlman, Grafton.
Richard T. Durgom, Rockton.

INDIANA

Paul M. McGinley, Lebanon.

KANSAS

Theresa Rupp, Ellis.
Roger C. Hastert, Garnett.
Ralph E. Dillon, Hope.
Mary E. Fleischer, Hoyt.
Leslie E. Dexter, Netawaka.
LeRoy F. Heiserman, Oketo.
Richard R. Tyrell, Osawatomie.
Betty M. Traffas, Sharon.
Kenneth B. Becker, Winfield.

KENTUCKY

W. Paul Duncan, Georgetown.
Virginia L. Redd, Gracey.

MISSISSIPPI

Brister C. Cosnahan, Summit.

MISSOURI

Glen E. Gamble, Fair Play.
Jackie J. Warren, Fairview.
Warren H. Davis, Lebanon.

NEW HAMPSHIRE

Adelard A. Bisson, Somersworth.

NEW JERSEY

Albert J. Fulkrod, Ho-Ho-Kus.

OHIO

Lee D. Hartman, Troy.

OKLAHOMA

Russell A. Revis, Reydon.
Leo L. Johnson, Stratford.

PENNSYLVANIA

Eugene S. Taylor, Elizabethville.
William J. Gardner, Howard.
Sally A. Robinson, McGrann.
Clifford K. Steinruck, Parker Ford.
Harold I. Lentz, Rouzerville.
Paul H. Shields, Tidoute.
Marvin S. Feist, White Haven.
Jesse C. Havice, Jr., Yeagertown.

WISCONSIN

Edward J. Zinda, Delafield.
Irvin H. Rosenberg, Shawano.

TAX COURT OF THE UNITED STATES

Samuel B. Sterrett, of Maryland, to be a judge of the Tax Court of the United States for the unexpired term of 12 years from June 2, 1958.

DISTRICT OF COLUMBIA COUNCIL

Philip J. Daugherty, of the District of Columbia, to be a member of the District of Columbia Council for the remainder of the term expiring February 1, 1971.

U.S. TARIFF COMMISSION

Will E. Leonard, Jr., of Louisiana, to be a member of the U.S. Tariff Commission for the remainder of the term expiring June 16, 1969.

Herschel D. Newsom, of Indiana, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1974.

HOUSE OF REPRESENTATIVES—*Wednesday, October 9, 1968*

Continuation of the proceedings of the legislative day of Tuesday, October 8, 1968

The **SPEAKER**. The Clerk will call the name of the gentleman from New York [Mr. REID].

The CLERK. Mr. REID of New York.

The **SPEAKER**. The Chair observes the gentleman from New York [Mr. REID] present, and directs that he be recorded as present.

On this rollcall 218 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The **SPEAKER**. The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **CLEVELAND**. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. **ADAMS**. Mr. Speaker, I have a privileged motion.

The **SPEAKER**. The gentleman from New Hampshire makes the point of order that a quorum is not present. The Chair will count.

One hundred and seventy-six Members are present, not a quorum.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 402]

Abbitt
Abernethy
Adair
Anderson, Tenn.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Carter
Celler
Chamberlain
Clausen, Don H.
Colmer
Conyers
Corbett
Corman
Cowger
Curtis
Daniels
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn

Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Frelinghuysen
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gubser
Gurney
Haley
Hall
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyros
Landrum
Langen
Lennon
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
O'Neal, Ga.
Ottinger
Passman
Patman
Pepper
Pickle
Pike
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Roudebush
Roush
Ruppe
Ryan
Sandman
Saylor
Schadeberg
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Steiger, Ariz.
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Utt
Vander Jagt
Waldie
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER. On this rollcall 229 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. ADAMS. Mr. Speaker, I rise to ask unanimous consent that there be in order a motion to suspend the rules on the reading of the Journal and that under the suspension of the rules that the reading of the Journal be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. TAFT. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

PARLIAMENTARY INQUIRIES

Mr. ADAMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Washington will state his parliamentary inquiry.

Mr. ADAMS. Mr. Speaker, in the event a quorum is not present is it the situation under rule XV of the House that the first alternative that applies is that the Speaker of the House may sit during such period of time as the Sergeant at Arms shall search the premises in the nearby area on the request of the Speaker in order to provide a quorum? Is that the first situation that applies in the event a quorum is not present?

The SPEAKER. The statement as generally made by the gentleman is correct.

Mr. ADAMS. Now, Mr. Speaker, the second alternative is this: In the event that a quorum is not present after the efforts of the Speaker to obtain Members from the nearby areas and through whatever means he wishes to pursue while he is sitting in the chair and the call is proceeding that the next alternative then is a motion supported by 15 Members of the House to have a warrant issued for attendance in the House and after that warrant is issued and this motion is passed and the doors are locked and Members are brought to the floor, then under the instructions of the Speaker they may be detained on the floor throughout the quorum and remain present for the transaction of business? Is that the second alternative, Mr. Speaker?

The SPEAKER. The Chair does not wish to take this matter into consideration in the nature of an alternative, but the Chair would state that such procedures are carried out requiring the presence of Members. Is that what the gentleman has in mind?

Mr. ADAMS. Would it be in order at that time for a motion of that type to be made?

The SPEAKER. That would depend upon the action of the House.

Mr. ADAMS. I am asking, Mr. Speaker, if such a motion by 15 Members would be in order at that time.

The SPEAKER. The Chair has difficulty in following the gentleman when he says "a motion by 15 Members."

Mr. ADAMS. I refer the Speaker to part 2 of rule XV which reads as follows:

> In the absence of a quorum, fifteen Members, including the Speaker, if there is one——

The SPEAKER. There is one now.

Mr. ADAMS. I appreciate that fact, Mr. Speaker, but in the event that you wished—

> shall be authorized to compel the attendance of absent Members, and in all calls of the House the doors shall be closed, the names of the Members shall be called by the Clerk, and the absentees noted; and those for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured and retained; and the House shall determine upon what condition they shall be discharged.

Mr. Speaker, that is my inquiry in the event that this should continue and a quorum should not be present, if that is important.

The SPEAKER. The Chair will state that such action could only be taken by a majority of the Members present and voting.

The Chair will state further in reply to the inquiry of the gentleman from Washington that the gentleman has made reference to 15 Members, and that situation does not apply at this time.

Mr. ADAMS. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. ADAMS. In other words, Mr. Speaker, a motion then by a Member present to carry out this procedure would be sufficient if a quorum were not present, under the circumstances as they exist in the House?

The SPEAKER. The Chair will state that it would take a majority of the Members if there were only 15 present.

Mr. ADAMS. If a motion is made in the body as it sits now, that motion could be made by any individual Member, and if a majority of those present in the Chamber were to vote in favor of that motion, then the procedure would start at that point?

That is my parliamentary inquiry.

The SPEAKER. The Chair will state that has already been stated by the Chair, it requires a majority of the Members present if such a motion were to be made. It would require a majority of the Members present, and voting thereon.

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that further proceedings under the reading of the Journal of yesterday be dispensed with at this point.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. TAFT. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

The Clerk will continue with the reading of the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. RUMSFELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. One hundred and fifty-nine Members are present: not a quorum.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 403]

Abbitt
Abernethy
Adair
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Casey
Celler
Chamberlain
Clausen, Don H.
Colmer
Conyers
Corbett
Corman
Cowger
Cunningham
Curtis
Daniels
Davis, Ga.
Davis, Wis.
Denney
Derwinski
Devine
Dickinson
Dingell
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Frelinghuysen
Fulton, Tenn.
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Gray
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.

Karsten
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McFall
McMillan
MacDonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
O'Neal, Ga.
Ottinger
Passman
Patman
Pepper
Pickle
Pike
Poff
Pollock
Purcell
Quie
Railsback
Reifel
Reinecke
Resnick
Rhodes, Pa.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Roth
Roudebush
Roush
Ryan
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stephens
Stratton
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Utt
Vigorito
Waldie
Walker
Watts
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The **SPEAKER**. On this rollcall 228 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that further reading of the Journal be dispensed with.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

Mr. **TAFT**. Mr. Speaker, I object.

The **SPEAKER**. Objection is heard. The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **STEIGER** of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER** pro tempore (Mr. MILLS). The Chair will count.

One hundred forty-six Members are present, not a quorum.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 404]

Abbitt
Abernethy
Adair
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Celler
Chamberlain
Clausen, Don H.
Colmer
Conyers
Corbett
Corman
Cowger
Curtis
Daniels
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Feighan
Findley
Fino
Fisher
Flynt
Frelinghuysen
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyros
Landrum
Langen
Latta
Leggett
Lennon
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Pepper
Pickle
Pike
Poff
Pollock
Purcell
Quie
Quillen
Railsback
Reifel
Reinecke
Resnick
Rhodes, Pa.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Roudebush
Roush
Ryan
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Stephens
Stratton
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Udall
Utt
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The **SPEAKER** pro tempore (Mr. MILLS). On this rollcall 231 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

The **SPEAKER** pro tempore. The Clerk will continue the reading of the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

PARLIAMENTARY INQUIRY

Mr. **ANDREWS** of Alabama. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER** pro tempore. The gentleman from Alabama will state his parliamentary inquiry.

Mr. **ANDREWS** of Alabama. Mr. Speaker, we are not reading the record of the Journal of the proceedings of yesterday. It is the record of the Journal of the proceedings of day before yesterday, is it not?

The **SPEAKER** pro tempore. This is still the legislative day that began on yesterday.

Mr. **ANDREWS** of Alabama. But, Mr. Speaker, it is the reading of the Journal for Monday, October 7, 1968, is it not?

The **SPEAKER** pro tempore. We are reading the Journal of Monday, yes.

Mr. **ANDREWS** of Alabama. This is Wednesday?

The **SPEAKER** pro tempore. The gentleman is correct.

The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. **TAFT**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER** pro tempore (Mr. MILLS). Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 405]

Abbitt
Abernethy
Adair
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Blatnik
Boggs
Bolton
Bow
Brooks
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Celler
Chamberlain
Clausen, Don H.
Colmer
Conyers
Corbett
Corman
Cowger
Curtis
Daniels
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Dingell
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Frelinghuysen
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
O'Neal, Ga.
Ottinger
Passman
Patman
Pepper
Pickle
Pike
Poff
Pollock
Purcell
Quie
Railsback
Rees
Reifel
Reinecke
Resnick
Rhodes, Pa.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Roudebush
Roush
Ryan
Saylor
Schweiker
Scott
Selden
Shipley
Sisk
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stephens
Stratton
Stuckey
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Udall
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The **SPEAKER**. On this rollcall 228 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further reading of the Journal be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. TAFT. Mr. Speaker, I object.

The SPEAKER. The Clerk will continue to read the Journal of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. RUMSFELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 406]

Abbitt
Abernethy
Adair
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Celler
Chamberlain
Clausen, Don H.
Colmer
Conyers
Corbett
Corman
Cowger
Curtis
Daddario
Daniels
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Dingell
Dow
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Ford, William D.
Frelinghuysen
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Karth
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyros
Laird
Landrum
Langen
Leggett
Lennon
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neal, Ga.
O"Neill, Mass.
Ottinger
Passman
Patman
Pepper
Pickle
Pike
Poage
Podell
Poff
Pollock
Purcell
Quie
Quillen
Railsback
Reifel
Reinecke
Resnick
Rhodes, Pa.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Roudebush
Roush
Ryan
Saylor
Schadeberg
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stephens
Stratton
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Udall
Utt
Waldie
Walker
Watts
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER. On this rollcall, 220 Members have answered to their names, a quorum. If there is no objection, further proceedings under the call will be dispensed with.

Mr. ADAMS. Mr. Speaker, reserving the right to object, under the reservation of the right to object, I want to inquire whether, if objection is made to dispensing with the call, under rule XV, paragraph 2, the automatic effect of that is that the Members shall be called by the Clerk and the absentees noted, and those for whom no sufficient excuse is made may, by the order of the majority present, be sent for and arrested wherever they may be found?

I am inquiring as part of my reservation, whether or not a quorum may be present, if proceedings under the call are not dispensed with, that thereafter the Speaker has the power for those who are absent from the body tonight, to have them first contacted to be brought here, and, if they do not appear, to have the Sergeant at Arms go and obtain them, without any further proceeding?

The SPEAKER. The Chair has previously, in another manner, answered the gentleman's parliamentary inquiry under his reservation. It would require a motion or resolution to be concurred in by a majority of the House.

Mr. ADAMS. Mr. Speaker, may I make a further inquiry?

The SPEAKER. The gentleman will suspend for a moment.

Mr. ADAMS. Mr. Speaker, I am reserving the right to object.

The SPEAKER. The Chair will recognize the gentleman on a parliamentary inquiry.

Mr. ADAMS. Mr. Speaker, I am reserving the right to object.

As part of my reservation, Mr. Speaker the previous parliamentary inquiry was for the situation where a quorum was not present, but now, under the rule I am inquiring of the Chair about as part of my reservation, I am asking whether or not, if I object, will the call then proceed and those absent without excuse will be required to come to the Chamber "and their attendance secured and retained; and the House shall determine upon what condition they shall be discharged"?

The SPEAKER. The Chair will state that if any Member should object, a motion to dispense with further proceedings under the call would be in order, and the Chair would put the motion.

Is the gentleman objecting to dispensing with further proceedings under the call?

Mr. ADAMS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to dispensing with further proceedings under the call?

Mr. PUCINSKI. Mr. Speaker, further reserving the right to object——

The SPEAKER. The Chair is not going to let reservations of rights continue. Does the gentleman want to make a parliamentary inquiry?

Mr. PUCINSKI. Mr. Speaker, I want to reserve my right to object.

The SPEAKER. Does the gentleman from Oklahoma desire to make a motion?

MOTION OFFERED BY MR. ALBERT

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma.

The motion was agreed to.

PARLIAMENTARY INQUIRY

The SPEAKER. Does the gentleman from Illinois desire to make a parliamentary inquiry?

Mr. PUCINSKI. Yes, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. PUCINSKI. Will the record of all of these proceedings include the names of every one of the obstructionists who have held up these proceedings throughout the night?

Mr. GERALD R. FORD. Regular order, Mr. Speaker.

THE JOURNAL

The SPEAKER. The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

Mr. BURTON of California. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. BURTON of California. To merely bring the attention of the House to the hour of 5 a.m. having arrived. I was going to raise the point of order that the House was asleep, but I shall not make it.

The SPEAKER. The Clerk will continue the reading of the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

CALL OF THE HOUSE

Mr. CONABLE. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. WRIGHT. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. WRIGHT. Mr. Speaker, I make a point of order against the gentleman's point of order on the ground that the gentleman's point of order is a dilatory motion, proscribed by the rules, wherein it is clearly set forth that no dilatory motion shall be entertained by the Speaker.

The SPEAKER. When it is apparent to the Chair that a quorum is present, the Chair can declare a point of order of no quorum to be dilatory; but when it is apparent to the Chair that a quorum is not present, or the Chair is not certain, the Chair will count. And the Chair will count on this occasion.

One hundred and fifty-five Members are present, not a quorum.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

Mr. ADAMS. Mr. Speaker, as a part of the motion of a call of the House, I further move under rule II, under which a call of the House is in order, that a motion be made for the majority here that those who are not present be sent for wherever they are found and returned here on the condition that they shall not be allowed to leave the Chamber until such time as the pending business before this Chamber on this legislative day shall have been completed.

The **SPEAKER**. The question is on the motion offered by the gentleman from Washington [Mr. ADAMS].

The motion was agreed to.

The Clerk proceeded to call the roll.

Mr. **WOLFF**. Mr. Speaker, a point of order.

The **SPEAKER**. The Chair will state to the gentleman from New York that there is a quorum call underway and it cannot be interfered with.

Mr. **WOLFF**. Mr. Speaker, I make a point of order on the quorum call.

The **SPEAKER**. The gentleman makes a point of order?

Mr. **WOLFF**. Yes, Mr. Speaker. The doors are not locked.

The **SPEAKER**. The Sergeant at Arms will lock the doors, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 407]

Abbitt
Abernethy
Adair
Anderson, Tenn.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Celler
Chamberlain
Clausen, Don H.
Colmer
Conyers
Corbett
Corman
Cowger
Cramer
Curtis
Daniels
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Dulski
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Ford, William D.
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gubser
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Hutchinson
Irwin
Jacobs
Jones, Mo.
Karsten
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Pepper
Pickle
Pike
Podell
Poff
Pollock
Purcell
Quie
Railsback
Rees
Reifel
Reinecke
Resnick
Rhodes, Pa.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Roudebush
Roush
Ryan
Sandman
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stephens
Stratton
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tuck
Tunney
Udall
Utt
Waldie
Walker
Watts
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The **SPEAKER**. On this rollcall 222 Members have answered to their names, a quorum.

MOTION BY MR. ALBERT

Mr. **ALBERT**. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The **SPEAKER**. The question is on the motion offered by the gentleman from Oklahoma.

The motion was agreed to.

Mr. **CLEVELAND**. Mr. Speaker.

The **SPEAKER**. Does the gentleman from New Hampshire desire to make a parliamentary inquiry?

Mr. **CLEVELAND**. No, Mr. Speaker, I make a point of order. I object to the vote on the ground that a quorum is not present.

The **SPEAKER**. A quorum has just been established.

PARLIAMENTARY INQUIRIES

Mr. **BROCK**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state it.

Mr. **BROCK**. Am I to understand, if further proceedings under the call have been dispensed with, according to the last motion, it is correct that the doors of the House are now open?

The **SPEAKER**. The Chair is awfully glad the gentleman made that parliamentary inquiry, because the Chair intended to read for the benefit of the Members the motion made by the gentleman from Washington [Mr. ADAMS]:

> Mr. Speaker, as a part of the motion of a call of the House, I further move under rule II, under which a call of the House is in order, that a motion be made for the majority here that those who are not present be sent for wherever they are found and returned here on the condition that they shall not be allowed to leave the Chamber until such time as the pending business before this Chamber on this legislative day shall have been completed.

The motion was adopted; and in accordance with that motion no Member can leave the Chamber until the pending business before the House has been disposed of; and the pending business is the reading and approval of the Journal of the preceding session.

Mr. **GERALD R. FORD**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state his parliamentary inquiry.

Mr. **GERALD R. FORD**. Let me repeat the language of the motion of the gentleman from Washington:

> That a motion be made for the majority here that those who are not present be sent for wherever they are found and returned here on the condition that they shall not be allowed to leave the Chamber until such time as the pending business before this Chamber on this legislative day shall have been completed.

Mr. Speaker, I respectfully argue that in the language used by the gentleman from Washington in the motion that he made, he says very specifically and very categorically that those who are not here are the ones who must be kept in the Chamber.

Mr. **DINGELL**. Mr. Speaker, I demand the regular order.

The **SPEAKER**. The regular order is that the gentleman is making a parliamentary inquiry.

Mr. **GERALD R. FORD**. And I am indicating, Mr. Speaker, in my parliamentary inquiry, that the doors to the Chamber shall not be closed to those Members who were here at the time of the call for the quorum.

The **SPEAKER**. The Chair, in response to the parliamentary inquiry of the distinguished minority leader, feels, in construing the motion, that a part of the construction is the happenings of the last 10 or 12 or more hours and the intent and purpose of the gentleman from Washington in making the motion.

It seems to the Chair, in response to the parliamentary inquiry—and the Chair makes such a response—that the motion offered by the gentleman from Washington [Mr. ADAMS] meant that any Member who answered the last quorum call cannot leave the Chamber until the pending business has been disposed of; and the doors will be kept closed.

The Chair might observe in relation to any future points of order that a quorum is not present that apparently a quorum is present because the last one disclosed 222 Members and the Chair is justified in assuming that the 222 Members are still here. The doors will remain locked until the present business is disposed of.

Mr. **BROCK**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state it.

Mr. **BROCK**. Is it not so that the rules of the House provide for the highly unusual procedure of calling in absent Members only in the case of the establishment of a nonquorum? Is that not true? And was the motion not illegal and improper on its face, having been made prior to the establishment of no quorum?

The **SPEAKER**. The Chair will observe that we can always attempt to have Members attend who are not present at this time or actually in the Chamber at some particular time. Further, the Chair might also observe that every effort is being made on the Democratic side in connection with notifying Members of the situation that has existed for the past 12 or so hours.

Mr. **BROCK**. But the parliamentary inquiry, Mr. Speaker, was to the question of whether or not the motion was in fact outside the normal rules of the House.

Mr. **ALBERT**. Mr. Speaker, will the Chair yield?

The **SPEAKER**. Does the gentleman from Oklahoma desire to be heard on the parliamentary inquiry of the gentleman from Tennessee?

Mr. **ALBERT**. The gentleman from Oklahoma would only suggest if a point of order would have been eligible as against the motion made by the distinguished gentleman from Washington, it certainly has come too late in view of the action of the House.

The SPEAKER. The Chair will state without passing on the question as to whether or not a point of order would lie if made at the proper time when the gentleman from Washington made his motion, that after the motion had been adopted no point of order was made. Therefore, the motion expressing the will of the majority of the Members present will be adhered to.

Does the gentleman from Ohio have a point of order?

Mr. TAFT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAFT. As has just been pointed out by the gentleman from Tennessee, the provision for restricting the freedom of Members under the House rules is solely under the rules relating to a situation in which there is no quorum, I believe. My inquiry is this: If the House attempts in any other circumstances, circumstances not necessary to the business of the House, to restrict the freedom of the Members to pass in or out of the Chamber or anywhere else that they care to pass, do they not under the Constitution and the laws of the United States constitute a violation of the civil liberties of the Members?

The SPEAKER. The Chair could observe that there are civil liberties of others involved. The House has acted. A majority of the House has spoken for this motion and, without getting into any long discussion, the motion on the pending business which is before the House is binding on the Speaker and the Members of the House.

Mr. TAFT. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER. The Chair is not going to prolong these parliamentary inquiries too much, because we want to proceed with the finishing of the reading of the Journal.

Mr. TAFT. Mr. Speaker, my further parliamentary inquiry would be this: Is the statement of the Speaker meant to imply that the majority of this House may restrict the liberty of the minority Members of this House?

The SPEAKER. The Chair does not so construe the motion.

Mr. CEDERBERG. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Michigan will state his parliamentary inquiry.

Mr. CEDERBERG. Mr. Speaker, yesterday my wife underwent major surgery and she is in the hospital at the present time. I have been going back and forth to the hospital to see her. I have missed several quorum calls during this period of time.

Do I have to get unanimous consent from this body to return back to the hospital when I would probably be going back within the next hour or two?

The SPEAKER. The Chair will state to the gentleman from Michigan that if the gentleman will consult with the Speaker, certainly, we are all sorry to hear about the condition of the gentleman's dear wife and the Speaker will recognize that first things come first and that one belongs with his loved ones.

Mr. CEDERBERG. I thank the Speaker.

Mr. RIVERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from South Carolina will state his parliamentary inquiry.

Mr. RIVERS. Mr. Speaker, we have taken the unusual step of sending for absent Members. Even though a quorum is present, my parliamentary inquiry is this: In construing the motion pursuant to the rules of the House, will the absent Members be merely notified or will they be sent for by a marshal or will they be placed under arrest or how will they be returned?

The SPEAKER. The Chair will state to the gentleman from South Carolina that they will be notified by the Sergeant at Arms.

Mr. RIVERS. Will they come in on their own or will someone in authority bring them in?

The SPEAKER. The Chair has announced that they will be notified by the Sergeant at Arms. Certainly, there is no wording contained in the motion to bring about the attempted custody of any Member.

Mr. FULTON of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Pennsylvania will state his parliamentary inquiry.

Mr. FULTON of Pennsylvania. Mr. Speaker, in our Pennsylvania delegation we have one Member, Mr. JOHN SAYLOR, who has leave of absence from this Chamber for 2 days and who is at the present time on board a naval ship.

Does this motion apply to a person with such a leave of absence?

The SPEAKER. The gentleman is making a serious inquiry about Members away on important duty.

The Chair will state that the motion calls for the notification and the sending for Members. The Chair construes that as meaning to notify the Members to return. The Chair has already in response to another parliamentary inquiry propounded by the gentleman from South Carolina clearly stated that it does not call for bringing them back in custody.

Mr. FULTON of Pennsylvania. One further parliamentary inquiry on the enforcement of the motion: Is it not within the full discretion of the Chair as to what methods and means shall be used to notify or to arrest or to bring in Members and that that full discretion still lies within the Chair? So, unless there is an order by the Chair as to the method, the motion simply represents a notification to the Members to return because insofar as I know the Chair has made no ruling as to the arrest or as to bringing the Members back in custody.

The SPEAKER. The gentleman is the only one who has used the word "arrest." The Chair used the word "custody." The Chair does not construe that that is a part of the motion, and the Chair has construed that motion to mean that it is the sense of the majority of the House that the Sergeant at Arms do come up with the Members that are not present and to do everything he can within the limitation of the motion to assure their presence.

The Clerk will continue with the reading of the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

Mr. DOLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair will not entertain any more parliamentary inquiries at this particular time.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the further reading of the Journal be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. TAFT. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

The Clerk will continue with the reading of the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

Mr. TAFT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. TAFT. Mr. Speaker, I have a privileged motion.

Mr. YATES. A point of order, Mr. Speaker. That is not in order until the reading of the Journal has been completed.

The SPEAKER. Will the gentleman from Ohio state his privileged motion?

Mr. TAFT. Mr. Speaker, my motion is is on a point of personal privilege.

The SPEAKER. Will the gentleman from Ohio state whether it is a point of personal privilege or a privileged motion?

Mr. TAFT. It is a privileged motion, and a motion of personal privilege.

Under rule IX questions of personal privilege are privileged motions, ahead of the reading of the Journal.

The SPEAKER. The Chair will advise the gentleman that a question of personal privilege should be made later after the Journal has been disposed of.

If the gentleman has a matter of privilege of the House, that is an entirely different situation.

Mr. TAFT. I believe, Mr. Speaker, this involves not only personal privilege as an individual, but also as a Member of the House and also the privileges of all Members of the House.

The SPEAKER. The Chair does not recognize the gentleman at this time on a matter of personal privilege.

But the Chair will, after the pending matter, the reading of the Journal has been disposed of, recognize the gentleman if the gentleman seeks recognition.

PARLIAMENTARY INQUIRY

Mr. TAFT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. TAFT. Mr. Speaker, is it not true in rule IX relating to questions of privilege it is stated that such questions shall have precedence over all other questions except motions to adjourn?

The SPEAKER. Will the gentleman state the question of privilege.

Mr. TAFT. Mr. Speaker, my motion is that I and all other Members in the Chamber who were here at the time of the last quorum call and answered "present" be permitted to leave the Chamber at their desire.

Mr. Speaker, this is a matter of privilege of the Members of the House because there is no right under the rules of the House or under the statutes, or the Constitution of the United States to interfere with the liberty of a Member to leave the House under these circumstances.

The SPEAKER. The Chair will state in response to the parliamentary inquiry that the action of the House has deprived—has caused the doors to be closed and has deprived temporarily the privilege that the gentleman refers to. That has been done by the action of the House.

Mr. TAFT. Mr. Speaker, I was recognized to make a privileged motion and it was not a matter of a parliamentary inquiry. I have made that motion and I ask that the Chair rule on the motion.

The SPEAKER. What is the motion?

Mr. TAFT. I request that I be given time to discuss the motion as a matter of privilege.

The SPEAKER. The gentleman will state his motion.

Mr. TAFT. Mr. Speaker, my motion is that I and all other Members present on the floor who answered "present" at the time of the last quorum call shall be permitted to leave the House freely at their own desire.

The basis of my motion is under the rules of the House and the Constitution and statutes of the United States there is no basis for restricting the freedom of Members who were here at the time there is a quorum call, regardless of the action of the House.

The SPEAKER. The Chair does not recognize the gentleman for the purpose of making such a motion because the Chair has already clearly indicated the House has already taken action and it is within the power of the House to take the action that it did. Therefore, the Chair does not recognize the gentleman to make such a motion.

Mr. GERALD R. FORD. Mr. Speaker, it was my understanding that the gentleman from Ohio had been recognized for the purpose of offering the motion.

The SPEAKER. The gentleman from Michigan is well aware of the fact that the question of recognition rests with the Chair. The gentleman did not make a motion which was in order by reason of the action heretofore taken by the House.

The Clerk will continue to read the Journal.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

APPEAL FROM RULING OF CHAIR

Mr. TAFT. Mr. Speaker, I appeal the ruling of the Chair.

Mr. ALBERT. Mr. Speaker, I move that the appeal be laid on the table.

The SPEAKER. The gentleman from Oklahoma moves that the appeal be laid on the table.

The question was taken.

Mr. TAFT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 136, nays 102, answered "present" 1, not voting 192, as follows:

[Roll No. 408]

YEAS—136

Adams
Addabbo
Albert
Andrews, Ala.
Annunzio
Baring
Bennett
Bevill
Bingham
Blatnik
Boland
Bolling
Brademas
Brasco
Brinkley
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Carey
Casey
Clark
Cohelan
Daddario
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Farbstein
Feighan
Flood
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffin
Hagan
Hamilton
Hanley
Hansen, Wash.
Hathaway
Hechler, W. Va.
Hicks
Hosmer
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kornegay
Long, Md.
McCarthy
Machen
Madden
Mahon
Matsunaga
Mills
Minish
Montgomery
Morgan
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Mich.
O'Konski
O'Neal, Ga.
Patten
Perkins
Philbin
Poage
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Reuss
Rivers
Rodino
Ronan
Rooney, Pa.
Rostenkowski
Roybal
St Germain
St. Onge
Satterfield
Scheuer
Sikes
Slack
Smith, Iowa
Staggers
Steed
Stephens
Stubblefield
Stuckey
Tenzer
Tiernan
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Watts
White
Wolff
Wright
Yates
Young
Zablocki

NAYS—102

Anderson, Ill.
Andrews, N. Dak.
Arends
Ayres
Bates
Battin
Betts
Biester
Bray
Brock
Broomfield
Brotzman
Broyhill, N.C.
Broyhill, Va.
Buchanan
Byrnes, Wis.
Carter
Cederberg
Clancy
Clawson, Del
Cleveland
Collier
Collins
Conable
Conte
Corbett
Culver
Cunningham
Davis, Wis.
Dole
Duncan
Edwards, Ala.
Esch
Eshleman
Ford, Gerald R.
Frelinghuysen
Goodling
Grover
Gubser
Gude
Hall
Halpern
Hammerschmidt
Horton
Hunt
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kyl
Laird
Latta
Lipscomb
Lloyd
McCloskey
McDade
McEwen
Marsh
May
Miller, Ohio
Mize
Morton
Pelly
Pettis
Pirnie
Poff
Price, Tex.
Quillen
Rarick
Reid, Ill.
Reid, N.Y.
Rhodes, Ariz.
Riegle
Roth
Rumsfeld
Ruppe
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Shriver
Skubitz
Smith, N.Y.
Springer
Stanton
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Vander Jagt
Wampler
Watkins
Watson
Whalen
Whalley
Williams, Pa.
Winn
Wyman
Zion

ANSWERED "PRESENT"—1

Fulton, Pa.

NOT VOTING—192

Abbitt
Abernethy
Adair
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Mich.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Cahill
Celler
Chamberlain
Clausen, Don H.
Colmer
Conyers
Corman
Cowger
Cramer
Curtis
Daniels
Davis, Ga.
Dellenback
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
Kelly
King, Calif.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Pepper
Pickle
Pike
Podell
Pollock
Quie
Railsback
Rees
Reifel
Reinecke
Resnick
Rhodes, Pa.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Roudebush
Roush
Ryan
Sandman
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Taylor
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tuck
Tunney
Udall
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

So the motion to lay on the table was agreed to.

Mr. HOSMER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

MOTION OFFERED BY MR. HOSMER

Mr. HOSMER. Mr. Speaker, I offer a privileged motion.

The SPEAKER. The gentleman from California will state his privileged motion.

Mr. HOSMER. Mr. Speaker, I move to reconsider the vote on the motion to lay the appeal from the Chair on the table.

Mr. ALBERT. Mr. Speaker, I move that the motion be laid on the table.

The SPEAKER. The gentleman from California moves to reconsider the vote on the motion to lay the appeal from the decision of the Chair on the table, and the gentleman from Oklahoma moves that that motion be laid on the table.

Mr. HOSMER. Mr. Speaker, I make a point of order against the motion of the gentleman from Oklahoma to lay my motion on the table because that motion does not lie.

The SPEAKER. The Chair will state that a motion to lay on the table, on a motion to reconsider, is a recognized motion.

The question is on the motion to lay on the table.

Mr. **HOSMER**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. **ARENDS**. Mr. Speaker, a parliamentary inquiry.

Mr. **TAFT**. Mr. Speaker, a parliamentary inquiry

The **SPEAKER** The Chair is not receiving any parliamentary inquiries at this time.

The question is on the motion offered by the gentleman from Oklahoma [Mr. ALBERT], that the motion to reconsider be laid on the table.

The question was taken; and there were—yeas 136, nays 104, not voting 191, as follows:

[Roll No. 409]

YEAS—136

Adams
Addabbo
Albert
Andrews, Ala.
Annunzio
Baring
Bennett
Bevill
Bingham
Blatnik
Boland
Bolling
Brademas
Brasco
Brinkley
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Carey
Casey
Clark
Cohelan
Daddario
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Farbstein
Feighan
Flood
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffin
Hagan
Hamilton
Hanley
Hansen, Wash.
Hathaway
Hechler, W. Va.
Hicks
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kornegay
Long, Md.
McCarthy
Machen
Madden
Mahon
Matsunaga
Mills
Minish
Montgomery
Morgan
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Mich.
O'Konski
O'Neal, Ga.
Patten
Perkins
Philbin
Pike
Poage
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Rees
Reuss
Rivers
Rodino
Ronan
Rooney, Pa.
Rostenkowski
Roybal
St Germain
St. Onge
Satterfield
Scheuer
Sikes
Slack
Smith, Iowa
Staggers
Steed
Stephens
Stubblefield
Stuckey
Tenzer
Tiernan
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Watts
White
Wolff
Wright
Yates
Young
Zablocki

NAYS—104

Anderson, Ill.
Andrews, N. Dak.
Arends
Ayres
Bates
Battin
Betts
Biester
Bray
Brock
Broomfield
Brotzman
Broyhill, N.C.
Broyhill, Va.
Buchanan
Byrnes, Wis.
Carter
Cederberg
Clancy
Clawson, Del
Cleveland
Collier
Collins
Conable
Conte
Corbett
Culver
Cunningham
Dellenback
Dole
Duncan
Edwards, Ala.
Esch
Eshleman
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Goodling
Grover
Gubser
Gude
Hall
Halpern
Hammerschmidt
Horton
Hosmer
Hunt
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kyl
Laird
Latta
Lipscomb
Lloyd
McCloskey
McDade
McEwen
Marsh
May
Miller, Ohio
Mize
Morton
Pelly
Pettis
Pirnie
Poff
Price, Tex.
Quillen
Rarick
Reid, Ill.
Reid, N.Y.
Rhodes, Ariz.
Riegle
Roth
Rumsfeld
Ruppe
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Shriver
Skubitz
Smith, N.Y.
Springer
Stanton
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Vander Jagt
Wampler
Watkins
Watson
Whalen
Whalley
Williams, Pa.
Winn
Wyman
Zion

NOT VOTING—191

Abbitt
Abernethy
Adair
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Mich.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Cahill
Celler
Chamberlain
Clausen, Don H.
Colmer
Conyers
Corman
Cowger
Cramer
Curtis
Daniels
Davis, Ga.
Davis, Wis.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
Kelly
King, Calif.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Pepper
Pickle
Podell
Pollock
Quie
Railsback
Reifel
Reinecke
Resnick
Rhodes, Pa.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Roudebush
Roush
Ryan
Sandman
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Taylor
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tuck
Tunney
Udall
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

So the motion to lay on the table was agreed to.

The result of the vote was announced as above recorded.

THE JOURNAL

The **SPEAKER**. The Clerk will continue with the reading of the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

PREFERENTIAL MOTION OFFERED BY MR. HORTON

Mr. **HORTON**. Mr. Speaker, I offer a preferential motion.

The **SPEAKER**. The gentleman will state his preferential motion.

Mr. **HORTON**. Mr. Speaker, this preferential motion is on Rule IX. I understand the doors are closed to the House chamber, and this affects the employees of the House and therefore the employees in the cloakrooms and the employees of the House are locked in with the rest of the Members.

Therefore, Mr. Speaker, I move that the doors be opened insofar as the employees of the House are concerned.

The **SPEAKER**. The Chair will state to the gentleman that the employees have the right to leave, and to come back. Only the Members are affected by the motion.

The Clerk will continue with the reading of the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

PREFERENTIAL MOTION OFFERED BY MR. HOSMER

Mr. **HOSMER**. Mr. Speaker, I offer a preferential motion.

The **SPEAKER**. The gentleman will state his preferential motion.

Mr. **HOSMER**. I move that the House do now adjourn.

The **SPEAKER**. The gentleman moves that the House do now adjourn.

Mr. **HOSMER**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 93, nays 149, not voting 189, as follows:

[Roll No. 410]

YEAS—93

Anderson, Ill.
Andrews, N. Dak.
Arends
Ayres
Bates
Battin
Betts
Biester
Bray
Brock
Broomfield
Brotzman
Broyhill, N.C.
Broyhill, Va.
Byrnes, Wis.
Carter
Cederberg
Clancy
Clawson, Del
Cleveland
Collier
Collins
Conable
Conte
Corbett
Cunningham
Dellenback
Dole
Duncan
Esch
Eshleman
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Goodling
Grover
Gubser
Gude
Hall
Hammerschmidt
Horton
Hosmer
Hunt
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kyl
Laird
Latta
Lipscomb
Lloyd
McCloskey
McDade
McEwen
May
Miller, Ohio
Morton
Pelly
Pettis
Pirnie
Poff
Price, Tex.
Quillen
Reid, Ill.
Reid, N.Y.
Rhodes, Ariz.
Riegle
Roth
Rumsfeld
Ruppe
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Shriver
Skubitz
Smith, N.Y.
Springer
Stanton
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Thompson, Ga.
Vander Jagt
Watkins
Whalley
Williams, Pa.
Winn
Wyman
Zion

NAYS—149

Adams
Addabbo
Albert
Andrews, Ala.
Annunzio
Baring
Bennett
Bevill
Bingham
Blatnik
Boland
Bolling
Brademas
Brasco
Brinkley
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Carey
Casey
Clark
Cohelan
Culver
Daddario
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Edwards, Ala.
Farbstein
Feighan
Flood
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Hagan
Halpern
Hamilton
Hanley
Hansen, Wash.
Hathaway
Hechler, W. Va.
Hicks
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kelly
Kornegay
Long, Md.
McCarthy
Machen

Madden
Mahon
Marsh
Matsunaga
Mills
Minish
Mize
Montgomery
Morgan
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Mich.
O'Konski
O'Neal, Ga.
Patten
Perkins
Philbin
Pike
Poage

Price, Ill.
Pryor
Pucinski
Purcell
Randall
Rarick
Rees
Reuss
Rivers
Rodino
Ronan
Rooney, Pa.
Rostenkowski
Roybal
St Germain
St. Onge
Satterfield
Scheuer
Sikes
Slack
Smith, Iowa
Staggers

Steed
Stephens
Stubblefield
Stuckey
Teague, Calif.
Tenzer
Tiernan
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Wampler
Watson
Watts
Whalen
White
Wolff
Wright
Yates
Young
Zablocki

NOT VOTING—189

Abbitt
Abernethy
Adair
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Mich.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Cahill
Celler
Chamberlain
Clausen, Don H.
Colmer
Conyers
Corman
Cowger
Cramer
Curtis
Daniels
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffin
Griffiths

Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
King, Calif.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.

Mosher
Moss
Myers
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Pepper
Pickle
Podell
Pollock
Quie
Railsback
Reifel
Reinecke
Resnick
Rhodes, Pa.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Roudebush
Roush
Ryan
Sandman
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Taylor
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tuck
Tunney
Udall
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

So the motion to adjourn was rejected.

Mr. THOMPSON of Georgia changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

THE JOURNAL

The SPEAKER. The Clerk will continue with the reading of the Journal of the proceedings of yesterday.

The Clerk concluded the reading of the Journal of the proceedings of yesterday.

The SPEAKER. Without objection, the Journal as read will stand approved.

There was no objection.

PROVIDING FOR CONSIDERATION OF SENATE JOINT RESOLUTION 175, SUSPENSION OF EQUAL OPPORTUNITIES PROVISIONS OF SECTION 315, COMMUNICATIONS ACT OF 1934, FOR 1968 PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1315 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1315

Resolved, That, upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (S.J. Res. 175) to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Indiana is recognized for 1 hour.

PARLIAMENTARY INQUIRY

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Indiana yield to the gentleman from Michigan?

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

Mr. MADDEN. I do not yield.

The SPEAKER. The Chair is asking the gentleman from Indiana if he yields to the gentleman from Michigan for the purpose of making a parliamentary inquiry.

Mr. MADDEN. No.

Mr. GERALD R. FORD. Mr. Speaker, I demand the right to make a parliamentary inquiry.

Mr. MADDEN. I yield.

Mr. GERALD R. FORD. Mr. Speaker, I make a demand of personal privilege.

The SPEAKER. Just a minute. The gentleman from Indiana has yielded to the gentleman from Michigan for the purpose of making a parliamentary inquiry.

Mr. GERALD R. FORD. I appreciate the delayed recognition by the gentleman from Indiana.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Speaker, I ask the parliamentary inquiry, Are the doors to the Chamber now unlocked?

The SPEAKER. In response to the inquiry, the Chair will state that the pertinent part of the motion made by the gentleman from Washington [Mr. ADAMS], which relates to the inquiry made by the gentleman from Michigan, is:

> That they shall not be allowed to leave the chamber until such time as the pending business—

The pending business—

> before this chamber on this legislative day shall have been completed.

As the Chair stated previously in response to a parliamentary inquiry, the pending business was the reading and approval of the Journal of the House. And the Chair, in response to the parliamentary inquiry, reiterates that reply, that the business before the House at that time which was pending was the Journal of the preceding session.

Accordingly, the doors will be opened.

Mr. GERALD R. FORD. I thank the distinguished Speaker.

Mr. MADDEN. Mr. Speaker, House Resolution——

Mr. LATTA. Mr. Speaker——

The SPEAKER. The gentleman from Indiana [Mr. MADDEN] has been recognized for 1 hour.

Does the gentleman from Indiana yield?

Mr. MADDEN. I will yield the gentleman from Ohio [Mr. LATTA] 30 minutes for debate only.

Mr. Speaker, House Resolution 1315 provides an open rule with 1 hour of general debate for consideration of Senate Joint Resolution 175 to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President.

Section 315 of the Communications Act requires a licensee of a broadcasting station who permits any legally qualified candidate for public office to use a broadcasting station to afford equal opportunities in the use of such broadcasting station to all other candidates for that office. Thus, if section 315 remains in effect during the 1968 campaign, any and all candidates for the offices of President and Vice President would be entitled to broadcast opportunities equal to those provided to the candidates of the major political parties.

Under Senate Joint Resolution 175, only those candidates for the offices of President and Vice President who are qualified to appear on the ballots in 34 or more States would be afforded opportunity for equivalent appearances. In addition, it directs the Federal Communications Commission to make a report to the Congress not later than March 15, 1969, on the effect of the legislation and any recommendations the Commission may have for amendments to the Communications Act of 1934 resulting from experience under the legislation.

Mr. Speaker, I urge the adoption of House Resolution 1315 in order that Senate Joint Resolution 175 may be considered.

Now, Mr. Speaker, this rather small and simple bill has taken 19½ hours of the time of the House. I merely wish to call the attention of the Members to the fact that this legislation merely gives an opportunity for the three presidential candidates to partake on a discussion of their platforms before the American people.

And, I also wish to remind the Members that a very small percentage of the 200 million people in this country and many millions of voters do not have an opportunity to go to political meetings and a very small fraction of that number get to read the newspapers and magazines on the various issues involved in a presidential campaign.

Mr. Speaker, in my opinion this represents an outstanding opportunity for the three candidates to clear up some of the extraordinary confusion and the extraordinary complicated issues that are not cleared up in the minds of the millions of voters in this country. I know that the American public will be astounded beyond all comprehension and surprise when they learn that it took 19½ hours of filibuster to bring this legislation on to the floor of the House for its consideration.

Mr. Speaker, it reminds me of our past great President Harry S. Truman who told me back in the politically dark summer of 1948—he was talking with a group of us and someone remarked that, "My gracious, this campaign looks very bad for the Democrats." Well, Harry said, "You do not know the Republicans like I do. They will make enough political boo-boos between now and the election so that we can win."

My colleagues, we have witnessed here yesterday, last night, and today, 34 successive quorum calls. The only purpose could be was to filibuster this equal time television provision for the presidential and vice-presidential candidates in the campaign. The Republican candidate for President who is up in his New York apartment evidently has been sending out the word that this legislation must not pass. I want to commend these Members who stayed here for 19½ hours and stayed up all night on the Democratic side and I want to commend some of the Republican Members for having done so. I realize that some of them were under pressure from the Republican National Committee to stop this legislation.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Speaker, I wish to commend the gentleman from Indiana for the excellent statement which he has made and state that in my opinion if the American people are enabled to know what the views of all the candidates for President are, it has been well worth the 19½ hours which we have spent on this matter.

Mr. Speaker, I would like to ask the gentleman from Indiana this question: I think it is generally agreed that Governor Wallace of my State, the great State of Alabama, is one of the principal candidates for President. He has qualified in 49 States. Would he be covered by the provisions of this bill?

Mr. MADDEN. Yes; all three candidates would be covered as set out in the legislation.

Mr. ANDREWS of Alabama. Would that also include any television debate that might be arranged?

Mr. MADDEN. Yes; it would include television.

CALL OF THE HOUSE

Mr. RUMSFELD. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. ALBERT. Mr. Speaker, I considered making a point of order against the point of order of the gentleman from Illinois on the ground that it is dilatory.

Mr. Speaker, on this occasion, however, I will not make the point of order, but after more than 30 quorum calls in the last 20 hours I think it should be pointed up that there has been a deliberate stoppage of the legislative business of this Chamber by the wholesale departure of Republican Members at almost every stage of the proceedings. I realize Members are entitled to demand the presence of a quorum, but it becomes obvious what their real intention is when they leave the floor in large numbers and immediately impose a quorum call on their colleagues.

The SPEAKER. The gentleman from Illinois makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 411]

Abbitt
Abernethy
Adair
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Mich.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Cahill
Carter
Casey
Cederberg
Celler
Chamberlain
Clausen, Don H.
Colmer
Conyers
Corman
Cowger
Cramer
Curtis
Daniels
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Giaimo
Griffin
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Hutchinson
Jacobs
Jones, Mo.
Karsten
Kee
King, Calif.
Kirwan
Kleppe
Kupferman
Kuykendall
Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
Lukens
McClory
McClure
McDonald, Mich.
McFall
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Monagan
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Nelsen
Nichols
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Podell
Pollock
Quie
Railsback
Reid, N.Y.
Reifel
Reinecke
Resnick
Rhodes, Pa.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Roudebush
Roush
Ryan
Sandman
Saylor
Schweiker
Selden
Shipley
Sisk
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Stuckey
Sullivan
Taylor
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tuck
Tunney
Udall
Ullman
Utt
Waldie
Walker
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER. On this rollcall 239 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING FOR CONSIDERATION OF SENATE JOINT RESOLUTION 175, SUSPENSION OF EQUAL OPPORTUNITIES PROVISIONS OF SECTION 315, COMMUNICATIONS ACT OF 1934, FOR 1968 PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if there was ever a day in this House which showed the need for congressional reform, we have just ended it.

Let me say, Mr. Speaker, that I did not ever think I would stand in the well of this House and say I was ashamed of some of the rulings that were made during the course of debate on any bill. Also, I am not one to take lightly any threats relative to my rights and prerogatives as a Member of this House and as a member of the Committee on Rules.

However, Mr. Speaker, whenever the Committee on Rules reports a resolution stating that the minority shall have one-half of the time, the Rules Committee means what it says. And, when the time comes that the minority does not have the right to be heard, it is my opinion that we have gone down the road a long way toward dictatorial government regardless of who is in control of this House of Representatives.

Mr. Speaker, I hope the time never comes when we trample into the ground the rights of the minorities in this country or in this House. I hope the time never comes when we throw away the rule book. Our rules are made to protect the rights of the minorities in this House. When the minority exercises its right to demand a quorum on this floor, it is exercising one of its rights under the rules and should not be charged with dilatory tactics. We should have a quorum on this floor for the enactment of the business of this body. I think it is demanded by the people of this country and I further think that the Members of this Chamber on both sides of the aisle should never forget the fact that they are representing the people of this country and not themselves.

Mr. Speaker, I say to the Members of the House that it is high time that we give real consideration to congressional reorganization and reform.

We should not permit blanket charges to be made such as the one that Members had answered quorum calls because they had received calls from some ivory tower where a presidential candidate was housed. This charge is false.

Mr. Speaker, I was tempted many times during the course of the night to make the point of order that a quorum was not present myself and I have not been contacted by anyone. To make this blatant charge without proof, in my opinion is wrong, totally wrong.

Now, Mr. Speaker, permit me to address myself to this matter that my good friend, the gentleman from Indiana [Mr. Madden] has raised about these debates and the proceedings of the House during the past few hours. Everyone in this room knows that when you have the votes and the time comes to vote you vote and pass the legislation. You have them on this floor today. So the one charge concerning delaying tactics is without substance.

Now, Mr. Speaker, let me speak to this matter of debates. Where was all the clamor in 1964 for these so-called debates? You know that we did not have any debates because you did not want them. This was so because President Johnson was in the White House riding high, the polls showed he was going to win, and he did not want to debate anybody. He wanted to coast through to victory. Well, now, the shoe is on the other foot. Your candidate for President is trailing far down in the polls.

A few months ago he was up on top. Well, let me call your attention to the date of this Senate Joint Resolution 175. It was introduced on June 3, 1968. Why all the delay? If this is so important, why did you not pass it then, and not wait until he is behind in the polls. Since the people are speaking out in the polls and your candidate is trailing, you say "My, we have an emergency on our hands." The Committee on Rules is suddenly requested to bring out this legislation, and to breach an understanding that we were only going to report emergency matters. Well, the only emergency that exists is the fact that Hubert Humphrey is way down in the polls. It is an emergency for Hubert Humphrey. He is even running third. You know it and I know it. Let us lay our cards on the table. Let us stop kidding ourselves. We are not kidding the people. Nobody in this Chamber is being kidded. We are not, as I say, kidding the American people. You can read those polls. They know, you know, and I know why this legislation is on the floor. You are going to try to get H.H.H. before the American people with the two other candidates, so he can possibly confuse and befuddle the American people into believing they should vote for him.

You know, I really believe the best way to amend this legislation is to give Mr. Humphrey all of the time and let him debate himself.

He has been on all different sides of the Vietnam question since the convention. So, give him all of the time and let him debate himself.

Now, let us examine this question: There are people in this Chamber from the South who want to see Mr. Wallace have equal time on the same program at the same time. Well, this really is not provided for in this resolution. Read it, and then read the report, including the minority views by Congressman Pickle. Turn to page 2 where it says except that such suspension shall apply only to broadcasts which incorporate in the same program opportunity for equivalent appearances by all presidential or vice-presidential candidates who have been qualified by application of law to appear on the ballots of at least two-thirds of the several States.

It says "equivalent." It does not say "joint."

I brought this matter up in the Committee on Rules when it was being discussed, and asked them if this was really what they meant, and they indicated it was. This may be what they mean, so why don't they say it? Why are they trying to shortchange Mr. Wallace who now, according to the polls, holds more votes in the electoral college, than Hubert Humphrey?

Let us be fair about this matter.

When this joint resolution comes to the amending stage I hope we can come up with and are counted for an amendment to assure him that joint appearance and strike out that fuzzy language "equivalent appearances."

Also, if we are going to have these debates, perhaps we ought to take a look at some of the ballots around this country and see whether or not we actually would be fair if we passed the resolution for equal time.

Many people of this country do not know that the third candidate in the race is running on the Democratic ticket in the State of Alabama. Here is the sample ballot for all to see. Mr. Humphrey is running on the Alabama Independent Democratic ticket.

So if we are really going to be fair about these debates, and the debates are going to come off, perhaps we should give the Republican candidate twice as much time as these two Democratic candidates in Alabama.

Let me ask, would there be an emergency or any clamor for this legislation if Hubert H. Humphrey was about 10 or 12 percentage points ahead in the polls? You know the answer, and I do, too. No, there would not be any clamor for it. It would be a dead issue in this Congress. You would be saying to the Rules Committee, "We were not to have any legislation out of the Rules Committee unless it was an emergency, so, stick to it."

Mr. BATTIN. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I am happy to yield to the gentleman from Montana.

Mr. BATTIN. I was curious about the gentleman's reference to three candidates. I understand there are possibly 12 candidates who will appear on the various ballots in the various States. If they were also granted equal time, would not this, in fact, be discriminatory against those and their party?

Mr. LATTA. There would not be any doubt about it.

Let me say I hope that these so-called great debates never come off. I am going to vote against them because the American people know what the issues are right now. They want a change from what they have had and they are going to get it. I do not know how many times between now and November 5 Hubert H. Humphrey will change his position on Vietnam. No one knows, but his changing position could very well cost us some casualties. We do not want to set the stage for a debate which could prompt him to shift his position once again.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield briefly?

Mr. LATTA. I yield briefly to the gentleman from Louisiana.

Mr. WAGGONNER. Perhaps I share some of the same attitude about the suspension of the equal-time requirements that the gentleman from Ohio has, and that is my only interest: If there are to be debates, I wish to see that they are fair. I was very much interested in the emphasis you placed on the word "equivalent." Could the gentleman point out to me just how on the same program the word "equivalent" could be misconstrued and misused and how it is misrepresented here, and would the gentleman tell the House now whether or not he proposes an amendment to do something about this word, and if he has an amendment, if he could give us some idea what it is?

Mr. LATTA. I am happy to answer the question. As I pointed out in the Rules Committee, under the terms of the bill the candidates could appear on the same program, for example, on the "Today" show, for the same amount of time and fulfill its requirements. This would be equivalent time. If you substitute the word ""joint," all three candidates will have the opportunity of appearing jointly on the same program at the same time. This is pointed out very ably by the gentleman from Texas [Mr. Pickle].

I certainly hope that this amendment will be adopted.

Mr. Speaker, I reserve the balance of my time.

I yield 3 minutes to the gentleman from Illinois [Mr. Rumsfeld].

Mr. RUMSFELD. Mr. Speaker, in commenting on this rule, let me trace very briefly some of the history of what has gone on the last few hours. What has happened has been called a filibuster by some. In fact, the real filibuster if I may say so, is the filibuster that has taken place by the leadership of the Democratic Party for the last 19 months in bottling up the Legislative Reorganization Act and the filibuster that has taken place by the Democratic Party for the last 12 months on election reform. Nineteen months ago the Legislative Reorganization Act passed the other body. Twelve months ago an election reform bill passed the other body. Still we have not seen either of these pieces of legislation on the floor of the House.

Yet it has been alleged that there has been a filibuster here in the last few hours. Is it a filibuster to suggest it is appropriate to have a quorum on the floor when the House is considering business? Is it a filibuster to suggest that there is an absence of a quorum right now, Mr. Speaker? There is no quorum. Should there not be a quorum when we are debating the rule on an important piece of legislation? I would suggest there should be, and that is why the rules provide that if a quorum is not present, a point of order can be made.

It has been called dilatory, Mr. Speaker. Why, I ask, is it dilatory to suggest that there be a quorum on the floor of the House of Representatives when we are debating a rule—now—on the equal time bill?

Now it is being said by you on television and in the press all over the country that it is dilatory, that it is a filibuster, but I am suggesting that simply because it is being said that what has happened is dilatory and a filibuster does not make it so.

I am saying the real filibuster that has taken place has been the effort on the part of the coalition on that side of the aisle, the southern Democrats and the northern Democrats working together, to keep legislative reorganization from coming to the floor and to keep election reform legislation from coming to the floor—and that has been very successful, as it usually is.

But I think it is unfortunate for anyone to suggest it is dilatory or a filibuster to express the simple hope that the House of Representatives would have on the floor, during a debate, a majority of our membership.

The Rules Committee stopped issuing rules, as the gentleman from Ohio mentioned, several months ago, but when pressure was exerted a rule was put forth for the suspension of the equal time provision. The Vice President of the United States came here, into this building last evening, and delivered a letter asking that this bill be passed. Where was the Vice President on the election reform legislation? Where was the Vice President on the Legislative Reorganization Act?

The gentleman from Ohio [Mr. TAFT] and I went up to the Rules Committee last week and urged that it report out a rule on these two bills. And, we asked that the rule on the bill to suspend the equal time provision to permit the offering of the election reform bill as an amendment. But we were turned down.

Several weeks ago we engaged in some parliamentary maneuvers. Then it was said we were holding up the appropriation bill on the Defense Department and we were keeping supplies from going to the troops. That was not so.

Then later, in connection with a unanimous consent request on the older Americans bill, it was suggested that the gentleman from Illinois might be against the older Americans. We know that was not true.

Now the argument on the other side of the aisle is that we are trying to obstruct the equal time legislation. I am not. We have been trying for 2 years to get legislation on the floor dealing with election and legislative reform so the House Members could work their will.

I do not know how it is that some of our colleagues can go into another person's mind and know with such precision how to judge motives. It seems to me the arguments made this evening in this Chamber, in the press, and on television are no more valid than the arguments made 2 or 3 weeks ago on the older Americans legislation and 3 or 4 weeks ago on the Defense appropriation bill.

Mr. LATTA. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TAFT].

Mr. TAFT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I think we all understand fairly well now, after having been on this floor for 20 hours, what this battle is all about.

Our attempt has been to bring to this floor the election reform bill and the congressional reorganization bill. If that is impossible at this time, we want to make a record on which they will be brought to this floor at as early a date as possible in the next session.

If there have been some unfortunate occurrences of any kind in the action today, if someone resents anything which has been said or has been done by any other, I regret that, but I think our purpose is perfectly clear.

If we have ever seen a demonstration of the fact that the rules of the House are inadequate, certainly we have seen it today. In spite of this, we do not seem to be able to make any progress at getting the congressional reform bill before us.

As the gentleman from Illinois [Mr. RUMSFELD] has said, he and I went to the Rules Committee and asked for a rule to make in order the consideration of the Election Reform Act of 1968. Indeed, that would have been an appropriate measure into which to incorporate this bill. The election reform bill covers the whole gamut of election practices. This bill before us covers only one minor facet of the election.

I am neither for nor against this bill. I do not much care what happens, one way or the other, on it, but I do think the key issue is to get the election reform bill out on the floor and before this Congress. That is something on which Members ought to unite in this Congress.

There has been some complaint about the bill by the gentleman from Ohio [Mr. HAYS] whom I have not seen here today, on a point he has made a number of times. I am somewhat tired of the demagogic approach of saying the election reform bill somehow or other is entirely faulty because there is no limitation on individual campaign expenditures.

That bill came out of the committee on which that Member serves. He could have offered an amendment himself there. I am here and now making an offer to provide him a large majority on the Republican side of the aisle for an amendment I will jointly sponsor with him to that effect, if he would help get that measure before us.

My purpose today is to ask for defeat of the previous question on this resolution, so that we can offer on the floor the same proposal for election reform we offered before the Rules Committee, to make in order the consideration of the Election Reform Act of 1968 under this rule.

I believe this would be a wise action, one that would be welcome, one that would take away a lot of the political onus that has been put on the actions taken with regard to this measure before us and put it in a proper perspective.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. RUMSFELD].

Mr. RUMSFELD. Mr. Speaker, it is the intention of the Members on this side to attempt to vote down the previous question and to offer a resolution that would make it in order to offer the so-called election reform legislation as an amendment to the bill. If the previous question is defeated we would amend the rule to make it in order to offer that legislation as an amendment to the suspension of equal time bill.

The important vote, from our standpoint, of course, will be on the previous question. Unless we are able to defeat the previous question there will be no opportunity to offer a substitute resolution.

It would seem to me pretty obvious in that case that anyone who would vote in favor of the previous question would be voting against providing the House that opportunity to have a vote on the election reform legislation. Anyone who votes against the previous question would be favoring a position that would give the House the opportunity to amend the rule in a way that would permit us to bring to the floor today the clean elections legislation that has been bottled up in this House for many, many months.

Mr. LATTA. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Speaker and my colleagues, I have no great and burning desire, I can assure you, to address this House at this early hour this morning. Certainly I do so not with the purpose in mind of in any way impeding the further discussion of and ultimate vote on this resolution, but I feel deeply burdened this morning and deeply grieved at the proceedings that have taken place in this Chamber in the last 19 or 20 hours.

It was Justice Holmes who once said, I believe, that the sovereign remedy for the problems of our times was for all of us to become a little bit more civilized. I do not think we have behaved in a particularly civilized fashion here this morning. I do not think that October 8 and 9 will rank as very proud days in the history of the House of Representatives.

I do not speak lightly when I say that I love the House of Representatives as an institution and I revere it. The greatest privilege of my life has been to serve here. I can ask for no greater privilege than to serve out the remainder of my days in this House. Yet, I am also reminded of something else. A very distinguished historian, George Galloway, once said the history of the 20th century is largely written in the decline of its parliamentary institutions. It seems to me if we have many more days like the one we just spent, we are simply witnessing a further decline in this great parliamentary institution, the U.S. House of Representatives. I speak not to engage in any recrimination this morning. I am sure there is ample blame that can be shared on both sides of the aisle. But I do take the floor at this time to express my particular concern at the interpretation that has been placed on clause 2 and I believe also clause 4 of rule XV of the House of Representatives rules.

I respect the gentleman from Washington who is the author of the amendment. He is a friend of mine. I have affection for him. But I speak this morning not for the few who are here to hear me but for the record that will be made of these proceedings. I hope in God's name we will not establish a precedent that Members of this body on the minority side of the aisle are somehow going to be dragooned and imprisoned to sit in this Chamber. I say that because I was one of those who were absent for a little while. I was in my State of Illinois meeting an engagement of long standing. I came here voluntarily, not under arrest by the Sergeant at Arms or under duress of any kind but solely to attend to my duties voluntarily as a Member of this House. Yet when those doors were closed and locked a feeling of desperation welled up in me and I felt as deprived of my rights as anyone who might have been arrested and brought in involuntarily by the Sergeant at Arms.

When I read clauses 2 and 4 of rule XV speaking of the doors being closed and Members arrested, in my opinion they refer to Members who have to be sent for and brought in here involuntarily. I was not here this morning involuntarily. I was here of my own volition and free will.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I will in a moment yield to my friend.

When I read clause 4 of the same rule, rule XV which refers to the procedure whereby Members should be brought in, I find that it says:

> The Clerk shall call the roll, and each Member as he answers to his name may vote on the pending question, and, after the roll call is completed, each Member arrested shall be brought by the Sergeant at Arms before the House, whereupon he shall be noted as present, discharged from arrest, and given an opportunity to vote and his vote shall be recorded.

As I interpret that rule any Member who is here voluntarily and has answered to his name when the roll is called is certainly entitled to be free of duress, coercion, or restraint of any kind.

Yet I had the feeling that I was under arrest as I sat here this morning, even though I had not been brought in involuntarily. I had answered to my name each time a request for a quorum was made. So I take time this morning, my friends, to say that, yes, I am in support of congressional reform and election reform. I signed the discharge petition for the first time in my life that lies at the Clerk's desk because I feel deeply that it is an important matter. However, I want the RECORD of this date to go down in history as clearly reflecting that as one Member of this body I object as strenuously as possible to the procedure used to close the doors of this Chamber and involuntarily to sequester Members of this body in these Halls, and I hope to God that it never happens again.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Washington.

Mr. ADAMS. Mr. Speaker, I wish to reply to my friend, the distinguished gentleman from Illinois—and he is my dear friend both personally and I have a great respect for him as a Member of this body. I want to say that he was probably not here at the time the motion was made, and, therefore, does not know what it contained.

Mr. ANDERSON of Illinois. Mr. Speaker, if the gentleman will yield, I was present in the Chamber at the time the gentleman offered the motion.

Mr. ADAMS. I would say to the gentleman first that I am sure the gentleman is aware of the fact that under this motion no orders of arrest were issued; second, no one was brought in involuntarily; third, there should not have been any door closed to you in coming into the Chamber. The conditions applied only to Members trying to leave the Chamber. No one was called to the bar or had to be discharged.

I would just like to say to the gentleman that I have a great respect for him and I have a great respect for this House but I want to point out these simple little facts which I think point up a part of this situation.

I also join with the gentleman in his expression that we do need congressional reform and express the hope that we will have it.

However, the entire problem involved here lies in the fact that we had 35 quorum calls during the reading of the Journal and we then used the rules that were being used against us. I further realize the fact that this type of operation has not been wholly efficient and the problem is satisfied in most cases by clause 4 of the rule. It is not efficient.

We regret that it was necessary during the course of the evening to use these rules of the House. But I would point out to the gentleman and to the minority that the majority was trying to act as a responsible majority and we were not given that opportunity.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield to me at that point?

Mr. ADAMS. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Is it not the obligation of the majority to go out and secure the absent Members of its own party so that it can muster a working majority in this body? That is your responsibliity and not this approach of forcing me to sit in this Chamber against my will.

Mr. ADAMS. I will state to the gentleman that we are not allowed under the rules of the House to discriminate among Members but extend to them the opportunity to come and participate and to vote. We did go to our Members and our Members were coming into the Chamber. But I am sure the gentleman is not saying to me that individual Members of the House do not all have the same responsibility to serve and must be treated exactly the same way by the leadership of both the majority and the minority.

Mr. ANDERSON of Illinois. Mr. Speaker, if the gentleman will yield further, that is precisely the point I was trying to make earlier. I do not think we were treated fairly. I was prevented from leaving this Chamber after I had answered to my name when it was called and all Members were treated in this fashion.

Mr. ADAMS. With all due deference to the gentleman's reference to fairness and to the gentleman's happiness or unhappiness, all Members were treated in the same fashion. If they were not, it was simply a matter of what happened at individual doors, because everyone was treated alike.

Mr. ANDERSON of Illinois. Mr. Speaker, if the gentleman will yield further, I could wish for nothing more at this time than for the gentleman to feel as I do about this situation and, therefore, I would hope that he would ask unanimous consent to vacate all of the proceedings on his motion which were taken during the course of the night.

Mr. MADDEN. Mr. Speaker, I should like to clear up a statement that was made regarding the exclusion in the TV debate of eight or 10 candidates running for the Presidency of the United States.

This legislation limits it to only candidates who have qualified in 34 or more States. We have out in our area individual candidates who run every so often for Governor, for President, and for other high public office. One candidate in Illinois runs for Governor or President who would go around in an Uncle Sam uniform and a high hat. Of course, any candidate of that type would be eliminated from this bill. Some of us have just never known what Mr. Nixon stands for.

I have listened to his speeches quite often over the television and on the radio, and I have never yet found how he stood on Vietnam. In fact, he has come out and stated he is not going to take any position on Vietnam.

Mr. GERALD R. FORD. Mr. Speaker, would the gentleman from Indiana yield?

Mr. MADDEN. I cannot yield right now, but I will yield later.

Also on medicare, housing, education, or protecting the existing labor laws.

Mr. GERALD R. FORD. Mr. Speaker, I make the point of order that a quorum is not present.

CALL OF THE HOUSE

Mr. GERALD R. FORD. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. MADDEN. Mr. Speaker, I move the previous question.

Mr. GERALD R. FORD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. MILLS). The Chair will state to the gentleman that he understands the gentleman, and that he has not lost his hearing, although the Chair has lost some sleep.

The gentleman from Michigan [Mr. Gerald R. Ford] makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 412]

Abbitt
Adair
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Blanton
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Mich.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Casey
Cederberg
Celler
Chamberlain
Clark
Clausen, Don H.
Cleveland
Colmer
Corman
Cowger
Cramer
Curtis
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jacobs
Karsten
Kee
King, Calif.
Kirwan
Kleppe
Kupferman
Kuykendall
Kyros
Laird
Landrum
Langen
Leggett
Long, La.
Lukens
McClory
McClure
Macdonald, Mass.
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Mink
Minshall
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Myers
Nelsen
Nichols
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pickle
Podell
Pollock
Quie
Railsback
Rarick
Rees
Reifel
Reinecke
Resnick
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Roudebush
Roush
Ryan
Sandman
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Stuckey
Sullivan
Thompson, N.J.
Thomson, Wis.
Tunney
Udall
Utt
Waldie
Walker
Whitener
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

The SPEAKER pro tempore (Mr. Mills). On this rollcall 259 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING FOR CONSIDERATION OF SENATE JOINT RESOLUTION 175, SUSPENSION OF EQUAL OPPORTUNITIES PROVISIONS OF SECTION 315, COMMUNICATIONS ACT OF 1934, FOR 1968 PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

Mr. LATTA. Mr. Speaker, I yield 2 minutes to the distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. GERALD R. FORD. Mr. Speaker, since yesterday noon or in the last 19 or 20 hours we on our side of the aisle have sought to use all of the legitimate parliamentary procedures for the purpose of highlighting the need and necessity for congressional reform legislation in the House of Representatives this year and clean elections or election reform legislation.

Mr. Speaker, it is my opinion that we who are in minority have an obligation to seek to dramatize the failure of this House at this session to consider these two important legislative proposals.

When the debate on this rule has been concluded and at the time the previous question is ordered, we shall seek to defeat the previous question in order to offer a substitute rule which, if adopted, would make in order the consideration not only of the equal time legislation but also the clean elections or election reform legislation.

Therefore, those who vote "no" on the previous question are voting for clean elections, or election reform. Those who vote "yes" are voting against the consideration of this election reform legislation.

Mr. Speaker, may I conclude with this final observation: There has been, I am sure for all of us, some disappointment in the last 19 or 20 hours. I am disappointed in the interpretation given to the amendment offered by the gentleman from Washington [Mr. Adams]—sometimes called the antiliberty amendment—because that amendment did, as the gentleman from Illinois pointed out, impose a condition upon Members of the House who were here, a condition by which they were prevented from leaving the House of Representatives. The net effect was a House arrest.

Mr. Speaker, in my judgment this is a very serious matter that I hope somehow can be negated in the days ahead. The suggestion was made by the gentleman from Illinois——

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. MADDEN. Mr. Speaker, I yield 2 additional minutes to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman from Indiana for yielding this extra time.

As I was saying, I believe that the interpretation of the Adams amendment was unfortunate. I believe the result of the amendment was most regrettable. As I started to say I believe the suggestion made by the gentleman from Illinois a few minutes before the quorum call is a sound one. It would be far better for the history of this body if that whole proceeding could be vacated at this point, because it will be a precedent that will return to haunt subsequent Members of this body, whether they will be ourselves or others.

Mr. Speaker, I just feel so strongly that I wish by some means or method the gentleman from Washington would take the necessary action to change what happened and eliminate the net result of that unfortunate incident.

Mr. Speaker, I urge the disapproval of the previous question in order for us to broaden the consideration of the legislation here in the House this morning, and this afternoon, so that we can include in our consideration not only equal time legislation, but the clean elections bill that the House administration approved several months ago, and a bill which the Senate approved, I believe, 13 months ago.

Mr. Speaker, I yield back the balance of my time to the gentleman from Indiana.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 162, nays 111, not voting 158, as follows:

[Roll No. 413]

YEAS—162

Abernethy
Adams
Addabbo
Albert
Andrews, Ala.
Annunzio
Baring
Bennett
Bevill
Blanton
Blatnik
Boland
Bolling
Brademas
Brasco
Brinkley
Broomfield
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Carey
Casey
Clark
Cohelan
Conyers
Culver
Daddario
Daniels
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Eilberg
Farbstein
Feighan
Flood
Flynt
Foley
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffin
Hagan
Hamilton
Hanley
Hansen, Wash.
Hardy
Hathaway
Hechler, W. Va.
Hicks
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kelly
Kirwan
Kluczynski
Kornegay
Lennon
Long, Md.
McCarthy
McFall
McMillan
Machen
Madden
Mahon
Matsunaga
Mills
Minish
Monagan
Montgomery
Moorhead
Morgan
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Perkins
Philbin
Pike
Poage
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Rarick
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Ronan
Rooney, Pa.
Rostenkowski
Roybal
St Germain
St. Onge
Satterfield
Scheuer
Sikes
Slack
Smith, Iowa
Staggers
Steed
Stephens
Stubblefield
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Tiernan
Tuck
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Watts
White
Whitener
Whitten
Wolff
Wright
Yates
Young
Zablocki

NAYS—111

Anderson, Ill.
Andrews, N. Dak.
Arends
Ayres
Bates
Battin
Betts
Biester
Bingham
Bray
Brock
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Byrnes, Wis.
Cahill
Carter
Clancy
Clawson, Del
Collier
Collins
Conable
Conte
Corbett
Cunningham
Curtis
Davis, Wis.
Dellenback
Dole
Duncan
Edwards, Ala.
Esch
Eshleman
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Goodling
Grover
Gubser
Gude
Hall
Halpern
Hammerschmidt
Harvey
Horton
Hosmer
Hunt
Hutchinson
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kyl

Latta
Lipscomb
Lloyd
McCloskey
McCulloch
McDade
McDonald, Mich.
McEwen
MacGregor
Marsh
May
Mayne
Meskill
Miller, Ohio
Mize
Myers
O'Konski
Pelly
Pettis
Pirnie
Poff
Price, Tex.
Quillen
Reid, Ill.
Reid, N.Y.
Rhodes, Ariz.
Riegle
Roth
Rumsfeld
Ruppe
Schadeberg
Scherle
Schneebeli
Scott
Shriver
Skubitz
Smith, N.Y.
Springer
Stanton
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Vander Jagt
Wampler
Watkins
Watson
Whalen
Whalley
Williams, Pa.
Wilson, Bob
Winn
Wyman
Zion

NOT VOTING—158

Abbitt
Adair
Anderson, Tenn.
Ashbrook
Ashley
Ashmore
Aspinall
Barrett
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Cederberg
Celler
Chamberlain
Clausen, Don H.
Cleveland
Colmer
Corman
Cowger
Cramer
Davis, Ga.
Denney
Derwinski
Devine
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Ford, William D.
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Harrison
Harsha
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jacobs
Karsten
Kee
King, Calif.
Kleppe
Kupferman
Kuykendall
Kyros
Laird
Landrum
Langen
Leggett
Long, La.
Lukens
McClory
McClure
Macdonald, Mass.
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Michel
Miller, Calif.
Mink
Minshall
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Nelsen
Nichols
Olsen
Ottinger
Patman
Pepper
Pickle
Podell
Pollock
Quie
Railsback
Rees
Reifel
Reinecke
Resnick
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Roudebush
Roush
Ryan
Sandman
Saylor
Schweiker
Schwengel
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Stuckey
Sullivan
Thomson, Wis.
Tunney
Udall
Utt
Waldie
Walker
Widnall
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wydler
Wylie
Zwach

So the previous question was ordered.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Laird.

Mr. Holifield with Mr. Adair.

Mr. Miller of California with Mr. Halleck.

Mr. Hull with Mr. Finley.

Mr. Celler with Mrs. Dwyer.

Mr. Barrett with Mr. Saylor.

Mr. Rogers of Florida with Mr. Cederberg.

Mr. Aspinall with Mr. Bow.

Mr. Shipley with Mr. Berry.

Mr. Evins of Tennessee with Mr. Utt.

Mr. Macdonald of Massachusetts with Mr. Roudebush.

Mr. Stratton with Mr. Chamberlain.

Mr. Fascell with Mr. Don H. Clausen.

Mr. Garmatz with Mr. Mosher.

Mr. Boggs with Mr. Mailliard.

Mr. Edwards of California with Mr. Schwengel.

Mr. Anderson of Tennessee with Mr. Nelsen.

Mr. Leggett with Mr. Minshall.

Mr. Nichols with Mr. Martin.

Mr. Charles H. Wilson with Mr. Wydler.

Mr. Davis of Georgia with Mr. Belcher.

Mr. Hanna with Mr. Button.

Mr. Walker with Mr. Sandman.

Mr. Kyros with Mr. Cleveland.

Mr. Brooks with Mr. Denney.

Mr. Galifianakis with Mr. Burton of Utah.

Mr. Giaimo with Mr. Harsha.

Mr. Hays with Mr. Bell.

Mr. Howard with Mr. Reinecke.

Mr. Henderson with Mr. Lukens.

Mr. Rosenthal with Mr. Railsback.

Mrs. Sullivan with Mrs. Heckler of Massachusetts.

Mr. Ashmore with Mr. Gurney.

Mr. Abbitt with Mr. Dickinson.

Mr. Long of Louisiana with Mr. Cowger.

Mr. Pickle with Mr. Burke of Florida.

Mr. Ashley with Mr. Ashbrook.

Mrs. Griffiths with Mr. Michel.

Mr. Rogers of Colorado with Mr. Mathias of California.

Mr. Podell with Mr. Kuykendall.

Mr. Morris of New Mexico with Mr. McClure.

Mr. Cabell with Mr. McClory.

Mr. Landrum with Mr. Blackburn.

Mr. Hungate with Mr. Bush.

Mr. Jacobs with Mr. Robison.

Mr. Brown of California with Mr. Schweiker.

Mr. Corman with Mr. Stafford.

Mr. Evans of Colorado with Mr. Derwinski.

Mr. Moss with Mr. Widnall.

Mr. Olsen with Mr. Thomson of Wisconsin.

Mr. Udall with Mr. Fino.

Mr. Rooney of New York with Mr. Gross.

Mr. Selden with Mr. Harrison.

Mr. Edwards of Louisiana with Mr. Gardner.

Mr. Gallagher with Mr. Erlenborn.

Mr. Pepper with Mr. Devine.

Mr. Waldie with Mr. Wiggins.

Mr. Patman with Mr. Smith of Oklahoma.

Mr. Kee with Mr. Pollock.

Mr. Tunney with Mr. Morse of Massachusetts.

Mr. Ottinger with Mr. Morton.

Mr. Meeds with Mr. Langen.

Mr. Haley with Mr. Kleppe.

Mr. William D. Ford with Mr. Quie.

Mr. Everett with Mr. Reifel.

Mr. Sisk with Mr. Smith of California.

Mr. Colmer with Mr. Snyder.

Mr. Stuckey with Mr. Wylie.

Mr. Roush with Mr. Zwach.

Mrs. Mink with Mrs. Bolton.

Mr. Rees with Mr. Brown of Ohio.

Mr. Hawkins with Mr. Hansen of Idaho.

Mr. Fallon with Mr. Cowger.

Mr. King of California with Mr. Moore.

Mr. Helstoski with Mr. Mathias of Maryland.

Mr. Resnick with Mr. Kupferman.

Mr. Karsten with Mr. Willis.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

Mr. YOUNG. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 284, nays 1, not voting 146, as follows:

[Roll No. 414]

YEAS—284

Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ayres
Baring
Barrett
Bates
Battin
Bennett
Betts
Bevill
Biester
Bingham
Blanton
Blatnik
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Casey
Clancy
Clark
Clawson, Del
Cohelan
Collier
Collins
Conable
Conte
Conyers
Corbett
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Dent
Devine
Diggs
Dingell
Dole
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Eilberg
Esch
Eshleman
Farbstein
Feighan
Findley
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Grover
Gubser
Gude
Hagan
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Hardy
Harvey
Hathaway
Hechler, W. Va.
Hicks
Horton
Hosmer
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keith
Kelly
King, N.Y.
Kluczynski
Kornegay
Kyl
Latta
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Matsunaga
May
Mayne
Meskill
Miller, Ohio
Mills
Minish
Mize
Monagan
Montgomery
Moorhead
Morgan
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Pelly
Perkins
Pettis
Philbin
Pike
Pirnie
Poage
Poff
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quillen
Randall
Rarick
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Rodino
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roybal
Rumsfeld
Ruppe
St Germain
St. Onge
Satterfield
Schadeberg
Scherle
Scheuer
Schwengel
Scott
Shriver
Sikes
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Springer
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wylie
Wyman
Yates
Young
Zablocki
Zion

NAYS—1

Schneebeli

NOT VOTING—146

Abbitt
Adair
Anderson, Tenn.
Ashley
Ashmore
Aspinall
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Cederberg
Celler
Chamberlain
Clausen, Don H.
Cleveland
Colmer
Corman
Cowger
Davis, Ga.
Denney
Derwinski
Dickinson
Donohue

Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Fino
Fisher
Galifianakis
Gallagher
Gardner
Giaimo
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Harrison
Harsha
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Howard
Hull
Hungate
Jacobs
Karsten
Kee
King, Calif.
Kirwan
Kleppe
Kupferman
Kuykendall
Kyros
Laird
Landrum
Langen
Leggett
Long, La.
McClory
Macdonald, Mass.
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Michel
Miller, Calif.
Mink
Minshall
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Nelsen
Nichols
Olsen
Ottinger
Patman
Pepper
Pickle
Podell
Pollock
Quie
Railsback
Rees
Reifel
Reinecke
Resnick
Rivers
Robison
Rogers, Colo.
Rogers, Fla.
Rosenthal
Roudebush
Roush
Ryan
Sandman
Saylor
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Stuckey
Sullivan
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wydler
Zwach

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Laird.
Mr. Kirwan with Mr. Bow.
Mr. Holifield with Mr. Adair.
Mr. Pickle with Mr. Halleck.
Mr. Aspinall with Mrs. Bolton.
Mr. Boggs with Mr. Morse of Massachusetts.
Mr. Ashmore with Mr. Belcher.
Mr. Rogers of Florida with Mr. Smith of California.
Mr. Rogers of Colorado with Mr. Cederberg.
Mr. Evins of Tennessee with Mr. Mosher.
Mr. Donohue with Mr. Stafford.
Mr. Brooks with Mr. Michel.
Mr. Abbitt with Mr. Gross.
Mr. Hungate with Mr. Berry.
Mr. Charles H. Wilson with Mr. Utt.
Mr. Fascell with Mr. Nelsen.
Mr. Leggett with Mr. Wydler.
Mr. Giaimo with Mr. Thomson of Wisconsin.
Mr. Macdonald of Massachusetts with Mr. Saylor.
Mr. Hull with Mr. Robison.
Mr. Hays with Mr. Derwinski.
Mr. Celler with Mr. Morton.
Mr. Shipley with Mr. McClory.
Mr. Hanna with Mr. Don H. Clausen.
Mr. Fisher with Mr. Erlenborn.
Mr. Stratton with Mrs. Heckler of Massachusetts.
Mr. Kyros with Mr. Langen.
Mr. Podell with Mr. Sandman.
Mr. Waldie with Mr. Railsback.
Mrs. Sullivan with Mr. Fino.
Mr. Miller of California with Mr. Bell.
Mr. Anderson of Tennessee with Mr. Dickinson.
Mr. Davis of Georgia with Mr. Burke of Florida.
Mr. Cabell with Mr. Bush.
Mr. Edwards of California with Mr. Harrison.
Mr. Long of Louisiana with Mr. Martin.
Mr. Landrum with Mr. Quie.
Mr. Brown of California with Mr. Burton of Utah.
Mr. Kee with Mr. Harsha.
Mr. Jacobs with Mr. Minshall.
Mr. Tunney with Mr. Reifel.
Mr. Walker with Mr. Chamberlain.
Mr. Colmer with Mr. Roudebush.
Mr. Nichols with Mr. Blackburn.
Mrs. Griffiths with Mr. Reinecke.
Mr. Corman with Mr. Wiggins.
Mr. Sisk with Mr. Mathias of California.
Mr. Morris of New Mexico with Mr. Cleveland.
Mr. Selden with Mr. Kuykendall.
Mr. Meeds with Mr. Pollock.
Mr. Ashley with Mr. Button.
Mr. Haley with Mr. Snyder.
Mr. Moss with Mr. Brown of Ohio.
Mr. Henderson with Mr. Smith of Oklahoma.
Mr. Howard with Mr. Kleppe.
Mr. Pepper with Mr. Zwach.
Mr. Fallon with Mr. Denney.
Mr. Evans of Colorado with Mr. Wyatt.
Mr. Rosenthal with Mr. Mathias of Maryland.
Mr. Rivers with Mr. Cowger.
Mr. Roush with Mr. Kupferman.
Mr. Ottinger with Mr. Hansen of Idaho.
Mr. Edwards of Louisiana with Mr. Gardner.
Mr. Olsen with Mr. Schweiker.
Mr. Galifianakis with Mr. Rees.
Mr. Gallagher with Mr. Gurney.
Mrs. Mink with Mr. Moore.
Mr. Hawkins with Mr. Resnick.
Mr. Helstoski with Mr. Stuckey.
Mr. Willis with Mr. Karsten.
Mr. King of California with Mr. Patman.

Mr. CLANCY changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST H.R. 20300 MAKING SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1969, AND FOR OTHER PURPOSES

Mr. MADDEN, from the Committee on Rules, reported the following privileged resolution (H. Res. 1317, Rept. No. 1955), which was referred to the House Calendar and ordered to be printed:

H. RES. 1317

Resolved, That during the consideration of the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, all points of order against said bill are hereby waived.

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The gentleman from Ohio makes the point of order that a quorum is not present.

Mr. ADAMS. A point of order, Mr. Speaker. There has been no intervening business since the rollcall on the resolution which indicated a quorum.

The SPEAKER pro tempore. The Chair will state that the gentleman is in error, since we have had a correction of a rollcall.

The gentleman from Ohio makes the point of order that a quorum is not present. Evidently a quorum is not present.

Mr. MILLS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 415]

Abbitt
Adair
Anderson, Tenn.
Ashley
Ashmore
Aspinall
Belcher
Bell
Berry
Blackburn
Boggs
Bolton
Bow
Brademas
Brooks
Brown, Calif.
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Cederberg
Celler
Chamberlain
Clark
Clausen, Don H.
Cleveland
Colmer
Corbett
Corman
Cowger
Daddario
Davis, Ga.
Denney
Derwinski
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Fino
Fisher
Galifianakis
Gallagher
Gardner
Giaimo
Gilbert
Green, Oreg.
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Horton
Hull
Hungate
Ichord
Jacobs
Karsten
Kee
Kelly
King, Calif.
Kleppe
Kupferman
Kyros
Laird
Landrum
Langen
Leggett
Long, La.
Long, Md.
McClory
McEwen
Macdonald, Mass.
Martin
Mathias, Md.
May
Meeds
Michel
Miller, Calif.
Mink
Minshall
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Nelsen
Nichols
Nix
O'Hara, Ill.
Olsen
Ottinger
Patman
Pepper
Philbin
Pickle
Poage
Pollock
Quie
Railsback
Reid, N.Y.
Reifel
Reinecke
Resnick
Robison
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Roudebush
Roush
Roybal
Ruppe
Ryan
St. Onge
Sandman
Saylor
Schweiker
Selden
Shipley
Sisk
Slack
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stanton
Stratton
Stuckey
Sullivan
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Wiggins
Williams
Willis
Wilson, Charles H.
Wyatt
Wydler
Zwach

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 270 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUSPENSION OF EQUAL OPPORTUNITIES PROVISIONS OF COMMUNICATIONS ACT OF 1934 FOR 1968 PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (S.J. Res. 175) to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion offered by the gentleman from West Virginia.

The question was taken, and the Speaker pro tempore, announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

One hundred and thirty-two Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 286, nays 0, not voting 145, as follows:

[Roll No. 416]

YEAS—286

Abernethy
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ayres
Barrett
Bates
Bennett
Betts
Biester
Bingham
Blackburn
Blanton
Blatnik
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cahill
Carter
Casey
Celler
Chamberlain
Clancy
Clark
Clawson, Del
Cohelan
Collier
Collins
Conable
Conte
Conyers
Corbett
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Wis.
de la Garza
Delaney
Dellenback
Dent
Derwinski
Devine
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Eilberg
Esch
Eshleman
Farbstein
Feighan
Findley
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Pa.
Griffin
Grover
Gubser
Gude
Hagan
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hechler, W. Va.
Hicks
Horton
Hosmer
Howard
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keith
Kelly
King, N.Y.
Kirwan
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Mahon
Mailliard
Marsh
Mathias, Calif.
Matsunaga
May
Mayne
Meskill
Miller, Ohio
Mills
Minish
Mize
Monagan
Montgomery
Moorhead
Morgan
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Pelly
Perkins
Philbin
Pike
Pirnie
Poage
Podell
Poff
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quillen
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Rodino
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Rumsfeld
St Germain
Satterfield
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Shriver
Sikes
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Springer
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—145

Abbitt
Adair
Adams
Anderson, Tenn.
Ashley
Ashmore
Aspinall
Baring
Battin
Belcher
Bell
Berry
Bevill
Boggs
Bolton
Bow
Brooks
Brown, Calif.
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Carey
Cederberg
Clausen, Don H.
Cleveland
Colmer
Corman
Cowger
Davis, Ga.
Dawson
Denney
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Fino
Fisher
Fraser
Galifianakis
Gallagher
Gardner
Giaimo
Green, Oreg.
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Jacobs
Jones, Ala.
Karsten
Kee
King, Calif.
Kleppe
Kupferman
Laird
Landrum
Langen
Long, La.
McClory
Macdonald, Mass.
Madden
Martin
Mathias, Md.
Meeds
Michel
Miller, Calif.
Mink
Minshall
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Nichols
Nix
Olsen
Ottinger
Patman
Pepper
Pettis
Pickle
Pollock
Quie
Railsback
Rarick
Reifel
Reinecke
Resnick
Robison
Rogers, Colo.
Rogers, Fla.
Ronan
Rosenthal
Roudebush
Roush
Roybal
Ruppe
Ryan
St. Onge
Sandman
Saylor
Schadeberg
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Teague, Tex.
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Wiggins
Willis
Wilson, Charles H.
Wyatt
Wydler

So the motion was agreed to.

Mr. ESHLEMAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (S.J. Res. 175) to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia [Mr. STAGGERS] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. SPRINGER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, after 23½ hours trying to get this bill to the floor—and I believe that is a record—I am sure it is a record in the number of quorum calls—this could well turn out to be one of the most important bills that will pass the 90th Congress. In fact, it could well turn out to be legislation which changes the course of history of our Nation.

Mr. Chairman, I think that all of the Members of the House are well informed about Senate Joint Resolution 175, so my statement on it will be brief.

As reported by the Committee on Interstate and Foreign Commerce, the resolution would suspend section 315 of the Communications Act with respect to programs on which opportunity for equivalent appearances is granted to candidates for the offices of President and Vice President who are on the ballot in 34 or more States; namely, Vice President HUMPHREY, Mr. Nixon, and Mr. Wallace, and their vice-presidential running mates.

Thus, in order for the suspension to be applicable, Vice President HUMPHREY, Mr. Nixon, and Mr. Wallace—or their vice-presidential running mates—would have to be offered an opportunity for equivalent appearances within the same program. If one of the candidates did not accept such an opportunity for equivalent appearance on a program, the suspension would still apply to that program. The candidate who did not accept such opportunity would not be entitled to use the program in which he declined to participate as a claim or as the basis of a claim for an equivalent appearance on his own behalf at a subsequent time.

The resolution also directs the Federal Communications Commission to make a report to the Congress not later than March 15, 1969, on the effect of the legislation and any recommendations it may have. The only costs to the Federal Government which would result from enactment of this resolution are those arising from the preparation of this report.

The suspension under the resolution is intended to make it possible for broadcasters to donate free time to the major candidates for the office of President and Vice President without the necessity of doing the same for minor or splinter candidates for that office. It would thus permit the American people to see the three major candidates together in a way that would facilitate making their decision for whom they wish to vote. Insofar as the purpose is concerned, the legislation is the same as that which resulted in the joint Kennedy-Nixon appearances on radio and television in 1960.

Other than the requirement that the candidates have equivalent appearances on the same program, the legislation imposes no requirements with respect to format. This would be worked out between the candidates and the broadcasters.

Mr. Chairman, the Committee on Interstate and Foreign Commerce has carefully considered this legislation and has concluded that its enactment is in the public interest.

Mr. Chairman, I would like to bring to the attention of Members of the House, the following letter:

THE VICE PRESIDENT,
Washington, October 7, 1968.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
U.S. Capitol,
Washington, D.C.

DEAR MR. SPEAKER: As you know, the legislation to provide for the suspension of the equal time provisions, Section 315 of the Federal Communications Act, is scheduled to be before the House of Representatives for debate on Tuesday, October 8.

In this election year, it is imperative that the candidates present themselves to the voters in such a manner that they may have the best possible opportunity to judge which candidate is best equipped to handle the crucial problems which will confront the next President of the United States.

In this era of television, the only effective way to accomplish this is by face to face confrontation of the major candidates in open debate on nationwide television. The pending legislation would make this possible.

In view of the above, I urge the enactment of the legislation as a matter of overriding public interest.

With best wishes,
Sincerely,
HUBERT H. HUMPHREY.

Mr. SPRINGER. Mr. Chairman, I yield myself 10 minutes.

Many years ago section 315 was written into the Communications Act of 1934 to make certain that all candidates for any office would be assured of an equal opportunity to use the radio frequencies which brought information by this method into the homes, businesses, and even automobiles of the people with a stake in the results of the campaign. It was devised to protect rights of all candidates and has served to thereby protect the right of the public as well to be fully informed. The law has worked well. Both candidates and stations have been able to live with it. The section is sometimes misunderstood as being a requirement to give away time in political years. On the contrary it merely states that any station owner who has the high privilege to use the radio spectrum in his business and who either sells or gives time to a candidate for public office, whether for dogcatcher or President of the United States, must be ready to provide equal time on the same terms to all other legal candidates for the same office.

In 1958 the Congress recognized the great growth in news coverage and news organizations employed by stations and networks. National daily news coverage had come into its own. Interview and panel programs designed to explore issues for the viewer or listener had become a regular part of broadcasting. To insist upon the rigid requirements of equal time as set forth in section 315 for such activities was restrictive to the extent that it would deny information to the public. Accordingly, such broadcasts were excepted with a proviso that basic fairness must still obtain.

The development in the history of this section came in 1960 with the suggestion of a complete suspension of the section as to candidates for the two highest offices in the land for the limited period of the national campaign. It was intended thereby to produce a new dimension in television coverage of a presidential election by way of a series of "great debates." The idea was pushed for by broadcasters generally and Congress finally went along on an experimental basis. Finding an acceptable format turned out to be a very difficult matter and it took the candidates 5 weeks to agree. What resulted is well known. Despite very self-glorifying claims by the major networks a hard appraisal of the experiment dictated that it be sent back to the drawing board. Disinterested and qualified observers concluded that the same coverage could have been afforded within the existing limitations of section 315. Many individual broadcasters also concluded that the experiment was far less than a howling success as far as they were concerned. And they still think so.

That was the one and only trial of suspension of section 315. The 1964 campaign struggled along without it, without hardship on anyone concerned. Certainly there was no general feeling by the public that it had been denied anything. And it had not.

Now we are asked again to doctor up section 315 for a particular purpose to meet the peculiar conditions which exist in this particular campaign year. The bill before us would suspend section 315 but not really. It would rather suspend it as to specific candidates under certain specific conditions. I am opposed to further tampering with this fundamental section of the act for very basic reasons. First and foremost it is unfair to deny equal access to minority candidates in those places where they have qualified to run. If the State of Iowa, for example, finds that under its law John Jones meets the requirements to be on the November ballot as a candidate for President, then the people of Iowa have a right and maybe even a moral duty to hear him out. He should not be pushed aside as unimportant to our political process merely because he represents a view less widely held than some other candidate. Neither should he be sidetracked merely because his party does not have a large national convention. The public can choose to ignore him but it should not be left to the networks, the individual station owners or anyone else to make that decision for the public. This country only attained its position in the world and can only hope to keep it by allowing for any man to try for anything he thinks he is capable of. It is the basic tenet of our society. If he makes the heights the Nation probably is the winner—if he fails, he and his community or his country may still be better for his having tried. For this reason if no other I am opposed to any further tinkering with section 315 of the Communications Act.

There are other reasons, however, which although not as fundamental are important to everyone. By suspending the equal-time requirement the whole face of a presidential campaign is determined in great part by the major television networks rather than the political parties and the candidates who represent them. I would not want General Motors to decide what the campaign should be. I would not want the United Auto Workers to decide what the campaign should be. And I do not want equally large and possibly more powerful business interests in the form of television networks to decide it either.

Now, Mr. Chairman, I promised the gentleman from Washington I would yield to him, and I do.

Mr. ADAMS. I just wanted to ask the gentleman a question.

Under Public Law 86-677, vice-presidential candidates were included in the debates in 1960.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield myself 1 minute to ask a question of the ranking minority member, the gentleman from Illinois [Mr. SPRINGER], before we get out of our depth.

Is it not a fact that the suspension of section 315 merely goes to the presidential and vice-presidential candidates and does not go any further? I think you used the words "any candidate from dogcatcher to President."

Mr. SPRINGER. What I was saying was that under the present act as it is written is the guarantee of the opportunity to be heard. That is what I meant. If I did not say that, I want to correct it.

Mr. MACDONALD of Massachusetts. But, if this suspension is voted on and passed, it merely goes to the presidential and vice-presidential candidates?

Mr. SPRINGER. That is true. What I was trying to make clear in addition to that fact is that the networks want repeal of section 315, and as the distinguished gentleman very well knows, that is exactly what they will be back here in January asking for. I happened to have had occasion to talk with a representative of one of the networks with reference to this matter only as late as last Sunday.

Whether section 315 should be repealed in its entirety is not before us today. They are talking about suspension this time as they did in 1960.

Mr. MACDONALD of Massachusetts. I could not agree with the gentleman more that section 315 of the Communications Act is one of the most important bulwarks we have, we who run for office and oftentimes face prejudiced networks as well as a local station. But that is not what we are about to vote on today. What we are voting on today is the issue as to whether the candidates can be heard by the public and the nominee of the Republican Party and the nominee of our Democratic Party shall be equally heard. It seems to me that the public has a right to hear them.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield myself 1 additional minute.

The public has a right to know where these people stand and, of course, money being of such value as it is in the networks, they obviously it seems to me claim that it is up to us in representing the public that we give everyone a chance who is a serious candidate for the Presidency to be heard and not just those who have a lot of money which I understand that one party has and maybe the other party does not have so much of.

But I would think and I would say to the distinguished gentleman from Illinois that he knows that I was one of those who raised the issue about control of a network or a station by a special interest group. But I just think that giving time equally to all the major candidates is a benefit to the entire country and not to a party, but to the country as a whole.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield myself 1 additional minute.

Mr. VAN DEERLIN. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD of Massachusetts. I yield to the gentleman from California.

Mr. VAN DEERLIN. Is it not also true that there is nothing in section 315 which in any manner eases the application of the fairness doctrine? If not, then any Members of this body, or the other body, who feel themselves unfairly put upon in their campaign for reelection has adequate resources at their command in the communications code, which have nothing to do with section 315.

Mr. MACDONALD of Massachusetts. I agree with the gentleman from California.

Mr. VAN DEERLIN. I thank the gentleman for yielding to me.

Mr. SPRINGER. Mr. Chairman, I yield myself 1 additional minute during which to make it clear to this body that if you do not do anything here today at all the networks can put these men on just as if we had suspended section 315. There is not a thing in the world to keep the networks from going ahead and giving time necessary to grant to the other candidates the same right to be heard. What you are in effect doing here is turning around section 315 and going in exactly the opposite direction in this legislation from what our forebears set out in this act at the time it was enacted.

Mr. STAGGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman and members of the committee, I do not approach the consideration of this legislation with the point of view that we are repealing the Communications Act of 1934 or any part thereof, although I recognize we are dealing with the temporary suspension of the equal-time provision of section 315.

My viewpoint is that it would probably be good for the public to see the three major presidential candidates all at one time, side by side, discussing the same subjects, and perhaps if there are those who have not formed an opinion already, they might find something during the course of these debates which might help them make up their mind in this matter of who would make the best servant in the highest public office of President of the United States for the next 4 years.

My interest simply is this: that if we are to have debates we want to be sure that everyone is accorded the same fair treatment that the designers of section 315 originally incorporated into the act if we are to suspend the equal-time provision.

So, Mr. Chairman, I would like to ask the chairman of the full commitee a few questions.

Reading the exact language, the major provisions of the committee language, we read that except that such suspensions would apply only to broadcasts which incorporate in the same program opportunity for equivalent appearances by all presidential or vice presidential candidates who have been qualified by applicable State law to appear on the ballots of at least two-thirds of the several States.

I would ask the chairman of the full committee, is it the intention and the interpretation of the chairman of the committee, and indeed the committee, that this language provides if there are to be debates, one or more, that the same amount of time will be provided on the same program for all three candidates to appear face to face, or jointly, if you would like to describe it that way, if they so choose? At least all three would be invited.

Mr. STAGGERS. The gentleman is correct. That is one of the reasons for the word "equivalent." That is my interpretation, and I believe that would be the interpretation of our committee.

Mr. WAGGONNER. Mr. Chairman, could I ask another question of the chairman of the full committee?

Is it the interpretation of the chairman of the full committee, and indeed the interpretation of the committee, as well, that should this opportunity be made available to all three major presidential candidates, and should one choose to not participate, that it would be within the framework of the intentions of this legislation that the remaining two could meet face to face if they chose.

Mr. STAGGERS. The words "opportunity for," I believe, have that effect. That would be my interpretation, and I believe it would be the interpretation of the committee.

Mr. WAGGONNER. That the networks could suspend the equal-time provisions and allow a debate between two candidates if one chose not to participate?

Mr. STAGGERS. That is correct. We have that set forth in the report.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. STAGGERS. Mr. Chairman, I yield 1 additional minute to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman for yielding.

Mr. Chairman, I would like to go back on the record, and I would like to ask the ranking minority member of the committee this question, please:

When the gentleman from Ohio [Mr. LATTA] handled the rule for the minority, the gentleman expressed some desire to and perhaps the intention of deleting the word "equivalent," which appears on page 2 in line 4 before the word "appearances," and to insert in lieu thereof the word "joint." If the word "equivalent" were deleted and the word "joint" were inserted, would this not have the effect of nullifying or killing the possibility of a debate because equal time could not be suspended if one of the three chose not to participate?

Mr. SPRINGER. If the gentleman will yield, I am unable to answer the gentleman, and cannot answer. I believe the interpretation of the gentleman is correct, but I am not able to say positively.

Mr. WAGGONNER. Mr. Chairman, I thank the gentleman.

I see no reason why we cannot offer the people of this country the opportunity to see these major candidates.

The CHAIRMAN. The time of the gentleman from Louisiana has again expired.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, I will speak only briefly—but very seriously—about what has been happening in regard to the measure before us.

Surely virtually all of us know first or second hand that, setting aside the political pressures for this bill, its major impetus has come from heads of the television networks.

Now, in view of what has gone on here in the House on this bill—in view, also, of what all of us saw happening in Chicago in late August—and then in view of the provisions of this bill, which grants a remarkable influence to television people over presidential candidates and the course of their campaigns—I say we in the House ought to immediately get busy when the next Congress convenes and start a study or investigation of the role of the networks in our national affairs and just how far these federally licensed activities ought to be allowed to get into the business of influencing the public, and how they should do it.

Now, everyone of us knows that under this bill the networks can fix requirements and timing and public image situations that would be helpful to one candidate and hurtful to another.

It is just as clear that the network pressure for this legislation was not cleared in any fashion with the various candidates involved—most particularly, the amendment that turned this into a three-ring circus—and so we know that whether or not a candidate might find it inconvenient or desirable, helpful or harmful, to join in this three-way public exhibition, the networks persisted to serve their own ends.

Four years ago there was an interesting lack of impetus for this kind of legislation. I do not recall President Johnson or his Vice-Presidential ally insisting that they be taken in hand by the networks and put on public display in the fashion proposed here.

What, then, has changed? Why does the Vice President have such a passion now about this that the Speaker and other leaders on the majority side cannot let go of it? Why, indeed. Everyone of us knows why. Riding on this bill is about $1½ million of free TV time and an extremely large audience. That is why. Four years ago it was different, and the need for it looked different then to the Vice President.

But all that is just plain and ordinary politics which all of us understand. What concerns me is not that, but the role of the networks in these matters that can shape the fate of presidential elections in this country.

I think this needs a hard looking into.

I think the networks' roles at Chicago needs looking into.

I think some of the news coverage techniques and attitudes need a careful assessment.

And I do hope, Mr. Chairman, that we take a good look at all of this very early in the next Congress.

Mr. STAGGERS. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts, who is chairman of the subcommittee [Mr. MACDONALD].

Mr. MACDONALD of Massachusetts. Mr. Chairman, I would like to have the attention of the minority whip. Do I correctly understand from what has just been said that your candidate for President is afraid to appear on a TV debate again as he was in 1960?

Mr. ARENDS. No; I did not say anything about him being afraid. Very seriously, I do not think he would be afraid.

Mr. MACDONALD of Massachusetts. The gentleman has talked about a three-ring circus. Most of us think it is an opportunity for the public to be informed about what the three candidates stand for. I do not really understand your objection to the suspension as far as presidential or vice presidential candidates are concerned.

Mr. ARENDS. If the gentleman was listening carefully——

Mr. MACDONALD of Massachusetts. I listened very carefully.

Mr. ARENDS. My objection was to the point that the influence the networks have over situations such as this causes me to ask that this House, through an inquiry next year, do something about that influence, which I think has gotten out of line.

Mr. MACDONALD of Massachusetts. I would like to ask the gentleman one further question: Does the Republican Party want to keep its presidential candidate under wraps so that he cannot be seen by the country and he cannot be involved in a debate?

Mr. ARENDS. I have heard the Republican candidate and seen him on television many, many times, and I have enjoyed listening to him.

Mr. MACDONALD of Massachusetts. I have seen his spot announcements and they are very good. But I am not talking about commercial announcements. I am talking about a debate. Do you, as a leader of the Republican Party, think he should not be exposed to such a debate?

Mr. ARENDS. President Johnson in 1964 killed a bill similar to this, in conference if I understand correctly. Is that not correct?

Mr. MACDONALD of Massachusetts. Do you feel that the presidential candidate of the Republican Party should not be exposed to the public?

Mr. VAN DEERLIN. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD of Massachusetts. I yield to the gentleman from California.

Mr. VAN DEERLIN. I speak, Mr. Chairman, almost to a point of personal privilege. I take exception to the remarks of the minority whip and the remarks of the gentleman from Illinois who preceded him in identifying this as "network legislation."

I should like to point out that two bills providing for this suspension were introduced by two members of our committee last spring. One of them was introduced by me, and the other was introduced by the distinguished gentleman from North Carolina, Mr. JAMES BROYHILL.

I do not like the implication that either their member, the gentleman from North Carolina [Mr. BROYHILL], or the member from our side, the gentleman from California [Mr. VAN DEERLIN], was carrying water for the networks. We were trying to provide something that 8 million Americans indicated in 1960 influenced them to vote, when they would not otherwise have voted.

If there has been apathy in this election campaign, it may very well be due to the fact that the public has been inundated with paid commercials, rather than honest debate.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Chairman, my discussion of the contents of this particular bill is based on a principle of law and not on the merits or demerits of the legislation before us. We either have good laws or bad laws. Good laws should be enforced and bad laws should be repealed. It seems to me if we take a good law and, every time someone does not want it, it is suspended, and after that it is reinstated again, that is not good practice. It does not reinforce the law.

To cite an example, would the gentleman suggest that our murder statutes should be suspended if the gentleman wants to go out and kill somebody, then reinstate it to apply again? It is the same principle.

Passage of this bill sets a dangerous precedent. Section 315 should be enforced, or repealed, not suspended.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. BROYHILL].

Mr. BROYHILL of North Carolina. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I did introduce similar legislation on this subject together with my colleague on the committee, the gentleman from California [Mr. VAN DEERLIN]. I have been for this all year. I served on the committee in 1964 which worked on similar legislation. Unfortunately, it was never enacted into law. It passed the House of Representatives, I might say.

I would urge the majority of my colleagues to support this resolution. This will give the American public opportunity to view the three major presidential and vice-presidential candidates.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado [Mr. BROTZMAN].

Mr. BROTZMAN. Mr. Chairman, I thank the distinguished ranking minority member of our committee for this time.

Mr. Chairman, I rise in support of this resolution. It is my deepseated and longheld conviction that the real strength of this country revolves around an informed and active electorate. I think in order for them to cast their ballots effectively, the more information they have, the better the process will work. Accordingly, I state that I did support this measure in the committee. I also support it today.

Mr. SPRINGER. Mr. Chairman, I yield to the gentleman from Oregon [Mr. DELLENBACK] such time as he may consume.

Mr. DELLENBACK. Mr. Chairman, each time that a measure has come before this body for action that involves broadcast facilities I have been especially cognizant of the one-fifth minority interest which I own in a radio-television station in my district. I have specifically disclosed the fact of such ownership to my colleagues and the public in the CONGRESSIONAL RECORD on each such occasion as I do again now. The firsthand accurate knowledge of the industry which this ownership interest makes available to me, as well as the reinforcement it gives to my experience and knowledge of the problems of small business, have been assets which I have used and will continue to use for the benefit of my constituents.

After listening carefully to the full discussion on this bill now before us, I have concluded that it would be in the best interests of my constituents if Senate Joint Resolution 175 were to pass.

I was much impressed by the statement originally made by my distinguished colleague the gentleman from Illinois [Mr. SPRINGER] as to the importance of section 315(b) of the Communications Act of 1934. It is a valuable provision in the law to assure candidates, their supporters, and the general public that they will be treated equally and fairly so far as free broadcast time is concerned. I feel strongly that an early order of business in the 91st Congress should be a careful restudy both of this section and of actual practices by the networks thereunder.

But the immediate question before us is whether this resolution would be beneficial to the people of this Nation. In my opinion it would be most desirable that the networks make available equal or equivalent network time to all candidates for the Presidency and Vice-Presidency. It is apparent, however, that only three of the candidates for the Presidency will be on the ballot in any substantial percentage of the States, that only these three have even a mathematical chance of being elected to the Presidency, and that the uncontradicted representation has been made to this body that if the networks must make available free time either to all or to none of the candidates for one or both of these high offices, they will make such free time available to none of the candidates.

I do not feel that a pure debate format is really the best format for helping the electorate make a sound choice among various candidates for either high executive or high legislative office. But it would be advantageous for the electorate to have a broad and sound exposure of the various candidates, so that the soundest possible choice can be made on election day. Passage of this measure would at least make more likely the possibility of such broad and sound exposure for the only candidates for these high offices, who in this November's elections, have any possible chance of election. This would be beneficial to the electorate, and to America. For these reasons, imperfect though it is, I support Senate Joint Resolution 175 today. The passage of this resolution, or its failure to pass, however, would have at least a possible dollar impact on the radio-television station in which I have the above-mentioned interest. Because of this possible conflict of interest, I will therefore vote "present" on the passage of this measure.

Mr. STAGGERS. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Chairman, public debates between the major candidates for the Presidency would embody the very heart and essence of the most basic American tradition of all.

Joint appearances of the major presidential candidates on television should not only be permitted, they should be actively encouraged as a matter of the highest public policy.

The television networks, operating by public license and using the public airwaves of this country, should not only be allowed to sponsor such debates, they should be expected to do so—if necessary, required to do so.

In modern America, as big as our population has grown, and as costly as television time is, the only conceivable way to preserve the essential character of American political life, hallowed in the Lincoln-Douglas tradition, is by free television time for joint public appearances by the presidential candidates.

What business could this country have that is more important than the selection of the men who will guide the American Nation for the next 4 years?

What possibly could be of greater interest and concern to the American people? The World Series? The Miss America Pageant? The latest soap opera? If anyone actually believes that, he has an appalling lack of faith in the American people.

This is not a question of what party you belong to. It is a question of what system you believe in.

This Nation was founded upon the fundamental faith that the people could be trusted to hear both sides of the great issues—to weigh and balance them, side by side in the sunlight of public inspection—and then to make the right choice.

I believe in that proposition. Do you?

To those who oppose this bill, I pose one question: What are you afraid of?

Do you mistrust the people? Do you lack confidence in their judgment? Do you fear their ability to compare and choose? Do you fear the ability of your candidate to engage in a sensible discussion of the issues, side by side with his adversaries?

Let me assure you that the American people have a far greater discernment than you realize.

They want the right to see the candidates side by side—to hear them answer questions directly—not to read a calculated script prepared by Madison Avenue, but to come to grips with the issues of this Nation.

The public wants the right to compare the candidates, on the same television screen at the same time—to see how they hold up under the searching scrutiny of newsmen, to weigh and compare their answers, side by side, on matters that fatefully concern the Nation's future.

The American people want that right. And they deserve that right. Will you deny it to them by your vote today?

Will you restrict their political diet to the cheap glib slogans and the slick, quickie commercials, and artificially contrived theatrical productions that cost millions of dollars and debase the public intelligence?

And will you deny the public access to those who do not have the millions to spend?

Or will you trust the public to value intellectual bread above circuses? Will you trust them to see the great issues debated by the candidates together and make the right choice?

HUBERT HUMPHREY has said that he is not only willing but anxious and eager to meet this test.

He says he will appear with Mr. Nixon, or with Mr. Wallace, or with both of them together.

Why does Mr. Nixon decline? Why does he hesitate? Of what is he afraid?

Let me predict that the American people will both note and remember who votes for this bill, and who votes against it.

If you vote to deny them this opportunity, you had better be prepared to tell them why.

And it had better be a more convincing reason than I have heard here today.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I did not ask the gentleman to yield to me, and I have only 4 minutes, but I yield.

Mr. SPRINGER. The gentleman has firm convictions about this; is that correct?

Mr. WRIGHT. It certainly is.

Mr. SPRINGER. Did the gentleman even as much as open his mouth in 1964?

Mr. WRIGHT. I do not recall that I made any speeches on the House floor. In fact, I do not recall that such a bill came to the House that year. I have made speeches in my home district and elsewhere on numerous occasions endorsing this basic principle.

Mr. SPRINGER. The words of the gentleman are not recorded in the CONGRESSIONAL RECORD as saying this in 1964.

Mr. WRIGHT. I appreciate the gentleman's calling that to my attention.

Mr. SPRINGER. Would the gentleman not have voted, actually, the other way in 1964 had it been on the floor?

Mr. WRIGHT. The gentleman is very gratuitous with his assumptions of what I would have done under some hypothetical circumstance. I assure the gentleman that he is emphatically on the wrong track in his assumptions.

I have stated in public meetings in my district and elsewhere that I have always stood in favor of the principle of letting both sides be heard.

I believe in what Voltaire said. If I disagree with everything you say I will defend your right to say it, and I hope I have courage enough to defend it with my life. I hope I do.

I believe in what Thomas Jefferson said. Error of opinion may be tolerated so long as truth is free to combat it.

I believe in that as a matter of fundamental faith. It is a fundamental American faith. I believe the American people want to see the candidates side by side and to compare them. I do not believe they want to see only those who can afford the millions of dollars for the hundreds of little quick, slick, expensive commercials. I think most of them degrade the American intelligence.

I think the people want to hear the candidates discuss these weighty issues in some depth, and be able to compare them side by side. I think they want that right, and I think the public is entitled to that right.

Are we going to deny them that right by our vote here today? That is the question we face.

This is just a matter of fundamental faith in the public of the United States. I think they have the discernment to make the choice. I am willing to stake my vote on that, and I think the House of Representatives should, also.

Mr. PICKLE. Mr. Chairman, the intent of the amendment I offered to Senate Joint Resolution 175 was to suspend section 315 so that there would be a three-way appearance between Mr. Nixon, Mr. HUMPHREY, and Mr. Wallace.

My amendment stated that any suspension of the law would apply only "to broadcasts which incorporate in the same program equivalent appearances by" the major candidates. This amendment was itself amended in committee to include the words, "opportunity for equivalent appearances." The effect of this new language might allow any of the major candidates to withdraw from the scene. While I did not oppose this particular amendment in committee from a parliamentary standpoint, its inclusion changes significantly the purpose I originally had.

The new language allows the opportunity for any of the major candidates to choose not to appear, and frustrates our purpose of giving the American voter the greatest possible amount of information about the candidates. The new language forces the networks to weigh several alternatives, including the use of different program formats, in trying to strike some method under which all candidates will agree to appear.

My clear intent was to allow a three-way debate or no debate at all. It is my hope that the networks, while not tying their hands in any specific format, would make an effort to do whatever is necessary to obtain a three-way appearance by the major candidates. This would be fair to the candidates and to the public. Any other approach could prove awkward to the networks and lead to possible claims of unfairness by a candidate who chose not to appear in the program.

Mr. SPRINGER. Mr. Chairman, I yield myself 1 minute.

I have tried in every way I could to keep politics out of this. The gentleman from Texas has introduced politics into this.

In 1960 I voted for suspension, even though it was to the disadvantage of the Republican Party, because they had an incumbent Vice President.

In late 1963 we brought this bill out of the committee and passed it on the floor, and the Senate passed it, and we took it to conference. We had the conference, and the White House said, "Nothing further doing on this." It was at their instigation, admitted on the floor of the House as true. It was instigated by the new President down at the White House, so we did not have an agreement on that act in 1964.

Now you are back in 1968, because it is to your advantage now and because the Vice President of the United States wants it.

I tried to keep politics out of it, but since the gentleman from Texas put politics in I want to know where the Democratic Party stood in 1964 and where it stood in 1960.

The reason I gave this is because I fear the gentleman has not stated what were the facts with reference to this case.

Mr. STAGGERS. The chairman might say this in further trying to shed a little light on that. I believe, as I recall it, that the bill was reported out of our committee before President Kennedy was assassinated. But after the assassination it died in conference after having been passed by the House.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Illinois.

Mr. SPRINGER. What happened is the Senate passed it. This was before President Kennedy was assassinated. The House under the chairmanship of the distinguished gentleman from Arkansas [Mr. HARRIS] brought the bill up and we passed it here. Then we went to conference once on it. President Kennedy was assassinated. What I said with regard to what happened with reference to that and what President Johnson did after that was what happened after the death of President Kennedy. That is all I said.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, Senate Joint Resolution 175 would suspend the equal-time provisions of section 315 for the presidential or vice-presidential candidates who are qualified in more than 34 States for the 1968 election. The purpose of the legislation is to allow the television stations of America to present debates between the three candidates who have qualified in more than 34 States without being required to offer equal time to the many splinter parties which are in such great number that would prevent any meaningful presentation being made: It is estimated between 20 and 30 candidates will run for the Presidency this year, and all would be entitled to "equal time" under the provisions of section 315 as it now stands. Among the parties they will represent are the National Prohibition Party, the Socialist Labor Party, the Socialist Worker Party, the National Hamiltonian Party, the Communist Party, the Theocratic Party, the Constitution Party, the Citizens Committee for a Negro President, the Peace on Earth Party, and the Peace and Freedom Party.

Some candidates run as individuals and not as party representatives. For example, Clay Harvey bills himself as the "Atlantic Bomb"; and Lewis Abaldfia, a nudist who runs on the slogan: "I have nothing to hide."

The resolution is a very simple one. It provides that the television stations may offer time to the defined candidates for President or Vice President so long as an equal opportunity is offered for equivalent appearances.

The format of the programs is left to negotiation between the networks and the candidates except that an opportunity for equivalent appearance on the same program must be provided for each candidate. This language is used to make certain that each of the three presently qualified presidential candidates will be treated fairly in the offer of time. It also means that if one candidate should refuse, the television stations could proceed with those candidates who indicate their willingness to participate. The words "equivalent appearances" are used so as to indicate that the exposure of the candidates should be fair, but to recognize at the same time that in a debate one participant may use a few seconds more or less than another, and also that in general legislation it is impossible to define strictly who would start, who would end, and who would comment in a particular order.

The legislation also directs that these presentations and opportunities to appear be on a program-by-program basis so that a candidate who had declined to appear on one program, while forfeiting his rights to demand equal time on the basis of that program, would be entitled to an opportunity to appear on any subsequent program.

In the minority views, it is suggested that this matter should be handled through permanent legislation probably using the definition of "legally qualified candidate for public office" as a method. The second portion of Senate Joint Resolution 175 is directed toward accomplishing this by requiring a report from the FCC and its recommendations on an amendment to section 315. As pointed out in the letter from the Chairman of the FCC on page 4 of the report, this was considered after the 1960 debates, but the FCC suggests that the Congress temporarily suspend section 315 once more in order to give them a better basis of investigation on which to base their recommendations for permanent change of section 315. For these reasons the Chairman of the FCC opposed S. 1859 in 1967 which would have produced a permanent change in section 315, but the Chairman supports the temporary suspension set forth in Senate Joint Resolution 175.

I urge enactment of Senate Joint Resolution 175 as amended by the House Interstate and Foreign Commerce Committee.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I am delighted to see the discussion of this legislation being carried on in so enlightened, calm, and deliberate a fashion. I would wish very much it were so that my Republican colleagues had permitted us at an earlier time to arrive at this happy state of affairs.

I would like to comment first that I would oppose as vigorously as any man in this body either emasculation or permanent repeal of the equal time provisions, but I would also point out that in the public interest it is extremely desirable that we should have a full exposition of the views of all three of the candidates in a face-to-face confrontation.

As my good friend, the distinguished gentleman from Washington, indicated, there are a large number of candidates that would be available for equal time were we not today with this very modest change that we make in the equal time provision of the Federal Communications Commission Act.

Mr. Chairman, I feel it is also important that we should discuss certain other points raised by my good friend from Illinois [Mr. SPRINGER], for whom I express great affection and high admiration. However, my friend from Illinois has set himself up a straw man of immense size and of a frightening appearance, one which purports to be either a present or future complete repeal of section 315.

Mr. Chairman, as a matter of fact it is fair to say that this is not done by the legislation, either in the present or in the future. This is nothing more than a straw man. Most of the other big bears which my friend from Illinois finds here are already to be found under existing law. They are not added by this legislation.

There is contained on page 5 of the report language which defines with great clarity the bounds of the suspension that is afforded is for programs for any of the three candidates. It limits it to programs. There is opportunity for equivalent appearances. This means that the equal time doctrine is not suspended insofar as the news programs and other programs are concerned, except where equivalent appearance opportunity is afforded to all three. Therefore, only in, perhaps, one, two, or three or perhaps no more than five cases will the doctrine be suspended for a nationwide broadcast which will be put on by the networks. Perhaps it will be possible for larger minor networks which serve limited areas to afford time, perhaps, under suspension of the equal time doctrine but that is not likely. The suspension is limited to those who have qualified on the ballots in no less than two-thirds of the States, or 34 of the States. It does not affect the fairness doctrine, nor does it in any fashion change the requirement under the Communications Act of 1934 which requires that stations and the networks and the licensees "operate in the public interest."

Mr. VAN DEERLIN. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am glad to yield to the gentleman from California.

Mr. VAN DEERLIN. Before we get away from this multiplicity of candidates, should not the point made that this great number—the Prohibition Party, the Socialist Workers Party, the Hamiltonian Party, as well as many others—does not include any really viable candidates? Even if those candidates, in States where their names appear on the ballot, should receive the vote of every single citizen, there is no legal or mathematical possibility of any of them being elected President of the United States?

Mr. DINGELL. That is correct. The only mathematical possibility for anyone being elected President is among those contained in the bill now pending before us.

Mr. VAN DEERLIN. If the gentleman will yield further, these are Richard

Nixon, HUBERT HUMPHREY, and George Wallace?

Mr. DINGELL. That is correct.

Mr. Chairman, I believe a perusal of these remarks as contained in the report and the careful scrutiny of the bill now pending before us is very important and with reference to the great percentage of the provisions of this bill and what it proposes to do but which also very carefully limits the language and the interpretive language exemption which is established and which makes it very plain that this bill is in the public interest and I am sure anyone who is a candidate worth his salt, who is able to carry on the high responsibilities of the Presidency and who are able to face the great challenge of international diplomacy in discussions with other national leaders can meet the test imposed upon them under this bill.

Mr. SPRINGER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I want to be just as fair in this debate as I can. One fellow that I greatly liked on the floor of this House was Jack Kennedy.

He told me in the White House that he thought there ought to be debate in 1964. Not only did he say that to me, but he put it in print, and if you go back and find it in the newspapers; that is how Jack Kennedy stood on debates in 1964. So I do not want any interpretation put to this that a real stand-up guy like Jack Kennedy was not fair. He knew that he had an advantage in 1960, and he was gentleman enough to recognize that he had to return that same kind of courtesy in 1964. That is a real gentleman in my opinion.

Mr. WAGGONNER. Mr. Chairman, would the gentleman yield?

Mr. SPRINGER. I would be happy to yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, the gentleman has expressed a desire as he went into the well at the start of his remarks to be fair. I do not believe there is any Member of this House who has any other opinion of the gentleman from Illinois except that he has always been eminently fair. Certainly that is the opinion of this one Member from Louisiana. I do not know how a man could be more fair than the gentleman from Illinois [Mr. SPRINGER]. His integrity is beyond reproach.

Mr. SPRINGER. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I now yield 5 minutes to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I wish that the gentleman from California, JOHN MOSS, my respected colleague on the other side of the aisle, and a respected colleague of all of us, was here today, because he is the most critical member on our committee of this legislation, and he has reason to be, as I do.

I presume that the gentleman is out in his district, which is his privilege, but if he was here today the Members would get a real selling by him on why this legislation should be defeated.

Also I wish that everyone would read these minority views that the gentleman from California [JOHN MOSS] and the gentleman from Michigan [Mr. HARVEY] and I have signed.

Mr. Chairman, I have not had any communication from any Presidential candidate on this joint resolution, or anyone who represented him, but I do want to say that both candidates can easily afford to buy their time, and have their debates and positions put forth as they see fit.

As a matter of fact, Mr. Chairman, we are kidding ourselves. These are not debates. The Members here surely know what a genuine debate is. These are not debates in any sense of the word. The networks run the show and tell these people what they should do, and they slant it one way or the other.

I want to refresh the memory of the Members on section 315 and the equal time and fairness doctrine. Several years ago our committee voted to allow the networks to use, or the local stations to use political candidates in their news programs, and that is the law today. And if there is anyone in this Chamber who has not been hurt by the abuse of the networks or the local TV stations or radio stations under the provision that we allowed, I would like to know about it, because JOHN MOSS has been hurt by it. I know I have been hurt by it. I know that Congressman TORBERT MACDONALD has been hurt by it, and I know that many others have been hurt by it.

To open up this law to let these wealthy radio and television people limit their programs to a selected few, means that you are going to be hurt because they are not directed and there will be no law governing them, and they are going to penalize candidates as we see them penalizing in their various programs this Congress, making fools of us because maybe one Member, or somebody connected with the establishment here, might have made some foolish statement or performed a foolish act.

It indicts all of us. If that is what you want, vote for this. There is probably not a single one of you who will ever get fair play when you suspend section 315 and eventually eliminate the fairness doctrine as is indicated by the suspension that took place a few years ago when we said, "You do not have to give equal time on news broadcast for all." Many of us have been hurt. I just pray that JOHN MOSS could be here and give you this information in more detail. It is amazing to me that those supporting this bill are supporting these wealthy TV-radio people. They have plenty of money. They are making millions. They can give time, equal time free, to every single candidate who is running for President and still continue to make money to pay high salaries and to pay off the stockholders, and become more wealthy than they are.

That is what you would be doing in passing this legislation. I am surprised that the people on the other side of the aisle, on your side of the aisle—who are always for the little man—are here today protecting the big, rich radio-TV people in this country by trying to get section 315 suspended and eventually repealed.

Mr. STAGGERS. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MACDONALD].

Mr. MACDONALD of Massachusetts. Mr. Chairman, I appreciate what the gentleman from Nebraska has said, and I quite agree that, unless we had 315 in the Communications Act, all that the gentleman has said would be true.

But I would just like to focus attention on the fact that this resolution would not suspend section 315 to all political candidates. It would merely suspend section 315 in order to let the people know what their presidential and vice-presidential candidates are like. It does not attempt to suspend 315 as far as congressional candidates go, the mayors of cities, or other political candidates. This joint resolution merely goes to the presidential and vice-presidential candidates. I think that it is important enough to suspend section 315 so that the people can see what a presidential or a vice-presidential candidate is truly like.

Mr. SPRINGER. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, does the gentleman from Massachusetts mean to say that there shall not be free and open debates in these United States—I do not care which party it is, whether it is minor or major? Do you want to cut off their viewpoints before the American people? It is what you just got through saying. Everyone who runs for President—I do not care which ticket he is on—has a right to have the people listen to him, and under this legislation we are not giving him that right.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. On the contrary, what I am saying is that if some opponent of yours from Nebraska has an awful lot of money and pours money into a local station, section 315 still applies to you and to every other Member of the Congress, whether or not we pass this bill.

This bill merely goes to the presidential and the vice presidential candidates.

Mr. CUNNINGHAM. But I must say to the gentleman from Massachusetts that if my opponent has a huge sum of money for TV, I may not have, and actually do not have, such large sums of money, I could not be given equal time because I could not afford it, but we could enact legislation giving major political candidates equal but separate time without charge.

Mr. SPRINGER. Mr. Chairman, I yield the remaining minutes to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I want to again emphasize to the gentleman from Massachusetts, who is my dear friend that if my opponent buys $18,000 worth of television time or radio time, surely that time has to be allowed to me as equal time, but I have to pay the $18,000—which I cannot afford to pay.

Mr. STAGGERS. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, I thank the able gentleman for yielding to me.

Mr. Chairman, I warmly commend the able chairman of the Interstate and Foreign Commerce Committee and his committee for bringing this bill to the floor of this House and for being steadfast against the obstacles which have been interposed to it.

While I am sure all of us hope that his committee will be able to bring forth in the next Congress legislation dealing permanently with this subject, this legislation is the only practical way we have now of allowing the American people to hear the three major candidates debate the real issues of this campaign for the Presidency.

While I am a supporter of Vice President HUMPHREY, and not of former Governor Wallace of Alabama, I think it is only fair to recognize that he has established his right to be heard.

I hope this measure can be enacted so we can give these three candidates an opportunity to state their standing on the major issues of our time to the people of the United States.

Mr. STAGGERS. Mr. Chairman, I thank the gentleman from Florida.

I would like to add to what the gentleman from Louisiana had to say about the gentleman from Illinois [Mr. SPRINGER]. Certainly in my years on the committee the gentleman has been utterly fair. We all differ. We are bound to. We are different kinds of people. But in that differing, the gentleman from Illinois has always been a gentleman. I can honestly say that many pieces of legislation which have been put on the books for the benefit of the public and for America would not have been on the statute books today if I had not had the cooperation of the gentleman from Illinois [Mr. SPRINGER]. So I thank the gentleman.

Mr. Chairman, our colloquy on this legislation reminds me of a little point in history. When Rome was threatened the cackling of the geese wakened the soldiers and saved the city and the empire. We have been debating this resolution and our debates have alerted us to some of the dangers of suspending section 315 and also of some of the benefits. As our able colleague from Florida has said, this is the only avenue we have open to us at this time if we are to have an appearance by the three major presidential candidates on the same program.

However, as I see it, we ought not to have to do it this way again. The committee ought to get into this and see what must be done to avoid this suspension device. I believe the Communications Act is a good law, but if there are changes which should be made, I think we ought to make them.

Mr. OTTINGER. Mr. Chairman, I rise in support of House Resolution 175, which would temporarily suspend the so-called equal-time provision under the Comunications Act of 1934 to make it possible for the three presidential candidates to meet face-to-face on national television and debate the issues of this campaign.

It is important that the American people find out where each candidate stands on the key issues that face the Nation. It is critically important that they find out before the election. There is no more effective way to do this than in face-to-face debate.

The candidates want this. Vice President HUMPHREY has called repeatedly for a chance to debate. Governor Wallace has demanded that he be included. I do not know of any statement by Mr. Nixon, but I cannot believe that he would reject a chance to discuss the issues with his opponents in a public forum.

The equal-time provision is a good provision. It prevents broadcasting media from unfairly favoring one candidate or one party. But, as it has been interpreted to require all candidates—even splinter party candidates—to be included in a general debate, it works against the public interest in presidential elections. How effective would a debate be if there were 10 or 20 participants? There are at least that many candidates on the ballots in various States. Why should these tiny parties that are not even on the ballot in most States, and, therefore, have no chance of election be included to obscure the issues and confuse the public?

I actually favor permanent amendment of the Communications Act to provide for debate in presidential elections, rather than these quadrennial suspensions which too often become political footballs. Suspension should be provided permanently with respect to all presidential candidates that qualify in three-fourth's of the States.

A permanent solution was not possible in committee, however, and I think the provisions made for this year's election are eminently fair. They require that any candidate who is on the ballot in three-fourths of the States be included in the debate. This assures Mr. Wallace the role that he has earned. The resolution would enable meaningful debate without having to include insignificant candidates.

Once the election is over and the people have made their choice, the equal-time provision will again be in effect. It should be among the first orders of business to consider a permanent provision for presidential TV debates at that time, in the absence of the heat of a particular election.

Mr. MATHIAS of Maryland. Mr. Chairman, I support this resolution to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President. The suspension will make it possible for the major candidates for these offices, those who have been qualified by applicable State law to appear on the ballots of at least two-thirds of the several States, to have an equal opportunity to be heard by the electorate.

In my own election campaign I have debated my two opponents and will debate them again on television. Debate affords the people a chance which they otherwise may not have to see the candidates and hear their positions. This is a critical election and every reasonable opportunity afforded the electorate to judge the candidates is, in my view, worthwhile and constructive. It would be inconsistent for me to take the position that the people of Maryland should not be afforded an equal chance to hear the three candidates for President of the United States when I am participating in debates with two opponents for U.S. Senator.

Let me make it perfectly clear that I subscribe to the import of the message Mr. Nixon addressed yesterday to the people of Flint, Mich., when he asked:

> Do you want to get something off your chest or do you want to get something done?

I believe the people will decide they want to get something done and that by suspending the provisions of section 315 we are helping to make it possible for the people to decide how they can best do it.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of Senate Joint Resolution 175, which would suspend for the 1968 campaign the equal-time requirements of the Communications Act of 1934 for nominees for the offices of President and Vice President.

There is a laudatory public-service motive underlying this resolution. This is an unusual election year in which many obfuscatory events and statements have beclouded the national issues. The American voter is entitled to know how each candidate for the office of President and Vice President from the major political parties stands on these major issues. He can best gain this knowledge through the medium of a televised confrontation between the major candidates, without the interjection of candidates of minor and splinter parties who would add little to this search for clarity and truth.

We have ample precedent for this legislation. Public Law 86–677 made possible the joint Kennedy-Nixon appearances on television and radio during the 1960 presidential campaign. That law permitted time on radio and television to be donated or given at reduced rates to the significant candidates for the offices of President and Vice President without the necessity of according all candidates for those offices equal treatment. The service that that law provided is evidenced by the estimate of 115 million people who were said to have watched and listened to the Kennedy-Nixon appearances.

If Americans were afforded that opportunity in 1960, they ought to be given the same opportunity in 1968, when the need is felt to an even greater degree than it was at the beginning of the present decade. Recent polls show a considerable number of American voters have not yet made up their minds on their choice for President.

Mr. Chairman, if we expect the American voter to make an informed and intelligent choice on November 5, we ought to respond to his urgent plea for help in this hour of national importance. We can help him by passing the joint resolution now pending on the floor.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That that part of section 315(a) of the Communications Act of 1934, as amended, which requires any licensee of a broadcast station who permits any person who is a legally qualified candidate for any public office to use a broadcasting station to afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, is suspended beginning August 31, 1968, for the period of the 1968 presidential and vice-presidential campaign with respect to nominees for the offices of President and Vice President of the United States. Nothing in the foregoing shall be construed as relieving broadcasters from the obligation imposed upon them under the Communications Act of 1934 to operate in the public interest.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 1, strike out "nominees" and insert in lieu thereof "candidates".

Mr. MIZE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 417]

Abbitt
Adair
Ashley
Ashmore
Aspinall
Belcher
Bell
Berry
Boggs
Bow
Brasco
Brooks
Brotzman
Brown, Calif.
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Casey
Clark
Clausen,
  Don H.
Cleveland
Corman
Cowger
Davis, Ga.
Dawson
Delaney
Denney
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Galifianakis
Gallagher
Gardner
Giaimo
Gilbert
Gray
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Jacobs
Jones, Ala.
Karsten
Karth
King, Calif.
Kirwan
Kleppe
Kupferman
Laird
Landrum
Langen
Long, La.
McClory
Martin
Mathias, Md.
Meeds
Michel
Miller, Calif.
Mink
Moore
Moorhead
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, N.Y.
Nichols
O'Hara, Ill.
Patman
Pickle
Pike
Pollock
Pryor
Quie
Railsback
Reifel
Reinecke
Rogers, Colo.
Rogers, Fla.
Roudebush
Roush
Ryan
St Germain
Saylor
Scheuer
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Stuckey
Sullivan
Taft
Thompson, N.J.
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Wiggins
Willis
Wilson,
  Charles H.
Wright
Wyatt

Accordingly the Committee rose; and the Speaker pro tempore (Mr. Albert) having assumed the chair, Mr. Mills, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (S.J. Res. 175) and finding itself without a quorum, he had directed the roll to be called, when 299 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 2, strike out the period and insert the following: "; except that such suspension shall apply only to broadcasts which incorporate in the same program opportunity for equivalent appearances by all Presidential or Vice-Presidential candidates who have been qualified by applicable State law to appear on the ballots of at least two-thirds of the several States. For the purpose of the preceding sentence, the District of Columbia shall be considered a State."

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

I spoke on this matter before the quorum call, but time ran out, so I wanted to reemphasize some of the points and bring up another point or two.

I want particularly to call the attention of the Members on the Democratic side to the minority views. The strongest objector to this legislation is our dear colleague, John Moss, who helped originally to frame and enact the fairness doctrine. Evidently he is in his district and is unavoidably detained. If he were here he would be strongly opposed to this legislation as noted in his minority views.

However, I presume it will pass. I want to say to every Member here that the day will come when they will regret that they have passed this particular piece of legislation.

A few years ago, as I mentioned earlier, we let the networks and television stations off the hook.

During the news broadcasts, when we had the famous Lars Daly and everyone else wanting to be carried in the news programs, because at that time Mayor Daley was leading a parade, I think, of the Hibernians or some such affair in Chicago, the news people covered that parade and mentioned the mayors name as was proper. Then Lars Daly demanded equal time. So they had to give it to him. We gave the radio and television people relief from such situations. But now they want to knock out all of section 315 and the whole principle contained in the Fairness Doctrine. John Moss has had bad experience with this and I have had bad experience with this and Torbert Macdonald has had bad experience with this, because we have received unfair treatment because of what was done in the Lars Daly case. This legislation today, of course, is a temporary thing. I hope you understand that. What the networks and the TV stations want is complete abolition of this fairness doctrine and section 315. If they get that, then you are going to be at the mercy of all of these big, wealthy TV and radio people. Then you will have nothing that you can do about it if they favor your opponent.

I cannot imagine why anybody would want to remove the legal restrictions to the TV and radio people by voting in favor of this bill before us today. These TV people particularly are making millions and millions of dollars for themselves and their stockholders. They have ample opportunity and have ample money to give everybody who wants to run for President a chance to be heard. I think every voice, whether I agree with it or not, should have the opportunity to be heard on the networks or on the local stations. So I say to you, Mr. Chairman, that the networks and the TV people are anxious and adamant about this. They have been beating us over the head trying to get all of these restrictions eliminated. This is one step toward that. The day will come when some radio or TV station in your district will attack you and you will not have any recourse along the lines you now have.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. Yes. I yield to the gentleman.

Mr. WAGGONNER. How could the networks possibly gain this power that the gentleman expresses so much fear of except by consent of the Congress?

Mr. CUNNINGHAM. How can they gain the power?

Mr. WAGGONNER. Yes.

Mr. CUNNINGHAM. What power? Over the candidates?

Mr. WAGGONNER. No. To do all of these things that you propose they are going to do if we suspend this for a short period of time.

Mr. CUNNINGHAM. I said this is just the nose-under-the-tent proposition. They want to get rid of the whole act. Then they are free to be favorable to one candidate over another and there is nothing that you will be able to do about it.

Mr. WAGGONNER. Assuming it is as the gentleman said, just a nose-under-the-tent affair, has not the gentleman in fact just now advocated far more than that when he advocated giving everybody equal time? When you say "give everybody equal time," does that not include a Communist candidate?

Mr. CUNNINGHAM. What I said was simply this: Everybody, regardless of whether they are a minority or majority, ought to have the opportunity to be heard.

Mr. WAGGONNER. By "everybody," does that include a Communist candidate? Does "everybody" include a Communist candidate? The Communists are dedicated to the overthrow of this country and equal time is not for them.

Mr. CUNNINGHAM. We cannot both talk at once, and I do not yield any further. I simply say that the Vegetarian Party or the Prohibition Party and that type of people should be able to put their viewpoint across.

Mr. CELLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am going to vote for this bill because the overriding reason is to permit the American people to see on the screen the three important candidates running for the Presidency of the United States, and the three important candidates running for the Vice Presidency of the United States. That is an overriding reason.

I say that also because I am a pragmatic or practical politician, but from a historical standpoint it is well to point out that there is some danger in this bill.

If we had had something of this nature in 1820 we would have been in trouble in this Nation. In 1820 there were four candidates. One was Clay, one was Webster, one was John Quincy Adams ,and the other was Andrew Jackson who was the Bete Noir and somewhat of a maverick. Andrew Jackson was of a different type than the other three. He came out of the West, and he was called a wild-eyed radical.

If we had had something of this sort at that time Jackson could not have appeared on the screen. As it happened, the election was thrown into the House of Representatives and Clay threw his support to John Quincy Adams and John Quincy Adams was elected President of the United States.

The situation similarly developed in 1860. Lincoln was not the candidate of the ruling parties of the 1860's. He was an outsider, a political outcast. If we had had this situation in existence at that time, Lincoln could not have had his image placed on the screen. The disadvantage under which he labored would have been exacerbated. American history would have been entirely changed.

Similarly, in 1912 you had three candidates; you had Taft, you had Wilson and you had Teddy Roosevelt. Teddy Roosevelt then was refractory and unorthodox but he might have been denied the privilege of appearing on the screen.

Mr. Chairman, it is my opinion that it is well to keep those examples in mind for the future and I hope that the Committee on Interstate and Foreign Commerce in the next Congress will come out with something far more constructive than this pending bill before us. A study in depth is required.

I believe, as the gentleman who just preceded me stated, there is a great deal of selfishness on the part of national networks.

Mr. Chairman, in 1960 there were 14 different candidates, there were 14 different platforms and there were 14 different parties. Why should not the networks give every single member of those parties an equal opportunity? Of course, it would have been costly to them. But examine their balance sheets of financial accomplishments. Incidentally you cannot examine their balance sheets because they are not made public. You cannot get a balance sheet from the American Broadcasting Co., you cannot get a balance sheet from the Columbia Broadcasting Co., and you cannot get a balance sheet from the National Broadcasting Co. But there are certain ways in which we discover something about their huge profits. And, they should be concerned and even compelled to give equal time to all of these parties, I do not even care if it is the Communist Party. Why should not the Communist Party have the right to speak and then we will know something of the evils and defects of the Communist Party. But we cover up and hush-hush the Communist Party and the more we hush it up and hide it the more attractive we make it to the young impressionable and the inexperienced.

Mr. Chairman, in the 1960 election we had the Conservative Party, we had the Tax Cut Party, we had the Socialist Workers Party, we had the Constitution Party, and we had the Vegetarian Party, and so forth. I see no reason why all could not have been heard. There would have been no disadvantage or inconvenience to those who had television sets. You simply turned them off if you were not interested. But the right should have been theirs and the right should always be extended to those who seek such an important office as the Presidency of the United States. There may have been a Lincoln among those candidates in 1960.

There may have been a Lincoln among those candidates in 1960. I do not know. How can we find out unless they have an opportunity to be heard, and particularly over the foremost media of communications; namely, television and radio?

So, my good friends, I hope the Committee on Interstate and Foreign Commerce will keep these factors in mind. I repeat, however, in order to get the three main candidates on the screen together, or at least two of them, I am voting for this joint resolution. I am doing it against principle. I do it for practical politics.

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. AYRES

Mr. AYRES. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

> Amendment to the committee amendment offered by Mr. AYRES: On page 2 lines 3 and 4 delete "incorporate in the same program opportunity for equivalent appearances by all", and insert in lieu thereof "provide for separate equivalent appearances by the".

Mr. AYRES. Mr. Chairman, this amendment, as read by the Clerk, provides for separate equivalent appearances by the candidates.

I heard what the distinguished chairman of the Committee on the Judiciary just said, and I can say to you, Mr. Chairman, that as far as I am personally concerned I have never been injured, I have never been hurt, furthermore I have never been benefited by any of the provisions under the so-called section 315, but I do know a little about how people react to television today.

When we refer to what happened back in the time of Lincoln the news media at that time was entirely different. It took an entirely different type of expression, and it took an entirely different type of campaign. But I feel that the American people are not particularly interested in any three-ring circus being put on TV. That is exactly what you are going to have under the provisions of this bill. You are going to have the Republican Party, the Democratic Party, and a third party. We are saying to the networks: "You can put it on when you want to." But I can assure you, knowing networks as I do, that they are not going to put it on opposite Laugh-In, although the candidates—at least, some of them, might use the expression of that cute little gal who says "Sock it to me," because that is about what it is going to be.

Now, this will be a great show for the networks, but I do not believe that this Congress is going to provide a show for the networks in an effort to determine who the next President of the United States should be. It would only add confusion.

Every one of the Members present within the sound of my voice have gained the confidence of your people, otherwise you would not be here. You received a majority of the vote. You did not win your seat in this distinguished body by just engaging in a three-way discussion that your constituents watched and decided whether or not you were qualified to be a Member of the House of Representatives; you won your seat by explaining your position to your constituents.

Mr. Chairman, as far as I am concerned the best way for the American people to decide who should be President of the United States is to accept this amendment. Let us permit each of these candidates—and perhaps they all have good qualifications, I am not taking any sides, although I am for one of the candidates, Mr. Nixon; some of the Members of the House are for another one, and some of the Members of course are for the third one. Some of the Members believe that such a circus would benefit their particular candidate. But you are playing right into the hands of the network to provide a great laugh-in show for them.

What is wrong with this amendment? What is wrong with each and every one of these candidates being able to be given time by the network to say, "This is my position. This is where I stand." Let the candidate run his show the way he wants to run it rather than how the networks would like to get a higher Hooper rating. I believe all of you understand what the situation is.

After all, what is fairplay? Fairplay is for the individual candidate to stand on his own feet without being harassed by two other people. Whenever you get into a contest with three people, whether it is the fighting ring or whether it is in the political ring, guys can gang up. Fairplay is for each man to stand before the American people in this phenomena that we have in television today and to say, "This is my position. Judge me on what I stand for."

This is going to give the American people an opportunity to evaluate each candidate, and the networks under the provisions of this bill will be forced to give them comparable time—comparable prime time, I would hope—so that the electorate will be able to look at Mr. Nixon, Mr. HUMPHREY, and Mr. Wallace, after their presentations, without any prejudice, without any ganging up, without any situation that may be determined not to be—without casting any aspersions on anyone—fairplay, and say, "This is the man that I think should be President of the United States of America."

That is what this amendment provides.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment to the amendment.

The committee amendment provides that the candidates must appear on the same program and have equivalent time.

The gentleman's amendment would provide for separate, equivalent appearances in which the same people might not have an opportunity to see the candidates together. We thought that by providing for their appearance in the same program, appearing at the same time and having equivalent time, they would not have an advantage or disadvantage, and they would have to be all treated the same and could be compared by the voters of America.

I do not agree with the gentleman from Ohio in his statement that the appearance of the candidates would be a three-ring circus, because I do not want to put any of our presidential condidates, whatever party they belong to, in the role of a clown or an actor. I am satisfied the three major candidates are all good men and well qualified.

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Ohio.

Mr. AYRES. I will say to my distinguished friend and neighbor that I certainly did not mean to imply that any of the candidates should be placed in that category. But having viewed what happens when three individuals get together in front of the camera, and having known many cameramen—and I do not know how the networks would arrange this—it could bring about a burlesque in American politics. I think all three of these gentlemen are above that.

Mr. STAGGERS. I thank the gentleman. I am sure they are. I am sure, if presented with the opportunity, they would take advantage of it and help to enlighten the American people and enable them to understand the issues and what their position is on those issues, thus giving the public an opportunity to make a judgment with all sides having their views presented.

I do not see how there can be any more fairplay than to put them all together at the same time and under the same circumstances and before the same audience. So, for that reason, I would oppose the amendment and ask the House to vote it down.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I echo what was said by the chairman of the full committee. We discussed this in the subcommittee and in the full committee at great length. Actually, it seems to me that the best qualities in a presidential candidate—and I suggest this to the gentleman from Ohio—come out in actual confrontation, as happened in 1960 between the two major candidates. Now, either fortunately or unfortunately, we have a third candidate, it seems, who would qualify at least in some sections as a major candidate. I suggest that all three be able to confront each other and have to answer the same questions and come up with whatever answers they see fit to provide.

It strikes me as passingly peculiar that a number of people from the other side of the aisle have called these debates a potential three-ring circus. I echo my chairman's feeling about this. I think that any man who has worked long enough and hard enough to become a major candidate of these 50 States cannot be considered in the sense of being a performer.

Obviously the candidates will have to answer questions. I, for one, would be very interested in seeing the response to questions that will be asked about law and order in the United States. I would like to hear the Republican candidate's answer, side by side with that of the third major party candidate, Mr. Wallace, because sometimes the two candidates sound like each other and sometimes they do not. I think a confrontation between both of them, with Mr. HUMPHREY there as well to state where the Democratic Party stands on this issue, can only benefit the people of the United States, who have a right to see these three people not in commercial advertisements and in ads that have been dreamed up by Madison Avenue, but to see these candidates on their feet, to see them answering spontaneously questions that are put to them.

I would like to see the differentiation made between all three candidates, because, as I said, sometimes Mr. Wallace and Mr. Nixon seem very close on this issue of law and order. I personally would like to hear the three candidates state their views as to what are the major issues in the United States now. If Mr. Wallace is close to Mr. Nixon on this issue, I would like to hear about that. If they are both for bombing North Vietnam, I would also feel that the people of the United States should hear their point of view.

I think in 1960 the networks, despite the criticism that they have received in the Chamber today, did a great service to the people of the United States. I think they are very capable of doing just that, if we adopt this bill and defeat the amendment.

The spontaneous reaction when three people are there is one thing. Paid commercial appearances are something else again.

Mr. Chairman, I urge the defeat of this amendment.

Mr. DELLENBACK. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I speak just briefly to this particular point. It seems to me this amendment reaches in exactly the direction which the proposal before us today has been argued to be reaching for. The purpose of making time available to the various candidates is to give the electorate an opportunity to judge which of these men should serve in the particular office to which he is aspiring. It should be a method of judging the qualities which will stand him in good stead as he steps forth as the President, most particularly, of the United States.

If what we are looking for is entertainment, then we have no business considering this particular bill.

If what we are looking for is some sort of capacity or ability to shoot from the hip or to make snap judgments, oftentimes not based on sound analysis of the situation, we have no business approving the measure before us today.

But, if the purpose of making this time available to each of the major candidates who has a chance to be elected to this particular office is to give the electorate of the United States an opportunity in equivalent situations to judge the capacity of the man, to judge his knowledge of the issues, to judge his capacity to reason and to present his reasons soundly, then the amendment proposed by our colleague from Ohio is, I believe, an excellent amendment.

Listen carefully to the language of what he proposes: "To provide for separate equivalent appearances by the candidates."

This is a case of seeing them in similar situations. If the proper situation is to see each man before a panel of news people who will ask questions, so be it. If the proper situation is to see each man make an independent presentation of his own on subjects given to him in advance, so be it. If it should be some other form, so be it.

But what we are striving to do is not to entertain the American public. What we are striving to do is to find out which of these men has the capacities and the qualities to serve us best as President of the United States.

I commend my colleague from Ohio for proposing this particular amendment, and I urge its adoption today.

Mr. ANDREWS of Alabama. Mr. Chairman, I am opposed to this pending amendment. If adopted, it would prohibit the appearance of the three leading candidates for the office of President, to appear together on television for debate. It has been said that such an appearance would be a three ring circus.

I can assure you Mr. Chairman, that Governor Wallace would not cause such appearance to be a circus. He is an honest, intelligent and dignified person. And above all, he is honest.

The next President of the United States will have an almost impossible assignment. Therefore it is imperative that the people select the very best qualified man. In my opinion, no better way for selection of such man can be made, than by having the three leading candidates appear at the same time, and discuss their views at the same time.

Mr. WOLFF. Mr. Chairman, I rise in support of the legislation and in opposition to the amendment.

Mr. Chairman, I come before this body with some credentials in the field of television, having spent 14 years as a moderator of a public affairs television program, and as well with some recognition by this body, have been the moderator who asked Adam Clayton Powell the "ill-fated question" at the "Between the Lines" TV program.

I speak in support of this legislation because of the fact that it is impossible, with the nonelastic 24-hour day available to the networks, to provide time for all candidates for office. As a result, the people of this Nation are to be deprived of the opportunity of viewing the candidates face to face because the networks do not have sufficient separate but equal time to comply with the existing law.

Mr. HARVEY. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I am delighted to yield to the gentleman from Michigan.

Mr. HARVEY. I am interested in what the gentleman just said, because my understanding of the law is just the reverse. It is my understanding that the House of Representatives in 1958 exempted news-type programs specifically from this type of coverage, and the networks, if they wanted to, today could do precisely this. There is no reason why they could not put Mr. Nixon, Mr. HUMPHREY, and Mr. Wallace on a "Meet the Press" type of program. That type of programing is exempted from the equal time provision.

Would the gentleman comment on that?

Mr. WOLFF. A news-type program is. However, an interview public affairs special program is not.

They would be subjected to the same aspects of the law as any other type of program would under section 315.

Mr. HARVEY. Will the gentleman yield further?

Mr. WOLFF. I yield to the gentleman.

Mr. HARVEY. How would the gentleman explain a type of program such as "Meet the Press" and "Face the Nation"? Are they not specifically the programs exempted in the 1958 amendments to permit the very thing we are talking about taking place? In the Congress we are permitting one type and now are saying no, we should throw out the whole law when we permit these. Is that not exactly what we are attempting to do?

Mr. WOLFF. If that is the case and I do not agree, for Meet the Press is a regularly scheduled news public affairs program. I do not see why your side of the aisle objects to a confrontation of the three candidates. It seems that the objective of stopping this legislation is the objective of stopping a direct confrontation between Mr. Nixon and the other candidates in this race.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I am glad to yield to the gentleman.

Mr. EDMONDSON. I think the gentleman has put his finger very squarely on what it is that disturbs our friends on the other side. This is the dreadful prospect to them of having their nominee stand before the American public beside the candidate of another party and answer in the same environment and under the same pressures the same questions that are submitted to that other candidate or to the other two candidates as provided by this bill. They remember with considerable chagrin the disappointing experience of their candidate in 1960, and they do not want to risk that again in 1968.

Mr. WOLFF. I also understand that Mr. HUMPHREY has Mr. Nixon's old make-up man now as well.

In addition, I do not think any of the distinguished candidates would engage in activities that would place them in the position of conducting a three-ring circus.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield at that point?

Mr. WOLFF. I am glad to yield to the gentleman.

Mr. WAGGONNER. Would it not be more descriptive to call it a one-ring circus with the party symbols of an elephant, a donkey, and an eagle in the same ring?

Mr. WOLFF. Actually the intent behind these programs would be informational. We have very little time left between now and the election. Unless this law is passed, I do not think that we will have an actual confrontation of the candidates. There is no reason why the public should be deprived of this confrontation.

Mr. Chairman, I yield back the balance of my time.

Mr. HARVEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do not intend to use all of this time but do take it in order to address myself to the Members of this particular question. This House did act in 1958, as I understand it. They inserted an exemption in the law to cover this particular news type of program where one or more than one candidate could be invited and the network be exempted from equal time coverage. That is why it was done in 1958.

There are some changes that should be made in section 315, Mr. Chairman. The definition of the word "candidate" should be revised. That is what the gentleman from California [Mr. Moss] has urged for a long time. There is no doubt that is necessary, because a person should not be able just to stand up on a street corner and proclaim that he is a candidate and get equal time. That is not right. He should have some qualifications either that the party he represents has received a certain percentage of the vote or that he, as the candidate, is qualified in a majority of States.

Furthermore this suspension of section 315 is going to turn over, for all intents and purposes, this debate to the networks. I cannot go along with that.

They are going to be the ones to decide what the format is going to be.

In 1960, according to my best recollection, the representatives of Mr. Kennedy and Mr. Nixon, if I am not mistaken, met I think as many as 18 times with the networks in trying to work out a format. They almost did not work one out, although they met for that number of times. With the brief time remaining this is going to be on a take it or leave it basis. Mr. Chairman, having all these things in mind, it is my opinion that the House is now ill advised to undertake the suspension of 315 once again.

Mr. FINDLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I have heard several speakers here today invoke the name of Abraham Lincoln in an effort to justify the debates that are implicit in this legislation as it is now before us. That is a curious and ridiculous association because nothing could be further from the political tradition of Abraham Lincoln.

Abraham Lincoln did not participate in and he did not seek any personal confrontation in the presidential campaign of 1860, nor did he do so in 1864. The only time of note when he sought and participated in debates with his opponent was in the year 1858 when in fact he was relatively unknown through the State of Illinois, running against a man, Stephen A. Douglas, who was a national hero.

What might be a sense of political desperation is why he wanted to debate with Douglas. He did not win, but it was a politically astute act on his part. He did not see fit to repeat this act in 1860 or 1864.

Mr. Chairman, I submit that Wallace-Humphrey coalition supporters in behalf of this legislation may be engaging in an act of desperation too, and I can understand it in behalf of two Democrats seeking the Presidency, because it is obvious both of them are running far behind Richard Nixon, the Republican candidate. In other words, it appears that the two Democrat candidates and their supporters are trying to gang up on Mr. Nixon, the lone Republican candidate, and his supporters.

Mr. DOLE. I wonder if Mr. Nixon, the only Republican of the three, would have as much time as the two Democrats?

Mr. FINDLEY. Under my amendment he would. That would be only fair. After all, Mr. Wallace is a Democrat. He is running at the head of the Democratic Party ticket in the State of Alabama, and he should share with Mr. Wallace the TV time accorded to the Democratic Party.

Mr. DOLE. I understand that he has been a Democrat and is now. I also note those talking about debates today did not support debates in 1964. This is another fact that one should consider.

Mr. VANIK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this legislation and I hope it will be adopted.

Mr. Chairman, I am in support of this legislation and I hope it will be adopted. It will provide the opportunity for a full debate on the Presidency.

This year, this discussion is more important than ever to help the American people make a wise and proper choice.

Political campaigns have come to depend more and more extensively on the use of the communication media. Congressional, State, and local campaigns rely on widespread use of television and radio which permit the candidate to make his appeal for support and release him for the other extensive campaign work which must be done.

The television and radio media of the Cleveland area have made wise and commendable efforts to meet the candidate's problem of skyrocketing campaign expenditures.

For congressional candidates, television station WEWS has provided public service time and three free 1-minute commercials; television station WKYC has provided public service time and a 50-percent discount on commercial rates, while WJW has offered public service time and 25 percent discount on commercial time.

Radio stations WHK and WIXY have offered public service time and the other radio stations have indicated comparable programing.

These policies constitute an encouraging and commendable recognition of the difficult problem of present-day political campaigning.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Ohio [Mr. AYRES].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. AYRES. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. AYRES and Mr. STAGGERS.

The Committee divided, and the tellers reported that there were—ayes 77, noes 110.

So the amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Are there any other amendments to section 1 of the joint resolution?

If not, the Clerk will read section 2.

The Clerk read as follows:

SEC. 2. The Federal Communications Commission shall prepare and submit a report to the Congress, not later than March 1, 1969, with respect to the effect of the provisions of this joint resolution and any recommendations the Commission may have for amendments to the Communications Act of 1934 as a result of experience under the provisions of this joint resolution.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment to section 2.

The Clerk read as follows:

Committee amendment: On page 2, line 15, strike out "March 1, 1969" and insert "March 15, 1969".

The committee amendment was agreed to.

Mr. SPRINGER. Mr. Chairman, I move to strike out the last word.

There will be a motion to recommit offered by the gentleman from Ohio [Mr. AYRES]. The motion to recommit will encompass an amendment which he has sought and which failed a few minutes ago.

I think it is fair to say there are two approaches to the whole question of how a debate should be carried on. For the most part, in countries—abroad—for example, England, France, and Germany—candidates for political office and parties for political office—and there are many more of those in most of those countries because they are multiparty countries—time is given to each party, and relatively to each candidate, to use as he sees fit.

I do not mean to say by that that news documentaries and news interviews as contained in this act are not used. But for the most part in those countries opportunity is given to a party or a candidate for time, and that time is used as the candidate wishes.

In some of these countries it is the law. In others, it is the regulation of a broadcasting corporation itself, which I believe in all of the four instances I have mentioned are government corporations, except that in England there is a separate corporation which is private in nature in addition to BBC itself.

So America chose in 1960 to do the interview. I think there is a great deal of merit, in my opinion, to allotting to an individual candidate time and allowing him to use that time to discuss the issues which he feels are most important in that election. I think it makes a great deal of difference whether or not the people who interview the candidates are asked questions on particular issues which that candidate feels are important. Within an hour, we will say, if you have three candidates, it means that when you pass it around, including the questions and the time that it takes to make up those questions, not more than about 15 minutes can be allotted to each candidate.

In addition, it may be that the candidate himself will not be asked questions about the particular issues that he believes are the most important in that election. This is one reason why I favor the Ayres amendment. That is, because we believe each candidate will want to discuss the issue which he believes is the one that is important to the country, and the only way in which he can do that is to do it through the use of his own time.

May I say that a little over a week ago the Democrat candidate took a half hour which he purchased of his own time. Whatever may be said about whether we agree or disagree with that candidate, I thought he did a very good job of presenting the issue which he wanted to talk about on that particular half hour program. It was the question of Vietnam and whether or not the bombing should cease. I say again, I thought the candidate did an excellent job of presenting his viewpoint. There was a great deal of controversy in the newspaper as to what exactly was meant. I thought it was awfully important that that candidate have an opportunity to discuss in depth and fullness the issue which he felt was important at that particular time in his candidacy.

This is one of the reasons why I believe the amendment which has been offered by the gentleman from Ohio [Mr. AYRES] has a great deal to recommend it. If, we will say, this Democrat candidate for President had been asked questions all through this time, I think it would have become in the course of it considerably mixed up and muddied.

A controversial and in-depth issue of whether or not the bombing of North Vietnam ought to stop does take in-depth perception. Any candidate who discusses an issue of that nature which is of national importance, as this is, will find a half hour is not too much. I think this is one instance in the present campaign when the opportunity for a candidate to present uninterrupted what he believes the issue to be and how it ought to be presented, should be preserved.

I think it was only due to the fact that the candidate had a full half hour to present in depth such an issue as North Vietnam—especially the ceasing of the bombing, which has been the most complex question of the entire matter of Vietnam—that the candidate was able to present his position.

I believe the Ayres amendment has much to recommend it. This is why I support it, and this is why, when the motion to recommit is offered, I hope my colleagues will support it.

AMENDMENT OFFERED BY MR. HALL

Mr. HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment Offered by Mr. HALL: On page 2, after line 19, insert a new section 3:

"SEC. 3. Any debates or simultaneous appearances of such candidates resulting from this bill shall be so arranged that each participating candidate, or a spokesman he may designate; shall have the privilege of designating at least one representative on the panel, in order to insure that such panel is fairly constituted and not composed of a predominance of those who might tend to favor any one candidate, position on an issue, or political party."

Mr. HALL. Mr. Chairman, this amendment is self-explanatory. Notice we have not referred to the question of debates. We have not referred to the question of "circuses." We have tried to use the words "simultaneous appearances" or otherwise. This simply states that whosoever the candidate may be, whosoever is finally qualified for exemption under this suspension of the equal opportunities provision—normally referred to as section 315 of the Communications Act of 1934 for the 1968 presidential and vice-presidential campaigns—will have the right and privilege of designating at least one representative on the panel in order to assure equity and justice insofar as avoiding slanting questions or avoiding predominance of those who might tend to favor any one particular issue, any one particular candidate, or any one particular party.

I think we are getting at the very basis, in our discussion here today, Mr. Chairman, of the question of public service time. In allotting the use of the airways we have always through the grace of this committee's surveillance and oversight guarded jealously the question of "public service" time. This is the basic and common denominator of what we are discussing.

This amendment would simply assure, by its acceptance, that a panel, or the interrogators, or those who frame the program and set the conditions under which the candidates are presented, would have a representative or a right to approve or select someone to avoid slanting or prejudice.

Mr. Chairman, it probably is not generally known that the networks themselves are not liable for that which they air or present, but only their outlet stations. This is something that has long needed to be corrected. This amendment would automatically inure to avoiding liability, whether it be with the networks—where probably many times it ought to be placed—or with the outlet stations. I think it is well worthy of acceptance and consideration.

I am sorry we did not have the time to go into this with the membership of the committees on both sides before it was presented. I think this would add much to the bill.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. HALL. Mr. Chairman, I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, is this to be someone mutually agreed upon or would it be someone appointed by the candidate?

Mr. HALL. Each candidate who is to appear on any given program would have a right to pick one of the newsmen, the interrogators, or the so-called panelists.

Mr. SMITH of Iowa. The network, then, would not have anything to say about it at all?

Mr. HALL. Well, yes. There is no exclusion of the network having its own representative or representatives. It depends on how large the panel would be. I can conceive if all three presidential candidates and all three vice-presidential candidates each had this privilege, they might have six so-called news-analysts interrogating, and the network or outlet stations over which they were airing their program might have two or three, or even an equal number.

Certainly this is not exclusive. It simply gives the candidate the right to avoid dogmatic slanting or nonjustifiable prejudice on his part.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HALL. I yield to the chairman of the subcommittee.

Mr. MACDONALD of Massachusetts. I thank the gentleman for yielding. I am not sure if the gentleman has read the report.

Mr. HALL. I believe the gentleman knows me better than that. I do not come on the floor without having read the bill and the report, and I certainly do not submit an amendment without doing that.

Mr. MACDONALD of Massachuetts. It has been a long period of time.

Mr. HALL. I will say to the gentleman, this is one case where the bill and the report have been out for a long time, and available to the Members, and I compliment the committee for that.

Mr. MACDONALD of Massachusetts. We on the committee worked very hard on this, Chairman STAGGERS and all the rest.

If the gentleman will read page 3 of the report, it spells out how the panel shall be assembled, when it says:

> However, whatever is done, should be done as a result of discussion, negotiations, and cooperation between the candidates and the broadcasters.

As someone who knows something about the debates which were held in 1960, the word "negotiations" is an understatement.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

(On request of Mr. MACDONALD of Massachusetts, and by unanimous consent, Mr. HALL was allowed to proceed for 1 additional minute.)

Mr. MACDONALD of Massachusetts. In this case I am sure all three candidates will be very particular about who shall be on the panel.

On the other hand, I do not believe it is the business of the Congress, certainly, in writing the bill, to try to tell the networks how to program a panel discussion. Actually, the Communications Act provides that there cannot be Government interference in radio or television programing.

I thought we covered it completely in the report. I would hope the gentleman does not think we of the Congress can dicate who shall appear on any such program.

Mr. HALL. Mr. Chairman, I certainly appreciate the gentleman's contribution. I do not think that.

I know the policy of laissez faire so far as the executive branch is concerned. I do think the Federal Communications Commission and the act should undergo greater surveillance and oversight by the committee and the Congress, in view of the performance of the national networks without liability, and even the performance of many of the local stations. Their recent editorial policies, emphasis of subject, headlining, and performance in general leaves much to be desired.

Mr. Chairman, being in the report is not tantamount to having anything stipulated in the legislation. I submit, if it is the intent of the committee, why not accept this, because it could not do any harm. I hope it will be added to the bill and accepted.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment.

Very briefly I want to follow just a little bit what Mr. MACDONALD, the chairman of the subcommittee, had to say.

The report specifically states that the networks and the candidates will establish the format for these programs. We do not say there is going to be a panel. There is a possibility, perhaps a probability, that there would not be a panel program; that they would set up a procedure whereby each man would proceed for so many minutes without any provision for answering questions from a panel.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am glad to yield to the gentleman.

Mr. HALL. I appreciate the chairman of the full committee yielding as well as the chairman of the subcommittee.

There is absolutely nothing in this bill that says anything at all about limiting the time or the place of appearance or setting the stage, but it says that the candidate will have one representative.

Mr. STAGGERS. It does set a panel. That is what we say in our report we want to stay away from completely. We said that we do not set the format but, instead, leave it up to the candidates and the broadcasters to do this. The amendment would require a panel and they would be in the picture and take part in it.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am glad to yield to the gentleman from Michigan.

Mr. DINGELL. The gentleman from Missouri, my good friend, offers this amendment, I am sure, in the best of good faith, but the result of the amendment I am afraid might be very much opposite to that which he intends. What could conceivably happen is that all three of the nominees would each select a special pleader who would appear on the panel, and the result could not inconceivably be, instead of a debate among the three nominees, a debate between the three designees of the principals, or conceivably we could have a debate between the designees of the principals and the principals. Rather than having an edifying and informative debate which would contribute to the knowledge of the people in general, we might conceivably have a six-way dogfight which I am satisfied that no Member here wants. We have sought to protect the principals against this and to afford them the widest possible negotiating range. I again cite to my good friend from Missouri the language which is at the top of page 3 of the report which indicates that:

> The committee feels that sufficient flexibility is being given in this legislation to permit the broadcasters and candidates to innovate and experiment with various program formats. However, whatever is done, should be done as a result of discussion, negotiations, and cooperation between the candidates and the broadcasters. Further, the committee expects that questions such as who will appear first or last on any program, the physical location of the candidates (in the case of television coverage), and similar matters will be resolved in such a manner as to avoid any possibility of favoritism or collusion.

This is the same thing that happened in the 1960 debate when the two participants sent emissaries to arrange the formats and then, to the best of their ability, it was arrived at in a fair fashion.

Mr. HALL. Mr. Chairman, will the gentleman from West Virginia yield once more?

Mr. STAGGERS. Yes. I am glad to yield to the gentleman.

Mr. HALL. I appreciate the gentleman yielding a third time in view of his statement and the chairman of the subcommittee and my friend from Michigan's statement about the intent and the statement in the report. It seems we are of a like mind, and certainly we never intended to put one of these representatives on the panel so as to be a stooge or a substitute or a stand-in for one of the candidates themselves. The bill and the law we are enacting would preclude that. In view of the statement made, I ask unanimous consent, Mr. Chairman, to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I should like to ask a question of the distinguished chairman of the committee. I read the report on this resolution two or three times rather carefully, having the opportunity to do so during this around-the-clock session, and I note there is a discussion in the report relating to the 1960 presidential election in the Nixon-Kennedy debate. Then obviously there is a reference to this 1968 presidential election, but it seems equally obvious as an omission that there is no discussion, and I wonder if the gentleman could indicate why, with regard to that other presidential election that intervened in 1964.

Could the distinguished chairman of the Committee on Interstate and Foreign Commerce tell me why the Congress was not enlightened in the report as to what happened in the 1964 presidential election legislation that passed this House and I understand passed the other body but suddenly died in conference? Could the distinguished chairman advise me as to what happened to that and why it was not discussed in the report?

Mr. STAGGERS. Mr. Chairman, if the gentleman will yield, the gentleman from

West Virginia and the gentleman from Illinois went into that to a certain extent awhile ago with reference to the October 1964 episode. The ranking minority Member explained it somewhat and I tried to also explain it and that was the fact that the then President Jack Kennedy agreed that there should be a debate and the request was brought to both Houses of the Congress. The legislation was passed in both Houses. After it was passed and went to conference, as I recall the situation it died in conference—and the minority Member can correct me if I am mistaken—and then there was the assassination of Jack Kennedy which took place. This affair was dropped completely and as we know, the then Vice President was elevated to the position of President of the United States. To my knowledge, and being a member of the Committee on Interstate and Foreign Commerce, at that time I do not know of its ever being brought up again before our committee. It was dropped. As I say, after the assassination this was true.

I would say to the gentleman from Florida that I am sure that Jack Kennedy wanted these debates and had agreed to them.

Mr. CRAMER. I applaud him for that position, obviously. However, what I am interested in is whether the attitude of his successor, President Johnson, relating to the 1964 proposal and the 1964 presidential election, at which time Vice President HUMPHREY was a candidate on the ticket—I can only assume by the circumstances of the majority party having a greater control of both the House and the other body at that time than at the present time, then the word must have come down from the Johnson-Humphrey ticket that there was no interest in having a debate in 1964, because if there were, the conferees could have met any time during 1964 to vote out a debate conference on the bills passed in the same Congress in 1963.

And, I assume further that Vice President HUMPHREY being a candidate on the ticket took the same "no debate" attitude. I want to know what is in the record, if there is anything, which would indicate the reason for the change in the position of presidential candidate HUMPHREY to "I want a debate in 1968" as compared to his position of debate no more in 1964 when he was running for the Vice-Presidency.

I understand there was a letter, although I have not seen it, delivered to the Speaker of the House of Representatives yesterday, according to the press, by the presidential candidate for the Democratic Party and did he in that letter indicate why he has changed his position as a presidential and national candidate in 1968 as compared to his position when he was a vice-presidential and national candidate in 1964? I would like to be enlightened upon that subject. There is nothing in the report to indicate what the reasons are. Can the gentleman answer that question?

Mr. STAGGERS. Yes, sir; I can answer that question. The gentleman has made at least a half dozen assumptions and I do not know that I can enlighten the gentleman with reference to those assumptions and to furnish to him the answers to the questions which he has posed. I do not know that any Member on the committee itself can answer them. But I would say to the gentleman that in my opinion he has not changed his position because he is running for President of the United States now. But, you must remember that certain events have taken place and this would have been law if those events had not taken place. That is the situation insofar as I know it. The gentleman from Florida is trying to read into these men's minds something I do not know, and something that I do not know that others are acquainted with.

Mr. CRAMER. The only thing I can read into it is the factual circumstance that President Johnson and Vice President HUMPHREY were candidates in 1964 and did not see fit to sufficiently support legislation which was not passed providing for debates in 1964 and therefore apparently opposed the debates then, and now in 1968 Vice President HUMPHREY does want these debates.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 2, after line 19, insert the following: "*Provided*, That each political party shall be accorded equal television time; *And provided further*, That entitlement to time shall be based on the political affiliation of each candidate in his home State."

Mr. FINDLEY. Mr. Chairman, this amendment is essential to carry out the spirit of fairplay to which so many speakers today have given their support. I do not believe anyone wants one party ganging up on the other to a disadvantage. We have a very peculiar situation today in this presidential race, because there are two Democrats running for President of the United States. George Wallace is the Democratic Party candidate for President of the United States in his home State of Alabama, and is running as the head of the ticket in that State. And, of course, HUBERT HUMPHREY is the Democratic candidate for President of the United States in Minnesota. I do not believe any fairminded person would think it right that Dick Nixon, the lone Republican, would have to be put at a disadvantage, and have to debate against two different Democrats.

So, Mr. Chairman, the purpose of this amendment would be to bring about a fair division of the time if these debates should develop. And I would say to the gentleman from California [Mr. VAN DEERLIN] that as I would see this being carried out in the event that all three candidates would participate would be to determine the political party affiliation of each based on the candidate's home State affiliation. This would mean that Dick Nixon would receive twice the amount of time as the other two candidates combined, because the other two would be classified, properly so, as Democrats.

Mr. VAN DEERLIN. Mr. Chairman, would the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from California.

Mr. VAN DEERLIN. I thank the gentleman for yielding.

Mr. Chairman, I wonder if the gentleman would identify the politics of Gen. Curtis LeMay.

Mr. FINDLEY. I am not a Californian, as the gentleman is, but I do believe I am correct in stating that Curtis LeMay may well be on the State of California ballot as candidate for the Vice-Presidency on the Independent American ticket, whereas George Wallace is running in Alabama as a Democrat.

What worries me is the growing evidence of a Wallace-Humphrey coalition here in this House. Frankly, as a Republican, I am getting a little concerned.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. Mr. Chairman, first I must yield to my colleague from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Chairman, I thank the gentleman for yielding. I rise in support of the amendment offered by the gentleman from Illinois. I would ask the gentleman if I correctly understand that under the amendment offered by the gentleman from Illinois that on a 1-hour television program the one Republican candidate would be acknowledged for 30 minutes, and the Democratic candidates would be acknowledged for 30 minutes?

Mr. FINDLEY. I would say to the gentleman from Kansas that each of the two Democrats would be allotted 15 minutes each, and the Republican candidate would be allotted 30 minutes, which would be only fair.

Mr. DOLE. If the gentleman will yield further, with reference to the thinking on fairplay in 1968, there was not any fairplay in 1964 on that side of the aisle, and I would believe there is a very obvious effort here by the Wallace-Humphrey coalition to deny Mr. Nixon, the Republican candidate, fairplay, and so I support the amendment offered by the gentleman from Illinois.

Mr. WAGGONNER. Mr. Chairman, would the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, I thank the gentleman for yielding.

I will have to admit that if Mr. Nixon sat between the fast talkers, Mr. HUMPHREY and Mr. Wallace, he would have trouble getting a word in edgewise, and would necessarily have to take twice as much time.

Mr. FINDLEY. Then the gentleman would certainly be in support of my amendment to give him an even shot.

Mr. WAGGONNER. I would state to the gentleman that if we had some assurances that he might appear even under those conditions I might support the gentleman's amendment.

Mr. FINDLEY. I am sure this amendment will increase the chances of his doing, so I would recommend that the gentleman support my amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BUCHANAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Illinois is correct in the facts that he has stated. My distinguished former Governor is running at the head of the Democratic ticket in Alabama. Some alleged subversives have also put the American Independent Party on the ballot in Alabama, and he is running against that party in Alabama, at least, his electors are. And in the rest of the country he is running as an American independent and against the Democrats.

But now, this is not to in any way detract from the candidacy of my distinguished former Governor. The Democrats are simply taking advantage of him in Alabama. They know that if he does not head their ticket there, and should run on another ticket, the Republicans would clobber them all. Without his coattails, they cannot win. And that is the reason why we have the Democratic Party in Alabama.

So he is rendering them a great service, and they are taking advantage of him there.

But let me say in all seriousness, Mr. Chairman, that this amendment would rob a major contender for the Presidency of the United States of the time that he has earned, our former Governor of Alabama, Mr. Wallace. Whether the Members are for or against his candidacy, we must surely recognize his right to equal time.

For example, I am for Mr. Nixon. This does not, however, close my mind to Governor Wallace's rights or to his clear accomplishments.

He has made a remarkable achievement in this presidential year. Getting on the ballot in 50 States without any party organization behind him, and coming into the position of second place in the presidential race at the present time, he clearly merits the equal time of which the amendment would rob him. I do not want to take advantage of him, as the Democrats in Alabama, courthouse Democrats, to Chicago Democrats have done. As an Alabama Republican, I want to be fair to him and give him the equal time he so well deserves.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. HALL

Mr. HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALL: On page 2, after line 19, insert a new section 3:

"SEC. 3. This act specifically prohibits the broadcasting of Federal election returns, so-called computer-analyses, or 'samplings of the polls' until such time as all election polls have closed in the United States of America; in order to assure that voters in the far-western time zones do not fail to vote, or one influenced in their voting, by thinking the election is already decided."

Mr. STAGGERS. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Missouri is recognized for 5 minutes.

Mr. HALL. Mr. Chairman, I shall not take the 5 minutes. I want to start off by taking exception to one statement that was made earlier in the colloquy wherein it was said by the chairman of the Committee on the Judiciary that, in his opinion, even the Communist Party deserved equal time and all rights and justice. I just want it known that I personally cannot concur in that statement, as much as I revere the judicial opinion and the legal training of the gentleman from New York. If this were merely a political party, admittedly that conclusion and the prudence would be properly derived. Being not only a political party but an ideology and dedicated to control of the world, subversion of all the rest of the world, and many things in addition to being a political party, I could never concur that that party should be granted equal time, or any time.

So far as this amendment is concerned, this is simply to prohibit computer analysis, selective polls or any other device or name that might be utilized by these networks that do not have any liability under the law except through their outlet stations, to broadcast prematurely—in the case of the far western Aleutians of Alaska and our State of Hawaii, 9 hours before they close their polls—the selective analysis, the computer ratings or by whatever name they may call it, or by whatever technique they may rationalize and justify their new scoop, announce their forecasts of the outcome of elections.

The need for this is obvious. We are all experienced. We are men who practice pragmatic politics. We know the results of withdrawal based on the "its all over," or "whats the use", complex on the part of the people who feel that the election is already decided. They either stay at home, not exercising their individual citizen's responsibility, or they cast a slanted vote. This well needs to be done whether it is done by the Communications Commission or whether it is done under the existing Communications Act—which, incidentally, Mr. Chairman, this bill, stated in the report on "purpose," in the last two lines, purports to amend and change the law as far back as the Communications Act of 1934. It is the function of this committee. I think it is germane, and I would hope that it should be accepted.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Illinois.

Mr. COLLIER. I thank the gentleman for yielding. I would say that the problem he raises is one that is of deep concern to many people. At the same time I personally feel that the subject matter before us today would get very confused if we attempted to legislate in such a sensitive area as this by amendment. Perhaps at some later time, instead of dealing with this in an "equal time" bill, we might consider it as separate legislation. I think that probably would be the way to do it.

Mr. HALL. I appreciate the gentleman's contribution. I think it is worthy of hearings in view of the problems it has caused nationwide and the problems it has caused among the various networks and outlets.

The CHAIRMAN. I ask the gentleman from West Virginia whether he insists on his point of order. The gentleman will state his point of order.

Mr. STAGGERS. Mr. Chairman, I agree with the distinguished gentleman from Missouri that this is an important subject. Our committee ought to take it up. I, for one, would be in favor of taking up this bill and having a full hearing on it.

I am inclined to assume and expect that perhaps the minority leader would agree with me on this, that it is an important subject.

The CHAIRMAN. The Chair has asked the gentleman from West Virginia to state his point of order.

Mr. STAGGERS. Mr. Chairman, my point of order is that this has nothing to do with the equal time. It is not germane. This has something to do with elections, but not with equal time.

The CHAIRMAN. Does the gentleman from Missouri have anything further to say?

Mr. HALL. Mr. Chairman, I throw myself on the mercy of the Chair.

The CHAIRMAN (Mr. MILLS). The Chair is ready to rule. The bill before the committee does have to do with the suspension of a part of section 315(a) of the Communications Act which provides for equal opportunities for political candidates for office. The suspension is for a definite period of time and applies only, of course, to the presidential and vice-presidential candidates.

The amendment offered by the distinguished gentleman from Missouri has to do with an entirely different subject matter, and that is the reporting of the election returns that are developed on election night. The chair does feel that this amendment goes beyond the purview of Senate Joint Resolution 175, the legislation before us, and therefore, the Chair is constrained to sustain the point of order made by the gentleman from West Virginia.

Mr. SPRINGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not know whether all the Members of the House understood everything that was in that amendment. I think this is of tremendous importance. I did not want to get involved with the question of whether or not it was germane.

The gentleman from Alabama has written to me on three occasions with reference to this amendment. I am sure he has corresponded with the chairman of the committee with reference to this amendment. I think this is something of great importance to politics in this country and also to government.

This amendment would prevent computerizing and making predictions based on computerizing of partial returns, predicting the course of an election which will take place across the country where people as yet have not even voted.

All Members will probably recall that 4 years ago the networks in New York City had the huge bank of computers, probably as wide as this wall and as tall, and within an hour after the results were obtained in Pennsylvania and New York and New Hampshire, and possibly New Jersey and Maryland, the computers went to work and said that if this is what happens, then based on the returns, it will be true that the President will win this office by so many votes.

What is the effect of this? Out in my area the probabilities are that the polls are not yet closed at 6 o'clock. If we go to Alaska, it is my recollection the polls are not closed until 10 o'clock in the evening, because of the rural area, and that will give everybody a chance to get to the polls after dinner. If we consider the difference in time zones in my part of the country, if we take an hour off this, it has already been computerized and the estimate already made on that by the networks 8 hours before the polls close in Alaska. If we take Hawaii, just 2 hours further on, I presume the difference would be perhaps 9 hours. There is considerable danger in this to the democratic process of this country, in that people will be induced to stay at home or not to vote.

I think we ought to encourage everyone to vote. If the computer shows what the outcome of the election will be 3 or 4 or 5 hours before the polls are closed in an area, if it shows they have already decided in New York, based on the computers, what the outcome of the election will be, people will not go out to vote.

I think the gentleman from Alabama has talked about and written about this. I believe it ought to be taken up with the committee and in the committee. I told the gentleman we did not have the time to take it up, when he brought it up 2 or 3 months ago. The committee simply was pressed to get out the legislation we had.

As I say, I think there is merit in the amendment and I say that to the gentleman from Missouri, and if I have anything to say about it, we will have further investigation in our committee on this matter, which I think is of extreme importance to the country.

Mr. BUCHANAN. Mr. Chairman, I move to strike the requisite number of words.

I merely wish to say, Mr. Chairman, some 18 Members of the House did sponsor this as separate legislation.

For my part, I feel it is always better when free men exercise restraint and responsibility to protect the rights of freedom of the press and freedom of speech. It is my profound hope that the television networks in this coming election will reflect that sense of responsibility and restraint so as to make such legislation unnecessary.

If this is not the case, the public interest will require legislation, and I certainly hope the committee will take it up in the next year. I thank the chairman and the ranking minority member for their expressions.

Mr. EDWARDS of Alabama. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this resolution suspending equal-time requirements for radio and television will permit the three major candidates for President and Vice President to debate the important issues facing this Nation. Naturally a candidate does not have to avail himself of this suspension, for in the final analysis that is his decision to make.

The only thing regrettable about this resolution is the trouble we have had bringing it to the floor for debate. As I said last night during the marathon session of rollcalls, it was wrong to attempt to delay this resolution whatever the announced purpose. I stated last night and I reiterate now, I will vote for this resolution because it is fair and recognizes HUBERT HUMPHREY, Richard Nixon, and George Wallace as major candidates. It would be wrong to suspend the law and allow the Republican and Democratic candidates to debate without recognizing the candidate of the American Independent Party. By the same token it is not right to require the television networks to give time to all the minor candidates for President who might be on the ballot in a few States.

Mr. Chairman, I support this resolution and urge its adoption.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (S.J. Res. 175) to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President, pursuant to House Resolution 1315, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. AYRES. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the joint resolution?

Mr. AYRES. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. AYRES moves to recommit the joint resolution (S.J. Res. 175) to the Committee on Interstate and Foreign Commerce with instructions to report the same back forthwith with the following amendment to the committee amendment: on page 2, lines 3 and 4, delete "incorporate in the same program opportunity for equivalent appearances by all", and insert in lieu thereof "provide for separate equivalent appearances by the".

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. AYRES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 112, nays 204, answered "present" 1, not voting 114, as follows:

[Roll No. 418]

YEAS—112

Anderson, Ill.
Andrews, N. Dak.
Arends
Ashbrook
Ayres
Bates
Battin
Betts
Biester
Blackburn
Bolton
Bray
Brock
Broomfield
Brown, Ohio
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clancy
Clawson, Del
Collier
Collins
Conable
Conte
Corbett
Cramer
Cunningham
Curtis
Davis, Wis.
Devine
Dole
Duncan
Eshleman
Findley
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Goodling
Grover
Gubser
Hall
Hammerschmidt
Harrison
Harsha
Harvey
Horton
Hosmer
Hunt
Hutchinson
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kuykendall
Kyl
Latta
Lipscomb
Lloyd
Lukens
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
MacGregor
Mathias, Calif.
May
Mayne
Miller, Ohio
Mize
Morse, Mass.
Myers
Nelsen
O'Konski
Pirnie
Poff
Price, Tex.
Quillen
Reid, Ill.
Rhodes, Ariz.
Riegle
Roth
Rumsfeld
Saylor
Schadeberg
Scherle
Schneebeli
Scott
Shriver
Skubitz
Smith, N.Y.
Springer
Stanton
Steiger, Ariz.
Steiger, Wis.
Talcott
Thompson, Ga.
Vander Jagt
Wampler
Watkins
Whalley
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wylie
Wyman
Zion

NAYS—204

Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Annunzio
Baring
Barrett
Bennett
Bevill
Bingham
Blanton
Blatnik
Boland
Bolling
Brademas
Brasco
Brinkley
Brotzman
Brown, Mich.
Broyhill, N.C.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Carey
Casey
Celler
Clark
Cohelan
Colmer
Conyers
Culver
Daddario
Daniels
de la Garza
Delaney
Dent
Derwinski
Diggs
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Edwards, Ala.
Eilberg
Esch
Fallon
Farbstein
Feighan
Fino
Flood
Flynt
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffin
Gude
Hagan
Halpern
Hamilton
Hanley
Hansen, Wash.
Hardy
Hathaway
Hechler, W. Va.
Hicks
Howard
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Kelly
Kirwan
Kluczynski
Kornegay
Kyros
Leggett
Lennon
Long, Md.
McCarthy
McFall
Macdonald, Mass.
Machen
Madden
Mahon
Mailliard
Marsh
Matsunaga
Meskill
Mills
Minish
Minshall
Monagan
Montgomery
Moorhead
Morgan
Murphy, Ill.
Natcher
Nedzi
Nix
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Poage
Podell
Price, Ill.

Pryor
Pucinski
Purcell
Randall
Rarick
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ruppe
St Germain
St. Onge
Sandman
Satterfield
Scheuer
Schwengel
Sikes
Slack
Smith, Iowa
Staggers
Steed
Stephens
Stubblefield
Stuckey
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Watson
Watts
Whalen
White
Whitener
Whitten
Wolff
Wright
Wydler
Yates
Young
Zablocki
Zwach

ANSWERED "PRESENT"—1

Dellenback

NOT VOTING—114

Abbitt
Adair
Ashley
Ashmore
Aspinall
Belcher
Bell
Berry
Boggs
Bow
Brooks
Brown, Calif.
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Clausen, Don H.
Cleveland
Corman
Cowger
Davis, Ga.
Dawson
Denney
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Galifianakis
Gallagher
Gardner
Giaimo
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Jacobs
Karsten
King, Calif.
Kleppe
Kupferman
Laird
Landrum
Langen
Long, La.
McClory
Martin
Mathias, Md.
Meeds
Michel
Miller, Calif.
Mink
Moore
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, N.Y.
Nichols
O'Hara, Ill.
Patman
Pettis
Pickle
Pollock
Quie
Railsback
Reifel
Reinecke
Robison
Rogers, Colo.
Rogers, Fla.
Roudebush
Roush
Ryan
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Taft
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Wiggins
Willis
Wilson, Charles H.
Wyatt

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Berry for, with Mr. Aspinall against.

Mr. Erlenborn for, with Mr. Hébert against.

Mr. Smith of California for, with Mr. Rogers of Florida against.

Until further notice:

Mr. Pickle with Mr. Bow.

Mr. Boggs with Mr. Laird.

Mr. Murphy of New York with Mrs. Dwyer.

Mr. Miller of California with Mr. Halleck.

Mr. Evins of Tennessee with Mr. Stafford.

Mr. Stratton with Mr. Mosher.

Mr. Jacobs with Mr. Langen.

Mr. Rogers of Colorado with Mr. Thomson of Wisconsin.

Mr. Abbitt with Mr. Utt.

Mr. Selden with Mr. Gross.

Mr. Fisher with Mr. Belcher.

Mr. Giaimo with Mr. Taft.

Mr. Brooks with Mr. Roudebush.

Mr. Hanna with Mr. Reifel.

Mr. Shipley with Mr. Morton.

Mr. Henderson with Mr. Martin.

Mr. Holifield with Mr. McClory.

Mr. Hull with Mr. Adair.

Mr. Davis of Georgia with Mr. Broyhill of Virginia.

Mrs. Sullivan with Mr. Don H. Clausen.

Mr. Charles H. Wilson with Mr. Cleveland.

Mr. Nichols with Mr. Wyatt.

Mr. Sisk with Mr. Wiggins.

Mr. Long of Louisiana with Mr. Snyder.

Mr. Waldie with Mr. Reinecke.

Mr. Walker with Mr. Pettis.

Mr. Cabell with Mr. Smith of Oklahoma.

Mr. Fascell with Mr. Quie.

Mr. Evans of Colorado with Mr. Burton of Utah.

Mr. Hungate with Mr. Robison.

Mr. Brown of California with Mr. Railsback.

Mr. Ashmore with Mr. Michel.

Mr. Ashley with Mr. Kleppe.

Mr. Moss with Mrs. Heckler of Massachusetts.

Mr. Edwards of Louisiana with Mr. Cowger.

Mr. Edwards of California with Mr. Dickinson.

Mr. Patman with Mr. Bell.

Mr. Meeds with Mr. Hansen of Idaho.

Mr. Haley with Mr. Burke of Florida.

Mr. Morris of New Mexico with Mr. Denney.

Mr. Galifianakis with Mr. Gardner.

Mrs. Mink with Mr. Bush.

Mr. Hays with Mr. Button.

Mrs. Griffiths with Mr. Moore.

Mr. Gallagher with Mr. Kupferman.

Mr. Tunney with Mr. Gurney.

Mr. Roush with Mr. Schweiker.

Mr. Landrum with Mr. Pollock.

Mr. Corman with Mr. Mathias of Maryland.

Mr. King of California with Mr. Herlong.

Mr. O'Hara of Illinois with Mr. Hawkins.

Mr. Karsten with Mr. Dawson.

Mr. Everett with Mr. Willis.

Mr. TAYLOR changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the joint resolution.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 280, nays 35, answered "present" 3, not voting 113, as follows:

[Roll No. 419]

YEAS—280

Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Baring
Barrett
Bates
Bennett
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brasco
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Broyhill, N.C.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Casey
Celler
Clancy
Clark
Clawson, Del
Cohelan
Collier
Collins
Colmer
Conable
Conte
Conyers
Corbett
Cramer
Culver
Daddario
Daniels
Davis, Wis.
de la Garza
Delaney
Dent
Derwinski
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Eilberg
Esch
Eshleman
Fallon
Farbstein
Feighan
Fino
Flood
Flynt
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Grover
Gubser
Gude
Hagan
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Hardy
Hathaway
Hechler, W. Va.
Hicks
Horton
Howard
Hunt
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
Machen
Madden
Mahon
Mailliard
Marsh
Mathias, Calif.
Matsunaga
May
Meskill
Miller, Ohio
Mills
Minish
Minshall
Mize
Monagan
Montgomery
Morgan
Morse, Mass.
Murphy, Ill.
Natcher
Nedzi
Nix
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pirnie
Poage
Podell
Poff
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quillen
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Rodino
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Rumsfeld
Ruppe
St Germain
St. Onge
Sandman
Satterfield
Schadeberg
Scheuer
Scott
Shriver
Sikes
Slack
Smith, Iowa
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Wampler
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wilson, Bob
Winn
Wolff
Wright
Wydler
Wyman
Yates
Young
Zablocki
Zwach

NAYS—35

Arends
Ashbrook
Ayres
Battin
Betts
Carter
Cederberg
Chamberlain
Cunningham
Curtis
Devine
Findley
Ford, Gerald R.
Hall
Harrison
Harsha
Harvey
Hosmer
Hutchinson
Latta
MacGregor
Mayne
Myers
Nelsen
Saylor
Scherle
Schneebeli
Schwengel
Skubitz
Smith, N.Y.
Springer
Watkins
Williams, Pa.
Wylie
Zion

ANSWERED "PRESENT"—3

Brown, Ohio
Dellenback
Taft

NOT VOTING—113

Abbitt
Adair
Ashley
Ashmore
Aspinall
Belcher
Bell
Berry
Bow
Brooks
Brown, Calif.
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Clausen, Don H.
Cleveland
Corman
Cowger
Davis, Ga.
Dawson
Denney
Dickinson
Dwyer
Edwards, Calif.
Edwards, La.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Galifianakis
Gallagher
Gardner
Giaimo
Griffiths
Gross
Gurney
Haley
Halleck
Hanna
Hansen, Idaho
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Jacobs
Karsten
King, Calif.
Kleppe
Kupferman
Laird
Landrum
Langen
Long, La.
McClory
Martin
Mathias, Md.
Meeds
Michel
Miller, Calif.
Mink
Moore
Moorhead
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, N.Y.
Nichols
O'Hara, Ill.
Patman
Pettis
Pickle
Pollock
Quie
Railsback
Reifel
Reinecke
Robison
Rogers, Colo
Rogers, Fla.
Roudebush
Roush
Ryan
Schweiker

Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Stratton
Sullivan
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Wiggins
Willis
Wilson, Charles H.
Wyatt

So the joint resolution was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Pickle for, with Mr. Berry against.

Mr. Smith of California for, with Mr. Erlenborn against.

Until further notice:

Mr. Hébert with Mr. Laird.
Mr. Aspinall with Mr. Bow.
Mr. Rogers of Florida with Mr. Adair.
Mr. Rogers of Colorado with Mrs. Dwyer.
Mr. Miller of California with Mr. Halleck.
Mr. Stratton with Mr. Stafford.
Mr. Holifield with Mr. Utt.
Mr. Hanna with Mr. Don H. Clausen.
Mr. Shipley with Mr. Belcher.
Mr. Evins of Tennessee with Mr. Gross.
Mr. Brooks with Mr. Langen.
Mr. Abbitt with Mr. Broyhill of Virginia.
Mr. Henderson with Mr. Martin.
Mr. Giaimo with Mr. Robison.
Mr. Fascell with Mr. Pettis.
Mr. Jacobs with Mr. Cleveland.
Mr. Hull with Mr. McClory.
Mr. Edwards of California with Mrs. Heckler of Massachusetts.
Mr. Murphy of New York with Mr. Morton.
Mr. Moorhead with Mr. Burton of Utah.
Mr. Morris of New Mexico with Mr. Reifel.
Mr. Long of Louisiana with Mr. Dickinson.
Mr. Nichols with Mr. Mosher.
Mr. Charles H. Wilson with Mr. Button.
Mr. Hungate with Mr. Thomson of Wisconsin.
Mr. Evans of Colorado with Mr. Kleppe.
Mr. Davis of Georgia with Mr. Cowger.
Mr. Moss with Mr. Quie.
Mr. Patman with Mr. Bush.
Mr. Waldie with Mr. Wyatt.
Mr. Walker wth Mr. Denney.
Mr. Galifianakis with Mr. Wiggins.
Mr. Brown of California with Mr. Schweiker.
Mr. Cabell with Mr. Smith of Oklahoma.
Mr. Ashmore with Mr. Snyder.
Mr. Fisher with Mr. Burke of Florida.
Mr. Meeds with Mr. Gurney.
Mr. Landrum with Mr. Gardner.
Mr. Corman with Mr. Roudebush.
Mr. Tunney with Mr. Reinecke.
Mr. Roush with Mr. Pollock.
Mr. Selden with Mr. Michel.
Mrs. Sullivan with Mr. Mathias of Maryland.
Mr. Sisk with Mr. Bell.
Mr. Haley with Mr. Hansen of Idaho.
Mr. Hays with Mr. Railsback.
Mrs. Griffiths with Mr. Moore.
Mr. Ashley with Mr. Kupferman.
Mr. King of California with Mr. Karsten.
Mr. O'Hara of Illinois with Mr. Dawson.
Mr. Edwards of Louisiana with Mr. Everett.
Mr. Gallagher with Mr. Hawkins.
Mrs. Mink with Mr. Helstoski.
Mr. Herlong with Mr. Willis.

Mr. CUNNINGHAM changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The title was amended so as to read: "Joint resolution to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for candidates for the offices of President and Vice President."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their own remarks and to include extraneous matter on the joint resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 909. An act for the relief of Paul L., Margaret, and Josephine Kirsteatter;

S. 1763. An act to promote the economic development of Guam;

S. 2675. An act for the relief of José Estrada; and

S. 3207. An act to amend section 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17735) entitled "An act to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms."

APPOINTMENT OF CONFEREES ON H.R. 14096, AMENDING FEDERAL FOOD, DRUG, AND COSMETIC ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide—LSD—and other depressant and stimulant drugs, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, JARMAN, ROGERS of Florida, SATTERFIELD, SPRINGER, NELSEN, and CARTER.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 14096, AMENDING FEDERAL FOOD, DRUG, AND COSMETIC ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report and statement on the bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide—LSD—and other depressant and stimulant drugs, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 10790, AMENDING PUBLIC HEALTH SERVICE ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report and statement on the bill (H.R. 10790) to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, reserving the right to object, would the distinguished gentleman from West Virginia tell us the subject of that conference report?

Mr. STAGGERS. Radiation.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

CONFERENCE REPORT ON H.R. 17735, GUN CONTROL ACT OF 1968

Mr. CELLER submitted a conference report and statement on the bill (H.R. 17735) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms.

VACATING AND RESCHEDULING SPECIAL ORDER

Mr. MORGAN. Mr. Speaker, I have a special order scheduled for tonight on the retirement of GEORGE RHODES. I ask unanimous consent that this be rescheduled for tomorrow after all other legislative business and previous special orders heretofore entered into.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 20300, SUPPLEMENTAL APPROPRIATIONS, 1969

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1317 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1317

Resolved, That during the consideration of the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, all points of order against said bill are hereby waived.

The SPEAKER. The question is, Will the House now consider House Resolution 1317?

The question was taken; and (two-thirds having voted in favor thereof) the House agreed to consider House Resolution 1317.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The House has decided to consider this resolution.

The gentleman from Missouri will state his parliamentary inquiry.

Mr. HALL. Well, Mr. Speaker, because of the rapid manner in which this was handled, the parliamentary inquiry probably comes too late.

The SPEAKER. The Chair will protect the gentleman from Missouri.

Mr. HALL. Mr. Speaker, my parliamentary inquiry is this. In view of the fact that there are not copies of the resolution under consideration called up by the distinguished gentleman from Mississippi——

The SPEAKER. Does the gentleman desire the Chair to vacate the action taken?

Mr. HALL. Mr. Speaker, I am well aware that we have just agreed, according to the Speaker's ruling, to suspend the rules. But my question addresses itself by what manner we were taking up a report from the Committee on Rules which has not been printed and which obviously was presented for filing today since there is no Suspension Calendar for today.

The SPEAKER. Under the rules of the House a resolution reported by the Committee on Rules can be brought up on the same day reported if the House by a two-thirds vote agrees to consider it.

Mr. HALL. Mr. Speaker, this does not require unanimous consent in order to present it nor a statement on the part of the Chair ahead of time that we are considering it under the rule requiring a two-thirds majority for consideration?

The SPEAKER. Under the rules of the House a resolution being reported out of the Committee on Rules can be considered the same day as reported if two-thirds of the House votes to consider the resolution.

Mr. HALL. Well, Mr. Speaker, I have absolutely no intention of delaying the consideration of the bill. This is an unusual way in which to bring it up. I understand the necessity for the rule but I do wish we had had an opportunity to see and to study the rule before it was called up under this requirement of a two-thirds majority voting thereon, and that the Members had been forewarned and had a chance to vote accordingly. I appreciate the statement of the Chair.

The SPEAKER. The gentleman from Mississippi [Mr. COLMER] is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the very distinguished and able gentleman from Ohio [Mr. LATTA].

Pending that, Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution I believe has already been explained during the parliamentary colloquy. It is simply a resolution to waive points of order against the bill H.R. 20300, the supplemental appropriation bill.

Mr. Speaker, I believe it should be candidly and frankly stated that much of the money appropriated under the language in this bill would be subject to a point of order in that it is legislation upon an appropriation bill. However, I might add that much of this language has been carried out in previous bills, according to my understanding, and it has therefore become more or less legislative history.

Mr. Speaker, the paramount objective in the Committee on Rules granting this rule was to expedite the consideration of the legislation, and to make in order these legislative provisions upon the appropriation bill.

I might further add, Mr. Speaker, that in furtherance of the parliamentary colloquy that took place between the distinguished gentleman from Missouri [Mr. HALL] and the Speaker, that this resolution was not filed on yesterday, the legislative day of Tuesday, because no opportunity was presented in the parliamentary situation for the resolution to be offered, and therefore it required a two-thirds vote to pass the rule.

Mr. Speaker, I shall not endeavor to go into the details of the appropriation bill. That will be done by the very able chairman of the Committee on Appropriations, the gentleman from Texas [Mr. MAHON], and others.

However, I do want to compliment the gentleman from Texas [Mr. MAHON] and the Committee on Appropriations in cutting the requests that have been made by the executive department.

In the supplemental bill the request was for a considerably greater amount. In fact, it was cut by $168,899,000—almost $169 million. For that I believe the committee should be congratulated considering the fiscal situation that exists in this country.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished chairman yielding to me.

I respect the statement of the gentleman that he would not want to enumerate all the waivers of points of order—indeed, he has discussed those with me—but would it be a fair statement to say that although all of them are important, since they waive individually elected Members' rights; the largest and perhaps most important one is the waiver of points of order on section 1002 on page 12 where the Commodity Credit Corporation is exempted from the Revenue Expenditure and Control Act of 1968?

Mr. COLMER. Is the gentleman's inquiry whether that is the largest or the most important?

Mr. HALL. Yes. Of the various reasons for waivers of points of order in a supplemental bill.

Mr. COLMER. I would have to agree with the gentleman that it appears to be the most substantial reason for it, yes.

Mr. HALL. And we can presume from the fact that the distinguished chairman, as he presents the resolution making the bill in order, that arguments were satisfactory before his committee, and of sufficient urgency to reopen his hearings and pass this waiver of points of order even as applicable to section 6 through section 24 on page 12 of the bill?

Mr. COLMER. I would like to qualify my agreement with the gentleman to this extent: I do regard that as necessary for the consideration of the bill. I am never happy about any of these appropriation bills that involve so much of the funds of the taxpayers that are really nonexistent.

I am acting here purely as the servant of the House in getting this legislation to the floor, so that it might be considered, and so that my prime objective of getting this Congress adjourned might be facilitated in the interest of the country. It does not necessarily follow that I support the bill.

Since the gentleman has gone into that question, I would like to add that the thing that happened here yesterday, the political and partisan hassle, last night and today substantiates and confirms what I have been preaching in this House for the last 90 days or more, that we should not have extended this term of Congress beyond the political conventions, because the only thing we would do here after that of any substantial nature would be to have a political forum for the partisan politicians. I do not think that that is in the best interest of the people of this country, particularly when the action takes their tax funds.

Mr. HALL. Mr. Speaker, I could not agree with the gentleman more on both points. He has emphasized so well the postnominating conventions meeting of the Congress. As he knows, I urged that we do our best before that time and get it over with.

As I said the other day on the floor, I see no need for any supplemental appropriation bill at this particular point. I certainly agree with the gentleman that we should not have extended the supplementals—and further, this is another example of exempting or rescinding that which we have already done in the name of economy via the Revenue and Expenditure Control Act. If I have my proper memory I recall this is about the sixth exemption we have made, including the Commodity Credit Corporation, the postal bill, the FBI agents, the FAA controllers, the VA, and others that I cannot recall right now, to the point where our $6 billion savings under the Expenditure Control Act is vanishing and "gone with the wind."

Mr. MILLS. Mr. Speaker, will my friend from Mississippi yield to me at that point?

Mr. COLMER. I am happy to yield to the gentleman from Arkansas.

Mr. MILLS. Let me assure my equally good friend from Missouri that the exclusion of the Commodity Credit Corporation or the welfare payments through the Department of Health, Education, and Welfare from the budgetary controls of the Revenue and Expenditure Control Act does not mean that there will be a reduction in the $6 billion savings initially enacted by the Congress. Let me explain it to you this way:

When we took the Veterans' Administration out, when we took interest on the public debt out, when we took out social security payments and the additional costs in Vietnam, we said that the increases in those would not be included within the $180 billion ceiling. It appears now on the basis of testimony before the Appropriations Committee, as related to me, that there might be as much as $1.2 billion of additional moneys required to finance the additional needs of the Commodity Credit Corporation and the States in the handling and payment of welfare cash payments, plus the medicaid payments. If that were retained within the $180 billion ceiling, then there would have to be $7.2 billion of reductions instead of $6 billion in order to accommodate within that ceiling the $1.2 billion increase in expenditures.

So I can assure the gentleman that even though this comes out from under the ceiling, it merely means the $6 billion reduction will be made from the remaining expenditures and the agencies within the $180 million within that ceiling.

I think there is no question that this will not in any way reduce the amount of that $6 billion savings. It might be argued if we do this, then there will be a $7.2 billion reduction instead of $6 billion.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, there are those of us who think that would not be bad toward eliminating the deficit and balancing the payments and the budget. There is a time factor wherein I think the reduction will be after the first of the year instead of being allocated to this part of the year. This burdens a new administration.

Mr. MILLS. Mr. Speaker, let me make this statement. If the expenditure reductions contemplated within that program we enacted in June are not spread so that a sufficient portion of those expenditure reductions occur between July 1 and January 1, there is very serious possibility that the $365 billion ceiling will be reached, and it might be that we could get to a point, if there is any decision downtown to pass this on to a new administration, where the entire operations of the Government could come to a standstill because they would not have sufficient cash on hand to carry on the daily activities incident to the operations of the Treasury.

I still think it has to be done.

Mr. CURTIS. Mr. Speaker, will the gentleman from Mississippi yield?

Mr. COLMER. I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Speaker, I would like to make an observation on this in the light of the inquiry that the gentleman from Missouri is making and in the light of the response of the gentleman from Arkansas.

I regret to say that as reported on the floor of the House a couple of weeks ago from data supplied by the Joint Committee on nonessential expenditure, this monthly report it is now supplying the Congress, that the President is now spending at the rate of $192 billion a year. I saw an article that appeared in the paper a week ago, quoting a figure of $196 billion—not $180 billion nor $186 billion—and the Director of the Budget, Mr. Zwick, was quoted as saying, "Well, do not worry about this, because these are seasonal figures and must be adjusted."

The point I wanted to make is that we on the Ways and Means Committee have had an occasion to study over a period of years these monthly expenditure figures. If anybody can find any seasonality about the monthly expenditures of the Federal Government, I defy them to do so. There is no seasonality about them at all. It looks very clear to me that what has happened is that the administration has done exactly what I was afraid it was going to do; namely, to continue to spend at this increased level and leave to the succeeding administration any discipline that might result from the $6 billion cut.

I want to add there, I was pleased that the gentleman from Arkansas pointed out that the debt ceiling will come into play if this transpires. The tragedy is that if we had not given the executive $10 billion more in revenue, we would certainly know it would have had to go toward expenditure reduction or the debt ceiling would have come into play.

I think this country is going to hit the rocks because this administration clearly, by their own figures, is not about to cut expenditures. This colloquy should point this up to the people.

Mr. Speaker, I thank the gentleman.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Illinois.

Mr. FINDLEY. I was interested to hear the comments of the distinguished chairman of the Ways and Means Committee with regard to the $6 billion reduction in expenditures and its relationship to the exemption language in this bill. I am sure the committee which the gentleman heads came to the $6 billion figure not so much from taking into account separately the level of spending or the level of income of Government, but the difference between the two. It was out of concern for the deficit that the surtax and the reduction in spending were established.

The Commodity Credit Corporation, as is its habit, grossly underestimated its needs early this year, and this habitual error could have been taken into account. But, in any case, the CCC did make this underestimate, which meant that the deficit which the committee saw at that time actually was going to be greater than expected.

In light of the gentleman's leadership for fiscal responsibility, I am sure that had he been aware that the deficit was going to be $1.2 billion more than thought at the time he would have been seeking an expenditure reduction of $7.2 billion instead of $6 billion. Is that not the case?

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Arkansas.

Mr. MILLS. I do not know that I can answer the gentleman's question "yes" or "no." Let me answer this way. This is my own thinking with respect to it. I hope other members of the committee share this thinking.

Realizing we possibly could have as much as a $25 billion deficit in 1968 we were endeavoring through the combination of additional revenues and reductions in projected expenditures to cut that deficit to approximately $5 billion; with $14 billion or $15 billion coming from revenues and $6 billion from reductions in expenditures.

Now, if we are going to spend $184 billion or $185 billion instead of the $180 billion because of the rise in expenditure levels of those items not within the ceiling, then we have increased our deficit from a possible $5 billion to $9 billion or $10 billion. But, I think, even at that we should all be pleased that it is not back up to $25 billion or $29 billion, the figures we were talking about for 1968 earlier in this calendar year.

I should like to have it down to $5 billion, and do not misunderstand me, but if we find it necessary to add to some of these items, like Vietnam as we will in this bill, interest on the public debt, and some increases in veterans benefits which I understand are over and above those projected in the budget submitted in January, if the combination of all those items adds $4 billion or $5 billion, I still say what we did was worthwhile. We are so much better off than we would have been without that action, because the $4 billion or $5 billion also would have been added to the $25 billion deficit, which would have become a $30 billion deficit.

Mr. FINDLEY. But with the prospect of rising expenditures in Vietnam and other fields, it would also make sense to achieve better expenditure control than just the $6 billion, would it not?

Mr. MILLS. I was actually interested in a greater degree of control than $6 billion, as the gentleman knows, but I thought that was as much as we could obtain through the Congress itself. I hope we can hold that $6 billion.

Mr. LATTA. Mr. Speaker, in view of the fact that the gentleman from Missouri has raised a question about some of the items as to which a point of order might be raised, I should like to point out a couple of others:

Page 2, lines 8 through 14, the proviso relating to the food stamp program.

Page 4, lines 1 to 4, the language relating to capital outlay in the District of Columbia.

Page 4, lines 20 to 25 and page 5, lines 1 to 3, relating to construction of public buildings projects.

Page 8, lines 17 to 21, for payments to widows of deceased Representatives.

Page 10, lines 15 to 20, urban mass transportation administration.

Page 11, lines 4 to 7, "Eisenhower college grants" authorization, which is not yet signed by the President.

Page 12, line 6, relating to Revenue and Expenditure Control Act of 1968.

In addition, Mr. Speaker, I would like to point out that our very able chairman of the Committee on Rules mentioned that the Committee on Appropriations did make some very sizable reductions in this bill. However, a substantial number of the cuts made in this bill are funds which must soon be made available to pay current obligations, including recently increased civil service salaries. This is true of requests made by the Department of Agriculture, the District of Columbia, the Federal Trade Commission, the Civil Service Commission, the Library of Congress, the National Water Commission, the Department of Justice including the Federal judiciary, the Department of Transportation, and the Treasury Department.

All of these requests have been deferred, but they must be met in this fiscal year. This is indicated on page 6 of the report, at the bottom, where it says that "consideration is postponed until January." All we are doing here is postponing until a new administration comes along, the payment of these current obligations I have indicated, which have already passed this Congress and are going to have to be paid. So we are just postponing until January the meeting of current obligations.

Also I want to point out that come January the new administration is immediately going to have to send up a supplemental appropriations request to take care of the Department of Defense needs in Vietnam. As I understand it, this will be in the nature of something like $5 billion. So we are just putting this matter off until January 1969 and handing it over to a new administration.

Mr. Speaker, I now yield 1 minute to the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Speaker, a few weeks ago the Congress adopted the National Redwoods Park legislation. That is an item of concern in the legislation which is before us today. That Redwoods Park is in the district of Congressman DON CLAUSEN of California. We all know of his tremendous effort to gain a national conservation goal, while protecting the interest of his California constituents.

A few days ago Congressman CLAUSEN was called home by his family because of a very acute and a very serious illness of his mother. That is why he is not with us today. If he were here, he would call the attention of the House to the fact that the Redwood Park bill provided for a legislative taking of lands for the park. What this means to us here is that if we are to keep our bookkeeping and our appropriations unencumbered, we must act quickly to supply the money to pay for that land. It means further that if we are to treat fairly and equitably the citizens of that California district, we must act with dispatch. The lands will be taken from them, it is our obligation to pay for them. This California county will be economically injured by the establishment of this park, at least for a number of years. Therefore it is encumbent on us here today to see that funds are made available to pay for the parklands.

The citizens of the Nation made it very clear that they wanted a National Redwoods Park. The cost is high. We must now pay the price.

Mr. LATTA. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Speaker, this strikes me as one of the most unusual supplemental appropriation bills ever to come to this body. As I read the bill there is just a little over $100 million in it, which, compared to the total Federal budget, is certainly a modest sum. Just a little over $100 million. This raises the question as to why it is that we are considering it. It is certainly not to provide for the needs for the various departments and agencies of the Government for supplemental money.

For example, there is not a dime in this for the restoration of the impaired capital of the Commodity Credit Corporation. And, is not that a curious fact? The unobligated resources of this $14.5 billion bank are around $1 billion right now and we are approaching the time when the signup under the feed and grains program will occur and if the Secretary designs a program as he has in the past a farmer can get half of the money at the time of signup. This was done last year and it will probably be that much this year.

Mr. Speaker, this means that the first thing we will have to deal with in the 91st Congress will be a supplemental bill for the Commodity Credit Corporation.

In fiscal year 1961 we failed to the extent of over $1 billion to restore the impaired capital of the Commodity Credit Corporation. This unrestored figure was $1.5 million in 1966 and in 1967 it was almost $1 billion. In 1968 it exceeded $3 billion. Yet there is no provision in this bill whatever for the restoration of these impaired funds.

And, Mr. Speaker, from all this I conclude that almost the entire justification for the action we are asked to take today is to provide the exemption for the Commodity Credit Corporation. And, why the exemption? Is it due to a lack of funds? No. The Secretary stated very clearly that he has the money in the Commodity Credit Corporation to make all of the payments under the contracts for 1968. Is it to provide authority for additional appropriations? Not a dime is to be provided that way either. Why is it then? Is it because there is danger that some of the contracts entered into will not be fulfilled by the Federal Government? That is not an argument either, because Secretary Freeman has said very frankly that every contract will be met, whether Congress passes this exemption or not.

Well, Mr. Speaker, what is the answer? Well, frankly, we are on the eve of a Presidential election, and I see in this a grant to Secretary Freeman and to the Commodity Credit Corporation of carte blanche authority to take the expenditure lid completely off, and in the next week or so announce a souped-up feed grains program with an even bigger price tag on this costly and ineffective program with which we have been saddled in the last 6 years. It will make a lot of political sense for the Secretary on election day to send out an army of ASCS people through every farm area telling the farmers ahead of election day the new feed grains program will bring bigger checks than ever. It will be politically appealing and present law gives Secretary Freeman ample authority to soup up payments. If the CCC exemption is removed from this bill, however, the action would be awkward, even for Mr. Freeman.

Political relief for the administration sagging support among farmers is the whole justification for what we are doing today. In the process we are kicking a big hole in the Expenditure Control Act which we passed this year, a measure supported in good faith by Members on both sides of the aisle who realized it was not very smart to vote for higher taxes. We voted for them because we were getting expenditure control. Yet when it became apparent that expenditures would be higher, what do we do? Do we bring about a higher expenditure control? No, we pass a bill to exempt the Commodity Credit Corporation and the HEW from expenditure control, and thus reduce the net fiscal effect of the Expenditure Control Act.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. FINDLEY. Yes; I yield to the gentleman from Mississippi.

Mr. WHITTEN. I thank the gentleman for yielding.

I do well recall that I took a somewhat different position when this whole matter was up for consideration. But last year when we had somewhat the same situation on a motion which I offered, the Commodity Credit Corporation was excepted. Then it was recognized that the Commodity Credit Corporation was set up as a corporation with independent authority and kept independent of the Congress under the Commodity Credit Control Act. Therefore, the Corporation should have been exempted in this year's Expenditure Control Act.

If officials of the Corporation fail to support commodities they violate the directives in the law. The crops, just about every crop in the country, except cotton, have greatly exceeded estimates requiring the outlay of this $907 million. Again the Corporation should have been accepted in the beginning.

The SPEAKER. The time of the gentleman has expired.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 18707, DEPARTMENT OF DEFENSE APPROPRIATIONS, 1969

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tomorrow to file a conference report on the bill H.R. 18707, making appropriations for the Department of Defense for the fiscal year ending June 30, 1969.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SUPPLEMENTAL APPROPRIATIONS, 1969

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes;

and pending that motion, Mr. Speaker, I ask unanimous consent that general debate thereon be limited to 60 minutes, one-half of the time to be controlled by the gentleman from North Carolina [Mr. JONAS] and the other half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, does not the resolution from the Committee on Rules, that we have just passed almost unanimously, prescribe the time limitation as most such resolutions do?

The SPEAKER. The Chair will state that the resolution waived points of order.

Mr. HALL. The resolution waived points of order only; is that correct?

The SPEAKER. The Chair will state that that is the usual way that the Rules Committee acts in these matters.

The resolution waived points of order against the bill, but did not fix the time. It is the understanding of the Chair, that the matter of time is worked out by unanimous consent.

Mr. HALL. Mr. Speaker, I have no objection to this method, but may I inquire of the Speaker whether we are in the 134th legislative day, and the 135th calendar day, or are we in the 135th calendar day and legislative day?

The SPEAKER. The Chair will state in response to the inquiry of the gentleman from Missouri that we are still in the legislative day of Tuesday, October 8.

Mr. HALL. Mr. Speaker, further reserving the right to object, is it the plan to continue in this legislative day and complete business for both the days, or to adjourn and go into another legislative day on Wednesday, if time allows, or is this important in the procedures of the House?

The SPEAKER. The Chair will advise the gentleman, in response to his inquiry, that the present legislative day will be terminated by an adjournment.

Mr. HALL. Further reserving the right to object, it is not the intention of the Chair to adjourn the House and reconvene immediately for another legislative day on this calendar day?

The SPEAKER. The Chair will state that when the adjournment takes place the adjournment will be until 12 o'clock noon on Thursday, October 10, unless there is an agreement to meet at an earlier hour. The Chair had thought that the House would meet at 12 o'clock noon.

Mr. HALL. I thank the Chair and withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 20300, with Mr. O'HARA, of Michigan, in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas [Mr. MAHON] will be recognized for 30 minutes, and the gentleman from North Carolina [Mr. JONAS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I yield myself such time as I may require.

This supplemental bill is the final appropriation bill for this session of the Congress.

PROBABLE OVERALL BUDGET AUTHORITY AND EXPENDITURE REDUCTIONS FOR FISCAL 1969

Mr. Chairman, before final adjournment we will undertake to render a more detailed report of congressional actions on appropriations and spending in relation to the budget requests, but I think it might be well to make a few remarks at this time on the accomplishments of the Congress thus far with regard to the money bills.

If we project our best estimates for the session on all the appropriation and other bills relating to fiscal 1969, the indications are that Congress will reduce the President's 1969 budget requests for new budget spending authority by approximately $12 billion. Two large appropriation bills and this supplemental, plus perhaps one or two other bills, are still pending conference action, so the $12 billion is tentative, but probably close to the mark. This is some $2 billion beyond the law which requires not less than a $10 billion cut in appropriations or new budget obligational authority. I am referring only to fiscal 1969 amounts. We made some cuts on 1968 fiscal supplementals, and we also reduced certain advance items for fiscal 1970. But the fiscal 1969 amounts are the main items.

The law which Congress enacted in June also requires a reduction in actual spending below the January estimates, of not less than $6 billion. According to our tentative estimates, the actions on appropriation bills and other bills affecting spending for 1969 will probably result in a reduction in expenditures below the January budget in the sum of about $3.5 to $3.7 billion, more or less. This would mean that in order to fulfill the requirements of the law, it would be necessary for the executive branch, or for the Congress through subsequent action, to make additional reductions in spending by about $2.3 to $2.5 billion, or thereabouts.

All Members know that it costs a lot of money to operate a government for a big country such as ours. Making reductions is not a very pleasant task. People generally are more inclined to spending than they are in saving money. But for many months Congress and the country were confronted with a tremendous challenge. Confidence in the dollar in the money markets of the world was eroding. The dollar was being undermined to some considerable extent at home and abroad because of inflation and because of the unacceptably high budget deficits in prospect for 1968 and 1969. The President and the administration sought to take steps to strengthen the dollar, and they worked diligently to get results. The Secretary of the Treasury, Mr. Fowler, will be one of the unsung heroes of this period who worked through long, tedious, and difficult months in an effort to do something to restore confidence in the dollar in the markets of the world.

What this Congress has done in helping to maintain the stability of the dollar has, I believe, been outstanding. It has been perhaps the greatest accomplishment of this session that the dollar has been strengthened, and that the assaults on it have been repulsed. Of course, this is a continuing fight. The integrity of the dollar and confidence in it cannot be secured all at one session. It is a continuing battle. And controling inflation and maintaining confidence in the dollar is not alone a matter of Government action. It requires restraint and cooperation on the part of all concerned.

But I think we should take good note of the fact that whereas, chiefly as a result of the war, the budget deficit last year—the year which ended June 30, 1968—the deficit was some $25.4 billion, that as a result of the actions of the Congress this year in spending matters and in tax matters, the estimated deficit for the current fiscal year 1969 is down to somewhere between $5 billion and $7 billion. This has been a tremendous reversal of a trend. I think every Member of Congress who has participated in this action has a reason to take pride in what has been done to maintain the economy and the stability of our country from the standpoint of protecting the dollar.

I would like to point out that the Johnson administration in fiscal 1964 experienced a budget deficit of $8.2 billion according to the administrative budget, which was the system of budget accounting being used at that time. The deficit went down in the next fiscal year, 1965, to $3.4 billion; in 1966 it went still further down, to $2.2 billion. We were moving rapidly toward a balanced budget.

This was a very heartening and encouraging situation, but beginning in mid-calendar year 1965 the war situation became increasingly intense and expensive, and largely as a result of the war the deficits began to mount again in fiscal year 1967, and further to the unacceptably high level of $25.4 billion for fiscal year 1968.

But even in spite of the war, as a result of the actions of this Congress, the estimated deficit for the current fiscal year 1969 now looks to be in the range of $5 to $7 billion. In my opinion, the Congress is entitled to take considerable pride in this accomplishment.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Chairman, I am wondering if there is any danger that the debt ceiling might have to be reached even before Congress convenes again next year?

Mr. MAHON. I would not be able to answer that question positively and with complete assurance, but I would assume not. I realize that there could be a problem here. That is one of the reasons why this bill is so low. We felt that we should make reductions wherever we could, and that is one of the reasons why we postponed as many of the programs as we could, especially new programs on which there was not full opportunity or time in these closing hours and days of the session to examine the appropriation requests in detail.

Furthermore, since we are living under an overall expenditure ceiling, any additional funds appropriated for expenditure mean that other ongoing programs will have to be further reduced in order to accommodate these increases if they are to be implemented.

So, although members of the Ways and Means Committee, which handles debt ceiling matters, could probably speak with more confidence on this subject than I—I would hope it would not be necessary to raise the debt ceiling.

Mr. PELLY. Mr. Chairman, I certainly think the Appropriations Committee and its distinguished chairman are entitled to a great deal of credit for holding down the spending in these critical times.

Mr. MAHON. Mr. Chairman, I thank the gentleman for his compliments, but I must say it is not the work of the Appropriations Committee, nor the work of the Ways and Means Committee that really deserves these words, but it is the Congress and the committees working together, all of us, who have been able to accomplish these things.

It does not mean we have made all the reductions that probably should have been made. I realize that Members do not find it the most attractive thing to return to their districts and boast of reductions in spending made, especially if those reductions affect the State or the district of the Member.

But I do not think it is necessary to take a negative approach to this matter. The House of Representatives and the Congress in this session, it is estimated, will provide new appropriations for 1969 of approximately $190 billion or so, including the sums relating to such permament appropriations as those for trust funds, such as social security, interest on the debt, and the like, which do not require annual appropriation action in bills coming before us. So the funds made available for all governmental purposes; for the poor, and for all other programs, including defense, all of these programs—and, of course, defense is taking the larger share of the tax dollar—when we take into consideration all these things we have done, it is monumental. What we have done toward financing programs which are thought by a majority of the people, or at least by a majority of the Congress to be important, is tremendous from the standpoint of supporting programs in education, in health, in agriculture, in antipoverty programs, in public works, in control of air and water pollution—the whole range of governmental endeavor.

The accomplishments of this Congress have been very considerable, indeed. It is too bad that we were not able to bring revenues and expenditures within balance, but certainly we are moving rapidly in that direction. With the growth of the economy of the country, and with the lessening of the war effort which we all hope and pray for before too many more months, certainly this country ought to be able to put its fiscal affairs in better shape.

I say that as to the overall situation.

THE PENDING SUPPLEMENTAL BILL

I will ask permission to revise and extend my remarks when we return to the House to summarize the overall totals of the pending bill. The report is before you, so I shall not go into details.

Mr. Chairman, under leave granted, I include a summarization of the figures for the pending bill:

Estimates of new budget (obligational) authority considered total $270,679,907 ($259,327,907 in H. Doc. 393, and $11,352,000 in H. Doc. 318), against which the committee recommends $101,780,907, a reduction of $168,899,000, or about 60 percent.

The $85 million appropriation requested to liquidate contract authority in the recently enacted Redwoods bill (not counted as new budget authority) has been cut by $39 million, as explained in chapter IV of this report.

Requests totaling $157,500,000 for annual limitations on contract authority in connection with certain housing programs have been reduced by $125 million, as explained in chapter III of this report.

Several requested increases in administrative expenditure limitations, totaling $5,847,000, out of funds previously available, have been reduced by $2,347,000.

Two transfers requested between appropriations, totaling $875,000, have been cut by $575,000.

Requests involving District government rather than Federal funds, totaling $11,644,900, have been reduced by $1,021,500.

House Document No. 393, of October 3, contains this statement:

The additional funds requested will not cause any of the limitations in the Revenue and Expenditure Control Act of 1968 to be exceeded. Amounts requested were included within the totals of the summer review of the 1969 budget issued on September 9, 1968.

It is tentatively estimated that the budget propositions considered by the committee, including the request for liquidation cash, would probably have involved about $303 million in expenditures during fiscal 1969—somewhat higher than the new budget (obligational) authority estimates because appropriations to liquidate previously granted contract authority involve expenditures but are not counted as new budget authority. Because of this, and the offset language provided in the bill relating to the food stamp program, expenditure reductions resulting from committee actions on these various requests are roughly estimated to approximate $174 million, or slightly greater than the reduction in new obligational authority.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL

Department or activity	Budget estimates	Recommended in the bill	Bill compared with estimates
Agriculture	$102, 575, 000	$20, 300, 000	−$82, 275, 000
District of Columbia	8, 712, 000	7, 902, 000	−810, 000
Independent Offices-HUD	55, 645, 000	6, 700, 000	−48, 945, 000
Interior	24, 830, 000	13, 500, 000	−11, 330, 000
Health, Education, and Welfare	19, 200, 000	5, 000, 000	−14, 200, 000
Legislative	372, 211	432, 211	+60, 000
Public works	3, 200, 000		−3, 200, 000
State, Justice, Commerce, and Judiciary	7, 174, 000		−7, 174, 000
Transportation	5, 280, 000	4, 830, 000	−450, 000
Treasury	8, 453, 000	7, 878, 000	−575, 000
Claims and judgments	35, 238, 696	35, 238, 696	
Grand total	[1] 270, 679, 907	101, 780, 907	−168, 899, 000

[1] $259,327,907 in H. Doc. 393; and $11,352,000 for 2 items in H. Doc. 318, relating to the Departments of Agriculture and Interior.

SECTION 1002—EXPENDITURE EXEMPTION FOR COMMODITY CREDIT CORPORATION AND PUBLIC ASSISTANCE

With respect to the Commodity Credit Corporation and the public assistance provision of the bill, section 1002, which is a most important provision of the bill, I shall ask permission, when we return to the House, to place the major portions of pages 41, 42, and 43 of the committee report into the RECORD which will clearly set forth what is being proposed here, and why. But just briefly:

In the revenue and expenditure control act of last June, any expenditures found necessary in excess of the January budget estimates for four items were exempted from the overall expenditure ceiling of $180.1 billion. Special support of the war, interest costs, veterans benefits and services, and payments from social security trust funds were thus exempted. War costs could not be predicted precisely in advance. The other three programs involve expenditures arising out of fixed provisions of law, and are, as a practical matter, uncontrollable through the normal budget and appropriations process.

In section 1002, we propose to add two other items. Those two items are public assistance grants, largely medicaid and programs of that type, and mandatory supports of farm crops, which are now expected to be far greater than estimated in the January budget. Section 1002 is supported by the senior Members and, so far as I know, by most if not all Members of the Ways and Means Committee, which managed the tax and expenditure control legislation.

Mr. Chairman, under leave granted, I include excerpts from the committee report, explaining section 1002:

REVENUE AND EXPENDITURE CONTROL ACT OF 1968

Section 1002, on page 12 of the bill, would grant exemption from the overall expenditure, lending, obligational and loan authority ceilings in sections 202 and 203 of the Revenue and Expenditure Control Act of 1968 with respect to the farm price support program of the Commodity Credit Corporation and with respect to grants for public assistance under the Department of Health, Education, and Welfare for the current fiscal year 1969. The object is to preclude disruptive cutbacks in governmental programs—many of them long-established—that would, on the information at hand, be cut some 20% deeper than the Congress had in mind last June when it mandated a $6 billion reduction in expenditures and net lending from the January budget estimates for 1969. The whole basis of the figures on which Congress acted in voting the overall $6 billion reduction and in setting the overall ceiling was the January budget estimate for 1969.

Specifically, section 1002 would grant a limited exemption of *not more than* $907,000,000 above the January budget estimate of expenditures and net lending for farm price supports and a limited exemption of *not more than* $560,000,000 for public assistance grants. That is, the overall ceiling of $180,062,000,000 in section 202 of the expenditure reduction law could be exceeded to the extent necessary, but *by not to exceed these two amounts,* for the purposes stated—and *only* for the purposes stated.

The committee is advised that the overrun in the farm price support estimate results from lower prices combined with larger than anticipated production—principally feed grains, wheat, soybeans, and rice—which lead to more CCC loans to farmers, fewer loans repaid, and smaller CCC sales. Favorable growing-weather conditions are a factor. The overrun based on earlier crop reports was estimated at nearly $700 million. Section 1002 uses a $907 million overrun estimate, which is based on the September crop report.

With respect to the overrun for public assistance grants, which encompass the relatively new medicaid program, the situation is articulated in some detail in the printed hearings. Of the $560 million expenditure excess over the January budget, the major part is ascribed to the provision in the tax bill (contrary to the budget estimate) deferring for a year the so-called freeze on the amount of aid to families with dependent children; and an underestimation of fund requirements for the medical assistance program, occasioned by both a larger than anticipated participation and rising costs of hospital and medical care generally.

If the necessities of the farm price support program and the public assistance program do not require up to the full amounts of the overruns permitted in the language of section 1002, the unneeded amounts would not be available for relaxation of expenditure restraints in force on any other government program. On the contrary, information now available to the committee suggests the possibility, if not a reasonable likelihood, that the requirements could be even greater than the proposed "overrun" limitations allow.

In making the reductions and setting the ceilings in sections 202 and 203 of the Revenue and Expenditure Control Act, Congress at that time recognized the relative uncontrollability of expenditures in certain programs by specifically exempting from the ceilings any overruns above the January budget amounts for—

"Special Support of Vietnam Operations,"

"Interest Costs,"

"Veterans Benefits and Services," and

"Payments From Social Security Trust Funds."

Expenditures for farm price supports and public assistance grants stand on the same footing. They are essentially uncontrollable through the annual budget and appropriation process because they are fixed and determined under provisions in various basic laws which, as a very practical matter, cannot be abrogated or effectively controlled through appropriation bills. And they are so classified in the January budget, on page 15, along with the exempted items of interest, veterans benefits and social security.

As was the case with the original exemptions noted, the further exemptions proposed in section 1002 do not impinge in any way upon the mandated reductions of at least $6 billion in expenditures and at least $10 billion in new budget authority proposed in the January budget. Those reductions still hold. Under the law, they still must be made.

The House, in specific bills, has already made reductions of between $12 and $13 billion in new budget authority requests, and something in the area of $4 billion in expenditure reductions. With two large appropriation bills and certain other spending bills still pending, it is too early to state with precision, but there is every indication the final results will show specific congressional reductions of probably between $11 and $12 billion in these new budget authority requests, which would of course be well in excess of the $10 billion minimum required. On expenditures and net lending, the final result of congressional actions may range in the area of $3.3 to $3.5 billion in reductions, which means that the President will have to make the additional reductions necessary to achieve the $6 billion required by the law.

In the absence of exemption action, about $7.2 billion—perhaps even more—in reductions would be necessary in order to offset the mandatory overruns on farm price supports and public assistance now indicated and still secure the net cut of $6 billion in non-exempted areas. According to the Summer Review of the 1969 Budget issued by the Executive Branch on September 9, failure to make the exemptions in section 1002 would mean that the offsetting reductions would be disruptive, and even disastrous, to many of the well-established programs of the Departments of Agriculture and Health, Education, and Welfare that are important to agriculture and to the people and the economy generally, including the consumer.

Thus, section 1002 is proposed in order to prevent the Revenue and Expenditure Control Act from requiring a $7.2 billion, or perhaps even larger, expenditure-net lending reduction, instead of the $6 billion intended by the Congress, and in order to meet additional unforeseen problems. And, enactment of section 1002 as proposed in the bill should enable the Department of Agriculture to lift its restriction against new starts of SCS projects.

The committee did not think it was necessary to place specific dollar ceilings on the new obligational and loan authority side of the two exemptions in section 1002. As noted, in specific actions in the appropriation bills and other bills having impact on such authority, Congress will more than meet the $10 billion minimum reduction goal. The President, under section 202 of the law, will have to make additional obligational authority reductions in order to secure the remainder of the $6 billion expenditure reduction, and it may be that a portion would fall against carryover obligational authority as well as some against new authority; the "mix" is in the discretion of the President. And as to the farm price supports portion, the added amount falls in the permanent authority category of contract authorization not requiring annual appropriation action. The immediate, and key numbers are those on expenditures and net lending, and it is these that section 1002 would limit by specific dollar amount.

As to the several other items in the bill, I would invite attention to the report, which sets out what the various budget requests were, and the actions and recommendations of the Committee on Appropriations in arriving at the figures in this bill. The various items were assigned by me as chairman of the committee to the appropriate subcommittees. The subcommittees made their recommendations to the full committee, and the bill before us is the composite of the work which was done by the various subcommittees and the whole Committee on Appropriations.

I would hope we can maintain the bill approximately as written and that under the circumstances Members will be willing to support the actions of the committee.

Mr. JONAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, several points brought out in the colloquies between the distinguished chairman of the committee, Mr. MAHON, and the gentleman from Missouri [Mr. CURTIS] and the gentleman from Missouri [Mr. HALL] lead me to comment that I am not quite as satisfied as the gentleman from Texas is that the administration is making the substantial cuts in spending that I think should have been made in this first quarter. I have in my hand the daily statement of the U.S. Treasury for October 4, 1968, which shows that from the beginning of this fiscal year, July 1, 1968, through October 4, there had been deposited in the Treasury $49.8 billion as contrasted with $39.6 billion in the corresponding period in the last fiscal year. That means that there has been paid into the Treasury, partially as a result of an expanding economy, but also partially because of the tax increase that this Congress voted upon the people of the United States, $10 billion more in receipts in this fiscal year to date. However, strangely enough, instead of reducing spending, this same statement indicates that spending is up in the same period from $48.4 billion in the corresponding period in the last fiscal year to $53.7 billion up to this point in fiscal year 1969.

I am very much afraid that unless a better record is compiled in the second quarter of this fiscal year whoever is President of the United States next January is going to have to make between $3.5 billion to $6 billion in spending cuts in 6 months, which is exactly what some of us were afraid of when we were discussing continuing resolutions.

And we tried to make it clear in the RECORD that Congress expected the administration to begin reducing spending as the fiscal year began and as the increase in taxes came into play.

We mandated ourselves here to reduce budget requests by at least $10 billion. As the gentleman from Texas pointed out, we will by the end of this session have lived up to that mandate. We are going to exceed it. But that does not mean that these appropriation reductions will force cuts of $6 billion in spending. On the contrary, all we can see in the offing right now is about $3.5 billion of reduced spending as a result of these budget cuts. That means the administration will have to find other places to make reductions in spending of almost an equal amount of money. So I would point out—and I am doing it at this time because I think the record ought to be clear—that I do not think the administration's own record shows much progress to date in reducing expenditures in this fiscal year.

I repeat that I do not think the record shows much progress to date in this fiscal year in reducing expenditures and I am very much afraid if a better record is not made in the second quarter, we will find that another additional control will have to be imposed in fiscal year 1969.

Mr. Chairman, I would respectfully recommend to the members of the committee who are here and who are interested in this bill that they read the report of the committee. We considered a budget estimate of $270 million and the bill recommends appropriation of $101 million. In other words, there was a cut of $168,899,000. And, may I say that many individual cuts were made in this bill because it is the position of the committee that only emergency items or items that approach being emergency ones ought to be funded in the Supplemental Appropriation bill.

We will be back here in January with a regular budget and I think it would be safe to assume that the committee does intend to fund some of these other programs in the regular bills of next year. But we did not think that they were of such an emergency nature as to justify their being included in a supplemental bill.

Mr. Chairman, I invite the attention of the members of the committee to the fact that particularly since the administration did not show any great degree of urgency in getting these supplemental requests up here, this was another factor. We received these estimates last Thursday, 6 days ago. With respect to the housing items contained in the bill, the housing bill was enacted into law several months ago and we only received the budget estimates last Thursday. Therefore, it is obvious we have not had the time during which to go into them as thoroughly as they would be considered in a regular appropriation bill. We are proposing—those of us who will be back next year working on this committee—to give those items consideration in a regular bill.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Missouri.

Mr. CURTIS. I wanted to be sure that I had the figure you just read—that for expenditures for this fiscal year beginning July 1 up to October 4. We were spending at a level of $53 billion?

Mr. JONAS. $53.7 billion.

Mr. CURTIS. If you add this up correctly and take the 4 days off, this is really at a level of about $50 billion a quarter—$50.6 billion—and that is a level spending projected out to $202 billion. Further, I would state that the latest figure I have received from the Bureau of the Budget—I might say I saw it in the newspapers—was $196 billion and the latest figure of our committee—and I am addressing my remarks to the chairman of the Joint Committee on Reduction of Federal Expenditures—his own staff reported $196 billion and we were supposed to have cut $186 billion to $180 billion. The chairman of the Committee on Appropriations can take the floor and say we in Congress have accomplished something, but it appears to me that the Executive has just absolutely ignored the $6 billion spending cut required by the Revenue and Expenditure Control Act of 1968.

I might ask the chairman, if the gentleman will yield for that purpose, if your figure is correct, we are spending at a level of $202 billion and not a level of $180 billion and particularly not at a level of $186 billion which was given to us in January of this year.

Mr. JONAS. I yield to the gentleman from Texas if he would like to respond to that question.

Mr. MAHON. I would say to the gentleman from Missouri that I am not immediately familiar with some of the particular figures which the gentleman has used in reference to spending rates.

Mr. CURTIS. The gentleman from North Carolina read these figures which come from the October 4, 1968, table IV Analysis of Deposits and Withdrawals of the U.S. Government. This is a daily report of the U.S. Treasury and it showed the expenditures for this fiscal year just for the first quarter to be $53 billion, that is, the first quarter, plus 4 days.

Mr. MAHON. Mr. Chairman, if the gentleman will yield, the gentleman knows that expenditures may vary during different portions of the year, and even from day to day. The fact that the expenditures in the first quarter may have been $53 billion, or $51 billion, does not necessarily mean that if you multiply that by four you will have the annual expenditure total.

I recall that the gentleman himself, a very able member of the Committee on Ways and Means, had just a while ago quoted a $196 billion expenditure figure.

Mr. CURTIS. I did. I said that was a week ago, and now we have the figure up to $202 billion.

Let me say to the gentleman, if I may, that I pointed out at the time that any attempt to study these monthly expenditures or even quarterly expenditures and apply any seasonal adjustments to them is for naught, because there does not seem to be any seasonality about Federal spending on a month-to-month basis, nor on a quarterly basis.

If the gentleman will yield further, I have used this same technique before of simply multiply it out, as I have here, the full quarter by four. In the past I have found that it comes, regrettably, pretty close to the mark. So certainly we are spending right now, if these figures are correct, and I am sure they are, at a level of $202 billion.

Mr. JONAS. If the gentleman will permit me, I believe it is fair to say it that way, I believe it is also necessary to say that because we are spending now at a level of that rate, it does not necessarily mean that the current rate will be continued. But it has to be reduced, and if it is not, and it is continued, we will have a $200 billion expenditure level for the fiscal year.

Mr. CURTIS. If the gentleman will yield further—as a matter of fact, in the previous fiscal year I used this very rough way of estimating expenditures, and I came within $200 million of hitting the mark. Regrettably, what I believe is going to happen here is, except for the debt ceiling—and that will hold us down pretty soon—but except for the debt ceiling this administration would continue to increase, not decrease spending at all. But certainly we are confronted with a situation, and I believe these figures clearly show, that this administration is not doing one thing toward holding down expenditures. In fact, it is really thumbing its nose at the Congress, the representatives of the people, and at the law that was written telling them to cut back on expenditures.

How else can anyone interpret these figures?

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I will be glad to yield to the gentleman.

Mr. MAHON. I thank the gentleman for yielding.

The $6 billion expenditure cut is still the law, and I feel this will be achieved by this administration.

There are, of course, differences of opinion as to where reductions should be made. There has been forthrightness and candor in the presentation of the situation to the Congress.

I have before me what is entitled "Monthly Statement of Receipts and Expenditures of the United States Government for the Period From July 1st, 1968, Through August 31st, 1968." That is a 2-month period.

On the next to the last line there is shown, as "Expenditures and net lending," for the 2 months, $30,623 million, which is about $15.3 billion average for each of the first 2 months. If you multiply that out for the year, then you would have $183.6 billion. The ceiling in the law is $180.1 billion, but you will remember, as I said earlier, and as the gentleman knows, that the law exempted four areas from the ceiling, areas of uncontrollable expenditures. And may I add that in the summer review of the budget, issued by the executive branch on September 9, the exempted items are now estimated some $4 billion plus over the January budget figures. And in total, the summer review revised the estimate of total 1969 spending, tentatively, to $184.4 billion precisely for these overruns.

So these kinds of comparisons that are being made are not necessarily very meaningful.

Mr. Chairman, let me also add, in reference to an earlier statement, that spending in the first quarter of fiscal 1969 was several billion above the same quarter of fiscal 1968, that this does not necessarily prove anything insofar as effectuating the $6 billion reduction is concerned. The original January budget itself estimated a spending increase of $10.4 billion in 1969 as compared to fiscal 1968. Then we have the $4 billion plus overruns now estimated in the four exempted areas I mentioned. And against this, Congress mandated a spending cut of $6 billion. So, it would be expected that there would be some increases over the previous year.

Further, on the matter of effecting the $6 billion cut, let me insert certain quotes from the September 9 Summer Review issued by the Budget Director:

> Charles J. Zwick, Director of the Bureau of the Budget, today announced the results of a Summer Review of the Fiscal Year 1969 Budget. Noting that congressional action is not yet completed on 5 of the 14 appropriations, Director Zwick said:
>
> "The currently estimated amounts must be considered tentative. As soon as all the facts are in, we will move quickly to make the necessary adjustments to complete compliance with the Revenue and Expenditure Control Act of 1968. The current estimates represent strong efforts to make the reduction decisions in the light of needs and priorities but no cutback of this magnitude can be accomplished without difficulty."
>
> The Review showed that:
>
> *Receipts* are now estimated to be $1.3 bil-

> lion higher than foreseen in January, reaching $179.4 billion;
>
> *Outlays* will be reduced by nearly $1.7 billion (to $184.4 billion);
>
> *Deficit* is expected to decline from $8 billion to $5 billion.
>
> Special attention in the Review is focused on the reductions in outlays, which were required by the Revenue and Expenditure Control Act of 1968. Program costs exempted by the law have increased from January estimates by $4.4 billion—with $2.3 billion accounted for by increased support for Vietnam operations. The $6 billion reduction required by the law will have even greater impact than had been anticipated as a result of higher than estimated expenditures in so-called uncontrollable programs. For example, over $1 billion more will be needed to meet the outlays fixed by law for farm price supports and public assistance. Thus, approximately $7 billion in spending reductions will have to be made.
>
> The Bureau of the Budget now estimates that when Congress completes its actions on 1969 spending, it will have cut $3.3 billion from the January budget proposals affected by the cutback law. In addition, to meet the roughly $7 billion of required reductions, administrative actions will be undertaken to cut:
>
> $1 billion in Defense spending not required for support of Vietnam (or other critical defense needs);
>
> $1 billion in loan programs, placing greater reliance on the private money market for these activities;
>
> $200 million in the Federal-aid highway program;
>
> $100 million for the space program, (below the amount resulting from congressional action) outside of requirements for the manned lunar landing.
>
> $1.2 billion of reductions among all other civilian agencies. However, key social programs such as manpower, low-income housing, and safe streets are being protected.
>
> Interim measures to achieve the required reductions have been instituted, and detailed agency plans are now being reviewed. When congressional action is completed, these plans will be modified where necessary and put into effect.

Mr. CURTIS. If the gentleman will yield further, the gentleman is chairman of the Committee on Reduction of Federal Expenditures, and I compliment the committee for giving the Congress these monthly statements of expenditures. Your last figures—this was about 2 or 3 weeks ago—were at the $192 billion expenditure level, and I can quote the gentleman directly from it.

Mr. MAHON. The figures, of course, will speak for themselves. But the point is: I believe we have made a sincere effort to make reductions, and I believe we have had some considerable success.

Mr. JONAS. Mr. Chairman, may I ask how much time I have used?

The CHAIRMAN. The gentleman from North Carolina has consumed 14 minutes.

Mr. JONAS. I will just take 1 minute, and then I will yield 5 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. Chairman, I would merely say that you can prove almost anything with figures, depending upon when you compile the figures.

I did not intend to get into an extended discussion of the expenditure situation, but merely to point out that the daily statement of the Treasury indicates that for the first quarter plus 4 days, the Government has spent $53,776,000,000; and during the corresponding period last year it spent $48,496,000,000, which does not indicate to me that much of an impact has been made in this quarter on the $6 billion spending reduction that Congress mandated when we passed the Revenue and Expenditure Control Act.

I express the hope that a better record will be compiled during the second quarter; if it is not done, then I express the fear that the next administration coming into office in January will have more than its fair share of the burden of coming up with that $6 billion expenditure reduction.

I now yield 5 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, having labored long and hard to find means of encouraging increased participation by the private sector in solving the problems of adequate housing and community development, I am deeply disappointed to find no funds available for the National Home Ownership Foundation under the supplemental appropriation bill now before us. I am sure that the 113 Republican Members of this body who cosponsored the homeownership bill last year, as well as the many Democratic Members who supported our efforts to include the Foundation in the omnibus housing bill this year, share my sentiments in this matter.

The amount requested by the administration in the supplemental request was only for $250,000 in administrative expenses, to get the Foundation off the ground. It has always been the expectation of the sponsors of the NHOF that once the program began, funds from private sources as well as contracts from Government agencies at all levels would make the Foundation basically self-sustaining.

The Foundation is the first attempt to break away from the pattern of reliance on governmental bureaucracy in solving our serious problems of low income housing, both rural and urban. No other agency, public or private, exists solely to foster the concept of homeownership for our lower income citizens through private and neighborhood effort. And I would remind my colleagues that it was only with the greatest reluctance and misgivings that HUD and the administration responded to our calls for an emphasis on homeownership.

Even without funds for grants or loans, the counseling and informational service and inspirational leadership that the Foundation could supply, given adequate administrative expenses to begin, is surely worth many times the amount of the request for funds. Both political parties have called for new private efforts in this field. Yet, we will flunk our first real opportunity to prove we mean what we say if no funding is provided for the Foundation.

It has been more than 2 months since the passage of the Housing Act of 1968 which required the President to appoint the Board for the National Home Ownership Foundation within 30 days. I can understand the reluctance of the President to make these appointments, however, given the lack of funds for administrative expenses that the Congress pledged in authorizing the Foundation.

I can also understand the position of the committee, however, in seeing what may have looked to them as just another HUD idea coming up for funding, given the fact that there was no private Board for the Foundation to explain its importance. A thorough explanation of the need and purpose of the Foundation may not have been possible from HUD spokesmen who, after all, opposed the idea and who see it, perhaps, as a threat, a private sector yardstick against which their own operations can be judged.

If it is not possible, at this late point in time, to amend the bill before us to reinclude the funds for administrative expenses for the National Home Ownership Foundation, I would urge the members of any conference committee with the other body on this appropriations bill to look with sympathy upon any funds included by the other body for the Foundation. Far from being looked upon as an unnecessary expense, such action would win the gratitude of the American taxpayer for the example set in showing how the private sector, with a minimum of assistance from Government, can do the job and do it well. I am confident the National Home Ownership Foundation will live up to these expectations if just given the chance.

Mr. PETTIS. Mr. Chairman, we are again facing a vote concerning the very important Housing and Urban Development bill, and for this reason, I appreciate this opportunity to make my stand clear to you as well as to my constituency—the citizens of the county of San Bernardino, Calif.

When the original housing legislation came before the House of Representatives on July 10, I voted for the bill—after provisions which would cost the American taxpayers over $400 million for the repair of streets, sidewalks, garbage and trash collection, street cleaning, and the like, were removed. These are all functions which are presently, and I feel most certainly should continue to be, handled by local governments.

On July 26, the conference report was brought before the House. Since the House-Senate conferees included this $400 million extravagance, I could not, in good conscience, vote in support of the report. How could I possibly have voted for it; how could I have voted for such an unnecessary drain on our already strained Federal budget.

Now today, we are considering the supplemental appropriation bill of 1969 which includes appropriations for the Department of Housing and Urban Development. Here, we are facing a matter of grave importance to many of our citizens since, for the first time, appropriations are being requested for the homeownership plan.

The homeownership plan is designed to enable low-income families to purchase their own homes by providing a Federal subsidy that could bring down the effective interest cost of the purchaser's home mortgage. Here, finally, we can truly help and assist the people in our country who really need it.

Slumdwellers who are now residing in areas where there are dozens of blocks of rotting, wooden tenements and rubbish strewn lots, are yearning for better living conditions. Certainly a shelter is just as important as food and clothing—

and, certainly for family life it is most important. Mr. Speaker, have you ever seen a community wherein slums were turned into "gardens"—lovely homes? Many of these families have doubled their incomes since moving into their new homes simply because their confidence and pride buoyed new self-respect. Certainly our goal should be to provide "a decent home and a suitable living environment for every American family."

In reaching this goal, not only do we help our low-income citizens live in decent homes, but we also create thousands of jobs by providing needed revitalization of the home construction industry—not only in my congressional district, but throughout the entire Nation. Here, a homeowner is given the opportunity, to the maximum extent feasible, to contribute the value of his labor as equity in the dwelling.

Mr. Speaker, we are spending billions on foreign aid—is not it about time we take care of our own citizens who are living right here in the United States? I, for one, am pleased and proud to vote for this supplemental appropriations bill as it affects homeownership—the great concept of all Americans.

Mr. JONAS. Mr. Chairman, I yield 4 minutes to the gentleman from Tennessee [Mr. KUYKENDALL].

Mr. KUYKENDALL. Mr. Chairman, I associate myself with the remarks of the gentleman from New Jersey.

THE NEED FOR COUNSELING SERVICES IN HOMEOWNERSHIP

Mr. Chairman, the Members of both bodies have passed a proposal included within the omnibus housing bill providing for aid in the form of interest supplement to low-income homeowners. This is a splendid idea and one that is long overdue. However, the implementation and effectiveness of an important part of this low-income homeownership legislation is in danger of withering on the vine because of lack of funds.

Mr. Chairman, I speak of the counseling program for prospective homeowners. Please note that I said for "homeowners." I am not talking about a lump sum appropriation for a counseling program for all aspects of housing provided within the omnibus housing bill. There is a very real and distinct difference between the need of counseling for the low-income disadvantaged who want to buy their own home and the individual who is attempting to obtain rent supplements or public housing.

The responsibilities and obligations of a homeowner are incomparable to those of one who is renting somebody else's property. It is often hard for many of us to realize the numerous pitfalls and hurdles which stand in the path of one who is trying desperately to raise himself out of the slums and tear away from public dependence. For the most part these people are ignorant of business transactions, budget management, priority spending, and most of the other duties and financial responsibilities commensurate with homeownership. Just a little guidance and advice will enable these people to greatly enhance their standard of living, bolster their pride, create respect, and a sense of belonging to a community of homeowners and taxpayers.

There can be no doubt among any of us that homeowners are preferable to lessees in public housing. Many of the people now in public housing could buy a home of their own if the proper housing were available and if they received the proper guidance and advice on purchasing a home. We should, therefore, do all we can to insure that the low-income housing programs across the Nation have our complete cooperation and support. An effective, well-organized counseling program for homeowners can be the difference between success and failure to these homeownership programs.

Mr. Chairman, from these few remarks you can easily discern that I am deeply involved and concerned with the future of these low-income homeownership programs. We have an excellent one in my district in Memphis, Tenn. I respectfully urge the Members of this body to accept restoration of funds for counseling services for the people participating in low-income homeownership programs until they at least get started in the program and can begin to assume and understand the responsibilities for themselves. This will decrease the number of people in public housing as well as move people from the slums to respectable homes of their own.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Chairman, I want to discuss some parts of this bill. I think my comments relate to basically procedural matters within the Appropriations Committee, rather than to the content of the bill as a whole. I think the example I would like to use is the Fort Lincoln urban renewal project in the District of Columbia.

There is included in this bill about $7 million for the initiation of community facilities for this urban renewal project. We did not receive any testimony on this matter at all in the regular hearings of our subcommittee. When the bill went over to the other body, the funds were included for these facilities at the Fort Lincoln site, but were taken out in the conference.

We now find these funds coming in through another door in this supplemental appropriation bill.

It has always been my feeling that once an item has been stricken out in a conference, it ought to stay out for the remainder of that session. To permit it to come back through the supplemental appropriation route, it seems to me, destroys the effectiveness of the conference on an appropriation bill to a great extent and invites abuse of the normal appropriation process.

I believe this project needs to be mentioned on a second count; that is, it does represent, in the closing days of the session, the inclusion in a supplemental appropriation bill of what amounts to a major capital outlay project.

This is not the only one of its kind included in this bill. There are at least two others. Here again, this represents an invitation to abuse of the appropriations process, to initiate capital outlay projects in the final supplemental appropriation bill in the closing days of a session.

This perhaps brings us to another Appropriations Committee procedure, and one which bespeaks somewhat the operation of our committee more as a combination of subcommittees than as a single appropriations unit, for there is in this bill no consistency among the subcommittees in dealing with these major capital outlay projects in the final supplemental. Some of the subcommittees took the position this was not the way to initiate major capital outlay projects, so funds for such initiations were not included in this bill. Other subcommittees, including the one for the District of Columbia and the one that handles Treasury and Post Office, did not take that point of view, so some of those capital outlay projects were included.

It seems to me there should have been a consistency of policy as to the items included by the various subcommittees, and that consistent policy should be that we will not look with favor on, that we will not grant requests for, the initiation of major capital outlay projects in the final supplemental bill which comes before us in the closing days.

There is one other item with respect to this bill which I believe needs to be mentioned. It is another example of chipping away at what we did in the Revenue and Expenditure Control Act when we set some ceilings with respect to an overall ceiling on expenditures of all the Government agencies and departments. Since that time we have retreated from our position in a number of instances. This appears to be the last one, and a very substantial retreat from the position we took at a time of dire financial stress to deal with what was in truth an emergency fiscal problem of our Government.

Because of my strong feelings with respect to these matters, Mr. Chairman, it is my intention to offer a motion to recommit this bill at the proper time.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise to speak very briefly on H.R. 20300, the supplemental appropriations bill. We have considered many appropriations bills in this Congress, including one, the Defense appropriations, for $72 billion. We are now considering the last appropriations bill of this Congress, and I hope in our haste to finish this business we do not make a tragic mistake.

In this Congress we have enacted many measures to help the disadvantaged and the deprived Americans who live in urban or rural poverty. But these authorization bills will be little more than a verbal commitment if we do not appropriate the money to carry out our legislative intention. We are all familiar with the present strain on the Federal budget. But I believe that certain programs contained in this bill, H.R. 20300, should have a high priority.

I refer in particular to the reduction in funds for the food stamp program, a reduction in this bill of some $70 million. I sincerely hope that my colleagues will restore this money, and thereby insure the vitality of this food stamp program.

In addition to this reduction, the funds for a variety of HUD programs, including rent supplements, and for certain consumer protection programs, have also been reduced. I hope the reduced funds in these areas will be restored.

I hope my colleagues will carefully consider their position with respect to these reductions. In any relative sense, the amount of money required to fully fund these programs is minimal. But as an expression of a national commitment to help the disadvantaged in our land, this amount is quite important.

Mr. REUSS. Mr. Chairman, on August 1 of this year President Johnson signed the Housing and Urban Development Act of 1968 into law.

That act is the most far-reaching legislation ever enacted to deal with the condition of our cities—and with the Nation's housing.

Those of us on the Banking and Currency Committee who participated in the hearings on that bill—on both sides of the aisle—were proud of our work and of the enthusiastic reception it received from the American people.

In voting for that legislation this Congress indicated its commitment to the eradication of substandard housing in America and to the successful resolution of our urban crisis.

In voting for this legislation this Congress reaffirmed the national goal set in 1949 of a "decent home and a suitable living environment for every American family."

The broad and imaginative provisions of that act gave some measure of hope to concerned Americans everywhere that a meaningful attempt to reach these goals was finally underway.

Yet the funding here proposed is so inadequate that if accepted our legislative promises cannot be kept, and the hopes raised by the housing legislation cannot be fulfilled.

Let me turn to specific examples:

No funds for tenant services, a program which would have brought instruction, recreation and hope to those who now live in our public housing projects.

No funds for the interstate land sales provisions of the act, which sought to protect the innocent and the unwary in the purchase of real estate from the unscrupulous.

No funds for the counseling services proposed by the FHA to provide advice and assistance to those who sought to become responsible homeowners but who were ignorant of what that entailed.

No funds for planned areawide development grants, an exciting vehicle to stimulate the coordinated growth of regional and metropolitan areas—already choked with the sprawl of suburbs.

An appropriation of only $13 million for both the new homeownership and rental assistance programs, instead of the $75 million asked for and required if these programs are to achieve their objectives.

An appropriation of only $1 million instead of the $80 million requested for the implementation of the fair housing provisions of last April's Civil Rights Act—passed shortly after the death of Dr. Martin Luther King, Jr. The sum recommended is inadequate—and the great purposes of that legislation cannot be served if that figure is allowed to stand.

These are only a sampling of the actions taken, but they reflect an unwillingness to face up to the responsibilities we assumed in passing the Housing and Urban Development Act of 1968.

How can all Americans ever be assured of decent housing if we refuse to give with one hand what we offer with the other?

Mr. ASHLEY. Mr. Chairman, I am thoroughly disappointed by the action of the Appropriations Committee on the supplemental request of the Department of Housing and Urban Development.

With the passage of the Housing and Urban Development Act of 1968, the Congress rekindled the aspirations and anticipations of millions of Americans. We renewed the hope of the poorest for a chance to own their own homes; the hope of moderate-income families for communities with all needed facilities; the hope of private enterprise for an opportunity to participate in the rebuilding of our cities; and the hope of us all for a decent, safe, and healthy environment.

The Appropriations Committee has shattered these hopes and has made the historic legislative work of this Congress seem empty and fruitless.

The committee has dealt a brutal blow to the President's 10-year housing goal at the very outset of the program by reducing the contract authorization for interest reduction payments in the new homeownership and rental programs from $75 to $15 million. It has emasculated the joint efforts of Democrats and Republicans to assist the private sponsors of low- and moderate-income housing by providing no funds for such aid.

I particularly deplore the committee's refusal to fund the new tenant service program authorized in the 1968 act, as well as the areawide development program.

In America today the gap between rich and poor, between white majority and black minority grows daily less acceptable. Without a chance to learn skills and receive a proper education, today's poor are unable to qualify for jobs in an increasingly technological market. With avenues of opportunity barred by discrimination, today's minorities are only able to move upward into the middle class with the greatest difficulty. We see the fruits of this condition in the alienation of our young, in the desperation of our poor, in the decay of our central cities.

The public housing program was our first major national effort to build safe, sanitary housing for low-income families who could not find decent housing at rentals they could afford.

Over the years the character of public housing has changed. With the general prosperity, the able and the fortunate have left. More and more, the most helpless of our poor—the young, the broken families, the elderly, the delinquent—have come to live in many of these projects.

Today in public housing, 34 percent of all families are elderly; 55.5 percent of all families have public assistance or other benefits; 29 percent of all families have only one parent, usually the mother.

The median total income of all families is $2,820.

Recognizing this condition, Congress this year authorized a program to provide jobs, training, counseling and other essential services to these needy people.

Now the Appropriations Committee makes a mockery of the promise of Congress. To those who want work, to those who lack skills, to those who cry out for a chance, the committee has said "Wait until next year."

The committee's action will shape the lives not only of the poor but of the middle class as well because it has not provided funds for the areawide development program. Democrats and Republicans agree that our growing suburban communities, faced with ever-increasing population and overwhelming demands for more and better schools, hospitals, parks, and public facilities are already at the limit of their fiscal capacities. The areawide development program will provide more financial support to State and local communities to meet their current needs.

Democrats and Republicans agree that greater efforts must be made to protect the capital investment of the Federal Government. Areawide development will foster the sound rational growth we must have to insure that public funds are not wasted.

Despite the fact that this program meets a common concern in the Congress already expressed in legislation, the Appropriations Committee has denied it funds.

I urge you all to restore the full amounts requested for these vital programs so that we may fulfill our obligation to the people.

Mr. JONAS. Mr. Chairman, I have no further requests for time.

Mr. MAHON. Mr. Chairman, I have heard from one Member some criticism because we have not made reductions to the extent that may have been desired. I have heard two speakers complaining because additional funds were not provided, which could be said to indicate that the desire for additional spending seems to be winning by two to one.

What the committee tried to do was to come up with the best compromise it could on a large number of items.

Mr. Chairman, I have no further request for time. I ask that the Clerk read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1969") for the fiscal year ending June 30, 1969, and for other purposes, namely:

Mr. FINDLEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I was very much impressed by the comments of the distinguished gentleman from Texas patting this body on the back for having erected a responsible fiscal structure this year.

It is ironic that this self-congratulation should come at a time when this body is reporting out a measure that kicks a $1 billion hole in that fiscal structure. This is exactly what happens as a result of the exemptions in this supplemental.

Mr. Chairman, I read the hearings of the Committee on Appropriations as they related to the Commodity Credit Corporation. All through these hearings there was reference to $907 million of obligations not anticipated at the beginning of the year by the Commodity Credit Corporation officials and therefore not included in the President's budget estimates. One would assume from this information if this exemption is not made that Secretary Freeman will have to cut $907 million out of the spending of his department in order to comply with the Expenditure Control Act. Yet a letter dated September 24 to the Honorable ALLEN ELLENDER, Chairman of the Committee on Agriculture and Forestry, U.S. Senate, reads as follows, and I call your attention to this, because it is very much to the point:

> DEAR MR. CHAIRMAN: In view of the unforeseen increase in production expenditures by the CCC now expected to be almost $1 billion higher in 1969 than estimated last January, we have taken every step we can to reduce the impact of the increase on other programs of the Department and still comply with the limitations in sections 202 and 203 of the Revenue and Expenditure Control Act. Even so, unless the increase in outlays for loans and inventory operations of the CCC are exempted from this law, it will be necessary for us to make reductions in outlays for other programs of the Department below the level originally planned as follows:

Then comes the enumeration. It lists the Soil Conservation Service, the Extension Service, the Public Lands Fund, the REA, and so on. He closes with this line, and listen to this:

> These are the major reductions which will be necessary as we see it now.

What is the total of those figures? $907 million? No. The total is $258 million. In other words, Secretary Freeman has already found $650 million to cut and still live up to all of the obligations. If we pass this bill with that exemption for the CCC, we are simply taking the lid off and relieving Secretary Freeman of the necessity to impose these limitations on expenditures.

I say it is a shame. You say, "Well, there are still $258 million that have to be cut." That assumption is not sound, either, because the Secretary could easily meet that problem and more simply by not making advance payments under the feed grains program. Last year these advance payments came to about $500 million. Presumably advance payments, if made, will be at least that high next spring. By announcing as a part of the feed grains program that advance payments will not be made, in other words, that the full payment will be made as it would be ordinarily expected to be made at harvesttime, Secretary Freeman's fiscal 1969 budget would be relieved by about $500 million and so would the budget problems of the executive branch.

So here is the logical way out of the problem which would exist at the level of $258 million. That is why I urge the attention of this body to an amendment which I plan to offer at the proper time which would delete from the language of this bill the exemption of the CCC. That exemption is not needed. The Department will be able to continue with all of its regular programs and will be able to meet all of its obligations under contracts under the loan and payment programs of the CCC and various commodity programs. By setting off until next fall the payment involved in the usual advance payment, the payment of springtime money, as it is often called, he would be able to meet this fiscal problem.

I might add too that the interest expense to the taxpayers of advanced payments is not an inconsequential item.

Mr. WHITTEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, other information supplied me by the Department in addition to those figures in the letter from which my colleague, the gentleman from Illinois, quoted, shows what else would be involved if we do not give relief to the Commodity Credit Corporation.

As I said earlier, the Commodity Credit Corporation was organized as a corporation because it has a specific responsibility and certain things it has to do.

Mr. Chairman, the figure of $258 million listed by the gentleman from Illinois has to do with further reduction of expenditures. The facts I point out are in addition to that. In addition to the further spending reduction of $258 million, FHA mortgages in the amount of $205 million would have to be sold. A further reduction in Public Law 480 outlays to the tune of $125 million would be necessary. Other parts of the total of $907 million would have to be covered by the sale of commodity credit notes.

So, Mr. Chairman, the $258 million figure would be only part of the reduction in expenditures which would be necessary if you do not agree to the relief for these extra uncontrollable expenditures by the Department. It would actually result in specific programs being reduced, which have been approved by the Congress, and for which we have given the Department the responsibility of seeing that they are carried out.

Mr. Chairman, when the amendment is offered, we will discuss it further, but I thought it might be well to call to the attention of the members of the committee these additional factors at this time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER I

DEPARTMENT OF AGRICULTURE

CONSUMER AND MARKETING SERVICE

FOOD STAMP PROGRAM

For an additional amount for "Food stamp program", $20,000,000: *Provided*, That additional expenditures resulting from amounts provided in this paragraph shall be fully offset by sale of notes held by the Commodity Credit Corporation or other assets of the Department of Agriculture to prevent further expenditure reductions against existing programs pursuant to the Revenue and Expenditure Control Act of 1968.

AMENDMENT OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment Offered by Mr. SMITH of Iowa: On page 2, line 8, delete "$20,000,000" and insert in lieu thereof "$90,000,000."

Mr. SMITH of Iowa. Mr. Chairman, this amendment is rather simple. It simply changes the figure from $20 million to $90 million.

Mr. FOLEY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Seventy-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 420]

Abbitt
Adair
Adams
Anderson, Tenn.
Ashley
Ashmore
Aspinall
Ayres
Baring
Belcher
Bell
Berry
Bow
Brooks
Brown, Calif.
Brown, Ohio
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Carey
Casey
Celler
Clancy
Clark
Clausen, Don H.
Cleveland
Corman
Cowger
Cunningham
Davis, Ga.
Dawson
Denney
Dent
Devine
Dickinson
Diggs
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Ford, Gerald R.
Ford, William D.
Fuqua
Galifianakis
Gallagher
Gardner
Giaimo
Goodling
Gray
Green, Pa.
Griffiths
Gross
Gurney
Haley
Halleck
Hammerschmidt
Hanna
Hansen, Idaho
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Holifield
Hull
Hungate
Jacobs
Jones, Ala.
Jones, N.C.
Karsten
Keith
King, Calif.
Kleppe
Kluczynski
Kupferman
Laird
Landrum
Langen
McClory
McEwen
McFall
Machen
Martin
Mathias, Md.
Matsunaga
May
Meeds
Michel
Miller, Calif.
Moore
Moorhead
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, N.Y.
Nichols
O'Hara, Ill.
Ottinger
Patman
Pettis
Pickle
Pollock
Quie
Railsback
Rarick
Reifel
Reinecke
Resnick
Robison
Rogers, Colo.
Rosenthal
Roudebush
Roush
Ryan
St. Onge
Schweiker
Selden
Shipley
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Okla.
Snyder
Stafford
Steiger, Ariz.
Stratton
Sullivan
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Tuck
Tunney
Utt
Vanik
Waldie
Walker
Watkins
Whitener
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wright
Wyatt
Wydler
Wylie

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA of Michigan, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 20300, and finding itself without a quorum, he had directed the roll to be called, when 270 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Iowa [Mr. SMITH] is recognized for 5 minutes in support of his amendment.

Mr. SMITH of Iowa. Mr. Chairman, this amendment is rather simple, and will take only about 2 minutes to explain it. It deals with food stamps. The administration had requested $90 million additional money for food stamps and the committee recommended $20 million. The committee also included in this bill a proviso to protect against the $20 million coming from other programs. They did that by requiring that certain notes, and so forth, be sold to raise the money. The proviso has not changed so any claim that it might come from Soil Conservation or something else is not well grounded.

The Senate committee, I am advised, this afternoon approved the $90 million. So I hope we do not get into a big tussle in the last 2 or 3 days of the session. Let us make it $90 million, the same as the Senate did, and then we will not get hung up on that.

When the budget was made up about a year ago they requested $225 million, which was the full amount of the authorization, and then they requested an authorization for an additional $20 million, and that is the amount that was appropriated here.

When they estimated a need for $20 million, 136 counties were waiting to get into the program. Now the situation has changed.

I am not one who blames the Congress for the malnutrition that exists someplaces. I believe a major reason is that a lot of the counties have not chosen to participate so that there are some hungry people, because local governmental bodies have not chosen to use the Federal program available. I do not believe we should blame the committee and the Congress, like some people have done. But anyway, at the time there were 136 counties waiting, they assumed the $20 million would let those counties in the program.

But since that time 200 additional counties have asked to come in. In addition to that they let in 80 counties that were the poorest counties in the country, out of turn, and that has meant 280 counties in addition to the 136.

I do not believe that $90 million is too high an estimate of need for the program. If you will figure it up you will discover that it certainly comes to less than $10 per month for these additional eligible people, and I believe it is probably more likely $5 per month.

Also, since that time there has been some change with regard to the 1,179 counties that are already in the program. There was a reduction in the minimum that must be paid for stamps by those families—not persons, but families that make less than $70 a month. They propose a reduction in the amount they must pay for their stamps.

Mr. Chairman, I want to say that I believe a country with as great a capacity to produce food as we have ought to be able somehow to get food to these poor people.

I am a little irritated with those who would assume that the farm program is the reason why these people do not have food. That simply is not so. If the farmers gave the food away, these people still could not afford the food since it costs more to process it, and deliver it to them, than they can pay.

But anyway, here are 236 counties that may have been delinquent, but they are entitled to equal treatment with the counties that they are next to. I believe the $90 million ought to be approved; and I urge the adoption of the amendment.

I am setting forth lists of the counties referred to by category:

REQUESTS FOR FOOD STAMP PROGRAM

There are 135 designated Food Stamp areas waiting to begin operations. It is estimated that 100 of these areas could open in November and the remaining 35 in December if funds were made available immediately. These 135 projects would cost an estimated $15 million in fiscal year 1969.

Alaska (6): Anchorage, Dillingham, Fairbanks, Juneau, Ketchikan, and Seward areas.

Arkansas (3): Columbia, Garland, and Washington Counties.

Colorado (6): Chaffee, Fremont, Grand, Lake, Routt, and Teller Counties.

Georgia (2): Chatham and Polk Counties.

Illinois (35): The counties of Boone, Bureau, Carroll, DeKalb, DuPage, Ford, Fulton, Grundy, Henderson, Henry, Jo Daviess, Kane, Kankakee, Kendall, Knox, Lake, La Salle, Lee, Livingston, Marshall, McHenry, McLean, Mercer, Ogle, Peoria, Putnam, Rock Island, Stark, Stephenson, Tazewell, Warren, Whiteside, Will, Winnebago, and Woodford.

Louisiana (4): The parishes of DeSoto, Orleans, Ouchita, and St. Tammany.

Maryland (3): Kent, St. Marys, and Worcester Counties.

Michigan (22): The counties of Alger, Allegan, Antrim, Barry, Benzie, Branch, Clare, Clinton, Delta, Dickinson, Eaton, Genesee, Grand Traverse, Hillsdale, Isabella, Mason, Muskegon, Ogemaw, Saginaw, Schoolcraft, Shiawassee, and St. Joseph.

Massachusetts (7): The cities of Boston, Cambridge, Dracut, Pittsfield, Quincy, Revere, and Springfield.

Minnesota (4): The counties of Cook, Le Sueur, Mille Lacs, and Sibley.

Mississippi (1): Alcorn County.

Montana (2): Glacier and Valley Counties.

New Mexico (1): Bernalillo County.

New York (1): Schoharie County.

North Carolina (1): Rockingham County.

North Dakota (1): Foster County.

Ohio (14): The counties of Ashtabula, Delaware, Fulton, Gallia, Greene, Huron, Licking, Medina, Noble, Perry, Ross, Sandusky, Shelby, and Van Wert.

Pennsylvania (9): The counties of Berks, Butler, Cameron, Centre, Delaware, Elk, Monroe, Northampton, and York.

South Dakota (7): The counties of Beadle, Bennett, Brown, Codington, Davison, Shannon, and Washabaugh.

Utah (2): Salt Lake and San Juan Counties.

Virginia (1): Fairfax County (including cities of Falls Church and Fairfax).

Washington (2): King and Pierce Counties.

Wisconsin (1): Eau Claire County.

Approximately 200 additional counties which have made requests for food stamp program:

Alabama: Tuscaloosa County.

Arkansas: Scott County.

California: The counties of Del Norte, Marin, Monterey, Sacramento, Stanislaus, and Tehama.

Colorado: Ouray and San Miguel Counties.

Connecticut: The Welfare Districts of Bridgeport Welfare, Middletown Welfare, Norwich Welfare, Stamford Welfare, and Torrington Welfare.

Georgia: Dooly, Newton, and Wilcox Counties.

Indiana: The counties of Blackford, Brown, Sullivan, Warren, Grant, Huntington, Wayne, Dearborn, and St. Joseph.

Iowa: The counties of Fremont, Worth, Bremer, Muscatine, Monroe, Polk, Boone, Webster, Adair, Page, Louisa, Poweshiek, Black Hawk, and Mills.

Kansas: Leavenworth and Johnson Counties.

Kentucky: The counties of Bracken, Christian, Edmonson, Fulton, Hart, Lewis, McLean, Metcalfe, Owen, and Boone.

Louisiana: The parishes of Bienville, East Feliciana, Jackson, Jefferson, Lafourche, Lincoln, Morehouse, Sabine, St. Bernard, Tangipahoa, Webster, and West Baton Rouge.

Maryland: Cecil County.

Michigan: The counties of Baraga, Calhoun, Cass, Ionia, Livingston, Marquette, Mecosta, Menominee, Montcalm, Presque Isle, and Tuscola.

Minnesota: The counties of Brown, Meeker, Norman, Steele, Waseca, Stevens, and Grant.

Mississippi: The counties of Pearl River, Rankin, Sharkey, Tippah, and Adams.

Montana: The counties of Hill, Missoula, Musselshell, Richland, and Mineral.

Nebraska: The counties of Madison, McPherson, Lincoln, Logan, Webster, Hayes, Frontier, Furnas, Hitchcock, Richardson, Adams, Washington, Dundy, Blaine, Thomas, Chase, Hooker, Wayne, and Otoe.

New Jersey: The counties of Essex, Hunterdon, Morris, and Somerset.

New Mexico: Los Alamos County.

New York: Dutchess County, City of Poughkeepsie, and Ulster County.

North Carolina: The counties of Catawba, Davie, Iredell, McDowell, Pitt, Richmond, and Robeson.

North Dakota: The counties of Divide, Renville, Adamas, Griggs, Nelson, Stutsman, and Pembina.

Pennsylvania: The counties of Forest, Lancaster, Warren, Franklin, Pike, Chester, Cumberland, Lebanon, Lehigh, Bucks, and Montgomery.

Rhode Island: The counties of Providence, Newport, Bristol, Kent, and Washington.

South Dakota: The counties of Hanson, Miner, Hyde, Clark, Day, Gregory, Hughes, Roberts, Spink, McCook, Perkins, Charles Mix, Douglas, Edmunds, Aurora, Lincoln Lake, Walworth, Haakon, Jackson, Minnehaha, Turner, and McPherson.

Tennessee: The counties of Henderson, Bradley, White, Carter, Rhea, Hamblen, and Maury.

Texas: Harris County.

Virginia: The cities of Hampton, Richmond, and Virginia Beach.

Wisconsin: The counties of Buffalo, LaCrosse, and Iowa.

FOOD STAMP PROJECTS IN OPERATION, SEPTEMBER 1968, AND DATES OPENED

(*Total number of projects: 1,179 in 42 States and the District of Columbia*)

(NOTE.—This report is based upon the Administrative unit of "project area." Project areas are not comparable to the "county universe" used by the Planning and Evaluation Staff.)

ALABAMA (19)

Barbour County, August 15, 1968.
Bullock County, June 1, 1967.
Choctaw County, April 1, 1968.
Clarke County, August 15, 1968.
Dallas County, March 1, 1967.
Greene County, January 3, 1967.
Hale County, September 1, 1967.
Houston County, April 16, 1968.
Jefferson County,* March 11, 1963.

Footnotes at end of article.

Lamar County, March 1, 1967.
Mobile County, August 1, 1968.
Montgomery County, August 1, 1968.
Perry County, October 2, 1967.
Pickens County, March 1, 1968.
Pike County, March 11, 1968.
Russell County, April 15, 1968.
Sumter County, April 1, 1968.
Walker County,* May 6, 1963.
Washington County, January 3, 1968.

ALASKA (3)

Bethel Area, July 15, 1968.
Kotzebue Area, July 15, 1968.
Nome Area,[1] August 19, 1968.

ARKANSAS (51)

Arkansas County, April 5, 1966.
Ashley County, March 4, 1968.
Boone County, May 9, 1967.
Bradley County, November 17, 1966.
Calhoun County, August 12, 1968.
Chicot County, March 5, 1968.
Conway County, November 3, 1965.
Crawford County, July 3, 1968.
Craighead County, November 15, 1966.
Crittenden County, May 4, 1966.
Cross County, February 8, 1967.
Dallas County, March 7, 1967.
Desha County, March 6, 1968.
Drew County, April 4, 1967.
Faulkner County, November 4, 1965.
Grant County, April 1, 1968.
Greene County, March 2, 1967.
Hempstead County, August 1, 1968.
Independence County,* April 2, 1963.
Izard County, December 22, 1966.
Jackson County, April 1, 1968.
Jefferson County, December 20, 1966.
Johnson County, March 1, 1967.
Lafayette County, April 2, 1968.
Lawrence County, April 1, 1968.
Lee County, November 16, 1966.
Lincoln County, December 22, 1966.
Little River County, July 11, 1968.
Logan County, August 5, 1968.
Lonoke County, December 1, 1965.
Marion County, May 10, 1967.
Miller County, July 10, 1968.
Mississippi County, May 3, 1966.
Monroe County, November 5, 1965.
Ouachita County, April 5, 1967.
Perry County, November 2, 1965.
Phillips County, May 4, 1965.
Poinsett County, February 7, 1967.
Polk County, July 9, 1968.
Pope County, August 7, 1968.
Prairie County, December 2, 1965.
Pulaski County, March 2, 1965.
Randolph County, July 12, 1968.
St. Francis County, June 1, 1966.
Saline County, March 8, 1967.
Sebastian County, April 4, 1968.
Sevier County, March 1, 1968.
Sharp County, August 15, 1968.
Stone County, August 8, 1968.
Union County, August 12, 1968.
Yell County, August 6, 1968.

CALIFORNIA (11)

Alameda County, August 1, 1968.
Contra Costa County, December 1, 1965.
Humboldt County*, March 1, 1963.
Lassen County, April 1, 1968.
Los Angeles County, December 16, 1965.
Modoc County, April 3, 1967.
San Francisco County, September 1, 1966.
San Mateo County, April 18, 1967.
Santa Clara County, March 1, 1967.
Shasta County, April 1, 1968.
Sonoma County, June 1, 1967.

COLORADO (43)

Adams County, May 4, 1965.
Alamosa County, May 3, 1966.
Arapahoe County, February 1, 1966.
Archuleta County, April 18, 1967.
Bent County, February 8, 1967.
Boulder County, December 16, 1966.
Cheyenne County, April 8, 1968.
Clear Creek County, May 6, 1965.
Conejos County, May 5, 1966.
Costilla County, May 4, 1966.
Crowley County, December 20, 1966.
Custer County, January 4, 1967.
Delta County, March 2, 1967.
Denver County, March 2, 1965.
Dolores County, April 21, 1967.
Elbert County, December 5, 1966.
El Paso County, March 4, 1968.
Garfield County, March 1, 1967.
Gilpin County, May 7, 1965.
Gunnison County[3], March 3, 1967.
Hinsdale County, March 3, 1967.
Huerfano County, December 1, 1965.
Jefferson County, May 5, 1965.
Kiowa County, April 9, 1968.
Kit Carson County, April 10, 1968.
La Plata County, April 2, 1968.
Larimer County, January 11, 1967.
Las Animas County, December 2, 1965.
Lincoln County, April 11, 1968.
Logan County, February 2, 1967.
Mesa County, January 6, 1967.
Mineral County[3], June 7, 1966.
Montezuma County, April 3, 1968.
Montrose County, March 7, 1968.
Morgan County, April 25, 1967.
Otero County, December 9, 1966.
Phillips County, February 2, 1967.
Prowers County, February 10, 1967.
Pueblo County, December 7, 1965.
Rio Grande County, November 2, 1965.
Saguache County, July 15, 1968.
Sedgwick County, April 5, 1968.
Washington County, February 7, 1967.
Weld County, January 12, 1967.
Yuma County, May 9, 1967.

CONNECTICUT (3)

Hartford District, November 1, 1967.
New Haven, District, November 1, 1967.
Waterbury District, June 1, 1965.

DISTRICT OF COLUMBIA (1)

District of Columbia, July 1, 1965.

GEORGIA (75)

Baldwin County, July 1, 1968.
Ben Hill County, August 8, 1968.
Berrien County, July 3, 1967.
Bibb County, November 1, 1965.
Bleckley County, April 1, 1968.
Burke County, January 3, 1967.
Calhoun County, April 1, 1968.
Carroll County, April 1, 1968.
Catoosa County, April 1, 1968.
Charlton County, May 2, 1966.
Clinch County, May 2, 1966.
Colquitt County, May 1, 1967.
Coweta County, June 1, 1967.
Crisp County, August 1, 1968.
Dawson County, April 1, 1968.
Decatur County, Augst 15, 1968.
Dodge County, July 1, 1968.
Dougherty County, April 3, 1967.
Echols County, May 2, 1966.
Elbert County, July 1, 1968.
Fayette County, April 1, 1968.
Forsyth County, July 1, 1968.
Gilmer County, July 1, 1968.
Gordon County, July 8, 1968.
Grady County, April 3, 1967.
Greene County, April 3, 1967.
Habersham County, April 1, 1968.
Hall County, July 1, 1965.
Hancock County, January 5, 1967.
Hart County, July 1, 1968.
Heard County, March 1, 1968.
Houston County, January 3, 1967.
Jasper County, August 6, 1968.
Jenkins County, August 7, 1968.
Johnson County, August 16, 1968.
Jones County, August 1, 1968.
Lamar County, April 1, 1968.
Lanier County, March 1, 1968.
Laurens County, August 12, 1968.
Lee County, July 5, 1968.
Lincoln County, August 13, 1968.
Lowndes County, May 2, 1966.
Lumpkin County, October 1, 1965.
McDuffie County, August 1, 1968.
Madison County, July 8, 1968.
Meriwether County, March 1, 1968.
Mitchell County, April 1, 1966.
Morgan County, July 3, 1968.
Oconee County, August 15, 1968.
Oglethorpe County, July 11, 1968.
Peach County, July 11, 1968.
Pickens County, July 8, 1968.
Pierce County, April 1, 1968.
Pike County, July 1, 1968.
Pulaski County, January 3, 1967.
Putnam County, April 1, 1968.
Rabum County, April 1, 1965.
Richmond County, January 5, 1967.
Seminole County, April 1, 1968.
Spalding County, March 1, 1968.
Stephens County, April 1, 1965.
Taliaferro County, January 3, 1967.
Thomas County, May 2, 1966.
Tift County, April 1, 1968.
Toombs County, July 1, 1968.
Towns County, July 1, 1968.
Treutlen County, April 1, 1968.
Twiggs County, April 1, 1968.
Walton County, July 1, 1968.
Warren County, August 13, 1968.
Washington County, January 3, 1967.
Wheeler County, April 1, 1968.
White County, July 1, 1968.
Wilkes County, August 16, 1968.
Upson County, September 3, 1968.

HAWAII (4)

Hawaii County, April 3, 1967.
Honolulu County, April 12, 1966.
Kauai County, November 1, 1966.
Maui County, November 2, 1966.

ILLINOIS (67)

Adams County, June 2, 1967.
Alexander County, May 3, 1966.
Bond County, April 4, 1967.
Brown County, June 2, 1967.
Calhoun County, January 5, 1967.
Cass County, June 6, 1967.
Champaign County, February 6, 1967.
Christian County, June 6, 1967.
Clark County, February 6, 1967.
Clay County, January 6, 1967.
Clinton County, January 6, 1967.
Coles County, February 6, 1967.
Cook County, April 1, 1965.
Crawford County, January 6, 1967.
Cumberland County, February 6, 1967.
DeWitt County, February 7, 1967.
Douglas County, February 7, 1967.
Edgar County, February 8, 1967.
Edwards County, January 10, 1967.
Effingham County, February 8, 1967.
Fayette County, January 10, 1967.
Franklin County,* July 10, 1961.
Gallatin County, June 8, 1966.
Greene County, January 10, 1967.
Hamilton County, June 9, 1966.
Hancock County, June 9, 1967.
Hardin County, June 10, 1966.
Iroquois County, February 10, 1967.
Jackson County, May 11, 1966.
Jasper County, January 12, 1967.
Jefferson County, May 11, 1966.
Jersey County, January 12, 1967.
Johnson County, May 11, 1966.
Lawrence County, January 16, 1967.
Logan County, June 14, 1967.
Macon County, February 15, 1967.
Macoupin County, January 17, 1967.
Madison County, December 16, 1965.
Marion County, January 18, 1967.
Mason County, June 16, 1967.
Massac County, May 17, 1966.
McDonough County, June 16, 1967.
Menard County, June 19, 1967.
Monroe County, January 19, 1967.
Montgomery County, January 19, 1967.
Morgan County, June 20, 1967.
Moultrie County, February 20, 1967.
Perry County, January 19, 1967.
Piatt County, February 20, 1967.
Pike County, June 21, 1967.
Pope County, May 20, 1966.
Pulaski County, May 23, 1966.
Randolph County, January 23, 1967.
Richland County, January 23, 1967.
St. Clair County, December 3, 1965.
Saline County, December 21, 1965
Sangamon County, June 22, 1967.
Schuyler County, June 23, 1967.

Footnotes at end of article.

Scott County, June 23, 1967.
Shelby County, February 24, 1967.
Union County, May 25, 1966.
Vermilion County, February 27, 1967.
Wabash County, January 26, 1967.
Washington County, January 27, 1967.
Wayne County, January 27, 1967.
White County, May 27, 1966.
Williamson County, December 28, 1965.

INDIANA (20)

Bartholomew County, December 1, 1966.
Daviess County, May 1, 1967.
Floyd County, May 2, 1966.
Gibson County, November 1, 1965.
Harrison County, March 1, 1965.
Howard County, February 1, 1968.
Knox County, May 2, 1966.
Lake County, June 1, 1966.
Madison County, January 3, 1967.
Marion County, May 2, 1966.
Marshall County, March 1, 1968.
Perry County, March 1, 1965.
Pike County, November 1, 1965.
Posey County, April 1, 1965.
Putnam County, December 1, 1966.
Spencer County, March 1, 1965.
Switzerland County, December 1, 1966.
Tipton County, December 1, 1966.
Vanderburgh County,* April 1, 1963.
Warrick County, November 1, 1965.

IOWA (75)

Adams County, January 5, 1967.
Appanoose County, December 6, 1965.
Audubon County, March 15, 1968.
Benton County, January 9, 1967.
Buena Vista County, May 4, 1967.
Butler County, December 19, 1966.
Calhoun County, November 7, 1966.
Carroll County, April 8, 1968.
Cass County, April 4, 1968.
Cerro Gordo County, December 15, 1966.
Cherokee County, April 3, 1968.
Clarke County, November 7, 1966.
Clay County, May 8, 1967.
Clayton County, March 6, 1968.
Clinton County, March 5, 1968.
Dallas County, December 12, 1966.
Davis County, November 7, 1966.
Decatur County, April 6, 1966.
Delaware County, August 12, 1968.
Des Moines County, January 9, 1967.
Dickinson County, May 5, 1967.
Dubuque County, April 1, 1966.
Emmet County, May 4, 1967.
Floyd County, April 9, 1968.
Franklin County, December 5, 1966.
Greene County, December 6, 1966.
Grundy County, December 14, 1966.
Guthrie County, December 5, 1966.
Hamilton County, December 5, 1966.
Hancock County, April 4, 1968.
Hardin County, February 6, 1967.
Harrison County, January 4, 1967.
Henry County, January 13, 1967.
Howard County, March 5, 1968.
Humboldt County, May 5, 1967.
Ida County, November 8, 1966.
Jackson County, March 4, 1968.
Jasper County, December 12, 1966.
Jefferson County, May 4, 1967.
Johnson County, December 6, 1966.
Jones County, March 7, 1968.
Kossuth County, May 4, 1967.
Lee County, January 11, 1967.
Linn County, May 8, 1967.
Lucas County, December 2, 1965.
Lyon County, August 14, 1968.
Madison County, December 5, 1966.
Marion County, March 5, 1968.
Marshall County, December 5, 1966.
Mitchell County, March 6, 1968.
Monona County, November 9, 1966.
Montgomery County, March 3, 1967.
O'Brien County, April 4, 1966.
Osceola County, April 9, 1968.
Palo Alto County, May 3, 1967.
Plymouth County, November 15, 1966.
Pocahontas County, April 3, 1968.
Pottawattamie County, February 6, 1967.
Ringgold County, May 2, 1967.
Sac County, April 8, 1968.
Scott County, December 5, 1966.
Shelby County, March 13, 1968.
Sioux County, November 9, 1966.
Story County, May 1, 1967.
Tama County, January 10, 1967.
Taylor County, January 5, 1967.
Union County, January 17, 1967.
Van Buren County, April 5, 1966.
Wapello County, November 7, 1966.
Warren County, January 3, 1967.
Washington County, January 10, 1967.
Wayne County, December 6, 1965.
Winnebago County, April 5, 1968.
Woodbury County, April 4, 1966.
Wright County, April 8, 1968.

KANSAS (7)

Atchison County, March 4, 1968.
Bourbon County, May 4, 1965.
Cherokee County, May 6, 1965.
Crawford County, April 1, 1965.
Greenwood County, April 4, 1968.
Labette County, April 5, 1966.
Wilson County, December 2, 1966.

KENTUCKY (52)

Adair County, December 1, 1966.
Allen County, April 3, 1967.
Bath County, November 1, 1966.
Bell County, March 7, 1966.
Breathitt County, February 1, 1965.
Butler County, May 1, 1967.
Campbell County, December 1, 1966.
Carter County, November 1, 1966.
Casey County, November 1, 1966.
Clark County, November 1, 1966.
Clay County, March 7, 1966.
Clinton County, November 1, 1966.
Cumberland County, December 1, 1966.
Elliott County, April 1, 1966.
Estill County, November 1, 1966.
*Floyd County, June 1, 1961.
Grant County, May 1, 1967.
Harlan County, November 8, 1965.
Hickman County, June 1, 1967.
Jackson County, May 2, 1966.
Jefferson County, December 1, 1966.
Johnson County, February 1, 1965.
Kenton County, June 1, 1967.
Knott County*, December 3, 1962.
Knox County, May 2, 1966.
Laurel County, December 1, 1966.
Lee County, October 4, 1965.
Leslie County, March 1, 1965.
Letcher County, March 1, 1965.
Lincoln County, November 1, 1966.
Logan County, December 1, 1966.
Magoffin County, March 1, 1965.
Martin County, February 1, 1965.
McCreary County, December 1, 1966.
Menifee County, March 7, 1966.
Montgomery County, November 1, 1966.
Morgan County, October 4, 1965.
Muhlenberg County, December 1, 1966.
Owsley County, February 1, 1965.
Perry County*, March 4, 1963.
Pike County, November 8, 1965.
Powell County, May 1, 1967.
Pulaski County, December 1, 1966.
Rockcastle County, May 2, 1966.
Rowan County, June 5, 1967.
Russell County, November 1, 1966.
Shelby County, May 1, 1967.
Simpson County, December 1, 1966.
Todd County, December 1, 1966.
Wayne County, November 7, 1966.
Whitley County, December 1, 1966.
Wolfe County, October 4, 1965.

LOUISIANA (35)

Acadia Parish, February 2, 1965.
Allen Parish, April 11, 1967.
Assumption Parish, November 2, 1965.
Avoyelles Parish*, March 1, 1963.
Beauregard Parish, April 18, 1967.
Caddo Parish, August 7, 1968.
Calcasieu Parish, December 1, 1965.
Caldwell Parish, April 5, 1966.
Cameron Parish, March 15, 1967.
Concordia Parish, May 15, 1967.
East Baton Rouge Parish, January 11, 1967.
East Carroll Parish, July 15, 1968.
Evangeline Parish*, January 17, 1963.
Franklin Parish, December 7, 1966.
Iberia Parish, May 3, 1966.
Iberville Parish, April 6, 1966.
Jefferson Davis Parish, May 4, 1966.
Lafayette Parish, December 1, 1965.
Madison Parish, August 8, 1968.
Natchitoches Parish, April 6, 1965.
Pointe Coupee Parish, March 4, 1965.
Rapides Parish, July 22, 1968.
Red River Parish, January 10, 1967.
Richland Parish, December 7, 1966.
St. Helena Parish, March 5, 1968.
St. James Parish, March 1, 1966.
St. John the Baptist Parish, June 1, 1966.
St. Landry Parish, March 2, 1965.
St. Martin Parish, May 4, 1965.
Tensas Parish, May 9, 1967.
Union Parish, March 7, 1968.
Vermilion Parish, May 4, 1965.
Vernon Parish, April 2, 1968.
West Carroll Parish, May 10, 1967.
Winn Parish, April 6, 1965.

MAINE (1)

Androscoggin County, June 17, 1966.

MARYLAND (16)

Allegany County, June 7, 1966.
Anne Arundel County, February 7, 1966.
Baltimore City, October 3, 1967.
Baltimore County, July 11, 1966.
Caroline County, January 12, 1967.
Carroll County, April 16, 1968.
Charles County, December 12, 1966.
Dorchester County, July 12, 1965.
Frederick County, April 16, 1968.
Garrett County, June 10, 1966.
Montgomery County, April 9, 1968.
Prince Georges County, February 14, 1967.
Queen Annes County, November 16, 1965.
Somerset County, March 14, 1968.
Talbot County, October 13, 1966.
Wicomico County, August 16, 1968.

MICHIGAN (21)

Berrien County, June 1, 1967.
Crawford County, June 1, 1967.
Gogebic County, May 17, 1965.
Gratiot County, June 15, 1967.
Houghton County, June 3, 1965.
Huron County, April 1, 1968.
Ingham County, September 18, 1967.
Iron County, May 2, 1967.
Jackson County, June 5, 1967.
Kalamazoo County, June 1, 1967.
Keweenaw County, March 7, 1967.
Lapeer County, March 1, 1967.
Macomb County, December 1, 1965.
Mackinac County, June 19, 1967.
Monroe County, April 17, 1967.
Oakland County, December 1, 1965.
Ontonagon County, March 3, 1967.
St. Clair County, December 1, 1965.
Van Buren County, May 1, 1967.
Washtenaw County, April 10, 1967.
Wayne County,[4] July 1, 1965.

MINNESOTA (44)

Aitkin County, December 5, 1966.
Anoka County, January 3, 1967.
Becker County, May 2, 1966.
Beltrami County, December 1, 1965.
Benton County, January 4, 1967.
Big Stone County, June 2, 1966.
Blue Earth County, May 3, 1967.
Carlton County,* March 4, 1963.
Carver County, June 5, 1967.
Cass County, June 5, 1967.
Chippewa County, December 2, 1966.
Chisago County, March 7, 1967.
Crow Wing County, June 1, 1966.
Dakota County, January 3, 1967.
Hennepin County, August 2, 1966.
Hubbard County, May 2, 1966.
Itasca County,* June 7, 1961.
Kandiyohi County, May 2, 1966.
Kittson County, April 4, 1968.
Koochiching County, April 1, 1965.
Lac qui Parle County, May 2, 1966.

Footnotes at end of article.

Lake County, April 1, 1965.
Lake of the Woods County, August 2, 1968.
Lincoln County, August 7, 1968.
Marshall County, April 3, 1968.
Murray County, August 8, 1968.
Nobles County, April 4, 1968.
Otter Tail County, January 5, 1967.
Pennington County, April 4, 1968.
Pine County, December 5, 1966.
Pipestone County, January 4, 1967.
Polk County, January 6, 1967.
Ramsey County, July 1, 1965.
Red Lake County, April 5, 1968.
Redwood County, July 3, 1968.
Renville County, January 1, 1967.
Roseau County, January 9, 1967.
St. Louis County,* June 5, 1961.
Stearns County, January 3, 1966.
Swift County, June 2, 1966.
Washington County, January 5, 1967.
Wright County, January 3, 1967.
Yellow Medicine County, May 4, 1967.
Wadena County,# September 4, 1968.

MISSISSIPPI (43)

Attala County, January 3, 1967.
Bolivar County, March 1, 1967.
Chickasaw County, September 1, 1965.
Claiborne County, April 3, 1967.
Clay County, July 5, 1966.
Coahoma County, November 1, 1965.
Covington County, April 3, 1967.
De Soto County, February 1, 1967.
Forrest County, April 4, 1966.
Grenada County, April 3, 1967.
Harrison County, July 1, 1965.
Hinds County, April 1, 1968.
Holmes County, June 5, 1967.
Humphreys County, August 1, 1968.
Itawamba County, August 1, 1968.
Jackson County, April 3, 1967.
Jasper County, August 5, 1968.
Jefferson Davis County, August 1, 1967.
Jones County, July 1, 1965.
Lee County, January 3, 1967.
Leflore County, February 1, 1967.
Lamar County, May 1, 1967.
Lincoln County, May 1, 1967.
Lowndes County, September 1, 1965.
Madison County, October 1, 1965.
Marion County, January 3, 1967.
Monroe County, June 1, 1967.
Montgomery County, August 1, 1968.
Oktibbeha County, June 1, 1967.
Panola County, January 3, 1967.
Pike County, January 3, 1967.
Prentiss County, August 1, 1968.
Quitman County, February 1, 1967.
Scott County, June 5, 1967.
Simpson County, August 1, 1968.
Sunflower County, June 1, 1967.
Tallahatchie County, February 1, 1967.
Tunica County, April 3, 1967.
Union County, August 1, 1968.
Warren County, February 1, 1967.
Washington County, March 1, 1967.
Yalobusha County, February 1, 1967.
Yazoo County, January 3, 1967.

MISSOURI (1)

City of St. Louis,* January 2, 1963.

MONTANA (5)

Cascade County, December 1, 1965.
Deer Lodge County, April 1, 1966.
Lewis & Clark County, March 1, 1968.
Lincoln County, April 1, 1968.
Silver Bow County,* June 1, 1961.

NEBRASKA (45)

Antelope County, March 16, 1967.
Arthur County,[5] March 9, 1967.
Banner County,[6] May 2, 1966.
Boone County, December 7, 1966.
Boyd County, February 15, 1967.
Buffalo County, December 5, 1966.
Butler County, April 21, 1967.
Cedar County, May 10, 1967.
Clay County, January 12, 1967.
Cuming County, February 7, 1967.
Custer County, November 1, 1966.
Dakota County, February 7, 1967.
Dawson County, April 6, 1967.
Dixon County, March 13, 1968.
Dodge County, April 25, 1968.
Douglas County, January 3, 1967.
Franklin County, January 13, 1967.
Gage County, December 7, 1966.
Garfield County,[7] April 4, 1968.
Gosper County, March 26, 1968.
Greeley County, April 1, 1968.
Hall County, December 5, 1966.
Harlan County, March 28, 1968.
Holt County, December 29, 1966.
Howard County, March 26, 1968.
Johnson County, August 28, 1968.
Kearney County, April 7, 1967.
Keith County, November 1, 1966.
Lancaster County, June 1, 1966.
Loup County, April 4, 1968.
Merrick County, February 6, 1968.
Morrill County, June 1, 1966.
Nance County, August 29, 1968.
Nemaha County, November 1, 1966.
Pawnee County, August 29, 1968.
Phelps County, April 10, 1968.
Pierce County, March 5, 1968.
Rock County, February 28, 1967.
Sarpy County, April 4, 1966.
Saunders County, November 1, 1965.
Scotts Bluff County, May 2, 1966.
Sheridan County, May 2, 1966.
Sherman County, August 28, 1968.
Stanton County, April 2, 1968.
Thayer County, August 27, 1968.
Valley County, August 27, 1968.
Wheeler County, August 29, 1968.
York County, November 1, 1966.

NEW JERSEY (13)

Atlantic County, May 2, 1967.
Bergen County, February 1, 1967.
Camden County, February 1, 1967.
Cape May County, April 1, 1968.
Cumberland County, August 1, 1968.
Hudson County, August 1, 1968.
Mercer County, June 1, 1966.
Middlesex County, April 1, 1968.
Ocean County, May 1, 1968.
Passaic County, June 1, 1967.
Salem County, December 1, 1966.
Union County, June 1, 1967.
Warren County, March 1, 1968.

NEW MEXICO (20)

Chaves County, April 1, 1966.
Colfax County, December 1, 1965.
Curry County, June 1, 1966.
DeBaca County, March 2, 1967.
Eddy County, May 2, 1966.
Guadalupe County, February 1, 1967.
Harding County, November 2, 1965.
Lea County, May 2, 1966.
Lincoln County, March 7, 1967.
Mora County,* June 3, 1963.
Otero County, March 1, 1967.
Quay County, November 2, 1965.
Rio Arriba County, March 2, 1965.
Roosevelt County, June 1, 1966.
Sandoval County, April 1, 1965.
San Miguel County,* June 5, 1961.
Santa Fe County,* June 3, 1963.
Taos County, March 2, 1965.
Torrance County, February 1, 1967.
Union County, December 1, 1965.

NEW YORK (7)

Cattaraugus County, May 1, 1967.
City of Jamestown, June 1, 1967.
Clinton County, June 1, 1967.
Erie County Welfare District, February 1, 1966.
Niagara County, April 3, 1967.
Wayne County, June 1, 1967.
Wyoming County, April 3, 1967.

NORTH CAROLINA (28)

Anson County, August 1, 1968.
Bertie County, November 1, 1965.
Bladen County, March 1, 1968.
Brunswick County, April 1, 1968.
Cabarrus County, December 12, 1966.
Chatham County, May 16, 1966.
Chowan County, November 1, 1965.
Cleveland County, January 3, 1967.
Dare County, November 15, 1966.
Durham County, December 1, 1966.
Forsyth County, March 1, 1965.
Franklin County, March 4, 1966.
Granville County, April 1, 1966.
Greene County, April 1, 1968.
Halifax County, March 1, 1965.
Harnett County, January 3, 1967.
Lee County, April 1, 1966.
Martin County, March 1, 1965.
Moore County, April 1, 1966.
Nash County, August 1, 1968.
New Hanover County, December 1, 1966.
Northampton County, March 1, 1965.
Orange County, May 2, 1966.
Person County, May 2, 1966.
Scotland County, December 1, 1966.
Surry County, March 1, 1965.
Union County, March 1, 1968.
Warren County, July 10, 1968.

NORTH DAKOTA (32)

Barnes County, March 4, 1968.
Benson County, August 19, 1968.
Billings County,[8] March 6, 1968.
Bottineau County, March 4, 1968.
Cavalier County, April 3, 1967.
Dickey County, April 3, 1968.
Dunn County, March 4, 1968.
Emmons County, April 4, 1967.
Golden Valley County.
Grant County, August 8, 1968.
Hettinger County, March 4, 1968.
Kidder County, March 5, 1968.
La Moure County, March 4, 1968.
Logan County, March 4, 1968.
McHenry County, March 6, 1968.
McIntosh County, August 5, 1968.
McLean County, February 5, 1968.
Mercer County, August 1, 1968.
Morton County, December 1, 1966.
Burke County,# September 30, 1968.
Mountrail County, March 4, 1968.
Oliver County, April 4, 1967.
Pierce County, April 5, 1967.
Ransom County, April 4, 1968.
Richland County, April 4, 1968.
Sargent County, April 3, 1968.
Sheridan County, February 5, 1968.
Sioux County, August 5, 1968.
Stark County, March 5, 1968.
Steele County, April 4, 1968.
Towner County, April 5, 1967.
Traill County, April 3, 1968.
Williams County, April 4, 1968.

OHIO (49)

Allen County, December 1, 1966.
Ashland County, January 3, 1967.
Athens County, November 1, 1966.
Belmont County, February 1, 1967.
Butler County, April 2, 1968.
Carroll County, February 1, 1967.
Clark County, December 1, 1966.
Clermont County, December 1, 1965.
Columbiana County, December 1, 1966.
Coshocton County, February 1, 1967.
Crawford County, April 1, 1968.
Cuyahoga County*, May 1, 1963.
Erie County, March 1, 1968.
Franklin County, January 3, 1968.
Geauga County, April 1, 1968.
Guernsey County, February 6, 1967.
Hamilton County, April 1, 1965.
Hardin County, March 1, 1968.
Harrison County, December 1, 1966.
Hocking County, March 1, 1968.
Holmes County, December 1, 1966.
Jefferson County, December 1, 1966.
Knox County, February 1, 1967.
Lake County, November 1, 1966.
Lawrence County, November 1, 1966.
Logan County, March 1, 1968.
Lorain County, December 1, 1966.
Lucas County *, December 3, 1962.
Mahoning County, May 2, 1966.
Marion County, April 3, 1968.
Meigs County, April 15, 1968.
Miami County, April 1, 1967.
Monroe County, February 1, 1967.
Montgomery County, June 1, 1966.

Footnotes at end of article.

Morgan County, November 1, 1966.
Muskingum County, March 1, 1967.
Ottawa County, March 1, 1968.
Portage County, March 1, 1968.
Richland County, November 1, 1966.
Scioto County, June 3, 1966.
Stark County, May 2, 1966.
Summit County, May 2, 1966.
Trumbull County, December 1, 1966.
Tuscarawas County, December 1, 1966.
Vinton County, August 1, 1968.
Washington County, January 3, 1967.
Wayne County, January 3, 1967.
Wood County, April 1, 1968.
Wyandot County, March 1, 1968.

OREGON (1)

Multnomah County*, December 3, 1962.

PENNSYLVANIA (40)

Allegheny County[9], April 1, 1965 .
Armstrong County, February 1, 1967.
Beaver County, June 1, 1967.
Blair County, February 1, 1967.
Bradford County, June 1, 1966.
Cambria County*, March 1, 1963.
Clarion County, February 1, 1967.
Clearfield County, May 3, 1965.
Clinton County, January 3, 1967.
Columbia County, May 1, 1967.
Crawford County, February 1, 1967.
Dauphin County, January 3, 1967.
Erie County, June 1, 1967.
Fayette County*, June 1, 1961.
Greene County, May 3, 1965.
Huntingdon County, April 1, 1966.
Indiana County, May 3, 1965.
Jefferson County, February 1, 1967.
Juniata County, May 1, 1967.
Lackawana County, April 1, 1966.
Lawrence County, June 1, 1967.
Luzerne County*, October 1, 1962.
Lycoming County, June 1, 1967.
McKean County, June 1, 1966.
Mercer County, June 1, 1967.
Mifflin County, June 1, 1966.
Montour County, May 1, 1967.
Northumberland County, January 3, 1967.
Perry County, June 1, 1967.
Philadelphia County, May 2, 1966.
Potter County, June 1, 1966.
Somerset County, May 3, 1965.
Sullivan County, January 3, 1967.
Susquehanna County, January 3, 1967.
Tioga County, June 1, 1966.
Venango County, February 1, 1967.
Washington County, June 1, 1966.
Wayne County, May 1, 1967.
Westmoreland County, June 1, 1967.
Wyoming County, January 3, 1967.

RHODE ISLAND (6)

City of Central Falls, September 1, 1966.
City of East Providence, April 1, 1968.
City of Newport, April 1, 1968.
City of Pawtucket, September 1, 1966.
City of Providence, November 16, 1965.
City of Woonsocket, September 1, 1966.

SOUTH CAROLINA (46)

Abbeville County, June 1, 1967.
Aiken County#, September 5, 1968.
Allendale County, July 1, 1968.
Anderson County#, September 17, 1968.
Bamberg County, July 8, 1968.
Barnwell County, July 1, 1968.
Beaufort County, February 1, 1967.
Berkeley County, July 1, 1968.
Calhoun County, July 1, 1968.
Charleston County#, September 3, 1968.
Cherokee County, July 1, 1968.
Chester County, July 23, 1968.
Chesterfield County, March 18, 1968.
Clarendon County, July 1, 1968.
Colleton County, July 1, 1968.
Darlington County, August 15, 1967.
Dillon County, June 1, 1965.
Dorchester County, July 1, 1968.
Edgefield County, November 15, 1966.
Fairfield County, August 15, 1968.
Florence County, March 18, 1968.
Georgetown County, July 8, 1968.
Greenville County#, September 3, 1968.
Greenwood County#, September 9, 1968.
Hampton County, July 1, 1968.
Horry County, July 1, 1968.
Jasper County, October 2, 1967.
Kershaw County, August 1, 1968.
Lancaster County#, September 9, 1968.
Laurens County, April 3, 1967.
Lee County, April 1, 1966.
Lexington County#, September 4, 1968.
Marion County, September 1, 1967.
Marlboro County, April 1, 1968.
McCormick County, March 15, 1966.
Newberry County, July 1, 1968.
Oconee County, July 1, 1968.
Orangeburg County, July 1, 1968.
Pickens County #, September 9, 1968.
Richland County #, September 3, 1968.
Saluda County, July 1, 1968.
Spartanburg County #, September 3, 1968.
Sumter County, August 1, 1968.
Union County, March 17, 1967.
Williamsburg County, April 1, 1966.
York County, December 13, 1965.

SOUTH DAKOTA (5)

Corson County, August 5, 1968.
Dewey County, August 20, 1968.
Hutchinson County, August 5, 1968.
Pennington County, April 4, 1968.
Ziebach County, August 20, 1968.

TENNESSEE (73)

Anderson County, May 2, 1966.
Bedford County, March 1, 1968.
Bledsoe County, November 1, 1966.
Blount County, April 1, 1968.
Campbell County, February 1, 1965.
Cannon County, November 1, 1966.
Chester County, November 1, 1966.
Claiborne County, February 1, 1965.
Clay County, June 1, 1967.
Cocke County, November 1, 1966.
Coffee County, May 1, 1967.
Crockett County, March 4, 1968.
Cumberland County, April 1, 1968.
Davidson County, April 1, 1968.
DeKalb County, May 1, 1967.
Dickson County, March 1, 1968.
Dyer County, November 1, 1965.
Fayette County, April 1, 1965.
Fentress County, December 1, 1966.
Franklin County, March 4, 1968.
Giles County, March 1, 1968.
Grainger County, May 1, 1967.
Grundy County *, June 10, 1963.
Hamilton County *, June 10, 1963.
Hancock County, April 7, 1966.
Hardin County, December 1, 1966.
Hawkins County, March 1, 1968.
Haywood County, April 1, 1965.
Henry County, November 1, 1966.
Hickman County, May 1, 1967.
Houston County, March 7, 1968.
Humphreys County, March 1, 1968.
Jackson County, May 1, 1967.
Johnson County, March 1, 1968.
Knox County, December 1, 1966.
Lake County, May 2, 1966.
Lauderdale County, November 1, 1965.
Lawrence County, November 7, 1966.
Lewis County, August 2, 1968.
Lincoln County, March 1, 1968.
Loudon County, May 1, 1967.
Macon County, November 1, 1966.
Marion County *, June 10, 1963.
McMinn County, May 9, 1967.
McNairy County, May 2, 1966.
Meigs County, November 1, 1966.
Monroe County, March 4, 1968.
Montgomery County, March 5, 1968.
Moore County, March 1, 1968.
Morgan County, November 1, 1966.
Obion County, May 1, 1967.
Overton County, June 5, 1967.
Perry County, March 1, 1968.
Pickett County, November 1, 1966.
Polk County, March 5, 1968.
Putnam County, June 1, 1967.
Roane County, April 1, 1968.
Rutherford County, November 1, 1966.
Scott County, February 1, 1965.
Sequatchie County*, June 10, 1963.
Sevier County, December 1, 1966.
Shelby County, February 1, 1966.
Smith County, November 1, 1966.
Sullivan County, April 1, 1968.
Sumner County, November 1, 1966.
Tipton County, April 1, 1966.
Trousdale County, November 1, 1966.
Unicoi County, April 1, 1968.
Van Buren County, May 1, 1967.
Warren County, March 1, 1968.
Wayne County, May 1, 1967.
Weakley County, November 1, 1966.
Wilson County, November 1, 1966.

TEXAS (11)

Bexar County, July 1, 1968.
Brewster County, March 15, 1967.
Culberson County, March 6, 1967.
El Paso County, December 6, 1966.
Hudspeth County, March 7, 1967.
Jeff Davis County, March 13, 1967.
Pecos County, March 9, 1967.
Presidio County, March 14, 1967.
Red River County, April 11, 1967.
Tarrant County, October 1, 1965.
Terrell County, March 8, 1967.

UTAH (26)

Beaver County, February 3, 1967.
Box Elder County, November 1, 1965.
Cache County, December 1, 1965.
Carbon County, June 2, 1966.
Daggett County[10], Feburary 1, 1968.
Davis County, January 3, 1966.
Duchesne County, April 4, 1966.
Emery County, June 2, 1966.
Garfield County, November 1, 1966.
Grand County, April 3, 1967.
Iron County, February 7, 1967.
Juab County, December 1, 1966.
Kane County, November 1, 1966.
Millard County, December 1, 1966.
Morgan County, November 9, 1965.
Piute County, November 1, 1966.
Rich County, December 1, 1965.
Sanpete County, December 1, 1966.
Sevier County, January 3, 1967.
Summit County, March 2, 1967.
Tooele County, March 2, 1967.
Uintah County, May 3, 1967.
Utah County, June 1, 1966.
Wasatch County, March 2, 1967.
Washington County, February 3, 1967.
Wayne County, January 3, 1967.
Weber County, June 1, 1965.

VERMONT (12)

Bennington Welfare District, July 1, 1968.
Brattleboro Welfare District, July 1, 1968.
Burlington Welfare District, July 1, 1968.
Hartford Welfare District, July 1, 1968.
Middlebury Welfare District, July 1, 1968.
Montpelier Welfare District, July 1, 1968.
Morrisville Welfare District, July 1, 1968.
Newport Welfare District, October 2, 1967.
Rutland Welfare District, July 1, 1968.
St. Albans Welfare District (Franklin County, Grand Isle County, Lamoille County), November 1, 1965.
St. Johnsbury Welfare District, October 2, 1967.
Springfield Welfare District, July 1, 1968.

VIRGINIA (25)

Amelia County, August 1, 1968.
Caroline County, August 1, 1968.
Charles City County, August 5, 1968.
Chesapeake City, November 15, 1966.
City of Bristol, March 4, 1966.
City of Danville, June 1, 1966.
City of Norfolk, April 11, 1966.
Dickenson County,* March 4, 1963.
Dinwiddie County, August 16, 1968.
Essex County, August 2, 1968.
Goochland County, August 9, 1968.
Grayson County, August 1, 1968.
Highland County, August 2, 1968.
Lee County,* March 5, 1963.
Madison County, August 2, 1968.

Footnotes at end of article.

Lake County, April 1, 1965.
Lake of the Woods County, August 2, 1968.
Lincoln County, August 7, 1968.
Marshall County, April 3, 1968.
Murray County, August 8, 1968.
Nobles County, April 4, 1968.
Otter Tail County, January 5, 1967.
Pennington County, April 4, 1968.
Pine County, December 5, 1966.
Pipestone County, January 4, 1967.
Polk County, January 6, 1967.
Ramsey County, July 1, 1965.
Red Lake County, April 5, 1968.
Redwood County, July 3, 1968.
Renville County, January 1, 1967.
Roseau County, January 9, 1967.
St. Louis County,* June 5, 1961.
Stearns County, January 3, 1966.
Swift County, June 2, 1966.
Washington County, January 5, 1967.
Wright County, January 3, 1967.
Yellow Medicine County, May 4, 1967.
Wadena County,# September 4, 1968.

MISSISSIPPI (43)

Attala County, January 3, 1967.
Bolivar County, March 1, 1967.
Chickasaw County, September 1, 1965.
Claiborne County, April 3, 1967.
Clay County, July 5, 1966.
Coahoma County, November 1, 1965.
Covington County, April 3, 1967.
De Soto County, February 1, 1967.
Forrest County, April 4, 1966.
Grenada County, April 3, 1967.
Harrison County, July 1, 1965.
Hinds County, April 1, 1968.
Holmes County, June 5, 1967.
Humphreys County, August 1, 1968.
Itawamba County, August 1, 1968.
Jackson County, April 3, 1967.
Jasper County, August 5, 1968.
Jefferson Davis County, August 1, 1967.
Jones County, July 1, 1965.
Lee County, January 3, 1967.
Leflore County, February 1, 1967.
Lamar County, May 1, 1967.
Lincoln County, May 1, 1967.
Lowndes County, September 1, 1965.
Madison County, October 1, 1965.
Marion County, January 3, 1967.
Monroe County, June 1, 1967.
Montgomery County, August 1, 1968.
Oktibbeha County, June 1, 1967.
Panola County, January 3, 1967.
Pike County, January 3, 1967.
Prentiss County, August 1, 1968.
Quitman County, February 1, 1967.
Scott County, June 5, 1967.
Simpson County, August 1, 1968.
Sunflower County, June 1, 1967.
Tallahatchie County, February 1, 1967.
Tunica County, April 3, 1967.
Union County, August 1, 1968.
Warren County, February 1, 1967.
Washington County, March 1, 1967.
Yalobusha County, February 1, 1967.
Yazoo County, January 3, 1967.

MISSOURI (1)

City of St. Louis,* January 2, 1963.

MONTANA (5)

Cascade County, December 1, 1965.
Deer Lodge County, April 1, 1966.
Lewis & Clark County, March 1, 1968.
Lincoln County, April 1, 1968.
Silver Bow County,* June 1, 1961.

NEBRASKA (45)

Antelope County, March 16, 1967.
Arthur County,[5] March 9, 1967.
Banner County,[6] May 2, 1966.
Boone County, December 7, 1966.
Boyd County, February 15, 1967.
Buffalo County, December 5, 1966.
Butler County, April 21, 1967.
Cedar County, May 10, 1967.
Clay County, January 12, 1967.
Cuming County, February 7, 1967.
Custer County, November 1, 1966.
Dakota County, February 7, 1967.
Dawson County, April 6, 1967.
Dixon County, March 13, 1968.
Dodge County, April 25, 1968.
Douglas County, January 3, 1967.
Franklin County, January 13, 1967.
Gage County, December 7, 1966.
Garfield County,[7] April 4, 1968.
Gosper County, March 26, 1968.
Greeley County, April 1, 1968.
Hall County, December 5, 1966.
Harlan County, March 28, 1968.
Holt County, December 29, 1966.
Howard County, March 26, 1968.
Johnson County, August 28, 1968.
Kearney County, April 7, 1967.
Keith County, November 1, 1966.
Lancaster County, June 1, 1966.
Loup County, April 4, 1968.
Merrick County, February 6, 1968.
Morrill County, June 1, 1966.
Nance County, August 29, 1968.
Nemaha County, November 1, 1966.
Pawnee County, August 29, 1968.
Phelps County, April 10, 1968.
Pierce County, March 5, 1968.
Rock County, February 28, 1967.
Sarpy County, April 4, 1966.
Saunders County, November 1, 1965.
Scotts Bluff County, May 2, 1966.
Sheridan County, May 2, 1966.
Sherman County, August 28, 1968.
Stanton County, April 2, 1968.
Thayer County, August 27, 1968.
Valley County, August 27, 1968.
Wheeler County, August 29, 1968.
York County, November 1, 1966.

NEW JERSEY (13)

Atlantic County, May 2, 1967.
Bergen County, February 1, 1967.
Camden County, February 1, 1967.
Cape May County, April 1, 1968.
Cumberland County, August 1, 1968.
Hudson County, August 1, 1968.
Mercer County, June 1, 1966.
Middlesex County, April 1, 1968.
Ocean County, May 1, 1968.
Passaic County, June 1, 1967.
Salem County, December 1, 1966.
Union County, June 1, 1967.
Warren County, March 1, 1968.

NEW MEXICO (20)

Chaves County, April 1, 1966.
Colfax County, December 1, 1965.
Curry County, June 1, 1966.
DeBaca County, March 2, 1967.
Eddy County, May 2, 1966.
Guadalupe County, February 1, 1967.
Harding County, November 2, 1965.
Lea County, May 2, 1966.
Lincoln County, March 7, 1967.
Mora County,* June 3, 1963.
Otero County, March 1, 1967.
Quay County, November 2, 1965.
Rio Arriba County, March 2, 1965.
Roosevelt County, June 1, 1966.
Sandoval County, April 1, 1965.
San Miguel County,* June 5, 1961.
Santa Fe County,* June 3, 1963.
Taos County, March 2, 1965.
Torrance County, February 1, 1967.
Union County, December 1, 1965.

NEW YORK (7)

Cattaraugus County, May 1, 1967.
City of Jamestown, June 1, 1967.
Clinton County, June 1, 1967.
Erie County Welfare District, February 1, 1966.
Niagara County, April 3, 1967.
Wayne County, June 1, 1967.
Wyoming County, April 3, 1967.

NORTH CAROLINA (28)

Anson County, August 1, 1968.
Bertie County, November 1, 1965.
Bladen County, March 1, 1968.
Brunswick County, April 1, 1968.
Cabarrus County, December 12, 1966.
Chatham County, May 16, 1966.
Chowan County, November 1, 1965.
Cleveland County, January 3, 1967.
Dare County, November 15, 1966.
Durham County, December 1, 1966.
Forsyth County, March 1, 1965.
Franklin County, March 4, 1966.
Granville County, April 1, 1966.
Greene County, April 1, 1968.
Halifax County, March 1, 1965.
Harnett County, January 3, 1967.
Lee County, April 1, 1966.
Martin County, March 1, 1965.
Moore County, April 1, 1966.
Nash County, August 1, 1968.
New Hanover County, December 1, 1966.
Northampton County, March 1, 1965.
Orange County, May 2, 1966.
Person County, May 2, 1966.
Scotland County, December 1, 1966.
Surry County, March 1, 1965.
Union County, March 1, 1968.
Warren County, July 10, 1968.

NORTH DAKOTA (32)

Barnes County, March 4, 1968.
Benson County, August 19, 1968.
Billings County,[8] March 6, 1968.
Bottineau County, March 4, 1968.
Cavalier County, April 3, 1967.
Dickey County, April 3, 1968.
Dunn County, March 4, 1968.
Emmons County, April 4, 1967.
Golden Valley County.
Grant County, August 8, 1968.
Hettinger County, March 4, 1968.
Kidder County, March 5, 1968.
La Moure County, March 4, 1968.
Logan County, March 4, 1968.
McHenry County, March 6, 1968.
McIntosh County, August 5, 1968.
McLean County, February 5, 1968.
Mercer County, August 1, 1968.
Morton County, December 1, 1966.
Burke County,# September 30, 1968.
Mountrail County, March 4, 1968.
Oliver County, April 4, 1967.
Pierce County, April 5, 1967.
Ransom County, April 4, 1968.
Richland County, April 4, 1968.
Sargent County, April 3, 1968.
Sheridan County, February 5, 1968.
Sioux County, August 5, 1968.
Stark County, March 5, 1968.
Steele County, April 4, 1968.
Towner County, April 5, 1967.
Traill County, April 3, 1968.
Williams County, April 4, 1968.

OHIO (49)

Allen County, December 1, 1966.
Ashland County, January 3, 1967.
Athens County, November 1, 1966.
Belmont County, February 1, 1967.
Butler County, April 2, 1968.
Carroll County, February 1, 1967.
Clark County, December 1, 1966.
Clermont County, December 1, 1965.
Columbiana County, December 1, 1966.
Coshocton County, February 1, 1967.
Crawford County, April 1, 1968.
Cuyahoga County*, May 1, 1963.
Erie County, March 1, 1968.
Franklin County, January 3, 1968.
Geauga County, April 1, 1968.
Guernsey County, February 6, 1967.
Hamilton County, April 1, 1965.
Hardin County, March 1, 1968.
Harrison County, December 1, 1966.
Hocking County, March 1, 1968.
Holmes County, December 1, 1966.
Jefferson County, December 1, 1966.
Knox County, February 1, 1967.
Lake County, November 1, 1966.
Lawrence County, November 1, 1966.
Logan County, March 1, 1968.
Lorain County, December 1, 1966.
Lucas County *, December 3, 1962.
Mahoning County, May 2, 1966.
Marion County, April 3, 1968.
Meigs County, April 15, 1968.
Miami County, April 1, 1967.
Monroe County, February 1, 1967.
Montgomery County, June 1, 1966.

Footnotes at end of article.

Morgan County, November 1, 1966.
Muskingum County, March 1, 1967.
Ottawa County, March 1, 1968.
Portage County, March 1, 1968.
Richland County, November 1, 1966.
Scioto County, June 3, 1966.
Stark County, May 2, 1966.
Summit County, May 2, 1966.
Trumbull County, December 1, 1966.
Tuscarawas County, December 1, 1966.
Vinton County, August 1, 1968.
Washington County, January 3, 1967.
Wayne County, January 3, 1967.
Wood County, April 1, 1968.
Wyandot County, March 1, 1968.

OREGON (1)

Multnomah County*, December 3, 1962.

PENNSYLVANIA (40)

Allegheny County[9], April 1, 1965 .
Armstrong County, February 1, 1967.
Beaver County, June 1, 1967.
Blair County, February 1, 1967.
Bradford County, June 1, 1966.
Cambria County*, March 1, 1963.
Clarion County, February 1, 1967.
Clearfield County, May 3, 1965.
Clinton County, January 3, 1967.
Columbia County, May 1, 1967.
Crawford County, February 1, 1967.
Dauphin County, January 3, 1967.
Erie County, June 1, 1967.
Fayette County*, June 1, 1961.
Greene County, May 3, 1965.
Huntingdon County, April 1, 1966.
Indiana County, May 3, 1965.
Jefferson County, February 1, 1967.
Juniata County, May 1, 1967.
Lackawana County, April 1, 1966.
Lawrence County, June 1, 1967.
Luzerne County*, October 1, 1962.
Lycoming County, June 1, 1967.
McKean County, June 1, 1966.
Mercer County, June 1, 1967.
Mifflin County, June 1, 1966.
Montour County, May 1, 1967.
Northumberland County, January 3, 1967.
Perry County, June 1, 1967.
Philadelphia County, May 2, 1966.
Potter County, June 1, 1966.
Somerset County, May 3, 1965.
Sullivan County, January 3, 1967.
Susquehanna County, January 3, 1967.
Tioga County, June 1, 1966.
Venango County, February 1, 1967.
Washington County, June 1, 1966.
Wayne County, May 1, 1967.
Westmoreland County, June 1, 1967.
Wyoming County, January 3, 1967.

RHODE ISLAND (6)

City of Central Falls, September 1, 1966.
City of East Providence, April 1, 1968.
City of Newport, April 1, 1968.
City of Pawtucket, September 1, 1966.
City of Providence, November 16, 1965.
City of Woonsocket, September 1, 1966.

SOUTH CAROLINA (46)

Abbeville County, June 1, 1967.
Aiken County#, September 5, 1968.
Allendale County, July 1, 1968.
Anderson County#, September 17, 1968.
Bamberg County, July 8, 1968.
Barnwell County, July 1, 1968.
Beaufort County, February 1, 1967.
Berkeley County, July 1, 1968.
Calhoun County, July 1, 1968.
Charleston County#, September 3, 1968.
Cherokee County, July 1, 1968.
Chester County, July 23, 1968.
Chesterfield County, March 18, 1968.
Clarendon County, July 1, 1968.
Colleton County, July 1, 1968.
Darlington County, August 15, 1967.
Dillon County, June 1, 1965.
Dorchester County, July 1, 1968.
Edgefield County, November 15, 1966.
Fairfield County, August 15, 1968.
Florence County, March 18, 1968.
Georgetown County, July 8, 1968.
Greenville County#, September 3, 1968.
Greenwood County#, September 9, 1968.
Hampton County, July 1, 1968.
Horry County, July 1, 1968.
Jasper County, October 2, 1967.
Kershaw County, August 1, 1968.
Lancaster County#, September 9, 1968.
Laurens County, April 3, 1967.
Lee County, April 1, 1966.
Lexington County#, September 4, 1968.
Marion County, September 1, 1967.
Marlboro County, April 1, 1968.
McCormick County, March 15, 1966.
Newberry County, July 1, 1968.
Oconee County, July 1, 1968.
Orangeburg County, July 1, 1968.
Pickens County #, September 9, 1968.
Richland County #, September 3, 1968.
Saluda County, July 1, 1968.
Spartanburg County #, September 3, 1968.
Sumter County, August 1, 1968.
Union County, March 17, 1967.
Williamsburg County, April 1, 1966.
York County, December 13, 1965.

SOUTH DAKOTA (5)

Corson County, August 5, 1968.
Dewey County, August 20, 1968.
Hutchinson County, August 5, 1968.
Pennington County, April 4, 1968.
Ziebach County, August 20, 1968.

TENNESSEE (73)

Anderson County, May 2, 1966.
Bedford County, March 1, 1968.
Bledsoe County, November 1, 1966.
Blount County, April 1, 1968.
Campbell County, February 1, 1965.
Cannon County, November 1, 1966.
Chester County, November 1, 1966.
Claiborne County, February 1, 1965.
Clay County, June 1, 1967.
Cocke County, November 1, 1966.
Coffee County, May 1, 1967.
Crockett County, March 4, 1968.
Cumberland County, April 1, 1968.
Davidson County, April 1, 1968.
DeKalb County, May 1, 1967.
Dickson County, March 1, 1968.
Dyer County, November 1, 1965.
Fayette County, April 1, 1965.
Fentress County, December 1, 1966.
Franklin County, March 4, 1968.
Giles County, March 1, 1968.
Grainger County, May 1, 1967.
Grundy County *, June 10, 1963.
Hamilton County *, June 10, 1963.
Hancock County, April 7, 1966.
Hardin County, December 1, 1966.
Hawkins County, March 1, 1968.
Haywood County, April 1, 1965.
Henry County, November 1, 1966.
Hickman County, May 1, 1967.
Houston County, March 7, 1968.
Humphreys County, March 1, 1968.
Jackson County, May 1, 1967.
Johnson County, March 1, 1968.
Knox County, December 1, 1966.
Lake County, May 2, 1966.
Lauderdale County, November 1, 1965.
Lawrence County, November 7, 1966.
Lewis County, August 2, 1968.
Lincoln County, March 1, 1968.
Loudon County, May 1, 1967.
Macon County, November 1, 1966.
Marion County *, June 10, 1963.
McMinn County, May 9, 1967.
McNairy County, May 2, 1966.
Meigs County, November 1, 1966.
Monroe County, March 4, 1968.
Montgomery County, March 5, 1968.
Moore County, March 1, 1968.
Morgan County, November 1, 1966.
Obion County, May 1, 1967.
Overton County, June 5, 1967.
Perry County, March 1, 1968.
Pickett County, November 1, 1966.
Polk County, March 5, 1968.
Putnam County, June 1, 1967.
Roane County, April 1, 1968.
Rutherford County, November 1, 1966.
Scott County, February 1, 1965.
Sequatchie County*, June 10, 1963.
Sevier County, December 1, 1966.
Shelby County, February 1, 1966.
Smith County, November 1, 1966.
Sullivan County, April 1, 1968.
Sumner County, November 1, 1966.
Tipton County, April 1, 1966.
Trousdale County, November 1, 1966.
Unicoi County, April 1, 1968.
Van Buren County, May 1, 1967.
Warren County, March 1, 1968.
Wayne County, May 1, 1967.
Weakley County, November 1, 1966.
Wilson County, November 1, 1966.

TEXAS (11)

Bexar County, July 1, 1968.
Brewster County, March 15, 1967.
Culberson County, March 6, 1967.
El Paso County, December 6, 1966.
Hudspeth County, March 7, 1967.
Jeff Davis County, March 13, 1967.
Pecos County, March 9, 1967.
Presidio County, March 14, 1967.
Red River County, April 11, 1967.
Tarrant County, October 1, 1965.
Terrell County, March 8, 1967.

UTAH (26)

Beaver County, February 3, 1967.
Box Elder County, November 1, 1965.
Cache County, December 1, 1965.
Carbon County, June 2, 1966.
Daggett County[10], Feburary 1, 1968.
Davis County, January 3, 1966.
Duchesne County, April 4, 1966.
Emery County, June 2, 1966.
Garfield County, November 1, 1966.
Grand County, April 3, 1967.
Iron County, February 7, 1967.
Juab County, December 1, 1966.
Kane County, November 1, 1966.
Millard County, December 1, 1966.
Morgan County, November 9, 1965.
Piute County, November 1, 1966.
Rich County, December 1, 1965.
Sanpete County, December 1, 1966.
Sevier County, January 3, 1967.
Summit County, March 2, 1967.
Tooele County, March 2, 1967.
Uintah County, May 3, 1967.
Utah County, June 1, 1966.
Wasatch County, March 2, 1967.
Washington County, February 3, 1967.
Wayne County, January 3, 1967.
Weber County, June 1, 1965.

VERMONT (12)

Bennington Welfare District, July 1, 1968.
Brattleboro Welfare District, July 1, 1968.
Burlington Welfare District, July 1, 1968.
Hartford Welfare District, July 1, 1968.
Middlebury Welfare District, July 1, 1968.
Montpelier Welfare District, July 1, 1968.
Morrisville Welfare District, July 1, 1968.
Newport Welfare District, October 2, 1967.
Rutland Welfare District, July 1, 1968.
St. Albans Welfare District (Franklin County, Grand Isle County, Lamoille County), November 1, 1965.
St. Johnsbury Welfare District, October 2, 1967.
Springfield Welfare District, July 1, 1968.

VIRGINIA (25)

Amelia County, August 1, 1968.
Caroline County, August 1, 1968.
Charles City County, August 5, 1968.
Chesapeake City, November 15, 1966.
City of Bristol, March 4, 1966.
City of Danville, June 1, 1966.
City of Norfolk, April 11, 1966.
Dickenson County,* March 4, 1963.
Dinwiddie County, August 16, 1968.
Essex County, August 2, 1968.
Goochland County, August 9, 1968.
Grayson County, August 1, 1968.
Highland County, August 2, 1968.
Lee County,* March 5, 1963.
Madison County, August 2, 1968.

Footnotes at end of article.

Mechlenburg County, August 1, 1968.
Middlesex County, August 5, 1968.
Northumberland County, August 7, 1968.
Smyth County, August 7, 1968.
Southampton County, August 1, 1968.
Tazewell County, August 1, 1968.
Washington County, August 2, 1968.
Westmoreland County, August 6, 1968.
Wise County,* February 1, 1963.
Wythe County, August 1, 1968.

WASHINGTON (37)

Adams County, January 3, 1967.
Asotin County, January 3, 1967.
Benton County, April 1, 1966.
Chelan County, May 1, 1967.
Clallam County, December 1, 1966.
Clark County, November 1, 1966.
Columbia County, January 3, 1967.
Cowlitz County, December 1, 1966.
Douglas County, May 1, 1967.
Ferry County, April 3, 1967.
Franklin County, April 1, 1966.
Garfield County, January 3, 1967.
Grant County, May 1, 1967.
Grays Harbor County,* September 3, 1963.
Jefferson County, December 1, 1966.
Island County, June 1, 1967.
Kitsap County, December 1, 1966.
Kittitas County, May 1, 1967.
Klickitat County, November 1, 1966.
Lewis County, November 1, 1966.
Lincoln County, January 3, 1967.
Mason County, December 1, 1966.
Okanogan County, April 3, 1967.
Pacific County, November 1, 1965.
Pend Oreille County, April 3, 1967.
San Juan County, June 1, 1967.
Skagit County, June 1, 1967.
Skamania County, November 1, 1966.
Snohomish County, June 1, 1967.
Spokane County, March 1, 1968.
Stevens County, April 3, 1967.
Thurston County, November 2, 1965.
Wahkiakum Cty., December 1, 1966.
Walla Walla Cty., January 3, 1967.
Whatcom County, June 1, 1967.
Whitman County, January 3, 1967.
Yakima County, April 1, 1966.

WEST VIRGINIA (55)

Barbour County, January 3, 1967.
Berkeley County, April 1, 1968.
Boone County, October 1, 1965.
Braxton County, May 2, 1966.
Brooke County, May 1, 1967.
Cabell County, January 3, 1967.
Calhoun County, January 3, 1967.
Clay County, November 1, 1965.
Doddridge County, January 3, 1967.
Fayette County, October 1, 1965.
Gilmer County, January 3, 1967.
Grant County, April 1, 1968.
Greenbrier Cty., May 2, 1966.
Hampshire Cty., April 1, 1963.
Hancock County, May 1, 1967.
Hardy County, April 1, 1968.
Harrison County, January 3, 1967.
Jackson County, January 3, 1967.
Jefferson County, April 1, 1968.
Kanawha County, November 1, 1965.
Lewis County, January 3, 1967.
Lincoln County, November 1, 1965.
Logan County*, November 1, 1962.
Marion County, January 3, 1967.
Marshall County, May 1, 1967.
Mason County, January 3, 1967.
McDowell County*, May 29, 1961.
Mercer County, May 2, 1966.
Mineral County, April 1, 1968.
Mingo County*, November 1, 1962.
Monongalia City, January 3, 1967.
Monroe County, May 2, 1966.
Morgan County, April 1, 1968.
Nicholas County, May 2, 1966.
Ohio County, May 1, 1967.
Pendleton County, January 3, 1967.
Pleasants County, May 1, 1967.
Pocahontas County, January 3, 1967.
Preston County, January 3, 1967.
Putnam County, January 3, 1967.
Raleigh County, October 1, 1965.
Randolph County, January 3, 1967.
Ritchie County, May 1, 1967.
Roane County, January 3, 1967.
Summers County, May 2, 1966.
Taylor County, January 3, 1967.
Tucker County, January 3, 1967.
Tyler County, May 1, 1967.
Upshur County, January 3, 1967.
Wayne County*, November 1, 1962.
Webster County, November 1, 1965.
Wetzel County, May 1, 1967.
Wirt County, January 3, 1967.
Wood County, January 3, 1967.
Wyoming County, May 2, 1966.

WISCONSIN

Adams County, April 17, 1967.
Bayfield County, April 1, 1968.
Burnett County, May 2, 1966.
Columbia County, April 1, 1968.
Crawford County, December 6, 1965.
Door County, February 3, 1967.
Douglas County*, November 1, 1962.
Dunn County, May 2, 1966.
Forest County, April 3, 1967.
Grant County, December 1, 1965.
Green County, April 1, 1968.
Iron County*, March 1, 1963.
Kewaunee County, February 1, 1967.
Lafayette County, December 1, 1965.
Langlade County, March 1, 1965.
Marinette County, April 3, 1967.
Milwaukee County, January 3, 1966.
Monroe County, April 1, 1968.
Oneida County, April 3, 1967.
Pepin County, May 2, 1966.
Pierce County, May 2, 1966.
Price County, March 1, 1965.
Richland County, April 1, 1968.
Rusk County, December 5, 1966.
St. Croix County, December 5, 1966.
Trempealeau County, April 7, 1967.
Vernon County, December 1, 1966.
Waukesha County, May 2, 1966.

WYOMING

Albany County, January 3, 1967.
Big Horn County, March 1, 1966.
Campbell County, April 20, 1965.
Carbon County, December 1, 1965.
Converse County, December 1, 1966.
Crook County, November 1, 1966.
Fremont County, April 20, 1965.
Goshen County, December 1, 1966.
Hot Springs County, November 1, 1966.
Johnson County, April 20, 1965.
Laramie County, January 3, 1967.
Lincoln County, April 20, 1965.
Natrona County, November 1, 1965.
Niobrara County, December 1, 1966.
Park County, November 1, 1966.
Platte County, January 3, 1967.
Sheridan County, March 1, 1966.
Sublette County, April 20, 1965.
Sweetwater County, April 1, 1966.
Teton County, April 20, 1965.
Uinta County, April 1, 1966.
Washakie County, November 1, 1966.
Weston County, April 20, 1965.

FOOTNOTES

*Pilot Projects.

Changes since last report.

[1] Includes Cities of Nome, Teller and Brevig Mission (12–1–65).

[2] Combined with Hinsdale County.

[3] Combined with Rio Grande County.

[4] Includes City of Detroit Pilot Project (7–5–61).

[5] Arthur and Keith Counties combined.

[6] Banner and Scotts Bluff Counties combined.

[7] Garfield and Loup Counties combined.

[8] Billings and Golden Valley, N. Dak., combined.

[9] Includes City of Pittsburgh Pilot Project (3–1–63).

[10] Daggett and Wintah Counties combined.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Ohio.

Mr. FEIGHAN. I commend the gentleman. I agree with him wholeheartedly, and hope that the amendment will be accepted.

Mr. SMITH of Iowa. I thank the gentleman.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from New York.

Mr. REID of New York. I thank the gentleman for yielding. I rise in support of the amendment of the gentleman from Iowa to the supplemental appropriation bill to increase the additional funding for the food stamp program from $20 million to the full authorization of $90 million.

With nearly 10 million people in this affluent Nation of ours suffering from inadequate diets, it is an inexcusable travesty of social and economic justice that this body can even think of shortchanging perhaps the best food program we have. I have been advised by Secretary Freeman's office that the $20 million appropriation can only fund the program at its present operating level. Without the increased funding, 135 counties whose applications for participation in the food stamp program have been approved, will have to continue with the far less adequate commodity distribution program or must suffer with no program at all.

In addition, it is my understanding Secretary Freeman intends with the increased funding proposed by this amendment to lower the stamp prices for the desperately impoverished and to increase the amount of food that may be purchased by a given dollar amount of stamps. Finally, it is contemplated that most of the 200 counties with applications pending before the Department could be accommodated with full funding.

Mr. Chairman, what this means in plain statistics is that with the present level of funding over 1 million persons will be denied participation in the food stamp program and many more will continue to receive inadequate coverage under the existing program due to their inability to purchase stamps with little or no cash income.

Mr. Chairman, I urge this body to respond favorably to the amendment. So long as people go hungry in America, we are indeed shirking our responsibility as representatives of all the people. The $70 million increase that we are calling for in the food stamp program is hardly the cost of a reservoir or a dam under the public works program. The time has come to halt the inhuman treatment of so many poor Americans, and to respond to this top priority demand of feeding the hungry.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

This is not an easy subject to deal with because one who attempts to do so often is misquoted and misunderstood. As chairman of this committee, I have investigated every claim of hunger and starvation that has ever been made by Senators, doctors, or others. I have gone about it on an individual basis.

This food stamp plan has such an appeal, particularly this close to the coming presidential election, that it is mighty hard to stop, look, and listen to be sure that in our speed we do not destroy that in which we believe.

Your Committee on Appropriations provided in the regular bill for 1969 the full amount of the budget and authorization, $225 million. At that time $20 million extra was requested as soon as it was authorized. That $20 million is in this bill before the House today.

In addition, when the last authorization bill passed, no notice was taken of the extra $50 million which we agreed on in our regular appropriation bill on August 8. The Department as of now has not been able to digest fully this $50 million, which was made available over and above the amount requested in the 1969 budget. I offered this motion for $50 million in the conference on the regular bill. At that time we wrote into the bill, so there could be no misunderstanding, or no reason for anyone to fail to get that which they needed, the following language:

> (b) additional direct distribution or other programs, without regard to whether such area is under the food stamp program or a system of direct distribution, to provide, in the immediate vicinity of their place of permanent residence, either directly or through a State or local welfare agency, an adequate diet to other needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food.

So I say to you that of the $90 million in the increased amendment before you, in the last few weeks your committee gave $50 million in the regular bill to meet the same problem. Under this action, there is no reason for any person in the United States to go hungry.

But let me describe to you briefly another thing that is involved. When a new county enters the program, the county must raise the money for about half of the cost of going out to see who needs to come under this program. Further, you have got to go out and educate the merchants or else you will be throwing your money down a hole.

Here are some of the comments we have received where we have pushed too fast to get a program going. If the merchants accept the stamps for something other than food, they lose their right to operate. There were 473 such violations in the southeast district in the period 1967.

In another case, one person acted as a proxy for 969 recipients and purchased food stamp coupons having a value of $53,129, for which he paid $36,892 and received bonus coupons valued at $16,237. The coupons were never in the possession of any of the recipients and were redeemed by a local store.

I grant you all of these new counties would like to have this program, but I feel certain that the Department has not had an opportunity to make certain that they have raised their part of the cost.

Further, the legislatures are not in session in any State that I know of and cannot provide additional funds.

I repeat, the committee has gone along with the full amount of the 1969 budget for this program. To this we added $50 million from section 32 funds, for which we get no credit against the $90 million estimate. We have given the $20 million originally advocated or recommended in the 1969 budget whenever it was authorized. So we are in effect providing a $50 million program on the terms and conditions I have discussed. We have $20 million in this bill, which provides $70 million of the $90 million. That is just about as fast as we should proceed without hurting the program.

SUBSTITUTE AMENDMENT OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Iowa [Mr. SMITH].

The Clerk read as follows:

> Amendment offered by Mr. NATCHER as a substitute for the amendment offered by Mr. SMITH of Iowa: On page 2, line 8, strike "$20 million" and insert "$40 million".

Mr. NATCHER. Mr. Chairman, the budget requested for fiscal year 1969, which was contained in the regular appropriations bill for agriculture appropriations as it passed the House several months ago, included $225 million for the food stamp program. In addition to this amount, we authorized in this bill, Mr. Chairman, an additional $20 million. In addition to the $20 million authorized, we also carried authorization for $50 million from section 32 funds, which can be used in any county, either on commodity or food stamp program. The $20 million contained in the supplemental, plus the $50 million, plus the $20 million in the substitute that the Clerk has just read, makes a total of $90 million. That is the amount that is requested by the distinguished gentleman from Iowa.

Mr. Chairman, I would like to call to the attention of the Members of the House that in the regular 1969 appropriation bill for the different food distribution programs in the Department of Agriculture, we had in the special milk fund for fiscal year 1969 the sum of $104 million. In addition to that, Mr. Chairman, we had in the school lunch program for fiscal year 1969 the sum of $242,800,000. In addition to that, in the food stamp program for fiscal year 1969, we have $225,000,000 in the regular bill. Donations to schools, institutions, and welfare cases, makes a total of $446,700,000. In addition to that, there was added in conference the sum of $45 million.

Mr. Chairman, the figures I have just read to the Members of this committee total $1,063,500,000 for the food distribution program in the Department of Agriculture for fiscal year 1969.

Mr. Chairman, the substitute, as I just pointed out to the Members of the Committee, provides for an additional $20 million. This $20 million, added to the $20 million that is in the supplemental appropriation bill, makes $40 million. In addition to that, we provided in the regular appropriation bill for fiscal year 1969 $50 million of section 32 funds, to be used as I explained. That gives us a total of $90 million that is set forth in the amendment offered by my good friend, the distinguished gentleman from Iowa.

Mr. Chairman, I urge the adoption of the substitute amendment.

Mr. COHELAN. Mr. Chairman, the 1969 supplemental appropriations bill is, in many ways, grossly inadequate.

As even the great conservative Mr. Edmund Burke said:

> Economy is a distributive virtue, and consists not in saving but in selection. Parsimony requires no providence, no sagacity, no powers of combination, no comparison, no judgment.

In this appropriations bill, I fear we have many examples of parsimony and only a few of true economy.

True, this bill appropriates $53 million for acquisition of a Redwood National Park in California. I am pleased to see prompt action being taken to carry out the legislation that was signed less than a week ago. It would be my hope that all parties concerned would proceed with similar speed so that we can obtain the full appropriation next year.

What is wrong with this bill is that it does not appropriate enough in other areas.

It provides only a fifth of the contracting authority requested to get the homeownership and rental housing assistance programs underway.

It provides only $20 million of the $90 million newly authorized for food stamps.

It provides only $1 million of the $7 million requested to enforce the new open housing law.

It provides only half the sum asked to administer the new pipeline safety law.

It provides only $5 million of the $19 million requested for juvenile delinquency prevention and control.

It provides no money for the study of consumer credit authorized by the truth-in-lending law.

In sum, this bill denies fulfillment to some of the best legislation we passed this year.

I urge my colleagues to cast their votes in support of the legislation we passed earlier. I ask their votes to restore these cuts.

In particular I remind my colleagues that there is hunger in this country, and there is no need that there be hungry people in this country. We can help to remedy this situation by appropriating the full $90 million for food stamps.

I also remind my colleagues that the housing program we created this year is the most imaginative and far reaching program we enacted this year. It holds the promise of bringing the pride and dignity and responsibility of homeownership to thousands of Americans who thought they would never have the chance. To raise the hopes of these people by passing the authorizing legislation and then failing to appropriate the necessary funds is to hoodwink the needy. This we cannot and should not do.

The National Association of Homebuilders met yesterday and unanimously adopted a resolution urging full funding of these new housing assistance programs. Here the interests of needy people, the Government and private enterprise all merge. What more is necessary to get this program started.

At this point in the RECORD I would like to insert a letter and resolution from the homebuilders.

NATIONAL ASSOCIATION OF
HOME BUILDERS,
Washington, D.C., October 8, 1968.
Hon. JEFFERY COHELAN,
House of Representatives,
Washington, D.C.

DEAR MR. COHELAN: Yesterday at a meeting in Atlantic City of the Board of Directors of the National Association of Home Builders, at which over 500 Directors were present, strong and unanimous approval was given to a resolution in support of a full funding of the new Section 235 and 236 programs recently enacted by Congress as part of the Housing and Urban Development Act of 1968. I am enclosing for your information a copy of this resolution.

These are the newly created housing programs which were the subject of such great interest on the part of the building industry on the West Coast and which were a subject of great attention at the meeting in Oakland in which you and I participate two weeks ago. Nationwide, we think the provision of adequate contract authority for these programs will make possible large-scale building of new housing units for lower income families, one of the major goals of the 1968 Housing Act.

In view of this I think the drastic curtailment of contract authority as reported this week by the House Appropriations Committee is truly regretable. To make these new housing programs meaningful, it is really necessary for the Congress to approve contract authorization in the amounts authorized by the Banking Committee bills which became the 1968 Act.

Sincerely yours,
JOSEPH B. MCGRATH,
Staff Vice President and Legislative Counsel.

RESOLUTION OF THE NATIONAL ASSOCIATION OF HOME BUILDERS

Resolution on the funding of section 235 and section 236 of the Housing and Urban Development Act of 1968

Whereas the Congress established important National Housing Goals as part of the Housing and Urban Development Act of 1968, and

Whereas it is the declared policy of the Congress to give the highest priority and emphasis to meeting the housing needs of lower income families for whom our national goal of "a decent home and a suitable living environment" has not yet become a reality, and

Whereas the new interest rate subsidy programs for home ownership for lower income familes and for rental housing for such families (Section 235 and Section 236 of the 1968 Act) are vitally needed to produce decent housing for low- and moderate-income families, and

Whereas these new programs are of no effect unless they are provided with fully adequate funding by Congressional appropriatons,

Now, therefore, be it resolved that Congress and the Appropriaton Committees of the House and Senate should be urged at once, and strongly, to approve supplemental appropriations in 1968 before the end of the current Session of Congress in the full amount authorized by the Housing and Urban Development Act of 1968 to make these programs effective as financing vehicles for new home ownership and rental housing for low- and moderate-income families.

Approved and adopted unanimously by the NAHB board of directors on October 7, 1968, in Atlantic City, N.J.

In conclusion, let me again urge the support of my colleagues, on the floor, and if necessary in conference, for the restoration of these necessary and fulfilling funds.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD in regard to the food stamp program.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I realize that the food stamp program is somewhat controversial, but, insofar as I know, Members generally support it. We have been escalating it year by year now for a number of years. I myself favor the committee position of the additional $20 million, which is the original budgeted amount.

It does seem to me that the gentleman from Kentucky has offered a good compromise solution. The food stamp program, as it would be financed here, would add 250 counties to the food stamp program. If we went to the full $90 million we would not add any more counties than that. We would merely enable people to buy the stamps for less money per unit of stamps.

For those who wish to go beyond the committee position—and I do not care to go beyond the committee position myself, but I realize there are differences of opinion—it seems to me the substitute amendment offered by the gentleman from Kentucky for a total of $40 million would be reasonably satisfactory.

Would not the gentleman from Iowa be reasonably satisfied with that substitute? I realize he would prefer the full amount, but we need to compromise our differences and move on with the bill.

Mr. SMITH of Iowa. I would prefer to have the full amount. I thank the gentleman for this colloquy. I believe we can clarify this so that every Member can understand what we will be voting on.

As I understand it, the $20 million would permit the new counties to come in, but it would take the additional $70 million in my amendment in order for the families with less than $70 per month income to get the cheaper stamps.

Mr. MAHON. The Department is experimenting as to how inexpensive to make the stamps.

Mr. SMITH of Iowa. I am in favor of both.

Mr. MAHON. I appreciate the gentleman's position. We are already providing over $1 billion this year in food donations, food stamps, school lunch, and special milk programs.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the able gentleman from Mississippi.

Mr. WHITTEN. I should like to point out that if people do not pay anything for food stamps they will not treat them with much care. Under the present situation they can get $10 or $12 worth of stamps for 50 cents in certain areas.

The $50 million the committee put in the bill this year from the section 32 funds will give them food for nothing. The Secretary can give them commodities. He can decide what to give, if he determines it is needed. Under the existing law they have the right to do this.

When he feels that the people should pay something, he can cut the price to as low as 50 cents for $10 or $12 worth of stamps. Any price below that is almost like using stamps for wallpaper, or to play cards with them.

Mr. MAHON. We do not want the people to lose their pride. We do have another program of 100-percent donations of food. We try to have something for the lowest income families.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. MAHON was allowed to proceed for 1 additional minute.)

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. I concur in the comments of the gentleman from Texas. I would be glad to support the committee position, but now I believe the substitute is far more desirable than the original amendment. I will support it.

I will ask the gentleman to confirm the fact that the food distribution program, with this additional $40 million for 1969, will amount to $1,103,500,000.

Mr. MAHON. Those are the official figures. I will insert the table which I have in my hand:

FOOD DISTRIBUTION PROGRAMS—U.S. DEPARTMENT OF AGRICULTURE

[In millions]

	1967	1968	1969
Special milk program	$104.0	$104.0	$104.0
School lunch program	213.6	232.9	242.8
Food stamp program	110.0	185.0	[1] 225.0
Donations to schools, institutions, and welfare cases	246.6	422.8	446.7
Added in conference to meet poverty needs			45.0
Total	674.2	944.7	1,063.5

[1] Does not include the additional $20,000,000 in the 1969 supplemental now pending—or any substitute amount.

Mr. ANDREWS of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. I rise in support of the Natcher substitute. I might ask one question, which concerns our farmers that we discussed in the Appropriations Committee. Will this additional funding under the substitute motion be taken out of other Department of Agriculture funds such as SCS because of the budget limitation?

Mr. MAHON. It will not, because it will come out of the Commodity Credit Corporation sales of assets, as the language of the bill provides.

Mr. Chairman, I move that all debate on this amendment do now close.

The CHAIRMAN. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Kentucky for the amendment offered by the gentleman from Iowa.

The substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa, as amended by the substitute amendment.

The amendment, as amended, was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER III

INDEPENDENT OFFICES

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", including carrying out the functions of the Federal Trade Commission under Title I of the Consumer Credit Protection Act of 1968 (Public Law 90–321), $200,000.

AMENDMENT OFFERED BY MR. BINGHAM

Mr. BINGHAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BINGHAM: on page 4, after line 16, insert the following:

"NATIONAL COMMISSION ON CONSUMER FINANCE

"SALARIES AND EXPENSES

"For necessary expenses of the National Commission on Consumer Finance, established by Title IV of the Consumer Credit Protection Act of 1968 (Public Law 90–321), $200,000."

Mr. BINGHAM. Mr. Chairman, in the bill before us (H.R. 20300) the National Commission on Consumer Finance we created this summer under the Consumer Credit Protection Act is denied any funds and will not be able to start its work until late next year. My amendment would provide the modest sum of $200,000 so that the Commission can at least get started. This would still represent a 47-percent cut from the administration's request. The figure of $200,000 would be the same as that allowed by the committee to the Federal Trade Commission for its new duties under the Consumer Credit Protection Act.

Earlier this year the Congress finally passed a truth-in-lending bill to provide for disclosure of interest rates and protections for those who borrow money. It was the culmination of years of effort and stands as an achievement of this Congress of which all of us can be proud.

An important element in the Consumer Credit Protection Act was the establishment in title IV of a National Commission on Consumer Finance. It is to be composed of nine members, three from the House, three from the Senate, and three selected by the President from private life. The House and Senate members have already been named. It is charged with the responsibility to review the adequacy of existing arrangements to provide adequate consumer credit at reasonable rates; to evaluate existing protections for the credit consumer and to insure the informed use of consumer credit; and, to inquire as to whether it would be desirable for the Federal Government to charter consumer finance or other regulatory agencies. The authorization was for up to $1.5 million.

This is a prodigious and important assignment for one Commission. The Commission was given only until January 1, 1971, to make its final report. Had the Commission been established in May of this year, when the bill passed the House, it would have had roughly 2½ years to complete its work. However, the independent office appropriations bill had already passed the House and the funds for the Commission were dependent on the supplemental appropriation. Unfortunately, the Appropriations Committee has rejected the request for $735,000 to permit the Commission to start its work.

If we provide some money now, as my amendment would do, the Commission would have roughly 2 years to do its work. Moreover, it could start its hearings before the credit disclosure provisions become operative in July 1969 and could promote compliance with them—one of the Commission's express purposes.

There is another reason, other than the massive scope of the task we have given the Commission, which supports a start of its work without further delay. A uniform State credit code has recently been advanced by a subcommittee of the American Bar Association and will be submitted to many State legislatures in the very near future. It is a comprehensive proposal and its impact on each State's existing laws should be carefully evaluated both in the State legislatures and by the National Commission which is to recommend Federal action to complement State procedures.

The Committee on Appropriations, in declining to provide any money for the beginning work of this Commission at this time, has said that it would be adequate to provide such funds next year. I have profound respect for the committee and the enormous volume of work it must handle but would point out to my colleagues that the appropriations bill for independent offices is likely to be enacted very late each year. This year, we finished that appropriation bill during the last week in September; in 1967, the bill was not sent to the President until late October. If precedent follows, there would be no money to start the work of the Commission before the end of 1969 and we would, in effect, be giving the Commission little more than 1 year to complete its hearings and deliberations and to complete its report. This is not enough time for the job.

This is a period when the entire Nation is worried about the impact of inflation. Interest rates and credit charges play a vital role as consumer credit mounts steadily. We must make sure that we are meeting our responsibility to the public to help fight the effects of inflation by protecting the consumer's dollar. The Commission will help us to discharge that responsibility and I urge that it be provided with the modest funds it needs to start its work.

I regret that the distinguished gentlewoman from Missouri [Mrs. SULLIVAN], who fought so valiantly for the truth-in-lending law is not here to propose this amendment. She has authorized me to say that she believes it is most important for the Commission to be able to start its work promptly.

Six of the nine members of the Commission are Members of Congress, three from the other body and three from this body. They have already been named and this Commission ought to be in a position to get going in the next few months.

Mr. Chairman, I hope the amendment will be agreed to.

Mr. JONAS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we did not deny these funds with prejudice. We made it clear in the committee report that since the report of this Commission is not due until 1971, this is an item that should be considered in a regular appropriations bill. The inference contained in the report is that if it is in the budget next year the committee will consider it. We did not think it was of such an emergency nature that it could be justified in placing it in a supplemental bill.

Mr. MARSH. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Virginia.

Mr. MARSH. Mr. Chairman, I think it also should be pointed out that under the particular act to which the gentleman from New York referred I would like to point that there are two titles, title I and title IV. Title IV is the title to which the amendment has been introduced this afternoon. But, also, it should be pointed out that under title I there is funding on the Federal Trade Commission to the extent of $200,000 for the truth-in-lending program. There was not any feeling on the part of the subcommittee or the full committee that this Consumer Credit Commission was not a worthwhile program. However, the report is not due until the first day of January 1971, and for that reason the committee did not report it out.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from New York.

Mr. BINGHAM. I would like to point out, as the gentleman from Virginia said, the report is due January 1, 1971. That is nearly the end of 1970 and it would be only about a year from the time the independent offices appropriations bill might be enacted.

Mr. JONAS. Next year will still be 1969, you know.

Mr. BINGHAM. But it would cut down the work time of the Commission very substantially.

Mr. Chairman, the distinguished gentlewoman from Missouri [Mrs. SULLIVAN] did such a wonderful job on this legislation that I am sorry she could not be here to propose this amendment. She authorized me to say that in her view it is very important that this Commission be able to get started as soon as possible.

I thank the gentleman for yielding.

Mr. MAHON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to associate myself with the position of the distinguished gentleman from Virginia and of the distinguished gentleman from North Carolina [Mr. JONAS]. Funds are provided here for the truth-in-lending bill. But with reference to the other question, we thought that a more careful examination of the matter was needed. These estimates only came down last week. This is a postponement of the consideration of the matter until it can be given more deliberate attention. It is not a lack of interest or a lack of concern for the program.

Mr. Chairman, I ask unanimous consent that all debate on this amendment do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BINGHAM].

The question was taken; and on a division (demanded by Mr. BINGHAM), there were—ayes 32, noes 60.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

AMENDMENT OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. BOLAND: On page 5, after line 5, insert:
>
> "FEDERAL INSURANCE PROGRAMS
>
> "FLOOD INSURANCE
>
> "For necessary administrative expenses, not otherwise provided for, in carrying out the National Flood Insurance Act of 1968 (82 Stat. 572), $1,500,000."

Mr. BOLAND. Mr. Chairman, I will not take the full 5 minutes.

This program is one that is of interest to all of the members of this committee. The only question is the matter of timing.

This item for $1.5 million was requested by the Department of Housing and Urban Development for administrative expenses to carry out the new program for flood insurance under the National Flood Insurance Act of 1968. That is title XIII of the recently enacted Housing and Urban Development Act of 1968.

I believe all of us recognize the fact that Congress over the years has been concerned with this problem of flood insurance, particularly in those areas where the poor people of the land live. It is a new program, but it is not new in the sense that Congress has not considered flood insurance in the past.

As long ago as 1956 the Congress passed a Federal Flood Insurance Act, but it was not funded by the Committee on Appropriations because there were some problems dealing with rate schedules. For the past 12 years the Department, in cooperation with the insurance industry, has examined the rate schedules and has proposed what I feel is a good and a fair program. A great number of the Members of the Congress have filed bills to provide flood insurance in the interim and now in this 90th Congress, title XIII of the Housing and Urban Development Act carries the National Flood Insurance Act of 1968.

Mr. Chairman, I would hope that this amendment would be agreed to. It was considered by the Subcommittee on Independent Offices and Housing. The majority thought perhaps next year was soon enough for initial funding since the new authorization has just been enacted recently. Many of the Members, however, are concerned about the need for administrative expenses now so the insurance may be provided at the earliest possible date and so I offer this amendment today with the full knowledge of the other members on the committee. After reviewing all the facts, and talking with many of the members, I feel confident that this very important program can proceed without delay.

It provides for a cooperative effort by the Federal Government and the private insurance industry to make flood insurance available on a national basis. Insurance coverage at first will be available for certain residential and small business properties. The Secretary may later extend coverage to other types of properties after making studies and investigations.

The private insurance industry will sell and service the policies. The insurance companies who are able and willing to participate as risk-bearers may commit risk capital to an industry flood insurance pool. This will absorb a share of losses which may be sustained.

The Federal Government will make certain premium equalization payments and provide reinsurance coverage to the pool as a protection against catastrophic losses. So it is a partnership proposition with private enterprise.

The major objective of flood insurance is not only the provision of flood insurance, but also the promotion of wise land use in the flood plains. Coverage generally is restricted to $17,500 per dwelling, and $30,000 for small business properties. Additional insurance may be sold at full actuarial cost for coverage in excess of these limitations.

The need for flood insurance has become more and more urgent with the passage of years. The estimated property losses from floods exceeded $100 million in only 1 of the 10 years prior to 1934. Losses have exceeded $100 million in 6 to 8 years in each of the next three decades. In 1964 and 1965 the estimated losses from floods rose to $652 million and $788 million.

The Congress, in recent years, has often enacted special assistance measures to help communities and individuals recover from the effects of major disasters. These have included the Pacific Northwest Disaster Relief Act and the Southeast Hurricane Disaster Relief Acts of 1965 to help victims who suffered flood damage losses. The 1964 amendments to the Alaska Omnibus Act, following the Alaska earthquake, was designed to deal primarily with damage from the earthquake, but also provided assistance to those in parts of Alaska that suffered related wave wash flood damage.

The pattern has therefore been developing of enacting special relief measures to help property owners recover after a natural disaster has occurred.

However, such relief measures for those who suffer flood losses do nothing to encourage wise use of land subject to flooding, or to discourage increased exposure of life and property in such locations. These serious deficiencies in public policy have given rise to the real need for this new flood insurance program and I am delighted to have a part in its enactment and implementation in this session of the Congress.

Mr. WIDNALL. Mr. Chairman, would the gentleman yield?

Mr. BOLAND. I am delighted to yield to the gentleman from New Jersey [Mr. WIDNALL], who has been a chief cosponsor of flood insurance over the years in this body.

Mr. WIDNALL. Mr. Chairman, I thank the gentleman for yielding, and I want to add my own support to that of the gentleman from Massachusetts [Mr. BOLAND] and others who are vitally interested in this flood insurance program. We fought for over 10 years to get a program underway. This year both Houses passed the bills, and then the funding was held up because of conflicts in appropriations.

Mr. Chairman, I urge the adoption of the amendment. The program is sound, and relies on the private insurance industry. We must have a beginning, and I do not believe it can be postponed any longer. These people really need help.

(Mr. WIDNALL asked and was given permission to revise and extend his remarks.)

Mr. BOLAND. Mr. Chairman, I thank the gentleman from New Jersey for his statement. That is the feeling of the members of the committee.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I am delighted to yield to the gentleman from Louisiana, who also over the years has been one of the chief sponsors of these programs, and who led the fight to put it into the Housing and Urban Development Act of 1968, together with other Members of this body.

I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Chairman, I appreciate the gentleman from Massachusetts yielding to me.

I take this time only to say that I believe the action we are taking here today is constructive. What we are seeking to do is to employ the resources of private enterprise so that a person who lives in an area subject to hurricanes and floods may have the same opportunity to purchase flood insurance provided by private enterprise that a person now has to buy windstorm insurance or fire insurance, or whatever it may be.

The gentleman from Massachusetts [Mr. BOLAND], and the distinguished chairman of the committee, the distinguished gentleman from Texas, who is my old and dear friend, have been tremendously helpful in doing this, and I am very grateful to both of them.

Again I thank the gentleman for yielding.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, it is my understanding that unless some funds are included in this particular item that the flood insurance programs for all practical purposes cannot get off the ground, because a survey needed as the first step in the program would not be able to be made, and therefore very few areas would be able to qualify.

Mr. **BOLAND**. The gentleman is correct. Let me say to the gentleman that I am delighted that he makes that point.

When this particular item was considered in the committee, it was not clear when the program could start. I find that it is necessary and important to get the studies started, and administrative expenses should be provided now.

Mr. **CRAMER**. I thank the gentleman.

Mr. **WIDNALL**. Mr. Chairman, I want to add my support to that of the gentleman from Massachusetts [Mr. BOLAND] in calling for this body to restore the $1.5 million requested for the administration expenses to get the national flood insurance program underway.

For over 10 years, this Congress has had under consideration in one form or another efforts to create a national flood insurance program. During that same period of time, hundreds of millions if not billions of dollars of losses have been sustained by individuals and businesses uncompensated by flood insurance. Last year, both Houses of Congress passed bills for this purpose only to see a difference in funding concept end any immediate hope of action.

This past summer, I was successful in adding the national flood insurance program to the omnibus housing bill in committee, and it has since been passed into law. I cannot see any reason for delaying the implementation of this program any longer. The program is sound, it relies upon the private insurance industry to the greatest possible extent, it has the backing of that industry, of the homebuilding industry and of millions upon millions of other Americans. The very least we can do, since we have already put the riot insurance program into affect, is to show equal concern for the victims of natural disaster as we have for the victims of riotous and criminal activity.

I urge adoption of the amendment to restore the $1.5 million in administrative expense funds for the national flood insurance program, as offered by the gentleman from Massachusetts.

Mr. **HECHLER** of West Virginia. Mr. Chairman, I am very pleased that the gentleman from Massachusetts [Mr. BOLAND] has introduced this amendment to provide $1.5 million to finance the flood insurance title of the Housing and Urban Development Act. Mr. Chairman, flood insurance has been talked about for over a dozen years and we have been unable to finance it on a sound basis until the enactment of legislation for which we would provide the funding by this amendment. In the State of West Virginia, whose hills and valleys and the towns built in the valleys cause huge flood damage, it is extremely difficult for those owning homes and businesses to recoup their heavy losses following the frequent floods. This type of insurance is a must, and I am grateful to all those who are working together to make such insurance available to the average person.

Mr. **DOWNING**. Mr. Chairman, I rise in support of the amendment offered by the gentleman. I submitted a bill providing for flood insurance shortly after the Ash Wednesday hurricane of 1964 wreaked havoc and destruction on many populated areas along the east coast.

This 1964 hurricane and others have caused substantial property damage which could not be insured by private insurance companies. They can insure against wind damage but not water damage. And it is the latter elemental condition with which we are concerned.

I firmly believe that once the Federal Government has established that water damage can actually be considered as insurable risks, then the private companies would have no hesitancy on providing the coverage to their policy holders.

The lack of this coverage at the present time has hindered the proper development of our coastal areas. If we could provide this protection, it would remove some of the concern prospective builders, developers, and homeowners would have about locating near the water's edge.

This amendment has great merit and would help cover a great national need. The House and the Senate have on previous occasions unanimously passed legislation authorizing this expenditure for this purpose.

I urge adoption of the amendment.

Mr. **DE LA GARZA**. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts [Mr. BOLAND] to implement the authorizing legislation to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance and for other purposes.

I wholeheartedly support this amendment; in fact, I was one of the sponsors of the authorizing legislation which was subsequently included in the Housing and Urban Development Act of 1968. My congressional district has suffered severe damages from Hurricane Beulah, one of the most devastating hurricanes in the history of the United States. Immediately after the hurricane subsided, Mr. Chairman, I left here, not knowing that the great floods which were to follow were on the way. The roads were flooded, and there was no way to get in; flights were canceled because the airport runways were also flooded. Finally I got in by means of the determination of a Trailways busdriver who took a group of people in, myself included. It was the last bus to get into my area for some days. What had formerly been a virtual paradise was almost totally devastated by wind and water.

Mr. Chairman, as I stated previously, I wholeheartedly support this amendment. A large part of my congressional district consists of bottom land on the gulf coast on the mainland, in addition to which virtually all, or almost all of Padre Island, is in my district. Both are prone to severe floods and have been subjected to such in the all too recent past.

A punster once remarked that Texas is the only State in the Union where a farmer can get stuck in the mud on the way to pick up his drought relief check, but all joking aside, I think most of us here on this floor are aware funds to implement this program are desperately needed in order that there may be an adequate flood disaster program on a nationwide scale, so long as a man's entire life's work may be wiped out by one sweep of a hurricane, a flooded river, or some other whim of the elements—so long as an entire area may be devastated. I believe all of us here should give serious consideration to supporting the amendment of the gentleman from Massachusetts.

Mr. **MATSUNAGA**. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts [Mr. BOLAND].

The amendment would restore to the 1969 supplemental appropriation bill, H.R. 20300, the sum of $1.5 million for the national flood insurance program which is authorized under title XIII of the Housing and Urban Development Act of 1968, Public Law 90–448.

The merits of the national flood insurance program have been debated exhaustively in committee and on the floor, and need not be reemphasized here today except to show the urgent need for its implementation. A severe winter, with all of its vagaries of weather, is approaching and many flood-prone areas will again face serious danger to life and property. We cannot afford to delay the funding of this important program.

I have from the outset given my strong support to a national program of flood insurance. The coastal towns and cities in Hawaii, California, Oregon, Washington, and Alaska are frequently ravaged by tsunamis, commonly but incorrectly called "tidal waves," and I am pleased to say that it was principally through my urging that tsunamis were included in the national flood insurance program.

The Boland amendment would not only get the authorized program off to an early start, but it would also provide much-needed insurance protection to citizens throughout the Nation who are the victims of natural disaster in the form of floods, including tsunamis, and who suffer catastrophic losses as a result.

Mr. Chairman, I strongly urge that the amendment be adopted.

GENERAL LEAVE TO EXTEND

Mr. **BOLAND**. Mr. Chairman, I ask unanimous consent that all Members may revise and extend their remarks on the subject of my amendment.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The **CHAIRMAN**. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

The **CHAIRMAN**. The Clerk will read.

The Clerk read as follows:

CHAPTER IV

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $500,000.

AMENDMENT OFFERED BY MR. EDMONDSON

Mr. **EDMONDSON**. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDMONDSON: On page 6, line 13, strike out "$500,000" and insert "$752,000".

Mr. EDMONDSON. Mr. Chairman, let me say initially that I rise to offer this amendment with a considerable amount of reluctance, because I have the very highest regard for the distinguished gentlewoman who is the chairman of the subcommittee that handles this particular matter. I know she has dealt generously with Indians in many, many instances in which it has been difficult to get an understanding and appreciation of their problem from any other source. The Indians of Oklahoma consider her one of their finest friends in the Congress.

This particular matter which I seek to amend by the addition of $252,000 is a matter that deals with scholarship grants to Indians in college.

Several months ago the chief of one of the tribes in Oklahoma told me with the very greatest of pride that an increasing number of young Indian students were now entering college and were also entering technical schools beyond high school, and that he was taking increased heart about the opportunities that were being afforded to young Indians to advance their education beyond the high school level. I think this $500,000 supplement, which is an add-on to about $2.5 million already in this program, is a very desirable and a very worthy recognition of the growth of this program. The only problem is I am concerned personally, from what I know about what has been done in the area where Oklahoma's Indians are located, that we have not gone far enough to meet the pressing need.

The hearings on this particular item, at page 96, relate the fact that the request that has been submitted in this particular field is for $752,000 rather than for the $500,000 allowed by the committee. There are about 600 students who have been funded only for a half year, and who are primarily freshmen.

Mrs. HANSEN of Washington asked the question of the departmental witness:

> If the money is not granted, then they cannot continue?

And the departmental witness answered:

> We cannot fund them for the second half of the year.
>
> Mrs. HANSEN. Where would they then go for scholarship funds?
>
> Mr. ZELLERS. Presumably they have already exhausted all sources before they come to us.

Mr. Chairman, this is a deserving program. It is attacking the problem of our Indian people directly at the point where the greatest benefits are realized. It is appalling to me to think we have started several hundred Indian students in college and will have to cut them off at the end of their first semester, the freshman year, because we have not provided an additional $252,000. If I ever have seen a situation in which I thought we would be penny wise and pound foolish, it would be in following such a policy in this particular case.

Mr. Chairman, I hope this amendment can be accepted with the same generosity and spirit by my friends on the Appropriations Committee as they apparently acceded to the $1,200,000 for flood insurance a little while ago.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Chairman, I commend the gentleman and I concur in everything he said, and especially with the kind words he said about the gentlewoman from Washington [Mrs. HANSEN].

Mr. Chairman, one Indian tribe I know had one college graduate out of 12,000 people. If there is any hope, it is with the educated Indians. We have bright young high school graduates who cannot go to college this year. What a pity it would be for those who have pulled themselves up by their bootstraps and have gone to high school and have gotten into a college, to find then at the end of this first half-year they will have to quit and go home for lack of funds.

I hope the amendment will be accepted. We can stand this $252,000 additional.

Mrs. HANSEN of Washington. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. Mr. Chairman, I yield to the gentlewoman from Washington.

Mrs. HANSEN of Washington. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I will accept the amendment but I would like to explain, in answer to the question why this item was reduced by $252,000. Oral testimony by the Bureau of Indian Affairs was not consistent with the justifications. They have only themselves to blame.

Mr. Chairman, to be perfectly candid, the justifications for this estimate stated that 300 married students would receive $600,000, 21 postgraduates would receive $31,000, there would be $30,000 for administration and supervision, and $31,000 was for service to needy urban students. The total request was $752,000.

No mention was made of 600 students funded for one-half year. Our committee has continuously sponsored adequate funding for scholarships.

The committee provided in 1968 and in 1969 the full amount of the requested funding for the scholarship program—$2,248,000 for each year. In this instance however, the estimate was for the full fiscal year, and one-third of the year has already elapsed. If they are to pay the rent of these young married people in college, that portion of the year has already elapsed and the reduction recommended by the committee is related accordingly. In addition we did not limit the use of the total funds to any specific type of scholarship. If, the BIA after submitting the justification, feels it has 600 additional people which should have been included in the estimate—and it is their own fault they did not recommend it—they must realize they should have done a better job. But the committee gives them great flexibility in the use of these scholarship funds. We do not earmark this money for any one scholarship program. The postgraduate work is new. I think it is a splendid program. I would say that the Bureau of Indian Affairs should be more precise in their budget justifications when they come before the committee, and they will be treated as well as the facts justify.

For example, I have great faith in the adult vocational training program; it is accomplishing worthwhile results. In the regular 1969 budget, $15 million was requested, adequate justification was given for the request and I am pleased to state the regular 1969 appropriation included $15 million for this activity.

Mr. EDMONDSON. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I believe the gentlewoman's point about the failure to have consistent figures in the Bureau is well taken. I noted the inconsistency in what was supplied to me and what was testified to recently. The recent testimony points to the problem about the 600 students.

Mrs. HANSEN of Washington. The recent testimony is on page 94 of the hearings. That is the justification for the estimate. That provides for 300 married students. The comments on page 96 is the oral testimony given last Thursday in the hearing. That is where the 600 students are mentioned. This is not the first time oral testimony given by BIA witnesses was inconsistent with the justifications. I merely suggest that they should give a more accurate presentation of the components of their budget request.

Mr. EDMONDSON. I agree with the gentlewoman in that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. EDMONDSON].

The question was taken; and on a division (demanded by Mr. UDALL) there were—ayes 59, noes 28.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SOCIAL AND REHABILITATION SERVICE

JUVENILE DELINQUENCY PREVENTION AND CONTROL

> For carrying out the purposes of the Juvenile Delinquency Prevention and Control Act of 1968, $5,000,000: *Provided*, That none of the funds contained herein shall be used to make grants, under Title I of said Act, in excess of the following: (1) $12,500 each to the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, (2) $50,000 to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

AMENDMENT OFFERED BY MR. PUCINSKI

Mr. PUCINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. PUCINSKI: On page 8, beginning with line 6, strike out everything down through line 13, and insert in lieu thereof the following: "For carrying out the purposes of the Juvenile Delinquency Prevention and Control Act of 1968, $25,000,000."

Mr. PUCINSKI. Mr. Chairman, I know it is late. We have been in continuous session now for 31 hours, and I shall not take my full 5 minutes.

This amendment would increase the appropriation under the Juvenile Delinquency Prevention and Control Act of 1968 to the full amount authorized for fiscal year 1969. May I remind the House that both Chambers of Congress approved this $25 million authorization unanimously. My committee held very extensive hearings and found that the $25 million was more than needed. This money will be used under title I for developing State plans, rehabilitative and preventive programs; and under titles II and III for improving and training techniques.

Under title I there will be a basic grant of $100,000 to each State if my amendment is adopted. You will recall that the House adopted an amendment providing block grants to the States so that whatever funds are expended by the Federal Government go to the States in order to develop State plans and provide the program. There is no sense in repeating a great deal of detail here about juvenile delinquency. You all heard the debate when we approved the authorizing legislation unanimously, and you know the greatest single social problem in America today is the problem of crime among young people. Youthful offenders have a 50-percent recidivism rate after being institutionalized for their first offense. All three political parties in this country are committed to a total effort toward the reduction of juvenile crime. I do not think there is a Member in this House who is not running on a platform of law and order. I believe here is an excellent opportunity to do something meaningful to these communities. The money now proposed in the measure before us, $5 million, would provide $50,000 to each State. My amendment would make more meaningful and significant the contribution to these States to help them develop these programs. More than 20 States already are developing and have developed State plans. They need this Federal assistance. Twenty other States are coming into the picture with State plans. The basic authorization act calls for the development of a comprehensive State plan so that we can all have meaningful programs to deal with the great problem of crime among young people in this country.

I hope the committee will agree to accept this amendment. Let us make a real significant start in the war on juvenile crime in this country.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I am glad to yield to the gentleman.

Mr. FRASER. Mr. Chairman, I wish to indicate my support of the amendment offered by the gentleman. I agree with what he says. This is the area in which we find the crime rate growing most rapidly. If we are serious about our concern in this House about the problem of the growth of crime, we ought to adopt the amendment.

Mr. Chairman, in the supplemental appropriation bill we are voting on today, the committee has cut the $19 million budget to only $5 million. How can we expect to train skilled manpower and conduct the model programs the new Juvenile Delinquency Act allows, if we do not vote the money?

Juveniles are at the heart of our crime problem. Youths between the ages of 11 and 17 commit 50 percent of all burglaries, larcenies, and car thefts. A Federal program to reach this group is a necessity.

Last July, when we voted for the Juvenile Delinquency Prevention and Control Act, we wanted to assist cities to set up training programs and concentrate on predelinquency action. We authorized $25 million for 1968—$50 million for 1969—and $75 million for 1970. Unless we increase the appropriation now, there will be no grants for action by local governments. There will be barely enough to start planning.

Under the earlier juvenile delinquency law my district, Minneapolis, received $750,000 in grants and did excellent work through the University of Minnesota and the Community Health and Welfare Council.

We are ready to make use of the new juvenile delinquency law, if only the Congress will follow through with the money for grants. I urge my colleagues to accept the amendment of the gentleman from Illinois.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I am glad to yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, I, too, wish to associate myself with the remarks of the gentleman from Illinois and I, too, will support his amendment.

Mr. PUCINSKI. I thank the gentleman and yield back the balance of my time.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, just less than a week ago we acted on the conference report on the Labor-HEW bill of almost $19 billion, and we did not go above the budget. When the House originally passed that appropriation bill we did not go above the budget in any one item. This amendment goes above the budget request of $19.2 million. This goes above that.

I would like to make it clear that there is no idea of being in opposition to the merits of this program. There is a desire to have a report on planning. In about 3 months the Committee on Appropriations will start conducting extensive hearings on the next budget, including this program. There is a request here for operational projects without planning yet having been done. In 3 months' time these hearings will be had and the House and this committee will know the details much better than any of us possibly can now.

We have in the bill half of the minimal annual authorization for grants to the States. You realize, of course, that you are practically half way through the fiscal year period. So this dovetails with that. Half of the money for half of the fiscal period. What could be fairer?

In addition to that, this bill contains $650,000 for studies by the President's Commission on the Causes and Prevention of Violence dealing precisely with this overall problem.

It deals precisely with this and may I say, Mr. Chairman, that this $650,000 is the full budget request.

So, Mr. Chairman, I submit that with half of the fiscal period gone, for all practical purposes, and with half of the authorized funds provided to meet the planning needs in that half, and with this amendment going over the budget request—I submit, Mr. Chairman, that under these circumstances we must of course be consistent and reject this amendment.

I think that my friend, the distinguished gentleman from Illinois [Mr. PUCINSKI] knows that my heart stands with his on this program.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Of course I yield to the gentleman from Illinois.

Mr. PUCINSKI. First of all, we are not halfway into the fiscal year. I am sure the gentleman and I can agree——

Mr. FLOOD. Well, we will be before this is enacted into law, the funds are allocated to the States, and the States put them to effective use.

Mr. PUCINSKI. Well, we are not, half through the year by over 2½ months, and the fact of the matter is that there are 20 States which now have some plans for initiation and implementation. The gentleman from Pennsylvania has mentioned the fact that we have $650,000 in this bill for studies. May I remind the gentleman that we have spent $40 million since 1960 on studies. We have studies coming out of our ears. This money in my amendment is designed for action programs and to provide an opportunity to help these young people.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from North Carolina.

Mr. JONAS. And, is it not true, I ask the gentleman from Pennsylvania that this would be initiating a new program?

Mr. FLOOD. It is a new program; of course it is.

Mr. JONAS. Normally is it not true that we fund those in the regular bills, while we are dealing here with a supplemental bill?

Mr. FLOOD. That is correct.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield further?

Mr. FLOOD. I yield further to the gentleman from Illinois.

Mr. PUCINSKI. This is not a new program.

Mr. FLOOD. I have no desire to yield further to the gentleman from Illinois at this time.

Mr. MAHON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to associate myself with the remarks of the distinguished gentleman from Pennsylvania [Mr. FLOOD].

This is a new program. We have given it $5 million. It seems to me this is the proper way to start the program. I would hope that the committee would stay with the $5 million and let us get this program going as soon as we can but do it in an orderly manner, and that is to do the planning first. That is what the bill provides for.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield for a question?

Mr. MAHON. Yes; I yield to the gentleman from Illinois for a question.

Mr. PUCINSKI. Did I understand the gentleman to say that this is a new program? Would the gentleman yield for a reply to that? There are 20 States that have been developing these programs since 1960. This is not a new program.

You have already expended $40 million on this program.

Mr. MAHON. I decline to yield further to the gentleman.

Mr. PUCINSKI. So, when the gentleman suggests that this is a new program, I will state to the gentleman that it is not a new program.

Mr. MAHON. I decline to yield further to the gentleman from Illinois. I shall just read from the bill, and this is the exact language proposed in the budget request:

> For carrying out the purposes of the Juvenile Delinquency Prevention and Control Act of 1968, $5,000,000.

Mr. Chairman, I move that all debate on this amendment do now close.

The CHAIRMAN. The question is on the motion of the gentleman from Texas [Mr. MAHON].

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PUCINSKI].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER VII

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

> For an additional amount for "Salaries and and expenses", $250,000.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not intend to take the full 5 minutes either, but I believe it is important at this point to ask a question of the distinguished chairman of the committee. I am sure that he is familiar with this, and I understand that a number of Members, particularly the Committee on Public Works, have asked questions with regard to the highway trust funds, and cutbacks, that the gentleman from Texas and the committee, I am sure, are familiar with.

However, the most recent cutback has caused probably the most serious problems in the highway programing, and highway construction industry of any cutbacks previously ordered for the reason that the announced cutback was $200 million in spending. The unannounced effect of the cutback is in excess of $1 billion in obligational authority during a brief 3-month period between the date of the announcement in September and the December 1st date.

During that entire period the Department of Transportation, obviously on orders of the President, has frozen all obligations in order to accomplish a $200 million expenditure cutback. This results in a $1 billion total complete freeze on highway construction for this period of about 3 months.

All previous cutbacks have been in the form of $1 billion or $1.2 billion in cuts in obligational authority and the States had the say-so as to where the cuts would come.

This cut means the States have nothing to say about it. It is an absolute freeze of obligations for a 3-month period amounting to $1 billion.

But I ask this question particularly in view of the express language in the 1968 Highway Act, stating a sense of Congress prohibiting the withholding or freezing or highway trust funds.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Hampshire [Mr. WYMAN].

Mr. WYMAN. I thank the gentleman for yielding.

The gentleman knows that I am vitally interested in what he is referring to, and that I have an amendment designed to prohibit the cutbacks and to restore the language your Committee on Public Works wrote into the 1968 Highway Act. The gentleman realizes that my amendment would remove from the language to which the gentleman has referred in the Highway Act of 1968; the precatory phraseology adopted in the other body to the effect it was merely a sense of the Congress, instead of mandatory law.

Mr. CRAMER. I understand that, and I congratulate the gentleman in proposing that change.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Chairman, I want to thank the gentleman for having called the attention of this body to a clear-cut violation by the administration of legislative language which was passed and signed into law by the President just last August.

It makes little sense for us to pass legislation if the clear intent of our legislation is violated a month later.

As I recall, the same thing happened almost a year ago, and at those hearings a brief was submitted by Senator BROOKE, the former attorney general of the Commonwealth of Massachusetts in which he said this type of cutback of trust funds was illegal.

Mr. CRAMER. Yes, and of course the Attorney General of the United States said to the contrary. And it was on the basis of that that the decision was made to do it by Executive order, even though it was the opinion of most of the Members who helped draft the 1968 Highway Act that that was not the case.

Mr. CLEVELAND. I thank the gentleman for yielding and I commend him and my colleague from New Hampshire [Mr. WYMAN] for their efforts to save our highway system from these unjustified and, in my opinion, illegal cutbacks and freezes of trust funds.

Mr. CRAMER. Mr. Chairman, the question I wanted to ask the chairman was, in view of the exclusions or exceptions made here under the basic law itself, the Revenue Expenditure Control Act relating to Vietnam and interest costs and veterans benefits and social security trust funds, then the new exceptions made in specific amounts under this bill in the last title, title X.

The question I am asking is: Was there any consideration given, and if not, could the gentleman indicate why not, relating to no withholding or cutback of highway trust funds?

Mr. MAHON. I would say, briefly, that the Director of the Bureau of the Budget on September 9, in the Summer Review of the 1969 budget, said that, if we did not exempt CCC and public assistance, then the cut in the various other programs would be $7 billion or so rather than $6 billion, and that it might be necessary to cut some $200 million in the Federal aid highway program.

The fact of the matter is that it was up to Congress to make the $6 billion expenditure cut. However, we have made, or will probably only make, about a $3.5 billion cut, so it is up to the Executive to make the selections on the other; the law left it to the discretion of the Executive as to where the additional cuts should be made.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

URBAN MASS TRANSPORTATION ADMINISTRATION

SALARIES AND EXPENSES

> For necessary expenses of the Urban Mass Transportation Administration, including uniforms and allowances therefor, as authorized by law (5 U.S.C. 5901–5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; $300,000, to be derived by transfer from the appropriation for "Urban mass transportation grants".

AMENDMENT OFFERED BY MR. WYMAN

Mr. WYMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WYMAN: On page 10, line 21, insert the following paragraph:
>
> "FEDERAL-AID HIGHWAY FUNDING
>
> No part of any sums authorized to be appropriated for expenditure upon any Federal-aid highway system shall be withheld from apportionment, impounded, or otherwise withheld from obligation by reason of the Revenue and Expenditure Control Act of 1968, or any other provision of law, except such specified sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, as necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund."

Mr. MAHON. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Texas reserves a point of order against the amendment.

Mr. WYMAN. Mr. Chairman, this amendment is designed to remedy Executive action in respect to cutbacks in the Federal-aid highway program that are violative of the expressed intent of Congress and flout its will. Such action is, as the gentleman from Oklahoma said, pennywise and pound foolish. These are trust fund moneys here in the highway program, and their deferral does not represent a reduction in the spending program but only a postponement. Virtually all of the experts in the field that relate to highways say that this $200 million that is deferred by Executive order against the will and intent of Congress is going to cost more for the taxpayers of the Nation—much more.

But, in addition, what it will do is to stretch it out and delay the construction of the lifeblood of the Nation, which is our highway system.

This House, earlier this year, in August, passed almost the exact language of this amendment in the Highway Act. But when the bill arrived in the other body, they changed it by adding that most iniquitous and invidious of all precatory phraseology, which is a "sense of Congress." This means nothing at all in the law to the executive branch.

So, of course, what has happened so far as the Chief Executive is concerned is perfectly proper and perfectly legal. But it thwarts the will of this body. It seems to me now, in order to allow orderly planning in the highway programs and not get into unwarranted delays, and in accordance with the policy established for those exemptions included in this bill at page 12 for two other agencies, and to reflect economy in the long run for the country, we should add the exemption, proposed by my amendment, to this bill.

I sincerely hope that the distinguished chairman of the committee will not insist upon his point of order.

I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Chairman, as I have already said, these cutbacks of trust funds—as distinguished from general revenue funds—may well be illegal. I applaud my colleagues efforts on behalf of the highway program and its uninterrupted funding. As a member of the Public Works Committee, I think the language of this amendment is excellent and to the point. I support it and urge the Chair to rule favorably so we may adopt it.

Mr. ROONEY of New York. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from New York.

Mr. ROONEY of New York. I would like, first, to inquire of the gentleman whether this is the same amendment the gentleman offered in the full committee.

Mr. WYMAN. It is. I thought I was dutybound to offer the amendment in the full committee before offering it on the floor.

Mr. ROONEY of New York. Does not the gentleman think that the law-enforcement agencies, the Federal prison system, the U.S. district attorneys offices, the courts, and all of these other programs come far ahead of the highway program insofar as exemption from this law?

Mr. WYMAN. Mr. Chairman, if the gentleman will permit me to make the observation, I think all matters of this nature are proper problems of priority for the Appropriations Committee. I am looking here with this amendment to save money, not only to save money in the long run, but to get our roads built.

Mr. ROONEY of New York. Mr. Chairman, I always thought the best way to save money was not to spend it.

Mr. WYMAN. Mr. Chairman, I did not yield further to the gentleman.

Mr. Chairman, I urge adoption of this amendment.

I make one other observation, which is that when I voted against the tax increase I warned on the floor of this House that just exactly this sort of thing would happen if Congress did not make the cuts itself. The Congress did not make the cuts, and I hope in acting on this amendment that we will specify cuts that should not be made as well as those that should. I believe it is in the public interest to go ahead on our road system and save the money that will be wasted by this unwarranted Executive action.

The CHAIRMAN. Does the gentleman from Texas insist on his point of order?

Mr. MAHON. Mr. Chairman, I insist on the point of order.

Mr. Chairman, the amendment offered by the gentleman from New Hampshire is legislative in character and goes to funds not carried in the bill. Clearly in my judgment it is subject to a point of order, and I make the point of order.

The CHAIRMAN. Does the gentleman from New Hampshire wish to be heard on the point of order?

Mr. WYMAN. Mr. Chairman, I inquire whether there are not two items on page 12 of the bill of exactly the same specific sort of thing?

The CHAIRMAN (Mr. O'HARA of Michigan). The Chair is prepared to rule.

Without going into the question of whether or not the items on page 12, referred to by the gentleman from New Hampshire, would be subject to a point of order, the fact of the matter is that a resolution was adopted by the House prior to consideration of this bill which specifically waived points of order against the bill.

With respect to the point of order raised by the gentleman from Texas, the Chair is constrained to agree that the amendment offered by the gentleman from New Hampshire does constitute legislation upon an appropriation bill and that, in addition, the amendment deals with funds not carried in this bill.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

REVENUE AND EXPENDITURE CONTROL ACT OF 1968

SEC. 1002. Expenditures and net lending during the fiscal year ending June 30, 1969, by the Commodity Credit Corporation (not more than $907,000,000) for farm price supports (not including amounts for special activities), and by the Department of Health, Education, and Welfare (not more than $560,000,000) for grants to States for public assistance as authorized by the Social Security Act, as amended, in excess of the respective amounts estimated therefor on pages 239 and 15 of the Budget for 1969 (H. Doc. 225, Part 1), and new obligational and loan authority heretofore or hereafter enacted for such fiscal year for such purposes in excess of the respective amounts estimated therefor on pages 239 and 306 and 307 of the Budget for 1969, shall not be counted against the aggregate limitations on expenditures and net lending and new obligational authority and loan authority prescribed by Sections 202(a) and 203 (a) of Title II of the Revenue and Expenditure Control Act of 1968.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 12, on line 8, strike all after the second comma, and strike all of lines 9 and 10.

Mr. FINDLEY. Mr. Chairman, I take this time even at this late hour, because, frankly, the language which would be stricken by my amendment is what this supplemental is really all about. If it were not for this exemption, intended to be conveyed to the Commodity Credit Corporation, I question whether we would be here at all today with a supplemental.

There is very little money in this bill, about $100 million. But this provision does permit the Secretary of Agriculture exemption in the operation of the Commodity Credit Corporation under the Expenditure Control Act.

The farm programs are financed through the CCC. This is backdoor financing. The only possible way the economizers can exert expenditure control is by means of the act we passed earlier this year. Yet here we have before us language which would exempt the Commodity Credit Corporation from this control. The effect of my amendment would be to retain some measure of fiscal restraint over the operations of the Department of Agriculture. If this exemption stays in the bill, then the money of the CCC, up to the $907 million at least, will be exempt from this control.

I am sure none of us wants the belt-tightening operation to neglect any department or agency of Government.

The argument may be raised that from the outset the Commodity Credit Corporation was intended to be exempted under the Expenditure Control Act, but this was never said so in black and white or said so verbally to my knowledge. This is merely an idea which has arisen lately.

The Secretary of Agriculture has plainly said by letter to the Senate Committee on Agriculture and Forestry that he has found ways to live within the Expenditure Control Act except for $258 million, and he can easily take care of that problem and more simply by announcing that in the new feed grains program there will not be advance payments in the springtime. That expenditure can be set over to the next fiscal year. So there is absolutely no necessity on the part of the Congress to exempt the CCC from the application of the disciplines intended to be applied by the Expenditure Control Act.

I therefore urge support of my amendment.

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Texas.

Mr. PRICE of Texas. I thank the gentleman for yielding.

I should like to ask the chairman of the committee [Mr. MAHON] a question. Has there been an estimate this year as to how much more money is going to be needed in the Commodity Credit Corporation because of weather conditions? Take the example of wheat at $1.17 a bushel. It is my understanding they had not expected this amount of wheat and grain to go into the Commodity Credit Corporation; therefore, in order for the Government to comply with the law under the farm program they are going to need more money to meet these obligations.

Mr. MAHON. Mr. Chairman, if the gentleman from Illinois will yield, the estimate we got last week in testimony from the officials of the Department of Agriculture is that $907 million, additional to the expenditure estimate in the January budget, would be needed for Commodity Credit Corporation farm price support expenditures. That was based on the September crop reports.

These are uncontrollable items unless provisions of the basic farm legislation are changed. They stand on the same footing in that sense as public assistance grants, veterans benefits, and social security. They arise out of fixed provisions of law.

And may I add the point here also is that if the CCC and public assistance exemptions in the bill are not enacted, crippling offseting cuts in many other programs will have to be made, because the law requires a net overall cut of $6 billion in the nonexempted areas of Government spending. This point is covered in the report of the committee on this bill.

Mr. FINDLEY. Yes. I may say, Mr. Chairman, in this same letter to which I referred, dated September 24, signed by Secretary Freeman, he stated that they did have the money, the resources to meet fully all contracts under the 1968 year, and he set forth in addition the items of the Soil Conservation Service, the school milk program, and all of that which might be pinched, but he did by this letter show he had further ways to cut back $650 million. Therefore, the only problem is $258 million, not $907 million. I have already outlined the means by which this problem can be met.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

We had the Director of the Bureau of the Budget before certain members of the Appropriations Committee on October 2. We also had representatives from the Department of Agriculture. At that time they said they would absorb this $900 million if forced to. But let me tell you how they said they would have to do it.

First, they would have to sell FHA notes. Second, they would have to reduce Public Law 480 expenditures. They would also have to make further decreases in other programs, including food stamps. And they would probably have to sell other assets to meet the problem.

On the other hand, they said they could absorb it by cutting the meat and poultry inspection and other marketing services by $153 million, the school lunch program by $249 million, the food stamp program by $238 million—all directed to the consumer programs.

If they directed the cut in other directions, they said they might cut the Agricultural Research Service by $154 million, payments to State extension services by $159 million, the REA by $369 million, the Farmers Home by $313 million, the Sugar Act, and so forth. In other words, the corporation has its obligation to carry out. Unless we go along with the provisions of this bill we will be directing a susbtantial cut in addition to that which has already been imposed by the $6 billion expenditure cut voted earlier. I say it is absolutely imperative that this exception to the expenditure control legislation be made. Otherwise it could completely eliminate certain other operations of the Department of Agriculture.

Mr. MAHON. Is it not true that this matter has been thoroughly explored and that the extra costs for public assistance, including medicaid, were not contemplated by the original expenditure cut of $6 billion? This language in this bill prevents reductions in other programs which were not anticipated, and which Congress did not contemplate, when the tax bill was passed.

I see the gentleman from Arkansas [Mr. Mills] on the floor. His committee handled the expenditure reduction legislation. I am sure that he fully agrees that this provision in this bill is necessary and that the Findley amendment should be voted down.

Mr. WHITTEN. That is certainly correct. Unless we carry these two provisions you will have voted a $7.2 billion to $7.4 billion cut, instead of the $6 billion cut which was intended.

Mr. MAHON. Mr. Chairman, I move that all debate on this amendment be concluded.

The CHAIRMAN. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. Findley].

The amendment was rejected.

Mr. WHITTEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my attention has been called to the fact that the Department of Agriculture contemplates reductions in the Federal Extension Service, Farmers Home Administration, Consumer and Marketing Service, Soil Conservation Service, Economic Research Service, Agricultural Stabilization and Conservation Service, Rural Electrification Administration, Agricultural Research Service, and Foreign Agricultural Service for the purpose of transferring these funds to the President's Council on Youth Opportunity, the Interagency Committee on Mexican-American Affairs, and the U.S. Mexico Commission for Border Development and Friendship.

This is in contravention of section 508 of the Department of Agriculture and Related Agencies Appropriation Act, 1969 (P.L. 90–46). However, I understand that it is contended that it is within section 307 of the Independent Offices and Department of Housing and Urban Development Appropriation Bill of 1969, H.R. 17023. On the face of it, this would be true as to authority, but not as to intent nor as to soundness. Thus, while there may be authority, certainly there is no mandate. The original language of section 307 in the Senate version of the bill, presumably put there at the request of the Bureau of the Budget, stated the authority was for a transfer from those departments and agencies interested in these new programs.

These programs in no way compare in value to those which the Department would reduce, and the Bureau of the Budget would be in error in requiring these reductions for these purposes.

I, therefore, filed a strong protest, not only with the Department but with the chairman of the Appropriations Committee, the Budget Director, and the President.

Mr. Chairman, I had contemplated offering the following amendment at this point:

> On page 12 after line 24, insert:
>
> "Sec. 1003. No part of the funds appropriated in this bill shall be used to transfer funds heretofore appropriated from the Forest Service, Extension Service, Farmers Home Administration, Consumer and Marketing Service, Soil Conservation Service, Economic Research Service, Agricultural Stabilization and Conservation Service, Rural Electrification Administration, Agricultural Research Service, and Foreign Agricultural Service or from other agricultural agencies or programs to the President's Council on Youth Opportunity, the Interagency Committee on Mexican-American Affairs, the U.S.-Mexico Commission for Border Development and Friendship, and the National Council on Indian Opportunity, or to purposes other than that for which appropriated."

Having discussed this situation with Chairman Mahon, a conferee on both the Agriculture and independent offices appropriations bills and who agrees that no draft of funds from the Department of Agriculture programs for the President's Council of Youth Opportunity, the Interagency Committee on Mexican-American affairs or the United States-Mexico Commission for Border Development and Friendship be made, but they should be financed from other sources, I shall not offer such amendment.

Mr. RYAN. Mr. Chairman, the supplemental appropriation bill, H.R. 20300, is another major disappointment of the 90th Congress which has witnessed the conservative coalition consistently using the war in Vietnam as an excuse to fail to appropriate the funds authorized in many forward looking measures designed to improve the lot of the disadvantaged and the deprived of this land.

It is distressing to see the food stamp program for which we gained a significant victory earlier in this session starved by a reduction of $70 million from the administration's request of $90 million to the now recommended $20 million.

The National Commission on Consumer Finance created by the Truth in Lending Act has been denied any funds at all.

The supplemental appropriations bill provides but $5 million of the $19 million requested for juvenile delinquency prevention and control.

The major new legislation of the 90th Congress was the Housing and Urban Development Act of 1968 designed to reaffirm the 1949 national goal of a decent home and a suitable living environment for every American.

Unfortunately, the level of funding proposed to carry out the hopes raised by that act will be rendered nugatory.

The supplemental appropriation bill provides no funds for tenant services, including much needed police protection for residents of public housing; no funds for FHA counseling services; and the Appropriations Committee has delivered a severe blow to the new sections 235 and 236 interest reduction payments in the new rental and homeownership programs by reducing the contract authorization from the requested $75 million to $25 million for each program.

The supplemental attempts to deal with the earlier failure of Congress to appropriate funds for implementation of the Fair Housing Law of 1968 in the conference report on H.R. 17023, the Independent Offices and Department of Housing and Urban Development appropriation bill for fiscal year 1969. It provides $1 million compared with the $9 million appropriation approved by the Senate but deleted entirely by the conference committee on H.R. 17023.

On September 25, 1968, the Senate by voice vote agreed to the conference report on H.R. 17023, the Independent Offices, and Department of HUD appropriation bill for fiscal 1969, and thus cleared the legislation for the President. This action upheld the failure of the House to appropriate funds to implement the fair housing program authorized by title VIII of the Civil Rights Act of 1968, and upheld the deletion by the conference committee of the $9,000,000 appropriation approved by the Senate to implement the fair housing program. This irresponsible action would have made it impossible for the Department of Housing and Urban Development to carry out its responsibilities under the fair housing law. In his comments on this action taken by the Congress, HUD Secretary Robert C. Weaver observed:

> I am shocked and stunned to hear that the Congress has failed to provide funds for the new Fair Housing Law.
>
> The failure to appropriate funds for Fair Housing is a blow to progress in race relations. It is a repudiation of the will of Congress, which by a large majority enacted the Civil Rights Act with its Fair Housing provisions.
>
> We simply cannot implement the Fair Housing law without more personnel. We do not have enough people assigned to related activities to carry out the functions to which they are now assigned. They are clearly unavailable to initiate the new program. Without manpower, the Fair Housing legislation is a meaningless gesture.

The failure of the Congress now to appropriate sufficient funds to implement the fair housing law in effect repeals the provisions of the law which assign primary responsibility for administering the law to the Secretary of Housing and Urban Development. He is authorized and directed to undertake a comprehensive range of educational and investigative activities to eliminate discrimination based on race, color, religion, or national origin in the sale, rental, financing, or advertising of dwelling units. He is authorized to conduct studies and publish reports, and encourage voluntary compliance with the law through other appropriate means. Furthermore, he is authorized to receive and investigate complaints of discrimination and to attempt to resolve them by persuasion and conciliation, and to cooperate with State and local agencies in doing so.

The refusal of Congress to appropriate the necessary funds so that the educational and concilatory action envisioned in the law can be initiated, will further contribute to the denial of the basic human rights of millions of people in this country.

In the Civil Rights Act of 1968, Congress promised to improve race relations in housing. This promise can not be kept, unless Congress is willing to fulfill its commitment. The time to do so is long overdue.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments adopted in the Committee of the Whole House with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MILLS) having resumed the chair, Mr. O'HARA of Michigan, chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, had directed him to report the bill back to the House with sundry amendments adopted by the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MAHON. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MILLS). Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. DAVIS of Wisconsin. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DAVIS of Wisconsin. I am in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. DAVIS of Wisconsin moves to recommit the bill, H.R. 20300, to the Committee on Appropriations.

Mr. MAHON. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken.

Mr. FINDLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to withdraw my point of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members who spoke on this bill be permitted to revise and extend their remarks and to include pertinent tabular material and that all Members may have 5 legislative days in which to extend their remarks on the bill just passed and that all Members may extend their remarks in the body of the RECORD with reference to the various paragraphs of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate insists upon its amendments to the bill (H.R. 14096) entitled "An act to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. YARBOROUGH, Mr. WILLIAMS of New Jersey, Mr. PELL, Mr. KENNEDY, Mr. JAVITS, Mr. MURPHY, and Mr. DOMINICK to be the conferees on the part of the Senate.

COMMON CARRIER OPERATIONS IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 18248) to amend the act of August 9, 1955, relating to certain common carrier operations in the District of Columbia, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Strike out all after the enacting clause and insert:
>
> "That section 2 of the Act entitled "An Act to provide for the regulation of fares for the transportation of schoolchildren in the District of Columbia", approved August 9, 1955 (D.C. Code, sec. 44–214a), is amended to read as follows:
>
> " 'SEC. 2. In the case of any common carrier required to furnish transportation to schoolchildren at a reduced fare under this Act, the Washington Metropolitan Area Transit Commission shall certify to the Commissioner of the District of Columbia, with respect to each calendar month commencing with September 1968, and ending August 1971, all inclusive, an amount which is the difference between the total of all reduced fares paid during such calendar month to such carrier by schoolchildren in accordance with this Act and the amount which would have been paid during that month to such carrier if such fares had been paid at the lowest adult fare established by the Commission for regular route transportation in that month. The certification required by this section shall be made for each such month as soon as practicable following the end thereof. The Commissioner of the District of Columbia, upon receiving any such certification, shall pay the carrier with respect to which that certification was filed an amount equal to the amount contained therein.' "

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, this bill passed the House on July 22, 1968.

It passed the other body on October 4, 1968, with an amendment.

The bill provides that the cost of school transportation within the District of Columbia—over and above the authorized reduced school fare—shall be borne by the general public, and not solely by transit users. The bill provides a formula under which the District of Columbia government would pay over to each common carrier required to furnish transportation to schoolchildren in the District at a reduced fare, the difference between such reduced school fare and the lowest adult fare chargeable by the carrier for regular route transportation.

The Washington Metropolitan Area Transit Commission, which is the official body exercising regulatory jurisdiction over transit carrier rates and operations within the District of Columbia, would certify to the District government the amount payable to each carrier.

As amended and passed by the Senate, H.R. 18248 would require monthly certification and payment of the amounts due from September 1967 through August 1971.

The House language had provided for certification and payment on an annual basis.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ADMINISTRATIVE PROCEDURE ACT

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 7417) to prescribe administrative procedures for the District of Columbia government, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"SHORT TITLE

"Section 1. This Act may be cited as the 'District of Columbia Administrative Procedure Act'.

"OTHER AUTHORITY

"Sec. 2. This Act shall supplement all other provisions of law establishing procedures to be observed by the Commissioner, the Council, and agencies of the District government in the application of laws administered by them, except that this Act shall supersede any such law and procedure to the extent of any conflict therewith.

"DEFINITION

"Sec. 3. As used in this Act—

"(1) (a) the term 'Commissioner' means the Commissioner of the District of Columbia, or his designated agent;

"(b) the term 'Council' means the District of Columbia Council;

"(2) the term 'District' means the District of Columbia;

"(3) the term 'agency' includes both subordinate agency and independent agency;

"(4) the term 'subordinate agency' means any officer, employee, office, department, division, board, commission, or other agency of the government of the District, other than an independent agency or the Commissioner or the Council, required by law or by the Commissioner or the Council to administer any law or any rule adopted under the authority of a law;

"(5) the term 'independent agency' means any agency of the government of the District with respect to which the Commissioner and the Council are not authorized by law, other than this Act, to establish administrative procedures, but does not include the several courts of the District and the District of Columbia Tax Court;

"(6) the term 'rule' means the whole or any part of any Commissioner's, Council's, or agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or to describe the organization, procedure, or practice requirements of the Commissioner, Council, or of any agency;

"(7) the term 'rulemaking' means Commissioner's, Council's, or agency process for the formulation, amendment, or repeal of a rule;

"(8) the term 'contested case' means a proceeding before the Commissioner, the Council, or any agency in which the legal rights, duties, or privileges of specific parties are required by any law (other than this Act), or by constitutional right, to be determined after a hearing before the Commissioner or the Council or before an agency, but shall not include (A) any matter subject to a subsequent trial of the law and the facts de novo in any court; (B) the selection or tenure of an officer or employee of the District; (C) proceedings in which decisions rest solely on inspections, tests, or elections; and (D) cases in which the Commissioner, Council, or an agency act as an agent for a court of the District;

"(9) the term 'person' includes individuals, partnerships, corporations, associations, and public or private organizations of any character other than the Commissioner, the Council, or an agency;

"(10) the term 'party' includes the Commissioner, the Council, and any person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party, in any proceeding before the Commissioner, the Council, or an agency, but nothing herein shall be construed to prevent the Commissioner, the Council, or an agency from admitting the Commissioner, the Council, or any person or agency as a party for limited purposes;

"(11) the term 'order' means the whole or any part of the final disposition (whether affirmative, negative, injunctive, or declaratory in form) of the Commissioner or Council or of any agency in any matter other than rulemaking, but including licensing;

"(12) the term 'license' includes the whole or part of any permit, certificate, approval, registration, charter, membership, statutory exemption, or other form of permission granted by the Commissioner, the Council, or any agency;

"(13) the term 'licensing' includes process respecting the grant, renewal, denial, revocation, suspension, annulment, withdrawal, limitation, amendment, modification, or conditioning of a license by the Commissioner or the Council or an agency;

"(14) the term 'relief' includes the whole or part of any Commissioner's or Council's or agency (A) grant of money, assistance, license, authority, exemption, exception, privilege, or remedy; (B) recognition of any claim, right, immunity, privilege, exemption, or exception; and (C) taking of any other action upon the application or petition of, and beneficial to, any person;

"(15) the term 'proceeding' means any process of the Commissioner or Council or an agency as defined in paragraphs (6), (11), and (12) of this section; and

"(16) the term 'sanction' includes the whole or part of any Commissioner's or Council's or agency (A) prohibition, requirement, limitation, or other condition affecting the freedom of any person; (B) withholding of relief; (C) imposition of any form of penalty or fine; (D) destruction, taking, seizure, or withholding of property; (E) assessment of damages, reimbursement, restitution, compensation, costs, charges, or fees; (F) requirement, revocation, or suspension of a license; and (G) taking of other compulsory or restrictive action.

"ESTABLISHMENT OF GENERAL PROCEDURES

"Sec. 4. (a) The Commissioner and the Council shall, for themselves and for each subordinate agency, establish or require each subordinate agency to establish procedures in accordance with this Act.

"(b) Each independent agency shall establish procedures in accordance with this Act.

"(c) The procedures required to be established by subsections (a) and (b) of this section shall include requirements of practice before the Commissioner and the Council and each agency.

"OFFICIAL PUBLICATION

"Sec. 5. (a) The Commissioner shall publish at regular intervals not less frequently than once every two weeks a bulletin to be known as the 'District of Columbia Register,' in which shall be set forth the full text of all rules filed in the office of the Commissioner during the period covered by each issue of such bulletin, except that the Commissioner may in his discretion omit from the District of Columbia Register rules the publication of which would be unduly cumbersome, expensive, or otherwise inexpedient, if, in lieu of such publication, there is included in the Register a notice stating the general subject matter of any rule so omitted and stating the manner in which a copy of such rule may be obtained.

"(b) All courts within the District shall take judicial notice of rules published or of which notice is given in the District of Columbia Register pursuant to this section.

"(c) Publication in the District of Columbia Register of rules adopted, amended, or repealed by the Commissioner or Council or by any agency shall not be considered as a substitute for publication in one or more newspapers of general circulation when such publication is required by statute.

"(d) The Commissioner is authorized to publish in the District of Columbia Register, in addition to rules published under authority contained in subsection (a) of this section, (1) cumulative indexes to regulations which have been adopted, amended, or repealed; (2) information on changes in the organization of the District government; (3) notices of public hearings; (4) codifications of rules; and (5) such other matters as the Commissioner may from time to time determine to be of general public interest.

"PUBLIC NOTICE AND PARTICIPATION IN RULEMAKING

"Sec. 6. (a) The Commissioner and Council and each independent agency shall, prior to the adoption of any rule or the amendment or repeal thereof, publish in the District of Columbia Register (unless all persons subject thereto are named and either personally served or otherwise have actual notice thereof in accordance with law) notice of the intended action so as to afford interested persons opportunity to submit data and views either orally or in writing, as may be specified in such notice. The publication or service required by this subsection of any notice shall be made not less than thirty days prior to the effective date of the proposed adoption, amendment, or repeal, as the case may be, except as otherwise provided by the Commissioner or Council or the agency upon good cause found and published with the notice.

"(b) Any interested person may petition the Commissioner or Council or an independent agency, requesting the promulgation, amendment, or repeal of any rule. The Commissioner and Council and each independent agency shall prescribe by rule the form for such petitions, and the procedure for their submission, consideration, and disposition. Nothing in this Act shall make it mandatory that the Commissioner or Council or any agency promulgate, amend, or repeal any rule pursuant to a petition therefor submitted in accordance with this section.

"(c) Notwithstanding any other provision of this section, if, in an emergency, as determined by the Commissioner or Council or an independent agency, the adoption of a rule is necessary for the immediate preservation of the public peace, health, safety, welfare, or morals, the Commissioner or Council or such independent agency may adopt such rules as may be necessary in the circumstances, and such rule may become effective immediately. Any such emergency rule shall forthwith be published and filed in the manner prescribed in section 7 of this Act. No such rule shall remain in effect longer than one hundred and twenty days after the date of its adoption.

"FILING AND PUBLISHING OF RULES

"SEC. 7. (a) Each agency, within thirty days after the effective date of this Act, shall file with the Commissioner a certified copy of all of its rules in force on such effective date.

"(b) The Commissioner shall keep a permanent register open to public inspection of all rules.

"(c) Except in the case of emergency rules, each rule adopted after the effective date of this Act by the Commissioner or Council or by any agency, shall be filed in the office of the Commissioner. No such rule shall become effective until after its publication in the District of Columbia Register, nor shall such rule become effective if it is required by law, other than this Act, to be otherwise published, until such rule is also published as required in such law.

"COMPILATION OF RULES

"SEC. 8. (a) As soon as practicable after the effective date of this Act, the Commissioner shall have compiled, indexed, and published in the District of Columbia Register all rules adpoted by the Commissioner and Council and each agency and in effect at the time of such compilation. Such compilations shall be promptly supplemented or revised as may be necessary to reflect new rules and changes in rules.

"(b) Compilations shall be made available to the public at a price fixed by the Commissioner.

"(c) The Commissioner must publish the first compilation required by subsection (a) of this section within one year after the effective date of this Act and no rule adopted by the Commissioner or by the Council or by any agency before the date of such first publication which has not been filed and published in accordance with this Act and which is not set forth in such compilation shall be in effect after one year after the effective date of this Act.

"DECLARATORY ORDERS

"SEC. 9. On petition of any interested person, the Commissioner or Council or an agency, within their discretion, may issue a declaratory order with respect to the applicability of any rule or statute enforceable by them or by it, to terminate a controversy (other than a contested case) or to remove uncertainty. A declaratory order, as provided in this section, shall be binding between the Commissioner or Council or the agency, as the case may be, and the petitioner on the state of facts alleged and established, unless such order is altered or set aside by a court. A declaratory order is subject to review in the manner provided in this Act for the review of orders and decisions in contested cases, except that the refusal of the Commissioner or Council or of an agency to issue a declaratory order shall not be subject to review. The Commissioner and the Council and each agency shall prescribe by rule the form for such petitions and the procedure for their submission, consideration, and disposition.

"CONTESTED CASES

"SEC. 10. (a) In any contested case, all parties thereto shall be given reasonable notice of the afforded hearing by the Commissioner or Council or the agency, as the case may be. The notice shall state the time, place, and issues involved, but if, by reason of the nature of the proceeding, the Commissioner or Council or the agency determine that the issues cannot be fully stated in advance of the hearing, or if subsequent amendment of the issues is necessary, they shall be fully stated as soon as practicable, and opportunity shall be afforded all parties to present evidence and argument with respect thereto. Unless otherwise required by law, other than this Act, any contested case may be disposed of by stipulation, agreed settlement, consent order, or default.

"(b) In contested cases, except as may otherwise be provided by law, other than this Act, the proponent of a rule or order shall have the burden of proof. Any oral and any documentary evidence may be received, but the Commissioner and Council and every agency shall exclude irrelevant, immaterial, and unduly repetitious evidence. Every party shall have the right to present in person or by counsel his case or defense by oral and documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Where any decision of the Commissioner or Council or any agency in a contested case rests on official notice of a material fact not appearing in the evidence in the record, any party to such case shall on timely request be afforded an opportunity to show the contrary.

"(c) The Commissioner or Council or the agency shall maintain an official record in each contested case, to include testimony and exhibits, but it shall not be necessary to make any transcription unless a copy of such record is timely requested by any party to such case, or transcription is required by law, other than this Act. The testimony and exhibits, together with all papers and requests filed in the proceeding, and all material facts not appearing in the evidence but with respect to which official notice is taken, shall constitute the exclusive record for order or decision. No sanction shall be imposed or rule or order or decision be issued except upon consideration of such exclusive record, or such lesser portions thereof as may be agreed upon by all the parties to such case. The cost incidental to the preparation of a copy or copies of a record or portion thereof shall be borne equally by all parties requesting the copy or copies.

"(d) Whenever in a contested case a majority of those who are to render the final order or decision did not personally hear the evidence, no order or decision adverse to a party to the case (other than the Commissioner or an agency) shall be made until a proposed order or decision, including findings of fact and conclusions of law, has been served upon the parties and an opportunity has been afforded to each party adversely affected to file exceptions and present argument to a majority of those who are to render the order or decision, who, in such case, shall personally consider such portions of the exclusive record, as provided in subsection (c) of this section, as may be designated by any party.

"(e) Every decision and order adverse to a party to the case, rendered by the Commissioner or Council or an agency in a contested case, shall be in writing and shall be accompanied by findings of fact and conclusions of law. The findings of fact shall consist of a concise statement of the conclusions upon each contested issue of fact. Findings of fact and conclusions of law shall be supported by and in accordance with the reliable, probative, and substantial evidence. A copy of the decision and order and accompanying findings and conclusions shall be given by the Commissioner or Council or the agency, as the case may be, to each party or to his attorney of record.

"JUDICIAL REVIEW

"SEC. 11. Any person suffering a legal wrong, or adversely affected or aggrieved, by an order or decision of the Commissioner or Council or an agency in a contested case, is entitled to a judicial review thereof in accordance with this Act upon filing in the District of Columbia Court of Appeals a written petition for review, except that orders and decisions of the Board of Zoning Adjustment, Commission of Mental Health, Public Service Commission, Redevelopment Land Agency, and the Zoning Commission shall be subject to judicial review in those courts which review the orders and decisions of those agencies on the day before the date of enactment of this Act and such judicial review shall be in accordance with the law in effect on the date immediately preceding the effective date of this Act establishing requirements and standards for review of orders and decisions of those agencies or, if no such requirements or standards are in effect on such date, then such review shall be in accordance with this Act. If the jurisdiction of the Commissioner or Council or an agency is challenged at any time in any proceeding and the Commissioner or Council or the agency, as the case may be, takes jurisdiction, the person challenging jurisdiction shall be entitled to an immediate judicial review of that action, unless the court shall otherwise hold. The reviewing court may by rule prescribe the forms and contents of the petition and, subject to this Act, regulate generally all matters relating to proceedings on such appeals. A petition for review shall be filed in such court within such time as such court may by rule prescribe and a copy of such petition shall forthwith be served by mail by the clerk of the court upon the Commissioner or Council or upon the agency, as the case may be. Within such time as may be fixed by rule of the court the Commissioner or Council or such agency shall certify and file in the court the exclusive record for decision and any supplementary proceedings, and the clerk of the court shall immediately notify the petitioner of the filing thereof. Upon the filing of a petition for review, the court shall have jurisdiction of the proceeding, and shall have power to affirm, modify, or set aside the order or decision complained of, in whole or in part, and, if need be, to remand the case for further proceedings, as justice may require. Filing of a petition for review shall not in itself stay enforcement of the order or decision of the Commissioner or Council or the agency, as the case may be. The Commissioner or Council or the agency may grant, or the reviewing court may order, a stay upon appropriate terms. The court shall hear and determine all appeals upon the exclusive record for decision before the Commissioner or Council or the agency. The review of all administrative orders and decisions by the court shall be limited to such issues of law or fact as are subject to review on appeal under applicable statutory law, other than this Act. In all other cases the review by the court of administrative orders and decisions shall be in accordance with the rules of law which define the scope and limitations of review of administrative proceedings. Such rules shall include, but not be limited to, the power of the court—

"(1) so far as necessary to decision and where presented, to decide all relevant questions of law, to interpret constitutional and statutory provisions, and to determine the meaning or applicability of the terms of any action;

"(2) to compel agency action unlawfully withheld or unreasonably delayed; and

"(3) to hold unlawful and set aside any action or findings and conclusions found to be (A) arbitrary, capricious, and abuse of discretion, or otherwise not in accordance with law; (B) contrary to constitutional right, power, privilege, or immunity; (C) in excess of statutory jurisdiction, authority, or limitations or short of statutory jurisdiction, authority, or limitations or short of statutory rights; (D) without observance of procedure required by law, including any applicable procedure provided by this Act; or (E) unsupported by substantial evidence in the record of the proceedings before the court.

In reviewing administrative orders and decisions, the court shall review such portions of the exclusive record as may be designated by any party. The court may invoke the rule of prejudicial error. Any party aggrieved by any judgment of the District of Columbia Court of Appeals under this Act may seek a review thereof by the United States Court of Appeals for the District of Columbia Circuit in accordance with sections 11–321, 17–101, 17–102, 17–103, and 17–104 of the District of Columbia Code.

"Sec. 12. This Act shall become effective one year after the date of its enactment."

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, the bill, H.R. 7417, is designed to prescribe administrative procedures for the government of the District of Columbia. This bill was approved by the House on April 24, 1967. The other body has returned this legislation to the House with an amendment which strikes out all after the enacting clause, but the Senate amendment retains the essential language and substance of the House measure as originally approved by this body.

During the time lapsing between the unanimous approval of H.R. 7417 by the House in April 1967, and the date of the Senate action—October 2, 1968—the District of Columbia government was reorganized. The basic purpose of the amendments by the other body was that of conforming the language of H.R. 7417 with the provisions of the intervening reorganization act relating to the District of Columbia government.

At the time this body approved this legislation, the administrative powers of the District of Columbia government were placed in the hands of the three-man Board of Commissioners. Except for independent agencies such as the Redevelopment Land Agency and the Public Service Commission, all rulemaking and regulatory powers were exercised by the Board of Commissioners, and rules and regulations relating to the District of Columbia government agencies became effective only when approved by the Commissioners. Following the effective date of the District of Columbia government reorganization, the basic administrative authority within the District government became the province of the Commissioner, and the legislative power as to rulemaking and regulations was placed under the District of Columbia Council.

The amendment by the other body to H.R. 7417 conforms the provision of the original House bill to the provisions of the District of Columbia Government Reorganization Act. There is no intent that the terms of the bill, as amended, shall in any way alter the substantive powers of the Commissioner, or the District of Columbia Council, as was intended and established in the reorganization plan for the District of Columbia government. Thus, to the extent that any rulemaking or regulatory powers were retained by the Commissioner under the reorganization plan, such powers are not changed under the terms of this bill. Where the rulemaking and regulatory powers of the former Board of Commissioners were transferred to the District of Columbia Council under the reorganization plan, the substantive rulemaking and regulatory power of the Council is not disturbed by the provisions of this legislation.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. HALL. Mr. Speaker, reserving the right to object, I would ask the gentleman from South Carolina whether or not the Senate amendment is germane to the House-passed bill?

Mr. McMILLAN. Mr. Speaker, if the gentleman will yield, I would reply to his inquiry by stating, "Yes." This is only bringing the present act into accordance with the regulation act we passed last year.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA FOOD SERVICES FUND AND EMPLOYEES

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2012) to amend the District of Columbia Public School Food Services Act, with a committee amendment thereto.

The Clerk read the title of the Senate bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the Senate bill as follows:

S. 2012

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 5 of the District of Columbia Public School Food Services Act (65 Stat. 369; sec. 31 1404, D.C. Code, 1961 edition), is amended by striking the comma following "motor trucks" and inserting in lieu thereof a period, and by striking the remainder of such sentence.

Sec. 2. The first sentence of section 6 of such Act, as amended (sec. 31 1405, D.C. Code, 1961 edition) is amended to read as follows: "Appropriations are authorized for all necessary expenses of the Office of Central Management, Department of Food Services, in the public schools of the District of Columbia, including the payment of compensation for personal services and Government contributions to related insurance costs; for the acquisition, maintenance, and replacement of equipment used or acquired for use in the conduct of the Department of Food Services in the public schools of the District of Columbia, and for reimbursement of the District of Columbia public school food services fund for lunches served in accordance with section 9 of the National School Lunch Act (60 Stat. 233, title 42, sec. 1758, U.S.C., 1958 edition), to children without cost to such children or at reduced cost."

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That section 2(d) of the District of Columbia Public School Food Services Act (65 Stat. 368; D.C. Code, sec. 31–1402) is amended by striking out 'at the rates of pay to be fixed by said Board without reference to the Classification Act of 1949,' and inserting in lieu thereof a period and the following: 'The Commissioner of the District of Columbia shall fix and adjust, from time to time, the rates of pay of such personnel in accordance with the rates of pay of personnel in positions of similar levels of duties, responsibilities, and qualification requirements, as determined by the Commissioner,'.

"Sec. 2. The last sentence of section 5 of the District of Columbia Public School Food Services Act (65 Stat. 369; D.C. Code, sec. 31–1404) is amended to read as follows: 'The Food Services Fund shall be available for the payment of all expenses, other than personal services, necessary for the operation of the Department of Food Services, to the extent that appropriations, other than appropriations for personal services, are not available or are insufficient to pay such expenses in the fiscal year concerned.'.

"Sec. 3. Section 6 of the District of Columbia Public School Food Services Act (65 Stat. 369; D.C. Code, sec. 31–1405) is amended to read as follows:

" 'Sec. 6. Appropriations are authorized for the payment of compensation for all personal services necessary for the operation of the Department of Food Services and for the acquisition, maintenance, and replacement of equipment for use in that operation.'

"Sec. 4. Unobligated funds, not to exceed $148,000, appropriated to the general fund of the Government of the District of Columbia for the fiscal year ending June 30, 1968, may be used to increase the compensation of employees in the Department of Food Services in the public schools of the District of Columbia, for the period beginning February 11, 1968, and ending June 30, 1968.

"Sec. 5. (a) Retroactive pay is authorized for the period beginning on February 11, 1968, and ending on the date on which adjustments in rates of pay are officially ordered by the Commissioner of the District of Columbia as a result of the enactment of this Act; but such retroactive pay shall be paid only—

"(1) in the case of an individual in the service of the Board of Education of the District of Columbia (including service in the Armed Forces of the United States) on the date on which such adjustments in rates of pay are so ordered;

"(2) to a former employee within the classes of employees whose pay is adjusted, by official order of the Commissioner of the District of Columbia as a result of the enactment of this Act, who retired, during the period beginning on February 11, 1968, and ending on the date on which such adjustments in rates of pay are so ordered, for services rendered during such period; and

"(3) in accordance with subchapter VIII of chapter 55 of title 5, United States Code, relating to settlement of accounts of deceased employees, for services rendered, during the period beginning on February 11, 1968, and ending on the date on which such adjustments in rates of pay are so ordered, by a former employee within the classes of employees whose pay is adjusted by official order of the Commissioner of the District of Columbia as a result of the enactment of this Act, who died during such period.

"(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Government of the District of Columbia.

"SEC. 6. (a) The preceding sections of this Act shall become effective as of July 1, 1968.

"(b) For the purposes of determining the amount of insurance for which an individual is eligible under chapter 87 of title 5, United States Code, relating to group life insurance for Government employees all adjustments in rates of pay, which are officially ordered by the Commissioner of the District of Columbia as a result of the enactment of this Act and which become effective in any period prior to the date on which such adjustments in rates of pay are so ordered, shall be held and considered to become effective on the date on which such adjustments are so ordered."

Mr. McMILLAN (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading of the amendment, and that it be printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The committee amendment was agreed to.

Mr. McMILLAN. Mr. Speaker, the purposes of this bill, S. 2012, as amended, are first, to authorize direct appropriations to pay the cost of salaries of employees of the District of Columbia school lunch program and thereby relieve the food services fund from such labor costs; second, to provide funds necessary for school lunches for needy children in the secondary schools in the District; third, to avoid any further increase in cost of school lunches to school children; and fourth, to prevent imminent substantial deficits in the food services fund.

On September 28, 1967, the government of the District of Columbia transmitted to the Congress a report indicating impending financial problems in connection with the operation of the public school lunch program and presented recommendations for legislative action to meet these problems. Thereafter S. 2012 was introduced and that legislation was favorably reported to the Senate and passed by that body on October 11, 1967.

Because of substantial increases in operating costs for the school lunch program, not foreseen in September of 1967, the District of Columbia government transmitted to your committee on May 16, 1968, and again on May 27, 1968, new recommendations accompanied by bill drafts proposing additional amendments to the existing law so as to meet the new costs, particularly for increased wages, which have accrued since the first of the year.

SCHOOL LUNCH PROGRAM

The school lunch program was authorized for District public schools by the act of October 8, 1951—Public Law 82–159; 65 Stat. 367. At the present time approximately 33,000 lunches are served each school day and of this number approximately 17,000 lunches are served without cost to elementary and secondary schoolchildren from families which are on public assistance, and to needy children in the elementary schools. Children in secondary schools from needy families, which are not on public assistance, are not eligible for school lunches without cost under existing law. Eligibility for school lunches without cost is based on certification by school principals. The District of Columbia is authorized to reimburse the food services fund for free lunches for schoolchildren of families on public assistance. Reimbursement to the fund for free lunches for children of needy families is not authorized but is provided for under an appropriation bill rider first included in the act of July 20, 1969—Public Law 85–104; 73 Stat. 229.

A total of 69 cafeterias are operated under the school lunch program. Forty-four cafeterias are operated in the secondary schools. Only 25 of 140 elementary schools have cafeterias. In those schools which have cafeterias, hot lunches are served. Facilities of the cafeterias are used additionally for the preparation of bag lunches which are supplied to schoolchildren in those schools which do not have cafeterias.

During the past fiscal year, approximately 5.75 million lunches were served. In the elementary schools, the cost of lunches to students was 35 cents whether the lunch was a hot lunch or a bag lunch. In the secondary schools, students have the option to buy a lunch at 35 cents or at 42 cents if an extra salad or dessert is desired. Because of recurring losses in the food services fund, the price of school lunches was increased by 5 cents in the fiscal year 1967.

Approximately 635 full-time employees are required for the operation of the school lunch program. Management and supervisory personnel require about 66 persons. With the exception of three employees, all personnel are presently paid out of the food services fund. All employees are appointed by the board of education and their salaries are set without reference to the GS or wage board pay schedules.

FOOD SERVICES FUND

The District of Columbia Public School Food Services Act provides that all income from the operation of the school lunch program be deposited in the food services fund. This fund is a permanent revolving fund and is not involved in the appropriation process. The solvency of this fund depends primarily upon the revenues received from the sale of school lunches. If the cost of the program exceeds the income received, the price of school lunches may be increased.

During the school year 1968, the total receipts of the food services fund was approximately $3.7 million. Of this amount the cash sale of lunches returned $1.6 million. The District of Columbia reimbursement for free lunches to children whose families were on public assistance through direct appropriation was $1.48 million. Other District of Columbia payments amounted to approximately $141,000 for lunches for elementary and secondary school children of needy families. Since the District of Columbia participates in the national special lunch program and the national special milk program, the food services fund received payment from the Federal Government which, in the past fiscal year, amounted to approximately $329,000. Federal funds were received from the impacted aid and the Elementary and Secondary School Assistance Act, title I program, in the amount of approximately $78,000. Federal regulations require that funds provided through the Federal lunch and the Federal milk programs be withdrawn if the reserves in the food services fund exceed the amount necessary for 2 months of operation of the school lunch program. Consequently, the food services fund can make no accumulations of reserves above immediate needs of the school lunch program.

Costs of operation of the school lunch program are paid from the food services fund. This includes the cost of salaries of all employees, estimated at approximately $2.4 million for fiscal year 1969, the cost of all food, and the purchase of supplies and materials, equipment, and trucking service.

NEED FOR LEGISLATION

During the past 3 years, the costs of operating the school lunch program have exceeded the revenues received by about $110,000. In an effort to balance the cost of the program and the income, the price of school lunches was increased by 5 cents per lunch during fiscal year 1967. It was quickly discovered, however, that this was not a suitable remedy since the price increase resulted in a decline in participation.

In February of 1968, a new wage contract negotiated between the Board of Education and the school lunch program employees further unbalanced the financial stability of the program. These wage increases, plus increased food costs and rising costs of other supplies and equipment, indicated that the reserves in the food services fund may be exhausted by the middle of the present fiscal year. A projection of the operations for the fiscal year 1970 indicated a probable deficit annually amounting to about $475,000.

To meet this emergency, the Commissioner for the District of Columbia transmitted new recommendations to Congress dated May 16 and May 27, 1968, recommending that all personnel costs for the school lunch program be transferred from the food services fund to direct appropriations for the District of Columbia and that the wage agreement be made effective on the date of this negotiation in February 1968. Further it was recommended that school lunches without cost be authorized for both elementary and secondary schoolchildren of needy families not on public assistance.

All costs of operating the school lunch program except salaries for personnel would thus be chargeable to the food services fund. This proposed change would require an estimated $627,500 in additional appropriations to the District of Columbia.

EFFECT OF THE LEGISLATION

Under the terms of S. 2012, as amended, the management, supervisory, and other school lunch program personnel would become employees of the District of Columbia government. Those employees who are in the management and supervisory positions in the lunch program would become subject to the civil service laws for District employees. Their jobs would be surveyed and classified, and their pay would be established within the regular GS pay schedule. Your committee felt that the other employees should become subject to Wage Board pay rates as established by the Commissioner, and the bill as amended so provides, since the Commissioner already determines the pay rates for some 7,000 additional Wage Board employees of the District of Columbia. The hiring of all employees would remain with the Board of Education.

The number of persons affected by this change would be approximately 635 management, supervisory, and food service employees. The wage rates for food service employees prior to the February pay increase for the lowest category of cafeteria helper ranged in four grades, from $1.35 to $1.50 per hour. The highest paid of the five categories of employees, the cafeteria manager, ranging in four steps, was from $1.90 per hour to $2.11 per hour. The February 11 wage agreement increased the pay for cafeteria helpers ranging, in five steps, from $1.65 per hour to $1.93 per hour. For the cafeteria manager, the new pay scale was set in five steps from $2.30 to $2.70 per hour. While the Board of Education had the authority to make such wage increases, there were insufficient funds in the food services fund to make such pay increases immediately effective. The Commissioner for the District of Columbia recommended that the newly approved wage scale be made effective as of the date of the contract, February 11, 1968, and the bill as reported by your committee makes those wage rates effective retroactive to that date.

The Commissioner likewise recommended, and the bill so provides, authorization for school lunches for needy secondary school students. This recommendation would account for $80,000 of the proposed additional estimated cost.

As a result of the transfer of all personnel costs from the food services fund to direct appropriations for the District of Columbia and the application of the present appropriation for reimbursement to the food services fund to such wage costs, the food services fund would receive a net increase of approximately $242,000. Your committee requested that it be furnished a statement showing the disposition that would be made of this additional money available to the food services fund. Your committee was advised that these funds would be used in approximately the following manner:

First. Free lunches for 500 additional elementary students whose families are on welfare, at a cost of $36,000.

Second. A reduction in the price of school lunches by 5 cents, and improvement in the food for lunches, at an estimated cost of $100,000.

Third. Absorption of increased food costs, $35,000.

Fourth. The balance of additional funds would be used to Food Service Fund reserves to a level somewhat above the amount required for 1 month's operation of the school lunch program.

SECTION-BY-SECTION ANALYSIS

Section I of the bill, as amended, authorizes the appropriation of $148,000 from the general fund of the District of Columbia to provide for the payment of salary increases to school lunch employees under a contract dated February 11, 1968. The Board of Education had the authority to make the salary adjustment, but the funds in the Food Service Fund were inadequate to make the payment of the increased salaries contracted as of that date.

Section II of the bill, as amended, amends the first sentence of Section IID of the Public School Food Services Act—65 Stat. 367, District of Columbia Code, section 31-1402—by striking out the language "at rates of pay to be fixed by said Board." Under this language, the Board of Education was authorized to set the rates of pay of the school lunch employees without reference to the Civil Service GS schedule of the Wage Board pay schedules. Under the amendment proposed to this section, those employees in the management and supervisory levels would be classified and would be paid under the GS pay schedule for Government employees. The amendment would place all other employees under the Wage Board schedules as presently administered by the Commissioner for about 7,000 other employees of the District of Columbia.

Section III of the bill amends section 5 of the Food Services Act—65 Stat. 369, District of Columbia Code, section 31-1404—by striking from the last sentence of that section references to the payment of employees from the food services fund. The food services fund would be used for the purchase of food, supplies, and all other services and expenditures including the operation and maintenance of motortrucks as are necessary for the school lunch program.

Section IV of the bill, as amended, amends section VI of the Food Services Act—65 Stat. 369, District of Columbia Code, section 31-1405—by striking out the existing language and substituting new language therefor. This amendment would repeal the authorization of appropriations for reimbursement to the food services fund by the District of Columbia for school lunches served without cost. The amendment authorizes appropriations for the payment of compensation for all personal services necessary for the school lunch program, for employee benefits such as insurance, and for the costs and maintenance of equipment used in the school lunch program.

Section V of the bill, as amended, authorizes the payment of the wage increases of school lunch employees as of the date of February 11, 1968.

Section VI of the bill makes effective on the date of the enactment of the changes relating to the amount of insurance under the Government Employees Group Life Insurance provisions of the United States Code.

Section VII of the bill provides that sections II, III, and V of the bill, as amended, become effective on July 1, 1968.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to amend the District of Columbia Public School Food Services Act to provide for the payment of salaries of food service employees from appropriated funds, to provide for adjustments in those salaries, and for other purposes."

A motion to reconsider was laid on the table.

REQUEST FOR CONFERENCE ON S. 944, ESTABLISH PARKING FACILITIES FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 944) an act relating to the establishing of parking facilities in the District of Columbia, with amendments of the House thereto, insist upon the House amendments and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. HALL. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. HALL. Mr. Speaker, the reported compromise between the House and Senate passed "parking bills," will impose on the taxpayers of every State additional cruel and unjustified burdens.

The Washington Daily News today, October 8, brings us this startling news:

> The expected compromise would probably allow creation of the public parking agency but require it to deal with private operators in providing new facilities.
>
> For years, conservatives on the House District Committee have opposed a public parking authority, acting out of sympathy for some private operators who double as real estate speculators.

The Evening Star is more specific still. In an article today the Star reports that "sources said" the basic elements of both bills were put together in one package, and would include the following:

> 1. An authorization for the General Services Administration to work with private parking firms to provide additional land, particularly for government employes and tourists. . . .
>
> 2. A parking board that could buy private property for the development of additional parking, particularly for shoppers.

Senator TYDINGS is quoted by the Washington Post today as saying:

> "We made real progress—much better than I thought we would," Tydings said. "Broyhill's got to sell it, though, and so do I. He's got the biggest job."

Our colleague, the distinguished gentleman from Iowa [Mr. Gross] September 23 raised certain basic questions about the "local private parking operators," contemplated in the House bill.

As a result the gentleman from Maryland [Mr. Mathias] offered an amendment which struck the word "local" from the amendment.

The resulting measure was adopted by a vote of 225 to 127 on September 25.

The House-passed parking bill, which incidentally I supported, is based on a 2-year study initiated by President Dwight D. Eisenhower in 1960, and would implement the recommendations of that study.

There is no similar justification for the Senate measure. In fact, the Senate measure is a boondoggle, pure and simple.

In the House hearings on the Tydings bill which were held by the House District of Columbia Committee we find this language in a reply to Senator Tydings:

> Frankly, Senator, I am amazed that the business community of downtown Washington has thrown up its hands and admitted that free enterprise cannot solve their problem. They say that they need the right of eminent domain, but they want more than that. I am expressing amazement that the business community in the District of Columbia has been unable to provide its own parking facilities.

The House District Committee expressed concern over the fact that the downtown business community of the District of Columbia wanted "tax exemptions on the bonds."

Frankly I do not want my constituents to have to pay for parking facilities for the immensely wealthy downtown commercial business interests of Washington, D.C., which are listed, in a number of cases, on the New York Stock Exchange.

The House District Committee members brought out this point in the House hearings on the Tydings measure. First, Senator Tydings said:

> We are going to use the revenues from the parkers' parking fees in addition to the revenue from the parkers who park in the buildings to pay back the bonds and stand behind the bonds as collateral—the bonds that are sold.

To which statement by Senator Tydings, the following illuminating comment was made by a member of the House District Committee:

> Senator, the parking meter revenues are presently going into a special highway fund. Under the legislation you propose, however, they will no longer go into that fund but will go to pay off these bonds. This means that we would then have to appropriate money for that special highway fund . . . I do not think we should just help the business interests of the District of Columbia, and not the other people. By doing this, we would provide additional competition for our business people in the community by granting someone a subsidy, or a guarantee, or whatever you want to call it, and by so doing we would be derelict in our responsibilities.

Mr. Speaker, there you have it—the entire issue—neatly summarized.

Just why the taxpayers should establish such a precedent here in Washington on which basis similar raids will be made on the U.S. Treasury by similarly motivated businessmen in cities from coast to coast, remains to be explained.

Frankly, I cannot think of a single reason why the House should have anything to do with such a "compromise".

The articles referred to follow:

[From the Washington Post, Oct. 8, 1968]

AGREEMENT REVIVES DISTRICT OF COLUMBIA PARKING BILL

(By Jack Eisen)

Sponsors and backers of rival parking bills for Washington agreed yesterday to compromise legislation that would create a public authority with limited power to build garages for shoppers.

The agreement—along with only skimpy hints of what the proposed bill contains—was disclosed by Sen. Joseph D. Tydings (D-Md.) and Rep. Joel T. Broyhill (R-Va.), after an unusual Capitol meeting with spokesmen for the parking industry and business interests.

Broyhill has long opposed a public authority to provide parking for downtown shoppers. Tydings' parking bill was dropped from consideration as part of the Federal highway bill when the House District Committee promised to do something about downtown parking.

Since the Senate-passed Tydings bill and the House-passed Broyhill bill are so different in content, the agreement came as a surprise.

The Tydings bill, which would create a public authority with power to condemn land for garages, is aimed largely at providing short-time parking for shoppers in congested retail areas, notably downtown.

The Broyhill bill would authorize a program to provide all-day parking for Federal employes and people doing business with the government.

Enactment of the compromise version before adjournment this week would still involve a race against time.

The lawmakers, chiefly Broyhill, must win support for the measure from their colleagues. And conferees must agree to accept the compromise.

Senate conferees have been named. Broyhill said he will ask Chairman John L. McMillan (D-S.C.) of the House District Committee to choose conferees today for an immediate meeting.

Broyhill, the first to emerge from the two-hour closed meeting, said "everyone seems to be pretty pleased" with what he called "a good bill." He said it would be fair to speculate that some form of public authority would be provided by the legislation.

This feature was bitterly opposed by the private parking industry and was omitted from Broyhill's bill.

Two leaders of the Washington Parking Association, John W. Lyon and Leonard B. Doggett Jr., attended yesterday's meeting along with representatives of Downtown Progress, a private business group that supports parking for shoppers.

Tydings, who had been pessimistic about chances for salvaging the public-authority feature of this bill, was obviously pleased by the outcome of the session.

"We made real progress—much better than I thought we would," Tydings said. "Broyhill's got to sell it, though, and so do I. He's got the biggest job."

Tydings, like Broyhill, indicated that the parking-authority provision will remain in the final version. Both lawmakers said they agreed not to discuss details of the bill in public to keep from jeopardizing the possible support of others.

[From the Washington Daily News, Oct. 8, 1968]

TALKS PAVE THE WAY: PARKING BILL GETS NOD

House and Senate adversaries neared agreement yesterday on a controversial District parking bill which may pave the way for establishment of a public parking authority here.

The reported settlement, hammered out after a two-and-a-half hour closed-door meeting involving private parking operators, was kept under wraps by Sen. Joseph D. Tydings (D., Md.) and Rep. Joel T. Broyhill (R., Va.), principals in the controversy.

Both men, working to push a bill thru before expected adjournment this week, seemed pleased with the results of the lengthy session.

Mr. Broyhill has pushed thru the House a bill authorizing private parking operators, under contract with the General Accounting Office to build and run new garages here.

Sen. Tydings has shepherded thru his chamber a bill establishing a public parking authority with condemnation powers.

The expected compromise would probably allow creation of the public parking agency but require it to deal with private operators in providing new facilities.

For years, conservatives on the House District Committee have opposed a public parking authority, acting out of sympathy for some private operators who double as real estate speculators.

[From the Washington (D.C.) Evening Star, Oct. 8, 1968]

PARKING BILL SPONSORS IN AGREEMENT

(By William Grigg)

Informal agreement on a District parking bill has been reached by Rep. Joel T. Broyhill, R-Va., and Sen. Joseph D. Tydings, D-Md., authors of the different bills that have passed the House and Senate respectively.

Neither Broyhill nor Tydings would reveal the specific elements of the agreement after a meeting late yesterday, but sources said they put the basic elements of both bills together in one package. This includes:

1. An authorization for the General Services Administration to work with private parking firms to provide additional parking on government land, particularly for government employes and tourists, as in the Broyhill bill.

2. A parking board that could buy private property for the development of additional parking, particularly for shoppers, as in the Tydings bill.

Broyhill and Tydings wore broad grins when they emerged from the meeting with downtown businessmen and parking firm officials late yesterday in the Capitol.

Although he would not go into detail, Broyhill said the meeting had produced "a good compromise—good for Washington and good for the whole area." Tydings, who had earlier referred to Broyhill's bill as "meaningless," agreed with Broyhill's appraisal of the meeting.

Broyhill sought today to win the support of Rep. John L. McMillan, D-S.C., for the new agreement. McMillan, chairman of the House District Committee, must ask the House to name official conferees on the bills before the agreement can be formalized and presented to the House and Senate for a final vote.

Broyhill said he is "hopeful" that the informal agreement can be turned into legislation that can be approved by Congress before adjournment, which may come this week.

Tydings admitted that he went to the meeting yesterday afternoon with great doubts that anything worthwhile could be worked out, but that he was very pleased by the outcome.

He said he was sure the Senate would accept the bill, if the House does.

AUTHORIZING THE SECRETARY OF THE ARMY TO CONVEY TO THE PORT OF CASCADE LOCKS, OREG., CERTAIN INTEREST IN LANDS IN THE STATE OF OREGON FOR MUNICIPAL PURPOSES

Mr. **BENNETT**. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3615) to authorize the Secretary of the Army to convey to the port of Cascade Locks, Oreg., a certain interest in lands in the State of Oregon for municipal purposes.

The Clerk read the title of the Senate bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3615

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to convey by quitclaim deed or other appropriate means to the port of Cascade Locks, Oregon, so much of the right, title, and interest remaining in the United States in and to the following described property as may be necessary to enable the port of Cascade Locks to convey such described property to the city of Cascade Locks, Oregon, for use by such city as a sewage treatment plant site, such property being a part of a tract of land conveyed to the port of Cascade Locks pursuant to the Act of May 28, 1940 (54 Stat. 225), on the condition that such tract be used for municipal park and dock purposes:

Beginning at the center of section 12, township 2 north, range 7 east, Willamette meridian, in Hood River County, in the State of Oregon;

thence from said center of section north 1,206.3 feet to a point;

thence east 125 feet to a point;

thence south 203.5 feet to a point;

thence south 41 degrees 15 minutes west 578.6 feet to a point;

thence south 29 degrees 30 minutes east 60 feet to a point;

thence south 29 degrees 45 minutes west 75 feet to a point;

thence south 29 degrees 13 minutes west 58.51 feet to a point;

thence south 40 degrees 00 minutes west 135.5 feet to a point;

thence south 37 degrees 30 mintues west 100 feet to a point;

thence south 34 degrees 15 minutes west 101 feet to a point;

thence south 31 degrees 50 minutes west 100 feet to a point;

thence south 30 degrees 20 minutes west 100 feet to a point;

thence south 30 degrees 10 minutes west 1,090.8 feet to a point;

thence north 59 degrees 50 minutes west 130.0 feet to the true point of beginning of the parcel of land herein described, said point being also north 30 degrees 10 minutes east 499.30 feet and north 59 degrees 50 minutes west 130.0 feet from a brass cap marking the beginning point of the Indian Fishing Grounds Tract;

thence from said true point of beginning by metes and bounds; south 30 degrees 10 minutes west 130.0 feet;

thence north 59 degrees 50 minutes west a distance of 79 feet more or less to the water's edge;

thence upstream along the water's edge 130 feet more or less to a point that is north 59 degrees 50 minutes west 86 feet more or less from the point of beginning;

thence south 59 degrees 50 minutes east 86 feet more or less to the true point of beginning, containing 0.246 acres.

SEC. 2. The conveyance authorized by this Act shall be subject to the conditions that (1) the port of Cascade Locks, Oregon, pay to the Secretary of the Army as consideration for the interest conveyed an amount equal to 50 per centum of the fair market value of such interest as determined by the Secretary after appraisal; (2) the port of Cascade Locks, Oregon, agree to convey the property described in the first section of this Act to the city of Cascade Locks, Oregon, for use by such city as a sewage treatment plant site; (3) the city of Cascade Locks, Oregon, enter into an agreement with the Secretary of the Army in which the city of Cascade Locks agrees that such property conveyed to it for a sewage treatment plant site shall be used solely for that purpose and that in the event that such property ceases to be so used, all right, title, and interest therein shall immediately revert to the United States; and (4) the Secretary of the Army may include any additional terms, reservations, and restrictions as he deems necessary for the operation, management, and development of the Bonneville Dam and Reservoir project as may be in the public interest.

Mr. **BENNETT**. Mr. Speaker, the purpose of this bill is to authorize the Secretary of the Army to convey to the port of Cascade Locks, Oreg., such interest of the United States in 0.246 acres of land as necessary to enable the port of Cascade Locks to convey this land to the city of Cascade Locks for use as a sewage treatment plantsite.

The tract of land involved in this bill is a portion of an area of 84 acres of land acquired by the United States between 1884 and 1927 for use in connection with the construction and operation of the Cascade locks and canal project on the Columbia River in Hood River County, Oreg. In 1933, construction of the Bonneville Dam project was authorized and these lands were reassigned to that project. The completion of the Bonneville Dam in 1938 resulted in submersion of the Cascade Rapids and inundation of a large portion of the Cascade Locks property. Subsequently, under an act of Congress approved May 28, 1940 (54 Stat. 225), the Secretary of the Army, by deed dated April 24, 1954, conveyed 63.10 acres of these lands with improvements thereon to the port of Cascade Locks in consideration of $13,250, being 50 percent of the current market value. Both the act and the deed contained provisions that: First, restricted use of property to a municipal park and dock; and second, should such use cease title is to revert to the United States. As a collateral transaction, the port of Cascade Locks, by deed dated May 13, 1954, conveyed to the United States, for $1, a flowage easement over 53.40 acres of the same lands—94-foot elevation mean sea level—for use in connection with the Bonneville Dam project.

The city of Cascade Locks now desires to construct a sewage treatment plant on a tract of 0.246 acre of land within the above-mentioned area conveyed by the United States. By reason of the restricted use and the reverter provisions of the act (54 Stat. 225) and deed of conveyance, the Port of Cascade Locks is unable to convey or make this tract available to the city for the proposed use. S. 3615 would provide the requisite authority for the Secretary of the Army to appropriately modify these provisions.

This Department has received the proposed plans for construction and operation of the sewage treatment plant and considers that such operation will not be incompatible with the Bonneville Dam project provided: First the existing flowage easement rights of the United States be retained; and second, prior to any conveyance by the Government, the approval of the Oregon State Sanitary Authority will be obtained for the proposed sewage plant.

The conveyance is to be subject to the conditions that: First, payment to the United States will be made of 50 per centum of the value of the interest conveyed; second, the Port of Cascade Locks will convey said property to the city of Cascade Locks; and third, the city will enter into agreement with the Army to use property solely for a sewage treatment plant, and if such use ceases title to said property shall revert to the United States.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE 12TH ANNUAL REPORT ON TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 394)

The **SPEAKER** pro tempore (Mr. MILLS) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed, with illustrations:

To the Congress of the United States:

I am pleased to transmit the Twelfth Annual Report on the Trade Agreements Program, as required by the Trade Expansion Act of 1962. The report covers the year 1967.

The remarkable postwar growth of international trade continued uninterrupted in 1967, but at a slower pace. World trade grew by almost 5%, to a new record of $191 billion.

U.S. trade grew by a little more than 5%. Our trade surplus for the year reached $4.1 billion, an improvement over the preceding year. The trade surplus fell off sharply, however, in the fourth quarter of 1967 and through the first half of 1968. We acted to reverse this trend through the Revenue and Expenditure Control Act of 1968 and by new export promotion measures.

The year was highlighted by the successful completion of the Kennedy Round—a milestone in the history of the bipartisan U.S. policy of trade expansion. Tariffs have already begun to come down. The U.S. made the first of five annual tariff reductions on January 1, 1968. The European Economic Community, the UK, Japan and some other major trading countries put into effect two-fifths of their scheduled tariff reductions on July 1, 1968. These tariff cuts will promote trade, higher employment, and higher income among all countries.

America's economic well-being and the strength of the dollar are linked to our sharing fully in the future growth of world trade. I therefore directed the Special Representative for Trade Negotiations to conduct a long-range study of trade policy. This study will benefit from the views and recommendations of members of the Congress, the interested agencies of the government, and a distinguished group of private citizens serving on the Public Advisory Committee on Trade Policy. We must continue to seek ways in which foreign trade can help to keep our economy competitive and healthy and give to all our people the advantages of greater efficiency in production.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 8, 1968.*

TRIBUTES TO THE LATE HONORABLE ELMER J. HOLLAND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. MORGAN] is recognized for 60 minutes.

Mr. MORGAN. Mr. Speaker, a few short weeks ago it was my pleasure to lead those of this House who joined in voicing commendation and good wishes to our dear friend and colleague, ELMER J. HOLLAND, on the occasion of his retirement to private life. Today, it is my sad task to speak of our friend again, this time to express our sorrow at his passing and to extend our heartfelt condolences to his widow and children.

ELMER HOLLAND had long suffered from illness. His devotion to duty and his cheerful courage in spite of serious physical discomfort, were an inspiration to us all. Many were the occasions when he joined us on this floor to cast his vote when his absence would have been justified by his illness. This was characteristic of this great and patriotic man.

Born in Pittsburgh in 1894, ELMER was educated in the public schools there and at the University of Pittsburgh, with later studies at Duquesne University and the University of Montpelier, France, as well as U.S. military schools in England. ELMER HOLLAND served our country in both world wars, entering the service with the rank of lieutenant and winning promotion to the rank of major.

Although most of his life was spent in dedicated public service, ELMER was successful in business as well as in the field of labor relations before he was first elected to public office. Before coming to the House in 1942 he served with our Allied military government in the European theater of operations. His first experience here was in filling an unexpired term. Because of reapportionment he did not run for reelection, but instead served three terms ably and with distinction in the Pennsylvania State Senate, coming back to the U.S. House of Representatives in 1956 and remaining through the present Congress.

Last July I called attention to ELMER HOLLAND's consistent support and sponsorship of constructive legislation which has had a significant and favorable impact on the lives of all Americans. Today I would like to repeat the words President Lyndon B. Johnson used in paying tribute to ELMER HOLLAND's legislative service. The President said:

> You are indeed one of a rare breed whose achievements will live in the lives of those you served.
>
> I share your pride in having introduced the First Federal Scholarship Bill in 1956.
>
> Your vision helped pave the way to the Manpower Development and Training Act of 1962. Years before its passage, you introduced the first legislation to provide retraining courses for those skills made obsolete by automation. You brought before the Congress and the nation the urgent need for adult education.
>
> You have always been in the forefront of the fight for cleaner streams and rivers, for workmen's compensation, minimum wage and extended social security benefits. You have worked for better health programs for those on social security, and for countless other measures that made possible the prosperity we enjoy today.

It is inded a rare honor for a man to have such things said of him by the President of our country. But, for that matter, it is equally rare for them to be so appropriate and well-justified as in the case of our friend and colleague ELMER HOLLAND.

ELMER was not a member of the Committee on Foreign Affairs, but he had a deep knowledge of and concern for foreign policy problems and was keenly aware of their impact on our economy and our security. As chairman of the Foreign Affairs Committee, I had special reason to be glad of his understanding and support when foreign policy legislation was before the House for action. His bipartisan foreign policy efforts evoked the praise of Secretary of State Dean Rusk as well as the commendation of those of us who served on the Foreign Affairs Committee.

ELMER's entire career affords a shining example to those who wish to work in the field of public service. It would be difficult, among his many achievements, to say which proved the greatest contribution he made to help his fellow men, but I think there can be much agreement that it was probably his work as "father of manpower training." We knew at firsthand the problems of the workingman who finds himself displaced from familiar jobs. The Manpower Development and Training Act is a monument to his years of dedicated effort in this critical and urgent area.

The life and career of ELMER HOLLAND was so full of productive effort and significant achievement that it is difficult to give an adequate picture of his great contribution to the American way of life in the short time available to us today. Even the highlights, however, serve to point up their importance to us all. I am proud to have served with this great statesman and glad that I had the honor and pleasure of being his personal friend as well as associate in this House. His passing is a great loss to our country as well as those privileged to know him. I wish to extend my deepest sympathy and sincerest condolences to his wife and family.

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Speaker, just over 2 months ago, on July 30, a large number of us took to the floor to extend to ELMER HOLLAND some small measure of the warm good wishes we all had for his years of retirement. At that time, I said the following:

> It is hard to know what to say on an occasion like this. I want to wish the gentleman from Pennsylvania well in the years that lie before him. But I also want to say, "ELMER, don't go." I, for one, will miss this quiet, courageous man very deeply.
>
> Other Members, notably, the distinguished chairman of the Committee on Education and Labor, have talked about ELMER HOLLAND's legislative contributions. I have had the good fortune to serve on the two subcommittees which ELMER HOLLAND has chaired, and I know from personal experience, the magnitude of those contributions. There is more of ELMER HOLLAND in MDTA than appears on the surface.
>
> But it is ELMER HOLLAND, the man, to whom I want to pay tribute today. I have come to know a great many men in this House whom I am proud to call friend. I have met many people, of both political persuasions, who have impressed me with their diligence, their courage, their insight into public problems. These virtues are rare in any group, but they are present in this House as they are elsewhere. ELMER has them all. But he has something more, which I am hard put to name. Perhaps at the risk of being misunderstood, I might most fittingly describe ELMER HOLLAND as a man of simplicity. By that I mean he has the knack of being able to see past the outward obscurity of a problem, right to the heart of the issue. He understands complexities, and he is not afraid to take the unpopular side of a complex issue. But even when he does so, he is able to state his case in terms of basis questions of right and wrong. He is right more often than anyone ought to be. And when he is wrong, he is usually wrong for very goodhearted reasons.
>
> I will remember ELMER HOLLAND as long and as warmly as I will remember anyone with whom I have had the privilege of serving in this House. I will remember him as a gracious chairman, as a hard-working colleague, as a courageous Representative. I will remember him as a man who did not have much to say, but who, when he said it, you knew had gotten to the heart of the matter.
>
> He has been my chairman. He has been my leader. He has been—and this is most important to me—my friend.

A few short days later, I was shocked and grieved to hear the sad news of ELMER HOLLAND's death.

In thinking about what I might say today, in the course of this formal eulogy of my colleague, and my good friend, I have come to the conclusion there is little I can add to what I said on that happier, earlier occasion when we were congratulating ELMER HOLLAND on the expected completion of his magnificent career.

He loved his country and he served it well and faithfully. He loved this House, and he served it well and faithfully. He was an imaginative and a constructive legislator, and a deeply compassionate representative and servant of the people. He was my friend. He will be missed, more than these words can convey.

Mr. Speaker, I also wish to extend my condolences to the members of ELMER HOLLAND's family, and especially to his widow Emily. I express my sadness at their loss and my best wishes to them in bearing that loss.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the distinguished gentleman from Pennsylvania.

Mr. DENT. Mr. Speaker, I want to join the two gentlemen who have preceded me in paying their respects to the memory of a man who served his country well.

I have known ELMER HOLLAND since his early days in the legislative activities of his career. I knew him before that as a man who struggled in the days when liberalism was not as common as it is now and was not as accepted. He stood for those things which meant the most to the greater number of people. Throughout his lifetime he gave his all in order that those of us not as well endowed with the world's goods could have an opportunity to enjoy this country of ours and its benefits.

I have watched ELMER work, and have worked with him, both in the legislative branch of the Government in the State of Pennsylvania and in the Congress of the United States. His entire interest was always his fellow man. He always had that foremost in his thinking, always trying to improve the lot of the men who did not have the opportunities most of us enjoy.

I join the good gentleman from Washington County in our State, the gentleman from Michigan, and others in this House in saying that ELMER HOLLAND not only served his country, but also served his people well in many years of public service

I have known his family. I have known him since the birth of his two children, who are now citizens of this great land and are giving in the tradition of their father that others may live as well as possible in a troubled country.

ELMER HOLLAND was a great citizen.

Mr. EILBERG. Mr. Speaker, ELMER J. HOLLAND, my late colleague and fellow member of the Pennsylvania delegation, was a man of the people. All his life he was a passionate and compassionate fighter for a better life for millions of working men and women. Indeed, he was famous for "loving a good fight," when it was in defense of the underdog—the unemployed, the disabled, the victims of low wages and poor working conditions.

ELMER HOLLAND was a man who remained young at heart to the end of his days, always ready to rise to the challenge of a new problem, always willing to listen to a new idea or a new approach. He scorned those who tried to ignore problems as if they did not exist, and no evidence of human suffering or exploitation was considered beneath his notice. At the end of his life, Congressman HOLLAND was vigorously investigating the problems of mine safety, discrimination against the aging, conditions of migrant labor, hours of work, and the liberalization of Federal employees' compensation.

Representative HOLLAND was a man of broad and deep concern for the quality of life in America. He channeled his concern into positive and constructive action. The Manpower and Development Training Act of 1962 which he conceived, authored, and sponsored is but one major example. As chairman of the Special Subcommittee on Unemployment and the Impact of Automation, and later of the Select Committee on Labor, he made outstanding contributions to our knowledge and understanding of labor problems.

The record of Representative HOLLAND's achievements is a magnificent monument to his memory, testimony to the kind of patriotism that has made our country a great Nation.

Mrs. HANSEN of Washington. Mr. Speaker, it is with a great deal of sorrow that I join with my colleagues to mourn the loss of the late Representative ELMER J. HOLLAND, of Pennsylvania.

I had the pleasure of serving with him for 2 years on the Education and Labor Committee where he was subcommittee chairman. He was capable, a defender of human rights, and worked unceasingly to improve the lives of others.

He is missed by all of us who were colleagues and friends. His State has lost a magnificent spokesman. To the members of his family I extend my deepest sympathy in their grief.

Mr. GOODLING. Mr. Speaker, the passing of our colleague, ELMER J. HOLLAND, leaves us all with a deep sense of sadness.

I had the privilege and pleasure of knowing ELMER over a long span of years, and we served together in the Pennsylvania State Legislature. In associating with him, I had an opportunity to respect him for the very fine person he was.

As we all knew ELMER in this House of Representatives, he was always friendly and cooperative. He was a dedicated legislator, with both his congressional district and the country benefiting from his services in the State and Federal Legislatures.

The Honorable ELMER J. HOLLAND will be greatly missed in this House which he served so very well. But while he is gone from us, he has left a record that will make him well and honorably remembered.

Mr. HAGAN. Mr. Speaker, in tribute to an esteemed colleague whose recent passing has saddened all of us:

In reviewing the most outstanding impressions of my association with the late Honorable ELMER J. HOLLAND, I specifically recall his helpful attitude. He was an experienced legislator when I began my first term as a Congressman and I naturally valued his opinions and his friendship. I found him always willing to cooperate, to share his knowledge and to encourage constructive discussion.

I will not forget these characteristics of the senior Congressman from Pennsylvania, nor will his dedicated spirit soon be forgotten by the many Congresses he served.

Mr. BELL. Mr. Speaker, the loss of our colleague from Pennsylvania, ELMER J. HOLLAND, will be felt by this House as a whole and by many of us personally.

I had the privilege of serving with ELMER on the House Committee on Education and Labor where he earned the deep respect of his fellow committee members without regard to political persuasion.

He was a leader in every sense of the word. With great energy, insight, and creativity, he steered legislation through the difficult paths to final enactment.

A hallmark of ELMER's legislative career was the passage of historic manpower development legislation which answered the critical need of thousands of Americans whose training was insufficient to cope with our increasingly technological society. Their renewed hope will be a living monument to ELMER's devotion to the belief that no American should be denied opportunity to participate fully in our Nation's abundance.

ELMER set a high standard and always lived up to it. We will miss him.

Mrs. MINK. Mr. Speaker, I share with other Members of this House the pleasure of having served in the Congress with the late Representative ELMER HOLLAND of Pennsylvania. Representative HOLLAND was a man who knew firsthand the hardships of physical pain and handicap, but he was not to be overcome by these limitations and instead devoted his full energies to improving the working and living standards of his fellow men. In doing so, he set an example which this Congress will remember for many years to come.

I am doubly pleased and privileged to have served both on the House Education and Labor Committee and in this House with Representative HOLLAND. I have learned much from this experience. Representative HOLLAND drafted the legislation which has become the manpower development and training program—one of the key foundation blocks in the ceaseless search of our country to equip each man with the necessary skills to earn his living. The MDTA, I believe, will be recorded by historians of our era as a major accomplishment, for its achievements are growing each day among the ranks of our unemployed men and women. If I had to select the most historic pieces of legislation approved by Congress, this progress would surely be listed among them. This program will live as a tribute to Representative HOLLAND for years to come.

Similarly, I appreciate and recognize his leadership in the field of education, chiefly, his sponsorship of legislation which has become the National Defense Education Act—another mainstay in the efforts of America to boost materially the educational opportunities of its young people.

There are many more accomplishments which must be credited to Representative HOLLAND who moved quietly but forcefully during his days in Congress. I hope that someday I may claim just a portion of his success. In the meantime, I believe I am better equipped to be a Member of his House and I am certainly happier for having known and served with the gentleman from Pennsylvania. I send my best wishes to his family and I know that his memory will serve as one of the major beacons to guide the Congress to greater successes in the necessary efforts to help our fellow man.

Mr. STUBBLEFIELD. Mr. Speaker, I am honored to have this opportunity to say a few words about a man we all knew and loved, the late Representative ELMER HOLLAND of Pennsylvania.

He brought with him to the House of Representatives his abilities, his energy, and his rectitude of judgment. His efforts to upgrade education and the lives of working men and women will never be forgotten. He was a fighter for the "good life" that he believed could be led by all Americans.

ELMER HOLLAND was a champion of the common man. He believed in the dignity of hard, honest labor and all his energies were directed toward the protection of those who engaged in such work.

As a strong advocate of social progress, Representative HOLLAND had few equals. The legislation he sponsored and supported attests to this fact.

Before he passed away, he was fighting for safety in mines, improved conditions for migrant laborers, and ways to end discrimination against elderly people.

These were only a few of his goals; had he lived, his determination and dedication to improve the lives of all Americans would have brought about many more successes.

He was above factional obstructionism, bickering, and confusion; he abhorred, above all, legislative deadlock or inaction.

When a problem confronted him, he sought the heart of the matter with amazing speed; he then recommended action and saw to it that action was taken.

His strong and faithful support for beneficial legislation will be sorely missed. The absence of his youthful zest and keen mind will leave us all bereft.

To his wife and family I extend my heartfelt sympathies.

Mr. CLARK. Mr. Speaker, not very long ago I joined Members of the House in paying tribute to our colleague, ELMER HOLLAND, who was retiring from Congress. At that time I wished ELMER every happiness and contentment in his retirement as a Member of the House of Representatives. It was with much sorrow that we learned of our dear friend's passing last month. But perhaps retirement for ELMER HOLLAND would not have been such a happy phase of his life. For most of his adult years, he devoted his energies to serving the people of the State of Pennsylvania. He also served his country on the battlefield of two wars. After a long and fruitful life our friend has found rest. ELMER HOLLAND leaves behind him memories of respect, admiration, and affection.

Mr. RHODES of Pennsylvania. Mr. Speaker, the death of Congressman ELMER J. HOLLAND, brought sadness to all of us who knew him as a friend and colleague.

I wish to join with Members of the House in this memorial to a man who gave so much of himself in dedicated service to his constituents, to the cause of human progress and to his country.

ELMER's death followed soon after his decision not to be a candidate for reelection to the Congress. He had a distinguished career in the military service, as a legislator, and as a champion of labor and progressive causes.

He served with the American Expeditionary Forces in World War I. In World War II he served as a major in the Allied Military Government in the European theater of operations.

He was a dedicated labor unionist, a longtime member of the United Steelworkers of America, local 1272.

ELMER had a distinguished record in the Pennsylvania Legislature, serving for 20 years in the State house and senate and eight terms in the Congress of the United States.

Mrs. Rhodes joins with me in expressing deepest sympathy to his devoted wife, Emily, and their daughters. We share their sorrow and their great loss.

Mr. THOMPSON of New Jersey. Mr. Speaker, I join with my colleagues in this hour of inadequate testimony to the memory of our beloved colleague, ELMER HOLLAND. I served with ELMER HOLLAND on the Committee on Education and Labor throughout his postwar service in this House, and I came to know and to love this quiet gentleman.

ELMER and I were usually on the same side of any given legislative struggle, and that is a part, but only a small part, of why I will miss him so deeply.

He was not, in our committee's deliberations, a man who spoke often or who spoke at length. But when he did speak, you knew that the crucial issue had been touched on.

One of the causes to which ELMER gave a substantial amount of time and dedication was the cause of the agricultural worker. It was most fitting that this man, who in his youth was an organizer for the embattled steelworkers, should in his last years, have been an eloquent spokesman for another segment of the Nation's working people—who had been passed over when, in the 1930's, most of industry was organized. ELMER HOLLAND testified most movingly before the Special Subcommittee on Labor, which I chair, on legislation to extend the National Labor Relations Act to agriculture.

I think it is appropriate at this time to include in these remarks, his statement to our subcommittee:

Mr. HOLLAND. Mr. Chairman, members of the subcommittee, I am delighted to have the opportunity to testify in favor of H.R. 4769 and my companion bill, H.R. 1999. I do not claim to be an expert on agricultural economics. I do know a little bit about the structure of the agricultural labor force, and the role which the public employment service has played in past years in this area. But the main reason for my deep interest in this problem and my deep commitment to the principle of bringing agricultural labor under the National Labor Relations Act lies in my own personal background.

Many years before I even dreamed of coming to the Congress, I had the privilege of working with the late beloved Phillip Murray in helping to organize the United Steelworkers of America. In those early years of the labor movement, when the right to organize was itself under question, and the right to strike only a dream in the minds of some of us, I learned a few lessons very thoroughly. And I am unlikely to unlearn them now.

The first such lesson is that the workingman has only his labor, only his strength and his ingenuity and his creativity to bring to the marketplace. He cannot bargain on an individual basis with an employer. He cannot debate fine points of contracts with the employer's attorney. He cannot easily withdraw from the marketplace and live on his capital until conditions become more favorable for him.

The second lesson—or maybe it's only another way of stating the first—is that the workingman must organize if he is to talk on a plane of equality with the employer.

In labor negotiations, the whole, if not greater, is at least stronger than the sum of its parts.

The third lesson I have learned is that while legislation to improve the life of the workingman is vitally important, it must necessarily take a second place to the efforts of free working people, organized into free unions, to improve their own lot. We can legislate minimum wages, we can legislate workmen's compensation, we can legislate health and retirement insurance programs, but none of our legislative efforts can ever do more than establish a floor below which negotiations are not allowed, as a matter of simple public decency, to plunge the workingman. If he is to rise above that floor, if he is to participate as fully as his contribution to the general welfare entitles him in the benefits of society, then he will do so more completely, more rapidly, and more permanently through collective bargaining than through all the efforts of the most forward-looking legislative bodies.

I believe, Mr. Chairman, in a free economy. I do not believe in more Government regulation than is necessary to maintain minimum standards of decency. But I believe, and these beliefs are inseparable, that the parties to that free economy must be of equal strength. It follows from this, that agricultural workers must be able to be as free to help set the conditions under which they work as are agricultural employers. And the first essential step to achieve this must be the extension to these workers of the same rights that are enjoyed by their fellow workers on the assembly line, in the cabs of trucks, and behind sales counters.

As I have heard it argued that allowing farmworkers to organize would be "different" because if farm labor strikes during the harvest season, the employer is under a disadvantage. That's absolutely true. If farmworkers are organized, if they can refuse their labor to an employer because he offers them substandard wages or working conditions, if they can simply opt out of the labor market, the employer is under pressure. But he is under pressure to pay decent wages and to provide decent working conditions. And, Mr. Chairman, he very well ought to be under such pressure.

Labor negotiation is not supposed to be a set of circumstances in which there is a phony semblance of equality, in which the employer is very pleasant and polite to the employee, but in which the end result is foreordained because the employees simply have no way of making their point. The very purpose of the right to organize and the right to strike is to give to labor some leverage, some method of bringing pressure to bear on the employer. It assumes—that the history of agricultural labor proves the assumption fully—that employers are not going to pay as much as they can afford, but rather as little as they can get away with.

We are told that if agricultural labor can organize and strike, that in some circumstances crops are not going to get picked, and growers will be in trouble. That's too bad, and for the most part agricultural labor is not going to be any more anxious to put growers out of business than Walter Reuther wants to run the automobile makers out of business. But if an employer simply refuses to pay decent wages, if he simply insists upon treating his labor force like so many domesticated animals, then the Nation will be better off if he is run out of business.

The grower's right to have his crops harvested and put on the market is no more basic than the worker's right to withhold his labor if offered impossible working conditions—and the further right to withhold that labor on an organized basis, and to advise other working people that a strike is in progress.

The frightening pictures we have drawn for us of growers going out of business, and crops not getting harvested, and the housewife being denied her avocado salad or her cocktail hour artichoke—all these frightening pictures assume that the farm employee has some kind of "duty to the public" to perform his labor at whatever is offered him. But I never hear the growers suggest that they have any corresponding duty to offer the kind of wages that are necessary to let the employees rise out of serfdom. If the farmworker has some moral obligation not to strike, then the farm employer has a corresponding moral obligation to improve the conditions under which the worker exists.

The pending bill, Mr. Chairman, will not enforce these moral obligations, nor will it bring the hand of Government into the relationship between employer and employee by such devices as wage scales, Government hiring halls, licensing, or the rest. What it will do will be to bring the employer-employee relationship out of the 15th century and into the 20th, and it will equip both sides equally to engage in honest collective bargaining, starting from a plane of equality. This right—and it is a right, Mr. Chairman—has been recognized for other segments of the labor force for nearly 30 years now. It is time that the food on our tables had the blood and sweat of generations of exploited workers scrubbed from it. It is time to pass H.R. 4769.

I think it is appropriate, too, to insert at this point in the RECORD, a recent letter of condolence which Emily Holland, ELMER's devoted wife, received from Cesar Chavez, of the United Farm Workers Organizing Committee. I associate myself fully with Mr. Chavez' closing words about ELMER HOLLAND:

> We know that his place in labor history among the friends of the poor and the unorganized is secure.

The letter follows:

UNITED FARM WORKERS ORGANIZING
COMMITTEE, AFL–CIO,
Delano, Calif., September 10, 1968.
Mrs. ELMER J. HOLLAND,
Washington, D.C.

DEAR MRS. HOLLAND: I was moved to sorrow when I heard of the death of your husband, whose consistent efforts on the behalf of working people have made such a mark on our national life. We here in Delano are especially aware of those officials in Washington who have come to our aid and have shown concern for our problems. Certainly over the years your good husband was a consistent and dependable friend of America's agricultural workers.

We remember with gratitude the strong testimony that he presented this last year about the right of farm workers to organize, to be covered under the National Labor Relations Act, and to receive all the social benefits that other workers receive. He told Congress that "it is time that the food on our tables had the blood and sweat of generations of exploited workers scrubbed from it."

We will miss his support for our cause. We know that his place in labor history among the friends of the poor and the unorganized is secure.

Sincerely yours,
CESAR E. CHAVEZ,
Director.

Mr. HAWKINS. Mr. Speaker, I join with my colleagues in expressing our sense of loss over the death of my good friend, ELMER HOLLAND.

ELMER's dedication to the cause of the dispossessed and disadvantaged was unsurpassed in this House. Others may have been more eloquent, other may have been better known for their efforts, but no heart was more compassionate, no vote more dependably to be found on the side of the poor and needy than ELMER HOLLAND's.

In the great area of racial justice, too, ELMER HOLLAND stood unafraid on the side of equality for all Americans. Not long ago, his widow, Emily, received a very moving letter from the former chairman of the Committee on Education and Labor, Adam Clayton Powell. I include the letter at this point in the RECORD:

COMMITTEE ON EDUCATION AND
LABOR, HOUSE OF REPRESENTATIVES,
Washington, D.C. Sept. 15, 1968.

DEAR EMILY: To you, my long and dear friend, may I extend my most heartfelt best wishes for a continuing active life ahead. I know you will miss your beloved husband, Elmer, whom I considered one of my closest friends and certainly one of the most dedicated friends that black people have ever had in the United States Congress.

I recall so well when I became Chairman of the Education and Labor Committee that he came to me with his proposed legislation for the Manpower Development and Training Act and together we worked before Congress convened that January in order to have that legislation ready. Many millions of Americans enjoy a better life today because of the legislative work of Elmer Holland. His record lives in the good life we all enjoy today.

Good friends never lose contact with each other and I do hope you will let me know what you do in the future. Please be assured of my constant prayers and hopes for your long and happy life. God bless you always.

Very truly yours,
ADAM.

Mr. MILLS. Mr. Speaker, it is with profound sadness and deep sympathy that we note in the House today the passing of one of our most valued and respected colleagues, the Honorable ELMER JOSEPH HOLLAND of Pennsylvania.

Mr. Speaker, throughout his long and distinguished career of public service, in the legislature of his beloved State of Pennsylvania, in the Congress of the United States, and as a member of the Armed Forces in two wars, ELMER HOLLAND served his Nation, his State, and the people of his district faithfully, effectively, and with dedication and distinction. We shall miss our dear friend and colleague in this House and are very sorrowful at his passing from our midst.

We all extend sincere and heartfelt sympathy to his family in their bereavement.

Mr. ZABLOCKI. Mr. Speaker, it was with deep sorrow that we received the news of Congressman HOLLAND's death before he had an opportunity to enjoy his retirement from the House.

Mr. HOLLAND had the admiration and respect of his colleagues. It was a privilege to serve with him. He was a man who served his district with devotion and distinction and demonstrated his interest and deep concern for his constituents.

My wife joins me in expressing our sincere sympathy to his widow and family. May they derive some small consolation from the knowledge that their loss is shared by his many friends.

Mr. BRADEMAS. Mr. Speaker, I take this occasion to join with my colleagues, and especially with my associates on the Select Subcommittee on Labor, in paying tribute to our late chairman, the Honorable ELMER J. HOLLAND.

It was a privilege for me, Mr. Speaker, to know this truly good man. His commitment to the public interest, his understanding of the needs and dreams of working men and women, his very real personal humility and his dedication to this House and all it stands for, all served as an inspiration and encouragement to those of us who served with him.

Others have said it before, others will say it in the years to come, but it cannot be said too often—ELMER HOLLAND, as the father of the Manpower Development and Training Act, helped give new hope and new meaning to the lives of millions of Americans. The Nation is permanently in ELMER HOLLAND's debt. The words we speak here today can mark, but cannot repay that debt.

Mr. MOORHEAD. Mr. Speaker, all of us are greately saddened by the death, shortly after he had announced his retirement from this body, of the Honorable ELMER J. HOLLAND, of Pennsylvania.

But ELMER's untimely death was a particularly severe blow to me and to the city of Pittsburgh we were both proud to call home and honored to represent in this great body.

ELMER's 20th Congressional District, which he served with such distinction for 14 years, abuts mine, and I was privileged to know him as a friend, a colleague, and a trusted adviser on the problems he dedicated himself to solving.

ELMER's district contains towns whose names conjure up images of the industrialization of America and the struggle of the American working man to share in the wealth that his labor helped generate—Homestead, East Pittsburgh, McKeesport, and Elizabeth.

ELMER was born in Pittsburgh, surrounded by the blackened steel mills and plants that fed American industry—and fed on the lives of the workers that toiled in them. ELMER made it his life's calling to see that the American laborer shared in the fruits of his work and that he would have an opportunity to be retrained if the modernization of industry made his job obsolete.

No one knew the problems of the industrial worker better than ELMER, because he was raised among them, educated with them in the Pittsburgh public schools, and beside them in their early battles for the unions that gave them strength.

And no one was a more effective champion of their interests in the Pennsylvania General Assembly, where he served for 22 years—8 in the house of representatives and 14 in the senate—because ELMER had equipped himself for the battle in studies at Duquesne University, the University of Montpelier in France, and the University of Pittsburgh.

When he came to this body for good in 1956, he was ready to carry his battle for labor to the highest councils in the land. In that year, he introduced the first legislation for Federal scholarships. His idea was the foundation for what is now the National Defense Education Act. In that year, he introduced the first legislation to provide Federal assistance for retraining those whose skills had been rendered obsolete by automation and mechanization. This idea was to become his monument, the Manpower Development and Training Act of 1962.

To the end, one of ELMER's proudest possessions was card No. 2, local 1272, United Steelworkers of America, AFL-CIO. It was his tie to his early years as a union activist, his badge as a champion of American labor, a reminder of the cause to which he gave a lifetime.

ELMER's legislative achievements will always be remembered by a grateful nation. Just as important, the citizens of his district will always remember the unstinting service he gave them in their relations with Federal Government agencies. In serving his constituents, he was blessed not only with a compassionate heart, a keen mind and a persistent nature, but also with his devoted wife, Emily, who bore him two fine daughters, made his home, and labored with him daily in his office.

Though there can be nothing but sadness in ELMER's death, millions of Americans can take comfort in knowing that because he lived, their lives are better.

Mr. RYAN. Mr. Speaker, on June 30 I had the pleasure of participating in the special order which paid tribute to Congressman ELMER HOLLAND in recognition of his long and dedicated service in the House of Representatives. At that time I detailed his record of accomplishments in the furtherance of the programs of the New Deal and his constant championship of the cause of labor. No one was more steadfast in his devotion to the economic well-being of his fellow man, as witness his progressive role in the Committee on Education and Labor where he helped to write the Manpower Development and Training Act, and the Subcommittee on Unemployment and the Impact of Automation. It was my privilege to be the first Member of the House to introduce a bill to create a Commission on Automation, and I was particularly pleased that ELMER HOLLAND carried it through the Committee on Education and Labor and managed it on the floor.

Without dwelling at length upon his impressive record of service to his constituents and to the Nation upon which I commented on June 30, let me say it was with deep sadness that I learned of his untimely passing. His name will always be associated with the advancers of the trade union movement, and his legacy will serve to inspire all of us to greater efforts for the benefit of the working men and women of this country.

I join my colleagues in this eulogy to a great American and extend to Mrs. Holland, his children, and grandchild my deepest sympathy.

Mr. WILLIAM D. FORD. Mr. Speaker, with other Members of the Congress, I was shocked and grieved in August to learn of the death of my friend and colleague, the Honorable ELMER J. HOLLAND, of Pennsylvania.

I had served with Mr. HOLLAND on the Education and Labor Committee since my election to the 89th Congress, and I had come to look upon him as an adviser and mentor, as well as a good friend. As chairman of the Select Subcommittee on Labor, he played a large role in labor legislation which emerged from our committee.

Mr. HOLLAND was proud of his sponsorship in 1956 of the first Federal scholarship bill in Congress, the forerunner of the present National Defense Education Act. He also introduced legislation to provide for the retraining of persons whose jobs has been eliminated or made obsolete due to automation.

In 1960, at the request of President John F. Kennedy, he began a nationwide survey of unemployment due to automation, which resulted in the Manpower Development Act of 1962.

Mr. HOLLAND served in the American Expeditionary Force in the First World War, and served again in the Second World War as a major in the Allied Military Government in Europe.

His government career began in 1934, when he was selected to the Pennsylvania State Legislature, and served until 1941. He was elected to Congress in 1942 to fill an unexpired term, but did not seek reelection because his district was reapportioned out of existence.

He served in the Pennsylvania State Senate from 1946 to 1956, when he was again elected to Congress. He had served since that time with ability and distinction, and was among the most respected Members of the House.

His counsel, and his judgment will be sorely missed. To his family, I can only say what they already know—that he was a sincere and dedicated American, an outstanding Congressman, and a fine gentleman.

Mr. FRIEDEL. Mr. Speaker, I share with the Members of the House the great loss we feel at the passing of one of our highly esteemed and beloved colleagues, the Honorable ELMER HOLLAND, to his eternal rest on August 9, 1968. As we pause in our deliberations to honor the memory of the gentleman who so ably represented the 20th Congressional District of the Keystone State of Pennsylvania for almost 16 years in this historic Chamber, we recall many of his accomplishments.

We mourn this loss of a valued Member and the Congress and the Nation is now deprived of the benefit of his keen intellect, the liberality of his views, and his valuable contributions to the work of the House, both during committee investigations and deliberations on the floor.

Representative HOLLAND was first elected to the 77th Congress. He did not run for reelection for the 78th Congress but subsequently was elected to the Pennsylvania State Senate. He resumed his congressional service in the 84th Congress when it was my pleasure to first meet this very able legislator. One of the more objective publications in our colleague's district paid him a well-deserved compliment when it stated:

> Rare indeed are men of the political stature of Congressman Holland.

Representative HOLLAND introduced the first Federal scholarship bill in Congress in 1956 which would have provided outright scholarships for those specializing in engineering and the sciences as well as those who would teach mathematics, science, physics, and similar subjects. Our present National Defense Education Act is partially the result of this scholarship bill as well as others on the subject.

Representative HOLLAND introduced legislation first in 1956 which would require the President—under the Full Employment Act of 1946—to review the economic conditions of the Nation and provide retraining courses for those whose skills had been made obsolete by the introduction of automation and mechanical devices in our mills, mines, factories, and railroads. Similar legislation was later enacted into law and is known as the Manpower Development and Training Act of 1962.

During the years served in Harrisburg and Washington, many measures initiated by Congressman HOLLAND have become laws. Long ago he secured the streetcar passes for schoolchildren, he started the Ohio River Valley compact for clean streams and rivers; he fought for unemployment compensation, workmen's compensation, minimum wages, lowering the age for social security benefits and permitting disability benefits to be paid to those disabled from 50 years of age on, adequate health programs for those on social security and numerous other measures of social legislation.

The people of his district and State can point with pride to the record of his solid accomplishment on behalf of our Nation.

I join my colleagues in extending deepest sympathy to Congressman HOLLAND's family and assure them he will long remain in our thoughts and prayers.

Mr. BROOKS. Mr. Speaker, I join my colleagues today in paying tribute to the memory of a man unquestionably dedicated to the progress of America and her people.

Congressman ELMER HOLLAND served with us for many years here in the House of Representatives. His record is one of achievement and distinction. He ably represented the people of his district with loyalty and devotion.

Congressman HOLLAND's public service extended far beyond the years he spent in the House. His early military service gave rise to an intensive interest in veterans' matters which never diminished over the years. He also served the people of Pennsylvania for many years in its State Senate.

It was with pleasure and respect that I served in the Congress with ELMER HOLLAND. We feel his absence as the days go by. I offer my condolences to his family. They can be proud of a husband and father who courageously gave many years of his life in the service of the people of his district and the Nation.

Mr. CORMAN. Mr. Speaker, I join my colleagues in paying tribute to the memory of our friend and colleague, ELMER J. HOLLAND, whose recent death was a shock to all of us. It is heartbreakingly sad to realize that just a short while before he died we were wishing him the joys of retirement.

Representative HOLLAND was one of the most hardworking and dedicated men in the Congress. He was forceful in action and wise in counsel.

He won deserved prominence through his efforts in behalf of education and the working man. In these two fields he was a champion. As a member of the House Committee on Education and Labor, he devoted all his energies to the advancement and dignity of American men, women, and children. His struggle to strengthen the bond between education and employment won him the acclamation and applause of all clear-thinking Americans.

ELMER HOLLAND was an able and forthright man and I had immense respect and admiration for him. He will be sorely missed by all who knew him.

Mrs. Corman and I express our deepest sympathy to his family.

Mr. HOWARD. Mr. Speaker, I am glad to have the opportunity today to join my distinguished colleagues in paying tribute to the late ELMER J. HOLLAND, who passed away on August 9.

ELMER HOLLAND spent the majority of his life in the public service both as a Member of Congress, and in his own Pennsylvania State Legislature. His tireless efforts in the servce of his district, his State, and his Nation, will long serve as an example to others.

As chairman of the Select Labor Subcommittee on the House Education and Labor Committee, ELMER HOLLAND evidenced the true spirit of leadership. His efforts in behalf of our Nation's manpower were constant and constructive.

As a colleague, as a leader of this great body, and as a friend, ELMER J. HOLLAND will be greatly missed in these halls, but his works will long be remembered by everyone as those of a man truly concerned about the welfare of his fellow man.

Mr. BARRETT. Mr. Speaker, 2 months ago, on August 9, 1968, my very dear friend and colleague, the Honorable ELMER J. HOLLAND, passed away. Our Nation and this House lost a great and capable legislator.

To his lovely wife, Emily, and his daughters and their families, I extend my heartfelt sympathies and humbly pray the Lord gives them the strength to understand His will.

Mr. Speaker, ELMER HOLLAND was more than a colleague. He was a loyal and devoted friend. For many years we were neighbors here in Washington. Our offices were across the hall from one another in the Cannon Office Building and we visited together almost daily.

ELMER's record of service to his country goes back more than five decades. He served in both World War I and World War II. His record of public service covers more than two decades in the Pennsylvania Legislature and the U.S. House of Representatives. He, in effect, spent his life serving the needs of his fellow man.

Here in the Halls of Congress, we all loved, admired, and respected him. Our Nation has lost a greatly talented and humble man. The Commonwealth of Pennsylvania has lost a devoted son. I have lost a loyal friend.

In my grief, I pray for his loved ones. May they be comforted and blessed, and I hope find consolation in the legacy he leaves—his example, his words, his ideas, his ideals are projected into the future to live forever in the lives of others.

Mr. WHALLEY. Mr. Speaker, it was with profound sorrow that I learned of the passing of a fellow member of Pennsylvania's delegation during the August recess, Honorable ELMER J. HOLLAND.

ELMER HOLLAND gained my deepest respect and admiration for his integrity, ability, and initiative. Just a few short months ago, Members of this House of Representatives honored and paid tribute to Congressman HOLLAND when he announced his intention to retire from Congress at the end of this session.

It was a pleasure for me to join in that tribute and to call attention to the hard work he had devoted to help improve the United States in the fields of education and labor.

It seemed ironic that when the House of Representatives extended certain provisions of the Manpower Development and Training Act of 1962, we also mourned the loss of a man who was instrumental in originally adopting this legislation.

I want to extend my heartfelt condolence to his family. It has been an honor and a privilege for me to have known such a fine gentleman.

Mr. WILLIAMS of Pennsylvania. Mr. Speaker, it is a pleasure for me to join my fellow colleagues in paying tribute to the memory of our late colleague, Congressman ELMER J. HOLLAND of the 20th District of Pennsylvania, who passed away on August 9, 1968.

It was with great sorrow that I learned of the passing of Mr. HOLLAND, which was a great loss to me and to all who knew him. He certainly served the Education and Labor Committee and the House of Representatives well, and he will be greatly missed in the years ahead. His many talents and abilities have long been an asset to our country as he was a very noble and dedicated man. I know he will be remembered with warmth and admiration by all who knew him.

Mr. BYRNE of Pennsylvania. Mr. Speaker, it was with deep sorrow and a great sense of personal loss that I heard of the passing of my friend and colleague, the Honorable ELMER J. HOLLAND.

ELMER was a true statesman—loyal to his constituents, the Commonwealth of Pennsylvania and the United States.

As chairman of the Select Subcommittee on Education of the House Committee on Education and Labor, he was a leader in promoting legislation to improve the conditions for older Americans and the handicapped. He also was an active leader of vocational rehabilitation legislation. He ably represented his constituents at all times and will be sorely missed by them and his loyal friends here in Congress. In addition to being a dedicated public servant, he was indeed a sweet and gentle man.

It was my privilege to count ELMER as a warm, personal friend for many years. We had a deep bond between us, having both been native Pennsylvanians and having served together in the State legislature before coming to the U.S. Congress.

It is my earnest prayer that the good Lord will have mercy on his soul and grant him eternal rest.

Mr. STEIGER of Wisconsin. Mr. Speaker, I rise to speak in sorrow and regret over the passing of our late colleague ELMER HOLLAND. It was my privilege to serve with Mr. HOLLAND on the Select Subcommittee on Labor, which he so ably served as chairman.

Americans who never had the pleasure of meeting this man owe him a debt as the author of the Manpower Development and Training Act of 1962, and as a longtime quiet, effective leader in the labor movement.

As one of the freshman members of his committee, I found ELMER HOLLAND an exceedingly courteous and helpful senior member and chairman.

His guidance, his counsel, his wit, and his ability to take a tough situation and work in a bipartisan spirit to achieve success, as he did so often, particularly on manpower problems, made ELMER HOLLAND's record of accomplishment and achievement one that is hard to match. It is a record to which we can point with pride, and one of which his family must be very proud.

Mrs. Steiger joins me in extending our deepest sympathy to the family of ELMER HOLLAND.

Mr. MATSUNAGA. Mr. Speaker, I join with the members of the Pennsylvania delegation and others in expressing my deep sorrow over the untimely passing of our colleague, the Honorable ELMER J. HOLLAND.

ELMER HOLLAND was one of our most distinguished colleagues, a man whose service and devotion to his State and the Nation were repeatedly evidenced through six full consecutive terms and parts of two other terms. The noble fruits of his dedication have long commanded our respect, and his accomplishments in the areas of education and manpower shall stand as beacons for those who follow him here in this Chamber.

On many occasions I sat next to ELMER HOLLAND in the first row of the House Chamber. I found him to be possessed of a keen sense of humor, despite the physical handicap of his last few years. I have lost a friend.

To the members of his bereaved family, I extend my profound condolences, and hope that they will find some measure of comfort in the fullness of his life's services to his fellowmen.

Mr. KORNEGAY. Mr. Speaker, I would like to say a word in memory of our departed colleague, Congressman ELMER HOLLAND, whose passing on August 9, 1968, has left a genuine breach in the fellowship and association enjoyed in this House and has filled all who knew him with a deep sense of sadness that his distinguished career in the Congress has been terminated.

It was not my privilege to know Mr. HOLLAND intimately, but I always had for him the greatest respect and admiration, and I know that he was a gentleman of the highest order of excellence and a patriot whose military record in two world wars was indeed impressive.

Congressman HOLLAND had acquired valuable seniority on the House Committee on Education and Labor, where he was third ranking majority member. His presence on the committee and in the House will be greatly missed, as will his services to the 20th District of the great State of Pennsylvania, where he rendered a dedicated representation of portions of Allegheny County and the city of Pittsburgh, which was his birthplace.

As the effective and diligent chairman of the special subcommittee on labor, Mr. HOLLAND has been credited as being the father of the Manpower Development and Training Act, a piece of legislation which with amendments subsequent to its initial enactment in 1962 is in my opinion one of the most effective means we have found of training the unemployed to become productive and valuable citizens and to realize the full potential of self sufficiency which lies in every human heart. I know of no more fitting and coveted memorial that a man could have than to have pushed the initial bill in this field through the Congress and made the ideal behind the practicalities which he had labored so hard to work out become a reality. I hope that this and other monuments to his diligence and competence as a legislator will prove a sustaining force and comfort to Congressman HOLLAND's family in their great bereavement; and I am sure his accomplishments will long be remembered by his colleagues in the House who were privileged to serve with him.

Mr. PERKINS. Mr. Speaker, it was only a few weeks ago that I took to this floor to pay my respects to a beloved colleague, Representative ELMER J. HOLLAND, of Pennsylvania, who had announced his intention to retire. Many other Members of this House did the same.

I am very glad that we did that, for it gave us an opportunity to say in front of his face some of the things we ordinarily reserved for others in conversations about him.

For ELMER HOLLAND was a modest man, and would have immediately started joking or changing the subject if you mentioned some of the fine accomplishments of his life in the public service. He was that kind of fellow.

I do not believe I saw him again after that afternoon when he was obliged by his dignity and his innate kindness to sit here and listen to us. Just a few short days later while I was at home in Kentucky, word came that our friend had gone.

ELMER HOLLAND has left his country and his colleagues a legacy which will endure for a long time to come. He has rightly been called the father of the Manpower Development and Training Act of 1962—legislation which, measured by its capacity to change the future by upgrading the lives of thousands of young men and women, is among the most important ever to be voted in this Chamber. That is accomplishment enough for a normal lifetime, but there are still others: The establishing of the National Commission on Technology, Automation, and Economic Progress; the liberalizing of the benefits of the Federal Employees Compensation Act; the Federal Metal and Nonmetallic Mine Safety Act; the legislation enacted by this 90th Congress to ban age discrimination in employment. All of these bear the stamp of ELMER HOLLAND's influence and life.

But today, as we come here to pay tribute to him, my mind turns not to Elmer Holland the legislator, but to those qualities that made him a great legislator.

I am talking about ELMER's utter humanness, his kindness, his native courtesy, his consideration for other people. I am also talking about the steel in the man, the courage and the loyalty of him; and his willingness to wade into a fight if he believed it was necessary to preserve the right.

This is the picture of ELMER HOLLAND I have, and I treasure it along with the legacy of his legislative accomplishments.

Mr. MURPHY of Illinois. Mr. Speaker, on July 30 when addressing this Congress I paid tribute to one of the most distinguished Members of the House, ELMER J. HOLLAND, who had planned to retire at the close of this session.

Today, along with my fellow colleagues, I want to again pay respect to my dear friend who passed away on August 9. There be no need to expound again upon those words of appreciation such as a great number of us did before adjournment that late afternoon in July except to remind us all that ELMER HOLLAND in his own way of humility and simplicity designed and created a living monument, which is not cast in bronze or imported marble, but rather more constructively, in the enactment of the Manpower Development Training Act. The Nation in total owes a debt of gratitude to ELMER for his foresight and insight and championing of this highly regarded piece of legislation. Needless to say, no one had been more keen and understanding towards the improvement of the working man from the perilous times of the depression up to and including the frustrating times of the late sixties than Representative HOLLAND. Lest we all forget when a Member yielded to the "gentleman from Pennsylvania" they were yielding to a gentleman, a man who even as a "senior citizen" was fully aware of the complexities and problems of our younger generation.

To hallow his name as a dedicated servant to his constituency, to his Commonwealth of Pennsylvania, to his Nation, may only be enhanced in knowing that ELMER J. HOLLAND never faltered from his personal ideals of wanting to fight for the human rights, the human dignity, the better working conditions, and a more just and equitable society for all Americans.

And from a purely personal note, I will always treasure the memory of his friendship. Mrs. Murphy and I extend our heartfelt sympathies to his widow, Emily, and daughters Jane and Christine.

Mr. ROONEY of New York. Mr. Speaker, I was deeply saddened when I learned of the passing of the Honorable ELMER J. HOLLAND last August. He was a fine man who gave much of himself. Before coming to the House of Representatives from Pennsylvania's 20th Congressional District he served in both the House and Senate of Pennsylvania. When called by his country in both World Wars he responded. To know ELMER HOLLAND was to like him; to watch his handling of the thorny problems created for labor by advancing technology was to admire him. He was profoundly and deeply concerned with the things that affect the millions of workers in this country. He will be sorely missed by us all. To his family I extend my deepest sympathy.

GENERAL LEAVE TO EXTEND

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character, and public service of the late Honorable ELMER J. HOLLAND.

The SPEAKER pro tempore (Mr. BENNETT). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

COLLABORATION BETWEEN LEADERS OF CHICAGO DISTURBANCES AND LEADERS OF HANOI

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. ICHORD] is recognized for 60 minutes.

Mr. ICHORD. Mr. Speaker, the Members of the House are aware that a subcommittee of the Committee on Un-American Activities, which I have the duty of chairing, commenced public hearings last week. Press accounts have prominently headlined and detailed the disruptive and dilatory tactics of subpoenaed witnesses and their counsel. And, as so frequently happens in matters of this kind, some segments of the press have permitted themselves to be diverted from the substance of the inquiry and have enlarged upon what appears to be the more sensational—and perhaps sterile—aspects of the investigation. I, therefore, feel that a few words of mine are in order.

The hearings last week were conducted pursuant to a committee resolution to explore the extent to which, and the manner in which, Communists and other subversive organizations and individuals have planned and instigated the incidents of violence in Chicago during the week of August 25, on the occasion of the Democratic National Convention. I would point out to the Members that chairman EDWIN WILLIS on two separate occasions—namely, May 13, 1968, and June 26, 1968—advised the members that certain elements were planning to disrupt the convention for the purpose of creating violent disturbances as a vehicle to advancing such objectives as precipitating the withdrawal of U.S. forces in Vietnam, and bringing about confrontations between police and the demonstrators as a basis for charging police brutality. Chicago is now history and the news media have quoted some of the leaders of the disturbances as saying that they were going to disrupt the coming national elections. I have stated repeatedly that I did not want to get bogged down in such collateral issues as to whether or not there was a distortion of what happened in Chicago by national TV or whether the police overreacted or underreacted but there is need for a committee of Congress to delve into how Chicago was brought about as a basis of possible legislative action which might prevent or permit more effective control of such disturbances in the future.

I take this time today because I feel the facts have been brought to light, the full impact of which has not been adequately brought to the attention of this Congress and the American people. This is probably due to the fact that attention was diverted to activities outside the hearing room by the tactics used by witnesses and their counsel. Insufficient attention was directed to what was going on in the hearing room.

The attention of the Members should be directed to the testimony of Robert Greenblatt, who is a cochairman of the National Mobilization Committee Against the War in Vietnam. The National Mobilization Committee was one of the three principal organizations which planned and participated in the disturbances—the other two being the Yippies and the Students for a Democratic Society. This committee began its work of organization as long ago as February of 1968 and possibly earlier.

Mr. Greenblatt is a naturalized citizen, having immigrated to this country from Hungary. He testified that in June of 1968 he traveled to Paris, France, where he held a conference with Colonel Lau, the Deputy Chief of the North Vietnamese negotiating team now engaged in talks with American representatives. Greenblatt admitted carrying with him a letter bearing the purported signature of Thomas Hayden. Hayden is an organizer and former secretary of the Students for a Democratic Society and one of the leaders in the Chicago disturbances. In 1965, he made a trip to Hanoi and also to Peking, Moscow, and Prague, along with Prof. Staughtan Lynd and Herbert Aptheker, a longtime official of the Communist Party U.S.A. and generally recognized as its leading theoretician.

The letter which Mr. Greenblatt carried reads as follows:

> JUNE 4, 1968.
>
> DEAR COL. LAO: This note is to introduce to you Mr. Robert Greenblatt, the coordinator of the National Mobilization to End the War in Vietnam. He works closely with myself and Dave Dellinger, and has just returned from Hanoi.
>
> If there are any pressing questions you wish to discuss, Mr. Greenblatt will be in Paris for a few days.
>
> We hope that the current Paris discussions go well for you. The news from South Vietnam seems very good indeed.
>
> We hope to see you this summer in Paris or at a later time.
>
> Good Fortune!
> Victory!
>
> TOM HAYDEN.

Mr. Speaker, this is not an ordinary letter of introduction. Mr. Greenblatt testified that he sympathized with and supported North Vietnam. Dave Dellinger, mentioned in the letter, is the other cochairman of the National Mobilization Committee. He was convicted in 1939 and 1943 for violations of the selective service laws. He visited Cuba during the May Day celebrations in 1964. He was arrested in 1961 in Washington, D.C., during a demonstration against the CIA. He was also arrested here in Washington while participating in the "assembly of unrepresented people." Here is a leader of the Chicago riots carrying a letter of introduction from another leader of the Chicago riots to a leader of the enemy now killing your sons in Vietnam, expressing delight about the news from South Vietnam, wishing good fortune and victory and looking forward to meeting with the enemy again. Regardless of how we feel about the war in South Vietnam, surely we are united in the belief that somehow we must find, within the framework of the Constitution, a way to effectively prevent such collaboration with the enemy and to punish those who work for America's defeat. No wonder America is frustrated.

I could comment at length on various aspects of the hearings and the evidence adduced showing other connections of the leaders of the disturbances in Chicago with Hanoi, but I believe it should wait until further hearings of the committee and the matters are explored more fully. However, it is my belief that this matter is of sufficient importance that it should be brought to your attention at this time.

I cannot predict at this time what further facts will be developed in the hearings when they are resumed after the November elections but it would appear that the surface has merely been scratched.

Mr. FALLON. Mr. Speaker, will the distinguished gentleman from Missouri yield to me at this point?

Mr. ICHORD. I shall be glad to yield to my distinguished friend, the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Speaker, I want to say a word of congratulations to the gentleman upon the fair and judicious manner in which he conducted the hearings on the subject about which he is talking tonight.

Mr. ICHORD. I appreciate the comment of the gentleman from Maryland.

Mr. DORN. Mr. Speaker, will my friend, the distinguished gentleman from Missouri [Mr. ICHORD] yield to me?

Mr. ICHORD. I shall be happy to yield to the distinguished gentleman from South Carolina.

Mr. DORN. I also want to join my distinguished chairman of the Committee on Public Works in complimenting the distinguished gentleman from Missouri for what I think has been one of the fairest hearings that has ever been conducted during my 20 years of service in the Congress of the United States.

Mr. Speaker, I saw some of these people as I went to my office from the Congressional Hotel. No doubt they were some of the same people who sought to disrupt the operations in Chicago.

Mr. Speaker, I wish to commend the gentleman from Missouri for his furnishing to this country and conducting the fair hearings which he did on this subject so that the people of this country may have the facts.

Mr. ICHORD. I appreciate the comments of the distinguished gentleman from South Carolina.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to my distinguished colleague, the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Speaker, I thank the gentleman for yielding, and I want to congratulate and to commend the chairman of the subcommittee that held hearings here last week.

Far too frequently on the floor of this House and in our correspondence we hear comments and receive letters about the work of the House Committee on Un-American Activities. Always it seems that someone is ready to voice some kind of criticism about the way they conduct their hearings. I am glad to say that these comments are not always critical of the substance of the hearings, but rather the manner in which the hearings are conducted.

Of course, we all know, and I am sure the gentleman in the well will agree, that when you are dealing with people of this kind you cannot always proceed with the niceties as you can in holding hearings involving some of the departments downtown.

I would like to inquire of my colleagues and good friend from the State we come from whether or not he found in his experience the same type of reluctance to answer questions, and did the gentleman encounter this particularly with the counsel who represented these characters—and, yes, I use that word advisedly.

Mr. ICHORD. I would reply to the gentleman from Missouri that I believe that the conduct of counsel, certain counsel, of course, appearing on behalf of witnesses before the committee, was much more reprehensible than the conduct of the witnesses themselves.

Time and time again I pointed out to counsel that a legislative investigation is not a court proceeding. No one in a legislative investigation is on trial. That is not the purpose of a legislative investigation. Trials and punishment are for the courts. And it is provided in not only the rules of the committee, but also in the rules of the House of Representatives, and it has been so ruled by the Speaker of the U.S. House of Representatives that counsel in a legislative investigation are restricted to advising the witness he represents before the committee and not to engage in argument with the committee. I believe it is apparent why that is a necessary procedure. Courts have to adopt one way of proceeding because they have a completely different purpose. We have to adopt another way of proceeding. This way of procedure is as old as the English system of parliamentary procedure.

A while ago I mentioned to the gentleman from South Carolina that, of course, we in our committee do not use our contempt powers directly. We do it through a process in the courts. I do not want to use any legislative committee—I will not use a legislative committee—for the purpose of punishing a witness for actions outside the committee or for having a philosophy with which I do not agree. But I must maintain order and maintain the dignity of the House of Representatives. I would serve notice on all counsel and to all witnesses who come before the committee when I am chairman that I insist upon this, and I would expect cooperation from the other branches of Government in order that the hearings, the security, and the dignity of the hearings are preserved.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Missouri.

Mr. RANDALL. I want it to be a matter of record that during our 10 years in Congress we have supported two or three or perhaps more instances of citations for contempt. These were back in the days when your distinguished committee was headed by the late Tad Walter of Pennsylvania.

I would inquire of the gentleman, whom I feel relatively secure in predicting will be the new chairman of this committee, do you feel that further legislation is needed to firm up the power of subpena, or, if not the power of subpena, then the power of citing for contempt? Before you answer that question, I want to commend you once again not only for holding the hearings but for the patience you have exhibited during the hearings. Can you answer the question?

Mr. ICHORD. I feel there are certain improvements that could be made, but I would not want to be bound by the statement I am now making because I have just begun to think about this matter. There are certain improvements that could be made in the process of issuing contempt citations coming from the committee to the House of Representatives. Perhaps these matters could be directed to a separate committee rather than take up the time of the House. This involves a matter of the time of the House. The House of Representatives, if it desired, could exercise its own contempt powers. But I think we would have to maintain a jail. It would bog down the procedures of the House, and we have too much other and more important business to accomplish.

So I would not recommend that the House of Representatives establish methods of punishing witnesses for contempt of the House of Representatives, but that we go ahead and use the judicial process. But we must have cooperation from the judiciary.

Mr. RANDALL. I think the gentleman would agree that in those instances where there is a refusal to answer by taking the fifth amendment that there must be some way to procure the answers you need to have; do you agree to that?

Mr. ICHORD. That is quite true.

Mr. RANDALL. I just want to say one more word. My reason for coming over here tonight was not only to commend the gentleman for holding the hearings and for his patience, but to relate that, among others, we have been correspondents with Attorney General Clark, and I pointed out that these hearings would be held. We asked that the Attorney General have an observer present. So far as you can determine did the Justice Department have an observer at these hearings?

Mr. ICHORD. I do not know whether the Department of Justice had a representative present.

Mr. RANDALL. I make that statement because this House, back in June or July, passed what is called the antiriot act.

It has been our experience with the Attorney General, in those instances when we have asked his representatives to come to our office that some of their answers have not been very helpful. I have asked them why they have never done anything about Stokely Carmichael. I received the reply that some of his treasonous comments were made in the presence of newsmen in Cuba and elsewhere and that we had no way of subpenaing these newsmen to whom those comments were made. This was the excuse given my office for failure to act against Carmichael and others.

I addressed a letter in September to the Attorney General saying:

> DEAR MR. CLARK: Now we have an antiriot law applying to those who cross State lines with the intent to incite riots. All of this is here in the United States. What are you going to do about it?

We received acknowledgment of the letter but to date we have received no substantive reply.

That is why I pointed out that these hearings must be held, and I would hope the gentleman will list these to get some leads to enforce the antiriot bill which was passed by this body.

Mr. ICHORD. Mr. Speaker, those matters, of course, are within the responsibility of the Department of Justice. I think insofar as the threats that have been made to disrupt the electoral process in the coming November elections, this House might well consider the advisability of Federal laws to protect the election process. Somewhere and in some way and somehow we must find a way of drawing the line between where legitimate dissent ends and criminal disobedience begins.

Observe that I say "criminal disobedience." I do not say, "civil disobedience." This is a term that is often erroneously used.

Mr. RANDALL. Mr. Speaker, if the gentleman would be good enough to yield to me for just 1 more minute, we are talking about the same trio, I believe, such as David Dellinger, Jerry Rubin, and Tom Hayden. They all started out on October 9 and marched on the Pentagon. Then we heard from them in between, at some of the riot scenes, and then we see them again in Chicago. Now they predict—yes, even to threaten and promise—that they are going to disrupt the electoral process, and then finally they will disrupt the inaugural process. So I would hope the gentleman does carry on with his hearings some time later in November or in December.

Mr. Speaker, I am delighted to salute the gentleman for the effort he has put forth to conduct these very productive hearings.

Mr. ICHORD. Mr. Speaker, I appreciate the remarks of the gentleman from Missouri.

Mr. Speaker, I yield at this time to the gentleman from Illinois [Mr. RUMSFELD].

Mr. RUMSFELD. Mr. Speaker, I was interested in the remarks of the gentleman about the contempt citation, and I was pleased to hear him suggest, in the event the House remains in the hands of the Democratic Party and the gentleman becomes head of the Un-American Activities Committee, the gentleman will look into the area of contempt citations.

Mr. ICHORD. Mr. Speaker, I agree with the gentleman. It does need looking into.

Mr. RUMSFELD. Mr. Speaker, I would like to make another point. I introduced bills H.R. 4422 and H.R. 4276, relating to contempt citations in cases of witnesses before congressional committees, and in cases involving declaratory judgment procedures in cases of witnesses refusing to testify or to produce papers before congressional committees. But the point I want to make is, it does seem to me the work of the congressional committees is very important, and to the extent any committee of the Congress is under attack, it is important that that attack be resolved so that the work of the Congress can continue.

This contempt citation question unfortunately under our present procedures—and I say "unfortunately" because I obviously think some changes could be made—I hope the gentleman will look at these pieces of legislation, which I might say also the gentleman from Missouri [Mr. CURTIS] has introduced. Under the present procedures, a contempt citation can be requested by a committee, as I understand it, and the question comes to the floor.

Mr. ICHORD. If I may interrupt at that point, I believe the gentleman should explain that a contempt citation by a committee of Congress, as we presently handle the procedure merely means that the Department of Justice shall seek an indictment in the courts. At that time the judicial process comes into play, including the right of trial by jury.

Mr. RUMSFELD. That is right.

Mr. ICHORD. I agree with the gentleman entirely, but that is a matter of House procedure, not a matter of protecting the rights of witnesses, because they do have judicial process.

Mr. RUMSFELD. Absolutely. I agree completely. My point is it comes to the floor, the citation is, unfortunately, under the control of the committee requesting the House to support the committee in that contempt citation. It seems to me we might be better advised to have a separate review committee to sift and present to the Members all contempt citation requests, so that the presentation on the floor would not be by the committee making the requests.

Mr. ICHORD. That might be desirable. The House of Representatives is not the only body which has had this problem. I observed over in the other body a witness stalked out in contempt of a committee. It might be better to get a more unbiased, disinterested appraisal from another committee.

Of course, it is sometimes very difficult in these matters to look at the cold record and see the contempt that occurred in the committee room. It is difficult to bring out in the cold record itself just what happened. This undoubtedly is one reason why convictions for contempt are often overturned. But the whole contempt process is for the purpose of aiding the legislative body to do its job.

Mr. RUMSFELD. There is another area with respect to contempt citations which has disturbed me, or at least I believe the House might pay some attention to it. It is this question where the House adjourns and a contempt citation is requested by a committee. Apparently the present precedent is that the Speaker automatically transmits that request for a contempt citation to the Justice Department. Is that correct?

Mr. ICHORD. The gentleman is in error on that. There was a court decision in regard to that, holding that the Speaker did have to exercise some discretion, I believe.

Mr. RUMSFELD. So the Speaker in his discretion can send to the Justice Department a contempt citation during a period when the House is in recess.

Mr. ICHORD. The gentleman is getting into a difficult field here.

Mr. RUMSFELD. I do not want to take a position. I just say this is an area, it seems to me, as in regard to the previous area, which merits some attention by the House. I am pleased to see the gentleman in the well interesting himself in it.

I quite agree it is not a problem for your committee alone. Basically it is a problem for the Rules Committee. But it is an area in which the gentleman has knowledge, and he could make a contribution.

Mr. ICHORD. I believe the gentleman from Illinois and I are in substantial agreement, and I do appreciate very much his comments on this subject.

A RESPONSE BY THE UNITED STATES AND A PROPOSAL BY ISRAEL BRING NEW HOPE FOR PEACE IN THE MIDDLE EAST

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 15 minutes.

Mr. PUCINSKI. Mr. Speaker, two separate actions today, one by the United States, and one by the State of Israel, have sparked new hope for peace in the Middle East with guarantees of continued sovereignty for the Israel people.

I was extremely pleased to learn that in response to a congressional resolution which I cosponsored and supported, President Johnson has today advised Secretary of State Dean Rusk to start negotiations with the Israel Government for the sale of U.S. Phantom jets to the Israel Air Force.

President Johnson made the disclosure today while signing the foreign aid authorization bill in the White House.

At the time that we here in the House adopted the amendment to the Foreign Aid Act calling for the United States to sell the Phantom jets to Israel, I made the following statement in behalf of this worthy cause:

> Mr. PUCINSKI. Mr. Chairman, I congratulate the gentleman on his excellent statement and wish to associate myself with his remarks.
>
> Mr. Chairman, I rise in support of the Wolff amendment. Israel today stands virtually alone in defending the entire Middle East and the African continent as well as the Mediterranean from Soviet expansion.
>
> I know of no more important step we can take today than to assure Israel the right to obtain the very important Phantom jets she so urgently needs for her protection and survival.
>
> Mr. Chairman, let us not ever forget that Israel's struggle for survival is in our highest interest. Thank God we have brave Israel to protect freedom's ideals in the Middle East at a time when our own resources are being tested in Vietnam.
>
> Israel is today threatened as never before.
>
> The Soviet Union has methodically replaced all the arms the Arab States lost during the lightning war of last June.
>
> The free world has stood by as the Soviet Union pours arms and planes into the Arab States.
>
> I say the United States should not permit another moment's delay in helping Israel obtain these vital Phantom fighters. They may well spell the difference between survival and destruction for Israel.
>
> Mr. Chairman, the growing menace of the Soviet fleet in the Mediterranean; the continuing arms buildup by the Soviets of the Arab States, and the Soviet Union's continuing design for ultimate acquisition of the African continent may well be described as the seeds for a new world conflict.
>
> Israel alone today stands as the vanguard against this Soviet expansion and I submit, Mr. Chairman, it is unconscionable that we should deny Israel these jet fighters any longer.
>
> I urge adoption of the resolution.

I was also pleased to see the thoughtful proposal offered at the United Nations by Foreign Minister Abba Eban to bring peace to the Middle East.

Mr. Eban, in a speech to the United Nations, has made it very clear that his nation is willing to pull her troops back from conquered territories as soon as the Mideast borders are secure.

It was interesting to note that Foreign Minister Eban placed less importance on face-to-face negotiations with the Arab States, although he did not rule out the need for such direct negotiations to bring about lasting peace.

I am placing in the RECORD at the end of my remarks an article which appeared in today's New York Times and excerpts of Foreign Minister Eban's dramatic proposal to the United Nations.

Returning for a moment to the sale of Phantom jets to Israel, I note with some satisfaction President Johnson's statement that in light of the fact that Congress has strongly spoken out in favor of selling jets to Israel, the President has responded favorably and has ordered negotiations with the Government of Israel for the purchase of aircraft. The President ordered his aides to report back to him as quickly as possible on the details of such a sale of Phantom jets to Israel.

The President's action constitutes in my judgment, a major breakthrough in helping Israel maintain her balance of power in the Middle East. There can be no question that the sale of 50 Phantom jets to Israel would strengthen her defense establishment and also her offensive capability so that the risk of another invasion by the Arab States would be considerably abated once the Arab States realize that Israel has sinues necessary for her own defense.

I am particularly pleased that the President is carrying out the section of our resolution, which reads:

> It is a sense of the Congress that the President should take such steps as may be necessary, as soon as practicable after the date of enactment of this section, to negotiate an agreement with the government of Israel providing for the sale by the United States of such number of supersonic planes as may be necessary to provide Israel with an adequate deterrent force capable of preventing future Arab aggression by offsetting sophisticated weapons received by the Arab States and to replace losses suffered by Israel in the 1967 conflict.

We can no longer delay the sale of these supersonic aircraft to Israel if we really want to maintain peace in the Middle East.

In a development on another front from the Israel Government itself, I believe that Foreign Minister Eban's proposal is imminently fair and should be adopted by the United Nations forthwith.

I believe Foreign Minister Eban has made an honest and sincere effort to assure the United States and the rest of the free world that Israel genuinely seeks peace just as quickly as her warring neighbors abandon their aggression and harassment of Israel.

I sincerely believe there can be no meaningful peace in this world so long as Israel's borders are threatened for, indeed, Israel today stands virtually alone as the bulwark in the Middle East against Soviet aggression.

If ever our Nation needed a strong and independent Israel adequately armed to resist aggression, we need such an Israel today with the ever-increasing menace of the Soviet fleet in the Mediterranean.

The United Nations should carefully study Foreign Minister Eban's proposal for, indeed, he offers a formula for lasting peace in the Middle East and for the survival of Israel which has captured the imagination of the entire world.

Mr. Speaker, I am very pleased to include the story which appeared this morning in the New York Times about Foreign Minister Eban's proposal and I am also placing in the RECORD today excerpts from Foreign Minister Eban's speech delivered at the United Nations:

[From the New York Times, Oct. 9, 1968]

ISRAEL PRESENTS PEACE PROPOSAL—OFFERS PULLOUT—EBAN, IN U.N. SPEECH, LINKS TROOP MOVE TO SETTING UP SECURE MIDEAST BORDERS—JARRING ROLE STRESSED—NINE-POINT PLAN PUTS LESS EMPHASIS ON NEGOTIATING DIRECTLY WITH ARABS

(By Drew Middleton)

UNITED NATIONS, N.Y., October 8.—Israel presented a nine-point peace plan for the Middle East today that included a promise that her forces would be withdrawn from occupied Arab territories once secure frontiers were established.

Foreign Minister Abba Eban, in an address to the General Assembly that was generously applauded, also de-emphasized, although he did not abandon, his Government's long insistence on direct, face-to-face negotiations with the Arab states.

To promise peace talks here in the coming weeks, he said, Israel is ready to exchange "ideas or clarifications on certian matters of substance through Ambassador Jarring with any Arab Government." Dr. Gunnar V. Jarring is the representative of Secretary General Thant in the effort to bring about a settlement in the Middle East.

PHRASE IS OMITTED

Mr. Eban did not use the phrase "direct negotiations" in his speech, but referred rather to an exchange of views through Dr. Jarring. Israeli sources said their Government still believed that certain issues could not be settled without direct talks and that the United States agreed with this view.

Withdrawal of the Israeli forces has been the primary object of Arab diplomacy since the end of the war in June, 1967. In what he considered the central point of his speech, Mr. Eban declared Israel's readiness to replace cease-fire lines by "permanent, secure and recognized boundaries between Israel and each of the neighboring Arab states."

"And the disposition of forces," he continued, "will be carried out in full accordance with the boundaries under the final peace."

This disposition of forces, qualified Israeli sources said, would involve their withdrawal.

To assure the area's future security, Mr. Eban proposed that Arabs and Israelis conclude a pledge of mutual nonaggression. Israel is also prepared, qualified sources said later, to discuss the demilitarization of frontier areas.

The nine principles, Israeli sources said, would be the basic Israeli position from which she would begin negotiations if these were to open tomorrow. This explains, observers believed, why the principles emphasized broad policy objectives rather than detailed arrangements.

The motive in presenting the nine principles was to take advantage of the presence here of Ambassador Jarring and the Foreign Ministers of the United Arab Republic and Jordan. Syria, the third Arab country involved in the 1967 conflict, refused to recognize the Security Council resolution of Nov. 22, 1967, which sent Dr. Jarring to the Middle East to promote peace talks.

IMPOSED ACCORD REJECTED

Israel's blueprint rejected as unrealistic the idea of a settlement guaranteed, or in Mr. Eban's word "imposed," by the Soviet Union, the United States, Britain and France. The Middle East, he said, is "not an international protectorate" and the positions of the powers on the dispute have not moved any further than those of the Arabs and the Israelis.

The Soviet Union and France have advocated a guarantee. Britain favors a four-power declaration accepting the peace settlement. The United States opposes any arrangement that would give the appearance of an imposed settlement.

"The hour is ripe for the creative adventure of peace," Mr. Eban declared in presenting his Government's peace proposals. "Lest the Arab Governments be tempted out of sheer routine to rush into impulsive rejection, let me suggest that tragedy is not what men suffer but what they miss," he said.

The initial Arab reaction to the nine principles was negative.

George J. Tomeh, Syria's permanent representative, said they contained nothing new but were "a repetition of things already said year after year" by Israeli spokesmen.

"What are the secure boundaries he keeps talking about?" asked Hashid Mourad, the representative of the Arab League. "He never once used the word 'withdrawal,' which comes at the top of the Security Council resolution."

The essence of a settlement, Mr. Eban emphasized, is that peace commits all parties to the proposition that the 20-year conflict in the Middle East is at an end. This means, he added in explaining his first point, not only that the state of belligerency with Israel that the Arabs have maintained since 1948 is at an end, but also that the peace structure must be built from the bottom up.

Secure and recognized boundaries were Mr. Eban's second and central point. By establishing them and redeploying the troops, he said, the focal purpose of the Security Council resolution would be fulfilled. This led to his third principle, the discussion of security arrangements, including a nonagression pact.

REFUGEE WORK NOTED

The fourth principle was the maintenance of freedom of movement throughout the area, especially across the frontiers of Jordan and Israel.

Mr. Eban suggested that the Foreign Minister of the United Arab Republic join him in a declaration that the Suez Canal and the Gulf of Aqaba are international waterways where all states have equal rights of passage.

Israel proposed a conference of Middle Eastern states and other Governments and agencies to chart a five-year plan for the solution of the refugee problem. This was the first of three proposals offered by the Foreign Minister to deal with the refugee problem as Israel's sixth principle.

He also proposed a Joint Refugee Commission to approve projects for refugee integration.

Israel, he noted, has as an interim measure decided to intensify and accelerate work to unite refugee families and to speed the processing of "hardship cases" among the refugees who crossed from the west bank to the east bank of the Jordan River during and after the fighting.

Jerusalem the third holy city of Islam, has been a focal point in the diplomatic dispute. Mr. Eban sought to mollify Arab critics.

He declared that his Government did not seek to "exercise unilateral jurisdiction" over Moslem and Christian holy places in Jerusalem and was willing to "work out a status" under which they would come under the responsibility of representatives of the two religions.

Arab sources said this was no advance on what Mr. Eban has said in the past on this point. Their goal is the return of the Jordanian section of the city, annexed by Israel, to Jordan.

The Foreign Minister's eighth point was the acknowledgment and recognition of the sovereignty, integrity and right to national life of Israel through "specific contractual engagements" to be made by the Government of Israel and the Arab states "to each other—by name."

Finally, he advocated a common approach by both Arabs and Israelis to "some" of the resources and means of communication in the Middle East in an effort to lay the groundwork for "a Middle East community of sovereign states."

Many delegations were encouraged by Mr. Eban's address because Israel appeared to be trying to get things moving on a Middle East settlement and end an explosive crisis.

A number of diplomats from Mediterranean countries were especially pleased by Israel's rejection of suggestions for a four-power guarantee of a settlement. They felt that any guarantee involving the Soviet Union would legitimize the establishment by the Soviet Union of air and naval bases in Syria, the United Arab Republic and Morocco.

[From the New York Times, Oct. 9, 1968]

EXCERPTS FROM OCTOBER 8 ADDRESS BY EBAN TO U.N. GENERAL ASSEMBLY

There is no such thing as peace by incantation. Peace cannot be advanced by recitations accompanied by refusal to negotiate viable agreements. The Security Council's resolution has not been used as an instrument for peace. It has been invoked as an obstacle and alibi to prevent the attainment of peace.

In these conditions my Government has given intensive consideration to the steps that we should now take. Our conclusion is this. Past disappointment should not lead to present despair. The stakes are too high.

While the cease-fire agreements offer important security against large-scale hostilities, they do not represent a final state of peace. They must of course be maintained and respected until there is peace. They must be safeguarded against erosion by military assault and murderous incursion.

But we should not be content with this. The exploration of a lasting peace should be constant, unremitting, resilient and, above all, sincere.

NEW EFFORT AT COOPERATION

My Government deems the circumstances and atmosphere afforded by our presence here as congenial for a new attempt. We for our part intend to make a new effort in the coming weeks to cooperate with Ambassador Jarring in his task of promoting agreement on the establishment of peace.

I come to enumerate the nine principles by which peace can be achieved.

First, the establishment of peace.

The situation to follow the cease-fire must be one of just and lasting peace, duly negotiated and contractually expressed.

Peace is not a mere absence of fighting. It is a positive and clearly defined relationship with far-reaching political, practical and juridical consequences. We propose that the peace settlement be embodied in treaty form. It should lay down the precise conditions of our coexistence, including an agreed map of the secure and recognized boundary. The essence of peace is that it commits both parties to the proposition and the conscientiousness that their 20-year-old conflict is at a permanent end.

Peace is more than what is called "nonbelligerency." The elimination of belligerency is one of several conditions which compose the establishment of a just and lasting peace. If there had previously been peace between the states of our area and temporary hostilities had erupted, it might have been sufficient to terminate belligerency and to return to the status quo ante bellium—to have previously existing peace.

But the Arab-Israel area has had no peace. There is nothing normal or legitimate or established to which to return. The peace structure must therefore be built from its foundations.

The second principle refers to secure and recognized boundaries.

Within the framework of peace the cease-fire lines will be replaced by permanent, secure and recognized boundaries.

Within the framework of peace the cease-fire lines will be replaced by permanent, secure and recognized boundaries between Israel and each of the neighboring Arab states, and the disposition of forces will be carried out in full accordance with the boundaries under the final peace.

It is possible to work out a boundary settlement compatible with the security of Israel and with the honor of the Arab states. After 20 years it is time that Middle Eastern states ceased to live in temporary "demarcation lines" without the precision and permanence which can only come from the definitive agreement of the states concerned.

The new peace structure in the Middle East, including the secure and recognized boundaries, must be built by Arab and Israeli hands.

The third principle is security agreements.

In addition to the establishment of agreed territorial boundaries, we should discuss other agreed security arrangements designed to avoid the kind of vulnerable situation which caused a breakdown of the peace in the summer of 1967. The instrument establishing peace should contain a pledge of mutual nonaggression.

The fourth principle is the principle on an open frontier.

When agreement is reached on the establishment of peace with permanent boundaries, the freedom of movement now existing in the area, especially in the Israel-Jordan sectors, should be maintained and developed.

The fifth principle concerns navigation.

Interference with navigation in the international waterways in the area has been the symbol of the state of war and, more than once, an immediate cause of hostilities. The arrangements for guaranteeing freedom of navigation should be unreserved, precise, concrete and founded on absolute equality of rights and obligations between Israel and other littoral states and indeed all members of the maritime community.

Sixthly, refugees.

The problem of displaced populations was caused by war and can be solved by peace. On this problem I propose:

A conference of Middle Eastern states should be convened, together with the Government's contributing to refugee relief and the specialized agencies of the United Nations, in order to chart a five-year plan for the solution of the refugee problem in the framework of a lasting peace and the integration of refugees into productive life. This conference can be called in advance of peace negotiations.

Under the peace settlement, joint refugee integration and rehabilitation commissions should be established.

The seventh principle refers to Jerusalem.

Israel does not seek to exercise unilateral jurisdiction in the holy places of Christianity and Islam. We are willing in each case to work out a status to give effect to their universal character. We would like to discuss appropriate agreements with those traditionally concerned. Our policy is that the Christian and Moslem holy places should come under the responsibility of those who hold them in reverence.

RIGHT TO NATIONAL LIFE

The eighth principle refers to the acknowledgement and recognition of sovereignty, integrity and right to national life.

This principle, inherent in the Charter and expressed in the Security Council resolution of November, 1967, is of immense importance. It should be fulfilled through specific contractual engagements to be made by the Government of Israel and of each Arab state to each other—by name. It follows logically that Arab Governments would withdraw all the reservations which they have expressed on adhering to international conventions, about the nonapplicability of their signatures to their relations with Israel, or about the nonexistence of Israel itself.

Ninth, regional cooperation.

The peace discussion should include an examination of a common approach to some of the resources and means of communication in the region in an effort to lay foundations of a Middle Eastern community of sovereign states.

The prospect of exploring peace terms should follow normal precedents. There is no case in history in which conflicts have been liquidated or a transition effected from a state of war to a state of peace on the basis of a stubborn refusal by one state to meet another for negotiation.

There would be nothing new in the experience of the Middle East or in the relationship of Israel and the Arab states for them to meet officially to effect a transition in their relationships. They have done so before. What is new and unprecedented is President Nasser's principle of "no negotiation."

EARLIER STAGE ACCEPTABLE

But in the meantime we continue to be ready to exchange ideas and clarifications on certain matters of substance through Ambassador Jarring with any Arab Government willing to establish a just and lasting peace with Israel. There can be a preliminary stage.

Lest Arab Governments be tempted out of sheer routine to rush into impulsive rejection, let me suggest that tragedy is not what men suffer but what they miss. Time and again these Governments have rejected proposals today—and longed for them tomorrow. The fatal pattern is drawn across the whole period since 1947—and before.

It may seem ambitious to talk of a peaceful Middle Eastern design at this moment of tension and rancor. But there is such a thing in physics as fusion at high temperatures. In political experience, too, the very intensity of peril often brings about a thaw in frozen situations.

In the long run nations can prosper only by recognizing what their common interest demands. The hour is ripe for the creative adventure of peace.

Thank you, Mr. President.

SET THE RECORD STRAIGHT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. BEVILL] is recognized for 10 minutes.

Mr. BEVILL. Mr. Speaker, within the past few days, a presidential candidate and a vice-presidential candidate have made statements about my State of Alabama that are filled with political overtones and are very misleading. I would like to set the record straight at this time.

These candidates, by singling out certain statistics, have stated that Alabama's crime rate is the highest of any State in the Nation. As far as the overall crime rate is concerned, this is completely false. We all know that anyone can take statistics out of context and apply them to any given situation in any State.

But the fact is that Alabama's total crime index per 100,000 is almost one-third lower than the national average. The total of all crimes committed in the United States in 1967, according to the FBI's Uniform Crime Reports of 1967, averaged 1,921.7 crimes for each 100,000 people. Alabama's total crime index per 100,000 was 1,313.9, much lower, as you can see, than the average.

Yet, certain candidates have singled out statistics in order to make Alabama's overall crime picture look bad, when in reality, our crime rate is much lower than average.

Yes, I am happy to say that in Alabama, men, women, and children can walk the streets of our cities at night without fear. There are no so-called peaceful demonstrations creating death, destruction, and looting. There are no draft card burners and there are no flag burners. I look forward to the day when many of the other cities over this great country will be equally safe and patriotic.

It is a matter of common knowledge over the Nation that former Gov. George Wallace is a serious candidate for the Presidency of the United States. This being the case, I know that many statements are politically motivated, but I resent this obvious effort to label Alabama with these unfair, untrue statements.

George Wallace has taken a firm, positive stand against crime and violence. This, I am sure, has a great deal to do with these recent statements by these candidates. But when we deal in statistics, let us look at all the figures so we can get a true picture of the situation.

There have also been some statements made which indicate that Alabama is against the working man. Here again, let us examine the facts:

In 1965–66, Alabama led all the Southern States in attracting new and expanded industry. More than 100,000 jobs have been created in the past 5 years. The unemployment rate is considerably below the national average, and per capita income has increased 60 percent.

Recent press statements seek to show that George Wallace does not have the support of local labor unions and labor leaders. At this point, I would like to have included in my remarks some of the locals which have endorsed former Gov. George Wallace for President:

Alabama Pipe Trades Association, AFL–CIO, R. H. McConnell, Sec.-Treas., P.O. Box 275, Tuscaloosa, Alabama.

Building and Construction Trades Council of Jefferson County and Vicinity, 19 Affiliated Local Unions, 2520 Seventh Avenue North, Birmingham, Alabama 35203, Wallace A. Withers, Secretary.

Jefferson County and Vicinity Carpenters, District Council, 9 Affiliated Local Unions, 1810 Seventh Avenue North, Birmingham, Alabama 35203, R. D. Rogers, Recording Secretary.

Carpenters and Joiners of America, Local No. 2354, Childersburg, Alabama, E. G. Cleckler, Recording Secretary.

Brotherhood of Painters, Decorators and Paperhangers of America, Local No. 151, P.O. Box 151, Anniston, Alabama 36201, Fred Vann, Business Representative.

United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, Local No. 52, Montgomery, Alabama, W. C. Williamson, Business Agent.

International Association of Heat and Frost Insulation Asbestos Workers, Local No. 78, 221 North 95th Street, Birmingham, Alabama, James O. Goff.

United Glass and Ceramic Workers of North America, AFL–CIO, Local No. 150, Gadsden, Alabama, Wilburn Ward, President.

Brick Layers International Union, Local No. 1, Birmingham, Alabama, W. W. McDuffie, Secretary.

International Brotherhood of Electrical Workers, Local No. 505, 2244 Halls Mill Road, Mobile, Alabama 36606, Robert H. Dawson, Business Manager.

International Brotherhood of Electrical Workers, Local No. 733, Pascagoula, Mississippi 39567, F. B. Porter, Business Manager.

Sheet Metal Workers International Association, Local No. 441, Mobile, Alabama 36602, C. A. Rettig, Business Manager.

Sheet Metal Workers International Association, Local No. 48, 725 North 25th Street, Birmingham, Alabama 35203, Wallace A. Withers, Business Manager.

International Association of Bridge, Structural and Ornamental Iron Workers, Local No. 5, Washington, D.C., Billy Joe Walker, President.

United Steel Workers of America, Local 2122, Birmingham, Alabama.

Communications Workers of America, Local No. 3902, Birmingham, Alabama, Larry Weems, President.

Communications Workers of America, Local No. 3908, Montgomery, Alabama, G. J. Jackson, President.

Order of Railway Conductors and Brakemen, Local, Battle Creek, Michigan, D. E. Evans, Chairman.

Brotherhood of Railway Clerks, Local No. 539, Montgomery, Alabama, Robert C. Perdue.

Office and Professional Employees International Union, Local No. 18, P.O. Box 404, Birmingham, Alabama 35203, Mary Ella Reavis, President.

United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), Local No. 737, 631 North First Street, Room 108, Nashville, Tennessee 37207, Don Corn, President.

Barbers Local Union No. 83, P.O. Box 5452, Birmingham, Alabama 35207, W. B. Smith, Sec.-Treas.

Carpenters Local No. 432, Montgomery, Alabama.

Endorsement by R. R. Wade, Former President of Alabama Federation of Labor.

Endorsement by Sam S. Douglass, Veteran Labor Leader and Past President, Alabama Federation of Labor, Birmingham, Alabama.

Alabama State Building and Construction Trades Council, W. T. Thrash, President.

Capitol City Building Trades Council, Howard Hendrix, President.

International Union of Operating Engineers, Local No. 312, Birmingham, Alabama, C. O. Cargile, President.

United Association, Local Union No. 323, Columbus, Georgia.

United Association, Local Union No. 119, Mobile, Alabama.

THE MATHIAS REPORT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. MATHIAS] is recognized for 30 minutes.

Mr. MATHIAS of Maryland. Mr. Speaker, as the 90th Congress draws to a close, I would like to advise my constituents of the positions I have taken and the policies I have proposed on the questions which we have faced here in the House of Representatives. I would, therefore, like to include in the RECORD today my regular congressional report.

In order to render this annual dry fodder more palatable than the usual diet offered by the RECORD I have reduced the report to bare facts and have cast the language in the third person. The report follows:

THE MATHIAS REPORT

FOREIGN AFFAIRS

Mathias believes that we must restore balance and momentum to American foreign policy and exert creative, responsible statesmanship to meet the challenges of a troubled world and recapture a position of constructive international leadership.

On Vietnam, he believes that the path to a durable peace is through a political settlement, effectvely enforced, coupled with social and economic advances to bring security and stability to South Vietnam. Accordingly, on September 28 he urged the President to limit U.S. bombing of North Vietnam for 30 days to the area between the 18th parallel and the demilitarized zone, thus suspending bombing between the 18th and 19th parallels. The aim of this initiative would be to encourage Hanoi to take another step toward peace on the battlefield or at the conference table.

This proposal, intended to get the peace talks moving forward, was an extension of a plan for gradual, reciprocal de-escalation which Mathias and several of his House colleagues advanced publicly in July 1967. The strategy generally proposed a series of small steps toward peace by both sides. It was this approach, as partially adopted by the President on March 31, that brought Hanoi to the Paris talks in May.

Mathias feels that U.S. preoccupation with Vietnam during the past few years has seriously affected our standing and policies in other parts of the globe. He has specifically criticized Administration failures in the Middle East and in Europe.

He is convinced that the U.S. must respond to Soviet advances into the Middle East, to back up our Israeli allies and protect our own interests there. He has recommended that we blend restraint and readiness by seeking to limit the Mideast arms race, but also taking all steps, such as selling Phantom jets to Israel, to maintain that nation's defenses against Arab states rearmed by the USSR.

Mathias visted the Middle East in January, as a representative of the House Judicary Committee, to inspect and report on refugee problems. On his return, he called for new American initiatives to deal with the 20-year-old refugee dilemma, to advance plans for regional economic development projects such as de-salting plants to provide fresh water, and to promote negotiation of issues growing out of the 1967 war.

Regarding Europe, Mathias believes that our Western European alliances must be revitalized by expanding political and economic cooperation, strengthening NATO defenses, and seeking agreements to have our allies bear a larger share of defense costs. He believes that the Czechoslovakian crisis shows that America cannot afford to remove large numbers of troops from Europe without corresponding reductions in Warsaw Pact military strength.

In regard to Eastern Europe and Communist countries, Mathias feels that we must pursue policies of caution but should maintain contact and communication to increase U.S. diplomatic leverage and influence. He opposes trade with Communist nations in strategic goods and articles of war, but has supported giving the executive branch the flexibility to negotiate trade in non-strategic goods when that trade would advance American national interests by strengthening the dollar, or increasing the independence of Eastern European nations from Moscow and Peking.

Mathias believes that the foreign aid program must be reformed and revitalized. He advocates increased emphasis on aid through international and private channels, and on programs which will help poorer nations develop their human resources. He has sponsored legislation to create a special Congressional panel to review the entire foreign aid program. He supports the Alliance for Progress and sensible assistance to other countries but opposes aid to those nations, such as Egypt, who engage in aggression against U.S. allies.

Mathias has called for improvements in the United Nations to strengthen its role as a forum for international discussion and as an agency for keeping the peace and overseeing international agreements.

ECONOMIC AND FISCAL POLICY

Mathias has consistently advocated economic policies of prudence and foresight, to promote steady, balanced economic growth without harmful inflation or excessive pressures on any one part of the economy.

He has criticized unrealistic Federal budgeting and has insisted on clear priorities for Federal spending, urging that emphasis be placed on programs for developing human resources—education, job training, housing and health.

Troubled by the decline of the dollar, he has called for the economic self-discipline required to restore confidence in the dollar and curb inflation.

He recognized this year that, after years of huge Federal deficits, inflation and gold outflow, it was essential to take stern action to restore the nation to a course of fiscal sense.

He therefore voted for a combination of a strict ceiling on Federal expenditures, and a temporary tax surcharge. Earlier he had opposed a motion to restrict spending cuts to $4 billion voted for a $6 billion cut. He has urged that those cuts be made in accord with-clear priorities, and has called for focusing cuts in areas other than human renewal programs. He has opposed, for example, sinking billions into wasteful and ineffective agricultural subsidies.

He has opposed increases in the Federal debt limit since 1962, and has repeatedly criticized Administration failures to hold down spending.

He has supported the 7% investment credit for business and has opposed making this credit a tool for day-to-day fiscal juggling. He voted against the interest equalization tax, a tax on American investment abroad which he considers an excessive control on capital and a curb to developing American markets overseas.

He has advocated American initiatives to reform international monetary policy and opposed removing the gold cover from the dollar because the Administration offered no real remedies for the balance of payments problem and tried to place excessive burdens on the private sector through unwise steps such as a tourist tax.

LAW ENFORCEMENT AND JUSTICE

Mathias knows that curbing crime and maintaining public order will require a massive, sustained effort at all levels of government:

To improve dramatically all arms of law enforcement and all agencies administering justice, to provide full and equal protection of the laws for all Americans.

To meet decisively the special problems of alcoholism, and of narcotics and dangerous drugs, to bring help to alcoholics and addicts and hope to their families.

To curb juvenile delinquency, and keep today's children from becoming tomorrow's hardened criminals.

As a member of the House Judiciary Committee for eight years, he has helped to write important anti-crime legislation, particularly

The Safe Streets Act, approved this year, which provides aid to states and cities to improve police training, communications, investigative methods, riot control and other aspects of law enforcement.

Legislation to limit mail-order and interstate sales of firearms and keep guns out of the hands of minors, felons and the insane.

Title III of the Safe Streets and Crime Control Act, which prohibits wiretapping and eavesdropping except by law enforcement officers when approved and closely supervised by courts, primarily in fighting organized crime.

Mathias has called repeatedly for a stronger, more effective Federal fight against organized crime, which preys on the urban poor and undermines all respect for law. He has issued studies showing that the Justice Department's efforts lagged badly between 1964 and 1967, and that the overall Federal drive against organized crime is fragmented and poorly organized. He has introduced a legislative package to strengthen the government's hand in this vital drive.

Recognizing that crime control is basically a state and local responsibility, Mathias has advocated many improvements in community law enforcement, such as those he has worked to secure for the District of Columbia. He has also proposed creation of a Maryland Department of Justice to pull together all state anti-crime efforts and give more assistance to counties and cities.

Mathias is convinced that an effective crime control effort must be inseparable from an assault on the unemployment, undereducation, poor housing and lack of opportunity which breed violence and disrespect for law in our troubled cities.

URBAN AFFAIRS AND POVERTY

Mathias gives high priority to developing our human resources and restoring vitality, safety and hope to troubled communities. He has worked for effective, flexible programs of aid to urban and rural areas, and has fought the red tape, delays and arbitrary funding cuts which have disrupted so many efforts.

He has proposed initiatives to curb unemployment, improve manpower training and promote business development and expanded job opportunities.

He has sponsored legislation to support training for community service jobs which are not now being done

He has introduced the Human Investment Act and other legislation to provide tax incentives for industry and business to expand training for meaningful jobs.

He has sponsored legislation to provide seed money for economic growth and community development projects.

He voted for Federal re-insurance to give urban businesses protection against riot losses and guarantee that property insurance will be available in central cities.

He has fought for emergency help for business and families who were innocent victims of disorders.

Mathias recognizes the urgent need for more sound housing for families with low incomes. He sponsored the National Home Ownership Foundation Act, now law, to help families become home owners and gain a real stake in their communities. He has supported rent supplements for low-income families as an alternative to public housing, and has advocated greater emphasis on rehabilitating homes and shaping renewal programs which do not uproot large numbers of people.

He supports efforts to improve health services for those who now receive inadequate health care, and has proposed expanding health services for children through Head Start and neighborhood clinics. He opposes Federal cuts in Medicaid which could jeopardize the entire Maryland program.

In 1967 Mathias secured Congressional approval of his amendment to provide more money for rat control through the Partnership for Health Act.

Mathias has supported and fought to improve anti-poverty programs. He has criticized Federal red tape and poor administration, and has battled for a fair share of funds for Maryland programs such as the Neighborhood Youth Corps and Head Start.

He has called for massive improvements in law enforcement and a strong Federal effort to curb the organized crime which preys on the urban poor. He has advocated training for law enforcement officers to enable them to respond effectively to threats of disorder, maintain public order and protect lives and property. (See "Law Enforcement and Justice" section.)

Mathias has criticized the present welfare system, which destroys individual initiative and incentive, and has called for reforms to help welfare recipients become self-supporting, to end differences in welfare aid among the states, and to insure that needy children, the aged and the disabled will receive the help they need. He also supports an expanded food stamp program.

SENIOR CITIZENS

Mathias has supported increases in social security and railroad retirement benefits. He has sponsored legislation to provide cost-of-living increases in benefits to combat inflation, and advocates lifting the ceiling on outside earnings to permit continued work by those over 65 who are able and willing to hold jobs.

He sponsored legislation to set up a White House Conference on the Aging to shape Federal, state and local efforts to meet the needs of senior citizens for adequate housing, medical care, income, transportation and other services.

CIVIL RIGHTS

Mathias has been a recognized leader in efforts to enact sound laws to secure for all Americans the full and equal rights guaranteed by the Constitution. On the House Judiciary Committee he helped to draft the Civil Rights Act of 1954, the Voting Rights Act of 1965, and the Civil Rights Act of 1968.

In 1966 he won House passage of the Mathias Amendment, which banned racial discrimination by those in the business of selling or renting housing but preserved the freedom of the individual home owner. This amendment was a foundation for the 1968 Act.

CONSUMERS

Mathias has backed legislation to protect consumers against unsafe products and exploitation. Such bills include auto safety, truth-in-lending, truth-in-packaging, meat and poultry inspection. On House Judiciary Committee he helped lay foundations for a study of auto insurance rates and coverage.

EDUCATION

Mathias believes that good education is a vital national investment. He has worked for many bills to help provide good schools for all students, and to open educational opportunities to all regardless of their family income.

He has supported Federal aid to higher education and vocational education to improve facilities, courses and research, and to underwrite student loans and scholarships.

He backed establishing and improving the Elementary and Secondary Education Act to provide additional aid to children from low-income families in the cities and rural areas.

Since 1961 he has sponsored legislation providing for a credit against Federal income tax to offset the rising costs of higher education.

He supports aid to Federally impacted school districts and has fought for full funding of this vital program.

He has called for a full review of Federal aid to colleges and universities, and for new, comprehensive assistance which can promote quality education while maintaining the independence of schools from the government.

He has introduced legislation to provide for a full review of all Federal policies toward education, to make Federal aid programs truly able to meet the educational needs of the 1970's.

HEALTH CARE

Mathias has proposed programs to improve health care for young children, through Head Start, community education and neighborhood clinics.

He has opposed legislation which could undermine the Maryland Medicaid program.

He has supported legislation to help train more manpower in health fields, to assist medical schools, to build hospitals and to advance medical research.

NATURAL RESOURCES

Mathias has been active in the battle to preserve and protect the natural resources of Maryland and the nation, to promote future economic growth and insure that future generations can enjoy clean water, pure air, open space and varied recreational opportunities.

He supported the Water Quality Act, requiring state standards for water purity.

He supports Federal aid for sewage treatment plants and water systems, has endorsed tax incentives for anti-pollution work by industries, and has fought to insure that Maryland will receive its full quota of Federal funds to augment state pollution control initiatives.

He supported the national Air Quality Act and sponsored the law to control air pollution in the Washington area.

He has criticized Federal institutions for failing to end practices causing water pollution.

Mathias has been deeply involved in planning for the future of the Potomac River Basin. The Mathias program includes immediate development of the C & O Canal as a national historical park, under legislation he has sponsored since 1961; guaranteed access to the river for recreation and for industry and communities needing water; and cooperative planning by citizens' groups, local governments, the State and the Federal government.

He has questioned the practicality of the Interior Department's Potomac National River proposal, which would involve massive Federal takings of land at tremendous expense, and could shut off access to the River and restrict economic growth.

He has fought for adequate funds for Bloomington Dam and for Congressional approval for the Sixes Bridge Dam.

He had called for more intensive Federal studies of Chesapeake Bay and the crab shortages there, and backs preventive policies to keep the Bay healthy and preserve its wealth of resources.

AGRICULTURE

Mathias has consistently opposed the present program of agricultural subsidies and controls, which has been too costly to American taxpayers, has failed to limit farm production or keep prices for farmers up, and has aided large operations more than family farms. He has voted against extending the program and in favor of ceilings on payments to any individual.

As a substitute he has proposed a gradual return to a free market system, with government-backed loans to farmers and expanded world markets.

He has worked to help Maryland farmers by reforming Federal drought relief programs, seeking full reports on cloud-seeding activities, and fighting the Agriculture Department decision to deny export aid to Maryland tobacco sellers.

He has consistently backed PL 480 (Food for Freedom), which provides overseas markets for American commodities.

FEDERAL EMPLOYEES

Mathias believes Federal employees' pay and benefits should be comparable to those of workers in private industry. He has backed all Federal pay raise legislation in this decade, including the 1967 law which pledges full comparability by 1969.

He has sponsored legislation to adjust salary scales for postal workers and provide for a review of employee bargaining rights.

He has introduced and fought for many bills to improve the Federal retirement system, remove inequities in annuities and make benefits for retired Federal employees more adequate.

MARITIME POLICY

Mathias has sponsored legislation to establish a new, constructive American maritime policy and promote the construction of more merchant ships in U. S. yards. He has also sponsored and voted for legislation to establish an independent Maritime Administration.

THE DRAFT

Mathias believes the draft today is unfair and unjust to too many young men. Since 1966 he has been working to remove inequities, set nationwide standards, and insure that every youth will receive the same fair treatment regardless of where he lives.

Last year Mathias voted for a House bill which extended the draft for four years with some reforms, including national standards for inductions and deferments. When the

Senate struck down those improvements, he voted against the conference report.

He has since introduced legislation to make the most urgent reforms of the draft:

To require nationwide uniform standards for deferments.

To provide fair treatment for all students, including those in junior and community colleges, and in graduate courses.

To end the ban on using a lottery to choose draftees.

To make physical and mental standards for draftees and volunteers the same.

To reassert the goal of increasing voluntary enlistments and reducing draft calls except in national emergencies.

DISTRICT OF COLUMBIA

As a Member of the House District of Columbia Committee for eight years, Mathias has worked to make Washington a model as the national capital and the center of a vital, fast-growing metropolitan area.

He believes that the citizens of Washington should have a voice on Capitol Hill like all other Americans, and sponsored a Constitutional amendment to provide full voting representation for D.C. in both Senate and House. He has also sponsored legislation to create the post of non-voting delegate to the House from Washington as an interim step.

Mathias has also worked to make local government in Washington more responsive to the people, and has supported reorganization of the city government and creation of an elected school board.

He has fought to strengthen law enforcement in Washington by:

securing higher salaries, better training and educational incentives for police.

getting enough police manpower onto the streets to prevent crime and respond promptly to threats of disorder.

reforming the D.C. bail system to protect the community and reduce the likelihood that offenders will be freed on bail to commit more crimes.

fighting juvenile delinquency.

obtaining more judgepower in the D.C. courts to cut the backlog and end delays.

securing improvements in criminal laws and procedures, such as those in the 1967 omnibus crime bill, which he supported as the most workable and effective measure which met basic constitutional tests.

sponsoring legislation providing for review of the obsolete D.C. criminal code.

Mathias knows that a balanced, efficient transportation system is vital to the health of the Washington area. He has battled for rapid rail transit and a senible freeway system, with adequate relocation help for all families forced to move.

He has supported increases in the Federal payment to the D.C. budget and opposes any commuter tax.

GOVERNMENT OPERATIONS

Mathias has waged a constant battle against red tape, confusion, extravagance and obscurity in public programs, and to secure the most efficient conduct of the public business.

He has been the primary House sponsor of bills to create a new Hoover-type Commission to review all Federal operations and recommend reforms to cut bureaucracy, end duplication and improve effectiveness.

He has sponsored legislation to set up a Commission on Public Management to find ways to employ the most modern business and analysis methods in attacking national problems.

He has criticized Federal disorganization, the growth of countless coordinating committees, and the lack of firm leadership in fields such as urban affairs and the war on organized crime.

He has fought against undue secrecy in government operations.

TRANSPORTATION

Mathis believes that sound, efficient transportation systems are vital to national growth and community health.

He has worked to secure a truly balanced and adequate system of roads and rapid rail transit for the Washington metropolitan area.

He has fought for better use of Friendship Airport, for development of other Maryland airports, and against congestion and excessive noise at National Airport.

He has criticized Administration freezes on funds for highway construction and safety projects.

He supports Federal aid for improvement of mass transit.

POLITICAL REFORMS

Mathias advocates election reforms so every voter will have not only an equal vote, but an effective voice at every step where political decisions are made.

He has introduced a Constitutional amendment to abolish the archaic electoral college in favor of direct popular election of the President.

He has called for restoring a Presidential preferential primary in Maryland and letting Maryland's voters choose delegates to national party conventions directly in party primaries.

He opposes a national Presidential primary at present because it could undermine state and local parties and could prove to be so expensive that many potential candidates would be shut out.

He has introduced a bill to provide Federal income tax credits to offset small contributions to campaigns to encourage more people to support the candidate of their choice.

Mathias believes that the doors of politics must be opened to bring more citizens in, to give the public the full facts on campaign spending and the backing of candidates and officeholders, and to restore public confidence in politics.

He has introduced a bill requiring full full public disclosure of all campaigns contributions and spending.

He supports full public disclosure of every office-holder's personal assets, outside income and creditors, to give the people a basis for deciding whether any personal interests influence a man's decisions on national issues.

He and Mrs. Mathias have made full and public disclosure.

He sponsored and voted for legislation to set up a House Committee on Standards of Conduct.

MIDDLE EAST POLICY

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. ROSENTHAL] is recognized for 30 minutes.

Mr. **ROSENTHAL**. Mr. Speaker, just a year ago last June the drama of the 6-day Arab-Israeli war unfolded before our eyes. The traumatic struggle of last year seems so long ago as we look back upon it. But I want to remind my colleagues and the country that Israel's swift victory did not resolve that region's intricate problems.

Our emphasis on Vietnam has overshadowed our attention to the Middle East. We have settled for a passive Middle East policy based on elusive peace proposals and optimistic reports of diplomatic missions. But our verbal support for Israel's political independence and territorial integrity is no longer enough. In recognition of the issues at stake in the Middle East, we must support Israel militarily and diplomaticaly. Specifically, we must send Phantom F–4 jets to Israel.

These issues are not limited to the grievances of the inhabitants of that region. A military solution there would disrupt world order and destroy world peace. What is at stake in the Middle East is the precarious balance of Soviet-United States power in the cold war.

The Soviet military presence in the Mediterranean and the Middle East is steadily growing. In the last 16 months Soviet arms shipments to the Arab nations have multiplied. Before June 1967, the Arab advantage in jets alone was 4 to 1. Today it is 7 to 1. Soviet pilots are flying Arab planes as well as training Arab pilots. Soviet ships conspicuously occupy Egyptian ports and an estimated 3,000 Soviet advisers are serving Egyptian units.

Diplomatically, the Soviet Union remains bent on blocking direct Arab-Israel peace talks, fearing that such talks would undermine Soviet leverage gained by supplying arms to Arab nations. In a speech before the United Nations on October 2, Premier Kosygin declared, in effect, that the Soviet Union could do as she pleased in the Middle East, because she considers that area vital to her interests.

Our Government has thwarted Israel's request for arms assistance to balance Soviet shipments, believing that its reluctance to supply Israel with weapons would persuade Soviet leaders to display similar restraint toward the Arab nations. This is merely wishful thinking and bears no relation to the facts.

Our continued reluctance to sell Israel jets, based on our fear of Soviet intervention, actually encourages Soviet arms shipments by raising Soviet hopes of weakening American influence and prestige in the Middle East. Soviet leaders, interpreting our inaction as timidity, are unwilling to compel Arab leaders to turn from destructive terrorism to constructive negotiations. For the Soviet Union aims at nothing less than subverting Arab nations and bringing them into the Communist fold.

Hegemony in the Middle East offers the Soviet Union control over American oil companies' supply to Western Europe and the United States. This control could cut the income flowing from American Middle East oil interests to the West, increasing our balance-of-payments deficit. Thus, the Soviet Union is not necessarily seeking war in the Middle East that might culminate in a military confrontation between the Soviet Union and the United States. Rather, it is seeking signs of an eroding U.S. commitment to Israel. By denying Israel the arms she needs to defend herself, are we not saying to the Soviet Union that the Middle East is only of secondary importance to us?

If, on the other hand, we demonstrate a strong commitment to Israel, the Soviet Union would probably rethink its position.

By responding to Israel's need we will, in effect, be strengthening the whole region's capacity to resist the pressures of Soviet control. Egypt, Algeria, Yemen, Syria, and Iraq receive arms from the Soviet Union. But there are a number of countries in the Middle East—Iran, Turkey, Lebanon, Jordan, and Saudi Arabia, in particular—which lean toward the West, partly because of common economic interests.

There are dissidents in these Western-oriented countries who want to side with the Soviet Union. If the United States weakens its aid to Israel—a country so conspicuously identified with democracy—Soviet influence gains in all Arab and neutral countries of the area.

By insuring Israel's right to exist, the United States is taking a major step toward ending the cold war. For Israel can demonstrate to developing nations throughout the world that her way—progress through democracy and development—is the best way for all nations to follow. Israel's rapid economic growth indicates that progress can proceed without the regimentation of a totalitarian state. Many African and Asian nations have already learned this lesson from Israel.

We must act decisively to protect and enhance the democratic life for all freedom-loving nations in the Middle East, and ultimately throughout the world.

THE STATURE OF A STATESMAN—THE HONORABLE LISTER HILL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 10 minutes.

Mr. STAGGERS. Mr. Speaker, admiration and awe demand that we pause a moment in contemplation of a towering figure of a statesman who has added prestige and honor to these legislative Halls over a period of nearly half a century. The Honorable LISTER HILL, senior Senator from the great State of Alabama, has announced that he will retire at the end of this session of Congress. But he must not leave before we try to put into words our admiration for his unsullied character as a true American, and our awe of his skill as a wise legislator.

In an earlier stage of American development, it was written of the HILL family: It is characterized by moderation, contentment, and independence under all circumstances; by its strength of heroic endurance, its overflowing tenderness of admiration for all loveliness, and by its sympathy for all suffering. It is pervaded by a deep sense of religion, and dedicated to the fulfillment of duty, and to obedience to the word manifest in the heart.

These traits seem to have reached the perfection of flowering and fruitage in the present generation. Through the annals of the tribe, the HILL name is preceded again and again by the time-honored title of doctor. No fewer than seven of the Senator's close kin are entitled to bear the symbol of the winged serpents today. His father was an eminent physician, taught by the famed Lister of England, and close associate of the Gorgas whose conquest of yellow fever made the Panama Canal possible. It was this Dr. Hill who performed the first heart suture, a piece of surgery carried out under emergency conditions, on a kitchen table, and completely successful. Neither skill nor imagination nor courage has been lacking when human suffering awaited the ministrations of a Hill physician.

By all the urging of tradition, then, Senator HILL should have sought reputation in the field of medicine. Instead he chose the law. It is not a matter of record that his family viewed the choice with disappointment. Whether they did or not, the choice is a vindication of the theory that destiny rules the fate of those who choose to serve. For as master of the art of law he has served the science and art of medicine in innumerable ways which would not have been open to him as a physician.

It is a tribute to the State of Alabama that it accepts the principle that he who is nobly born must nobly meet his fate. As a capable and successful lawyer, it was inevitable that his fellow citizens should select a man of his family standing and reputation to represent them in Congress. So to Congress he came, and at an early age. And in Congress he has remained, first as a Representative, and then as a Senator, until this good day, accumulating influence and respect and honor, along with the veneration due unfailing allegiance to the public trust.

The record of Senator HILL's activities as a legislator is written in the books for all to read, and need not be rehearsed here. What we are interested in here is the image of his character and concern as cast on the screen of history. And that image is the picture of the foremost innovator and partisan of the public health of our times.

The central concept of Senator HILL's vision of a more healthy Nation and world is embodied in the so-called Hill-Burton Act. Originally, the act provided Federal assistance for the construction and equipment of standard hospitals in the more rural areas of America. As enlarged and expanded, the act has widened its view of possibilities in the area of health until it takes in practically every target of medical attack. Nearly 1,000 hospitals, medical centers, and other facilities scattered from coast to coast across the continent are monuments to his relentless determination and his organizing genius. Federal funds have been made available for research in the cause, cure, and above all, the prevention of some of the most dreaded enemies of the human race: cancer, heart disease, cerebral palsy, mental illness, deafness, impaired vision. In hospitals and universities throughout the land, dedicated scientists toil night and day with the hope that men everywhere may enjoy freedom from suffering and physical and mental disability. More than 60 major legislative enactments mark the Senator's progress toward the ideal of a sound mind in a sound body. Together they represent an incalculable blessing to humanity.

In the medical world it is said that the Senator has placed the tools of health in the hands of the workers in health. Tools multiply hands and brains indefinitely. Because of the tools, the Senator's purposes and designs come alive in thousands of brains and eyes and muscles belonging to thousands of dedicated workers, and will continue to do so throughout foreseeable time. For fortunate humanity, this means that we are already entering on the golden age of medicine. It is claimed that our knowledge and skill in the treatment of disease has expanded more in the last few decades than in all previous history. And this is just the beginning.

Scientists are well aware of the Senator's influence on his time. An inspection of his office will show the walls to be encrusted with testimonials to his good will and wise planning. They come from States and institutions and societies and individuals, and they bear record in etched bronze and in durable parchment to the grateful appreciation of the donors. Such are the just rewards of a life well spent.

I speak in rather feeling terms, Mr. Speaker, because I have been privileged to touch on at least the periphery of the Senator's activities. Our respective committees deal often with the same legislation, and I have been inspired by his magnetic personality until I feel that I, too, may dream dreams. It is an honor to have been a part of these things.

So now, in a few days, the Senator proposes to relinquish the post he has filled so well for so long. We shall miss him. But the keenness of our sense of loss is blunted somewhat by the knowledge that his spirit will still be with us, to urge us on the way of achievement. The words of the quote regarding his name recur with pointed pungency: heroic endurance; tenderness; sympathy; fulfillment of duty. They bear the stamp of prophecy. May the years of his retirement be warmed and brightened by the glow of the love and thankfulness of his legions of friends and neighbors, by the serenity of a clear conscience, and by the happy reflections that he has met the full challenge of life with joy and enthusiasm.

CONGRESSMAN REUSS URGES REFORM OF UNFAIR U.S. TAX SYSTEM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 15 minutes.

Mr. REUSS. Mr. Speaker, our Federal tax system is based on the so-called progressive principle, according to ability to pay. But the gap between what the system is supposed to do and what it actually does is wide and it is getting wider every year.

The average taxpayer is already paying more than a month's salary in Federal income taxes every year, plus property taxes on his home, and sales taxes on virtually everything he buys. Now this year, the new 10-percent income tax surcharge will be piled on top of that.

But for some people, taxes are no problem at all. They are the ones who are shrewd enough to take full advantage of the gaping loopholes in our leaky tax laws; and there are a host of gimmicks to benefit the few at the expense of the many.

In 1966, for example, there were 18 millionaires who did not pay a dime of income tax. In 1965, there were 35 taxpayers with incomes of $500,000 or more who avoided paying any tax at all. There are literally thousands of taxpayers with incomes of $100,000 a year or more who pay less than 25 percent of their income in taxes even though the tax laws appear to say they should be paying 50, 60, or 70 percent.

There is certainly no shortage of ways open to the rich to avoid taxes. There is the stock option dodge, which is used by highly paid executives of big companies to avoid paying taxes at the regular rates on bonuses or salary raises. There is the unlimited charitable deduction, under which the donor gets the credit but the Treasury pays the bill—in lost revenues. And there is the "hobby farm," where nothing profitable is grown except tax loopholes.

The new 10-percent income tax surcharge will not even touch a great many of these people. The surcharge is a tax on taxes paid, and if they are not paying any taxes they would not be paying any surcharge. Ten percent of zero is zero, no matter how you figure it.

And it is not just individuals who manage to avoid paying their fair share. The major oil companies make these individual tax avoiders look like pikers. In 1966, the 20 giant oil companies in America cleared a total net profit of more than $\$4\frac{3}{4}$ billion—yet they paid Federal income taxes at the midget rate of only $8\frac{1}{2}$ percent. That is about the same percentage rate that a man and wife earning $3,000 a year must pay.

Mr. Speaker, these are but a few of the gimmicks built into our Rube Goldberg tax system. Every year, the tax avoiders muster their highly paid lobbyists for yet another raid on the Treasury. Every year the loopholes get bigger and bigger. Every year the hard-working average American taxpayer is squeezed a bit more to make up for the lost revenue.

It was to correct this blatant favoritism that I introduced last year H.R. 13490, a 10-point program aimed at putting an end to the most glaring of these tax loopholes.

My bill, by correcting these inequities, would bring in some $7 billion in vitally needed new revenues. Some of this could be used to reduce the income tax burden on the average Federal taxpayer.

It could also serve to ease the enormous property tax burden on the average homeowner. In Milwaukee, for example, the property tax on a $15,000 home is over $600 a year. With part of the extra $7 billion a year that tax reform would bring in, the Federal Government could make block grants available to help cities deal with the problems of education and welfare, housing, and police protection that are now draining away revenues and forcing ever higher property taxes.

Tax reform is an idea whose time has come. It is up to the 50 million low- and moderate-income taxpayers who are now being overcharged every April 15 to form their own lobby—a lobby for the public interest. If the public demand for tax reform is loud and clear, it is just possible that the next President will get the message.

THE CHICAGO CONVENTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 10 minutes.

Mr. RYAN. Mr. Speaker, citizens of America and New York watched the Chicago convention with particular interest regardless of their political affiliation. It was the only convention where any stand was expressed opposing the Vietnam war. Thus I am including this brief report in the CONGRESSIONAL RECORD.

The convention was one of the most difficult in our history. Many of us went there to fight for new leadership and new ideals. We did not win a total victory.

But despite its failures, the Chicago convention did show hope for the future. Delegates voted for no more unit rule. The Mississippi and Georgia credentials fights were won, and we are hopefully on our way to a new party.

As early as last January, I had urged the late Senator Robert F. Kennedy to seek the nomination and I was committed to his cause. After his tragic death, I supported Senator EUGENE MCCARTHY and voted for him as a delegate at the Democratic National Convention.

At Chicago I had the honor of helping to organize and lead the fight for a change in Vietnam policy and spoke for the minority plank on Vietnam. I headed the spontaneous demonstration that briefly captured the amphitheater for peace, civil rights, and the needs of the people. I joined in leading the torchlight parade of delegates who marched in silent protest.

In supporting the minority report on Vietnam, I said:

> The fabric of our society has been torn by urban decay, poverty and racism—inevitable by-products of the war in Vietnam . . . The Democratic Party must seriously offer itself to the American people as the Party of peace and progress. We must free the nominee of this Convention from the shackles of the past . . .
>
> Our Party must recognize the depth of our peril and redirect our foreign policy to end a brutal war and re-order our national priorities. We must give cause for hope to the alienated and oppressed, and we must put the streets of our cities ahead of the streets of Saigon.

The full text of my remarks at the Democratic National Convention in Chicago on August 28, 1968, follows:

STATEMENT OF HON. WILLIAM F. RYAN IN SUPPORT OF THE MINORITY REPORT ON VIETNAM, DEMOCRATIC NATIONAL CONVENTION, AUGUST 28, 1968

Mr. Chairman and fellow delegates, under our unique political system, still the best devised by man for his own self-government, the Democratic Party proposes to ask the American people for a renewed mandate. It does so at a time when our Nation faces a crisis in leadership unmatched in this generation or century.

The fabric of our society has been torn by urban decay, poverty, and racism. The neglect of our domestic problems is an inevitable by-product of the war in Vietnam which has expended our national treasure—taking the lives of our brave young men, the future leaders of our democracy, and debilitating our spirit.

The consequences for our diplomacy, our domestic tranquility, our disadvantaged and oppressed, upon our youth—indeed, upon our sense of national purpose—are clear.

This tragic war has brought us to the brink of chaos at home—where free men and free women are selecting a Presidential candidate behind barbed wire—and over the brink of moral bankruptcy in the eyes of other nations.

As a Congressman, I have consistently opposed the Administration policy in Vietnam with my voice and my votes.

As a Democrat, I believe in what our party stood for in the election of 1964. But the ideals of that campaign have been violated by the war and its consequences. If the Democratic Party is to seriously offer itself to the American people as the Party of peace and progress, we must confess error and free the nominee of this convention from the shackles of the past.

The majority report is a re-affirmation of the misconceptions and illusions which produced the stale-mated war—an undeclared war, mind you—10,000 miles from our shore, with its immeasurable costs and consequences. The majority report is a re-affirmation of an attitude which has prevented meaningful negotiations. It rejects an unconditional halt in the bombing of North Vietnam—an essential step to productive negotiations.

And the majority report, by not accepting the direct participation of the NLF in negotiations and their right to participate in the future political life of South Vietnam, fails to recognize the political realities in South Vietnam.

It is a document designed to defend a record, not chart a new and more realistic course.

When millions of citizens voting in primaries have repudiated that record, it would be an act of blind folly to ratify it here.

As a Democrat, and as an American, I stand before you today to ask our Party to recognize the depth of our peril, and to pledge a redirection of our foreign policy to end a brutal war and re-order our national priorities.

We must give cause for hope to the alienated and oppressed—we must put the streets of our cities ahead of the streets of Saigon. If the Democratic Party is to continue as a political vehicle for change—if the Democratic party is to offer a better vision for the future—if the Democratic Party is to inspire new confidence! Then the possibility of change, vision, and confidence must be found in the platform we adopt.

The challenge to America is to achieve social reconstruction and racial reconciliation at home, and constructive leadership abroad.

We have the capacity to meet that challenge.

Let us demonstrate the will to do so.

REV. DR. MERRILL MILES MOORE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. ROONEY] is recognized for 10 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I am pleased to share with you and my colleagues the final sermon of the Reverend Dr. Merrill Miles Moore, rector of Trinity Church, Bethlehem, Pa., which he delivered on the last Sunday before his retirement as rector of Trinity Church after $40\frac{1}{2}$ years of faithful service to his congregation and to his community.

During his ministry, the membership of Trinity Episcopal Church has more than tripled, the church has been remodeled, and a new parish house, Sunday school room, and choir room have been built. Dr. Moore has been an outstanding leader in diocesan affairs, serving as a member of many church committees, and, most notably, as the chairman of the diocesan department of promotion for 10 years. He received an honorary doctor of sacred theology degree from the General Seminary in New York.

Bethlehem and the Lehigh Valley are thankful for the great ministry of Dr. Moore and they will show their appreciation as they celebrate his 71st birthday and his retirement with him this evening. I deeply regret that I will not be able to join with them at that time, but I send my very best wishes to him and to his family on this joyous occasion.

His parishioners and his community will sorely miss Dr. Moore's services, but we have the consolation of knowing that he will continue to live in Bethlehem.

The text of his sermon is as follows:

Sermon by the Reverend Merrill Miles Moore, S.T.D., Rector of Trinity Church, Bethlehem, Pa., October 6, 1968

Philippians 2:4: *Look not every man upon his own things, but every man also on the things of others.*

Hemingway's novel "For Whom the Bell Tolls" derived its title from a 17th century sermon delivered in England by the Rev. John Donne. When anyone died in those days, the news was announced by ringing the bell of the village church. Hearing that solemn sound, the men would leave their shops and come in from the fields to inquire for whom the bell tolled. In the course of his remarks the clergyman said, "No man is an island entire to himself. Every man is a piece of the continent, a part of the main. If a clod be washed away by the sea, Europe is less, as well as if a promontory were, as well as if a manor of thy friends or thine were. Any man's death diminishes me, because I am involved in mankind; and therefore, never ask for whom the bell tolls—it tolls for thee."

I am involved in mankind. Any man's death diminishes me. Only one who had entered into an understanding of the eternal truths that Jesus taught and who had been touched by the power of his spirit could think and talk like that in the 17th century. The New Testament is among other things, the declaration of man's interdependence upon God and his fellows. That is the framework of the whole structure of the teachings of Jesus. The fatherhood of God and the brotherhood of man are, according to him, basic and fundamental truths. The independence of man is a figment of the imagination. Man is as dependent upon God and his fellows for all that supports and sustains life as an infant is upon its mother's love and care. We can be truly happy and blessed only when we recognize that truth and live in right relationship with God and one another. We must "look not every man upon his own things, but every man also upon the things of others."

I am involved in mankind. That is a profound truth. It is not only embedded in the New Testament, it also underlies and is wrought into the whole life of man. No man is an island sufficient unto himself. Every man is a part of the vast continent of humanity. We are bound each to each by divine and human ties that were forged by the great creator of us all and which no man can serve. Life is a cooperative undertaking from top to bottom, and no man can accomplish anything of and by himself alone. The support of our church, our homes, the maintenance of our businesses, our pleasures and our amusements, the clothes we wear, the food we eat, all involve the good will and cooperation, the brains and the labor, the toil and sacrifice of tens of millions of men and women around the world. We are in the world and of the world, and so long as God gives us life there is no escape from our responsibilities to Him and to our fellows. Only as we seek to serve and promote the best interests of all mankind, shall we be able to safeguard and make secure life's richest blessings for ourselves. We must learn, by the grace of God, to look not every man on his own things but every man also upon the things of others, for their things do deeply concern us. Our failure to do that in the past has brought disaster upon us and the world. Our failure to do it in the present is dimming our hopes and shattering our prospects for better things to come. We are involved in mankind for weal or for woe. Unless we repent of our folly and our eyes are opened, not only to see and understand the truth but also to live in harmony with it, a worse thing will come upon us. Therefore, do not ask for whom the bell tolls—it tolls for thee.

Fundamentally our first and deepest concern is for our own and for ourselves. We take thought and plan, we toil and sacrifice to establish a home, to bring up a family, to provide our family with the necessities and some of the comforts of life, to educate our children and to make the wisest and best provisions we can for their future happiness and well being. One might think that the best, if not the only way to accomplish these results would be to attend strictly to our own business, and to devote all our thought, time and effort to those ends. The laws of life, however, do not work that way. Multitudes of fathers and mothers have faithfully done that in our time but they did not achieve their ambitions. Their very noble and laudible purpose was thwarted by something that was going on in the world and which did not seem at the time to even remotely concern that which was nearest and dearest to their hearts.

It should now be clear to everyone who thinks that no man can take care of his family unless he does more than take care of his family. His first concerns and interest are rightly there, but if he would do all that he longs to do for the members of his family and afford them the protection to which they are justly entitled, he must of necessity be vitally interested and concerned about what is happening anywhere in the world. His home is in the world and it cannot be secure, comfortable and a happy home in a world that is belching forth the hot lava of destruction and death. We can preserve our freedom and safeguard the peace of our homes only when we as individuals and as a nation play our part, to the full measure of our ability, in preserving the freedom and safeguarding the peace of the world. Let us never ask again for whom the bell tolls across the sea—"It tolls for thee."

That being true, it naturally follows that if one is vitally interested in caring for his own he must be vitally interested in what is happening in his own country. The future of our nation is inseparably bound up with the future of all nations. The world, however, is a big place and we can approach the problem more easily by looking at what is taking place here at home. If we as a nation are to be strong and well equipped to play our part in bringing order and peace out of this universal chaos, we must be united and at peace with ourselves. We must achieve within our own borders that which we hope to accomplish for the world at large. That we have not succeeded in doing that is quite apparent. One of the most disturbing things about the present in America is that power politics, which we rightfully deplore in world affairs, now flourish rank and strong in our midst. The unity that should bind us together in our efforts to win peace is simply a thing upon the surface imposed by stern necessity. It does not go down deep into the life of our people in such a way that our hopes, our fears, our aims are one for the good of America.

We are fast becoming a nation of large, well organized groups—separated by wide gulfs of misunderstanding and suspicion. It is not necessary to enumerate them, for most of them are well known. They are politically minded and conscious of their strength. They are exciting tremendous pressure everywhere to get what they want for themselves without any thought or consideration for the well being of others or the nation as a whole. Class is being arrayed against class, group against group, and each is engaged in a determined struggle to achieve its selfish ambitions at the expense of all others. They are looking simply upon their own things, so that our divisions are becoming more apparent than our unity. That way destruction lies. "A house divided against itself cannot stand" and as Lincoln added, "What is true of house is true of land." If we have ears to hear, the bell tolls and we need not ask for whom it tolls—it tolls for thee. If this trend in our national life is not checked the day will come, as a thief in the night, when it will stretch forth its long arm and touch with the hand of death those who are dearest to us, wreck the security and happiness of our homes and as a plague spread destruction and ruin throughout our land.

Now I am simple minded enough to believe that the only solution to those great and grave problems at home and abroad is to be found in the teachings of Jesus: "Look not every man upon his own things but every man also upon the things of others. He that saveth his life shall lose it, and he that loseth his life for my sake shall find it. If any man will come after me let him deny himself, take up my cross and follow me. A new commandment I give unto you that ye love one another even as I have loved you." Nothing but the power of that divine love for God and man which filled the heart of our Blessed Lord and constrained him to give his all, even life itself, in consecrated and devoted service for the good of all the children of men, can save this world from destruction and death. We are involved in mankind and only as we strive, with all the strength of mind and heart and hand that God can supply, to promote the best interests and the highest well being of all mankind can we, in the last analysis, preserve our freedom, secure the peace and happiness of our homes and protect the lives of those we love more than life itself. Therefore, never ask for whom the bell tolls—it tolls for thee.

It has been a great privilege to teach these truths which Jesus taught and to minister to you in the things of the spirit to the best of my ability during the past 40½ years. They have been happy, rewarding years. There have been tragedies, too, but God has strengthened and sustained us all these many years. Mrs. Moore, Betty and Rex and our three grandchildren and I deeply appreciate the great kindness and the thoughtful consideration that you have shown us at all times. We are grateful for the support of the Wardens and Vestrymen, the faithful and devoted service for 22 years of the parish secretary, Mrs. Nancy Wright, and the inspiring leadership for 10 years of our choirs by our organist and master of the choristers, Mr. Beinema. Your presence here at this service and the other communion services this morning has made us all very happy.

A friend said to me some years ago, "I should think a man of your training and ability would leave the ministry and take up some useful and profitable occupation." My reply was, "If I knew of any more useful and important occupation I would, but I do not know of any such." Here in the work of the Church, you and I are engaged in the greatest, the most important and rewarding business on earth. Fellow laborers with God in teaching men and women to live in right relationship with God and one another and so in making this world a brighter, happier, better place in which to live.

Through the years ahead put into this

business the best of mind and heart and hand that you can give. Fight the good fight of faith with all your might and when the end shall come you may lay your armor down happy in the thought that, by the grace of God, you did your best. The rest we leave in quiet confidence to Him.

GONZALEZ SPONSORS COMMUNITY SELF-DETERMINATION ACT

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Texas [Mr. Gonzalez] is recognized for 10 minutes.

Mr. **GONZALEZ**. Mr. Speaker, I am pleased to join Representative Don Frazer in sponsoring the Community Self-Determination Act today. This legislation is a more flexible, wider-ranging version of the proposed Neighborhood Development Corporation Assistance Act which I introduced two summers ago. As I see it, both bills are based upon our Nation's fundamental faith in town meeting democracy.

My neighborhood development corporation bill is designed to give citizenship and self-help real meaning to the faceless residents of our big cities and to the forgotten residents of rural backwaters. Neighborhoods with sufficient initiative would take over administration of the traditional communty services within their capabilities, and be assisted in developing new programs to meet their local needs.

To this concept of neighborhood decisionmaking, the bill we are introducing today adds the mechanism of a Community Development Bank to attract new sources of capital for the building of an economic base to eventually pay for the community services. It is a truism in our capitalized, affluent society that it takes more than the vote to enjoy self-determination, it also takes the buck. "Freedom plus groceries" was the watchword of Maury Maverick, who distinguished for many years the congressional seat I now hold. There is not a man in the streets who is unaware that full partnership in our representative democracy entails both political and economic self-determination.

The voting stock of the Community Development Banks would be controlled solely by the residents of the community. Several classes of stock issues are contemplated, and it is proposed that the CDB's be empowered to issue income bonds to be secured by a special Federal Reserve guarantee fund. The function of the CDB's is to make loans and extend credit to individual corporation stockholders, to small businesses largely owned by stockholders, to businesses not controlled by stockholders but which give the community corporation the right of first refusal if it is sold, and to an outside corporations which agree to establish a turnkey business, train local employees and turn the new business over to local ownership and management within a specified number of years. A U.S. Community Development Bank is created to serve as a secondary market for CDB loans, and to provide financial expertise.

The Community Development Corporation is envisioned as a multiple attack vehicle for tapping the economic potential of depressed areas of our country, both urban and rural. It would improve the condition of the community resident through a whole range of community services. It would make jobs by encouraging many forms of new business activity, made possible by the capital of the Community Development Banks. It would own subsidiary business, getting a break on its income tax rate in proportion to the depression of the development index of the community. It could enter into turnkey contracts with private enterprise, which would have tax incentives for lending management expertise. It might sponsor housing projects, and engage in advocacy planning for urban renewal and model cities programs.

Happily, this 180-page bill goes into precise detail, a necessary first step for serious consideration. For example, there is an elaborate system for legitimizing the representation and boundaries of the proposed communities, to be certified by a national board. A community can include as many as 300,000 people, and as few as 5,000 under this bill, although at least 25,000 are necessary to charter a community development bank. Personally I do not feel that the 5,000 minimum is low enough to reach many sparsely-settled rural communities which need help; my neighborhood development corporation bill has a minimum population requirement of 1,000.

Under this community development plan, the residents would themselves contribute their initiative, knowledge of local problems, and labor; the private sector would contribute its expertise and capital, and the Federal Government will contribute relatively small amounts of seed money and its economic strength as a guarantor of the loans made by the individual investor.

We are beginning to get a hard picture of the dimensions of the poverty in both urban and rural areas of our Nation. Its eradication will take national commitment, local determination and money. In many cases, a large sum of Government funds infused from above is not the best response. Our community self-determination plan—by no means the only, total answer—has the virtue of bringing private capital and expertise into communities that demonstrate a good deal of local initiative and cohesiveness. For incentives, the plan relies largely upon tax credits. Tax advantages have long been used to encourage various segments of our private economy. This plan would place them where most needed.

Mr. Speaker, I am pleased to lend my encouragement to this legislation. I helped draft in committee this year the new program of homeownership assistance for lower income families. I am pleased to sponsor this bill to provide for local ownership of new and needed businesses. It is obvious that more of our citizens must have a stake in the homes and stores in their communities. This bill we are introducing today is essential. I hope its time is coming.

LOANSHARK LAW IS INVOKED HERE

Mr. **SMITH** of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **SMITH** of New York. Mr. Speaker, I would like to call to the attention of the House the first prosecution by the U.S. Justice Department under the loanshark provisions of the truth-in-lending bill we passed in May. The indictment was returned in the southern district of New York on Monday according to yesterday's New York Times. At this point I would like to insert the full text of the Times story in the Record:

Loanshark Law Is Invoked Here—Suffolk Man Believed First Indicted Under U.S. Act

(By Edward Ranzal)

> In what officials said was the first indictment in the country under the new Federal loanshark law a Suffolk County man was accused yesterday of making extortionate loans and threatening borrowers with violence.
>
> A Federal grand jury charged Richard Schulman, 34 years old of 20 Chelmsford Drive, Wyandanch, L. I., with violating the law which went into effect May 29.
>
> The measure was enacted to enable the Federal Bureau of Investigation to enter loanshark cases, and the agency has urged persons caught in a usurious trap to notify it.
>
> Under the law, the F.B.I. can investigate if interest of 45 per cent or more a year has been charged, if the loan cannot be collected in Civil Court and if there have been threats of violence for failure to pay.
>
> Assistant United States Attorney Terry F. Lenzner said Mr. Schulman had allegedly boasted of his close connections with known Mafia figures in threatening borrowers.
>
> United States Attorney Robert M. Morgenthau, who termed the indictment the first under the law, said an unnamed home improvement company in White Plains had informed the F.B.I. last summer that at least six of its salesmen had become indebted to Mr. Schulman by payments of excessive interest since 1965.
>
> Mr. Morgenthau said that Mr. Schulman's average loan was between $1,000 and $2,000, for which he charged interest at the rate of $50 a week for each $1,000.
>
> If a weekly interest payment was missed, that amount was added to the principal and a new higher interest rate was charged, Mr. Morgenthau said. Some salesmen were charged 150 per cent interest and ended up owing more than they had borrowed.
>
> Arraigned later in Federal Court, Mr. Schulman was held in $40,000 bail. If convicted, he could receive up to 20 years and a $20,000 fine on each of four counts.

Mr. Speaker, the loanshark amendment was largely the product of the House Republican task force on crime on which I have been privileged to serve under the very able chairmanship of the distinguished gentleman from Virginia, Richard Poff.

House Republicans can take great pride in the enactment of this very important bill—a major weapon against organized crime. I am delighted to report that its usefulness and effectiveness is already being demonstrated.

TRANSPORTATION

Mr. **BOLAND**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there

objection to the request of the gentleman from Massachusettts?

There was no objection.

Mr. BOLAND. Mr. Speaker, the Johnson administration of the past 5 years has devoted a major effort to making the Nation's transportation system safer, more efficient, and more responsive to the needs of the American people.

Construction of our vast network of high-speed, interstate highways has progressed rapidly with more than 26,000 miles now open to traffic.

Under legislation proposed by the administration and passed by Congress in 1963, 1965, and 1966, our highways and autos are being made safer. New Federal safety standards—such as seat belts and collapsible steering columns—offer hope for a major breakthrough in reducing the traffic toll of death and destruction on our highways.

More than 53,000 persons are killed in traffic accidents each year; 4.5 million are injured, and the economic toll of highway accidents is now at a rate of $10 billion a year.

The Federal auto and highway safety standards already adopted, and those now under consideration, may make it possible to cut the highway death toll by as much as 70 percent.

AIR TRAFFIC GROWTH

In these past 5 years, the Johnson administration has acted vigorously to maintain the safety of our airways in the face of unprecedented air travel expansion.

During this time the number of passengers carried by U.S. airlines more than doubled from 62 million to 150 million; the number of general aviation aircraft increased from 68,000 to 120,000; and the total number of aircraft operations recorded at Federal Aviation Administration facilities jumped from 25 million to more than 50 million.

To maintain safety while absorbing this growth, the Administration spent nearly $6 billion to operate and expand the national aviation system. Of this amount, some $700 million was spent to assist local communities in building new airports or improving existing ones.

RAPID TRANSIT

To meet the growing problem of intercity and intracity ground travel, particularly in our heavily populated urban corridors, the Administration inaugurated new programs for urban mass transportation and high-speed ground transportation.

In 1964 President Johnson signed the Urban Mass Transportation Act, bringing Federal efforts to bear on one of the most serious transportation problems affecting our major cities.

Since then $460 million have been made available to our cities to encourage building or expansion for modern rapid transit systems.

Under the high-speed ground transporation program—a 1965 act—the Federal Government in cooperation with private industry, is sponsoring two projects for testing potential of high speed intercity rail transit.

These include totally new electrically propelled trains which will operate between New York and Washington at speeds up to 120 miles per hour, with hourly service.

A second demonstration, about to begin between New York and Boston, will use a new concept in rail travel—a 170-mile-an-hour gas turbine train built to aircraft standards and capable of cutting travel time by more than 1 hour.

Both projects challenge the popular belief that rail passenger transportation is dead as a major means of public travel.

A NEW APPROACH TO TRANSPORTATION

In all of the administration's programs to expand and improve our Nation's transportation system, a basic concern has been to protect the individual and his environment.

Planes, autos, trucks, buses, and trains compound urban congestion, create noise, generate air pollution, and pose constant problems of safety.

New highways disrupt communities, dispossess individuals and, too often, bulldoze their way through neighborhoods with little or no thought to the destruction wrought on the cultural as well as the physical environment.

These are the irritating byproducts of transportation progress.

THE DEPARTMENT OF TRANSPORTATION

Creation of a national Department of Transportation, in 1967, gave the administration an opportunity to begin to deal effectively not only with these byproducts, but also with the monumental task of planning a new approach for a transportation system of the future.

This new, 12th Cabinet-level Department brought together for the first time in the Nation's history the Federal planning and operational activities involving our highways, railways, waterways, airways, and pipelines.

The goal of the Department, as stated repeatedly by President Kennedy and President Johnson, is to develop a coordinated transportation system which will be responsive to the economic, social, political, and defense needs of the Nation.

Although less than 2 years old, the record of achievement of this new Department in carrying out the administration's objectives is impressive.

Perhaps most significant are new bold programs included in the Federal Aid Highway Act of 1968 which the Department of Transportation administers.

These include recognition for the first time that families displaced by a highway have a right to relocate in comparable housing without suffering financial loss.

The Highway Act provides payment of up to $5,000 above market value of the destroyed home to insure that the homeowner can find comparable housing elsewhere. Up to $200 is authorized to cover moving expenses.

The new Highway Act also sets up a $200 million annual program to help unsnarl the downtown traffic jams of our cities.

This money will finance innovative plans for modifying city streets so that traffic flow will be increased at a fraction of the cost of building new freeways.

Capacity may be increased as much as 25 percent.

To lessen the disruptive impact of new highways on our urban centers, the administration, through the Department of Transportation, has made radical changes in the manner of highway route selection.

Too frequently, in densely populated urban areas, highways have split communities in half, destroyed homes, uprooted small businesses and disrupted cultural activities.

To prevent this, the administration has brought together—and financed—design concept teams for planning freeway routes in our major urban areas.

These teams include engineers, businessmen, sociologists, historians and other interested community leaders who get together ahead of the bulldozer. As a result, they plan highway routes which will minimize destruction or disruption of the community.

The administration also was successful in gaining congressional action to insure gas pipeline safety and to carry forth a vigorous program for reducing jet aircraft noise.

The Natural Gas Pipeline Safety Act of 1968 gives the Department of Transportation the authority to establish effective standards for inspection and regulation of pipelines.

The growth of pipelines for moving flammable and toxic gases has posed an increasing danger to public safety. Explosions have occurred, injuring and killing people, and the potential danger continues to grow.

The 1968 Noise Abatement Act permits the Department of Transportation to develop performance standards for jet planes and to test technologies for minimizing noise.

The Noise Abatement and Highway Acts of 1968 were the most recent of a long list of transportation bills proposed by the administration and enacted into law. The significant acts of the last 8 years include:

Standards for Seat Belts Act—1963; Highway Safety Act—1965; High-Speed Ground Transportation Act—1965; Highway Beautification Act—1965; Oil Pollution Control Act—1961, amended 1966; National Traffic and Motor Vehicle Safety Act—1966; Department of Transportation Act—1966; Safety of Life at Sea Act—1966; Air Quality Act—1967; Jet Noise Abatement Act—1968; Natural Gas Pipeline Safety Act—1968; and the Federal Aid Highway Act—1968.

Passage of these measures coupled with energetic efforts of the administration to deal with all of the country's growing transportation problems has moved us closer toward creating a transportation system that is safe, efficient, and responsive to all Americans.

In summary, the foundations of a rational and responsive transportation system for the United States has been laid. The Kennedy-Johnson administrations have met the transportation challenge head on, demonstrating that the machines and systems of a progressive transportation network can be employed as a positive force to lift the minds and lighten the hearts, to improve conditions and broaden the perspectives, of all Americans.

THE PULASKI DAY PARADE, NEW YORK CITY, OCTOBER 6, 1968

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, once again many of us had the good fortune to witness and participate in the stimulating parade dedicated to honoring our great American colonial patriot Gen. Casimir Pulaski.

Last Sunday afternoon I was indeed happy to attend and review the 32d annual Pulaski Day parade. For a considerable number of years I have not missed one of these parades. This one was of especial interest to me because so many of my Polish-American friends were again demonstrating by their presence and by their participation that Poland is not lost as long as we live.

This parade was of particular interest to me, too, because of my pride in the fine Brooklyn representation. In last Sunday's parade it was most gratifying to see the significant participation of strong delegations from Greenpoint, Williamsburg, South Brooklyn, and other sections of my district where so many of my Polish-American friends reside.

Mr. Speaker, these Pulaski Day parades are of real significance to every American who prides himself on his Polish lineage. They pay well deserved homage to a great American patriot who while living gave continuing and vital assistance to our struggling forbears in their struggle to establish our independence and who in suffering mortal wounds on the field of battle made the supreme sacrifice to this his adopted land.

These parades of the past few years and particularly the one on last Sunday also demonstrate the spirit of freedom which exists among the people of Poland—a spirit which cannot be freely expressed in Poland today.

Last Sunday's magnificent parade with more than 100,000 loyal Americans participating in it and with hundreds of thousands of Americans watching it served as a poignant reminder that for more than 1,000 years Poland has had to fight to preserve her freedom.

As the colorfully clad marchers, consisting of all ages from mere toddlers to toddling senior citizens, demonstrated, we were reminded that Casimir Pulaski sought for the people of our Thirteen Colonies the same type of freedom he sought for his own people in Poland, freedom from Russian occupation and domination. From the year 966 when Poland became a nation her statesmen and her soldiers have had to fight to retain that precious freedom. Time after time superior forces have conquered and divided her but never once was she divided to be conquered. Russia, Prussia, and Austria occupied and divided her in 1795. For the ensuing 126 years the people resisted her powerful oppressors and sought their precious freedom. With the help of President Woodrow Wilson the people of Poland regained their freedom in 1918 and today Poles everywhere celebrate the 50th anniversary of that historic event except in Poland where any such observance must be covert.

The Pulaski Day parade is a solemn and sobering reminder to all Americans that Poland, a strong outpost of Western culture and civilization and strongly dedicated to her Christian heritage and ideals, lives today under Soviet domination without freedom of speech, without freedom of religion, without freedom to choose her own government and without any of the rights of self-determination for which Casimir Pulaski fought and died.

Sunday's parade reminds us too that in spite of the curtain of iron erected by the Soviets in an effort to subjugate completely the Polish people to the aims and dictates of the Communist oppressors the spirit of freedom of the Polish people continues to assert itself. This unquenchable spirit which has manifested itself in many ways over the centuries continues to be greatly feared by the Soviets and their puppet leaders whom they have installed in Poland. So great has their fear of a revival of this spirit grown, the Warsaw Pact nations saw fit to invade Czechoslovakia whose oppressed people like the Poles are pressing for liberty.

Mr. Speaker, in these days of worldwide social unrest and political upheavals, we Americans could profit greatly by reviewing in great detail the glorious saga of Casimir Pulaski. The completely selfless dedication of this young son of Polish nobility to helping our early American ancestors throw off the shackles of British serfdom should be an inspiration to us all.

We should remind ourselves that Pulaski was an early exponent of foreign aid because from his own purse he recruited and equipped the first American Cavalry unit from which our gallant and heroic cavalry troops had their beginning.

We should remind ourselves that it was this proud young Pole who joined with Gen. "Mad Anthony" Wayne to accomplish the impossible task of foraging food and supplies for George Washington's freezing and starving Continental Army at Valley Forge.

We should all be reminded that although no honor is too great to be accorded General Pulaski and no tribute can be too glowing in alluding to his great patriotic service to this nation, we cannot forget the contributions which a veritable host of his countrymen and American-born citizens of Polish parentage also have made to the country for which he died.

As we join in paying tribute to Casimir Pulaski let us express our deepest gratitude to the hundreds of Polish-American societies and their vast membership of loyal and dedicated citizens who are so justly proud of their Polish ancestry but who are even prouder of being Americans. And may we join all of them in a heartfelt and thundering "Long live free Poland."

SIOUX EMPIRE COLLEGE AT HAWARDEN, IOWA

Mr. MAYNE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MAYNE. Mr. Speaker, one of the new private colleges doing so much to fill the growing need for higher education in this country is Sioux Empire College at Hawarden, Iowa. Financed with funds raised from the citizens of Hawarden and the surrounding area, Sioux Empire is already making a significant contribution toward filling the "education gap" which is one of our great national concerns. I am happy to call to the attention of my colleagues the greetings which Dr. George S. Reuter, Jr., president of Sioux Empire College extended to the student body at the beginning of the present school year. His challenging message was reported on the editorial page of the September 19, 1968, issue of the Hawarden Independent, as follows:

GREETINGS TO SIOUX EMPIRE COLLEGE STUDENTS

(By President George S. Reuter, Jr.)

There is a general malaise among peoples everywhere today. A crisis has erupted in widely divergent social systems. Many books have been written telling us what is wrong with America, but few have told what is right. We live in a world of change. Today's conditions—whatever they may be—are constantly crumbling. That is the essence of the world. I agree with President Johnson that ours is not a "sick society" and that we cannot blame two hundred million Americans for the ghastly tragedies that have haunted this great land, with nightmarish effect, in recent months and years. Nevertheless, we would be foolish and blind not to recognize serious moral ailments in our citizenry and this great body politic.

I am under no illusion that I might be able to impart some "words of wisdom" which will guide your steps through life. Emerson observed slightly over 100 years ago "these times of ours are serious and full of calamity, but all times are essentially alike." How appropriate that statement is in helping us keep our proper prospective. Of all the creatures who over the eons have inhabited this planet, man has been unique in his ability deliberately to alter the environment, and the college-trained person has had leadership here.

I propose to view the promises and perils of a world of change and suggest four areas of concern to you. These are: the changes that technology imposes, the geographical changes of the mobile American population, the constantly changing national economic mix, and the challenges education faces in preparing young people for changing work careers. There is thus a real challenge for students like yourselves. The challenge is to combine profit, social purpose and fun, or as Robert Frost put it in "Two Tramps in Mudtime":

"But yield who will to their separation.
  My object in living is to unite
My avocation and my vocation
  As my two eyes make one in sight.
Only where love and need are one,
  And the work is play for moral stakes.
Is the deed ever really done
  For heaven and the future's stakes."

Yes, those of us who term ourselves "Christian" should call to mind some of our teachings. Both the Old and the New Testaments uphold the importance of law. Indeed, the basic structure of the law of this land stems from the Ten Commandments. Jesus and the Apostle Paul regarded and respected the law. Or coming to more recent times, let us view the work of the founding fathers. Plainly stated in the Mayflower Compact, the Declaration of Independence and other kindred documents is the social contract theory of government—a concept poles apart from the dictatorship of the proletariat.

I commend to you students that you take as your objective at Sioux Empire College the making of as much as possible a well rounded and complete life. The Greeks, who had a word for everything, called it "arete;" the Romans, not to be outdone, called it "virtus." The word SECO uses is our equivalent "excellence." Excellence makes only one demand—the total surrender of self to the end of accomplishing the highest attainment of which a man is capable. It is this constant search for excellence that I challenge you to seek.

I recall it was the older Oliver Wendell Holmes who wrote: "Age, like distance, lends a double charm." In this, he was borrowing from Diogenes Laertius, who, some 1,800 years ago, said that "The mountains too, at a distance, appear airy masses and smooth, but seen near at hand they are rough." It is perhaps a far cry from mountains to the growth and development of your minds, but there may be something to the analogy. Things sometimes look better when, instead of focusing on immediate problems, we take the long view. We desire to share with you the educational problems you may have and help you succeed.

RECENT DEVELOPMENTS IN THE ARGENTINE ECONOMY

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, it is refreshing to learn of a country of this hemisphere that has made real progress in conquering inflation and accelerating economic development. I refer to Argentina, whose able Minister of Economy, Dr. Adalbert Krieger Vasena, is currently in this city for the annual meetings of the World Bank and the International Monetary Fund. Some observations on recent developments in the Argentine economy follow.

During the past 25 years, Argentina's economic growth has been marred by periods of severe inflation. Between 1943 and 1967, living costs rose on the average by about 27 percent per year. Although some efforts were made to achieve economic stabilization, these attempts were only partially successful.

At the beginning of 1967, however, the Argentine Government undertook an economic reform program spearheaded by Dr. Krieger Vasena, and relying fundamentally on the free play of market forces and the strengthening of the private sector. The main objectives of the Government's program were: First, to harness inflation; second, to achieve payments equilibrium or surplus; and, third, to increase the rate of economic growth.

The most dramatic reform was the sharp devaluation of the Argentine peso in terms of the U.S. dollar in early March 1967, intended to encourage exports and reduce imports. The Government also moved to reduce the budget deficit and pushed for improved tax administration and collection. A greater proportion of public expenditures was allocated for investment purposes.

The response to the Government's stabilization program has been most encouraging. The payments situation has been strengthened greatly, supported by the International Monetary Fund, the U.S. Treasury, and a consortium of United States, European, and Japanese banks. Central Bank reserves deriving from private capital flows, favorable trade earnings, and financial assistance reached a level not registered since 1948. For 1967 as a whole, the balance of payments was in surplus by $480 million compared to a modest deficit in 1966.

In 1967, fiscal performance improved markedly. The new export taxes and better tax administration helped to increase total revenues by almost one-third measured in real terms. The budget deficit was reduced by one-half compared to 1966, equivalent to 13 percent of total expenditures or 1.4 percent of GNP, the lowest level thus far during the 1960's. Price increases are not expected to exceed 10 percent in 1968 compared to the recent annual increases of over 25 percent.

Encouraged by the favorable results of the stabilization efforts, the Government has now moved to step up investment levels in the public sector with plans and projects totaling almost a billion dollars in 1968. Hence, while it is not anticipated that 1968 will be a boom year, with GNP expected to rise by about 3 percent—a swing of 4 percent from the GNP decline of 1 percent in 1966—the outlook for 1969 is most propitious. The average annual population growth rate is about 1½ percent. The investment program will be gathering momentum and should provide a strong stimulus to the Argentine economy next year. Moreover, the upturn in economic activity is likely to take place in an environment of much greater price stability, offering the prospect of growing business confidence and improved real incomes.

END-OF-SESSION REPORT TO THE CITIZENS OF THE FIRST CONGRESSIONAL DISTRICT OF THE STATE OF NEW HAMPSHIRE

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, the 90th Congress, at long last, is finally closing down. It has had a longer than desirable, even longer than need be, tenure in office. Had this Congress been properly managed and conscientiously directed, it could have delivered the same results in three-fourths the time. All of which points up, with renewed emphasis, the need for major reform of legislative procedures, a need I have repeatedly emphasized by bills and remarks on the House floor. Unfortunately, measures that I have introduced or cosponsored for reform have languished on the congressional vine, suffocated in the smog of seniority, or have been strangled by a Johnson-Humphrey controlled House—three to two—and Senate—two to one.

CONGRESSIONAL REFORM

One of the bills I introduced, calling for printing the CONGRESSIONAL RECORD in such a way as to show its readers what was actually spoken by Members on the House floor, earned the accolade of the Wall Street Journal in a front-page article last month which referred to this Congressman as carrying on a "one-man crusade" for congressional reform. Those with more years of experience on Capitol Hill have suggested that such a proposal is like batting your head against a stone wall, but I shall continue until urgently needed improvements are made in the legislative process. The people have a right to know.

Beyond questions of mere typeface, it is fundamental that the U.S. Congress ought not to be operated in 1968 with methods adopted in 1865. It is not conducive to efficient operation to require 435 Members of the House to answer separately to their names on hundreds of occasions during a given session, literally wasting thousands of Member hours doing nothing but taking the roll. Electronics are so far advanced as to make it unnecessary to physically respond yes or no, when for relatively slight cost, a button could be pushed at an assigned seat.

Repeatedly, House Republicans have sought to bring to the floor legislation calling for reform of these procedures, only to be blocked by flat refusal of the Democrat leadership which controls the speakership and the chairmen of all committees, Even my simple bill to require a cost estimate on all new bills—which would discourage sponsorship of excessive spending proposals—has met the same stubborn resistance. It is apparent that for constructive action to be taken in this and other important fields, the people must make a change in the control of the House from Democrat to Republican, or it will be more of the same.

WORK OF THE 90TH CONGRESS

One of the chief functions of this 90th Congress has been to take a good, hard look at the multitude of expensive programs rubberstamped in stampede fashion by its predecessor, the 89th Congress. The cost of these programs has contributed materially to the huge deficits that have characterized the fiscal irresponsibility of the present administration and have brought inflation to our people with prices that eat away the purchasing power of every citizen's dollar. Even cigarettes are now considered a buy at 40 cents a pack.

In this Congress some of the proposals

of the 89th Congress have been extended and expanded. Others have been denied funding. Among those that have been approved with my support, in particular, are the model cities program, and proposals for oceanographic research with emphasis on sea grant colleges. The former is at least an attempt to meet the crisis proportioned challenge of urban unrest and is worth a try until we see how it works out. Manchester, N.H., is now a model city within this program. Oceanography presents the challenge of a whole new field in which there is a vast potential of food and mineral resources within the capability of man to exploit, in contradistinction to the nebulous and hostile atmosphere—or lack of it—in outer space. I am hopeful that our own University of New Hampshire will become a sea grant college and I am working to make this a reality.

VOTING RECORD

The following shows some of the key legislative enactments of the 90th Congress and a report of how I voted on each of them:

Subject:	*How Congressman Wyman voted*
Tax increase	No.
Air pollution control	Yes.
Elementary education	Yes.
Foreign aid authorization	No.
Foreign aid appropriation	No.
Gun registration and licensing (Federal)	No.
Poultry inspection	Yes.
Defense authorization and appropriation	Yes.
Poverty program	Yes.
Anticrime law	Yes.
Draft law revision	Yes.
Truth in lending	Yes.
Home ownership	Yes.
Juvenile delinquency law	Yes.
College assistance	Yes.
Housing Act authorization	Yes.
Drug abuse control	Yes.
Wiretapping in special cases	Yes.
Conservation fund	Yes.
Code of Ethics	Yes.
Long gun control (without registration)	Yes.
Vocational education	Yes.
Antiriot law	Yes.
Model cities funds	Yes.
Sea grant colleges	Yes.
Public television	Yes.
Civil rights law	Yes.
Vietnam appropriations	Yes.
Social security amendments and increase	Yes.
Increase national debt limit	No.

There are hundreds of others, but the foregoing are among the more important, along with the appropriations bills for the funds with which to run the Government itself.

THE ROAD AHEAD

The next Congress will face some of the most difficult and challenging problems in the relatively short history of the United States, if it is to help get the American Ship of State back on an even keel again. Many of the key decisions will, of course, have to be made at the Executive level by whomever is chosen our next President. But new programs involving new Executive authority must be enacted by the 91st Congress or it will not be possible for the new administration to carry forward, since under the Constitution the Chief Executive cannot just go ahead on his own. He has to ask and then receive legislative authority from Congress. And even if he does not ask, there are some areas in which Congress must act on its own if this country is to restore its depleted vitality and morale.

For example, the next Congress should place a limitation on the appropriations process so that appropriations may not exceed revenues except for national emergency spending; for example, war. Some refer to this process as "budget balancing," but it is, in truth, much more than this. The real battle on the domestic front is the fight against inflation that robs every man, woman and child of their earnings, their savings and their prospect of inheritance. In this fight, the 91st Congress will play a major role whatever the party of the next President; and in such a fight I hope, as a member of the Appropriations Committee, to be able to play an active part.

The next Congress ought to implement legislative proposals such as my bill to establish a National Youth Commission so as to give the youth of America a voice and a responsibility in connection with executive policy and the development of legislation that relates to young people. The next Congress must establish and maintain a working liaison with the lesser privileged, not in the manner of poverty program handouts, but on a continuing basis so as to provide incentive, hope and confidence in our system among all segments of American society, rich and poor alike. It must also act stringently to regulate and prevent growing water and air pollution.

The vast capacity of our land for recreational opportunity must be funded and expanded in both urban and rural areas. Parks, playgrounds, vocational training, work for the handicapped, better living conditions for the aged and the infirm, diversification of urban crowding and relocation aid for both individuals and industries—all these will demand constructive legislation in the days ahead. Airports must be expanded, new ones built, improvements made to the Interstate Highway System accompanied by the development of responsible traffic controls in the interest of reducing the annual slaughter on our highways—the list goes on and on. I am hopeful that the 91st Congress will pass my airline safety bill in the interest of preventing skyjacking of commercial aircraft which is a growing problem along the east coast of the United States. The Republican tax sharing program, for a return to the States of a portion of the taxes collected by Uncle Sam, ought to be given a chance—something I have long supported, provided the administrative costs of collecting and spending this returned funding are eliminated from the Federal budget. It is to be fervently hoped that it will become possible in the next Congress to implement the many constructive Republican alternatives that have been presented to the present Congress time and again, only to be rejected out of hand by the administration-controlled majority. It is in the people's interest that these new and positive alternatives be given a chance to go to work for a stronger America.

SUMMARY GOALS

In summary, the great priority of Congress and of government generally in the coming years is to restore peace and stability to our domestic life and to our relations with the rest of the world. The great challenge is to accomplish that task without sacrificing our freedoms or those of other nations and without diminishing efforts to resolve our social, racial, and economic problems.

LOCAL SERVICE

Left unsaid, of necessity for lack of space, are the many concerns and problems of residents of the First Congressional District of New Hampshire that take much of a Member's time. In hundreds of individual cases, I have sought to be of assistance in whatever way I have been called upon—from helping with social security payments to arranging for emergency leaves for men in the service when there has been a tragedy at home. Membership on the Appropriations Committee has been materially helpful to me in attending to the needs of New Hampshire communities that have applied for sewer and water financial aid, as well as in keeping an eye on adequate funding for both Pease Air Force Base and the Portsmouth Naval Shipyard. One of my subcommittees on Appropriations passes on funds for the Department of Housing and Urban Development which has a growing responsibility in a Nation with serious housing problems. It is this subcommittee that funds the model cities program and one tangible result of my work here has been the inclusion of Manchester as a model city in the first approved list from HUD. This will mean a considerable series of improvements in Manchester and benefits for many of its lesser privileged citizens.

It has been an honor to have served the 360,000 citizens of the First Congressional District of New Hampshire in the 90th Congress, and I would consider it a privilege to be able to do so again in the 91st Congress—and to continue my best efforts in helping to find the right solutions to the myriad problems with which this Nation is faced at this hour.

GOVERNOR WALLACE ADDRESSES NATIONAL PRESS CLUB

Mr. BEVILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BEVILL. Mr. Speaker, Alabama's former Governor, the Honorable George C. Wallace, who is a candidate for the Presidency of the United States, appeared before the National Press Club, in Washington, yesterday where he delivered a major foreign policy address.

In my judgment, this was an excellent speech.

At this time, I am placing in the CONGRESSIONAL RECORD for the benefit of my colleagues, Governor Wallace's address:

STATEMENT OF FORMER ALABAMA GOVERNOR, GEORGE C. WALLACE, TO THE NATIONAL PRESS CLUB, OCTOBER 7, 1968, WASHINGTON, D.C.

In my travels of the past several months which have carried me through the length and breadth of this great nation, among other things, two questions have been asked me with ever-increasing frequency—first—who is to be your running mate? This was settled last Thursday in Pittsburgh, with the naming of General Curtis LeMay, as fine a gentleman and as courageous a soldier as this nation has ever produced—and second, what is your knowledge and what are your policies and proposals for administering the foreign policy of this country? The news media and others want to know if I am an "expert" in this field.

I say to them that from the condition of our foreign policy I do not believe we have any "experts", and if experts got us in this shape, then it is high time we tried something else. For the past two decades or more the other two parties have alternately tried their hands at managing our foreign affairs with consistently worsening results. They have tried everything from "brinksmanship" to disarmament and one has been no more effective than the other.

What this country needs is a strong well-defined policy to guide our foreign affairs. This policy must be clearly stated and well understood by our own people and by our friends and foes alike. In my judgment, the absence of any such well-defined and consistent policy over the past 20 years or more has contributed to the world conditions now existing.

Our foreign policy must be designed to secure a just and lasting peace. This can best come about when nations deal with one another on a basis of mutual trust and understanding. This must be coupled with complete frankness and determination as to objectives and courses of action. If a nation will only say what it means and mean what it says, it will gain the respect, if not always the admiration of other nations. It is here that we have failed. We have equivocated so often that we have caused friendly, as well as unfriendly nations, to have serious doubts as to our determination and reliability.

We sincerely feel that the road to peace lies through international cooperation and understanding. We will pursue this goal to the limits consistent with our own national interest. We will not abandon the United Nations unless it first abandons us. We will give it every fair opportunity at solving international disputes, however, we will not subordinate the interests of our nation to those of an international organization. We feel that member nations should bear their proportionate share of the cost of operation and we will insist that they do so. We also feel that the officers and officials of this organization, including the Secretary-General, must conduct themselves with an air of objectiveness and impartiality and we will insist that this be done. We will give this organization every opportunity to succeed in its purpose but should it fail, we would reappraise our relationship with it.

Foreign aid and assistance, economic and military, will be granted on a basis of what is in the best interest of our own nation as well as the receiving nation.

There are numerous extravagances and excesses in the foreign aid program and certain nations are receiving foreign aid from us who should be denied it. We propose not to grant aid and assistance to the nations who oppose us militarily in Vietnam and elsewhere throughout the world. We will apply this same prohibition to those nations who seek our economic and military destruction by giving assistance to our enemies. We must follow this course in order to protect the economic welfare and national security of our own country.

We will continue to aid those countries who need our help, who deserve it, and have earned the right to it. We will eliminate waste and corruption from these programs and we will use foreign aid as an instrument of foreign policy in such a manner as to further the interest of our own nation.

We believe strongly in the free enterprise system for America and in encouraging free trade between this and other nations. However, should the increasing in-flow of imports from low-wage nations endanger employment or marketing by American industry, we will approve reasonable quantative limits on such imports. We feel that our home industry is entitled to a fair share of the present market and of future growth. We would seek negotiations in this area before requesting legislation.

We will have our Department of State, and other interested agencies of government, work toward the lowering of trade barriers against American goods in a manner consistent with the policy of our administration on controlling imports into the American market.

A serious situation now exists in our balance of payments resulting from over-expenditures in the area of foreign aid, a lack of efficiency in the operation of certain international programs and a failure to require our allies to fund their share of the heavy military expenditures necessary to our common defense.

As I have stated, foreign aid will be granted on a basis of need and in a manner consistent with the best interest of our own country and denied to those who are seeking to destroy us. We will insist on efficiency in operation and the elimination of waste and corruptions from international programs to which we are a party. We will work to reduce our military expenditures overseas, not by lessening military strength and preparedness, but by requiring our allies to assume their share of the burden and costs.

The Middle East is still an area of high potential danger to world peace. We will take the initiative in encouraging mutual cooperation between the adversaries in this area and in seeking the mutual respect of each for the United States. We will encourage multi-lateral discussions seeking means of resolving and stabilizing boundaries and providing for the free use of water and land routes throughout this area. Binding non-aggression agreements must be developed.

Until there are sincere negotiations and some form of positive agreement between Israel and the Arab nations we must assure that no imbalance of force comes to exist in this area. Nothing could more endanger the peace.

If Russia persists in its arming of the Arab nations to such an extent as to pose a threat to their neighbor, this country must assure that Israel is kept at a commensurate level of strength. Under these conditions we will join with the other nations of the free world in providing sufficient arms and equipment to Israel to maintain a balance of force in this area.

Western Europe is still an area of vital importance to this country and in our concern with the conflict in Southeast Asia we must not lose sight of the significance of our relationship with our European allies. We must remain strong in this part of the world and we must assure that our allies there remain economically and militarily strong. We will continue to support the North Atlantic Treaty Organization, retaining our troop strength in that organization and urging that our allies and member nations do likewise.

We will deal patiently but firmly with the present French Government convinced that in due time it will again return to full partnership with its Western allies of long standing.

We will remain concerned for the captive satellite nations of Eastern Europe and share with them their hopes and aspirations for their eventual and inevitable return to the family of free nations. Recent events in Czechoslovakia clearly show that freedom cannot exist within the Communist philosophy and the total unreliability of the political relationship between Russia and her satellites.

This country is tied closely to the nations of Latin America economically, geographically, security-wise, socially and politically.

We will continue to provide aid and assistance to these nations to enable them to achieve political and economic stability and to better prepare themselves to resist the threat of Communist infiltration and subversion from Red Cuba.

These programs will be designed to aid in the development of the agricultural and industrial potential of these nations and in the development and proper utilization rather than the exploitation of their tremendous natural resources. We will see that the principles of the Monroe Doctrine once again become the cornerstone of American policy in this hemisphere.

We will continue to seek the liberation of the Cuban people from the Castro tyranny by strengthening the economic pressures on his government. To do so, we must secure a greater degree of cooperation from our allies than we have had in the past and their trade with Cuba must be effectively minimized, if not completely curtailed.

If we are to frustrate Castro's attempt to export subversion throughout Latin America we must increase the quality and effectiveness of our military aid and assistance to our Latin American allies. This aid will be more carefully planned and efficiently administered.

Despite earlier misjudgments by the news media and our political leaders of the character and purposes of Castro, we then knew, and know him now for what he is. All economic and political pressures will be exerted to gain freedom for the Cuban people.

We will provide assistance to those emerging nations of Africa and Asia who desire such assistance and who have demonstrated a reasonable capability and intention of using such assistance for the good of their people. We will not aid in the replacing of one form of despotism with another, and we do not intend to become concerned with or involved in the internal quarrels of national groups or factions.

We strongly disagree with the present economic sanctions and pressures applied to Rhodesia and the Union of South Africa. We will lend every effort toward having these eliminated. We consider these two countries to be good friends and allies of this country and they will be respected and treated as such.

We will base the foreign affairs of this country on the principle of assisting and cooperating with our friends and recognizing and treating our enemies as such. We will seek to regain the respect of our nation which it merits and deserves. This can best be done by maintaining a position of strength and adopting an attitude of firmness and fairness. When we do this many of our existing difficulties will be resolved and new difficulties are less likely to arise.

As for Vietnam, this is a problem in and of itself and not one to be treated lightly or sparingly in a general discussion of foreign policy. It will be covered in detail in our party platform to be released late this week and in later discussions during the campaign.

Let me say this today—This is one of the most critical situations with which this nation has ever been confronted. It is too late to engage in debate as to why we are so deeply involved and committed in Vietnam.

The fact is that we are so involved and that we have more than a half-million servicemen now committed to the proposition of life or death in that conflict. They must be supported with the full resources of this nation.

The prime consideration at this time is an early end to hostilities. We earnestly desire that the conflict be terminated through peaceful negotiations and we will lend all of our aid, support, effort, sincerity and prayer to this end. Negotiations will be given every reasonable and logical chance for success and we will be patient to an extreme in seeking an end to the war through this means.

If it becomes evident that the enemy does not desire to negotiate in good faith, that our hopes for termination of hostilities in this manner are not being realized and that the lives and safety of our committed troops are being further endangered, we must then seek a military solution.

Hopefully such a situation will never arise, but should it come to pass, I would then seek the advice and good judgment of my Joint Chiefs of Staff as to ways and means of reaching a military conclusion to this conflict with the least loss of life to our American servicemen and our South Vietnamese allies, stressing the fact that this is to be accomplished through the use of conventional weapons.

I would retain full control, as a civilian Commander-in-Chief, of final decision, but I would pay heed to and consider to the fullest extent this advice and judgment of my military advisors.

Most of all, this nation must depart from the "no win" policy now being followed and this conflict must be terminated at the earliest possible moment through one or the other means I have mentioned, and I hope and pray it is through peaceful negotiations. We will not allow this conflict to drag on indefinitely with its great drain on our national resources and manpower.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Hungate (at the request of Mr. Fountain), for today through October 12, on account of official business.

Mr. Jones of North Carolina (at the request of Mr. Kornegay), for the rest of the 90th Congress, second session, on account of official business.

Mr. Holifield, for October 8, 9, and 10, on account of business in the district.

Mr. Laird (at the request of Mr. Gerald R. Ford), for today and tomorrow, on account of official business.

Mr. Cleveland (at the request of Mr. Gerald R. Ford), for today, on account of official business.

Mr. Dawson (at the request of Mr. Rostenkowski), for the remainder of the week, on account of official business.

Mr. Thomson of Wisconsin, for October 9, 10, 11, 12, on account of personal business in Wisconsin.

Mr. Talcott, for 8 days commencing Friday, October 11, 1968, on account of personal and congressional business in California.

Mr. Charles H. Wilson (at the request of Mr. Johnson of California), for the week of October 7, on account of official business.

Mr. Mosher (at the request of Mr. Gerald R. Ford), on account of illness.

Mr. Galifianakis (at the request of Mr. Albert), for October 8, 9, 10, and 11, 1968, on account of confined to hospital.

Mr. Kyros, for October 10, on account of testimony in Maine.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Pucinski, for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Mills, for 60 minutes, tomorrow, October 10, on the career and service of Mr. Gathings.

Mr. Ryan (at the request of Mr. Ichord), for 30 minutes, on October 10; to revise and extend his remarks and include extraneous matter.

Mr. Feighan (at the request of Mr. Ichord), for 15 minutes, on October 10; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Ichord), and to revise and extend their remarks and include extraneous matter:)

Mr. Rosenthal, for 30 minutes, today.

Mr. Staggers, for 10 minutes, today.

Mr. Reuss, for 15 minutes, today.

Mr. Gonzalez, for 10 minutes, today.

Mr. Ryan, for 10 minutes, today.

Mr. Rooney of Pennsylvania, for 10 minutes, today.

(The following Members (at the request of Mr. Collins), to revise and extend their remarks and include extraneous matter:)

Mr. Cleveland, for 60 minutes, on October 10, 1968.

Mr. Mathias of Maryland, for 30 minutes, today.

Mr. Rumsfeld, for 60 minutes, on October 10.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Pickle (at the request of Mr. Wright) was granted permission to extend his remarks following his on Senate Joint Resolution 175.

Mr. Smith of Iowa to extend his remarks and include extraneous matter and tables during consideration of the supplemental appropriation bill.

Mr. Cohelan and to include extraneous matter on the 1969 supplemental appropriation bill in the Committee of the Whole, today, following the remarks of Mr. Smith of Iowa.

Mr. Pettis (at the request of Mr. Jonas) to extend his remarks immediately following those of Mr. Widnall in the Committee of the Whole, today, on H.R. 20300.

Mr. Hechler of West Virginia on the 1969 appropriation bill on the flood insurance amendment in the Committee of the Whole, today, immediately following the remarks of Mr. Boland.

Mr. Bevill, for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Collins) and to include extraneous matter:)

Mr. Ayres.

Mr. Byrnes of Wisconsin.

Mr. Findley in two instances.

Mr. Pelly in four instances.

Mr. Schadeberg in six instances.

Mrs. Heckler of Massachusetts in four instances.

Mr. Pirnie.

Mr. Bush.

Mr. Hutchinson.

Mr. Bob Wilson in five instances.

Mr. Bates.

Mr. Scherle in four instances.

Mr. Buchanan in two instances.

Mr. Pettis.

Mr. Watson.

Mr. Denney.

Mr. Collins in three instances.

Mr. Ashbrook in four instances.

Mr. Reinecke in two instances.

Mr. Miller of Ohio in two instances.

Mr. Johnson of Pennsylvania.

Mr. Rumsfeld in five instances.

Mr. Latta.

Mr. Brock.

Mr. Derwinski in six instances.

Mr. Esch.

Mr. Gerald R. Ford.

Mr. Laird in 10 instances.

Mr. Conte in two instances.

Mr. Edwards of Alabama in two instances.

Mr. Quillen in four instances.

Mr. Steiger of Wisconsin in two instances.

Mr. Chamberlain.

Mr. Cunningham in three instances.

Mr. Wyman in two instances.

Mr. Curtis in four instances.

Mr. Thompson of Georgia in two instances.

Mr. Ruppe in five instances.

Mr. Mailliard in two instances.

Mr. Michel.

Mr. Scott.

Mr. McCloskey.

Mr. Fulton of Pennsylvania in five instances.

Mr. Horton in two instances.

Mr. Whalen.

Mr. Morse of Massachusetts in two instances.

Mr. Widnall in two instances.

Mr. McDonald of Michigan.

Mr. Hosmer in two instances.

Mr. Lipscomb.

Mr. O'Konski.

Mr. Collier in four instances.

(The following Members (at the request of Mr. Ichord) and to include extraneous matter:)

Mr. Podell in two instances.

Mr. Teague of Texas in eight instances.

Mr. Garmatz.

Mr. Long of Maryland.

Mr. Karth in four instances.

Mr. Brasco in two instances.

Mr. Young in two instances.

Mr. Gonzalez in four instances.

Mr. Wolff in two instances.

Mr. Murphy of New York in two instances.

Mr. Rogers of Florida in five instances.

Mr. Dow in two instances.

Mr. Boland in two instances.

Mr. Rarick in four instances.

Mr. Kyros.

Mr. Nix in two instances.

Mr. Leggett.

Mr. Fulton of Tennessee.

Mr. Montgomery in four instances.

Mr. Pickle in two instances.

Mr. St. Onge in two instances.
Mr. Jarman in two instances.
Mr. Pryor.
Mr. Albert.
Mr. Howard.
Mr. Marsh in two instances.
Mr. Stephens.
Mr. Thompson of New Jersey in two instances.
Mr. Dorn.
Mr. Hays in two instances.
Mr. Brinkley.
Mr. Willis in two instances.
Mr. Green of Pennsylvania in two instances.
Mr. Hamilton in two instances.
Mr. Rodino.
Mr. Carey in three instances.
Mr. Fraser in two instances.
Mr. Ryan in four instances.
Mr. Dulski in three instances.

SENATE BILLS REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 4120. An act to amend title 5, United State Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes; to the Committee on the Post Office and Civil Service.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 2671. An act to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government; and

S.J. Res. 191. Joint resolution authorizing the erection of a statue of Benito Pablo Juarez on the public grounds in the District of Columbia.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 551. An act to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes;

H.R. 8781. An act to authorize the Secretary of the Interior to exchange certain lands in Shasta County, Calif., and for other purposes; and

H.R. 13480. An act to make the proof of financial responsibility requirements of section 39(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia inapplicable in the case of minor traffic violations involving drivers' licenses and motor vehicle registration.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1411. An act to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes;

H.R. 13844. An act to provide additional leave of absence for Federal employees in connection with the funerals of their immediate relatives who died as a result of wounds, disease, or injury incurred while serving as a member of the Armed Forces in a combat zone; and to provide additional leave for Federal employees called to duty as members of the National Guard or Armed Forces Reserves;

H.R. 17787. An act to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; and

H.R. 19136. An act to amend title 5, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation.

ADJOURNMENT

Mr. ICHORD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 17 minutes p.m., Wednesday, October 9, 1968), the House adjourned until Thursday, October 10, 1968, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[*Submitted October 9 (legislative day, October 8), 1968*]

Mr. RIVERS: Committee on Armed Services. H.R. 20313. A bill to amend title 37, United States Code, to clarify the authorization for the payment of continuation pay for medical and dental officers of the uniformed services (Rept. No. 1954). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 1317. A resolution providing for waiving points of order against H.R. 20300. A bill making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1955). Referred to the House Calendar.

Mr. CELLER: Committee of conference. H.R. 17735. An act to amend title 18, United States Code to provide for better control of the interstate traffic in firearms (Rept. No. 1956). Ordered to be printed.

Mr. FASCELL: Committee on Foreign Affairs. Report entitled "The Oceans: A Challenging New Frontier" (Rept. No. 1957). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee of conference. H.R. 14096. An act to amend the Federal Food, Drug, and Cosmetic Act to increase the penalty for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes (Rept. No. 1958). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

[*Submitted October 9 (legislative day, October 8), 1968*]

By Mr. SMITH of New York:

H.R. 20350. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. TEAGUE of Texas (by request):

H.R. 20351. A bill to amend title 38 of the United States Code in order to make certain technical corrections therein, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GIAIMO:

H.R. 20352. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 20353. A bill to provide compensation for firemen not employed by the United States killed or injured while fighting fires on Federal property, and for other purposes; to the Committee on the Judiciary.

By Mr. SCOTT:

H.R. 20354. A bill to amend the Internal Revenue Code of 1954 to provide that Federal tax may not be collected by levy and distraint until after a court determination that the taxpayer is liable therefor; to the Committee on Ways and Means.

By Mr. FRASER:

H.R. 20355. A bill to promote higher education at the graduate level through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Education and Labor.

By Mr. THOMPSON of Georgia:

H.J. Res. 1468. Joint resolution proposing an amendment to the Constitution to provide for the direct election of the President and the Vice President; to the Committee on the Judiciary.

By Mr. HALPERN:

H. Con. Res. 843. Concurrent resolution expressing the sense of the Congress with respect to prosecutions for war crimes in the Federal Republic of Germany; to the Committee on Foreign Affairs.

By Mr. FRIEDEL:

H. Res. 1318. Resolution providing for the printing of additional copies of Public Law 90-448, approved August 1, 1968, cited as the "Housing and Urban Development Act of 1968"; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

[*Introduced and referred October 8, 1968*]

By Mr. ANNUNZIO:

H.R. 20315. A bill for the relief of Mariano LaBarbera; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 20316. A bill for the relief of Panagiotis Fotinopoulos; to the Committee on the Judiciary.

H.R. 20317. A bill for the relief of Dimitrios Papastathis; to the Committee on the Judiciary.

H.R. 20318. A bill for the relief of Peter Rapatas; to the Committee on the Judiciary.

H.R. 20319. A bill for the relief of Nicholaos and Elizabeth Vambrakas (Mr. and Mrs.); to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 20320. A bill for the relief of Alfredo Sabas Edrada; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 20321. A bill for the relief of Hernan Lalinde Mendcza; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 20322. A bill for the relief of Mrs. Teresita Pena Corteza; to the Committee on the Judiciary.

H.R. 20323. A bill for the relief of Teresita Magaway; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 20324. A bill for the relief of Pao Kung Lee; to the Committee on the Judiciary.

H.R. 20325. A bill for the relief of Perlita S. Tagle; to the Committee on the Judiciary.

H.R. 20326. A bill for the relief of Melchiorre and Mariana Tamburello; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 20327. A bill for the relief of Dr. Grace Padilla Ayuyao; to the Committee on the Judiciary.

H.R. 20328. A bill for the relief of Norma Angelina O. de Rama; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 20329. A bill for the relief of Yveline Marcelle Jouhault and her daughter, Veronique Jouhault; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 20330. A bill for the relief of Rizalina Cadelina Cabalda; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 20331. A bill for the relief of Giuseppe Gugliotta; to the Committee on the Judiciary.

H.R. 20332. A bill for the relief of Makrouhi Kerekian; to the Committee on the Judiciary.

H.R. 20333. A bill for the relief of Maria Librizzi; to the Committee on the Judiciary.

H.R. 20334. A bill for the relief of Vitantonio Presidio; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 20335. A bill for the relief of John Dallas Cosgrove; to the Committee on the Judiciary.

By Mr. MACHEN:

H.R. 20336. A bill for the relief of Myriam Lavenex; to the Committee on the Judiciary.

H.R. 20337. A bill for the relief of Ruth Martha Rey; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 20338. A bill for the relief of Enrica Undelac; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 20339. A bill for the relief of Carlo Notaro; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 20340. A bill for the relief of George Napier, Sr.; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 20341. A bill for the relief of Alfredo Gaon Baclit; to the Committee on the Judiciary.

My Mr. SCHEUER:

H.R. 20342. A bill for the relief of Mary May Stout; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 20343. A bill for the relief of Dr. Roberto German D. Concepcion; to the Committee on the Judiciary.

By Mr. STEIGER of Wisconsin:

H.R. 20344. A bill for the relief of Dr. Elsa B. Horn; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 20345. A bill for the relief of Gherasimos Dendrinos; to the Committee on the Judiciary.

H.R. 20346. A bill for the relief of Ismail Elibol, Nuriya Elibol, and Fedva Elibol; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 20347. A bill for the relief of Hisahiro Tamano; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 20348. A bill for the relief of Diego Melodia, Maria Maniscalemi Melodia, and their son, Ignazio Melodia; to the Committee on the Judiciary.

H.R. 20349. A bill for the relief of Michele Musco; to the Committee on the Judiciary.

[*Submitted October 9 (legislative day, October 8), 1968*]

By Mr. ADDABBO:

H.R. 20356. A bill for the relief of Cirilla Zelaya Williams; to the Committee on the Judiciary.

H.R. 20357. A bill for the relief of Ahmet Edman, also known as Omid Osmanovic; to the Committee on the Judiciary.

H.R. 20358. A bill for the relief of Dimitrios Vlachakis; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 20359. A bill for the relief of Tal Huen Yu; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 20360. A bill for the relief of Rita Elizabeth Clarke; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 20361. A bill for the relief of Battista DiPinto; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 20362. A bill for the relief of Guiseppi Ancona, Maria Ancona, and their daughter Maria; to the Committee on the Judiciary.

H.R. 20363. A bill for the relief of Giuseppi Randazo; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 20364. A bill for the relief of Patrick J. Kelly; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 20365. A bill for the relief of Lung Chan; to the Committee on the Judiciary.

H.R. 20366. A bill for the relief of Dditha Alumisim Madrona; to the Committee on the Judiciary.

H.R. 20367. A bill for the relief of Galicano Miguel Bondoc; to the Committee on the Judiciary.

H.R. 20368. A bill for the relief of Emdrita G. Francisco; to the Committee on the Judiciary.

H.R. 20369. A bill for the relief of Abdulla Ali Hussein; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 20370. A bill for the relief of Mrs. Solita Nahon Herman; to the Committee on the Judiciary.

H.R. 20371. A bill for the relief of Natividad Miravite Paraiso; to the Committee on the Judiciary.

H.R. 20372. A bill for the relief of Joseph Pearl; to the Committee on the Judiciary.

H.R. 20373. A bill for the relief of Dr. Leonidas B. Pulido and his wife, C. V. Pulido; to the Committee on the Judiciary.

H.R. 20374. A bill for the relief of Herman Hirsch and his wife, Elizabeta Hirsch; to the Committee on the Judiciary.

H.R. 20375. A bill for the relief of Mrs. Santa Buffa Pagano; to the Committee on the Judiciary.

H.R. 20376. A bill for the relief of Alfredo Vacca, his wife, Carmela Vacca, and their child, Sergio Vacca; to the Committee on the Judiciary.

H.R. 20377. A bill for the relief of Antonino Urso; to the Committee on the Judiciary.

H.R. 20378. A bill for the relief of Michele Caragliano and his wife, Antonietta Caragliano; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 20379. A bill for the relief of Timothy On To Ts'o, Linda F. Q. Ts'o, and Theodore Yue Tak Ts'o; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 20380. A bill for the relief of Patrick Giddons; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 20381. A bill for the relief of Anna Maria Ciaccio; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 20382. A bill for the relief of Dominador E. Maasin; to the Committee on the Judiciary.

H.R. 20383. A bill for the relief of Benedicta Torremonia; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 20384. A bill for the relief of Maria Carolina Palacio; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 20385. A bill for the relief of Saverio Tassone; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 20386. A bill for the relief of Salvatore Santarella; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 20387. A bill for the relief of Elaine Wilson; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 20388. A bill for the relief of Dr. Amedeo Trapanese; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 20389. A bill for the relief of Cristina and Guiseppe Abbate; to the Committee on the Judiciary.

H.R. 20390. A bill for the relief of Maria Caterina and Giovanni Intoci; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 20391. A bill for the relief of Aldino Avila and Maria Adilia de Melo Bettencourt; to the Committee on the Judiciary.

H.R. 20392. A bill for the relief of Lino Veramessa; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 20393. A bill for the relief of Anastasis Tsimpidis; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 20394. A bill for the relief of Milton Sang; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 20395. A bill for the relief of Leon Chehebar, his brother Albert Chehebar, and their sister Sarina Chehebar; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 20396. A bill for the relief of Mr. Pantelis Panagopoulos; to the Committee on the Judiciary.

H.R. 20397. A bill for the relief of Mr. Rudolph X. Preusser; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 20398. A bill for the relief of Renato M. Villanueva; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 20399. A bill for the relief of Janet Sandra Jenkins; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 20400. A bill for the relief of Simeon Agapito Alejon; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 20401. A bill for the relief of Marta Julia Lopez; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 20402. A bill for the relief of Miss Esther Tofahi; to the Committee on the Judiciary.

H.R. 20403. A bill for the relief of Renne Bernat; to the Committee on the Judiciary.

By Mr. WYMAN:

H.R. 20404. A bill for the relief of Demetrius Theodore Macris; to the Committee on the Judiciary.

By Mr. YOUNG:

H.R. 20405. A bill for the relief of Mr. and Mrs. Gino Ricci; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

THE DAVID D. TERRY LOCK AND DAM

HON. DAVID PRYOR

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. PRYOR. Mr. Speaker, Friday, October 4, 1968, was a day of special fulfillment for the citizens of Arkansas. That day marked the dedication of our new David D. Terry Lock and Dam on the Arkansas River 11 miles downstream from Little Rock. With the continued and constant cooperation of the congressional delegations of Arkansas, Oklahoma, and Kansas this dream has finally become a reality. The Corps of Engineers, under the guidance of General Cassidy and his magnificent team, have demonstrated their skill and initiative in this great river development.

The "captain" of the congressional team who has spearheaded this project for many years has been our senior Senator, John L. McClellan. Special tribute should be given to the late Congressman David D. Terry in whose honor this new lock and dam has been named and whose widow was present at the dedication ceremonies.

Senator McClellan was the dedicatory speaker on this occasion and cited most splendidly the achievements of a people who, when working together for a common goal, can perform herculean deeds.

Senator McClellan has given tirelessly of his time and efforts in promoting the Arkansas as one of America's great navigable rivers, as have Senator Fulbright, and Congressman Wilbur D. Mills, in whose district this new structure is located.

Mr. Speaker, I include herein the remarks of Senator McClellan given before several thousand people at our dedication ceremonies last Friday:

Excerpts From Remarks of Senator John L. McClellan, Dedication Ceremonies at David D. Terry Lock and Dam, Scott, Ark., Opening of Navigation on the Arkansas River, October 4, 1968

Mr. Chairman, Governor Rockefeller, my colleagues in Congress, distinguished guests and visitors, and my fellow citizens of Arkansas, it is always good to come home and especially is it pleasing to come and be with you on this memorable occasion. It is good to get away for a day from the confusion and controversy that pervade the climate in our Nation's Capital and come here where there is peace and harmony and good will among our people.

Yes, it is good to come home and get a breath of fresh air. And, what a marvelous—what a wonderful, beautiful, significant, and historic—day this is for the people of Arkansas and the Arkansas River Valley.

As I look upward today and gaze upon those blue and friendly skies and feel the warmth and comfort of the approaching noonday sun. I am somehow constrained to believe that Divine Providence is dispensing his blessing upon us today and is smiling upon us approvingly and giving full approbation to this occasion and to the great achievement which we are here celebrating.

With this ceremony today, we dedicate the completion of the David D. Terry Lock and Dam and celebrate the opening of navigation on the Arkansas—from the Mississippi River to the Capital City of our wonderful state.

This great three-state multipurpose Arkansas River Development Project was conceived more than a quarter of a century ago. Many years of planning preceded the beginning of actual construction some 12 years ago.

This project was authorized and brought into activation by the labors of many of our citizens. Some of the initial and most ardent advocates and supporters of this program have passed on to their eternal reward. Time will not permit me to call the roll of all of them, but I should like to mention just a few. Among them: Former Senator Robert S. Kerr of Oklahoma, a dynamic leader who contributed much to the advancement of this river program; former Congressman David D. Terry, who, for many years, served this Congressional District with great distinction and in honor of whose memory this David D. Terry Lock and Dam has been named; former Congressman William F. Norrell, who served for many years on the House Appropriations Committee and who labored diligently to secure necessary funding for the program; the late Newt Graham of Tulsa, Oklahoma, and our own late and beloved Clarence F. Byrns of Fort Smith, J. C. Murray of Little Rock, and many others. To each of these pioneers who contributed so greatly to the success of this program, we pay high tribute today and most reverently honor their memory.

And, too, I wish to pay a highly deserved tribute and express my personal appreciation to the Corps of Engineers—to General Cassidy—to his predecessors and to the fine staff members in the Corps of Engineers who have had responsibilities in connection with the development and prosecution of this great undertaking. Except for their competency and excellent cooperation, we could not have succeeded and achieved the progress that makes this occasion possible. I express my personal gratitude to them, a sentiment which I am sure is shared by every citizen of this great valley.

This magnificent development program again emphasizes and dramatizes the universal and everlasting value of water as a vital natural resource and as an indispensable requirement of all plant, animal, and human life. It demonstrates once more the ingenuity of man in harnessing and transforming the destructive power of a mighty and turbulent river into a constructive force for the reclamation and protection of vast areas of agricultural lands, for the support of economic and industrial development, for the generation of hydroelectric power, for irrigation and recreation, and for other beneficial services to meet human needs.

* * * * *

It has been determined that three-fourths of the world's surface—this planet on which we live—is covered by water at an average depth of 13,000 feet. It has likewise been ascertained that notwithstanding this great abundance of water on earth only three-tenths of one percent—only three gallons out of every 1,000—is suitable for human consumption.

With the world's population explosion and the increasing uses of water for industrial needs, we, as a wise people and as a responsible government, must continue to be aggressive and diligent in the development and conservation of all of our clean water resources.

Clean water is a life-sustaining commodity of which grave shortages exist in many places throughout the world and in many metropolitan areas of our own country. Fortunately and happily, we in Arkansas are richly blessed with many rivers and streams on which lakes and great reservoirs of enormous storage capacity are being created. Our abundance of quality water is an asset of great treasure and one of ever-increasing value.

Down through the ages, people have found it necessary to discover and develop new sources of adequate water supply. In all centuries, man has of necessity, employed his creative powers and expended great energy in solving his ever-growing need for useable water. The ancient wells, aqueducts, and reservoirs of Europe and Asia, some still serviceable after thousands of years, give clear evidence of man's struggle and cooperative ventures in water resource development.

Long before the Christian era, the people of Babylon, Egypt, Israel, Greece, Rome, and China built dams, aqueducts, and other water facilities. The world's oldest known dam was built in Egypt some 5,000 years ago to store water for home use and irrigation.

Researchers tell us that some 23 centuries ago Jacob's well near Jerusalem was excavated through rock to a depth of 240 feet, and according to the U.S. Department of Agriculture Yearbook, that well in 1955 reportedly was still in use.

An abundant supply of good water has always been a problem and a project of human endeavor in many places in the world.

* * * * *

The importance of a navigable waterway to a large city or section of a country cannot be overestimated. And, it is quite significant and of interest to note that out of 50 of the world's largest cities and metropolitan areas 46 are located on the seacoast or on a navigable river. In fact, 27 of the 50 world's largest cities are located on rivers or on lake ports having navigation outlets to the sea. Navigation is a major, if not a dominant, economic factor in all of those cities. It will soon become a vital factor in our own economic advancement and progress.

Some of the largest cities in the United States have a serious water problem and have found it necessary to build costly aqueducts and pipelines to bring water from distant areas—hundreds of miles away. As a prominent example, the City of Los Angeles obtains water from the Owens River, 240 miles away; from the Mono Lake, 350 miles away; and also from the Colorado River, which is 450 miles away.

This clearly illustrates to us in the Arkansas Valley how extremely fortunate we are to have such an immense quantity of good quality, clean water. If we further develop and conserve to the maximum potential our water resources, notwithstanding the tremendous industrial growth that we anticipate, it will surely be another half century or more before we encounter here in Arkansas any real shortage in quantity or quality in our water supply.

* * * * *

Completion of the navigation features of this project to its terminal near Tulsa, Okla., is only two years away. This will give to the people, to industry, and to business enterprises of the Arkansas River Valley a 450-mile waterway transportation system that will provide a barge outlet that connects with a network of some 25,000 miles of inland waterways and to all navigation ports of the world.

In this modern age, we generally associate speed with modern travel and transportation. But, on river traffic, speed is not an important factor nor does it need to be. There is a long list of materials and commodities well suited for barge traffic that will produce tonnage in quantities far in excess of the ultraconservative estimate of 13 million tons annually, the figure used by the Corps of Engineers and the Congress in determining the benefit-cost ratio which established the economic justification for this program.

Traditionally, the Corps of Engineers has greatly underestimated the tonnage which later developed on all of our inland waterway navigation projects. As I recall, on the Ohio River Project, they estimated it would generate some 9 to 13 million tons of cargo per year; whereas it is now handling close to 100 million tons annually.

The Corps estimated that the Intracoastal Waterway, which rims the Gulf of Mexico from Texas to Florida, would generate 5 million tons of commerce; whereas it is now carrying nearly 70 million tons annually. Again, we find that the Upper Mississippi River Navigation Project from Minnesota to St. Louis was authorized on the expectation that it would develop some 9 million tons of traffic annually. It is now carrying more than 40 million tons. The Tennessee Valley Authority, in our neighboring state, has had a comparable experience.

In view of this remarkable record of the overriding success of other waterways, there is no reason at all why barge cargo on the Arkansas should not soon double or triple the annual 13 million-ton estimate of the Corps of Engineers.

* * * * *

Industrial growth and the rise in economic strength in those valleys, to which I have referred, have kept pace with the increasing tonnage constantly being generated on those navigation systems. Since 1950, more than $25 billion has been invested in new, diverse, and expanded plant facilities along the Ohio River and its tributaries.

Since 1952, more than 250 new plants—chemical, petroleum, steel, aluminum, and others—have been located on the watershed of the Gulf Intracoastal Waterway.

In the valley of the Upper Mississippi from Minnesota to St. Louis, nearly 300 new industrial plants have been constructed within the past 15 years.

In the last two decades, multipurpose development of the Tennessee Valley has transformed that poverty area into one of the fastest growing and most prosperous regions in our nation. Thus, in view of the historical experience with navigation on other major rivers, we are fully justified and re-enforced in our aspirations and expectations for tremendous economic growth in the Arkansas River Valley.

* * * * *

The introduction of barge traffic on the Arkansas River will fill a significant and long-existing transportation gap in this valley. But, contrary to some misconceptions, the inauguration of barge traffic will not do injury to other modes of commerce. In fact, by reason of its inherent qualities of moving bulk commodities and raw materials at low cost, it will serve as an economic stimulator which will redound to the advantage of all other forms of transportation.

River transportation actually sustains and nourishes industrial expansion and production. The finished product that flows from such industries, the increase in population, and the business activities which industry brings to a community greatly augment the freight and cargo normally carried by railroads, truck lines, and air transportation. Thus, as a result, all forms of transportation profitably share in the increased volume of commerce and in the enhanced economy of that area.

The completion of this Arkansas River Development Program will bring benefits and present a multitude of impressive opportunities too numerous to mention. Those benefits and opportunities are not just fantasies—not just figments of the imagination—they are real and genuine.

Successes of the past and the tremendous prosperity that has followed as a consequence of similar waterway improvements completely contradict and refute the slanderous charge that such projects as this are a form of "pork barreling" or "boondoggling." It would seem, therefore, that those who make such charges are grossly ignorant of the facts, indifferent to the truth, or confirmed enemies of progress.

Every dollar expended on this river program is a sound capital investment of federal funds from which our government will reap a bountiful revenue harvest. And, it will also further strengthen the national economy and security of our nation.

I have said on other occasions that the Arkansas River Valley is the valley of the future. Industrialists and capital investors are now looking our way. They are liking what they see.

They are attracted by the advantages and opportunities that this great Arkansas Navigation Development affords. And, I say to you today that by proper promotion, by sustained initiative, and by persistent effort we can truly make it, the valley of the future, the valley of promise, progress, and prosperity.

Let us therefore rededicate ourselves to that purpose—to the challenging task of bringing into full fruition every opportunity and benefit presented to us by this marvelous development.

Let us now dedicate this David D. Terry Lock and Dam as a vital unit of this great inland waterway navigation system.

Let us dedicate the completion—up to Little Rock—of this over-all multi-purpose project to the memory of those early pioneers whose keen vision, firm resolve, and devoted effort made a marked contribution to this wonderful achievement.

And, finally, let us dedicate all of the facilities in this monumental achievement to the undaunted enterprise, pride, and civic spirit of the great citizenry and deserving people of this valley; to the fulfillment of their aspirations; and to the attainment of goals that serve the cause of progress and the well-being of mankind.

Ladies and gentlemen, it is now my great honor and privilege to touch the button that will put these constructive forces in motion for the benefit and welfare of the people of the Arkansas River Valley and for strengthening the might of our great nation—the United States of America.

A LETTER FROM A SOLDIER IN VIETNAM

HON. LEN B. JORDAN

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Wednesday, October 9, 1968

Mr. JORDAN of Idaho. Mr. President, on behalf of the distinguished Senator from Texas [Mr. TOWER], I ask unanimous consent, at his request, to have printed in the RECORD a statement prepared by him and a letter accompanying the statement.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

A LETTER FROM A SOLDIER IN VIETNAM

Mr. TOWER. Mr. President, a few days ago, I received a letter from a man serving in Vietnam. He enclosed a letter from his brother just before he also left to serve in that country. I should like to share this letter with Senators and other interested persons; I find it particularly inspiring.

It points up the fact, which we have all known, but which we hear all too seldom today, that the majority of America's youth is not represented by the misguided few who receive the headlines today.

MONDAY EVE.

DEAR MOM, DAD, BROTHERS, AND SISTERS: I would appreciate it if you all would pass this letter among yourselves because I won't have time to write a letter to each individual before I leave. In this letter I will endeavor to explain to you all why I'm going to "the Nam." As of yet I have not talked with the Major, but I imagine that this will take place when we return to the main part of the camp. This is about 12 miles from where we are at the present. I want to express my sincere appreciation for your concern for my health, but I feel that I should go on to Nam as had been planned.

It is difficult to put into words what I feel within me. It has to do partly with being a man, a Marine, and the friends that I have been training with. If I didn't go to Nam, I would feel that I would be running away from life. I hate to see people not accept life as it is, in other words, a person who doesn't want to accept the truth. We all knew when I joined the Marines that I would be going across, and I learned to accept that fact. I have not always excelled in everything that I have attempted to do, but I have tried my best, and now I must try my best to be a good Marine. "The Prayer of a Sportsman" could be a symbol of how I am patterning my life. I am not saying that I am going to Nam being unaware of what may happen to me, but I am going as a well-trained professional soldier.

I have made many friends here and I could not see them going off to battle without me, to take the place of another Marine who wants to come home, and who has done his part in stopping Communism. I would hate to tell them, "well good luck, but I'll be at Okinawa enjoying the good life while you do the hard work." As a Marine I have had to do my share, it might be insignificant to the rest of the world, but to me it will be very significant.

You all need not worry about me, just say a few prayers and God will do the rest. I have been ready to go for a few weeks now, and these last 2 weeks of training are icing on the cake. Don't forget that I love you all, and that I do not wish to have you worrying about me too much—after all I am a man now; not a little kid (even if I am the youngest.)

We were leaving a week from today, Monday, but we have been such a good company that they set another company back and moved us up to Saturday. All along I've been in excellent companies so things have been going pretty good for me. Good luck and I'll think of all of you often.

Love,

ROMEO.

PERSONAL EXPLANATION

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. RUPPE. Mr. Speaker, on October 1, 1968, the House of Representatives passed the conference report on H.R. 14935, concerning the mailing of motor vehicle master keys, wage board surveys, and powers of postal inspectors. It was not possible for me to be on the floor of the House of Representatives that afternoon due to a previous commitment. I am listed in a general pair with our colleague, Mr. ROSTENKOWSKI. To set the record straight, had I been present, I would have voted "yea."

REFORM PRESIDENTIAL ELECTIONS

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 9, 1968

Mr. BYRD of West Virginia. Mr. President, an excellent editorial, entitled "Overstretched Campaigning," published in the Christian Science Monitor of October 8, makes a point which I have been urging for some time; namely, that there should be a reform in our system of electing the President and Vice President of the United States.

The editorial urges a study of a proposal for a nationwide presidential primary, a sharp limitation on campaign spending, and a reduction in the length of the presidential campaign.

The editorial concludes:

> The old, delayed dates—and the prodigious length of the campaign trail—were set up before the days of jet travel and electronic communication. There is no longer need for such a tiring ordeal.

I commend the editorial to the attention of Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OVERSTRETCHED CAMPAIGNING

For a good many years, by all the American opinion polls, a majority of voters have favored abolishing the electoral college and urged such other campaign changes as the "nationwide primary." But this year the poll percentages favoring reform are up, and the demand more insistent. America's political parties will need to give diligent heed.

By the latest Gallup Poll, a majority of the voting public would like to have Congress over haul the entire "March-to-November" voting process, including the length of the campaigns, the method of nominating candidates, the loopholed laws governing campaign spending, and the age at which a person is eligible to vote.

By this latest survey, three persons out of four favor a national primary. Most of those who were polled probably hadn't given more than five minutes' worth of thought to what a national primary would entail. It would be exceedingly costly. It would emphasize candidates with good television personalities. It would be sudden and total—no chance for a McCarthy to build himself up by successive triumphs in state primaries. Maybe it would work well. Anyway, enough persons have said "yes" to a nationwide primary (replacing the state primaries and state conventions) to warrant giving the proposition thorough study.

Again, two persons out of every three polled would approve of an amendment to the Constitution that would abolish the electoral college and base the election of a president directly on the popular vote. Another two out of three adults think persons 18 years old and up should be permitted to vote. (Only 17 percent held this view when Dr. Gallup first asked the question in 1939.)

A limit on the amount candidates may spend was favored by 67 percent of those questioned. And another majority favored campaigning that stressed use of television and radio. A great many—62 percent—would like to see the campaign, which consumes over half a year, sharply shortened. For instance, election day might be moved up to September, and the presidential inauguration held in November. Then the new president would have time to select his Cabinet and be fairly well prepared for the opening of Congress in early January.

The old, delayed dates—and the prodigious length of the campaign trail—were set up before the days of jet travel and electronic communication. There is no longer need for such a tiring ordeal. Reformers in both parties should take early and insistent notice of the reformist demand, and act as soon as this year's long-drawn-out process is completed.

TOM STEED: FRIEND OF VETERANS' PROGRAMS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. TEAGUE of Texas. Mr. Speaker, Congressman TOM STEED, of Oklahoma, has served as a Member of the House for virtually 20 years. During much of that period I have been chairman of the House Committee on Veterans' Affairs, and I have found that he has consistently shown great interest and concern in behalf of the veterans' programs of this country.

He is himself a veteran of World War II, having resigned as managing editor of the Shawnee, Okla., News-Star in 1942 to enter service at the age of 38 as a private. He was discharged in 1944 as a second lieutenant, and immediately entered the Office of War Information, serving in the China-Burma-India theater.

On occasion, Congressman STEED has sponsored legislation in the veterans' field. As a member of the House Committee on Appropriations he has been particularly valuable to veterans' programs by helping obtain funds to keep the Veterans' Administration work functioning effectively.

In the 90th Congress TOM STEED has supported and helped to pass every piece of veterans' legislation in two unusually constructive sessions.

He helped enact Public Law 90–77, the Veterans' Pension and Readjustment Assistance Act of 1967. This is the measure that provides an average overall cost-of-living rate increase of 5.4 percent for all veterans, their widows and children receiving pensions under Public Law 86–211, as well as an increase of some 8.5 percent for widows in the lowest income categories. This measure broadens wartime benefits to those serving in the Armed Forces on or since August 5, 1964, and increases educational allowances.

TOM STEED aided in the passage of Public Law 90–275, which increases, effective January 1, the rate of non-service-connected pensions for 1,170,843 pensioners, and permits pension payment for the first time to 10,275 because of increases in the overall maximum income limitations. These people will receive pension benefits in addition to the 1967 social security increases.

Another significant measure of our committee which TOM STEED backed is Public Law 90–301, which strengthens the veterans' guaranteed and direct home loan program and increases the maximum amount of the guarantee on VA-guaranteed home loans from $7,500 to $12,500.

TOM STEED has been especially active in helping to make additional nursing home care available to veterans. Two examples of recent legislation in this field are Public Law 90–429, increasing the amount the VA may contribute to private or public nursing home care facilities for care of eligible veteran patients, and Public Law 90–432, increasing maximum per diem rates of Federal payments for domiciliary and nursing home care of eligible war veterans in a State home, helping to meet increased costs.

He also assisted with Public Law 90–493, an 8 percent compensation increase to service-connected disabled veterans—with a $100 monthly increase to the 100-percent disabled—effective next January 1. This will help some 1,951,000 veterans.

These examples are typical of the support TOM STEED has given our veterans' programs through two decades. He continues his active assistance.

MILITARY AID TO GREECE

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Wednesday, October 9, 1968

Mr. MOSS. Mr. President, I have been acquainted with Mr. Elias P. Demetracopoulos for some months in the Nation's Capital. I have found him to be a most discerning and able journalist and a man whose judgment I admire.

Recently Mr. Demetracopoulos called a news conference in Washington concerning reports that heavy military equipment was being sent from the United States to Greece. His analysis of the situation is of interest and concern to us all; therefore, I ask unanimous consent that his remarks be printed in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT MADE BY THE GREEK POLITICAL EDITOR IN EXILE, MR. ELIAS P. DEMETRACOPOULOS, ON SATURDAY, SEPTEMBER 28, AT A NEWS CONFERENCE IN WASHINGTON, D.C.

Ladies and Gentlemen: I have asked you to come here today to hear some information which I consider important for my country, Greece, which can have great repercussions on the present tension in Eastern Europe, and U.S. policy towards that area. Further, what I have to state may affect the prospects for the early restoration of Greece as a western style democracy.

According to reliable information, the U.S. Government, at the highest levels of responsibility, is considering at this very moment, at least a partial resumption of heavy military arms shipments to the Greek Junta. This decision, I understand, will be announced shortly after tomorrow's "plebiscite" in Athens, and will represent a fundamental change in official U.S. policy towards the totalitarian regime in Greece, a change which is directly related to recent developments in Czechoslovakia, the Balkans and the Mediterranean. A decision to resume such shipments at this time would be a major foreign policy mistake for a number of reasons.

In the first place, the heavy equipment in question would take some time to arrive in Greece, even if shipped on an emergency basis for purely logistical reasons. It would be further technically very difficult to assimilate this equipment into the Greek Armed Forces and make it operational before a further considerable period of time has passed. Accordingly, the immediate military impact of shipping arms will count for almost nothing during the present tension in Southeast Europe.

The psychological impact, on the other hand, could be serious for the NATO alliance, as well as for Rumania and Yugoslavia, who are now directly threatened with a repetition of the Czech rape. By overtly strengthening the military regime in Athens, the U.S. would likely enable Moscow to move from a defensive to an offensive position in terms of world opinion. It will give the Soviets a pretext, if they ever needed one, for a possible massive strengthening of their forces in Bulgaria, in order to offset an alleged U.S. inspired threat from Greece.

What of the defense of Greece itself? Here I would make reference to a top secret report of an official meeting between the then U.S. Secretary of Defense Mr. McNamara and the then Greek Defense Secretary Mr. Garoufalias in December 1964 in Washington, D.C. As this document makes clear, the defense of Greece against Soviet Bloc aggression relies basically on the presence of the 6th Fleet. The absence or presence of more heavy and modern equipment would not affect the capability of the Greek Armed Forces to maintain internal order, and would be of marginal significance externally.

Finally, even a partial resumption of any kind of heavy military equipment at this time would be counterproductive, in that such a move would also throw away the main leverage left to the U.S. Government to pressure the junta to move towards a real restoration of constitutional democracy and basic human rights.

The timing of such a decision by the U.S. Administration, however, would be of significance if it is finalized.

Tomorrow as you know, a "plebiscite" is being held in Greece on a new draft constitution prepared by the ruling junta. According to the statement of the official spokesman of the military regime, this constitution embodies the principles of the "revolution", and therefore its acceptance by the majority of the electorate would signify approval of the "revolution" by the Greek people.

There are some aspects of this operation which are particularly disquieting. The text itself can hardly be considered democratic by any standards. Two illustrations, I believe, are sufficient in this respect. First, the army is set up as an autonomous organization not subject to the control of the elected government.

Furthermore, in addition to protecting the country from its external enemies, the armed forces are assigned the mission of defending it also against its domestic "enemies". The text significantly omits any obligation of allegiance on the part of the armed forces to the constitution or the democratic form of government. Finally, the Chief of Staff sits on the new "Council of the Nation," which has the power, among other things, to dismiss the Prime-Minister and dissolve Parliament. Thus the armed forces are, in effect, a self-perpetuating clique of officers, and becomes the undisputed controller of the political life of the country.

The second illustration is the treatment of the freedom of the press. Printed matter can be confiscated for nine different reasons, ranging from offense against any recognized religion, to advocating the overthrow of the social order or the system, whatever that may mean.

As if all the amputations of individual rights and freedoms and the statutory introduction of military control over political life were not enough, a final article provides that the provisions pertaining to individual freedoms of the press, parliament and elections, as well as to guarantees against arbitrary arrest and judicial due process, are not to be applied except as and when the military government decides.

Thus, the purpose of tomorrow's "plebiscite" is clearly to bring the Greek people to accept the indefinite abolition of democratic government, individual freedom, and the rule of law.

In order to achieve its purpose, the junta has to obtain a large favorable vote for its constitution and for some months now it has adopted the following strategy. It has published two drafts of the text for the purposes of what it has called public discussions, but has withheld its final position until a few days ago. On this final text there is going to be no discussion. Martial law has been maintained throughout and no campaign in opposition to the constitution has been permitted. In this connection I would like to refer you to a New York Times dispatch from Athens printed yesterday describing the ordeal of an American family, The Tenenbaums', who were indiscrete enough to place a "no" sign on their car while travelling as tourists in Greece. All Athens newspapers have been carrying, by order of the censors, comments praising the "truly democratic" character of the constitution, and radio and television, aided by posters and luminous signs, have been engaged in a saturation campaign in favor of the constitution.

It would appear, however, that the junta is so sure of the feelings of the Greek people that it has considered it necessary to take some additional steps to discourage the opponents of dictatorship from voting against the draft constitution in the voting booth.

It has been the established practice in Greece for lawyers appointed by the courts to supervise voting in all polling stations. This required the services at each election of about 6,000 lawyers. For tomorrow's "plebiscite" only 500 lawyers will be employed—all of them "passed" by the security police. The participation of local notables in the bureaus responsible for conducting the elections at each polling station have been reduced from three to one and, instead of being drawn by lots from among those eligible for jury service, they will be appointed by the junta-appointed local mayors, so as to ensure that they are government men.

I would like to stress that voting procedure is of crucial significance in view of the prevailing conditions of fear in Greece today. The fact, however, that the junta has had to resort to these means in order to obtain the results it wants proves that even the colonels have no illusions about their popularity. Fully aware of this fact the junta despite all their precautions announced that if tomorrow's vote is negative they will not relinquish power but that they will simply repeat the exercise. What a travesty!

In these circumstances, the resumption of shipments of heavy military equipment by the U.S. can have only one meaning, namely, to give, in effect, the official approval of the U.S. government to a fraud the only purpose of which is to perpetuate military dictatorship in the face of mounting popular opposition. I leave it up to you whether this is in the interests of the U.S.

I would like to make an eleventh hour public appeal to the President of the United States on behalf of all freedom loving people, including the Greek people, to avoid making a disastrous decision which in the long run will also greatly injure basic U.S. interests and may very well represent a long step forward in creating the conditions for the emergence of a new Viet Nam in South East Europe. I am asking President Johnson not to sacrifice the long term interests and objectives of the United States as proclaimed in The Truman Doctrine of 1947 for which Greece will be eternally grateful and which kept Greece from becoming another satellite of the Soviet Bloc, to whatever short term expediencies may be advanced by some of his advisers.

It must always be remembered that Greece fought a hard and dirty war against a foreign dominated and supported Communist aggression at the peak of the "Cold War" in Europe. The victory although assisted greatly by U.S. material help and advice was finally wrested with Greek, and only Greek, blood. It was a victory also won under a parliamentary government with democratic institutions functioning and certainly without resorting to a military dictatorship as is the case today.

Finally, I would like to refer briefly to the astounding statement and subsequent clarifying statement made by Governor Agnew at and after yesterday's National Press Club luncheon. His remarks indicated a surprising ignorance of the Greek situation and showed that he would deny to the Greek people the same right to fight for their freedom which was at the core of the American Revolution and the Hungarian Revolution of 1956. Indeed another illustration is the ill-fated armed attempt to overthrow the junta by King Constantine of last December.

Thank you very much for your presence here today. Now I am at your disposal for any questions you may have.

PROGRESS REPORT

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. DENNEY. Mr. Speaker, soon I will send to residents of Nebraska's First Congressional District, my seventh progress report for this year. I submit it here for the information of my colleagues:

PROGRESS REPORT

DEAR FRIEND: I want to welcome new readers of my Progress Report, those people who indicated on the last questionnaire that they wanted to be added to the mailing list. The issue you're receiving now is the last report for this year.

CHANGING HANDS

As a result of reapportionment in Nebraska, residents of Burt County will vote Nov. 5 as residents of the 2nd Congressional District. Those in Polk and Platte Counties will vote as 3rd District residents.

Representing these three counties in the 90th Congress has been enjoyable. I regret that I cannot serve you longer.

WATCHDOG OF THE TREASURY

It was a great honor this month to receive the "Watchdog of the Treasury" award, symbolized by a gold-plated bulldog. The award was presented by Mr. John Mason of Lincoln, president of the National Associated Businessmen, a non-partisan organization of small business firms.

The awards were presented in 1964, 1966 and again this year to selected Senators and Representatives based on their voting records in favor of economy. Twelve key votes were used as criteria. All five members of your Nebraska delegation qualified: Senators Hruska and Curtis and Congressmen Cunningham, Martin and myself.

In making the presentations, Mr. Mason said:

"Your voting records indicate to your constituents and to our NAB membership that you have a keen realization of the problems of fiscal responsibility. Inflation affects all of us and your votes against inflationary spending merit our appreciation."

FREEMAN SCHOOL

"[From the New York Times, Sept. 15, 1968]

"'LITTLE RED SCHOOLHOUSE' IN NEBRASKA

"WASHINGTON, September 14.—If one little red school house could be chosen from those still standing in America as most symbolic of early rural education, which would it be?

"Representative Robert V. Denney, Republican of Nebraska, nominates the Freeman School near Beatrice, Neb., the oldest school in the state.

"He says that the school epitomizes everything Tom Sawyer hated and pioneer parents loved—from its handpump and outdoor toilets to solid brick construction.

"Mr. Denney has introduced legislation to make the school part of the nearby Homestead National Monument.

"BUILT BY HOMESTEADER

"The structure was built by Daniel Freeman, recorded as America's first homesteader, in 1871 when hostile plains Indians still roamed about. Mr Freeman constructed the school for his own large family, according to records, using handmade brick.

"Under Mr. Denney's proposal, the National Park Service would administer the school, which is 36 by 20 feet with walls 12 feet high.

"Although Mr. Denney does not hold much hope for legislation during the current session, he hopes it will be acted on early next session.

"Of the building, the National Park Service says:

"'As a schoolhouse, it symbolizes the pioneers' determination to civilize the frontier and provide opportunities for the common man as soon as possible.'

"ALSO USED AS CHURCH

"The building also served as an early meeting house and church.

"Members of the Freeman family served on the school board throughout much of its history. Daniel Freeman's interest in school affairs once caused a local controversy that attracted nationwide attention

"'In 1899, Freeman objected to religious exercises in the school, pursuing his objections to the Nebraska Supreme Court, which found the district in violation of the state constitution,' the park service said.

"It was the first court case concerning religious exercises in American schools and foreshadowed more recent legal battles on sectarian exercises in public schools.

"The school, now administered by the Tri-County School Board of Dewitt, was taken out of use in June, 1967.

"The Park Service would like to see Mr. Denney's bill passed.

"'The one-room country school will soon be a thing of the past, and it seems appropriate that an example be preserved by the National Park Service,' a park service official said."

NEBRASKA BREAKFAST HOSTS 675 IN 1968

The Nebraska Delegation has held its last breakfast of the year. Since January, there were 675 guests at a total of 29 breakfasts. This breakfast is a great tradition, since 1943, and I've enjoyed serving as chairman these two years.

We have welcomed many groups of postal employees during the 90th Congress. Members of the Nebraska Chapter of the National Association of Postmasters were guests at the concluding breakfast.

SUPPORT NEBRASKA ATHLETES

If disturbances don't cancel out the Olympics, Nebraska will have three athletes on the U.S. team in Mexico City.

To help that worthy cause, my staff and I made a contribution to a representative of the Olympic Fund Committee, Charles Medani.

Nebraska's stars are Charles Green of Lincoln, a national champion in the dashes; Gary Anderson of Axtell, a gold medalist from the 1964 U.S. rifle team; and Carol Moseke of Cedar Rapids, a women's discus champion.

CONGRESSIONAL REFORM

Many useful measures were passed by this session of Congress. But by failing to consider the legislation for Congressional reform, the majority party is keeping Congress in the hobble-skirt era. The Senate passed the reform bill in 1967. It was then referred to the House Rules Committee and has been held up there ever since. There is voluminous evidence that dozens of Congressional practices, such as scheduling more constructive work weeks, need modernizing. The subject of reform is of utmost importance to the average citizen because it is he who pays for the inefficiencies of Congress.

NEBRASKA GIRLS STUDY GOVERNMENT

There are four very enthusiastic and conscientious young Nebraskans in the nation's capitol who are participants in American University's Washington Semester program for a special study of government at this level.

It was a pleasure to welcome them at our concluding Nebraska breakfast.

With me on the Capitol steps are Joyce Jordan (Wesleyan Uni.), Kathi Connell (Hastings College), Linda Babcock, Jan Mitchell (both of Wesleyan).

HOT SPRINGS NATIONAL PARK, ARK.

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 9, 1968

Mr. BYRD of West Virginia. Mr. President, on behalf of the distinguished Senator from Arkansas [Mr. FULBRIGHT], who is necessarily absent today, I ask unanimous consent, at his request, to have printed in the Extensions of Remarks a statement he has prepared relating to Hot Springs National Park, Ark., and excerpts from an article published in the Hot Springs Sentinel-Record.

There being no objection, the statement and excerpts from the article were ordered to be printed in the RECORD, as follows:

HOT SPRINGS NATIONAL PARK, ARK.

(Statement by Senator FULBRIGHT)

Mr. FULBRIGHT. Mr. President, I am sure the name of Hot Springs National Park is familiar to every member of the Senate. This picturesque city, nestled in the folds of the Ouachita mountains, is among the leading tourist attractions not only in Arkansas but in the entire United States. Invigorating thermal baths, spectacular scenery, three sparkling lakes ideal for fishing and water-skiing, friendly people who still nourish their long tradition of Southern hospitality—Hot Springs has them all.

The city and its environs present a refreshing, serene contrast to the oppressive atmosphere of our nation's increasingly blighted urban areas, where noise, filth, crime, and the sheer abrasive pressure of overcrowded humanity drive men to lives of quiet desperation. In the mountains, men have always felt free: and as our technological society grows daily more complex, impersonal, and confining, men are impelled by some inner need to seek out those last remaining places where, as in Hot Springs, life is still lived on a humane scale, men still know their neighbors, and the liberating touch of nature is never far away.

Mr. President, it is for reasons such as these that Hot Springs' international fame as a health spa, vacation retreat, and retirement community continues to grow. Today, I am happy to note that the city has acquired yet another distinction. Elderly persons who come to Hot Springs will now find that it has a program of health services second to none. This fact was recently the subject of an entire special supplement in the Hot Springs *Sentinel-Record*. As the leading article points out:

"Nowhere else can the senior citizen entitled to Medicare receive the full range of health services available in this world famed spa. Facilities for the aged and infirm federally approved for all phases of the Medicare program are to be found in Hot Springs where the thermal waters are made an integral part of the treatment. Recent approval by the Social Security Administration of the Libbey Memorial Physical Medicine Center as a rehabilitation agency under Medicare, and Health Services, Inc., scheduled to be a provider of services through the PMC, form the final link in the chain that puts Hot Springs at the top of the health center list."

This informative supplement, sixteen pages in length with four pages of color photos which reveal why Hot Springs has acquired the nickname "Little Switzerland," was sponsored by the *Sentinel-Record* and more than a dozen civic organizations, hospitals, nursing homes, banks, and business enterprises.

Mr. President, believing as I do that Hot Springs' outstanding future in the field of health services deserves nationwide attention, I shall ask to have printed in the Extensions of Remarks several selected excerpts from the supplement.

(See exhibit 1.)

EXHIBIT 1

[From the Hot Springs (Ark.) Sentinel-Record]

THE BATHING INDUSTRY

Hot Springs' bathing industry, highly specialized and widely recognized, is known throughout the world.

The therapeutic bath, just one phase of the industry, has become a special science in itself.

With changes in the Medicare Law, effective July 1 of this year, providing coverage for physical and hydrotherapy treatments if those treatments are given on an outpatient basis by participating agencies, Hot Springs' reputation as a health center is bound to become even more popular. Especially among those in the senior citizen category and covered by the Medicare program.

The tradition of the thermal springs remains today as it has through many ages—wooded hills, vaporous waters and restful, yet holiday air. It was thus when DeSoto in 1541 found Indians had already discovered the medicinal qualities of the Hot Springs waters.

History reveals that the first bathhouses here were merely crude shacks built before 1804. In their place today the visitor finds million dollar structures, eight of them along famed Bath House Row in downtown Hot Springs, one of which (the Quapaw) is operated as a hydrotherapy center under the name, "Health Services, Inc." Off-hour bathing, a new innovation at this facility, is proving extremely popular.

PHYSICAL MEDICINE CENTER

The Libbey Memorial Physical Medicine Center, the only such facility in the nation operating under federal government regulation, provided all the out-patient hydrotherapy treatment given in Arkansas during the July-December period of 1967 and now has won approval of the Social Security Administration as a rehabilitation agency under provisions of the Medicare program.

The Center, operated by a corporation made up of various bathhouse concessionaires, is regarded as one of the most modern physical treatment facilities in the world.

With the above approval as a rehabilitation agency and with the many complete physical therapy services offered, the future of the Physical Medicine Center is unlimited, in the opinion of Fred Farmere, director.

After the Medicare patient has met certain requirements, he may take advantage of the services offered at the Center and which could not be provided in his home.

Farmere points out that Hot Springs now has every facility for treatment of patients past 65.

"With approval of the Center as a rehabilitation agency and the new Health Services, Inc., which soon will be approved as a provider of services for the Center, we have here in Hot Springs a total combination of services for the patient that are not available elsewhere, even though the law provides they can be," the director said. "We have available rooms in hospitals for acute care; we have fine extended care facilities, and the thermal waters. We can now operate the outpatient phase of the Medicare program on an outpatient basis, whereas we formerly were only a provider of services to the State Health Department's Home Health Agency."

Payment may be made under Medicare for outpatient physicial therapy services furnished by a participating provider of services on or after July 1, 1968 only where a physician has certified that (1) such services are or were required because the individual needed physical therapy services on an outpatient basis, (2) a plan for furnishing such services has been established and is periodically reviewed by the physician, and (3) such services are or were furnished while the individual is or was under the care of a physician. In addition, the plan of treatment established by the physician must prescribe the type, amount, and duration of the physical therapy services to be furnished the individual.

Under the Medicare program, originally, Farmere pointed out the patient could receive certain services—acute care (hospital); extended care (the nursing home or other extended care facility), and home service (which included physical therapy).

"There were many things that could not be brought to the home, whereas now the patient can be brought to the services," he said.

"I would say that 80 per cent of our patients will qualify for this assistance. We no longer charge the patient directly but present claims through Blue Cross and Blue Shield, intermediary in Arkansas for Medicare, as the hospitals do since we are a rehabilitation agency in our own right."

Farmere is so optimistic about the future of Health Services, Inc., that he predicts that within two years time, "there will have to be other providers of such services and not just the Physical Medicine Center and Health Services, Inc. I very honestly think that because more people over 65 need specific therapies, the entire picture will lean more toward the prescription type treatment.

"So many things are tied together here in Hot Springs that anyone over 65 will have a tremendous opportunity to receive all necessary services here. All these things are not new to Hot Springs as a resort but never before have they all fitted into such a total pattern as now."

THE ANATOMY OF A REVOLUTION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. RARICK. Mr. Speaker, Lt. Col. Arch E. Roberts, AUS, retired, continues his pro-American dissertations on the problems which face the American people.

His latest hard-hitting work "The Anatomy of a Revolution" appeared in the Woman Constitutionalist for August 3, 1968, the official publication of the Women for Constitutional Government.

Under unanimous consent I submit Lieutenant Colonel Roberts' article for inclusion in the CONGRESSIONAL RECORD, as follows:

THE ANATOMY OF A REVOLUTION

(By Arch E. Roberts, Lt. Col., AUS (Ret.), Salus Republicae Supreme Est Lex*)

(Colonel Roberts, author of the award-winning book "Victory Denied," played a prominent role in the U.S. Senate "military muzzling" investigation in 1962. He subsequently won a precedent-setting court case against the Secretary of the Army and retired in 1965, terminating twenty-six years' Army service. Roberts now heads a national campaign to restore the Constitution.

(It is appallingly clear that America the beautiful has fallen into the hands of political madmen!

(Our people are exploited and terrorized by coercive domestic policy at home; our sons are betrayed in "no-win" military adventures abroad; and our national honor and integrity are compromised all over the globe.

(An increasing number of U.S. citizens, seeking recovery of national reason, recommend and endorse a public examination of this strategy of defeat. They believe, as you believe, that the peril of political madness can be ignored only on pain of extinction of the State. Americans must, they warn, isolate the psychology of those who promote rebellion and inspire a study of the anatomy of revolution.)

One of these alarmed Americans is David O. Woodbury, author of 23 books of science, who said in the "Manchester Union Leader," "We are confronted by a horde of madmen. Mad in the same sense that Hitler was mad—a fact which the whole world accepts. Mad in the sense that their conduct, their aspiration, their reasoning, their actions are those of minds out of control, irrational, unsound, blown by a hurricance of willful insistence upon principles that civilization has proved over and over again to be specious and often degenerate."[1]

It is also apparent that insanity has recruited a vast apparatus of propaganda and employs a diabolical cleverness in posing as the protector and benefactor of mankind while actually furthering nihilistic objectives.

Contemporary history, in fact, convincingly suggests that those who head the Federal Government are manipulated by mattoids—by men of unbalanced and dangerous brillance. These hidden exploiters of the United States power structure apply an inverted psycho-eugenic science as a weapon against the people. They have, seemingly, perfected a sophisticated and systematized plan, incorporating brainwashing and genetic prostitution, to achieve Soviet-style control over the American social order.

To escape the dolorous fate of yesterday's people, Americans can dispel this doctrine of darkness by disseminating definitive intelligence and by adopting corrective political action. Power-entrenched mattoids can only be overthrown by an informed and indignant electorate.

It is proposed that psychopathic malignancy threatening the American civilization be examined in depth and the knowledge gained thereby applied with surgical finality. Let us begin by defining the nature of the foe.

Sociologist Max Nordau has identified three classifications of the mattoid.

"A mattoid or half-fool," Nordau said, "who is full or organic feelings of dislike, generalizes his subjective state into a system of pessimism, of 'Weltschmertz'—weariness of life.

"Another, in whom a loveless egoism dominates all thought and feeling, so that the whole exterior world seems to him hostile, organizes his anti-social instincts into the theory of anarchism.

"A third, who suffers from moral insensibility, so that no bond of sympathy links him with his fellow man or with any living thing, and who is obsessed by vanity amounting to megalomania, preaches a doctrine of the Superman, who is to know no consideration and no compassions, be bound by no moral principle, but 'live his own life' without regard for others.

"When these half-fools, as often happens speak an excited language," said Nordau, "when their imaginations, unbridled by logic or understanding, supplies them with odd, startling fancies and surprising associations and images—their writings make a strong impression on thought in the cultivated circles of their times."[2]

Irrational political decisions at policy-making levels force upon perceptive Americans the conclusion that an invisible government of men "unbridled by logic or understanding" has acquired ultimate power and influence in the United States. Furthermore, the image-building manipulations of these mattoids favor the development of similar attitudes in others and give thousands—perhaps millions—of normally well-balanced persons the courage to overtly engage in absurd or infamous acts.

". . .Through the influence of the teachings of degenerate half-fools," Nordau continued, "conditions arise which do not, like the cases of insanity and crime, admit of expression in figures, but can nevertheless in the end be defined through their political and social effects. We gradually observe a general loosening of morality, a disappearance of logic from thought and action, a morbid irritability and vacillation of public opinion, a relaxation of character. Offenses are treated with a frivolous or sentimental indulgence which encourages rascals of all kinds. People lose the power of moral indignation, and accustom themselves to despise it as something banal, unadvanced, inelegant, unintelligent. Deeds that would formerly have disqualified a man forever from public life are no longer an obstacle in his career, so that suspicious and tainted personalities find it possible to rise to responsible positions . . . Nobody is shocked by the most absurb proposals, measures, and fashions, and folly rules in legislation, administration, domestic and foreign politics . . . Everybody harps upon his 'rights' and rebels against every limitation of his arbitrary desires by law or custom. Everybody tries to escape from the compulsion of discipline and shake off the burden of duty."[3]

Published fifty-six years ago, Nordau's commentary, "The Degeneration of Classes and Peoples," is a shocking prophecy of the mattoid-directed malaise besetting America today. The destructive social doctrines of our own time, attractive on the surface but basically subversive, are essentially the product of unsound reasoning by unsound brains. Sociologist Nordau ably analyzed the enormous harm done by such individuals preaching negative dogma. They lead astray vast numbers of average people whose intelligence is not high enough to protect them against clever fallacies clothed in emotional appeal, and they arouse the degenerate elements and primitive types in society.

In his book, "The Revolt Against Civilization," Lothrop Stoddard indicts these political madmen and suggests the manner in which protectors of the American civilization may meet the challenge of our day.

Stoddard observed, ". . . Construction and

Footnotes at end of article.

destruction, progress and regress, evolution and revolution, are alike the work of dynamic minorities. Numerically small, talented elites create and advance high civilizations; while Jacobine France and Bolshevic Russia prove how a small but ruthless revolutionary faction can wreck a social order and tyrannize a great population. Of course," he said, "these dynamic groups are composed primarily of leaders—they are the officers' corps of much larger armies which mobilize instinctively when crises arise." [4]

The profound effect which a numerically insignificant intellectual elite can have on the progress of a civilization is illustrated by the classic Athenian example.

"In the two centuries between 500 and 300 B.C.," reported geneticist Edwin Conklin, "the small and relatively barren country of Attica, with an area and total population about equal to that of the present State of Rhode Island, but with less than one-fifth as many free persons, produced at least 25 illustrious men. Among statesmen and commanders there were: Miltiades, Themistocles, Aristides, Cimon, Pericles, Phocion; among poets, Aeschylus, Euripides, Sophocles, Aristophanes; among philosophers and men of science, Socrates, Plato, Aristotle, Demetrius, Theophrastus; among architects and artists, Ietinus, Phidias, Praxiteles, Polgnotus; among historians, Thucydides and Xenophon; among orators, Aeschines, Demosthenes, Isocrates, Lysias.

"In this small country," said Conklin, "in the space of two centuries there appeared such a galaxy of illustrious men as has never been found on the whole earth in any two centuries since that time. Galton [5] concludes that the average ability of the Athenian race of that period was, on the lowest estimate, as much greater than that of the English race of the present day as the latter is above that of the African Negro." [6]

Eugenically, civilization has been a catastrophe to the race which has created it. Geneticist Samuel J. Holmes, Ph. D., in his book, "The Trend of the Race," quotes from an earlier authority, Lapouge, who noted the depressing effects which selective agencies have had on ancient and modern societies. Both of these authorities determined that robust blood lines are consumed by an advancing culture, while those of little worth are artifically protected and, eventually, overwhelm the established order. The morbid statistics of decline were discussed in Lapouge's work, "Les Selections Sociales," published in 1869. Lapouge described the operation of several forms of social selection, i. e., military, political, religious, moral, legal, economic and systematic, all of which are brought into play as a consequence of the development of civilization.

"The racial influence of civilization," concluded Holmes, "is therefore bad." [7] It will continue to be "bad" until advanced societies learn to cope successfully with overt and covert forces inimical to the bearers of the social order.

The decay of ancient races and civilizations may have been tolerable to man at a time when there were available evolved and millenial-tempered races to move into the vacuum created by the fall of a preceding culture. Such reservoirs of high-quality lineage, however, no longer exist; and none appear visible on the genetic horizon.

The attritional loss of "talented elites" has been further accelerated in our era by the introduction into society of chromosomal-damaging chemicals—a genetic horror which Lapouge and Holmes could not have imagined in their studies of agencies affecting selection in man. Mankind's twentieth-century threat, psychedelic drugs, has the dimensions of a genocidal time bomb.

The American civilization, no less than did the Athenian, depends upon the quality of the men and women who are the bearers of it. All the accumulations of instruments and ideas, massed and welded into marvelous structures, rest upon living foundations. Should these living foundations decay by attrition, crumble by subversion, or be destroyed by artificial means, the mightiest civilization will sag, crack, and at last crash down in ruin.

"The revolt against civilization," said Stoddard, "goes deeper than we are apt to suppose. However elaborate and persuasive may be the modern doctrines of rebellion, they are mere rationalizations of an instinctive, primitive urge." [8]

A factor carefully avoided in today's studies of the rise and progress of revolution is the fact that individuals or groups placed at cultural levels above their capacities instinctively revert to lower and more congenial surroundings. Atavistic forces forever seek to disrupt advanced societies and drag them down to more aboriginal levels. The high-placed mattoid recruits, molds, inflames, and then unleashes these forces against the existing social order, to bring it crashing down in "ruin."

Stoddard stated a self-evident fact, to which all of us may subscribe: Revolutions do not spring from nothing. Behind the revolt against an established society, there lies a long formative period during which the forces of chaos gather while the forces of order decline. Revolutions thus give ample warning of their approach.

The symptoms of revolution, Stoddard observed, may be categorized in three stages: (1) destructive criticism of the existing order, (2) revolutionary theorizing and agitation, and (3) revolutionary action.[9]

Americans have witnessed the promotion and implementation of the first two stages of incipient revolution and now behold the beginnings of revolutionary action aimed at toppling this social order—all the work of degenerate forces which have gained decisive position in the social structure for the purpose of destroying it. Strong societies are not oveturned by revolution. Before revolution can succeed, the social order must be undermined and morally compromised. Subverting the existing order is a genetic compulsion of the mattoid. Sick-brained men, occupying rarified position, have nailed the revolutionary banner of "Liberty, Equality, Fraternity" to the mast of our ship of state. Behind a concealing curtain of "humanitarianism," they now direct the course of our nation to chaos, to oblivion, to a soviet twilight zone.

The cynical program of these madmen will lead, unless reversed, to the eclipse of the American civilization.

Paul Popenow and Roswell H. Johnson, in their book, "Applied Eugenics," question the so-called "Law of Civilization and Decay." They and other eugenics authorities suggest that a civilization might be immortal if its high-type genetic stock continues to produce an adequate quota of superior individuals.

Stoddard declared that this has never occurred because of three destructive tendencies which have, in times past, always brought civilizations to decline and ruin. These three tendencies, he said, are (1) the tendency to structural overloading, (2) the tendency to biological regression, and (3) the tendency to atavistic revolt.[10]

The shock troops for the American revolution of the 1960's are the same type of congenital savage, the same kind of eugenic degenerate, and the same rejected humanity employed to overturn the social order in France, in Russia, and in a succession of similar national convulsions. Comprehending the emotional mechanisms which trigger the human power base of revolution is a prime requisite to devising a counter-force. These factors are unchanging and predictable, and have been successfully exploited for generations by those who promote rebellion.

The attitude of the unadaptable toward the civilization which rejects him is certainly one of instinctive opposition and discontent. These feelings vary from unreasoning dislike to flaming hatred. This volcano of emotion is finally directed, not merely against imperfections in the social order, but against the social order itself. This is a point which is rarely mentioned or understood. Nevertheless, it is the most important issue of the whole matter.

"We must realize clearly that the basic attitude of the Under Man," Stoddard said, "is an instinctive and natural revolt against civilization. The reform of abuses may diminish the intensity of social discontent. It may also diminish the numbers of the discontented, because social abuses precipitate into the depths many persons who do not really belong there; persons who were innately capable of achieving the social order if they had a fair chance. But excluding all such anamalous cases, there remains a vast residue of unadaptable, depreciated humanity, essentially uncivilizable and incorrigibly engenders within itself hordes of savages and barbarians, ripe for revolt and ever ready to pour forth and destroy." [11]

When a civilization falters beneath its own weight and by the genetic decay of its human foundations; when its "marvelous structures" are shaken by war, dissension, or calamity; then the long-repressed forces of atavistic revolt are marshaled and launched in screaming hatred against the existing social order.

When the final terror begins, when revolution is unleashed, it will then be found that the standing army which society maintains to defend itself, i.e., policemen, soldiers, judges, legislators and other agencies of order, is neutralized, captured, subverted and compromised. It will be found that the power structure of the civilization has been covertly transferred from the hands of those who created it to an alien control. And, it will be found that subversion of the social order and the concealed recruitment of the legions of revolt have been accomplished by those who pose as the benefactors and protectors of humanity.

"A paramount issue revealed in this study," I stated in "Victory Denied," is the ugly fact that concealed international planners manipulate the highest echelons of our government. They organize world-wide political apparatuses and they generate long-range revolutionary movements so as to infiltrate and destroy existing American social, economic, and religious disciplines with the objective of erecting upon the ruins a one-world collectivist state." [13]

That world revolution follows an ancient pattern of infiltration, subversion, and rebellion is historically irrefutable.

"If any doubt on this point still remains," said British historian Nesta Webster, "if the history of the World Revolution . . . does not prove that the revolutionary movement for the last 140 years (before 1921) has been the work of a conspiracy whose aims are entirely unconnected with the interests and demands of the people, how are we to account for the following undeniable facts:

"1. That although the grievances of the people throughout this period have varied according to the changing conditions of our civilization, the programme of the social revolution has never varied. For if the succeeding outbreaks had been made by the people each would have been distinguished by different war-cries, different aims arising from the exigencies of the moment; instead of this each outbreak has been carried on to the same slogans, has repeated the same catch-words, and each has been directly copied from the earliest—and until 1917—the most successful attempt, the first French Revolution.

"2. That the leaders of the movement have never, in a single instance, been men of the people, but always members of the upper

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Footnotes at end of article.

or middle classes who could not by any possibility be regarded as victims of oppression. And, if it is objected that these men were disinterested fanatics fighting in a cause that was not their own, then—

"3. That, with rare exceptions such as Louis Blanc, they invariably displayed complete unconcern for the sufferings of the people and a total disregard for human life. No instance has ever been recorded of pity or sympathy displayed by the Terrorists of France towards any individual members of the working classes; on the contrary, they turned a deaf ear to all complaints. The Marxists and Bakuninists mutually accused each other of regarding the people as 'cannon fodder'.

"4. That each outbreak has occurred not when the cause of the people was hopeless but on the eve of great reforms.

"5. That each has been followed not by reform but by a period of reaction. For twenty years after the first French Revolution the very word 'reform' could hardly be breathed even in England.

"6. That in spite of the fact that each outbreak has thus thrown back the cause of the people, each has been represented to the people as a step forward and further revolutions have been advocated.

"The revolutionary movement of 1776 to the present day is therefore the work of a continuous conspiracy working for its own ends and against the interests of the people."[13]

The cabalistic roots of revolution, from the French Revolution of the eighteenth century to the pattern of rebellion wracking the American civilization today, lead to the formula for secret societies and subversive movements inspired by Adam Weishaupt. Professor Weishaupt adapted the principles of nation-wrecking from more archaic conspiracies and formalized a system for world revolution. The aim of the intrigue was, and continues to be, the surreptitious imposition of a world government of self-anointed elite (of mattoids) over the people of every nation.

Adam Weishaupt, born in 1748, created illuminism (1776–1786) and assumed the illuminated name of "Spartacus." The Illuminati was launched in Munich, Germany, on May 1, 1776, during the meeting of confederates under the leadership of "Spartacus." "Illuminati" meant "light"; but Germany soon became conscious of its sinister program, which included world revolution:

"The end sanctifies the means. The good of the Order justifies calumnies, poisoning, murders, perjuries, treasons, rebellions; briefly, all that the prejudices of men call crime (Barruel, iv. 182, 189, quoting evidence of Cossandey, Utzschneider, and Grunberger)."[14]

And world government:

"It is necessary to establish a universal regime of domination, a form of government that will spread out over the whole world . . . (Barruel, iii, 97)."[15]

And destruction of the Church:

"We must acquire the direction of education—of church management—of the professorial chair and of the pulpit . . . (Robinson, p. 191)."[16]

And abolition of family life:

"We must preach the warmest concern for humanity and make people indifferent to all other relations . . . (Robinson, p. 191)."[17]

Fortuitous exposure of the Illuminati in Germany aroused the people, and Weishaupt and his followers were driven out. Fleeing to France, Weishaupt and his accomplices created a new group, which they called the Jacobine Society, or the Sons of Jacob. The Jacobine Society first perverted, then recruited to their cause, a vast network of financial, social and political leaders. Through this covert apparatus, the Jacobine Society ultimately influenced, and then controlled, every facet of the French social order.

In his commentary, "The Rise and Progress of Revolution," Judge Alexander Addison, President of the County Courts, State of Pennsylvania, wrote as follows:

"The Jacobine Society in Paris soon bore down every authority, and, in fact, governed the whole nation. It guided the Parisian populace, overawed the National Assembly, and, by means of its affiliated societies throughout the kingdom, led public opinion, and directed all measures every where as it pleased; and nothing could resist its force . . .

"The views of this abominable sect were displayed in every part of France, by a disregard of all morality and justice, of the rights of marriage and property, of commerce and manufacturers, of everything which holds society together, or renders life valuable or safe. And, in pursuance of those views; outrage, violation, murder, pillage, burning, and devastation were everywhere perpetrated with indiscriminating fury; till all social order and happiness seemed to be destroyed, and France verged fast to barbarism.

"This was the third part, or the Antisocial Conspiracy, to destroy the principles which adorn, support, and connect civil society, and to bring men back to the savage state of Nature. Such was the object of the Illuminees or Illuminati, members of the sect of Illuminism or Illuminatism. Its author a German Professor, of the name of Weishaupt, at Ingddstadt in Bavaria; who founded and extended the sect, with profound art and secrecy, and with the daring ambition of governing the whole world. This was his end; and his means were secret societies, or corrupting public opinion by means of the press and secret societies."[18]

The resulting French Revolution cost the lives of nearly one million, five-hundred thousand French citizens.

While the revolution was burning in France, the sparks of its morbid genesis fell into the colleges of England and America, where their heat kindled the Fabian Society and Socialism. On the continent the conspirators conceived Hegelian Societies, which produced Marx and Engels. Engels later established the first Communist Bund; and Marx implemented the Illuminati program and embodied its principles in his bible of dialectic materialism, "Das Capital," and in the call for arms for world revolution, "The Communist Manifesto."

These doctrines of desolation and death were propagated under the pretense of giving light, liberty and happiness to man—to make men free, equal, and happy!

Nation after nation has crumbled beneath the force of this nihilistic teaching, the excited language of the mattoid.

That the American social convulsion is directed, financed and propagandized by the spiritual heirs of Weishaupt, and that it is based upon the nation-wrecking formula of Illuminism, there is no doubt. The U.S. program, following ancient maxims, is scientifically grounded on perverted eugenics and inverted psychology. The political madmen in America inflame the unadaptable, the incapable, and the primitive elements in our society with the objective of destroying the established order in a volcano of atavistic revolt.

"Aginter Presse," a Lisbon-located international intelligence digest, provided the clue to interlocking subversion in the United States in its report of December 26, 1967. AP stated that there now exist in the U.S. nearly a thousand black organizations which are preparing their members for an armed revolt, and that these militant terrorist groups are financed and inspired by highly placed white "intellectuals."

"For the most part," Aginter Presse reported, "these groups are supported and financially aided by communists or American progressive movements (The Ford Foundation, for example, poured in more than 500 million dollars for the year 1966 alone)."[19]

Direct involvement of United States government agencies in the broad-spectrum plan for inciting revolution in America is so well known and documented as to need no elaboration. The revolutionaries are so arrogantly confident that they will be protected by the "intellectual elite" which directs the War on Poverty, for example, that they now publicly gloat over the fact that the Office of Economic Opportunity finances them.

The unconscionable failure of the American press to publish information concerning the training and financing of these revolutionary forces in the United States is stunning evidence of the control over communications exercised by those who direct the attack upon our society.

"'We must take care that our writers be well puffed,' ordered Weishaupt, 'and that the reviewers do not depreciate them; therefore we must endeavor by every means to gain over the reviewers and journalists; and we must also try to gain the booksellers, who in time will see it is their interest to side with us.' (Robinson, p. 191)."[20]

The tax-exempt Ford Foundation, which poured in more than 500 million dollars during the year 1966 to finance revolution in the United States, is also a prime promoter of one-world government. In consonance with the trust of Weishaupt's Illuminism, the revolutionary Societies, and the later implementations of Engels, Marx and the Fabian Society, the Fund for the Republic (a Ford Foundation subsidiary) has produced many "intellectual" studies whose aim is to create a propaganda climate favoring the acceptance of a one-world government by the American people. A current example is "A Constitution for the World," published in 1965. The "Grant of Powers," which the Ford Foundation proposes to make to a so-called "Federal Republic of the World," includes the transfer of the following governmental authority (all in violation of the prohibitions of the Constitution of the United States):

"(a) The control of the observance of the Constitution in all the component communities and territories of the Federal World Republic, which shall be indivisible and one.

"(b) The furtherance and progressive fulfillment of the Duties and Rights of Man in the spirit of the foregoing Declaration, with their specific enactment in such fields of federal and local relations as are described hereinafter (Art. 27 through 33).

"(c) The maintenance of peace; and to that end the enactment and promulgation of laws which shall be binding upon communities and upon individuals as well.

"(l) The laying and collecting of federal taxes, and the establishment of a plan and a budget for federal expenditures.

"(m) The administration of the World Bank and the establishment of suitable world fiscal agencies for the issue of money and control of credit.

"(p) The supervison and approval of laws concerning emigration and immigration and the movement of peoples.

"(r) The appropriation, under the right of eminent domain, of such private or public property as may be necessary for federal use, reasonable compensation being made therefor."[21]

The Ford Foundation plan for a Federal Republic of the World presumes, of course, to dissolve the United States of America; to subject her citizens to the dictates and whims of alien courts; to transfer U.S. military personnel and material to a one-world army; to directly tax the American people so as to reliably support one-world government; to establish a serf-society, which shall be paid for its labors at a rate to be determined by the self-appointed Caesars of the world;

Footnotes at end of article.

to move this captive labor force anywhere on the globe at will; and to void private property rights—except in the case of the mattoid-elite, who shall have title to all.

The aristocracy of finance thus clearly predicts the disenfranchisement of free men, the breeding of a submissive world population, and the elimination of any independent intelligence which might, now or in the future, challenge the mangods of this "Brave New World."

There is a terrible familiarity about the totalitarian concepts of the Ford Foundation. The thought persists that we have heard these degenerate ideas promoted in recent times—allegedly backed by the authority of the United States government.

But, of course! These projections are incorporated, and identified as official policy, in the General Agreement on Trade and Tariffs (GATT), in the United Nations Conference on Trade and Development (UNCTAD), and in the highly propagandized but technically obscure Kennedy Round.[22]

The gradual approach to control of world trade as an objective of world government under the United Nations was overtly made by the financial-industrial cartel, via GATT, in 1947. In his 1961 Report to the Congress on U.S. participation in the United Nations, President John F. Kennedy (hence the subsequent designation of the "Kennedy Round" for the third phase of this progressive plan) said, in effect, that under United Nations mandate the United States is obligated to rebuild the world, to pour all U.S. wealth into the hands of international cartelists for redistribution to the "have-nots," and to emigrate the U.S. population as their skills and energies are needed in the underdeveloped nations.[23]

In the second-phase announcement of 1964, President Lyndon B. Johnson revealed that emerging nations are to be industrialized under UNCTAD. Small and medium-size business owners destroyed by such relocation of production and labor skills will, he said, be compensated for such losses by loans from the United Nations International Monetary Fund, which theoretically will enable ruined American businessmen to enter new fields of endeavor—leaving the market open to tariff-free imports from UNCTAD-industrialized nations.[24]

The Kennedy Round, implementing the provisions of GATT and UNCTAD, went into effect on January 1, 1968.

The American business community, to appreciate their bleak future, should examine the pertinent United Nations General Assembly Resolutions to which the Kennedy Round refers.[25]

The key to achieving these one-world objectives is, of course, power—military power to enforce the edicts of the financial-industrial cartel. The transfer of military power into their hands is being accomplished in the name of disarmament.

One-world propagandists and their dupes belabor the expression "general and total disarmament" as a label for their publicly announced goal of "international peace and security." This is, however, a false and misleading label; for the fact is that what is actually proposed by them is a central political authority backed by overwhelming armed force. It is painfully clear that such an international "peace" force—now imminent—is intended not to insure peace, but to insure the involvement of Americans and their soldier-sons in interminable "no-win" military adventures—a series of Koreas and Viet Nams which will create a climate of conflict to justify a war-based economy.

"Perpetual War for Perpetual Peace,"[26] an unscrupulous policy of unending military entanglements, was revealed with stunning impact during the war in Korea, when it became known that the United Nations controlled the action on both sides of the thirty-eighth parallel.[27] The agony in Korea was the first U.S. "no-win" war instigated to advance "trade and aid" objectives of the financial-industrial cartel. As a matter of historical record, it should be noted that the United States military establishment in South Korea is still designated, "The United Nations Command."

The same U.N. charade, a thinly camouflaged, stage-managed war, is perpetuated in Viet Nam. The deception of U.S. presidential authority is carefully maintained, of course, but the real chain of command leads from the U.N. Security Council, headed by Dr. Leonid N. Kutakov (a Soviet Communist), through the Southeast Asia Collective Defense Treaty (SEATO is a U.N. Regional Arrangement with headquarters in Bangkok, Thailand), to Lt. Gen. Creighton W. Abrams (a member of the powerful Council on Foreign Relations cabal). U.N.-Viet Nam interlocking subversion is, in fact, succinctly exposed in the Gulf of Tonkin Resolution, which states in part:

"Consonant with the . . . Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state . . ."; and

"This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations. . ."[28]

As a second objective, these stage-managed wars serve to intimidate, to confuse, and to condition the populace, thus leading to public resignation and ultimate acceptance of one-world government as a "solution" to the world's political ills.

Lastly, a centrally controlled United Nations army will be employed to crush recalcitrant governments and counter-insurgent (i.e., anti-U.N.) people. For confirmation of the totalitarian concept embodied in the thrust for a United Nations "peace" force, we need but recall the U.S.-sponsored Carnegie Endowment plan, "Apartheid and United Nations Collective Measures," which envisages hurling American soldiers against the government of South Africa in a massive blitzkrieg to reduce that country to a submissive state within the United Nations world body.[29]

Enforcing legislation which will activate a United Nations army is now before the United States Congress in the form of Senate Resolution No. 32,[30] House Resolution No. 130,[31] and other bills of similar nature. The authority to transfer the United States military establishment to United Nations central control was carved into stone by the Congress in 1961, i.e., Public Law 87–297.[32]

The lineage of Illuminism is today within reach of their ancient goal of world government via the lofty United Nations organization. The United Nations is, without question, the prime instrument for covertly imposing a one-world government upon the people.

"Entirely through self-constituted authority," said Congressman John T. Wood, "without a single particle of any grant of power from the American Constitution, there was formed within the body of the United Nations, self-granted powers to form a one-world government, with hundreds of subsidiary organizations, such as UNRAA, UNESCO, the International Labor Organization, International Child Welfare, the Human Rights Convention, the Genocide pact, and many others of a similar ilk. While the charter of the United States Senate, certainly it was never intended that these later powers should be spawned from the womb of the United Nations Charter . . ."[33]

The promoters of United Nations purposes declare that Article VI of the Constitution makes treaties, including the United Nations Treaty, the "Supreme Law of the Land."

"A treaty, however, cannot authorize what the Constitution forbids.

"No federal agent has the power or the authority to modify or to dissolve the Constitutional Compact."[34]

Colonel H. W. Mathews, in a "Houston Tribune" article entitled "Founders' Intent Made Clear: Treaties Cannot Override Constitution," quoted an authority contemporary with the framers of the Constitution to show the limited grant of powers under Article VI. In his book, "A View of the Constitution of the United States of America," William Ralle, L.L.D., a distinguished lawyer born in 1759, explained the wording of the treaty-making powers in this fashion:

"There is a variance in the words descriptive of laws and those of treaties—in the former it is said those (laws) which shall be made in pursuance of the Constitution, but treaties are described as having been made, or which shall be made under the authority of the United States.

"The explanation is, that at the time of adopting the Constitution, certain treaties existed, which had been made by Congress under the Confederation (with France, the United Netherlands, and particularly the treaty of peace with Great Britain), the continuing obligations of which it was proper to declare. The words 'under the authority of the United States' were considered as extending equally to those previously made, and to those which should subsequently be effected. But although the former could not be considered as made pursuant to a Constitution which was not then in existence, the latter would not be 'under the authority of the United States,' unless they are conformable to its Constitution."[35]

"This," said Colonel Mathews, "is a logical and convincing explanation of the difference in the words used in the Constitution with respect to laws and treaties and why they were used. It seems to deflate any pretension that treaties are of any higher authority or prestige than acts of Congress, or the reserved rights of the states and the people."[36]

The spiritual heirs of Professor Adam Weishaupt, with deliberate misconstruction of the intent of Article VI, intend to dismantle the Constitution of the United States and erect in its place the United Nations Charter as the "Supreme Law of the Land." Their objective is the revocation of the freedoms of person and property, and individual liberty guaranteed to the people by Constitutional compact. The techniques for accomplishing these purposes are those devised by Weishaupt in 1776, i.e., Infiltration, Subversion, and Rebellion.

"To bring this country into line to accept world government," said the late Usher L. Burdick, Member of Congress, "many things must be done by the United Nations and her agencies, such as UNESCO. First of all, love of country on the part of the people of the United States is found by these conspirators to be very deep and hard to destroy. Here UNESCO comes into play, and out it goes among the school children of the United States with specially trained teachers from Columbia University who teach these children that love of country . . . interferes with a loyalty to a world organization; that they must be fitted, educationally and temperamentally, to forget love of their own country and transfer their loyalty to the world organization. . ."[37]

The international cartelist structure through which the collateral descendants of eighteenth-century Illuminists control the United States government and its people today is represented by the subversive Council on Foreign Relations—so declared by the American Legion, Department of California.[38] In its Resolution of July 1, 1962, the Legion stated, in part:

". . . The Council on Foreign Relations has been exposed by extensive research and much testimony as being actively engaged in

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Footnotes at end of article.

destroying the Constitution and sovereignty of the United States of America. . .

". . . The Council on Foreign Relations has managed to force many of its members into positions of power in both political parties. . .

". . . Hundreds of thousands of Americans have died for liberty, and this liberty is being swiftly destroyed by the members and programs of the Council on Foreign Relations, who, in the name of One-Worldism and United Nationism, are surrendering our country to the enemy, proposing that our country be disarmed unilaterally or bilaterally, that all individuals in the United States be disarmed to make enemy conquest easier, that our Armed Forces be turned over to the Communist-controlled United Nations."[39]

As in the days of the Jacobine Society, control of government for subversive purposes is achieved by securing covert control of the nation's money. The power of the purse was transferred from the Congress to the hands of internationalists by passage of the Federal Reserve Act of December 23, 1913. Since that date, the members of the Council on Foreign Relations, whose Regents are holders of the Class "A" stock of the Federal Reserve System, have dictated the course of the American destiny and the future of her people.

". . . We have in this country one of the most corrupt institutions the world has ever known," said Congressman Louis T. McFadden. "I refer to the Federal Reserve Board and the Federal Reserve Banks."[40]

". . . When the Fed (Federal Reserve Act) was passed," said Congressman McFadden, "the people of these United States did not perceive that a world system was being set up here. . . A super-state controlled by international bankers, and international industrialists acting together to enslave the world for their own pleasure!"[41]

"Every effort has been made by the Fed to conceal its powers," he continued, "but the truth is—the Fed has usurped the Government. It controls everything here and it controls all our foreign relations. It makes and breaks governments at will."[42]

". . . I charge them," Mr. McFadden declared in his bill directing investigation of the Federal Reserve, ". . . with the crime of having treasonably conspired and acted against the peace and security of the U.S. and with having treasonably conspired to destroy constitutional Government in the U. S."[43]

The names of the chief conspirators, who pose as the protectors and benefactors of mankind while secretly furthering nilhistic objectives, adorn the rosters of honor-laden organizations and socities in America and in Europe. They don the protective cloak of respectability in observance of the rules of conduct established by their dark leader, Adam Weishaupt, who ordered:

"The Illuminated Regent shall be one of the most perfect of men. He shall be prudent, foreseeing, astute, irreproachable (Instruction B. for the grade of Regent)."[44]

He shall also be, as has been illustrated in this study, a mattoid—a man of unbalanced and dangerous brilliance.

Associates in the Pugwash Movement, a major agency of policy and propaganda for one-world government planners, offer a convenient index to the psychology of the internationalists who pose as the protectors and benefactors of mankind. "It is in any case evident from their statements," said Duane Thorin in his book, "The Pugwash Movement and U. S. Arms Policy," "that some among the Pugwash membership look upon themselves as something of an intellectual elite, preordained (or perhaps, more scentifically, pre-destined) to order and direct the lives of the rest of humankind."[45]

Many Americans are convinced that these political madmen must be isolated and neutralized if the American social structure is to escape extinction, and if our children are to survive and serve as the living foundations of a free civilization.

This brief and necessarily incomplete study—its thesis supported by authoritative documentation available to any researcher—should bring the reader to three obvious conclusions, namely:

a. That civilizations are established by talented, robust blood lines.

b. That advanced social structures of the recent past have been toppled by powerful men of unbalanced and dangerous brilliance who secretly sponsored nihilistic doctrine.

c. That similar parasitic matoids of the present intend to overthrow the American social order by employing more refined and sophisticated techniques of Infiltration, Subversion, and Rebellion.

Also examined in outline are the ancient roots of revolution and the men and the system which in our era may smash the American civilization—a social discipline brilliantly founded on Constitutional guarantees of freedom of person, and property, and of individual liberty.

And, finally, the legislative road which Americans may wish to follow toward recovery of national reason, toward redemption of individual purpose, and toward restoration of personal security under Constitutional law is trail-marked for all who wish to see and explore.

The practical deduction to be made from this research study, "the Anatomy of a Revolution," is that an informed and indignant citizenry can still excise the malignancy of international cartelism; can excrete cabalistic, interlocking subversion; and can thus restore the American society to health and vigor—providing, of course, that the genetic will to survive has not been bred out of our people during the past four-hundred years of nation-building on the North American continent.

The answer to the latter question will be revealed in the months immediately ahead.

FOOTNOTES

*The safety of the State is the highest law.

[1] David O. Woodbury, "The Madmen," Manchester, N.H., Union Leader, January 17, 1966.

[2] Max Nordau, "The Degeneration of Classes and Peoples," Hibbert Journal, July, 1912.

[3] Ibid.

[4] Lothrop Stoddard, The Revolt Against Civilization, p. 224.

[5] Sir Francis Galton, English anthropologist and originator of eugenics theory.

[6] Edwin Grant Conklin, Heredity and Environment, p. 276.

[7] Samuel J. Holmes, The Trend of the Race, p. 3.

[8] Stoddard, p. 125.

[9] Ibid., p. 126.

[10] Ibid., p. 11.

[11] Ibid., p. 24.

[12] Major Arch E. Roberts, Victory Denied, p. 229.

[13] Nesta H. Webster, World Revolution, pp. 291–293.

[14] Ibid., p. 297.

[15] Ibid., p. 298.

[16] Ibid., pp. 297–298.

[17] Ibid., p. 298.

[18] Alexander Addison, Rise and Progress of Revolution (A Charge to the Grand Juries of the County Courts of the Fifth Circuit of the State of Pennsylvania), December, 1800, p. 18.

[19] Aginter Presse (Lisbon, Portugal), No. 19, Dec. 26, 1967.

[20] Webster, p. 297.

[21] A Constitution for the World, Fund for the Republic, Inc., copyright 1965, pp. 28–30.

[22] Mary M. Davison, The False Face of UNCTAD.

[23] President's Report to the Congress on U.S. Participation in the United Nations, 1961.

[24] President's Report to the Congress on U.S. Participation in the United Nations, 1964.

[25] G. A. Document No. 15 (A/5815), U.N. General Assembly Resolutions, 19th Sess., Dec. 1, 1964–Sept. 1, 1965.

[26] Dr. Harry Elmer Barnes, "Perpetual War for Perpetual Peace."

[27] Roberts, pp. 5–7.

[28] Gulf of Tonkin Resolution (H. J. Res. 1145), Sec. 2 and 3, CONGRESSIONAL RECORD, vol. 110, pt. 14, p. 18471.

[29] Apartheid and United Nations Collective Measures, Carnegie Endownment for International Peace, Chapter 7.

[30] "Planning for Peace," S. Con. Res. No. 32, May 11–12, 1965.

[31] "Reaffirming the Support of the Congress for United Nations Peacekeeping and Peace-Making Operations and for Other Purposes," H. Con. Res. No. 130, Feb. 8, 1967.

[32] "Arms Control and Disarmament Act," Public Law 87–297, H.R. 9118, 87th Congress, Sept. 26, 1961.

[33] Hon. John T. Wood, The Story of the United Nations, Address at the Hotel New Yorker, N.Y., Oct. 10, 1951.

[34] Roberts, p. 243.

[35] William Ralle, L.L.D., A View of the Constitution of the United States of America, pp. 66–67.

[36] Col. H. W. Mathews, "Founders' Intent Made Clear: Treaties Cannot Override Constitution," Houston Tribune, Jan. 25, 1968.

[37] Hon. Usher L. Burdick, "UNESCO, A State Department Agency Created to Put the United States into a World Government," Congressional Record, Aug. 3, 1954, p. 13186.

[38] Council on Foreign Relations, Harold Pratt House, 58 East 68th Street, New York, N.Y.

[39] Council on Foreign Relations: Declared as Subversive, Resolution No. 62–631–28, The American Legion, Department of California, June 28–July 1, 1962.

[40] Hon. Louis T. McFadden, Chairman, Banking and Currency Committee, "Congressman McFadden on the Federal Reserve Corporation," Congressional Record, 1934, p. 3.

[41] Ibid., p. 26.

[42] Ibid., p. 24.

[43] Ibid., p. 52.

[44] Webster, p. 298.

[45] Duane Thorin, The Pugwash Movement and US. Arms Policy, p. 34.

SHIPBUILDING FOUNDERS IN SEA OF APATHY

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article from the San Diego Union:

SHIPBUILDING FOUNDERS IN SEA OF APATHY

What will our nation need in the way of ships for the great oceanographic jobs that lie ahead?

That is a question Congress, and the Pentagon, must answer soon, by adopting definite long-range policy. Many of the rusty ships in our Navy and merchant marine are about to become scrap iron.

Footnotes at end of article.

More and more, each part of the world depends upon ocean shipping from another part, to move foods and fertilizers and bulk and special shipments of all kinds. But the United States of America fails to build ships in the number needed.

If we continue to rely on other countries to build ships our own know-how will perish. This would seem most shortsighted, since shipbuilding can provide good jobs and good investment for our own nation.

If our country were somehow incapable of building ships, then there might be reason for Washington's strange failure to provide for adequate shipbuilding. But many shipbuilders are willing to undertake futuristic ship construction embodying revolutionary design, and utilizing improved maritime research when such research is brought up from its present low level. Labor, too, presumably would be willing to go along with measures designed to make our shipbuilding competitive with other countries in terms of worker productivity.

While Russia builds 448 ships this year, we build exactly 400 fewer! Is this not astonishing? Who is responsible for thinking that our country can get along with 48 new ships for all purposes, when at the same time—in just one official action—we hear of plans for the Navy to retire 50 ships.

As Charles F. Duchein, president of the Navy League, said:

"Each time we cut back on ship construction, every time we close a shipyard, some of our shipbuilding know-how is eroded, and I become apprehensive that our lack of maritime vision may one day destroy our priceless ability to build ships."

At present, we carry only 8 per cent of our own trade on the ocean. A national cry should go up against our country's drift to shipwreck.

SUPPOSED STRIKE OF AGRICULTURAL WORKERS IN KERN COUNTY, CALIF.

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. REINECKE. Mr. Speaker, in recent weeks we have been subjected to a barrage of propaganda from the labor bosses in Washington, as well as California, about a supposed strike of agricultural workers in Kern County, Calif., against the producers of table grapes. An effort has been made to bring about a nationwide consumer boycott of California table grapes. The matter has even been injected into the presidential campaign.

It is always difficult to make the voice of truth heard above a manufactured roar of publicity. One may believe that the truth is mighty and shall prevail, but unless we speak up and say what must be said the lie goes on being spread, unchallenged.

I ask unanimous consent, Mr. Speaker, to have inserted in the CONGRESSIONAL RECORD, at the close of my remarks, a substantial contribution of the voice of truth. On October 3, 1968, the board of supervisors of Kern County, Calif., the county which produces the bulk of the table grapes grown in that State, adopted, unanimously, a resolution which I wish to have inserted. The resolution sets forth the fact that the actual workers on the grape farms of Kern County are not engaged in a genuine strike against their employers. The agitation in Kern County involves primarily outside professional organizers and paid agitators.

Despite all their efforts to persuade and to intimidate the workers, as the resolution makes plain, the grapes in Kern County continue to be picked by regular farm crews, the great majority of whom continue to be, as in the past, residents of that county. These workers enjoy good relationships with their employers. They do not wish to pay dues to outsiders who can do little or nothing to help them and who have already, by their actions, brought threats of unemployment and violence to Kern County. The real basis for the boycott is a desperate effort by the agitators to force these workers into a union under threat of further disruption.

I believe, Mr. Speaker, in view of the national attention which the union agitators have drawn to this essentially local matter, it will help our national understanding to have this resolution appear in the CONGRESSIONAL RECORD. And it would help our Kern County people stand up to this agitation if we all went down to our local market this weekend and asked for and bought California table grapes:

RESOLUTION

Section 1. Whereas:

(a) The Board of Supervisors of the County of Kern is concerned about the growth and development of Kern County, the State of California, and the Nation; and

(b) This Board has always upheld the rights of labor and employers to organize to advance the common causes of their mutual interest; and

(c) This Board has considered such rights to be a responsibility which the parties concerned will fulfill to assure the advancement of the interest of others as well as their own; and

(d) The production and distribution of agriculture products within our County and State are essential to the economic stability and development of the people of our County, State and Nation; and

(e) The products of agriculture are essential to the life and happiness of all people of our Nation; and

(f) Any retardation to the production and distribution of agriculture by acts of labor, grower, political bodies or acts of God is detrimental to both the growth of mankind and the Nation; and

(g) There have been disrupting influences in the production of agriculture which have been detrimental to labor, growers, and consumers of California table grapes in Kern County; and

(h) Many groups, including churches, labor groups, political bodies and its politicians, have taken advantage of this confusion to advance their own purposes; and

(i) Such position by unthinking individuals and groups are not only outside the areas of their jurisdiction and concern but also are positions which have been taken without full knowledge of the facts, leading to furthering of misunderstandings between labor, growers and consumers without benefiting any of the parties concerned;

Section 2. Now, therefore, be it resolved by the Board of Supervisors of the County of Kern, State of California, as follows:

1. The Kern County Board of Supervisors deplores the actions taken by political and other groups in the form of supporting boycotts and demonstrations and urges these groups to return to their positions of constructive leadership.

2. The Kern County Board of Supervisors urges any group or individual that is concerned about the misunderstandings which have developed among agriculture workers, growers, and consumers in respect to working conditions, wages, housing, and benefits to inform themselves on the facts and to exert all possible influence toward strengthening the agriculture of our County and State rather than attempting to destroy it. Some of the misrepresentations and the facts that should be considered are as follows:

A. *Representation:* That the controversy is a struggle between the agricultural workers and the producers of table grapes.

The fact: It is not the actual workers on the farms who are primarily involved but outside professional organizers and paid agitators and sympathizers, as witness that notwithstanding the calling of strikes against the farms, intensive recruiting involving persuasion, intimidation, threats of violence and violence, the grapes continue to be picked by the regular farm crews, the great majority of whom are residents of the area who desire to work, who have good relationships with their employers and who do not wish to pay tribute to a group which can do little or nothing for the agriculture workers.

B. *Representation:* That the agricultural workers should have the right to organize and be represented by organizations of their own choice, a right being denied them by the growers.

The fact: Any group of workers in California, including farm workers, have the right to voluntarily organize to join organizations of their own choosing or not to do so. The real issue is whether a group, being unable to obtain members voluntarily, can compel the growers to force their employees to join such group.

C. *Representation:* That the boycott is against large corporations and corporate type producers who refuse to recognize the group as a bargaining agent for their employees.

The fact: The great majority of the producers of California table grapes are relatively small family farmers, and the indiscriminate boycott of all California table grapes, if successful, will spell economic disaster to these farmers the most of whom have not even been contacted by any organizing committee.

D. *Representation:* The farmers are taking advantage of the poverty stricken farm workers who are virtually slave laborers receiving substandard slave wages.

The Fact: California farm labor is the highest paid in the nation substantially exceeding the $1.60 per hour minimum set by Congress together with such fringe benefits as mandatory workmen's compensation insurance, disability insurance, farm labor camp regulations, farm labor contractors regulations, wage collection law, child labor law, transportation regulations, wage payment law, minimum wages for women and minors, and often free housing and transportation when desired. More to the point, the harvesters of California table grapes are among the highest paid of all California farm labor, with the prevailing wage at a base of $1.40 per hour plus $.15 to $.25 per box enabling an average earning of approximately $2.50 per hour.

E. *Representation:* The producers of table grapes are wealthy farms receiving government subsidies and high prices for their grapes but refuse to share their bounty with their workers.

The fact: The producers receive no government subsidy, are caught in a vicious cost-price squeeze with the cost of production continually and rapidly rising but unable to fix the price of their product accordingly since table grapes are sold on the produce auctions in the big cities and prices brought have in no way advanced commensurate with the increased cost of production but on the contrary the parity ratio has continued to substantially decline.

Be it further resolved that the Clerk hereof cause true copies of this resolution to be forwarded to the Honorable John V. Lindsay, Mayor of New York; to the Honorable Jerome P. Cavanagh, Mayor of Detroit; to the Honorable Joseph M. Barr, Mayor of Pittsburgh; to the Honorable Richard J. Daley, Mayor of Chicago; to the Honorable Phillip Burton, Member of Congress; to the Honorable George E. Brown, Jr., Member of Congress; to the Honorable Thomas M. Rees, Member of Congress; to the Honorable Augustus F. Hawkins, Member of Congress; to the Honorable Edward R. Roybal, Member of Congress; to the Honorable Don Edwards, Member of Congress; to the Honorable Jeffery Cohelan, Member of Congress; to the Honorable Bob Mathias, Member of Congress; to the Honorable Ed Reinecke, Member of Congress; to the Honorable Walter Stiern, Senator; to the Honorable William M. Ketchum, Assemblyman; to the Honorable Kent H. Stacey, Assemblyman; to the Honorable Ronald Reagan, Governor of the State of California; to the Honorable Hubert H. Humphrey, Richard Nixon, George Wallace, candidates for President; to the Board of Supervisors of the Counties of San Francisco, Los Angeles, Riverside, Tulare, Madera and San Joaquin; and to such other public officials, persons and agencies who may come to the attention of the Clerk as taking or likely to publicly express a position upon this matter.

GAMBLES IN THE GHETTOS

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Wednesday, October 9, 1968

Mr. JAVITS. Mr. President, on behalf of the Senator from New York [Mr. GOODELL], who is necessarily absent today, I ask unanimous consent to have printed in the RECORD an article published in the Wall Street Journal of today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GAMBLES IN THE GHETTOS: MORE FIRMS, AIDED BY FEDERAL CONTRACTS, BUILD PLANTS IN SLUMS DESPITE PROBLEMS

(By Albert R. Hunt)

The neighborhoods are congested, dilapidated, dirty and in the center of racial ghettoes. But that's where a growing number of companies are putting new plants.

They are moving hesitantly and with mixed motives of social activism, public relations and profit. They face big obstacles.

Ghetto production costs, especially for hiring and training, are estimated at several times those of plants in prime labor areas. City taxes are high. Black resentment can flare at white intrusion, however altruistic management's motives may be. Failure can mean not only financial loss, but a setback for business' contention that it can help solve the problems of the cities.

Yet with generous help from Government orders for ghetto plants' products and Federal training grants for workers, more companies plunge in. And there are signs that manufacturing in the ghetto may be better business than it seems. Many politicians are proposing tax incentives for ghetto-located plants that could brighten their appeal considerably. One pioneer is already turning an unexpected profit.

Among recently announced projects are:

—Westinghouse Electric Corp. plans a new factory in Pittsburgh's Homewood-Brushton Negro area that will turn out motorized personnel carriers for use in industrial plants.

—Control Data Corp. is building a new plant to make computer components in a Minneapolis Negro section.

—Lockheed Aircraft Corp. is erecting a plant to make aircraft ground support equipment in San Antonio's Mexican-American district. General Dynamics Corp. already has a new metal and woodworking operation there, with products ranging from shipping pallets to aircraft structures.

—Avco Corp. is building a plant to handle the company's printing needs in Boston's Roxbury Negro area. EG&G Inc., the company that triggers atomic bomb blasts for the Atomic Energy Commission, is putting a metal fabrication operation in the same neighborhood.

—International Business Machines Corp. will make computer cables in a plant in Brooklyn's Bedford-Stuyvesant Negro ghetto.

—Brown Shoe Co. is planning to build a shoe plant in St. Louis' Jeff-Vander-Lou slum area.

TRANSPORTATION, LAND PROBLEMS

The moves into the ghetto, of course, will hardly reverse the path industry has been beating toward outlying areas in recent years, particularly for big plants. "Transportation difficulties and problems in acquiring land would make it very hard to put a large plant in a ghetto," says Robert Earle, head of Avco's Roxbury facility.

Indeed, plants currently planned for the ghettos are modest in size and will turn out relatively simple products suited to local skills. The Westinghouse plant will cost about $1 million and employ only about 75 people. Avco's new plant will cost $1.2 million and employ about 220. IBM will hire about 300 in Bedford-Stuyvesant and Control Data will take on about 275 workers in Minneapolis.

By contrast, Westinghouse is building a $65 million plant in the tidy outskirts of Charlotte, N.C., that will employ more than 1,000 workers to make turbines for atomic electric utility power plants.

Most companies insist their ghetto ventures are based on solid plans for profit. They point to Watts Manufacturing Co., set up in a Negro section of Los Angeles in October 1966 as a subsidiary of Aerojet-General Corp., a unit of General Tire & Rubber Co.

The company got its start with a $2.5 million Government contract to make 5,000 Army tents. It has since branched out into making wooden shipping containers as well as metal fabrication and electronics assembly work. Government orders currently account for only 60% of the company's $4 million annual volume and future growth is expected to come "from the private sector," says Leon Woods, Watts Manufacturing's 26-year-old Negro general manager. The plant is operating profitably a year ahead of schedule, he says.

But the chances of a ghetto plant's returning as much on the investment it represents as a more favorably located facility have to be rated slim. Most company officials concede that social activism and public relations figure in decisions to enter the ghetto. In crassest terms, companies are also buying a form of long-range fire insurance. "We can't do business very well if the cities keep burning down," says an official of an electronics manufacturer building a slum plant. And he adds, "If we don't do it, Uncle Sam will, and that will be even more expensive and less efficient."

A GOOD BUSINESS MOVE

"There's no doubt our venture into the ghetto makes us appear a more socially responsible and concerned corporation," says an executive requesting anonymity. "We think it's a good business move, but we'd be lying if we said the expected public relations benefit wasn't a factor in our decision."

To exploit the public relations angle, companies often stage major announcements of ghetto projects such as Westinghouse's lavish press conference to publicize its plant in that city's slums. Announcement of IBM's Bedford-Stuyvesant plant made the front page of the New York Times, whereas a much larger IBM expansion into a typical suburban area would probably have rated only a few paragraphs on the business pages.

Thus most ghetto projects spring from a top-management premise that a company should get involved in ghetto problems rather than from production requirements for a new plant. Corporate decision-making machinery then is put to work on the risks and means.

The president of a large scientific equipment maker, for example, handed a top vice president responsibility for seeing that the company "do something" about urban poverty and unemployment, probably through a training program.

After several weeks of study, the vice president came back with a recommendation for a ghetto plant instead. "We felt this would solve the problem of transportation for ghetto dwellers to the jobs and show people we were really interested," says the vice president. "There was a pretty healthy discussion and several people kept asking what'll happen if the plant burns down."

"START OFF RIGHT" WITH COMMUNITY

But the company's president was enthusiastic. "On the question of the plant burning down," says the vice president, "we decided the best fire prevention was to start off right with the community, working closely with community leaders and carefully avoiding any condescending attitudes." As a result, he says, the community has "acted as a sounding board for our plans and given us invaluable advice."

For companies inclined to tackle ghetto projects, there is often the prospect of substantial Government help to sway their decisions. In addition to all the Government orders Watts Manufacturing has received, the company earlier this year got a $500,000 Government contract to train 200 new employes. The money covers all training costs until the workers meet "the standards of a person with some experience," says manager Woods.

Other companies get similar help. Control Data has received a $1 million job training grant. Lockheed estimates job training and similar subsidies cover 40% to 50% of costs at its San Antonio plant.

Yet other problems, such as high ghetto taxes, remain formidable. Westinghouse says it will pay about $70 in tax for each $1,000 of investment in its new Pittsburgh plant, about triple to $20 to $25 per thousand invested the company pays on non-urban plants. The figure indicates Westinghouse will accept a $50,000 higher tax bill to build its ghetto plant.

In some cases there's black resentment to deal with. Boston City Councilman Thomas Atkins, a Negro, while praising Avco for providing employment, scores the company for "just coming in and telling the community what they were going to do, rather than consulting with various local leaders first."

EVENTUAL CONTROL BY WORKERS

To blunt such criticism, many companies will cut blacks in for "a piece of the action." Watts Manufacturing plans to launch in about six months an employe stock purchase plan that will enable workers eventually to buy up to 51% of the company. Although most of the interest has come from staff and supervisory people, management hopes the idea of equity ownership will gain wide acceptance among the workers.

EG&G plans to reduce its holdings in its Boston ghetto plant to 50% in five years and 25% in 20 years through distribution of stock for management options, an employe stock purchase plan and a public offering aimed at Boston's black community. Fairchild Hiller Corp. plans to hold only 10% of Fairmicco, a Washington, D.C., company set up to train and hire men for sheet metal work and other jobs. A community group that helped fund the concern will hold another 10%, with the remainder sold in a public offering aimed at Negroes.

The leverage a big corporation can wield is being applied to another slum-oriented problem—the high insurance rates ghetto industry often pays. Some insurers, reluctant to anger major customers, are allowing big companies to bring their new ghetto plants under corporate-wide policies at no increase in rates, the corporations say.

Personnel problems are tougher to solve. In order to hire the hard-core unemployed, normal hiring criteria are relaxed. Many companies, for example, won't hire men with prison records, but to fill jobs at its Boston plant Avco seeks aid from Massachusetts' Deer Island Prison, and Fairmicco gets assistance from Bond-A-Bond, a Washington, D.C., organization for ex-convicts.

ABSENTEEISM A PROBLEM

Absenteeism, which once ran as high as 30% at Watts Manufacturing, for instance, is a big problem, at least initially. And the manager of one ghetto factory says, "We have three or four employes who habitually show up drunk." Melvin Barmat, a Fairchild Hiller executive who has helped Fairmicco get started, says several of the prospects Bond-A-Bond sent the company "were found mainlining (injecting themselves with narcotics) in the men's rooms at the plant."

Once hired, the employes sometimes need training on the elementary-school level. Besides job training, some Avco employes get two hours of schooling daily on reading, English, arithmetic and minority group history. But in time, many problems are ironed out to an encouraging extent, most ghetto plant managers say. Watts Manufacturing's absenteeism, for example, is currently a respectable 6%.

Even tougher than finding good production workers is discovering minority group managers and supervisors for the ghetto plants. Fairmicco spent months looking for a Negro to manage its entire operation. But Mr. Barmat said it couldn't find any Negroes who had enough business supervisory experience to take over the job. Recently the company settled on a retired Negro Air Force lieutenant colonel, but Mr. Barmat notes, "We lowered our original criteria. We just had to take a risk and hire someone who's bright and shows potential but doesn't have the background we originally wanted."

Watts Manufacturing also reports a shortage of black supervisors and has set up an "extensive" training program to help overcome the problem, says Mr. Woods, the plant manager.

In some cases companies are trying to help ghetto residents by getting black contractors to build their new plants. Avco tried this but found the companies interested in the contract too small to handle the job. So Avco persuaded a group of small black contractors and realtors to form a consortium to build its Boston plant.

Despite all the problems, there are indications even more companies will plunge into the ghetto. Watts Manufacturing's Mr. Woods says he has been visited or phoned by more than 150 officials from various companies interested in establishing similar ventures. Avco's Mr. Earle says five or six businessmen talk to him weekly for the same purpose.

THE POSTAL TRANSPORTATION SERVICE MUST BE REFORMED

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. NIX. Mr. Speaker, I have today introduced a bill at the request of the Post Office Department, which bill will reform the Postal Transportation Service of the Post Office.

Reform of the transportation contracting of the postal service is necessary because present practices are much too restrictive. This bill may not be the answer, but it is a start and a necessary start.

We have all deplored spending in Government. We are all for saving money, but if we are to do so we must take some fundamental steps. One of these steps is reform of present contracting practices. The Civil Aeronautics Board and the Interstate Commerce Commission must not be empowered to delay the mail with restrictive practices. Whether there is serious disagreement on this subject or not, we must go on with hearings and staff studies.

I have already asked the subcommittee staff to write a report in the transportation area. This bill will be an excellent starting point and give that study some focus. If I am still chairman of the subcommittee during the next session of Congress, I will hold hearings on this subject and we will try to arrive at some compromise which will nonetheless free the Post Office Department to carry out their service in a businesslike way. I hope that we shall be successful.

NEWSLETTER

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. JOHNSON of Pennsylvania. Mr. Speaker, because of the wide discussion in the Nation right now concerning the possibility of the House choosing the next President, I have prepared a newsletter for the citizens of my congressional district in which I attempt to explain the workings of the electoral college system and its application to the State of Pennsylvania. The newsletter is as follows:

NEWSLETTER

DEAR FOLKS IN THE 23RD CONGRESSIONAL DISTRICT: The Second Session of the 90th Congress is about to adjourn sine die. The new Congress, now up for re-election will convene on January 3, 1969. In accordance with my custom, I am sending you this year end Newsletter. It is being delivered to you by patron's mail which is authorized by Public Law 88–248.

IS THE ELECTORAL COLLEGE GOING TO FLUNK OUT?

As this session becomes history, the most important issue being widely discussed in the U.S. Capitol is the possibility that the next President of the United States could well be chosen by the House of Representatives here in Washington.

On the morning of November 6th, by reason of our system of electing a President this nation could find itself in a grave constitutional crisis. "The Electoral College is flunking out," is the catchiest phrase in use at this writing. While the papers and other news media have devoted a great deal of time and space in explaining the "Electoral College," I believe a further discussion of this system of electing our next President will be both interesting and informative.

THE ELECTORAL COLLEGE SYSTEM EXPLAINED

When our founding fathers drafted our Constitution, they felt the average citizen did not have the knowledge to make a wise choice, so they did not provide for election of the President by a direct vote of the people; that is, first by a direct Primary as our Governor is chosen, and then by a popular vote of the people in the Fall. Instead, they set up a two-stage election process, later changed by the 12th Amendment.

Voters on November 5th, instead of voting for the President will be voting for Presidential electors. Already the three political parties have named their electors in Pennsylvania. Each candidate for President has chosen 29, one for each Pennsylvania member of the National House of Representatives (27) and one for each U.S. Senator (2). On Election Day, the political party in Pennsylvania that receives the largest popular vote for President will be the party whose already appointed electors will be the ones to meet and cast their votes for President.

HOW THE ELECTORAL COLLEGE WILL BE CONDUCTED IN PENNSYLVANIA

During my 17 years of service in the Pennsylvania State Legislature, I had the opportunity to observe the Pennsylvania Electoral College in action. The Electoral College for Pennsylvania will meet on December 16, 1968, at the State Capitol in Harrisburg. The other electoral colleges in each state will also meet on this day. The place of the meeting in the Capitol has not as yet been decided upon. However, it normally is in the Hall of the House of Representatives as desks for each elector are necessary for their work.

Before the 16th of December, the Secretary of the Commonwealth will notify the victorious electors to come to Harrisburg to discharge their duties. On this day, the Secretary of the Commonwealth will call the meeting of the electors to order. The first order of business will be the election of a President of the Electoral College, which is always a man. A Vice President will then be chosen which is always a woman. There is then appointed a Secretary (not a member), a Parliamentarian, and three tellers, and other personnel such as Sergeants at Arms, etc. The roll is called to determine the presence of the 29 qualified electors. There must be 29 present. If there are any absences, the rules require that the college elect substitute electors.

One of the highlights of the meeting is the address to the College by the Governor of Pennsylvania. This year it will be by Governor Raymond P. Shafer.

VOTING BY SECRET BALLOT

The electors then proceed to discharge the duty for which they were appointed; namely, that of casting their vote for President of the United States and the Vice President of the United States.

The President of the College conducts the election for the President of the United States. Each elector, as his name is called, comes forward and deposits his secret ballot in the ballot box. When all have voted, the tellers count the votes and announce the result.

The next order of business is to cast Pennsylvania's vote for the Vice President of the United States. The Vice President of the College, a woman, presides over this election. Electors cast their secret ballot for Vice President in the same manner as for President of the United States. The electors all sign a certificate certifying to the fact that they have cast their vote as required by law.

THE FILING OF THE VOTE RESULTS

The results of the voting are then recorded on forms provided for the purpose and properly certified. Six sets of these results are prepared and signed. They are then sent to the following persons:

(1) President of the United States Senate.

(2) Administrator of General Services, Washington, D.C.

(3) Judge of the United States District Court for the middle District of Pennsyl-

(4) The Postmaster of Harrisburg, Pennsylvania.

(5) Secretary of the Commonwealth (2 sets).

The Parliamentarian of the College this year will again be the Honorable S. Edward Moore, the Parliamentarian of the House of Representatives of Pennsylvania, and one of the leading Parliamentarians in the nation.

One of the highlights of the meeting of the Electoral College will be luncheon given by Governor Shafer, which it is expected will be held in the new Governor's mansion in Harrisburg.

THE FINAL COUNTING OF THE VOTE

The final counting of the Electoral College votes of each state will be held in Washington, D.C. on January 6, 1969, in the House Chamber during a joint session of the House and Senate.

Many prominent people in Pennsylvania have been named as electors. Richard Nixon has chosen the Governor of Pennsylvania, the Lt. Governor, as well as Samuel Breene of Oil City, and others.

Hubert Humphrey has chosen Albert M. Greenfield, Jr., of Philadelphia, John R. Torquato of Johnstown and Henry Satterwhite of Bradford, and others.

George Wallace's choices were not available to me at the time of this writing.

TWO HUNDRED AND SEVENTY ELECTORAL VOTES NEEDED FOR ELECTION

I have pointed out that the number of Presidential electors elected by each state is determined by the number of Congressmen and U.S. Senators in the State. The District of Columbia will also elect three electors. That means that there will be 538 electors chosen in the entire U.S. as we have 435 Congressmen and 100 U.S. Senators. The law requires that a candidate for President receive a majority of these votes in the Electoral College, or at least 270 votes.

This requirement that the candidate for President must receive 270 votes to be elected is what has given rise to the saying that "the Electoral College has flunked out." With three strong presidential candidates this year, it is becoming quite possible, some say evident, that no candidate will receive a majority vote of 270.

THE ELECTION OF A VICE PRESIDENT

We've been talking about the President and his election by the House. How about the Vice President? It is the Senate's job to pick the Vice President in the event the Electoral College fails to give a candidate the required number of votes. And, if the House delays in picking a President, the Senate's choice for Vice President becomes the Acting President of the United States.

A "POLITICAL TIME BOMB"

Congressman Udall of Arizona has called our rather peculiar system of electing a President a "political time bomb, ticking rather loudly right now, and it may go off in the early hours of November 6th in an explosion which could produce the gravest kind of divisions and uncertainties for our country."

What happens then if no candidate receives the 270 majority required? The election of the President is then thrown into the House of Representatives. There are, as I stated, 435 members. To pass a bill in the House requires a majority vote of a quorum present. But for President, the vote will be by states. Each state, no matter how big or small will be entitled to one vote. This means that two of the smallest states, Nevada and Delaware, will be equal to the two largest, New York and California. Although New York has 41 Congressmen, it would have the same voting power as Nevada and Delaware, each with only one. A majority of each state's House delegation would determine the state's vote.

WHICH CONGRESS WILL COUNT ELECTORAL VOTES?

I have been asked the question: Which Congress will open and count those votes of the Electoral College and then elect the next President if no candidate receives a majority in the Electoral College? I have previously stated it will be the next Congress which will convene on January 6, 1969, for this purpose. The Constitution was silent on this question, so the Congress in 1948, passed a bill fixing the next Congress convening on January 3, 1969, as the vote counting Congress. Congress, of course, could meet on December 17, 1968, in a special session and repeal this law and provide for an immediate vote counting by this present Congress, but that is not likely.

THE PARTY LINE UP OF THIS 90TH CONGRESS

There being 50 states, a majority of states (26) is necessary for election. What is the political complexion of the present House? Democrats control 29 states; Republicans control 18 states. Three states are tied. It is obvious then that a straight party line vote in the Congress would give the election in the House to Humphrey, unless southern, conservative Congressmen refuse to go along.

THE PARTY LINE UP OF THE PENNSYLVANIA CONGRESSIONAL DELEGATION

How would the Pennsylvania delegation in Congress vote? In the present House out of 27 seats, 14 are Democrats and 13 are Republicans so the answer is clear. It is obvious that both parties in Pennsylvania are cognizant of this narrow margin, and the Democrats are fighting to hold on to their lead, and the Republicans are working hard to elect one or two new members because of the possible importance of this Presidential House vote. Also, the Congressional elections nationwide are being carefully watched because a switch of only 13 House seats from Democrat to Republicans could give Republicans control of 26 House delegations.

THE POSSIBILITY OF A "DEAL" IN THE ELECTORAL COLLEGE

A peculiar rule in the Electoral College would permit a candidate who say comes in third to make a "deal" in the Electoral College. This is so because an elector, though chosen by the political party of the State that received the most popular votes is, when he reaches the college, legally and constitutionally independent and cannot be compelled to vote for his party's candidate. This has happened 17 times in the past two decades. The vote in the Electoral College in Pennsylvania is as I have pointed out a secret ballot. One candidate has already said that he can make a "deal" or a "covenant" before the electoral colleges meet on December 16th in the various states. This would only be possible because the electors are not legally bound.

THP PROPOSED CONSTITUTIONAL AMENDMENT TO CORRECT THESE DEFECTS

It is too late to defuse this so-called "time bomb" for 1968. Between now and 1972 we should make permanent corrections so that the possibility of "deals," etc. cannot happen again. The American Bar Association and many others are crusading for a Constitutional Amendment which would provide for direct popular election of the President. I would favor this method, with proper safeguards for a run-off election by the two top candidates if neither one received more than 40% of the popular vote.

RESULTS OF RECENT GALLUP POLL

The recent Gallup Poll (September 22, 1968) shows the public favors a drastic overhaul of the Electoral process in the United States. 76% favored nationwide primary elections, and 66% favored doing away with the Electoral College, and basing the election of a President on the total vote cast throughout the nation.

THE HOUSE HAS ALREADY ELECTED TWO PRESIDENTS

Our Presidential election system has already produced the situation that I have discussed in this Newsletter. Two Presidential elections have been decided by the House of Representatives:

(1) In 1800, Thomas Jefferson and Aaron Burr were tied with 73 electoral votes each. The divided House took 36 ballots to resolve the deadlock and place Jefferson in office. It was only made possible after Alexander Hamilton threw his support to Jefferson. Later Aaron Burr killed Alexander Hamilton in a duel.

(2) In 1824, a four-party election gave John Quincy Adams 84 electoral votes, Andrew Jackson 99, William H. Crawford 41, Henry Clay 37. Jackson also led in the popular vote. But John Quincy Adams was elected after Clay threw his support to Adams on the promise to be named Secretary of State, which he was.

A THIRD WAS DECIDED BY AN ELECTORAL COMMISSION

This one was the most scandalous election in American history. It occurred in 1876 when Samuel J. Tilden secured 250,000 more popular votes than Rutherford B. Hayes. Florida, Louisiana, Oregon and South Carolina returns were disputed. An Electoral Commission created by Congress gave the election to Hayes by an electoral college vote of 185 to 184. Newspapers promptly pilloried Hayes as "His Fraudulency." It is said that Hayes, in order to be chosen, agreed to remove northern troops which were occupying the south, which he promptly did do after his selection.

In closing, I trust that the above discussion of our Electoral College will result in your being better informed than you were before you read this Newsletter. I realize that the system is complicated, and not too easily clearly explained. You will observe as you receive other publications that different phases of the problem will be discussed. By Election Day, you should be an expert on the question!

Sincerely yours,

ALBERT W. JOHNSON.

P.S.—If you care to receive any of the following, please advise:

(1) Inaugural address of John F. Kennedy, suitable for framing.

(2) Large map of Vietnam and Southeast Asia.

(3) A 1,000 page volume—the Congressional Record of the 90th Congress.

(4) A new compilation of scholarship aids to college students prepared by myself.

(5) Agricultural Yearbook, "Consumer's All."

(6) Official 1968 road map of Pennsylvania.

RICHARD NIXON WARNS OF DECLINE IN U.S. NAVAL SUPERIORITY

HON. WILLIAM H. BATES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BATES. Mr. Speaker, as my colleagues in this Chamber well know, I have long been gravely concerned about the rising threat of the Soviet Union to supersede the United States as the foremost seapower in this troubled world.

I was, therefore, especially heartened by a statement by former Vice President

Richard M. Nixon at Norfolk, Va., on October 2, stressing the alarming decline in our naval posture. Mr. Nixon's pertinent recitation of this subject obviously takes into account the efforts of the House Armed Services Committee and the Joint Committee on Atomic Energy, on which I serve, to try to have our seapower enhanced so as to keep ahead of the Russians. It also points up the almost equally dramatic advance by the Soviets in merchant marine and fishing vessels.

We have read in the CONGRESSIONAL RECORD some of the recent warnings by the Navy League of the United States and its president, Charles F. Duchein, about the danger to our security posed by the shifting ratio in seapower, in both naval and merchant shipping, from Western to Communist blocs. The American Legion and the Veterans of Foreign Wars are among other patriotic groups which have raised their voices to appeal for the necessary action to prevent the United States from becoming a second-rate oceanic power.

Therefore, the views expressed by Republican Presidential Candidate Nixon reflect the thinking of many of his fellow Americans. Because this is a message which the Congress especially should heed, I wish to present Mr. Nixon's statement on the decline of U.S. naval superiority, as follows:

> Americans must come to grips with two critical facts:
>
> First, the Soviet Union is making a very impressive bid to become the world's number one sea power.
>
> Second, the United States has not been doing what it should to keep the Soviets from overtaking us.
>
> At the end of President Eisenhower's Administration, our Navy held not only an unquestioned superiority but also the momentum to maintain that superiority. But new civilian leaders of the Defense Department decided we could take a breather from the brisk Eisenhower pace.
>
> There was an open discounting of the Soviet naval threat. The strategic advantages gained in the 1950's began to melt away. There was an abrupt default on the Eisenhower commitment to a nuclear-powered Navy.
>
> Over vigorous protests from Congress and the Navy, conventional rather than nuclear power was required for our latest aircraft carrier, the John F. Kennedy.
>
> Now the carrier has been launched and most naval authorities around the world describe that decision as an irretrievable and major mistake. Just last week, the authoritative London publication, "Jane's Fighting Ships," again mourned the error.
>
> Congress finally forced the euphoric defense planners to change their plans. But Congress could not stop the departmental dragging of feet. So our first nuclear carrier, the Enterprise, will not get its full complement of nuclear escorts until 1972. The Nimitz, also a programmed nuclear carrier, will not have nuclear escorts until 1976. Two additional nuclear carriers won't have nuclear escorts at all, according to present plans.
>
> One more example: The freeze on nuclear submarines. This decision cut back new development and set the upper limit of nuclear subs at 69, despite the Navy request for 105. The result has been a widely acknowledged submarine gap vis-a-vis the Soviet Union. Why did it happen? The reply from top-side Defense Department is that the Navy always asks for more than it needs, so its requests must be cut just on principle. I say that's a poor way to provide naval strength for our country.
>
> In these and other ways our future Navy strength has been compromised. While defense leaders have temporized, the Soviet Union has mounted a major challenge against western seapower. In an important policy change, the USSR undertook a crash program of shipbuilding, and in just about 10 years has created a powerful modern navy. She has mass produced submarines on a wartime schedule, and today has about 380 operational subs as compared to our 150.
>
> Moreover, her navy is one of the most modern and efficient afloat. Two-thirds of our ships are of World War II vintage and must therefore spend an inordinate amount of time in port for repairs.
>
> By contrast, Soviet ships are known in world ports as among the most modern and most reliable vessels. New vessels are constantly increasing the size of the Soviet Navy. A good part of our ship building merely replaces old ships which are being retired. In addition, the Soviets have built a merchant marine fleet which threatens to surpass ours in the early 1970's. Their fishing fleet is already the world's largest and most modern. They have also taken the lead in oceanographic research.
>
> Soviet ships in the Mediterranean have increased from 6 to 46 in a single year. In the Baltic Sea the Soviets have built up a five-to-one advantage over NATO seapower.
>
> There is new Soviet activity in the Sea of Japan, where 16 Soviet vessels suddenly moved into action last winter when the North Koreans seized the Pueblo. With the planned British pull-back east of Suez, the Soviets now threaten to move into the Indian Ocean as well.
>
> Communist governments in both Hanoi and Havana are kept going in large measure by Soviet shipping and seapower.
>
> Now, Admiral Gorshkov, the man who has built the new Soviet Navy, boasts that the U.S. will have to admit in time that it no longer has mastery of the seas.
>
> "Jane's Fighting Ships" now predicts that the fight for the Western Pacific may well be between China and the Soviet Union. The U.S. has underrated Soviet strength, says Jane's, and may be left out entirely" along the whole Pacific seaboard from Siberia to Sumatra."
>
> Have there developments stirred our civilian defense leaders to action? Not at all. Last summer, the department announced a reduction of the current naval force by removing 50 ships and 100 aircraft from active service. Even though it was agreed to go ahead on the new high speed submarine which had earlier been cancelled, authority has been withheld to proceed with the super-quiet attack submarine, the one the Navy's planners and Admiral Rickover contend is the most important.
>
> Clearly, we face a troubled future for our naval strength. Democratic-controlled congressional committees, meeting in closed and open sessions, have explored these developments. They have called for action, and experts have warned repeatedly that America is in danger of falling behind. One democratic senator has complained that we are bogged down; others have attacked their own party's planners. The word has spread throughout the Department of Defense—and reported in a number of publications—that the United States is in great danger of becoming "second best" on the seas, particularly in submarine power.
>
> I say that second best isn't good enough. Most assuredly not when the defense of the United States is at stake.
>
> It is time to put a fresh team in charge—one that is fully alert to the strategic challenge from our adversaries, and fully committed to meeting that challenge.
>
> My Administration will provide that leadership. It will restore the goal of a Navy second to none.

REPORT TO CONSTITUENTS

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include the following report to my constituents:

MEMO

FINAL REPORT

This will be my last newsletter for the 90th Congress. Congress is expected to adjourn or recess this weekend, and I will return to the district as soon as possible thereafter. Here, in broad and general terms, is my assessment of the legislative year.

ATMOSPHERE

As I pointed out in January, Congress met this year in an atmosphere of mounting crises. At home, inflation was eroding the value of the dollar; crime and racial unrest posed grave internal threats; the nation was divided bitterly over foreign policy; abroad the war in Vietnam ground on; our European alliances were in a state of disarray, and the dollar was threatened by a chronic deficit in the balance of payments.

EVENTS

As the year wore on, these crises saw no turn for the better and became worse in many instances. Incredibly shocking events charged the atmosphere still further; the King assassination; riots in the Nation's Capital; the retirement of President Johnson; the Kennedy assassination; the Chicago convention; the invasion of Czechoslovakia; student rebellions. The common American reaction became "What's happening to us?" and, in the general vacuum of leadership, there were few satisfactory answers.

FAILURE

In a Memo, I tried to pinpoint one of the problems: "We are witnessing, in my opinion, a failure in national leadership. The times call for a concentration upon those problems which can cripple us if not solved—the successful prosecution of the war, strengthening our international monetary position, curbing inflation and an all-out, top-to-bottom effort against criminals. If these problems are not successfully solved, we will simply be unable, because we will not be strong enough, to handle the myriad of secondary problems which press upon us. We have spread ourselves too thin. We are unable to do everything, to solve every problem, at once. Yet the President, instead of concentrating upon the essentials, (proposed) to Congress that we spread ourselves still thinner."

GAP

The leadership gap extended to the majority party in Congress. The congressional leaders seemed in a continual state of disarray, reflecting perhaps the problems of the times, the uncertainties and confusion surrounding their party leader in the White House and the disunity within their party. Like the Administration, little consideration was given to priorities. This prevented the completion of congressional business on time, requiring reconvening after the political conventions and, possibly, a "lame-duck" session after the elections.

ACCOMPLISHMENTS

The legislative record was spotty. A social security bill was enacted, as were new laws involving air pollution, gun control, housing, crime, conservation, civil rights and consumer financing. Other laws were revised: the draft act, the copyright law, aid to education. Taxes were increased. The Congress tried, but had no real stomach for, the hard steps to bring spending under control. Other bills died, including the much-needed congressional reorganization and campaign spending reform bills.

AHEAD

Our problems will still be with us when the new Congress and a new Administration take office next January. Whoever wins, it ought to be our non-partisan hope that this country can unite once more and move forward under vigorous leadership to bring those problems under control lest, in the end, they control us.

MISLEADING ATTACKS ON SOCIAL SECURITY

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. MURPHY of New York. Mr. Speaker, I am deeply concerned over a number of pamphlets that have been circulated in the past year which make false and misleading attacks on the social security system. I have repeatedly requested and received the cooperation of the press in an effort to correct the false claims of this pamphlet, and I have broadcast on radio and television for the same purpose, but in spite of this effort many reputable organizations continue to print this false information, and as a result large numbers of people are led to believe that the social security program is being weakened. In an effort to correct the false impressions caused by this pamphlet, I am enclosing a letter I have sent to many of my constituents who have contacted me on this subject:

SEPTEMBER 27, 1968.

DEAR FRIEND: Thank you for your letter of recent date in which you express concern over the enactment of H.R. 5710. From time to time I have received similar communications as a result of a flyer now being circulated in some areas about this bill. Upon consulting with Social Security Commissioner Robert Ball, I learned that the circular being passed around was traced to a private citizen who explained that he had been misled.

As a member of Congress who has worked for and supported Social Security legislation for many years, I am greatly disturbed by these reports, which are totally false. Therefore, I would like to clarify this issue with the facts of the case, and I hope you will communicate my views to your membership.

H.R. 5710, though not enacted as framed, included provisions that were subsequently incorporated into H.R. 12080, and later enacted into law as the Social Security Amendments of 1967. These are the amendments that increased social security benefits beginning with checks payable in March 1968 and improved social security in many other ways.

Neither H.R. 5710 nor H.R. 12080 would have done what the flyer claims. Nothing whatever in either bill provided for channeling social security contributions into public assistance (welfare) programs, or for allowing social security administrators to decide what amount of benefits an individual is to get based on what they think his need is. Neither bill proposed any change in the long-established provisions of the social security law which require that each beneficiary be paid in strict accordance with the tables and formulas clearly set out in the law itself.

The misunderstanding behind the flyer probably arose from the fact that H.R. 5710 did contain some proposed changes in the public assistance laws; this probably caused the author of the flyer to think those changes applied to the social security program. The fact is, of course, that they did not.

Sincerely yours,

JOHN M. MURPHY,
Member of Congress.

THE PRESIDENTIAL ELECTORAL PROCESS

HON. EDWARD HUTCHINSON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. HUTCHINSON. Mr. Speaker, although our constitutional process of presidential election is as old as the Government itself, there is much confusion and misunderstanding about it. In an effort to remove the confusion I have prepared an explanation of the process, step by step, as it will work in the State of Michigan this election year. To the people of Michigan, I say that when you cast your vote for President on Tuesday, November 5, you actually will be voting for a slate of 21 presidential electors chosen by the political party of the candidate for whom you vote. All of the 21 are residents of Michigan and one is a resident of our Fourth Congressional District. None of them are Federal office holders.

Each political party in Michigan agreed on its slate of 21 electors at State party conventions held earlier this year. The electorate of Michigan is permitted to choose 21 presidential electors because that number is equal to the State's total membership in the Congress—19 Representatives and two Senators. Whichever political party wins the most votes—on a statewide basis—for its presidential candidate on November 5 will elect its total slate of 21.

These Michigan electors will meet at the State senate chamber in Lansing on Monday, December 16. All will be either Republicans or Democrats. Wallace supporters dream of the possibility that the 21 might all be third party American independents. More realistically, however, the effect of the third party effort in Michigan most likely will be limited to pulling votes away from the two major parties. This could influence the outcome of the election in our State sufficiently to determine whether it will be Republican or Democratic electors who convene December 16 in Lansing.

Once convened in our State capital the chosen presidential electors will cast ballots for President and Vice President and they are expected to vote for the candidates of their party. Regardless of the outcome of the election nationally, they will vote for their party candidates because they carried Michigan. Results of the balloting will then be sealed and delivered to the President of the U.S. Senate.

On that same day—December 16—electors chosen in each of the other States and the District of Columbia also will meet in their respective capitals, cast their ballots for President and Vice President, and transmit them to Washington. In all, 538 electoral votes will be cast, a number equal to the total membership of the Congress—435 Representatives and 100 Senators—plus three for the District of Columbia.

The Congress elected November 5 will take office at noon on Friday, January 3. On Monday, January 6, at 1 p.m., the Senate and House of Representatives will meet in joint convention in the Hall of the House. Tellers will be appointed and the President of the Senate—Vice President HUMPHREY—will proceed to open the certificates from the several States and the votes for President and Vice President will then be counted. If, after all of the electoral votes have been tabulated, it is found that at least 270 out of the 538 were cast for one candidate for President and one candidate for Vice President, the winners are declared elected and the electoral process is completed.

But if the candidates of no party are found to have received the required 270 electoral vote majority, then the Senate will retire to its Chamber to choose a Vice President—selecting from the top two candidates. The House would immediately proceed to elect a President, but it may choose from the top three candidates, rather than the top two as in the Senate.

In electing a President each State would have but one vote in the House. How that vote would be cast would be determined by the political composition of that State's delegation in the House. Michigan has 19 Representatives so our State's vote would be cast for whichever candidate at least 10 Michigan House Members could agree upon. The votes of 26 States—a majority of the 50—would be necessary to elect a President.

Twice in our history the House has been called upon to elect a President. The first time occurred as a result of the election of 1800. Thomas Jefferson and Aaron Burr each had received the same number of electoral votes—a tie. The House chose Jefferson. In 1824 no candidate had received a majority of the electoral vote and—even though Andrew Jackson had received the most—the House elected John Quincy Adams, who had been second on the list.

Ever since 1824—for 144 years—the electoral system has worked. Only once in that time has it stumbled. This was in 1876 when Congress met in joint convention to count the electoral votes and the certificates of some States were disputed—three Southern and one Northern State having transmitted conflicting returns. To resolve the dispute, a special commission was created to advise Congress which lists were valid. Thereupon, Rutherford B. Hayes was declared to have received 185 votes and Samuel J. Tilden 184, there being a total of 369 electors at that time.

In all three instances—1800, 1824, and 1876—there was an interval of 4 months between the November election and the inauguration on March 4. Now, however, we inaugurate our Presidents on January 20. The electoral vote is counted on January 6, allowing only 2 short weeks if the House is called upon to elect a President.

The procedure followed in the Senate for the election of a Vice President in case the candidates of no party receive the requisite 270 electoral votes is slightly different than that prescribed for the House by the Constitution. In choosing a Vice President, every Senator has a vote and 51 votes out of the total membership of 100 are required to elect. If, by Inauguration Day, January 20, the House had not yet chosen a President, the Vice President elected by the Senate would become acting President.

But all of this procedure will be avoided—as it has been avoided for 144 years—if the American people choose to support the two-party system in the presidential elections on November 5, 1968.

NIXON FACES THE ISSUES: A BLUEPRINT FOR AMERICA

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BROCK. Mr. Speaker, more than any other presidential candidate, Richard Nixon has been open, detailed, and candid on the vital issues of the day. A good example, though by no means the only one, is an in-depth interview between Mr. Nixon and the staff of U.S. News & World Report, published October 7, 1968.

In it, Mr. Nixon demonstrates his keen grasp of events—a quality needed more than ever before in today's fast-paced world.

Because of its timeliness, and because of its interest to the Members of this body and the American people, I ask that this interview be printed in the RECORD.

The article follows:

IF NIXON IS PRESIDENT

Question. Mr. Nixon, how do you see the election outlook at this point?

Answer. I think we're ahead in the major States, and if the election were held today, I believe we would win.

However, every time I see a favorable poll—and many favorable polls are being printed at this time—my reaction is just the opposite from what might be expected. I give instructions to all of our campaign directors in the various States to put on an extra effort because I do not want the "Dewey syndrome" to develop in 1968. That's the reason why in every one of the major States, even though the polls indicate that we're ahead, our campaign activities actually are being stepped up.

Question. Have you been able to estimate this in terms of electoral votes of States?

Answer. No. I've read the various accounts by the news magazines, including yours, and the networks. But we are simply planning our campaign on the assumption that in the last few weeks a lot of decisions will be made—and we want to be sure we affect those undecided voters.

But if we can maintain our momentum at its present pace, we'll win.

And I emphasize this: Our goal, even though we appear to be ahead, is to go all out so that we can reduce the possibility of the Presidency being determined other than in the Electoral College.

Also, we're going all out for another reason: We're vitally interested in the outcome of key races for the House and Senate. We have been told by House and Senate candidates all over the country that the success of our campaign to date has increased the chances of Republicans' carrying the House and of making even more substantial gains in the Senate than had been anticipated. In fact, [Senator] George Murphy [chairman of the Republican Senatorial Campaign Committee] now is predicting 10 possibly more—but a net gain of 10 Senators, whereas his earlier hard prediction was a gain of eight seats.

Question. Do you think that the third-party candidacy of George Wallace threatens some sort of crisis in the normal functioning of the electoral process?

Answer. If it should happen that Wallace were to carry all of the States of the South which he presently is trying to carry—he will not carry any of the Northern or Western States, of course, but if he were to carry all of the States of the South, including the "Eisenhower-Nixon South" as well as the Deep South—then it would mean that Humphrey or Nixon would have to win overwhelmingly in the North in order to avoid an Electoral College crisis.

Now, if Humphrey and Nixon fight a fairly even battle in the North, then nobody will have a majority in the Electoral College and the election goes to the House of Representatives. I would see there a real donnybrook, a constitutional crisis of major magnitude, with trading, promises and so on, which I do not think would be in the best interests of the nation.

Question. Are you doing something to try to offset such an election result?

Answer. First, we're working hard. The second thing is this: I am campaigning in the South. I've urged Humphrey to go South. I don't think that we should just leave the South sitting out there as Wallace's province.

I believe we can carry Florida—and, incidentally, I've had late polls on this since we last talked to the press. It's close, but we can take Florida. Wallace is second there now. We have a fighting chance in South Carolina. We have a good chance in North Carolina, Virginia, Tennessee and Kentucky.

Question. Texas?

Answer. Texas—a good chance. We're going to go for Texas. That's a battleground State. Texas is the closest of the Big Seven at the moment.

Question. Are there any extraordinary events that could intervene between now and Election Day which might change the election outlook?

Answer. Only a dramatic news development out of Vietnam, in my view, could change the outlook. I mean by that if the negotiations in Paris should result in a real cease-fire—not simply bringing home a few troops or something of that sort, but something that people would believe.

Speaking, of course, from the standpoint of the country, I would hope that we could get a breakthrough. My briefings to date do not indicate that one is in prospect.

TOP PRIORITY: VIETNAM

Question. If you are elected President, what are the top-priority things that you think must be done in this nation?

Answer. In foreign policy, the first item we must deal with is Vietnam. Everybody recognizes that. And on that I will stick with the position I have taken to date: I will not jeopardize the negotiations by indicating any of the various avenues I think should be explored or attempted to get the talks off dead center. But Vietnam must be the top-priority item in foreign policy.

What is often overlooked is that in foreign policy we also must put at top priority our relations with the Soviet Union. The situation in Czechoslovakia, the Soviet movements toward Rumania, the concern in West Germany—all of these indicate that discussions between the United States and the Soviet leaders—particularly and only after we have had preliminary discussions with our European allies—that this must come along.

And our foreign policy toward the Mideast. These are the three first: Vietnam, relations with the Soviet Union, and the Mideast. Building the NATO complex back again is related to Soviet policy and is part of the same question.

At home, the top-priority problem is the restoration of law and order. This is both a short-range problem and a long-range problem.

Short range, it means an entirely new attitude about law and order, from the President and the Attorney General right on down the line. I know that I've been criticized by Humphrey on the ground that I'm attacking the Attorney General. I have no personal animosity toward anybody in the Administration. It is the conduct of the office that I'm concerned about. I intend to bring a whole new team into the Justice Department which will be oriented toward launching a major nationwide attack on organized crime and on strengthening the hand of the peace forces across the nation.

I emphasize here not only what the Federal Government will do, but the Federal Government providing leadership to State and local police forces where the primary responsibility lies. That's why a national conference of law-enforcement officials from around the country will be high on the agenda for a Nixon Administration in reestablishing the law and order. That's the short-range problem.

Long range, we have to get at some of the core-city problems which have to do with everything from rebuilding the cities to training the unemployed, providing hope for those who live in the ghetto areas, and so forth.

Question. You talk about crime. What about riots and civil disobedience and student uprisings?

Answer. They're related. Here what we need is, first, a change of attitude on the part of the American people with regard to the limits of dissent. Putting it right on the line, I think there's been too much of a tendency in the past few years for some political figures, for some church leaders, for some educational leaders—in all instances—to take the position that anything goes, provided the cause is worthwhile.

That is why I have emphasized in speech after speech that under our system, which provides a method for peaceful change when we don't like something in our society, there is no cause to justify breaking the law or resorting to violence. I think that the President, the new Attorney General, the whole new Administration can provide the educational leadership that is needed to change this attitude in the country.

Beyond that, we then have to provide for our law-enforcement officials the necessary training, the necessary numbers to deal with these situations when they do arise—to deal with them fairly, but deal with them swiftly and with adequate power at their disposal.

Question. What is your view of the effects of court decisions?

Answer. I have emphasized my support of the omnibus-crime-bill provisions which would modify some of those decisions. And I, along with the new Attorney General, intend to examine other court decisions after consultation with local law-enforcement officers to see how the hand of the "peace forces," as I describe them, has been weakened as against the criminal forces—because we must restore that balance.

What has happened is that decisions not

only at the highest level but at lower levels in our court systems, and also administrative decisions with regard to parole and clemency, have been too lenient and have weakened the peace forces against the criminal forces.

This doesn't mean that we're going to go overboard the other way in destroying the rights or curtailing the rights of any individual who may be charged with a crime and who may be innocent. But I think the balance has gone too far, and I intend to take personal charge and personal leadership in this field.

The two areas where I have special competence, where I intend to—naturally, I will have strong Cabinet officers—but where I will take personal responsibility are in the area of foreign policy—where I will have a strong Secretary of State but I am going to take a major responsibility myself in that area—and in the area of law enforcement—where I will have a strong Attorney General but I'm going to personally supervise and provide the leadership in that field and not let it fall between the stools.

"STOP LIVING-COST RISE"

Question. What would you do about fiscal and economic policy?

Answer. What we need again is a new team and a new attitude—Secretary of the Treasury, Director of the Bureau of the Budget—and my general guidelines are well known.

I feel that we need an economic policy, a new fiscal policy which will stop the rise in the cost of living and will stop the flow of our gold abroad and shore up the value of the American dollar. This means new budget policies and new credit policies as well. This kind of leadership must be exerted, of course, with great care so that we do not trigger a recession.

But I believe, based on my discussions with a top group of advisers—and my group of economic advisers are first class—that we can turn this thing around and re-establish the value of the American dollar and maintain it.

I do not go along with those who believe that the only way we can have prosperity in this country is through constantly depreciating the value of our dollar.

Question. Does this mean a balanced budget?

Answer. Not every year, no. It means a balanced budget in terms of a long term—in other words, a cyclical five-year term, shall we say. But there may be occasions—for example, when you have an international crisis or when you have a domestic crisis—when it may be necessary for the Government to step in with spending programs or tax programs to keep the economy moving up, because one thing I do pledge in this campaign is that we will use every power of Government to avoid a recession.

On the other hand, it means that when you do step in and use Government credit and tax policies to avoid a recession when you are in a boom period, that is the time to cut back on Government spending. When your private economy is booming, then your Government spending could come down. Also, when your private economy is booming, this is a time for restraints as far as Government credit is concerned.

I believe this Administration has failed, in that in times of boom it has continued to pour the coal on. This has been the mistake.

Question. Your opponent says that the nation has had 90 months of continuous economic growth and prosperity under the Democrats—

Answer. There's a complete answer to that. I was just looking at the figures as far as wage earners in the United States are concerned.

Let me describe who "wage earners" are: These are union members and those individuals who, since 1965—in the last three years—have been the recipients of constantly increasing wages. And yet the wage earner in America over the past three years has been on a treadmill. He hasn't gone ahead at all. Every bit of his increase in wages has been sopped up by an increase in prices and taxes. That's true of factory workers; that's true of most union members; that's true of non-union members across the board.

That's the group in the society that should be the best off in this period of inflation, because they have had increases in their wages.

Then when you look at the 20 million people who are on fixed incomes—these are the retired people, the people living on Social Security, and the rest—they have fallen behind in the last four years.

So when we talk about not the last eight years but the last four years, which my opponent has to defend, we find that wage earners are no better off—they've been on a treadmill—and that the 20 million "forgotten" Americans who are living on fixed incomes and are retired are worse off as a result of inflation.

Question. What would a Nixon economic-fiscal policy mean—for business, for employment, for taxation on the average taxpayer?

Answer. A Nixon Administration would mean a constantly expanding economy. I intend to use the tax and credit policies of the Federal Government to spur the economy, and particularly to direct the private sector—private enterprise—into those areas in the economy, like the rebuilding of our cities and the training of the unemployed, where we need some action taken.

On the other hand, a Nixon Administration would differ from the previous Administration in that we would have economic growth without war and without inflation. Over the last four years, we've had economic growth with inflation and at the cost of both inflation and war. I believe that our objective must be economic growth without war and without inflation, and I believe it's possible.

But I want to emphasize that a Nixon Administration, in terms of the economy, doesn't go back to what is called the traditional "old economics" of being completely bound to a balanced budget every year, standing by while an economy plunges into a recession. I'm an activist as far as the economy is concerned and the use of fiscal policies to keep it going.

To that extent I'm a "new economist," because I believe in using tax and credit policies for the purposes of taking up the lag where the private sector is not providing adequate employment. But I believe that we can take up that lag and keep the economy going at a high rate without the inflation which this Administration has brought.

CUTTING WELFARE ROLLS

Question. What about the growing number of people who are on welfare, poverty and unemployment benefits, free medical care?

Answer. A major objective of the new Administration will be to get all of those who are able to work off welfare rolls and onto payrolls.

That's why I favor a tax credit to private enterprise to train the unemployed and why I have a number of programs that will be designed to get our whole private-enterprise complex involved in moving the employable among those on welfare away from the welfare system to become productive members of the society.

Let us understand—as far as the aged are concerned, as far as those in need who cannot help themselves, then I am for a generous policy of Social Security benefits. For example, I support the Republican platform's provision for increasing Social Security benefits in the event there is inflation—cost-of-living increases.

But I distinguish between those who cannot take care of themselves and those who can. Those who cannot take care of themselves should be provided for generously by the Government. Those who can take care of themselves—rather than telling them how much Government is going to do for them, what we're going to tell them is how much they can do for themselves under the programs that we will offer.

Question. There seems to be a growing trend in this country of strikes by public servants. Do you think this is in the public interest?

Answer. I do not, and I take a strong stand against any strike by a public employe. I believe that public employes, like Federal Government employes, postal employes and others, have the right to organize, and that it is the responsibility of those in government positions to see that the government employe does not fall behind his colleague who may be his neighbor and who works in private employment. But I think that once a person undertakes government employment, he must give up the right to use the strike weapon.

I do not believe that the education of our children, the health of our cities, the safety of our people can be made hostages on the collective-bargaining table.

So whether it's strikes by teachers or strikes by sanitation workers or strikes by policemen or firemen, I am unequivocally against such strikes and believe that both federal and State law should stand firmly against them.

Question. You would support having that written into law—

Answer. Oh, yes, yes. Let us understand this: The strikes by government employes that we've seen across the nation are primarily local in the cities and in the States. But the Federal Government should set an example by seeing to it that we take care of our postal workers and the 2 million other people who are on federal payrolls by seeing that they stay even in their increases with the organized workers of union labor.

On the other hand, we cannot tolerate strikes by federal employes, and I do not believe States and local governments can tolerate strikes by local government employes.

Question. If you are elected President, how would you propose to organize and administer the Federal Government?

Answer. There'll be a complete reorganization of the Federal Government after we've had an opportunity to study it in detail. Now, I say "the opportunity to study it in detail" because I have been away from Government for eight years. The Government has grown "like Topsy" during that period.

I believe that the time has now come for a new Hoover Commission type of study which will study not only how we can do what we're presently doing with the present agencies more efficiently, but also will make recommendations with regard to how functions now being undertaken by the Federal Government might be undertaken by State and local governments, and also how functions being undertaken by government could possibly be undertaken by private enterprise.

I think that the time has come for a complete re-evaluation of the role of government generally in the lives of the American people, and of the federal, State and local relationship. I have summarized my attitude by saying that, after a period of 40 years when power has been flowing from the States and local governments to Washington, I believe that power should now start to flow from Washington back to the States and local governments.

Now, that doesn't mean that I would let it flow back if the States and local governments are not responsible and will not undertake it. But fortunately we now have stronger State governments, stronger local governments than we had in the past, and I think they are ready to undertake some of these functions. That's why I'm for federal tax-sharing, and that's why I'm for federal block grants to the States. Government has gotten too far away from the people.

A CABINET OF "BIG" MEN

Question. Outside of functions, is there a question of selecting competent people and delegating authority and responsibility?

Answer. Yes. I feel very strongly that this Government has gotten so big that no one man can even presume to run it all out of his vest pocket, no matter how big his vest is. For that reason, I intend to select a Cabinet of "big" men.

As we know, in the history of this country we've had some Cabinets in which Cabinet officers basically have been errand boys for a President and other Cabinets where we have had strong, independent-minded Cabinet members.

I intend to find the 12 best men in the country that I can for these positions—the strongest men. I'm going to delegate power to them. And I'm also going to do the same with regard to the independent agencies. I'm going to delegate power and give them the responsibility to run their departments.

I think the President's mind and attention must be left clear to deal with those problems where only he can provide the leadership—that is, first, in the field of foreign policy, where only he in some instances can make the great decisions; and, second, in this specialized field that I mentioned a moment ago of the restoration of respect for law and order, where I must assume and will assume a personal responsibility.

Question. How do you visualize the role of the United States in the world today?

Answer. The world has changed. Going back 20 years—through the time I was in Congress and through the Eisenhower Administration—I have supported foreign aid, I have supported the U.S. responsibility to come to the aid of other nations when they have been under attack or threatened by aggression. I believe that policy was right during that period.

In the period immediately after World War II, for a period of 10 years the nations of Europe and the free nations of Asia didn't have the wealth, they didn't have the will to play a world role.

But the situation has now changed. Those nations that we have assisted in Europe—and, when we look to Asia, the Japanese, for example—are now wealthy nations. And that's why I believe that we must develop programs in which other nations in the free world assume a greater responsibility for their own defense and for assisting smaller nations when they come under attack.

That's why the whole foreign-aid program needs a complete re-evaluation: I believe the United States is spread too thin in too many countries.

I believe also that we must examine our commitments around the world. I don't believe that the United States should become unilaterally involved in as many areas as we have in the past.

I am not advocating a new isolationism. What this really is is a new internationalism. In the past few years, we have slipped into a situation where we have gone over the heads of our friends in Europe: We've dealt directly with the Soviet Union; we have moved unilaterally in various areas, whether it was in Latin America or in Asia, in order to help nations that were under attack.

Now I think the time has come for a re-evaluation of the U.S. role. We are the richest and strongest nation, but other nations have got to assume a share of this burden.

Question. Would it be possible, without foreclosing your freedom of action in the future, to state in general terms your views on dealing with the stability of Asia?

Answer. In dealing with the stability of Asia, if we're to avoid future Vietnams in Asia, we must recognize the fundamental principle that the United States, when another nation comes under attack, should have as its objective helping them fight the war—but not fighting the war for them.

We should also have in mind the fundamental principle that free Asians, in the final analysis, are going to have to save Asia. The United States can assist, but we must not automatically—in every instance where an Asian nation comes under attack or is threatened—we must not automatically assume the burden of defense as we did in Korea and as we did in Vietnam.

It would not have been responsible to make this statement 20 years ago or 15 years ago or even 10 years ago. But looking at Asia now—when we look around the perimeter of Communist China, we find a group of strong, free Asian nations: There is Japan, there is South Korea, Taiwan, the Philippines. Indonesia has turned the corner. Thailand is shored up. In fact, the whole area of free Asia, from an economic standpoint, is one of the brighter spots of the world today, partly because we kept the cork in the bottle in Vietnam.

Now, in looking to the future of Asia, the United States should continue to encourage Asian collaboration, Asian responsibility, but not in terms of the U.S. being in alliance with such nations—an alliance which would call on us to intervene every time any military action were involved—but more where the United States assisted this group of nations in planning their own defense.

Question. Does this mean that we cease to be a Pacific power?

Answer. No. It means, on the contrary, that the United States will continue to be a Pacific power, but will not try to "go it alone." We cannot do it alone.

The United States has got to recognize—this is true of Asia, and it's also true of Latin America, and it's true of virtually every other area of the world; it's true of Africa—the United States cannot and should not try to go it alone.

We must act to help others defend themselves. We must encourage others to develop their own self-defense forces. We should encourage nation-building. But the United States too ofen in recent years has gotten itself in the position that we not only help with our aid, but whenever nations get in trouble we also send in men.

Question. What would a Nixon Administration do in the area of national defense?

Answer. I disagree with the McNamara theory that parity with the Soviet Union is enough. I disagree with that because their goal in the world is different from ours, as was indicated by their move into Czechoslovakia and by the fact of their adventurism in the Mideast and by their support of the North Vietnamese in their aggression against South Vietnam.

The Soviet Union is a power which still is attempting to expand around the world. The United States, on the other hand, is a power whose goal is only peace. We are not attempting to dominate any part of the world; we are merely trying to assure the right of freedom of choice for other nations.

Now, when your two great superpowers have that different view of their role in the world, and when you assume, and I do assume, that neither of them wants a world war—and I'm confident that this is true of the Soviets, as it is of us—this means that negotiations will take place between the two.

But when they negotiate, the power whose objective is basically defensive must be sure that it always negotiates from strength and never from weakness. That's why I believe the United States should attempt to maintain an edge—an edge not for the purpose of aggression, but an edge for the purpose of deterring adventurism on the part of the Soviet Union or any other potentially expansionist power.

DEALING WITH THE RUSSIANS

Question. What kind of policy would you pursue in dealing with the Soviet?

Answer. My attitude is that I would always talk with the Soviet. I think we have got to have negotiations with the Soviet.

I do not agree with those who contend that all the United States has to do is just to build a super military strength, awesome military superiority, and sit back and let the Soviets stew in their own juice.

I believe that there are certain areas—the Mideast is an example in point—where the United States and the Soviet Union simply have to sit down and talk, because otherwise we are headed toward a confrontation that could explode into a nuclear war in the Mideast. If the Soviet continues to attempt to expand in the Mediterranean, continues to build up the United Arab Republic and Syria, in 3, 4, 5 years an explosion will come. Therefore, the United States and the Soviet Union must have discussions on those flash points around the world.

Now, with regard to trade with the Soviet Union and the Communist countries of Eastern Europe, my view is that this should be on a quid pro quo basis. Under no circumstances should we provide any long-term credits and under no circumstances should we expand the items to be traded to include any which would build up the strategic capability of the Soviet Union at a time when the Soviet Union is aiding the enemy in North Vietnam.

On the other hand, on a very practical basis, it is to the interests of the United States to have a policy of trade and building bridges. But we build only our end of the bridge—we don't build both ends. We don't assume—as I think this Administration too often has assumed that the Soviet goal is the same as ours in the world.

If, for example, trade will serve the interest of loosening up some of the Soviet Union's very tight control over the Eastern European countries, then it's to our interest to do so. In other words, my policy is one of complete pragmatism—not of the soft-headed wishful thinking that all we need to do to get along with the Soviet is to meet each other and know each other and trade with each other. This is not true. They use trade as a weapon. We must recognize that trade is one of our greatest assets in this game, and we must use it in the same way.

Question. You mentioned the Middle East—is it your feeling that the U.S. should make it clear we will not allow client states of the Soviet Union to take over complete control of that oil-rich area?

Answer. Let me make one thing very clear: The United States should not take a belligerent, ultimatum position on anything like that. I'm a great believer in the Theodore Roosevelt dictum of talking softly and carrying a big stick. I don't believe in belligerently telling the Soviet or anybody else: "Look, if you do this or that, we're going to do something."

I think diplomatically, however, the United States must make very clear to the Soviet Union and any other nation what our interests are, so that there will be no moves on their part as a result of miscalculation.

The Mideast—not only because of its oil, but because it is the gateway to Africa and the gateway to the Mediterranean—is of vital importance to the United States and to Western Europe. It's the anchor of the North Atlantic Treaty Alliance. Therefore, under the circumstances, the United States and our NATO Allies must make it quite clear to the Soviet Union that we cannot tolerate activities which would risk another war in that area, because the next time a war comes in that area, with the advance in weaponry and the like, the danger of nuclear confrontation is very great.

That's why I think the Mideast has to be put on the table very, very early with the Soviet Union and discussed from the very practical standpoint that here, while each of us has interests in the Mideast, we have a greater interest in avoiding a nuclear war.

Question. During the campaign you have spoken of textiles and steel as two industries that need special attention. You have said what you would do about textiles, but you have never specified anything for steel—

Answer. I haven't developed the steel position yet. I have been discussing it with steel men. I'm basically an individual who believes in trade; I support reciprocal trade. I therefore take a dim view, generally, of any permanent quota system because I know that it can create reactions abroad.

But looking at both steel and textiles, the prospects of unemployment at home as a result of foreign imports convinces me that we must move in a proper and appropriate direction on temporary programs to deal with both.

Question. Do you think this election is some kind of a significant turning point in our national history?

Answer. Yes. I have said this in speeches and I believe it: This is the most important election in this century.

Also, I think the choice is the clearest. I mean it's rather ridiculous when the suggestion is made: "There isn't a dime's worth of difference between Humphrey and Nixon," because here are two men whose economic philosophies are diametrically opposed—he's a big-government man; I'm a private-enterprise man.

In the field of foreign policy, what really has happened is that this Administration has failed to recognize that the world has changed—that we live in a new world and we need a now policy. I realize that, and I think that's why new leadership is essential if our nation is to survive.

THE ELECTION REFORM ACT

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. REINECKE. Mr. Speaker, I have two purposes in speaking today on H.R. 11233, the election reform bill. First, I wish to urge the Committee on Rules to report this important measure with an open rule, allowing ample opportunity for debate and for amendment. Second, I wish to spell out the compelling reasons for House passage of this improved version of a companion measure, S. 1880, passed in the Senate September 12, 1967.

On the first point, Mr. Speaker, I do not believe that the House should delay action during this Congress. The need for reform of our campaign expenditure reporting laws has been with us ever since passage of the Corrupt Practices Act in 1925. With the exception of certain provisions added in the Hatch Acts of 1939 and 1940, the Congress has failed, one must add unfortunately failed, to enact improvements that have been endorsed by every responsible and politically aware organization in the United States.

For the first time in the memory of most Members of the House a golden opportunity is at hand to pass these much needed improvements. There have been full and adequate hearings on H.R. 11233. Authorities have testified on its provisions and the House Administration Committee reported the bill on June 27, 1968. All that remains to be done is for the Committee on Rules to afford the Members of the 90th Congress the privilege of voting on the bill. I solicitously request of the committee that it do so.

In making that request I further urge that an open rule be permitted, for while I think H.R. 11233 as reported is a good bill, it could be an even stronger bill. Specifically, present limitations on contributions and expenditures by corporations and labor unions are inadequate and easily circumvented. They should be strengthened, but the Committee on Administration has not provided for that. The full membership of the House should be permitted to vote on that vital matter, but can only do so if amendments to the bill are allowed.

On the second point, Mr. Speaker, the facts of the case support passage of this election reform bill. The evidence so preponderately documents the need for revision that it would be unconscionable to delay action on this matter further.

If you will recall, it was President John Kennedy who appointed a commission to investigate and make recommendations on campaign finances and it was that commission's proposals that President Johnson sent to Congress. Now, after 3 years' deliberation, we have H.R. 11233.

This legislation will implement fundamental changes in the laws pertaining to campaign fundraising and spending in Federal elections. For the first time primary elections, conventions, and caucuses of political parties, and primaries to select delegates to national nominating conventions or to express preferences for the nomination of candidates for President and Vice President, as well as general elections, will be included in the requirements for reporting of contributions and expenditures.

There are several advantages to be realized from this. At long last the full costs of running for Federal office will be disclosed, as they should be. This will permit detailed study of the problems of campaign finances and undoubtedly will contribute to additional legislation that will open the door to public office for the man of moderate means as welll as the man who is well off. Furthermore, the requirement of full disclosure will act as a purifying safeguard in our elections. It will further guarantee that financing remains above board.

This bill will repeal the unrealistic spending limitations now imposed on candidates for Federal office and committees which support those candidates. For too long present limitations have fostered hypocrisy in reporting and have promoted a proliferation of committees which only adds to campaign costs. At the same time, the bill will retain the present $5,000 limitation on contributions by an individual and will prevent the present circumvention of this restriction by stipulating that the aggregate contribution per annum by a person may not exceed that ceiling. As we all know, it is now quite simple to avoid that $5,000 ceiling. One just contributes to several different committees supporting the same candidate. This bill will bring a halt to that practice.

A five-member bipartisan Federal Elections Commission will administer and receive the reports and statements from those required to file. It will disseminate information to the public, and the detailed nature of reports submitted to it by candidates and committees will ensure full public knowledge of the cost of our election campaigns.

Mr. Speaker, and members of the Committee on Rules, let us take action on this desirable reform.

AIRPORT CONGESTION

HON. JOHN JARMAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. JARMAN. Mr. Speaker, the Federal Aviation Agency recently concluded hearings on the matter of airport congestion. Quite logically the witness who more or less brought the hearings to a conclusion was Mr. Najeeb E. Halaby, the president of Pan American World Airways.

When Jeeb Halaby talks most people listen because even if we find ourselves in disagreement with what he says we are also interested in his original thoughts and provocative suggestions. There were many times during his interesting and productive tour of duty as the second FAA Administrator when all of us in Congress did not always agree with what Mr. Halaby suggested, but there was never a time when we did not find his thoughts challenging and worthy of the greatest consideration.

Since Mr. Halaby has left the Washington scene to join the Pan Am family he is still thinking and he is still making suggestions. Pan Am and the aviation industry are together a lot better off for the presence of Jeeb Halaby. Mr. Speaker, I think enough of Mr. Halaby's testimony before the FAA hearings on air congestion and his suggestions for eliminating a great deal of it, that I include it to be made a part of the RECORD:

Thank you, Mr. Moore, for the opportunity to appear today. It's the first time I've been back formally for three years and three months and it's a pleasure to be with men such as yourself who are seeking solutions to this unfinished business of air transportation.

I speak for Pan American World Airways today and for myself as having had some experience in this field.

First, I'd like to associate with the testimony of the International Air Transport Association and with the Air Transport Association testimony almost fully.

We appear today as one of the members of these associations because of a desire to put some emphasis on the positive side of this problem. A rule in place of a runway, a rule in place of an ILS, a rule in place of enroute airway capacity is a really desperate substitute, and we would like to see the Government and the Administration place a great deal more emphasis on creating new capacities than upon regulating a demand.

As the rule itself states, there are two ways to go about it: restrict demand or increase capacity. And too often we are accentuating the negative, the control aspect, rather than accentuating the new and expanded capacity.

I am deeply concerned that if you fix or freeze the number of air movements permitted in any airport that will become the magic figure, that will be the tag and budgeteers and appropriators will consider that as adequate. That is a deep concern, I think of the industry and of the Department of Transportation and of the FAA.

We have two special interests in Pan Am and I would identify them at the outset. First, we believe that the international air carriers must be assured priority at the New York international airport, which is Kennedy. We have legal, political, economic reasons to support that.

Second, we believe that within the field of private transportation, public transportation being the scheduled air carriers, the air taxi operators, the unscheduled air carriers, all common carriers who must accept a passenger, we believe they on the rule of the greatest safety and convenience to the greatest number, or, stating it conversely, the least inconvenience to the greatest number, on that rule they clearly must be given a priority if we are coordinating scarcity of capacity. At the same time that private transportation, pleasure flying, business flying, executive transportation and all other elements of what has been sadly called general aviation, we think within private transportation there is at least a basis for distinction between business and executive transportation and purely private flying. And we think that should be recognized and we think in particular we should again emphasize the positive which is providing facilities particularly for business transportation and as the Mayor's statement brings out very clearly this is of the greatest importance to the City of New York. So we would hope and urge that instead of prohibiting business aviation into the New York area that we really go to work on providing capacity at other than the congested jetports.

Now, if I may very briefly emphasize a point which I think the President and the Secretary of Transportation and the FAA have very frequently emphasized, we are not talking here about safety. We aren't talking about danger. In my experience there has never been an occasion where any member of the FAA ever selected danger over delay. In other words, the public must know and must have confidence that we are talking about managing delay and that there is not and never should be any question about danger or safety. So that regardless of what one thinks of the provision of the rule, we must always accept and rigorously prefer the delay over the danger.

Now we here have been talking about what in July seemed like a desperate problem, the crisis of air traffic, it was usually called, but I think we have got to talk about the promise that we have all in this aviation community been working for for some sixty years or so. We must not lose sight of the objective and the interesting thing is that the objective has been achieved to the most remarkable degree in the New York Metropolitan area. As the Mayor's witness pointed out the peak of volume and variety and importance of air transportation has been achieved and of course that is one of the reasons we have the problem. But let's not regulate our way out of it, but let's build our way out of it is the message I would like to put forward as vigorously as I can.

We do have more community of interest among the business aviation, the private aviation, the air taxis, the scheduled air carriers, the supplemental air carrier, the manufacturers than we have division of interest here. Unless it all moves forward none of us moves forward very much, and we cannot let a July in New York freeze progress as I see it.

Now, these are generalities and will be followed by something more specific but one thing regardless of one's sentiments that was brought dramatically to the public's mind and attention this summer was what I'd call a live simulation of the situation that will naturally prevail in approximately 1970. So without condemning or praising the air traffic controllers on whom we all rely and for whose professional competence we all have the greatest respect they did simulate the situation that will soon exist in the natural state of the airways unless they are very rapidly improved and expanded, so instead of having it done by simulation in Atlantic City, it was shown vividly in New York City, and that served to galvanize a lot of activity that was passive until that point.

Now it seems to me that the first thing we have to remember despite our difference and despite our desires for preferences here is that unless we make this action in concert and unless we adopt some broad philosophy such as the greatest safety and convenience for the greatest number or the least inconvenience for the least number that we won't be solving the problem, we'll be fighting it.

I think also it would be helpful in terms of priorities for attention and action to recognize that the most difficult part of a system problem is the New York area problem. At times the Washington area has been a very serious problem. At times the Chicago area has, but the one that is giving us the greatest difficulties, where the capacity lags farthest behind the demand is the New York area. And yet within that area you have a very substantial number of square feet of runway and you have the definite possibility of expanding the capacity of nearly all of those airports and in a relatively short time.

So I would urge that in its consideration of these points that the whole aviation community, the regulators, the promoters, the users all focus most attention on the New York Metropolitan area and consider it as an area. Each flight that moves from one of the jetports to Westchester or Morristown or Teterboro or Republic or MacArthur, each of those flights that with a modest amount of further inconvenience diverts or is dispersed helps solve the problem.

As I felt for years, an industry as advanced and as individualistic as the aviation industry has a special responsibility for voluntary self-discipline. I think there is a kinetic energy within our industry for voluntary self-discipline. Once told what the problem is and what must be done, the industry more often than not has risen to the challenge when it's set by credible authority.

To me the most inhibiting factor has not been any lack of will or determination on the part of the public authorities to provide the capacity. It's been the absence of a fair equitable and adequate system of user charges. No budgeteer, no appropriator will be comfortable subsidizing an industry as robust as ours. He must feel that those who specially benefit bear the burden of providing the beneficial facilities. And until we get that kind of system the FAA and the other agencies involved are going to be fighting an unnecessarily difficult battle.

So as I see it, the demand is the thing. Whether it's for a family of three, such as mine, taking off out Westchester in a light twin for a weekend, whether it's a stretch jet with 250 passengers, whether its a businessman flying his Falcon or his 737, whether he's an individual or a group or an organization, this is the public you, the Government, are set up to serve, and you have the responsibility for providing the capacity and the facilities and no retreat into regulation will solve the problem as I see it.

Now, clearly, if we do nothing between now and next summer, we're going to have a most difficult and delayful air traffic situation. And by that time there are only a few things that can be done about the capacity of the area to handle the traffic. But they must be done, with a minimum of confusion and conflict between the public authorities who have it within their power to do those things.

And then, of course, we have a long-term plan which must be enlarged and accelerated if we are to solve the long-term problem.

Again I would suggest we emphasize the New York area and move on to the other areas with a little less emphasis, no less urgency perhaps.

I'm sure someone can say, well, we hear your words, Halaby, but what's the action? And I think that's a legitimate question. At least for my company I would like to state what we have done and what we are prepared to do.

First, we for several years vigorously urge the expansion of the Kennedy runway and airway capacity. We have urged without equivocation or ambiguity the construction of a fourth jetport, and we have offered to pay our fair share of the costs of these expanded capacities.

Now that the CAB has approved our operation of Teterboro Airport we are going to move ahead rapidly to make that the model business and general aviation airport which will attract traffic from the jetports. It will disperse traffic and thereby relieve to some extent both airport and airspace congestion.

We will shortly with the approval of the City of New York open a public light helicopter port on East Sixtieth Street, on the East River. This will facilitate access to the city for those passengers who have been dispersed out to other airports. We will certainly support to the extent we can the development of what you might call helicab service onto the Island of Manhattan.

We will expand our small private communication system available to subscribers and in this sense help balance the load on facilities in the area. We will work vigorously toward the construction of a major STOL port on the Hudson River. We would help in any way we can with the development of STOL facilities within the present system of airports. We are standing by either as an operator or a proponent of developing other airports such as Republic in the area. We share and will expand our share if necessary of interairport and airport to community transportation schemes.

We would like and have to some extent participated in a system to control the flow of traffic into the area. We feel rather specifically, Mr. Chairman, that there are measures between the present system, first-come, first-served, and a full restriction on capacity and schedule control which is proposed in the 93–123 section of the rule that may well be tried before the full capacity freeze and schedule regulation.

One of course is to take your improved flow control system which you state will be ready shortly in the preamble of the rule and through a voluntary system on those days when it is necessary to provide for relief during the summer peaks.

Another means if schedule and occasion and capacity fixing is considered, the only way to do it is to try the carriers, those who can coordinate, who are organized in such a way as to coordinate their own schedules, try them for a period of time while hanging 93–123 over their heads to make sure that their self-discipline is greater than their self-interest.

What I have tried to say in summing up is that capacity fixing and schedule regulating is unsound in principle. I don't think the FAA was created to regulate schedules, to restrict demand to meet the capacity. My recollection is that it was established to research, develop, install, maintain, and operate the capacity to meet the public demand. And I think it should stand on that high ground to the maximum practicable extent.

The safe and efficient utilization of the air-space has been the role of the agency for its first decade and it has had several billion dollars and between twenty-five and fifty thousand people with which to carry it out. Each of the three Administrators I believe, feels he left a substantial amount of unfinished business. There were underestimates of the demand and there were restrictions on the available budget and manpower.

I think we have matured enough to improve in both those respects but now is the time of testing our maturity and in particular it puts a great demand upon the FAA who is not only the regulator but the operator of Washington National and Dulles, the administrator of the Federal Aid to Airports Act and the supervisor of thousands of professional controllers who can make this thing go or make it slow. And I don't mean that in any sense of caprice, but it is a fact that there will always be enough margin within the system, always enough discretion, I hope so that safety and efficiency can be provided.

So, Mr. Chairman, in contemplating the rule, I hope that all involved will contemplate expanding the capacity, creating new capacity. Just at Kennedy alone it is my personal estimate that within two years plus or minus, you could increase the available airspace, airport capacity, by 20 to 30 percent.

That is the prize. That is what we ought to be concentrating all our attention on rather than freezing Kennedy at a 90-movement airport and regulating from a safety agency the access of New York City.

If the rule is required—and you are going through the kind of democratic process that we respect and appreciate the opportunity to enjoy—we believe that you should proceed with those operational standards that are provided in one section of the rule. We think there is a very strong will in the organized industry to comply with the rest of the rule on a voluntary basis and if there must be regulation here we are urging very very strongly that you have exhausted the opportunities for voluntary action, that you go step by step in a time-phased basis instead of all at once, and that you put a terminal date such as a year from now on the expediency that you may adopt and finally that in every way, every one of us keeps his eye on the main objective which is to expand the capacity of the airways, airport system.

As I understand it, we have until October 9 to make any further detailed suggestions and I would like to close by thanking you for the opportunity to appear. If you have any questions or comments, I stay to answer them.

OPPOSED TO DELAYING TACTICS

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. EDWARDS of Alabama. Mr. Speaker, it is about 5:45 p.m., October 8, 1968, and we have just finished our 11th rollcall and no business has yet been transacted today. I think in fairness I should say that I am opposed to this delaying procedure and that we should get on with the business of the House.

I take this means of expressing myself in the RECORD because it appears that there will be no opportunity to obtain the floor of the House in view of these unusual proceedings and in view of the fact that the Journal is still being read.

I have urged those who are holding up the business of the House to do so no longer, but to no avail. I repeat, Mr. Speaker, I am not a party to these tactics and I urge Members to get on with the business of the House.

Mr. Speaker, some have suggested that the purpose of this delay is to prevent the equal time amendments, Senate Joint Resolution 175, from coming up for debate. As I understand this resolution it would, in effect, permit a debate between HUBERT HUMPHREY, Richard Nixon, and George Wallace. I believe such a debate would be in the public interest and I can see no reason for attempting to prevent consideration of this resolution. If and when the bill does come before the House, I shall vote for it.

A COMMUNIST BLUEPRINT—OUT OF RED CHINA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. RARICK. Mr. Speaker, the American Legion magazine for October 1968 contains an article which should be of interest to every concerned American citizen.

The article, entitled "The Communist Blueprint for the American Negro," contains factual information from Communist China outlining the Communist blueprint for exploiting American Negroes.

In the hope that the news article will be of interest to our colleagues, I insert it following my remarks:

THE COMMUNIST BLUEPRINT FOR THE AMERICAN NEGRO

(NOTE.—A look at a document out of Red China whose doctrine serves as the manifesto of at least the more violent wing of so-called black power.)

(By Leavitt Ashley Knight, Jr.)

If anybody wants to know what the Communist plans for America's Negroes are, we have in our hands a pretty good account all wrapped up in one package.

It is Vol. 9, No. 2 of a 15-page publication called The Crusader Newsletter. The masthead attributes it to "Robert F. Williams, Publisher—in exile." It is dated September–October, 1967. Its address is listed as "Robert F. Williams, 1 Tai Chi Chang, Peking, China," followed by the notation "printed in China as a personal journal."

The masthead is illustrated with a tommy gun and a hand waving a wildly blazing torch. The content is headlined on page 1 as: "USA: The Potential of A Minority Revolution. Part III."

We have not seen copies of parts I and II. One page of the issue at hand is given over to the fact that they had been barred from the U.S. mails, after a probe into their "content and mailability." According to the Crusader, President Johnson ordered the probe, and the barring of the earlier Crusaders from the U.S. mails is a "warning of an ominous nightmare of fascism hanging over America," and a "graphic example" of President Johnson's "callous disregard for civil liberties and constitutional guarantees."

The reader can form his own ideas of such charges when we've summarized what's in Part III.

The copy of the Crusader in our possession is not a collector's item. There are a good many in circulation.

Robert Franklin Williams is an American Negro raised in North Carolina. A brief in our hands from a source which has followed Williams closely states:

"He fled in 1961 to Communist Cuba where he organized 'Free Dixie' broadcasts to American Negroes over Radio Havana. [Free Dixie broadcasts called for an armed uprising.] In 1966, he moved his base of operations to Peking, where he edited 'The Crusader.' In March of this year, Williams was elected 'President of the Black Republic of New Africa' by black power delegates meeting in Detroit. New Africa would be made up of Alabama, Georgia, Louisiana, Mississippi and South Carolina. Williams is now [July 1968] in Dar Es Salaam, Tanzania [in east Africa]. . . . On July 13, he told reporters that he planned to return soon to the United States, legally or illegally."

There seems no reason to doubt any of this. Williams seems to make no bones about it in any of his own writings. Congressional investigations have linked him with cheering on violence in American cities—in particular, for example, in a speech to the "Second Peking Rally of the People," held in Peking Oct. 10, 1963. The copy of the Crusader in our hands says that the publication was started in 1958 in Union County, North Carolina, and had urged from the start the policies outlined in our Volume 9, No. 2.

It is a little difficult to tell you what is in Vol. 9, No. 2 without ourselves being barred from the mails. The issue is, from cover to cover, pure Maoist (ie: official Red Chinese Communist Party) doctrine. The content is so all-Mao that high propaganda and guerrilla warfare experts of the Red Chinese Communist Party probably sat in on producing the copy. It not only tells America's Negroes what to do to destroy this country, but how to do it—in detail. Having no wish to publish such a blueprint ourselves, and being mindful of postal regulations which have survived Supreme Court tests of constitutionality, we will summarize Vol. 9, No. 2 page by page, being careful to omit precise instructions on how to burn the United States to the ground.

The entire Crusader is written in Communist jargon, but we will summarize it in plain English. We will make editorial comments from time to time and label it "comment." You can take our comment or leave it alone, but the summary of the contents hews to the text of the Crusader.

Perhaps we should begin with a comment on the Black Republic of New Africa.

Comment: If they are serious about this it must be a hint of where Negroes will be sent when the Communists take over the U.S. On examination, the "Black Republic" (as well as many other Maoist suggestions) is an insult to most American Negroes. In the last century Liberia was founded in Africa as a nation of their own to which American Negroes could go. Many, just out of slavery, did choose to go. The vast majority did not. On its face, a separate republic of Negroes in the South is the biggest segregation proposal yet put forth. The Communists know it and know that most American Negroes have fought *against* separation, and *for* acceptance and equality under the law. The purpose of the "Black Republic" suggestion *may* be to create as much confusion as possible, to project and champion every conceivable wild and woolly proposal. Object: to pit not only white against black, but black against black, with American Negroes broken up into separate camps, according to which of the many Communist "solutions" appeals to them.

Now to the Crusader, page 1.

Page 1 is short. Most of it is filled with an artist's crude drawing of a mob with rifles, clubs and Molotov cocktails exterminating KKK's and wavers of Confederate banners, while women weep and a "liberal" lies prone. A swastika has been injected on the scene by the artist. Distraught figures include what seem to be a sheriff and a Confederate sergeant. The text on page 1 says that Williams will once again, for the fourth time since 1964, set forth the case for a "minority revolution in America."

Page 2. The text starts by saying that events in Watts, Chicago, Newark, Detroit, Milwaukee encourage him to preach the "potential" of a "minority revolution" once again. He does not, he says, "teach and advocate violent overthrow . . . etc., nor offer a blueprint for revolution." He just wants to "explore American weaknesses" and advance the study of "potential" revolution.

Comment: The rest of the document preaches violent overthrow. It is a blueprint for revolution and more, for it is also a blueprint for American Negroes to provide the shocktroops for Communist invasion in WW3. The denial of violent intent at the start probably has its eye on U.S. postal regulations.

The balance of page 2, heavy with Communist-line invective, stresses that there is no course for America's Negroes except armed revolution. It calls on all Negroes to unite and discipline themselves in "people's warfare." That, of course, is guerilla warfare conducted in the exact detail laid down by Red China's Mao. It also stresses that American Negroes must discipline their thinking and living in all things according to the dictates spelled out in China.

Comment: Williams is telling American Negroes that they cannot think for themselves, act for themselves or choose for themselves. The least detail of their lives must be written out in Peking or Moscow and their job is obedience and sacrifice.

Previously the Communists said that unsuccessfully to Jews, labor, etc. To Jews because there were "Hitlers everywhere," to U.S. labor because they were the "oppressed working classes." Now they want the Negroes to emulate Hitler in chewing up the Jews and to oppress the daylights out of American labor, including white labor and "Uncle Tom" black labor. The basic tactic here is the "united front" in which the Communists attempt to unite anyone with a common grievance under their direction, to exploit their grievances for Red purposes. In WW2 they atempted to steer everybody in the United States who was opposed to Hitler into one great Communist-led "united front." Such fronts as *were* formed attacked not Hitler, but the United States.

Pages 3 and 4. The Negroes' grievances are spelled out in vitriolic language that is rife with such Communist jargon as "oppressor," "fascist," etc. The force of the argument is all to the point that there is *no* solution except violence, that fast-changing America will *never* change. A vicious attack is made upon (1) Negroes who succeed in rising above the slum level and (2) on all programs to elevate American Negroes through education, better jobs, better treatment. Negroes who improve themselves and their status in our society are, says Williams, not only "Uncle Toms" they are also "vulgarian Toms" and (cynically) "good, responsible nigras." At the bottom of page 4 Williams switches to the vulnerability of American industry to destruction by sabotage, and to our industry as the source of our national strength, hence our "Achilles heel." Without it, he suggests, the U.S. would wither and die "like a green melon" cut from the vine.

Comment: Nobody here needs the ghettos, but Peking and Moscow need the ghettos to perpetuate a class of people so miserable that they might be enticed to burn down our industry with no risk to Communist bombers. The improvement of the status of the American Negro and the reduction of the ghettos within the structure of American society would be a disaster only to world Communism. Hence the persistent Communist invective against: (1) all American Negroes who seize opportunity to better their lot, and against (2) all programs to offer them better opportunity. Williams' "Uncle Tom" line is a warning to all American Negroes to be good little boys and stay in the slums like Uncle Mao says.

Page 5 goes into the destruction of our industry by American Negroes in such naked language that the Soviet-Chinese strategic military design is out in the open. Someone slipped, because page 5 isn't written for a "minority revolution," it's written for an invading army of Chinese or Russians. The object is to destroy America, not to improve the Negro's lot. The inability of Germany and Japan to destroy us in WW2 is analyzed. They couldn't get at our industry, on which we are so dependent that we'd fall apart without it. Says Williams, "Massive devastation of America's industrial centers would reduce it to a primitive nation."

He notes, almost in the language of a Soviet or Chinese war college, that the American Negro "is in range of the American giant's Achilles heel." The Negroes emerge as a useful weapon. With proper organization and discipline, teamwork, training, central planning and a national supreme command (guess who?) the whole country, including its industry, could be destroyed from within by these human bombs that walk and talk and are already here. By the end of page 5, the detail on how to do it is beginning to be developed to the point where we have to watch out what we say if we are not to aid the cause.

Comment: Though there are ten more pages to go, only the vaguest things are said about what happens *after* the United States is burned down. This is the crowning insult to American Negroes. They are presumed not to be bright enough even to ask "What happens when we are sitting in the ashes?" We suppose the Reds can't be blamed for trying. If they can get American Negroes to destroy America as a part of their military strategy for launching WW3 in safety, why not?

Atomic weapons are such boomerangs that they are an embarrassment to a power bent on conquest. Williams goes so far as to say at one point that a Negro orgy of destruction would be superior to the use of hydrogen bombs. Here is another Freudian slip reflecting the view of a foreign military command.

Our Negroes have been insulted by experts, and the crowning insult here is that the Communists came to them last. All through the 1920's and early 1930's they tried to get American labor to do the job, then the Jews and the entertainment world. But all they could recruit were some students, some intellectuals and quite a few paranoids in the target groups. The students grew up. The paranoids couldn't be trusted to do anything but spread paranoia. The intellectuals always wanted someone else to do the real dirty work while they talked and wrote incessantly and spied now and then. For 50 years the only way Communism survived at home and spread abroad was behind the muzzle of a gun. Seen in history, Williams is saying to the American Negro, "My advisers tried everyone else, but it looks as if they'll have to settle for you."

There is a hint, though, on page 5, of what Mao expects to be "the final solution of the Negro problem." It is the same as Hitler's "final solution of the Jewish problem." He expects them all to be killed. In a fleeting two sentences on page 5, Williams administers the last rites. First, going to the favorite line of all organized revolutionaries who seek cannon fodder to do their dying for them, he says that the "black man has nothing to lose but his chains," omitting that the Communists have a world to gain. Then he offers solace. "It is better to live just 30 seconds in freedom" than a thousand years "crawling in terror."

Of course what happens in the ashes makes no difference to American Negroes if Mao anticipates that none will survive. This may be why Williams cheerily assures them their sacrifices for Mao would reduce their country to "a primitive nation." The question: "Do American Negroes *want* to live in a primitive nation?" is academic if none are expected to survive while the Red Army and the Chinese Army contend for the remains.

Pages 5 to 10. The bulk of these pages is rapid-fire detail on sabotage, guerrilla warfare, etc. Items include military organization of all Negroes under strict command and discipline; how to operate in units; how to use ammunition; how to disperse when in trouble. Formation of a corps to handle the wounded, including victims of their own fires, and the maintenance of security in the ghetto headquarters are spelled out. The formation and operation of arson teams is repeatedly returned to. By the bottom of page 6 instructions are under way for burning the forests and countryside simultaneously, obstructing the highways and making fire hydrants useless. Here Williams is in a transport of joy. "By day the billowing smoke would be seen for miles. By night the entire sky would reflect the holocaust and emit a feeling of impending doom."

Procurement of Army weapons is discussed, from rifles and grenades to tanks. Enlistment of Negro soldiers as weapons and battle specialists is stressed. "Militant brothers" in the armed forces would be a great help, while the "Uncle Tom" Negro soldiers could probably be bribed for a "few bucks" to deliver military gear.

The integration of our National Guard is seen by Williams as a great opportunity to plant a revolutionary Negro fifth column within our "power structure." U.S. servicemen can teach the guerrillas how to use satchel charges against Army tanks. How to make jumbo-sized Molotov cocktails is blueprinted. In the infighting with police in the ghettos it would be useful to import poison dart technique from Africa as a "secret weapon." Science students should be mobilized to devise new guerrilla weapons. The destruction of industry is treated as a special sicence. Special ways to use acetylene torches against oil tanks, gas pipelines and to send grenades on model airplanes into inaccessible places are detailed.

Pages 11 to 15. These pages go into reasons why complete anarchy is the only course. Much of the argument is disconnected since Williams is trying to answer all possible objections.

He repeatedly claims our whites are about to kill all our blacks. He assures American Negroes that they are near victory right now, while white America is about to cave in. To prove it he quotes Mao.

He returns to his theme that Negroes who oppose his solution are "Uncle Tomboes." He wrestles with the need to kill off America's white Communists; Marxists; liberals who have championed Negro rights; other white "friends of Negroes"; Jews whom the Communists have courted in the past and American white labor whom the Reds once called "the oppressed working classes."

In substance, the Crusader says, if they're white, they'll have to go. Besides, some of them have turned bad. The Jews have "unleashed aggression against one hundred million Arabs." American labor has proved itself "counterrevolutionary." Our white liberals and leftists are "socialists who disguise their white supremacy . . . behind a facade of pseudo-Marxism."

As for other white friends of the Negroes, it's a pity about them, too.

"We know there are white exceptions . . ." he says, "but if we are going to be realistic we must concern ourselves with the rule rather than with the exceptions."

Comment: This last is the familiar Mao theme that innocent parties must be trampled on, no matter how regrettably, if they get in the way of the "revolution." It cropped up in the Columbia riots last spring.

The Crusader renders us an unintended service. In one package it gives us the Red Chinese line for American Negroes, and ties it to the violent hard center of "black power."

Little in the Crusader is original with Williams, or any American. The marching orders are only an adaption of the Red Chinese guidebook for Communist conflict, "Mao Tse-tung on War."

The image of American Negroes that shows through in the Crusader is a foreign image. They are seen as African tribal primitives to be swayed on a day-to-day basis, lacking the brains to recognize gross contradictions whipped up to manipulate them.

For five pages Williams spells out directions for arson, looting, treason, sabotage, killing, poisoning. Then on the back page he soberly tells his readers that "the Crusader has always been a staunch advocate of the enforcement of the U.S. Constitution. . . ." He expects the same readers to believe both. This is a contradiction to be swallowed by a savage who can be spurred to action by a war dance.

The Crusader is full of "war dance"—passages designed to evoke passionate pleasure in destruction. William paints visions of "unsparingly setting the torch to everything"; of "heat and smoke generated from miles of fires"; of "striking terror into the hearts of the enemy forces"; of "satchel charges dealing deadly blows to armored vehicles;" of "fires as devastating as hydrogen bombs;" of "police who would never realize what hit them" when struck by poison darts; of "no method of terror or destruction being overlooked;" of seizing opportunity "with the ferocity of a wounded tiger;" of the "sacred blood of martyrs whose highest calling is revolution;" of "massive violent disruption" that would "fragment the entire nation and usher in an all-consuming state of anarchy."

These lusty phrases are verbal tomtoms for presumed savages.

The 1917 Bolsheviks thought that American labor was the same as Russian labor, and Mao thinks all with black skins are simple primitives. He shows no awareness that American Negroes are more American than Negro. Much of their unrest goes against obstacles that prevent them from being as fully American as they feel they are entitled to be. Only a foreigner could believe that their goal is "back to the bush."

Among Americans, only a Williams, saturated with foreign doctrine, could believe that their could be any broad appeal to American Negroes in his jungle-drum imagery or in his joyful statement about reducing the United States to a primitive nation.

Only a foreign ideology could whip up the "Uncle Tom" line to curse, belittle and intimidate any American Negro who improves his lot and status in American society. It suits a foreign purpose whose concern is not with Negroes' welfare, but with their usefulness to Mao if they remain a discontented class.

American Negroes are so Western that, abroad, they are less at home in Africa than in Paris or Berlin. But Mao divides America into native whites and African blacks. It is the Mao line to insist that American Negroes call themselves, and be called, "Afro-Americans."

This is segregation language. Integration language would reduce it simply to "Americans." The Communists join in the battle for integration, but not to achieve integration. Far from it. The Red role is to damage America as much as possible. The struggle is the thing, to be kept going as long as possible, and heaven forbid a solution. The Crusader makes that obvious even to those who didn't get it earlier.

The Crusader hardly ever comes close to tangling with what the Communists would do with American Negroes should their violent upheaval make a Communist takeover possible here.

The Black Republic in the South is one of their segregation proposals. The Crusader briefly mentions a possible "geographical separation." Plainly the Reds don't want any ghetto problems in *their* Detroit, Watts, Newark, etc. While American industry is presently making strenuous efforts to improve the employment situation of ghetto Negroes, "black power" groups are attacking Negroes who take advantage of the offers, and are making militant, impossible demands on industry to obstruct such programs. Meanwhile, the net effect of the "Black Republic" would be to remove Negroes from the northern cities and put them back in the cotton fields.

Since Mao and Williams do expect American Negroes to be killed en masse in the great arson uprising, the "Black Republic" may be for the Negro women and children that would be left over. Further, the Crusader proposes a vast immigration of African Negroes to take the place of the fallen, and may expect survivors from among them. But the Crusader, so specific about how to destroy, is quite vague about the whole situation after the fires have cooled off.

Today, much of our "black power" violence is a direct following of Red Chinese directions—planned arson; planned sniping; group demonstrations tailored from the start to produce violence; Negro interference with Negro betterment programs; "Uncle Tom" shriekery, etc.

Williams has for some years been a leading figure in the more highly organized "black power" groups. His doctrine out of China and Cuba has served as their marching orders.

The legitimate causes of American Negroes suffer enormously from the Maoist groups. No man knows where the line is between Negro efforts that are and are not Communist—not even Negroes in some of the movements. They can be in a Communist-run movement and not know it. In the past, other Americans have been thus entrapped in some of the Red "united fronts."

The core of "black power" is Maoist. Some Negroes who take the phrase to their bosoms translate it as meaning full voting rights, only belatedly to find that it links them with "brothers" bent on anarchy.

Williams reveals himself in his writings as a man so caught up in his grievances that he is governed by hate, and blind to caution, wisdom, truth, history or fact. The Communists have often put such men to good use, then discarded them. The chief things Williams is blind to is that, in combating the heritage of a slavery dead a hundred years, he seeks salvation through a power that still practices slavery today. He, his followers and the youngsters they encourage to ape them will raise a lot of ——— and hurt their own. But they will find no key to freedom in Mao's house.

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. SCHERLE. Mr. Speaker, this is the 261st day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

MR. NIXON PLEDGES TO RESOLVE ALASKA LAND CLAIMS ISSUE

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. GERALD R. FORD. Mr. Speaker, I want to bring to the attention of my colleagues the Republican presidential candidate's position regarding the perplexing issue of Alaska native land claims.

This issue has gone unresolved since the purchase of Alaska from Russia in 1867—a period of over 100 years. Richard Nixon, in a letter to Alaska's Congressman Howard W. Pollock, outlines the steps that he will take as President of these United States to resolve this problem without further delay. In addition, I submit for the attention of my colleagues, Mr. Nixon's statement of September 27, "A Brighter Future for the American Indian." This proposal is designed to help the Indian people reach their just goals and Mr. Nixon's administration is pledged to the implementation of these policies.

Mr. Speaker, under unanimous consent I include the letter and statement as part of the Record:

New York, N.Y.,
October 5, 1968.

Hon. Howard Pollock,
House of Representatives,
Washington, D.C.

Dear Howard: Pursuant to my discussions with you and Elmer Rasmuson I want to take this opportunity to publicly state my position in regard to the Alaska Native Land Claims.

I am aware of the importance of this issue to the people of your state. The Native citizens of Alaska deserve full compensation for the injustice that has resulted from the neglect of their claims. This neglect, as you know, was clearly recognized in our Party's National platform and a pledge was made to promote policies responsive to the needs and desires of the Indian and Eskimo people. Solution to the land claims problem is an intricate part of this pledge—a promise I fully support. In addition, the development of the state as a whole dictates that there be no further delay in reaching a settlement.

Therefore, I can state the following points on the land claims question:

1. A Nixon-Agnew Administration will officially recognize the justice of the aboriginal Alaska land claims and the need for just compensation, either in money, lands, royalties or some combination.

2 A Nixon-Agnew Administration will give top priority to the speedy solution of the Alaska Native Land Claims. This will be the case regardless of the outcome of the current litigation concerning the so-called "land freeze."

3. A Nixon-Agnew Administration will cooperate closely with you and other Congressional leaders to achieve the best settlement possible in the quickest time.

4. A Nixon-Agnew Administration will consult with your Governor, Walter J. Hickel, and other state officials and with Native groups with a view towards achieving a consensus on a settlement. A solution will not be arrived at behind the secrecy of closed doors.

I am proud of the role I played in the creation of the State of Alaska. While in the Senate I co-sponsored a bill for Alaska Statehood and as Vice President was a part of the Eisenhower Administration that finally admitted the 49th state into the Union. Hav-

ing participated and fought for such a momentous event for Alaska, I cannot help but have a deep and abiding interest in its future. With this in mind, you can be assured that as President, I will take steps to see that this critical problem now facing your people will be quickly solved.

Sincerely,

Dick.

A Brighter Future for the American Indian

(By Richard M. Nixon)

The sad plight of the American Indian is a stain on the honor of the American people.

Historically, these Native Americans who shared the first Thanksgiving and guided restless explorers across the American continent, have been deprived of their ancestral lands and reduced by unfair federal policies and demeaning paternalism to the status of powerless wards of a confused "great white father."

Today, many of the 600,000 American Indian's education, and their motivation is sapped by an educational structure which forces them to reject their own culture as the price of educational advancement.

Their infant mortality rate vastly exceeds the average for the nation as a whole.

Their education level is inexcusably low in spite of increased federal spending on Indian education, and their motivation is sapped by an educational structure which forces them to reject their own culture as the price of educational advancement.

Their unemployment rate is 10 times the national average.

Their average family income is far below the national average and, in some areas below $500 per year.

Ninety-five percent of their housing is totally inadequate and improvements are stymied by bureaucratic restrictions on efficient production and "sweat equity."

Off the reservation, many Indians, some of them unwisely relocated by the Federal Government, have not been successfully assimilated and find themselves confined to hopeless city reservations of despair because of the lack of education and skills.

The causes of these tragic problems cannot be confined to the 19th century era of expansion or excused as the growing pains of the Nation.

The Indian people have been continuous victims of unwise and vacillating federal policies and serious, if unintentional, mistakes, can be laid at the doorstep of both political parties.

To their great credit, the Indian people are not occupying themselves with the errors of the past but are striving for a brighter future in an active, constructive American society.

To help the Indian people reach the goals that they themselves have set and will set, my Administration will be pledged to the following policies:

1. *The special relationship between the Federal Government and the Indian people and the special responsibilities of the Federal Government to the Indian people will be acknowledged.*

Termination of tribal recognition will not be a policy objective and in no case will it be imposed without Indian consent.

We must recognize that American society can allow many different cultures to flourish in harmony and we must provide an opportunity for those Indians wishing to do so to lead a useful and prosperous life in an Indian environment.

2. *The right of self-determination of the Indian people will be respected and their participation in planning their own destiny will actively be encouraged.*

I will oppose any effort to transfer jurisdiction over Indian reservations without Indian consent.

I will fully support the National Council on Indian Opportunity and I will ensure that the Indian people are fully consulted *before* programs under which they must live are planned.

I will appoint a qualified Indian member to the Indian Claims Commission.

I will see to it that local programs and federal budgets are operated with minimum bureaucratic restraint and in full consultation with the Indian people who should achieve increasing authority and responsibility over programs affecting them.

Independent school boards, funded at government expense, must be encouraged for each government-run school.

Tribes should be urged to take over reservation law and order programs.

Road construction and repair activities should be under Indian management.

School service contracts for running school buses, or for operating a school lunch program, should be funded as they are now but become an activity of the Indian people themselves rather than of employees of the federal government.

3. *The Economic Development of Indian Reservations will be encouraged and the training of the Indian people for meaningful employment on and off the reservation will be a high priority item.*

To date, the basic error of attempting to train the Indian work force only for jobs which exist off the reservation has been the major cause of the lack of normal progress on the reservation.

My administration will promote the economic development of the reservation by offering economic incentives to private industry to provide opportunities for Indian employment and training.

Large companies which have already located on reservations have been highly impressed with the reliability and productivity of Indian workers. Companies such as these can provide a stable economic base for a reservation and can, and should, be encouraged to permit the Indian people to share in the fruits of their enterprise.

The special development problems of smaller reservations will be recognized and the administrators of Government loan programs will be encouraged to take "businessman's risks" in sponsoring Indian enterprises.

Moreover, the recreation and tourist potential of Indian reservations should be developed as a source of continuing independent income which could, in turn, fuel further Indian-sponsored development.

Job training for Indian people must be accelerated on and off the reservation. I have promised my full backing to the Vocational Education Act and I will see to it that the Indian people enjoy the full benefits of its provisions.

4. *The Administration of Federal Programs affecting Indians will be carefully studied to provide maximum efficiency consistent with program continuity.*

A first priority of my administration will be a thorough study of the Executive Department by an independent Commission patterned on the Hoover Commission. The coordination of the various programs affecting the Indian people will be an important matter on the agenda of that Commission.

I will particularly direct that attention be given both to a basic change of administration of Indian affairs and to methods by which a smooth transition from the existing structure can be effected.

I will instruct the Commission to eliminate needless bureaucratic levels which insulate decision-making from the Indian people.

5. *Improvement of health services to the Indian people will be a high priority effort of my administration.*

The Eisenhower Administration revitalized health programs for the Indian people and sharply reduced the death rate from tuberculosis and the infant mortality rate. Now new progressive steps are direly necessary. Looking to the future, my administration will stress programs of preventive medicine, additional modernization of health facilities, and assure greater progress in the delivery health services to the Indian people.

The Indian people have long endured deprivation and hardship while respecting the processes of orderly change. Many of them have risen above these handicaps to attain positions of prominence in American society. My administration will be responsive to their patient pleas and will aid them to live in prosperity, dignity and honor.

JACKIE ROBINSON STRIKES OUT

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. WATSON. Mr. Speaker, this past Sunday in Detroit, former baseball star Jackie Robinson made a statement about our colleague in the Senate—Senator Thurmond—which cannot be allowed to stand without a challenge.

Robinson said, and I quote from an Associated Press story appearing in newspapers of October 7:

> I think he (Senator Thurmond) is the worst racist in the country.

Now, Mr. Speaker, most of us who are baseball fans will agree that Jackie Robinson was one of the most exciting baseball players of the post-World War II years. His natural ability as a baseball player could only be matched by his great determination and courage on the baseball diamond, and I think he made a wonderful contribution to the national pastime.

But, since his playing days, Jackie Robinson has developed a bad case of hoof-and-mouth disease.

When he hurls vindictive epithets at our colleague, and my fellow South Carolinian, then it is time to take issue with this so-called judge of who is and who is not a racist.

Certainly, everyone of us who is privileged to be a close acquaintance of our colleague, Senator Thurmond, is always touched by his sincere and deep faith in his fellow man, regardless of race, color or creed. This magnificent American who was awarded five battle stars for his courageous role in fighting the forces of racism in World War II needs no defense from me or anyone else. Just recently, the distinguished columnist, Holmes Alexander, wrote a stirring tribute to him which I placed in the Congressional Record on September 12. As Mr. Alexander pointed out, Senator Thurmond's record of public service clearly refutes the wild and reckless charges that have been made by a handful of self-appointed apostles of the truth.

Perhaps Mr. Robinson took his cue from the immortal words of that first umpire who declared that "I call 'em as I seen 'em."

On the playing field that expression has an air of finality, because the umpire's decision is final as everyone from Abner Doubleday to Leo Durocher has learned—sometimes the hard way. However, outside the stadium is another matter entirely, and even Jackie Robinson should ralize this.

Mr. Speaker, our colleague will survive this latest malicious slur. In the heat of politics, words are often uttered which are not really meant. Of course, we can only speculate as to how keen must be Jackie Robinson's disappointment in not being able to dictate personally to the GOP Convention who should or should not be the Republican standard bearer. After being appointed to office so often, his holier-than-thou attitude toward politics can certainly be understood. Maybe one of these days he will join the rest of us mortals and offer himself before the voters for public office. This would no doubt expose his paradoxical character and tend to disillusion those remaining fans who feel that Jackie Robinson has somehow reached the pinnacle of success in politics that he enjoyed with the Dodgers.

THE A. &. M. STORY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. TEAGUE of Texas. Mr. Speaker, Mr. Bill Lee, a reporter for the Houston Chronicle, wrote an excellent story of the tradition at Texas A. & M. University, my Alma Mater, which appeared in a recent issue of his paper. Under leave to extend my remarks in the RECORD, I wish to include Mr. Lee's article:

THE A. & M. STORY

(NOTE.—Texas A&M over the years has been one of the most distinctive institutions of higher learning in America. But it has a problem, as explained by Ford D. Albritton Jr., a director of the A&M System: "I think the most serious problem facing A&M is the lack of knowledge among the people of the state of what A&M is, what it stands for and where it's going; we're still an agriculture school in the minds of too many people." This is the first of a six-part series written to lessen that problem.)

(By Bill Lee)

College Station—The hardest task for any Aggie is defining the spirit of Texas A&M University, although he knows there is such a spirit.

But Eli L. Whiteley, first lieutenant, infantry, did a pretty good job of it back on Dec. 27, 1944.

Whiteley called on actions rather than words for his definition. This other Aggies can understand. The spirit of Aggieland is not something you talk about but experience, they say.

On the day of his definition, Whiteley was in France fighting Germans. He was angry.

As a reward for 169 days of exchanging shots with the enemy, his Company L (15th Regiment, 3rd Division) had been promised a rest at the rear for Christmas. Instead, his understrength company had been rushed into a breach to replace a whole battalion of the battered and withdrawing 36th Division.

The day before Whiteley's actions, Company L had lost 40 of its 96 men in the opening minutes of an unusuccessful attack on a fortress village because the Germans were ensconced on a hill that headquarters insisted was cleared.

MADE ACTING COMMANDER

As his captain was wounded in the attack, it had made platoon leader Whiteley, just two years out of A&M, acting company commander, But, then, the company had been cut down to the size of a platoon.

After the failure, Whiteley and his line superiors agreed the only chance of success with the mauled, platoon-sized company was to wait until dark, sneak into the village without losing more men and begin the house-to-house fighting at dawn.

Then an officious colonel showed up from headquarters.

Headquarters wanted a new attack immediately, he said.

Whiteley allowed he would be court-martialed before he would lead his men to a senseless slaughter.

The colonel said he was relieving Whiteley of his command and would replace him with a man who would lead them.

With his best Texas drawl, Whiteley replied he would kill the man that came to relieve him.

At dark, no one having showed to relieve him, Whiteley moved his 55 men into the village of Sigolsheim.

The next morning Whiteley went to the front of his men.

Early in the fighting he was wounded in the left arm and shoulder by mortar and automatic weapons fire while charging a house.

Inside he killed its two defenders.

STORMED HOUSE ALONE

Hurling grenades before him, he stormed the next house alone and killed two and captured 11 defenders.

Down the street, his men encountered strong fire from another house. He used a bazooka to blast a hole in the wall. Then, with a submachine gun wedged under his good right arm he rushed inside, killing five SS troops and forcing the remaining 12 to surrender.

Near the end of the taking of the village, one eye shattered by a ricocheting bullet, he was forced to the rear by other officers for treatment of his wounds.

For his work that day, Whiteley recieved the Medal of Honor, one of six A&M former students to win the nation's highest award for heroism in World War II.

A few days ago, Whiteley, now a middle-aged agronomist at A&M, thought back on his singlehanded invasions of enemy strongholds. First of all, despite his anger, he had a reason, he said.

"I felt like I was better trained than anyone else in the unit to do it," he said.

When A&M men seek to define their particular esprit de corps, they talk around the same virtues (or qualities, if you will) that Whiteley demonstrated.

FIERCE LOYALTY TO GROUP

These include pride in self and group, a fierce loyalty to the group, a devotion to something larger than self, a philosophy of bearing at least one share of the load and a comradeship that means more than the goodwill of camaraderie.

"I remember the spirit as a special sort of camaraderie that grew on you because of the intimate association," said Ernest Langford, a member of the class of 1913. "There was a sort of family relationship.

As in the family, this closeness does not exclude (perhaps even encourages) quarrels among the members, but it brooks no division when confronting the outsider.

"You go anywhere in the world and see this ring," said student senate president Bill Carter, holding up his class of 1969 ring for inspection, "and you know you have a friend."

The philosophy of assuming one's share of the load is often translated into two words: "Hard work."

"We believe that when you go to work for a man you give him a day's work for a day's pay," said engineering dean Fred Benson.

Others prefer to think of it as a feeling.

"The Spirit of Aggieland is what every senior gets the last time he hears the Aggie War Hymn," said senior Garland Clark, deputy commander of the Corps of Cadets.

WHY IT FLOURISHED

The spirit, however defined, rose and flourished because of the unique conditions of the school.

"The very premise on which the institution was founded plays a part in the spirit," Whiteley said. "It was a school for technicians, the people who could most help Texans. That was their big need."

Whiteley said an important part of the traditional spirit is "a feeling of helping your fellow man in any way you can."

In the early days, and well into the 20th Century, A&M was isolated at College Station. The nearest town of any size, Bryan, was several miles away. The only convenient way of reaching it was by train. Not unusually, a student would spend a semester without once setting foot off campus.

"We're still not a commuter college," said J. Gordon Gay, YMCA secretary who has been on the campus 40 years. "But it used to be when you got here you were here to stay awhile."

Then, when the school was all-military, the students lived together by company, they ate together, dressed alike and, not infrequently, with the hazing, suffered together.

"The Spirit of Aggieland resulted from the camaraderie that came from being isolated," said Gen. Rudder, president of the university system and a 1932 graduate. "The camaraderie was born through necessity."

MANY OPPOSSED CHANGE

Rudder noted that many of the sternest traditionalists, those opposing any change at the university, were students in the Great Depression 1930s.

"We were all poor and all the hopes we had of making anything of our lives depended on A&M," Rudder said. "A&M was all we had."

Over the years, traditions have sprung up as outward manifestations of the spirit.

One of the best known is the Aggie Muster held in groups of two or a thousand all over the world on San Jacinto Day. The muster was originally to commemorate Texas independence, but now pays homage to the Aggies who have died. As the names of the dead Aggies are called, a living comrade answers "here," meaning they are all together in spirit.

TRIBUTE OF SILVER TAPS

A tribute is also held on campus for an Aggie on learning of his death. Called Silver Taps, the ritual has several buglers from the Aggie band playing Taps at night from the dome of the Academic Bldg. after an honor guard of Ross Volunteers fires a rifle volley. All lights in the dormitories and campus buildings are turned off during the ceremony.

Then there is the Twelfth Man tradition which keeps all students on their feet during a football game to demonstrate their readiness to assist the 11 players on the field if needed.

There also is a tradition that demands a student say "howdy" to everyone he meets on campus and a freshman shake hands and introduce himself to everyone.

During Thanksgiving week the students demonstrate their willingness to work. They cut logs and build what is unchallenged as the world's largest bonfire, the timbers sometimes reaching 70 feet high. It is ignited the eve of the Thanksgiving Day football game with the University of Texas.

With all the traditions even the A&M enthusiast can grow temporarily satiated.

HOW TRADITION IS BORN

"If we do anything twice and like it, it is a tradition," one hears often on the campus the remark being accompanied by a self-depreciative smile.

Another, and more serious, criticism of the A&M spirit is that it just isn't realistic. The people who attend A&M are much like people anywhere—some good, some bad but most indifferently human. Few actually sacrifice themselves for anything.

The answer, of course, is the spirit was never meant to be real. It is an ideal. And like other ideals, it gives its advocates something to strive for. Perhaps not reach, but be a little better for the effort.

One campus pundit compared the spirit to the statue of Lawrence Sullivan Ross, the "Soldier, Statesman and Knightly Gentleman" who before the turn of the century gave the college the start it needed to rise to a position of prominence.

Every fall the freshmen polish the bronze image of the Confederate general, Texas governor and A&M president.

No one denies the statue, standing on the lawn in front of the Academic Bldg., grows tarnished between polishings.

Just so, said the pundit, are the Aggies improved by the buffings of tradition.

CHARLES WRIGHT DIES—VETERAN MINING EXPERT

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. RUPPE. Mr. Speaker, I would like to include in the RECORD the obituary of Mr. Charles Will Wright which appeared in the Washington Evening Star on September 25, 1968. Mr. Wright was a mining engineer whose knowledge, experience, and reputation spread throughout the world as the words to follow point out:

CHARLES WRIGHT DIES—VETERAN MINING EXPERT

Charles Will Wright, 89, a mining engineer who carried out many strategic missions abroad for the government, died today at his home, 2540 Massachusetts Ave. NW, after an apparent heart attack.

A prolific writer, he was chief of the mining division of the Bureau of Mines and chief mineral specialist of the State Department for many years, and a consultant to the government and industry later.

At his death, he was the Cosmos Club's member of longest standing.

The son of a geologist who founded the Michigan College of Mines, he was born in Marquette, Mich., but attended primary schools in Ann Arbor.

To follow in the footsteps of his father, who died in 1888, Mr. Wright's mother took him to Germany, where he studied at the University of Heidelberg and at the Freiberg School of Mines in Saxony. He received a B.S. degree in 1902 and M.E. degree the next year from Michigan College of Mines.

MAPPED ALASKA MINES

After working as a camp cook in British Columbia on the Canadian geological survey for a brief time, he spent three years mapping and studying gold belts and mines and other geological formations in southeast Alaska. At that time, he carried a Colt six-shooter on one side of his belt and a geologist's hammer on the other.

In 1908 he became a chief engineer of mines in Sardinia for a British-owned firm. The day before he sailed for Italy, he was married to the former Helen Dunstan.

After 11 years in Sardinia, Mr. Wright was presented with the Commendatore della Corona d'Italia, one of Italy's highest awards, for his work in modernizing Sardinia's mining industry.

He was director of a group of mines in northern Italy for several years before returning to the United States in 1927 and becoming, the next year, chief of the mining division of the Bureau of Mines.

ISSUED 300 REPORTS

A study program under his direction issued some 300 reports on mining, milling methods and costs in the United States, covering coal as well as metals.

In 1931 he headed a four-man team of engineers to survey the mineral resources of Puerto Rico, after which he made a resurvey of the Glacier Bay area in Alaska.

He was appointed chief foreign mineral specialist in 1935 and was attached to the State Department to prepare a series of overall surveys on the mining districts and mineral resources of Europe. He was transferred to South America in 1939.

In 1942 he organized the mineral segment of the Institute of Inter-American Affairs, to help in accelerating the output of strategic minerals in World War II.

In 1945, Mr. Wright returned to Europe for the Bureau of Mines to survey the mining industries of East Germany prior to Russian occupation of the area, which then appeared imminent.

In the mines, Mr. Wright's group discovered German plans for the fabrication of plastics, synthetic fibers and many advanced types of weapons including the V–1 and V–2 missiles. They also found a stockpile of 2,250 tons of mercury, stored in a German mine, which was valued at $11 million on the London market.

He continued as a consultant to the Bureau of Mines and the International Cooperation Administration until 1947, when he left the government to become a consultant for Thayer Lindsley, the Westinghouse Electric International Co. and the Joseph Frazer Syndicate.

Since 1955, when he broke a hip in an automobile accident, Mr. Wright had devoted his time primarily to writing articles, a sideline of his since he wrote a 1909 report on the Messins earthquake for National Geographic Magazine.

IN CLUB SINCE 1904

Mr. Wright became the member of longest standing at the Cosmos Club after the death in 1966 of Gilbert Grosvenor of the National Geographic Society. He was elected to the club in 1904, six months after it was formed.

Besides his wife, he leaves two daughters, Mrs. Allan B. Fay of 6116 Overlea Road, Fort Sumner, Md., and Mrs. Robert B. McKellar of Aiken, S.C.; two sons, Frederick D. of Lexington, Ky., and Thomas W. D., of 4564 Indian Rock Ter. N.W.; 15 grandchildren, and three greatgrandchildren.

Services will be at 2 p.m. Friday at St. Thomas' Episcopal Church, 18th Street between P and Q Streets N.W.

The family requests that expressions of sympathy be in the form of contributions to the memorial fund of St. Thomas' Church or to Family and Child Services of Washington, 929 L St. N.W.

HEMISFAIR

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BUSH. Mr. Speaker, I had intended this statement to be a part of yesterday's special order on HemisFair by my distinguished colleague, the Honorable HENRY B. GONZALEZ, who has done so much to make HemisFair the success it was. However, I was unable to meet the deadline and would like at this time to insert these remarks into the RECORD.

My wife and I had the pleasure of visiting HemisFair earlier this year and we enjoyed every second of it. The fair itself and the exhibits were so tastefully done that everyone I have talked with agrees: It was wonderful.

There is no question that an event such as HemisFair is marvelous for San Antonio and for Texas, but it is good for the country, also. It shows our sister republics that we are interested in our common heritage and that we want to learn more about them. This kind of hands-across-the-border spirit can only benefit this country in our world relations and has the additional benefit of being a fun place to visit and take our families.

REMARKS BY CHAIRMAN JOHN HARLLEE ON LAND BRIDGE SYSTEM

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. GARMATZ. Mr. Speaker, a new concept in transportation has received considerable publicity in the press recently—the land bridge system. This is a very interesting proposal and worthy of very careful study by all of the Members.

Recently Adm. John Harllee, chairman of the Federal Maritime Commission spoke on this subject before the Pacific Coast Association of Port Authorities at San Diego, Calif. I know all of the Members will find these informative remarks most helpful in their consideration of the matter and, therefore, I am inserting them in the RECORD for your perusal:

REMARKS OF CHAIRMAN JOHN HARLLEE OF THE FEDERAL MARITIME COMMISSION AT PACIFIC COAST ASSOCIATION OF PORT AUTHORITIES, HOTEL DEL CORONADO, SAN DIEGO, CALIF., SEPTEMBER 24, 1968

President Ruehle, distinguished guests, ladies and gentlemen: Meeting here in southern California with the Pacific Coast Association of Port Authorities in the lovely setting of the Del Coronado is indeed an inspiration.

With everything so beautiful, so light, and so airy, it is my unfortunate duty to address myself to a subject which has engendered more worry and speculation at the Federal Maritime Commission than anything we have faced in recent years.

It takes a hearty soul to even speculate about the land-bridge sweepstakes that have "heated up" in the last few months with a wave of railroad interest.

For a service that has yet to produce one container load of traffic I dare say that the United States land-bridge concept, between Europe and Asia, has kept more rate-and-planning people burning the midnight oil than anything else in the transportation field in recent times.

The last time I was in San Diego there was a lot of talk that this Port might not even be interested in containership activity. From what I have learned in my present visit much of the pessimism is being dissipated and there seems to be a growing of optimism indicating that the Port of San Diego has no intention of letting intermodal progress pass it by.

We have noted in Washington that the Port of San Diego, had undertaken an experiment concerning itself with the costs of moving export cotton in containers. As we understand it, cotton arrives in bales and the San Diego experiment involves the employment of longshoremen to load the cotton into containers to sail overseas. According to reports in Traffic World, a pretty accurate source, there is real reason to believe that this experiment in moving the basic Southwest cotton crop, via containers, may reveal some money-saving possibilities.

San Diego port officials are real optimists. According to the reports which I have received they hope to set aside ample acreage for container facilities at a new deep-water terminal now in the course of construction and, not content with waiting, they are now moving some container traffic over through-routes by piggyback services.

Knowing that San Diego has a population which harbors more scientists per square inch than almost any place on earth, it did not surprise me to learn that one of the major import commodities handled in San Diego by containerization includes electronic equipment, which is shipped in here in large quantities from Japan and Hong Kong. Electronics is a two-way trade in San Diego. The electronic industry of this area provides a substantial export in such sophisticated devices produced here for shipment abroad.

Most of the containers which move on-or-off vessels today in the Port of San Diego are manipulated by ship's gear because the Port does not, at present, maintain gantry cranes. But, despite the lack of heavy-lift equipment, containerization is facilitated at this Port by the availability of wide aprons and large handling areas adjacent to warehouses and the splendid transit sheds alongside San Diego's docks.

At the Federal Maritime Commission we have never been content to count San Diego out in any possible Port development. While this area faces the stiffest sort of competition, its strategic position in southern California, its record of aggressive service and aggressive sales, and its road accessibility to the growing frontier represented by the American Southwest, augers well for San Diego's future.

The recent period of trade and port expansion on the Pacific Coast has been brought about through a modernization of the various modes and systems of transportation. Progress is not achieved without change and change is not accomplished without disruption of traditional ways of doing business. There are those who today would have us believe that the future of transportation is intimately tied to the introduction of containers in each of our major trades. There are others who are equally confident that successful ocean transportation in the future will be best accomplished by a system which utilizes palletized or unitized cargo. In each of the projections that has been suggested, the continued existence of the freight forwarder as traditionally conceived is a subject of discussion and concern.

While we do not overlook these difficulties, for an instance, it would be difficult to address you today on each of their ramifications. I am therefore limiting my remarks to one of the most talked about concepts engendered by the increased use of containers and pallets. My subject is, A Look From the Ship Bridge at The Land Bridge.

Containerization has brought about many new concepts for the handling of cargo. One of the most widely discussed methods is the "land bridge system."

As an example of this system, goods might be loaded on board a container ship at Japan, transported to a port on the West Coast of the United States and there transferred to fast unit trains that travel at high speeds across the United States to a port on the East Coast and finally loaded aboard another container ship that would transport the cargo to the United Kingdom or Europe.

The significant benefits to the shipper through the utilization of a land bridge fall into two major categories: (1) the transit time would be shorter; and (2) the rate would be lower.

In the past year several railroads have publicized plans to inaugurate a land bridge system across the United States. The Santa Fe Railway jointly with the Penn Central Railroad has established a "unit" container train rate of $144,000 per train, round trip, coast to coast, minimum of 80 leased cars per train and 25 trips per year.

The Norfolk and Western Railway in conjunction with the Union Pacific Railways plan to establish a land bridge across the United States at $1,320 per carload for from one to ten carloads on a coast to coast movement. A single rail freight car would haul two to four containers (depending on the size) and the rate would scale down to $1020 per car for 31 or more carloads of containers. The railroad would furnish the cars and the steamship company would furnish the containers.

In addition to the above railroads, United Cargo Corporation, a non-vessel owning common carrier by water, had announced plans to initiate a land bridge system of 100 containers moving east and west every 10 days to take advantage of the volume rates offered by the railroads. United Cargo plans to use the Norfolk and Western and Union Pacific Railroads for their recently announced service.

Aside from utilizing the continental U.S. as a land bridge there are three other possible locations of land bridges being considered. One would be across the continent of Asia and would use the Trans-Siberian Railroad. This routing is presently in effect on a limited basis for the movement of cargo between Europe and the Far East. Cargo that originates in Europe is being carried by Western railroads to Czechoslovakia and there transferred to the Russian railroad and carried across Eastern Europe and Asia to the Port of Nachodka, near Vladivostok. The last leg of the journey, from Vladivostok to Yokohama is on board a Japanese freighter. Overall transit time of the movement from London to Yokohama is exactly one month—two weeks less than the all water route via the Suez Canal.

Another land bridge favorably mentioned passes across Canada from Halifax to Vancouver. The last is the Elath-Ashdod bridge across the Negev Desert through Israel. This route can be traversed by trucks and trailers in approximately eight to nine hours. This system was initiated when the Suez Canal was closed in June of 1967; however, inferior roads and bad road connections have thus far limited its utilization.

With the exception of the Elath-Ashdod example, the railroads are the key to this whole concept. They must participate in the establishment of rate structures that will enable a shipper to transport his goods cheaper and faster than by an all water route. This would probably be of greatest benefit to the higher rated cargo, since the main advantage would be lower inventory and warehousing costs to the owner of the goods.

Thus a new concept is introduced in ocean transport. Instead of moving over the traditional sea lanes, the Japanese, South Korean, Taiwan and other Far Eastern flag carriers will call at West Coast ports to unload freight that is destined to consignees in the United Kingdom or Europe. The prospect of such a movement across this country excites the imagination and interest of our ports on both the West and East Coasts of the United States.

In addition to the normal traffic moving through these ports that originates or terminates in the United States, significant amounts of cargo will be loaded and unloaded at port terminals that heretofore never touched the shores of this country.

We are examining the shipping acts to determine our jurisdiction, if any, over what may essentially be labeled a foreign to foreign movement that is loaded and unloaded at United States ports. Even though the rate quoted the shipper may be between foreign ports, the cargo will be transported between a port in a foreign country and a port in the United States by an individual common carrier by water.

As a result of containerization and the various methods of transporting cargo that have evolved therefrom, many traditions of the shipping industry may fall by the wayside. The conference system of steamship lines will have to reckon with consortia of container operators that offer fast new ships that cross the oceans in record time. An example is Atlantic Container Lines, composed of four foreign flag lines and presently serving our trade between the East Coast and Europe.

The traditional dual rate system may be vitally affected by box or container rates that are applied regardless of the contents.

Pools of container equipment may be established in order to allow the carriers (land and water) to realize maximum utilization of their equipment.

More facilities will have to be established at the ports to allow for the expeditious handling of containers. This means that ports congestion caused by traffic jams and labor problems must be minimized.

Forecasts have been made that the smaller ports will vanish due to the needed investment of millions of dollars to develop container facilities that can only be financed by the larger ports and even then that all the larger ports will not necessarily retain this traffic. In fact it has been said that only one or two ports on the west and east coasts of the United States will function as major container ports. Under this view the other ports will handle either bulk or specialized ships that handle break bulk cargo not susceptible to containerization.

It would be premature to evaluate these theories. Many ports on all coasts of the United States are now constructing and modernizing facilities to handle containerized cargo. Obviously, certain ports have definite geographical advantages that would qualify them certainly as one of the major container ports. However, the cluster of excellent facilities that exist here in California makes it a real horse race. Stockton, San Francisco, Oakland, Los Angeles, Long Beach and Sacramento, as well as San Diego could all serve as container ports.

Whether the "land bridge system" emerges as a major method of handling container traffic will depend to a large degree upon the railroads. The availability of large uncluttered areas and access highways such as exists at Port Elizabeth, New Jersey will also be a governing factor.

Containerization means among other things a fast and inexpensive intermodal movement that does not begin at the ports but reaches inland to the shopper or consignee. Modern facilities and efficient methods of moving cargo must not end or begin at the ports but must extend inland to the origin of the cargo. If a port could store thousands of containers but could not move them expeditiously away from the waterfront, its operation is doomed to failure.

Since the "land bridge system" may be a key to the development of a port as a major container facility it is being well publicized and evaluated by members of industry and Government.

The Federal Maritime Commission staff has recently completed a preliminary analysis of the time factors and cost factors involved in a "land bridge" movement across the United States as compared with an all water movement through the Panama Canal. It essentially utilizes the unit train proposal offered jointly by the Santa Fe and Penn Central Railroads.

The study was made not to promote the land bridge system but rather to find out if the present Santa Fe/Penn Central type proposal could compete effectively with an all water movement through the Panama Canal. Based upon the present rate structures and a combining of these local rates the results remain somewhat uncertain and any conclusions would accordingly be premature.

However, the survey did show that this type of proposal, if used between ports in the United States, i.e., from Japan through the West Coast to the East Coast consignee; or from the United Kingdom through the East Coast to the West Coast consignee might result in lower landed costs.

The savings in transit time in these movements to and from the East and West Coast as compared to a movement via the Panama Canal are significant. A land bridge movement from the West Coast to United Kingdom via the land bridge takes eleven (11) days. This represents a savings of thirteen (13) days over the all water route, with resultant economies such as those of a smaller inventory and lower warehousing and insurance charges.

The success of any land bridge proposal would depend on the rigid adherence to time schedules to coordinate the arrival of the unit train with the arrival of the ship. In this way the goods would not be stored in the marshalling yards and accrue unnecessary charges. This concept is based, to a great extent, on savings in transit time which call for precise timing on the part of the carriers to avoid any delay at the ports.

To fully achieve the benefits which such integrated transportation offers, documentation must be drastically simplified to avoid proliferation of documents which provides artificial encumbrances. Furthermore, containers of cargo must travel unimpeded through the ports to shipside. This requires changes in our customs procedures and avoidance of any traffic jams or backlogs of containers that cause the ship to spend extra time in port.

Many problems must be overcome to make the land bridge system work. Some of the significant problems are complexity and confusion concerning Government procedures, lack of coordination of cargo movements and port congestion. The Government agencies are endeavoring to replace procedures which are inefficient or outdated with simple and modern rules that meet the needs of today's transportation industry. We must also keep pace with the modernization of the modes of transportation.

For example, I believe that the FMC staff survey of which I spoke represents the first effort by a Government agency to analyze a land bridge proposal and discuss its findings publicly. We plan a continuing analysis of all such proposals to determine their competitive relationship and practical feasibility.

The "land bridge system" could be a further step towards truly integrated transportation systems that will better serve the needs of the shipping public. The acceptance and use of the "land bridge" will be determined by competitive rates and the resolution of problems that inhibit its development.

However, in order to make a success of the "land bridge" all segments of Government and industry must do their part. New rules and regulations cannot succeed alongside archaic conditions in the transportation industry. Modernization of port facilities, construction of access highways, modernization of railroad equipment (trains and tracks) are needed. Private industry and Government are working together to capture the new ideas of integrated transportation and turn them into realities.

If the "land bridge system" is proven to be an acceptable method of transporting cargo we stand ready to offer our assistance and resources to enable land and water carriers serving the commerce of the U.S. ports to establish the first successful land bridge in the world.

The United States pioneered the piggyback rate, the fishy-back rate and the birdie-back rate, and now has the opportunity to be the pioneer of the land bridge rate.

UNITED STATES PROVOKES WAR IN AFRICA AND DISTRICT OF COLUMBIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. RARICK. Mr. Speaker, with so-called peace talks in progress between our country and the Communists in Paris, it comes as a shock that U.S. howitzers were found aboard a U.S. ship in South Africa marked for delivery to Dar es Salaam and Burundi.

Is U.S. foreign aid now being supplied to the African terrorists?

Is this another United Nations-directed operation to bring "peace" to South Africa by murdering nonblacks and overthrowing the peaceful established government of South Africa and other pro-Western countries that are staunchly anti-Communist?

Just how far can our leadership and/or that of the U.N.—which appears to be calling signals—go before the friends of the American people in Africa realize our present foreign policy direction is toward provoking an undeclared war against them?

And the latest unconscionable act by U.N. authority has been to seize the personal bank accounts of Rhodesian citizens in the United States and the Rhodesian Information Service offices here in our Nation's Capital.

Mr. Speaker, the American people are entitled to know what our country is doing, so they can make an intelligent decision at the polls on November 5.

Under unanimous consent, I submit the Durban Daily News article and other enclosures for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Durban (South Africa) Daily News, Sept. 25, 1968]

HOWITZERS RIDDLE: LANDED IN DURBAN—THEN WHAT?

Officials still refuse to say what has happened to a mystery cargo of American howitzers unloaded in Durban earlier this month. The guns were marked for shipment to Dar es Salaam and Burundi but—at the time of off-loading—U.S. Consulate officials said they were really destined for South America.

The officials said then that the guns were to be held in bond in Durban for later shipment to America. But today, neither the agents for the freighter Ruth Lykes, which brought the guns to Durban, nor the United States Consulate in Durban, would comment on their whereabouts. A source in the U.S. Consulate did say, however, that the guns had left Durban.

DURBAN, SEPTEMBER 26, 1968.

MY DEAR MADAME CHAIRMAN: I wonder if you can prompt or provoke anybody on your side (the Southern Africa Council or anyone else you can trust) to publicize, ventilate and get to the bottom of the very nasty-sounding affair described in this cutting.

Early in September a Durban newsman (the shipping reporter of the Daily News, I think) stumbled across it.

One of the Lykes Lines ships offloaded a cargo of U.S. artillery here in Durban. The cargo was consigned to Dar es Salaam and Burundi!

When the affair was made public the U.S. Consulate here said it was all a mistake: the howitzers were really intended for South America!!!!!

(Only an official agency, I imagine, could get away with such an explanation as that, and refuse to say anything more.)

Now the howitzers have disappeared and the Lykes Lines people and the U.S. Council refuse to say whether they have gone. If they have gone to South America, why not say so?

If on the other hand they have gone to Dar es Salaam, which is in effect a Soviet outpost up north from here, that would clearly imply that they are likely to be used, sometime, against Portugal, or Rhodesia, or even South Africa. As you know, the arms at present used by the Soviet-trained terrorists are of Soviet, Czech or Chinese origin, but up to now have not included any artillery: about the biggest thing so far encountered is a grenade-launcher, I think. Any odd pieces of British or U.S. arms which may have been found could have been written off as old stock from the Congo, or someplace.

But *howitzers!* And new, recently-delivered ones, borne by an American ship! The truth about this matter ought to be ferreted out, and the only way to do it is for someone on your side to get really vocal about it. If the facts of the matter are harmless, then nobody will be harmed by disclosing them.

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RHODESIANS

WASHINGTON.—The Rhodesian information office said today the U.S. Government had taken the "quite unprecedented" step of freezing the personal bank accounts of information officers John Hooper and Kenneth Towsey.

"This is our own money," Hooper said. "It doesn't belong to anybody except us."

Hooper said they received a call from their bank Monday night advising them that the U.S. Government had reason to believe that Rhodesian Government funds were contained in their personal accounts. Therefore, the bank said, the accounts were being frozen.

As part of its sanctions program against Rhodesia, the United States earlier froze the Rhodesian Government's bank account in New York.

The State Department had no immediate comment on the action.

GOLDEN ERA

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BOB WILSON. Mr. Speaker, George Wallace made a downright misstatement of fact in his speech this week before the National Press Club when he declared there had been no difference between the foreign policies of the Democratic and Republican Party. I should like to correct the record.

As Frank Kluckhohn points out in his new book "The Man Who Kept the Peace," which has an excellent introduction by Senator KARL MUNDT of the Foreign Relations Committee of the other body:

Under Dulles, not one American soldier died. Not one foot of ground was lost to the Red Russians or Chinese. Austria came out from under the Iron Curtain and the Soviet Union was forced to turn from supporting armed adventures. There was no Bay of Pigs, no U.S.S. *Pueblo*, no Cuban missile crisis, no Vietnam.

Mr. Kluckhohn points out that this "golden era" came "between the Korean war with its 33,000 American dead and 103,000 wounded and Vietnam with its 25,000 dead and 110,000 wounded."

I would suggest it is time George Wallace learns the facts and stops selling fallacies about an important era of American affairs in which, obviously, he is abysmally ignorant.

FOR RICHARD NIXON

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. QUILLEN. Mr. Speaker, newspapers throughout the country are throwing their support for Richard Nixon. Among the first was the Bristol Herald-Courier in its issue of Sunday, October 6, 1968.

Richard Nixon is far out ahead, and I am real pleased to make this editorial available to the readers of the RECORD:

FOR RICHARD NIXON

At this time in history, when reason has been routed by emotions born of frustration and fear and faithlessness in the American dream, it is imperative that men such as Richard M. Nixon be called to lead.

This is a wounded, divided, confused nation. It stands weakened by a hemorrhaging of morals and resources and human values through lacerations inflicted upon it by the Great Society and its creature of permissive chaos, the New Left.

But, for all its wounds, it is still a strong nation because it is people, in the vast maority, by strong, stable men and women yet capable of deciding their fate.

We cannot believe they will entrust that fate to hands stained with the failures of the past five years.

Nor, in their concern and in their anxiety, do we hope they will scurry from challenge toward that mirage of order and safety offered by the measured beat of reactionary drums.

This is not a safe world; there is no hiding place; there never has been and there never will be—not on the left, not on the right, not in the middle.

Yet, the illusion persists that somehow, on the left for some and on the right for others, there lies the millenium. It is not there; it is nowhere; and those who offer it to the American people are guilty of deceit, intentionally or unintentionally.

Much has been made of polarization in the American society. It would be folly to deny its existence. But it is not folly to remember that only a minority of Americans are polarized—those who seek to shatter America by revolution, as if this would cure the patient, and those who think the best of dreams are those dreamed long ago.

Caught between these grinding forces are the greater number of Americans who understand the necessity for preserving the nation yet avoiding those extremes which circle toward a single goal—totalitarianism.

These Americans have a choice. That choice is Richard M. Nixon.

He is not a knight in shining armor. He is not a savior sent to wave some magic wand and end all tribulation. He does not have all the answers, nor does he pretend to have them.

But Richard Nixon is eminently qualified to lead. He understands the American system, its strengths and its weaknesses. He speaks not to the extremists, nor for them. His is the voice of confidence, of optimism, of leadership, urging the American people to have faith in themselves and in their nation.

The United States needs the calming influence of such a man, not only to guide us through the volleys fired from left and right but also to restore to this nation its pride and its prestige among the peoples of the world.

This is a nation with a noble past and a perplexing present. Let us assure ourselves that it will have the finest future we can give it in the face of all those things which trouble us and challenge us. Let us elect Richard M. Nixon president on November 5.

REPORTS TO NINTH DISTRICT RESIDENTS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the texts of my two fall newsletters to Ninth District residents.

THE RECORD OF THE 90TH CONGRESS

The Second Session of the 90th Congress, now completing one of the longest day-to-day legislative runs in years, has picked up a number of labels along the way. Observers—official and otherwise—have tabbed it "weary," "ill-tempered," and "leaderless."

The Congress this year has been denounced for its "fiddling," and praised for its accomplishments. It has been accused of making "useless studies" and bowing to "special interests," and lauded for constructive action to meet the Country's challenges.

So that Ninth District residents might better judge the 1968 session of the Congress—its accomplishments and its shortcomings—I have compiled the following quick summary of legislative highlights:

AGRICULTURE

The Food and Agriculture Act of 1965 extends for one year the present farm programs.

Other agricultural legislation prohibits unfair trade practices against producers and cooperatives, safeguards against fraud and manipulation in the nation's commodity exchanges, and an International Grains Agreement to provide added insurance against falling wheat prices and to coordinate efforts in attacking worldwide hunger.

CIVIL RIGHTS

The Civil Rights Act of 1968 safeguards persons in the exercise of civil rights, extends federal jurisdiction to riots and disorders, establishes national fair housing standards and protects the constitutional rights of Indians. Another law seeks to provide for random jury selection, precluding discrimination in the selection of federal juries.

CONSUMER AFFAIRS

Since my previous newsletter summarized consumer legislation, I'll only mention it briefly. It includes a comprehensive study of automobile insurance, a fire research and safety program, truth-in-lending and wholesome meat act.

EDUCATION

The Higher Education Amendments extend for five years programs to help institutions of higher education to improve facilities, provide grants and loans to needy students and provide special services to improve the institutions.

The Vocational Education Act Amendments provide a comprehensive and unified approach to vocational education, improving existing programs of vocational education and providing financial assistance to needy youth to continue vocational education. New approaches are encouraged, including exploratory programs to broaden aspirations, to meet special needs of the handicapped, and to emphasize the work-study approach.

School Lunch Amendments improve the nutritional status of needy children away from home.

The National Foundation on the Arts and Humanities also was extended for one year.

FOREIGN AFFAIRS

The Arms Control and Disarmament Agency was extended for two years, and the Food for Peace Program was extended for two years, emphasizing self-help by the countries receiving aid, voluntary population control, and prohibiting sales to countries trading with North Vietnam.

The Export-Import Bank was extended through 1973 with increased operational authority, but prohibiting business with Communist or hostile countries. The Inter-American Development Bank was also expanded.

The Foreign Military Sales Act was passed to authorize sales of military equipment to friendly countries, and to finance credit sales.

THE CONGRESS

The House of Representatives created a permanent House Committee to investigate and rule on breaches of proper conduct, and adopted a code of conduct.

Legislation was enacted to authorize increased cooperation between federal and state government in the Intergovernmental Cooperation Act.

VOTING REQUIREMENT

The Federal Voting Assistance Act gives employees and Armed Services personnel overseas greater absentee voting rights.

HEALTH

Regional Medical Programs were extended to attack the three greatest killers—heart disease, cancer and stroke. Also, a new treatment of alcoholism is provided. The Health Manpower Act is comprehensive legislation extending programs for the increase of health manpower.

HOUSING

The Housing and Urban Development Act is an omnibus bill, authorizing the financing of lower income housing in both urban and rural areas with the fullest possible utilization of the private sector. It also includes provisions for urban renewal, urban transportation, national flood insurance and a variety of other housing and urban programs.

LAW ENFORCEMENT

The Omnibus Crime Control Act provides block grants to states to strengthen state and local law enforcement agencies, to change recent court decisions to strengthen the hand of law enforcement officers, to allow restricted use of wiretapping, and to regulate the over-the-counter sales of handguns to out-of-state residents.

The Juvenile Delinquency Prevention and Control Act assists courts, correctional systems and community agencies to prevent and control juvenile delinquency.

TAXATION

The Revenue and Expenditure Control Act imposed a 10% surcharge on individuals and corporations, accelerated corporate payments, extended excise taxes, reduced federal expenditures in this fiscal year by $6–$7 billion, reduced new obligations by $10 billion and rescinded $8 billion in unobligated balances.

NATURAL RESOURCES

Funds for Land and Water Conservation were increased to acquire land and water for parks and recreation areas. A national wild and scenic rivers system was established, the Central Arizona Project approved, and expanded saline water conversion program was also approved. The Redwood National Park, among others, was established.

PENSIONS

Railroad retirement benefits not increased by Social Security Amendments of 1967 were increased.

VETERANS

Disability benefits were increased from $300 to $400 each month for totally disabled veterans, compensation rates adjusted for less than totally disabled veterans to meet cost of living increases. Incentives were offered for veterans to become teachers, policemen, or firemen.

Income limitations which determine eligibility were increased to allow more outside income without reducing pension payments.

Educational assistance was also extended to widows of veterans killed in service.

HOLIDAYS

Uniform Holiday-Bill sets the annual observance of five national holidays on Mondays.

The 90th Congress failed to enact several urgently needed measures.

Left bottled up in committee was legislation:

To reform and update many of Congress antiquated and time-consuming methods and practices.

To establish spending and contribution limits on campaigns for national office, and to require more detailed reporting of campaign expenditures.

To abolish the Electoral College, giving Americans an opportunity for more direct participation in the process of selecting their President.

No effort was made to correct the inequities of our tax laws.

These measures should be high on the agenda of the 91st Congress.

To Put America on a Sure and Steady Course

The year 1968 is the political year of our discontent.

Americans are disgruntled, restless, uncertain—even angry. A minister of the gospel and a Senator have been assassinated; war casualty lists grow; bearded rioters hurl filth and obscenities at policemen.

We confront today:

A dirty, tragic war.

Arbitrary and unjust barriers to individual fulfillment,

Institutions unresponsive to the people they serve.

Modern cities plagued with ancient enemies: disease, hunger, ignorance.

Lagging development and inadequate income in rural America.

We are rich, yet we are poor.

We are powerful, yet we are humiliated.

We are high principled, yet we are viewed with suspicion.

Our minds cannot accept these contradictions. Our consciences will not justify them. And our public policies do not eliminate them. So we are frustrated and discontent.

I have, therefore, felt that I should comment on several of the perplexing challenges before the nation, and I have done this in a series of radio broadcasts.

I have no illusion that my suggestions will in every case be the best, or the only, answers to our problems. Our problems are too vast and too complex for any one man to have all the answers. But not to attempt to deal with them in a constructive, practical, way is to fail in my responsibility as a Congressman.

Besides, residents of the Ninth District have a right to know how I would approach these problems.

Many of my suggestions have their roots in four simple principles:

1. I believe that private, local and state institutions must be significantly strengthened to meet the growing problems of this crowded and restless country. One of the realities of the 1960s is that solving our problems will require the participation and involvement of us all.

2. I believe that a Congressman must work closely with the people he represents. Their opinions should carry his high respect; their business gain his careful attention; and their interests become his own.

3. I believe that rural America has an important role to play in this country's future. There is a link between our city problems and the conditions in rural America.

Because of the crisis in America's cities, however, there is an ever increasing danger that the problems—and the contributions—of rural America will be ignored. To improve rural America is to improve the conditions of urban America.

4. Finally, I believe the new questions, the new realities need less soaring rhetoric, less partisan statements, and more diligence in getting on with the business at hand—solving our problems.

In this newsletter I summarize from my radio report the recommendations I offered to put this nation on a sure and steady course.

LAW AND ORDER

The first business of any government is the safety of its citizens. But in America we want more. We want for our citizens a sense of security, a mood of confidence, an absence of fear, and an ability to move without apprehension of assault or attack.

In our democracy, the principal responsibility for dealing with crime does not lie with the national government—but with state and local communities. But, today, the national government must lend a helping hand.

So I support a national strategy against crime that is consistent with the principle that law enforcement is primarily a local responsibility.

To make our fight against crime more effective, I recommend:

1. Support of the Omnibus Crime Control Act which provides aid to local law enforcement agencies for better training, equipment and facilities, court reforms, wire taping under restricted circumstances, and changes in certain Supreme Court decisions.

2. Establishment of a national research center for crime, free of the direct control of any Federal agency or department, to study the incidence and areas of crime, and new techniques for its prevention and detection.

3. Strengthened efforts to reduce juvenile delinquency, including the modernization of juvenile courts with more emphasis on making youthful offenders useful citizens in society.

4. Strengthened federal law enforcement agencies, like the F.B.I., by providing them with additional officials, and by reorganizing and consolidating federal law enforcement agencies.

5. Enforcement of the anti-riot legislation which I sponsored and which was enacted into law this year.

We cannot expect police action alone, or the courts alone, or tough laws alone to eliminate crime. So coupled with a national strategy against crime, and our efforts to upgrade law enforcement agencies, we must also strive to correct the conditions which breed crime, seeking to establish justice while we also seek domestic order.

CIVIL DISORDER

As a nation, we cannot tolerate lawlessness and violence. The federal government's response to civil disorders should be based on two clear principles: (1) vigorous, prompt and unyielding enforcement of the law; and (2) law enforcement handled primarily under local responsibility.

In the event of disorder, the proper response includes these steps:

1. A strictly-enforced curfew in any city at the first sign of impending trouble.

2. All local, state and federal law enforcement officials including the national guard, should be trained in riot control, and, at the first sign of trouble, without hesitation, should be deployed to the riot scene.

3. Substantial leeway for troops and police to use tear gas and other riot-control techniques.

4. Local officials should put out fast, accurate, detailed information on arrests, fires, injuries and deaths to avoid rumor and panic.

The Federal government can implement these policies by helping to provide riot control training or police, by making Federal troops available, and by providing new equipment and techniques to control mobs.

In the long run, to prevent civil disorder the nation must improve those conditions which tend to create it.

THE WELFARE SYSTEM

The present welfare system needs improvement. Payments vary widely from state to state, many needy are not covered, incentives to get off welfare are inadequate, and a cumbersome bureaucracy is needed to administer the system. But I reject the idea that a solution rests with the guaranteed wage or a negative income tax. Its $7 to $40 billion cost is too expensive and too uncertain in its results.

I recommend:

1. A simplified, uniform system of Federal-State sharing of the costs of public assistance programs, providing for reasonable fiscal effort by the States, and recognizing the relative fiscal capacities of the federal and state governments.

2. Expanded research into the causes of welfare cases and new ways to deal with them more effectively.

3. Incentives to keep families on welfare together and to encourage welfare recipients to take job training.

4. A minimum floor under Social Security payments for those unable to work.

5. Simplified administration of welfare by using a simple declaration of income as the procedure to establish eligibility with spot investigations. Also, if the cost of welfare were based on a single, comprehensive formula, more equity would be assured and administrative complexities reduced.

6. Both government and private enterprise must create job opportunities and training in areas of high unemployment. Public policy should encourage making capital credit and insurance available to disadvantaged areas.

7. Concentrated efforts must be made to increase the number of qualified persons working in welfare programs, and to use them effectively and efficiently.

TAX REFORMS

Each year billions of dollars in federal revenues are lost because of tax loopholes and glaring inequities in the tax code.

In theory our tax system is progressive, based on the principle that a person should be taxed according to his ability to pay. In practice, the system designed to be progessive is not so progressive, and the little fellow bears the burden.

The tax code has not been overhauled in fifteen years. In that time the economy has turned over several times. It is a monumental task to have fairness and equity in our tax code, but the complexities of the task must not be an excuse for delay.

I recommend that Congress begin now with an examination of these tax provisions, among others:

1. Untaxed capital gains on inheritances.
2. Unlimited charitable deductions.
3. Special tax treatments on stock options.
4. The $100 dividend exclusion.
5. The multi-corporation tax returns.
6. The oil and mineral depletion allowances.
7. Accelerated depreciation on speculative real estate.
8. Similar rates for gift and estate taxes.

THE NATION'S ECONOMY

The problems of the American economy are the problems of prosperity. October marks the 92nd month of uninterrupted prosperity and economic expansion with more people employed and earning more real income. But the economy is also marked by a wage-price spiral, too rapid expansion, high interest rates, chronic budget deficits and deteriorating balance of payments.

I recommend these steps to set the American economy upon a sure and steady course:

1. Fiscal restraint, establishing clear spending priorities with selective expenditure reductions in the federal budget, and preferably a modest surplus at high employment levels.
2. Reform the tax structure.
3. Vigorous antitrust enforcement to contribute to a more competitive and less inflationary economy.
4. A goal of expanding world trade and a financial community free from restraints on exports and imports with appropriate safeguards for American producers.
5. Active fiscal and stable monetary policies to assure continued steady growth of the economy.

FOREIGN POLICY

World peace is the goal of United States foreign policy, and how to organize it is the great question of that policy.

A steady and measured American foreign policy will shun both isolation and global intervention. Like it or not, America is involved in the leadership of the world, and cannot withdraw. So America must take the lead in maintaining stability in the world, but it must be careful. Although every event may affect it, not every event will vitally affect it, and it must be able to distinguish between the two.

I recommend that a steady and measured American foreign policy should:

1. Maintain preeminent political, economic and military strength.
2. Define the National interests carefully and use the preponderance of power selectively.
3. Maintain a minimum of commitments by committing us to protect only vital interests.
4. Encourage regional and international cooperation as an expression of the new nationalism of developing countries.
5. Aid developing nations, but without giving them more aid than their bureaucracies can administer.
6. Create a liberal trade policy without creating undue burdens on American manufacturers and producers.

RURAL AMERICA

The people left behind live in rural America. In rural America there are fewer jobs, poorer schools, less adequate health facilities and more substandard housing. A new focus in American life on the problems of the cities tends to distort the nation's concern. Only when the problems of the cities and of rural America are seen as parts of the whole, linked together, will progress be made.

To revitalize rural America, I recommend the following steps:

1. Attract new industry and expand present industry by tax incentives, loans, insurance, and grants to industry which locate and expand in rural America.
2. Insure adequate health, education and recreation facilities in rural America and the people to staff them. Loans and scholarships should be provided to encourage teachers and medical personnel to settle in rural areas.
3. Increase the development of rural water and sewer systems, without which a community cannot grow and develop.
4. Insist that economic opportunity funds and other government funds be spent at the same per capita level in rural America as in urban America.
5. Remove the differences in welfare payments in order to slow the migration of rural people to urban centers.
6. Encourage regional planning and modernization of state and local governments to make assistance more effective, and government more responsive to the people of rural America.
7. Manpower policies should be overhauled with better job information, improved job training and counseling made available.

THE FARM PROBLEM

The farmer is not getting his fair share of the Nation's prosperity—a prosperity which he has helped to create. A broke, busted, bankrupt farmer cannot continue to produce the abundance which this country has enjoyed.

As much as anyone, and more than most, the American farmer is indispensable to this nation. But today his income is two-thirds of the per capita income of the city dweller, and the cost-price squeeze has hurt him.

The goals of American agriculture are clear: an abundant supply of food and fiber produced efficiently and selling for reasonable prices, and a fair income for the farmer. These goals should be achieved by democratic procedures and with freedom for the farmer.

To set America on a steady and sure course toward these goals, I recommend:

1. Move in the direction of a market oriented economy taking care to protect and improve the farmer's income by reducing surpluses and, if necessary, making payments to the farmer to assure him adequate income.
2. Enhance the farmer's position in the market place by marketing research, better information, bargaining, marketing agreements, cooperative buying and selling.
3. Establish a strategic reserve for emergencies, but assure that it is carefully insulated from the market place.
4. Expand world trade.
5. Adjust cropland to retirement and less intensive uses, such as grazing, forestry and recreation.
6. Extend economic and technical assistance to foreign countries, insisting on maximum self-help.
7. Enact market safeguards to protect the farmer from deceit, unfair competition and fraud.
8. Give the farmer a more direct voice in government policy by adding to the Council of Economic Advisers an agricultural economist.
9. Increase negotiability of acreage allotments and marketing orders.
10. Enact legislation to end the advantage hobby farmers and corporate enterprises have in tax writeoffs over genuine farmers who must make a profit or go out of business.
11. Extend long-term credit to young farmers so that they can obtain the capital needed to enter farming.

JOBS GO BEGGING

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. CURTIS. Mr. Speaker, the October 8, 1968, Wall Street Journal points out that a great number of low-skill jobs are going begging. Many reasons for this have been advanced: The jobs are menial and dull, they have little hope of advancement, they lack status, welfare payments are almost as equal to minimum wage rates.

Some companies are trying to overcome these problems by giving the jobs more status and providing avenues of advancement upward from them.

I have previously spoken on this subject of unfilled jobs and ways of making them more attractive—for example, see CONGRESSIONAL RECORD, September 17, 1968, pages 27268–27270, and September 19, pages 27709–27710.

The article from the Wall Street Journal once again points out the incongruity of the existence of unemployed people in our economy at the same time as substantial numbers of jobs go begging.

The article follows:

WORK VERSUS WELFARE: EMPLOYERS LAMENT DIFFICULTY AND EXPENSE OF FILLING THEIR LOW-SKILL, LOW-PAY JOBS

The interview was short but not so sweet. Willie H., a 33-year-old high school dropout separated from his wife and three children, was offered a job as a machine operator trainee by a counselor for a Federal employment program in the Watts section of Los Angeles.

Jumping to his feet, the job seeker exclaimed, "How do you expect a *man* to work for $1.70 an hour?" Then he stomped out. He figured his family was better off on welfare.

Willie H. remains one of the nation's 2.7 million unemployed, currently calculated at 3.5% of the labor force. His family continues among the 5.3 million persons receiving welfare aid to families with dependent children. The job he spurned will be filled "sooner or later by someone in off the farm, desperate for work," says the Watts counselor, "or someone whose probation officer has told him to get to work or go back to jail."

Amid persistent unemployment and rising welfare rolls, a Wall Street Journal survey indicates that an abundant and growing number of such low-skill jobs are going begging. Many, but not all, are menial and dull and offer little hope of advancement; all pay at least the minimum wage.

These jobs are easy to find. A check with 60 employers in 10 cities indicates more than half are unable to fill such available jobs. Companies that do land workers for these spots say turnover is high.

EXPENSIVE AND PERPLEXING

The problem to employers is expensive and perplexing. To get done the work that nobody wants, companies must use higher-paid employes, often at overtime rates, or hire temporaries. Some employers redesign production to eliminate jobs they can't fill. A few, finding low status the biggest drawback of such jobs, give them better-sounding titles. Still fewer are examining their entire employment pattern to see if they can change the dead-end nature of these hard-to-fill jobs, and are trying to sell them as training for higher posts.

But the situation, most employers say, is getting worse. Their gloomy and predictable conclusion: "People just don't want to work any more."

"We would hire 20 to 30 people a day if we could get them," says Ben Blady, personnel manager of Joseph H. Cohen & Sons, a Philadelphia manufacturer of men's suits. The company employs 3,000 persons under conditions that union sources call excellent.

"Sure, we get 30 to 50 applicants a day here," says Mr. Blady, "but once I sign their cards (from the State Employment Security Office) saying they have applied for a job, that's the last I see of them. A few begin our training program, but most of them cut out at lunch and never come back."

One problem, Mr. Blady suggests, may be Philadelphia's liberal welfare program and high unemployment compensation rate—$60 a week maximum for 30 weeks. "That's almost the minimum wage rate of $1.60 an hour, and they can get that without paying carfare or union dues," he says.

APPEAL TO AGGRESSIVE TYPES

But more important in the clothing industry, he believes, is the heavy reliance on piecework, in which a worker's wages are determined by his production. Cohen, like most other clothing makers, pays trainees the $1.60-an-hour minimum wage to start. But after six weeks to three months on the job, Mr. Blady claims, most workers can earn the plant average of $2.50 an hour and some make as much as $6 an hour. The system appeals to aggressive types he says, but doesn't interest most of the applicants he gets, whom he denounces as "lazy bums who want to sit in the men's room smoking while drawing down good pay."

In Detroit, too, where unemployment stands at more than 6% but where a booming auto industry pays about $3.60 an hour for unskilled production workers, there's another glut of unfilled low-skill jobs.

Allan Jacques, general manager of a Howard Johnson's restaurant in suburban Royal Oak, reports a "feeble response" to two weeks of newspaper advertising for dishwashers and kitchen help. In the last 10 days, he says he has hired three people at $1.60 an hour, with a promise of $1.90 an hour after a few weeks. Two have quit.

"I even offered one man $75 a week to start and $90 a week after six weeks," says Mr. Jacques. "He sat there and figured for a minute, then claimed I was really offering him only $19 a week for five days' work." Mr. Jacques says the man's reasoning went like this:

If he stayed home, he would get $56 a week in welfare payments. If he dragged himself out to Royal Oak every day, he would make $75. "I'll stay home," he told Mr. Jacques and walked out. The manager says his other help is filling in at dishwashing chores, and once in a while he even takes a turn at it himself.

NO TAKERS FOR $110

In nearby Farmington, Mich., Joe Carpenter, used car manager for Town & Country Dodge Inc., says he advertised in vain for three weeks in major Detroit dailies for two car porters. The job involves no special skills, only requiring a man to make sure used cars on the agency's lot are washed, cleaned, filled with gas and have charged batteries. The job pays $110 a week, including 10 hours of overtime. One man called, but never showed up to apply, Mr. Carpenter says.

Aggravating the difficulty of filling many low-skill jobs, employers say, is growing status consciousness among unskilled workers. "The disadvantaged don't want to work in hospitals. They want prestige and success. They want to work in banks," says Foster Rosen, Philadelphia's city personnel director, complaining of a shortage of custodian and kitchen help at city institutions.

William C. McConnell Jr., vice president of Servomation Corp., New York-based vending machine operators agrees, "It's unfortunate, but most Negroes today consider food service a form of servitude. Whatever we offer them, they feel it's below their dignity to take," he says.

Ashby Smith, director of economic development for Chicago's Urban League, explains that for many job-seeking black people, status has become more important than money. "Some janitorial jobs pay $3.00 an hour, but they have low prestige; nobody will take them," he says. "The kids nowadays don't think anything of a house painter. The money they earn isn't intriguing enough to overcome the job's 'messy' image."

Some companies, he notes, are attempting to overcome the low status image of some jobs by giving them elegant titles. Companies that contract with homeowners for household maids, for example, may call the maids "household technicians," he says.

A SANITARY ENGINEER

One midwest manufacturer found he had high turnover for two years in a $1.75-an-hour job that combined two days a week on the production line with three days of mopping, sweeping and cleaning rest rooms. The company changed the job to a full-time clean-up task, changed the title from clean-up man to sanitary engineer, and raised the pay to $2.50 an hour, more than some production workers make. "The man we have now likes it fine," says the employer.

Another repelling factor in many jobs, however good the pay, can be sheer boredom. Last April Richard Buono, a 23-year-old married high school graduate, quit his $1.65 an hour job at a sheet metal factory in Atlanta where, he says, the work consisted mostly of counting screws. "The tedium and not accomplishing anything was driving me crazy," says Mr. Buono. "It just wasn't worth it."

He now makes $35 to $40 a week writing articles for an underground newspaper and selling the publication on street corners. To make ends meet, he and his wife moved to a cheaper apartment. "You could say I'm making much less but enjoying it more," he says.

Other dull jobs are going begging in Atlanta, where the unemployment rate stands at about 2.8%. A bakery, for example, has five openings at $90 a week for men to move pans of bread in and out of ovens. Management says it's seeking help from the ranks of the "hard-core unemployed," but with little success. "A man will work a day or so and off he goes. It's a hell of a problem," says a spokesman.

OPENING UP DEAD-ENDS

If low status and boredom don't make a low-skill job tough to fill, a "dead-end" image will. A few companies are trying to solve recruiting problems by convincing applicants for such jobs that the positions can lead somewhere.

Loew's Theatres Inc., a New York-based theater and hotel chain, for example, has been training hard-to-find hotel maids for work as front-office cashiers. The response, says Kenneth Abrams, vice president for personnel of the company's hotel subsidiary, has been good. Women are willing to take maids' jobs, he says, if they believe they won't have to remain at a "subservient level."

Dishwashing, however, has been harder to glamorize, and "the number of people willing to accept a dishwashing job is diminishing rapidly," he says. The result for hotel patrons, Mr. Abrams says, could eventually be "paper plates even."

Smith Kline & French Laboratories, Philadelphia, asserts that its advancement program for low-skilled employees actually has created a waiting list for openings as porters and clerks, jobs which other employers in that city say are hard to fill. A $100-a-week starting salary has helped, too. "We have one man who is a $15,000-a-year supervisor who started out as a porter," says a company spokesman. But he quickly adds, "That isn't typical."

TEMPORARY HELP BENEFITS

Some employers apparently miss the point. Clarence H. Holmes, project director of Aim-Jobs, a Labor Department-sponsored employment project in Cleveland, tells of one employer with recruiting difficulties "who recently set up a training course to teach some of our people how to mop. It sounds funny when you say it, but it's more tragic than funny. He just had no concept of the problem."

Benefiting heavily from the growing shortage of people willing to take low-skill jobs are companies which supply temporary help. Manpower Inc. Milwaukee-based national agency for part-time workers, says requests from employers for menial fill-ins have jumped more than 50% in the last five years. Demand for low-skilled workers from the company's industrial division is running 30% ahead of last year, a spokesman says.

In New York, another Manpower spokesman says, "They used to call us only when they were desperate or needed emergency help. Now they use our men on a regular basis because they can't find enough people to do the typical low-pay jobs."

Raytheon Co., Lexington, Mass.-based electronics manufacturer, reports it gave up seeking janitors at one plant recently and hired a janitor-service company for three months. It finally succeeded in getting enough janitors on its own by cutting the jobs' minimum hours to 20 from 40, raising the minimum pay to $2.49 an hour from $2.29 and advancing workers to higher rates at the end of three months instead of at the end of a year as was scheduled. "It's harder to get this help than it was a year ago and getting harder all the time," says a Raytheon spokesman.

WORKMEN'S COMPENSATION WOES

Yet even temporary-help companies, at the same time as they benefit from the trend, also are pinched. American Building Maintenance Industries, San Francisco, a major contractor for janitorial service, says it constantly has openings for temporary janitors at $2.92 an hour.

"People were once satisfied to be janitors, but not now," says a company official. "And it's common for a man to work three days and then try to get unemployment insurance, or work a few days and then claim he's laid up with a bad back. Workmen's compensation claims are costing the company thousands of dollars a year," he says.

There apparently is another side to employers' plaintive choruses of "nobody wants to work."

Last spring, hotel, restaurant and laundry operators in Atlantic City, N.J., complained of difficulties in getting summer help and promised the New Jersey Alliance of Businessmen they would hire at least 400 hard-core unemployed if the Alliance could find them. But when the Alliance sponsored a job fair to match summer help with jobs, only six companies sent representatives. And of the more than 600 young people who showed up eager for work, only 12 were hired.

"The employers said Atlantic City couldn't provide summer help, but where were they that week end?" asked Henry Yarborough, Job Fair co-ordinator, after the fiasco.

WHITE HOUSE CONFERENCE ON AGING

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, the 90th Congress has adopted legislation to make possible the 1971 White House Conference on Aging. This important Conference will serve well to update the recommendations made by the 1961 White House Conference and I want to call the attention of my colleagues to the article from today's Washington Evening Star discussing this Conference which under previous order I shall include at this point:

Years To Enjoy: 1971 Aging Conference Is Planned by United States

(By Theodor Schuchat)

The second White House Conference on Aging is scheduled for 1971.

Congress has authorized the meeting but has not voted the funds. Nearly $2 million could be provided to cover costs of the national meeting and of "little White House conferences" in all the states during 1970.

Originally, the Senate wanted the national meeting to be held in 1970, but it deferred to youth. A White House Conference on Children and Youth has long been scheduled for 1970.

At the top of the list of reasons for the 1971 meeting, Congress has put "assuring middle-aged and older persons equal opportunity with others to engage in gainful employment which they are capable of performing."

Higher retirement payments are also high on the White House conference agenda. "Enabling retired persons to enjoy incomes sufficient for health and for participation in family and community life as self-respecting citizens" is another major purpose of the meeting set by Congress.

The retirees and others who will gather in 1970 and 1971 will also consider problems of "providing housing suitable to the needs of older persons and at prices they can afford."

Another goal for the conference, under the law enacted by Congress, is "assisting middle-aged and older persons to make the preparation, develop skills and interests, and find social contacts which will make the gift of added years of life a period of reward and satisfaction."

State agencies were created to work with the U.S. Administration on Aging in the Department of Health, Education, and Welfare. Talents of retired businessmen are now being utilized by the International Executive Service Corps and other groups.

These useful, imaginative programs were just dreams at the time of the first White House Conference on Aging. The meeting in 1971 undoubtedly will stimulate another burst of activities benefiting senior citizens.

The taxpayer will benefit as well. Despite inflation, the second White House Conference on Aging is budgeted at $100,000 less than the 1961 meeting.

Question. I have worked for the federal government for many years. Now I am under the federal employes' health benefit as well as Medicare. Can I collect from both for my medical bills?

Answer. No. The plan for government workers will not duplicate payments made by Medicare. But the federal employes' plan will pay for certain items that are not covered by Medicare.

NEW YORK ARCHITECT, MR. BERNARD A. MARSON

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BRASCO. Mr. Speaker, this country owes much of its past glory and depends largely for its future greatness on the ingenuity and creativeness of its architects. With this in mind, may I bring to your attention the important work and accomplishments of one of this country's outstanding young men, and a member of this noble professional fraternity.

Although much of his career still lies ahead of him, New York architect Bernard A. Marson has already made significant contributions to our society that are worthy of our attention and praise. A daring pioneer and innovator in design concepts much in the same tradition as many of our outstanding architects, Mr. Marson has tackled the complex problems of space utilization and construction efficiency with startling results.

His work in residential design has produced housing that has overcome restrictive space while providing unprecedented privacy, openness, and living area for its inhabitants. His profound understanding of new materials and efficient construction methods have resulted in dramatically aesthetic commercial buildings that have significantly reduced construction costs for builders. His concern with problems inherent in rural and urban development have produced new design concepts which may well be the prototypes for combating vehicular congestion, stereotyped design, and inefficient and costly development in the years ahead.

Recently honored as "Man of the Year" by the New York State Council on Civic Affairs, Mr. Marson's work is first today gaining the recognition and attention throughout the country that it so richly deserves. We can only hope that his efforts and accomplishments will continue, if not intensify, in the years ahead, and his dedication, integrity and innovativeness will prove an example and inspiration to others entering the important field of architecture.

If America is to make further progress in the field of housing and commercial development, we must have men like Mr. Marson leading us in the creative fields. We must do all in our power to create the proper atmosphere and leadership for our architects and engineers so that they, in turn, may create a better atmosphere and environment in which all of our people may live and work.

AVAILABILITY OF JOBS IN THE FOOTWEAR INDUSTRY

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. WILLIS. Mr. Speaker, I am very pleased to include at this point in the RECORD an article from the Footwear News indicating the availability of jobs in the large footwear industry which evidences the need for aggressive training programs for the hard-core unemployed.

There is an alternative to welfare, and this is a good example of what can be done:

Worker Shortage Continues in Four Major Areas

The labor shortage is still bad, although for most footwear manufacturers the lack of skilled help is no worse than a year ago. Central Pennsylvania manufacturers say, however, that for them the labor shortage has worsened.

These are the highlights of a Footwear News survey of labor shortage conditions in footwear plants in New England, Wisconsin, Central Pennsylvania and the Midwest. The survey also reveals that:

Many manufacturers have become sufficiently sophisticated about the problem that they now reject gimmicks which only bring them warm, but untrainable, bodies.

The shortage of lasting room workers is reaching a critical stage for some St. Louis-based firms.

Women now account for a large percentage of the shoe production work force. This source of labor, many feel, has been completely tapped.

No manufacturer—except some in Pennsylvania—will admit to turning away orders because of the labor shortage.

Few see any alleviation of the problem in the near future.

Detailed reports from the four areas:

Labor Lack Binds Central Pennsylvania

(By Wesley Stilwell)

LEBANON, PA.—An ever-tighter labor shortage has the Central Pennsylvania footwear industry in a bind.

And no immediate relief is in sight.

The labor shortage is so acute that one company has been hit by cancellation of some orders and another has ceased temporarily sending out salesmen to solicit orders.

Although this situation has been going on two or three years, most footwear manufacturers in the area, which has a heavy concentration of children's footwear manufacturing agree it is getting worse, if that's possible.

"Our cancellation rate has been extremely high," an executive of one major company said, "because we can't make shoes fast enough to keep up with the demand. Good shoes take a long time to make.

"We have been almost on a straight overtime basis where needed to help production. There is very little good labor looking for jobs. We don't have nearly enough people to make all the shoes we have to make.

"We could digest a 25 per cent increase in daily production, and we could do this with a dozen good operators in the right jobs. The fitting room is the big bottleneck."

Another executive, in another county, said:

"Our business is limited by the labor supply, and there just isn't any.

"We have not had any salesmen on the road since May, because we figured that there's no use taking orders if we can't make the shoes. Anybody who wants to work overtime can have all the overtime he wants, but nobody wants to work overtime now. Everyone wants to be an executive."

The labor bind has caused a backlog in another Central Pennsylvania plant, a backlog the company president describes as "double normal" or from four to six weeks.

"We have a labor problem that is getting worse," said the sales manager of another company. "We just can't seem to catch up. We will be running behind very shortly unless the situation gets better."

An office manager said his company "could use more help" because more help "would eliminate overtime."

Some of the larger companies in the area are fighting the labor shortage by installing as much automated or semi-automated machinery and equipment as possible.

No Easy Answer for Milwaukee

(By Bob Barrett)

MILWAUKEE.—"It hasn't changed," says the vice-president, manufacturing, of a major shoe producer here, referring to the labor situation over the last few months.

It was bad then, it's bad now and the

future is likely to be the same, barring some drastic event, shoe producers say.

No technique has worked here in meeting the shortage of labor. Various expedients have helped a little, but no single move has helped much. Most firms now are finding help by using basic techniques and plugging along at them. They advertise, interview, try out. By this method they keep the plants going, but almost always at less than theoretical capacity.

Automated machinery would help, makers say. But the situation with factories here keeps them below the level of automated machines. Most production is high quality, relatively short run. No automatic machinery exists to switch economically from one job to another. Some blame machinery makers for the lack of such equipment.

Hiring women has helped greatly in the past. Now a large percentage of almost every factory work force is made up of women. Old prejudices have gone by the board, and women have even been put on as primary cutters. The trouble is that this source of help was tapped two years or more ago, and no further steps in this direction seem possible.

Fewer gimmicks are being explored by plants here. At one time prisoners were tried. Bonuses have been given for producing warm bodies. Mentally handicapped have been tried. The net result usually has been a great deal of time and effort spent, with only a few extra employes to show for it.

Training programs for new workers is no problem, most factories here say. They can show the workers what to do without any strain. The problem is to find people in the first place. One headache is the need to interview such a mass of people to find some in it willing to work in a shoe plant, and then in rehiring more when those few either don't show up or don't stay more than a day or two.

Shoe plants here draw a line, however. Just because they are desperate for help, they don't accept everyone who shows up able to stand on his feet. Plants have learned that an untrainable person is no help at all, and there are too many untrainable people around. Hiring them is a waste of time and money. Most personnel men will do without now rather than take the level of the poorest quality available.

THE LASTING ROOM: ST. LOUIS CRISIS

(By Ron Cohen)

ST. LOUIS.—Vanishing lasting room workers appear to be adding up to a critical situation for some St. Louis plants.

These skilled workers are being attracted to higher paying industrial jobs, complained one manufacturer, who said the situation worsened this summer. Multiple-operation lasting machines are being ordered to help solve the problem of short lasting room crews and also as a means of increasing the pay of remaining workers, he noted.

Only a surplus of labor in general will drive people into shoe plants, most makers believe. Possibly an end of the Vietnam war would bring enough workers in to create a surplus, or a sharp setback in the economy might do it, they say.

As one executive said: "As long as a man or woman is able physically and mentally to work and wants to work, we don't care about the age."

Women also are able to use the machines, reported another manufacturer with outlying plants using them, and this has eliminated the need of finding men for the lasting room.

Among major companies with plants widely spread through various smaller communities, the situation was reported "spotty—depending on the community." In all, as an official at Genesco in Nashville summed it up: "It's no worse but no better than a year ago."

An official of another big firm said the booming economy probably would prevent improvement in the labor supply.

Turnover, it was further reported, has been reduced since the start of the summer. Fall traditionally brings a drop in turnover as workers settle down to start saving for Christmas and getting the kids into school, one official said.

Another noted that plant people are cautioned not to rely on high school students to build up strength of any one department during the summer, since they are bound to disappear in September.

PROBLEMS PLAGUE BOSTON PLANTS

(By Mame Collanni)

BOSTON.—Labor shortage problems continue to plague footwear manufacturers here and the situation is expected to worsen before it gets better.

Most manufacturers said they did not have summer doldrums because the problems were alleviated somewhat by temporary summer help.

Compared with last year at this time manufacturers rate the problems from "more acute" to "not any better." The unskilled worker supply is slightly better than last year but the skilled are fewer, a few manufacturers said. It's becoming more difficult to replace retiring skilled workers, they added.

In general, with the unemployment rate at a low level, it is increasingly difficult to entice the unemployed into a factory, they said.

Employe turnover has stabilized and summer vacation job jumping did not increase, most manufacturers said. One source said his employe turnover ratio is about 5 per cent. This is relatively low, he pointed out, considering that it has been as high as 10 to 18 per cent.

Many factories are working overtime to meet production schedules, the average work week for some running 42 to 48 hours. Some manufacturers have turned away orders and cut back on orders accepted early. One said: "I'm at my wit's end . . . I'm even considering having others do stitching for us."

Those who aren't turning away orders said they are working overtime and "praying."

A GREAT OKLAHOMAN TELLS THE ARKANSAS RIVER STORY

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. ALBERT. Mr. Speaker, last Friday in Little Rock a great occasion was observed for those of us who have been fighting long and hard for the program to make the Arkansas River a navigable stream. The occasion was the dedication of the David Terry lock and dam, which marks the opening of navigation to Little Rock, the capital city of Arkansas.

The night before the dedication ceremonies, the Arkansas Basin Association held a special meeting, where the speaker was a great Oklahoman, Don McBride, who played as important a role in the development of this river as any man.

Don, who is now a member of the Board of the Tennessee Valley Authority, told the story of this navigation project which will unlock the resources of a vast, rich section of mid-America.

Mr. Speaker, I would like to have Mr. McBride's speech appear in the RECORD, where I think it will be of special interest to Members of Congress who will, as they read it, recall that this great development program is a tribute to congressional initiative:

ADDRESS OF DON MCBRIDE, TVA BOARD MEMBER, AT LITTLE ROCK, ARK., OCTOBER 3, 1968.

The Calvary Baptist Church of Washington, D.C., recently received a very meaningful bequest from one of its senior members—a very faithful and generous gentleman who has been a regular attendant at that church for years.

In his will he left a sizable sum and requested that it be used to purchase a bell, an organ, and a clock. He explained in his will why he made such an unusual request. The bell, he said, was to call people to service in their church. The organ was to ever remind people that for success they needed harmony—no one out of tune, but cooperatively in harmony. The clock, he said, was to remind the members that they had a limited time to accomplish the task before them.

Service—Cooperation—Time. Here are three elements that we can apply right here on the Arkansas River. We have come to celebrate the accomplishment of an objective—the achievement of commercial navigation from Little Rock to the Mississippi River and beyond. In this new artery of commerce we have a new economic tool which, like the bell, calls us to devote new energy and initiative to the development of this valley. In a sense, it comes to us as a bequest from the many leaders of this region who, as exemplified by the organ, worked in harmony to prepare it for us. And if we expend our energies as they did, and work in harmony as they did, we will in time—as exemplified by the clock—put to work this new tool of transportation to create a new and better way of life for ourselves and our children.

It is appropriate at the outset to pay tribute to the men whose faithful endeavors converted their dreams into reality. For the Arkansas waterway to Little Rock is not merely a working instrument for progress; it is a monument to faith and stubborn courage. These men had to surmount not only the physical obstacles of a fractious stream, but the baffling skepticism of those who would not believe.

The world has had to overcome its skeptics ever since Sanballat of the ancient world tried to discourage old Nehemiah from rebuilding the wall of Jerusalem. I am reminded of the first wagon bridge that was built over the Arkansas River near Tulsa. When it was completed, after heartbreaking delays and disappointments, someone erected a crude sign on the overhead truss. It read simply, "You said we couldn't do it, but we did."

Today we can look back on the taunts of some of our skeptical writers, who wore threadbare the terms "pork barrel" and "boondoggle." Do you remember the suggestion that we ought to pave the Arkansas? I remember one "conscientious objector" who suggested a double track railroad from New Orleans to Wichita in lieu of a navigation channel that could never be built. But the skeptics lost; the men of faith prevailed and today we have a new waterway, a new pillar of economic strength.

Navigation on the Arkansas River began over 150 years ago in 1815 when a fleet of keelboats and barges under the command of Major Gibson, an army officer, passed up the river bearing troops and supplies to establish military posts in the upper Indian country. Steamboat navigation was extended to Little Rock in 1822 when the steamboat "Eagle" reached a point 65 miles above that city. The steamboat "Robert Thompson" arrived at Fort Gibson in 1823 or 1824.

The first project for the improvement of the Arkansas River for navigation was adopted by the Rivers and Harbors Act of July 3, 1832, and was for the removal of snags. Local projects for improvement of the river at Fort Smith and Pine Bluff were adopted by the Rivers and Harbors Acts of April 14, 1876, and June 14, 1880. The construction of permanent works for general improvement of navigation on the Arkansas River was suspended in 1902, and snagging operations were suspended in 1943.

The early studies leading to the present Arkansas River navigation project were made in the Memphis District Office of the Corps of Engineers, prior to the establishment of the Little Rock and Tulsa District offices. The Little Rock District was established July 1, 1937, and the Tulsa District, July 1, 1939.

The Little Rock and Tulsa Engineer Districts were directed by the Division Engineer, Southwestern Division, to prepare a report under the authorization of the Rivers and Harbors Act, approved August 30, 1935, for the improvement of the Arkansas River. The costs were about $514,000. This report was submitted to higher authority in December 1943, and was officially transmitted to the Speaker of the House of Representatives by letter dated September 20, 1945. The report and letter were reviewed by the Public Works Committee prior to authorization of the project in Public Law 525, 79th Congress, 2d Session, approved July 24, 1946.

The authorization was for the improvement of the Arkansas River and tributaries to provide a navigable depth of nine feet from the Mississippi River to Catoosa, Oklahoma, by canalization of the Arkansas and Verdigris Rivers. It included the construction of Blackburn, Mannford, Taft, Oologah, Markham Ferry, Fort Gibson, Webbers Falls, Tenkiller Ferry, Eufaula, Short Mountain, Ozark, and Dardanelle Reservoirs for navigation, flood control, power development, and other purposes.

After general project authorization in 1946, there began a period of frustration and disappointment that tested the patience and persistence of the men who were convinced of the feasibility and utility of the Arkansas project. Beginning in 1950, the demands of the Korean War brought new pressures to limit funds for public works. With the coming of the Eisenhower Administration, there were drastic changes in the attitude of the Executive toward the whole matter of resource development. These were times when the principle of working rivers was put to the test. It was from Congress that the nation received the leadership which sustained the principle—not only in the Arkansas valley but elsewhere—that our great streams are one of our greatest national assets, to be developed for the benefit and progress of future generations.

For example, in fiscal year 1956, Congress appropriated $5,550,000: $3,500,000 for emergency bank stabilization, $1,000,000 for Oologah Dam, $450,000 for Dardanelle, $450,000 for Eufaula, and $150,000 for Keystone. The Eisenhower Administration permitted the money for Dardanelle and Eufaula to be used for planning only.

In the budget message for fiscal year 1957, President Eisenhower requested no funds to continue the development of the river for navigation. The budget contemplated that work on the Arkansas would be limited to emergency bank stabilization and construction of Oologah Dam. Congress reversed the President's decision and in addition to the requested $5,550,000, appropriated $4,400,000 more to start construction on Keystone, Eufaula, and Dardanelle. This was followed by an $18 million appropriation in 1958, and an appropriation of $21 million in 1959.

Following the 1957 appropriation, a public hearing was held in Little Rock by the Vicksburg District of the Corps of Engineers. Here it was indicated that a completion date of 1973 for the project could be expected. However, at a meeting of the Arkansas Basin Development Association in January 1961, the Division Engineer of the Corps of Engineers, General Robert Fleming, announced that under the schedule contemplated in the fiscal year 1962 budget, it was possible to complete the project—extending navigation to Catoosa—by 1970. This was confirmed by letter dated September 26, 1961, to the late Senator Bob Kerr from Major General William F. Cassidy, Director of Civil Works, Office of the Chief of Engineers. He said in part:

"Current plans contemplate that navigation will be provided to Little Rock in fiscal year 1968, to Fort Smith in fiscal year 1969, and to Catoosa in fiscal year 1970. However, this schedule is dependent upon the availability of funds."

Again in 1964 came another crucial test. It came against a background of mounting difficulties in Vietnam, increasing awareness of problems in our great cities, the need for attacking our severe problems of poverty. Pressure on public works funds again increased. President Johnson in his budget message requested $84 million for the Arkansas project for the ensuing fiscal year. But to maintain the 1970 completion schedule, a minimum of $98 million was needed.

At stake was a serious delay in making available to the people and enterprise of these southwestern states one of the most valuable tools of economic progress they could possess. States and cities had plans well under way for creating industrial parks, building river terminals, and otherwise seizing upon the advantages it would offer. There were economically distressed areas in our states for which delay would prolong hardship. The congressional team again went to work gathering cost figures, land prices, development benefits, and statistics from every known reliable source to demonstrate these facts. They were presented to the Budget Bureau and the President.

I shall never forget the dramatic meeting in the Cabinet Room of the White House on July 30th that year when the congressional delegations presented their case to the President. Our captain, John McClellan, took over. He sat directly across the table from the President who was flanked by his Budget Director. The Senator made a masterful presentation after which the President called on each of the members of the three delegations who gave a hearty endorsement to John McClellan's statement.

After a few silent moments, the President pulled from beneath his desk blotter the following letter to the President Pro Tempore of the Senate:

"I have the honor to transmit herewith for the consideration of the Congress an amendment to the budget for the fiscal year 1965 in the amount of $19,800,000 for the Corps of Engineers.

"The details of this request and the necessity therefor are set forth in the attached letter from the Director of the Bureau of the Budget, with whose comments and observations thereon I concur."

He signed it in our presence—"Lyndon B. Johnson."

This amendment included the additional $14 million for 1965 construction needed to keep the Arkansas River navigation project on schedule.

Construction in place on May 1, 1964, was about $420 million. Appropriations from that date to today are in excess of $500 million. But what is more important, in spite of many discouraging moments, we are on schedule. Every major structure is in place or under construction.

All this was summarized so beautifully by the late great Senator from Oklahoma, Bob Kerr, in his book, Land, Wood and Water.

"As Governor, late in 1943," he wrote, "I joined forces with Governor Ben Laney of Arkansas for the waterway across our states. We established an official interstate committee composed of Graham as Chairman, with Don McBride and Elmer Harbour, the Oklahoma members, and from Arkansas, Clarence F. Byrns, Fort Smith editor; Reece Caudle, and David Terry.

"Not long before his death in 1959, Harbour told me that he considered this joint official action as a turning point in the success story of the Arkansas. It mobilized the strength of the two states, putting Washington on notice, and uniting the two Congressional delegations of Oklahoma and Arkansas. The committee, with Graham as chief spokesman, served as 'brain trust' and 'chief strategy board' for the pivotal hearings before Congress. J. C. Murray of Arkansas testified as the traffic specialist. They were reinforced by the two Governors, along with some 125 businessmen.

"In the witness chair, Graham was at his best, although dwarfed in appearance by the array of committee members behind the elevated massive desk. His presentation was a fine distillate of all the familiar arguments he had developed through the years. It showed his mastery of the official documents covering all the nation's streams improved by Army Engineers. He pictured the Arkansas River as the only major tributary of the Mississippi which 'never received a cent for modern navigation.' He called on Congress to correct the mistakes of history and 'unlock this great storehouse of natural resources needed at lower possible cost for feeding, clothing, and employing American people.' Building up to an impressive climax, Graham asserted that the public benefits would be $1.97 for every dollar invested.

"When I entered the Senate in 1949, one of my goals was to get the Federal Government committed by appropriations for the key navigation projects.

"However, the Korean War intervened in 1950, like World War II a decade before, and almost eliminated home-front public works. By the time this military action had receded, the advent of a new Administration put another damper on the program for the Arkansas. Restrictive rules under Budget Order A–47, inaugurated near the end of 1952, were made tougher. We had to fight every inch of our way for the program of natural resources.

"By 1956, however, a solid lineup of the two Congressional delegations began to get real results for the Arkansas. Serving on the Senate Appropriations Subcommittee and the final Senate-House conference, I was able to help preserve funds for the trio of key dams. Twice Congress had to vote this money before we could thaw the Executive freeze order. Representative Page Belcher, the only Republican in the Oklahoma delegation, helped turn the heat on the White House. Now the funds are flowing, pointing to a completion date some time after 1970."

We come here today to honor the team that made possible Arkansas River navigation—the congressional delegations of Arkansas, Oklahoma, and Kansas. We owe them a great big "thank you." In my thirty years of contacts with Congress, I can truthfully say I have never seen anything to compare with the unity of purpose and cooperation that has existed within the three delegations to advance the comprehensive plan of development of the Arkansas River.

Every team must have a captain. This team has co-captains—one from the Senate and one from the House. Although my beloved friends, Senator John McClellan and Congressman Ed Edmondson, have assumed this leadership, each will hasten to tell you that without the whole team effort, we would not be able to mark today the achievement of this important part of our objective. They would also want me to recognize the "outside" help we have had from such notable men as Mike Kirwan and Allen Ellender, Chairmen of the Public Works Appropriations Committees; from Jennings Randolph and George Fallon of the Public Works Committee; and from many other individuals and organizations. Truly it has been a team operation.

And this congressional group would not want me to terminate this statement without paying our respect and tribute to many who are absent tonight, and to many dedicated men from the ranks of the Corps of Engineers and the halls of Congress. The list of the civilians would be even longer—men like Clarence Byrns and Newt Graham, men dedicated to a cause. Every Governor of our three states has used his influence to advance our cause. We owe them our gratitude.

My interest in the development of the Arkansas River Basin has not changed although the scene of my personal operations is the Tennessee Valley. There the Nation 35 years ago created the Tennessee Valley Authority, and I have followed its affairs closely throughout its lifetime. Being associated with TVA directly, however, has given me new insight into the full economic meaning of river development. It provides a preview, as it were, of the things that can happen in the future in the Arkansas valley.

Today the Tennessee River system is harnessed. Major floods are no more. Large-scale commercial navigation is a 12-month-a-year reality. The hydroelectric power has been developed. In addition, agriculture has been revitalized through the use of modern TVA-developed fertilizers and the forests are renewed, a big contributing factor to economic growth. In 1933, when TVA was created, the per capita income of the Tennessee Valley region was only 45 percent of the national average. Today it is 71 percent. While the per capita growth in the Nation has increased eight times, the Tennessee Valley growth has increased twelve times, or 50 percent faster than the Nation.

One of the most significant factors in this change has been the Tennessee waterway. Private industry has invested over $1.5 billion in new plants that produce annually $1.3 billion in products. These industries now employ directly 34,000 people. The industries that furnish the raw materials to these plants employ 6,000 people. For each of the 34,000 employees, trades and services jobs have increased 1.25 times, providing employment for 42,000 more. All these 82,000 jobs are in the area.

All this makes possible better schools, better roads, and better homes. The economic strength it has added to the region can be judged by the fact that net outmigration of the region's youngsters, who once sought opportunity in other parts of the country, has come virtually to a halt.

The same challenge and the same opportunity now lie ahead for the people of the Arkansas valley region, and it will take the same kind of dedication and hard work that has come from a generation of rugged individuals in the Tennessee Valley.

Senator Kerr, who knew well the story of TVA, had no doubt that the same future was in store for his beloved Arkansas valley. Again, I want to quote his words as taken from his book.

"I am confident the people will be prepared and ready to meet this challenge. Their vision and energy are well projected by the neighborly Fort Smith, Arkansas, editor, Clarence F. Byrns, who paints a word picture of this magical transformation which he is helping to bring about. He says:

" 'I live on a bluff overlooking the Arkansas River between Fort Smith and Van Buren. Sometimes I stand on my front porch and look forty-five miles down the valley to Mount Magazine, and dream. I see two phases of the river—what it is and what it can become.

" 'I see what it is and has been. I remember the disaster of 1943. I remember that it overflowed its banks seventy times in thirty years. I remember that droughts afflict our farms twice in every growing season.

" 'I remember that eighty million acre-feet of water flow down the Arkansas and the White and Red every year and on out of Arkansas, unused—a treasure going to waste.

" 'I look again and I see a paradise of plenty in Arkansas and Oklahoma.

" 'I see a great new market for the industries you have built in the developed areas of the Valley. I see a growing population, a growing income, a growing capacity to produce for your children and mine.

" 'I see great barge tows taking out our raw materials, wheat, oil, canned food, coal, timber, bauxite, rock, an infinite variety of finished products of industries we have established and shall at long last attract.

" 'I see other great barge loads coming up-river, bringing us at competitive freight costs goods from all the world—steel from the great centers, chemicals from the banks of the inland waterways, automobiles, farm equipment, oil field supplies, fertilizers.

" 'I see a great area restored to a competitive basis. I see our people coming back home. I see new people coming to share in the development of America's last great frontier. I see income rising to national levels or above, full opportunity to develop our basic resources—soil, water and the infinite capacities of the people.'

"Such a bright epoch looms over the horizon of the Arkansas. This new era for the unruly old river recalls the first toll bridge at Tulsa finally completed after difficulty and failure. It was a major achievement for its time, almost comparable to the modern victory to reopen the river to commerce.

"No more appropriate epitaph to men like Graham and his kind could be emblazoned along the new navigation route, than the rustic sign nailed on the first wagon bridge, so typifying the blithe but stubborn spirit of these pioneers:

" 'You said we couldn't do it, but we did.' "

PACKAGING LAW MAY AFFECT PAPER INDUSTRY IN MAINE

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. KYROS. Mr. Speaker, a situation has been developing in this country for several years, critically now for several weeks, which has dangerous, permanent implications for the American consumer, for an important segment of the business-industrial community of the Nation, and for the present and future economy of various States, like my own State of Maine.

I refer to the crisis in paper packaging. It is indeed a crisis which not only threatens the existence of certain companies and large diversions of other companies, but also imperils the livelihood of many American workers and their families.

The crisis in paper packaging centers around the small, simple tray used to package fresh meat and certain other fresh edibles sold to customers in the retail trade by supermarkets and other food outlets. Basically, there are two kinds of trays designed and sold for this purpose. Colloquially, one is the familiar, long-used, traditional paper tray. The other is the comparatively new plastic tray, which after about 5 years of competition has gained customer acceptance in only 10 percent of the national market.

Normally, crises which develop in the marketplace stem from the reactions of the consumer public, its resistance to a product, or its changing likes and dislikes. Here, the crisis has not been precipitated by the consumer, but by special interests aggressively striving to push through legislation in certain States.

Not only are the stakes high for the American consumer, but they are also high for the two rival industries for the $80 million a year business.

During the past several years these interests favoring the plastic tray have pushed such bills in the legislatures of 10 States and the city governing bodies of 10 cities. In the past, these efforts have been strikingly unsuccessful. In Massachusetts this year, for example, senate bill 930 was adversely reported by a joint committee, and this adverse finding was upheld by the senate. As another example, Maryland's House of Delegates bill 415 never was released from committee, and thus died. Similar discriminatory bills have made little progress this year in both the New Jersey and Pennsylvania Legislatures, and in the city of Los Angeles. The city of Elizabeth, N.J., did pass a discriminatory bill this year; however, the date of effectiveness has been postponed.

Now comes one of the most alarming development in a huge metropolitan area which has long prided itself on the protection of the consumer—New York City. With a minimum of publicity, and with millions of consumers seemingly ignorant of the development, the City Council of New York has enacted a decree—after barely 3 days of public hearings—requiring that effective August 1, all prepackaged fresh or frozen meat sold at retail, exclusive of ground meat, be sold in a completely transparent—plastic—package. By a stroke of the pen, the mayor of New York thus granted to the plastic tray industry a complete monopoly of the meat tray business in that huge municipality. On the basis of the one-half billion paper trays used annually by New York City consumers, the city adds a $50 to $60 million figure to the income of the plastic tray industry.

The decree is shocking for the simple reason that it originated not with the consumer, but seemingly within the confines of the city council itself. Even the markets department of the city did not initiate the action, though as a unit of the city government, it was listed as supporting the decree. As recently as June 1967 the markets department acknowledged that "there does not appear to be any pressure on our department for any major city demand for use of transparent plastic packaging for meats." There was no known press demand there for such action, and there was no independent factfinding. Not a single consumer organization testified for the decree.

The paper-tray industry, on the other hand, produced testimony and evidence, showing overwhelming New York City and national customer acceptance of the paper tray.

The decree precipitated immediate adverse reaction. Among the first to complain were a number of supermarket chains. Thirteen chains in New York State, operating 1,892 stores, tested the so-called clear plastic trays and unanimously rejected them. There were also numerous customer complaints pertaining primarily to the accident hazards of the hard plastic, the poor visibility problems, the presence of liquid blood, and the nonbreathing qualities of plastic.

Two complaints are paramount, however. One is that in only 24 hours, the loss of nutritionally important vitamin B–2 or riboflavin in just the bottom one-fourth inch of a cut of meat is 600 times greater in meat packaged in plastic trays than in meats packaged in protective paper trays, which retain 99.9 percent of the B–2. This is an especially important vitamin to those persons of the ghettos.

This New York City decree most emphatically is not "consumer protection" when it imposes by fiat a plastic tray which actually cost more than a paper tray. These added costs, ranging from 10 to 25 percent, inevitably must be borne by someone—the retailer or the consumer. In the long history of monopoly, it is the consumer who is hurt.

By reason of the exceptional importance of New York City, any packaging law enacted there carries great significance around the Nation. In fact, on June 6 the Wall Street Journal reported:

> To explain the similarity in language of most of the proposals pending before local governmental bodies, proponents of clear trays say they used the New York City law as a model.

This decree truly has national implications, and this is why I feel so strongly that this crisis should be illuminated and brought to national attention without delay.

Let the forces of competition resolve this matter. Let the consumer make the decision. For my part, I prefer the paper tray—an item that has demonstrated to me its safety and dependability over a long span of years. If someone else prefers the plastic tray, that is for him to decide. I do not want invasion of my own rights at the meat counter, and I would believe that this is the sentiment of my colleagues.

Mr. Speaker, I ask unanimous consent to have printed in the Extensions of Remarks an article on this subject from the Maine Sunday Telegram of July 21, 1968, by Donald Larrabee:

PACKAGING LAW MAY AFFECT PAPER INDUSTRY IN MAINE

(By Donald R. Larrabee)

WASHINGTON.—A meat packaging ordinance, scheduled to take effect in New York City ten days from now, may have long-range implications for thousands of paper industry employes in Maine.

The New York City Council will require all meat packaged locally to be in packages that are colorless and transparent on all sides. This means that paper trays commonly used for meat and other food items in grocery stores must be replaced by clear plastic trays.

Because similar laws have been introduced in a number of other cities and states, the paper industry is girding for a possible fight to preserve a lucrative segment of its business. The national market for trays totals about $80 million a year.

From Maine's standpoint, the stake could be relatively high. Retailers in this country use an estimated 10 billion meat trays a year, more than half of which are made of pulp paper and only about three per cent of which are made of clear plastic.

The Keyes Fibre Co., based in Waterville, and the Diamond International Corp., with six plants in Maine, produce almost all of the paper trays for the nation's supermarkets. An estimated 3,000 persons are employed by the firms in Maine and hundreds of others are directly or indirectly affected by what happens to those jobs.

Keyes President Henry W. Rigby and Richard H. Walters, who heads Diamond International, placed their concerns before Sen. Edmund S. Muskie D–Me. recently. They fear the New York City ordinance will trigger legislation, under the guise of "consumer protection", in broad areas of the nation.

"If all states pass regulations like the one in New York City," Rigby says, "it will mean the end of paper-tray production in this country."

The threat of federal legislation overhangs everything.

Why the sudden rush to legislate in favor of plastic trays?

Rigby and Walters in a paper delivered to Muskie, blame their troubles, in part on "a new political football game called 'consumer protection'."

"Superficially," they say, "a see-through package seems like an advantage to the shopper."

But they argue that plastic trays not only don't provide the expected visibility but also cost more and are "unsightly and unsatisfactory" as packaging goes. They say 13 chains in New York State tested clear plastic trays and unanimously rejected them.

Beyond the emotional appeal to the consumer, the paper industry claims the plastic industry has apparently launched an organized lobby to encourage the legislation.

"The message is simple and has great surface appeal to the politician and housewife alike," said Rigby. "It is that the consumer should be able to protect herself against fraud . . . What is overlooked is that there is no evidence of significant complaints from housewives about fraud in food purchases.

"The true significance of the New York City law is three-fold: it deprives the retailer—and thus the shopper—of a choice based on fair competition; it sets a new precedent in packaging controls on a local level which can be expanded at will; and it can easily open the floodgates for similar regulations over the country.

"Until now, packaging legislation has dealt with factors of health, safety or labelling. Now for the first time, consumer preference is being dictated by law, without any effort to find out what the consumers prefer," the joint statement by Rigby and Walters said.

The paper industry is convinced that if the plastic tray wins the meat market, it will be extended to fresh fruits and vegetables, milk containers, frozen foods and bakery foods. The paper manufacturers foresee unpredictable losses in their capital investment, in jobs and markets.

Actually, proposals for transparent packaging are not new. In the past 12 years, bills have come up in the legislatures of ten states but they have been successfully opposed and died in committees before being voted on. Many of the bills originated before the advent of clear rigid plastic.

Plastic packaging laws have been proposed in Massachusetts, Connecticut, New York State, Illinois, Pennsylvania, Delaware, Maryland, Michigan, Rhode Island, Hawaii and New Jersey. Ordinances are being advanced in Los Angeles and Chicago.

Opponents of the plastic tray say it doesn't allow oxygen to pass through the package causing the meat to turn a dark, unappetizing color; that it pollutes air when it is burned; and causes accidents because of the rough edges.

The Rigby-Walters alarm, which was first sounded at a meeting of the American Paper Institute earlier this month, called on the industry to unite against the "plastics lobby." They said the paper industry must "educate" the consumer on the benefits of paper packaging as against plastics.

One point that will be stressed, they say, is that a clear plastic tray drains away "vital" riboflavin (Vitamin B–2) "more than twice as fast as a paper tray." Confirming studies have been made by nutritionists at the University of Massachusetts.

Besides the alleged loss of riboflavin, they argue, there is three times more iron lost from meat in a clear plastic tray than in a paper or paperboard tray. The iron they say transforms into an indigestible form from a lack of oxygen.

"Let's not underestimate the gravity of the crisis facing the paper industry," Rigby and Walters told the industry. "It is real. It is here now. And it can have vast consequences if it is ignored."

Keyes Fibre plants are in Waterville and Shawmut. Diamond International is located in a dozen or more states, with plants in Maine at Biddeford, Fryeburg, Dixfield, Oakland, South Portland, and Old Town.

DANGEROUS CUTS IN ALLIANCE FUNDS

HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. MAILLIARD. Mr. Speaker, the Kansas City Star warns us that the Congress in its efforts to economize has made cuts in the Agency for International Development appropriation so deep as to endanger the continuation of an effective Alliance for Progress. Both Houses of this Congress—and both the minority and the majority—have for many years fully supported in a bipartisan spirit the long-term development efforts of the Latin American peoples. It is in our best traditions to continue to assist these efforts, not to abandon them.

I insert the Kansas City Star editorial in the RECORD at this point:

IN LATIN AMERICA: DANGEROUS CUTS IN ALLIANCE FUNDS

Congress probably doesn't want to really abolish the Alliance for Progress partnership with Latin America, but it is making a good start. The original administration request of 625 million dollars (and virtually all of this is in loans) was cut to 420 million in authorization bills. Now the House has reduced that amount to 270 million for fiscal 1969. That would be less money in U.S. aid for the entire continent than the Soviet Union spends on Cuba.

This is an election year; taxes are high and the talk of economy is loud. Budgetary cuts must be made and there can be little question that cuts in foreign aid are politically tempting.

Yet at this point Congress, and especially those Republican representatives and senators who would like to see a President Nixon in the White House next year, might think back on the origins of the Alliance for Progress.

It is true that the aid partnership got its name from President Kennedy.

But it is also true that many of the components originated in the Eisenhower administration and merely were assembled under the Alliance label. And it was the wild, violent and sometimes dangerous reception accorded Vice-President Nixon in his 1958 "good-will" tour of Latin America that turned the gaze of the Eisenhower administration to the south. After he was assaulted by riotous mobs in Caracas and Lima, Vice-President Nixon said, among other things, that "the United States must devote more attention to the economic problems of the hemisphere."

Which is exactly what the United States has been doing in the Alliance. Of course, the program is humanitarian but it also involves a large measure of self-interest for the United States. Most of the material, machinery and personnel that is channeled to the Alliance nations is from the United States. And along with rising standards of living in Latin America come rising purchases of American agricultural and manufactured goods.

So while Congress might like to point to the "economy" of reducing foreign aid appropriations in this election year, it ought also to consider some of the origins of that aid. And the consequences that can pile up when the poor people of the poorest nations are left without material help or hope.

NEWSLETTER ISSUED BY HON. BILL DICKINSON OF ALABAMA

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BUCHANAN. Mr. Speaker, I want to call to the attention of the readers of the CONGRESSIONAL RECORD the October newsletter issued by my colleague, the Honorable BILL DICKINSON of Alabama's Second Congressional District:

NEWSLETTER

DEAR FOLKS: Congress is now in session, but should be adjourned by the time you receive this newsletter. It was first announced that we would adjourn August 31st, then September 30th and now October 11th. It makes it tough on those who need to go home and campaign. Since the fate of some of the bills acted on is not yet certain, I will give a report on the legislation in my next letter.

Policemen and firemen are often the unsung heroes of our society. This was plainly brought out at recent hearings of the House Un-American Activities Committee which was looking into the disorders of the Chicago Democratic Convention. Shown here is Yippie leader, Jerry Rubin, being ejected from the Congressional hearings in Washington, D.C.

Reminder: Since I have been your Congressman, I have maintained two fulltime offices in Alabama. One in the Post Office Building in Montgomery; telephone 263-7521, ext. 453; the other at 111 Hoyle Avenue, Bay Minette; telephone 937-8188. If you need to contact me while Congress is not in session, you can do so through either of these offices.

Only in America could you find Marciszewski running against Anagnostopoulos for the second highest office in the land.

Crime everywhere is on the rise—up 88% in the past eight years. What we need more than new laws is an Attorney General who will enforce the laws we now have, without fear or favoritism. Below is a telegram I sent Ramsey Clark, Chief Law Enforcement Official in the United States, on October 2d:

Attorney General RAMSEY CLARK,
Department of Justice,
Washington, D.C.:

Approximately 20 months ago I forwarded to you the records and findings of the special subcommittee of the House Administration Committee in the matter of Adam Clayton Powell. Later you were sent additional facts brought out by a second special committee appointed by the Speaker and chaired by Honorable Emanuel Celler. The findings of both committees indicated misuse of public funds and other illegal acts on the part of Powell.

Approximately one year ago a Federal grand jury was impaneled to hear the evidence against Powell. As a former judge and trial lawyer, I know it does not require a year to vote on an indictment. If he is not guilty, he should be exonerated. If he is guilty, he should be tried and punished. Why has the grand jury not been allowed to vote? Will the matter be acted upon before November 5? Your prompt reply will be appreciated.

WM. L. DICKINSON,
Member of Congress.

Incidentally, I told you what a run-around I got trying to find out who gave the order denying administrative leave to federal employees for the funeral of our late beloved Governor, Lurleen Wallace, but granted it for the funeral of the Reverend Martin Luther King. I believe I can get the truth in January under the new Administration.

As I go about the district and talk to people, I realize that many people have little idea of what their Congressman does in his job, except vote on legislation in Congress. As I look back over the past two years, it seems I spend most of my time traveling and writing letters.

I have sent out over one million pieces of mail.

I have made a minimum of four visits to each county. (Our district is about 150 miles long and 100 miles wide.)

I have made two trips to Vietnam and Korea, and six trips to military bases in the U.S., as a member of the Armed Services Committee.

I have attended 171 Armed Services Committee meetings.

I have testified in behalf of appropriations for the Alabama-Coosa River, Tennessee-Tombigbee Waterway, and Perdido Pass.

Because of the Vietnam trips and other trips on official business, my attendance percentage fell to only 88.3% in 1967, but my attendance was back up to 92% as of September 1, 1968.

It has been a busy two years!

The small businessman is being hit hard by crime. Recently two stories appeared in the Washington papers. One story told about a 52-year-old Negro pharmacist who closed his drugstore after 20 years in business. He suffered his 10th hold up, all by Negroes, 4 of them in August. "I'd rather give it up now than be dead," he said. The 2d story told about Sol Dunietz, a grocer. He was shot dead in the store he reopened 3 weeks ago after it was burned and looted in the April rioting. These incidents are more evidence that no effort made through the Small Business Administration, the Federal anti-poverty program, or other programs designed to encourage people to set up their own business will succeed until an all-out war on crime brings lawbreakers to their knees.

At left, Senator Strom Thurmond and I are pictured during my TV show discussing why Abe Fortas should not be the next Chief Justice.

As you know, Abe Fortas was not confirmed as Chief Justice of the Supreme Court. He needed 67 votes in the Senate, but only received 45 votes. The President, seeing it was hopeless, withdrew the nomination. However, this still leaves Abe Fortas on the Court as an Associate Justice.

Anything may happen at the polls, and usually does. In one election, a citizen who wasn't running for anything won at the polls. Carl Bovender of Booneville, North Carolina, was just standing around minding his own business when first thing he knew he was mayor! Since no one had filed for the office and Carl happened to be a familiar figure around town, he polled seventy-three write-in-votes—and rode into office.

Ever hear of Lick Skillet? Goose Pond? New Philadelphia? Turkeytown? Zebulon? Twickenham? High Pine? Corey? They're all towns in Alabama, now known as Oxford, Clanton, Montgomery, Gadsden, Troy, Huntsville, Roanoke and Fairfield.

Ever hear of the town in Alabama that was sold lock, stock and barrel for $3,000 to a single buyer? Or the town that stole its county's seat in the dark of night? It happened in Alabama; in Pell City and Brewton.

The most advanced technology of the aerospace age was on display recently at an Air Force Association meeting.

As a member of the Armed Services Committee, I was most interested in some of the displays which were explained to me by Mr. Arthur Ousley who is the President of the Alabama AFA. It is possible the U.S. will have to come up with an alternative to the F-111, formerly known as the TFX, quite soon.

This newsletter is partially paid from donations.

Thank you.

AMYOTROPHIC LATERAL SCLEROSIS

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 1968

Mr. LEGGETT. Mr. Speaker, last March 7 our former colleague, Russ Tuten, from Georgia, addressed a letter to many of his friends in the House of Representatives pointing up the fact that he unfortunately had contracted a disease known as amyotrophic lateral sclerosis.

Russ pointed out in the correspondence that although he considered that he had 3 years to make his funeral arrangements, he was concerned about the deficiencies in progressive research in this general disease area. His concern was not so much for himself but for others who might be similarly afflicted.

I know at Russ' instance a number of inquiries were made to the Public Health Service and the National Institutes of Health.

In due course I provided some NIH analyses to Russ and near the end of April he replied to my office again pointing up his views of the problem and, specifically, that research and solutions in this subject area were being drastically hampered by inadequate fiancial support in both the public and private sectors.

Russ Tuten continued to concern himself with the plight of the 7,000 to 10,000 similarly afflicted Americans with

ALS until the time of his own death on August 16.

The NIH budget has been drastically curtailed for research over the past several years. The cuts have been effected because of national deficits and a determination that priority claims on the American purse were for overseas commitments first and American health second.

I would hope that there might be a lesson in the untimely death of our departed colleague. He was an excellent Congressman and an American who provided valuable leadership for his district and State. The country has now been deprived of that leadership perhaps because of inadequate attention to solutions of problems within the realm of the possible here at home.

I would hope that in due course we could redirect our system of national priorities and in that respect I would hope that Russ' death might help us reobtain a sense of national balance.

For the RECORD I enclose several copies of letters we exchanged pointing up this fallen colleague's concern:

FALLS CHURCH, VA.,
March 7, 1968.

Hon. ROBERT L. LEGGETT,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN LEGGETT: It was an honor and a privilege to serve as a Member of Congress from January 1963 until January 1967.

I came to Congress with the feeling that I was extremely healthy but in the summer of 1966 I developed a weakness in my left ankle. In December 1966, Dr. Pearson arranged for my admittance to Bethesda Naval Hospital. After extensive tests and research, the doctors proposed only to observe me. In the spring of 1967, upon my request, Dr. Pearson arranged appointments with neurologists at Johns Hopkins Hospital in Baltimore. In June of 1967 I became impatient and demanded that Dr. Pearson furnish me a copy of my record which revealed that I was a victim of amyotrophic lateral sclerosis.

AP and UPI published articles about my condition rather extensively and I received numerous pathetic communications from other victims of ALS, some of whom had been examined at Mayo Clinic, Duke University, Emory University, and other outstanding institutions. The cause is not known and there is no known remedy. The disease is fatal in two or three years and in rare instances, five years; the later portion of which the victim is entirely helpless.

My search for an answer has revealed that practically no research is in progress on this disease with the exception of the untiring efforts of Dr. Donald T. Quick at the Teaching Hospital of the University of Florida College of Medicine in Gainesville. Dr. Quick's research is almost a one man effort because of a lack of funds. He seems to be making some progress. The Medical Journal and other such documents have made reference to his efforts and findings. He had the benefit of a grant but funds are now practically exhausted.

The University of Florida Medical School made application, No. NB 07897 01, on July 29, 1967, to the U.S. Department of Health, Education, and Welfare for a research grant to study ALS and related neurological diseases. The amount of $103,620 was requested for a five-year period. An application, No. 1–K3–NB–38, 650–01, was submitted on May 1, 1967, for a "research career program" grant of $105,285 over a period of five years for the purpose of increasing salaries in the Division of Neurology from $17,660 to approximately $20,000 per year. One of these applications was rejected by the National Advisory Neurological Diseases and Blindness Council at their November meeting. The other grant will be considered by the Council at their regular meeting March 21, 1968. The University of Florida needs personnel and equipment to carry out this program.

Any one with this disease, which allows him three years to make his funeral arrangements, would like to see some progressive research. You no doubt have constituents in this category since more than eight thousand people in the United States are known victims.

I made a desperate effort over a period of several weeks to reach an official at N.I.H. who would hear my appeal for consideration of these grants or allow me to appear before the Council. I failed to get any consideration. It is doubtful that any grant now would contribute to my welfare but a cure for this disease would make many people happy in future years.

The National Advisory Neurological Diseases and Blindness Council, U.S. Department of Health, Education, and Welfare, Public Health Service, Bethesda, Maryland, will meet again March 21, 1968. As a former Member of Congress, in behalf of several thousand victims of this incurable disease, I respectfully request and sincerely urge that you use your influence toward getting these two small grants approved.

With warm personal regards,
Sincerely,
J. RUSSELL TUTEN.

MARCH 13, 1968.

Dr. JAMES A. SHANNON,
Assistant Surgeon General, National Institutes of Health, Washington, D.C.

DEAR DR. SHANNON: I am enclosing herewith copy of a very frank appeal which I have received from my very distinguished colleague, former Congressman J. Russell Tuten of Georgia pointing up the appalling lack of medical research apparently going on in the field of amyotrophic lateral sclerosis.

He points up in his letter programs for which applications have been submitted to your agency and particularly the National Advisory Neurological Diseases and Blindness Council which apparently will be considered next week. I would certainly hope that your agency would act favorably on these requests.

I would further appreciate your providing me with a complete analysis of and a bibliography of all of the medical literature available to date on this subject matter.

Should you have a specialist in this subject area on your staff I would very much like an opportunity to discuss this decision with him at length.

Your many courtesies are appreciated.
Very truly yours,
ROBERT L. LEGGETT,
Member of Congress.

MARCH 13, 1968.

Hon. J. RUSSELL TUTEN,
Falls Church, Va.

DEAR RUSS: Thanks for your letter of March 7 although I was very much distressed to learn of your physical disability.

I will certainly do what I am able to encourage the grants for research which you have outlined. I have a constituent out in California who has had multiple sclerosis for many years and she claims that she is thwarting the prognostications of her doctors solely by her active pursuit of physical therapy and massage exercises.

I do not know whether LS would similarly respond.

Keep me advised how I might be further helpful. Best of success in your campaign to regain your health.

Kind personal regards.
Very truly yours,
ROBERT L. LEGGETT,
Member of Congress.

FALLS CHURCH, VA.,
March 19, 1968.

Hon. ROBERT L. LEGGETT,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN LEGGETT: Your response to my letter urging your valuable influence upon the National Advisory Neurological Diseases and Blindness Council in behalf of grant applications by the University of Florida Teaching Hospital is greatly appreciated. You can be sure this is a project worthy of your support.

With great respect and warm personal regards, I am
Sincerely,
J. RUSSELL TUTEN.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PUBLIC HEALTH SERVICE,
April 3, 1968.

Hon. ROBERT L. LEGGETT,
House of Representatives,
Washington, D.C.

DEAR MR. LEGGETT: This is in response to your letter of March 13 concerning grant applications relating to research on amyotrophic lateral sclerosis (ALS).

The Institute is deeply concerned about the problem and has had an extensive ALS research program for many years. As is the case with many unsolved neurological problems, medicine has only supportive care to offer to the victims of ALS until such time as medical science has discovered its cause and developed an effective treatment.

Last week, the Institute's Advisory Council again reviewed the problem of ALS. At that time, your interest in finding a solution was brought to their attention. While fully recognizing the problem, the Council voted to concur with the recommendations of the NIH Study Section and recommended disapproval of the application relating to ALS research at the University of Florida Medical School. The other grant referred to was considered by the Council in November 1967, and disapproval was recommended on the basis that the proposal did not have adequate technical merit. Enclosed is a bibliography on ALS which you have requested.

We are glad to know of your interest in ALS and related neurological research and wish to assure you of our sincere desire and constant efforts to achieve solutions to these problems. The present status of ALS research is set forth in the attached statement. I shall be glad to discuss this program with you.

Sincerely yours,
RICHARD L. MASLAND, M.D.,
Director, National Institute of Neurological Diseases and Blindness.

APRIL 12, 1968.

Mr. J. RUSSELL TUTEN,
Falls Church, Va.

DEAR RUSS: Please find enclosed a copy of material received this date from the Public Health Service pursuant to my previous inquiries.

Why don't you give me a call and we can go to lunch and discuss the matter.

ROBERT L. LEGGETT,
Member of Congress.

FALLS CHURCH, VA.,
April 30, 1968.

Hon. ROBERT L. LEGGETT,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN LEGGETT: Your response to my letter and the interest you expressed in the grant applications of the University of Florida for research of amyotrophic lateral sclerosis and related neurological diseases is sincerely appreciated. It was generous of you to request material for my information from Public Health Service and I have reviewed it thoroughly.

Although I am disappointed that the National Advisory Neurological Diseases and

Blindness Council rejected the applications, I am grateful for your efforts in behalf of the 7,000 to 10,000 Americans who are hopelessly afflicted with this disease.

I have made an exhaustive search of those sources which could offer assistance in the treatment of this disease. Dr. Quick is one of the few people who have a knowledgeable approach to this problem and it is regrettable that his efforts in finding the answer to this malady cannot be financially supported. Funds are available for various research projects of much less importance.

I was scheduled to return to the University of Florida Teaching Hospital April 1, 1968. My appointment has been canceled or indefinitely postponed because funds aren't available to employ the necessary technicians required to continue the laboratory work which must be done to find the answers to a disease, the characteristics of which to some extent vary with individual cases.

I hope Congress will see that funds are provided for this important research. Your personal efforts will be greatly appreciated.

With kind regards, I am

Sincerely,

J. RUSSELL TUTEN.

THE NATIONAL PRESIDENTIAL CAMPAIGN

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. THOMPSON of Georgia. Mr. Speaker, the recent developments in the national presidential campaign indicate the possibility that our Nation may be headed for a governmental crisis.

As many Members of this body well know, the presidential election could result in no candidate receiving the 270 electoral votes necessary to win and thus the House of Representatives, 91st Congress, would have the responsibility under the Constitution to determine who will be our next President, choosing from the top three in electoral votes. However, the Constitution also provides that in such an event the decision as to who would be the Vice President is left up to the Senate who must choose from only the top two—not three as in the House—in electoral votes.

It does not take a master mathematician to recognize that the control of the Senate will probably remain in the hands of the Democrats. As for the House, there is every possibility that members of my party will have a majority of the membership of 26 State delegations and therefore, Republicans will be in control of the selection of the President. Thus, we are faced with the possibility of having a Republican President selected by the House and a Democratic Vice President elected by the Senate. However, the situation is complicated even further should the Humphrey-Muskie ticket place third in the electoral vote and Democrats still control 26 State delegations. Under these conditions the House may elect a Democrat President, yet his running mate could not be considered by the Senate and either Agnew or LeMay would have to be selected as Vice President. Such a situation could lead to utter chaos in the legislative process and in the operation of the Government of our country. This is a possibility which the founders of our Nation did not foresee in drafting the provisions of the Constitution and its amendments which govern this process of election.

For this reason, I am today introducing a constitutional amendment to rectify this matter by providing for the direct election of both the President and the Vice President. I realize in offering this measure at this time that there is no possibility of it being acted upon and adopted in the remainder of this session. However, I wanted to forcefully bring this matter to the attention of the Members of this body so that they may recognize the very difficult situation we face and present to them a possible solution.

The amendment I am offering declares that in a presidential election a vote may be cast only as a joint vote for the election of the President and the Vice President. These are referred to in my amendment as a "presidential candidacy." Under this amendment, if a presidential candidacy receives a majority of the votes cast, the persons comprising such candidacy would become the President- and the Vice-President-elect. Further, it provides that in the event no candidacy receives a majority of the votes cast, a further election shall be held—in the same manner as a runoff election—in which the people of the several States and the District of Columbia would choose between the two candidacies receiving the largest number of votes.

By this method we abolish the now antiquated electoral college system, provide for a direct method of election by the people and insure that no chaotic situation could arise by which the President and the Vice President would be of different political parties. I hope the Members of this and the other body will give this measure their very serious thought and consideration and I welcome their critical comments.

SPECK CASE SANK FORTAS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. MICHEL. Mr. Speaker, there has been a good deal of speculation regarding the difficulty which enveloped the nomination of Justice Fortas and also a good bit of misinformation on the role of the minority leader, Senator EVERETT MCKINLEY DIRKSEN.

An editorial appearing in the Tuesday, October 8, edition of the Peoria Journal Star gets to the heart of the issue and points out quite clearly the reasons for Senator DIRKSEN's decision to change his mind by citing the High Court's fantastic decision in the Witherspoon case which, as the editorial says, was "patently ridiculous."

I place the editorial at this point in the RECORD:

SPECK CASE SANK FORTAS

Justice Abe Fortas was shot down as the new chief justice of the U.S. Supreme Court when Sen. Everett Dirksen reversed his original position of "going along" with the presidential appointment and killed the effort to shut off the filibuster against Fortas.

All he had to do was turn his back, and he did.

Almost immediately, the long fight against Fortas was over and the justice withdrew.

Why did Dirksen change his mind?

He has always recognized the presidential "right" to such appointments unless there was a question bearing directly on the appointee's qualifications or fitness . . . and took that position originally in this instance.

Why did he change?

Well, he himself made reference to the case of Richard Speck, tried here in Peoria some months ago.

How does that come into it?

It begins with a decision of the high court in a case involving the murder of a police officer by a man named Witherspoon. He was convicted by a jury on evidence that the murder of the officer was cold-blooded and premeditated, and given the death penalty.

The supreme court ruled that the verdict was illegal because in the selection of the jury persons who expressed a fixed prejudice against the death penalty were turned away.

The court described this as a court "organized to return a verdict of death."

The decision caused considerable shock throughout this country, including the editorial reaction of the Peoria Journal Star, because, whether it comes from the U.S. Supreme Court or not, that is patently ridiculous.

The jury was organized to hear the evidence and decide which verdict was proper, and whether a lesser penalty or death was appropriate, under law.

It is hard to see how a jury could be organized to make a valid selection of what was appropriate under law if it was forced to include jurors who excluded one of the legal penalties by personal prejudice before they even heard the case.

Yet this is what the court now seems to require, and they support it with the absurd statement that a jury willing to consider all the legal alternatives is unfairly loaded.

Now, more recently, has come the news that the attorney for Richard Speck is seeking a new trial based on the Witherspoon decision, claiming that Speck did not get a fair trial because all the jurors in the case expressed no prejudice against the death penalty.

Using the Supreme Court's own "reasoning," he claims that the only way Speck could be fairly tried for the massacre of eight student nurses would be if there were accepted on the jury persons who announced in advance that they were prejudiced against performing in support of that portion of the law which involves the death penalty, and hence that portion of their duty as jurors!

This apparently is what proved to be just too much for Sen. Dirksen to swallow.

He broke a lifelong tradition on presidential appointments, because this is just too much.

This occurs also, in contrast to the equanimity with which Attorney General William Clark, Dirksen's opponent, accepted the decision of the Supreme Court that freed Lloyd Miller—on the basis of statements as to what transpired at the trial that have been flatly contradicted by the Illinois Bar Association.

It was Clark's clear duty to fight that battle, as the people's lawyer, on behalf of the prosecution.

Like the jurors the Supreme Court now insists ought to sit on capital crimes, it appears to us that Clark performed his duty in a case involving capital punishment, half-heartedly at best.

We need jurors—and attorneys general—whose personal feelings and opinions about what the law should be, do not interfere with their effective performance of their duties under the law they have sworn to uphold.

And, above all, we need Supereme Court justices with that degree of dedication to their duty—instead of bending the law to suit their fancy.

Sen. Dirksen may have noticed the similarity.

STRONG SUPPORT FOR GREEK CONSTITUTION INDICATES DESIRE BY GREEK PEOPLE FOR RETURN TO NORMALCY

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. **PUCINSKI**. Mr. Speaker, last week the people of Greece overwhelmingly approved a new constitution presented to them by the present caretaker government, which is designed to ultimately restore to Greece parliamentary government and constitutional rule.

More than 92 percent of those participating in the election voted in support of ratifying the constitution.

There is no question in my mind that this huge outpouring of Greek citizens in support of the proposed constitution indicates a strong desire by the people of Greece to return to normalcy.

I was interested to see a United Press International report from Athens dated October 6, in which the correspondent stated:

> Observers here agree that a sincere desire on the part of many citizens to work things out and get moving back toward democratic government, even under the restrictions set up by the charter, played more of a part than usually credited abroad.

It occurs to me, Mr. Speaker, that the United States and the rest of the free world ought now to get behind Premier George Papadopoulos and Deputy Premier Stylianos Pattakos and give these two Greek leaders a chance to implement this constitution as quickly as possible.

There can be no question that during the past 17 months under the administration of this present caretaker government, substantial improvements have been made in the economy and the industrial development of Greece.

I am sure that at this late date, we can all agree that the bloodless coup of April 21, 1967, saved Greece from turmoil which would have weakened her to such a degree that she could have been easy prey for Communist aggression.

The full significance of April 21, 1967, comes into sharp focus only when we recognize the arrogant invasion of Czechoslovakia by Communist troops.

There is no question in my mind that the present regime saved Greece from a Communist takeover.

Immediately after taking over, Premier Papadopoulos and his aids promised the people of Greece a referendum on a new constitution.

They have kept their word and it is understandable that Premier Papadopoulos now states that the huge outpouring of support for the constitution indicates an acceptance by the Greek people of the policies instituted by this caretaker government.

I have every reason to believe, based on my personal discussions with Premier Papadopoulos, that the provisions of this constitution will be instituted much quicker than many critics in the outside world would want to believe. There is no question in my mind that the present government wants to return Greece to normalcy as quickly as possible.

We have already seen this Greek Government write off debts to the Agricultural Bank of Greece totaling more than $250 million to help families in rural areas.

During the past 17 months we have seen several huge industries and large-scale development works started in rural areas and a whole new constellation of foreign investors are now working on various projects for the industrialization of Greece.

It would be my hope that those who have been so quick to criticize this caretaker Government would now exert their influence in helping it and encouraging it to implement as quickly as possible the 138-article charter and in particular, those 12 amendments which have been temporarily suspended until the Government decides to bring them into force.

These 12 articles provide for civil liberties, political and party life, and elections.

I am sure that Premier Papadopoulos will want to implement the provisions of this constitution, including the 12 suspended articles as quickly as he is able to determine that Greece has returned to normalcy.

We in the United States can contribute toward hurrying that day along substantially by giving this Government a helping hand and by assisting it in securing its own position against the constant threats of Greece's Communist neighbors.

Mr. Speaker, I believe the first order of business for the United States is to resume immediately unfettered exchange of military aid to the people of Greece.

Greece is our southern anchor in NATO and with the ever-growing threat of the Soviet fleet in the Mediterranean, I believe we ought to give Greece the aircraft, the mine sweepers, and all the other equipment that the military leaders of Greece believe they need to play an effective role in the NATO defense perimeter.

I believe we should also open up new avenues of aid to the Greek Government through the International Monetary Fund and the various other programs to help Greece expand her economy and develop a secure industrial base.

One thing that the United States can do immediately with no further delay is to give the Government of Greece our surplus heavy earth-moving equipment which would help in restoring much of the countryside ravaged by recent earthquakes.

And finally, Mr. Speaker, I believe the United States ought to offer the caretaker Government of Greece a sincere hand of assistance in restoring the full democratic processes to that Government as quickly as possible.

There continues to linger in our country in some departments an attitude of dealing with this caretaker Government at arm's length.

Those who fail to recognize that we need Greece in NATO a great deal more than Greece needs us are doing a disservice to the institutions of freedom.

I believe, Mr. Speaker, that the honest and sincere effort of the people of Greece to return to normalcy as demonstrated in their huge outpouring in support of the constitution should be sufficient notice to the United States that we ought to help them in every way possible.

CONGRESSMAN WHALEN HONORS JIM FAIN, EDITOR OF THE DAYTON DAILY NEWS

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. WHALEN. Mr. Speaker, the distinguished Awards Council of Dayton, Ohio, has selected Mr. James E. Fain, the editor of the Dayton Daily News, as the recipient of the annual individual award for 1968.

The presentation will be made on the evening of Friday, October 11, 1968, in Dayton, which lies within my district.

I would like to take this opportunity to join with the council in honoring Jim Fain on this occasion.

The function of a newspaper is to inform and uplift the public. The Dayton Daily News has striven consistently to adhere to this philosophy. The lion's share of the credit for this goes to Jim Fain who has been relentless in the cause of journalistic excellence.

In addition to being an aggressive editor, Jim has devoted his considerable talents as a writer to a column on the editorial page of the Dayton Daily News. The subjects he has discussed are so varied that they fall into no specific pattern.

Jim's observations are not invariably well received by the readership, Mr. Speaker. In fact, should this ever become the case, I am certain he would begin to have second thoughts about the advisability of continuing to write them. More often than not, judging by the periodically voluminous letters to the editor which appear and by conversations in Dayton, Jim's comments generate reactions of no small intensity. The result very frequently is meaningful dialog or, minimally, the development of some thought about a given issue.

In this respect, Jim serves as an acerbic barb and a major contributor to the preservation of the concept of free speech and thought. His columns reflect the journalistic prerogative of calling a spade a spade.

In his 15 years in Dayton, he has become an integral part of it and its future.

If the schedule of the House permits, I hope to be present personally on Friday night to join in honoring Jim Fain. If not, then I hope these words will speak for me.

THE 120TH ANNIVERSARY OF UNION TEMPLE

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BRASCO. Mr. Speaker, may I call your attention to the forthcoming 120th anniversary celebration of Union Temple, 17 Eastern Parkway, Brooklyn, the oldest reform synagogue in Brooklyn and Long Island.

A year-long series of events have been planned to commemorate the anniversary which will be climaxed with a dinner to be held at the Plaza Hotel on Saturday evening, June 7, 1969. Four living past presidents, including the president, will be honored by the 600-family congregation at this event.

The four past presidents are former Supreme Court Justice Emil N. Baar; State Comptroller Arthur Levitt; Edward Elman, and Morris Messing as well as Charles Rockmore, industrialist and president.

Dr. Maurice N. Eisendrath, president of the Union of American Hebrew Congregations, will be the guest speaker at the opening convocation. The event, consisting of Sabbath services, will be held on Friday, October 25, 8:15 p.m.

Paul Kwartin, noted American cantor, accompanied by Union Temple's augmented choir of 22 voices, will perform the Hebrew Musical Liturgy, directed by Joe Hansen. A reception will round out the event.

Rabbi A. Stanley Dreyfus, spiritual leader of the temple, will conduct the Sabbath services. He is a great believer in American liberal Judaism. Rabbi Dreyfus has served the ministry both in this country and in London, England. He was ordained in the rabbinate in June 1946.

He was awarded Master of Hebrew Letters Degree from the Hebrew Union College, Cincinnati, and has been affiliated with Union Temple since August 1965. His 23 years of experience as a spiritual leader is serving him well in the preparing of programs for the 120th anniversary of Union Temple.

Union Temple's congregation, whose membership includes many leaders in public, religious, philanthropic, and civic life of the community, grew out of the merger in 1921 of two synagogues—Temple Beth Elohim of Williamsburg, known as the Keap St. Temple and Temple Israel.

Temple Beth Elohim of Williamsburg was founded in 1848 and incorporated in 1851. In 1876 it built Keap St. Temple. Temple Israel, founded in 1869, built its temple at Lafayette and Bedford Avenue, which later was taken over by the city for its Brooklyn traffic court.

Since the merger, Union Temple flourished. The present 10-story Union Temple building was erected in 1926. During the process of construction, the congregation was invited to worship in the Duryea Presbyterian Church. This was the first time in the history of Brooklyn that a Jewish congregation worshipped in a Christian church.

Union Temple has been described as the "Community House Ideal"—a meeting place for social, educational, athletic, as well as religious activities.

Past presidents of the temple include Arthur Levitt, State Comptroller; Supreme Court Justice Emil N. Baar; the late Supreme Court Justice Charles M. Cohen, Edward Elman, president of the New York Federation of Reform Synagogues, and Morris Messing, industrialist and communal leader.

SHAMEFUL MALADMINISTRATION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. FINDLEY. Mr. Speaker, in an address delivered August 19 on the occasion of his assumption of the presidency of the American Agricultural Economics Association in Bozeman, Mont., Prof. Harold F. Breimyer of the University of Missouri had some pointed criticism of the "maladministration" of the Department of Agriculture under Secretary Orville Freeman.

With a long-needed change in Department leadership now only a matter of a few months, Mr. Breimyer's comments are especially pertinent, and hopefully will help to guide Mr. Freeman's successor to better ways. Here are excerpts from his talk:

> Of the six categories, the two that interest us most and that present the most awesome issues of conflict of purpose are the traditional research and education activities on the one hand, and the commodity operations on the other. Make no mistake about it, the commodity management activities dominate the Department. In them lies the most entrenched power. They are the most politically sensitive. The interests of those operations, expressed honestly and sincerely, blanket the Department; they conflict with various other activities and most sharply with the objectivity and academic-style integrity that must mark research, education and statistical reporting.
>
> Let me cite a couple of instances of built-in conflict. One relates to that tried-and-tested service, economic outlook work. Probably this best epitomizes the equilibrium-analysis economist applying his skills in the public service. The extent to which the commodity operations of the Department interfere with accurate and effective outlook work has seldom been acknowledged. What is the outlook for the price of grains? Ingenious statistical analyses are useful but equally relevant would be a reading on the state of mind of managers of the Commodity Credit Corporation. Very often, the prospects for prices of grain are affected crucially by the decisions of the CCC in managing in stocks. Or consider the unforeseeable Foreign Agricultural Service negotiations and policies with regard to exports, particularly in concessionary sales. On several occasions the fall outlook for commodities such as soybeans, as published by hardworking economists in the USDA, has proved too bearish, as the FAS followed its calendar of being conservative in September, hopeful in January, and proud of success in June. If the FAS were not so cautious in September it could not look so good in June. All this is understandable and even rational, but it interferes with accurate outlooking forecasting . . .
>
> What about research? On this I choose words carefully. Doubtless both physical research and economic research remote from Department operating programs are safely insulated. As to whether all economic research is untouched, the test is whether the mandate of separating general economic studies from operating program analysis is being observed. For every economic program, program analysis should be conducted. But it should be identified as such and sharply distinguished from traditional economic studies. Although the publication policies of the Department that seem to be directed mainly to ensuring that nothing shall be released that is derogatory toward the Department's operating programs or policy stands . . .
>
> The segregation of commodity programs including program analysis from conventional economic work is made more difficult by one grievous error in the Department's administrative structure. It is the placing of the Director of Agricultural Economics in the ambiguous and conflicting double assignment of supervising the Department's economic and statistical functions on the one hand, and of serving as the principal policy advisor to the Secretary on the other. Although the record of incumbents in that position to date is exemplary this does not divert from the basic structural flaw which invites compromising one in favor of the other. My judgment on this treads on some toes, but if we value the integrity of economic inquiry we must cultivate conditions that conduce toward it.
>
> Lastly, the quasi-judicial responsibilities of the Department. No role of the agency and the Secretary is more sensitive and more vital or more urgently requires spotless performance. In several assignments the Secretary plays such a role. One is the regulation of public livestock and poultry markets under the Packers and Stockyards Act, and of commodity trading under the Commodity Exchange Act. A second is the administration of marketing orders and agreements. This second kind of assignment could become more general if U.S. agriculture should go the bargaining route that many groups advocate. In most bargaining proposals, the Secretary is given a combined administrative and umpiring function.
>
> A common technique in administering marketing orders is the public hearing. This provides for airing opposing views, for rendering an objective and impartial decision based on the findings, and for them publishing the decisions and the reasons therefor. To work fairly, such a system must be governed by a code of procedures. For many years this was the common law concept of due process, but in 1946 the Congress enacted the Administrative Procedure Act. A primary clause in the Act requires that whenever a decision is required by statute to be based on evidence in a record, the only evidence

to be considered is that which is brought forth in the record of the hearing and made public. Implementing this provision, the USDA has long had an internal regulation decreeing that once the hearing is closed, no member of the Department shall discuss the content of a marketing order hearing with any interested party.

It is a distressing fact that in recent years the conduct of top USDA officials has been a travesty on this due process rule. The malfeasance has been most obvious in milk order affairs. In my observation the public hearing has sometimes been little more than motion necessarily gone through.

The climax came in the decision to lift dairy price supports this year to the maximum permitted by law. It has been reported widely and reliably that the decision was made at the highest executive level in the political setting I have just named, and the task of Department officials was essentially to find language to rationalize it.

All this is a shameful maladministration of extremely important responsibilities of the Secretary of Agriculture. Affected thereby is the welfare of whole industries not to mention that of consumers of food. Also a serious consequence is the damage done to the sense of integrity, and the esprit de corps, of the professional staff of the Department.

OF THE THREE, ONLY MR. HUMPHREY OFFERS QUALITIES NATION WILL DESPERATELY NEED

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. MURPHY of New York. Mr. Speaker, in this election year we are faced with the very clear choice of whether or not America will continue to move forward. We are faced with the choice between the politics of fear and the politics of responsible action. We must choose between the low road being traveled by Mr. Nixon and Mr. Wallace and the high road being traveled by Vice President HUMPHREY. The choice before the American people has never been more clearly expressed than in a recent editorial by the well known and highly respected Nashville Tennessean. Under leave to extend my remarks in the RECORD, I include the text of the editorial, and I urge my colleagues to take the time to read it carefully:

OF THE THREE, ONLY MR. HUMPHREY OFFERS QUALITIES NATION WILL DESPERATELY NEED

As voters look to the November election in the troubled and turbulent year of 1968 there is a cloud of uneasiness and unrest settling over the land.

The war in Vietnam threatens world peace and drains the domestic economy. Warfare in the cities threatens order and drains national self-confidence.

Old people seem unable to communicate with the young; young people say they don't trust anybody over 30. White people are hostile to black people because of riots in the cities; black people are hostile to white people because of justice too long denied; the well-to-do and the middle class think of the poor as shiftless and lazy; the poor think of the rich as arrogant and the middle class as unfeeling.

In this environment the voters enthusiastically respond to overworked political cliches as they look for too-simple solutions to the most complex equations in the history of man.

A candidate says, "let us have law and order," and this evokes an emotional outburst as if the crying needs of the cities suddenly had been met.

A candidate says, "let us get all the way in the war in Vietnam, or get all the way out," and there are cheers and ovations as if the critical conflict in Southeast Asia has been won.

It is because these simplistic, cut-and-dried statements express what people want to do—not what can be done—that Richard M. Nixon now leads in all the public opinion polls in the race for the presidency and George C. Wallace has found such widespread favorable voter sentiment.

Mr. Nixon is the master of mixed generalizations. Mr. Wallace is the master of specific generalization. In ordinary times the vague utterances of Mr. Nixon would be uninspiring and the direct slams of Mr. Wallace would be a joke.

In the current campaign there is not a single issue which Mr. Nixon has met head-on; not a single problem area for which he has offered a clear-cut, positive workable program.

And there is not a single issue for which Mr. Wallace hasn't offered a positive answer—invariably the wrong one.

In the early days of the campaign Mr. Nixon's strategy has been to obscure the issues in a smokescreen of meaningless rhetoric. Mr. Wallace has had a different approach. He has sought to set fire to the issues and let reason burn. But at some point the voters of the nation must come to see through the smoke and fire and view the future of the country in terms of what must be done and what can be done realistically.

And there is but one candidate in the race for the presidency who has demonstrated a recognition that it will take more than campaign oratory to make a successful presidency.

Hubert H. Humphrey, the public opinion polls indicate, is not ahead in the political popularity contest.

He has not sought to become an "easy answer" candidate. He knows and admits there are no easy answers. Beyond that his personality, his wisdom, his compassion and his conviction have been submerged over a period of trying years in the fog of unpopularity which has surrounded the administration of President Lyndon Johnson.

Too few people have come to see him as his own man.

But as the few remaining weeks pass before the election, the voters of the nation are going to have to ponder the true nature of the world in which they live. They are going to have to look honestly at the three men who ask for their votes and decide which one of the three can best be trusted with the trying and tremendous power of the presidency. They must ask: Can Richard Nixon be trusted? Should George Wallace be trusted?

The voters must look at each man as an individual and judge not what the man promises he will do, but what can be done to take the nation through a terribly difficult time.

It is easy to promise—as Mr. Nixon does—that he will end the war and that in the meantime he will prosecute it more effectively. It is easy to promise—as Mr. Wallace does—that he will "win the war or get out."

It is easy to promise—as Mr. Nixon does—that rioting in the streets will end when he becomes President because law and order will prevail. It is easy to promise—as Mr. Wallace does—that rioters will be shot.

It is more difficult and less popular to say candidly to the American people—as Mr. Humphrey does—that it will require still more patience, more determination and a greater effort than ever before to find a way to peace in Vietnam. It is more honest—if less attractive—to say to the American people that more and better trained and better paid police officers are needed to fight crime—but to admit that the riots and violence in the slums of the cities won't go away until conditions which create unrest are wiped out.

These are not words most Americans want to hear. Mr. Humphrey is challenging the nation at a time when its people want to turn away from reality and seek shelter from pressure and tension. But this is no time to dodge or hide.

Throughout his career Mr. Humphrey has been the apostle of the unpopular cause. If one figure in American politics has been willing to stand up against the storm and tide of extremism it has been Mr. Humphrey.

When the nation was hung up on witch hunts, and Mr. Nixon was leading the way, Mr. Humphrey was working to put down false fears and to protect the rights and reputations of innocent citizens.

When the nation was hung up on racism and Mr. Wallace was leading the way, Mr. Humphrey was working to provide laws to bring about equal justice and opportunity for every citizen.

He has been a progressive mayor, a thoughtful senator, a party leader dedicated to reform and opposed to blind reaction. If, as Vice President he has been part of an administration which seems to have been too much influenced by the military, the question now for the voters is which of the three candidates has the fortitude and integrity to break away from a course of militarism?

The answer is Hubert Humphrey.

If he has been part of an administration during which riots have developed in the streets, the question now for the voters is which of the three candidates has the judgment and compassion to find the long-range answers to social disorder?

The answer is Hubert Humphrey.

And which of the three candidates has the insight to recognize the forces at work in the world and has the capacity to deal with those forces in the search for peace?

Again, the answer is Humphrey.

Which of the three candidates has the intellect and balance and self-confidence to hold in his hands the awesome power of the nuclear bomb? That is the ultimate and dangerous question.

Certainly the answer is Hubert Humphrey.

It is true there have been some experiences that have eluded him. He never appeared on national television with a pet puppy dog to explain away questionable campaign contributions. That was Mr. Nixon's major acting role. He never appeared on national TV standing in a schoolhouse door in an effort to keep Negro students out of school. That was Mr. Wallace's scene.

Mr. Humphrey's record is not marked by scandal or stupidity and it gives insight to the sort of man he is: honest, a fighter, intelligent, loyal to a fault.

True today he seems unpopular. He is harassed and heckled. But he is no quitter.

It is in the nature of the American citizen to analyze and reflect soberly before deciding on matters of great consequence.

The coming election is of the greatest consequence. What is needed is leadership that is willing to deal with determination and conscience in the years ahead, attracting—not dismissing—the best brains available and the best talent available to move the country on a sensible and sound course.

The times are perilous. Wishing they would change and putting false hopes in phantom leaders will only make the future more difficult.

The nation needs Hubert Humphrey to be president more than Hubert Humphrey needs the office to climax a career of distinguished service.

He is the candidate who can be trusted. This newspaper endorses his candidacy, pleads his cause and urges his election.

IRISH IMMIGRATION

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. RODINO. Mr. Speaker, I am particularly concerned, as are many other Members of Congress, about the difficulty experienced by Irish immigrants in securing visas to the United States. As a result of recent amendments to the Immigration and Nationality Act, Irish immigration has been cut back to a trickle because Ireland is not in a position to compete with the rest of the world for immigrant visas.

Hearings have been held by Subcommittee No. 1 of the Committee on the Judiciary to find a way to remove this handicap confronting Ireland and other countries of Northern Europe. The hearings have only reemphasized the fact that the labor certification provisions of the act of October 3, 1965, and the defective phaseout of the national origins system are the reasons for the curtailment of Irish immigration.

On July 16, 1968, I introduced H.R. 18627 which offers a flexible formula to offer some measure of relief to natives of those countries who will not be able to receive immigrant visas due to the operation of the recent amendments to the Immigration and Nationality Act. This legislation would permit the use of the visa numbers already authorized, but not used during fiscal year 1968, by allowing the President to reserve up to 50 percent of the unused numbers for use in alleviating the undue hardship caused by implementation of the recent amendments. Furthermore, this bill provides that the remainder of the numbers not reserved may be reallocated on a first-come, first-served basis to those preference categories which are presently oversubscribed. I feel that this legislation is timely, necessary, and will offer some measure of relief to the unfairness that has developed in our immigration laws.

This legislation, in essence, will accomplish two objectives: First, permit Irish immigrants to continue to come to the United States during its proposed 2-year operation; and, second, eliminate some of the backlog in the preference categories, thus permitting Ireland and other countries of Western Europe to compete favorably for visa numbers.

In these closing days of the 90th Congress, I feel that it is most imperative that action be taken to provide visas to those countries which have traditionally given immigrants to the United States. I urge my colleagues to join with me in taking whatever steps may be necessary to have this remedial legislation enacted before the adjournment of the 90th Congress.

RAILROAD PASSENGERS BE DAMNED?

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. PELLY. Mr. Speaker, as the Interstate Commerce Commission begins consideration of standards aboard passenger trains, it is a time of reflection by Members of Congress, and indeed, all Americans to whom rail transportation is seen to be swiftly disappearing.

Certainly all sides must be measured, but today's Washington Evening Star contained an editorial which aptly puts into perspective conditions existing today in rail service. The editorial follows:

PASSENGERS BE DAMNED?

The Interstate Commerce Commission has begun consideration of what could be the most important single decision dealing with railroad passenger transportation in the agency's 81-year history.

Specifically, the ten commissioners must decide whether to approve the recommendations of one of its hearing examiners, John S. Messer, and set down for the first time at least minimum standards for services aboard passenger trains. These would include adequate speed, dining and sleeping cars depending on the length of the run, air conditioning and cleanliness.

The railroads contend they lost $485 million last year operating passenger trains. They say there is no market for rail passenger service—except commuter runs and distances up to about 400 miles—and setting new standards for on-board services would cost them more money. They say further the ICC has no power to set such standards.

But two young lawyers—one representing the California Public Utilities Commission and the other the National Association of Railroad Passengers—have urged the normally somnolent ICC to come out of its slumber long enough to realize that times have indeed changed since 1887, when the ICC was first organized.

They have reminded the commissioners that when the ICC was founded railroads were fighting each other to woo passengers. And they say—rightfully, we think—that the Interstate Commerce Act is broad enough to allow the commission to require the railroads to see that the segment of the traveling public—106 million passengers last year—which wants to ride the trains for distances longer than commuting continues to have not only just a train, but an adequate train.

For the past 10 years railroads have been permitted to eliminate more than 1,000 interstate passenger trains. Admittedly, many no longer were used. But now the number of intercity trains is down to fewer than 600, and some sections of the nation are without any rail passenger service.

The service that remains is in some cases continually downgraded by railroads anxious to discourage the remmaining passengers. One of the worst such cases is the Southern Pacific Co., and its once-famous Sunset Limited between New Orleans and Los Angeles.

Progressively, since the late 1950s, the Sunset has been stripped of sleeping and dining cars and the other refinements that once made it a popular luxury streamliner. Eventually, the railroad refused to check baggage, leaving passengers and their luggage to share limited seating on the 2,033-mile, 45½-hour run. Now the train—three coaches and a food vending machine car—is even placed on sidings while freight trains roll by.

Despite the deplorable conditions aboard, more than 160,000 persons rode the Sunset last year.

Some railroads have upgraded their trains and show a profit on passengers. Seaboard Coast Line turns a profit on its Florida-bound streamliners. But its trains are clean. Seaboard lures passengers with movies, games, free champagne and candlelight dinners. What works for them might well pay off for the Southern Pacific.

NATIONAL COST OF LIVING

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Republican, Sept. 20, 1968]

AN EDITORIAL

The national cost of living for the average city family has now increased nearly 11.6 per cent since the Johnson-Humphrey Administration took office on January 20, 1965.

And the latest cost of living index released by the Labor Department showed that in June and July the cost of living was rising at an annual rate of six per cent.

The cost of living index in July was 4.3 per cent higher than it was a year before. Thus a six per cent rate of increase in June and July reveals that living costs are moving upward more rapidly. Living costs in July were more than 17 percent above the level of January, 1961, when the Democratic regime came into power.

This increase is substantially greater than the 12.3 per cent cost of living advance from 1949 to 1953, which included the era of the Korean war and the widespread hoarding and scare buying that led to the imposition of wage and price controls.

It is generally agreed by economists that the cost of living advance of recent years have been primarily influenced by Administration spending policies, which has produced an uninterrupted chain of deficits.

As a result of the increase in the three and one-half years of the Johnson-Humphrey Administration, this is what has happened:

Your dollar of January, 1965, is now worth less than 90 cents.

A ten-dollar bill acquired in January, 1965, is now worth $8.96.

A $100 paycheck in January, 1965, is now worth $89.63.

A $500 savings account in January, 1965, is now worth $448.15, a loss of nearly $52.

A $10,000 insurance policy in January, 1965, is now worth $8,962.90, a depreciation of $1,037.10.

Retirement income of $2,500 a year in January, 1965, is now down to $2,240.73, a loss of $259.27.

In fact, the crucial economic issue of the 1968 political campaign may be summed up in a few basic questions.

How much more can you take of the present rise in living costs?

How much more can the nation take of the reckless spending policies that have generated this rise in living costs?

Are these policies to be continued, and possibly expanded, by a successor Democratic Administration composed of officials who had leadership roles in the present Administration? Or is it time for a Republican Administration to take over and inject order and priorities into a chaotic jungle of ineffective programs?

These questions are of special interest to the poor and the elderly, who have been hit hardest by the inflation of recent years.

Frequently, the sharpest increases in food prices have been in those foods that are consumed most commonly by low-income families.

These food price increases have not gone into greater profits for the farmer, who often has found the prices he receives for his crops going down, and his costs going up, so that he has been locked in a price-cost squeeze.

Here are examples of increases in a number of common-use food items between January, 1965, when the Johnson-Humphrey Administration took office, and June, 1968, all taken from Government reports:

Hamburgers, 49.2 to 55.8 cents per pound, up 13.4 per cent; pork chops, 88.4 to 100.6 cents per pound, up 13.8 per cent; pork roast, 61.3 to 72 cents per pound, up 17.4 per cent; sliced bacon, 67 to 82.8 cents per pound, up 23.6 per cent; whole ham, 60.8 to 68.3 cents per pound, up 12.3 per cent; frankfurters, 62.2 to 70.9 cents per pound, up 14 per cent; milk bought at the grocery, 47.8 to 53.8 cents per half gallon, up 12.5 per cent; milk delivered, 52.8 to 60.7 cents per half gallon, up 15 per cent; oranges, per dozen, 78.1 to 90.3 cents, up 15.6 per cent; fresh tomatoes, 32.9 to 37.9 cents per pound, up 15.2 per cent; cola drink, 54.7 to 65.1 cents per 72-ounce carton, up 19 per cent.

Such a record argues loudly for a change in direction.

AMERICAN INDIAN PROGRAM AT MOUNT SENARIO COLLEGE

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. **O'KONSKI**. Mr. Speaker, a small college in my congressional district, Mount Senario College, located at Ladysmith, Wis., has implemented a program aimed at alleviating the depressed conditions of American Indians located within commuting distance of the college.

The program, under the leadership of Mount Senario College's new president, Dr. Walter H. Thomson, is designed to extend the college's academic and cultural resources of these young "forgotten Americans."

The State of Wisconsin makes scholarships available to students who are in the upper two-thirds of their class. This provision, however, does not benefit the student who has a good learning potential, but a marginal record. This evidence of underachievement is most frequently the result of cultural deprivation and lack of opportunity to fulfill native ability.

A sense of urgency and deep concern has prompted Mount Senario College to undertake this project before securing financial assistance from public or private sources. Full use is made of the physical facilities, faculty, and staff. As a result of the contact established by Sister Angelica Vogel, director of the Indian Institute, and her staff, 10 American Indians are presently studying on campus. Tutorial assistance is provided to correct the educational deficiencies of some of these Indians. Without the help of Mount Senario College, these Indians would not have the educational opportunity which they now have, and I commend Mount Senario College for taking the initiative to start a program designed to assist the American Indian.

EDUCATION: A KEY TO THE FUTURE

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. **BRADEMAS**. Mr. Speaker, I ask unanimous consent to insert in the RECORD the text of a most thoughtful address, entitled, "Education: A Key to the Future," which was delivered by the distinguished Secretary of Health, Education, and Welfare, the Honorable Wilbur J. Cohen, at the annual convention of the Order of Ahepa in New York City on August 22, 1968.

I was present to hear Secretary Cohen on this occasion, and I am very pleased to draw this address to the attention of my colleagues:

EDUCATION: A KEY TO THE FUTURE

Many centuries ago Plato wrote that "the direction in which education starts a man will determine his future life." The truth in his statement has never been more widely acknowledged than it is today. For today we are living in a period which future historians may refer to as the age of education. In the past five years alone the Congress has passed more than 40 bills supporting education. Perhaps this would be an appropriate time to pause and reflect on some of the progress and problems in education.

Let us consider for a moment, the importance of schools in this country—the progress they have helped make and their great potential. They have released talent, channeled ambition, opened doors of opportunity.

But we also know that some schools have failed to achieve these goals. They have done just the opposite—confirming expectations of failure, stiffling creativity, stunting imagination and intellectual growth.

The fact is that many of our schools, particularly in central cities and isolated rural areas, are not capable of providing the quality of education that our modern day society demands. They are inadequately financed. They are rigidly and inefficiently organized. Classrooms are understaffed and overcrowded. Children receive little individual attention. The quality of teaching is low and there are few incentives for teachers to improve their skills. Many of our youngsters are being deprived of opportunities that could help them overcome the handicaps of poverty and discrimination.

The personal and social costs of an inadequate education are too great to be left unattended. Individuals suffer in terms of self-fulfillment, cultural and social attainment and economic productivity. The nation suffers in wasted human resources, welfare costs, and crime.

Anyone who is interested in the nation's future must help with the job of improving our schools so that they can adequately prepare our children for responsible adulthood. This is a job that is too complex and too monumental to be left to the educators alone. Parents, school board members, local officials, businessmen, labor leaders, and the students themselves must become involved in the difficult and exacting task of designing our schools to meet today's and tomorrow's demands. It will take a vast expenditure of money, energy and imagination.

THE IMPETUS FOR CHANGE MUST COME FROM THE LOCAL COMMUNITY

While the Federal Government can help in solving many of today's educational problems, the real impetus for change and improvement must come from the local community. It must organize the schools to accommodate innovation and stimulate change. New ideas and experimentation must be encouraged and successful experiments must be adopted in classrooms throughout the country. Too often the results of experiments are delayed in application or ignored completely. It has been estimated there is a 30 year lag between the development of an innovation in education and its widespread adoption. This gap must be closed. The world is moving too rapidly to wait 30 years for a good idea to be put into practice. The thrust for change must come from within the school system as well as from without. Businessmen, accountants, lawyers, physicians, social workers, and many other individuals, working with school administrators and school boards, can encourage and introduce new ideas which will modernize and streamline the schools.

Many new ideas in education are being discussed today—and there are more to come. Some are very controversial, some are well accepted and others may work in one locality but not another. But we must explore new ways of educating.

Some of the most exciting and promising ideas are developing from research related to the early learning abilities of children. There is a growing body of knowledge that very, very young children can be stimulated to learn far more than has been expected in the past. By beginning at the earliest possible stage in a child's development, one scientist believes that we could perhaps stretch the IQ of future generations by perhaps 30 points. I believe that we could have a "Revolution in Learning" within this generation by investing more attention, time and money in the early years of life.

Today many of our children are damaged by our failure to stimulate them intellectually in the years when they are most eager to learn—between birth and age 6. They are crippled for life because we have ignored their innate curiosity and their desire for achievement.

THE IMPORTANCE OF PRESCHOOL LEARNING

These children, particularly the socially and culturally deprived child, could be given a head start in learning through creative, stimulating experiences in day care centers, nurseries or kindergartens. Yet few communities have been willing or able to provide these services. In the 1966–67 school year only 148 of the nation's 11,970 public school systems with 300 or more pupils enrolled had nursery schools. In 1966, about 25 percent of all 5 year olds did not attend kindergarten or school. Eighty percent of all 4-year old children were not enrolled in any kindergarten or nursery school. The lack of adequate day care facilities is critical. Whether we like it or not about one-fourth of the mothers of children under the age of six are in the labor force. Four million children have mothers that work. Yet there are only licensed day care facilities for 475,000 children. The others are left with relatives, many times teenage brothers and sisters, neighbors, and some are even left alone while the mother works. Can you imagine what this does to the child's physical and mental development?

We need a great public and private effort to expand child care and early education. Business and industry could make a substantial contribution to this effort by establishing programs for the children of mothers who are employed by them. I believe that early education should be one of the nation's highest priorities. For if we fail in the early years we have little to build on.

USE THE TALENTS OF BUSINESS IN THE SCHOOLS

The problems that education faces today are broad and complex and if we are to deal with them adequately the resources of the whole community must be tapped. For example, the broad range of talents and skills of the business community could be more effectively used in the schools.

Businessmen could be encouraged to participate in classroom, tutoring and counseling activities.

Training programs and work study programs could be run cooperatively with business.

Businessmen could help in developing curriculum that is relevant to the needs of the labor market.

Opportunities should also be provided for more parent involvement in the schools. If we kept the schools open in the evenings and the weekend and during the summers, parents and children could learn together. Parents and children could have a voice in deciding what kinds of courses and activities they wanted. Teacher, parent and student communications would be improved and the school could become a center of community activities.

And I believe we should give the students a greater voice in their education with more options for learning. Couldn't high school and college students be offered alternatives to a rigid full-time schedule of classroom work? Some students with special needs, interests or problems often have no other choice than to drop out of school under present school policies. Couldn't we set up programs where they can drop in on a part-time basis?

THE QUALITY OF INSTRUCTION

Of course, at the heart of education is the quality of instruction. And I believe we can make some improvement in this area also. We must explore ways of upgrading teacher's skills, and of providing incentives to attract competent, creative and dedicated teachers. Perhaps we should reexamine pay scales in the light of the teacher's experience and capabilities.

If we are going to make any real headway in improving the quality of education we must be willing to invest much more in our schools. We must remove the current imbalances in the quality of education among the 200,000 school districts in the nation. Many of the wide disparities in the quality of education today are the result of inadequate financial support. Because of the scant financial resources of low income states and the special needs of the disadvantaged, the child of a rural southern community or of an inner-city northern school is short-changed. In the 1966–67 school year per pupil expenditures ranged from $339 in Mississippi to $918 in New York, although Mississippi actually devoted a little more of its personal income to education—4.4 percent as compared with 4.3 percent in New York.

Similar disparities exist in urban and suburban school systems. Per pupil expenditures in 1962 averaged about $439 in the suburbs as compared with $376 in the central city. City schools get proportionately less state school aid than suburban schools. A study of 35 cities showed that the cities averaged about $125 per pupil in State aid in 1966 while suburban districts averaged $165 per student.

In general, cities must spend a greater proportion of their income on no-school services than suburban areas—services that benefit the commuter as well as the city resident and taxpayer.

CITY SCHOOLS AND THE DECREASING TAX BASE

While the demands on the cities to provide more public services are increasing, the tax base is decreasing as the exodus of business and workers to the suburbs continue. Thus, the money available for the city schools is decreasing, while the need increases and the problems become more critical.

The financial problems of the schools are deeply rooted in the tax structure of our communities. Most school systems are financed by a property tax which is incapable of producing the revenue needed to pay for high quality education. We must find other ways of financing our schools.

I do not have answers to the fiscal problems of State and local governments but I have suggested two ways that the States and localities could be relieved of the growing cost of welfare and enable them to devote more of their resources to education.

One way would be to raise social security benefits. If the minimum social security benefit were raised to $70 a month for an individual and $105 for a couple, and benefits were increased across the board by 15%, one million four hundred persons would be lifted out of poverty. Many persons would be moved off the welfare rolls at a great savings to the States.

In addition, I have suggested that we explore a Federally financed system of income payments for the aged, blind, disabled, and dependent children with eligibility, payments, appeals and administration determined on national basis as a substitute for the present State-by-State welfare program. This would overcome many of the problems of inequity, State variations, and fiscal inadequacy that have persisted in the system for 30 years.

This would free States and localities from a growing financial burden and permit them to spend more of their tax revenue on education and other community social needs. They would be able to expand family planning services, day care, maternal and child health care programs, nursery schools and kindergartens.

As we look into the next decade I believe we shall see some dramatic changes in our schools. With a growing economy, a Gross National Product that will exceed a trillion dollars by the 1970's, the Nation's investment in education will increase, bringing about remarkable improvements.

LOOK AT EDUCATION IN THE NEXT TWO DECADES

Let us try to imagine what education will be like in the next couple of decades.

I envision educational opportunities for all Americans from age 9 months to 90 years—with every child having the opportunity for creative, stimulating early education, every youth having the opportunity to continue education as far as his or her talents will take them, and every adult having the opportunity to continue learning throughout life.

I see research uncovering the secrets of learning and creativity, finding ways of fostering intellectual growth, beginning with infancy throughout the life span.

I see the barriers between home and school, school and work, school and community crumbling and education penetrating even more formidable barriers—between old and young, rich and poor, city, farm, and suburb.

I see the schools becoming community centers for youth and adult activities—keeping their doors open 18 hours a day, 7 days a week, 12 months a year.

I envision an educational system tailored to the needs of the individual rather than the other way around.

I see many new special educational services for the creative, brilliant child, as well as for the retarded, the physically handicapped, and the average child, that will help every child develop his full potential.

I see more experimentation and innovation in education rather than acquiescence with the status quo.

I see our Nation accepting learning as a truly joyous experience, with a wide variety of choices for each individual, and the learning force continually increasing in quality and quantity—far exceeding the labor force.

I see the day when every child will be a wanted child, who receives all the love, attention and the medical care he needs regardless of his family's color, religion, or income, a child who will have all the opportunities our society can provide, and there will be many, to grow into a healthy, mature and well educated adult.

Through education the individual will gain a respect for learning in the present, a hope for the future, and a sense of purpose and direction in sharing the problems, challenges, rewards and responsibilities of society.

Dreams, you may say. But I believe that we have already begun to implement the most important dream of our time—education for everyone who wants it and will work for it. Many of the foundations have already been laid. But ahead of us lies a great testing of our Nation to see whether we have the will and the determination to fully achieve them. I believe that we do and that we will help to realize one of the most exciting and demanding dreams in the Nation's history.

CZECHOSLOVAKIA

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 26, 1968

Mr. GREEN of Pennsylvania. Mr. Speaker, I want to thank the gentleman from New Jersey for allowing me to participate in this discussion.

The ruthless invasion of Czechoslovakia, last month, by Soviet forces should pain all those who love freedom, for the move was made to stifle the spirit of a people who dared to express individualism.

Czechoslovakia, through the 1920's and 1930's, had been the showcase of democracy in Central Europe. It was a prosperous and productive nation of different national groups who had learned to live together. The agreement at Munich betrayed Czechoslovakia and doomed her to conquest by Hitler and to eventual subjugation by the Russians.

While I recognize that our Government was in no position to commit troops at the time of the Russian invasion, I feel strongly that we should take economic action that will make those who crushed Czechoslovakia reconsider their action.

If the cold war refrigerates to its 1950 temperature, the onus is on the Russians, but the Czechs unfortunately are the first victims.

"HOW CONSERVATIVE ARE AMERICANS"—A STUDY BY THE AMERICAN CONSERVATIVE UNION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. ASHBROOK. Mr. Speaker, the American Conservative Union this morning released to the press an advance copy of the most recent in a series of studies, "How Conservative Are Americans?"

This report examines the findings of several of the major opinion takers in the Nation. It concludes that the American people have grown more conservative in philosophy during the past few years. It may come as a surprise to some that the conclusions of the report indicate that there are very nearly as many conservatives as there are liberals.

The results of surveys by the highly respected Survey Research Center at the University of Michigan, the Harris Survey, and the so-called Gallup poll were examined to determine the opinions of Americans on various issues of national importance. Included were: Big government, decentralization, aid to education, medicare, busing for integration, prayer in school, trade with Communist nations, foreign aid, right-to-work, economy and low taxes, Vietnam, and poverty.

The report concluded:

> We have explored a dozen areas of public policy which were important in the 1964 election. All of the issues will be important again in 1968, with the possible exception of medical care. *In every other area, the conservative Republican position was the most popular.* Philosophy is the main popular support for the Republican Party. Over 70 per cent of the comments on it are favorable. Clearly conservatism is the philosophy of the American people.
>
> The 1966 congressional and state elections proved that a good campaign and good candidates using conservative principles can win. The present analysis show that the public supports the conservative position. The best road to Republican victory in 1968 is clear.

As chairman of the ACU I was pleased to present the study to the press this morning. Joining me were ACU vice chairman Ralph deToledano and secretary Robert E. Bauman. I hope we made abundantly clear the type of conservatism we represent and that we believe the American people subscribe to. The kind of conservatism involved here is not nostalgic for any great and glorious past era, nor is it the sort which will defend the status quo. If anything, the real conservatism of today is a revolutionary concept. Our conservatism, in fact, demands change—change toward applying the principles of individual freedom and maximum use of private resources in righting the wrongs in American society today. And it certainly has no relationship to the vituperative opportunism of George Wallace.

I submit the report for the RECORD. I believe it shows not only the position, the conservative position, of a great segment of the people, but the strong growth of these positions and principles in the past few years.

HOW CONSERVATIVE ARE AMERICANS?

(A Study Prepared by the American Conservative Union, issued October 9, 1968)

Can a conservative philosophy win elections in the United States today? Do the American people consider themselves to be conservative or liberal? The answers to these questions are of vital importance to the Republican Party as it faces the challenges of this crucial election year.

To find answers, let us separate fact from fable by utilizing the best source available—the modern public opinion poll. Our analysis will rely heavily on polls conducted by the highly-respected Survey Research Center (SRC) at the University of Michigan. Supplementing them are the best-known commercial polls, in particular the American Institute of Public Opinion (AIPO) or Gallup poll.

To begin with, a moment's reflection will bring to mind two principal elements that produce electoral victory: candidate preference, and party preference. Since we are not concerned here with any individual candidate, let us look at the reasons why voters prefer one of the major parties over the other.

The first, and most important, advantage enjoyed by the Democratic Party since the 1930 depression has been party loyalty: identification of oneself with a particular party. All Gallup and SRC polls have shown that a clear majority of the people of the United States consider themselves Democrats, with the remainder divided between Republicans and Independents. Since it is well established that most people vote for their own party (usually it is also the party of their parents) time and time again, this gives the Democrats a tremendous advantage. They usually do not have to convince anyone to change parties, but have only to hold 50 per cent plus one out of "their" majority.

The second great advantage enjoyed by the Democratic Party is its positive identification with specific vote blocs—e.g., labor union members, minorities, farmers. A group identification has the advantage of enabling a party's candidate to concentrate his solicitation for votes. Closely related to this advantage is the Democratic identification with specific domestic policies which these vote blocs strongly—and often emotionally—endorse.

It can be seen from Table 1 that of the four most mentioned attributes of parties *it is only on the attitude of philosophy that Republicans have a higher rate of acceptance than do Democrats.* Where Republican philosophy is mentioned, 71% of those polled are favorable. On the other hand, only 38% of the comments on the Democratic Party philosophy are positive. In the other three areas, the Democrats have a clear advantage. It seems apparent then, that the Republican Party can gain adherents only if it concentrates on its conservative philosophy. That this philosophy is a conservative one can be seen by the answers to the particular questions asked in the polls cited below. In 1964, it should be added, the Democratic Presidential candidate wisely refused to campaign at the level of basic philosophical positions, for, if he had, the outcome might have been very different. Rather, he relied on party and group identification for his selection, and personal attacks on his opponent for the landslide proportions of that victory. So successful were these techniques that most voters considered Johnson to be the "conservative" and Goldwater a "radical" or "extremist," and went to the polls to vote their conservative instincts.

TABLE 1.—THE MOST MENTIONED PARTY ATTITUDES

Attitudes	Democrats		Republicans	
	Number of times mentioned	Percent pro	Number of times mentioned	Percent pro
Party loyalty	536	56	591	39
Relation to groups	598	90	424	17
Philosophy of Government	374	38	399	71
Domestic policies	645	70	268	35

Sources: John H. Kessel, "The Impact of Strategy: The 1964 Presidential Campaign" (delivered before the 1966 meeting of the American Political Science Association), p. 3, SRC, 1964 survey.

Not only does the Republican philosophy have a higher rate of acceptance than does the Democratic philosophy; polls conducted over the years have indicated repeatedly that more Americans identify themselves as "conservative" than as "Republican." An excellent summary of these polls is given by M. Stanton Evans in *The Future of Conservatism* (Holt, Rinehart and Winston, 1968):

"In 1964 survey Gallup found 53 per cent of the respondents declared themselves to be Democrats, while only 25 per cent said they were Republicans. This contrasted sharply with a survey the previous year which found the conservative position commanding the allegiance of nearly half the electorate. In the 1963 canvass, voters were asked: 'Suppose there were only two major parties in the United States, one for liberals, and one for conservatives, which one would you be most likely to prefer?' The answers: Liberal, 51 percent; conservative, 49 per cent.

"Noting that liberal-conservative polls of one sort or another had been taken periodically since 1936, Gallup commented that 'in nearly every one of these surveys the vote across the nation has been found to be almost equally divided.' During this same period, of course, the Republican Party, assiduously projecting as non-conservative an image as possible at the national level, saw its public support shrink to roughly one quarter of the electorate.

"Interestingly enough, this conservative strength does not seem to have been diminished by the 1964 election. In a September 1966 interview—two full years after the Goldwater campaign—Gallup remarked that conservative sentiment in America seemed to be on the increase, and added: *'The country is split almost evenly between "conservatives" and "liberals." Strangely enough, the word "conservative" doesn't carry the onus that the word "Republican" does.'*

"Gallup's findings are confirmed, with different figures but similar conclusions, by other national surveys. A 1964 canvass conducted by the Opinion Research Corp. showed 48 per cent of those responding considered themselves to be Democrats, while only 26 per cent said they were Republicans. But when the question was posed in terms of conservative-liberal designations, the conservatives came out well in front—41 per cent choosing this label as opposed to 31 per cent who called themselves 'liberals,' with 28 per cent saying they were 'in between.'

"Parallel data emerge from the surveys of Louis Harris, whose figures also show the conservative position considerably stronger

than the liberal one. In a 1964 Harris Poll, 39 per cent of the respondents viewed themselves as conservatives, only 23 per cent as liberals, with 38 per cent saying they were 'middle of the road.' In 1967, a similar Harris survey disclosed that 35 per cent of the respondents said they were conservatives as opposed to 17 per cent who chose the designation liberal, with 48 per cent saying they were 'middle of the road.'

"Thus, if we take the lowest of these estimates—Harris' 35 per cent of mid-1967—it become apparent that there are considerably more conservatives in the United States than there are Republicans. And if we take the highest—Gallup's over-all 50-50 split—it appears that the conservatives outnumber the Republicans by almost two-to-one."

SPECIFIC ISSUES

Let us now consider various SRC polls and some recent Gallup polls on specific issues:

Big government

A division of public opinion on the question of "whether government is too powerful" is shown in Table II.

TABLE II.—PUBLIC OPINION ON BIG GOVERNMENT

[In percent]

	1964	1966
Government too powerful	30.4	38.5
It depends, no interest, don't know	33.1	34.7
Government not too strong	36.5	26.8

Source: SRC survey.

While it is true that a plurality did not think government was too strong at the time of the 1964 survey, it is important to note how closely the public was divided on the issue. Also, indications are that the increased government activity since then has produced a plurality which wishes to pare the size of the government. The recently published 1966 SRC results showed a marked change. As can be seen, there is now a clear plurality who think that the federal government has been given too much power. The public is now clearly in favor of the conservative position. The point is dramatized by an even more recent survey. In January, 1967, the Gallup poll asked what a person thought was the biggest threat to the country in the future—big business, big labor, or big government. The results are shown in Table III.

Table III. Biggest threat to country

	Percent
Big business	14
Big labor	21
Big government	49
Don't know	16

Source: American Institute of Public Opinion (AIPO), January, 1967.

People fear big government much more than big business and labor combined.

Decentralization

Republican conservatives have also been the traditional champions of local and state government, as against the expanding central government bureaucracy. Table IV shows that an overwhelming plurality of Americans support this stance, and agree with conservatives that centralized government in Washington is harmful.

Table IV. Which is the better government in spending taxes?

	Percent
State	49
Federal	18
Neither	17
No opinion	16

Source: AIPO, January, 1967.

Aid to education

The conservative Republican position on this specific issue has been that education is a state and local responsibility, not a federal one. Most public opinion polls have shown a majority in support of federal aid to education. However, the answer—especially on this subject—depends on how the question is asked. For example, in 1960 the SRC asked if people were in favor of federal aid to education and found that 54 per cent of them were. However, in 1964 SRC gave the interviewed person a choice between "state and local aid only" and "federal aid." The results are shown in Table V. A clear plurality are for state and local aid only. When the question is put in its proper context, then the conservative position *is* the most popular.

Table V. Aid to education: Federal or strictly State and local aid

	Percent
State-local aid only	46.8
Federal aid also	31.2
No opinion	22.0

Source: SRC 1964 survey.

Medicare

Medical care for the aged is one of the major areas affecting the 1964 campaign. The division of opinion on this issue seems to be very close. Unfortunately, questions specifically referring to "Medicare" in all its ramifications are not available. Table VI gives the breakdown for a general question on medical care. One should notice that a strict interpretation of the question would include local and state government under the term of "government." Of course, no conservative would maintain that local government should not help *some* people get medical care. The question, then, does not seem adequate.

Table VI. Should the Government help people get medical care?

	Percent
Help people get medical care	49.6
Depends, don't know, no interest	22.0
Stay out of area completely	28.4

Source: 1964 SRC survey.

Table VII gives a more precise division of public opinion on the medical care question. Of course, the question is still not as specific as it could be and it ignores the other important alternative of the Kerr-Mills approach, but it is probably close to the actual division in the public. On the other hand, if the Kerr-Mills alternative were added, the probability is that it would draw more people from the "Social Security" category than from the "Private Insurance" category. In any event, the closeness of the division means that the issue is equally troublesome to Democrats and Republicans.

Table VII. How should medical costs be met for the aged?

	Percent
Under social security	44.3
Don't know	15.4
Private insurance only	40.3

Source: AIPO, July 1962.

Busing for integration

In 1964 the Republican platform carried a plank in opposition to involuntary school busing for purposes of integration. Both national parties had planks in favor of civil rights, of course, but busing has nothing to do with civil rights. Involuntary busing is seen by conservatives to be as undesirable as involuntary segregation. Table VIII shows that the American public strongly agrees. It should be noted too that the question is so phrased as to make it difficult to be against busing, since it is stated that a decision has already been made. Even though Americans probably would not wish to fight a decision that had been arrived at in a proper way, the feeling is so strong on this issue that a majority would work against a decision to bus children against their parents' wishes.

Table VIII. If a decision were already made on busing for your child's school, what would you do?

	Percent
Go along with decision	22.7
Other, depends	3.1
Would try to change decision	63.6
No children	10.6

Source: SRC, 1964 Survey.

Prayer in school

A recent decision of the Democrat-controlled Supreme Court stated that public prayer does not belong in school. The Supreme Court is highly respected in the United States and, normally, when it makes a ruling few Americans question it. The prestige of the Supreme Court makes public opinion against a decision difficult to obtain, but even with these strong restraints, Table IV shows that in 1964 a small plurality believes prayer should be allowed in school. Without the restraint imposed by the Supreme Court ruling, the percentage in favor of prayer undoubtedly would be much higher. Apparently by 1966 the restraints had been removed. In that year almost 75% of the population said that prayer should be allowed. The recklessness of the liberal course of the Court apparently has broken down its institutional prestige. Not only does the public support prayer in public schools, but the results also indicate that the conservative position regarding judicial restraint has merit. Active courts can actually destroy their own effectiveness as an institution.

TABLE IX.—SHOULD PUBLIC PRAYER BE ALLOWED TO BE SAID IN PUBLIC SCHOOLS OR DOES RELIGION NOT BELONG IN SCHOOL

[In percent]

	1964	1966
Should be allowed	41.8	74.9
Depends	20.0	11.9
Religion does not belong in school	38.2	13.2

Source: SRC survey.

Trade with Communist nations

One of the most important foreign policy decisions of the present Democratic Administration has been the encouragement of trade with Communist countries. Many Republicans have been leading the attack against such trade in strategic and other important industrial material. It appears that the public would go even further than these congressional Republican critics. Table X shows that the public would be willing to forbid *all* trade with Communist nations.

Table X. Should business be allowed to trade with Communist nations?

	Percent
They should be allowed to	27.8
Other, depends, don't know	29.3
They should be forbidden to trade	42.9

Source: SRC Survey, 1964.

Foreign aid

Liberal Democrats traditionally have believed, or acted as if they believed, that foreign aid could solve all the world's problems if only enough were spent. Recent studies have shown clearly that this was a utopian dream. Like all utopian dreams, world change through foreign aid has been viewed skeptically by the conservative. Table XI indicates that in few areas is the conservative position better supported by the public.

Table XI. Would you like to see foreign aid increased, decreased, or kept at the present level?

	Percent
Increase	7
Decrease	50
Present level	31
No opinion	12

Source: AIPO, May, 1967.

Right-to-work

Another Republican position is accepted by the people, this time in the field of compulsory unionism. A clear majority of the American people do not believe that a person should be required to join a union in a business which is unionized. Senator Everett Dirksen's valiant battle in favor of voluntary unionism had the support of most of the people. As Table XII indicates, 53 per cent believe that unions should not be given the power to force workers to join. Once again, the conservative Republican position has the most popular support.

Table XII. Should a person be required to join a union if he works in a unionized factory or business?

	Percent
Should	41
Should not	53
No opinion	6

Source: AIPO, March 1967.

Economy and low taxes

Liberals live up to their name the most by being liberal with other people's money. It is not surprising that most people reject this attitude. For the record, however, Table XIII shows that a majority feel that taxes are too high. A more important fact is that *this is the highest percentage of people who believed taxes were too high in ten years.*

Table XIII. At the present, do you believe that Federal income taxes are too high, too low, or about right?

	Percent
Too high	58
Too low	1
About right	38
Don't know	3

Source: AIPO, March 1967.

Vietnam

Although conservative Republicans believe that the war in Vietnam could be pursued more vigorously, they have generally supported the bombing of North Vietnam. They do not believe in killing innocent civilians, but if American lives are to be saved, they believe the war must be ended quickly. Strategic bombing can help do this and bring the soldiers home. Apparently the public supports this position. Sixty-seven per cent believe the United States should keep the pressure up on the North Vietnamese Communists through bombing (see Table XIV).

Table XIV. Should the U.S. continue the bombing of North Vietnam?

	Percent
Continue	67
Stop	24
No opinion	9

Source: AIPO, February 1967.

Poverty

For decades liberal Democrats have maintained that all that had to be done to eliminate poverty was to change the environment (especially housing) in which the poor find themselves. Although conservative Republicans realize that environment contributes to the problems of the poor, they maintained that personality is an important contributing factor. Conservatives maintain that the simplistic solutions of the Johnson "War on Poverty" cannot solve these deep-seated problems.

Table XV. Which is more to blame if a person is poor—lack of personal effort or outside circumstances?

	Percent
Lack of effort	42
Both	36
Circumstances	19
No opinion	2

Source: AIPO, June 1967.

Table XV dramatically supports the more realistic Republican interpretation of the realities of poverty. Only 19 per cent of the people supported the liberal position. Seventy-eight per cent believed that poverty was due either to personal lack of effort or to lack of effort and outside circumstances combined. The public, apparently, is much more sophisticated on this matter than the liberal Democratic Administration.

SUMMARY

We have explored a dozen areas of public policy which were important in the 1964 election. All of the issues will be important again in 1968, with the possible exception of medical care. *In every other area, the conservative Republican position was the most popular.* Philosophy is the main popular support for the Republican Party. Over 70 percent of the comments on it are favorable. Clearly conservatism is the philosophy of the American people.

The 1966 congressional and state elections proved that a good campaign and good candidates using conservative principles can win. The present analysis shows that the public supports the conservative position. The best road to Republican victory in 1968 is clear.

CONCERN OVER CONTINUING LOSS OF LIFE IN VIETNAM

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. THOMPSON of Georgia. Mr. Speaker, under unanimous consent I submit for inclusion in the CONGRESSIONAL RECORD, the text of a letter of one of my constituents which dramatically points out the concern of American parents and families about the continuing loss of lives in Vietnam. It states better than you or I could express the bewilderment of our people over our continuing involvement in a conflict which has no end and no goal in sight. The letter from Mrs. Annelle Ellington, of Atlanta, Ga., follows:

ATLANTA, GA.,
September 30, 1968.

Hon. FLETCHER THOMPSON,
House of Representatives,
Washington, D.C.

DEAR SIR: I challenge you to read the attached to the House of Representatives.

Very truly yours,
Mrs. ANNELLE ELLINGTON.

ATLANTA, GA.,
September 30, 1968.

Have you stood at the graveside of a young, promising man that has been killed in Vietnam and instead of having a feeling of pride that he has given his life for his country and for a good cause, you are filled with bitterness at the needless waste. Why, oh why, can't someone give us the real reason our sons, brothers, husbands and friends are dying in Vietnam—and for what? What has it accomplished?

If it is our war, why don't we declare war (stop this talking around in circles) and get in there and get it over with instead of this advancing, holding and retreating that we are doing now. We've never fought a war this way before. My husband fought in World War II and I did not have the feeling that I have now—we had a reason then and it was declared war.

Yes, I bitterly oppose my son having to fight in an undeclared war that the politicians are bickering over with no regards for the human sacrifices that are daily being made by the young men of our country. I honestly feel that our politicians have geared the economy of our country for this war—so let the politicians go over and fight, if they feel so convinced, and send our boys home.

Am I bitter—you bet I am, I have witnessed the heart break of parents over the loss of their son and I have also witnessed the mangled body of another young man that was once gay and happy and now acts like an old man of 100. It's not right, and until someone can convince me otherwise I intend to keep after those that are in a position to give me an answer—I'm just a Mother that has seen this and I want an answer—now! One other question that needs answering—what about the Pueblo?

How can I convince my son that the war he is fighting is just and right when I and millions of others feel that we have no business over there?

———— ————.

THE CENSUS

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. NIX. Mr. Speaker, on behalf of myself and Congressman OLSEN, I have today introduced a bill which will eliminate prison sentences from title 13, the Census Title of the United States Code.

The census of 1970 is already in difficulty because of allegations of violation of privacy, which charges have been supported by over 40 Members of this House.

The Census Bureau has not had occasion to demand a jail sentence except in a test case in 1960 against the son of Eddie Rickenbacker. It is the jail term which lends emotional steam to charges of violation of privacy. Certainly some day the Census Bureau will ask questions that violate privacy. The census is too important to be left to the experts alone.

We were assured, for instance, that a mail-out-mail-back census would have no difficulties in the ghetto areas of our larger cities. They have had extreme difficulties. The test census run in Philadelphia was only done at the insistence of Congressman GREEN, the last chairman of the Census and Statistics Subcommittee, and myself his predecessor. Congressman OLSEN, as coauthor of this bill, has been the outstanding defender of the census but he feels, and I do also, that we must eliminate jail terms from title 13. Congressman OLSEN is also a former chairman of the Census Subcommittee. He and I agree that the power to inflict jail sentences is too much power in the hands of the experts whose desire to know overwhelms their discretion at times.

This bill then has the support of the chairman of the Senate Post Office and Civil Service Committee chairman, and the support of two former Census Subcommittee chairmen in the House, myself and Mr. OLSEN.

Congressman BETTS and many other Members of the House, including Congressman WALDIE, have raised serious questions about the operation of the national census. This much at least must be done. Jail sentences must be taken out of the census scheme of things for failure to answer census questions.

THE FARM PROBLEM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the text of the eighth in my series of radio broadcasts to ninth district residents on the issues before our Nation:

FARM RADIO TAPE NO. 8

The American farmer represents the best of American know-how. He knows how to produce. And he is not getting his fair share of the Nation's prosperity.

In 1966, one U.S. farmer supplied enough food and fiber for 40 persons. Ten years ago, one farmer could supply the needs of only 23 persons.

Production per acre has doubled since 1930, and production per man hour has tripled since the end of World War II.

And the American farmer also knows how to be thrifty and efficient. For he supplies our food at a remarkably low price.

In fact, our food continues to take a smaller and smaller share of our income. In 1966, food expenditures took more than 18 percent of our income. Yet in 1967, we spent less than 18 percent of our income for food.

That 5 percent of our population can produce so much, for so little, is one of the truly incredible achievements of the 1960's.

As much as anyone, and more than most, the American farmer is indispensable to this nation. For without the farmer our cities would crumble and our suburbs would die.

And the American farmer feeds not only this country but also the world.

His abundant production makes possible an ever growing foreign trade which is an important source of income for this nation—a great contribution to a favorable balance of payments.

From 1960 to 1966, farm exports grew nearly 50 percent. And in 1967, exports of U.S. farm products totaled $6.8 billion—an all-time record.

The continuing sharp increase in world demand means other lands have a real stake in the American farmer's productivity. For his skill and efficiency will enable all of us to fend off global catastrophe as the gap between population and food supply widens.

The point of all this is simply to say: the American people owe the farmer a vote of thanks for a job well done; for his patience, for his responsible stewardship of the soil, for his hard work, dedication, ingenuity, and success in making Americans the best fed people in all the world.

The simple truth is: The American farmer gives this nation much. Yet today, as so often in the past, he is not getting his fair share of his nation's current prosperity.

As a consumer, he spends over $30 billion a year for such things as tractors, trucks, petroleum, food, and household furnishings. And his productivity is the very basis of our vigorous free enterprise economy.

Yet in 1967, a year of record harvests, the American farmer found himself in the midst of old, old troubles:

His income was less than ⅔ of the per capita income of the city dweller;

He suffered from the old cost-price squeeze on profits—paying more for goods and services and receiving less for his produce. The prices he pays for goods and services have risen dramatically—about 17 percent overall in the last decade. His feed prices are up 12 percent, wage rates went up 37 percent, farm machine prices are up 27 percent, motor vehicle prices up 19 percent;

And for most commodities, the farmer still has no practical means of tailoring his output to total demand. And so he's still at the mercy of the market when it comes time to sell.

No one who knows the realities that the farmer faces today can say the American farmer's lot is an easy or rosy one. But no one who knows the history of the American farmer during the last two decades can deny the substantial achievements of the farmer in the 1960's.

For today, net income per farm is 55% higher than at the beginning of the decade;

1966 set an all-time record for gross farm income and net income per farm;

And despite a disappointing price drop, 1967 still produced the second highest per farm income in two decades.

Price-depressing surpluses in most commodities *have been* eliminated. Commodity Credit Corporation investments are down $4.5 billion from 1960. Inventories are below $1 billion for the first time since 1953.

So the 1960's have been altogether different from the 1950's. The Benson years were a disaster. Remember . . . ?

Farm income from 1952 to 1960 dropped by almost 20%;

Farm surpluses swelled. By 1960, the Commodity Credit Corporation had accumulated more than $8 billion in surpluses.

Exports, a major source of farm income, lagged far behind production.

The problem for today's agricultural policy is to assure the farmer his fair and full share of this nation's abundance but without risking a return to the disasterous policies of the 1950's.

I believe this nation's agricultural policies should be based on the principle that our goal should be a market-oriented farm economy. But in moving toward that goal, we should take care to protect and improve the farmer's income by reducing surplus production capacity and, if necessary, making payments to the farmer to assure him adequate income.

So to meet the needs of the American farmer today, I recommend the following actions:

1. Move in the direction of a market oriented economy taking care to protect and improve the farmer's income by reducing surpluses and, if necessary, making payments to the farmer to assure him adequate income.
2. Enhance the farmer's position in the market place by marketing research, better information, bargaining, marketing agreements, cooperative buying and selling.
3. Establish a strategic research for emergencies, but assure that it is carefully insulated from .the market place.
4. Expand world trade.
5. Adjust cropland to retirement and less intensive uses, such as grazing, forestry and recreation.
6. Extend economic and technical assistance to foreign countries, insisting on maximum self-help.
7. Enact market safeguards to protect the farmer from deceit, unfair competition and fraud.
8. Give the farmer a more direct voice in government policy by adding to the Council of Economic Advisers an agricultural economist.
9. Increase negotiability of acreage allotments and marketing orders.
10. Enact legislation to end the advantage hobby farmers and corporate enterprises have in tax write-offs over genuine farmers who must make a profit or go out of business.
11. Extend long-term credit to young farmers so that they can obtain the capital needed to enter farming.

These policies won't immediately solve the farm problem. But I believe they will help the farmer and his family to a parity of income with his city neighbor.

And they are policies which are, I believe, in the best interest of the consumer and the nation, as well as the farmer.

Our earliest destiny was shaped by those who, in Jefferson's words, "labor in the earth."

The hand that worked the plow—that led the team—that husked the corn—was the hand that guided America to its greatness.

The farmer has always helped this nation. Today this nation must help the farmer to be a full partner in the success he has done so much to insure.

This is your Congressman, Lee Hamilton.

WHEN COLLEGE IS NOT THE ANSWER

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, last week Congress passed an important vocational education bill.

It was the purpose of the House Education and Labor Committee, which worked for more than 2 years on improving and expanding existing vocational education legislation, to develop a bill which would provide for vocational training to meet the needs of today and the future.

I would like to call the attention of my colleagues to an article appearing in the August 1968 issue of Today's Health, which points out why vocational education is so important:

WHEN COLLEGE ISN'T THE ANSWER

(By Ralph Bugg)

(NOTE.—Parents and teachers too often push youngsters toward college. For many the best and happiest course after high school is in training for skilled work, perhaps in one of the hundreds of new publicly supported area vocational schools.)

A serviceman promises to come out and repair a furnace, but on the third call he admits he'd rather not bother . . . A motorist drives his ailing car into a shop at 7:30 a.m. only to learn that he must have an appointment and the next opening is three days off . . . A doctor's office assistant has moved away and the doctor can't find a replacement, so he himself runs laboratory tests while patients wait . . . A million-dollar building project is delayed by a shortage of draftsmen.

The failure of our trained work force to keep up with our rocketing demand for goods and services causes frustrations like these for everyone, from industrialist to housewife. Moreover, our economy suffers a staggering loss. But there is a more tragic aspect. We have young people who could fill the job gaps and at the same time capture a satisfying dimension in their own lives, and they would if only they were given the proper encouragement and training. Instead, some are pursuing careers that are beyond their capabilities or outside their interests; others are undershooting their potentials, and still others are stumbling around without knowing what they can do or want to do.

Many who are in college are unequal to academic demands or unsuited to the campus life, and some resent having to be there. A group of University of California and Stanford University psychiatrists and psychologists reported that "for most students the academic offerings of college do not connect adequately with their own personal motivations." The researchers lamented society's emphasis on "achievement" (which prods the youngster to leapfrog from high school into college, into graduate school, into high-paying job) at the expense of individual needs, including happiness. Meanwhile, Mathew Ross, M.D., Harvard University psychiatrist, has reported that the suicide rate for college students is half again as high as for nonstudents in the same age bracket.

But obviously the remedy for our vocational ills lies in something more constructive than merely talking certain boys and girls out of going to college. In the first place, many of our high school graduates find themselves unprepared to earn a living. Worse off are the one million students who drop out *before* graduation every year. And at the bottom of the heap are the "hard core" unemployed, who generally lack education plus personal habits and social concepts prerequisite to getting and holding a job.

What is the remedy? Today's Health put this question to the United States commissioner of education, Harold Howe II.

"The roots of this problem are deep and intricate," Howe said. "Much improvement is being made, but underlying changes in attitudes come slowly. We must acknowledge to ourselves the worth of all types of useful workers and communicate this appreciation to our youngsters through our words and actions. College isn't the only route to a rewarding life, and we've got to get this across to our children, too. If we aren't flexible—if we don't permit our boys and girls to exercise options—then we cannot be sure that they will enter careers suitable to their desires and capabilities.

"We need to fuse the academic and vocational curriculums, and this involves another change of attitude. Most members of the education community still tend, by and large, to regard vocational training as an awkward—even if necessary—adjunct to the system. The student who wants to become a craftsman, technician, or office worker should receive instruction equal in quality to the instruction that will be given the candidate for a profession. Reentry should be facilitated.

"The guidance counselor should be made a full partner in the educational process. He should be afforded time to survey job opportunities in the community and keep abreast of changes in the national labor market. He should also be welcomed into the classroom—when the physics teacher discusses x-ray, the counselor could discuss career opportunities in x-ray. He will also need sufficient time for counseling students individually.

As it is, many students have unrealistic career goals. The Scholastic Research Center surveyed 1345 high school juniors and seniors. Sixty-five percent favored entering a profession, while only 26 percent showed any interest in working in business or industry. The reverse would be closer to our occupational requirements.

The Labor Department predicts that the need for trained workers will rapidly increase because of expansion in our economy and increasing complexity in our technology. One of the most dramatic expansions will be in the field of health. In a report to the American Medical Association, Dr. Darrell J. Mase of the University of Florida noted that in 1900 there was one health assistant for every doctor; today the ratio is 13 to one, and by 1975 it may climb to 25 to one. Thousands of competently trained men and women will be needed in doctors' and dentists' offices, hospitals, laboratories, and rehabilitation centers, and in the development, manufacture, and distribution of pharmaceuticals, appliances, and other items.

Many workers with training but lacking college degrees find their jobs financially rewarding.

Last year, technicians of maximum proficiency had incomes averaging $9336. The incomes of craftsmen averaged $8600. Altogether, the Labor Department said recently, it knows of 1.5 million men and women with no college training, who had incomes exceeding $10,000.

The majority of craftsmen are employed in the construction trades and as mechanics and repairmen. The plumber, machinist, and welder employ know-how and dexterity to manipulate materials, tools, and machines. The technician also employs manipulative skills, but spends more of his time in problem-solving. He is a bridge between the professional and the craftsman. For example, aircraft technicians can take an engineer's doodlings and prepare drawings from them; do mathematical computations; build a model and test it; make cost estimates; issue orders for production, and supervise production. The technician conserves the professional's time. Workers with training and responsibility equivalent to that of craftsmen and technicians (but known by other job titles) are employed in many fields—sales, merchandising, transportation, education, public safety, and others.

Whatever its shortcomings today, vocational education has come a long way in the past few decades.

"Vocational education was for the 'dumb-dumbs,'" an instructor who now teaches in better circumstances told this writer. "It was something they could do without having to think. Shop students were relegated to the basement or a shack, where they worked with obsolete equipment, meager materials, and a frustrated instructor."

The lateness of the rescue of vocational education is deplored by Dr. Gene Bottoms of the Georgia Department of Education.

"Until recently," he says, "the educational establishment refused to accept responsibility for those persons who would work at jobs geared to an educational level between high school and college, although the vast majority of our citizens work at this level. The shortsightedness of this attitude is obvious: A few more than half of our boys and girls complete high school; only half of those go on to college, and only half of these take degrees. This isn't a success story by any means."

Doctor Bottoms is enthusiastic about one innovation—the area vocational schools. These schools, built under the Vocational Education Act of 1963, which authorizes federal grants to the states, provide tuition-free training for workers and prospective workers in a defined geographic area—five or six counties in some instances.

There are four types of these area vocational schools: 1. a specialized high school for full-time vocational education; 2. a high school department that offers training in at least five occupational fields; 3. a postsecondary school for those who have completed high school or who have left the educational system; or 4. in a junior college, community college, or university, a department that offers training in at least five occupational fields.

"Formerly, the high school graduate had to choose between going to work and going to college," Doctor Bottoms said. "Now he has another option—he can attend one of the nation's several hundred postsecondary area vocational schools and take a two-year course to become a technician or a shorter course and acquire a skill."

One of the model schools is Atlanta Area Vocational-Technical School (Atlanta Tech), which was built and equipped at a cost of $8 million. It opened last September and already it is operating close to its capacity of 2000 day students and 5000 night students; 39 percent of the students are women. One of its expansive buildings is devoted to the training of aircraft master mechanics. A second building houses 40 other trades and technologies. Some are nuts-and-bolts oriented, but there is diversity—including cosmetology, barbering, sewing, food services, business office procedures, and data processing.

Now let's move across metropolitan Atlanta and look in on some classes at the DeKalb Area Vocational-Technical School:

In the diesel department, students are tearing down the engine of a monster tractor-trailer, while in an adjacent bay, automotive students are studying automatic transmissions.

Printing students are readying a lithography press for the first run on a four-color poster. In the evenings, 40 union printers (one of them 70 years old) are updating their skills.

In a mechanical technology lab, students are operating an industrial-type tensile tester to determine the breaking point of a half-inch steel rod. Their rigorous course includes such "hard" subjects as calculus, chemistry, thermodynamics, and metallography. Considerable attention is given to theory, but the students also master procedures and techniques as they are performed on the job.

The department for medical office assistants is quiet because the girls are training on the job; tomorrow they will return to class, brimming with experiences. In adjacent departments, practical nursing students are learning how to change linen under a "desperately ill" colleague, while medical laboratory assistants are being instructed in the use of the microscope.

A vocational school's curriculum will take advantage of local occupational opportunities—for example, proximity to an automobile plant will mean courses related to this industry. In farming areas, agricultural subjects continue to be popular, although specialization has led to courses with such titles as "pulpwood harvesting" and "agricultural chemicals technology."

Last year, DeKalb Tech's average two-year graduate started at $110 to $120 a week, and exceptional students earned more—for example, a data-processing graduate and an electrical technology graduate each began at $650 a month. Most graduates get jobs within their speciality, usually within two weeks of graduation.

A. B. Racster, University of Georgia trainer of vocational teachers, told this writer that the average two-year technician graduate can expect to earn more than the liberal arts college graduate over the first 10 years. "In the long run, however, the four-year man likely will be the boss, so we aren't out to discourage qualified persons from going to college," Racster said. "But technical graduates get a good start, and if they establish good work records, they are good managerial material. Many technicians later pursue college degrees. (An employment specialist in an aircraft company commented, "We get engineers in certain types of positions who would have benefited greatly had they first gone to a technical school and then engineering school.")

Vocational education can be obtained from many sources other than postsecondary area schools:

HIGH SCHOOLS

Some high schools prepare students for direct entry to a number of jobs. There are *vocational* and *technical* (and *pretechnical*) high schools which focus on occupational preparation. There are *comprehensive* high schools where vocational training shares the emphasis with pure academics. Additionally, many high schools, including general high schools, have cooperative programs in which a student attends classes in the morning and trains in the afternoon (with pay) in a selected office, store, or plant. A counselor commented that on-the-job training can be especially helpful to boys and girls who haven't had close contact with persons who would serve as inspiring models.

COLLEGES

Occupational education may be offered in junior colleges, community colleges, senior colleges, and universities, including "extension" division classes, often held evenings.

PRIVATE SCHOOLS

There are 7000 privately operated schools offering training in more than 100 occupational areas, from welder to airline pilot.

Of these schools, 174 are members of the National Association of Trade and Technical Schools, and 102 have been accredited by a committee of the association. Their enrollments range from 150 to 4000. Executive Director William A. Goddard said in an interview that a nine-month course requiring ordinary equipment may cost less than $1000, whereas expensive equipment (bull dozers, computers, etc.) may run the price up to around $2000. Asked what advantages the private schools afford, Goddard asserted that they offer some types of training not available in public schools, prepare students for earlier job entry, and offer superior assistance in job placement.

Five hundred schools with a total of 250,000 full-time students are members of the United Business Schools Association. Of these, 350 have been accredited by an association committee, Executive Director R. A. Fulton said.

CORRESPONDENCE COURSES

Several million Americans are enrolled in home study courses. The federal government (with its armed forces) is the largest operator. Many colleges and universities give correspondence courses. In the private sector, the National Home Study Council's 105 accredited members offer courses in 600 subjects, many of them occupational. Charges run from less than $50 to more than $500, the more expensive courses generally running two or three years. Dr. David A. Lockmiller, executive director, explained that some courses are theoretical, some employ equipment, and some require terminal training done in a school or on the job under competent supervision.

ARMED FORCES

Many servicemen obtain skills that can, with adaptation, be used in civilian occupations.

COMPANY PROGRAMS

A management consultant has commented, "It is a rare (and likely *doomed*) company that doesn't help its employees to grow." This year, business and industry will spend $17 billion to train and retrain workers. Companies often cover all or part of the employee's expenses for approved classroom or home-study courses, and some firms hire graduates lacking vocational training and then train them as skilled workers, technicians, or for other roles.

Many business firms—often in cooperation with the federal government—have on-the-job training programs for the hard-core unemployed. In many instances, the programs include basic education to raise the speaking, reading, and writing levels of the participants.

Apprenticeship: This broad term covers planned programs sponsored by unions or companies, or both, for training craftsmen through supervised on-the-job practice and usually including related study.

In *formal* apprenticeship, the applicant must qualify ar to age, health, education, dexterity, and learning potential. Upon acceptance, he begins a program of on-the-job and classroom work (the class work often is in a vocational school). The apprentice earns a wage of at least half of the journeyman scale in his craft. Scales currently range from $3.50 to $6 an hour, according to the Department of Labor. At the end of his term (most often four years) the apprentice becomes a journeyman and is eligible for the journeyman rate. The rules that apply in this training, called "standards," are usually formulated by labor and industry in cooperation with the Labor Department's Bureau of Apprenticeship and Training, and the standards are registered with the bureau.

Among training enterprises, there are good programs and inferior programs. How does the prospect go about selecting a good one?

One potential safeguard is accreditation. Dr. Frank G. Dickey, director of the National Commission on Accrediting—a voluntary agency that evaluate public and private nonprofit schools and colleges—told Today's Health that at present there is little coordination or supervision of accrediting agencies in the trade, technical, and business occupations fields. "We are now working with agencies in these fields to establish standards for accreditation," he said.

Here, compiled from interviews with authorities are guidelines that may be helpful to the prospect:

Be sure the course will fulfill the occupational goal you have set or will fit into your future training plans. Do not make your selection hastily.

Check with employers of persons who have completed the course, as well as with past and present students. The institution should be happy to provide references.

It may be helpful to learn whether the course is approved by the state department of veterans services, or the state department of education. A check with Chamber of Commerce and Better Business Bureau officials may also be relevant.

Do not let promises of glamor or big money distract you from your primary concerns. (There won't be a pretty victim in every wreck, even though the ads for an insurance investigator's school may imply this.)

Don't be misled by labels. "Incorporated," "chartered," "approved," "licensed," even "accredited," can be meaningless. And a "college" may have an "automotive technology" course that would more realistically be called a course for mechanics.

How long has the school operated? Is the faculty qualified? Are facilities adequate? (Is there a computer on the premises for a course in computer technology?)

Regarding apprenticeship, is on-the-job practice done under competent tutors? Training should include related studies in theory, also under competent teachers. An easy program may seem attractive, but it will be costly in the long run. Consult industry, labor, and Labor Department representatives. (If union credentials are desired and a non-union course is under consideration, it may be well to determine whether the union of jurisdiction will credit the course—although the course may still offer employment advantages in the absence of such acceptance.)

Regarding home study, the student should first determine whether his goals can be met through this method, and second choose the proper school. The method has distinct advantages and disadvantages, and the prospect may wish to consult with some one in whom he has confidence. The Post Office is continually prosecuting shady operators in this field and "degree mills" have long been under attack. The Office of Education states that no reputable college or university confers a degree on the basis of correspondence study alone.

With all of the opportunities, why do we still produce square pegs for round holes, and some pegs that don't fit any holes at all? Why can't Johnny work and be both productive and happy?

For one thing, vocational choice is a continuous, evolving process that is strongly affected by childhood experiences, and some parents inculcate negative feelings about work generally or cause the child to feel inferior to his potential. Overly ambitious parents also block open vocational exploration.

"Parents want their children to be geniuses from kindergarten on," a space industries employment consultant commented. "The job market has few vacancies for Einsteins, but it does have two million openings for truly skilled workers."

The high school guidance counselor is the best source of vocational advice ordinarily available to the student, Commissioner Howe said. The counselor has the student's grades and test results, plus information obtained through observation and interviews.

"But there are psychological aspects we have barely touched," Howe said. "How do we encourage the young man who lacks the potential to become a doctor, and will probably flunk out of the premedical course if he tries it, to train instead for a career as a medical technician?"

H. Lamar Boland, Rockdale County (Georgia) high school counselor, observed that teachers and counselors are inclined to share out of their own experiences. "They went to college, they know this route, and they feel uncomfortable advising a student concerning a technical education."

Dr. Felix Robb, director of the Southern Association of Colleges and Schools, told this writer: "It is easy for college and university staff members to forget that 80 percent of our people do not go to college. The education profession has been practicing a form of snob appeal that has oversold the value of college enrollment for some individuals to the point where millions of youngsters who cannot or should not go to college view themselves at age 16 or 17 as failures."

Our culture has another fault: It is unwilling to forgive and forget.

"I wish we could banish the term *dropout*," Racster, the teacher-trainer, said. "These boys and girls don't drop out of *society*—they're early leavers from the educational environment. Later, they'll recognize they can't make it without training and they'll try to come back. Will we let them come back? We must!"

A returnee we'll call Bill quit the eighth grade. Twelve years, a wife, and four children later, Bill is back in school. Although he works a full shift on an automobile assembly line, he is a full-time student in a technical school. He plans to work for an electrical contractor, then enter business for himself.

"The number of channels by which credentials can be obtained should be multiplied," S. M. Miller of the Ford Foundation said in a speech. "One should have second, third, fourth chances and ways of getting credentials."

With new job categories emerging almost daily and demands for competency increasing, the question isn't *training*, but *what kind* of training. Ideally, it will be sufficiently broad so that the worker will not be locked on any rung of the career ladder. To learn how transistors are made and little else is limiting and risky. Today's worker needs scientific principles, as well as insights into problem-solving.

"We cannot afford to consider any stage of education terminal," Racster said. "Today's worker will need to update or upgrade his skills every eight to 10 years."

No one that the author talked to suggested that a college education isn't valuable, nor did anyone minimize the need for members of the professions. And while *vocational* training is the focus of this article, it is acknowledged that most educational experiences contribute to vocational proficiency. Also, *life work* has dimensions beyond occupation, embracing, self-image, social contribution, and use of leisure.

But a job requires too much of our time and energies for us to minimize its importance. It is disheartening to hear someone deprecate his own occupation, and when a photographic research worker said, "Oh, I'm only a technician," the author recalled a slogan on the wall of an Atlanta Tech classroom:

There is nothing second class about a first-class technician.

The person who has experienced nonservice, nondelivery, and even nonresponse can vouch for the truth of this statement.

FURTHER INFORMATION

Local school systems.

State directors of vocational education.

The American Vocational Association, 1025 15th Street, N.W., Washington, D.C., 20005.

National Association of Trade and Technical Schools, 1601 18th Street, N.W., Washington, D.C., 20009.

United Business Schools Association, 1101 17th Street, N.W., Washington, D.C., 20036.

National Home Study Council, 1601 18th Street, N.W., Washington, D.C., 20009.

Department of Labor, Washington, D.C., 20212. Also the department's Bureau of Apprenticeship and Training, same address. (Bureau field offices and Apprenticeship Information centers in many cities.)

Local Youth Opportunity and Employment Service offices.

National Committee on Careers in Medical Technology, 1501 New Hampshire Avenue, N.W., Washington, D.C., 20036.

Bureau of Adult Vocational & Library Programs, Office of Education, 7th and D Streets, S.W., Washington, D.C., 20202.

Program Services Department, American Medical Association, 535 North Dearborn Street, Chicago, Illinois, 60610.

OPPORTUNITY VERSUS DOLE

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. SCOTT. Mr. Speaker, the Westmoreland News, a weekly newspaper published in Bowling Green, Va., within my congressional district, had an editorial in its September 26 edition which was entitled "Opportunity Versus Dole." This editorial indicates that programs to help reduce poverty can be handled better in the localities and States than at the Federal level and suggests that for an effective program of this nature, a coordinated effort between all segments of the community is needed.

This editorial is set forth below in full, and I commend it to my colleagues:

OPPORTUNITY VERSUS DOLE

Legislation proposing an "income maintenance program" for the nation's poor could help perpetuate the very condition it attempts to cure.

Government programs providing for welfare or income supplement payments to individuals because of their poor economic situation should be based solely on verified need and not on any system of self-assessment or on assumed uniform need.

Giving money, without any strings attached, is the easy way out, but is it the right way or the best way? We don't think so.

The advocates of such legislation indicate that "by establishing a single national criterion of assistance-need, it would end the indignities and violation of personal liberty which characterize the existing welfare system."

Some things may be done effectively in Washington, but this is one area, where states, cities, towns and private efforts can be more effective. Legislative dole does not eliminate poverty. To root it out we must have the coordinated effort from all segments of the community, and that calls for dedicated leadership.

We still feel that it is the people who have the heart, who provide encouragement and incentive. It is the people who help lift up the less fortunate by the bootstraps.

LATIN AMERICA AND U.S. BUSINESS: THE DEEPER CHALLENGE

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, on September 9, Assistant Secretary of State for Inter-American Affairs, Covey T. Oliver, spoke before the Young Presidents' Organization here in Washington.

Secretary Oliver spoke of the responsibilities of doing business in Latin America, our home hemisphere. It was a cogent address and marks a useful departure from the usual comments about the profits to be made and the investments to be returned. I therefore include it in the RECORD under unanimous consent:

LATIN AMERICA AND U.S. BUSINESS: THE DEEPER CHALLENGE

(By Covey T. Oliver)

My topic today is a very important one. You are businessmen; I am a spokesman for and a maker of U.S. policy in Latin America. What we have in common is a direct interest in the economic potential of the southern part of our home hemisphere. Now I want us to look at this subject from an angle that is unusual, urgent, and very important. I am not going to discuss trade benefits, returns on investments, or business statistics. There is a great deal that is useful to be said about such subjects, but I am sure that you know at least as much as I about the Latin American market for, or source of, your products.

Today, let us look at the other side of the issue: Let us look at the responsibilities that go along with North American business opportunities in Latin America, at the psychological and political angles that need to be considered along with the purely business ones.

I am especially encouraged to discuss these questions today because of the presence in our audience of many young men of college or high school age. Their generation has already demonstrated a keen awareness of the human problems that result from an unequal world.

Government spokesmen have sometimes—or usually—been reluctant to discuss with American businessmen the nonfinancial aspects of our private-sector foreign trade and investment. The attitude sometimes has been that our fellow citizens of the business community may be thrown into unthinking emotive rejection reactions if called upon to face scientifically the social, psychological, and political realities as to our stance and image abroad.

This is unnecessary reticence, I am sure. My own experience with American businessmen, as a law teacher-adviser in the field of foreign investment and as a public sector official abroad, convinces me that the "new men"—and a considerable number of the older ones, too—are aware that our business away from home is ready for, and urgently needs, the marked shifts in social outlook that have become widely accepted in business doctrine and practice for the zone of the interior.

It once was that American businessmen, like American diplomats, had to learn foreign relations the hard and dangerous way—on the job, abroad. That is no longer the case for either. Improvements in language and cultural confrontation training, the enlightened scientism of our modern schools of business, even Keynesian economics, have given us the opportunity to send out managers and decisionmakers who know pretty well where to begin when they get there.

Obviously the first step in dealing with members of a—to us—new culture is to try to see ourselves as they do. The picture can be rather impressive: Indeed, I am always most proud of my own country when I look at it from overseas, with many of the admitted problems of our society put in proportion by the much larger problems of almost everyone else.

I suppose many Americans think of their country as a rather large but well-motivated nation, richer than most of its neighbors but with no interest in exploiting them, moderately successful in tackling our own problems and puzzled that others do not go about solving theirs in a more efficient way.

But this is not the image that most Latin Americans see. For them, we are a giant with an unfair proportion of all the good things in the world—wealth, strength, and stability. They are ashamed, envious, and faintly apprehensive.

I think it is a credit to our diplomacy and our policies that many Latin Americans, nevertheless, like us and believe we are trying to help them. A few others suspect us of proceeding according to a fantastically efficient plot to put the rest of the world under the yoke of our "economic imperialism." This has been a common theme since at least the early years of this century, when an Argentine named Manuel Ugarte wrote and lectured earnestly on what he saw as single-minded cooperation between U.S. business and diplomacy with a view to Anglo-Saxon colonization of the hemisphere.

Even those who understand our good intentions, however, commonly fear our tremendous strength and our naivete, as they see it. Somewhat illogically, they also suspect that their national cultures will eventually be submerged in "Americanization." This is an extremely interesting topic in itself, but there is no time to investigate it today.

I do recommend that American businessmen think hard about a bestselling French book called "The American Challenge." Its author, Jean-Jacques Servan-Schreiber, is again perhaps a little too flattering about our efficiency, but he takes an unusually calm look at the fear aroused in Europe by our business horsepower. Readers in the United States may disagree with some points and remain a bit puzzled as to what the author is worried about, but that is all the more reason for exposure to his ideas. To me the author is saying to Europeans, "Go and do likewise."

One must note that the problem Servan-Schreiber discerns for an advanced European country must appear magnified many times for nations struggling along several steps back on the scale of development. This book has been breaking sales records in Latin countries. Lamentably, it is being taken there as a solemn warning of American takeover. In the long run, if you and your spokesmen in government are wise and able, I think it may do some good; for it gives us a rational basis for dialog about existing fears.

The United States has, in fact, long been willing to cooperate with many of the measures urged in "The American Challenge." The emphasis on education, social justice, and regional unity sounds like something right out of the Alliance for Progress Charter and the call of the Presidents for a Latin American Common Market in April 1967.

U.S. businessmen who invest in Latin America or who go to live there as representatives of their firms have the greatest opportunity of demonstrating what our business and society can really be like at its best. I have already mentioned the importance of learning Spanish or Portuguese as soon as possible and of making an attempt to understand local cultures. There are other steps. Remember, for example, that many Latin industries are still in the stage of *laissez-faire* capitalism and that Latin men-in-the-street, perhaps by extension, sometimes consider all so-called "capitalists" to combine the traits portrayed in Karl Marx's "Manifesto" and Charles Dickens' "Christmas Carol."

American businessmen can do a lot to counter such impressions by following the same progressive practices there that they employ at home in the fields of personnel, business relations, and labor. Especially effective, I think, are direct and frequent contacts with employees and consumers. Cordial personal relationships count very heavily in the Latin cultures.

In some Latin societies—often the most traditional—there is a tendency to deprecate the profit motive, claiming that it hinders development of a just society. This has something to do with old theological arguments that have, in practice, tended to keep Latin societies unjust and subordinate to small oligarchies. Modern Marxists have been happy to join in the criticism of "capitalistic profits." You can, as a result, hear in Latin America some economic arguments that come pretty close to being a theory of anti-economics. I would not worry about this too much: The obvious fact is that the laws of economics are universal, that many excellent Latin economists understand them as well as anyone else, and that the trend in even the Communist world is to pay more attention to the efficiency of profit incentives.

American businessmen can help by pointing out, with sensitivity, some of these things. Even more important, however, they can demonstrate social consciousness by cooperating willingly with reform projects. In almost all important Latin American commercial centers U.S. businessmen are in a position to make major social and economic contributions. Let me suggest a few possibilities:

1. A keen sense of the importance of the modernization of the market process itself, including attention to the now largely neglected problems of almost medieval restrictive trade practices;
2. Private, nonsectarian philanthropy—still almost unknown in Latin America except from North American sources;
3. Pure research by business, with no immediate payout in mind;
4. Business retirement systems;
5. Customer and consumer relations;
6. Quality control;
7. Planning and systems management;
8. The longer view ahead, including the economic integration of Latin America;
9. Widely distributed stock ownership;
10. Assumption of a fair share, justly determined, of the social costs of civilization;
11. Decentralization of responsibility, so important in the public sector as well.

There are, in addition, certain more obvious rules that I shall pass over lightly—such as the axiom that local investors should be heavily involved as partners or as stockholders in the locally operating subsidiaries of U.S. parent companies, that local personnel should be trained to participate in the business at all levels, and that the enterprise should in general identify itself with local aspirations and methods as soon and as much as possible.

Many of you, of course, may never make a major investment in Latin America nor spend time there except in the course of relatively brief business or pleasure trips. Even so, do not think you are beyond all responsibility. If we wish to keep living in a generally friendly hemisphere, there is much that all of us must do in the national interest.

Businessmen have a particularly great stake in the progress of our traditional trading partners and an unusually good opportunity to influence that progress.

Businessmen, for example, are listened to when they talk about tariffs and other aspects of trade policy. Let me urge with whatever insistence I can muster that you throw your weight against attempts to revert to restrictive world trade. I hardly need point out to this audience that a throwback to the protectionist, the atavistic policies of the 1930's, would be a disaster for the entire Western World—specifically including ourselves. There are, of course, always attempts to restore the old barriers, and until the relish of competition really takes hold there probably always will be. Such measures must not be allowed to slip through simply because the attention of the public is focused for the moment on other matters. Even rather minor retrogressions in our trade policy could have major repercussions in Latin America, which is already falling behind the rest of the world in trade development.

The measures I have been suggesting are, in addition to their positive effects on inter-American relations, just plain good business. Their useful conesquences are generally direct and obvious.

But there are also steps any American businessman can take—steps perhaps not so immediately related to practical management—which can contribute to our foreign relations. I am thinking, for example, of the International Executive Service Corps and of the Partners of the Alliance projects that have been set up between many U.S. and Latin American cities. Another example is Operation Amigo, under which a large number of U.S. firms have sponsored visits to U.S. homes and schools by young people from Latin America. The theory behind this program—one which I heartily endorse—is that nothing approaches direct contact as a means to promote understanding.

I hope that by looking at some of the responsibilities and opportuniites behind the "main chance," I have not led you to overlook the fact that Latin America in general remains an excellent place to do business. Its current boom in capital-equipment spending heavily involves affiliates of U.S. firms, which plan to invest nearly 30 percent more on plants and equipment this year than in 1967. Few important industries wish to overlook a market which, when it achieves its projected economic and physical integration, will exceed Europe and the United States in size. As a nation we must meet the challenge of this opportunity.

A TRIBUTE TO AMERICA'S CAREER WOMEN

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. CONTE. Mr. Speaker, National Business Women's Week, October 20 to 26, honors the career women of America. This well-deserved annual tribute has been sponsored since 1928 by the National Federation of Business and Professional Women's Clubs, Inc., an organization consisting today of more than 3,800 affiliated clubs, and representing more than 180,000 women. National Business Women's Week will be highlighted by local, State and National Congresses of Career Women Leaders.

The legislative purposes of the National Federation of Business and Professional Women's Clubs, Inc., as stated in their legislative platform—

> To elevate standards for the employed woman, to promote her Interests, to create a spirit of cooperation, to expand opportunities through industrial, scientific and vocational activities, to secure equal consideration under the law and to establish conditions which assure both men and women the fullest opportunity and reward for the development of their capacities to the maximum potential.
>
> To consider the place and responsibility of the employed woman as a concerned citizen in the complex democratic society of the United States, and to strengthen the role of this nation—

Merit our commendation and support.

I would call special attention to the latter portion of their platform. In these troubled times, America needs concerned citizens. I applaud the courage and determination of our career women, and urge my colleagues and fellow citizens to lend their support to their praiseworthy efforts for a better America.

INSTANT SPECIALISTS—ONLY IN OEO

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. SCHERLE. Mr. Speaker, apparently a criminal record was all that was needed to qualify as a "legal aid specialist" in the Wilmington, Del., Youth Emergency Action Council, another project of the "poverty war." Starting pay: $7,358, while rookie policemen had to settle for $5,600.

According to testimony presented to the Senate Permanent Investigations Subcommittee, over the past 2 years, at least 60 of the 92 persons employed by the Wilmington program at various times had arrest records or soon developed them. Only OEO can afford such luxury.

Again, I urge Congress to demand a halt to the maladministration of the war on poverty.

My colleagues, I commend the following article from the Washington Post of October 9, 1968, entitled "Wilmington OEO Jobs for Street Gangs Cited," to your attention:

WILMINGTON OEO JOBS FOR STREET GANGS CITED

(By John Maffre)

"Of legal knowledge I acquired such a grip
That they took me into Junior partnership.
—SIR JOSEPH PORTER
in "H.M.S. *Pinafore.*"

If Porter broke no law in rising to be ruler of the Queen's Na-vee, some Gilbert & Sullivan logic seemed to rub off on the OEO-financed group of street gangs in troubled Wilmington, the Delaware city still patrolled by the National Guard since last April's riots.

It developed yesterday that a man with a record of arrests before and after the Wilmington Youth Emergency Action Council hired him became a 'legal aid specialist" at $7,358 a year compared with $5,600 for a rookie policeman there or $5,800 for a starting teacher.

This puzzled Sen. John L. McClellan (D.-Ark.), who is probing the use of Office of Economic Opportunity antipoverty funds to buy peace in Wilmington by underwriting a coalition of rival street gangs.

"I guess someone just touched him and said, 'you're a specialist,' " a Justice Department investigator told McClellan, chairman of the Senate Permanent Investigations Subcommittee.

This scandalized McClellan, who seemed more upset later to hear that OEO in Washington shrugged off a lady community worker's complaints that WYEAC—pronounced We Act—was a haven for disturbers of the peace.

But if Mrs. Thomas Herlihy and a parade of police officers painted a black picture of WYEAC, its obviously irritated defenders, including a Catholic monsignor, were waiting in the rear seats at McClellan's hearing for their innings.

"This—this is a kangaroo court," said Msgr. Thomas J. Reese, director of Catholic Charities in Wilmington, during a break in the hearing. He has sought to appear before the subcommittee, but so far without success.

"They're not after the truth, it seems, but to discredit OEO through WYEAC," he said. "They don't distinguish between arrests and records. They pick a woman who was violently opposed to WYEAC from the start."

Over the last two years, at least 60 of the 92 persons hired by WYEAC at various times had arrest records or soon developed them. OEO put $164,930 into its total budget of $282,164 before it cut off its help this March. About 90 per cent of the budget went for salaries.

One who was hired in August, 1967, as a "youth aide" at a salary of $3,400 to $3,800 is now serving a life sentence for rape. Another youth worker in the $4,500 to $4,800 salary range faces charges of attempted murder, after he blasted away at a police patrol van with an M–1 carbine.

Lt. Andrew Turner, a Negro officer with the police Human Relations Unit in Wilmington, told about one WYEAC worker earning under $5,000 who was arrested in 1967 in a stolen car and carrying a switchblade knife. This year he was promoted to directorship of the South Street Center at $6,000 a year, Turner said.

MAKING BUSING WORK

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. COHELAN. Mr. Speaker, something is happening in my congressional district, something that I wish were happening in more districts across the United States. Because in Berkeley, Calif., they are proving that an integrated school system is possible and even practical. And they have even proven that "busing" need not be just a term to scare parents, but a very real, very unscarey means of achieving integration. A quiet and effective revolution has been taking place in the city schools of Berkeley, Calif.

Under the leadership of School Superintendent Neil V. Sullivan, Berkeley this year has the first fully integrated school system of any comparable city in the United States. Dr. Sullivan approached the problem of making integration work with the assumption that the involvement of the entire community was necessary for the program's success. That the plan works is a credit, therefore, not only to the efforts of Dr. Sullivan, but to the entire community of Berkeley.

Dr. Sullivan will be leaving Berkeley to assume the position of Massachusetts education commissioner. But he leaves a working monument in his place and we wish him every success in his new role.

Mr. Speaker, I insert at this point in the RECORD an article from the October 14 issue of Newsweek magazine which describes the successful Berkeley school integration project:

MAKING BUSING WORK

Tall, lean 52-year-old Neil V. Sullivan plays basketball regularly at the Y, hikes every weekend in the foothills east of San Francisco, water skis in the summer—and turns school systems upside down. In the early 1960s, as superintendent in all-white East Williston, on New York's Long Island, Sullivan started the first non-graded school system in the state. In 1963, he took over the reins of the public schools in Prince Edward County, Va., and reopened them for Negroes after segregationists had kept them shut for four years. A year later, the Berkeley school board, facing a classic case of de facto segregation—most blacks live in the flatlands leading to the bay and whites live in the hills by the university—hired Sullivan to desegregate its schools. This fall, Sullivan has done exactly that, making Berkeley (population: 120,300) the first fully integrated major school system in the country.

TWO WAYS

Berkeley carried out its integration to the percentage point, assigning Berkeley's 3,500 elementary-school pupils so each of the fourteen elementary schools reflects the city's racial composition of 50 per cent white, 41 per cent black and 9 per cent Oriental and "other." Pupils in kindergarten through the third grade all are bused to the same schools in white areas of the city; all pupils in the fourth through sixth grades are bused to the same schools in the black community. Sullivan's plan is one of the first to work two ways; while other cities have bused black children to white schools, few have had the political courage to send white pupils into the ghetto. (Berkeley's two junior highs were desegregated in 1964; everyone goes to the city's one high school.) No pupil is bused more than 2½ miles from home.

"Today," says Sullivan, "thirteen years after the Brown vs. Board of Education decision, one American city is finally doing it the right way." But he found the battle is tougher in the North. "In the South," he says, "we had crackpots who were trying to force buses off the road and things like that. But in the North your opponents are much more sophisticated. You can only win when you involve the whole community and you can outnumber opponents."

Berkeley began preparations last year. Teachers were shuffled (if one had taught in a white school, she visited a black school); the school board doubled its meeting time to allow for more community reaction—and it mailed two copies of the integration plan to every home; black and white pupils met for field trips; black and white ministers visited each others' congregations; the Campfire Girls passed out desegregation literature.

PROBLEMS

The groundwork seems to have paid off. That Berkeley is a university town naturally helped, though Sullivan claims the plan can work anywhere. The busing is working well, although there have been minor problems; some children have climbed on the wrong bus, and there is a shortage of buses for afterschool activities. School officials are so anxious to make the program work, however, that they've driven children home in their own cars.

Sullivan, of course, does have his critics. "His aim," says a Berkeley mother, "is to close down the neighborhood schools and have a centralized factory type of education. And he's emphasizing the social aspect of education—at the risk of detriment to the basic skills." More common, however, is the view of Mrs. Jean Lee, a 20-year-old black mother who rides a bus as a monitor. "It's good for black children, learning to play and work together with white children," she says. "And it's good for whites too—especially if they've lived only among whites."

Sullivan, meanwhile, has just announced he will leave Berkeley to become Massachusetts education commissioner. "I wouldn't be leaving," he says, "if this program weren't a success." Massachusetts, fasten your seat belts.

KEMPER FILM ON JUVENILE CRIME, "THE DANGEROUS YEARS," AVAILABLE TO MEMBERS FOR SHOWING IN THEIR DISTRICT

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. PUCINSKI. Mr. Speaker, one of the subjects most on the minds of the American people today is: What to do about crime.

Amid all the controversy, one vital factor has been left somewhat neglected: our juveniles. Crime is on the rise and unfortunately many youngsters are right in the middle of the problem. It is alarming that nearly two-thirds of those arrested for automobile theft, for example, are under 18.

Members of Congress will be home, for the most part, starting in a few days. Many of us will be asked by constituents how to help reverse crime and protect ourselves and our children. Interest among civic organizations is high, too.

Let me recommend a way to help. The Kemper Insurance Group has made available free to the public an outstanding public service film on the juvenile delinquency problem.

This 27-minute documentary film, "The Dangerous Years," examines the juvenile crime dilemma facing society today. Through actual on-the-spot scenes, it reveals the world of the juvenile offenders and the responsible, often frustrating, efforts of our police—our probation authorities—our juvenile courts—and our correctional institutions, to stem the tide of juvenile crime.

Bold new approaches to rehabilitation and crime prevention are explored in this film which is a call to action by the individual citizen to do his part in combating this problem.

Here's what Milton Rector, executive director, National Council on Crime and Delinquency, said:

The Dangerous Years accurately portrays the almost overwhelming work being done by society's agencies in combatting the dilemma of the juvenile offender. This film will raise probing questions for each viewer, for it shows that if we are to stem the floodtide of juvenile crime, efforts of our law enforcement, judicial and correctional authorities must be complemented by positive support and action from the individual citizen.

The Kemper film, which is based on frank, real-life interviews with law-enforcement officers, case workers, and young criminals themselves, has been awarded the Golden Trumpet by the Publicity Club of Chicago for achievement in public relations. It has also been awarded the George Washington Honor Medal by the Freedoms Foundation at Valley Forge for outstanding accomplishment in helping to achieve better understanding of the American way of life.

I urge all Members to let interested organizations and individuals know about "The Dangerous Years". Showing the film is an effective way to encourage a constructive influence on youth; no one who sees it will forget it.

To supplement a film showing, the booklet "Delinquency" has been made available by the company. It presents a powerful message to aid us in understanding the juvenile offender. Also available is "Crime, Delinquency and You," which will prove a valuable asset to the individual citizen from setting up effective community-action programs to detect and check juvenile crime.

To obtain copies of the film or booklets contact Congressman ROMAN C. PUCINSKI, Rayburn Building, or Kemper Insurance, 4750 North Sheridan Road, Chicago, Ill. 60640.

And I commend those in private industry, as exemplified by the Kemper Insurance Group, who are aware of social obligations beyond the obvious business implications and are taking steps to deal with the situation.

ABSENTEE BALLOT APPLICATIONS

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. HOSMER. Mr. Speaker, it will be necessary for many of our mobile citizens to vote by absentee ballot in the forthcoming election on November 5. I have asked that there be here reproduced replicas of the forms for requesting absentee ballots in the two counties, Orange County and Los Angeles County, portions of which are included in the 32d Congressional District of California which I am honored to represent. In California applications are accepted for mailing Absent Voter's Ballot, first day October 7, 1968 and last day October 29, 1968. California Election Code, section 14621.5 says in effect, "if you have moved prior to September 12, 1968, you must reregister before you can obtain an absent voter's ballot." In my Washington News Notes for October 1968, I have reproduced these under the title "Application for Absent Voter's Ballot By Mail." The News Notes also contains the following text:

As the 90th Congress nears its end, Congressman Craig Hosmer assesses its record as "good" . . . In times brimming over with emotion and heated debate, Congress "kept its cool" and responded to the needs of the nation, he says . . . It turned deaf ears to many LBJ superspending pleas and met the challenge of an income surtax combined with steep spending cuts . . . It approved sensible crime control programs, passed the Colorado River Project after 20 years of interstate haggling, enacted the Truth in Lending bill, and major education and urban housing laws . . . forced a decision to build missile defenses, created Redwoods and North Cascades National Parks and a scenic rivers program . . . blocked appointment of a new Supreme Court Chief Justice and shelved the Nonproliferation Treaty.

Vote as you please, but please vote! If you cannot get to the polls on Election Day, Nov. 5th, you may vote by Absentee Ballot. Two forms for requesting Absentee Ballots are printed on the reverse. They may be cut out and used. Each voter must make a separate, individual application.

Craig returns home from Washington about Oct. 12th . . . He's booked for over 50 public appearances . . . Watch the newspapers for times and places to see and hear him . . . In mid-November he goes back to Washington to address a major international atomic energy meeting . . . Should his party win control of Congress, he will become Chairman of the powerful Joint Committee on Atomic Energy.

Congressman Hosmer receives his 3d "Watchdog of the Treasury" award from the National Associated Businessmen, an impartial, non-political group which rates members of Congress on their allegiance to sound fiscal policies and concern for the taxpayers' pocketbook . . . Craig's rating: 100%.

He's proposed a constitutional amendment abolishing the electoral college and providing for popular election of the President and Vice-President . . . It also calls for a uniform national voting period, not to exceed 24 hours . . . All polls would open and close at the same instant, regardless of local time.

During Navy training duty last month, Capt. Craig Hosmer, USNR, took part in the big NATO fleet exercises involving 200 ships of nine nations . . . The Soviet spy ship intruded into the Allied Task Force as did Russian Destroyers, submarines and bombers—lending realism to the maneuvers held in cold North Atlantic waters above the Arctic Circle.

Foreign aid started in 1946 and has been given to 120 nations and six territories of the world . . . By mid-1968, its total cost was $171 billion, half of our $357 billion national debt. This year's appropriation was the lowest yet . . . Hosmer believes countries we've helped should help us much more than they've done . . . Here's where the money has gone: [The News notes reproduces from a previous Congressional Record a country by country tabulation of foreign aid expenditures.]

APPLICATION FOR ABSENT VOTER'S BALLOT BY MAIL

[Orange County form]

To: W. E. St John, County Clerk, County of Orange, P.O. Box 838, Santa Ana, Calif. 92702

I hereby apply for an absent voter's ballot for the General Election, November 5, 1968.

Please mail my ballot to me:

Print: First name, initial, last name.

Mailing address.

City, state, Zip.

My legal residence at which I am registered as a voter:

Residence address, city.

If your legal residence address is other than the above, on what date did you move?------

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I will be unable to go to polls for reason checked:

- ☐ Expect to be absent from my precinct on election day.
- ☐ Because of physical disability.
- ☐ I reside more than 10 miles from nearest polling place.
- ☐ My religion prevents me from attending.
- ☐ I reside within precinct owned by the United States.
- ☐ 30 or less registered voters in precinct.

Signature ------------------------------

Applicant must sign here.

Date ------------------------------

IMPORTANT.—This application will not be accepted without the proper signature of the applicant.

[Los Angeles County form]

To: Ray E. Lee, Registrar of Voters Office, 808 North Spring Street, Los Angeles, Calif. 90012.

I hereby apply for an absent voter's ballot for the General Election, November 5, 1968.

Please mail my ballot to me:

Print: First name, initial, last name.

Mailing address.

City, state, Zip.

My legal residence at which I am registered as a voter:

Residence address, city.

If your legal residence address is other than the above, on what date did you move?------

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I will be unable to go to polls for reason checked:

- ☐ Expect to be absent from my precinct on election day.
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- ☐ I reside more than 10 miles from nearest polling place.
- ☐ My religion prevents me from attending.
- ☐ I reside within precinct owned by the United States.
- ☐ 30 or less registered voters in precinct.

Signature ------------------------------

Applicant must sign here.

Date ------------------------------

IMPORTANT.—This application will not be accepted without the proper signature of the applicant.

RESULTS OF QUESTIONNAIRE

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. McCLOSKEY. Mr. Speaker, early in July I sent approximately 180,000 questionnaires to the citizens of San Mateo County. Thirteen questions were included, each referring to a specific issue before the Congress for consideration or decision. As of the end of September, slightly over 24,000 responses had been received and tabulated by volunteers. Exclusive of those persons failing to answer specific questions, the results were as follows:

[In percent]

	Yes	No
A. On the issue of gun control, do you favor—		
(1) Restricting the interstate shipment of rifles and shotguns, as well as pistols?	76	24
(2) Federal registration of all firearms?	57	43
(3) Use of Federal officers and a Federal agency to regulate the local sale and possession of firearms?	41	59
(4) State or local regulation of the possession, use, and transfer of firearms?	63	37
(5) No change in present laws?	31	69
B. As long as the Paris peace talks continue, Congress should—		
(6) Remain silent on present administration policy in Vietnam?	43	57
(7) Support escalation in Vietnam?	32	68
(8) Decline to finance additional troop commitments?	55	45
(9) Advocate deescalation in Vietnam?	64	36
C. Federal civil service employees are presently required to retire at age 70, in most instances. Would you favor a mandatory retirement age of 70 for—		
(10) Federal judges?	77	23
(11) Members of Congress?	74	26
D. With respect to voting procedures in national elections, would you favor—		
(12) A national primary to select party presidential candidates?	83	17
(13) A reduction of the voting age to 18?	48	52

PEANUTS: CRUNCHY, NOT SMOOTH

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. CURTIS. Mr. Speaker, the Department of Agriculture has done it again. It has increased peanut surpluses and at the same time raised prices to consumers. It is also draining away tax dollars and increasing inflation.

With peanut harvests already at an all-time high—1.23 million tons in 1967—the Agriculture Department has raised the peanut support price but has not reduced the 1.6 million-acre allotment. But new technology has increased yields to the point where crop analysts figure more than 350,000 tons will go unbought and wind up in Government hands this year. The Government is expected to lose up to $60 million this year on peanuts—which really is not peanuts.

Because of the raised support price and Commodity Credit Corporation carrying costs peanut butter is now up 4 percent in cost. As 30 percent of all peanut butter is bought by people with less than $5,000 annual income, this increase hits low-income families the hardest.

The Department of Agriculture continues to work hardships on those who need assistance the most, lower income Americans.

An article from the October 8, 1968, Wall Street Journal, describing this situation follows:

PEANUT CRUNCH: FEDERAL PROGRAM DRAINS TAX DOLLARS, BOOSTS INFLATION

(By Jonathan R. Laing)

The economics of peanuts ain't to coin a phrase, peanuts. The Johnson Administration, pulling up stakes in Washington, has underscored this point by increasing the Government's share in the peanut business, a move estimated to cost U.S. citizens $60 million in tax money during financially troubled fiscal 1969, not to mention an untold amount in higher peanut product prices.

Besides fanning inflation, which it professes to be fighting, the Administration's move is undercutting the Government's ability to cope with increasing surpluses of the goobers that George Washington Carver made famous.

In late August, Agriculture Secretary Orvill L. Freeman announced the Government was raising its support for peanuts 5.8%, to $240.25 a ton from $227. By law, he had to raise the support nearly 2.5% to keep peanut farmer's income at 75% of parity (the prices farmers would have to receive for their products to have the same purchasing power as in 1910–14). The extra increase boosted the support price to 77.5% of parity.

Since 1962, Mr. Freeman had steadily cut the peanut support from 86% of parity as Government losses steadily mounted along with growing surpluses. (Even so, the actual support level rose from $221 to $227 because parity itself climbed.)

STRIKING A BARGAIN

For about the past year, peanut farmers have been pressing Mr. Freeman to raise the support price above 75% of parity. Several grower representatives met with him in February, stressing their claim that production costs were going up faster than increases in parity. The Secretary resisted their sales pitch, but struck a bargain:

"I feel sure that further increases in price support will encourage production on every available acre," he told them. "And, with mandatory support and high rising yields, CCC (Commodity Credit Corp., the Government agency that buys up farm surpluses at support prices) costs will be still higher. . . . if you will do something about the supply-demand balance so that CCC costs may be reduced, I will try to do something about a higher price support for the 1968 crop."

So the growers got together and came up with a bill introduced in mid-July by Herman Talmadge (D., Ga.) in the Senate and Graham Purcell (D., Texas) in the House. The complicated measure would offer growers financial incentives to curb their production. Even with enthusiastic support from peanut farmers, the bill hasn't made it out of committee in either House and its chances for passing during this session are dim.

But the support price has been boosted anyway. According to peanut industry lobbyists, Mr. Freeman sent a letter to the White House asking permission to raise the support price to 77.5% of parity. The Budget Bureau and a White House aide, to whom the matter was referred, advised that support should be kept at 75%. President Johnson, the lobbyists say, picked the Freeman proposal.

Those opposed to the extra support increase (mainly the concerns that shell farmer's peanuts and the peanut product makers) contend President Johnson's decision was politically motivated. They point out that key peanut-growing states (Georgia, Alabama, Texas, Oklahoma, Virginia and North Carolina) are areas where third-party candidate George Wallace is eroding traditional Democratic strength. The critics figure the support rise is an incentive to keep Democrats from straying too far.

In any case, the decision is going to sink the Government's peanut program deeper in the red. This fall, the Agriculture Department predicts, peanut growers will harvest 1.24 millon tons, up from a record 1.23 million last year. Crop analysts figure more than 350,000 tons—nearly a third of this year's expected crop—will go unbought by makers of peanut butter, candy bars, cocktail nut and salted-in-the-shell mixes. This excess will end up in Government hands, making the third consecutive year that surpluses have exceeded 300,000 tons, double the surfeits a decade ago.

Nonetheless, the Government farm planners have seen fit to leave the 1.6-million-acre allotment for peanuts unchanged since World War II. Meanwhile, improved farm technology has boosted yields to almost 1,800 pounds an acre last year from 969 pounds a decade earlier, far outstripping the rise in domestic consumption.

To be sure, the Government has little trouble selling its surplus peanuts to domestic oil crushers and exporters. Peanut oil is considered excellent for cooking, and peanuts are a major source of vegetable oil and high protein feed in the world market.

But the domestic oil price and world peanut price are under half of the new U.S. support level. The leading free world producers of peanuts—India, Senegal and Nigeria (U.S. production accounts for about one-tenth of the total)—grow peanuts at far less cost because of cheaper labor. Also, peanut oil must compete domestically and overseas with less expensive vegetable oils made from corn, soybeans and sunflower seeds. So the Government will now be paying $240.25 a ton (the support level) for its surplus peanuts and selling them for $100 to $115 a ton.

Some trade analysts therefore figure the Government will lose as much as $60 million on the peanut program in fiscal 1969, up from $48 million in the year to last June 30. The peanut program cost an average of $14 million annually in the 1958–60 period.

Even the higher deficit may seem paltry when compared to other Government expenditures, but an Agriculture Department budget officer offers this perspective: "A $60 million loss is pretty high when you realize that a crop grown on less than half a percent of our total farm acreage accounts for almost 2% of the $3 billion we've been losing recently on the farm program."

Peanut program losses threaten to grow even larger unless something is done to cut surpluses. In June, before the latest support rise, the General Accounting Office estimated peanut program losses would total $250 million between 1967–71 if no changes were made in the program. The GAO recommended peanut production should be controlled by poundage and not acreage.

SPREADING THE INCREASE

Since the going price for peanuts is the support price plus carrying charges, peanut butter makers already have increased the price to consumers of the standard 12-ounce jar by 2 cents, or 4%. "It was pretty difficult for use to absorb a 6% price increase on our main ingredient, and so we raised prices," says Ralph Maulin, president of Swift & Co.'s Derby Foods Inc., which makes Peter Pan peanut butter. The increase will be particularly hard on low-income families; the peanut butter industry estimates 30% of its product is bought by people with less than $5,000 annual income.

"We saw an 8% drop in commercial sales of peanut butter in 1962 after the peanut producers raised prices to offset a 10% rise in the support level of the 1961 peanut crop," says an official of an eastern peanut butter company. Demand for salted peanuts and peanut candy also is highly elastic, manufacturers say, because consumers tend to buy less expensive substitutes rather than pay price increases. (That's one reason for cutting candy bar weights, for example, rather than raising the price.) In addition, search for synthetic peanut flavorings is being spurred, and chemists say they are close to developing commercially acceptable imitations.

To many observers, it would seem that a system that can drain away tax dollars and feed inflation, while ignoring the surplus problems it's supposed to be dealing with, has perhaps outlived its usefulness.

DR. GEORGE C. S. BENSON TO RETIRE AS PRESIDENT OF CLAREMONT MEN'S COLLEGE

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. LIPSCOMB. Mr. Speaker, California has been fortunate in having many fine institutions of higher education. One of these is Claremont's Men's College, located in the 24th Congressional District, which it is my privilege to represent in Congress.

Claremont Men's College was founded in 1946 and is part of the unique Claremont community of independent but interrelated colleges. Dr. George C. S. Benson has been president of Claremont Men's College since the school was founded 22 years ago.

Dr. Benson recently announced that for reasons of health he will be retiring from Claremont Men's College. I would like to take this opportunity to recognize the outstanding contributions he has made to the growth of this fine school, to the Claremont community, and to his leadership in the education field.

During the time Dr. Benson has been president of Claremont Men's College, the school has not only undergone a period of great physical growth but has risen to become one of the Nation's finest independent men's colleges. Claremont Men's College has achieved a reputation as an outstanding educational institution. It has 800 students and a distinguished faculty. Much of the credit for this growth can be attributed to Dr. George Benson.

Even though Dr. Benson may be retiring from his post as president of the college, it is gratifying to note that he still plans to continue working with the school. Thus Claremont Men's College will continue to benefit from his leadership and counsel after his retirement as president.

Dr. Benson has devoted his life in behalf of his fellow men as an educator, administrator, public servant, and community leader. We are fortunate to have a person of such capacity as Dr. Benson among us.

Under leave to extend my remarks, I submit for inclusion in the RECORD an editorial which appeared in the Los Angeles Times October 4, 1968, paying tribute to Dr. Benson on the announcement of his retirement:

THE COLLEGE GEORGE BENSON BUILT

In the brief 22 years since its founding, Claremont Men's College has become one of the outstanding institutions of its kind.

But CMC had two special advantages at its inception. It was born into the unique Claremont community of independent but inter-related colleges. And it chose Dr. George C. S. Benson as its first president.

George Benson brought a distinguished reputation as a teacher, scholar and public servant to the task of building a new college. He will soon retire after more than two decades of outstanding leadership during which Claremont Men's College has undergone remarkable academic and physical growth.

CMC now ranks as one of the best independent men's colleges in the country. Its faculty is renowned, its enrollment has increased to 800, and its assets currently amount to $20 million.

Dr. Benson believes deeply in the importance of independent colleges and universities in the American system of higher education and was a forceful spokesman on their behalf. And he has been equally concerned with the role of higher education in a rapidly changing world.

"A college which emphasizes public affairs cannot avoid conflict," he once said of CMC. "We teach our men to deal with controversy."

"We want our sons to have their own convictions, tested by the fire of cross-examination and argument, and because tested and fired, strong enough to sustain them in the stress that they will surely encounter."

It will be difficult indeed for Claremont Men's College to find another president like George C. S. Benson.

ELECTORAL COLLEGE IS FLUNKING OUT

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. McDONALD of Michigan. Mr. Speaker, the presence of a third-party candidate in this year's presidential election has raised the prospect of the House being forced to choose the President if no one receives the required 270 electoral votes.

The House has been placed in this position twice in the past, as the result of a tie between Thomas Jefferson and Aaron Burr in 1800 and again in 1824 when four candidates split the electoral vote and John Quincy Adams was chosen over Andrew Jackson, who had led in the popular vote.

Aside from the requirement that a candidate must have a majority of the electoral vote, this method of choosing Presidents has also been shown to thwart the will of the people.

In 1824, Jackson won the popular vote against three others. In 1876, Samuel J. Tilden led in the popular vote but lost by one electoral vote after a dispute. In 1888, President Grover Cleveland led in the popular vote but Benjamin Harrison had the right combination of States in the electroral college to win.

Because I have been receiving a considerable volume of mail from the district reflecting mounting concern over the electoral college, I have prepared a newsletter devoted exclusively to this grave problem to help my constituents understand the problem facing our election process.

In order to share with other Members and the public the points I have raised and the historic matters I have discussed with the people in my district, I herewith include the text of my newsletter, "Electoral College Is Flunking Out":

ELECTORAL COLLEGE IS FLUNKING OUT

The Electoral College probably has been something of a mystery to the average American voter.

On election night, November 5, he will sit before his television set watching the popular vote pile up. When it's all over, he will assume a President has been elected.

But he's mistaken.

The President won't be elected until December 16. And it's even possible that with a third-party candidate on the ballot in most of the states, the election won't be decided until January 6 in the House of Representatives.

This is all due to a tired old mechanism written into the Constitution because the Founding Fathers felt the average citizen didn't have the knowledge to make a wise choice.

So they set up a two-stage election process:

1. Voters would choose electors from their states, men known for their impartiality and wisdom. Each state would have the same number of electors as members of Congress. A majority of the electors could elect.

2. But as a result of fear that electors might split into regional groups so that no candidate received a majority, the authors of the Constitution provided for election by the House from the top three men if none achieved the required majority. Each state was given one vote so that big states would not elect more Presidents.

The original reasoning behind the elector system may have been constructive in the early years of the republic, but the development of a vigorous two-party system gave the nation a political atmosphere that none of the founding fathers could have foreseen.

The original Constitution, for instance, directed each elector to vote for two candidates for President and none for Vice-President. The man with the most votes would become President and the second man Vice President.

The retirement of George Washington led to partisan division and it became apparent that the election provision would usually result in selection of the two top officials from opposing parties. The 12th Amendment remedied this situation and electors now vote for President and Vice President.

During the early 1800s, the practice of electing famous, independent electors was abandoned and parties started selecting partisan elector candidates whose only function was to vote for the candidate to whom they were committed.

For the past 150 years few voters have even known or cared about the identity of the electors for whom they voted on Election Day.

The electors are still legally and constitutionally independent and cannot be compelled to vote for the men to whom they are committed. There have been deviations in recent years.

As a direct result of the Electoral College system, this nation has had three presidential elections in which the candidate who led in popular vote was defeated. One was decided in the House; one by a special Electoral Commission; one on the basis of the electoral vote.

The Electoral College was practical in the early days of the Republic. Today, with a third-party candidacy and other threats of vote splintering, it could deny the office of President to the man chosen by the largest segment of the voters.

An election thrown into the House could lead to backstairs bargaining that might thwart the will of the people.

It is time to get rid of this political monstrosity before it does the sort of damage never envisioned by the men who created it.

IN THE HOUSE, EACH STATE HAS ONE VOTE

The 1968 presidential election would be thrown into the House if no one received a clear Electoral College majority, 270 votes.

Each state would have one vote, meaning that the two largest states, New York and

California, would be equal with two of the smallest, Nevada and Delaware.

Although New York has 41 congressmen, it would have the same voting power as Nevada and Delaware, each with only one.

A majority of each state's House delegation would determine the state's vote.

Thus, 26 state delegations—medium and small—could outvote 24 delegations representing the bulk of the nation's population.

It is theoretically possible for 77 congressmen from 26 states representing 34 million people to elect a President, outvoting 24 states with 358 congressmen and 166 million people!

It sometimes happens that a state's House delegation is equally divided. Oregon at present has two Democrats and two Republicans. Montana has one each. Illinois is divided, 12 and 12.

If the congressmen from these states stayed with their party, the states could not vote.

Any delegations from any Southern states won by George C. Wallace would be under enormous pressure to vote for him.

If neither Nixon nor Humphrey could command 26 state delegations, the temptation to "bargain" for the presidency would be enormous, and in this deadly game any number of congressmen can play—in all kinds of combinations.

ELECTORS KEEP THEIR INDEPENDENCE

Electors are still legally and constitutionally independent and cannot be compelled to vote for their party's candidates.

In 1956, Democrats elected 74 electors but one from Alabama refused to vote for Adlai Stevenson.

In 1960, Senator Harry F. Byrd of Virginia received 15 electoral votes—six from unpledged Alabama electors, eight from unpledged Mississippi electors and one from a defecting Oklahoma Republican elector.

HOUSE, SPECIAL COMMISSION DECIDED THREE ELECTIONS

Two presidential elections have been decided by the House of Representatives and a third by an Electoral Commission. In one election, the winning candidate was first in the electoral vote, second in popular vote.

In 1800, Thomas Jefferson and Aaron Burr tied with 73 electoral votes. After a lot of maneuvering and logrolling, Jefferson was elected. It took six days and 36 ballots.

In 1824, a four-party election gave John Quincy Adams 84 electoral votes, Andrew Jackson 99, William H. Crawford 41 and Henry Clay 37. Jackson also led in the popular vote, but lost in the House as the result of a deal by Clay with supporters of Adams.

The most scandalous election in American history occurred in 1876 when Samuel J. Tilden received 250,000 more popular votes than Rutherford B. Hayes. Florida, Louisiana, Oregon, and South Carolina returns were disputed. An Electoral Commission created by Congress met between February 1 and March 2, 1877, and gave the election to Hayes by a vote of 185 to 184.

In 1888, Benjamin Harrison received 233 electoral votes and 5,444,337 popular votes. President Grover Cleveland received only 168 electoral votes but led with 5,540,050 popular votes. Cleveland made a comeback in 1892, however, ousting Harrison in both the electoral and popular votes.

TWO CLOSE CALLS

We have had two "close calls" in recent years.

In 1948, a switch of 12,400 votes from President Truman to Thomas E. Dewey in California and Ohio would have denied either man an electroal majority, and the House would have had to choose.

In 1960, a switch of 8,500 votes from John F. Kennedy to Richard M. Nixon in Illinois and Missouri would have put the election in the House.

WINNER–TAKE–ALL: MILLIONS DISFRANCHISED

The Electoral College system fails to reflect the will of the people, gives undue influence to blocs and hinders the development of the two-party system.

Because the winner of a state gets all the state's electoral votes, those who voted for the loser are virtually disfranchised. Their votes just don't count in the Electoral College.

The "winner-take-all" system means that presidential elections, nominations and strategy are largely geared to the politics of seven key states controlling 210 of the 270 electoral votes needed to win. By appealing to large blocs, a party can swing these big, pivotal states.

The Electoral College's winner-take-all system also stymies political growth. Nebraska rarely votes for Democratic Presidents while Massachusetts and Maryland rarely vote Republican.

Members of the minority party in those states have little incentive to spur interest or build a two-party system and presidential candidates are unlikely to spend time helping them get 45 percent of the presidential vote rather than 40 percent.

If every vote counted in every state, parties would be strengthened and candidates and platform writers would be forced to concern themselves with small as well as big states, with one-party states as well as swing states.

The result would be a politically healthier nation.

UNFAIR, INACCURATE, UNCERTAIN

Historian James MacGregor Burns has said this of the Electoral College:

"Most Americans, regardless of party, are agreed on the failings of the Electoral College. It is unfair, inaccurate, uncertain and undemocratic. Unfair, because the presidential candidate losing a state by even a close margin forfeits all of that state's electoral votes. Inaccurate, because in most elections the winner's electrol votes are inflated grotesquely out of proportion to his popular vote. Uncertain, because presidential electors are not legally bound to vote for the candidate who carried the state. And undemocratic, because if no candidate wins a majority of the Electoral College, the verdict is rendered in the House of Representatives, where each state delegation, no matter how large, casts but a single vote in choosing among the top three candidates."

Only direct, national popular election of our President will resolve the problems discussed in these pages.

Only direct, popular election will assure every voter that his voice will be heard and his vote count.

Members of Congress are planning to introduce a Constitutional amendment in the 91st Congress that will bring this about.

A BIPARTISAN PLAN TO AVOID ELECTION CRISIS

Because the third-party situation this year raises the prospect of an election crisis, a bipartisan plan has been offered that would give the presidency to the candidate winning a national plurality.

Under the plan, devised by Sen. Charles E. Goodell of New York and Rep. Morris K. Udall of Arizona, members of the House in the 91st Congress, if required to elect a President, would agree to vote for the candidate who received the most popular votes in the nation.

Congressional candidates—incumbents and challengers—would be asked to pledge in writing that if the election went to the House, they would vote for the candidate with the largest popular vote.

Presidential candidates, governors, senators and party leaders would be asked to endorse the plan. Presidential candidates would specifically pledge to make no Electoral College deals that would circumvent the popular vote results.

Congressmen taking the pledge would not be bound until enough members have agreed to assure sufficient votes in the House to assure the election of the leader in the popular vote.

The Goodell-Udall plan, which I heartily endorse, would eliminate a period of possible paralysis and uncertainty and would avoid any temptation to make a deal for the presidency. It would also protect the nation until we can amend the Constitution.

Cordially,

JACK MCDONALD,
Member of Congress.

CONGRESSIONAL AND ELECTION REFORM

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. RUMSFELD. Mr. Speaker, following are the remarks of the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD], on October 9, 1968, on the Republican efforts to gain House consideration of the Legislative Reorganization Act—S. 355—and the Election Reform Act, and my remarks on the same subject:

STATEMENT BY REPRESENTATIVE GERALD R. FORD, HOUSE MINORITY LEADER

In a last ditch effort to get the dominant Democratic Majority to schedule the Clean Elections and Congressional Reform legislation for Floor consideration during this 90th Congress, the Republican Members have kept the House of Representatives in continuous session for over twenty-four hours. During this historic session, there have been some 36 quorum roll calls and six roll call votes.

In order that the record may be absolutely clear with respect to this important matter, the following pertinent information must be noted.

During this Congress the House Republican Members, Leadership and Policy Committee have done everything that they can to get the Congressional Reorganization and Clean Elections legislation to the House Floor. In the 89th Congress and again in this Congress, the Republican Policy Committee repeatedly urged prompt action on both Clean Elections and Congressional Reorganization legislation. The very first action of the House Republican Policy Committee this year on July 30, 1968, was to adopt a statement demanding prompt consideration of the Election Reform Bill and legislation that would permit television debates between presidential candidates.

Significantly, it was only after a great deal of prodding by the Republican Members of the House Administration Committee that the Election Reform Act of 1968, H.R. 11233, was finally reported from Committee. And prior to being reported, the weak Election Reform proposal recommended by the Johnson-Humphrey Administration was shelved in favor of the strong measure that was initially developed by the Republican Members. It was only through the incorporation of a number of Republican provisions that honest reporting of campaign contributions and expenditures and streamlined enforcement procedures were ensured.

Despite the continuing efforts of Republican Members, the House Democratic Leadership refused to schedule this vital legislation for Floor action. The Congressional Reform Bill and the Clean Elections Bill were

left to languish in the Rules Committee. The prospects of legislative action prior to the 1968 election were very dim indeed.

This sorry situation was described in an October 3, 1968 Washington Post Editorial entitled, "Obsolescence on the Hill." This editorial stated:

"It is deeply ironical that the Congress which has so signally failed to meet its obligations, has also smothered the legislation designed to modernize some of its procedures . . . Though it is a mild reform bill, the reactionary forces in the House seem determined to kill it. Along with it in limbo is the constructive election reform bill."

This then is the reason that in what appears to be the last week of the 90th Congress, the Republican Leadership has used an extraordinary, parliamentary device in an attempt to break this essential legislation loose. And we promise that when the American voters in the November election elect a Republican Majority in the House of Representatives, the "straitjacket of obsolescence" will be unstrapped and these bills will have a high priority in a Republican Agenda for the 91st Congress.

Statement of Congressman Donald Rumsfeld, October 9, 1968

Yesterday, a determined group of Republicans, comprised primarily of the Republicans who met with the press on September 10, 1968, to announce their intentions to push for consideration of the Legislative Reorganization Act and the Election Reform Act, carried forth their previous stated plan to "engage in a series of parliamentary moves which will have the effect of altering normal proceedings of the U.S. House of Representatives. Our purpose is not to be disruptive. Our sole purpose is to dramatize the need for House consideration, and hopefully, House action on both of the reform bills before adjournment."

Some have described yesterday's activities as a "filibuster" or "minibuster" against other legislation which was scheduled for consideration by the House. That accusation does not accord with the facts. If anyone has engaged in a "filibuster" it is the Democratic leadership in the House. They have effectively "filibustered" the two reform bills by refusing to schedule them for consideration, under open rules, by the House during this Congress.

Some have said that the proper course of action was to work to have the House Committee on Rules schedule our reform bills. During the summer, the Rules Committee announced a self-imposed moratorium on clearing bills for House action, and said that no rules would be granted to legislation which was not already cleared by committee. We believed the Rules Committee. Evidently the Committee was misunderstood, or at least did not mean exactly what it appeared to mean, because the Committee has seen fit to meet and grant a rule for other legislation, which, in our opinion, is less important to the nation than either of the two reform bills.

In short, the Rules Committee door was closed to legislative or election reform legislation, but not to Hubert Humphrey or George Wallace. When the Rules Committee announced its intention to hold hearings on other legislation, Congressman Taft and I went to the meeting and waited more than two hours to petition the Committee to schedule the reform bills. We were not able to secure the same treatment as Mr. Humphrey and Mr. Wallace did for their bill. This is clearly the real coalition at work—Northern Democrats and Southern Democrats.

Confronted with the iron-fisted control of the Democrats, we realized that the parliamentary tactics used yesterday constituted the best leverage available to us at this late date. If we are to get action on these vitally needed measures, we will have to try to force open the heavily barred gate to the Floor of the House of Representatives. The Democratic leadership has indicated its desire to adjourn this Congress. We believe this Congress should not be adjourned without having had the opportunity to enact Legislative and Election reforms.

These reform bills are as important to the American people as any other legislation now pending before the House. We are aware of the need to make available to the American people full and complete information so that they can intelligently cast their votes, and this is the purpose of the Election Reform Act which we seek to bring to the House Floor. The Election Reform Act will compel for the first time full disclosure to the American people of the campaign fund-raising and expenditures of anyone seeking elected Federal office. Based upon this information I am confident the American people will be able to best make their decisions as to who will represent them.

The Legislative Reorganization Act will affect the quality of every piece of legislation produced by the Congress. And, the Congress, we should remember, is the co-equal branch of our government charged with the formulation of public policy.

Both bills have already passed the Senate and have been awaiting House action for months. Each would have to start the legislative process anew if not passed now.

AMBASSADOR WIGGINS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. DERWINSKI. Mr. Speaker, the confusion and weakness of the Johnson administration foreign policy is clearly seen as we note the unfortunate turnover in key positions such as Ambassador to the U.N. The public is aware of the sudden and turbulent exit from the post by George Ball and the appointment of Ambassador J. R. Wiggins to the post.

It is obvious that Mr. Wiggins was hurriedly selected and that he is a lame duck appointment. Therefore, the Senate in its preoccupation with many other controversies gave this appointment only perfunctory attention.

However, since this assignment is an important one and the unfortunate turnover demonstrates the confusion in what is left of the President's Great Society, I believe that readers of the Record will appreciate additional commentary on this subject. Therefore I insert into the Record an oral dissertation by Dr. Lev E. Dobriansky presented to the Senate Foreign Relations Committee. In addition to Dr. Dobriansky's statement and its appendix, other examples of public reaction are contained in letters written by Mr. Walter Pretka, Mr. Karol H. Sitko, and Miss Vera Dowhan, officers of Captive Nations Committees.

Ambassador Wiggins has been hurled into a difficult assignment and perhaps too much will be expected of him. The views of Dr. Dobriansky and the other letters that I am inserting into the Record are interesting commentary on qualifications that these individuals feel Ambassador Wiggins brings to his arduous assignment.

The material follows:

Statement of Dr. Lev E. Dobriansky, Chairman, National Captive Nations Committee

Dr. Dobriansky. Mr. Chairman, I am terribly sorry I do not have a prepared statement, but I did not hear about this hearing until Saturday afternoon. Consequently, I will have to deal from notes.

My name is Lev Dobriansky, I am a professor at Georgetown University, and also chairman of the Captive Nations Committee and the Ukrainian Congress Committee of America.

OPPOSITION TO NOMINATION

I am here to testify in firm opposition to what I consider an ill-considered nomination of Mr. Wiggins as U.S. Ambassador to the U.N.

Now, in setting forth the factual evidence justifying this opposition, and insofar as time will permit, my oral statement is actually based on certain assumptions which I believe draw a maximum agreement, and which may well serve as basic criteria of acceptance and approval for nominations to this highly important post in this top world forum. And these assumptions are:

One, the presence of a well-rounded person who has demonstrated in his most recent years a balance and fairness of outlook, an objectivity toward new and fresh ideas which may not conform with what exists—and a proven compassion for the needs and aspirations of all peoples, particularly those in the front yard of what I consider our chief enemy.

Two, in the present context, a sine qua non of the qualifications of any ambassador to the U.N., I believe, is a basic and satisfactory knowledge of the U.S.S.R., its origins, development, chief developments at this time, and conflicts.

Whether we wish to admit it or not, the chief, sole, and serious enemy to the security of the United States is the totalitarian Russian base in that ersatz union.

The old Army admonition—"Know your enemy"—I think applies here with even multiple intensity and consequences.

Three, now, especially in the wake of the Russian rape of Czechoslovakia, a prospective U.S. Ambassador to the U.N. should have demonstrated sober judgment in his assessment of overall developments in Eastern Europe—and as he has proven to be tragically wrong and even absurd, he should not have been considered for the nomination in the first place.

And my fourth assumption is, a nominee for this vital position, in addition to displaying fairness, honesty, and objectivity, even on what may be considered the most controversial issues, should possess a measure of courage, an inner confidence of his own views and convictions, and an ability to defend his views in the open, face to face with his opponent, even as he may have to transmit that and translate that in the leadership of America at the U.N.

At any time, no less the present time, we can ill afford a weakling representing the United States in the U.N., regardless of the motivation behind this twilight representation by a lameduck adminstration. There is too much at stake even for one day, let alone four months.

With these fundamental assumptions, these basic criteria for approval of a nomination—and I should be most happy to be told where I am wrong—then the present nomination under consideration is the very negation of these criteria.

The approval of this nomination would represent a further deterioration in our responsible foreign relations. Indeed—and I use these terms advisedly—it would even tend to make a joke of the institution, namely the U.S. Ambassadorship in the U.N.

It would seem that we were almost scraping the bottom of the barrel.

In light of these criteria, and for the honor of our responsible relations with other states and nations, particularly the Russian controllers of the U.S.S.R. delegation, I strongly recommend that this nomination be rejected.

Happily, in this case my relation with the nominee has at no point, in nearly 10 years of what you might call ideational conflict with the Washington Post, been personal. My evidence, I want to make this clear, is exclusively based on the written word and techniques of his authorship, and under his direction.

POST EDITORIAL POLICY SCORED

Far more than I can read here—that is unless, Mr. Chairman, you allow me to do it—the documented evidence is considerable. And I urge that it be carefully studied by this committee before a decision is reached.

We have another nomination which is now before the Senate that required a bit of investigation, and I think in this case this should also be carefully looked over and, as was suggested, by a reading of editorials.

As you gentlemen well know, it is no easy task to withstand the editorial harpoons of a powerful newspaper, which, as I shall show, has been abused and misused in the worst tradition of yellow journalism as a means to suppress and distort other points of view on basic foreign policy issues.

Fortunately, many Members of Congress, on both sides, value the fundamental assets of integrity and objectivity, the moral propensity to set forth and see all sides of an issue, and have documented both the Washington Post editorials, written and overlorded by the nominee, in the Congressional Record itself, and also the replies to these editorials.

So I think in one given area, and pertinent to my second assumption here on a matter of satisfactory knowledge, that this will serve as a source of study by this committee before it reaches a decision.

Senator Dodd. Could I interrupt?

Senator Sparkman. Yes, Senator Dodd.

Senator Dodd. I just wanted to get some idea of how long this material is.

Dr. Dobriansky. I will refer to them in a moment, Senator.

Thus, my evidence giving and providing, unlike the nominee's newspaper organ, both sides of the issue for our citizens to assess fairly and intelligently, is adequately recorded in these congressional reprints, bearing on the most fundamental of all issues, our relations with the imperial, colonialist Moscow Government and its far-flung empire.

By red indicators I have extracted the necessary evidence, and request that it be incorporated as part of the hearing.

Now, let's examine in the short time that I have, the highlights of nominee's factual record—mind you, just a few substantiating items from the sources provided here, including one chapter from my own book on "The Vulnerable Russians"—as a matter of fact, two chapters are devoted to the issue that took place a few years ago.

Bearing on the first assumption, concerning intellectual integrity, objectivity, compassion for all peoples and the like, the nominee, in a very crucial case, manifested all the marks of malicious bias, narrow-mindedness, and cultural insularity.

EDITORIAL OBJECTIVITY QUESTIONED

The extensive case here is the erection of the Shevchenko statue in our Nation's capital. The crucial point is not the ramifications of this event, which he did not understand, nor did his paper, and which extended deep into the Kremlin and all parts of the Russian empire, including even North Vietnam, but the manner in which the nominee, wielding the power of a newspaper, handled it.

I am prepared to answer any questions pertaining to the ramifications of this event, including Moscow's response to erect a similar statute in the Red imperial capital, Khrushchev's hasty departure from Scandinavia to unveil their statue before we did ours, former President Eisenhower's speech at the monument, and many other internationally related aspects.

At this point, let's just concentrate on how—not the substantive content—but on how this journalist of supposed integrity and honesty and objectivity managed the situation.

The nominee waged actually a campaign of inconsistency and uncertainty as to his knowledge of the issue. And it was a campaign of smear and hatred, injecting, as you will see from the editorials, such things as antisemitism, the hyphenated American slur, and employing every filthy trick in the journalistic trade to prevent what the Congress and the Eisenhower administration had willed by process of legislation and execution.

Now, the Washington Post prides itself on a liberal attitude—seeing all sides of the issue, so that citizens can evaluate it.

Well, let's see in the case of the editor-in-chief, who now for some mysterious reason is proposed to be our Ambassador to the UN. Just compare in this first one—and these I offer as the editorials—the first editorial and then Stephen Rosenfield's write-up about Shevchenko, myself and others, with what succeeded in a whole series of editorials over a couple of months. As a matter of fact, editorialized reporting—this went on literally for about six months—at the end of 1963 and the beginning of 1964.

And you will be impressed by it, as I stated—the cultural insularity of and also the distortion of facts by the editor.

Then read his editorial of October 18, 1963, "The Shevchenko Affair," and you will see why this nominee is thoroughly out of his department in this assignment, a plucked fish on dry sand indulging in factual inaccuracies, conceptual nonsense, and, as I said, a play on disunity and hatred.

Actually, there are passages here where he attempted to incite Jews in the community and beyond Washington on this antisemitism matter, attempted to incite Poles, with presumably Shevchenko being anti-Polish, and used these techniques in the course of these months.

Another, the editorial on "A Monument to Ignorance," November 1, 1963. I bring to your attention, too. Really, this is an editorial monument of ignorance—plays on the theme again of antisemitism to arouse the Jewish opposition and, if you will, even what we are familiar with, a McCarthyist technique of association, which another of our newspapers here, the Evening Star, actually editorialized, "Association Again", in opposition to the Washington Post under the nominee's direction.

EXAMPLES OF EDITORIALS

Now, the importance of all of this is that hundreds of letters were sent to the Washington Post, and in the editorial, you will find admitted as such by the editor. Yet I would say only about half of one percent of those letters managed to find their way into the editorial page of the Washington Post.

A good number of them are in this record, in the Congressional Record.

Another editorial shows that we even have absurdities, as you will see. I think the matter of his logic, the matter of his concepts should be taken into account when in one editorial he even feared that Khrushchev would come here and lay a wreath at this particular statue—if only he knew what the writing on the statue is. But in all of these cases, this event was completely misjudged. But the main thing was the manner in which it was handled, and I do not hesitate to state—in a filthy, dirty, journalistic manner. And I strongly recommend that the members of this committee read these editorials. They are here, I have cited them, and also I would like, in addition, to submit for this record, this article in the Indianapolis Star, "Ike calls for freedom of all captive nations."

Senator Sparkman. Without objection it will be inserted in the record.

Senator Dodd. Did the chairman rule on the request that the other editorials be printed in the record?

Senator Sparkman. I did not understand him to ask that. Did you ask that other editorials be printed?

Dr. Dobriansky. The editorials, and the replies as you will find in this Congressional Record reprint, yes.

Senator Sparkman. Without objection, they will be printed in the record. If the material is going to be too lengthy, we ought to receive them for our files instead of printing them in the record. Do you want both of them printed in the record?

Senator Dodd. I asked how long they were.

Dr. Dobriansky. They are not too long, if you take the five editorials and the replies. I am not asking that all of these brochures go into the record of this hearing. Just what I have indicated—the editorials written by the nominee and the specific replies.

Senator Sparkman. We would be very glad to have all of them in our committee files, and will print in the record individual editorials that you point out, as you did this last one.

(Some of the material referred to appears in the appendix. The remainder is in the committee files.)

Dr. Dobriansky. Yes, indeed.

The conclusion of this is that there is a very great question as to his integrity, his openmindedness, and his objectivity.

EDITORIALS PERTAINING TO CAPTIVE NATIONS WEEK

The second—referring to my second criterion or assumption—namely, an adequate knowledge of the U.S.S.R. This goes all the way back to July 1959, with the passage of the Captive Nations Week Resolution. Now, unfortunately, I do not have and was not able to obtain all the editorials pertaining to the resolution and the week in subsequent years. But actually, let me cite some here—and I hope for the record that they will be obtained by the staff to give you a good idea as to the foreign policy orientation of this person, more so in terms of his concepts and his knowledge.

In this case, the July 1959 editorial, "Irritating the Bear," was an editorial denouncing the passage of the resolution by Congress. I, in that month, wrote a reply to it, and my reply was published on July 29, 1959, which incidentally caused much surprise to Senator Douglas that the Post at that time even accommodated the reply. Of course, that experience was not repeated in subsequent years when actually replies were sent in, which were either cut, or misplaced and the like. As a matter of fact, this past July we sent out a press release concerning the 1968 Captive Nations Week, and much to my amazement on Monday morning one of my colleagues at the university asked me if I had overextended myself in writing a letter to the Washington Post. The fact is I did not write any letter to the Washington Post. They simply extracted two sentences from the press release, threw it into the letter to the editor's section of the Washington Post, with my name over it under the caption of "Captive Nations Week." But there are the manipulations by which the Post has handled this matter.

Senator Dodd. Just a minute. I want to be sure I understand this.

You say you put out a press release?

Dr. Dobriansky. A press release.

Senator Dodd. And excerpts from it were printed in the letters to the editor?

Dr. Dobriansky. Yes, sir.

Senator Dodd. Over your signature?

Dr. Dobriansky. Right. I never wrote any letter to the editor, having had long experience with the editor at the Washington Post.

Senator Dodd. I just wanted to get this factually straightened out. Was the press release put out in your name?

Dr. Dobriansky. Yes.

Senator Dodd. Did you ever complain to the Post about printing a letter which you never wrote?

Dr. Dobriansky. Well, Senator, actually I have had long experience with the Post on the matter of complaints and the like. That would have been simply at this state a waste of time.

Senator Dodd. You did not write?

Dr. Dobriansky. No. But the fact is I did not write a letter to the editor pertaining to the Week, and the two sentences, as I say, just two sentences, presumably constituted this ostensible letter.

Senator Dodd. I think it is important.

Did it actually appear as a letter to the editor?

Dr. Dobriansky. Yes. You can check on it.

Senator Dodd. I am not questioning your integrity about it. But it would interest me that this paper would take something and make out of it a letter to the editor which was never written.

Dr. Dobriansky. That is correct.

Senator Dodd. This has to do with foreign policy?

Dr. Dobriansky. This had to do with Captive Nations Week.

Senator Dodd. That is certainly foreign policy.

Dr. Dobriansky. Yes.

That is one illustration among many that I can give.

Senator Dodd. You say this is just one?

Dr. Dobriansky. Oh, yes. I mean there have been many. As a matter of fact, if I had time to research this, there were many instances of actually inserting the editorial of the Washington Post, and then my reply to it in the *Congressional Record*. We have had to parenthesize the sections of my reply that had been deleted. In the past two years actually they have not even bothered to incorporate any letters in the Post.

POLICY OF PRINTING LETTERS TO THE EDITOR

Senator Dodd. I can understand they cannot print all letters. And they have to tailor them to the requirements of the page. Any of us who have written letters to a newspaper have encountered these difficulties.

I am concerned, and I think others will be, if it has been the policy of this paper on matters of foreign policy to print letters to the editor—I do not care whether they came from you or anybody else—which never were written.

Dr. Dobriansky. That is correct.

Senator Dodd. Do you know of any other instances, while Mr. Wiggins was the editor?

Dr. Dobriansky. No. This is the sole one, this past July. And actually, the motivation there appeared to be an attempt to denigrate, you see, or degrade the Week itself.

Senator Dodd. That is not my point. Whatever the motivation was, I think it is outrageous for a newspaper to do any such thing. I am concerned here about foreign policy.

Dr. Dobriansky. Wait a minute. I think this is a very grave matter. If it was done once, only once, that can be explained away, perhaps somebody did something he did not know about. But if it represents a studied policy or attitude—I am talking now about the area of foreign policy—then I think we ought to know about it.

Senator Mundt. Mr. Chairman—if he has this letter or this editorial page, I suggest that it be made a part of the record. I think the doctor suggested that our staff try to find it. But our staff advises me they are tremendously busy. They will make the effort. But if he has access to it himself, it would be much better if he would submit it.

Senator Dodd. I quite agree. I think that is a good suggestion. Without objection it is so ordered.

Dr. Dobriansky. I looked for it. But as I stated, I did not have time.

Senator Mundt. We will keep the record open.

Dr. Dobriansky. Now, on this matter concerning the Week, I would like here to submit for the record this article "From Moscow's Izvestia to Washington's Post." I am not inputing any—as it has been in the past—any Communist motivations on the part of the Post and the like. I am, however, stating that there is a common denominator in thought. And Izvestia, in fact, has complimented the Post concerning its position with regard to the Captive Nations Week and the resolution.

Senator Dodd. I think that ought to be included in the record.

Dr. Dobriansky. Yes. And I think you will find it very worthwhile in terms of the contents of the Post editorial, especially the manner in which it inveighed against Congressmen, actually calling them captive, and the like. I mean the invective, the techniques, again, here, are something to be wondered about.

Senator Dodd. Without objection, Senator Mundt, that ought to be printed. It seems to me to be relevant to this printing of what was a letter, on this same subject.

(The letter to the editor referred to follows: The article referred to is in the committee files.)

[From the Washington Post July15,1968]

"CAPTIVE NATIONS WEEK

"July 14–20 marks the tenth observance of Captive Nations Week. In addition to observances in this country, citizens in 15 other countries such as Free China, Korea, India, West Germany and Argentina, will be joining in.

"Lev E. Dobriansky."

"Washington.

NOMINEE'S KNOWLEDGE OF U.S.S.R. DOUBTED

Dr. Dobriansky. Concerning this—I am not going into an analysis of this, other than what I am producing for the record here—but the fact is that the nominee, in my judgment, has absolutely no comprehension of the U.S.S.R. And when it is stated that he is a student of Soviet-American relations, I must say that to me that is for publicity purposes, and of hollow import.

The reason I state this, for example, pertains in this case to another editorial. I want to submit this likewise, bearing on the Washington Post, an editorial that was written in 1964. The editorial states clearly—this is short enough, but it will make my point, which is just one example among many—with reference to the resolution: "It also includes Cossakia and Idel-Ural which never have existed as nations except for intervals of German invasion. They are about as much captives of the Soviet Union as Anacostia and Cleveland Park are captives of the District of Columbia. As far as that goes, White Ruthenia and Ukraine are political concoctions that describe aspirations more than a national unity."

Now, similar rubbish can be found actually in the documented material I am offering here. This reflects the conceptual and also the presumed knowledge background of the individual.

As a matter of fact, if I had the opportunity, Mr. Chairman, not that I wish to infuse any humor here—to be given the opportunity to ask the nominee certain questions, many would consider them fundamental questions pertaining to the Soviet Union.

NOMINEE'S ASSESSMENT OF DEVELOPMENTS IN EASTERN EUROPE

The third, and that is the factor of judgment regarding our assumptions.

Now, if you have followed the editorials of the Washington Post, and the people that they manage to get—Mr. Bryczinski and others to write for it—I think you will agree that the tendency, the whole tone and theme has been detente—for the past 2, 3, 4 years. This advocacy of detentism is their privilege and prerogative—just as it is with regard to the Shevchenko episode, and with regard to his understanding of the U.S.S.R. I am not questioning these things other than to show the pertinency of my assumptions. But in this case, with detentism, I think that the recent case of the rape of Czechoslovakia by the Russians has pretty much exploded that theme. Even a person with whom I have had conflicts, let us say, in the scholarly area, Mr. George Kennan, happily has recognized that there is not an iota of evidence supporting this.

VIEWS OF GEORGE KENNAN

Senator Dodd. Are you familiar with Mr. Kennan's earlier statements about this same problem?

Dr. Dobriansky. Oh, yes. But I am referring to his latest interview, given at Princeton. As a matter of fact, as you know, Mr. Chairman, each time I have appeared before this committee, I have not only criticized, but I have offered constructive alternatives. And despite my, well, I would say, rather turbulent relations with Mr. Kennan in a number of spheres, I would say an alternative recommendation for this time should be Mr. Kennan as the ambassador to the U.N. for the United States.

But the point that I am making is——

Senator Dodd. Let me ask you a question about that.

Are you serious when you make that suggestion?

Dr. Dobriansky. Well, apparently by the present nomination there does not seem to be any alternative thought of by the administration. As I stated, it would almost seem we are scraping the bottom of the barrel.

Senator Dodd. I thought you were critical of this nomination because of the policy of the editorials with respect to foreign affairs. I take it you would be just as critical of Mr. Kennan.

Dr. Dobriansky. That is correct. But not for this interim period.

Senator Dodd. Why do you recommend him?

Dr. Dobriansky. Well, yes, on the basis of his disclosed ideas of the past week or so and the fact that he has greater knowledge and ability than the present nominee. I am not overly enthusiastic about the nomination. I can think of many other people in the country. But it would hold in terms of his background and the selection being made, if you will, by the present administration.

Senator Mundt. Mr. Chairman, I missed something in there. Was George Kennan before us as a nominee for some ambassadorship?

Dr. Dobriansky. No.

Senator Mundt. You are recommending him?

Dr. Dobriansky. I am just recommending him as an alternative to the present nomination. I perhaps should have put "even

George Kennan" in light of his recent thinking on our policy.

Senator Mundt. At least it can be said for George Kennan there was a time in his career when he seemed to very clearly sense the realities of the Communist threat, and the time he was stationed in Moscow with Averell Harriman, I was briefed by him to a considerable extent in Moscow. He gave our committee, the House Foreign Affairs Committee, a very clear-cut and historically accurate analysis of the Communist menace. Some place along the line and in between he seems to have vacillated a great deal. But I also read his statement about Czechoslovakia, with both surprise and gratification. It seemed to me he was reverting back to the days of his service in Moscow.

Senator Dodd. Let me say it is my understanding as well. I was not being critical of him. My recollection is that Mr. Kennan has taken a very different position at different times. That is all.

COURAGE AND LEADERSHIP OF NOMINEE QUESTIONED

Dr. Dobriansky. My fourth point, and that was with regard to the assumption on courage and leadership. In connection with the present nominee and the Washington Post, and for the benefit, if you will, of our citizenry, I challenged the Post about a year ago when it came out with what I considered a thoroughly absurd editorial, one of which has been included for the record—concerning these areas in the Soviet Union—namely Idel-Ural Turkistan, White Ruthenia, and Cossakia. Let me state the challenge that was made. The letter was never printed in this case, but this was one of many suppressed letters—of July 17, 1967:

"I challenge you to arrange a discussion meeting in the Post auditorium which would bring you face to face with living victims of Soviet Russian imperial colonialism from the Idel-Ural, Turkistan, White Ruthenia and Cossakia. Let us see how courageous you are in meeting these people who you think are ghosts without a national background of independent struggle before the audience of the Post personnel, who in this setting would have the opportunity to gauge the level of their editor's understanding of this vital problem."

Now, these peoples that we referred to amount roughly to about 70 million in the Soviet Union. And surely a U.S. Ambassador to the U.N., especially when we keep in mind in the present context the prime enemy, namely the Russian base in the Soviet Union, would have a familiarity with them, and not present such garbage in the editorials of the Washington Post .

So in conclusion, gentlemen, as I see it, on the basis of these criteria, the nominee fails to measure up to any of these qualifications. The nomination, in my judgment, is an appalling one, and I think that the committee, before it decides, should look carefully at these editorials, to gauge them in terms of the assumptions that I have made. Because it brings up the so-called integrity of the individual, his knowledge, his capacity really to lead with courage, and this matter of objectivity, which I have not found in the course of these years.

And also, if I may—I notice the Chairman is not here—to have two chapters of this book, "The Vulnerable Russians" also made part of the record, in view of the fact that they pertain to the issue. One whole chapter deals with this entire Shevchenko event.

Senator Dodd. Unless Senator Mundt has any objection, they will be included.

(The material referred to appears in the committee files.)

Dr. Dobriansky. That concludes my testimony, sir.

POST EDITORIAL POLICY TOWARD U.S.S.R.

Senator Dodd. Have you made any study of the Post editorials on foreign policy over any protracted period to time?

Dr. Dobriansky. No; I have read them very carefully—in view of the fact that I have to be apprised as to the position taken, and especially to what extent they have editorialized the position of our Government, and the arguments set forth.

Senator Dodd. I just thought there might be something handy, if you had done that.

Dr. Dobriansky. Well, I may say this: No, I do not have it unfortunately. However, in the replies here to many of these editorials, many—and I understand quite well—an average American would say "Well, what is this fuss over a statue?" The point is that it did involve, and we knew it would involve, Moscow, Khrushchev, Washington. If anyone bothered to look into all the reports on it from Izvestia, in Pravda, and so on—in any sensible way—he would find that this was of great import and reflects—it cannot be in any way disassociated with this basic problem—namely, the need in our Government to concentrate and study the non-Russian nations within the U.S.S.R. I might say this—that the position taken by the Post editorials all these years has been one of just brushing these truths under the rug in order to achieve detente with Moscow.

POST EDITORIAL POLICY ON VIETNAM

Senator Mundt. Have you followed the editorial policies of the Post in connection with the current war in Vietnam? It has been my impression—you correct me if I am wrong—that the Post editorials have supported President Johnson and Secretary Rusk in what I think is a very proper determination to refuse to pull out of Vietnam and accept defeat. Am I wrong in my feeling that they have supported the administration in expressing support for a position which would not take our country out of there in disgrace and defeat and turn Vietnam over to the Communists?

Dr. Dobriansky. I would think you are quite correct, sir. They have taken that position.

Senator Mundt. That is my impression. As I said earlier, while I have disagreed very generally with the Washington Post editorial policies on domestic affairs, I have found greater areas of agreement in terms of foreign policy. I related that to the Vietnamese situation. I must confess to the fact that I do not read the Washington Post editorials every day, because as a Republican, I find it a most unhappy way to start the day—to read such persistent and pugnacious condemnation of virtually everything for which Republicans stand. So I might have missed something, and I did not want to put myself in the position of saying I generally supported the foreign policy position of the Washington Post. I have not read it meticulously. But it was my impression on the Vietnamese situation they had happily been on the right side of the issue, and it was to that that I related my earlier statement, as I stated to my distinguished friend, Senator Dodd.

Senator Dodd. That would put Mr. Wiggins in the same category as Mr. Kennan. Mr. Kennan now has changed his mind. Apparently Mr. Wiggins has not about Vietnam.

Senator Mundt. It could be.

Senator Dodd. If you are going to recommend Kennan, why don't you recommend Wiggins.

Senator Mundt. I have a feeling Mr. Kennan changed his mind from the detentism he had been applauding, back to his original concepts of the Communist aggressive moves, largely because of the rape of Chechoslovakia, which came as a surprise to Mr. Kennan, although it came as a fulfillment of prophecy so far as the Senator from South Dakota is concerned. I was not surprised; he was. And if his reformation remains consistent and permanent I shall be very happy, because George Kennan is an articulate spokesman for any cause that he espouses.

Senator Dodd. I think the same can be said for Mr. Wiggins. I take it he is a very effective spokesman for the causes in which he believes.

Senator Mundt. As a practicing Methodist, I believe in the doctrine of conversion. And I would hope that as it happened to Mr. Kennan, it may have happened to Mr. Wiggins.

Senator Dodd. That is just the point. I do not take any position on it. It interested me that Dr. Dobriansky thought Kennan would be a better choice. He has changed his mind. I take it that if the Post has changed some of its policy Mr. Wiggins must have changed his mind.

Senator Mundt. I must say that I would be happier if an advocate for the ambassador position had the foresight and the background and the consistency to be a target all the time. But those people are difficult to come by.

Senator Dodd. Well, Doctor, we will read your testimony, and review it.

Dr. Dobriansky. Thank you.

Senator Dodd. We thank you for taking the time to come here.

Dr. Dobriansky. Thank you, sir.

Senator Dodd. No other witnesses.

The meeting is adjourned.

(Whereupon, at 12:05 p.m. the committee was adjourned, to reconvene subject to the call of the Chair.)

Appendix

Material Submitted by Dr. Dobriansky

(From pamphlet entitled, "Shevchenko—A Monument to the Liberation, Freedom, and Independence of All Captive Nations" Remarks by Various Members of Congress in the House of Representatives Nov. 13, 14, 20, 21, Dec. 4, 6, 1963; and Jan. 9 and 13, 1964)

A RECORD OF CONSISTENCY

Mr. Speaker, I introduce the first editorial on "Poetic Injustice," which misses the whole point of the Shevchenko statue project by injecting Shakespeare. In the light of a later erroneous reference to anti-Semitism, it is interesting that the editorial overlooked Shakespeare's well-known character:

"[From the Washington Post, Sept. 23, 1963]

"POETIC INJUSTICE

"We yield to no one in our esteem for the Ukraine and that country's poet and hero, Taras Shevchenko. Yet, like most Americans, we have never read a line of Mr. Shevchenko's verse, in Ukrainian or otherwise, and like most Americans were unaware of his existence until ground was broken last Saturday for a plaza and 14-foot statue consecrated to a distant national idol who died in 1861. A choice site—the triangular plot bounded by 22d, 23d, and P Streets—will henceforth bear witness to Mr. Shevchenko's memory and to the potency of Ukrainian political pressure.

"Yet, without belittling Mr. Shevchenko, some murmur of wonder is in order from those of us who harbor an incorrigible prejudice in favor of poets closer to our own tradition. Next year will be the 400th anniversary of Shakespeare's birth. That the city has found precious space for the Ukraine's national poet and not yet found room for some comparable token to Shakespeare's genius is really remarkable."

Mr. Speaker, for a more balanced view I submit the article by the Post's staff reporter, Stephen S. Rosenfeld on "A Ukrainian Poet

Gets Statue Billing," September 29. The contradictions now appear even between the Post's own writers:

"A UKRAINIAN POET GETS STATUE BILLING

"(By Stephen S. Rosenfeld)

"Next Memorial Day, if 40,000 people assemble for a ceremony on a small triangular park at P, 22d, and 23d Streets NW., in Washington, no one who knows Lev E. Dobriansky will be surprised.

"An ordinary man—one who did not speak in the name of a small but solid ethnic minority—would never have believed that the U.S. Congress could be induced to authorize erection of a statue of Taras Hryhorovych Schevchenko, a Ukrainian and a poet at that.

"An ordinary man—one without a keen appetite for cold war—would not have imagined that a regional figure of the last century could be converted into the cutting edge of a propaganda campaign against the Soviet Union today.

"Lev E. Dobriansky of course is no ordinary man. He is a 44-year-old Georgetown economics professor, born in New York of Ukrainian parents, who has energetically pursued twin careers as a dispassionate scholar and a passionate anti-Communist devoted to the Ukraine.

"He is also the 14-year president of the Ukrainian Congress Committee of America (which includes perhaps 100,000 of the estimated 2 million Americans of Ukrainian descent), an adviser on nationalities to the Republican Party, and an expert in ethnic leverage on American politics.

"Add to this a persuasive intelligence and a winning manner and you have the principal reason why, next May, a 14-foot, quarter-million-dollar bronze statue of Taras Shevchenko will be unveiled at a choice Washington location.

"Shevchenko was identified as the Ukraine's 'poet laureate and national hero' in a glowing tribute printed as a House document in 1960.

"This description does him no injustice. He is not just the most—perhaps the only—distinguished poet in more than a millenium of Ukrainian history; he is a most distinguished Ukrainian.

"For his poetry, Ukrainians both under and beyond Soviet rule adore him. Two non-Ukrainian Washingtonians familiar with his work speak of him as 'Pushkin and more,' 'ah, a Shakespeare.' Few others know him and there is only one incomplete American edition of his poems, published privately in 1945.

"Born a serf in 1814, Shevchenko had his freedom purchased by his artist patrons in St. Petersburg at age 24. Nine years later, for his part in a society of radicals and Ukrainian patriots in Kiev, he was sentenced to 10 years of imprisonment and exile. He died, under police supervision, 4 years after that in 1861.

"He belonged to the fermenting, freedom-minded Russian intelligentsia of the mid-19th century and he was an ardent Ukrainian patriot. These elements, expressed both in his life and his poetry, caught fire and made him a regional celebrity in literate circles of his time.

"The Ukraine was then controlled by Czarist Russia, it has known only fleeting intervals of independence from either Russia or Poland in its long history. Shevchenko sang of the exploits of Ukrainians and Cossacks against both of these nations. He also spoke for the oppressed serfs.

"His poetry reflected, too, popular feelings about Jews, who had been persecuted in the Ukraine for several centuries—partially because of their enforced economic role as middlemen and their questioned loyalty to the Ukraine.

"In his poems, he sometimes referred to Jews in the vernacular ('pig,' 'miser') and his epic 'Haydamaki' glorified the Ukrainian band which murdered thousands of Jews—and Poles.

"In person, Shevchenko once signed a petition against anti-Semitism, a brave act for the time. This episode, related in the House document about the poet in order to blunt possible criticism, helped reassure those Congressmen who had qualms on this score.

"Shevchenko's various themes and his enduring stature in the Ukraine have since led to a vigorous contest for his spiritual kinship between Ukrainians abroad and Soviets at home.

"The Soviets encouraged and then crushed a Ukrainian independence movement after the Russian Revolution of 1917. The Ukraine is now a constituent republic of the Soviet Union.

"Moscow treats Shevchenko as a latent Bolshevik who strained for brotherhood with the Russian people while opposing the oppressions of Czarism.

"Ukrainians in the Dobriansky camp see Shevchenko as a fighter for human freedom and Ukrainian nationhood, with a built-in anti-Soviet passion.

"Anticipating Moscow's celebration of the centenary of the poet's death in 1961, he determined to head it off. In 1959 various Congressmen began to learn of their constituents' interest in a statue for Shevchenko.

"Dobriansky was already well known on Capitol Hill for pushing through the Captive Nations resolution of 1959—he considers the Ukraine 'the largest non-Russian nation behind the Iron Curtain.' He now became a virtual fixture.

"There developed not only an awe for Dobriansky's devotion but a sympathy for the anti-Communist aims of the statue project. Even the skeptics thought it harmless and no one wished to be against it. As Dobriansky said in an interview, the goal was not just to venerate the poet but to 'educate' Americans about communism and to use Shevchenko as a 'psychopolitical cold-war weapon.'

"Senator Jacob K. Javits and his fellow New York Republican, Senator Kenneth B. Keating, found themselves sponsors of a 1959 Senate resolution for the statue. A more florid House resolution, written by Dobriansky, was offered by then Representative Alvin Bentley, Republican, of Michigan, in 1960.

"The Senate's resolution was tabled after the Interior Department protested that there were too many statue claimants and too few policy guidelines for selection.

"But Dobriansky, who gives much credit to Representative Paul C. Jones, Democrat, of Missouri, saw the House resolution past Interior's shoals.

"In June 1960, a resolution proudly submitted by Representative John Lesinski, Democrat, of Michigan, authorized the House's printing of the 45-page 'biographical documentary of the life and character of Taras Shevchenko.' Dobriansky wrote the foreword.

"His monumental efforts were crowned with success on September 13, 1960, when President Eisenhower signed the House resolution into law. It authorized erection of a Shevchenko statue 'on public grounds in the District of Columbia * * * without expense to the United States.'

"Details remained: collection of about $250,000 for the statue: approval of Leo Mol's design by the Fine Arts Commission, and selection of the site by the National Capital Planning Commission. The NCPC balked a bit and again Dobriansky had to patiently minister to doubts.

"Last July, Associated Public Relations Counselors of 1028 Connecticut Avenue NW., began to put out publicity for the ground breaking.

"The publicity made much of a poem in which Shevchenko had asked for a Ukrainian George Washington 'to promulgate his new and righteous law.' This particular passage was embellished by at least four of the speakers at the ground breaking last Saturday.

"The Congressmen honored at that occasion included all those so far named, plus Senators Hugh Scott, Republican, of Pennsylvania and Thomas J. Dodd, Democrat of Connecticut, and Representatives Michael A. Feighan, Democrat, of Ohio, Ray J. Madden, Democrat, of Indiana, and Thaddeus J. Dulski, Democrat of New York.

"At Dobriansky's request, Dulski has submitted a House resolution to honor Shevchenko with a champion of liberty stamp next year when the statue is unveiled.

"Dobriansky reports that the 2,000 people at the ground breaking made up the largest such crowd in the 40-odd years of Washington history recorded by the Board of Trade.

"And that is why those who know Lev Dobriansky do not doubt that the multitude he envisages for the unveiling will be there."

Following this, we now read the first controversial editorial titled "The Shevchenko Affair," October 18. By the Post's own admission, a heavy volume of mail criticizing this editorial for its tone and errors has been received. Up to this time few have been published and at that I understand with careful deletions. Along with the editorial I submit in full text the letter written by Dr. Lev E. Dobriansky of Georgetown University, from which references to House Document No. 445 and Dr. Frederick Brown Harris' article on Shevchenko were deleted, and also an unpublished letter by former Congressman Charles J. Kersten:

"[From the Washington (D.C.) Post, Oct. 18, 1963]

"THE SHEVCHENKO AFFAIR

"The Shevchenko statue should never have been approved by Congress. There is no legitimate reason why a 19th century Ukrainian poet, a cipher to the vast majority of Americans and an object of intense manipulation by the few who know him, should be honored with a statue at an enviable location in the Nation's Capital. Ground has been broken for the statue but it is still not too late to call the whole affair off.

"There are two reasons why the project has gone this far and neither is good. The first is the efforts of a tiny group of Americans of Ukrainian birth or background who managed to convert an errant private passion into a public cause. The second is the misguided and careless reception given the statue proposal by Congress, which allowed itself to be swept along in order to please some insistent constituents.

"The Ukrainian-American sponsors conceive of the statue as a blunt weapon in a fierce cold-war propaganda campaign against the Soviet Union. They are using it to advance their own peculiar notion of how to fight communism and their own implausible goal of Ukrainian nationhood.

"Many people feel that Shevchenko was a fine poet, but his artistry is of no moment to the statue sponsors. If it were, the statue would still be objectionable, simply because as a poet Shevchenko has no universal significance for Americans. He is the pet of a small minority, whatever his poetic merit.

"It has not been possible to assess the rivalries and suspicions which have foamed up around the edges of this project. It is perhaps enough to say that both in the writings of the poet and in the efforts to exploit him there are elements which are offensive in various ways to Americans of Russian, German, Polish, Catholic, Jewish, Orthodox, and even Ukrainian background. A statue of Shevchenko would be a monument to disunity and recrimination among Americans.

"The Congressmen who were persuaded to support the Shevchenko statue—Senators Javits and Keating, Representatives Lesinski, Paul Jones and others—should at once act to reverse their earlier error."

"LETTER TO THE EDITOR OF THE WASHINGTON POST, OCTOBER 19, 1963

"I trust you will afford me the same opportunity of replying to your October 18 edition on "The Shevchenko Affair" as you did in July 1959, concerning an editorial on the Captive Nations Week resolution. Your opposition then was based on a medley of factual inaccuracies; bearing the same trait, your present opposition to the Shevchenko statute sounds almost desperately vindictive and, to say the least, unbecoming to an organ of your reputation.

"Two questions immediately arise after reading this misleading piece. One, why this editorial at this time? Second, how expert have your writers become on this project in the span of 3 weeks? The factual answers to these questions are sufficient to indicate the degree of editorial irresponsibility reflected in this self-indicting performance.

"It is very easy to pontificate and hide behind juggled words after a given event. But where were your sheltered writers these past 3 years while the subject was widely reported and discussed in this country and in Soviet Union; The New York Herald Tribune, the Evening Star, the Chicago Tribune and many other papers satisfactorily covered the subject in 1960; and, as in the case of the Captive Nations Week resolution, for a period of 7 months the organs of Moscow and puppet Kiev registered a malicious opposition similar to yours now. In fact, it appears that your own writers don't bother to read the Post itself. Reports on the project and the open congressional hearing were published on April 2 and September 14, 1960; March 7, 1961, October 18 and 26, 1962. Where were your interest and comments then? If the element of dictated pressure has characterized anything, it certainly has this contradictory editorial.

"As to the second question, it is actually amusing to compare this editorial with the one on 'Poetic Injustice' that appeared in your September 23 issue. In the latter, the 3-week experts start out in this vein:

" 'We yield to no one in our esteem for the Ukraine and that country's poet and hero, Taras Shevchenko.' They even admit that 'we have never read a line of Mr. Shevchenko's verse * * *.' Three weeks later the reader is fed the supposedly studied and quite absurd conclusion that a "statue of Shevchenko would be a monument to disunity and recrimination among Americans.' Earlier, Shevchenko was a 'country's poet and hero', now, he is 'the pet of a small minority.' With such capricious thinking, one can well imagine the abusive interpretations they've formed by references to his poetry out of historical context. Shevchenko scholars in the United States and Canada have devoted lifetimes to the historic works of this immortal freedom fighter; your writers, with brazen self-contradiction, have rendered their expert judgment—all distilled in 3 weeks.

"If there is anything offensive in various ways to the intelligence of our American people and to their unity against the Soviet Russian threat, it is this brand of irresponsible editorializing. Your fictitious points on some errant private passion of certain Americans, the misguided and careless reception by Congress, and other specimens of groundless rhetoric not only violate available facts but have been openly exploded while your editorial writer slept these past 3 years. Solid reasons for the statue are clearly set forth and explained in House Document No. 445, which was circulated throughout the country and inspired worthy contributions for the statue from Americans of all backgrounds. What did you do with your copy 2 years ago?

"On how to fight communism, the record of your notions is scarcely an enviable one. Taking just the two issues mentioned here, it is most revealing how, in fact, your protests have coincided with Moscow's. The reasons, of course, are different. Moscow is fearful of any outside support given to the powerful force of nationalism among its captive non-Russian nations in the U.S.S.R.; you've been too blind to understand this.

"Thank God we have countless Americans who do. As just one among numerous examples, you might profit from reading Dr. Frederick Brown Harris' recent column in the October 13 Sunday Star, wherein he states: 'For the years to come this statue will be an altar of intercession for the emancipation of all captive nations. This statue will publish the fact that America is well aware that the U.S.S.R. is not a nation, but a colonial empire claiming sovereignty over non-Russians numbering more millions than there are Russians.' The statue is obviously not for those who would appease Moscow by burying or distorting truths which are essential to our own national interest. In its wisdom Congress has recognized this; let us hope that in time and beyond consistent error you will, too.

"LEV E. DOBRIANSKY."

"[From the Washington (D.C.) Post, Nov. 1, 1963]

"MONUMENT TO IGNORANCE

"Objections of this newspaper to the proposed memorial to the Ukrainian poet, Shevchenko, have inspired a great many letters. The writers of these letters seem to have overlooked the real occasion for our opposition to the statue of Taras Shevchenko.

"It is not just that Shevchenko said many anti-Semitic things that are an affront to the Jewish community of this country—in this he was a product of his time and shared the antipathies of his class and his region. Moreover, he did oppose Jewish persecution on one occasion. It is not just that the poet is the idol of Communist Party members who have caused the Soviet Union to flower with libraries, collective farms, plants, villages, and memorials to his name. It is not just that his very name is, by reason of his flaming nationalism, an affront to members of the Polish minority, which also is a very large one in this country.

"These reasons, to be sure, make one wonder why gullible Senators and Representatives should have approved such a memorial, when all of the offended minorities are among their constituents. The larger reason, however, is simply that Shevchenko is neither a universal poet nor a national poet of this country entitled to recognition in the United States. It is inconceivable that a statue would be dedicated to him in Tel-Aviv or in Warsaw, for example. The only tenuous connection he has with American nationalism consists of a single overworked quotation voicing the wish that the Ukraine had a George Washington.

"As a practical matter, during this period of thaw, a memorial to a favorite poet of the Communist world may be in the spirit of the times. If Khrushchev should visit us again, he could lay a wreath on this memorial. But the climate may change and it seems premature to consider a permanent memorial to detente.

"Let us make it clear that we are not asking that any of the memorials to Shevchenko in the Soviet Union be torn down, or that his memory in any way be defiled. It just seems to us very doubtful wisdom to place in the midst of a city that knew him not, a memorial to a poet who knew nothing of this land and who spoke neither to its past nor its present generations. The Congress ought to reverse a decision that can be explained only on the grounds of ignorance."

"NOVEMBER 4, 1963.

"To the EDITOR OF THE WASHINGTON POST:

"Regarding the forthcoming erection of the Shevchenko statue, it is obvious from the evidence at hand that a distinction must be drawn between the neurotic output of the editor—meaning Mr. Wiggins—and that produced by other writers of the Washington Post. The contrast is one of night and day, between fumbling falsities and approximate accuracy, between a base motivation and an attempt at honest objectivity.

"Your November 1 editorial is genuinely a 'Monument to Ignorance.' In fact, all three editorials on the subject so far constitute a literary monument to ignorance. From an educational viewpoint, this series of monumental ignorance well justifies additional constructive projects in honor of Shevchenko on the 150th anniversary of his birth next year. The editorials will serve as prime evidence for the need of such educational endeavors.

"Despite your calculated deletions of my October 19 letter, there was no oversight of the real occasion for your opposition to the statue. In your demonstrated ignorance you well described the occasion by the one consistent strand that infuses some intelligibility to the three editorials; namely, imagined 'Ukrainian political pressure' and your ludicrous attempt to counter it by inciting a hoped-for Jewish and Polish antagonism against the state project. Russian despots have long used this technique, but one would never have dreamed that an editor of a reputable American newspaper would sink to this level.

As a 4-week expert on Shevchenko you're really going from bad to worse. Like Shakespeare, Dickens, and numerous other expressionists, Shevchenko put into verse and prose what he sensed among the people at the time. Only a small measure of historical perspective, not to say honest intellectuality, is needed to understand this. Your brazen attempt now to associate the poet with whatever prejudices prevailed then among segments of the Ukrainian nation is not only morally despicable but also plainly insulting to the intelligence and stature of Americans of Polish and Jewish backgrounds. For your education you had better bone up on free world developments in close Polish-Ukrainian and Jewish-Ukrainian relations against despotic Russian domination and suppression. We Americans strongly support these relations and, contrary to your fables, Shevchenko by his own convictions did, too.

"In your editorial of ignorance the height of garbled nonsense is reached when in the same paragraph, Shevchenko is painted as 'the idol of Communist Party members' and also a flaming nationalist whose patriotic trait is supposed to be offensive to a 'Polish minority' here. Again, for the beginning of your education on this, you might start with the report in the Washington Post issue of March 7, 1961, captioned 'Reds Decry Ukrainian's Statue Here.'

"My previous letter pointed out the puerile contradictions between your first two editorials. Now your 'Monument to Ignorance' contradicts 'The Shevchenko Affair.' In the latter, you stressed the 'peculiar notion' of conceiving the statue as a blunt weapon in a fierce cold war propaganda campaign against the Soviet Union.' Now the reader is told the memorial conduces to a detente with Moscow, and Khrushchev 'could lay a wreath' on it. Surely a greater respect could be shown toward your editorial readers. The joke circulating about town today is 'What's the Post's latest view on Shevchenko?'

"For one who only 4 weeks ago 'never read a line of Mr. Shevchenko's verse' and, in this time, doubtless hasn't perused the dozen and more volumes of his works, you display an intellectual arrogance beyond cultured expression in your crude brushoff of Shevchenko as a universal poet or as not being uniquely related to our great American tradition. Once again, for the commencement of your education you might look into Clarence Manning's introductory work 'Taras Shevchenko' and, after considerably more reading, perhaps in time you will come to understand Shevchenko's stature not only as a universal poet but also as a powerful East European spirit of freedom who was inspired in many ways by our own tradition. If you knew something about the harsh suppressions in the Russian Empire in mid-19th century, you wouldn't denigrate the poet's call for a Washington.

"Clearly, among its many other purposes, the Shevchenko statue in the capital of both our Nation and the free world will serve as a beacon of enlightment for the ignorant and uncultured among us. In the current struggle we could ill afford their presence, particularly where a public medium is abused to vent the ignorance of a supposed opinionmaker.

"Our request for the names of the 'scholars' who regard the poet as 'minor' and the 'grumbling' local planning officials, allegedly quoted in the Post's belated October 25 article, has not yet been satisfied. Again, let's not hide behind irresponsible words and opinions. Indeed, out of respect for our many informed legislators and officials supporting this project, are you liberal enough to open up your medium for an article by one of the Shevchenko scholars in our country?

"LEV E. DOBRIANSKY."

"[From the Washington (D.C.) Post, Mar. 7, 1961]

"REDS DECRY UKRAINIAN'S STATUE HERE

"The Soviet press has jumped with both feet into the campaign to limit the monumental statuary of Washington.

"Translations of Moscow and Kiev publications received here show that they have devoted major articles to oppose plans of the Ukrainian Congress Committee of America to erect a monument to Taras Shevchenko, Ukrainian poet and national hero.

"A principal target is Lev E. Dobriansky, professor of Soviet economy at Georgetown University, who was described in one article as being one of the 'political intriguers and criminal renegades' backing the statue.

"Dobriansky was one of the main backers of legislation last year authorizing the monument. He predicted at the time that the Russians would try to 'claim the historic figure as one of theirs' and said that the poet actually belongs to the Western tradition of freedom.

"The Moscow publication, Soviet Culture, contended that Shevchenko would not be popular in the United States, because in one of his writings he 'favorably mentioned George Washington, who is not now at all popular in the well-known [House] Committee on Un-American Activities.'"

Mr. Speaker, after reading of this controversy it is necessary for us to view this vitally important project with candor, balance, and perspective. Two among many presentations excellently provide the necessary view. I refer to Robert J. Lewis' article on "The Status of a Statue" which appears in the November 10 issue of the Sunday Star and the address on "Human Destiny" delivered by the Honorable MICHAEL A. FEIGHAN on the day of the Shevchenko groundbreaking ceremonics, September 21. I include both the article and address at this point:

"[From the Washington (D.C.) Star, Nov. 10, 1963]

"THE STATUS OF A STATUE

"(By Robert J. Lewis)

"On March 25, 1961, President Kennedy sent a telegraphic message to the Shevchenko Scientific Society in New York, as follows:

"'I am pleased to add my voice to those honoring the great Ukrainian poet, Taras Shevchenko.

"'We honor him for his rich contribution to the culture not only of the Ukraine, which he loved so well and described so eloquently, but of the world.

"'His work is a noble part of our historical heritage.'

"The object of this presidential praise was a Ukrainian nationalist hero who was born a serf on February 25, 1814, and who died 47 years later, on February 26, 1861, as a much-respected poet and symbol of Ukrainian patriotism and aspirations for freedom from Russian domination.

"The Shevchenko symbolism has continued to inspire the Ukrainian people down to the present day.

"His name also has become a weapon in the cold war on both sides of the Iron Curtain. Both the Soviet Union and nationalist Ukrainians claim him as their own because his life and work were so valuable in their symbolism and so exemplary in their dedication to freedom.

"It is for a statue of this man that Congress authorized the use of public grounds in Washington, in a resolution passed by both Houses and approved September 13, 1960, by President Eisenhower.

"The obvious and proper objective of honoring this man as a symbol of the hope for freedom was to demonstrate, once again, to the world and to the Ukrainian people, that the cause of liberty is one which this country can always be depended on to champion.

"In the congressional resolution approved 3 years ago, the Secretary of the Interior was authorized and directed to select an appropriate site upon which to erect the Shevchenko statue.

"Acting in accordance with these directions, Secretary Udall had his representatives go before the National Capital Planning Commission on October 25, 1962, with site recommendations.

"At that session, the Planning Commission voted to defer action, but on December 6, it approved a small triangular site at 22d, 23d and P Streets NW, as the spot for the statue.

"On April 4 of this year, the Planning Commission approved the site plan and design for the small landscaped park and Shevchenko statue. The Fine Arts Commission likewise approved the program.

"On September 22, 1963, the 14,000-square-foot plot was dedicated to the memory of Taras Shevchenko—102 years after his death. More than 2,000 persons attended the ceremonies.

"Last week—to complete the record—a motion was made in the National Capital Planning Commission that approval of the site be rescinded so that a statue cannot be erected to Taras Shevchenko.

"Whatever the merits of the reasons for this action—which failed but which may bob up again—the effect would be negation of the will of Congress by an agency which does not have the right to do so.

"Withdrawing a site at this late date also could constitute an affront to many Ukrainian-Americans and others who have raised nearly $250,000 to pay for this memorial.

"Frustrating this effort also could well have cold-war consequences, since killing the memorial doubtless would be seized on by Soviet propagandists as evidence the U.S. Congress was not sincere in its desire to honor a freedom-loving Ukrainian.

"A sense of perspective and understanding would seem to dictate the proper course. If such a course is followed, Washington will be graced by a memorial to a significant figure in the continuing battle for liberty. It will also have cause to rejoice that human brotherhood and understanding once again have affirmed the cause of freedom."

SHEVCHENKO AGAIN

Mr. Speaker, the various editorials of the Washington Post on this subject appeared in the November CONGRESSIONAL RECORD, along with apt replies, some of which were not published by the paper. As an ardent believer in open and responsible discussion, I should like to add to that list another editorial in the November 12 issue of the Washington Post, titled "Shevchenko Again," along with a reply to that editorial written by Dr. Lev. E. Dobriansky, of Georgetown University:

"SHEVCHENKO AGAIN

"Walter C. Louchheim, Jr., has very rightly asked his colleagues on the National Capital Planning Commission to review that body's approval of a site for the Shevchenko memorial. The Commission clearly was not well informed about the memorial and it ought to reexamine its decision.

"Congress, the Planning Commission, and the Interior Department have been misled by one of the most artful and arrogant lobbies ever operated by a minority group. This lobby has maneuvered the Government into the ridiculous position of approving a memorial to a 19th-century Ukrainian poet, known to few Americans, one who has little or no connection with this country's past, with a reputation for intense Ukranian nationalism curiously mixed with various other ethnic passions. The real irony of the matter, of course, is that Shevchenko is a hero in the Soviet Union where his name is memorialized in literally hundreds of place names. His monuments there are annually the object of Communist adulation. The advocates of an American memorial to him labor under the strange notion that by putting up a statue to him in Washington they will somehow kidnap a Communist hero and make him into their own hero.

"This dispute over the soul of a Ukranian poet is a quarrel within the ranks of Ukrainian nationalists in which Americans in general and Washingtonians in particular have no proper interest. Even Americans of Ukrainian descent do not share universally in the enthusiasms of the clique which has agitated for the Shevchenko memorial.

"All the public agencies that had anything to do with this proposal ought to reexamine their decisions. The Ukrainian group that has raised money for the memorial might more appropriately honor some Ukrainian-American whose genius reflects the success of their countrymen in embracing the cause of this country and in leaving the quarrels of their ancestral homeland where they originated."

"NOVEMBER 16, 1963.

"LETTER TO THE EDITOR OF THE WASHINGTON POST

"Your November 12 editorial on 'Shevchenko Again' reads like a neurotic summary of your three previous editorials. It appears that you have exhausted your supply of fantastic opinions, though your motivation of ignorant intolerance still runs high.

"Mr. Louchheim expressed his fantastic opinions long before you did. A year ago he exceeded the technical jurisdiction of the National Capital P'anning Commission to register his unfounded notions about Shevchenko. He, too, labored under the illusion that Moscow would relish a Shevchenko statute here, but, like you, he was way out of his depth in the face of concrete evidence and fact. I strongly advise you to read a piece of honest journalism, Robert J. Lewis' November 10 article on 'The Status of a Statute' in the Sunday Star, in which he rightly states that 'Washington would be graced by a memorial to a significant figure in the continuing battle for liberty.'

"Again, it's a pity that your 6-week expertness on this vital subject hasn't even begun to scratch the surface of available facts. Mr. Wiggins, truly one shudders to think of the assumed factual bases of your other editorials that are supposed to guide your readers on a variety of important issues. I assure you that responsible officials in all three of the mentioned governmental bodies were properly informed about Shevchenko and have a far greater understanding of this project than you can hardly acquire in another 6 weeks. They at least bothered to read House Document No. 445. Really, for a man who by his own admission 'never read a line of Mr. Shevchenko's verse' (September 23 editorial 'Poetic Injustice') you're alone at the summit of editorial irresponsibility in accusing our legislators of being 'gullible' and others of 'being misled.'

"Again, it is also a pity that in the darkness of both your arrogant ignorance and intolerance you cannot possibly see eye-to-eye with our President on the universal significance of this poet and courageous freedom fighter. It is pitiful, to that your abusive anti-Semitic charges—much like those fabricated in Moscow—have blinded you to the fact that Albert Einstein, one among the many other outstanding Jewish scholars, was a member to the day of his death in the Shevchenko Scientific Society which perpetuates both the name and works of the universal poet. Indeed, the brazenness of your charges is an affront to all intelligent Jews, both here and abroad.

"Again, you're in the realm of self-satisfying fantasy when you write about some 'lobby,' 'a minority group,' Shevchenko as 'a Communist hero,' some 'quarrel within the ranks of Ukrainian nationalists,' and some 'Ukrainian group' raising the money for the memorial. It is both interesting and amusing to witness the lengths you have gone to in your groping for argumentative points to justify your basic intolerant motivations. Strangely enough, some of these imagined points have been used consistently by Moscow and its puppets in their opposition to the statue here. Have you been reading the right sources? Again, where have you been these past 3 years when all of this was openly discussed?

"For the public record, prove that this lobby exists. Are you suggesting that citizens have no right to exercise their power of ideas because some intolerant and unknowledgeable editor might not find these ideas in accord with his burning bias? As to 'a minority group,' in the name of simple logic, pray, do tell us what private American organization is a majority group? The editor of the Washington Post, perhaps? Where basic and tolerant American ideas are expressed, their exponents are of the majority. Simply in point of readable fact, the substance of your editorial fiction have found ready expression in the Soviet Union these past 3 years.

"Once again, the patent nonsense of Shevchenko being 'a Communist hero' can be easily dispensed with. Aside from the published distortions of Shevchenko by Moscow and its puppets, you might advance your cold war education by beginning to ponder over the many good things the Soviet Russian totalitarians have abused and exploited to further their own ends; such as democratic forms, past treaties, the U.N., etc. Or haven't you heard about political Russian cunning and treachery? How nonsensical this characterization is, one needn't go beyond your own editorials. This one contradicts your first two and is even contradictory in itself. In the same paragraph Shevchenko is painted as 'a Communist hero' and one 'with a reputation for intense Ukrainian nationalism.' And so a circle is squared. Haven't you heard about the crime of bourgeoise nationalism in the U.S.S.R.? Again, your intellectual gap will take some time to overcome, not just 6 weeks.

"Your comments about some quarrel among Ukrainian nationalists and some money-raising Ukrainian group are really reflective of self-inflicted hallucinations. We Americans, who for your information were also born here, would appreciate knowing about this alleged quarrel and the specific identity of these 'nationalists.' Again, you've fabricated your statements, support them with concrete fact. The people supporting this statue in the cause of our own national interests are as American—if not more so, judging by your intolerant and mendacious editorials—as you are. This smear technique is a Russian specialty, not American; and you can't get away with it.

"As to what we should do with our money, your advice is scarcely needed; nor do we heed the insularities of a few 'Americans of Ukrainian descent.' Many objectives of educational and scholarly import will be served by our accumulating funds—in itself a solid measure of the generally enthusiastic response to the statue project. The statue will, of course, be your monument of sorely needed enlightenment. In the meantime, as a self-acclaimed American, have you the integrity of substantiating factually the opinions expressed in your contradictory editorials and the honesty of revealing publicly the names of the 'scholars' who regard Shevchenko as 'a minor poet' and 'the local planning officials' who are grumbling about the statue? My sense of fairness and justice compels me to underscore again the request made in my previous letters, along with the challenge of permitting an American Shevchenko scholar to write an article in your paper and also your publishing the scores of letters I am informed you have been receiving in protest to your editorials. Or, again, is your protracted silence in these respects 'American?'

"LEV E. DOBRIANSKY."

"[From the Washington (D.C.) Post, Dec. 29, 1963]

"COMMUNISTS LOVE SHEVCHENKO

"Warm support for a Shevchenko statue in Washington has come from the quarter which the American sponsors of the statue intended as its political target.

"This man-bites-dog turn, giving Communist and Soviet backing to what was conceived as an anti-Communist and anti-Soviet project, was accomplished by the chief of the Soviet Ukraine's mission to the United Nations.

"This official, L. Y. Kizya, said that he favors a statue here of the 19th century Ukrainian poet. It is to be erected on the triangle of land at P Street, between 22d and 23d Streets NW.

"But, said Kizya, he protests the efforts of the American sponsors of the statue to use it 'to fan up animosity toward the Soviet Ukraine, and all the more to aggravate the cold war.'

"Kizya fueled a growing controversy, Congress approved the statue, private funds are to pay for it and dedication is scheduled next spring.

"But because of the poet's questionable significance and the statue sponsors' tactics in gaining congressional sanction, the National Capital Planning Commission is about to review its earlier approval of the project.

"Kizya's comments were made in a statement sent to the Washington Post 4 weeks after this newspaper solicited his views.

"He showed a reverence for Shevchenko equal to that displayed by the poet's American admirers. Terming him a 'great son of the Ukraine, an uncompromising fighter against slavery and injustice, against social and national oppression,' Kizya said Shevchenko 'deserves to have his statue decorating one of the squares of the U.S. Capital.'

"But where Ukrainian-American sponsors see Shevchenko as the focus of an anti-Russian and anti-Communist campaign for Ukrainian nationhood, Kizya portrayed him as a man with deep ties to the Russians and revolutionaries of his day and as a man now widely respected by all Soviet nationalities, not just by Soviet Ukrainians.

"The contrasts are typical of the tug of war for Shevchenko's mantle between the Soviets and some Americans of Ukrainian descent.

"Kizya said that the 150th anniversary of Shevchenko's birth next year will be marked in the Soviet Union by nationwide festivities,' including erection of a monument in Moscow. The Washington statue of Shevchenko is due to be erected at the same time and for the same purpose.

" 'Nowadays in the age of radio, movies, and television (Shevchenko) can play an important role in the enrichment of the culture of the American people,' said Kizya. He noted that Mark Twain is revered in the Soviet Union.

"Kizya is the top official of the Soviet Ukraine in the United States, which considers the Ukraine as being 1 of 15 constituent republics of the Soviet Union, not a sovereign state. The Ukraine and another Soviet Republic, Byelorussia, have U.N. General Assembly seats through a proviso that Stalin demanded and received at Yalta in 1945."

"[From the Washington (D.C.) Post, Dec. 5, 1963]

"NEW JERSEY TOWN KILLS PROPOSAL FOR SHEVCHENKO STREET

"Washington no longer has company in its misery over Taras Shevchenko.

"In New Jersey's Hamilton Township, civic uproar greeted a proposal several weeks ago to change the name of one of the small Trenton suburb's streets to Shevchenko Boulevard, in honor of the 19th-century Ukrainian poet. This week, the suggestion was killed.

"In Washington, controversy has developed over a plan to erect a statue of the poet on a small park at 22d and P Streets NW.

"The New Jersey proposal was offered by a township committeeman on behalf of some Ukrainian-Americans who see the poet's nationalistic verses as being anti-Soviet.

"But reaction came immediately from residents along Deutz Avenue, the street to be rechristened. Angrily, they paraded in protest, scuffled with police and bombarded the township officials with petitions.

"Wednesday night the committee backed off quickly from the explosive issue. 'It is clearly evident the committee has made a mistake,' declared Mayor George R. Holland, whereupon the five voted unanimously to drop the subject.

"In Washington, no easy way out is in sight. The statue was authorized by Congress, has cleared all necessary reviewing agencies and is scheduled to be put in place next May.

"The problem here is that the Kremlin also views the poet as a hero and has given his name to at least 1,620 public facilities in the Soviet Union. The Russians interpret his revolutionary writings as anticzarist.

The editorial "Is This the Voice of 'The Washington Post?' " which appeared in the authoritative periodical the Ukrainian Bulletin.

"[From the Washington Post, Jan. 7, 1964]

"RED EMBASSY JOINS ROW ON SHEVCHENKO

"The Soviet Embassy entered the Shevchenko controversy yesterday by releasing a letter endorsing the proposed statue of the Ukrainian poet in Washington.

"In the five-page letter, signed by 36 Soviet Ukrainians and forwarded to the Embassy by an official Soviet press agency, the signers offered to take part in the statue unveiling scheduled for next spring. The site is the triangle formed by P, 22d and 23d Streets NW.

"The signers, described by the Embassy as 'prominent Ukrainian public figures,' also volunteered to 'send to the American continent some sacred soil from the Chernechy hill where Taras (Shevchenko) sleeps the eternal sleep.'

"They applauded the poet, as do Americans of Ukrainian descent, but added: 'We are resolutely against the malicious attempts of the enemies of the Soviet Union to use the poet's works against our country, against the cause of all humanity—the struggle for peace.'

"This was a reference to the anti-Soviet aims of some American sponsors of the Shevchenko statue. Because of these sponsors' tactics in gaining congressional approval for the statue, and because of the poet's questionable stature and significance, the project has become a matter of dispute.

"The National Capital Planning Commission has been asked to review its approval of the statue at its February meeting."

"SHEVCHENKO SCIENTIFIC SOCIETY, INC.,
"New York, N.Y., January 3, 1964.

"To the EDITOR, WASHINGTON POST,
"Washington, D.C.

"**DEAR SIR**: The following is written as a supplement to my first letter to you of November 25, 1963. It is written in the spirit and hope of bringing informed and intelligent understanding to the debate regarding the proposed Washington monument to Taras Shevchenko. It is written, too, with the knowledge that editorial writers are sometimes prone to oversimplify problems that are extremely complex both in historical context and contemporary meaning. The great failure of such editorial writers is that they neglect to take the time to make the type of informed and intelligent analysis required of such multifactor problems and events.

"In the interests of bringing complete truth to the formation of intelligent public opinion on this and other vital questions, I feel sure that the Washington Post is among those important American newspapers who are responsibly dedicated to the people's right to know. It is in this sense that I feel assured that you will in fairness print this letter. My comments here and in my first letter are specifically directed against basic statements of misinformation and distortion contained in your editorials of October 18 and 25 and November 1 and 12 as well as your most recent news story of November 29, 1963.

"I have waited patiently—but disappointedly—for the publication of my first letter, the complete text of which has already been published in the Congressional Record. This second letter, however, like its predecessor, is based on the weeks of careful research needed to compile an intelligent reply born of facts rather than emotion."

(For remainder of letter, see committee files.)

(From pamphlet entitled, "Captive Nations Week, From Hungary, to Poland, Ukraine, Turkestan, Mainland China, North Vietnam to Cuba and 20 Other Captive Nations"—Speeches of Hon. Daniel J. Flood of Pennsylvania and Hon. Edward J. Derwinski of Illinois et al. in the House of Representatives and in the Senate of the United States.)

"[From the Washington (D.C.) Post, July 8, 1966]

"UP WITH IDEL-URAL

"Knowing well that the best way to fight communism is to blow hard on it, the Congress in 1959 'authorized and requested' the President to designate the third week in July as Captive Nations Week. Ever solicitous of the Executive's geographical shortcomings, the Congress identified the nations thereby to be blessed. Its list included not only such ancient and recognized lands as White Ruthenia and Turkestan but historic Cossackia and storied Idel-Ural too.

"The President has unaccountably delayed in issuing the prescribed annual 'Captive Nations Proclamation.' In recent years he has even failed to name the nations for whose benefit he was issuing the proclamation. We trust, nonetheless, that Congress' fervor for the freedom and independence of Cossackia and Idel-Ural will receive its due."

"A REPLY BY DR. LEV E. DOBRIANSKY OF GEORGETOWN UNIVERSITY AND CHAIRMAN OF THE NATIONAL CAPTIVE NATIONS COMMITTEE TO THE WASHINGTON POST'S JULY 8 EDITORIAL 'UP WITH IDEL-URAL'

"The editorial is not without some measure of intellectual humor, mixed with obvious ingredients of sarcasm. When a number of people asked for my reaction to it, I simply replied that 'The editors of this organ should continue writing about Idel-Ural, Cossackia and other integral parts of the Soviet Union. In time they will educate themselves and many of their readers. And this will be all to the good.' In this respect, the apparently irritated editor has done us all a great favor.

"As usual, the editorial is studded with factual inaccuracies and poor judgment. But this, too, is part of the process of education; in time the condition will be overcome.

"Now for the points. Plainly, the best way to fight 'communism'—in reality Soviet Russian imperio-colonialism and the Red Chinese one, too—is to blow hard on it, with firmness, a certitude of one's own position, and with a determined vision of its defeat and demise.

"Second, the President did not 'unaccountably' delay issuing his Captive Nations Week proclamation. In fact, he timed it very well on July 8, the historic date of the announcement of our Declaration of Independence and his announcement of the establishment of the American Revolutionary Bicentennial Commission.

"Third, to state that in recent years the President has even failed 'to name the nations for whose benefit he was issuing the proclamation' is grossly untrue and typical of the paper's editorial comments. One need only to read all the Presidential proclamations from Eisenhower's in 1959 to Johnson's in 1965 to establish the untruth of such assertions. The references to the captive nations have always been general and all-inclusive.

"Finally, the editor needn't worry that Congress will misplace his trust in its favor for the independence and freedom of all peoples, including those of Cossackia and Idel-Ural. The President's proclamation was comprehensive to include all: Congress' determinations to have all nations enjoy the blessings of freedom has never been less. It's comforting to note the editor's expression of trust and concern. Yes, indeed, Up With Idel-Ural!"

NATIONAL CAPTIVE NATIONS COMMITTEE,
Washington, D.C., October 2, 1968.

Hon. J. WILLIAM FULBRIGHT,
Chairman, Foreign Relations Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR FULBRIGHT: As a member of the National Captive Nations Committee, I'd like to add my voice to those protesting the nomination of Mr. J. R. Wiggins as our Ambassador to the United Nations and furthermore, urge that the Foreign Relations Committee carefully consider the qualifications of Mr. Wiggins for this most important post.

Despite the glowing tribute paid Mr. Wiggins in the September 27 issue of the Washington Post, in which he is described as a man of "journalistic integrity", a careful study of his record leads one to an opposite conclusion.

The frequent editorials by Mr. Wiggins attacking the annual Captive Nations Week observance are but one example. Consider particularly the blistering editorial of July 10, 1967. This editorial in essence, relegates the captive nations to the status of perpetual colonies of Moscow, shows the basic ignorance and naivete of the editor as to the makeup and nature of the USSR, insults Americans of diverse national backgrounds and attacks the author of the Captive Nations Week Resolution, Dr. Lev E. Dobriansky, in a most ruthless manner. One would think that "journalistic integrity and honesty" would at least allow for the publications of Dr. Dobriansky's rebuttal and challenge to this malicious attack. Unfortunately, the editor's "journalistic integrity and honesty" were conveniently absent in this and other similar instances. Mr. Wiggins' complete ignorance concerning the USSR as well as his skillful use of smear techniques were also amply demonstrated and candidly set forth in the Congressional publication *Shevchenko, A Monument to the Liberation, Freedom, and Independence of all Captive Nations*, U.S. GPO, 1964.

As a matter of fact, Mr. Wiggins' views on the above matters closely paralleled those expressed in Pravda. On this basis Mr. Wiggins could well qualify as Moscow's choice for our Ambassador to the United Nations.

It would be well, indeed, to remember the late Adlai Stevenson's memorandum to all delegations at the United Nations dated November 25, 1961. In response to Moscow's repeated accusations that the United States was pursuing imperialistic and colonial aims, Mr. Stevenson with a wealth of factual material, courageously exposed Moscow as the only real imperialistic and colonial power remaining on this earth.

Can you imagine what Mr. Wiggins' response might be to a similar challenge? To spare Mr. Wiggins and more importantly, our Nation, the embarrassment that would indeed follow from Mr. Wiggins' complete inability to cope with this and conceivably many such situations in the foreign policy area, it would seem only proper and necessary that the Foreign Relations Committee not approve the nomination of Mr. Wiggins.

As the Post points out, "this will be his (Mr. Wiggins) first venture into government." This most important position, indeed deserves more than a first venturer whose only apparent qualifications are, lest we forget, "journalistic integrity and honesty."

Sincerely,

WALTER PRETKA.

SCRANTON, PA.,
October 1, 1968.

Senator J. WILLIAM FULBRIGHT,
Chairman, Senate Foreign Relations Committee, Senate Office Building, Washington, D.C.

DEAR SENATOR FULBRIGHT: As Chairman of the Captive Nations Committee for Northeastern Pennsylvania and President of the World Association of Upper Silesians, an organization which represents more than 1,800,000 expellees and Polish and German refugees, I would like to voice our protest against the suggested nomination of Mr. J. R. Wiggins, Editor of the Washington Post, as Ambassador to the United Nations.

The reasons why we are protesting the nomination were quite clearly expressed by the National Chairman of the National Captive Nations Committee, Prof. Dr. Lev E. Dobriansky. We fully endorse his stand and accepted with satisfaction the announcement and the report of his testimony before the Senate Foreign Relations Commitee.

We not only endorse his views, but would like to stress that it would be outrageous that a man who for the past ten years attacked the captive nations, smeared the good name of the expellees, refugees and victims of Communist tyranny, will now represent the United States at the United Nations. The smear campaign from the Washington Post against the captive nations in general and against the affiliated groups in particular, proves complete ignorance or an unconscious cooperation with the enemies of the United States.

More than 100,000,000 people behind the "iron curtain" are enslaved. At least 40% of the voters in the United States are interrelated with those people now in captivity. Therefore, it is the obligation of all Americans to voice their dissent against putting into such a high office a man who would not serve the cause of freedom and genuine peace in the world.

Sincerely yours,

KAROL H. SITKO,
President.

OCTOBER 2, 1968.

Hon. J. WILLIAM FULBRIGHT,
Chairman, Senate Foreign Relations Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR FULBRIGHT: I was appalled to read on September 27 of President Johnson's nomination of James R. Wiggins, former editor of the *Washington Post*, to the post of this country's Ambassador to the United Nations. Of course, the glowing tributes paid him by the *Post* were not at all surprising. Double talk, yes; surprising, no!

Let us examine his worthiness of these glowing tributes, especially that he "stands for integrity in modern journalism."

For almost 10 years now the *Washington Post* has degraded the captive nations, its peoples and the captive nations movement, through a malicious smear campaign in its editorial pages. Letters of rebuttal have either not been printed at all, or printed beyond a writer's recognition. Not once during this entire period has the *Post* shown objectivity, fairness or open-mindedness to our cause. Its stand on detente, even after the rape of Czecho-Slovakia, remains firm. Even *Izvestia* saw fit to compliment the *Post* for its mishandling of the captive nations. Integrity?

On September 30 Wiggins appeared before your commitee for the pro forma hearing on his nomination. One statement, particularly, was very interesting, i.e., that as editor, he was responsible for what appeared on the editorial pages of his paper. In other words, he sanctioned the slanderous editorials against the captive non-Russian peoples and the captive nations movement. Integrity?

I can recall such terms as "hyphenated citizens," certain of the captive nations referred to as "political concoctions," and "captive Congressmen." Integrity?

In July of 1967 a challenge was made to him by the chairman of this committee, to be held in the *Washington Post* auditorium before his employees, whereby flesh and blood representatives of the captive nations, especially Cossackia and Idel-Ural, would come before him. To date he has not had the courage to meet this challenge. Malicious bias was fine, but the challenge to discuss and debate just couldn't be met. Integrity?

Then, of course, there's the case of the National Captive Nations Committee July 1968 press release sent by the chairman. Two sentences were extracted and put into the "Letters to the Editor" section with the chairman's name. To ridicule the chairman and the issue, yes; but integrity?

And what about the Shevchenko affair? Here, truly, was a campaign to foster disunity and hatred, coupled with blatant cultural insularity. The *Post's* flagrant attacks of "anti-Semitism," "idol of the communist party," and its scheme to incite Poles against Ukranians were lost in the malaise of consistent inconsistency, and quite rightly so. Integrity?

The subjects of ABM's, ICBM's, the Consular Convention—where were those letters of rebuttal? And, yet, they were sent. One could go on and on.

Wiggins—a United States Ambassador to the United Nations? Only if in essence that governing body is to be treated as a joke. But have our intelligence resources been depleted to this degree?

Having witnessed the September 30 hearing I can readily understand why Wiggins would neither permit nor accept a challenge. He is absolutely unqualified. He has no comprehension of the USSR. What he knows about Soviet Russian-American policy could be put in a thimble. His replies to committee members' questions were nothing more than stock words and stock phrases. Perhaps the Russians might be thrilled with such an appointment, but this country can ill-afford a weakling whose capacity to lead with courage is very limited. Without a doubt, he fails to meet the necessary criteria for this job. Perhaps never before has the post of U.S. Ambassador to the U.N. been more sensitive than now. I, therefore, urge you and your committee to review very carefully the *Washington Post* editorials on the subjects covered here, and its continuous stand on Soviet Russian imperio-colonialism before deciding the Wiggins nomination.

In conclusion, Senator, I have attended other hearings by your committee at which Dr. Lev. E. Dobriansky has testified and one thing puzzles me. Just as he begins his testimony, if you are present, you begin to converse with a colleague on your right or left and, in a voice audible enough to be distracting; then, you walk out. As to the latter, possibly you have another appointment. Possibly. But on the former, don't they teach basic manners in the Ozark country?

Sincerely,

VERA A. DOWHAN,
Executive Secretary, National Captive Nations Committee.

OCTOBER 8, 1968.

LETTERS TO THE EDITOR,
The Washington Post,
Washington, D.C.:

On September 30 the Senate Foreign Relations Committee, with Chairman J. William Fulbright presiding, held a pro forma hearing on the nomination of former *Washington Post* Editor James R. Wiggins as United States Ambassador to the United Nations. Apropos to this, a leading question posed by the chairman was whether, in the circumstances, the *Post*, could be objective and critical of its former official should he realize the diplomatic post. Wiggins' reply was that he "would not like to think" that "engagement in the newspaper profession proscribed any other public activity." This is fine, since in the past I have written countless letters to the editor on a number of subjects in which my views differed from those of *Post* editorials, and my file is filled with standardized cards bearing the message of how you received far more letters than space allowed you to print. Now that Wiggins has been unanimously approved by the committee, I would like to see just how objective and critical the *Post* can be inasmuch as I happen to oppose the approval for the same reasons that, in my recent letter to Senator Fulbright, I opposed his nomination, namely, that he is both unworthy and incapable of discharging the duties of so high and sensitive an office as this country's representative to the world-governing body. Your glowing tributes to him, especially that he "stands for integrity in modern journalism," are a comedy based on tragedy as concerns journalistic integrity.

My reason for opposition is a countdown of almost 10 years of arrogant, ignorant and most odious journalistic slander on the part of the *Washington Post* not only toward the National Captive Nations Committee, of which I am a member, but also of like-organizations engaged in disseminating information on the continuous threat of Soviet Russian imperio-colonialism and its consequences. During this period the *Post* grasped any and every opportunity to degrade the captive nations, its peoples and the captive nations movement, through a malicious smear campaign in its editorial pages. Letters of rebuttal were either not printed at all, or printed beyond a writer's recognition. Not once during this entire time did the *Post* show objectivity, fairness or open-mindedness to our cause. It's stand on detente, even after the rape of Czecho-Slovakia and despite the shock and anger of public opinion, remained firm. Even *Izvestia* saw fit to compliment the *Post* for its mishandling of the captive nations.

At the otherwise incongruous hearing, which seemed to get the better of even a Senator Fulbright who a number of times reminded Wiggins that he had not answered his questions directly, one question which Wiggins answered was particularly interesting, i.e., that as editor, he was responsible for what appeared in the editorial pages of his paper. In other words, he sanctioned the slanderous editorials against the captive non-Russian peoples and the captive nations movement. Relevant to this I can recall such terms as "hyphenated citizens," certain of the captive nations referred to as "political concoctions," and "captive Congressmen." Letters in defense of these accusations, as usual, fell upon deaf ears. According to Wiggins' own admission of responsibility then lies could be printed in the editorials, but defense of these just would not be tolerated. This is the *Post's* interpretation of "integrity in modern journalism."

In July of 1967 a challenge was made to Wiggins by the chairman of this committee, to be held in the *Washington Post* auditorium before his employees, whereby flesh and blood representatives of the captive nations, especially Cossackia and Idel-Ural, would come before him. But the former editor just never seemed to get up enough courage to meet this challenge. Malicious bias was fine, but the challenge to discuss and debate just couldn't be met. Great integrity and courage of convictions!

Then, of course, there's the case of the National Captive Nations Committee July 1968 press release sent by the chairman. Two sentences were extracted and put in the "Letters To The Editor" section with the chairman's name. The action was deliberate ridicule of the chairman and the issue, since the *Post* had neither received a letter nor did it have at that time anything with the chairman's handwritten signature. Integrity?

And what about the Shevchenko affair? Here, truly, was a campaign to foster disunity and hatred, coupled with blatant cultural insularity. The *Post's* flagrant attacks of "anti-Semitism," "idol of the communist party," and its devious scheme to incite Poles against Ukrainians were lost in the malaise of consistent inconsistency, and quite rightly so. Integrity?

The subjects of ABM's, ICBM's, the Consular Convention—where were those letters of rebuttal? And, yet, they were sent. One could go on and on.

I rather hoped that this time at least, when perhaps never before has the post of U.S. Ambassador to the U.N. been more sensitive than now, the Senate Foreign Relations Committee would review very carefully the *Washington Post* editorials on the subjects covered here and its continuous stand on Soviet Russian imperio-colonialism. I hoped that its members would give serious thought to the issues involved, the post, and the man nominated. But, c'est la vie!

In conclusion, my objection to this appointment is based on past experience with the former *Post* editor and substantiated by his inadequate responses at the Senate Foreign Relations Committee hearing which I witnessed. I can now readily understand why Wiggins would neither permit nor accept the July 1967 challenge. He is totally unqualified. He has no comprehension of the USSR. What he knows about Soviet Russian-American policy could be put in a thimble. His replies to committee members' questions were nothing more than stock words and stock phrases. Perhaps the Russians might be thrilled with his approval and subsequent vested power, but this country, even for as short a tenure as this lame duck appointment will serve, can ill-afford a weakling whose capacity to lead with courage is so very limited. Without a doubt, he fails to meet the necessary criteria for this job.

Wiggins—the United States Ambassador to the United Nations? That once proud world policy-making organization has for some time now been transformed into an international theater. But did it have to be the United States that would assign as its representative a neophyte in international affairs and foreign policy, and whose only claim to fame thus far has been his adeptness to produce comedy based on human tragedy? Have our intelligence resources been depleted to this degree?

VERA A. DOWHAN,
Executive Secretary, National Captive Nations Committee.

SCORPIONS MATCH STINGS

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. COHELAN. Mr. Speaker, the Washington Post on Sunday, September 15, carried a thought-provoking article on the arms race between the two great powers of the world.

It draws a good illustration of the way in which an increase in new sophisticated weaponry in the United States will only result in new sophisticated weaponry in the Soviet Union, which is then likely to result in new sophisticated weaponry in the United States, and so on. Such action-reaction, in the long run, can only result in insecurity, rather than security, and in destruction, rather than salvation, for the peoples of the world.

At a time when there is talk of taking a new step up the ladder in the arms race, Mr. George C. Wilson, author of the article, notes the unique opportunity to limit by treaty the proliferation of doomsday weapons.

Both the United States and the Soviet Union have powerful reasons for wishing to see a meaningful agreement to reduce the proliferation of nuclear weapons, and both can logically argue for it from a position of strength.

Mr. Speaker, under unanimous consent I submit the article by George C. Wilson for inclusion in the CONGRESSIONAL RECORD. I urge all of the Members to read and ponder its important message.

SCORPIONS MATCH STINGS

(By George C. Wilson)

The forced march of nuclear technology has brought the United States and the Soviet Union to the foot of a new mountain of weapons. They have the choice of going on up that mountain—perhaps toward an Armageddon—or veering off.

The two nuclear superpowers—likened by the late Robert Oppenheimer to two scorpions in a bottle—for the first time face the choice as near equals. There is no "missile gap" on either side.

In fact, both the United States and the Soviet Union are on the verge of producing doomsday weapons that may so upset the present balance of terror that it can never be restored. This fact is adding a sense of urgency to arguments in favor of a treaty limiting the offensive and defensive missiles on both sides.

BOTH SIDES ARE INTERESTED

President Johnson wants to start negotiating that treaty as soon as he observes an appropriate mourning period for the Czechs. The Soviets, for their part passed the word after their invasion of Czechoslovakia that they are still interested in discussing a missile freeze.

If such a treaty cannot be negotiated, the U.S. Joint Chiefs of Staff have a clutch of proposals for bombers, missiles and other new strategic weapons that would easily add another $100 billion to the military budget, Vietnam war or not.

Their Soviet counterparts also are poised for a big advance in weaponry. They have installed far fewer antiballistic missiles around Moscow than U.S. intelligence leaders predicted but, unbraked by a treaty, they could plunge ahead with an extensive ABM system that would force the United States to take more countermeasures.

Unlike automobiles, weapons take eight or more years to get from the drawing board into steel. Both superpowers have now progressed to the point of readiness to put the latest models into production. But, happily for those who want to keep new weapons strictly on paper, the ability of each side to negotiate from strength may make it easier to reach a missile freeze agreement.

Intercontinental ballistic missiles are a case in point. American and Soviet leaders know that they are about even in ICBMs. The United States elected not to build more than 1000 Minuteman and 54 Titan ICBMs; the Soviets pushed on to get what is called "nuclear parity," which they will reach as early as next year.

But the next President of the United States and the Kremlin leadership both can look good if they describe the nuclear balance in carefully chosen terms.

The next President can declare in all honesty that the number of ICBMs on launchers does not mean anything any more; it's what's up front that counts.

And up front, the President can say, the United States is well ahead. It has MIRV (multiple independently targetable re-entry vehicles). This makes the old ICBM act like a new bomber—dropping its load of hydrogen bombs off at different targets. Since one missile is no longer limited to carrying one bomb, why worry about who has the most ICBMs?

With equal honesty, the leaders in the Kremlin can declare that the mighty Red rocket forces have far surpassed the United States in number and power of ICBMs. And they, too, would be right.

This leaves long-range bombers and missile-carrying submarines. Here, again, it is a matter of looking at the same facts in different ways.

The American President can safely declare that the United States has plenty of bombers—far more than the Soviet Union. The ratio is better than 4 to 1. If he wants to remain unprovocative and save money, he can refuse to build the new bomber the Air Force wants. In any strategic nuclear war, the bomber will be a launching pad for missiles and the B–52, he can argue, is good enough for that.

The Kremlin leadership can point to the continued production of the Blinder bomber—the B–52 assembly lines have long since closed down. The Soviet TU–144 supersonic transport, to fly soon, might also be portrayed as fit for the bomber role, a possibility foreseen by Chairman John Stennis (D-Miss.) of the Senate Preparedness Subcommittee.

Knocking out American bombers, the Kremlin could argue, would be easy, thanks to the Soviet lead in space weapons. The Soviets have made 12 test flights of a fractional orbital bombardment system (FOBS). This is a satellite that could race around the earth and suddenly drop H-bombs on American bomber bases. Any American bombers that escaped FOBS, the Soviets could reason, would be shot down by the Tallinn air defense system protecting the northeastern approaches to Russia.

As for submarines, the Soviets have already started a Polaris-type fleet and have high-speed killer subs under construction. Soviet leaders can quote the testimony of U.S. Navy leaders about the surprisingly high speed of existing Russian attack subs.

PACE OF WEAPONS RESEARCH

To win the support of the military leaders in both countries, the missile treaty would have to allow continued research and development work on weapons while limiting their deployment. Limiting deployment, it can be hoped, would in turn reduce the incentive for production.

The Soviet Union also has closed the gap in military research. John S. Foster Jr., director of Pentagon research, told the Senate Preparedness Subcommittee earlier this year that in 1961, the Soviet Union spent $6.1 billion on atomic energy defense and space research compared to $8.1 billion for the United States. Since then, the Soviets have "more than doubled" their research, Foster said, while the United States increased its effort by 35 per cent.

One of the products of the research by both sides is the spy satellite. Originally designed to pry out information that would help each country design new weapons, the observation satellite could end up as the policeman for the treaty designed to reduce the need for such weapons.

Both sides keep their satellite reconnaissance activities very much under wraps; Pentagon security is even tighter than the Kremlin's in this area. But, with a little space detective work, a great deal can be learned about how the United States and the Soviet Union keep each other on camera most of the time.

The Soviets launch their eyes in the sky from Plesetsk and Tyuratam. The satellites used to stay up for eight days, but more recently for 12. The cameras are turned on when the satellites go over areas of special interest, such as U.S. military bases or the fleet deployed for the recent French nuclear tests.

In June, when the French were setting up for their nuclear tests off Tahiti, the Soviets flew five observation satellites—a record for this year. They bore the cover names of Cosmos 223, 224, 227, 228 and 229.

Western space specialists believe the Soviet eye in the sky is a modified Vostok spaceship, the type flown by the first cosmonauts. The craft and its load of film is brought down to earth in deserted reaches of the Soviet Union. As it floats down to earth by parachute, the spacecraft sends out radio signals so it can be found quickly.

The United States launches its observation satellites from the Air Force's Western Test Range in California. The rocket used has been perfected to enable the spacecraft to swoop down as close as 50 miles above the earth for close-up pictures—presumably by a zoom lens.

But unlike the Soviet spacecraft, the U.S. satellite does not make a soft landing on the earth. Instead, its package of film is jettisoned out over the ocean and snatched in midair by a plane dispatched to make the highly secret rendezvous. The capsule is designed to sink if there is a miss.

On most days, there is at least one observation satellite looking down from space. The pictures they take are described as "fantastically detailed" by American officials who have seen them. U.S. officials used to brag that they could take a picture of an object as small as a dinner plate. Now they claim they can pick out a button on a man's shirt.

This kind of detail enables the superpowers to keep track of missile deployment and troop movements. They can even count horses and tractors to get an idea on how advanced an economy is.

The observation satellites, as one specialist put it, make monitoring a missile treaty mechanically "an acceptable risk." They may prove the way of getting around Soviet objections to on-site inspection that have derailed arms negotiations in the past.

If a formal missile treaty is negotiated, its endorsement by the Joint Chiefs is vital to hopes for Senate approval. The Chiefs supported the nuclear test ban treaty and might well back a missile freeze if they could be convinced the treaty would not allow the Soviets to make a weapons breakthrough.

If a missile agreement is not negotiated, here are some of the new strategic weapons on the Joint Chiefs' shopping list:

Improved Capability Missile (ICM)—This would be a nuclear "Big Bertha," its warhead several times the power of the one-megaton Minuteman 3. It would be buried deep in the ground so an enemy H-bomb could not destroy it. The Soviets have an SS–9 ICBM which can lift a bomb of between 12 and 25 megatons. The ICM would be partly in answer to the SS–9.

Antiballistic missiles (ABM)—The Chiefs want to invest up to $20 billion in a defense against Soviet missiles, beyond the $6 billion Chinese shield under way. McNamara fought this as a waste of money. He said that Soviet ICBMs would get through any defense, no matter how elaborate, and that the defense sought by the Chiefs would end up costing $40 billion. The Chiefs not only still want this thick defense but are looking into putting antimissile missiles on ships and in planes.

New bomber—The Air Force considers the bomber version of the F–111A only a stopgap, a replacement for the older B–52s. The service wants a supersonic bomber that could fly in low, under enemy defenses. Cost estimates are $8 billion for 210 of the new bombers and $23 billion to buy and maintain them for 17 years. Lawmakers protest that a new bomber has been kept in the study stage too long. Many insist it is time to get started.

New bomber defense—The Soviet Union is not building up its bomber force, but it might. So the Joint Chiefs want to build a defense just in case. The present bomber defense around the United States does little good against planes flying in low. The new system would put the detection radar up in an airplane so it could look down to pick out any low-flying bombers. The F–12 fighter to go with this new system would cost about $20 million a copy. The price tag for the whole system would be $14 billion.

The Soviets would take countermeasures against these and other weapons advances by the United States. This action-reaction phenomenon is what increases arms spending on both sides.

The nuclear missile treaty—like a Holy Grail of man's hopes—may never be within any closer reach than it is right now.

SCHADEBERG REPORTS

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. SCHADEBERG. Mr. Speaker, I am privileged to include for the RECORD at the close of this historic 90th Congress, the account of my stewardship as Representative in Congress of the First District of Wisconsin :

DEAR FRIENDS: In my midyear report to you, I promised that I would send you at the close of the session a summary of the major actions taken by the Congress this year. A year-end report was sent at the end of the last session.

Even though Congress is still in session as I prepare this report, action on most of the important issues has been taken. The following are comments on my votes on seven of these issues. They are not necessarily listed in order of importance.

TAXATION AND INFLATION

The bill this year was the Johnson-Humphrey surtax which was enacted into law. I voted *FOR* the taxpayer and *AGAINST* the bill. Those who favored the bill tried to tell us that inflation would be controlled through the tax. Those of us who opposed the tax argued that it was better to control inflation through reduced spending and living within our income. The bill has been enacted into law, having been signed by the President, but the cost of living has risen steadily each month since the surtax was enacted; inflation has not been curbed; the Administration has made no serious attempt to cut Federal spending; and we are now told that it will be necessary to extend this misnamed temporary "tax" for at least another year (1969).

CRIME ON THE STREETS

During 1968, there was one major piece of legislation dealing with crime. It was the Omnibus Crime Control and Safe Streets Act of 1968. I voted *FOR* it. This law gives added strength to local law enforcement departments through grants for training and assistance in riot control. It makes it a Federal crime for troublemakers to cross state lines for the purpose of inciting a riot or participating in one.

AGRICULTURE

During 1968, only one major piece of legislation which directly affected the farmer was considered by the House. The Johnson-Humphrey Administration tried to extend the existing farm program for four years. The House of Representatives wisely insisted on a one-year extension so that the farmers might plan for the following year, but could count on a change in the overall farm program during the next Administration. I voted *FOR* the one-year extension. It seemed to me that the next President, whomever he might be, should be permitted to replace the present farm program which is a dismal failure with a more realistic and workable program. It is a sad fact that the farmer has been suffering from the dollar-grabbing inflation more than most of the citizens, and it is high time that Congress did something constructtive to curb the inflationary trend which has put the farmer in the middle of the cost-price squeeze.

VIETNAM

Congress has had no meaningful opportunity to express itself on the war except to vote for or against the funds necessary to wage the battles and supply the men in Vietnam. I voted *FOR* the appropriations as it would be unthinkable to deny our young men the weapons and ammunition needed to defend themselves on the field of battle. I cannot understand a no-win policy. Either it is in the nation's best interest to stop Communist aggression in Vietnam or it is not. If our interests were not involved, we had no business sending American boys to fight in Vietnam. If our interests are involved, it is important that we pursue our goal through those firm diplomatic and economic measures that will permit us to negotiate from a position of strength so that we can end the killing; obtain an honorable and meaningful peace; and bring our men home at the earliest possible moment. There are those who cry "stop the bombing!" I say "stop the killing!" Stopping the bombing without a firm commitment on the part of the Communists to stop their aggression has not stopped the killing. American men are being killed at the rate of 250 a week. We must regain the initiative and stop the supplies of war from reaching the battlefield where our men must meet the North Vietnamese head on in hand-to-hand combat. We must stop the sinews of war from reaching the battle-staging areas by letting our friend and foe alike know that we are determined to cut trade with those who are partners in the effort to put war materiel in the hands of the Communist soldiers. It is unconscionable that this Administration should commit us to a policy which encourages trade with the Communist bloc and the strengthening of her economy, while our men are opposing the Communist enemy militarily on the battlefield.

GUN CONTROL

I oppose registration of guns on the Federal level. I voted *FOR* legislation which became law in 1968 and which reduced the sale of long guns in inter-state traffic and the mail-order sale of long guns. The bill which passed the House does not prohibit the states from passing their own laws regarding weapons.

I am interested in restricting those who misuse guns, not in irritating and inconveniencing law-abiding citizens who use guns for lawful purposes. The bill that passed the House made it mandatory for a judge to confine those found guilty of having a gun in their possession at the time of a commission of a crime for from one to ten years (*first offense*). It instructed the judge that the sentence for such offense could not be suspended, and could not run concurrently with confinement for the commission of the crime itself.

VETERANS

To prevent decreases in pensions under the new Social Security laws, I supported legislation to increase income limits and rates for non-service-connected pensions and for service-connected dependency and indemnity compensation of dependent parents. This same bill established a multilevel income increment system to replace the old three-level system. Other bills I supported increased the maximum amount of the guarantee on VA-guaranteed home loans; provided for part-time vocational rehabilitation for service-connected disabled veterans; reimbursed states for care of service-connected disabled veterans; reimbursed states for care of veterans in states homes and aided states in construction of nursing home care facilities; increased compensation for service-connected disabled veterans; and liberalized educational benefits for widows, war orphans and veterans.

EDUCATION

I voted for every piece of major educational legislation in 1968. Bills included the School Lunch Program, Vocational Rehabilitation Act, and Higher Education Act. I supported the Higher Education Act Amendment which withheld funds from students involved in crimes. Last year I opposed the House version of the Elementary and Secondary Education Act Amendments because the debate on the floor revealed that there was gross misunderstanding of what the bill would and would not do. According to statements made by the floor manager of the bill, the inclusion of several amendments completely gutted the bill. There was also serious question as to whether or not certain children would be discriminated against under this act. My vote to recommit the bill reflected a desire to clarify what the bill would and would not do *before* it was passed so that it would not become a matter for bureaucratic misinterpretation. I voted *FOR* the Elementary and Secondary Education Act Amendments on final conference report.

The following are my votes on the major issues of 1968:

Subject	Schadeberg vote
Agricultural Marketing Act	Aye.
Fish and Wildlife Protection Act	Aye.
1969 Agriculture appropriations	Aye.
Agricultural Trade Assistance Act	Aye.
Poultry Products Act	Aye.
Redwoods National Park	Aye.
Food stamp program	Aye.
1968 farm bill, amendment to limit farmers' subsidies to $20,000	Aye.
1968 farm bill, passage	Aye.
1968 farm bill, conference report	Aye.
Scenic Rivers Act	Aye.
Fish Protein Concentrate Act	Nay.
Food stamp program, conference report	Aye.
Milk marketing order amendments	Aye.
Civil rights bill of 1968, including open-housing clause	Nay.
Firearms Control Act	Aye.
Truth in Lending	Aye.
Fire Research/Safety Act[1]	Nay.
Radiation Protection Act	Aye.
National Traffic/Motor Vehicle Safety Act	Aye.
Public Broadcasting Corporation extension	Nay.
Gas Pipeline Safety Act	Aye.
Omnibus Crime Control Act conference report	Aye.
National school lunch program	Aye.
Vocational Rehabilitation Act	Aye.
Higher Education Act (student assistance program), amendment to withhold funds from rioting students	Aye.
Higher Education Act (student assistance program)	Aye.
School lunch program, emergency assistance	Aye.
Vocational Education Act amendments	Aye.
Higher Education Act (omnibus bill), amendment to deny funds to students involved in crimes	Aye.
Higher Education Act (omnibus bill), passage	Aye.
Manpower Development/Training Act extensions	Aye.
Remove gold cover from U.S. currency	Nay.
Export-Import Bank extension, recommittal to cut $1,000,000,000	Aye.
Export-Import Bank extension, passage	Aye.
To set up a National Foundation on Arts/Humanities Extension Act, fund authorization	Nay.
Inter-American Development Bank, recommittal motion	Aye.
NASA authorization	Aye.
Peace Corps authorization	Aye.
Revenue/Expenditure Control Act, conference report (surtax)	Nay.
Export-Import Bank loan extensions, amend to limit losses	Aye.
Housing/Urban Development Act, amendment to set income limitations on low-income housing	Aye.
Housing/Urban Development Act, recommittal motion	Aye.
Housing/Urban Development Act, passage	Aye.
Housing/Urban Development Act, conference report	Nay.
Foreign aid authorization	Nay.
Foreign aid authorization, conference report	Nay.
Foreign aid appropriations	Nay.
Veterans Housing Act amendments	Aye.
Veterans compensation increase	Aye.
Arms Control and Disarmament Act extensions, recommittal motion	Aye.
Arms Control and Disarmament Act extensions, passage	Nay.
Arms Control and Disarmament Act extensions, conference report	Nay.
Establishment of an ethics committee	Aye.
Interstate Taxation Act	Aye.
Federal Aid Highway Act, conference report, recommittal motion	Aye.

[1] This program should be under State jurisdiction.

LIEF ERIKSON DAY

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. PUCINSKI. Mr. Speaker, 4 years ago the President of the United States for the first time formally proclaimed October 9 as Lief Erikson Day, in honor of the settlement made in North America by the Vikings in approximately A.D. 1000.

As seafarers, the Vikings were unexcelled, and under the leadership of Lief Erikson they ventured as far as the coast of Newfoundland, having earlier covered the distance from Scandinavia to Greenland with relative ease. The discoveries of Dr. Helge Ingstad, announced in 1963, and supported by the National Geographic Society, the American Museum of Natural History, and the Smithsonian Institution, which proved the existence in Newfoundland of a 10th-century Norse settlement, have proved the theories of a legendary "Vineland," promoted by accounts written down centuries ago in the old Norse sagas.

Lief Erikson was a brave and rugged man, whose restless spirit dared to cross an unknown ocean, using the crudest of navigational instruments, in pursuit of the westward way. He is no ghost from a twilight age of fierce passions and dark gods thundering across an icy sky, but, rather, an eternal symbol of the questing spirit in man, which cannot rest, but rather, seeks to strive and extend, transform and create.

It is appropriate that Lief Erikson Day and Columbus Day should fall so closely together; for the purpose of both is not to prove a narrow point of historical precedent, but rather to honor the spirit of discovery—characteristic of both men—which presaged the rise of a new and better world.

And just as Columbus Day honors the sons of Italy, among whom Columbus stands preeminent, so too does Lief Erikson honor the more than ten million Americans of Scandinavian descent—Americans who by their vigor and sturdy determination have helped to build the United States we know today.

I join in commemorating this great discoverer and the ideals by which he lived.

WORK DURING THE 90TH CONGRESS

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mrs. HECKLER of Massachusetts. Mr. Speaker, I am pleased to bring to my constituents, the residents of the 10th Congressional District of Massachusetts, a progress report on my activities as their Representative in the 90th Congress. It follows:

PROGRESS REPORT OF CONGRESSWOMAN HECKLER

As the 90th Congress draws to a close, it is my pleasure to send you a progress report of my work as your Representative. It's been a busy but rewarding two years. On my 100 trips back to the district (26 of which are paid for by the Federal Government) I have been in touch with thousands of you, listened to your views and assisted in cutting through red tape to solve many problems. You were able to inform me of your views and problems in many ways—by my direct telephone "Hot Line" to Washington, through visits to my Washington and my District offices in Fall River and Wellesley, through my Mobile Trailer Office which visited the cities and towns in the district during the past two years, and of course, by letter. The personal contact that resulted from this service of "bringing the government to the people" has been a major and continuous learning process, as well as a deeply enriching experience for me.

One of my many rewards was having 12 of my nominees accepted by the military academies:

Thomas P. Smith, to West Point from Westwood; Michael Deegan, to West Point from Newton; Ralph Fader, to West Point from Needham; Francis Kaczynski, to West Point from Fall River; John F. Souza, to West Point from Mansfield; Shay D. Assad, to Annapolis from Fall River; Ronald J. Rusconi, to Annapolis from Taunton; Daniel S. Keefe, to Annapolis from Walpole; Archie C. Smiles, Jr., to Air Force from Newton; Mark C. Heinricher, to Air Force from Foxboro; Michael W. Verzola, to Air Force from Mansfield; and R. Michael Browne, to Merchant Marine from Middleboro.

Last March, I sent you a questionnaire asking for your personal opinions on some vital issues that are facing our country today. Almost 16,000 of you responded, giving your opinions and indicating support for sound programs, coupled with cost consciousness regarding Federal expenditures. The guidelines offered by your reply to the questionnaire, coupled with my own judgment, have been helpful in forming a basis for providing the kind of representation you want in Congress.

In an effort to assure you as taxpayers the best possible return for your money I voted against such items as the Dickey-Lincoln Dam project. Because construction costs continue to escalate, this project would have cost untold millions of dollars by 1976 and would have provided only 1 per cent of the electric power for the New England area, thereby offering no decrease in consumer costs while increasing the burden on the taxpayer. I opposed the Rent Supplement Plan, an inadequate and unproven plan, in favor of the far more successful Rent Certificate or Leased Housing Program, which applies to the improvement and leasing of existing housing and which limits the federal bureaucracy by granting more authority at the local level.

During this second session of the 90th Congress there have been more roll call votes than at any time since World War II.

My attendance record as of the end of September was 91 per cent.

I would like to give you an idea of my legislative response by describing my votes on the major categories listed in the questionnaire. Each general subject is ranked in the order of priority assigned to it by the questionnaire responses. Since space permits only a sampling of my record, I shall be happy to furnish you with additional details upon request.

These issues before the Congress have stirred debate throughout the country. My thanks to all of you who wrote or phoned me to express your views and voice your concern. Knowing how you feel is important and helpful to me in serving you.

(Signature) MARGARET M. HECKLER.

VOTING RECORD

Crime prevention and control

For making it a Federal crime to cross state lines with the intent to organize or incite a riot.

For strict Federal gun controls.

For block grants to states for crime detection and prevention.

For $25 million for juvenile delinquency control.

For strict penalties for possession of LSD and other hallucinogenic drugs by unauthorized persons.

For a joint congressional committee to investigate organized crime.

For making it a crime to obstruct criminal investigations.

Education

For aid to elementary and secondary schools for needy districts, books and materials, supplemental educational services, and handicapped children.

For increased funds for vocational education.

For extending and supplementing the school lunch program.

Antipoverty

For extending and supplementing the food stamp program.

For anti-loan sharking and truth-in-lending laws.

For creating new jobs by giving employers a tax credit for job training programs.

For an increase in Social Security benefits.

For retaining funds for a Teacher Corps.

For a summer Neighborhood Youth Corps.

For funds for OEO including the Head Start program.

For Civil Rights Act of 1968.

Defense

For Defense Appropriation and military construction after substantial cuts by the Appropriations Committee.

For $20 million to fund the Arms Control and Disarmament Agency, which negotiates with other nations.

Health

For Federal grants for the construction of mental retardation centers.

For a bill to promote health and safety in the building trades and construction industry on Federal projects.

For substantial additional funds for Federal health programs.

For designing Federal buildings to be accessible to the physically handicapped.

Aid to cities

For a home ownership program for low income families.

For better services and management in public housing.

For rat control measures.

For the model cities program.

For Federal reinsurance against riot damage.

Space programs

For funds for NASA after trimming millions during Floor debate.

Foreign aid

For food to prevent famine in India.

For increasing the ceiling on Eximbank loans.

For retaining funds for the Peace Corps.

For refusing to cut additional funds from a foreign aid budget already less than half the requested amount.

SOME OF THE BILLS THAT MARGARET M. HECKLER HAS INTRODUCED

H.R. 8123—To amend the Social Security Act to provide disability insurance for blind persons.

H.R. 8862—To create a National Home Ownership Foundation.

H.R. 18575—To establish a Commission for the Improvement of Government Management and Organization.

H.R. 4623—To allow employers a tax credit for the expenses of providing job training programs.

H.R. 12302—To establish a Joint Committee for analysis and evaluation of government programs.

H.R. 17683—To establish a commission on Federal Budget Priorities and Expenditure Policy.

H.R. 18113—To create a catalog of Federal Assistance programs.

H.R. 11636—To authorize Social Security increases.

H.R. 18569—To permit state agreements of coverage under the hospital insurance program for the aged.

H.R. 18568—To prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the armed forces in Vietnam.

H.R. 18289—To authorize reduced airplane fares for the elderly on a space available basis.

H.R. 18152—To permit a couple on Social Security to earn jointly what each is allowable separately without loss of benefits thereunder.

H.J. Res. 1345—Creating a Joint Committee to Investigate organized crime.

H.J. Res. 1082—To extend from 3 to 12 miles the territorial limits at sea for those nations who claim a similar 12 mile territorial limit as in the Pueblo Case.

H. Con. Res. 517—To consider and report what further Congressional action is desirable in respect to United States policies in Southeast Asia.

H.J. Res. 431—To designate an annual Shut-In's Day.

H.R. 9233—To provide free transportation for first class mail to and from combat areas.

H. Res. 651—Middle East Resolution—United Nations:

1. Recognition of sovereignty of Israel by Arab Nations.
2. Freedom of passage in Suez Canal.
3. Settlement of Israeli boundaries.
4. Resolve Middle East refugee problem.

H.R. 4871—To establish a Plymouth Rock National Memorial.

H.R. 16996—To designate certain lands in the Monomoy National Wildlife Refuge as Wilderness.

H.R. 17749—To limit the number of categories of questions required to be answered under penalty of law in the decennial census.

H.R. 16593—To amend the Immigration and Nationality Act to make additional visas available.

H.R. 1201—To provide for the sale of Phantom Jets to Israel.

H.R. 20250—Establishment of a Department of Peace.

H.R. 20200—To provide that any unmarried person who maintains his or her home shall be entitled to be taxed at the rate provided for the head of a household.

OVER $60 MILLION IN FEDERAL LOANS, GRANTS AND CONTRACTS TO THE 10TH CONGRESSIONAL DISTRICT DURING MARGARET HECKLER'S FIRST TWO YEARS IN CONGRESS

Since the 90th Congress is still in session as this is written, the following list is incomplete. In addition to the funds listed here, the 10th District has received money as part of regional, statewide or county grants. Payments to individual citizens, such as those coming from Social Security, the Veterans' Administration and individual loans, are not included. At this time, 23 of the cities and towns in our district have received over $60,000,000.

Economic Development Administration	$2, 743, 265
Health Education and Welfare	2, 613, 956
Housing and Urban Development	16, 801, 000
Department of Defense	31, 113, 000
Office of Economic Opportunity	957, 637
Department of Labor	592, 300
Department of the Interior	576, 870
National Aeronautical and Space Administration	2, 982, 000
General Services Administration	1, 317, 893
Department of Transportation	1, 294, 984
Total	60, 989, 905

Mr. Speaker, the foregoing is the full text of my progress report, which will be mailed to the residents of the 10th Congressional District. The report as mailed will also include five photographs, and the individual captions are as follows:

Congresswoman Heckler during one of her many discussions with Secretary Weaver and Undersecretary Wood of the Department of Housing and Urban Development about the Model Cities program for Fall River, one of 33 cities selected from among 163 applying. Here she is saying "Thank-you, Mr. Secretary, for giving Fall River a Model Cities Grant."

Congresswoman Heckler is shown receiving certificates of appreciation from leaders of veterans' organizations for, "understanding support and legislation crucial to the well-being of the veteran, his dependents and survivors!" Left to right: Ralph J. Rossignuola, American Veterans; Herald E. Stringer, American Legion; William J. Flaherty, Disabled American Veterans; Francis W. Stover, Veterans of Foreign Wars.

Fellow Congressman Riegle of Michigan lends a helping hand to Congresswoman Heckler on her return to Congress for the closing day of the 1967 session following a near fatal auto accident in November, 1967.

Congresswoman Heckler with her 3 appointees to the Naval Academy at Annapolis. Left to right: Ronald J. Rusconi, Taunton; Daniel S. Keefe, Walpole; Shay D. Assad, Fall River, with Naval Academy Commandant of Midshipmen Captain Lawrence Heyworth, Jr. looking on.

An award from the National Columbus Day Committee is presented by officers of the Wellesley Italo-American Club, Eugene A. Paltrineri and Bruno L. Mortarelli, to Congresswoman Heckler for her key vote in making Columbus Day one of four national holidays.

HUMPHREYISM NO. 11

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following:

From a collection of Representative HENRY C. SCHADEBERG'S (R. Wis.):

"I think there is a tremendous new opening here for realizing the dream of the Great Society in the great area of Asia, not just here at home." (New York Times, Apr. 20, 1966).

"THE INSTITUTE OF NATIONS"—AN ARTICLE BY FRANKLYN M. BARNETT, IN THE PHI DELTA KAPPA MAGAZINE

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. BRADEMAS. Mr. Speaker, following my remarks I insert in the RECORD an article by Mr. Franklyn M. Barnett, founder and executive director of Nations, Inc., a nonprofit educational organization which conducts the annual Workshops of Nations.

Mr. Barnett's article, entitled "The Institute of Nations," will be of interest to persons who would like to see an improvement in our methods of teaching international studies in our schools and colleges.

His article follows:

THE INSTITUTE OF NATIONS

(By Franklyn M. Barnett)

If America's future leaders are to meet both domestic and international problems of the day intelligently, a knowledge of the peoples involved is essential. This is the credo of the Workshop of Nations, a program for American youth with leadership potential.

Foreign area studies can serve to reduce international perils through an understanding of the aims and purposes of others, and can simultaneously assist in the achievement of personal goals through a better knowledge of oneself and one's own society. Following six years of trial and testing, a method, the summer Workshop of Nations, has been developed which effectively provides this sort of communication among peoples. This article is intended to describe the method, the simplicity of its structure in an outdoor environment, and the abundance of resources which exist and which have been utilized. Because of the repeated successes of the past six summer Workshop of Nations programs, it is felt that this method could well be considered for integration into the American education system. J. E. Wallace Sterling, president of Stanford University, has recently stated that "the [Workshop of Nations] helps to fill a very serious gap in the program of the secondary schools . . . and is making a very important beginning in the task of meeting this need."

The Workshop of Nations plan was developed in 1962 with the help of Robert Scalapino (then chairman of the Political Science Department at the University of California, Berkeley) and with the guidance of other leaders in foreign affairs, education, industry, and human relations.

The method involves study of the customs and cultures of the peoples of Africa, Asia, Latin America, and the Middle East in a "living experience" during the summer at an outdoor educational facility (near La Honda in the Santa Cruz Mountains of northern California). Foreign scholars serve as the faculty. Two foreign instructors and one American moderator are assigned to each class of 25 students. Four areas of study, or "sections," make for an interrelated Workshop of Nations during a three-week session.

The program in each section begins daily with a lecture by one of the instructors. This series of approximately 18 morning lectures covers a variety of topics. Generally, the following have reappeared: "A Definition of Culture-Illusions and Realities"; "Geography"; "Agriculture, Basic Economy and Natural Resources"; "History—Pre- and Post-Colonialism"; "Modernization—the Revolution of Rising Expectations—Industrialization"; "Religions and Philosophy"; "Family Systems"; "The Cold War and Neutrality"; "The United Nations." Added topics, depending on the area, have included "Tribalism" (Africa), "The Middle East Crisis," and so on.

Each lecture is followed by a one-hour seminar conducted by a moderator. The moderator is expected to skillfully pose broad questions which consider the frame of reference of the students and to engage them in cross discussion. Thus a follow-up to a lecture about the caste system in the Asia section might well develop, at the students' initiative, into a discussion of race relations in the United States. The third hour is library time and involves supervised reading assignments. During the afternoon the instructors teach languages through the use of idiomatic expressions as they inform the students concerning the social life, taboos, food, clothing, art, music, literature, songs, dances, festivals, and games of their people. On occasion, outside resource personnel supplement these presentations. Half the afternoon is devoted to recreation and individual activities.

The evening program brings together all workshop participants to hear guest speakers who are leaders in foreign affairs, education, industry, and human relations. Panel discussions among the instructors, student panels on universal topics, or informal group singing round off the evening at about 10:30 p.m. Students respond well to self-discipline through a representative council. Many "cabin" conversations go on well into the night and are not discouraged.

Each section has a well-balanced library of books, periodicals, artifacts, films, and tapes. Each section presents one highlight "night" when the students prepare and serve a typical meal and present a program of dances, poetry, and songs of the entire workshop.

A well-considered conceptual approach to learning about others is necessary to the success of this method. For this purpose, an inter-disciplinary Council of Advisers, composed of university educators, helps to guide preparations for the workshop.

The students represent a variety of social, economic, and ethnic backgrounds. They qualify through interest in world affairs, relative maturity, good academic records, and leadership potential. Some 140 different high schools have been represented, the students coming primarily from northern California. However, the East, Midwest, and southern California have also been represented.

The foreign instructors, who are doctoral candidates attending American universities during the academic year, are recommended by their foreign student advisors or department chairmen. The availability of literally thousands of graduate-level foreign scholars enables workshop leaders to select some of the finest educational talent in the country. Selection is made far enough in advance to permit thorough preparation for the intensive program. The workshops have had resident foreign instructors from the University of California at Berkeley, Stanford, Yale, Princeton, Indiana University, Mississippi State, and the University of the Pacific.

Besides looking for the more obvious qualifications, including ability and personality to teach objectively and effectively, the workshop also opts for the dynamic of diversity between a two-man instructor team from a given area. Differences in social, economic, and ethnic backgrounds are an advantage. For example, a Latin American team may consist of a Peruvian Indian and a cosmopolitan Brazilian. The possible combinations are almost unlimited and make for a new and different session each time.

What nation the instructor represents is secondary to his ability to provide an in-depth overview of the cultures of the peoples of his area. The diversity referred to keeps students from forming a stereotype about a culture from a single personality. The method's effectiveness is observed by viewing one of the 1967 workshop sections which involved the Middle East. This workshop began shortly after the early summer war and at a time when personalities and emotions were sorely tested. Both the Arab and Israeli instructors noted the impact of the project on themselves and their students. Students demanded information on "all sides" of the crisis. Although the instructors presented issues which seemed irreconcilable, both the students and the instructors were able to form close relationships with each other. Special credit must be given here to these instructors: Michael Nabti of Lebanon, assistant curator of the Hoover Institution's Middle East-North Africa Collection and a Ph.D. candidate in international relations at Stanford University, and his colleague, Mark Levy, of Israel, a Ph.D. candidate in economics at the University of California. Their ability to both live and teach together at the workshop under trying external circumstances sums up well the value of the over-all method, a demanding three-week experience for students and instructors alike.

The method produces much more than a mere sharing of information. Student praise for their foreign instructors has been largely due to intimacy in the learning process. A research study conducted among former students suggests considerable workshop influence on career motivation. Many workshop graduates have entered teaching, foreign service, international commerce, or humanitarian services, including the Peace Corps.

The American moderators, one for each section, are credentialed high school teachers. They assist in preworkshop planning and at the workshop call attention to differences and similarities between cultures by directing student discussions. Many of the moderators have returned to their own schools determined to develop area studies there. The foreign instructors also learn much about America and their colleagues' cultures. Some have returned to American universities to teach about their cultures at the undergraduate level.

A program goal is that each student will return to his school to communicate new attitudes and insights to his peers. I am sure that every school administrator recognizes the deep but poorly defined unrest which exists today among American youth. Undoubtedly, the lack of effective human communication contributes a good deal to this unrest. The workshop, through informal personal communication in an ideal setting provided by the outdoors, serves to define personal goals and helps to harness the vast and largely untapped potential for effective and constructive leadership among its participants.

Quite aside from the study of world affairs, per se, the workshop provides a unique educational device for confronting domestic problems as well. According to some principals, youth who have participated return to school with a greater sense of community and desire to learn. Consistently, the exemplary foreign instructors who represent the leadership potential of their own peoples have provided this influence.

It is safe to say that each workshop student feels that the experience cannot be duplicated in the typically crowded American classroom. This is not to say that every attempt to provide broader-based international education within the system should not be assisted in every way possible. However, I suggest that the school efforts should be tied to in-depth, workshop-type programs because of the proven impact upon the development of leadership potential. The possibilities are unlimited. Workshops can be instituted near every major university in the country. Workshop returnees can serve as teacher aides in area studies during the year. As a result of their extensive preparation, foreign instructors can increasingly be utilized to teach about their cultures at the undergraduate levels and at Workshops of Nations designed for teachers. Tapes of the instructors' unique workshop lectures can be used in classes as "jump-off" materials where qualified foreign resource personnel are not available.

An increasing number of districts have realized that the workshop program equals a full school semester's work. As a result, some will grant credit for this participation.

Nations Incorporated obtains its support from foundations, corporations, individuals, schools, community resources, and from student tuitions. As is the case in most educational programs, tuition covers only part of the cost. The tuition, including a $100 payment for room and board for the three weeks, has remained at $300. Approximately 50 percent of the students have been receiving some financial assistance. An increasing number of principals have responded to a "one-third plan" when a prospective student needs financial help. Under this plan the school, the student, and the community each contribute $100. In a number of cases, this plan has enabled students from other states to participate, easing the burden of added transportation expenses.

The Workshop of Nations has been called a "strategy in education." Of the former instructors who have returned to their own countries, many report that the workshop was their first real contact with America's true potential, notwithstanding their educational stay in this country. They have called the project "democracy in action." In it, no attempt is made to impress the instructor with American ideology. None is needed. The impact derives from demands upon him by the students for learning—without concern for grades, academic status, or other similar pressures of teen-age society.

The Workshop of Nations proves that American youth can and will meet their responsibilities intelligently and in a constructive manner, once provided the opportunity. It teaches how to think, not what to think, at a most important time in the maturation process of likely young leaders.

As the Workshop of Nations program enters its seventh year, the satisfaction of seeing what America really is made of and what it can become through its youth has affected the foreign scholars, the American staff, and those who sponsor Nations Incorporated. As interest increases, the project can make a significant contribution to education in the development of effective methods for the study of foreign areas of the world.

REACTION OF RESERVISTS

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. MONTGOMERY. Mr. Speaker, I would like to place in the RECORD four timely articles dealing with the reaction of most reservists in being called for active service.

I point out these articles to my colleagues as I feel they give the clearest indication of the willingness of reservists to meet their military obligations.

First. An editorial appearing in the October issue of the Reserve Officers Association magazine, the Officer.

Second. An excerpt from an article written by Brig. Gen. Homer I. Lewis, national president of the Reserve Officers Association, printed in the October issue of the Officer.

While we fight for maintenance of strong reserves on one hand we find ourselves assailed on the other by our own people. Reserve units or individuals, for whose readiness and effectiveness we have battled and whose reputations we have sought to exalt, abandon or seek to shirk their duty when they come face to face with it. Thus the image of the Citizen-Reservist is tarnished—not by the performance of the great body of our troops but by the defection or malperformance of a very small handful.

Third. A statement of Senator JOHN STENNIS, Democrat, of Mississippi, appearing in the Reserve Officers Association Washington Newsletter, the Officer Reporter, September 1968.

Fourth. An article appearing in Reserve Officers Association Washington Newsletter, the Officer Reporter, September 1968.

[From the Officer, October 1968]

NO NEED FOR EMBARRASSMENT

Reservists wherever they may be undoubtedly are pained by the reminders from their friends and associates that some of their brothers are seeking to avoid their summons to active service.

We are experiencing, however to a much smaller degree, the embarrassment of 1961 when maladministration of a sizeable call up, and the griping of a relatively few soldiers, made headlines throughout the nation.

Sometime after this 1961 fiasco, the Army after a deliberate survey, reported that only a fraction of one percent of the soldiers called to active duty had any real complaint. Some of the complaints were justified, but one would have thought from press reports the nation's Citizen Army was in revolt.

The Reservists, it developed at the end of that year, actually did a quite creditable job, and were given recognition for so doing by the President, the Secretary of Defense and the Army.

Yet the public impression persisted that Reservists had done less than could have been reasonably expected of them, and even today the Reserve image suffers for these foolish acts and words of a very few.

Six years have intervened since the 1961 call up, and much Reserve history has been written. For one thing, the ROA, as champion of the Reserves, made an arduous campaign to avert abolishment of the Reserves and among other results were rewarded by the passage of the Reserve Vitalization Act. During a three-year campaign, Congressional leaders established record after record of the worth and historic accomplishments of the Reserves. The Senate Appropriations Committee made this record so clear that it finally devoted one brief paragraph to the statement that it is not necessary to recite the long and valorous record of the Reserves and that their considerable value in the past was only a prelude of their significant role in the future.

The fact that a handful of Reservists took to court their effort to resist service upon which they already had been launched reflects not upon the broad Reserve programs, but upon some other fault in our society which produced a small blemish in the Reserve pattern. Reservists should be pained by these acts and attitudes by their fellow Reservists, and their embarrassment must be only that shared by every patriotic fellow citizen.

The defections, if that is the correct word, is no basis of embarrassment to the Reservists remaining on duty, or awaiting a possible call. They are, rather, a shame upon those who had a part in instigating them.

[From the Officer Reporter, September 1968]

STENNIS SAYS MOST RESERVISTS DESERVE

Senator John Stennis (D.-Miss.) declared that "while the dissenters and objectors (among reservists) and those who have filed suit obtain headlines, there are many dedicated men who are performing a patriotic duty and they deserve the praise and gratitude of all the Nation."

In a Senate speech, the chairman of the Senate Preparedness Committee, cited the attitude of the 173rd Petroleum Co., now on duty at Fort Lee, Va.

Following a meeting, these reservists issued the following statement:

"We . . . wish to announce publicly our desire that this unit not be identified and/or associated with any other Army Reserve unit on active duty which has in whole or in part instituted court proceedings to prevent their deployment overseas or seeking release from active duty."

This is the attitude "of the great majority of the reservists and National Guardsmen called to duty," the senator asserted.

[From the Officer Reporter, September 1968]

NOT ALL RESERVISTS CONSIDER CALL TO ACTIVE DUTY AS AN IMPOSITION

A great majority of reservists called to active duty do not consider it an imposition to serve their country. A good example is the 842d Quartermaster Petroleum Co., of Kansas City, Mo., now at Fort Lee. Their attitude is exemplified by the following sign in front of their unit billets:

"This former reserve unit is made up of 237 loyal, tax-paying citizens. The average man in this company is 25 years old, has 14½ years of education, earned $11,000 a year, is married, with children, owns two cars and his own home, and paid $2,000 in taxes annually. This they gave up to serve their nation on active duty.

"No sacrifice too great,
No mission too difficult
No task too hard,
Duty first."

REPORT FROM CONGRESSMAN JOSEPH E. KARTH

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. KARTH. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

[From Contact, Your Voice in Washington, October 1968, by Congressman JOSEPH E. KARTH, Fourth Congressional District, Minnesota]

KARTH'S ST. CROIX BILL BECOMES LAW

Although predicting House action on major legislation can be anybody's guess, Congressman Joseph Karth, in spite of the doubts of some, said in late August that he felt chances for House passage of the National Scenic Rivers bill were quite good.

On September 12, in a historic conservation vote of 265 to 7, the House named six rivers across the U.S. as part of a national scenic river system. Included was the upper St. Croix River, from Taylors Falls, Minnesota, northward into Wisconsin.

Later in September, a House-Senate conference version of the bill gained easy passage and was sent on to the President and signed into law, making it one of the major conservation achievements of the past 15 years.

The long struggle—An aroused public

Congressman Karth, originator of House legislation to preserve the St. Croix, took an active part in the final floor debate that ended when the bill was passed. In a hard-hitting supporting speech, Karth recalled the years of legislative effort and the enormous public support that have characterized the drive to save the St. Croix from commercialization. He praised the Twin Cities news media, which almost without exception, launched a strong editorial campaign to save the river. He lauded the Interior Committee for including five other rivers to be designated as "wild."

Karth then angrily broke into his prepared remarks to warn: "The public is more and more becoming enraged when government condones or encourages further desecration of the land and water around us. This is no longer a ho-hum matter, but rather one of deep anger at behind-the-scenes lobbying to ensure the preservation of bureaucracy or special interest."

Karth later reaffirmed his charge that the Army Corps of Engineers' proposal to dam the river had merely been an act of "bureaucratic empire building." He also denounced the move by Governor Shafer (R-Pa.) and "eastern coal mining and timber interests" that killed the Scenic Rivers bill when it was brought to a vote earlier this summer.

Flood control: Karth seeks help

In his speech, Karth took special care to note the problem of flood control in the lower St. Croix Valley. He said, "Following the record flood of 1965, some public sentiment was expressed for flood control of the lower St. Croix. In recent months, it was learned that the U.S. Army Corps of Engineers, was desirous of constructing a 100 foot high, 100 million dollar dam on the St. Croix allegedly for the purposes of affording flood safety to residents of the lower river valley.

"As a matter of public record, the dam would regulate but 3 feet of flood stage, completely inadequate when compared to the 16 foot flood stage of 1965. For the record, let me also point out that I have requested the Corps to pursue quickly a study of a flood-wall project that will inexpensively afford total flood control and will enable Congress to include the St. Croix in the Scenic Rivers bill without further delay or confusion."

Justice for youth

Karth concluded his remarks with an appeal for responsible action. He stated: "America is fast running out of space. The excellence of a slim, fast, wild river such as the St. Croix within 40 miles of 2 million people is becoming a vanishing part of the American terrain.

"The youth of our country often berate the 'stubborn system' that makes representative government seem to them at times a cruel joke. Today we have an opportunity to deal a double blow to injustice: we can ensure the preservation of some of our nation's finest remaining riverways; at the same time, we can by our vote extend to today's youth a symbolic gesture of our goodwill toward them and their children."

KARTH SCORES MILITARY WASTE

Congressman Karth, often a critic of loose military spending, recently stepped up charges of military waste and demanded an investigation by the Secretary of Defense.

During House and Senate debate on military appropriations earlier this summer, Karth was highly critical of military mismanagement in certain areas.

Following up, Karth recently stated, "With $30 billion now being spent each year in Vietnam alone, auditors of Army Vietnam inventory recently stated that after four months of checking it was not possible to tell either the quantity of war material now on hand, or what will be needed—or for that matter the location of stock at various depots."

Karth continued, "Loose material purchases and control could well produce a surplus problem that will leave taxpayers holding the bag for billions from which only pennies will return on each dollar spent, and from which a few entrepreneurs will literally make fortunes at the public's expense. That is exactly what has happened so often in the past and is what we are building up to in Vietnam."

Karth concluded, "Because of strong evidence that supply build-up in Vietnam may be out of control, I have asked the Secretary of Defense for a complete report on what measures are being taken to prevent a major surplus scandal. I have also requested the House Armed Services Committee to look into this matter and determine what can be done to head off wasted billions of dollars in surplus disposal."

FIRM CUTS TV VIOLENCE

Congressman Karth extended warm praise to the Whirlpool Corporation recently for their announcement that in the future they will refuse to sponsor any TV program depicting violence. In a speech in Saint Paul following the assassination of Senator Robert Kennedy, Karth chastized the national television networks for their "policy of selling violence." He praised Whirlpool's recent action calling it "an important corporate step in the right direction."

Whirlpool, a sizable manufacturer of home appliances in Saint Paul, announced that the Corporation will review all national and local advertising commitments and cancel any that involve violence of any kind. In that connection, they have switched sponsorship of "Hawaii 5–0" to the "Jackie Gleason" show this fall.

Noting this important policy shift, Karth stated, "Whirlpool has demonstrated a most responsible lead in reforming TV programming. The 3M Company also in the Fourth District, has long been recognized for constructive, yet exciting programming. I hope the progressive policies of these firms will set a new trend for other advertisers."

Karth strongly believes that the news media, especially television, must take a more *disciplined role* in curbing sensationalism which seems to incite or motivate crime (See "Solving the Crime Problem.")

SOLVING THE CRIME CRISIS

Congressman Karth, who has spoken out in Washington and elsewhere on a wide range of issues relating to U.S. crime, here expands three aspects of the problem which warrant close attention.

His first contention is that crime must be stopped, and that this won't be done by political sidestepping. He states: "Crime in the streets deliberately organized to loot, burn, and destroy public or private property or to purposely goad defenders of the law into over-reaction, must be stopped.

"Equally important, the right of free speech, free assembly, free and open debate must at all costs be protected.

" 'Law and order' as Hitler insisted upon it—'law and order' as the Soviets imposed it upon Czechoslovakia—is not law and order, but tyranny. It is brutal suppression of the freedoms we hold to be constitutionally self-evident," Karth said.

"Moreover," Karth warns, "to resort to political demagoguery on this most critical issue, whether in the United States or abroad, is grossly irresponsible and will do irreparable harm in the long run."

For example, it is true that, according to FBI reports, crime in the nation has risen 88 percent since 1960. Yet, according to these same reports the five states which had GOP Administrations during the entire seven year period, 1960–67, show an increase in crime of 170 percent, compared to only a 66 percent crime rise for the 18 states having Democratic Administrations. (The remaining 27 states had both GOP and Democratic Administrations during the period.)

The Fourth District Congressman stresses, "It is sheer demagoguery to imply by such statistics that crime has something to do with whether government is either Republican or Democratic. Our first order of action should be to rise above this."

The Congressman's second important contention is that the news media must begin to play a more responsible role.

He states: "Crime can be emotionally incendiary: I believe strongly that the news media, television in particular, by constant sensationalism strongly conveys acceptance of crime as common place fact, or what is worse, invites more of it.

"These are harsh words, but this problem is not easily solved. Everyone, including the media must be totally responsible and responsive."

Finally, Mr. Karth would call for a national shift concerning who must deal with crime. He says. "In the main, and except for organized crime, law enforcement is a local and state problem that requires local and state solutions."

The Congressman points out that whereas Congress has assisted enormously with law enforcement training programs, with funds for police facilities, equipment and other aid, state legislatures have notoriously failed to respond in kind.

PROGRESS OF 90TH CONGRESS

The achievements of the 90th Congress in enacting crucial legislation may tend to be brushed aside during the controversy of Presidential campaigning. Still, to view that record clearly and fairly, certain major developments should be thoughtfully recalled:

(Note: In each of the following areas—education, jobs, health, housing, social security, consumer protection and urban affairs—Congressman Karth strongly urges that State-Federal relationships continue. But he emphatically points out, that the State and local units of government have failed to do their part adequately. "The Federal government cannot be the 'sugar-daddy' for every state and local need," he warns.)

Education: During the 90th Congress, government assistance in education has helped to produce a new college in the United States every week; 1.5 million college students have been helped with Federal loans; 2.7 million workers learned new vocational skills; special help was granted 9 million school children, plus Head Start for 2 million preschoolers; vocational rehabilitation was provided for 600,000 disabled workers.

Jobs: A million men and women are being reached today by training programs; of these, over 800,000 under the Manpower Development Training program and 800,000 through the Neighborhood Youth Corps.

Housing: Through agencies such as the FHA, nearly 2 million American families have purchased their own homes for the first time. Under the Housing and Urban Development Act of 1968, sweeping new opportunities for low and moderate income home ownership will be afforded in the next three years.

Health: Medicare now protects 20 million older Americans; more than 7 million have already received benefits. Federal programs will have provided, by the end of the Congress, 286 community *mental health centers* serving nearly 50 million people; 31 million children have been vaccinated against crippling diseases; 40,000 mentally retarded children have been served in new mental retardation clinics; and over 450,000 have been treated under the Crippled Children's program.

Social Security: A 13 percent increase for 23 million retirees in 1967; Medicare, under Social Security, pays rapidly rising medical costs for most elderly Americans.

Consumer protection: Truth-in-Lending, passed in May of this year, will have millions of dollars in interest payments by permitting borrowers to know and compare rates; meat inspection will ensure safe, clean food; a newly-established Product Safety Commission, plus the Flammable Products Act, will ensure safe products; federal standards for motor vehicles and tires compel auto manufacturers to afford the public better products.

Urban affairs: Mass transit programs, new Departments of Housing and Urban Development and Transportation; abatement of air and water pollution—these were among actions designed to help city dwellers.

In compiling the above record, Mr. Karth concluded, "A turbulent time, such as ours, demands the most carefully conceived and managed government. I believe that the progress cited in this brief analysis illustrates the kinds of rational economic and social accomplishments that will be meaningful for the future.

"With stepped-up local, and state action, I believe that the desperate problems Congress has tried so hard to correct will be solved much faster. Like a house with a bad roof, if repairs are not made quickly, soon the entire structure decays. This is why every sector of our government must willingly bear its fair share today. Our response at every level must match the problem."

KEY KARTH VOTES

Cold War GI Bill Amendments, Yea.

Pension & Readjustment Act of 1967, Yea.

Armed Forces Pay Raise, Yea.

Liberalization Veterans Pensions, Yea.

Compulsory Arbitration, Nay.

Establishment of House Ethics Committee, Yea.

Diminished effort in Model Cities, Nay.

Housing Act, Low & Moderate Income Families, Yea.

Mental Health Appropriations, Yea.

Adult Education Act, Yea.

Elementary & Secondary Education Act, Yea.

Higher Education Act, Yea.

Amendment to Strike out Teachers Corps, Nay.

Food Stamps, Yea.

Economic Opportunity Act, Yea.

Age Discrimination Employment Act, Yea.

Social Security Increases, Yea.

Anti-Riot Bill, Yea.

Law Enforcement & Criminal Justice Act, Yea.

Juvenile Delinquency Prevention, Yea.

Automobile Insurance Study, Yea.

Clean Air Act, Yea.

Meat Inspection, Yea.

Establishment Commission on Product Safety, Yea.

Highway Safety Amendments of 1967, Yea.

Federal Aid Highways, 1967, Yea.

Flammable Fabrics Act, Yea.

Anti-loan Sharking Amendment, Yea.

Truth-in-Lending Act, Yea.

Federal Employees Pay Raise, Yea.

R.R. Retirement & Unemployment Insurance Act, Yea.

Civil Rights Act of 1968, Yea.

National School Lunch Act, Yea.

Arms Control Act, Yea.

Karth Act Curbing Indiscriminate Use of Insecticides, Yea.

Foreign Travel Tax, Yea.

Construction Safety Act, Yea.

Relief, U.S. Balance of Payments, Yea.

$20,000 Maximum subsidy to farmers (no limit today), Yea.

Economy in Government ($6.5 billion cut), Yea.

Scenic Rivers Act (Saint Croix), Yea.

KARTH VOTING RECORD: A PUBLIC AFFAIR

"You don't vote, *maybe*." No legislation is ever perfect, but a lawmaker, when he casts his vote, is either 51 per cent for or against a bill—unless he lacks courage and votes *present*. This blunt old truth assures each of us that as American legislative history is documented, our elected Representatives' votes unequivocally become public record.

Joseph Karth, the Fourth District's veteran of a decade in Washington, has established an important record of legislative decision making.

By conceiving and introducing bills (see "Karth Authors"); by judiciously using the legislative influence afforded a Member with seniority; by urging committee action on crucial measures; by speaking out and casting his vote—Mr. Karth has publicly delineated his convictions.

At a glance, one may see how Congressman Karth voted on the major controversial legislation of the 90th Congress. This record is one the Congressman feels strongly the people back home should be familiar with—it affects significantly their lives and their nation.

KARTH AUTHORS FAR-REACHING LEGISLATION

According to Library of Congress official documents, Representative Karth, during his 10 years in Congress, has been very active in authoring a vast array of legislation having far-reaching importance to the nation. During this time he introduced 120 pieces of legislation either as originator or cosponsor—an average of 24 bills each Congress.

One of the mechanical aspects of Congressional organization that diminishes a Congressman's opportunity to have his name on a bill that becomes law, is that Committee Chairmen are prone to stall original bills, resubmitting them later under their own names as "original" legislation.

In spite of the "Congressional fact of life" concerning seniority, Library of Congress records show that of the 120 bills under Karth's sponsorship, over 25 have become Federal law—a commendable record which betters itself as seniority is gained.

A survey of Karth bills shows that he has submitted 18 measures dealing with world peace; 17 concerning veterans, post office and civil service employees; 14 concerning the betterment of working people; 9 dealing with human rights; 8 on consumer protection; 7 concerning conservation; and numerous other measures dealing with science and technology, education, housing, and taxation.

For your information, a half dozen laws which Karth authored or co-sponsored are listed as follows: Establishment, World Peace Agency; 1964 Civil Rights Act; Settlement, Railroad Disputes; "Truth-in-Packaging"; National Housing Act; Pesticides, Fish & Wildlife; St. Croix Scenic Rivers bill, assimilated into the National Scenic Rivers law.

FOURTH DISTRICT ECONOMY SOARS

Congressman Karth reports that employment in the state increased steadily over the summer months, setting record highs for three months in a row. Unemployment dropped within the state—especially in the Fourth District—to well below national levels.

Karth noted, "Average hourly earnings for August rose to $3.10 an hour, showing the state a very attractive place to live."

Augmenting the favorable employment picture and the overall 85-month period of national economic growth, has been a steady flow of Federal funds into the Fourth District.

Karth reports that during 1967 and 1968 an average of 19 million dollars per month in Federal funds has been spent in the District—over ⅓ of a billion dollars.

During the past two years pivotal funds have been received for the downtown St. Paul civic center; for eight major new parks; for major water and sewerage projects; and for improved education and housing facilities in Ramsey and Washington Counties. Examples are specifically itemized below:

Maplewood, 145 acre park Acquisition, $394,300; White Bear Lake, 202 acres, 5 parks, $199,900; Bald Eagle, 19 acre park, $26,250; Ramsey County, 57 acres, Island Lake Park, $30,600; Washington County, 26 acres, Bonnie Lake Park, $5,865; New Brighton, 75 acre park, $154, 615; St. Paul, Rice Arlington Park, Hayden Heights Park, Rice Street Park, Merriam Terrace Park, $318,790; Washington County, Point Douglas Park, $13,439.

New Brighton, sewers, $245,220; St. Paul, sewer and water, $1,500,000; Ramsey County, sewers, $1,092,300; Forest Lake, sewer and water, $125,000; Oakdale and Northdale, sewer and water, $525,000; Oakdale, water, $149,000; Mounds View, water, $552,000.

PEOPLE PROBLEMS: KARTH GETS ACTION

As reported earlier this year, over 1,500 constituents or communities from back home have contacted Congressman Karth during this Congress asking for help in solving *people problems* that often develop in dealing with the Federal government.

Whatever the problem, whoever the person, requests are carefully and promptly investigated and action is sought. Again this month, a few examples are highlighted:

St. Paul: An aged, blind woman was visiting her relatives in Prague during the Russian invasion. Her frantic friends and family contacted the Congressman's office and were assured within hours that not only was she well but that she was preparing to depart for the U.S.

St. Paul: After months of work with Immigration and Naturalization Service, St. Paul girl and her alien husband were able to be admitted for permanent residence.

St. Paul: A veteran's wife called for emergency help concerning her husband. Unfortunately an injury had been overlooked in a medical examination following an accident. The wife called to the Veterans Hospital about getting him admitted. Mistakenly the hospital said they could not take him. Desperate, the wife called on Congressman Karth. Within an hour the veteran was admitted . . . and was there for several months after it was discovered the patient had a broken back.

St. Paul: A young man, greatly matured in comparison with his earlier years in military, asked for help in correcting his discharge certificate. Discharge was finally changed, after very extended period of work.

St. Paul: Effort over a one-year period—including direct discussion with the head of the Army—to correct a major injustice to a Private First Class.

Stillwater: A retired couple had run into a problem with their Social Security benefits. Immediate help was given to work out the difficulty with Social Security Administration.

White Bear Lake: Help sought in getting compassionate transfer of military son because of serious illness of parents. After extensive correspondence and negotiation, transfer approved.

Newport: Disabled father asked for assistance and advice on a military hardship discharge for only son. Numerous letters, telephone calls and meetings with military authorities. Discharge approved.

St. Paul: Small business firm asked for help in getting on Department of Defense list for purchase of surplus materials. Arranged with the Department.

REPORT TO 13TH DISTRICT RESIDENTS

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. RUMSFELD. Mr. Speaker, as in past years, I am again this year reporting to the citizens of the 13th Congressional District of Illinois on matters which have come before the Congress.

The report covering the 90th Congress follows:

CONGRESSMAN DONALD RUMSFELD REPORTS FROM WASHINGTON, ON THE 90TH CONGRESS, SECOND SESSION

CRITICAL NEED FOR A MODERN CONGRESS AND A NEW CAMPAIGN SPENDING LAW

We live in a time of rapid change. Whether that change will be divisive and erratic, or thoughtful and constructive depends in part on the U.S. Congress. Recent events in our country have emphasized the critical need for democratic institutions to keep abreast of the times.

The Congress of the United States is the representative Federal institution in our society. Regrettably, it appears to be one of the furthest behind in modernizing its procedures to cope with the problems of the 20th Century. It is clear that the Congress must function as an efficient instrument of government. It is equally clear that it does not. We cannot afford the continued imprecise and unresponsive legislative solutions which the present "horse and buggy" rules and procedures of the Congress were designed to produce. It is also of the utmost importance that the archaic laws pertaining to campaign spending be updated. Present election laws contain loopholes which make a mockery of the theory that the public has a right to know who contributes to political campaigns and how that money is spent.

Because of our belief in an effective Congress and in above-board campaign spending laws, a number of Congressmen and I launched an effort to rescue bills providing for Congressional Reform and Election Reform. By using the parliamentary rules of the House of Representatives, we have attempted to convince the House Majority leadership of the necessity for bringing the Legislative Reorganization Act of 1967 (S. 355) and the Election Reform Act of 1968 (H.R. 11233) out of the House Rules Committee and to the Floor of the House, before adjournment and under completely open rules, so that the House Members could work their will and, hopefully, pass meaningful reform legislation. The Senate acted over a year ago to approve legislation providing for both Congressional and election reforms.

We have made some progress. We succeeded in helping to bring these important issues to the attention of the American people and in winning strong, new support within the House of Representatives. From September 10, when our small group of 15 Members of the House of Representatives announced its intention to work for action on these reform bills, our ranks multiplied steadily and, on September 23, we were able to present to the Speaker of the House a letter urging the scheduling of both reform measures which was signed by more than 130 Republican Members of the House. In addition, a number of concerned Democrats have joined our cause.

There is no doubt but that one of the first orders of business in the next Congress—the 91st Congress, to be elected on November 5th—must be the consideration of Congressional Reform and Election Reform measures. But it is most unfortunate that these reform measures could not have passed in the 90th Congress so that the 91st Congress could have been organized under new rules. Implementation of some changes may now be delayed until 1971 when the 92nd Congress is organized.

Following are a few of the provisions of these reform bills:

Congressional reform (Legislative Reorganization Act, S. 355): The bill would better enable House and Senate Committees to draft and shape sound legislation by: opening business meetings of Committees and requiring public disclosure of Committee votes; restricting proxy voting; providing for live telecasting and broadcasting of hearings; providing the Minority the right to adequate staff, to call witnesses, and to file additional views to Committee and Conference reports; and the realignment of some Committee jurisdictions.

Further, the bill strengthens Congressional effectiveness and control over budget matters by: improving the budget document; providing automatic data processing of Federal budget information; reorganizing the General Accounting Office to participate more fully in the budget process; requiring mandatory rollcall votes on appropriations bills; and requiring closer examination of multiagency programs. In addition, the bill improves the sources of information for members of the House and Senate, as well as for the general public, by improving the Legislative Reference Service of the Library of Congress and increased Committee staffing.

Finally, the bill strengthens the Congress by: creating a permanent Joint Committee on Congressional operations; revising regulations governing House and Senate Pages and the Capitol Guide Service; removing postmasters and rural letter carriers from the patronage system; and giving greater authority for the elected officers of each house to supervise employees under their jurisdiction. The bill amends the Federal Regulation of Lobbying Act by: requiring more complete disclosure of lobbying expenditures; tightening registration requirements; and requiring the disclosure of arrangements of contingent fees for purposes of influencing legislation.

Election reform (Election Reform Act of 1968, H.R. 11233): This bill completely overhauls the Federal election laws pertaining to campaign fund-raising and spending in Federal elections. Encompassed is the full range of the Federal election process, including general and primary elections, conventions of political parties, primaries to select delegates to national nominating conventions or to express preferences for the nomination of candidates for President and Vice President. Specifically, the bill prohibits contributions by any one individual in excess of $5,000 during any calendar year to any single candidate and/or committees supporting him; prohibits the use of political contributions for personal purposes; requires comprehensive reports of campaign finances on a periodic basis; establishes a five-member bipartisan Federal Elections Commission; and requires reporting of gifts and honorariums in excess of $100.

OUTSTANDING YOUNG MEN

Congratulations are in order for the record number of young men from the 13th District who earned appointment to the U.S. service academies in classes which began in June, 1968. They are:

U.S. Air Force Academy: Herbert W. Brown of Arlington Heights; Vaughn S. Clauson of Skokie; Arthur O. Compton of Glencoe; David L. Kirchner of Arlington Heights; and Paul H. Sleger, Jr., of Arlington Heights.

U.S. Merchant Marine Academy: Barry L. Butter of Glenview and Joseph P. Smith of Arlington Heights.

U.S. Military Academy: Alan T. and Mark W. Ernst of Rolling Meadows; Jeffrey Harris of Winnetka; David B. Levin of Skokie; and David B. Roper of Glenview.

U.S. Naval Academy: Daniel L. Baas of Evanston; Geoffrey E. Grant of Winnetka; and James D. Hall of Kenilworth.

A VOTE SUMMARY

A summary covering many of the issues which were considered during the 90th Congress, full details on any aspect of the work of the 90th Congress, and comprehensive statements on such issues as the Draft and Congressional and Election reforms, are available on request through our Washington office, House Office Building, Washington, D.C. 20515.

ACTIVITIES IN THE 13TH DISTRICT

During the 90th Congress, I have made 33 trips to the 13th District to meet with groups and individuals and to fulfill as many invitations as possible. We try to arrange office hours at our District office at frequent intervals so that residents can stop by to discuss matters of mutual interest. Residents wishing to arrange appointments may telephone the District office, 328–2011, and we will make every effort to arrange a convenient time.

VOTES FOR ECONOMY

During the 90th Congress, more than 28,000 bills and resolutions were introduced. A great many of those which passed involved the appropriation of tax dollars. I opposed a number of measures which would have allocated millions of dollars for various "pork barrel" public works projects, and supported a successful motion to reduce by $6 billion the level of spending by the Federal Government. The Minority (outnumbered almost 2–1) was not always able to secure spending cuts where cuts seemed essential. Nevertheless, our efforts resulted in a significant dollar savings for the overburdened taxpayer.

GUN CONTROL

Few issues during my six years in the House of Representatives have brought me as much mail as the Firearms Control Assistance Act which passed the House with my support in late July. I had previously supported the Omnibus Crime Control and Safe Streets Act of 1968, which contained provisions to control the interstate sale of handguns.

While Federal restrictions on the sale and purchase of firearms and ammunition are not a complete answer to the problems of violence and crime, the enactment of reasonable controls should make it possible to prevent the acquisition of firearms by at least some of those more likely to misuse them and thereby help to reduce crimes of violence involving guns. The firearms legislation passed by the House, which does not include Federal registration or licensing, is, on balance, a sound step forward.

VIETNAM

The war in Vietnam continues with no end in sight. Evidence to date indicates that the North Vietnamese are unlikely to allow real progress in the Paris talks at this time, and perhaps not until after the November elections. This is a tragic prospect, in a tragic war, marked by a series of tragic mistakes.

Clearly, it has proven to be a mistake to have assumed that a series of South Vietnamese governments, weakened by corruption, ineptness, and unresponsiveness, could marshall the support of the people of South Vietnam to the degree necessary to achieve the stated goals. Once free of the rhetoric of the last four years and of the tendency to attempt to justify, or prove out, theories long since proven to have been erroneous, the United States must and can find an acceptable way to de-Americanize the war as so many of us have been urging. Thus, while the prospects for peace may not be bright in Paris at the moment, the discussions there remain at least a hope for a sensible solution.

LEGISLATION SPONSORED

Part of a Congressman's responsibilities consists of helping to identify problem areas and initiating action to resolve them. During the 90th Congress, I introduced and sponsored various bills and resolutions. Among them were:

Commission on Federal Budget Priorities: To require a thorough analysis of Executive Branch programs with an eye toward a reordering of priorities.

Amendment to NASA authorization bill: To establish an Aerospace Safety Review Board in NASA to prevent such tragedies as the Apollo-204 fire of January, 1967, in which three Astronauts lost their lives.

Social security benefits: To raise from $1,500 to $3,600 the amount of annual income an individual may earn while receiving Social Security benefits.

Others: Tax credits for education expenses, to permit individual tax credits for parents and others financing students in college; Pollution Control Act, to provide tax incentives for industry to install facilities to control air and water pollution; Joint Committee To Study the Draft, to examine alternative methods of recruiting military manpower.

VISITORS AND VIEWS

Visitors to Washington from the 13th District are always welcome in our office in the House Office Building. If you are planning a trip to the Nation's Capital, write ahead and let us know you are coming so that we may assist in making your visit a more enjoyable one.

Also, your comments and views on matters before the House of Representatives are always welcome. Our office is open throughout the year and your letters, requests, and problems are given a high priority. Communications may be addressed to: U.S. Rep. Donald Rumsfeld, House Office Building, Washington, D.C. 20515. I look forward to hearing from you.

A PRECIOUS RIGHT

Voting is one of the most precious rights of citizenship. In exercising this right, take note of these important dates:

Friday, October 25—Last day to apply by mail for absentee ballots.

Thursday, October 31—Last day to file absentee application with County Clerk.

Saturday, November 2—(Noon) Last day to vote in person at County Clerk's office.

Tuesday, November 5—Election Day, 6:00 a.m. to 6:00 p.m.

A PERSONAL MESSAGE

During the six years I have served as your Representative in the United States Congress, I have been constantly reminded of your deep interest in public affairs. Today, more than ever before, the thoughtful comments on the vital issues show a deep concern and an alertness to the problems facing our nation.

Justice, liberty, the dignity of the individual, equality of opportunity, individual responsibility—are values we share. In a recent speech, former Secretary of Health, Education, and Welfare John W. Gardner said:

"A nation is held together by shared values, shared beliefs, shared attitudes. That is what enables a people to maintain a cohesive society despite the frustrations and tensions of daily life. That is what enables them to rise above the inevitable conflicts and divisions that plague any society."

The actions of Government can divide or unify. To serve us well Government must be a modern, efficient servant, sensitive and responsive to people's needs. The best hope of every man, woman, and child in America lies in replacing outworn ideas with fresh, workable new ones. And in the process, updating those lasting ideas that still make sense for today and tomorrow. Thoughtful change, responsible change, is urgently needed today. The nature of that change is up to us, as citizens.

Constructive change, within the framework of our shared values, is the one unifier that all groups and all interests, now seemingly so at odds, can agree on and work toward, together. It is the best hope for welding our nation, healing its wounds, and moving America forward again.

THE PEOPLE'S RIGHT TO KNOW

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. WYMAN. Mr. Speaker, the strange case of Harold Banks is but one of many such skeletons in the closet of the past 8 years. It is imperative in the public interest—the people's right to know—that this country have a Department of Justice headed by an Attorney General who will, in fact and truth, "dig past the silence" referred to in the interesting article in the Washington Evening Star of this date, by James Kilpatrick. To help in this worthy cause it is to be fervently hoped that the voters of America will, next November 5, give Republican control to the House of Representatives by electing Republican candidates for the House nationwide.

If the House goes Republican there will then be Republican control of committees with their investigating power under oath by subpena, subject to penalties of perjury. I suspect that in such an event there will be disclosures even more disturbing than those of Mr. Kilpatrick in this excellent column. And, Mr. Speaker—shades of Bobby Baker and company—it really is about time. The article follows:

THE BANKS CASE: DIGGING PAST THE SILENCE

Nearly three months have elapsed since Jerry Landauer of the Wall Street Journal broke the story of the Amazing Coincidence of Harold Banks and the 100 Grand. It is still more amazing, when you come to think about it, that both Banks and the story have dropped into limbo.

If it were not for Sen. Paul Fannin of Arizona, this whole affair might have been hushed up altogether; but Fannin, a very junior senator, is showing the bullpup tendencies that may yet make him a bulldog in the pedigree of Williams, McClellan, Pastore and Morse. These are the guys who never give up.

Fannin is determined to find out exactly what happened last spring when Secretary of State Dean Rusk refused Canada's request for the extradition of Harold Chamberlain Banks. Thus far, Fannin has gotten absolutely nowhere, but so long as he keeps digging into the garbage, the smell will not die down.

Canadians know the story; Americans may have lost track of the facts. Banks is the No. 1 troubleshooter and brassknucks man for the Seamans International Union (SIU). He was dispatched to Canada back in 1949, when the leading maritime union of that day—the Communist-dominated Canadian Seaman's Union—was creating chaos in Canadian shipping. Peter Gzowski, writing in Macleans, recalls that the Canadian union had pulled 66 strikes and work stoppages in a span of 12 months.

For a few months, Banks was a hero. He matched his own goons against the goons of the CSU. After a few broken bones and gunshot wounds, Banks effectively drove the CSU out of business. His own SIU muscled in by organizing 157 crews the first year.

Then the party got really rough. Banks proceeded to run the SIU in Canada with a ruthless hand. He created his own personal blacklist—a "Do Not Ship" list— that finally contained the names of 2,000 sailors offensive to him. When the "DNS" list was declared illegal, he blandly created a substitute for it—an "ROC" list, meaning "Report of Charges," by which he could keep a rank and file sailor from ever getting a job.

Eventually, these oppressive tactics produced rebellion. One violent incident followed another. In 1964, Banks himself was convicted for conspiring to commit assault. The charge was that he paid $1,000 to "Big John" Kasper, former bodyguard to Dave Beck, to teach a lesson to an upstart merchant captain. The lesson included a double rupture and a fractured skull.

Banks was sentenced to five years in prison. Released on bond pending an appeal, he jumped his bail and fled to the United States. This was last winter. Canada at once applied for extradition under the Webster-Ashburton Treaty of 1842, basing its petition upon the perjury committed by Banks in a related investigation.

A U.S. commissioner recommended that extradition be approved. Secretary Rusk's legal adviser concurred. But Rusk let Banks go free. He had received a memorandum from Labor Secretary Wirtz, he said, urging clemency. (Fannin's repeated requests for the text of the memorandum have been ignored.) Two well-connected lawyers also were active in Banks' behalf—Myer Feldman, former White House counsel to Kennedy and Johnson, and Abram Chayes, former State Department legal adviser. On March 25, Rusk made his generosity final: Banks could stay in the U.S.

Now observe: Nine days passed. On April 3, as Jerry Landauer broke the story, the SIU's Political Activity Donation Committee contributed $100,000 to the Democratic party, in the form of 20 checks for $5,000 each; most of the checks went to dummy Humphrey-for-President committees. It seems an astounding coincidence.

Many of us recall the "Nixon fund" eight years ago; we remember what hell was raised about that. We recollect poor Sherman Adams, banished to Siberia for accepting a vicuna coat. More recently, we remember how the roof fell in on Sen. Chuck Percy, whose innocent friends proposed to raise a supplementary fund for his expenses. Why the thunderous silence from the liberal press on the matter of Hal Banks and the hundred grand?

Jerry Landauer merits a Pulitzer for his story; and Sen. Fannin, if he ever gets at the truth, will deserve a pat on the back for persistence.

CONGRESSMAN JACK EDWARDS REPORTS ON 1968 CONGRESSIONAL ACTIVITY

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. EDWARDS of Alabama. Mr. Speaker, following is my report to the people of the First Congressional District of Alabama on this year's work of the House of Representatives:

This is my fourth annual year-end report as your representative in Congress. Many important issues have confronted this nation during 1968; issues that have vitally concerned the citizens of the First Congressional District of Alabama. During this year, I have received from you approximately 20,000 letters in which you expressed your views on these important issues. I have attempted to give you prompt and responsive answers. The purpose of this year-end report is to bring you up to date on some of these issues. In my opinion, well informed citizens are the great hope of this country.

VIETNAM

Peace negotiations have been going on since May 13 with no visible sign of a diplomatic settlement in the near future. We know from past experience that the communists follow the theory of talk and talk, fight and fight, kill and kill. One would think that the administration would have learned something from the negotiations in Korea and Laos. Experience would indicate that the communists are prepared to drag our patience to the limit.

While the talks continue, Saigon is being shelled almost daily, troops and supplies are moving from the North constantly and we foolishly continue our refusal to drop bombs on North Viet Nam.

I hope the peace talks will produce some quick results. If not, then over 200,000 American casualties, we must either use our military strength for victory or admit that we don't have the will to win and stop this senseless killing of our boys. We must do one or the other.

CRIME

While the population has increased 10% in the last 7 years, crime has increased 88%. No community is immune from this tremendous increase. Permissiveness seems to be the order of the day. We passed a crime bill this year which I hope will curb the Supreme Court in some of its decisions that seem to offer more protection to the criminal than the victim. It is too early to tell how well the new law is going to work, but it is interesting to note that the Attorney General has already decided not to use some of the anti-crime authority incorporated into the law.

FOREIGN AID

Recently, a $1.6 billion Foreign Aid appropriation bill passed the House. This is a staggering figure and yet it is the lowest foreign aid appropriation in history. So I guess we can be thankful for small favors. But this program really needs looking into and it is my hope that it will get a complete overhaul next year. I cannot support it as long as it helps those countries that are assisting North Viet Nam and other communist activities.

WATERWAYS

The Tennessee-Tombigbee has been approved by everyone in authority and just as soon as money is available, construction will commence. This will be a great day for our part of the country.

Work along the Alabama River at the Miller's Ferry and Claiborne Dams is progressing well. The Hollinger's Island Channel study is coming along and hopefully the Corps of Engineers will have finished its report in the next month or so. We will be trying to get authorization early next year for this channel which will serve the new Theodore Industrial District.

Corps of Engineer studies are also in progress covering Mobile Bay, Bayou la Batre and Bayou Coden.

FARM PROBLEMS

I think we have come to the point where a majority of the Members of Congress finally agree that the present farm program is not working. It is costly, ill-conceived and because of it, farm income has gone down, farmers are leaving the farms by the hundreds of thousands, and the general health of the farm economy has deteriorated substantially.

I think we can look for a new approach to the farm problem in 1969!

ANTIRIOT LAW

After the whole nation witnessed the turmoil, violence and destruction that occurred in Chicago during the Democratic National Convention, we logically assumed that the Attorney General would prosecute those who planned and carried out the riots. We passed a law earlier this session that gave him the necessary authority. Well, as you might have guessed, so far he has done nothing. Ramsey Clark didn't want the law in the first place, and it looks as if he is determined not to use it.

MERCHANT MARINE

A tremendous effort was made by the House Merchant Marine and Fisheries Committee to come up with legislation designed to save our Merchant Marine. But once again, we ran head-on into the Administration. The result—back where we started. We cannot give up! The U.S. Merchant fleet built in American yards and manned by American seamen must have the immediate attention of the new administration in January. Hopefully, we will get some support so that we can have a new Merchant Marine program in operation at an early date.

GOVERNMENT WELFARE OR GOOD JOBS?

The effort in Washington to make it easier to get on the welfare rolls continues. I happen to believe that the good people in the First District of Alabama would rather have a good paying job than a hand-out. Therefore, during 1968, as in previous years, I have worked with local community leaders in an effort to bring new industry and new jobs to Southwest Alabama. Many of our towns have active new-industry programs. As always, I stand ready to go anywhere at anytime to talk to a responsible prospect.

At the same time, I have supported legislation to assist our people to become better trained and prepared for new job opportunities.

TAX BILL

When the legislative package calling for a 10% surcharge on the income tax and a $6 billion reduction in federal spending was before the House earlier this year, I voted against it. I argued there should be a sharp reduction in federal spending rather than a tax increase. I argued that no priorities were spelled out and therefore we didn't even know where the $6 billion cut was coming from.

The Congress bowed up its back and cut about $4 billion from appropriations bills. But significantly, the President's "Great Society" welfare programs have escaped the economy axe.

The President has again put a freeze on highway funds to the tune of $200 million, although, in my opinion, he has no right to do this and I have told him so.

Some farm programs have been unnecessarily curtailed.

In short, meaningful spending cuts have not been made, and those cuts that have been made have been in the wrong place.

What this all means is that for the fiscal year ending June 30, 1968 the federal budget deficit was a little over $25 billion. The cost of living continues to rise and as government competes with the private sector of the economy for money, interest rates have also reached new highs. The national debt is at an all-time high of about $360 billion. I repeat, the answer is a sharp reduction in federal spending.

HUBERT ASPIRES TO THE JET SET

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. DERWINSKI. Mr. Speaker, in an address here in Washington Monday, Vice President HUMPHREY energetically announced that if elected President, he would dash off to annual summit meetings with the dictators of the Soviet Union.

The history of summit conferences clearly demonstrates the pitfalls of such grandstand performances. This morning's Chicago Tribune carried a very timely historical analysis which I trust will receive the Vice President's attention and which might enlighten him.

HUBERT ASPIRES TO THE JET SET

Failing to light any bonfires at home, Hubert Humphrey fixed his eyes on distant vistas yesterday and stated that, if elected President, he would seek annual "summit" meetings with the leaders of Soviet Russia. He explained, unnecessarily, that these would be "at the highest level," meaning that he would be there with Aleksei Kosygin and Leonid Brezhnev, provided there is not another palace revolution in the Kremlin such as unseated Nikolai Khrushchev.

Hubert's urge to travel—and, it goes without saying, to talk, for that is his long suit—seems to us the best of all reasons for permanently rusticating him in his country seat at Waverly, Minn., where he would be safely out of harm's way. We have been having summit meetings for more than 25 years, and the best that can be said of them is that they were futile. The rest of the time they were disasters.

Franklin Roosevelt's war-time forays to Casablanca, Quebec, Tehran, and Yalta were productive of nothing but near-fatal blunders which handed eastern Europe over to the tender mercies of the Communists and consigned Nationalist China to Mao's phrenetic version of communism. Old Moosejaw tuned up for these expeditions by meeting Churchill on the high seas, while the United States was theoretically neutral, and signing a contract to jump into war as soon as he could manage it.

Harry Truman went to Potsdam and he and his seconds, in a fit of absent-mindedness, failed to make provision for safe access to the allied zones in Berlin. Stalin's conquests were confirmed and augumented at this meeting.

President Eisenhower, none deterred, scheduled three summits in his day. The first, at Geneva in 1955, was a washout, but Premier Bulganin credited Mr. Eisenhower with devising "the martini road of peace and friendship." Bulganin showed the usual symptoms of the addict when he patted a reporter on the head and said sadly, "I want to be young." The martini is like that. It induces self-commiseration and a yearning for things that are not to be.

The next session was with Premier Krushchev at the Presidential retreat at Camp David. An undefinable essence known as "the spirt of Camp David" was generated, but was dissipated at the third and final conference in

Paris in May, 1960. Khrushchev broke up the meeting before it started because an American U-2 spy plane had been downed in the Soviet Union. It figured that he would scuttle the conference on any convenient pretext, because the time fuse he had lit in the hope of blasting the western allies out of Berlin sputtered when he saw that the United States, France, and Britain were in no mood for appeasement.

The last of these meaningless chinfests brought President Johnson and Kosygin together in June, 1967, at a house called Hollybush on the campus of a state college at Glassboro, N.J. The "spirit of Hollybush" was never isolated and identified, for Mr. Johnson's customary approach of "let us reason together" was lost on the glum Kosygin. Talking to this robot is akin to trying to reason with an unplugged computer.

Nevertheless, Hubert is all for more summits. It would be rewarding if he were to remind himself that these get-togethers have been flops since the failure of the peace conference between the Athenians and the Melians in 416 B.C., when the spokesmen for Athens expressed a harsh and enduring truth to the emissaries of Melos:

"You know as well as we do that right, as the world goes, is only in question between equals in power, while the strong do what they can and the weak suffer what they must."

Attest: Czechoslovakia, 1968. As long as the United States maintains its strength, summits are dispensable. Only should we sadly lag in power will the Communists seek to talk, and then their time will have come to tell us their terms for surrender.

NEWSLETTER TO CONSTITUENTS

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. GREEN of Pennsylvania. Mr. Speaker, I customarily inform my constituents of my activities in Congress through a newsletter. In it, I outline the legislation in which I have had direct involvement as well as a general summation of the accomplishments of a particular Congress and some details of my committee work. I insert here a copy of my latest newsletter to my constituents:

Report From Washington

Dear Friend: With the 90th Congress coming to a close, I believe you should know—from your Congressman—what is happening here in Washington.

And I would like to hear from you. If you care to comment on some issue of concern to you, or if you have a problem connected with the federal government, do not hesitate to contact one of the two offices I maintain to serve you. You can call or visit my Philadelphia Office in Room 3036, Federal Court House, Ninth and Chestnut Streets, or you can write to me directly in Washington, Room 1128, Longworth House Office Building.

ELECTION TO WAYS AND MEANS COMMITTEE

Recently, I was elected—by my colleagues—to membership on the House Ways and Means Committee, the most powerful committee in either the Senate or House of Representatives. All tax legislation originates in this committee, in accordance with Article I, Section 7 of the U.S. Constitution and House Rules.

Naturally, I was pleased, not only because the assignment brings a good deal of prestige—which it does—but because it will put me in a position to get more things done.

SAVING MONEY FOR PHILADELPHIA

For example, I introduced a bill which permits federal agencies to deduct local wage taxes from the salaries of federal employees. Presently, the city wage tax must be paid by the individual who works in a federal installation in Philadelphia, in large bulk amounts each quarter. The result is inefficiency, inconvenience to the individual and a great cost to the city government.

Because my bill concerns taxes, it originates in the Ways and Means Committee. Now that I am on that committee, I have a much better chance of getting it passed. It could save Philadelphia—and you, the taxpayer—more than $2,000,000 annually, a vital saving, particularly in light of the current need for new revenues.

REFORMING THE TAX STRUCTURE AND CLOSING LOOPHOLES

I am also disturbed—and have been for some time—about the numerous tax loopholes through which a wealthy few escape with little or no payment while the average wage earner takes it on the chin. In 1964, nineteen taxpayers reporting incomes of more than $1 million paid no income tax at all. Because of loopholes, the remaining 463 paid less than 30%, even though the tax in their bracket is 70%. It's all legal because of the loopholes written into the law but the time has come to change the law. I intend to dedicate myself to this as a member of the Ways and Means Committee.

The time has also come to adjust the individual tax exemption. The present $600 exemption hasn't been changed since 1948, although the cost of living increase has reduced its real value to $420. I would like to see the Congress raise the individual exemption to $1,000 and, as a member of Ways and Means, will work to this end.

MID-DECADE CENSUS BILL PASSES HOUSE

Although I am pleased with my new committee assignment, I will miss my former position as Chairman of the Subcommittee on Census and Statistics. In that post, I recently held hearings and led the Floor fight for my bill to provide for a five year Census of Population.

Today we are forced to rely on 1960 census figures which give us a wholly inadeqate picture of where our people are and how how they are living. I believe in what Lincoln said: "If we could first know where we are and where we are tending, we could better judge what to do and how to do it." The bill passed the House by a two to one margin.

HEARINGS ON CRIME STATISTICS

As Subcommittee Chairman, I also held hearings on the accuracy and reliability of crime statistics. Many people today talk about crime control but our hearings clearly demonstrated that crime will never be controlled until we have accurate, reliable data about the incidence and roots of crime. At present, there is only one state in the nation, California, which has a reliable crime reporting and tabulation system.

As a result of these hearings, which brought experts to Washington from all over the country. I introduced legislation to create a National Center for Crime Statistics. The bill received the support of police officials, and I was pleased to see that it also was endorsed editorially in our own Philadelphia Inquirer.

[From the Philadelphia (Pa.) Inquirer]

A National Center for Crime Statistics

Philadelphia Congressman William J. Green has introduced a bill with especially praiseworthy purpose at a time when the Nation's war on crime needs to be better mobilized and harder fought.

He proposes the creation of a national crime statistics center which would coordinate all pertinent data on criminal activity, police records, court cases, penal systems and related fields—something that has never been done before. Representative Green, as chairman of the House Subcommittee on Census and Statistics, recently conducted hearings on the subject and found a vast lack of knowledge on which to base intelligent decisions in fighting crime on a nationwide basis.

Precisely how much crime is committed by persons out on bail or probation or parole is a matter on which comprehensive statistical information is particularly needed. There is much generalized evidence to indicate that major reforms should be instituted in bail, probation and parole policies to curb crime by habitual offenders. Thorough compilation of statistics in this field well might give impetus to enactment of reform legislation to help prevent crime and to strengthen law enforcement.

CONSUMER PROTECTION

During the current session, I have devoted a great deal of time to consumer protection legislation. There is now a law on the books, popularly known as "Truth in Lending," which requires dealers to reveal the true amount of interest and other charges for mortgages, bank loans, and installment plans which account for $90 billion annually.

Part of that new law is a provision which bans bogus mortgage arrangements. I discovered that many people were unaware they were being tricked into signing for a second mortgage until they lost their houses. We have had cases in Philadelphia of mortgage foreclosures and sheriff sales on furniture which started with a simple loan for a home improvement or the purchase of some household goods. Because I felt that sharp operators abused our lenient lending laws, I spoke against this practice on the Floor of Congress and was pleased to see corrective legislation written into the law.

INVESTIGATION OF AUTO INSURANCE RATES

Another area which I studied closely was the $8 billion a year automobile liability insurance industry. The facts indicated that Philadelphians, on the average, pay triple the premium rate paid for the same coverage by Montgomery County residents.

The evidence indicated that companies discriminated against the elderly, the very young, minority groups, industrial workers and city dwellers in general. Often policies were canceled with little notice or reason. Renewals frequently were refused, again with little reason.

Congressman Cahill of New Jersey and I decided to bring this subject up one day on the Floor of Congress. It was the first time the subject was mentioned in the House of Representatives. Our discussion lasted for more than an hour. Other Congressmen joined us. Forbes Magazine, one of the leading business periodicals in the nation, reported that Cahill and Green had "galvanized" the Congress into action.

Our lonely discussion that day led to a full scale Congressional investigation of auto insurance practices. Now, the Department of Transportation is also looking into the situation. Some insurance companies are beginning to offer more reasonable terms. Congressman Cahill and I are waiting, at this point, for the results of these investigations. If federal action is needed, we will not hesitate to call for it.

THE FIGHT FOR A STRONG MEAT INSPECTION LAW

When six Congressmen, including me, discovered the facts about the deplorable state of meat inspection procedures which permit unclean or diseased meat on the tables of American families, we sponsored a tough new federal meat inspection law. Our efforts received the support of Ralph Nader and other concerned citizens who brought the problem to the attention of the American people.

During this session, we were able to get a bill signed into law to extend and upgrade federal meat inspection. Pennsylvania will be a prime target in the campaign to eliminate dangers and abuses since 50% of all processed and 25% of all fresh killed meat in this state previously escaped inspection. Even worse, until the new law was passed, there were only 30 state inspectors covering 1200 plants in our state.

SUMMING OF THE 90TH CONGRESS

The 90th Congress is about to finish its legislative year. Although many things remain to be done, a good deal has been accomplished. We did preserve federal aid to education for all school children, based on need. We passed legislation to help to control air pollution and to aid the curbing of crime and juvenile delinquency.

We boosted social security coverage 13%, so that 24 million elderly Americans, a quarter of a million in Philadelphia alone, will find it a little easier to make ends meet.

We passed vocational and higher education bills, as well as a measure banning discrimination in employment because of age. These three bills will have far-reaching effects on the employment opportunities of thousands of Philadelphians.

The food stamp program, which uses local groceries rather than expensively run food distribution centers, was saved from attempts to abandon it. This program alone provides basic nutrition to several million Americans, 49,000 in Philadelphia alone.

The landmark achievement in this Congress was in housing. We passed legislation that will encourage the construction and rehabilitation of millions of units to house the poor—but just as important, the bill had provisions for low interest loans to people of moderate means, who want to save their homes from deterioration.

Though this Congress did not destroy programs, it did little to help cities. Even proposals to improve recreational facilities, better street lighting as a deterrent to crime (which I was the first in the House to sponsor) and mass transportation, did not receive the attention they deserved. And the Kerner Commission Report was completely ignored.

The insensitivity of Congress was best illustrated by the callous attack on the rat control program for the cities. As the first Member of the House to sponsor this bill, I was shocked when a majority of Representatives voted it down. Fortunately, it was successfully attached to a public health bill which passed both the House and the Senate.

Philadelphia, like all other American cities, sometimes seems to have problems which are beyond solution. But they are human problems which can be solved by human beings. We have made a start, and it is with that conviction that we shall continue.

I hope that this report has been interesting and informative. I urge you to write to me and let me know your reaction. You can be sure that your views are always given serious consideration.

Sincerely,

WILLIAM J. GREEN,
Member of Congress.

A NEW FOREIGN POLICY FOR AMERICA

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. COHELAN. Mr. Speaker, Arthur J. Goldberg, former U.S. Ambassador to the United Nations, former Associate Justice of the Supreme Court, former Secretary of Labor, and now private citizen, recently wrote a series of eight articles entitled "A New Foreign Policy for America."

The series offers a keen insight into the complex relationships among the nations of the world and a perceptive analysis of the steps we as a nation must take to assure peace and justice in the world.

Ambassador Goldberg argues cogently for a halt in the bombing of North Vietnam as a step toward peace. He believes the United States should take a firm stance on the Middle East situation and should keep the Czech issue before the World Court of opinion in order to let the Soviet Union know that repression is not tolerated in the 20th century. He urges fostering better relationships with the nations of Eastern Europe, but he suggests severing ties with South Africa because of its continuing racist policies. He believes the United States should support a two-China policy in the United Nations.

Ambassador Goldberg, recognizing the nuclear threat to all peoples of the world, suggests the strengthening of the United Nations as the instrument to handle the nuclear age, and finally he suggests that unless we put our domestic house in order, our position as the leading free nation in the world will be jeopardized.

Ambassador Goldberg's experience in many positions of leadership in our Nation's Government make him uniquely qualified to discuss these important policy questions. I urge all Members to take the time to read and ponder the issues he raises.

Mr. Speaker, I would like at this point in the RECORD to insert the series of articles written by Ambassador Goldberg and appearing in the Washington Post during the month of September 1968.

The articles follow:

A NEW FOREIGN POLICY FOR AMERICA: GOLDBERG CALLS FOR BOMBING HALT NOW—I

(NOTE.—Arthur J. Goldberg, United States Ambassador to the United Nations for three crisis ridden years, gives his personal proposals for "A New Foreign Policy for America" beginning today in The Washington Post. Ambassador Goldberg, who agreed to resign as an Associate Justice of the Supreme Court to take the U.N. position in July of 1965, stepped down last June after playing a key role in negotitaions over the Middle East crisis and for the nuclear nonproliferation treaty. He is now a member of the New York law firm of Paul, Weiss, Goldberg, Rifkind, Wharton and Garrison.)

(By Arthur J. Goldberg)

(First of eight articles)

The naked aggression by the Soviet Union in Czechoslovakia should intensify, rather than deter, American efforts to obtain an honorable political settlement of the war in Vietnam.

This is because the greatest potential threat to our security still is the nuclear armed Soviet Union.

Powerful as we are, the United States cannot be a world policeman. Therefore, we should not allow our strength to be dissipated by over-involvement in internal conflicts within or between small powers, however we may abhor their ideology and aggressiveness.

In Vietnam, we do not face a big-powerled monolithic Communist bloc threatening our security. Despite Hanoi's verbal support for the disgraceful Soviet action in Czechoslovakia, and its dependence on Russian and Chinese military and economic supplies, it pursues its own Communist policies.

These North Vietnamese policies are hostile to their neighbors.

The proper course for these neighbors is to defend themselves by building just and stable societies with adequate security forces backed up by appropriate regional arrangements.

The United States should contribute to these in a subsidiary way, without assuming a primary role.

With these considerations in mind, we must keep our "cool," despite our justifiable sense of outrage against the shameless Russian invasion of Czechoslovakia.

We must keep our own national interests foremost: Vital American interests dictate a political solution of the Vietnam conflict.

I am convinced that the time has come to halt all American bombing of North Vietnam, in order to move forward to obtain an honorable political settlement of the war.

I say this as one who has believed in and worked for a political settlement throughout my three years as United States Permanent Representative to the United Nations.

As I explained when leaving government service a few weeks ago, I now feel that I can contribute more to world peace as a private citizen, free from the inhibitions of official status.

Of course, as a private citizen, I no longer have access to the latest intelligence reports, and I will make my comments entirely on my own, personal behalf.

These personal comments are designed to facilitate the Paris negotiations and to help move them to substantive issues. Hanoi surely would be the first to recognize that any views of mine have no official standing. In presenting them I want to repeat my complete confidence in the competence and skill of our eminent negotiators, Governor Harriman and Ambassador Vance.

President Johnson took a giant first step toward peace in his March 31 announcements limiting bombing of the North and declaring he will retire from politics. This was an unparalled act of patriotism and political courage.

The result was the Paris talks, a highly useful prelude to negotiations on the substance of a settlement.

This first step has opened the door to peace. Now we must open it further by taking the next step—by extending to all of North Vietnam our cessation of bombing.

I realize that there are risks in this course of action. But there are also great risks in continuing the stalemate which has developed in the Paris talks. Any course entails risks; we must choose the one that leads us toward our goals.

The talks in Korea during the early 1950's carried risks. While they proceeded, as we are often reminded, some of the war's bloodiest fighting occurred. But the result was a permanent cease fire. In the end, lives were saved.

Our government has been insisting that Hanoi provide us with assurances in advance that it will match our bombing halt with reductions of its own war effort.

However reasonable and logical such a proposal may be, all indications are that North Vietnam will not expressly so agree.

Furthermore, as the brutal Soviet and satellite behavior in Czechoslovakia shows, promises by Communists are often unreliable, to say the least. Rather than rely on words, we sheuld place our faith in actions by Hanoi to de-escalate the war.

This is a course which our Government frequently has indicated would be acceptable. In this context, we should make the first move by totally stopping the bombing, and then standing alert to see whether Hanoi responds with such actions.

HANOI'S PROMISE

In the Paris talks, Hanoi's negotiators have refused to discuss reciprocal moves while our bombing continues. But they have repeatedly promised to discuss "everything" when bombing of the North stops.

This opens the way for us to urge as the first step subject under "everything" in the wide-open talks that appropriate arrangements be made to ensure that Hanoi does not use the bombing cessation to obtain a military advantage.

I believe that we will have powerful support among Hanoi's allies against the risk of such advantage-taking. The Soviets and East Europeans have repeatedy intimated that if the United States stops the bombing of North Vietnam, constructive results will follow.

Our faith in any intimations of theirs has been shaken by the Czechoslovak events. But it does seem apparent that their political interests—in relation to Communist China—and the economic burden of supplying Hanoi—all point in the direction of using their great influence on behalf of North Vietnamese de-escalation and political settlement.

Our bombing of North Vietnam has not been a resounding military success, and men and supplies continue to infiltrate South Vietnam. But if we halt the bombing, opening up risks, there still will be ways open to us to keep these risks manageable.

For my proposal leaves us free to continue other measures in the war and to protect our brave fighting men until further progress toward peace can be made.

For example, we would be free to continue bombing of key war infiltration areas inside South Vietnam, and along the Ho Chi Minh Trail through Laos.

We would not be committed to reduce the level of American forces in Vietnam, although this would be a logical outcome later of good-faith negotiations and de-escalation by the other side.

It also leaves us the option to consider resuming bombing of North Vietnam, if Hanoi were to show bad faith by taking decisive military advantage of the bombing cessation.

I recognize that there are difficulties in resuming bombing of North Vietnam once we stop. But I am confident our own public and world public opinion would support a resumption if, for example, Hanoi were to attempt a massive invasion through the Demilitarized Zone.

Some responsible American and foreign public figures have suggested that the opening of negotiations be accompanied by or preceded by a ceasefire. This would be highly desirable if it could be achieved, and indeed is a worthwhile subject for the "everything" stage of the talks.

But it is only realistic to recognize that all sides, including our own, have had reservations about the practicality of a ceasefire *before* a substantive peace settlement is reached.

CITES GENEVA ACCORDS

Similar problems regarding the timing of a ceasefire were handled in 1954 at Geneva. Under terms of the Agreements the ceasefire followed the Accords; it did not precede them.

I strongly feel that the 1954 Geneva Agreements, together with the 1962 Geneva Accords on Laos, can be the basis for restoring peace to Vietnam and Southeast Asia.

My belief in this is reinforced by the fact that both the North Vietnamese and ourselves have given at least verbal support to the Accords as the essential basis for a peace settlement—despite differing interpretations of them.

I have always felt, for this reason, that this is where you start—with a reconvened Geneva conference or, if Red China balks, a conference without them.

The participants at Geneva in 1954 and 1962, it will be recalled, included:

The Great Powers—the United States, the Soviet Union, the Peoples Republic of China, Great Britain and France;

The Republic of (South) Vietnam, and the Democratic Republic of (North) Vietnam;

Other Southeast Asian Nations including Cambodia, Laos, and in 1962, Burma and Thailand;

India, Canada and Poland, members of the International Control Commission set up by the 1954 Conference attended in 1962.

NLF SHOULD TAKE PART

In addition to these countries, there should be room at the new conference table for the Viet Cong's political representatives—the National Liberation Front.

It must be recognized that this will present great political difficulties for the Government of Saigon. Nevertheless, it is only simple realism to agree that the Viet Cong representatives particiapte at this stage, in the conference. Saigon could be reassured that unlike its own governmental-level participation, the Front would take part as a belligerent group.

This is only appropriate since the NLF has not been recognized as a government by any state including Communist governments, while the Government of the Republic of (South) Vietnam has diplomatic relations with more than 50 countries, has been accorded observer status at the United Nations, and is a member of several of its specialized agencies.

In approaching the subject for a new Geneva conference, or one with a similar framework, it is timely to state what I see as the proper American peace aims for Vietnam.

Following the letter and spirit of the earlier Geneva Accords, our objective should be, first of all, a political solution.

By now, we should be ready to disclaim any goal of a "military victory" in Vietnam in the usual sense.

As regards North Vietnam, we should make explicitly clear that we have foresworn any effort to overthrow the Hanoi government, despite our distaste for it.

As regards South Vietnam, we should seek for it the right to decide its own political destiny through democratic self-determination, with all segments of the population and all individuals participating peacefully—whatever the results of their decision may be.

These elections should be internationally supervised and should be on the basis of one man, one vote, with no disenfranchisement from voting or governmental participation of any group or individual, whatever their ideology, as long as they are willing to stop fighting and take part in a peaceful electoral process.

These elections, by and for the South Vietnamese, should determine their future government. We should neither impose a government nor oppose their free choice, whatever the composition of the government may be.

By the same token, if the South Vietnamese government and its adversaries freely negotiate the composition of an interim government, pending elections, we should not stand in the way. On the contrary, we should encourage the people and all factions in the South to bind up the nation's wounds, as Lincoln sought to do in the midst of our Civil War.

The present South Vietnamese bars to neutralists and Communists participating peacefully in the political process would therefore have to be eliminated. Obviously the outrageous trial and sentencing of former presidential candidate Truong Dinh Dzu and others must be repudiated. There should be an exchange of all prisoners of war and amnesty for all political prisoners.

Furthermore, we should be ready to commit ourselves to the reunification of North and South Vietnam, to be decided upon through a free choice of the peoples of both North and South, without outside interference.

There appear to be differences between Hanoi and the National Liberation Front on the procedure and timing of reunification. Obviously the government of South Vietnam has its own strongly held views on this. This could be a subject for the negotiations.

We should be willing to incorporate into an agreed settlement the promise of the Manila Communique:

That American and allied forces: ". . . will be withdrawn . . . as the other side withdraws its forces to the North, ceases infiltration, and the level of violence thus subsides. Those forces will be withdrawn as soon as possible and not later than six months after the above conditions have been fulfilled."

We should agree also to forego any military base in South Vietnam and to abstain from imposing any military alliance on South Vietnam.

We should seek a strengthened inspection machinery to enforce the revitalized Geneva Accords. Every effort should be made to make the 1962 Accord work—to cover Vietnam's neighbors Laos and Cambodia, so deeply affected by the war. This is the best way to curb expansionism in the region by North Vietnam's Ho Chi Minh.

Based on my own experience in negotiating with Communists, I predict it will not be easy to revitalize the Geneva Accords, despite Hanoi's verbal commitment to them.

There will be complications because the National Liberation Front is verbally less committed to the Geneva formula than Hanoi is, and because Communist China is directly opposed.

The task will be inherently difficult and complex. We should be prepared for protracted negotiations, characterized by stops and starts. This being the case, I would like to add my support for increasingly transferring the major responsibility for the war to the South Vietnamese. At the same time, I also would like to add a deeply considered word of concern in opposition to reverting to our pre-March 31 policy of military escalation.

American attacks on sea approaches to Haiphong, for example, would risk an unwarranted and dangerous clash with the Russians. Furthermore, they would make Hanoi increasingly dependent upon overland routes from China, increasing Chinese influence contrary to American interests.

If the war escalates again, then I believe the Soviets and Chinese will see to it that North Vietnamese losses are fully compensated. They have already demonstrated this.

Not the least of the risks of further U.S. escalation is a deeper American involvement if Hanoi removes its air bases to sanctuaries on Chinese territory.

It is not in the American interest to unite the Soviet Union and Communist China on this issue at a time when they have seriously divergent world positions. Even the Soviet invasion of Czechoslovakia in support of ideological orthodoxy has evoked scorn from the Chinese.

Nor is it in the American interest to let the Soviet invasion of Czechoslovakia deprive us of Soviet assistance in reaching an honorable accommodation in Vietnam. The only beneficiaries there would be the Chinese.

In making these proposals, I am aware of course that one of our major difficulties is the understandable fear of the government in Saigon that its political future will be jeopardized in the peace settlement.

But they, as well as we, must recognize that a political solution necessarily will involve concessions on both sides. They must realize that both South Vietnamese and American interests will be best served by negotiating a settlement *now*, while the American people still are committed to an honorable way out rather than a "scuttle and run" policy.

My strong conviction is that no foreseeable time will be better for serious negotiations to obtain an honorable settlement than the present.

A NEW FOREIGN POLICY FOR AMERICA: FIRM U.S. STANCE ON MIDDLE EAST URGED—II

(By Arthur J. Goldberg)

(Second of eight articles)

America's necessary and understandable preoccupation with Vietnam has diverted our attention from the real dangers of a slide toward a new abyss of war between Arab states and Israel.

In the next go-around there is no assurance that the direct Soviet-United States confrontation avoided in June 1967 would not take place.

Despite the best efforts of United Nations Special Representative Ambassador Gunnar Jarring, the differences between Israel and its Arab neighbors remain deep-rooted and explosive.

It was my responsibility as U.S. Representative to the U.N. to set forth the views of my country in many days and nights of Middle East debate and negotiation behind the scenes.

They were also my own views; as a private citizen I have not changed them. Now I feel the duty to expand them before the public for full discussion.

I am convinced that the United States can best serve the cause of Middle East peace by making explicitly clear:

To the Russians—That we will not permit Communist tanks and troops to attempt a "Czechoslovakia" in the Middle East.

To the Arab nations—That it does not serve their interest, as Czechoslovakia proves, to be tied to the Russians. The national independence and economic growth that they seek can best be attained by a lasting settlement, secured by and embodied in a peace agreement concluded by them with Israel.

Methods short of an agreed peace settlement have been tried in the past. If tried again, they again will be found wanting.

To Israel—That Israel should not be found lacking in the qualities of justice, vision and magnanimity that are always essential to the making of a lasting peace.

Of course Israel cannot make such a peace alone. It is necessary that a corresponding will and commitment to peace should exist also on the other side.

But when the Arabs are ready to enter into a real peace dialogue with Israel, directly or under Ambassador Jarring's auspices, looking to a peace agreement, Israel must be ready to respond courageously in the interest of peace. The making of peace calls for no less moral courage by all concerned than the waging of war.

What the Middle East needs today is a real peace—a permanent settlement by which the rights of Israel to live as a sovereign state within secure and recognized boundaries will be accepted and respected; by which the same right of Israel's Arab neighbors will be equally assured; and by which no nation in the area will be deprived of its visibility or security.

Something more is needed than the shaky ceasefire which prevails at present, something more than the fragile and often-violated armistice that prevailed for 18 years. To return to the situation as it was before the June war is not a prescription for peace but a formula for renewed hostilities.

In this bitter conflict there are certain fundamentals—involving legitimate grievances on all sides—which must be dealt with equitably in any real peace agreement.

The West Bank of the Jordan River. A reconciliation is required between Israel's obvious need for greater security than existed before the June war and Jordan's rights to both national and economic viability.

The Sinai Peninsula. A reconciliation is needed between United Arab Republic's territorial rights and Israel's right to free access for its flagships through the Suez Canal and the Straits of Tiran, under enforceable and self-implementing contractual arrangements.

Israel also has the right to be free from the threat of military confrontation such as it faced in May–June, 1967.

Jerusalem. An imaginative solution is needed which will reconcile Israel's profound commitment to retaining the unified city—and unity has its own obvious advantages—together with a special role for Jordan. Also, any solution must assure the rights of Christians, Jews, and Moslems to visit their sacred shrines. Jerusalem's former status had too many defects: Jews were barred from their holy places; the city was divided by artifical barriers; and military forces confronted each other in the heart of the Holy City.

The Refugees. The time is long overdue for an agreed humanitarian solution based on just compensation, and a reasonable amount of repatriation consistent with Israel's legitimate security requirements. There should be equitable participation—including financial help—by all the countries directly concerned, and the world community, including in particular, the United States.

Concessions by Israel should be balanced by the Arab states opening their doors more widely for the full rehabilitation of these unfortunate victims of war and politics. The United States and other Western countries should also extend welcome as they have done in the case of other refugees.

Gaza. This issue is essentially an adjunct of the refugee problem because of Gaza's largely refugee population; the Gaza Strip never has been Egyptian national territory. It should be dealt with, in light of the sad experience of 20 years of unrest, keeping Israel's security considerations uppermost. Similar considerations of Israel's security apply to the *Golan Heights* overlooking the Sea of Galilee.

Israel's fair share to the waters of the Jordan must likewise be safeguarded.

KEYS TO SETTLEMENT

Underlying these views is my belief that the key to a settlement is the interrelationship between two basic concepts:

1—The Arab states must finally and at long last recognize Israel's right as a U.N. member to live as a sovereign nation, free from any claim of belligerency or threats of war.

2—Israel's withdrawal this time should be to secure permanent boundaries, recognized and agreed upon with its Arab neighbors.

To seek withdrawal without secure and recognized boundaries would be just as fruitless as to seek secure and recognized boundaries without withdrawal. To return to the artificial pre-June war armistice lines would only be a prelude to more conflict.

As a participant in the lengthy negotiations leading to the unanimous Nov. 22, 1967, Security Council resolution, I can say that these concepts are the essence of that resolution.

METHODS OF APPROACH

There has been much discussion about the method of arriving at a peace agreement—whether through direct negotiations or through U.N. auspices or through some other means.

But I am convinced that problems of method should not be beyond solution. For example, the controversy over a peace treaty could be solved by the agreement of all parties to sign a joint declaration embracing all of the subjects included in the November 22 Security Council resolution.

This could follow the pattern of the Japanese-Soviet agreement after World War II ending the state of war which represents a binding contractual agreement between the parties. It would accommodate Israel's justified insistence on a binding agreement, while making due allowances for Arab sensibilities.

I recognize that this is far from a detailed blueprint for peace. Any such attempt would go contrary to my long-standing conviction that the United States and other powers should refrain from attempting to impose such a peace.

We tried to do so after the Suez crisis in 1957 and were singularly unsuccessful.

SOVIET UNION'S INTEREST

But I am suggesting that we should mobilize our diplomatic influence in support of Ambassador Jarring's UN mission which is "to promote agreement and assist efforts to achieve a peaceful and accepted settlement."

I also am convinced that the Soviet Union must be brought to recognize that its long-term interest lies in promoting a new deal for a stable Middle East, rather than in pursuing its dangerous policy of keeping the pot boiling.

Moscow's blanket endorsement of unrealistic Arab demands for a rollback to the unsatisfactory conditions that prevailed before the June War constitutes an invitation to repeat the dangerous drift that brought us close to a U.S.-Soviet confrontation last year.

Any active entry by Soviet forces into the Middle East would make confrontation a perilous certainty. Israel and the Arab countries in question do not border on the Soviet Union. Intervention in them would prejudice the vital interests of the United States in the entire Middle East.

The Russians already have gone too far in substantially arming their Arab clients and in becoming increasingly involved in the operational management of Arab war machines.

Furthermore, they have shown no genuine interest in the regional arms limitations for the Middle East proposed by President Johnson.

In light of the scale and type of Soviet arms buildup to the Arab states, including TU 16 bombers and MIG 23's, the United States has little choice but to supply Israel with protective arms, including Phantom jets, sufficient to prevent a dangerous imbalance. Israel's apprehension that an imbalance already exists would seem to be justified.

DANGEROUS PRESSURES

Already there are dangerous pressures to introduce new military technology—from missiles to atomic weapons.

Our main objective, however, should be to reverse the arms race and we should prove this vigorously with the Russians.

I recall Adlai Stevenson's saying that "all wars are civil wars, and all killing is fratricide."

His comment is tragically appropriate to the Middle East. The Arab and Jewish peoples of this region, who have suffered the ravages of internecine war three times in 20 years, are descended largely from the same stock.

War has cost Israel nearly 8000 killed since 1948. Israel's casualties in six days of June, 1967—in proportion to population—were more than twice the proportion suffered by the U.S. in all the years of the Vietnam War.

Published estimates indicate Arab losses likewise have numbered in the thousands, and that proportionate to population they have been most grave.

Arabs and Israelis share a common heritage of religion. In their prayers, they acknowledge that peace is the will of God.

But peace will not come of its own accord. For it remains true, as President Kennedy once said, "that here on earth God's will must truly be our own."

A NEW FOREIGN POLICY FOR AMERICA: GOLDBERG: PRESS CZECH ISSUE—III

(By Arthur J. Goldberg)

(Third of eight articles)

The shocking and outrageous invasion of Czechoslovakia by the Soviet Union and its Warsaw Pact allies has thrown into question the whole policy of pursuing a detente with the Soviet Union.

Once again we have been forcibly reminded that apparent changes in Soviet policy may prove to be only changes in the weather rather than enduring changes in the climate.

Therefore we should be vigilant to maintain our defenses and alliances that have proved their value, however much they may need to be reviewed in light of changing circumstances.

We cannot overlook acts of naked aggression such as befell the liberalized Communist government of Czechoslovakia—in the name of Soviet "security."

Although events still are unfolding, there is legitimate concern that the Moscow agreement forced on the Prague leadership at the point of the Soviet gun may be more of a "Munich" than a compromise. This being the case, the United States and the other countries which brought this grave situation to the attention of the United Nations should not let the matter drop.

The request of the Czechoslovak representative to discontinue U.N. consideration can be disregarded as made under coercion. Nor should the certainty of further Soviet vetoes of any action by the Security Council relating to Czechoslovakia deter us.

Without consuming further time with Security Council procedings bound to abort, we should join with others seeking to mobilize justified world opprobrium against the Soviets, in making the Czechoslovakia matter the first item on the agenda of the forthcoming session of the U.N. General Assembly scheduled to convene Sept. 24.

In light of world reaction, there can be little doubt that the overwhelming body of U.N. members would join us in demanding complete and speedy Soviet withdrawal, and respect for Czechoslovak sovereignty.

The importance of this world political pressure on Moscow should not be discounted. To enlist it is the very least we can do for the brave Czechoslovak peoples.

Furthermore, we and our NATO allies are properly reviewing our common defense arrangements in light of this ominous move by the Soviet leadership—bringing larger Soviet forces to Central Europe than at any time since the early postwar period. The suggestion for an early NATO meeting at the foreign and defense minister level is well taken.

The Soviets need to be visibly reminded of our vital concern about their change of the status quo and of our alertness to its impact on the vital interest of the United States and its European allies.

DETENTE HOPES SAG

The goal of a wide-reaching detente between the United States and the Soviet Union has been severely damaged by Soviet intervention in Czechoslovakia.

Nevertheless, it remains a wise policy to pursue the goal of mutual understanding between the Soviet Union and the United States on certain vital issues, unless further aggressive actions by the Kremlin make this politically impossible.

In so doing, we will be acting in the service of American national self-interest as well as world security.

The interest of the Czechoslovak people in regaining the opportunity to progress toward freedom will not be served by a world engulfed in nuclear flames.

The essential basis for seeking Soviet-American understanding is founded on the common interests of both countries in certain vital matters. These include:

Avoiding the danger of a military confrontation between ourselves, with its great risk to the survival of the Soviet and American peoples and all mankind.

Diminishing the intolerable burden on our economies imposed by an escalating arms race and the incredible costs of sophisticated weaponry.

Improving the quality of life in our respective societies to meet pressing needs.

Helping the poor nations of the world economically if only to prevent their being taken in by Mao Tse-tung's bellicose doctrines which if widely accepted would threaten the interests of both Russia and the United States.

VITAL ISSUES

Here are some of the vital issues on which we and the Russians should seek mutual understanding:

Of highest priority are the scheduled talks to halt the nuclear arms race. It is of the utmost urgency to achieve agreement on measures to control and limit the ever-increasing build-up of strategic nuclear missiles, and to take steps to forestall the widespread deployment of anti-ballistic missile systems on both sides.

The ABM systems involve fantastic economic costs with ultimate contributions to the security of either side likely to be zero or even a minus quantity.

Conversations on this crucially important subject were about to begin before the invasion of Czechoslovakia. It is imperative that they go forward. Their success is in our vital interest.

It is also in our interest that the Senate act promptly to ratify the Nuclear Nonproliferation Treaty designed to prevent the further spread of these terrible weapons into the hands of more and more nations.

Our justifiable sense of outrage against the Russians must not be allowed to obscure the fact that our own security interests will be served by this treaty.

MIDDLE EAST

The Middle East is another area in which understanding between the Soviet Union and ourselves continues to be essential.

If, as the Soviets profess, they really support the Nov. 22, 1967, resolution of the Security Council looking to a Middle East settlement, they should begin by agreeing to limitations on the arms race in the area, as President Johnson has urged.

And even more fundamentally, the Soviets should stop seeking short range political advantage by all-out endorsement of unrealistic Arab positions. Instead, they should join with us in an even-handed approach to help all parties—Israel as well as the Arab states—agree upon a just, magnanimous and permanent peace settlement.

The Soviet Union and the United States should reach a mutual understanding about seeking an honorable settlement of the war in Vietnam, each for good reasons of its own. Soviet cooperation can be a key factor in such a settlement. One important reason why I have urged a cessation of bombing of North Vietnam is to open the way for the Soviets to use their influence effectively with Hanoi.

Of course the price of understandings even in these vital areas never can be the silencing of American public opinion from speaking out against Soviet use of force or intimidation to repress liberalization of Communist systems in Eastern Europe. And our government must continue to enlist worldwide pressure for withdrawal of Soviet forces from Czechoslovakia.

Nor need we feel restrained in the slightest measure in condemning Soviet violations of human rights. Repression by Soviet authorities of their own intellectuals, discrimination against minorities and religions, notably against Soviet Jews, cannot and should not be ignored. These relics of Stalinism militate against a detente, and no one need hesitate to speak out forcefully against them.

HARDHEADED ATTITUDE

I have found from my experience at the United Nations, where I negotiated on many major issues, including the Space Treaty and the Nonproliferation Treaty, that speaking out and taking a hardheaded rather than a softminded attitude toward the Russians is the way to do business with them.

I advocate the policy of detente in these vital areas in full awareness of some immense difficulties. Among them is the Soviet conception of world order which is far from our own view—as the Russians showed so clearly in Czechoslovakia.

But even this display of primitive force cannot erase the realities of this decade: the growth in Eastern Europe and elsewhere of aspirations for freedom; the universal need for security and economic growth; and the danger to human survival threatened by nuclear war.

These are the realities which could supply common ground for understandings between the two super-powers, where recognition may be given to the legitimate interests of both nations.

Long ago Lord Palmerston noted that great powers do not have permanent friends or permanent enemies. They have permanent interests.

A similar point was made by George Washington in his Farewell Address. Washington warned that "permanent inveterate antipathies against particular nations and passionate attachments for others should be excluded."

In our relations with the Russians therefore we should follow Washington's advice and avoid extremes of either undue trust or antagonism. We should act deliberately and imaginatively to seek the common ground of mutual self-interest. In a nuclear age this is necessarily defined as survival.

A NEW FOREIGN POLICY: GOLDBERG STRESSES EAST EUROPE LINKS—IV

(By Arthur J. Goldberg)

(Fourth of eight articles)

If the Czech crisis offers any enduring lesson, it is that the unity of Eastern Europe is irretrievably shattered. Nothing the Russians can do—not even full occupation—can force the compliance and ideological subservience they seek.

Because Eastern Europe now is split into three or more different factions within the Communist world, there is a need to reassess certain American policies.

This pulling apart in Communist East Europe of the once-monolithic Soviet bloc presents openings for new approaches.

These should take into consideration the fact that while East Germany, Poland, Hungary and Bulgaria participated in the Soviet invasion, Yugoslavia and Rumania dramatically opposed the Russians.

Even in countries taking part in the invasion, there is strong evidence of an undercurrent of popular sympathy for the Czechosolvak liberal Communists. And their leaders showed considerable diversity—ranging from Budapest's lukewarm support to East Berlin's official enthusiasm.

This record leads me to conclude that our efforts to encourage the liberalization of Communist regimes in Eastern Europe should be intensified despite the Czechoslovak episode.

We should therefore work to eliminate restrictions on trade, cultural exchanges, travel and investment between this country and Eastern Europe. Our allies already are well embarked on this road. We should encourage them.

These contacts are not a reward to Communist government. They are the means by which Eastern Europe receives Western ideas and decreases its dependence on the Soviet Union.

In a sense, Soviet panic over the thaw in Czechoslovakia is a tribute to the efficacy of these contacts as a political weapon.

Specifically, the Congress should act to permit restoration of "most favored nation" trading privileges to the countries of Eastern

Europe, which desire improved relations with us.

Congressional bans on Export-Import Bank backing for American trade with Eastern Europe should be removed, and Commerce Department export restrictions affecting this region should be eased.

Furthermore, we should lift travel restrictions on Eastern European officials stationed in the U.S. and liberalize red tape which makes it difficult for citizens from Eastern Europe to come here as tourists.

We should encourage, and make our peaceful contribution to, the growing liberalization of Eastern Europe—being careful, however, not to interfere in ways which could only defeat, rather than accelerate, this trend. And we should abjure seeking to impose our conception of how Europe should be organized and integrated, but should be content to let the nations of Europe fashion their own future according to their own ideas—as indeed they are in the process of doing.

East Germany's leadership in stimulating Soviet aggression in Czechoslovakia undoubtedly will act to discourage those West Germans who were ready to offer accommodations to lower tensions between the Federal Republic of Germany and Communist East Germany.

Nevertheless, as a long-range policy, flexibility in order to find a solution to the German problem is sound. The guiding rule for the United States should be: Let us not be more German, than the Germans.

The role of Soviet troops in attacking Czechoslovak liberalism likewise has caused second thoughts on the part of proponents of reduction of American troops in Europe.

The Soviets should be made to understand that they have set back the cause of seeking sensible and practical mutual reductions of troop levels and armaments deployed in Europe by the United States, the Soviet Union and their respective NATO and Warsaw Pact Allies.

With respect to Europe, Asia, and elsewhere some of those who discuss our foreign policy today point to our tragic frustration in Vietnam and conclude that we Americans should give up trying to act like a world power, should return to isolationism, and turn our eyes inward as we did between the two World Wars. I find no merit in that view. Our size, our resources, our technology, our ideals—all these combine to make us the leading world power and to give us commensurate responsibilities.

The recent events in Czechoslovakia have been a stark reminder of the inescapability of these responsibilities.

Our actions abroad, and those of others, have the profoundest consequences for American national security, and it is only realistic to face this fact.

But the same realism also requires us to remember that our national power, great as it is, is not unlimited and that our interests and responsibilities are not unlimited either.

America has no choice but to be a world power, but is under no compulsion to be a world policeman. President Kennedy put his finger on this point when he said: "The United States is neither omnipotent nor omniscient. . . . We cannot impose our will . . . we cannot right every wrong or reverse each adversity . . . there cannot be an American solution for every problem."

We should therefore reject the illusion of isolation in a "fortress America," and the opposite illusion of an America that is all-powerful and all-wise. We must follow a course that lies between isolationism and interventionism. We must stay on the sensible middle ground.

In Europe, this means adhering to our commitments to protect the security of Western Europe, although time and circumstance may change the precise means required. It also means rethinking with our NATO Allies whether the current buildup of Soviet armed forces in Central Europe is consistent with vital Western security interests.

For Eastern Europe, this means supporting their own efforts to liberalize their Communist regimes by the economic and other measures I have outlined.

We should give our help and encouragement to those Asian nations that show the will and capacity not only to remain independent but also to take on an ever-increasing share of responsibility for the security, stability and growth of the region.

The same approach should guide our policies in Latin America and Africa. In Latin America, the United States has a particular responsibility rooted in geography and in a long tradition of good neighborliness, which impels us to continue our help and cooperation.

These policy suggestions are intended to meet practical and essential needs which we face in the very unstable world community of today.

But I would not be true to my convictions if I did not add that we must, for our own survival, look much further than this. Even a true *detente* with the Soviet Union, and a *modus* vivendi with mainland China, would not be the ultimate solution of the difficulties of our world.

A wise American and a former colleague of mine at the United Nations, Ambassador Charles Yost, in his book, "The Insecurity of Nations", has written: "The nature of the modern world is such that it will not tolerate a pax Romana, pax Britannica, pax Sovietica or pax Americana." I would presume to expand his list by adding that the nations of the world would also not long tolerate a pax Americana-Sovietica.

I profoundly believe that nations, including our own, will never know real security until they acknowledge some impartial and effective international agency designed to keep the peace, control armaments, negotiate peaceful settlements, advance human rights, and facilitate social and economic progress.

It must be acknowledged that the United Nations is not yet such an agency; thus far the members lack the common will to make it so. But, despite its weaknesses it is still the best instrument for peace that the world possesses. There is no realistic alternative to it.

In a world in which survival is still an open question, we have no choice but to persist in the United Nations effort to organize an international order and security—one which will extend the benefits and restraints of the rule of law to all peoples and all governments.

A New Foreign Policy for America: Goldberg Urges Two-China Move—V

(By Arthur J. Goldberg)

(Fifth of eight articles)

It is high time for the United States to support a two-China policy in the United Nations.

I propose that our U.N. Representative be authorized to state at the very outset of the debate in this month's General Assembly session, that "The United States will not oppose admission of representatives of Peking to this Assembly, provided that continued representation of the Republic of China in this Assembly and in the United Nations is assured."

If Peking accepts this arrangement, which is unlikely at present, I believe also that the United States should support a change under which mainland China would sit in the Security Council.

Whether Peking accepts this arrangement or not, we should stand steadfast against the efforts of Peking and its friends to expel Taiwan from the U.N. Until Peking accepts a two-China policy, we should also continue our insistence that the Republic of China retain the Chinese seat in the Security Council.

FLEXIBLE ATTITUDE

A flexible American attitude for a two-China policy would go a long way in strengthening opposition to expulsion of Taiwan from the Assembly. At the same time, it would reinforce our argument that the Security Council should not act on the question of Chinese representation until the Assembly acts and Peking responds.

At present, the composition of the Security Council is weighted heavily against Taiwan. In contrast, the last vote on Chinese representation in the Assembly was favorable to Taiwan—an improvement on the 1965 tie vote on the one-China proposal that sought to expel Taiwan from the Assembly.

Therefore, it would be highly unfortunate for the Security Council to act, on the question of China's representation before the two-China formula could be taken up in the Assembly where Taiwan enjoys much greater support.

In any event, the matter is far too important to be settled by the fluctuating currents of feeling in the Assembly or the changing composition of the Security Council.

I believe the merits, from the viewpoint of the United States, and indeed of the Republic of China, dictate the course of action I advocate.

I recognize that this course will cause difficulties for Taiwan and for some of our allies in Southeast Asia. But there would be far greater difficulties for them and for us, were Taiwan to be expelled from the U.N. and Mainland China admitted as the sole successor to China's seats.

Our two-China policy should be based on the premise that both the Nationalist government and the Communist government should sit in the U.N. General Assembly as "successors" to the China that signed the U.N. Charter.

This policy would not bring immediate results. Peking says it "never" will accept the right of Taiwan to U.N. membership, and indeed under Peking's present intransigent leadership we can assume it will castigate this proposal.

SHIFTING THE ONUS

But our new policy would make clear to the world community that it is Peking and not Washington that is keeping mainland China out of the U.N. Furthermore, Mao Tse-tung and his fellow Stalinists in the Peking leadership are aging. A new leadership generation may react differently.

The groundwork for this move already has been prepared. With the authority of our Government in the September 1966 U.N. General Debate, I advanced three propositions for a new American policy on China and the U.N.:

". . . it is not the policy of the United States to isolate Communist China from the world . . .

". . . the United States will vigorously oppose any effort to exclude the representatives of the Republic of China from the United Nations . . .

". . . the United States has the friendliest historic feelings toward the great Chinese people and looks forward to the occasion when they will once again enrich, rather than endanger, the fabric of the world community, and, in the spirit of the Charter, 'practice tolerance, and live together in peace with one another as good neighbors.' "

President Johnson, in addressing the American Alumni Council earlier that year, also spoke of the need and hope for reconciliation between the United States and China.

OPINION HAS CHANGED

Both major political parties and their candidates have emphasized the need for ending the isolationism of Communist China. Public opinion polls show that the American people are ready for concrete action to give substance to these words. A distinguished panel of experts under the auspices of the United

Nations Association have endorsed a two-China policy as a wise and necessary course for our country.

Communist China now rejects both the Nuclear Test Ban Treaty and the Nuclear Non-Proliferation Treaty. Their professed reason for rejection of the latter is the involvement of the U.N. from which they are excluded.

At the least, we should remove the basis for this contention by inviting Peking to U.N. membership. The U.N. is resilient enough to accommodate this unruly new member.

At the best, we should look forward to the day when, under new leadership, Communist China as a recognized member of the world community, and the world's fifth atomic power, is ready to join disarmament agreements so essential to world survival.

The absence of Peking (and its ally North Vietnam) from the U.N. has been a substantial factor in freezing the world organization out of any peace-making role in the Vietnam War.

Furthermore, Communist China has been left free to pursue policies of international subversion immune from even the limited restraints which membership and participation in the U.N. imposes.

Peking has condemned the Soviet invasion of Czechoslovakia as a "shameless act" comparable to the Nazi invasion of the Sudetenland. Through U.N. membership, the Chinese Communists would be given the chance to apply the principle of non-intervention to their own conduct.

Nothing I have said should lead to the conclusion that the United States in any way should abandon its defense and security commitments relating to Taiwan. This continuity of commitment should reassure Nationalist China. The adoption of a two-China policy, distasteful as Taiwan would find it, does not mean any abandonment of established U.S. policy assuring Taiwan's security. Furthermore, there would be no change in the continuity of our other defense and security arrangements in Asia.

If our new China policy, on the other hand, is an incentive to our Asian friends to go ahead with present beginnings of regional arrangements for their own security, this definitely would be a plus both from their own and our viewpoints.

Lessening of tensions with China cannot be achieved solely by our action in moving to a two-China policy. This is obvious, given the present condition of mainland China. But this lessening of tensions which we all desire certainly cannot be achieved *without* our action.

A NEW FOREIGN POLICY FOR AMERICA—GOLDBERG: UNITED STATES SHOULD SEVER ALL TIES WITH SOUTH AFRICA—VI

(By Arthur J. Goldberg)

(Sixth of eight articles)

In light of South Africa's unyielding and intensified policy of apartheid—so abhorrent to our commitment to equality for all races—the United States Government immediately should disentangle itself from remaining economic, military and scientific ties with that country.

We have long recognized that South African race policies offend human dignity today and might threaten peace tomorrow. We have long sought through diplomatic channels to induce changes in South Africa racial policies. Unfortunately, our efforts have had little impact of consequence.

The South African government has ignored United States representations while continuing to build its repugnant system of total racial segregation—*apartheid*. It has increased its suppression of democratic liberties for its people, blacks and whites alike.

Now, even at some cost to ourselves, our Government should take steps which would visibly disengage us from South Africa.

PROTECT OUR MORAL POSITION

By so doing we will protect our moral and political position in the world. We will also lend practical support to those who are working toward the reconciliation and equality of the races in South Africa. And we will strengthen the defense of American interests in the rest of Africa and the non-white world—including the high level there of U.S. investments and trade.

Among these fast-growing, large-magnitude economic American interests, are oil in Libya and Nigeria, copper in Zambia, rubber and iron ore in Liberia, bauxite in Ghana.

We often overlook the fact that the value of these interests in Africa north of Rhodesia now substantially exceeds our economic interests in Southern Africa. And we tend also to overlook the political value of fostering the goodwill of more than 30 black African governments representing 150 million people. This should not be.

I propose the following major governmental steps:

Arms embargo. Stricter enforcement of the South Africa arms embargo, including a ban on sales of American "dual-purpose" items such as trucks and executive-type planes which can be used by their military.

We should close loopholes such as the recent authorization for sale of American components in some "nonweapons" military equipment sold to South Africa by other countries.

We should use our influence to halt such sales by Japan, France and other countries. In the United Nations Security Council, we should see that such violations are cited by name if they do not cease. By so doing, we could help assure that orders not filled by American suppliers are not thereby lost to foreign competitors.

Missile and Space Program. We should close our missile and space tracking stations in South Africa and shift to facilities elsewhere as soon as physically possible.

Nuclear Agreement. We should carefully examine whether continuance of the U.S.-South African nuclear cooperation agreement is in our over-all interest.

Fueling by Official Ships. No American official ships should use South African ports. Alternative fueling arrangements should be provided for research and communications vessels as well as Navy ships such as the aircraft carrier Franklin D. Roosevelt. The additional expense is worth bearing.

(The carrier FDR stopped in segregated Capetown, South Africa, in February, 1967. After protests by U.S. Negro leaders and 40 members of Congress, shore leave for 3800 sailors was cancelled.)

Economic Ties. Government Export-Import Bank loans and investment guarantees for South Africa should be disallowed across the board. The present case-by-case consideration should be discontinued.

The United States Government should actively discourage private loans and investment by American businessmen and bankers in South Africa. Those who engage in such enterprises are profiting from and strengthening a system which (as our official speeches have made clear) is built on racism.

Commerce Department trade promotion publications for South Africa should be discontinued.

The United States sugar quota for South Africa should be abolished.

We also should support a realistic and peaceful United Nations program of bringing independence to the Territory of South-West Africa, now illegally held by South Africa.

FOLLOW SUIT ON PORTUGAL

As in the case of South Africa, I urge visible disengagement from Portugal in the Portuguese-ruled African territories of Angola, Mozambique and Portuguese Guinea.

We should make it an announced policy to reject AID investment guarantees for Portuguese African ventures.

We should reject Export-Import Bank participation in Portuguese Africa in the future. The reduction of Ex-Im participation in the recent large-scale American project for Angola did not go far enough.

As a result of UN Security Council action, we have embarked upon a similar policy of disengagement and disassociation with regard to Rhodesia. We should under no circumstances relax our support for this UN embargo.

All that I propose with respect to Southern Africa is peaceful action. I do not advocate the use of force; on the contrary, I oppose it.

But at the same time that we reject force, we must offer more than words to prove our moral abhorence of the racist cancer in Southern Africa.

We must take all peaceful and practical steps, within the capacity of our Government, to help stop the spread of that cancer and, with all reasonable speed, to eradicate it.

A NEW FOREIGN POLICY FOR AMERICA: GOLDBERG SAYS U.N. IS INSTRUMENT TO HANDLE NUCLEAR AGE CHALLENGE—VII

(By Arthur J. Goldberg)

(Seventh of eight articles)

The United States must take the lead to strengthen the United Nations as a force for peacemaking and peacekeeping.

This is in our own interest as the greatest world power, committed to the benefits and restraints of the rule of law.

Recent bitter experience teaches us that single states, however strong, cannot succeed in keeping the peace by themselves without provoking rival forces and thus generating the very insecurity they seek to end.

Even with the best will in the world, states cannot trust one another when the international system is so unstable that they feel they must "shoot first" in self-defense.

The central challenge to our foreign policy in this nuclear age is to organize a system of multilateral security which would render any unilateral solution unnecessary.

The United Nations is the only available instrument for organizing the response to this challenge.

We should therefore rededicate ourselves to upholding and improving the U.N. system of peaceful change and cast away such policies as have subjected us to the charge of being the defender of weary status quo situations throughout the world.

In this way we can regain our former position of leadership in the United Nations.

SEVEN PRINCIPLES

Our principles should be these:

1—Fidelity to the U.N. Charter, demonstrated by resorting to the U.N. or to appropriate affiliated regional organizations to prevent or halt outbreaks threatening world peace.

We should involve the U.N. before rather than after any unilateral American military action, except in the most dire emergency such as the 1950 North Korean invasion.

In an extreme emergency, when diplomacy including U.N. organs cannot produce results sufficiently promptly, the United States can appropriately exercise its self-defense rights and responsibilities under the U.N. Charter.

2—Taking the lead at the U.N. in opposing intervention by any country in the internal affairs of another independent nation.

A recent example was our prompt resort to the U.N. in the Czech crisis. To maintain fidelity to the Charter and our own credibility, we must of course apply this standard to our own action.

3—Committing ourselves to progressive, orderly change throughout the world. We must not permit our good name to be borrowed in defense of reactionary regimes or colonialism or racism. Our abhorrence of racism must go beyond mere words to action.

4—Standing resolutely for collective U.N. action against violent disruption of established international arrangements.

5—Speaking and acting to promote good relations with all nations, regardless of differences of ideology but without abandoning those safeguards which we have properly created in order to protect the free world.

6—Acting no longer as a barrier to the increasing universalism of the U.N. membership, notably in the case of China.

7—Enlarging substantially our support for multilateral economic aid. (It is clear that Congress has lost its enthusiasm for direct U.S. foreign aid.) In contrast to direct aid, multilateral aid has the virtue of stimulating a fair sharing of the burden by other countries. It also eliminates unhealthy political engagements from the aid process. Of course, multilateral aid does not preclude additional bilateral economic assistance.

VIETNAM A HANDICAP

Our moral authority to insist upon peaceful international conduct is handicapped now by world reaction to the Vietnam conflict. But our position in the U.N. and outside will be restored as Vietnam moves to a political settlement.

The inability of the U.N. to have come up with a solution to the Vietnam war has contributed to feelings by many Americans of disillusionment about the U.N.

Other contributors to American feelings of disillusionment include:

Failure of the U.N. to enforce the obligation of the Soviet Union, as occurred recently when the Russians exercised the veto for the 105th time to block U.N. condemnation of Soviet invasion of Czechoslovakia.

The apparent double standard applied by some countries on issues involving racial discrimination and other abuses of human rights.

The failure of the U.N. to go beyond its achievement of ceasefires to permanent solutions for such crisis items as the Middle East, India-Pakistan, Cyprus.

In my experience of three years as American Permanent Representative at the U.N., I have found considerable basis for this disillusionment.

But the fault is not with the institution. The U.N. works very well whenever it is supported by the common will of its members, particularly the great powers.

U.N. ACHIEVEMENTS

Even when the common will is weak, as is too often the case, the U.N. has not been given sufficient credit for substantial achievements. Here are some "plus" examples from my three years:

At the U.N. we stopped the 1965 war between India and Pakistan. The ceasefire worked out in the Security Council "bought time" for an agreement still sorely needed.

The long-smouldering Cyprus problem seems now to be moving toward solution, although there was real danger of war there only a few months ago.

We negotiated successfully the Outer Space Treaty and contributed substantially to the completion of the Nonproliferation Treaty to prevent the spread of nuclear weapons to additional countries.

These treaties represent important steps on the road to arms control and disarmament. The U.N. is the umbrella under which the Soviet Union can cooperate with the United States on such vital matters despite our deep-rooted differences over Vietnam and Czechoslovakia.

In the Middle East, the U.N. couldn't prevent the June, 1967 war, but it brought about the ceasefire. We were able to negotiate the unanimous November 22 Security Council resolution which hopefully will provide the basis for eventual agreement.

In the case of Soviet invasion of Czechoslovakia, the U.N. could not force Soviet withdrawal. But it did mobilize world public opinion against this aggression.

The little-noticed U.N. activities in the economic and social fields constitute an achievement I hope will continue to grow as major nations increase their stress on multilateral aid and other forms of international cooperation.

Still another important U.N. contribution is in providing a forum where the newly independent ex-colonial countries can make themselves heard. This is a valuable service, even though some speeches and votes are overly extreme.

For whatever the U.N. defects may be, one thing is clear: our country in its own interests cannot afford to slacken its support of this world organization which is so much our own creation.

A New Foreign Policy for America: Goldberg: Cure Ills at Home—VIII

(By Arthur J. Goldberg)

(Last of eight articles)

Unless we put our domestic house in order, our position as the leading world power will be imperiled.

We suffer at home from the evil and sickness of racial discrimination against blacks in a world community in which whites are a distinct minority.

We tolerate islands of poverty in a domestic sea of affluence and in a world in which the overwhelming majority of nations are poor and the rich are few.

Our poor are disproportionately non-white and this interrelationship is apparent for all the world to see.

We suffer from an increasing alienation of our young people and are too prone to blind ourselves to the fact that this may be because of their virtues rather than their vices.

We have built great cities, but are abandoning their centers to squalor and decay.

We have raised from the soil a bountiful harvest, but have not mastered the way to share its benefits fully with the rural poor.

We have mistakenly assumed that our domestic ills will wait while we set the rest of the world right. But we have learned from our civil disorders and widespread violence that we can no longer delay needed domestic reforms.

We desperately yearn for restoration of law and order, essential in a democratic society dedicated to liberty under law. But we have ignored the basic truth that whenever legitimate grievances go unredressed, confidence in the law declines and instability and violence arise.

We are a great society, but we are not sufficiently a just society. And justice is still the first cry of people here and everywhere.

We have tried to cope with our ills with inadequate measures, although we are told on high authority that the cure will require a "commitment to national action, compassionate, massive and sustained . . . (and) new attitudes, new understanding and, above all, new will . . . from every American."

A HOUSE DIVIDED

A house not in order but divided cannot stand before the world as the exponent of a dynamic and progressive foreign policy.

Therefore, we must put first things first and give first priority to our neglected domestic concerns.

This is not to say that no progress has been made. Much has been done in the enactment of laws that govern education, jobs, housing and civil rights.

These laws, courageous judicial decisions enforcing the promises of our Constitution, and strong Executive action in support of them, have strengthened our country far beyond the immediate domestic concerns which prompted them.

The same is true of our economic system founded on private business and free labor which has yielded such widespread benefits among our people. Thereby we have set an example of which the entire world is increasingly aware.

But it is because of the high expectations aroused by these achievements that the world community cannot understand our failure to deal with the deep-rooted evils of our society on the grand scale appropriate to our size and capacity.

These evils were not created yesterday and there is no instant cure for them. But it is no longer acceptable that they be treated "with all deliberate speed." This formula, rationally conceived 14 years ago, has been distorted to justify indefinite and protracted delays.

THERE'S STILL TIME

Fortunately the ills which plague us are not incurable. There is still time to undertake the massive remedies which must restore our nation's health.

In his Inaugural Address, President Kennedy declared his belief that: "If a free society cannot help the many who are poor, it cannot save the few who are rich."

He was talking about foreign affairs. But his words apply to our domestic society as well. Our country must never be allowed to become as Disraeli warned that England was becoming a century ago—two nations, one rich and one poor—or as the National Advisory Commission on Civil Disorders warned us this year, "two societies, one black and one white—separate and unequal."

In previous articles, I have written of priorities for our country's foreign policy. We have obligations throughout the world which we must continue to meet, obligations to defend our vital interests and allies, and obligations to help alleviate the ravages of poverty, starvation, and disease in the developing nations. But at the same time that we meet these foreign policy priorities, we must recognize that the highest priority of all is that we perfect our domestic society. This, more than diplomacy of guns, will ensure our proper place of leadership in the world community.

IN TRIBUTE TO MRS. MARJORIE MERRIWEATHER POST

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure for me to place in the Congressional Record the following remarks of R. Gordon Hoxie, chancellor of Long Island University, Arthur T. Roth, vice chairman of trustees, and John P. McGrath, chairman of the board of trustees.

These remarks were made at the annual awards dinner of Long Island University's Society for the Advancement of Management on Thursday, May 16, 1968, at Brookville, Long Island, N.Y. On this occasion the Society for the Advancement of Management's annual award on a national basis was presented to Mrs. Marjorie Merriweather Post for "her outstanding contributions in business management and service to the Nation."

As a longtime friend of Marjorie Post's, it was an honor for me to accept this award for her in her absence. It is an equal honor to place in the Record these tributes to a truly remarkable woman—Marjorie Merriweather Post:

Mrs. Marjorie Merriweather Post, director emeritus of the General Foods Corporation and a principal benefactress of C. W. Post College of Long Island University was honored for "her outstanding contributions in business management and service to the nation" by the day and evening chapter of the College's Society for the Advancement of Management, at the Society's annual awards dinner in Brookville on May 16.

Prior to the dinner a reception was held in the Great Hall of C. W. Post College in honor of those faculty and staff members who had completed ten years of service to the college. John P. McGrath, John H. G. Pell, Chancellor Hoxie, Provost Ewald, and Dean Spiegel took part in these ceremonies. Distinguished guests were His Excellency, John Kieth Waller, Ambassador to the United States from Australia, and Mrs. Waller of Washington, D.C., who are friends of Mrs. Post.

Chancellor Hoxie presided at the dinner, which was attended by Mrs. Post's friend of long standing, the Honorable James G. Fulton, member of the House of Representatives from Pennsylvania. Because of an indisposition Mrs. Post was unable to be present, but expressed her warm thanks to Dr. Hoxie and all the participants in the reception and dinner programs for the honor given her.

Mr. McGrath, chairman of the board of trustees, paid tribute to Mrs. Post for her keen interest in the development of C. W. Post College, the Merriweather Campus, and Long Island University. Arthur T. Roth, vice chairman of the trustees, spoke in behalf of the ten previous recipients of the S.A.M. awards, including those of the past three years: Michael L. Haider, chairman of Standard Oil Company (New Jersey), in 1967; E. Clinton Towl, chairman of Grumman Aircraft Engineering Corporation, in 1966; and C. R. Smith, former chairman of American Airlines and now U.S. Secretary of Commerce, in 1965. Greetings were offered by Prof. Thomas Hubin, S.A.M. adviser, and by Richard Camp, president of the Day Chapter of S.A.M. The invocation and benediction were given by Prof. T. Henry Murphy.

REMARKS BY CHANCELLOR HOXIE

Mrs. Post's story began in Springfield, Illinois, more than 81 years ago and includes a childhood both in Texas and in Michigan. (She can still taste the labels she pasted on the jars of that parent product, Postum, in a small white barn in Battle Creek, Michigan.) Then, commencing at age twenty-seven as owner and operator of the relatively small Postum Cereal Company, by organizational leadership, intuitive acquisitions, understanding and vision, she was for the ensuing forty years the principal architect in the formation and development of what is today the great General Foods Company.

This same managerial skill, courage, and generosity has inspired the development of other corporate enterprises, whose leaders in fields varying from oil to merchandising, attest to the manifold opportunities she made possible whether on Fifth Avenue in Manhattan or in Post City, Texas.

Likewise her philanthropies, both at home and abroad, have been characterized by this perceptive vision of building greater opportunities for others. The wisdom of her counsel, as well as her gifts, has contributed inspiringly through such organizations as the National Symphony Orchestra Society, Mount Vernon Seminary, The Smithsonian Institution, and most notable, C. W. Post College and Merriweather Campus of Long Island University, on her former Long Island homesite. Here now for 14 years she has participated in the building of a college and campus bearing her father's and her mother's name.

And so beginning with a modest but a good legacy, by the character of her person and her unswerving faith and loyalty which inspires others of many generations, Marjorie Merriweather Post contributes magnificently. She provides the richest of dividends, in the building of a better people, a better nation, a better world.

REMARKS BY MR. ROTH

I'm very sorry that Mrs. Post can't be with us this evening. If she came here, you would see a stately, queenly lady whose very appearance would cause you to have great respect. I mention this particularly at this time because you are interested in the advancement of management, and if you truly want to become successful managers of business and command the respect of others, you must take something from the example of Mrs. Post. And, that is, you must make a good appearance and you must dress well. I see that those of you who are here this evening are doing just that, but, many of the students that we see in college today—I wonder how successful they are ever going to be later on in life if they continue the way they are today.

It is always a pleasure to attend the annual awards dinner of S.A.M. and to take part in honoring a man who has made an outstanding contribution to management. Tonight we are paying our respects to a woman who has not only made a significant contribution to business management but who has also, by her deeds, not just words, shown the general public—the citizens—everybody—what an enormous force for good in our society a business leader can be. Mrs. Post has carried her sound business instincts and experience into the advancement of higher education, the arts, and the public service—with salutary effects for all of us.

Speaking this evening for the former recipients of the S.A.M. award I think I can say, candidly and accurately, that as a business leader, Mrs. Post has left the rest of us far behind. She is full of new ideas. Where she gets the energy to carry them out—in New York, in Washington, D.C., in Florida or wherever—defies all laws of human behavior. After a full day of business and public service, she can square dance until midnight. I am a mere golfer myself, not a square dancer, but I can tell you that I am impressed by the fact that Mrs. Post wears out several partners before the evening is over.

In the time allotted me I can note a few of Mrs. Post's contributions to management. I should like to mention three or four in the area of personal relations. My friends at General Foods tell me that Mrs. Post has always shown a keen interest in seeing to it that the younger people in the organization are given all the opportunities they have shown they are capable of handling. This began back in 1914 when she took over at her father's death. My friends at General Foods also tell me that she is always careful not to impinge on the authorities and responsibilities of the chief executives. She expects them to "run the show." She often puts her ideas forward in the form of questions—questions that show a realistic grasp of whatever problem or situation she is talking about. Questions like this carry a great deal of weight. I might add that my wife often puts her suggestions in the form of a question. I have learned that when she makes a remark such as, "Don't you think that it would be a good idea if somebody would do thus-and-so?", she means, "Arthur, why don't you get busy and do it?"

Mrs. Post does her homework

At General Foods, Mrs. Post has always been known by the other directors as a woman "who does her homework." At board meetings she has carefully studied any and all proposals, and speaks her mind on them.

When Mrs. Post took over from her father at the age of twenty-seven, I think it is interesting that the company was soon acquiring other sound food companies in a series of operations that provide excellent guidance for us today in the art or science of effective and profitable growth through mergers. Mrs. Post was doing extremely well at acquiring other companies years before others began doing it.

To me, Mrs. Post has pioneered in showing business executives and entrepreneurs how to provide effective leadership in the public sector. You will find that each of the public service enterprises that she is engaged in is set up on sound management principles. The goals are defined, the projects are planned in detail, the people to run them are carefully screened, and the funds are in hand *before* operations begin. Would that our government officials more often acted likewise! Mrs. Post works quietly, often behind the scenes, without fanfare. She provides ample proof of the business axiom that you can get a lot done if you don't consider it important who gets the credit.

I think that is true of Mrs. Post's interest in higher education, and more particularly her interest in C. W. Post College, the Merriweather Campus, and Long Island University. I know from experience as a Trustee that she simply wants to advance the good work, to aid in the pursuit of excellence. Dr. Hoxie can tell you of her multifold interest in everything that goes on here at Merriweather. I will mention just one thing, a minor thing perhaps, but I think it has timely significance.

The newspapers have been filled of late with stories of student demonstrations. In them there are always charges by the students that the faculty and administration, at Columbia University and elsewhere, don't have enough face-to-face contact with the students. Mrs. Post, in all the years that I have known of her interest in C. W. Post College, makes it a point to see and meet and talk with the students face-to-face. She sees them here, without public notice, and she invites them to her homes in Washington, D.C. and Florida. I will add one more thing, which will amuse you. She often requests that she meet with the students *alone*—she doesn't want any old fuddy-duddy over thirty years of age doddering about and slowing up the conversation! Here again, Mrs. Post is far ahead of her fellow educators.

Others here tonight will tell you of her detailed accomplishments as a management expert, and these achievements are great. Far greater in my mind are Mrs. Post's achievements as a human being, and I've given just a few examples. I know we shall all learn and benefit from her activities in the years ahead—I refer to her continuing activities in business, in the arts, and in the public service. She has mastered the most difficult art of all, that of being an alert, warm, responsive human being.

Mrs. Post, we admire you, salute you, and thank you for being associated with us.

REMARKS BY MR. M'GRATH

It is a pleasure and a privilege for me to extend, on behalf of the Board of Trustees, a warm welcome to the members and guests of the Society for the Advancement of Management. Management is an indispensable prerequisite to the functioning of my organization. If it is good, the enterprise thrives. If it is bad, the enterprise suffers.

Management is something that the less well equipped always think they can do better than those doing it. In universities today the performance of management is under critical scrutiny by faculty and students, especially by students, many of whom are sure that they can do it better. But management is such a comprehensive thing, it even applies to students. I am sure that a society among the student body for the advancement of the Management of Students might find many constructive opportunities on the contemporary academic scene.

I am very high on students. In me they generate hope, not desperation. I deplore the relatively few who seem to be suffering from pre-career despair, but I salute the many who are actively engaged in trying to improve and advance the management of public office, the management of political selection, of academic reforms, community involvement, and a general uplifting of our sense of social justice. Students with their idealism, enthusiasm, irreverence, arrogance, positiveness, naiveté, energy, and sense of fair play are perhaps not quite ready to provide the panacea for all our ills, but they bring to the scene a dynamic force that calls on all management today to prove itself. This is wholesome and it is good.

And now that I am about to make the award I shall address myself to Mrs. Post. I welcome the opportunity to make this presentation on behalf of our trustees. Your involvement, Mrs. Post, with Long Island University began when our small, struggling band of educators sought to fulfill the aspirations of our founders to bring higher education to Queens, Nassau and Suffolk Counties, thus making us truly a Long Island University. We could find no more appropriate site than this property which was your home. It is my recollection that our dear friend, Grover Whalen, a devoted fellow trustee, first made you aware of us and stimulated your initial support. The support has continued and your family identification with our University has deepened over the years under our present Chancellor. We salute you as our gracious benefactress, second to none.

Well before your identification with us, as well as during the years when we have enjoyed your patronage, your stature in the business world and the leadership you have provided to the management of the business founded by your father, have been widely admired. The principles of business management with which you have been associated over so many decades are now being made available on this campus through our Arthur T. Roth Graduate School of Business Administration as well as in our undergraduate programs. We rejoice that you are so close to our University family, and we rejoice that you have been selected for the S.A.M. award this year. We regret your inability to be with us tonight but you have a worthy representative in the person of Congressman Fulton to whom I will make the award.

REMARKS BY CONGRESSMAN FULTON

Times like this come rarely, when you can wholeheartedly say what you really feel. When we're up here with this distinguished table and hear these people who are successful in business, the professions, management—saying things that they really mean, it's refreshing to a Congressman. Now to begin with, we must remember something about this young lady—that Marjorie Merriweather Post is ageless. Every time that her age is mentioned, or how long she's been in management, I make a mental note: strike out the words and insert "ageless." I mean it. You young men in the audience have never met a person like her. Some of us have known her a long time. I am a personal friend and an admiring person for many years because of what she has done.

She is the type of woman who, if she were sitting here at the head table, would not be leaning back against the chair. Secondly, she has a personality that makes you forget that she is anything but a charming and devoted friend. In management one of the arts is not to show the art, to have the structure fall into place as if there were no pressure, to get the voluntary cooperation, to inquire, to be able to determine what the end result should be, to combine idealism and practicality, to get the steps laid out so that you can get there.

It is very easy for all you young people to have wonderful ideas, I did, too. This evening, by coincidence, I met a man, Dr. George Stoddard, who had the same economics professor that I did, years ago at Penn State—Dr. O. Fred Boucke. I asked Dr. Stoddard, "How did you do in the course?" He said, "Well, I made 99." He asked me how I did. I said, "Although I was the son of a banker, I made a zero for the first eight weeks." Dr. Stoddard didn't quite believe me, but I could add that two years later I was the professor's assistant.

A high trapeze and a zero

Now, you young fellows, maybe you're just as I was. I thought I saw what was wrong with the organization, the structure. I was going to change it when I was a sophomore. I thought that in management I'd start on the high trapezes—with no net. After I had gotten a zero, Professor Boucke got me up in front of about 800 students and said, "This young man wants to know what's wrong with him." He confirmed the fact that I had received a zero—a goose egg. He went on, "You know what is wrong? Well, the first thing is, you won't compete. Management is a competition." That's why, today, I like Congress. It's good competition. The second point in management is, you must make ends meet. You must look ahead, but you must do it as a profession. You must do it with planning.

If I could say one thing about Mrs. Post, it is that her plans work out; for example, with her friends. I'm one of the group in Washington who love to dance. We have a square dance group, we do other kinds of dancing, and Mrs. Post has people to teach us new dances. We became pretty good, but who is the best dancer there? Mrs. Post. Who is the best manager? Mrs. Post. How do these things run the most smoothly, and why are they the best planned? Mrs. Post. I'm going one step further—unless you have her warmheartedness and ability to get people to do voluntarily what you want, you're not a manager.

I am on the Foreign Affairs Committee of the House of Representatives. One time I said, rather abruptly, I'm afraid, to the Secretary of State, "Well, Mr. Dulles, why don't you really do it? Why do you sit there? Why don't you do it?" He replied, "Well, I have between sixteen and eighteen thousand people in the Department, and about eight people that I can tell to do things, but I can't push those sixteen to eighteen thousand people up that hill with armed force. To a certain point I can command, but beyond that I must convince." If I have anything to say for Mrs. Post, it is her ability to convince, to be able to get other people to do voluntarily what she wants them to do and then receive a gracious thanks afterward.

One other thing about management that has not been mentioned is the art of loyalty. When I hear what she has done for your institution, I say that is certainly patient loyalty that she stayed with you through all these times. She has been loyal, hasn't she? And she has helped make this University.

When you get out into the world, you young people, one of the things you do, as some of us did when we went into the U.S. Navy, is to look for the competent people in the organization. You look for the ones with initiative and integrity. You look for the ones who have this professional art of working with people, not over them. You can always get managers who will bang the desk and tell you what to do. But this we are speaking of is a very fine art and practice will get you great results.

One of the good things about a person with this tremendous ability, which Mrs. Post has, is that she puts every effort into projects that are not rewarding to her personally. She has frequently assisted the Boy Scouts in Washington. As you know she has aided the National Symphony Orchestra towards becoming so outstanding and she sees that young people, who come to Washington, D.C. from high schools all over the country, can attend the symphony concerts. One night I sat with her in the audience. We listened to the orchestra, saw these eager young faces, and felt the tremendous response from the young people, many of whom had never heard a symphony orchestra. This is what you can do in management, and this is what you should aim for. And, unless you aim to be the broad citizen, using your talent for the good of the country as well as the good of the economy you will miss much, and the rewards will not be lasting.

So, Marjorie Post, our greetings to you this evening, here in this beautiful dining room with colonial lamps and shades, pretty girls and blue table cloths. On the speakers table stands the beautiful bowl that I accepted for you. In the audience there are a lot of young, eager faces of ambitious students and very few, I might say, enemies of the local barber among the male population. Thank you, Marjorie, and God bless you—we all wish that you could be here!

OIL DEPLETION ALLOWANCES

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. WOLFF. Mr. Speaker, Ed Wimmer of the National Federation of Independent Business, Inc., recently broadcast an excellent radio commentary on the dire need for reform of tax regulations governing oil depletion allowances.

Mr. Wimmer's broadcast was thorough and replete with facts and figures substantiating the need for a change in the depletion allowances. I have long supported a reduction in the allowances and believe Mr. Wimmer's broadcast lends additional evidence to this fight.

I therefore commend this broadcast to my colleagues' attention and, under leave to extend my remarks, I include it in the RECORD at this point:

[From the Forward America Broadcast No. 53 Series 68]

BIG OIL-TAX REFORMS

(A weekly radio commentary by Ed Wimmer)

If you are one of those Americans who are concerned over increasing tax burdens being placed on the backs of the majority of those who work, invest, run farms and businesses, or are engaged in the professions and other pursuits that keep this country moving ahead; and if you are at all interested in how some people and some corporations escape billions in taxes, you will want to listen to tonight's discourse.

Almost everyone has heard about "oil depletion allowances" and the depreciation schemes and intangible development cost exemptions that have enabled the big integrated oil companies to virtually escape federal income taxes on billions of dollars in profits.

Standard Oil of New Jersey has been reported in earlier discussions over this microphone, as paying "six-tenths of one per cent in federal income taxes on net income of $1,271,903,000 in 1962, "increasing to five per cent federal income tax on $1,679,675,000 in 1965." Standard of New Jersey is an integrated giant with more revenue than any of our 48 states, and more revenue than 90 per cent of our farms, and it operates under so many different names and brands, that it is not uncommon to see three of its brands being sold on three corners of one intersection.

The Internal Revenue Service recently took a very small step toward rectifying this condition, but before we get into the side of the story, let us do a little more drilling for information on how some of the biggest oil companies in the U.S. escape federal income taxes entirely, and how others, like the giant headquartered in New Jersey, pay a rate far below that of a widow with one child paying taxes on $1500 in taxable income.

PROXMIRE CITES EVASIONS

Senator William Proxmire, Wisconsin, who has been a leader in the fight to reduce the depletion allowance, says it is a shame that "farmers, workers, businessmen and even widows pay upwards of 15 percent of their taxable income to the Federal Government," when companies like Sun Oil can report an income of $66 million and no federal income tax. Sinclair, $57 million—no federal income tax. Marathon, $35 million—no federal income tax. Atlantic Refining, $61 million and Tidewater Oil, $42 million—no federal income tax in years from 1962 to 1965. In fact, some of these companies actually received a tax credit from the Revenue Department.

But let us drill a little deeper for some facts and figures that I have never seen used by anyone, and see if we can trace a relationship to the problem we are discussing. I do want you to understand, however, that in discussing this material we keep in mind that advocates of depletion allowance reforms are only seeking to reduce the 27½ per cent rate received by the big companies, to 15 per cent, and that will only apply to incomes of over $5 million in order to protect the independent producer.

So far as I am aware, there isn't a single Member of the House and Senate favoring reform who would say or do anything that would discourage or impair the operations of the independent producers who must be encouraged to seek their "pot of oil" at the end of the discovery rainbow, even though nature put the oil in the ground; which some believe ought to belong to all the people. The facts are, if there are no finders there are no users—whether it is oil, lead, gas, uranium, gold, or anything else that is hidden in the earth. The rewards for finding it and processing it must be high.

But, getting back to the beginning of this broadcast, I urge you to listen carefully to the following facts and figures which, when not in the printed word, are difficult to absorb.

BIG FOUNDATIONS SHARE BONANZA

There are eleven Rockefeller Foundations that own 7,891,567 shares of Standard Oil of New Jersey, and according to reports of the Select Committee On Small Business of the House of Representatives, these shares were worth (1960) $324,000,000. This would mean that millions upon millions of untaxed income on Standard Oil of New Jersey stocks was received by the non-taxpaying Rockefeller Foundations which, in turn, either own or control a myriad of stocks and other enterprises that would also fall under their no tax status.

Rockefeller Foundations owned 602,026 shares of Socony Mobile, worth $23 million. Two of the Rockefeller Foundations owned 306,000 shares of Continental Oil, worth $17 million in 1960. The Rockefeller Foundation itself owned over 300,000 shares of Continental, worth $16 million in that year. Four Rockefeller Foundations owned 478,000 shares of Ohio Oil worth $17 million, and five of the Rockefeller Foundations owned shares in Standard Oil of New Jersey worth $59 million.

Congressman Wright Patman called it "taxless capitalism", and he has led a battle to force the giant foundations to pay at least something approaching the income taxes on the stocks and earnings that other corporations pay.

Neither Mr. Patman nor anyone else with whom I am acquainted will deny the good work and the benefits to society that foundations have contributed. There are many wonderful family foundations that have established funds for research and worthy causes with limitless benefits, and I personally would feel that the small and medium size funds should receive special consideration, but when you get into something like the huge du Pont, Rockefeller or Ford foundations, which receive dividends running into billions of dollars annually, you have what appears to be an intolerable situation.

GIANT OIL TAKES OVER

If the big giant oil companies confine their operations to the petroleum business, they wouldn't present such a problem, but they own millions of acres of land. They operate or own motel and restaurant chains, office buildings, factories, mail order companies, and thousands of retail and wholesale enterprises. Standard of New Jersey operates 65,000 service stations in Europe. It is the biggest operator of service stations under probably a dozen names in this country. Humble Oil Company, a subsidiary of Standard Oil of New Jersey, is getting bigger than its parent through acquisition and the wildest kind of uneconomic expansion into the retail field. Credit card operations of the big oil companies are becoming a giant "banking" business, and they wipe out their own independent service station operators and jobbers like a sickle cutting down blades of grass.

Some of the giant oil companies are so intertwined in the affairs of foreign governments, that people on both sides of the ocean refer to them as governments unto themselves, and now the royalties they pay are called "taxes" which aid them in escaping U.S. taxes. These royalties, or taxes, in many cases, are actually financed in the operation of some foreign government.

Looking more deeply into one hundred and eleven foundations, we find they own ten per cent or more of the stocks of 263 important corporations, which means that most are tied to the big mutual and pension funds; to the big banks and big insurance companies; to the monopolies and the mergers that have been taking place; to the power of the great banks now branching out into holding companies to swallow up local banking and local business. So, I ask you, where do you think such power places the labor unions? Where do you think it puts the Presidential candidates? The Congress of the United States? Some lone youngster who is fighting to keep from being homogenized; who doesn't want to be a number tattooed on his forehead.

For many years we have contended that big oil is using its tax exempt dollars to acquire the best real estate in every town and city. They are expanding so fast their officials are admitting that there will be no place for the small jobber or wholesaler or retailer, in a few years, who are already dropping out of the competitive battle. The mayor of one city reported that soon his city will have more stations than cars. Another city is putting a limit on openings, and another reported one station going broke for every new one opened.

Giant Shell reported net income of $173,000,000 in 1963, and paid a federal income tax of four per cent. Standard of Indiana, paid 1-8/10th per cent on $168,000,000 net income. Any look around will show you how fast these giants are expanding, and at the same time engaging in all kinds of trading stamp, gimmicks, contests, giveaways, et cetera, that are paid for by your taxes and your purchases.

Earlier in this broadcast I noted that the rate of federal income taxes paid by small businessmen and individuals is around 20 per cent, with the more successful corporations paying up to 48 per cent. So when you contrast these rates with the four per cent rate of 22 giant oil companies on billions of net profits, there is something unfair going on regardless of what they or anyone else may say to the contrary.

IRS SEES $100,000,000 TAX GAIN

As for the Revenue Department it has, as I said in the beginning, come up with a proposal that will correct a small part of the abuse by changing the base for depletion allowance deductions. As it is now, the major integrated oil company sets artificially high prices on the oil they sell to their own refineries (or, so the Revenue Service says), and now they will have to take the actual market price as a base.

Such a reform promises to bring in about one hundred million dollars in additional revenue, which is only a drop in the bucket in these days when we spend a hundred million dollars on a space capsule that blows up before it gets out of sight.

In closing I would like to call to your attention that a company like Standard Oil of Ohio, which owns no wells, paid a rate of 25 per cent in federal income taxes (1962–1963), which isn't so bad, but its merger shenanigans and games and contests have been condemned even by its own officials.

Perhaps a statement by Senator Edward "Ted" Kennedy, in support of the Proxmire amendment, calling for a reduction in the 27½ percent allowance to 15 percent, with no reduction on earnings from one million to five million dollars, will be a clinching argument in behalf of what I have been recommending:

"I share the strong feeling of Senator Proxmire, that to the greatest extent possible, we should help and assist and protect the smaller, independent company, the smaller corporation; that the real reason the oil depletion allowance was established in the beginning was for exploration, and in the recognition that there were extraordinary risks involved. In looking at the oil industry today, however, I see every reason for Congress to eliminate some of the inequities which exist."

It is this spirit—this desire to insure the future of the independent enterpriser, the family farm, small business, local bank, the independent explorer—that must be understood and developed, or we will have nothing in this country worth fighting and dying for.

If you desire a copy of this commentary, or any other we have offered, please address your request to P.O. Box 1776, Covington, Kentucky 41012.

Any newspaper or other medium of communication may report either all or part of this broadcast. The only stipulation, please, is a credit line. Public Relations service of Forward America, Inc., Public Relations Division, National Federation of Independent Business, Inc., Covington, Kentucky 41012.

(Oil depletion proposals not submitted to members of NFIB for mandate vote).

SENATE—*Thursday, October 10, 1968*

(Legislative day of Wednesday, October 9, 1968)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore.

Rev. Edward B. Lewis, D.D., pastor, Capitol Hill United Methodist Church, Washington, D.C., offered the following prayer:

Our life is incomplete, our Heavenly Father, when we do not make room in our daily tasks and activities for spiritual development. Our spirits experience unrest until they rest in the reality of God—our Creator and sustainer of life.

We pray for a faith in action. Through the use of our inner desire for God and our willingness to live and sacrifice for it, show to our Nation and the nations of this world the pathway of peace.

Through our President, the Vice President, and these worthy leaders, help us to succeed in wiping out poverty, and fulfill the needs of our people.

Yet, O God, help us to ponder the importance of our spiritual needs. "What shall it profit a man, if he shall gain the whole world and lose his own soul?" Fill us with faith, hope, and love. We pray in the name of Jesus Christ, our Lord and Saviour. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Wednesday, October 9, 1968, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE RECEIVED DURING RECESS

Under authority of the order of the Senate of October 9, 1968, the Secretary of the Senate, on October 9, 1968, received the following message from the House of Representatives:

That the House had passed a bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

Under authority of the order of the Senate of October 9, 1968, the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

REPORT OF A COMMITTEE SUBMITTED DURING RECESS

Under authority of the order of the Senate of March 16, 1967, Mr. Holland, from the Committee on Appropriations, reported favorably, with amendments, on October 9, 1968, the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, and submitted a report (No. 1667) thereon, which report was printed.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. YARBOROUGH, from the Committee on Post Office and Civil Service:

William C. Galloway, to be postmaster at Corsicana, Tex.; and

Eleven postmaster nominations.

By Mr. BYRD of Virginia, from the Committee on Armed Services:

Mordecai M. Merker, of Virginia, to be Deputy Director of the Office of Emergency Planning.

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

Lewis E. Evans, of Pennsylvania, to be a member of the Federal Coal Mine Safety Board of Review.

Mr. McINTYRE. Mr. President, from the Committee on Armed Services I report favorably 108 appointments in the Army in the grade of captain and below; 1,433 appointments and promotions in the Navy in the grade of captain and below; 403 appointments in the Marine Corps in the grade of lieutenant colonel and below; and 6,300 promotions in the Air Force in the grade of captain and major.

Since these names have already been printed in the Congressional Record, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

George T. Norton, and sundry other persons for appointment in the Regular Army;

Clark E. Aamodt, and sundry other officers, for promotion in the Regular Air Force;

Daniel R. Aldridge, and sundry other Naval Reserve Officers Training Corps candidates, for assignment in the Navy;

Jay H. Apfelbaum, and sundry other Naval Reserve officers, for assignment in the Navy;

Kenneth H. Albers, and sundry other noncommissioned officers, for appointment in the Marine Corps;

John Abbott, and sundry other officers, for promotion in the Navy; and

Thomas R. Abernathy, and sundry other officers, for promotion in the Marine Corps.

APPOINTMENT BY THE CHAIR

The ACTING PRESIDENT pro tempore (Mr. Metcalf). The Chair, in accordance with S. Res. 281, 90th Congress, appoints the Senator from New York [Mr. Goodell] to the Select Committee To Study the Unmet Basic Needs Among the People of the United States.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar beginning with the Department of Justice.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF JUSTICE

The bill clerk proceeded to read sundry nominations in the Department of Justice.

Mr. YARBOROUGH. Mr. President, in nominating Mr. Morton L. Susman to be U.S. attorney of the Southern District of Texas, President Lyndon B. Johnson was recognizing the outstanding work that Morton Susman has done as a temporary district attorney under court appointment. Mr. Susman has built a remarkable record as U.S. district attorney for the Southern District of Texas and has won the commendation and acclaim of his peers in the Texas legal community.

Mr. Susman was reared in Texas and received his LL.B. degree in 1958 from the Law School of Southern Methodist University. He served 3 years in the U.S. Navy as a legal officer and became an assistant U.S. attorney in Houston, Tex., in 1951. He became the first assistant in 1965 and held that position until 1966, when he was named acting U.S. attorney for the Southern District of Texas. This is a testament to the respect held for this especially able attorney, for he was named acting U.S. attorney by the panel of district judges serving this Southern District of Texas.

Mr. President, Morton Susman's performance in this position has been so outstanding that recommendations for his regular appointment came from throughout the southern district. The President of the United States nominated him to be the U.S. attorney for the southern district of Texas as a merited recognition of superior performance.

Mr. Susman is a man of the highest character, and he possesses superior qualifications for this position. I think it is a fine appointment. Morton Susman has my full endorsement, and I urge that his nomination be confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

INDIAN CLAIMS COMMISSION

The bill clerk read the nomination of Margaret Hunter Pierce, of the District of Columbia, to be a Commissioner of the Indian Claims Commission.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

BUREAU OF MINES

The bill clerk read the nomination of John F. O'Leary, of Maryland, to be Director of the Bureau of Mines.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

POST OFFICE DEPARTMENT

The bill clerk read the nomination of Robert L. Hardesty, of the District of Columbia, to be a member of the Advisory Board for the Post Office Department.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

POSTMASTERS

The bill clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Financial Institutions of the Committee on Banking and Currency, the Permanent Subcommittee on Investigations of the Committee on Government Operations, and the Committee on Agriculture and Forestry be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, despite the agreement of yesterday, I ask unanimous consent that the Senate proceed to the consideration of Calendars Nos. 1604, 1605, and 1615.

The ACTING PRESIDENT pro tempore (Mr. Metcalf). Without objection, it is so ordered.

UNIFORM SERVICE PAY OF PHYSICIANS AND DENTISTS

The bill (S. 4158) to amend title 37, United States Code, to clarify the conditions under which physicians and dentists who extend their services on active duty in a uniformed service may be paid continuation pay was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 4158

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 311(a)(2) of title 37, United States Code, is amended to read as follows:

"(2) has completed his initial active duty obligation; and".

Sec. 2. The amendment made by this Act becomes effective as of January 1, 1968.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1614), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE LEGISLATION

The purpose of this legislation is to make it clear that medical officers who are critical specialists and otherwise qualified, will be eligible for continuation pay after they have completed their initial active duty obligation as may be required by law or regulation. Existing law leaves this question in doubt by requiring the completion of "any other definitive active duty obligation" required by law or regulation. This bill would not affect the present requirement under which no medical officer would be eligible for continuation pay unless he has completed not less than 8 years of active military duty.

BACKGROUND OF LEGISLATION

Due to the critical shortage and the deteriorating retention problem of career medical officers in the Armed Forces, the military pay legislation of 1967 contained permissive authority under which selected medical officers who extended their service on active duty could be paid continuation pay if they agreed to remain on active duty. (Even though this permissive authority also covered dental officers, the Department of Defense made it clear that it had no intention of utilizing the continuation pay authority for dental officers since the retention problem of this group was in no way comparable to the medical officer problem.)

In order to be eligible for continuation pay the 1967 legislation requires that the medical officer (1) be serving on active duty in a critical speciality designated by the Secretary; (2) have completed any other definitive active duty obligation that he has by law or regulation; and (3) execute a written agreement to remain on active duty for at least 1 additional year. If the officer is selected and agrees to the extension of active service he is paid a bonus of not more than 4 months' basic pay of his rate for each year he agrees to remain on active duty. By regulation the bonuses range from 1 month's basic pay up to 4 months' basic pay, depending on military rank and length of service, for each year the officer extends his active service.

PROVISIONS OF THE LEGISLATION

This bill clarifies one of the eligibility requirements for continuation pay. The bill repeals section 311(a)(2) of title 37, United States Code, which requires that an officer complete "any other definitive active duty obligation that he has under law or regulation" and substitutes the requirement that he must have completed "his initial active duty obligation." This would include any initial obligation required by law or regulation.

A difference of opinion has arisen between the Department of Defense and the General Accounting Office with respect to the meaning of "any other definitive active duty obligation." The Department of Defense has interpreted this language to mean "initial active duty obligation" which by regulation must be not less than 8 years of active service. The General Accounting Office has ruled informally that the term has broader meaning, presumably with the result that all obligated service must be paid back as a prerequisite for continuation pay eligibility, and further that the Department of Defense is without authority to reduce the period of obligation service for certain critical specialists even though the period of such service is itself established by regulation.

There are a number of examples where the period of obligated service for medical officers who are serving in critical specialties may be extended beyond the normal period of obligated service. These include specialists who are paying back periods for having completed training in a specialty or subspecialty involving longer than normal periods of training, such as a specialist who becomes qualified in thoracic surgery. Other examples include specialists who may acquire additional obligated service because of promotions or having their families overseas.

The Department of Defense strongly urges enactment of this clarifying legislation in view of the fact that approximately 200 critical specialists, all in the grade of major and lieutenant colonel, have signed continuation agreements and have received continuation pay averaging about $2,400 each. All of these 200 medical officers are now serving in their critical designated specialties. These particular specialties require from 1 to 2 years of formal training beyond that required for the commoner specialities, such as internal medicine, obstetrics, and gynecology. These officers incurred an active duty obligation of from 2 to 4 years beyond those incurred by their professional contemporaries who chose training in the commoner specialties.

The Department of Defense desires the enactment of this legislation for two reasons: first, without the clarifying amendment the validity of the contracts already entered into could be questioned, with the resulting morale impact and feelings of bad faith on the part of the affected officers; and second, the concern that few, if any, medical officers will undergo the training for the critical specialties requiring the longest training if the effect of the longer training is to deny them the continuation pay which is available to other specialists who complete their training in shorter periods of time.

The effect of this bill is to make it clear that an officer, if otherwise eligible, may receive continuation pay after the completion of his initial active duty obligation as required by law or regulation.

The committee would like to emphasize two points in this connection: First, no officer will be awarded continuation pay until 8 years of active duty have been completed. The committee has been advised by the Department of Defense that this 8-year period which is required by regulation will not be changed. Second, all of the critical specialists who are awarded continuation pay will be performing duty in their critical specialties for which continuation pay is extended. The bill is made effective January 1, 1968, in order to leave no doubt as to the validity of the continuation contracts already entered into with the 200 medical officers who are critical specialists.

MEMPHIS SESQUICENTENNIAL MEDALS

The bill (S. 3531) to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3531

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundred and fiftieth anniversary of the founding of the city of Memphis (which anniversary will be celebrated in 1969), the Secretary of the Treasury is authorized and directed to strike and furnish to the Memphis Sesquicentennial Corporation not more than one hundred thousand medals with suitable emblems, devices, and inscriptions to be determined by the Memphis Sesquicentennial Corporation subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the corporation in quantities of not less than two thousand, but no medals shall be made after December 31, 1969. The medals shall be considered to be national medals within the meaning of section 3351 of the Revised Statutes.

Sec. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with such corporation.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1615), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

The bill would provide for the striking of not more than 100,000 medals to commemorate the 150th anniversary of the founding of the city of Memphis.

The bill provides that the Secretary of the Treasury shall strike and furnish the medals to the Memphis Sesquicentennial Corp. The medals shall bear suitable emblems, devices, and inscriptions to be determined by the Memphis Sesquicentennial Corp. subject to the approval of the Secretary. The medals shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with the corporation. No medals shall be struck after December 31, 1969, and they will be considered national medals within the meaning of section 3351 of the Revised Statutes.

The medals would be struck at no cost to the United States since the bill requires that security satisfactory to the Director of the Mint shall be furnished for the payment of the cost of their production.

The Committee on Banking and Currency has approved a number of bills in recent years to strike national medals in commemoration of significant anniversaries of States or cities, including the Kansas Statehood Centennial; the West Virginia Statehood Centennial; the 250th anniversary of San Antonio; the San Diego Bicentennial; and the 150th anniversary of Mississippi statehood. The committee believes that the 150th anniversary of the founding of Memphis is an event deserving of an appropriate medal to commemorate the event.

CAPT. DONALD D. FOLKERS

The bill (S. 1339) for the relief of Capt. Donald D. Folkers was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1339

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain Donald D. Folkers, United States Air Force, is hereby relieved of all liability for repayment to the United States of the sum of $5,150.79, representing the amount of overpayments of basic pay and flight pay, received by the said Captain Donald D. Folkers, for the period from August 30, 1953, through May 31, 1966, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to the said Captain Donald D. Folkers, referred to in the first section of this Act, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

SUSPENSION OF EQUAL-TIME REQUIREMENTS OF SECTION 315 OF COMMUNICATIONS ACT OF 1934

Mr. MANSFIELD. Mr. President, under the previous agreement, I ask the Chair to lay before the Senate a message from the House of Representatives on Senate Joint Resolution 175.

The ACTING PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S.J. Res. 175) to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees or the offices of President and Vice President which were, on page 2, line 1, strike out "nominees" and insert "candidates".

On pages 2, line 2, strike out "States" and insert "States; except that such suspension shall apply only to broadcasts which incorporate in the same program opportunity for equivalent appearances by all Presidential or Vice-Presidential candidates who have been qualified by applicable State law to appear on the ballots of at least two-thirds of the several States. For the purpose of the preceding sentence, the District of Columbia shall be considered a State.".

On page 2, line 8, strike out "March 1, 1969" and insert "March 15, 1969".

And amend the title so as to read: "Joint resolution to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for candidates for the offices of President and Vice President."

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum, and the attachés should be notified that this will be a live quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk called the roll, and the following Senators answered to their names:

[No. 329 Leg.]

Anderson
Baker
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Dirksen
Ervin
Harris
Hart
Hartke
Hayden
Holland
Jordan, N.C.
Long, La.
Mansfield
McGee
McIntyre
Metcalf
Pastore
Pell
Proxmire
Randolph
Russell
Sparkman
Spong
Stennis
Williams, Del.
Yarborough
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HILL], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Washington [Mr. JACKSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Maryland [Mr. TYDINGS], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

Mr. DIRKSEN. I announce that the Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senators from New York [Mr. GOODELL and Mr. JAVITS], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Kentucky [Mr. MORTON], the Senator from Illinois [Mr. PERCY], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The ACTING PRESIDENT pro tempore. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Aiken
Allott
Brooke
Carlson
Cooper
Curtis
Dodd
Eastland
Fannin
Fong
Griffin
Hansen
Hatfield
Hickenlooper
Hruska
Jordan, Idaho
Lausche
McClellan
Miller
Mondale
Montoya
Mundt
Pearson
Prouty
Scott
Smathers
Symington
Thurmond
Young, N. Dak.

The PRESIDING OFFICER (Mr. PELL in the chair). A quorum is present.

Mr. MANSFIELD. Mr. President, I have had some conversations with the distinguished minority leader about the pending legislation, and it appeared to be in the best interests of all concerned, with the approval—even though it may be reluctant—of the distinguished Senator from Rhode Island, the manager of the bill, that it be set aside and the Senate turn to the consideration of the supplemental appropriation bill.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. Mr. President, I do not intend to make a political speech, but I must in all candor say that the situation that confronts us is very regrettable. I am indeed most reluctant to face the inevitable. This idea of suspension of the equal time provision under the Communications Act of 1934, commonly referred to as section 315, has been under discussion for a long time. As a matter of history, its genesis is back in 1960. I then introduced a resolution which led to the suspension of section 315 at that time. This made possible the historic Kennedy-Nixon debates.

Since that time, every presidential election year, there has been generated a tremendous amount of interest and impetus to repeat our legislative action of 1960—so much so that during the course of time, five appropriate bills have been introduced—one of them introduced by me, would have made the exemption apply not only to the President and Vice President, but also to Members of Congress. Yes, and to the Governors of the States, because I felt that it was in the public interest that there should be this confrontation of candidates, so that the people of this country might be better apprised of the issues, and of the positions of the various candidates as to those issues.

I wish to say here, as emphatically as I can say it, that a debate between Vice President HUMPHREY and former Vice President Nixon, in my opinion, is a "must" at this time. It is not enough to say that it would serve the public interest, or that it would be very desirable. The American people desire such a debate. The people deserve it and they should not be deprived of it. The one thing that prevents such a debate being held on free time, to be made available by the networks, is the provision of section 315 which requires that equal time be given to other nominees, now we have a great roster of nominees proudly and properly contending for the offices of President and Vice President. In the face of such numbers, allotting equal time would become an impossible task for the networks. Actually, it would amount to a complete prohibition of such debates.

The Senate passed a joint resolution on this issue on May 29 of this year. It went over to the House of Representatives. There it languished for some time. There was talk at one time that it would never be reported out. Finally it was reported out, and there occurred the very dramatic situation, the night before last, when the doors of the House Chamber were closed, and finally the matter came to a vote.

Certain amendments were added by the House of Representatives to the joint resolution we passed, which would compel a format whereby there would have to be a confrontation on the part of all three major candidates. I understand that the Republicans are more or less opposed to that kind of bill. I heard on the radio the other day that an aide of Mr. Nixon declared Mr. Nixon was willing to debate with Mr. HUMPHREY, but he did not want to get involved in a three-way show. The reason given was that he did not feel that was in conformity with what he regarded as the spirit of the two-party system.

What his reasons are is entirely his to hold. He is entitled to his judgment. He has the right to decide. I do not take the floor today, as I have stated, to give the matter any political implication, or seek to embarrass anyone. Indeed, the resolution had a Republican inspiration. The Senator from Pennsylvania is here—it was his letter that actually led to our committee reporting out the resolution.

Mr. SCOTT. The Senator is correct.

Mr. PASTORE. Am I not correct?

Mr. SCOTT. Absolutely.

Mr. PASTORE. The resolution was reported out by the House of Representatives. I realize that if we were to press for this measure at this moment, the prospect of the exhibition that would be precipitated here today compels us to look at the practicalities and the realities involved. The Republicans have enough troops here either to stagger us to death with live quorum calls, which would consume 2 or 3 hours or more—perhaps all day. Or they could talk, under the process of prolonged debate, and compel us to go over to the next week.

These are hectic campaigning days when presence here is at a premium.

Yesterday we had two very important votes. On the first vote, we were able to corral 59 Senators, and on the second vote, only 57 Senators. Now I am not being critical, certainly if I were now running for reelection, if I were in the same position as some of our colleagues, both on the Republican and the Democratic sides, in marginal States, I probably would not be here today either. I would be back home beating the bushes to make sure that I was reelected. I am mindful of the old but ever-young adage—in order to be a statesman, you must first get elected.

Mr. President, if we were to persist in our attempt here today, as the House of Representatives did the other day, I do not believe we could pass the resolution. We realize that. As a practical matter, I know how far I can go, and I know they know how far I can go. I know they can stop it, and they know I know they can stop it. That is the situation we face today. That is the impasse.

I do not know whether, under the modifications we made to section 315, in 1959, the networks will be able to institute some kind of news documentary or other program, whereby free time can be given to the major candidates. Perhaps it can be done under some Meet the Press or Face the Nation type program. Perhaps the media will find some other device. I am sure they feel a sense of responsibility to help the American people, to the clearest decision in these most critical of times. I am sure they will try.

For myself, I say this: These debates should be held. People want to know how the candidates feel about Vietnam. They want to know how they feel about crime in the streets. They want to know how they feel about medicare, and all the other important issues that affect the well-being, perhaps the survival of our society. The best service to the people is by personal confrontation between Mr. Humphrey and Mr. Nixon. Mr. Nixon has said, "I will debate with Humphrey." Mr. Humphrey has said, "Mr. Nixon, if you will debate with me, I will pay half the cost."

So I hope that those two candidates will get together, in the public interest. I hope they will give the people of this country the opportunity to see and hear them, together. Let them fully discuss these important issues, even if they have to divide the cost between them. If they do not have the money, perhaps they can obtain it through popular, modest contributions. I think there will be millions of people in this country who will put up $5 each to fund this very important confrontation, certainly, I would be one of the first. I cannot think of a campaign event that would be more in the public interest. That is all I have to say.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. PASTORE. I believe I should yield first to the Senator from Illinois. Or does the Senator wish to be recognized in his own right?

Mr. DIRKSEN. Yes. Mr. President, I ask for recognition.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DIRKSEN. Mr. President, the matter is not quite as simple as stated by the distinguished Senator from Rhode Island. It was in 1964 that the distinguished Senator brought in House Joint Resolution 175. On August 18, 1964, he made an effort to bring it up for consideration.

It was different in the sense that there was no House amendment then. But it was an equal time proposal. When he undertook to call up the resolution, a motion to table was made by the majority leader. That motion prevailed.

The distinguished Senator from Minnesota at that time, since this was only 6 days before the convention, supported the motion to table. He was against the proposal.

It is now 4 years later. There is a sudden change of mind. In fact, it is so marked and so decisive that the distinguished Vice President paid a call to the Speaker on the night before last and indicated that this was an absolute must. If it was fish then, it ought to be fish now. And if it was fowl then, it ought to be fowl now.

This is a kind of polite compulsion to force these candidates together under a common format. And all of the arrangements are delegated to the broadcasters and very particularly, I would think, to the networks. It puts the matter in an entirely different light.

If that element were not present, obviously I would have a different idea about it.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. PASTORE. Mr. President, I resisted that motion to table. I felt it should not be an accommodation to either one candidate or the other. I know that the argument was made then that we had an incumbent President and that therefore it was an entirely different situation from 1960. It was argued that the President of the United States might be exposed to questioning in most highly classified areas. For example, he was the only man under our law who had his finger on the trigger of the atomic bomb. Improper discussion could cause him embarrassment and do irreparable harm to the safety of our Nation and the people of the world.

That was the argument advanced then. In spite of that argument, I resisted the motion because I said that in the last analysis, the exemption should be made and we should let the candidates themselves give their reasons—or let them publicly refuse to do so.

I say to the distinguished minority leader—without criticizing him or finding any fault with the statement he made—that, as far as I am concerned, I am not thinking of HUBERT HUMPHREY. I am not thinking of Mr. Nixon. I am not thinking of Mr. Wallace. I am thinking of the American people. And this rule of equal value should be suspended, not to accommodate the candidates, whoever they may be, or however willing or unwilling they may be. But we should do it in order to accommodate the people of the United States of America. And that is the only reason I suggest it.

Mr. DIRKSEN. Mr. President, I still want to see the freedom of choice reserved to every candidate as to how he wishes to conduct his campaign.

I have always reserved the freedom of choice to myself. I do not believe I have had an opponent in a great many years who has not said he wanted to debate me. The answer is very simple. I say that I am going to peddle my own merchandise. Let my opponent peddle his wherever he may.

I do not propose, if I have any prestige at all, to get up before an audience with someone who would want to displace me in the Senate.

I have always reserved that freedom of choice. I want to see that freedom of choice kept now. I do not want to see us compel the three candidates to get into the ring at once if they are not so disposed. However, whoever contrived the language did a good job because the language says: "must be incorporated in a program."

There are no guidelines. A candidate might be on the Pacific coast. The debate might be held here, and the candidate might not be able to get back. A candidate might become ill the same night or day when the debate was to be held. They make excuses, but that is not quite enough in the heat of the campaign when it is so close to election day.

I have nothing further to say. But I must point out that the distinguished Senator from Rhode Island was generous enough and kind enough to come and consult with me about it. I frankly said that I would have to use every weapon at the command of the minority leader in order to stop this resolution. And I think the discretion used here is by far and away the better part of prudence and valor.

Mr. PASTORE. Mr. President, under the rules of the Senate, the Senator could make that stoppage stick. We should recognize the futility imposed on us. Perhaps it is better we should go home, talk with our people, clean up our business, and start fresh in our own vineyard in our own home State by Monday.

Mr. DIRKSEN. I fully subscribe to that.

Mr. SCOTT. Mr. President, as the ranking minority member of the Communications Subcommittee, I thank the distinguished Senator from Rhode Island for his fair and temperate presentation of his views.

I am in the happy position of a public official who has been consistent, and whenever one has been consistent, he likes to call attention to it.

Back in 1964 I was in favor of the debates. And as the Senator from Rhode Island has said, it was my letter which perhaps initiated the situation here. I proposed that we waive section 315.

The candidates in the two major parties have indicated that under certain circumstances they would be willing to meet. The flexibility of the networks is such that presentation of the views of the leading candidates can certainly be arranged in such a manner as to advise the voting public of their views on issues, their reactions, their personalities, and their capacity for leadership.

The former Senator from Minnesota, Mr. HUMPHREY, as has been noted here, opposed the debates and opposed waiving equal time in 1964. It is, of course, somewhat like the song, "La Dona E Mobile." Sometimes candidates are mobile, too, in their change of attitude as circumstances change.

I myself think that we ought to have such respect for the two-party system, in which we are partners and also adversaries, that we should do everything we can to preserve the strength and the viability of that system.

Giving too much dignity or too much recognition to the most blatant of the demagogs, to one of the most irresponsible candidates to ever appear upon the American scene in our lifetime—a racist, a bigot, and a man who appeals to racism and class warfare—and dignifying such a person in such a debate, in my judgment, demeans the electoral process, contributes nothing to the education of the public, and opens the way to the irresponsible third party candidate to slash and cut, to proceed with venom and with vigor to discuss, not the issues, but to hack away at the two-party system.

I would support this bill if we could amend it to restrict it to a two-party debate. I could probably support it in the form the other body approved it yesterday if we could first attach to it the provisions of S. 355, the congressional reform legislation which the Senate passed last year. If the other body would then be willing to accept this method of acting on S. 355, we at long last could achieve a modest but significant and vitally overdue measure of reform of the procedures used in conducting the business of the two Houses. The greater good resulting from that achievement might overweigh the somewhat transient damage resulting from the glorification of this blatant third-party demagog.

But I believe all parties here have proceeded with wisdom and judgment, and I certainly commend the distinguished minority leader for the position he has taken. I believe that under the circumstances it is far better that we dispose of the other pending business and go home.

I have long held the opinion that whenever Congress convenes after political conventions, we make less sense more often than we make more sense, that too much time is wasted in unprofitable and unfruitful undertakings, and that the electoral system is benefited by allowing the Members of Congress to go home and to participate on their home grounds.

I hope this Congress will have the mother wit to adjourn as quickly as possible for the relief of the country, and I hope that we will relieve the Chaplain from having to pray for us and for the country more than another couple of times.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MILLER. Mr. President, I was present at the time the Senator from Illinois made his comment regarding the pending measure, and I commend him on his position in this matter.

It is most unfortunate that in the face of the clear statement made by the Republican nominee for President, Mr. Nixon, that he would debate with Vice President HUMPHREY, but no one else, for the purpose of protecting and making viable the two-party system—which I am sure all Members of the Senate agree upon—the House of Representatives nevertheless sent to the Senate a bill which provides for a tripartite type of debate. This is not in the best interests of the two-party system, and it certainly does not meet what I believe should be the basic understanding of anyone who supports this measure.

So, while some Members of the Senate may favor this measure, I would suggest that we would do well to stand firm and reject what the House has done, because it is not in the best interests of the two-party system.

Mr. DIRKSEN. Mr. President, I should like to suggest to the distinguished Senator from Rhode Island that he move indefinite postponement of Senate Joint Resolution 175.

Mr. MANSFIELD. Mr. President, I move that consideration of Senate Joint Resolution 175 be indefinitely postponed.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I understand that at the desk is a nomination which was reported earlier today by the Committee on Post Office and Civil Service. It has been cleared on both sides, and I ask unanimous consent that the Senate go into executive session to consider that nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSTMASTER

The legislative clerk read the nomination of William C. Galloway, to be postmaster at Corsicana, Tex.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN MILITARY SALES ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1625, H.R. 15681.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 15681) to consolidate and revise foreign assistance legislation relating to reimbursable military exports.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, on behalf of the distinguished acting chairman of the Committee on Foreign Relations, the Senator from Alabama [Mr. SPARKMAN], I ask unanimous consent that his statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SPARKMAN

Mr. President, it is my pleasure to present on behalf of the Committee on Foreign Relations the proposed new Foreign Military Sales Act.

In my view, this bill is a good example of the constructive results that can occasionally emerge from the joint efforts of the executive branch and the Congress to find answers to very difficult questions of national policy.

Last year the Congress raised legitimate and important questions concerning the management and future of our burgeoning arms sales program. While there were few who questioned whether the United States should sell military equipment and services in the interests of collective security, there were many of us who were concerned over the possible effects of these sales on regional arms races. There was also concern in the Senate over the possible diversion of scarce economic resources if these arms sales were not tightly managed.

I am convinced that the Foreign Military Sales Act now before the Senate meets legitimate concerns over the management and scope of our arms sales program.

Essentially what we have before us in this bill is a consolidation and revision of the provisions of the Foreign Assistance Act of 1961 in the area of reimbursable military exports. The bill brings together all legislation concerning military sales by the United States to friendly countries. The bill makes unmistakably clear that cash or credit sales by the United States Government will be under the close supervision of the Secretary of State, and that sales will be made only when they are consistent with our basic national interest.

According to the provisions of the Foreign Military Sales Act, sales will be made to economically developed countries either for cash or credit. The Export-Import Bank may participate in such sales through credit arrangements. However, in response to Congressional criticisms of last year, the Export-Import Bank will no longer fund sales to the less developed countries. Moreover, the Defense Department's revolving fund, which provided an ever-increasing source of credit for Defense Department sales, has been abolished. Credit sales will be funded only to the extent permitted by new obligational authority provided by Congress. There is in this bill a $296 million ceiling in FY 1969 for all credits and guaranties. This ceiling will apply even though guaranties issued by the Department of Defense are required to be backed by 25% of the contractual obligation. As in the past, the new law establishes reasonable ceilings on programs for Africa and Latin America. These ceilings are consistent with the provisions in the Foreign Assistance Act.

I suggest to my colleagues that this bill is a sensible response to the need for both consolidation and revision of the basic authority for the United States to sell military equipment overseas. We are all aware that there has been a very basic shift in the pattern of United States military assistance in recent years. This shift has been one from grant military aid appropriations to direct military sales. The bill before us is, in my opinion, a very skillful and successful attempt to provide the administrative machinery and general legislative authority to meet the new conditions of our military assistance programs.

I think this measure will bring to our military sales program wise and sensible balance of responsibility between the executive branch and the legislative branch. The bill contains ample provisions for reporting to the Congress. The bill reinforces Congressional control over obligational authority to run the program. Finally, this bill, I believe, will result in a military sales program that will help our friends around the world bear more fully and effectively their share of the common defense.

I strongly urge the Senate to give its support to the Foreign Military Sales Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1632), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. PURPOSE AND BACKGROUND

The Foreign Military Sales Act is intended to consolidate and revise provisions of the Foreign Assistance Act of 1961, as amended, concerning reimbursable military exports. As such, the bill brings together all legislation dealing with military sales by the United States to friendly countries—whether for cash or on credit terms.

This legislation is responsive to the need for a consolidation and revision of the basic authority for the U.S. Government to sell military equipment abroad. This requirement has been brought on by a very basic shift in the composition of U.S. military assistance and sales programs since 1962. In 1962, grant military aid appropriations were about $100 million more than government-to-government and commercial sales orders; by 1967, military sales were nearly three times as large as grant aid appropriations. The Foreign Military Sales Act is intended to provide both the administrative mechanism and the general legislative authority to meet the demands of this drastically expanded sales program.

The bill is also intended to be responsive to congressional concern that a large military sales program, unless it is carefully managed, may contribute to the development of regional arms races, thereby diverting scarce economic resources and contributing to regional tensions.

The bill is, therefore, designed to clarify the roles, restraints and conditions governing the administration of U.S. foreign military sales. Particularly noteworthy are provisions for the elimination of the revolving fund for financing credits and guaranties, the prohibition of funding by the Export-Import Bank of credit sales to less developed countries, and the provisions under this bill for reports to the Congress on sales programs.

II. PROVISIONS OF THE BILL

This bill, which authorizes the sale of military equipment and services to foreign countries and international organizations, is divided into four chapters:

Chapter 1, entitled "Foreign and National Security Policy Objectives and Restraints," elaborates U.S. policy with regard to arms sales, the role of the Department of State in the administration of the bill and the conditions under which and the purposes for which sales may be made.

Chapter 2, entitled "Foreign Military Sales Authorization," sets forth the basic substantive authorization for making military sales.

Chapter 3, entitled "Military Export Controls," sets forth the limitations on the amount of sales authorized and other restrictions on sales as well as defining the reportin requirements.

Chapter 4, entitled "General Administrative and Miscellaneous Provisions," defines the role of the Secretary of Defense and provides the authority for the repeal of statutory provisions superseded by the bill.

Chapter 1—Foreign and national security policy objectives and restraints

Section 1. *The need for international defense cooperation and military export controls.*—This is a statement of congressional policy taken in part from section 521(a) of the Foreign Assistance Act.

Section 2. *Coordination with foreign policy.*—This section, designed to protect the authority of the Secretary of State, is a repetition of section 622 of the Foreign Assistance Act.

Section 3. *Eligibility.*—This section is a substantial repetition of section 521(c) of the Foreign Assistance Act, which was added by the Senate last year. Its most important requirement is a prohibition on the resale or other transfer by the purchasing country without the consent of the United States. Another requirement is a prohibition on sales and guaranties where they would have the effect of arming military dictators who are denying social progress to their own people.

Subsection (b) provides that any nation seizing an American vessel or taking it into custody more than 12 miles from the coast of that country would also be ineligible, but provision is made for a Presidential waiver.

Section 4. *Purposes for which military sales by the United States are authorized.*—This is a substantial repetition of section 502 of the Foreign Assistance Act. It limits the purposes of military sales to internal security, self-defense, participation in regional arrangements, participation in U.N. collective measures, or civic action. It also denies guaranties or credits for the purchase of sophisticated weapons systems, including jet aircraft, by any underdeveloped country other than Greece, Turkey, Iran, Israel, the Republic of China, the Philippines, or Korea, unless the President finds that such financing is important to the national security and so reports to Congress.

Chapter 2—Foreign military sales

Section 21. *Cash sales from stock.*—This is a substantial repetition of section 522 of the Foreign Assistance Act which authorizes cash sales from Defense Department stocks. The only important difference is that section 522 authorizes up to 3 years for payment whereas the proposed new section would require payment within 120 days.

Section 22. *Procurement for cash sales.*—This is a substantial repetition of section 523 of the Foreign Assistance Act which authorizes the Defense Department to enter into procurement contracts on behalf of purchasing countries.

Section 23. *Credit sales.*—This key section would authorize the financing of the procurement of military items by foreign countries on credit terms of up to 10 years. Section 524(b) (3) of the Foreign Assistance Act, which was enacted last year, authorizes such credit sales, but requires that they be financed from military assistance appropriations. The proposed bill (see section 31, below) would provide a separate and additional authorization for this purpose. The 10-year limitation on credit terms provided by section 23 is new but reflects Defense Department policy. Neither the existing law nor the proposed bill contains minimum interest rates. Defense Department policy in general is to charge the going market rate.

Section 24. *Guaranties.*—This key section would reenact authority which was repealed by Congress last year, effective June 30, 1968. The proposed new section authorizes the issuance of guaranties to U.S. businesses against political and credit risks of nonpayment arising out of their financing of credit sales of military items to foreign countries. It specifically excludes guaranties to "United States Government agencies"—i.e., the Export-Import Bank.

Subsection (b) authorizes the sale and guarantee of promissory notes issued to the United States by foreign countries which have bought military items on credit directly from the Defense Department. Thus, if the Defense Department made a credit sale of, say, jet aircraft to country A, it would rediscount country A's note with a commercial bank (*not* the Eximbank) and guarantee the note. The proceeds of the sale of the note would be transferred to the Treasury (see section 37(b) below).

Subsection (c) would require a 25-percent reserve against guarantees. This reserve would be funded from appropriations available for credit sales. As the notes which had been guaranteed were paid off, the reserve funds in excess of 25 percent would be transferred to the Treasury. Prior to last year's congressional action, which was effective June 30, these deobligated reserve funds were returned to a revolving fund to finance additional credit sales and guarantees.

Chapter 3—Military export controls

Section 31. *Authorization and aggregate ceiling on foreign military sales credits.*—This section authorizes the appropriation of $296 million for fiscal year 1969 to finance military credit sales and guarantees. The section also places a limit of $296 million on total credits and the face amount of guarantees financed during fiscal 1969.

The limitation of guarantees for the fiscal year 1968, at the end of which the authority for guarantees expired, was $190 million. There was no explicit 1968 limitation on credit sales, but all such sales had to be financed from military assistance appropriations, which also fund the grant program.

Section 32. *Prohibition against certain military export financing by Export-Import Bank.*—This prohibits the Eximbank from participating in any credit to an "economically less-developed country" for military purchases.

This prohibition goes beyond the limitations contained in Public Law 90–267, approved March 13, 1968, the act extending the Eximbank's authority. That act prohibits the Bank from participating in credit sales or guaranties of military items to any economically less developed country, but provides a Presidential waiver on a finding that such participation would be "in the national interest." The act further provides a ceiling of 7½ percent of the Bank's total lending authority on its participation in credits and guaranties for military sales to countries "which, in the judgment of the Board of Directors of the Bank, are less developed."

Section 33. *Regional ceilings on foreign military sales.*—Subsection (a) is a restatement of section 521(b) of the Foreign Assistance Act, which limits total military assistance and sales (except training) to Latin America to $75 million a year.

Subsection (b) limits to $40 million a year the total military assistance and sales (except training) to Africa. Section 508 of the Foreign Assistance Act limits such assistance and sales (including training) to the same amount. Thus, the proposed ceiling is higher by the amount of the training (estimated at $4.6 million in fiscal 1969).

Subsection (c) authorizes the President to waive both the Latin American and African limitations when he determines it "to be important to the security of the United States" and so reports to Congress. This is similar to the waiver authority of section 614(a) of the Foreign Assistance Act.

Section 34. *Foreign military sales credit standards.*—This section simply directs the President to establish standards and criteria for credit and guaranty transactions "in accordance with the foreign, national security, and financial policies of the United States."

Section 35. *Foreign military sales credits to less-developed countries.*—Subsection (a) is analogous to section 620(s) of the Foreign Assistance Act, the Symington amendment of 1967 terminating assistance to countries whose military expenditures materially interfere with their development. Section 35(a) would make such countries ineligible for further military sales, credits, or guaranties. Section 620(s) would continue in effect.

Subsection (b) requires semiannual reports of Congress of sales, credits, and guaranties for economically less developed countries as well as forecasts of such transactions. Section 634(d) of the Foreign Assistance Act requires annual reports of projected military sales.

Section 36. *Reports on commercial and governmental military exports.*—Subsection (a) is identical to section 634(g) of the Foreign Assistance Act which requires semiannual reports of all military exports from the United States.

Subsection (b) expands the reports required by section 634(d) of the Foreign Assistance Act. The proposed new subsection would require reports by country of sales and estimated future orders of military items, both under Government programs and through private commercial channels.

Subsection (c) provides that nothing in this section shall be construed as modifying in any way the provisions of section 414 of the Mutual Security Act of 1954, as amended, relating to munitions control.

Section 37. *Fiscal provisions relating to foreign military sales credits.*—Subsection (a) provides that cash payments received in connection with sales from stock and contracts for procurement, as well as down-payments received in connection with credit sales, shall be available solely for payments to suppliers and refunds to purchasers. Specifically, such payments are not to be available for financing credits and guaranties.

Subsection (b) provides that repayments of credits, amounts received from the rediscount of notes, and other collections (including interest and fees charged for guaranties) are to be transferred to the Treasury.

Chapter 4—General administrative, and miscellaneous provisions

Section 41. *Effective date.*—The proposed bill would be effective July 1, 1968, which is also the effective date of the changes enacted by Congress last yeer.

Section 42. *General provisions.*—Subsection (a) is a repetition of the third and fourth sentences of section 521(a) of the Foreign Assistance Act, having to do with procurement in the United States or through licensed production outside the United States.

Subsection (b) is a repetition of section 604(a) of the Foreign Assistance Act which establishes requirements for procurement outside the United States.

Subsection (c) is a substantial repetition of section 623 of the Foreign Assistance Act, relating to the responsibilities of the Secretary of Defense.

Section 43. *Administrative expenses.*—This section authorizes the administrative expenses of the military sales program to be paid from funds made available under other laws for the operations of the agencies concerned.

Section 44. *Statutory construction.*—This section provides that nothing in the bill is to be construed as modifying the provisions of the Atomic Energy Act of 1954, as amended, or of section 7307 of title 10 of the United States Code, which relates to lending naval vessels to foreign countries.

Section 45. *Statutes repealed and amended.*—This section repeals the sections of the Foreign Assistance Act which would be superseded by this bill, and makes technical conforming amendments to other sections.

Section 46. *Saving provisions.*—This section continues in force determinations and other actions taken pursuant to repealed provisions of the Foreign Assistance Act. Its most important effect would be to continue in force existing findings of eligibility of foreign countries to make military purchases.

III. COMMITTEE ACTION

A message to Congress from the President containing proposals governing the administration of military sales, guarantees, and credits was transmitted to Congress on February 8, 1968. A letter from the Secretary of State, transmitting a draft of proposed legislation to consolidate and revise foreign assistance legislation relating to reimbursable military exports was received by the Senate and referred to the Committee on Foreign Relations on February 28, 1968.

Hearings on the proposed legislation were held on June 20, 1968, with the Honorable Paul C. Warnke, Assistant Secretary of Defense for International Security Affairs, and Mr. Henry Kuss, Deputy Assistant Secretary of Defense for International Logistics Negotiations.

On October 9, 1968, the committee met in executive session, considered the bill H.R. 15681, and ordered it favorably reported without amendment.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

Mr. DIRKSEN. Mr. President, I have conferred with the distinguished Senator from Iowa [Mr. Hickenlooper] and the distinguished Senator from Delaware [Mr. Williams], and there is no objection.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SUPPLEMENTAL APPROPRIATIONS, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1660, H.R. 20300, the supplemental appropriations bill. This has been cleared on both sides of the aisle.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. MILLER. Mr. President, I have a statement which will take about 15 minutes to deliver. I note that the Senator from Florida was on his feet at the same time I was. Would he like me to yield briefly to him?

Mr. HOLLAND. Mr. President, I am prepared to handle the supplemental appropriations bill, and I had hoped that we could dispose of it speedily. It must go to conference. I hope the distinguished Senator can withhold his remarks until we can pass the bill.

Mr. MILLER. I raised this matter last evening, and a unanimous-consent request was approved. I could defer my statement if the measure would be disposed of promptly.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. MANSFIELD. It is true that a commitment was made to the distinguished Senator from Iowa. I would hope that the manager of the bill, the distinguished senior Senator from Florida, would allow us to honor that commitment, with the proviso that he would be recognized at the conclusion of the remarks of the Senator from Iowa.

Mr. HOLLAND. Mr. President, I make that request. I ask unanimous consent to yield for such time as has been covered by the agreement made last night with the Senator from Iowa, of which I knew nothing; but with the understanding that I will have the floor when the Senator from Iowa concludes his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MILLER. Mr. President, I ask unanimous consent that I may yield to the Senator from Delaware [Mr. WILLIAMS] without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

SMALL BUSINESS ADMINISTRATION APPROVAL OF DISASTER LOAN

Mr. WILLIAMS of Delaware. Mr. President, today I call attention to a highly questionable procedure followed by the Small Business Administration in approving a disaster loan for Mr. L. Donald Pruhs, the president of the Golden Nugget Motel, Fairbanks, Alaska.

The manner in which the Small Business Administration under the guise of approving a disaster loan for Mr. Donald Pruhs allowed him to refinance a previously outstanding 8-percent mortgage with a 3-percent disaster loan resulted in a $21,000 savings in annual interest charges. Over the 30-year term of the disaster loan this could result in a windfall of over one-half million dollars.

Such refinancing operations were not in accord with the established rules under the disaster program, and questions as to the propriety of this convenient arrangement arise when it is noted that the regulations prohibiting such financing of existing debts were changed by the agency just 6 days prior to the approval of this loan.

Section 7(b) of the Small Business Act—15 United States Code 636—authorizes the Small Business Administration to administer a disaster loan program. Under this program the Administration is empowered to make such loans—either directly or in participation with lending institutions. These loans may be made as may be determined necessary or appropriate, to individuals, business concerns—regardless of size—and various nonprofit organizations having a tangible profit loss as a result of floods or other catastrophes in designated disaster areas and to small business concerns suffering substantial economic injury in an area affected by a disaster.

There is no statutory limitation as to the amount of a disaster loan; the maximum term of a loan, including extensions and renewals, is 30 years. The interest rate on the Administration's share of a disaster loan is limited to 3 percent per annum.

The Administration's rules and regulations provide for direct loans or the guarantee of loans to victims of floods and other catastrophes for the purpose of restoring the victims' homes or business properties as nearly as possible the predisaster condition.

On August 30, 1967, the Golden Nugget Motel, located at 900 Noble Street, Fairbanks, Alaska, applied for a 30-year, $893,643 disaster loan. The stated purposes of the loan were to:

Repair, restore, and rehabilitate flood-damaged property	$140,000
Refinance existing debts	703,863
Provide working capital to replenish loss in revenues	49,780
Total	893,643

In August 1967, when the Golden Nugget Motel submitted its disaster loan application, the Administration's rules and regulations stated that for physical loss disaster assistance its share or guaranteed percentage of the loan could not exceed the estimated cost of restoring or replacing the damaged or destroyed property. Refinancing existing debts was not eligible for these low-rate loans.

On September 23, 1967, prior to the approval of the loan to the Golden Nugget Motel, the rules and regulations were amended to remove "the restriction that disaster loans shall not exceed actual physical loss or economic injury in order that additional funds may be authorized in cases of substantial hardships."

The disaster loan manual was also revised to establish procedures for determining the refinancing that would be allowed in hardship cases. The manual stated that—

> (1) On damaged real estate, whether home, business, church, etc., the holder of the present lien(s) will be asked to reset the repayment(s) of present balance(s) of existing lien(s) by using the original maturity (number of years).
>
> (2) SBA will then determine the repayment requirements of a loan it will make for repair or replacement of damaged home or business structures, plus repair or replacement cost of the damage to household effects, inventory, machinery and equipment or other tangible loss. The repayment will be on the full 30-year basis if required. We will then be able to determine whether borrower can meet the payments on the proposed SBA loans and the recast lien(s) without undue hardship.
>
> (3) If we still find an inability to repay, the prior lien(s) will then either be repaid in full or reduced and again recast over the same original maturity so that the new repayment schedule of the disaster victim will be within his ability to repay, but in no event *less* than the repayments required by the present lien(s) on the damaged home, business structure or other tangible items.

Prior to this revision of the Small Business Administration rules disaster loans were available for the purpose of restoring the victims' homes or business properties as nearly as possible to predisaster conditions.

On September 29, 1967, or 6 days after the revision of the rules, the Administration authorized a 30-year, 3-percent, $894,000 loan to the Golden Nugget. Under these revised rules $703,863 of this loan was used to refinance existing debts, consisting of the following items:

Demand note, Alaska National Bank of Fairbanks	$420,000
Note payable to an individual	125,000
Notes payable to subcontractors	148,263
Other debts (accounts payable)	10,600
Total	703,863

The $420,000 note held by the Alaska National Bank of Fairbanks represented an 8-percent mortgage, and its inclusion in the refinancing operations as a 3-percent disaster loan represented an annual reduction in interest rates of 5 percent, or the equivalent of an interest savings of $21,000 per year.

Since the terms of the disaster loan were 30 years, conceivably this one item could represent a $630,000 interest savings for Mr. Pruhs, and it should be noted that this item of refinancing was not originally intended to be covered under disaster regulations.

The $140,000 item allowed under "Repair, restore, and rehabilitate flood-damaged property" was broken down as follows: $119,000 for physical damage and $21,000 for cleaning and emergency repairs.

The $140,000 to cover the above items had been placed in escrow in the Alaska National Bank of Fairbanks, and on November 7, 1967, the Administration authorized the disbursement of $107,400 of these escrow funds to Pruhs & Associates, Inc., a contracting firm of which Mr. Pruhs was also president.

In approving the disbursement the Administration's attorney noted that the bill in support of the disbursement was "very incomplete."

Subsequently the Administration requested the Golden Nugget Motel to furnish detailed support for the $107,400 disbursement, and on February 8, 1968, the Golden Nugget Motel submitted a general estimate of the work performed. The estimate included $89,500 for material and labor and $17,900 for overhead and profit.

On at least four occasions during the period February 3 through February 16, 1968, an Administration appraiser inspected the work for which $107,400 in loan funds had been disbursed and reviewed the supporting documentations submitted by the Golden Nugget Motel.

He stated in his inspection report that the value of work performed to repair the motel through February 16, 1968, was only $50,569.91 and that the remaining $56,830.09 had been disbursed without value received. The appraiser recommended that the Golden Nugget Motel be required to return the excess funds to the escrow account.

On February 20, 1968, the acting manager of the Fairbanks disaster branch office advised the General Accounting Office that no action would be taken regarding the $56,830.09 until the matter had been coordinated with the Small Business Administration, Washington, D.C., headquarters office.

On May 13, 1968, the General Accounting Office was advised by Washington, D.C., officials of the Administration that the matter was still under review and consideration.

At the time of the Comptroller General's review, $107,400 was, to his knowledge, the only disbursement that had been made from the $140,000 placed in escrow for the repair, rehabilitation, and restoration of the flood-damaged motel.

Thus it appears that of the $140,000 allowed in this 3-percent disaster loan for payments to subcontractors making repairs of damages, $56,830.09 had been disbursed without any accounting and according to the Comptroller General "without value received."

The fact that the subcontractor in this instance was one of Mr. Pruhs' own affiliated companies raises further questions.

In this $894,000 loan there was also $125,000 listed as "note payable to an individual." Whether this was a personal debt of Mr. Pruhs' or a debt of the motel's is not clear.

This entire transaction was so questionable that on October 4, 1967, the auditor for the Small Business Administration requested:

First. A statement or receipt to verify that the debt of $125,000 to an individual had been paid with the loan proceeds;

Second. Statements or receipts to verify that amounts due subcontractors of about $94,500 had been paid with the loan proceeds;

Third. A detailed breakdown of the debt of about $53,800 to Pruhs and Associates, which had been included in the amount payable to subcontractors, and copies of bank statements or deposit slips to show that the funds had been deposited in the account of Pruhs & Associates; and

Fourth. A detailed statement of what constituted the accounts payable of about $10,600 and evidence such as canceled checks or receipts to verify that payments were actually made.

At the completion of the Comptroller General's review these documentations still had not been furnished.

The disaster loan program is an essential program and one which has rendered great service to various areas of our country which have experienced national disasters, but the expressed purpose of these loans was to furnish long-term, low-rate interest mortgages to victims of floods and such catastrophes "for the purpose of restoring the victims' homes or business properties as nearly as possible to predisaster conditions." The low-interest loans were not intended to be used to refinance existing debts or to provide windfalls to those who were in a position of influence.

The manner in which the rules and regulations of the Small Business Administration were conveniently changed in order to refinance Mr. Pruhs' 8-percent mortgage with a 30-year, 3-percent Government loan cannot be justified, and it raises questions which should be examined by the Washington office of this agency and by the appropriate committees of Congress.

Congress must not sit back and allow such abuse of this disaster loan program. This is a most essential program, and it should not be discredited by such manipulations.

I ask unanimous consent that the Comptroller General's letter confirming the above referred to details be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., May 31, 1968.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Further reference is made to your letter of January 25, 1968, requesting information regarding disaster loans in Alaska mentioned in press accounts with the suggestion that political favoritism may have been involved. We advised you by letter dated February 27, 1968, that we would furnish you a report on the results of our review of the loan to the Golden Nugget Motel, Inc.

Our review, which is now completed, included an examination of the Small Business Administration's official disaster loan file and interviews with Administration officials in Fairbanks, Alaska, and in Washington, D.C., and with Mr. L. Donald Pruhs, the president of the Golden Nugget Motel. At the completion of our review, the Administration was still inquiring into the reported cost to repair the flood damage at the Golden Nugget Motel and had requested the borrower to furnish additional information on certain disbursements. We cannot conclude, from the information that we have developed, whether approval of this loan was based on political favoritism.

BACKGROUND

Section 7(b) of the Small Business Act (15 U.S.C. 636) authorizes the Small Business Administration to administer a disaster loan program. Under this program, the Administration is empowered to make such loans—either directly or in participation with lending institutions—as it may determine to be necessary or appropriate, to individuals, business concerns (regardless of size), and various nonprofit organizations, having a tangible property loss as a result of floods or other catastrophes in designated disaster areas, and to small business concerns suffering substantial economic injury in an area affected by the disaster. There is no statutory limit as to the amount of a disaster loan; the maximum term of a loan, including extensions and renewals, is 30 years. The interest rate on the Administration's share of a disaster loan is limited to 3 percent per annum.

The rules and regulations relating to the disaster loan program, as set forth in the Code of Federal Regulations (13 CFR 120 and 13 CFR 123), state that financial assistance will be given to relieve the distress and hardships attendant upon a disaster and that such financial assistance will be considered on an individual basis in light of the circumstances of the applicant and of the particular disaster. In addition to the general statement of policy, specific criteria are set forth by the rules and regulations, with regard to the eligibility requirements for financial assistance, types of financial assistance available, purposes of the loan, when and how to apply for a loan, the amount of the loan and the interest rate, collateral and repayment requirements.

Specific criteria and procedures to be followed in reviewing a loan application are set forth in the Administration's disaster loan manual.

The flood of August 12 through 20, 1967, on the Chena River at Fairbanks, Alaska, was caused by a rainstorm covering the Chena River basin and adjacent watersheds. The rainstorm runoff caused numerous slides on headwater hillsides, washed out roads and tree-covered river terraces, and covered the flood plain at Fairbanks with water up to 5 feet deep. About half of the 30,000 inhabitants in the Fairbanks area were evacuated, and five deaths were reported. Urban Fairbanks and nearby Fort Wainwright, both on the flood plain near the mouth of the Chena River, were damaged seriously. The crest of the flood at Fairbanks occurred on Tuesday, August 15, 1967. The Small Business Administrator, on August 16, 1967, declared the area, including Fairbanks, eligible for disaster loan assistance.

LOAN TO THE GOLDEN NUGGET MOTEL, INC.

On August 30, 1967, the Golden Nugget Motel, located at 900 Noble Street, Fairbanks, Alaska, applied for a 30-year $893,643 disaster loan. The stated purposes of the loan were to:

Repair, restore, and rehabilitate flood-damaged property	$140,000
Refinance existing debts	703,863
Provide working capital to replenish loss in revenues	49,780
Total	893,643

On September 29, 1967, the Administration authorized a 30-year, 3-percent, $894,000 loan to the Golden Nugget. The loan comprised amounts as requested by the applicant for the various purposes, except for working capital which was increased to $50,137.

The Administration made an initial loan disbursement to the Golden Nugget Motel on October 4, 1967, in the amount of $703,863 to refinance its existing debts and made a second disbursement on November 3, 1967, of $2,723.50. The remaining loan balance of $187,413.50, which included $140,000 for repairs, restoration, and rehabilitation of the Golden Nugget Motel and $47,413.50 for working capital, was deposited in an escrow account in the Alaska National Bank of Fairbanks on November 3, 1967, to be disbursed only on specific authorization by the Administration.

Estimated cost to repair, restore, and rehabilitate

The Administration's rules and regulations provide for direct loans or the guarantee of loans to victims of floods and other catastrophes, for the purpose of restoring the victims' homes or business properties as nearly as possible to predisaster condition.

The Administration approved loan funds of $140,000 for the repair, restoration, and rehabilitation of the Golden Nugget Motel, consisting of about $119,000 for physical damage and about $21,000 for cleaning and emergency repairs. The amount for physical damage was based on a cost estimate of about $115,000 by an independent contractor. The Administration's appraiser increased this cost estimate by about $4,000 to provide for damage to personal property, including carpeting and furniture.

On November 7, 1967, the Administration authorized the Alsaka National Bank of Fairbanks to disburse $107,400 of the escrow funds to Pruhs & Associates, Inc., a contracting firm of which Mr. Pruhs is the president, for repair of flood damage to the motel. In approving the disbursement, the Administration's attorney noted that the bill in support of the disbursement was "very incomplete." Subsequently, the Administration requested the Golden Nugget Motel to furnish detailed support for the $107,400 disbursement and on February 5, 1968, the Golden Nugget Motel submitted a general estimate of the work performed. The estimate included $89,500 for material and labor and $17,900 for overhead and profit.

By letter dated February 6, 1968, the Administration advised the Golden Nugget Motel that the information submitted on February 5, 1968, was not considered to be adequate proof that the Golden Nugget Motel had expended the $107,400 for authorized purposes. The letter further stated that:

"The proof extends to the application of the funds whether to a contractor or to a supplier, and in this case we require that receipts, invoices marked paid and certified payrolls be submitted by Pruhs & Associates, Inc. to Golden Nugget Motel, Inc. showing that the funds paid by Golden Nugget Motel, Inc. to Pruhs & Associates, Inc. was [sic] actually used to rehabilitate the motel."

On February 10, 1968, the president of the Golden Nugget Motel submitted additional information, including payroll reports, statements from subcontractors, and material purchase receipts, to substantiate flood damage repairs of about $109,000.

On four occasions, during the period February 3 through 16, 1968, an Administration appraiser inspected the work for which $107,400 in loan funds had been disbursed and reviewed the supporting documentation submitted by the Golden Nugget Motel. He stated in his inspection report that the value of work performed to repair the motel through February 16, 1968, was $50,569.91 and that the remaining $56,830.09 had been disbursed without value received. The appraiser recommended that the Golden Nugget Motel be required to return the excess funds to the escrow account.

On February 20, 1968, the Acting Manager of the Fairbanks Disaster Branch Office advised us that no action would be taken regarding the $56,830.09 until the matter had been coordinated with the Small Business Administration, Washington, D.C., headquarters office. On May 13, 1968, we were advised by Washington, D.C., officials of the Administration that the matter was still under review and consideration.

At the time of our review $107,400 was, to our knowledge, the only disbursement that had been made from the $140,000 placed in escrow for the repair, rehabilitation, and restoration of the flood-damaged motel.

Refinancing of existing debts

In August 1967, when the Golden Nugget Motel submitted its disaster loan application, the Administration's rules and regulations stated that, for physical loss disaster assistance, its share or guaranteed percentage of the loan could not exceed the estimated cost of restoring or replacing the damaged or destroyed property.

On September 23, 1967, prior to the approval of the loan to the Golden Nugget Motel, the rules and regulations were amended to remove "the restriction that disaster loans shall not exceed actual physical loss or economic injury in order that additional funds may be authorized in cases of substantial hardships."

The disaster loan manual was also revised to establish procedures for determining the refinancing that would be allowed in hardship cases. The manual stated that:

"(1) On damaged real estate, whether home, business, church, etc., the holder of the present lien(s) will be asked to reset the repayment(s) of present balance(s) of existing lien(s) by using the original maturity (number of years).

"(2) SBA will then determine the repayment requirements of a loan it will make for repair or replacement of damaged home or business structures, plus repair or replacement cost of the damage to household effects, inventory, machinery and equipment or other tangible loss. The repayment will be on the full 30-year basis if required. We will then be able to determine whether borrower can meet the payments on the proposed SBA loans and the recast lien(s) without undue hardship.

"(3) If we still find an inability to repay, the prior lien(s) will then either be repaid in full or reduced and again recast over the same original maturity so that the new repayment schedule of the disaster victim will be within his ability to repay, but in no event *less* than the repayments required by the present lien(s) on the damaged home, business structure or other tangible items."

The $703,863 approved for refinancing of existing debts on September 29, 1967, consisted of the following items:

Demand note, Alaska National Bank of Fairbanks	$420,000
Note payable to an individual	125,000
Notes payable to subcontractors	148,263
Other debts (accounts payable)	10,600
Total	703,863

With regard to the $420,000 demand note held by the Alaska National Bank of Fairbanks, the Administration agreed on January 30, 1967, prior to the flood, to guarantee, under its business loan program, about $350,000 of a loan by the bank to the Golden Nugget Motel. The loan was to be for 10 years at an annual interest rate of 8 percent with payments of $3,000 a month from November through May and $8,237 a month from June through October. Although the bank loan to be guaranteed in part by the Administration was never made, the bank in February 1967 made an interim construction loan of $420,000 at an annual interest rate of 8 percent, which was repayable on demand and secured by a first mortgage on the Golden Nugget Motel.

According to the Administration's loan specialist's report, the interim loan was arranged on the strength of the Administration's agreement to guarantee, in part, the bank's permanent financing to the Golden Nugget Motel.

In justifying the request for refinancing the Golden Nugget Motel's existing debts with disaster loan funds, the Golden Nugget Motel's attorneys submitted with the application a letter dated August 22, 1967, from the Alaska National Bank of Fairbanks stating that, due to the recent flood and the resultant demands for loans, it would be impossible for the bank to participate with the Small Business Administration in the refinancing of the Golden Nugget Motel. The attorneys stated that the bank demanded repayment of the interim construction loan of $420,000 and that the Golden Nugget Motel's other creditors were also unwilling to grant any forebearance of the obligations for payment of principal and interest on existing notes.

On October 4, 1967, the Administration disbursed $703,863 for refinancing the Golden Nugget Motel's existing debts. On March 5, 1968, an Administration auditor requested the Golden Nugget Motel to furnish additional information on certain existing debts included in the refinancing. The auditor requested (1) a statement cr receipt to verify that the debt of $125,000 to an individual had been paid with the loan proceeds, (2) statements or receipts to verify that amounts due subcontractors of about $94,500 had been paid with the loan proceeds, (3) a detailed breakdown of the debt of about $53,800 to Pruhs & Associates, which had been included in the amount payable to subcontractors, and copies of bank statements or deposit slips to show that the funds had been deposited in the account of Pruhs & Associates, (4) a detailed statement of what constituted the accounts payable of about $10,600 and evidence such as canceled checks or receipts to verify that payments were actually made.

At the completion of our review, action was still spending on these matters.

Working capital to replenish loss in revenue

The Administration's rules and regulations provide for direct loans or guarantee of loans to small business concerns if the Administration determines that the concerns have suffered substantial economic injury as a result of a disaster and state that the loans may be used for working capital.

The Administration loan specialist assigned to review the application stated that he had verified the accuracy of all financial information and that the stated economic injury loss resulting from the flood seemed reasonable.

As stated in our letter of February 27, 1968, we have reviewed for another Member of the Congress an allegation received by him relating to the extent of flood damage sustained by the Golden Nugget Motel and have furnished him with certain of the information discussed in this report. However, as this report contains information, the disclosure of which may be prohibited by law (18 U.S.C. 1905), we shall not make the contents thereof available to the public. The referred-to statute makes it a criminal offense to disclose, among other things, the "amount or source of any income, profits, losses, or expenditures" of any person or firm.

We did not obtain formal written comments from Administration officials or the Golden Nugget Motel on matters discussed herein, and this should be taken into consideration in any use made of the information presented.

We trust that this information will serve the purpose of your request. Members of my staff will be available to discuss the matter with you if you desire.

Sincerely yours,

Frank H. Weitzel,
Acting Comptroller General.

RICHARD M. NIXON AND THE OLDER AMERICANS

Mr. MILLER. Mr. President, as a Senator from the State with the second highest percentage of older people in the Nation, as a member of the Senate Special Committee on Aging, and as a member of the Republican National Committee Task Force on Aging, I have special concern with the positions on needs of older Americans in the current Republican and Democratic campaigns for the Presidency.

I have complete confidence in the ability of older Americans to make their own judgments on which party and candidates have the most sound and realistic approach to meeting not only their needs but the needs of the Nation as a whole—provided they are given the facts.

Recent misleading statements and false claims by the Democratic Party and its presidential candidate are calculated to misinform, not inform, our older citizens. Such cynical and shabby treatment of these people must be held out to public view.

Here in the Senate on September 25, Congressional Record page 28211, I challenged the Democratic presidential candidate's unfounded and completely inaccurate statement that—

> With a single exception—1954—every expansion in coverage of Social Security, every increase in benefits, has been proposed by the Democrats and opposed by the Republicans.

At that time, I cited five instances which give the lie to that statement by the Democratic presidential candidate.

I would like to reiterate what I said at that time:

> Mr. President, this is a gross misrepresentation of the record of the two parties on social security. For one thing, I point to the rollcall vote on November 21, 1967, when my amendment to provide automatic cost-of-living increases to social security recipients was defeated 48 to 24. Seventy-five percent of the Republicans voting were in favor; and 88 percent of the Democrats voting were opposed.
>
> I call attention to the rollcall vote on September 3, 1964, in which an amendment by Republican Senator Prouty, of Vermont, to increase minimum levels of social security from $40 per month to $70 per month was defeated 64 to 23. Seventy-five percent of the Republicans voting were in favor; and 100 percent of the Democrats voting, including then Senator Humphrey, were opposed.
>
> On passage of the Social Security Amendments Act of 1967, which included a large increase in social security payments effective in February 1968, 87 percent of the Republicans voted "aye."
>
> On June 26, 1961, the Senate adopted an amendment by Republican Senator Norris Cotton, of New Hampshire, to permit increased earnings by social security recipients without penalty. And on November 21, 1967, the Senate turned down by a vote of 26 to 47 my own amendment to permit a further increase in earnings without penalty, with 92 percent of the Republicans voting in favor and 93 percent of the Democrats voting "no."

Further clarification of the record demands that publicity be given other unfair campaign practices statements as well as negative positions of the Democratic Party and its candidate on matters affecting the aging.

Before I comment on these, however, it is appropriate to invite your attention to the September 29 "Statement of Problems of Older Americans" issued by the Republican presidential nominee, Richard M. Nixon.

I ask unanimous consent that the full text of Mr. Nixon's statement appear in the Record at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. Spong in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. MILLER. Mr. President, the most serious unethical distortion of the Democratic campaign is to be found in their television commercials which make false accusations against Mr. Nixon. This saturation effort to put false and unjustified fears into the minds of older Americans strikes a new low in campaign tactics. The intent clearly is to attempt to fool the voters—especially the older voters—into believing that Dick Nixon opposes social security and medical care for the elderly. Informed voters will laugh these political ads off their television screens; but some of those who are more trusting could be victimized by them. And they are untruthful.

Our older voters need to be informed about what the Democratic Party is against. This is, perhaps, most clearly set forth in a statement by Wilbur Cohen, Secretary of the Health, Education, and Welfare and vice chairman of Senior Citizens for Humphrey, which was placed in the Record of October 3.

According to this statement, the Democratic Party opposes improvements in social security advocated by Dick Nixon which include:

First. Payment of 100 percent of primary social security benefits to widows of insured workers instead of the present 82½ percent. This Nixon proposal would help over 2 million widows, including more than 1 million who are past 75. As a group these represent the elderly in greatest financial need.

Second. Substantial increase in the amount of money a social security beneficiary may earn without loss of benefits. Opposition to this Nixon proposal is consistent with the rejection by the Johnson-Humphrey administration of Republican efforts to significantly liberalize or eliminate the "earnings test" in the past.

How serious the penalty can be is indicated by the following letter placed in the Record last year by Republican Congressman John Ashbrook of Ohio.

June 30, 1967.

John M. Ashbrook,
Congress of the United States,
Washington, D.C.

Dear John: I have been meaning to write you on the following subject since my filing of my income tax return for the year 1966. My observations will only take a minute to review:

As you may or not recall but I retired from my traveling job January 1, 1966—obtained my real estate salesman's license and started working. My "profit and loss" statement for 1966:

Net earnings from real estate commissions (before tax)	$2,836
Deductions:	
Return to social security 50 percent of excess of $1,500	600
Return to social security 100 percent of excess of $2,700	136
Social security tax paid	193
Income tax withheld and paid	498
City income tax paid	23
Total (approximately 51 percent of earnings)	1,450
Net earnings after taxes	1,386
Income by payments of social security	1,544
Total net income from real estate and social security	2,930

What do you think?

Yours truly,

——— ———.

With the token increase in permissable earnings—to $1,680 annually—which was accepted by the Johnson-Humphrey administration in the democratically controlled 90th Congress, many of our older citizens are penalized for working to make ends meet. When one subtracts from that token increase the 10 percent tax increase and additional losses through inflation, we find improvements since June 30, 1967, to be negligible at best.

The argument advanced by Mr. Cohen and the Johnson-Humphrey administration against elimination of the earnings penalty is the $2 billion annual cost of such a change to the social security system.

This, however, is not the net cost to the taxpayer. Offset against this "cost," as well demonstrated by the foregoing letter, would be substantial local, State, and Federal income taxes. There would be an additional offset, because greater opportunities to earn without penalty would enable many older Americans to avoid the welfare rolls by permitting them to strengthen their own financial situations.

While the Democratic Party pretends to be greatly concerned about the cost of liberalizing the earnings test, its presidential candidate shows no such qualms when he promises social security benefit increases far in excess of what have proven acceptable to democratically controlled Congresses in the past and which responsible financial analysis makes impossible when our tax load is so heavy.

Right now there is bipartisan concern within the Congress that, if the social security costs go too high, there may be rebellion against them by the younger people on whom the tax burden falls most heavily. Such a revolt, brought on by excesses of the Democratic Party, would jeopardize the entire social security system.

Most older Americans are able to distinguish between campaign promises of pie in the sky and prudent commitments to responsible increases in benefits which are capable of being delivered.

Nor do older Americans intend to sell their vote to the highest bidder in an auction that has no ceiling, especially when similar bids are being made to other groups in a way that ultimately benefits nobody, because the resulting deficit spending would further reduce the value of our dollar for everyone.

Experience of older persons in the Nation during the Johnson-Humphrey administration has taught them how great their losses can be through inflation. Since 1965, our older people on pensions have had $3 billion in purchasing power taken away by inflation.

If the Democratic candidate's promises could be kept, his answer to every problem would be higher Federal expenditures with more multibillion-dollar deficits. The result would be further cheapening of our money, and older people would be hurt the worst.

One way to provide partial relief for older Americans from rising living costs is through a proposal long given high priority by the Republican Party. This is to provide automatic cost-of-living increases in social security and railroad retirement benefits.

As the original sponsor of this proposal in the Senate, I am pleased to note that the Democratic presidential candidate has finally come around to endorsement of this Republican proposal. But he owes the people an explanation.

Where was support from the Democratic candidate when I first introduced this bill in March 1965?

Where was the support of automatic cost-of-living increases in social security pensions in the 89th Congress? It was on the Republican side of the aisle.

It was in the Republican National Coordinating Committee, which endorsed the proposal.

Where was the Democratic candidate's support during the current 90th Congress, when it was offered as an amendment to the Social Security Act last fall? Eighty-eight percent of the Democratic Senators voted "no," and one can be sure the Vice President did not try to change their minds.

Despite these questions, I welcome his support now. Let us hope that, regardless of the election outcome, this change of heart will be reflected in favorable action during the next Congress.

In conclusion, I again invite serious attention to Dick Nixon's statement on the aging. I am confident my belief will be shared that it is statesmanlike, responsible, and understanding.

Dick Nixon rejects the idea that the elderly should be segregated from the mainstream of American life as a group, increasingly dependent on the whims of Government and self-seeking politicians.

Dick Nixon recognizes the desire of older Americans for involvement in the Nation's life with dignity and independence, and he has committed his administration to that ideal.

EXHIBIT 1

A STATEMENT ON THE PROBLEMS OF THE AGING

(By Richard M. Nixon at Key Biscayne, Fla.)

Throughout this campaign I have given considerable attention to "The Forgotten American"—the decent and respectable citizen who lives quitely and responsibly and is the steady hand on the tiller of American life. Among these forgotten Americans is an entire generation—a group which includes one-tenth of our population—those who have passed their 65th birthday.

Most of the 20 million Americans who are over 65 were born in another century. They have brought themselves, their families and their country through the most turbulent period in human history. They have fought two world wars and survived the great depression. They have seen mankind enter the atomic age and have lived their middle years under the threat of nuclear annihilation. They have seen the advent and felt the impact of the automobile, the airplane, of radio and television.

The older generation of Americans has come through this with flags flying. They have not become either alienated or radicalized. They have not "dropped out." Again and again the familiar ways have been uprooted. But they have endured and they have adjusted.

My message to our older citizens is that our country not only still needs them, but now more than ever needs their strength, their experience and their wisdom. We need their patriotism and idealism to help restore respect for law and order with justice. We need their sense of history and their purpose if our nation is to find its way again.

I therefore call all of our older citizens to fuller participation in our society—for there can never be any retirement from the responsibilities of citizenship.

But we cannot ask older men and women to play a more meaningful role in our national life if we deny them the dignity, the security, and the respect they deserve. Too often we do just that. Too many politicians flatter them with lavish promises and patronize them with caretaker attitudes. Too often they are just ignored.

Too many of them lead lives of loneliness and idleness. Many feel cut off from society. Often the problem is how to fill empty hours. Long-awaited leisure can become a curse instead of a blessing. How often we hear the phrase, "retirement will kill him." We let new men and new methods drive out older people, but we ignore their capacity for new roles and functions.

Perhaps most disconcerting to the senior American is his feeling that the values on which he built his life are now being neglected. The reason he looks to these values of the past is that he is so deeply concerned about the future. When he worries about modern youth, it is because he must look to young men and women, after all, to finish the work he has started. That is why a time of drift, confusion and rebellion is a time of particular concern for older people.

Beyond all this, far too many older people have serious economic problems—despite private pensions and social security.

It does not have to be this way. We can act constructively on all these problems. But we can do it only if our approach promotes independence rather than dependency. One of the most important things we can do is to encourage self-help among older people.

A NEW WHITE HOUSE CONFERENCE

There are those who pretend that these problems can be easily or quickly solved. I do not. It is not fair to these people or the nation simply to hold forth, as a panacea for all ills, the old political enticement of a massive increase in government payments. Indeed, there is no greater disservice to these people than to advocate, on the one hand, glittering income increases that would crumple the entire retirement system and, on the other hand, spawn new spending programs that through inflation would impoverish millions on fixed incomes. Instead, we must move with prudence and responsibility and true compassion, or the older people will be hurt as they have been so many times before by self-appointed cynical "friends."

Therefore, as a major move toward a new role for an older generation, I will convene a White House Conference to probe deeply into all problems of greatest concern to older Americans. Almost eight years have passed since the last such conference, held under President Eisenhower's direction. A second such demonstration of our national concern—with proper preparation and broadly based participation—will be an immensely informative and creative experience. It will be high on our agenda. Such a conference should consider and review the following recommendations:

CONTINUED USEFUL PARTICIPATION

Our older citizens should have the opportunity to remain active, either in income-producing occupations or in the voluntary organizations of their communities. As Oliver Wendell Holmes said at the age of 90: "The work never is done while the power to work remains. For to live is to function—that is all there is to living." I pledge the full resources of the Presidency toward encouraging greater opportunities for participation by the aged in all the pursuits of the society.

For those who wish to work, we can make better use of existing programs, including the specialized placement services of the Department of Labor. We can enlist the new computer technology to help place older Americans in jobs which match their skills and interests on both a full time and part time basis. And we can give more attention to retraining older workers, those who are in their 50's and 60's as well as those more senior.

We should also encourage the development of opportunities for voluntary social service by older Americans. A number of federal programs can be geared to provide more challenging new careers for retired people. Programs like SCORE (The Service Corps of Retired Executives) and the Foster Grandparents Plan also can be expanded. Even more important are dozens of community service projects which should publicize and recruit more aggressively among older people. Our political parties could and should make better use of their energies. At the same time, we should encourage volunteer programs in which old and young alike visit older people in institutions.

SOCIAL SECURITY REFORMS

Since 1937, Social Security has provided basic income support for retired Americans. Significant expansions in that system took place during the Eisenhower Administration, expansions which I supported. New reforms must be made if the system is to perform adequately now and through the seventies.

We must provide immediately for cost of living adjustments in Social Security and railroad retirement benefits. It is a matter of simple justice that older Americans be protected against the rapidly rising cost of living—an almost 20 percent increase since 1960 alone. Periodic increases in benefit levels do not begin to keep up with increases in prices. In effect, inflation imposes a sharply regressive tax on the people least able to afford it, at tax which amounted to 4 percent this past year alone.

An automatic cost-of-living increase clause in Social Security benefits that will keep pace with inflation is the obvious way to shield older Americans against this unjust levy. The Republican Coordinating Committee and the Republican Platform have called for such a revision. Over 100 Republican Congressmen recently introduced legislation to accomplish this reform, but the present Administration would not support it. The Nixon Administration will.

But even an automatic cost-of-living increase is not enough for it does not protect the savings of older citizens. A Nixon Administration will also follow policies of sound fiscal management in order to avoid the massive budget deficits of recent years that have contributed so heavily to the rising cost of living. Inflation hurts most those citizens—the poor and the elderly—who are least able to help themselves. Stable prices will be one of the primary goals of my administration.

Let me be explicit about this. Fiscal mismanagement of the old spend-spend elect-elect school of politics has gravely injured the aged—a process labeled warm-hearted, but utterly cynical and cruel. The damage already done through erosion of purchasing power must be corrected—and I look to the White House Conference for responsible approaches to this. But for the future—to protect the aged against another visitation in Washington by false friends—we must not only stop inflation, which I pledge to do, but also include cost of living protections within the Social Security system itself. There is no other way to insure against those who have made profligacy with tax dollars a way of political life.

The current limitation on allowable earnings for Social Security recipients must also be increased and ultimately done away with altogether. The rule that a recipient of Social Security must keep his earnings below a certain level or else lose benefits is patently unjust. The pension money is his money after all—he paid it in for years and he ought to be able to get it out—regardless of whether he chooses to work after 65. Today the older citizen who wants to augment his pension by working is discouraged from taking a regular job. Thus the present law penalizes those who want to help themselves.

A widow's benefits should be increased from 82 percent to a full 100 percent of the late husband's pension. There is no reason why a widower should get a better deal from Social Security than a widow. One-third of the women over 65 live alone; we ought not begrudge them a fairer deal.

The 100 percent income tax deduction for non-reimbursable drug and medical expenses of those over 65 should be restored. Medical costs have gone up 2½ times as fast as the cost of living in the last eight years and the aged are those most sorely afflicted by this burden.

Those who work past 65 years of age and want to continue building up Social Security benefits should be allowed to do so. This will encourage them to work and will make for more adequate benefits when they finally do retire.

We must extend Social Security coverage to include all of our older citizens—a goal first promised in the Republican Platform of 1944, significantly advanced by the Republican 80th Congress of 1950, further extended through Republican incentives in 1966, and pledged again in the Republican Platform of 1968. The time has come to finish that job by a gradual extension in universal coverage downward from age 72 to 65.

As we work to open up opportunities for employment and careers in voluntary service, we must remember that there are elderly Americans, who, through preference or necessity, may wish to retire earlier. It will be my goal to encourage private retirement programs to provide for earlier retirement on a voluntary basis with reduced benefits, in order to give greater freedom to the individual worker and more flexibility to employers.

HOUSING FOR OLDER CITIZENS

There is increasing recognition of the importance of adequate housing for older people—often specially designed to meet their particular needs, located close to shopping, medical, cultural and transportation facilities, and offering opportunities for human contact with a broad range of age groups. There are numerous government programs—many initiated during the Eisenhower Administration—which are designed to encourage the development of such accommodations. But these tools have sometimes been ineffectively utilized; they tend to overlap and in some instances they bear unnecessary restrictions. Such programs should be reformed and then fully implemented.

Private enterprise and voluntary organizations need encouragement to build and maintain more and better housing and nursing facilities for older people in a wider range of income groups. The remodeling of existing housing for use by older persons should be further encouraged.

CONCLUSION

I have said throughout this campaign that the government should do for the people only what they cannot do for themselves—and I believe these proposals are consistent with that philosophy. The problems of the elderly is one area in which the unassisted efforts of the people involved are no longer adequate to cope with the problems facing them. We cannot cry out to the aged, "Go get yourself an education." Often we cannot tell them to go out and find employment. For the most part, these older citizens have already done more than their full share for their country.

But let us never forget that the present challenge asks us to do a far more important thing than "taking care" of our older citizens, and a far more responsible thing than to try to "buy" their votes with pie-in-the-sky schemes certain to fail. Our challenge, rather, is to provide the sustainable support and credible encouragement so that this older generation can itself establish and maintain the potential contribution of which it is capable. President Eisenhower once said, "Our nation must learn to take advantage of the full potential of our older citizens—their skills, their wisdom and their experience. We need these traits fully as much as we need the energy and the boldness of youth."

A just and decent society must recognize its debt to its older citizens and honor its obligations to them. Only then will our generation of older Americans live full and proud lives.

Our goal must be to bring new truth and meaning to Longfellow's words:

"Age is opportunity no less
Than youth itself, though in another dress,
And as the evening twilight fades away
The sky is filled with stars, invisible by day."

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The **PRESIDING OFFICER** announced that on today, October 10, 1968, the President pro tempore signed the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

S. 2671. An act to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government;

H.R. 551. An act to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes;

H.R. 8781. An act to authorize the Secretary of the Interior to exchange certain lands in Shasta County, Calif., and for other purposes;

H.R. 13480. An act to make proof of financial responsibility requirements of section 39(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia inapplicable in the case of minor traffic violations involving drivers' licenses and motor vehicle registration; and

S.J. Res. 191. Joint resolution authorizing the erection of a statue of Benito Pablo Juarez on public grounds in the District of Columbia.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PASTORE, from the Committee on Commerce, with amendments:

H.R. 11618. An act to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes (Rept. No. 1668).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, without amendment:

H.J. Res. 691. Joint resolution extending greetings and felicitations to St. Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding.

By Mr. KENNEDY, from the Committee on Labor and Public Welfare, without amendment:

H.R. 8364. An act to amend the joint resolution of March 24, 1937, to provide for the termination of the interest of the United States in certain real property in Allen Park, Mich. (Rept. No. 1669.)

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LAUSCHE:

S. 4176. A bill for the relief of Marica Perko; to the Committee on the Judiciary.

By Mr. MONDALE (for Mr. McGovern):

S. 4177. A bill for the relief of Tai Huen Yu; to the Committee on the Judiciary.

By Mr. METCALF:

S. 4178. A bill for the relief of Yin Ting Wong; to the Committee on the Judiciary.

By Mr. MORTON (for Mr. Tower):

S. 4179. A bill to amend the Internal Revenue Code of 1954 to provide a 15-year period for carryover of losses arising from expropriation of property by governments of foreign countries; to the Committee on Finance.

(See the remarks of Mr. Morton when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself, Mr. Williams of New Jersey, Mr. Kennedy, Mr. Yarborough, Mr. Mondale, Mr. Young of Ohio, Mr. Smathers, Mr. Carlson, and Mr. Miller):

S. 4180. A bill to provide a comprehensive program of employment services and opportunities for middle-aged and older Americans; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Randolph when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 4181. A bill for the relief of Nguyen Thi Thu Cuc; to the Committee on the Judiciary.

By Mr. HRUSKA (for himself and Mr. Ervin):

S. 4182. A bill to amend section 3006A of title 18, United States Code, relating to representation of indigent defendents; to the Committee on the Judiciary.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Louisiana:

S. 4183. A bill to allow income tax deductions to insurance companies for reserves required by State law for losses attributable to riots or other catastrophes, or attributable to insolvencies of other insurance companies; to the Committee on Finance.

(See the remarks of Mr. LONG of Louisiana when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 4184. A bill to improve educational quality through the effective utilization of educational technology; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. GOODELL):

S. 4185. A bill to provide Federal assistance to States for establishing and strengthening consumer protection programs; to the Committee on Commerce.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. PELL (for himself and Mr. BOGGS):

S.J. Res. 201. Joint resolution granting the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia; to the Committee on the Judiciary.

S. 4179—INTRODUCTION OF BILL TO PROVIDE A 15-YEAR PERIOD FOR CARRYOVER OF LOSSES ARISING FROM EXPROPRIATION OF PROPERTY BY GOVERNMENTS OF FOREIGN COUNTRIES

Mr. MORTON. Mr. President, on behalf of the Senator from Texas [Mr. TOWER], I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to provide a 15-year period for carryover of losses arising from expropriation of property by governments of foreign countries. I ask unanimous consent that a statement, prepared by Mr. TOWER, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 4179) to amend the Internal Revenue Code of 1954 to provide a 15-year period for carryover of losses arising from expropriation of property by governments of foreign countries, introduced by Mr. MORTON (for Mr. TOWER), was received, read twice by its title, and referred to the Committee on Finance.

The statement of Mr. TOWER is as follows:

Mr. TOWER. Mr. President, the legislation I introduce today would make changes in the Internal Revenue Code of 1954. The ten-year net operating loss carry-over for foreign expropriation losses provided by Section 172(b)(1)(D), I am advised, is insufficient to permit those businesses, all of whose productive assets have been expropriated, to recover such losses. Originally enacted in 1964, it is my understanding this section resulted due to the Congress' belief that foreign expropriation losses were generally of such magnitude that the 3 year carryback and the 5-year carryover periods would be insufficient to permit recovery of such losses.

If a business has substantial productive assets and operations in nations other than that which expropriated its properties, the 10-year carryover period would generally permit the recovery of expropriation losses because operations in other nations, such as the United States, continues to generate income throughout the world. However, if the operations of a business are centralized in the expropriated nation, it would require perhaps several years for that business to establish new operations elsewhere. In all probability, the income from such a situation would be substantially lower during the first years after such operations have been established. In such an event, the business could not avail itself of the benefits of the 10-year carryover period until after several years have elapsed. Thus, the effective carryover period would be considerably less than ten years.

Congress wisely enacted Section 172(b)(1)(D) because it realized that a longer period would be required to recover expropriation losses. My amendment proposes to extend the carryover period to 15 years in order to provide businesses whose operations are centralized in an expropriating nation, a reasonable period of time to relocate, develop new lines of activity, and begin earning income in order that they may fully enjoy the benefits which Congress intended to confer when it originally enacted this legislation.

I believe the introduction of my bill will give us the opportunity to view objectively this carryover matter and we can hear testimony from both sides. Perhaps this will be the best way to approach this subject through committee hearings and through competent witnesses.

S. 4180—INTRODUCTION OF MIDDLE-AGED AND OLDER WORKERS FULL EMPLOYMENT ACT OF 1968

Mr. RANDOLPH. Mr. President, on behalf of myself and the Senator from New Jersey [Mr. WILLIAMS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Texas [Mr. YARBOROUGH], the Senator from Minnesota [Mr. MONDALE], the Senator from Ohio [Mr. YOUNG], the Senator from Florida [Mr. SMATHERS], the Senator from Kansas [Mr. CARLSON], the Senator from Iowa [Mr. MILLER], and the Senator from Utah [Mr. MOSS], I introduce for appropriate reference the Middle-Aged and Older Workers Full Employment Act of 1968, a bill to provide for a comprehensive program of employment services and opportunities for middle-aged and older Americans. This proposal evolves from 3 days of hearings on July 24, 25, and 29 on the "Adequacy of Services for Older Workers," conducted by two subcommittees of the Senate Special Committee on Aging, the Subcommittee on Federal, State, and Community Services, of which the senior Senator from Massachusetts is chairman, and the Subcommittee on Employment and Retirement Incomes, of which I am chairman.

During these 3 days of hearings, we heard from many individuals who are knowledgeable on employment problems and opportunities of middle-aged and older workers. We received valuable and sound recommendations for providing employment opportunities for this age group. Many of these recommendations are embodied in this proposed Middle-Aged and Older Workers Full Employment Act of 1968. Included in this measure are provisions for offering workers opportunities to receive training to enhance their employability; for research and demonstration projects to strengthen programs to meet employment needs of older and middle age workers; for studies by the Secretary of Labor and other top Government officials on making existing employment programs more responsive to the needs of older workers; for a community senior service program to provide part-time work opportunities in community development; and for opening up new employment opportunities for middle-aged and older workers in Federal service.

I am aware that there is not sufficient time in the present Congress to enact this comprehensive employment proposal for middle-aged and older workers. However, it is my belief that it is worthwhile to introduce this measure as a crystallization of suggestions which have been brought to our attention. In addition, the bill will serve as a first step toward legislation needed in this area, which can be improved and revised during the few weeks remaining in this Congress and reintroduced early in the 91st Congress.

A similar measure is being introduced by Representative JAMES H. SCHEUER in the House of Representatives. He has been active in the efforts to secure increased opportunities for our older citizens.

Mr. President, the distinguished chairman of the Senate Special Committee on Aging, Senator HARRISON WILLIAMS, is not present today. We have worked closely in the development of this measure. I ask unanimous consent that the prepared statement of the Senator from New Jersey [Mr. WILLIAMS] be inserted in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement of the Senator from New Jersey [Mr. WILLIAMS] will be printed in the RECORD.

The bill (S. 4180) to provide a comprehensive program of employment services and opportunities for middle-aged and older Americans, introduced by Mr. RANDOLPH (for himself and other Senators) was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement of Mr. WILLIAMS of New Jersey is as follows:

Mr. WILLIAMS of New Jersey. Mr. President, I am joining the Senators from West Virginia (Mr. Randolph) and Massachusetts (Mr. Kennedy) in introducing a bill described as the "Middle-Aged and Older Workers Full Employment Act of 1968". I am also very happy to note that Senator Ralph Yarborough, Chairman of the Subcommittee on Labor in the Committee on Labor and Public Welfare, and a hard-working member of the Senate Special Committee on Aging, is also providing invaluable support for this bill.

Today's bill is the result of three very productive days of hearings conducted by two subcommittees of the Senate Special Committee on Aging, on which I serve as Chairman. The Subcommittee on Employment and Retirement Incomes, Chaired by Senator Randolph, joined with the Subcommittee on Federal, State and Community Services, Chaired by Senator Kennedy, to look deeply into the subject of "Adequacy of Services for Older Workers". The hearings, culminated by a round-table discussion by representatives of a large number of agencies and organizations, produced a vivid record showing what happens to men and women who lose work or whose skills become outmoded in today's labor market.

This legislation is directed at two age groups who need or want jobs. First, it is directed at those who may be said to be at the "awkward age", that is, who are too old to secure employment when they are unemployed, but too young to qualify for retirement benefits. Or, as some one has expressed it, they are "too old to hire, but too young to retire". In all too many cases today, they find themselves on the shelf when they still have much to contribute to society in experience, skills, energy, and enthusiasm. This is a waste not only from their standpoint, but also from the standpoint of a Nation which needs the contributions they can make.

The other age group to which this bill is directed are those who have reached retirement ages, but who find themselves with inadequate retirement incomes and in need of useful activity to bolster their self respect and prevent the physical, mental, or psychological deterioration which inactivity sometimes brings. To these older Americans, a modest work opportunity can often mean the difference between eking out their later years in grinding poverty and frustration on the one hand, and, on the other, a happy old age in which their major needs—both material and non-material—are met.

In introducing this bill, Mr. President, we are concerned not only with those who are middle-aged and older workers *today*. We are also interested in the youth of today who are moving inexorably to the time when they, in turn, will be middle-aged and older workers. We hope to be successful in establishing patterns which will benefit them when they reach that age.

Mr. KENNEDY. Mr. President, it is a pleasure for me to join the Senator from West Virginia [Mr. RANDOLPH] in introducing the proposed Middle-Aged and Older Workers Full Employment Act of 1968. As chairman of the Subcommittee on Federal, State, and Community Services of the Special Committee on Aging, and of the Special Subcommittee on Aging of the Committee on Labor and Public Welfare, I have been keenly conscious of the employment problems of middle-aged and older workers. This bill is a sound, reasoned approach toward solving those problems.

Last year, we enacted the age Discrimination in Employment Act of 1967. That new statute should eliminate much of the discrimination which prevents workers between the ages of 40 and 65 from securing employment. However, it cannot be expected to solve all employment problems of this age group. It can prevent discrimination, but it cannot create new jobs which workers at these ages can fill; and it cannot give them the training, counseling, and other services they need to qualify for better jobs. The bill introduced today will do much to meet these needs.

As Senator from Massachusetts, I am proud of the contribution made by two residents of our Commonwealth at the hearings upon which this bill is based.

Mr. John Vilimas, Jr., executive director of the John F. Kennedy Family Service Center of Charlestown, Mass., pointed out that the older American represents two-fifths of the Nation's labor force, and that, in Massachusetts, over 50 percent of the jobless men and women receiving unemployment benefits are over 45 years of age.

Dr. Solomon Barkin, professor of economics at the University of Massachusetts, made the point that we should not merely concern ourselves with getting jobs for older workers who are out of jobs, but that we should go beyond that to helping those who are employed qualify for and get better jobs. From his vast experience, Dr. Barkin outlined a program of effective action which might be taken to provide training needed by older workers to climb to new heights of usefulness to our society.

A poet who once lived in Massachusetts wrote:

> Age is opportunity no less
> Than youth itself, though in another dress.

Unfortunately, thus far, these works of the poet Longfellow have been more promise than reality. If Congress enacts this Middle-Aged and Older Workers Full Employment Act, we shall be taking a giant step toward making this couplet a statement of fact.

Mr. YARBOROUGH. Mr. President, I am pleased to join in the cosponsorship of the Middle-Aged and Older Workers Full Employment Act of 1968, introduced today by the Senator from West Virginia [Mr. RANDOLPH] and other Senators. As a member of the Special Committee on Aging and of the Subcommittee on Aging of the Committee on Labor and Public Welfare, as well as being chairman of the Labor Subcommittee of the Committee on Labor and Public Welfare, one of my longtime interests in the Senate has been improving employment opportunities for older workers. This bill deals in very comprehensive fashion with that subject.

Last year, it was my pleasure to sponsor S. 830, the Age Discrimination in Employment Act of 1967, which is now Public Law 90-202. The Subcommittee on Labor, of which I am chairman, held extensive hearings on this proposal. It was clear from these hearings that the Age Discrimination Act was only one step toward the goal of full employment for older workers, and that other measures would be needed to reach that goal. In introducing the bill today, we are taking another stride toward that objective.

This bill supplements the bill enacted last year in a number of respects. First, while that act prohibits arbitrary denial of employment to older workers between the ages of 40 and 65, the bill we offer today would make it possible for workers in this age group to upgrade their employment skills so that fewer employers will want to exclude them from employment. Thus, employers will be more likely to choose to hire older workers voluntarily, and without the necessity of coercion. Second, while that act is limited by its terms to workers between the ages of 40 and 65, this bill seeks to help with employment problems of all older workers. Third, the bill makes available other approaches toward placing the elderly in employment, which are outside the scope of that act, such as training and education, research and demonstration projects, and community senior service programs. Fourth, the Age Discrimination Act is inapplicable to age discrimination in Federal employment, while the bill we introduce today strengthens and improves the present statute prohibiting such discrimination in Federal employment, and seeks to create new employment opportunities in Federal service for older workers.

S. 4182—INTRODUCTION OF BILL RELATING TO AMENDMENTS TO THE CRIMINAL JUSTICE ACT OF 1964

Mr. HRUSKA. Mr. President, 3 years have passed since the Congress enacted the Criminal Justice Act of 1964 which sought to make more effective the constitutional guarantee of right to counsel in criminal cases arising in the Federal courts. The experience gained in implementing and using the act has demonstrated the need for refinements and changes. Therefore, today I introduce S. 4182, amendments to the Criminal Justice Act of 1964.

I am most pleased to announce that this bill is being cosponsored by the distinguished and capable Senator from North Carolina [Mr. ERVIN]. As early as 1961, the chairman of the Constitutional Rights Subcommittee [Mr. ERVIN] joined me as a cosponsor of legislation that eventually became the Criminal Justice Act of 1964.

At the time the Senate accepted the final conference version of this landmark legislation, I observed:

> The case for this legislation is easy to state: we are a nation dedicated to the precept of equal justice for all. Experience has abundantly demonstrated that, if this rule of law will hold out more than an illusion of justice for the indigent, we must have the means to insure adequate representation that the bill before us provides.

The road leading to Federal financial assistance for indigent defendants was a long and arduous one. Its beginnings can be traced to a 1937 report of the Judicial Conference of the United States which recommended public defense assistance for indigent defendants in some districts with a high volume of criminal cases. The debate over a public defender system raged for years in the House and the Senate. In 1949, the Senate Judiciary Committee reported a defense bill without the public defender provision.

Beginning in 1961, this Senator introduced a total of four bills concerned with providing counsel to indigents. Utilizing recommendations of the Allen Committee appointed by the Attorney General, in 1963, I introduced S. 1057. I was most fortunate to be joined in my efforts by Senator COTTON of New Hampshire, Senator ERVIN of North Carolina, and Senator KEATING of New York. The assistance of these distinguished gentlemen was invaluable in achieving ultimate passage of the legislation.

However difficult the legislative progress of advances such as the Criminal Justice Act of 1964, passage is only the beginning. The practical problems of implementation and supervision will determine the success or failure of any legislation.

Mr. President without doubt the Federal judiciary has met the challenge posed by this legislation with intelligence, dedication and hard work. Anticipating the passage of the bill, an Ad Hoc Committee to Develop Rules, Procedures and Guidelines For Assign Counsel System of the Judicial Conference was organized in March 1964. A permanent Committee to Implement the Criminal Justice Act of 1964 went to work in October 1964.

The efforts of the committee and the experience of the courts, predictably, have shown areas where improvements in the law are needed. A report entitled "The Criminal Justice Act in the Federal District Courts" was prepared for the committee by Dallin H. Oaks, professor of law, University of Chicago Law School. It is a survey representing 6 months of research and provides an excellent basis for review of the operations of the Criminal Justice Act.

After receiving numerous requests for improvement and after studying the Oaks report, the Committee To Implement the Criminal Justice Act made a number of recommendations to the Judicial Conference for changes in the law. The recommendations were approved by the conference during its September meeting this year. It is these recommendations that I am introducing as S. 4182.

Briefly, the bill would bring within the purview of the act probation revocation proceedings; they would provide for the possibility of compensation to counsel appointed from the approved panel who may have represented a defendant after arrest but prior to arraignment; they would specifically include defender organizations as well as legal aid agencies and would provide for compensation to counsel for representation in ancillary matters appropriate to the proceedings. Furthermore, these amendments would increase the rate of compensation in the light of the present price structure without altering the basic principle of the act that the rates should not be compensatory in the normal sense. They would also increase the maximum amount which may be paid for representation by assigned counsel; they would include the cost of transcripts authorized by the court as a reimbursable expense; and they would provide a different standard for excess payments approved by the chief judge of a circuit. They propose the extension of the excess payment provision to appellate proceedings and the use of expert services, and they would provide compensation to assigned counsel when a full-scale evidentiary hearing is required in connection with representation in habeas corpus and section 2255 matters which are technically civil proceedings and thus not covered at the present time by the statute.

Mr. President, it is late in the second session of the 90th Congress. However, I think it is appropriate to introduce the bill at this time. The presidential campaign has highlighted the concern of all Americans for law, order, and justice. This bill will be one step in the march toward that goal. By introducing it at this time, I am hopeful that efforts can be made to schedule hearings at the earliest possible time.

In the meantime, bar organizations, defender groups, members of the bench and bar in general will have an opportunity to examine these proposals and offer their comments and suggestions. To aid in the understanding and analysis of the bill, I ask unanimous consent that an analysis prepared by the Committee To Implement the Criminal Justice Act, be printed in the Record at this point together with the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the Record.

The bill (S. 4182) to amend section 3006A of title 18, United States Code, relating to representation of indigent defendants, introduced by Mr. Hruska (for himself and Mr. Ervin), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 4182

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 3006A of title 18, United States Code, is amended to read as follows:

"(a) Choice of Plan.—Each United States district court, with the approval of the judicial council of the circuit shall place in operation throughout the district a plan for furnishing representation for defendants financially unable to obtain an adequate defense charged with felonies, misdemeanors other than petty offenses as defined in section 1 of this title, or violations of probation. Each plan shall include counsel and investigative, expert, and other services necessary to an adequate defense. The provision for counsel under each plan shall include representation by private attorneys, and in addition may include one or both of the following:

(1) Representation by attorneys furnished by a bar association, or a legal aid agency; or

(2) Representation by attorneys furnished by a defender organization.

Prior to approving the plan for a district, the judicial council of the circuit shall supplement the plan with provisions for representation on appeal. Consistent with the provisions of this section, the district court may modify a plan at any time with the approval of the judicial council of the circuit; it shall modify the plan when directed by the judicial council of the circuit. The district court shall notify the Administrative Office of the United States Courts of modifications in its plan.".

(b) Subsection (b) of such section is amended by inserting immediately before the third sentence the following new sentence: "Such appointment may be retroactive as to any representation furnished pursuant to the plan prior to the appointment.".

(c) Subsection (c) of such section is amended—

(1) by inserting, immediately before the period at the end of the first sentence, a comma and the following: "including ancillary matters appropriate to the proceedings"; and

(2) by striking out in the second sentence the phrase "he may terminate" and insert in lieu thereof "the court may terminate".

(d) Subsection (d) of such section is amended to read as follows:

"(d) Payment for Representation.—Any attorney appointed pursuant to this section, or a bar association, legal aid agency, or defender organization which made the attorney available for appointment, shall, at the conclusion of the representation or any segment thereof, be compensated at a rate not exceeding $20 per hour for time expended in court or before a United States commissioner, and $15 per hour for time reasonably expended out of court, and shall be reimbursed for expenses reasonably incurred, including the costs of transcripts authorized by the court. A separate claim for compensation and reimbursement shall be made to the district court for representation before the United States commissioner or that court, and to each appellate court before which the attorney represented the defendant. Each claim shall be supported by a written statement specifying the time expended, services rendered, and expenses incurred while the case was pending before the United States commissioner or court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall, in each instance, fix the compensation and reimbursement to be paid to the attorney, bar association, legal aid agency, or defender organization. For representation of a defendant before the United States commissioner and the district court, the compensation to be paid to an attorney, a bar association, legal aid agency, or defender organization for the services of an attorney, shall not exceed $1,000 in a case in which one or more felonies are charged, and $400 in a case in which only misdemeanors are charged. For representation of a defendant in an appellate court, the compensation to be paid to an attorney, a bar association, legal aid agency, or defender organization, for the services of an attorney, shall not exceed $750 in a felony case and $400 in a case involving only misdemeanors. For representation in connection with a post-trial motion made after the entry of judgment in the district court or in a probation revocation proceeding or for representation provided under subsection (g) the compensation to be paid either in the district court or an appellate court to an appointed attorney shall not exceed $250. Payment in excess of any limit, except the hourly rate, stated in this subsection may be made for extended or complex representation but only if the court in which the representation was rendered certifies that the amount of the excess payment is necessary to provide fair compensation, and if, in the case of district court certification, the payment is approved by the chief judge of the circuit. For purposes of compensation and other payments authorized by this section, an order by a court granting a new trial shall be deemed to initiate a new case. If a defendant for whom counsel is appointed under this section, appeals or petitions the Supreme Court for a writ of certiorari, he may do so without prepayment of fees and costs or security therefor and without filing the affidavit required by section 1915(a) of title 28.

(e) Subsection (e) of such section is amended—

(1) by striking out the third sentence and inserting in lieu thereof the following: "Counsel appointed under this section may, however, obtain investigative, expert or other services without prior authorization but subject to later review by the court. The total cost of services obtained without prior authorization may not exceed $150 and expenses reasonably incurred."; and

(2) by inserting before the period at the end of the last sentence a comma and the following: "unless payment in excess of that limit is certified by the district court as necessary to provide fair compensation for services of an unusual character or dura-

tion, and the amount of the excess payment is approved by the chief judge of the circuit".

(f) The first sentence of subsection (f) of such section is amended to read as follows:

"(f) RECEIPT OF OTHER PAYMENTS.—Whenever the court finds that funds are available for payment from or on behalf of a defendant or other person for whom counsel may be appointed under subsection (g), the court may authorize or direct that such funds be paid to the appointed attorney, to the bar association, legal aid agency, or defender organization, which made the attorney available for appointment, to any person or organization authorized pursuant to subsection (e) to render investigative, expert, or other services, or the court for deposit in the Treasury as a reimbursement to the appropriation, current at the time of payment, to carry out the provisions of this section.

(g) Subsections (g), (h), and (i) of such section are redesignated as subsections (h), (i), and (j), respectively, and the following new subsection (g) is inserted before subsection (h) as redesignated by this subsection:

"(g) DISCRETIONARY APPOINTMENTS.—An attorney may, in the discretion of the court, be appointed pursuant to the district or circuit plan to represent a material witness in custody or a person who has filed for relief under sections 2241, 2254 or 2255 of title 28, but only if the court determines that the interests of justice so require and that the witness or person is financially unable to obtain adequate representation. An attorney appointed pursuant to this subsection may be compensated as specified in subsection (d) and may obtain services under the provisions of subsection (e).".

The analysis, presented by Mr. HRUSKA, is as follows:

DISCUSSION OF THE PROPOSED AMENDMENTS

The Criminal Justice Act was signed by the President on August 20, 1964 and became effective one year later. In the year prior to the effective date each district court and each circuit court was required to devise a plan for furnishing and compensating attorneys to represent defendants financially unable to obtain an adequate defense in criminal cases. Thus, at present, three years of experience in the operation of the Criminal Justice Act have been gained. The proposed amendments are the results of suggestions received from judges and lawyers, from the Office of Criminal Justice of the Department of Justice and as a result of a study made by Professor Dallin Oaks of the University of Chicago School of Law under the auspices of the National Defender Project of the National Legal Aid and Defender Association and the Center for Studies in Criminal Justice of the University of Chicago Law School. The Oaks' report praised the administration of the Act but took note of several shortcomings and variations of practice in the working of the Criminal Justice Act. To remedy the problems identified in his report, Professor Oaks suggested a number of administrative changes and several statutory amendments, all of which have been carefully considered by the Judicial Conference Committee to Implement the Criminal Justice Act and by the subcommittee specifically appointed for this purpose. Each of the proposed changes in discussed here in the sequence in which the change occurs in the Act.

1. PROBATION REVOCATION PROCEEDINGS

The Committee recommends that the plans for representation of defendants financially unable to obtain an adequate defense be authorized to cover probation revocation proceedings. When the Act became effective, there was a divergence of opinion among some federal judges as to whether the Act could be considered to cover representation at probation revocation proceedings. The matter was submitted to the Comptroller General who on June 13, 1966 ruled that the "inherent differences between probation revocation proceedings and criminal trials militated against permitting Criminal Justice Act payments for the former" (45 Decisions of the Comptroller General 780, No. B-156932). Since that time the Supreme Court has held unanimously that the similarities between probation revocation and criminal trials require extending the right to counsel to probation proceedings (*Mempa* v. *Rhay*, 389 U.S. 128 (1967)). This opinion vitiates the rationale of the Comptroller General's decision and your Committee believes that amending the Act expressly to include compensation for representation at probation revocation proceedings would serve a salutary purpose by encouraging quality representation at such proceedings.

2. REPRESENTATION PRIOR TO ARRAIGNMENT

Since the enactment of the Criminal Justice Act, the Supreme Court has decided the cases of *Miranda* v. *Arizona*, 384 U.S. 436 (1966) and *United States* v. *Wade*, 388 U.S. 218 (1967) in which the Constitutional right to counsel was defined as beginning shortly after a suspect is taken into custody but before his first appearance before the court or commissioner. Thus, there is now a gap between the point at which the defendant is now entitled to counsel and the point at which counsel may receive a fee under the Act. It is now proposed to amend the Act to provide that representation furnished by a member of the attorney panel prior to the defendant's first appearance before the court or commissioner may be compensated under the Criminal Justice Act if the attorney is subsequently appointed. Compensation for this early representation would be within the discretion of the court and in no event would an attorney be paid who was not subsequently appointed by a judicial officer. Only attorneys whose names are on the panel provided for by the plan of the district would, of course, be eligible for appointment. The extension of the plan to cover appointments under subsection (g) will be discussed herein in connection with a consideration of the proposed subsection (g).

3. REPRESENTATION BY ATTORNEYS FURNISHED BY A DEFENDER ORGANIZATION

Instances have arisen in which private defender organizations have been appointed pursuant to plans adopted in some of the districts. The rationale behind this authorization has been that the Act as originally drafted used the words "legal aid agency" and that a defender organization can be considered to come within this category. Your Committee is of the view that it would be wiser in amending the Act specifically to include a provision for representation by attorneys furnished by a defender organization. In so doing, however, the Committee recommends that all plans require some representation by private attorneys but that the plans may, in addition, include representation by attorneys furnished by a bar association, a legal aid agency or a defender organization. In certain judicial districts defender organizations have been established and are working successfully. These have in many instances been funded by the National Legal Aid and Defender Association but it is expected that the funds will run out in the course of the next year. In some instances bar associations are endeavoring to secure the necessary funds to keep these organizations in operation and your Committee believes it important to encourage this trend. Amendment of the statute expressly to include representation by defender organizations might serve as an encouragement and stimulus in this direction.

4. AMENDMENT OF SUBSECTION (b)

The amendment proposed in subsection (b) under caption "Appointment of Counsel" is to provide that the appointment may be retroactive as to any representation furnished pursuant to the plan prior to the appointment of counsel. This is in implementation of, and designed to carry out, the proposal for amendment of subsection (a) discussed in (2) above.

5. DURATION OF APPOINTMENT

The Committee recommends that subsection (c) be amended so as to provide not only that a defendant should be represented at every stage of the proceedings from his initial appearance before the United States commissioner or court through appeal but also that he be represented in ancillary matters appropriate to the proceedings. This recommendation is based on experience during the past three years in which appointed counsel have sought through mandamus or other proceedings which are technically civil in nature to further the interests of the defendant. In some instances district judges have even written opinions authorizing payment to appointed counsel when they were of the view that such proceedings were appropriate and in the best interests of the defendant. The Administrative Office has, however, had to refuse payment in such instances.

Professor Oaks in his report recommends that the Act be expanded to include ancillary proceedings "such as mandamus or habeas corpus undertaken in the course of obtaining discovery or other advantages needed in the defense of the criminal case." It should be noted that the recommendation of the Committee to include ancillary matters also contains the phrase "appropriate to the proceedings." This leaves in the trial judge the necessary discretion to prevent any abuse of the use of ancillary proceedings by appointed counsel.

6. INCREASED PAYMENTS TO COUNSEL

The Committee recommends that the Act be amended to permit the payment of assigned counsel at a rate not exceeding $20.00 per hour for the time expended in court or before a United States Commissioner and $15.00 an hour for time reasonably expended out of this court. This is in place of the present rate of $15.00 per hour for court time and $10.00 per hour for out of court time. This proposed change is in conformity with all recommendations which have been made to the Committee. It is believed to provide a more realistic compensation rate in light of the current price structure without altering the basic principle of the Act that the rates should not be compensatory in the normal sense.

At the same time the Committee recommends that the maximum which may be paid for representation in a felony case be raised from $500 to $1,000 and in a misdemeanor from $300 to $400 for trial in the district court. The Committee points out that there is little likelihood of abuse in raising these maximum fees inasmuch as the average payment per case in 1967 was only $126. On the other hand, the increased maximum is believed necessary, both because of the proposed change in the hourly rates and to avoid a large number of submissions to the chief judge of the circuit for protracted representation in cases in which a fee in the range of $500 to $1,000 has seemed just and equitable.

The Committee at the same time recommends that in appellate proceedings the ceiling be raised from $500 to $750 in a felony case and from $300 to $400 in a case involving only a misdemeanor on appeal. The Committee recommends further that in connection with representation on a post-trial motion made after the entry of judgment in the district court or in a probation revocation proceeding or for representation under proposed subsection (g), (Discretionary Appointments), discussed below, the compensation in either the district court or in an appellate court should not exceed $250.

The Committee also recommends that the costs of transcripts authorized by the court be included as a reimbursable expense on the part of assigned counsel. This recommendation is made in the interests of administration of the Act in situations, for example, in which counsel appointed after a commissioner's hearing wishes a transcript of the commissioner's hearing. In such a situation, it is far simpler, administratively, to have the court direct the preparation of the transcript and to have counsel make the necessary expenditure for the transcript as a reimbursable cost. It is recommended that the courts be given the authority to authorize such expenditures.

The Committee points out further that changing the present rate structure is particularly important to legal aid and defender organizations who devote full-time to appointed cases. The National Defender Project's experience, for example, indicates that an office relying solely on Criminal Justice Act fees is bound to run in the red. Raising the hourly rates, as recommended, would add stability to the financial structure of a defender organization and reduce the need for supplemental grants.

7. EXCESS PAYMENT

The statute, at present, provides that payment in excess of the limits stipulated in the statute may be made if the district court certifies that such payment is necessary to provide "fair compensation for protracted representation." The amount of the excess payment must be approved by the chief judge of the circuit. This provision has given rise to opinions by the chief judges of several of the circuits concerning the standard of "fair compensation for protracted representation." The Oaks' report, for example, describes it as "by far the most litigated provision of the Act." Courts have generally interpreted the term "protracted representation" as allowing additional compensation only in cases involving many extra days of courtroom representation.

The amendment now proposed would establish alternative bases for awarding excess compensation. It could be granted if either "extended" or "complex" representation were rendered. The amount of time spent out of court could be taken into account. Furthermore, it is proposed that this clause be extended both to appellate representation which is not now covered and to payment for services other than counsel. In each instance judicial discretion would govern the awards and in the case of district court representation excess compensation could not be awarded without the certification of the district court judge and the approval of the chief judge of the circuit. In this connection, it is noted that chief judges of the circuits have normally in the past, and they would be expected to continue, required a memorandum of explanation by the district judge as to why in his opinion excess compensation is warranted in a given case.

8. NEW TRIAL

Because there has been some confusion among the district courts on the question as to whether an order granting a new trial should be deemed to initiate a new case, the Committee believes that the statute should be explicit on this point and provide that for purposes of compensation and other payments authorized by the Criminal Justice Act, an order by a court granting a new trial shall be deemed to initiate a new case. This would be true whether new counsel were appointed or whether the same counsel were retained by the court for the purposes of a new trial. This amendment would be applicable whether the second trial resulted from a hung jury, a successful motion for a new trial or a remand from an appellate court.

9. APPELLATE FILING FEE

At present, counsel appointed under the Criminal Justice Act must obtain a judicial determination of *in forma pauperis* status for his client in order to avoid paying appellate filing fees. This is unnecessary work in view of the fact that the defendant has already been found to be financially unable to afford counsel under the Criminal Justice Act standard. Accordingly, the Committee recommends that if a defendant for whom counsel is appointed under the Criminal Justice Act appeals or petitions the Supreme Court for a writ of certiorari, he may do so without prepayment of fees and costs or security therefor and without the filing of the *in forma pauperis* affidavit now required by Section 1915(a) of Title 28, United States Code.

11. EXPERT SERVICES

Subsection (e) of the Criminal Justice Act provides for investigative, expert or other services deemed necessary to an adequate defense of a defendant financially unable to obtain such services. The Oaks' report recommends increased maximum payment under this subsection, modification of the prior authorization requirement and extension of the excess compensation provision to payments made under this subsection.

The Committee recommends that subsection (e) be amended so that counsel appointed under the Act may obtain services which do not exceed $150 and expenses reasonably incurred without prior authorization of the court. As stated earlier, the Committee also favors the extension of the excess payment provision to services rendered under the provisions of this subsection. The Committee notes that the courts have been extremely judicious in permitting utilization of subsection (e) and, accordingly, permitting excess payments with the approval of the chief judge of the circuit not only is believed to be equitable, but is expected not to result in any undue burden upon the government.

12. DISCRETIONARY APPOINTMENTS

Proposed subsection (g) captioned "Discretionary Appointments" is an entirely new proposal. Although there is neither a Constitutional nor a statutory right to counsel in a proceeding filed under 28 U.S.C., Sections 2241, 2254 or 2255, the practice in most districts is to appoint counsel if the prisoner demonstrates a *prima facie* case. The decision to appoint counsel is entirely discretionary but once an appointment is made, the court has no way of compensating counsel. Professor Oaks in his survey found overwhelming sentiment on the part of the federal judiciary in favor of compensation in collateral attack proceedings. Nearly two-thirds of United States Attorneys shared this view as to federal prisoners. It is recognized that these prisoners frequently present difficult issues of law and fact. Your Committee believes that in situations where a full-scale evidentiary hearing is required by a federal judge and counsel is appointed to represent the defendant in such a hearing, the interests of fairness require that some payment should be made to counsel within the discretion of the court. The Committee believes that the maximum payment in such a situation should be $250. This is in conformance with its recommendation of a $250 maximum for representation in connection with post-trial motions made after the entry of judgment in the district court or in probation revocation proceedings. In order to prevent any abuse of discretionary authority, the Committee believes that the statute should provide for payment to assigned counsel in such situations only if the court makes a determination that the interests of justice require that appointed counsel should be compensated.

S. 4183—INTRODUCTION OF BILL PROVIDING INSURANCE RESERVES FOR LOSSES DUE TO RIOTS AND OTHER CATASTROPHES

Mr. LONG of Louisiana. Mr. President, the purpose of the bill I am introducing is to give insurance companies an incentive to provide insurance coverage in areas where there is risk of riots or civil disturbances and also where other types of catastrophes such as hurricanes, tornadoes, and earthquakes are likely to occur. In order to encourage companies to provide insurance where there are these so-called environmental hazards, the bill will permit insurance companies a temporary special deduction for reserves to cover these special risks. The bill also provides a tax deferral or deduction to aid in the creation of reserves for insolvencies.

The insurance commissioners of the various States would like to aid insurance companies in accumulating reserves for losses attributable to riots and other catastrophes. However, if the insurance commissioner in any State were to direct the insurance companies in that State to accumulate such reserves, the insurance companies would get no income tax deduction for additions to such reserves since at the present time the Internal Revenue Code does not provide for such deductions. Thus, a large part of the money earmarked for such reserves would be consumed by income taxes.

In general, the bill uses an approach similar to that used in the case of mortgage guaranty insurance. It amends the Internal Revenue Code to provide that any State may direct insurance companies within its control to accumulate a reserve for "catastrophe losses," adding to such reserve an amount no greater than 5 percent of the premium income from the class of risks involved each year. If the State law or regulation so provides, then the amount added to the reserve for the year may be deducted from gross income but to an extent no greater than 100 percent of taxable income for the year. The amount not deducted in any year because of the income limitation will be a carryover to later years. If an addition to the reserve is not used up by any actual catastrophe losses, then the amount of the deduction is brought back into taxable income after 15 years.

In order to prevent insurance companies from obtaining an undue advantage from this deduction, the bill provides that a percentage of the tax benefit must be invested in Treasury bonds which bear no interest. The percentage to be so invested begins at 2 percent in 1968 and rises to 50 percent for 1977 and later years. The non-interest-bearing bonds to be used for this purpose will be just like the non-interest-bearing bonds now provided for in the case of mortgage guaranty insurance.

Catastrophe losses are defined as losses arising out of riots, civil disturbances, insurrections, floods, hurricanes, tidal waves, hailstorms, tornadoes, earthquakes, fires, explosions, and similar catastrophes. Under the amendments made by the bill, only those losses which are certified as "catastrophe losses" by the insurance commissioners of the State may be charged against the special reserve and only then if such losses exceed 10 percent of the premiums earned during the year for the class of coverage in which the loss occurred.

In order to prevent any insurance company from accumulating excessively large reserves, the bill provides that the total of all deductions must never be greater than 60 percent of the total premiums earned for the taxable year on insurance contracts with respect to which a catastrophe reserve is required.

It is believed that the enactment of these amendments will make it easier for the insurance commissioners of the various States to urge insurance companies to sell insurance at reasonable rates in relatively high-risk areas.

The proposed legislation provides that each company, as a prerequisite to participating in the tax deferral benefits of the legislation, be required to participate in a catastrophe reinsurance pool of companies. Such general provisions could require that individual companies band together by cross pledging their catastrophe reserves with each other in a sort of risk-sharing arrangement. Qualifying and combining companies would benefit from these combined reserves for the mutual protection of each company, providing pool members with a layer of catastrophe protection not now available.

The bill also amends the Internal Revenue Code to provide a special deduction along generally similar lines for additions to a so-called insolvency reserve. This will be a reserve to provide for losses attributable to a risk insured by another insurance company which has become insolvent. In this case, the addition to the State required reserve each year is to be no more than one-half of 1 percent of the premiums earned on the insurance contracts with respect to which the reserve is accumulated.

In conclusion, I would like to direct some remarks to the complimentary relationship of the proposed tax deferral legislation and title XII of the Housing and Urban Development Act of 1968.

Title XII of the Housing and Urban Development Act of 1968 (82 Stat. 556–567) provides for the establishment of a national insurance development program. The purpose of the program is twofold: First, to provide essential property insurance coverage for owners in the urban areas; second, to provide a reinsurance program to companies which participate in the program by providing a risk-sharing device whereby losses which exceed a company's reserve for losses will be covered by State and Federal contributions.

The title basically requires the States to pass legislation providing fair access to insurance requirements—FAIR plans—section 1211. In order to be eligible for reinsurance each insurer must agree to the FAIR plan provisions. The primary thrust of the legislation is to afford protection to insurers for losses from riots or civil disorders in urban areas. Accordingly, the legislation by definition is limited to losses from riots or civil disorders as they affect urban areas.

I am convinced that a bill properly drafted to prevent tax avoidance can stimulate the insurance industry to provide coverage for risks which today cannot be insured against; or where the insurance protection that is available is inadequate. In introducing this bill, it is my thought that insurance companies, State commissioners, tax practitioners, and others will study the features suggested here and comment on them to the Committee on Finance so that in the next Congress this sort of legislation can be seriously considered.

I am not committed to the precise approach taken by this bill. It might be that insurance companies should be required to establish catastrophe reserves and to cross-pledge them with other companies, perhaps even on a national scale. Catastrophe reserves could become a very important means of achieving broad risk-sharing which today is lacking because insurance companies too often will not write insurance in high risk areas such as the Louisiana coast where hurricanes strike, or in the inner cities where riots are prone to occur.

If this bill I am introducing does not adequately provide for risk-sharing, it can be appropriately modified next year.

I ask unanimous consent that the text of the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 4183) to allow income tax deductions to insurance companies for reserves required by State law for losses attributable to riots or other catastrophies, or attributable to insolvencies of other insurance companies, introduced by Mr. Long of Louisiana, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 4183

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 832(b)(1) of the Internal Revenue Code of 1954 (relating to insurance company gross income) is amended by striking out "and" at the end of subparagraph (D), by striking out the period at the end of subparagraph (E) and inserting in lieu thereof a comma, and by adding at the end thereof the following new subparagraphs:

"(F) in the case of a company to which subsection (f) applies, the amount required by subsection (f)(5) to be subtracted from the catastrophe tax-deferral account, and

"(G) in the case of a company to which subsection (g) applies, the amount required by subsection (g)(5) to be subtracted from the insolvency tax-deferral account."

(b) Section 832(c) of such Code (relating to insurance company deductions) is amended by striking "and" at the end of paragraph (12), by striking out the period at the end of paragraph (13) and inserting in lieu thereof a semicolon, and by adding at the end thereof the following new paragraphs:

"(14) in the case of a company maintaining a catastrophe tax-deferral account, the deduction allowed by subsection (f); and

"(15) in the case of a company maintaining an insolvency tax-deferral account, the deduction allowed by subsection (g)."

(c) Section 832 of such Code (relating to insurance company taxable income) is amended by adding at the end thereof the following new subsections:

"(f) Deduction and Income Account for Catastrophe Reserve.—

"(1) Additional deduction.—There shall be allowed as a deduction for the taxable year, if bonds are purchased as required by paragraph (2), the sum of—

"(A) an amount equal to the amount required by State law or regulation to be set aside in a reserve for catastrophe losses; and

"(B) an amount representing the aggregate of the amounts so set aside in such reserve for the 12 preceding taxable years reduced by the sum of—

"(i) all amounts deducted under this paragraph in such 12 preceding taxable years, and

"(ii) all amounts required by State law or regulation to be charged during such preceding taxable years to the reserve to the extent such charges did not result in a subtraction under paragraph (5)(B) from the catastrophe tax-deferral account.

The deduction allowed for the taxable year under this paragraph shall not exceed the taxable income for the taxable year computed without regard to this paragraph, subsection (g), or any carryback of a net operating loss, and shall not exceed an amount which, when added to the balance in the catastrophe tax-deferral account, will result in a total in such account equal to 60 percent of the total premiums earned for the taxable year on insurance contracts with respect to which the taxpayer is required by State law or regulation to set aside a reserve for catastrophe losses. If the amount required by State law or regulation to be so set aside in any taxable year exceeds 5 percent of premiums earned on insurance contracts (as defined in subsection (b)(4)) with respect to which the taxpayer is required to set aside some amount in such reserve, then this subsection shall apply as if such amount were 5 percent of premiums. For purposes of this subsection, all amounts shall be taken into account on a first-in-time basis. The computation and deduction under this section of losses incurred (including losses resulting from catastrophes) shall not be affected by the provisions of this subsection. For purposes of this subsection, the terms 'preceding taxable years' and 'preceding taxable year' shall not include taxable years which began before January 1, 1968. No deduction shall be allowed under this paragraph for any taxable year for which the company is entitled to a deduction under section 824(a)(1)(C).

"(2) Purchase of bonds.—The deduction under paragraph (1) shall be allowed only to the extent that tax and loss bonds are timely purchased in an amount equal to the percentage specified in the following table of the tax benefit attributable to such deduction:

"In the case of a taxable year beginning in—	The percentage of the tax benefit shall be—
1968, 1969, or 1970	2 percent
1971	4 percent
1972	6 percent
1973	8 percent
1974	10 percent
1975	20 percent
1976	40 percent
1977, or subsequent years	50 percent.

The tax benefit attributable to the deduction shall be determined in accordance with regulations prescribed by the Secretary or his delegate, and the tax and loss bonds shall be purchased on or before the date that any taxes (determined without regard to this subsection) due for the taxable year for which the deduction is allowed are due to be paid, as if no election to make installment payments under section 6152 is made. If a deduction would be allowed but for the fact that tax and loss bonds were not timely purchased, such deduction shall be allowed to the extent such purchases are made within a reasonable time, as determined by the Secretary or his delegate, if all interest and penalties, computed as if this sentence did not apply, are paid.

"(3) Catastrophe tax-deferral account.—Every company which is required by State law or regulation to set aside amounts in a reserve for catastrophe losses shall, for purposes of this part, establish and maintain an account to be known as the catastrophe tax-deferral account.

"(4) Additions to account.—There shall be added to the catastrophe tax-deferral account for each taxable year an amount equal to the amount allowed as a deduction for the taxable year under paragraph (1).

"(5) Subtractions from account and inclusion in gross income.—After applying paragraph (4), there shall be subtracted for the taxable year from the catastrophe tax-deferral account and included in gross income—

"(A) the amount (if any) remaining which was added to the account for the 15th preceding taxable year, and

"(B) after applying subparagraph (A), the amount (if any) required by State law or regulation to be charged during the taxable year to the reserve for catastrophe losses, and

"(C) any amount improperly subtracted from the account under subparagraph (A) or (B) to the extent that tax and loss bonds were redeemed with respect to such amount. In no case shall the amount subtracted reduce the catastrophe tax-deferral account below zero. If a company liquidates or otherwise terminates its insurance business and does not transfer or distribute such business in an acquisition of assets referred to in section 381(a) the entire amount remaining in such account shall be subtracted. Except in the case where a company transfers or distributes its insurance business in an acquisition of assets referred to in section 381(a), if the company is not subject to the tax imposed by this part or part II for any taxable year, the entire amount in the catastrophe tax-deferral account at the close of the preceding taxable year shall be subtracted from the account in such preceding taxable year.

"(6) Catastrophe reserve.—For purposes of this subsection, a reserve for catastrophe losses is a reserve required by State law or regulation the only charges against which may be made for—

"(A) catastrophe losses incurred by the company, and

"(B) catastrophe losses incurred by another company which are payable by the company under a cross-pledge arrangement described in paragraph (8).

"(7) Catastrophe losses.—For purposes of this subsection, the term 'catastrophe losses' means only losses which—

"(A) arise with respect to riots, civil disturbances, insurrections, floods, hurricanes, tidal waves, hailstorms, tornadoes, earthquakes, fires, explosions, and similar catastrophes,

"(B) are certified as catastrophe losses by the insurance commissioners of the State in which the losses are incurred, under standards approved by the National Association of Insurance Commissioners, and

"(C) exceed 10 percent of the premiums earned by the company during the taxable year for the class of coverage in which the losses occurred.

"(8) Cross-pledge requirement.—This subsection shall not apply to any company for any taxable year unless such company has entered into an arrangement, by contract or otherwise, with one or more other insurance companies which is in effect during such taxable year and under which—

"(A) each company pledges, based on some measure of its own loss experience, its reserve for catastrophe losses to the payment of catastrophe losses incurred by each other company which is a party to the arrangement to the extent specified under the arrangement, and

"(B) the aggregate reserves for catastrophe losses so pledged are sufficient, under regulations prescribed by the Secretary or his delegate, to cover the reasonably anticipated catastrophe losses of all companies which are parties to the arrangement.

"(9) Exception.—This subsection shall not apply to any company which writes mortgage guarantee insurance.

"(g) Deduction and Income Account for Insolvency Reserve.—

"(1) Additional deduction.—There shall be allowed as a deduction for the taxable year, if bonds are purchased as required by paragraph (2), the sum of—

"(A) an amount equal to the amount required by State law or regulaiton to be set aside in an insolvency reserve; and

"(B) an amount representing the aggregate of the amounts so set aside in such reserve for the 12 preceding taxable years reduced by the sum of—

(i) all amounts deducted under this paragraph in such 12 preceding taxable years, and

(ii) all amounts required by State law or regulation to be charged during such preceding taxable years to the reserve to the extent such charges did not result in a subtraction under paragraph (5) (B) from the insolvency tax-deferral account.

The deduction allowed for the taxable year under this paragraph shall not exceed the taxable income for the taxable year computed without regard to this paragraph or to any carryback of a net operating loss, and shall not exceed an amount which, when added to the balance in the insolvency tax-deferral account, will result in a total in such account equal to 6 percent of the total premiums earned for the taxable year on insurance contracts with respect to which the taxpayer is required by State law or regulation to set aside a reserve for insolvency losses. If the amount required by State law or regulation to be so set aside in any taxable year exceeds ½ percent of premiums earned on such insurance contracts, then this subsection shall apply as if such amount were ½ percent of such earned premiums. For purposes of this subsection, all amounts shall be taken into account on a first-in-time basis. The computation and deduction under this section of losses incurred (including losses attributable to risks insured by insolvent insurance companies) shall not be affected by the provisions of this subsection. For purposes of this subsection, the terms 'preceding taxable years' and 'preceding taxable year' shall not include taxable years which began before January 1, 1968.

"(2) Purchase of bonds.—The deduction under paragraph (1) shall be allowed only to the extent that tax and loss bonds are timely purchased in an amount equal to the applicable percentage, specified in the table in subsection (f) (2), of the tax benefit attributable to such deduction. The tax benefit attributable to the deduction shall be determined in accordance with regulations prescribed by the Secretary or his delegate, and the tax and loss bonds shall be purchased on or before the date that any taxes (determined without regard to this subsection) due for the taxable year for which the deduction is allowed are due to be paid, as if no election to make installment payments under section 6152 is made. If a deduction would be allowed but for the fact that tax and loss bonds were not timely purchased, such deduction shall be allowed to the extent such purchases are made within a reasonable time, as determined by the Secretary or his delegate, if all interest and penalties, computed as if this sentence did not apply, are paid.

"(3) Insolvency tax-deferral account.—Every company which is required by State law or regulation to set aside amounts in an insolvency reserve shall, for purposes of this part, establish and maintain an account to be known as the insolvency tax-deferral account.

"(4) Additions to account.—There shall be added to the insolvency tax-deferral account for each taxable year an amount equal to the amount allowed as a deduction for the taxable year under paragraph (1).

"(5) Subtractions from account and inclusion in gross income.—After applying paragraph (4), there shall be subtracted for the taxable year from the insolvency tax-deferral account and included in gross income—

"(A) the amount (if any) remaining which was added to the account for the 15th preceding taxable year, and

"(B) after applying subparagraph (A), the amount (if any) required by State law or regulation to be charged during the taxable year to the insolvency reserve, and

"(C) any amount improperly subtracted from the account under subparagraph (A) or (B) to the extent that tax and loss bonds were redeemed with respect to such amount.

In no case shall the amount subtracted reduce the insolvency tax-deferral account below zero. If a company liquidates or otherwise terminates its insurance business and does not transfer or distribute such business in an acquisition of assets referred to in section 381(a) the entire amount remaining in such account shall be subtracted. Except in the case where a company transfers or distributes its insurance business in an acquisition of assets referred to in section 381(a), if the company is not subject to the tax imposed by this part or part II for any taxable year, the entire amount in the insolvency tax-deferral account at the close of the preceding taxable year shall be subtracted from the account in such preceding taxable year.

"(6) Insolvency reserve.—For purposes of this subsection, an insolvency reserve is a reserve required by State law or regulation the only charges against which may be made for losses which are certified by the insurance commissioners of the State in which the losses are incurred as attributable to risks insured in such State by another insurance company which has become insolvent.

"(7) Exception.—This subsection shall not apply to any company which writes mortgage guaranty insurance."

(d) The amendments made by subsections (a), (b) and (c) shall apply to taxable years beginning after December 31, 1967, except that so much of sections 832(f) (2) and 832 (g) (2) of the Internal Revenue Code of 1954 (as added by the amendments made by subsection (c)) as provides for payment of interest and penalties for failure to make timely purchase of tax and loss bonds shall not apply with respect to any period during which such bonds are not available for purchase.

Sec. 2. Section 26 of the Second Liberty Bond Act is amended by striking out "section 832 (e)" in the second and third sentences and inserting in lieu thereof "sections 832 (e), 832 (f), and 832 (g)" and by inserting immediately before the last sentence the following: "With respect to any taxable year in which amounts are subtracted from the catastrophe tax-deferral ac-

count referred to in section 832 (f) (3) of such Code, an amount of tax and loss bonds which was purchased under section 832 (f) (2) of such Code with respect to the amount so subtracted shall be redeemed, and to the extent necessary shall be applied to pay any taxes due as the result of the inclusion under section 832 (b) (1) (F) of such Code of amounts in gross income. With respect to any taxable year in which amounts are subtracted from the insolvency tax-deferral account referred to in section 832 (g) (3) of such Code, an amount of tax and loss bonds which was purchased under section 832 (g) (2) of such Code with respect to the amount so subtracted shall be redeemed, and to the extent necessary shall be applied to pay any taxes due as a result of the inclusion under section 832 (b) (1) (G) of such Code of amounts in gross income. In determining the amount of tax and loss bonds to be redeemed upon the amount subtracted from the catastrophe tax-deferral account or the insolvency tax-deferral account, the amounts added to such account shall be treated as subtracted on a first-in-time basis."

S. 4184—INTRODUCTION OF A BILL ENTITLED "THE EDUCATIONAL TECHNOLOGY ACT OF 1968"

Mr. YARBOROUGH. Mr. President, I take this opportunity, though it is during the closing days of the 90th Congress, to introduce the Educational Technology Act of 1968 and request that the bill be printed in full at the close of my remarks. In the truest sense of the words, this bill is meant to be a beginning of all the work necessary to pass such an act; it is meant to stir comment, open dialog, and set in motion the thoughts of the American educational community. In its present form the bill is a rough outline, a sketch, if you will, of my thoughts on this new dimension in American education: the technological dimension.

During the next few months I plan to consult and work with all parties interested in this legislation so that in the early days of the 91st Congress the bill can be reintroduced, hopefully as an even wiser and better document than this, so that it can receive wider support by the Committee on Labor and Public Welfare. It is my hope that during the early part of the first session of the next Congress extensive and intensive hearings will be held which will lead to final passage of the Educational Technology Act.

Mr. President, by almost any measure, the 20th century has been a time of dynamic technological change.

For example, during the past two-thirds of a century, we have witnessed a 200-fold increase in the speed at which man can travel. It was a long leap from the model A to the more than 17,500 miles per hour that man can now travel. Those of us whose intellectual nourishment included a diet of Sunday comics "knew" that only Buck Rogers and Flash Gordon took seriously the possibility of interplanetary space travel. What we may not recall today, however, is that Buck Rogers was supposed to be operating in the 25th century.

Technological change has intimately and oftentimes imperceptibly affected each of our lives. Advances in such fields as medicine, psychology, and chemistry, to name a few, have been so striking as to defy the comprehension of the average layman. Even a year ago, few would have believed it possible that a person's heart could actually be successfully transplanted.

Breakthrough since 1900 such as radio, television, and the Telstar satellite have revolutionized man's ability to communicate. Many persons in this room today have been participating architects in the communications revolution.

Because of these changes, this is the most exciting age the world has ever known. It is also the most challenging.

TRADITIONAL IMPACTS OF TECHNOLOGICAL CHANGE

Technological change has traditionally had a threefold impact.

Its first has been within the realm of production, as illustrated by the change from hand-wired to solid-state television sets, which changes the nature of old jobs and creates new kinds of jobs.

The second is the impact on management as the emphasis moves from manual or craft skills to technical knowledge. Thus, new "tools" such as the computer have radically changed our ways of reaching decisions and our ability to change the kinds of decisions we are able to make.

Third is the impact on the way we live. This can be typified by the jet airliner which has altered our travel patterns and has also changed the hotelkeepers market. I was in this world before the Wright brothers successfully made the first flight in a heavier-than-air machine at Kitty Hawk. Now, many persons regularly fly into a city for a meeting in one of the airport terminal's conference rooms with a prospective customer from a third city and return home that evening.

ACCELERATING RATE OF CHANGE

In addition to these three traditional imports, the rapidity of change has brought an impact all its own.

In the past, historians and educators could afford the "luxury" of taking a detached and long-range view of the era within which they lived and then provide a leisurely response to its changing conditions.

We know that the stone age lasted 500,000 years; the bronze age 50,000; the iron age 5,000; the industrial age, 200, The atomic age is now 50 years old and the space age is just barely 7 years old.

Even more startling is the recognition of the rate at which we move from concept to application. Aerial travel required some 600 years from the sketches of Da Vinci to the pioneering of the Wright brothers; photography took 112 years from the first invention to its application. The telephone took 56 years; radio, 35; radar, 15; television, 12; transistors, 5: laser rays, 10 month from invention to application.

And the velocity of change will increase. For acceleration begets acceleration.

It is now anticipated that within 9 years, three-fourths of all persons working in industry will be directly or indirectly producing products that have not yet been invented.

TASK OF EDUCATION

At the vortex of change is the individual. For this new kind of world demands a new kind of a person.

It will require of all persons not only more knowledge, but a flexibility of viewpoints, since it is increasingly apparent that rigidity may be a greater barrier to progress than ignorance.

Stated in its most simple terms, the task of education has become that of providing more knowledge in less time to more people.

In the hands of imaginative teachers and administrators, educational technology can inculcate in every student the sense of excitement, not the fear of change. It can help each child sniff the exhilaration of personal achievement, not snuff it out. It can help them embrace the world as it is, not reject it.

The time has come for our Nation to focus the attention of American educational leadership on the promise and the potential of technology as a powerful thrust toward realizing many of the long-held, but seldom fulfilled, goals of American education.

Instructional technology, if it is to prevail in a substantial and meaningful way, must become everybody's business.

It cannot be only a Federal concern. It must develop into a continuing "partnership" involving teachers, supervisors, administrators, school boards, trainers of teachers, researchers, and the educational business community. At the State level, at the school district level, at the school house level, and within the classroom—all of us must learn more about the promise of educational technology, including its strengths and its weaknesses.

ABOUT THE BILL

This bill reflects draft materials which were prepared by Dr. Loran C. Twyford of the New York State Department of Education.

Its objective is to provide for the progressive improvement of the education process through the most effective utilization of educational technology.

The Educational Technology Act of 1968 is designed to meet all of the requirements for the successful introduction of technology into education. Most important, it is geared toward the bringing about of significant improvements in the educational process.

The intent of the bill is to provide a comprehensive program of funds for the improvement of education through the expanded use of education technology in the schools and colleges of America.

The bill represents a comprehensive approach since, while it is readily apparent that educational materials, such as instructional films, would be useless without accompanying equipment, it is not so readily apparent that professional media personnel, area centers and operational funds are required to realize the potential of communications media.

Essentially, the bill follows a dual approach. First, it provides that the existing technology program be strengthened and expanded as rapidly as schools can assimilate materials and equipment and provide professional staff to administer and oversee these programs.

Secondly, it calls for the planning for and funding of model school systems which utilize technological approaches and technology in their educational design. This latter approach requires the redesign of cooperating model school districts and the provision of operational funds which are in excess of those normally provided. At this point, I might mention that a model school, the first of its kind in the Nation, is already in operation in Terrell, Tex.

The heart of the bill is to be found in two sections: 104 and 203. The language in these sections is broad. It is meant to be. Just what possibilities these sections hold for improving the quality of education in America is what I hope to have detailed by the experts in the field during the months ahead.

Earlier this year the U.S. Commissioner of Education Harold Howe observed that:

> We have . . . reached the point where we have to find an approach to the development and use of educational technology that is at least superior to the process of sink-or-swim selection or of random, accidental experiment. We have simply got to come up with a more orderly, informed way of taking advantage of all that the new technology has to offer.

I concur in Commissioner Howe's remarks. And it is my desire that the draft legislation I introduce today, through the process of hammering and honing, will become that "orderly, informed way" Commissioner Howe seeks.

The time for extensive use of all forms of educational technology within every single classroom of this Nation has already come. We now owe it to the children of America to prepare for it and to wisely use these newly developing educational "tools" for the greatest number of young persons.

We all know that instructional technology is not a simple concept. We know that it is not simply more movies for more kids in their self-contained, 19th century classrooms. Educational technology offers the "keys" for major breakthroughs in achieving instructional excellence. It may even bring about basic changes in our traditional concepts of a school, since increasingly we are being made aware of the fact that students learn outside of school as well as—and perhaps as much as—in school.

Together, all of us who are committed to the goal of providing the highest quality education for each child—especially the disadvantaged, wherever they may be located and from whatever cause their deprivation may arise—together, we can be successful in sparking the light of learning within a young child.

I request that the text of the bill be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4184) to improve educational quality through the effective utilization of educational technology, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 4184

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Educational Technology Act of 1968".

TITLE II—USE OF EDUCATIONAL TECHNOLOGY IN ELEMENTARY AND SECONDARY SCHOOLS

STATEMENT OF PURPOSE

SEC. 101. The purpose of this title is to improve the quality of education through the effective utilization of educational technology by (1) encouraging significant applications of existing technology to education in elementary and secondary schools, (2) the development and demonstration of technological innovations in such schools, (3) the expansion of the current general application of technological materials and equipment for instruction and learning in such schools, (4) the strengthening of communications technology staff in such schools, (5) the provision of instructional technology research, statistical, and information services, (6) the support of administration of educational technology by State educational agencies, and (7) encouraging the operation of area communications centers.

AUTHORIZATION OF APPROPRIATIONS

SEC. 102. (a) There are hereby authorized to be appropriated $400,000,000 for the fiscal year ending June 30, 1970, for the purpose of making grants pursuant to this title.

(b) There are hereby authorized to be appropriated $40,000,000 for the purpose of carrying out section 109 of this title.

ALLOTMENTS TO STATES

SEC. 103. (a) From the funds appropriated pursuant to section 102(a) for any fiscal year the Commissioner shall allot not to exceed 2 per centum thereof among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under such section. From the remainder of such sums he shall allot to each State an amount which bears the same ratio to such remainder as the number of children in public or other nonprofit elementary and secondary schools in local educational agencies in each State determined by the Commissioner to be eligible for assistance pursuant to Title I of the Elementary and Secondary Education Act of 1965 for that fiscal year bears to the total number of such children in all States for that year. For the purposes of this subsection, the term "State" does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(b) The portion of any State's allotment for a fiscal year under subsection (a) which the Commissioner determines will not, for the period such allotment is available, be required for carrying out a State plan approved under this title shall be available, on such dates during such period as the Commissioner may fix, for reallotment to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Commissioner estimates such State needs and will be able to use for such period for carrying out such portion of its State plan approved under this title, and the total of such reductions shall be reallotted among the States whose proportionate amounts are not so reduced. Any amount so reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

USES OF FEDERAL FUNDS

SEC. 104. Grants under this title may be used in accordance with applications approved pursuant to this title for—

(1) the planning, development, and conduct of demonstration projects designed to promote the uses of technological equipment and materials in the elementary and secondary schools of the State;

(2) the planning, development, and conduct of special projects and research projects involving the use of innovative technological equipment and materials in the elementary and secondary schools of the State so as to change and strengthen the learning process;

(3) the acquisition of technological equipment and materials (other than materials consumed in use) including necessary services so as to contribute to carrying out the purposes of this title;

(4) the strengthening of the capabilities of staff in the elementary and secondary schools of the State to use and apply communications technology in the educational process;

(5) the planning, development, and operation of programs designed to strengthen the capabilities of the State educational agencies with respect to the use of technological equipment and materials in the elementary and secondary schools of the State;

(6) the preparation and dissemination by the State educational agency to elementary and secondary schools in the State, institutions of higher education, and other appropriate agencies in such State, of information, including analyses of research and experimentation, relating to improved educational technology and improved methods of using and applying educational technology; and

(7) the rental or minor remodeling of existing facilities to be used as area communications centers by a State educational agency or by combinations of local educational agencies within a State.

APPLICATIONS FOR GRANTS—CONDITIONS FOR APPROVAL

SEC. 105. (a) A grant under this title pursuant to a State plan approved under section 106 may be made only to a local educational agency or agencies, and only upon application to the appropriate State educational agency at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall—

(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

(2) set forth a program for carrying out the purposes set forth in section 104 and provide for such methods of administration as are necessary for the proper and effiicent operation of such program;

(3) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 104, and in no case supplant such funds;

(4) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

(5) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(b) An application by a local educational agency for a grant under this title may be approved only if it is consistent with the applicable provisions of this title and meets the requirements set forth in subsection (a).

(c) Amendments of applications shall, except as the Commissioner may otherwise provide by regulation, be subject to approval in the same manner as original applications.

STATE PLANS

SEC. 106. (a) (1) Any State desiring to receive payments for any fiscal year to carry out a State plan under this title shall—

(A) establish within its State educational agency a State advisory council (hereinafter referred to as the "State advisory council") which meets the requirements set forth in paragraph (2),

(B) set dates before which local educational agencies must have submitted applications for grants to the State educational agency, and

(C) submit to the Commissioner, through its State educational agency, a State plan at such time and in such detail as the Commissioner may deem necessary. The Commissioner may, by regulation, set uniform dates for the submission of State plans and applications.

(2) The State advisory council, established pursuant to paragraph (1), shall—

(A) be appointed by the State educational agency, and be broadly representative of the elementary and secondary schools in such State, including persons representative of areas of professional competence in the development, application, or use of technological equipment and materials;

(B) advise the State educational agency on the preparation of, and policy matters arising in the administration of, the State plan, including the development of criteria for approval of applications under such State plan;

(C) review, and make recommendations to the State educational agency on the action to be taken with respect to, each application for a grant under the State plan;

(D) evaluate programs and projects assisted under this title;

(E) prepare and submit through the State educational agency a report of its activities, recommendations, and evaluations, together with such additional comments as the State educational agency deems appropriate, to the Commissioner and to the National Advisory Council, established pursuant to this title, at such times, in such form, and in such detail, as the Commissioner may prescribe; and

(F) obtain such professional, technical, and clerical assistance as may be necessary to carry out its functions under this title.

(b) The Commissioner shall approve a State plan, or modification thereof, if he dedetermines that the plan submitted for that fiscal year—

(1) sets forth a program under which funds paid to the State under section 107(a) will be expended through grants to local educational agencies, or in the case of any program to carry out the purposes set forth in paragraphs 5, 6, and 7 of section 104 by the State educational agency, for programs and projects in accordance with sections 104 and 105: *Provided*, That, in the case of a State educational agency that also is a local educational agency, its approval of a program or project to be carried out by it in the latter capacity shall, for the purposes of this title, be deemed an award of a grant by it upon application of a local educational agency if the State plan contains, in addition to the provisions otherwise required by this section, provisions and assurances (applicable to such program or project) that are fully equivalent to those otherwise required of a local educational agency;

(2) provides that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served by a project whose educational needs are of the type which that project is designed to meet, provision has been made for the participation of such children;

(3) sets forth the administrative organization and procedures, including the qualifications of personnel having responsibility for the operation of programs and projects set forth in such plan, in such detail as the Commissioner may by regulation prescribe;

(4) provides for an equitable balance of funds among the purposes set forth in section 104;

(5) sets forth criteria for achieving an equitable distribution of assistance under this title, which criteria shall be based on consideration of (A) the size and population of the State, (B) the geographic distribution and density of the population within the State, and (C) the relative need of persons in different geographic areas and in different population groups within the State for the kinds of programs and projects described in section 104, and the financial ability of the local educational agencies serving such persons to provide such programs and projects;

(6) provides for adoption of effective procedures (A) for the evaluation, at least annually, of the effectiveness of the programs and projects, by the State advisory council, supported under the State plan in meeting the purposes of this title (B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects, and (C) for adopting, where appropriate, promising educational practices developed through such programs or projects;

(7) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year (A) will not be commingled with State funds, and (B) will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Commissioner) that would, in the absence of such Federal funds, be made by the applicant for the purposes described in section 104;

(8) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

(9) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (3), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

(10) provides that final action with respect to any application, or amendment thereof, regarding the proposed final disposition thereof shall not be taken without first affording the local educational agency or agencies submitting such application reasonable notice and opportunity for a hearing; and

(11) contains satisfactory assurance that, in determining the eligibility of any local educational agency for State aid or the amount of such aid, grants to that agency under this title shall not be taken into consideration.

PAYMENTS

SEC. 107. (a) From the allotment to each State pursuant to section 4, for any fiscal year, the Commissioner shall pay to each State, which has had a plan approved pursuant to section 106 for that fiscal year the Federal share of the cost of such plan. For the fiscal year ending June 30, 1970 the Federal share for each State shall be 66⅔ per centum.

(b) The Commissioner is authorized to pay to each State amounts necessary for proper and efficient administration of State plans during any fiscal year, except that the total of such payments shall not be in excess of an amount equal to 7½ per centum of its allotment for that fiscal year or, $150,000 ($50,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater.

(c) Payments under this section may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

WITHHOLDING

SEC. 108. Whenever the Commissioner, after reasonable notice and opportunity for hearing to any State educational agency, finds that there has been a failure to comply substantially with any provisions set forth in the plans of that State approved under section 106, the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State educational agency shall not make further payments under this title to specified local educational agencies whose actions caused or are involved in such failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State educational agency under this title shall be limited to local educational agencies whose actions did not cause or were not involved in the failure, as the case may be.

TRAINING

SEC. 109. The Commissioner is authorized to provide (directly or by contract), or to make grants to institutions of higher education, State or local agencies, or other appropriate public or private agencies or organizations, to provide training to persons engaged or preparing to engage, as personnel in programs and projects designed to carry out the purposes of this title, with such stipends and allowances, if any (including traveling and subsistence expenses), for persons undergoing such training and their dependents as the Commissioner may by regulation determine.

NATIONAL ADVISORY COUNCIL ON EDUCATIONAL TECHNOLOGY

SEC. 110. The Secretary shall appoint a National Advisory Council on Educational Technology which shall—

(1) review the administration of, general regulations for, and operation of this title, including its effectiveness in meeting the purposes set forth in section 104;

(2) review, evaluate, and transmit to the Congress and the President the reports submitted pursuant to section 106(a)(2)(E);

(3) evaluate programs and projects carried out under this title and disseminate the results thereof; and

(4) make recommendations for the improvement of this title, and its administration and operation.

(b) The Council shall be appointed by the Secretary without regard to the civil service laws and shall consist of twelve members, a majority of whom shall be broadly representative of persons engaged in the development or use of technological equipment or materials. The Secretary shall engage such technical and professional assistance as may be required to carry out the functions of the Council, and shall make available to the Council such secretarial, clerical and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 20 of each year. The President is requested to transmit to the Congress such comments and recommendations as he may deem appropriate.

(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistance, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

LABOR STANDARDS

SEC. 111. All laborers and mechanics employed by contractors or subcontractors on all minor remodeling projects assisted under this title shall be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

PROHIBITIONS

SEC. 112. (a) Nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or the selection of library resources by any educational institution or school system, or over the content of any material developed or published under any program assisted pursuant to this title.

(b) Nothing contained in this title shall be construed to authorize the making of any payment under this title for religious worship or instruction.

ADMINISTRATION

SEC. 113. (a) The Commissioner may delegate any of his functions under this title, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this title, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

DEFINITIONS

SEC. 114. As used in this title—

(1) The term "Commissioner" means the Commissioner of Education.

(2) The term "communications technology" means the process by which learning is facilitated by technological materials and equipment.

(3) The term "elementary school" means a day or residential school which provides elementary education, as determined under State law.

(4) The term "technological equipment and materials" means any audiovisual equipment or materials, television, radio, electronic classroom instructional equipment and materials, computer-assisted instructional equipment and materials, and such other equipment and materials as the Commissioner determines will contribute to the application of technology to the process of learning; but such term does not include equipment and materials for educational services, such as duplication or general record keeping, or for technical instruction, such as shop, or for library books.

(5) The term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture, printed, published, and audiovisual instructional materials, and books, periodicals, documents, and other related materials.

(6) The term "institution of higher education" means an educational institution in any State which—

(i) admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(ii) is legally authorized within such State to provide a program of education beyond high school;

(iii) provides an educational program for which it awards a bachelor's degree, or provides not less than a two-year program which is acceptable for full credit toward such a degree, or offers a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge;

(iv) is a public or other nonprofit institution; and

(v) is accredited by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this paragraph or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited: *Provided, however,* That in the case of an institution offering a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or technological fields which requires the understanding and application of basic engineering, scientific, or mathematical principles or knowledge, if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such institutions, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions to participate under this title and shall also determine whether particular institutions meet such standards. For the purposes of this paragraph the Commission shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of education or training offered.

(7) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(8) The term "secondary school" means a day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12.

(9) The term "Secretary" means the Secretary of Health, Education and Welfare.

(10) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(11) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

OFFICE OF EDUCATIONAL TECHNOLOGY

SEC. 115. The Commissioner shall establish in the Office of Education an Office of Educational Technology which shall formulate and coordinate programs that will result in the most rapid and effective use of technology for the improvement of education, and shall carry out, among others, the following activities:

(1) operations research and system analyses on education with particular reference to educational technology;

(2) concentrated and sustained research on educational technology at several centers;

(3) investigation of chemical and biological factors on learning and retention;

(4) statistical data on the development and status of educational technology including development of standardized reporting forms;

(5) cost analysis studies of educational technology;

(6) information services on educational technology materials and equipment including provisions for computerized cataloging of materials, correlation of materials with curriculum, and standardization of data reported on technological materials;

(7) development and testing of new educational technology equipment and materials;

(8) studies and reports on procedures for introducing and gaining acceptance of educational technology;

(9) conduct of regional workshops to promote the use of educational technology;

(10) studies and reports on the use of educational technology in areas of urgent educational and social needs;

(11) relate the methods of introducing technology in education to its use and acceptance in other fields.

TITLE II—USE OF EDUCATIONAL TECHNOLOGY IN INSTITUTIONS OF HIGHER EDUCATION

STATEMENT OF PURPOSE

SEC. 201. The purpose of this title is to encourage the use of technological equipment and materials in institutions of higher education thereby improving the quality of instruction.

INCREASING AUTHORIZATION OF APPROPRIATIONS FOR TITLE VI, HIGHER EDUCATION ACT OF 1965

SEC. 202. Sec. 601(b) of the Higher Education Act of 1965 is amended to read as follows: "There are hereby authorized to be appropriated $35,000,000 for the fiscal year ending June 30, 1966, $50,000,000 for the fiscal year ending June 30, 1967, $60,000,000 for the fiscal year ending June 30, 1968, and $100,000,000 for each of the succeeding fiscal years ending prior to July 1, 1972, to enable the Commissioner to make grants to institutions of higher education pursuant to this part.

INCLUSION OF EDUCATIONAL TECHNOLOGY EQUIPMENT AND MATERIALS UNDER STATE PLANS

SEC. 203. Section 603 of the Higher Education Act of 1965 is amended by—

(1) striking out "and (C)" and inserting in lieu thereof the following: "(C) for determining the relative priorities of eligible projects for the acquisition of technological equipment and materials; and (D)",

(2) redesignating paragraph (5) of such section and references thereto as paragraph

(6), and inserting after paragraph (4) thereof the following new paragraph:

"(5) sets forth adequate procedures to assure that not less than 33⅓ per centum of the amount received for any fiscal year by such State will be used for—

"(A) the planning, development, and conduct of demonstration projects designed to promote the use of technological equipment and materials in the institutions of higher education in the State,

"(B) the planning, development, and conduct of special projects involving the use of innovative technological equipment and materials in institutions of higher education in the State so as to change and strengthen the learning process;"

DEFINITION OF TECHNOLOGICAL EQUIPMENT AND MATERIALS

SEC. 204. Part A of title VI of the Higher Educaiton Act of 1965 is amended by adding at the end thereof the following new section:

"DEFINITION OF TECHNOLOGICAL EQUIPMENT AND MATERIALS

"SEC. 611. As used in this part, the term 'technological equipment and materials' means any audio-visual equipment or materials, television, radio, electronic classroom instructional equipment and materials, computer-assisted instructional equipment and materials, and such other equipment and materials as the Commissioner determines will contribute to the application of technology to the process of learning; but such term does not include equipment and materials for educational services, for technical instruction, or for library books."

S. 4185—INTRODUCTION OF BILL TO PROVIDE FEDERAL ASSISTANCE TO STATES FOR ESTABLISHING AND STRENGTHENING CONSUMER PROTECTION PROGRAMS

Mr. JAVITS. Mr. President, inadvertently, travel agents were included in my bill, S. 4112, which would provide for Federal matching grants to assist States in establishing and strengthening their consumer protection programs.

The inclusion of travel agents would introduce an extraneous issue in the consideration of this bill; namely, State versus Federal regulation of travel agents. Therefore, I am deleting from the bill reference to travel agents and will leave to Congress to determine whether any such regulation is required.

I introduce, for appropriate reference, a bill to accomplish the purpose which I have outlined.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 4185) to provide Federal assistance to States for establishing and strengthening consumer protection programs, introduced by Mr. JAVITS (for himself and Mr. GOODELL), was received, read twice by its title, and referred to the Committee on Commerce.

CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 81—CONCURRENT RESOLUTION RELATING TO AN INTERNATIONAL DAIRY PRODUCTS AGREEMENT

Mr. NELSON. Mr. President, the time has come for the United States and the dairy-producing nations of Western Europe and elsewhere to sit down at an international conference and seek the best way of disposing of our common dairy surpluses without disturbing world markets.

Many American trade observers are greatly concerned about what has become an annual struggle to establish import controls on the newest form of evasion by foreign dairy countries. Those countries are spending vast sums of money in export subsidies to dump their surplus dairy products to the United States. This practice is a fundamental assault on the very concept of free trade.

These efforts should be redirected where they will really accomplish something positive for the entire world.

I am submitting a concurrent resolution today urging the President to seek an international dairy agreement to resolve the world marketing problems facing the dairy industry.

This international dairy agreement would be aimed at distributing dairy products to underdeveloped nations outside the normal commercial markets for these commodities.

This would serve the dual purpose of providing nutritious dairy products to areas of the world where hunger and starvation are still unchecked while stabilizing the world market for dairy products.

Under this proposal, the world dairy agreement could include provisions covering first, effective protection of domestic dairy product price support programs; second, establishing a maximum rate of export subsidies; third, the donation or other disposition of surplus dairy products to less developed countries; fourth, strengthening and stabilizing world dairy prices by stabilizing minimum world prices; and fifth, the international promotion and market development of dairy products.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, under the rules, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 81) was referred to the Committee on Foreign Relations, as follows:

S. CON. RES. 81

Resolved by the Senate (the House of Representatives concurring), That it is hereby declared to be the sense of the Congress that the President should take immediate action to seek an international agreement among the major dairy product producing countries of the world in order to provide for the orderly and equitable disposal of surplus dairy products without disrupting world markets.

SEC. 2. It is further declared to be the sense of the Congress that the President should, in negotiating any such international agreement referred to in the first section of this resolution, insist on including in such agreement provisions for—

(1) effective protection of domestic dairy product price support programs which may be in effect in member countries;

(2) establishing a maximum rate of subsidy which each member country would be permitted to pay in the case of dairy products exported from such country;

(3) the donation or other disposition of surplus dairy products to less developed countries;

(4) strengthening and stabilizing world dairy prices by establishing minimum prices for certain specified dairy products traded in world markets; and

(5) the international promotion and market development of dairy products.

PRINTING OF PRESS CONFERENCES OF THE REPUBLICAN LEADERSHIP AS A DOCUMENT (S. DOC. NO. 110)

Mr. DIRKSEN. Mr. President, yesterday I had a record of the press conferences of the Republican leadership printed in the RECORD, and I asked that it be printed as a document. That request must be made from the floor. I now ask unanimous consent that that be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORT ON OZARK LOCK AND DAM, AND LOCK AND DAM NO. 9, ARKANSAS RIVER, ARK. (S. DOC. NO. 111)

Mr. RANDOLPH. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated January 17, 1968, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the report on Ozark lock and dam, and lock and dam No. 9, Arkansas River, Ark., requested by a resolution of the Committee on Public Works, U.S. Senate. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, October 10, 1968, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 909. An act for the relief of Paul L., Margaret, and Josephine Kirsteatter;

S. 1246. An act to authorize the Commissioner of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, the space over and under streets and alleys in the District of Columbia, and for other purposes;

S. 1247. An act to authorize the Commissioner of the District of Columbia to fix and collect rents for the occupancy of space in, on, under, or over the streets of the District of Columbia, to authorize the closing of unused or unsafe vaults under such streets and the correction of dangerous conditions of vaults in or vault openings on public spaces, and for other purposes;

S. 1763. An act to promote the economic development of Guam;

S. 2671. An act to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government;

S. 2675. An act for the relief of Jose Estrada;

S. 3207. An act to amend section 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands; and

S. J. Res. 191. Joint resolution authorizing the erection of a statue of Benito Pablo Juarez on public grounds in the District of Columbia.

PRESIDENT JOHNSON WROTE A RECORD FOR HISTORY

Mr. MANSFIELD. Mr. President, the past 5 years have been among the most turbulent years in American history. Great forces were at work both within this country and in the global community. Profound changes occurred in the substance of our lives as well as in our attitudes toward the world around us. The historian, Arnold Toynbee, has noted that the viability of great nations depends upon their reaction to the challenges placed before them.

Judged against this criterion, the United States has a great and shining future, because under Lyndon Johnson we have clearly met the challenges of the past 5 years. I am not one who believes that individuals determine history, but I do believe that the leadership of a nation is a vital determinant in its future. On that basis, Lyndon Johnson emerges as a great American President, because he brought America face to face with the great issues facing us.

I am not suggesting that all our problems have been solved, or that we have achieved the best of all possible worlds. The problems of centuries do not yield to the efforts of half a decade. What I am saying is that President Johnson led us to the point where we are now confronting our problems, where we are now grappling with them, and where we now have faith in our ability to master them.

Think, for a moment, about the areas of American life which have been dramatically and beneficially transformed during the years of the Johnson administration. City life, consumer protection, civil rights, education, medical research and health services, poverty, economic prosperity, conservation, national defense, space exploration, our physical environment—the list is almost endless.

In my judgment, the experience of the past 5 years has caused Americans to expect solid progress as a constant way of life. There is no problem so difficult that we regard it as unsolvable. Under the leadership of President Johnson, we have begun to change the physical and social face of America, and we will not stop until we have made the best of America by bringing out the best that is in us.

I believe we are too close to our times to fully appreciate the fundamental changes that have been made in the fabric of our lives. For example, so-called class structure in America has been shattered for all time—not by a radical social revolution, but by the guarantee of equal educational opportunity for all American children. Similarly, the social stability of the future America has been assured—not by turning America into an armed camp, but by continuing progress toward abolishing poverty. Again, the acceptance of the concept of medicare means that the bitter slogans of yesterday's "socialized medicine" have been discarded like yesterday's newspaper.

There are many other examples I could cite. The point is that American life has been irrevocably altered for the good, without our fully appreciating the extent of the changes on our children and on our children's children.

And what was the role of Lyndon Johnson in this foundation building for the future? As President of all the people, Lyndon Johnson understood that progress comes about not by the efforts of a dedicated few, but through agreement by the many that change must come. Accordingly, his war on poverty, for example, brought together the poor, the working man, the professor, the businessman, the reformer, and the technician—shoulder to shoulder in a massive confrontation with the problems of poverty.

By his rhetoric and by his actions, President Johnson demonstrated for all to see that his administration was more concerned with permanent progress than with passing popularity. He pointed the way to the future—appealing not to our shame at what had been, but to our pride at what could be. His was not a hollow call for a march to utopia. His was a realistic appeal to America to respond to the best urgings of its heart and mind.

And America did respond.

We in this body have special reason to know that America responded. Acting through their elected representatives, the American people enacted the greatest legislative record of any 5-year period in our history. And I do not exempt that sweeping assessment of the early years of the Franklin Roosevelt administration.

Lyndon Johnson did not worry about how history would treat him.

He did not place restraints on his actions because of the so-called political realities.

He did not swerve from his duty on the grounds that his own personal future might be jeopardized.

He had a vision for America, and he committed himself to making that vision become a reality.

Beyond today and beyond this election year, history will find a place for Lyndon Johnson—and that place will be with the great American Presidents.

Mr. President, I ask unanimous consent to have printed in the RECORD a list entitled "The 400 Bills of the Johnson Administration, 88th to 90th Congress."

There being no objection, the list was ordered to be printed in the RECORD, as follows:

THE 400 BILLS OF THE JOHNSON ADMINISTRATION, 88TH TO 90TH CONGRESS

THE 88TH CONGRESS, FIRST SESSION

Landmark bills

1. *Arms Control.* Increased authorization for appropriations. (P.L. 88–186, 11/20/63)

2. *Warren Commission.* Established Commission to report on the assassination of President Kennedy (P.L. 88–102, 12/13/63)

3. *Higher Education Facilities.* Provided aid construction of college facilities. (P.L. 88–204, 12/16/63)

4. *Clean Air.* Improved air pollution control programs. (P.L. 88–206, 12/17/63)

5. *Vocational Education.* Improved and expanded vocational education opportunities. (P.L. 88–210, 12/18/63)

6. *MDTA Amendments.* Extended manpower development and training programs. (P.L. 88–214, 12/19/63)

Other major bills

7. Andrew Johnson National Historic Site. (P.L. 88–197, 12/11/63)

8. Peace Corps. Amendments. (P.L. 88–200) (12/12/63)

9. Auto Seat Belts—provided safety standards for seat belts sold or shipped interstate. (P.L. 88–201) (12/13/63)

10. Indian Vocational Training. (P.L. 88–230, 12/23/63).

THE 88TH CONGRESS, SECOND SESSION

Landmark bills

1. *Inter-American Bank.* Increased United States participation (P.L. 88–259).

2. *Kennedy Center for Performing Arts.* Renamed National Cultural Center and authorized appropriations (P.L. 88–261).

3. *Small Business Amendments.* Strengthened small business programs (P.L. 88–264).

4. *Library Services Amendment.* Increased amount of assistance and extended it to non-rural areas (P.L. 88–269).

5. *Tax Reduction.* Reduced individual and corporate taxes (P.L. 88–272).

6. *Presidential Transition.* Promoted orderly transfer of power (P.L. 88–277).

7. *Federal Employees Health Benefits.* Improved administration and removal inequities.

8. *Agriculture Act.* Encouraged increased cotton consumption and maintain income of cotton and wheat producers (P.L. 88–297).

9. *Chamizal Convention.* Facilitated American-Mexican compliance. (P.L. 83–300).

10. *Federal Pesticide Amendment.* Provided for labeling of poisons (P.L. 88–305).

11. *Civil Rights Act.* Provided relief against discrimination in public accommodations, federally assisted programs (P.L. 88–352).

12. *Urban Mass Transportation.* Authorized assistance for comprehensive mass transit systems (P.L. 88–365).

13. *Economic Opportunity Act.* Mobilized nation to combat poverty (P.L. 88–452).

14. *Food Stamps.* Provided for fuller and more effective use of food abundance (P.L. 88–525).

15. *Housing.* Extended housing, urban renewal and community facilities (P.L. 88–560).

16. *Wilderness Act.* Set up a National Wilderness preservation system (P.L. 88–577).

17. *Land and Water Conservation Fund.* Aided states and Federal Agencies meet present and future outdoor recreation needs (P.L. 88–578).

Other major bills

18. Commercial Fisheries Research (P.L. 88–309).

19. International Development Association (P.L. 88–310).

20. Renegotiation Act (P.L. 88–339).

21. Housing for Elderly (P.L. 88–340).

22. Defense Production (P.L. 88–343).

23. Dependent Children Care (P.L. 88–345).

24. Federal Credit Union Amendment (P.L. 88–353).

25. Food Marketing Commission (P.L. 88–354).

26. Campobello International Park (P.L. 88–363).

27. Stock Pile Disposals—Zinc and lead and others.

28. Juvenile Delinquency Control (P.L. 88–368).

29. Mexico-U.S. Flood Control (P.L. 88–411).

30. Military Pay (P.L. 88–422).

31. Federal Highway Act (P.L. 88–423).

32. Federal Salary Reform (P.L. 88–426).

33. Hospital and Medical Facilities (P.L. 88–443).

34. National Commission on Technology, Automation and Economic Progress (P.L. 88–444).

35. Dual Pay (P.L. 88–448).

36. Veterans Nursing Home Care (P.L. 88–450).

37. Criminal Justice (P.L. 88–455).

38. Securities Acts Amendments (P.L. 88–467).

39. Pacific Trust Territories (P.L. 88–487).

40. Ozark Riverways (P.L. 88–492).

41. Medicine Bow National Forest (P.L. 88–494).

42. Public Health Training (P.L. 88–497).

43. Administrative Conference Act (P.L. 88-499).

44. Fort Bowie National Historic Site (P.L. 88-510.

45. National Arts and Cultural Development (P.L. 88-579).

46. Interest Equalization (P.L. 88-563).

47. Nurses Training (P.L. 88-581).

48. Fire Island National Seashore (P.L. 88-587).

49. Everglades National Park (P.L. 88-588).

50. Interocean Canal (P.L. 88-609).

51. Food Additives (P.L. 88-625).

52. Agricultural Trade Development (P.L. 88-638).

53. Lake Mead Recreation Area (P.L. 88-639).

54. National Forest, Roads and Trails (P.L. 88-657).

55. National Defense Education (P.L. 88-665).

THE 89TH CONGRESS, FIRST SESSION

Landmark bills

1. *Medicare.* Establishes two major new national health insurance programs for 19,000,000 older Americans designed to provide protection against the high cost of health care. The basic plan, financed through the contributory social security system, covers hospital services, post-hospital care, outpatient hospital diagnostic services, and home health services. The supplementary voluntary plan provides protection against the costs of physicians' and surgeons' services whether in the home, office or hospital. (P.L. 89-97).

2. *Elementary and Secondary Education.* Provides Federal financial assistance to elementary and secondary education by authorizing grants (1) to school districts with large numbers of children from low-income families to support special educational programs for these children; (2) to assist schools in the purchase of books and other library materials; (3) to set up supplementary centers to help schools deal with educational problems; (4) to foster educational research, the development of new classroom materials and the training of teachers in their use; and (5) to strengthen the leadership of State educational agencies (P.L. 89-10).

3. *Higher Education.* Provides for strengthening the community service programs of colleges and universities, provides financial assistance for students in post-secondary and higher education, authorizes a National Teacher Corps and broadens programs of teacher preparation (P.L. 89-329).

4. *Farm Bill.* Establishes major agricultural supply adjustment programs for the next four years (P.L. 89-321).

5. *Department of Housing and Urban Development.* Creates a new Cabinet Department in recognition of the rapid urbanization of this country and the increasing necessity for focusing attention on the problems of our cities (P.L. 89-174).

6. *Omnibus Housing Act.* Established a new program of rent supplements to assist in obtaining new housing for people who are displaced by city rehabilitation activities. Extends and expands urban renewal, low rent public housing, and community facilities programs to meet problems created for our cities by the forces of growth and decay (P.L. 89-117).

7. *Social Security Increases.* Social Security benefits for over 20 million current beneficiaries were increased by 7 percent and an estimated $1.2 billion in additional benefits covering increases retroactive to January 1, 1965, were paid in 1965 (P.L. 89-97).

8. *Voting rights.* Ensures the right to vote to millions of Americans who have been denied that right because of their color. Protection provided includes the appointment of voting registrars, the barring of literacy and other tests, and machinery for invalidating poll taxes (P.L. 89-110).

9. *Immigration.* Abolishes in three years the highly discriminatory system by which we select on the basis of place of birth among persons who wish to immigrate to the United States and substitutes a selection system based on relationship to persons already living in this country and the possession of professional and occupational skills needed in the United States (P.L. 89-236).

10. *Older Americans.* Authorizes Federal grants to States to stimulate communities to develop a variety of services for the elderly, and authorize funds for the study, development, and evaluation of techniques which can assist the aged to enjoy wholesome and meaningful lives (P.L. 89-73).

11. *Heart Disease, Cancer and Stroke.* Authorizes Federal grants to develop regional cooperative arrangements for research, training and related work in order to plan, develop and mobilize all of our medical resources to combat cancer, stroke and heart disease and related diseases and to make available to patients the latest advances in diagnosis and treatment of these diseases (P.L. 89-239).

12. *Law Enforcement Assistance Act of 1965.* Authorizes appropriations for fiscal year 1966 of $10 million for assistance to programs and facilities for training of law enforcement personnel and to projects for developing or demonstrating effective methods for increasing security of persons and property and controlling of crime (P.L. 89-197).

13. *National Crime Commission.* Authorized appropriations to finance work of the Commission on Law Enforcement and Administration of Justice, set up by Executive Order (P.L. 89-196).

14. *Drug Controls.* Provides an important tool in our fight against crime and delinquency by authorizing special controls to prevent misuse of potentially dangerous drugs, especially sedatives and stimulants (P.L. 89-74).

15. *Community Mental Health Centers.* Broadens the Community Mental Health Center Act of 1965 by authorizing Federal assistance in the initial staffing of these centers, and expands the training of teachers of handicapped and retarded children (P.L. 89-105).

16. *Health Professions Education.* Extends the Health Professions Educational Assistance Act to establish new programs for support and improvement grants for health professions schools and for scholarships for students from low-income families. (P.L. 89-290).

17. *Medical Libraries.* Provides for a program of grant to assist in meeting the need for adequate medical library services and facilities (P.L. 89-291).

18. *Vocational Rehabilitation.* Greatly expands and improves vocational rehabilitation programs (P.L. 89-333).

19. *Inter-American Development Bank.* Strengthens the Bank's role as the Bank for the Alliance for Progress by authorizing a $750 million increase in the U.S. contribution to the Fund for Special Operations (P.L. 89-6).

20. *War on Poverty Continuation.* Continues the war on poverty and increases the funds available to wage that war (P.L. 89-253).

21. *Arts and Humanities.* Creates a National Foundation on the Arts and Humanities to support and promote the theater, opera, ballet, art, sculpture and other forms of the creative and performing arts and the humanities (P.L. 89-209).

22. *Appalachia.* Establishes a regional commission to carry out a variety of public works, vocational training, and demonstration projects in cooperation with State and local governments in the 11 Appalachian States to revise the region's economy and to improve the skills and health of its residents (P.L. 89-4).

23. *Highway Beautification Program.* Authorizes controls on roadside advertising and junkyards and provides for financial assistance to states for landscaping and scenic easements along highways (P.L. 89-285 of October 22, 1965).

24. *Air Pollution.* Provides important new authority to protect the health and comfort of all Americans by prescribing standards for emissions from new automobiles, and establishes a new program of financial and technical assistance in developing methods of removing the trash, garbage, and junk which litters the Nation (P.L. 89-272).

25. *Water Pollution Control.* Amends the Water Pollution Control Act to require the establishment of water quality standards for the guidance of industry, local government and others, provides grants for water quality management projects and for solution of problems created by combined storm and sanitary sewers, and increased funds for the existing waste treatment program are authorized (P.L. 89-234).

26. *High Speed Ground Transportation.* Authorizes research and development in high-speed ground transportation to increase the ease and speed with which Americans can travel in heavily traveled corridors, such as the one from Washington to Boston (P.L. 89-220).

27. *Manpower Training Act Extension.* Carries forward training programs which equip men and women who are unemployed to hold productive and useful jobs; and to encourage greater participation in the program by the States, it reduces the matching requirement (P.L. 89-15).

28. *Presidential Disability and Succession.* A Constitutional amendment, now before the States for ratification, which provides a procedure for filling a vacancy in the Vice Presidency and makes provision for continuity in the leadership of the Executive Branch during periods when a President may be unable to perform his duties. (transmitted to States for ratification 7/9/65.)

29. *Child Health Medical Assistance.* Establishes a new five-year grant program to assist the States in providing comprehensive health care and services for low-income school and pre-school children, and expands existing maternal and child health and crippled children's programs (P.L. 89-97).

30. *Regional Development.* Provides Federal financial and technical aid to economically depressed areas to enable them to take effective steps in planning and financing their future (P.L. 89-136).

Other major bills

31. Farm Ownership Loan Authorization (P.L. 89-117 (Title X)).

32. Tobacco Acreage (P.L. 89-12).

33. Food Marketing Commission Extension (P.L. 89-20).

34. Cotton (P.L. 89-321).

35. Extension of the Sugar Act (P.L. 89-331).

36. State Technical Services Act (P.L. 89-182).

37. Reorganization Plan No. 2 of 1965.

38. Reorganization Plan No. 3 of 1965.

39. Export Control Act Expansion (P.L. 89-63).

40. Military Procurement (P.L. 89-37).

41. Vietnam Supplemental Appropriation (P.L. 89-18).

42. Military Pay Bill (P.L. 89-132).

43. Servicemen's Group Life Insurance (P.L. 89-214).

44. Military Construction Authorization (P.L. 89-188).

45. Community Health Services Extension Act (P.L. 89-109).

46. Health Research Facilities Act (P.L. 89-115).

47. River Basin (P.L. 89-80).

48. Federal Water Project Recreation Act (P.L. 89-72).

49. Saline Water (P.L. 89-118).

50. **Assateague Island National Seashore** (P.L. 89–195).

51. Delaware Water Gap National Recreation Area (P.L. 89–158).

52. Garrison Reclamation Project (P.L. 89–103).

53. Auburn-Folsom Unit, Central Valley Project (P.L. 89–161).

54. Whiskeytown-Shasta National Recreation Area (P.L. 89–336).

55. Guam Organic Act Amendments (P.L. 89–100).

56. Virgin Islands Organic Act Amendments (P.L. 89–98).

57. Spruce Knob-Seneca Rocks Recreation Area (P.L. 89–207).

58. Foreign Aid (P.L. 89–171).

59. Disarmament Act (P.L. 89–27).

60. U.N. Charter Amendment (Ratified June 3, 1965).

61. Peace Corps (P.L. 89–134).

62. Coffee Agreement (P.L. 89–23).

63. Agreement with Canada on Auto Parts (P.L. 89–283).

64. Excise Taxes (P.L. 89–44).

65. Balance of payments (P.L. 89–175).

66. Interest Equalization Tax (P.L. 89–243).

67. Silver Coinage (P.L. 89–81).

68. Reorganization Plan No. 1—Bureau of Customs (effective May 25, 1965).

69. International Monetary Fund (P.L. 89–31).

70. Reduction of duty-free tourists exemption (P.L. 89–62).

71. Gold Cover (P.L. 89–3).

72. Debt Ceiling Increase (P.L. 89–49).

73. Presidential Assassination (P.L. 89–141).

74. Atomic Energy Authorization (P.L. 89–32).

75. Coast Guard Authorization (P.L. 89–13).

76. Foreign Official Time Deposits (P.L. 89–79).

77. Secret Service Arrest Authorization (P.L. 89–218).

78. Reorganization Act Extension (P.L. 89–43).

79. NASA Authorization (P.L. 89–53).

80. Patent Fee Increase (P.L. 89–83).

81. D.C. Transit (P.L. 89–173).

82. Federal Salaries Adjustment (P.L. 89–301).

83. Civil Service Retirement Act Amendments (P.L. 89–205).

84. Reorganization Plan No. 4 of 1965.

85. Juvenile Delinquency (P.L. 89–67).

THE 89TH CONGRESS, SECOND SESSION

Landmark bills

1. *Transportation Department.* Establishes a new Cabinet Department to consolidate the principal transportation operating programs of the Government (except the Maritime Administration) in one agency (P.L. 89–670 of October 15, 1966).

2. *Truth-in-Packaging.* Improves protection of the consumer by new standards of labeling and by providing for bringing order into the chaotic pattern of package sizes (P.L. 89–755).

3. *Model Cities.* Provides financial and technical assistance to cities to plan, develop, and carry out programs to rebuild and revitalize entire areas of slum and blight and to expand and improve social programs and services available to the people who live in such areas (P.L. 89–754).

4. *Rent Supplement funds.* Provide $20 million for the first year of operation of the rent supplements program in fiscal year 1967 (P.L. 89–555 of September 6, 1966).

5. *Teacher Corps funds.* Appropriates funds to finance the first full academic year under the National Teacher Corps program. (Enacted by the Congress).

6. *Asian Development Bank.* Authorizes membership of the U.S. in the Asian Development Bank and the appropriation of $200,000,000 for the U.S. subscription to the bank's stock (P.L. 89–369 of March 16, 1966).

7. *Clean Rivers.* Stimulates a basin-wide approach to cleaning our rivers and extends and expands the basic water pollution control program (P.L. 89–753).

8. *Food for Peace.* Revises and extends expiring Food for Peace Program (Enacted by the Congress).

9. *Tax Adjustment.* Revises withholding tax system to include graduated withholding rates, accelerates payments of estimated corporation income tax and provides quarterly payment of estimated Social Security tax for self-employed and provides minimum Social Security benefits for uninsured individuals who have reached age 72 (P.L. 89–368 of March 15, 1966).

10. *Narcotics Rehabilitation.* Improves and modernizes handling of narcotics addicts by providing for civil commitment and greater flexibility in sentencing offenders (enacted by the Congress).

11. *Child Protection Act of 1966.* Amended and strengthened the Federal Hazardous Substances Labeling Act to provide greater safety of toys and other articles used by children (P.L. 89–756).

12. *Vietnam supplemental.* Authorizes appropriations of $4,857 million for fiscal year 1966 for procurement, research and development and for construction primarily to meet additional military needs in Vietnam (P.L. 89–367 of March 15, 1966).

13. *Foreign aid appropriations.* Appropriates $3.5 billion for foreign aid, including military assistance, and related activities for fiscal year 1967 (P.L. 89–691 of October 15, 1966).

14. *Traffic Safety.* Provides for establishment of safety standards for motor vehicles and for research and development in traffic safety (P.L. 89–563 of September 9, 1966).

15. *Highway Safety.* Provides Federal assistance for the development and carrying out of comprehensive highway safety programs throughout the nation and authorizes the Secretary of Commerce to conduct a research, development and demonstration program in highway safety (P.L. 89–564 of September 9, 1966).

16. *Public Health Service Reorganization.* Reorganization Plan No. 3 of 1966 transfers statutory authorities of health constituents of HEW to the Secretary to permit him to reorganize and modernize the performance of health functions—effective June 25, 1966.

17. *Community Relations Service—Reorganization Plan No. 1 of 1966.* Transfers Community Relations Service from the Commerce Department to the Justice Department so that its activities can be better coordinated with related activities (effective April 22, 1966).

18. *Water Pollution Control Reorganization.* Transfers authority for conduct of Federal water pollution control programs from HEW to Interior (effective May 10, 1966).

19. *Coal Mine Safety.* Strengthens the provisions of the Federal Coal Mine Safety Act and removes the exemptions now applying to small mines (P.L. 89–376 of March 26, 1966).

20. *Allied Health Professions Training.* Provides for assistance to the States to develop and support comprehensive health planning and services, including the strengthening of community health services.

21. *International education.* Establishes a program of assistance to American universities and colleges to develop and expand their activities in international studies and services.

22. *Child Nutrition.* Extends and expands the child nutrition program including new programs for school breakfasts and for food preparation and serving equipment (P.L. 89–642 of October 11, 1966).

23. *Bail Reform.* Revises bail practices in Federal courts to assure that persons, regardless of their financial status, shall not needlessly be detained pending their appearance in court (P.L. 89–465 of June 22, 1966).

24. *Civil Procedure Reforms.* Four statutes to reform civil procedures: (1) increases the authority of Federal agency heads to settle tort claims administratively with recourse to the courts (P.L. 89–506, of July 18, 1966); (2) requires heads of Federal agencies to collect debts owed to the United States which arise from their activities and authorizes them to settle or compromise certain claims (P.L. 89–508, of July 18, 1966); (3) establishes statutes of limitation which apply to contract and tort actions brought by the United States (P.L. 89–505, of July 18, 1966; (4) corrects disparity of treatment between private litigants and the U.S. by providing that judgments for court costs may be awarded to the prevailing party (P.L. 89–507, of July 18, 1966).

25. *Tire Safety.* Provided for safety standards for motor vehicle tires and their labeling with essential safety information (P.L. 89–563).

26. *Protection for Savers.* Strengthens the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loans associations, and increases maximum insurance on deposits and share accounts from $10,000 to $15,000 (P.L. 89–695 of October 16, 1966).

27. *G.I. bill.* Provides a permanent program of educational assistance, home and farm loans, hospitalization and medical care, job counseling and placement services, Federal job preference and other benefits to veterans who served after January 31, 1955 (P.L. 89–358 of March 3, 1966).

28. *Minimum Wage Increase.* Greatly extends the coverage of the Fair Labor Standards Act, including certain farm workers, and raises the minimum wage in steps to $1.60 an hour for most covered workers (P.L. 89–601 of September 23, 1966).

29. *Urban mass transit.* Extends for two years the capital grant authorization under the Urban Mass Transportation Act of 1964 and provides new authority for research, development, training and demonstration, including grants in the field of urban mass transportation (P.L. 89–562 of September 8, 1966).

30. *Elementary and Higher Education Funds.* Extends for two years the landmark Elementary and Secondary Education Act of 1965 and continues the impacted area assistance program, and extends for three years programs of assistance to higher education.

31. *Clean Air Act Amendments.* Increasing the amount of federal share in local pollution control programs (P.L. 89–675).

Other major bills

32. Food for India (P.L. 89–406 of April 19, 1966).

33. Federal Aid Highway (P.L. 89–574 of September 13, 1966).

34. Military medical program (P.L. 89–614 of September 30, 1966).

35. Military construction authorization (P.L. 89–568 of September 12, 1966).

36. Military procurement authorization (P.L. 89–501 of July 13, 1966).

37. Teacher Corps funds—FY 1966 (P.L. 89–426 of May 12, 1966).

38. Medicare enrollment extension (P.L. 89–384 of April 8, 1966).

39. Library services (P.L. 89–541 of July 19, 1966).

40. FNMA (P.L. 89–566 of September 10, 1966).

41. Rent supplement funds—FY 1966 (P.L. 89–426 of May 13, 1966).

42. Water Research Expansion (P.L. 89–404 of April 19, 1966).

43. Cape Lookout National Seashore (P.L. 89–366 of March 10, 1966.

44. Third Grand Coulee Power Plant (P.L. 89–448 of June 14, 1966.

45. Metallic and Nonmetallic Mine Safety (P.L. 89–557 of September 16, 1966).

46. Revolutionary War Bicentennial (P. L. 89-491 of July 4, 1966).

47. Guadalupe National Park (P.L. 89–667 of October 15, 1966).

48. Fish and Wildlife Preservation (P.L. 89–669 of October 15, 1966).

49. Crime package (enacted by Congress).

50. Vietnam supplemental (P.L. 89–371 of March 18, 1966).

51. Economic and military aid (P.L. 89–583 of September 19, 1966).

52. Florence Agreement (P.L. 89–651 of October 14, 1966).

53. Beirut Agreement (P.L. 89–634 of October 8, 1966).

54. Water for Peace (enacted by Congress).

55. Public Debt limit (P.L. 89–472 of June 24, 1966).

56. Sale of Assets (P.L. 89–429 of May 24, 1966).

57. Coast Guard authorization (P.L. 89–381 of March 30, 1966).

58. Copper tariff suspension (P.L. 89–468 of June 23, 1966).

59. Foreign investors tax (pending congressional action October 22, 1966).

60. Suspension of the Investment Credit and Accelerated Depreciation (enacted by the Congress).

61. Parcel Post (P.L. 89–593 of June 20, 1966).

62. Peace Corps authorization (P.L. 89–572 of September 13, 1966).

63. Civilian pay (P.L. 89–504 of July 18, 1966).

64. Office of Economic Opportunity authorization (enacted by Congress).

65. Supersonic transport funds (P.L. 89–555 of September 6, 1966).

66. Atomic Energy Commission authorization (P.L. 89–428 of May 21, 1966).

67. Box car bill (P.L. 89–430 of May 26, 1966).

68. NASA authorization (P.L. 89–528 of August 5, 1966).

69. Public information (P.L. 89–487 of July 4, 1966).

70. TVA revenue bonds (P.L. 89–537 of August 12, 1966).

71. Small Business Administration authorization (P.L. 89–409 of May 2, 1966).

72. Molybdenum Stockpile (P.L. 89–413).

73. Chromite Stockpile (P.L. 89–415).

74. Fluorspar (Acid Grade) Stockpile (P.L. 89–416).

75. Bismuth Stockpile (P.L. 89–417).

76. Interest Rate Controls (P.L. 89–597 of September 21, 1966).

77. Mt. Rogers National Recreation Area (P.L. 89–438).

78. Phlogopite Mica Stockpile (P.L. 89–418).

79 Muscovite Mica Stockpile (P.L. 89–419).

80. Rhodium Stockpile (P.L. 89–420).

81. Thorium Stockpile (P.L. 89–421).

82. Marine Research and Redevelopment (P.L. 89–458).

83. Strengthened Food and Drug Act (P.L. 89–477).

84. Defense Production Act Extension (P.L. 89–482).

85. John F. Kennedy Presidential Library (P.L. 89–547).

86. Asbestos Stockpile (P.L. 89–422).

87. Ruthenium Stockpile (P.L. 89–423).

88. Vanadium Stockpile (P.L. 89–424).

89. Aluminum Stockpile (P.L. 89–460).

90. Soldiers Reposits. (P.L. 89–538).

91. National Sea Grant Colleges. (P.L. 89–688).

92. D.C. Minimum Wage. (P.L. 89–684).

93. Celestite Stockpile. (P.L. 89–461).

94. Cordage Fiber Stockpile. (P.L. 89–462).

95. Crocidolite Stockpile. (P.L. 89–463).

96. Opium Stockpile. (P.L. 89–464).

97. Indiana Dunes National Seashore. (P.L. 89–761).

98. Hirshhorn Museum. (P.L. 89–788).

99. Manganese Stockpile. (P.L. 89–539).

100. Fluorspar and Ferro Manganese Stockpile. (P.L. 89–540).

101. Nickel Stockpile. (P.L. 89–740).

102. Manpower Development Act Amendments. (P.L. 89–792).

103. Big Horn Canyon National Recreation Area. (P.L. 89–664).

THE 90TH CONGRESS, FIRST SESSION

Landmark bills

1. *Elementary and Secondary Education Act Amendments of 1967*—Strengthened and extended the Act for two years (P.L. 90–247).

2. *Education Professions Act*—Broadened and strengthened training programs for educational personnel at all levels (P.L. 90–35).

3. *Air Quality Act*—Strengthened the Clean Air Act by providing for air quality regions, regional air quality standards, aid to States for automobile emission inspection standards, and expanded research on air pollutants (P.L. 90–148).

4. *Partnership for Health*—Extended and expanded the Partnership for Health program, including grants for health planning, services and research (P.L. 90–174).

5. *Social Security Amendments of 1967*—Increased benefits payments by 13 percent, increased the minimum benefit and otherwise liberalized social security benefits (P.L. 90–248).

6. *Older Americans Act Amendments of 1967*—Strengthened and extended, through fiscal year 1972, programs of grants, research, demonstration and training under the Older Americans Act of 1965 (P.L. 90–42).

7. *Age Discrimination in Employment Act of 1967*—Prohibited arbitrary age discrimination in employment and provided for research and education programs relating to discriminatory employment practices (P.L. 90–200).

8. *Wholesome Meat Act*—Strengthened the Federal Meat Inspection Act and provided for an effective Federal-State meat inspection system (P.L. 90–201).

9. *Flammable Fabrics Act amendments*—Increased protection to consumers against injurious flammable fabrics by broadening the law's coverage of wearing apparel and interior furnishings and by strengthening the law's administration (P.L. 90–189).

10. *Rent supplement funds*—Provided $10 million for rent supplement program in fiscal 1968 (P.L. 90–121).

11. *Model Cities funds*—Provided $312 million for Model Cities program in fiscal 1968 (P.L. 90–121).

12. *Rat extermination*—Authorized $20 million for each of the fiscal years 1968 and 1969 for grants to control rats (P.L. 90–174).

13. *Urban research funds*—Provided $10 million to help create the Urban Institute (P.L. 90–121).

14. *Teachers Corps*—Extended the Teacher Corps program for three years (P.L. 90–35) and provided $13.5 million for fiscal year 1968 (P.L. 90–132).

15. *Public Broadcasting Act of 1967*—Authorized establishing of a Corporation for Public Broadcasting and extended and expanded the program of grants for educational broadcasting equipment (P.L. 90–129).

16. *Economic Opportunity Amendments of 1967*—Authorized appropriations for the poverty program: $1.98 billion for fiscal year 1968 and $2.18 billion for 1969 (P.L. 90–222).

17. *Food for India*—Expressed Congressional approval of a series of actions to assist India in meeting its food needs (P.L. 90–7).

18. *Outer Space Treaty*—Ratified April 25, 1967.

19. *Federal Salary Act of 1967*—Increased pay of Federal civilian and postal workers and provided that their pay would reach comparability with private enterprise in 1969 (P.L. 90–206).

20. *Modern government for the District of Columbia*—Provided for a more effective government by establishing a single commissioner and a City Council (Reorganization Plan No. 2, August 11, 1967).

21. *Veterans Pension and Readjustment Assistance Act of 1967*—Provided additional readjustment assistance to Vietnam veterans and increased pensions for veterans and their dependents (P.L. 90–77).

22. *Federal Judicial Center*—Established within the Judicial Branch a Federal Judicial Center to improve judicial administration through research, education, and training (P.L. 90–219).

23. *Highway safety funds*—Provided $21 million for fiscal year 1968 for traffic and highway safety programs (P.L. 90–112).

24. *Prohibition on obstruction of justice*—Made it a crime to obstruct criminal investigations by bribery, intimidation, or force (P.L. 90–123).

Other major bills

25. Product Safety Commission (P.L. 90–146).

26. Clinical Laboratory Improvements (P.L. 90–174).

27. Fellowships for Urban Planning (P.L. 90–66).

28. College-Work Study Program (P.L. 90–82).

29. Library Services (P.L. 90–154).

30. Consular Convention with USSR (March 16, 1967).

31. Safety at Sea Treaty (March 21, 1967).

32. Narcotics Convention (May 8, 1967).

33. Increased contributions to Inter-American Development Bank (P.L. 90–88).

34. Peace Corps authorization (P.L. 90–175).

35. Postal rate increase (P.L. 90–206).

36. Postal Modernization and Improvement (P.L. 90–15).

37. Four-year extension of Selective Service Act (P.L. 90–40).

38. Military pay increase (P.L. 90–207).

39. Extension of Civil Rights Commission (P.L. 90–198).

40. Supersonic transport funds (P.L. 90–112).

41. Mental retardation grants (P.L. 90–170).

42. Mental health grants (P.L. 90–31).

43. Vocational rehabilitation grants and national center for deaf-blind youths (P.L. 90–99).

44. 1967 summer program funds (P.L. 90–21).

45. Food stamp program extension (P.L. 90–91).

46. Appalachian regional development program extension (P.L. 90–103).

47. Strengthening Federal Credit Unions (P.L. 90–188).

48. Interest equalization tax (to help balance of payments) (P.L. 90–59).

49. Debt ceiling increases (P.L. 90–3 and P.L. 90–39).

50. Restoration of investment tax credit (P.L. 90–26).

51. Settlement of nationwide rail dispute (P.L. 90–54).

52. Silver certificate redemptions (to meet the needs of the economy for coins) (P.L. 90–27).

53. Stockpile disposal bills (P.L. 90–151, P.L. 90–152, and P.L. 90–153).

54. Strengthening assistance to small business (P.L. 90–104).

55. Saline water program authorization (P.L. 90–30).

56. West Coast desalting plant (P.L. 90–18).

57. Foreign aid authorization (P.L. 90–137).

58. J. F. Kennedy National Historic Site (P.L. 90–20).

THE 90TH CONGRESS, SECOND SESSION

Landmark bills

1. *Housing and Urban Development Act of 1968*—Provided for major new programs and broadened existing programs to help provide housing for low and moderate income families—the first and major step toward fulfilling the President's 10-year housing goals (P.L. 90–448).

2. *Civil Rights*—Prohibited discrimination in the sale or rental of housing ("Fair Hous-

ing"), and prohibited interference with civil rights protected by Federal law (P.L. 90-284).

3. *Omnibus Crime Control and Safe Streets Act of 1968*—Authorized planning and action grants to improve law enforcement at the State and local levels, and programs of research and training to enhance law enforcement capabilities (P.L. 90-351).

4. *Gun Control*—Provided controls over interstate sales of handguns and destructive devices and provided higher standards and increased licensing fees for dealers, manufacturers, and importers of firearms (did not provide requested controls over rifles and shotguns) (P.L. 90-351).

5. *Juvenile delinquency control*—Authorized Federal grants or contracts to assist the courts, correctional systems, primary and secondary school systems, and communities in the prevention, treatment, and control of juvenile delinquency (P.L. 90-445).

6. *Revenue and Expenditure Control Act of 1968*—Provided for a 10 percent surcharge, extended auto and telephone excise taxes, and accelerated corporate income tax payments—to fight inflation (P.L. 90-364).

7. *Truth-in-Lending*—Required disclosure of finance charges in consumer credit transactions (P.L. 90-321).

8. *Jury Selection and Service Act of 1968*—Improved the machinery for selection of Federal juries to assure that juries will be selected without discrimination as to race, color, religion, sex, national origin, or economic status (P.L. 90-274).

9. *Fire Research and Safety Act of 1968*—Authorized a comprehensive program of research, education, and training in the causes and prevention of fires and injury and death resulting from fire (P.L. 259).

10. *Special Drawing Rights Act*—Granted congressional approval for changes in the International Monetary Fund to create a new form of international reserves, and authorized the United States to participate in arrangements for use of the new special drawing rights (P.L. 90-349).

11. *Removal of gold cover*—Eliminated the requirement that each Federal safety standard for the transportation of natural and other gas by pipeline and for pipeline facilities (P.L. 90-481).

12. *Extension of Export-Import Bank authority*—Extended the life of the Bank for five years, and increased loan authority to $13.5 billion outstanding at any time (P.L. 90-267).

13. *Increased United States participation in the Inter-American Development Bank*—Authorized the United States to subscribe to its share of increased callable capital stock of the Bank (P.L. 90-325).

14. *Saline Water*—Authorized appropriations of $24.6 million for 1969 to carry out programs of research and studies on saline water (P.L. 90-297).

15. *Indian Bill of Rights*—Extended and protects the rights of American Indians by guaranteeing them basic constitutional rights and improving the administration of justice on Indian reservations (P.L. 90-284).

16. *Public Television*—Provided authority for appropriations for fiscal year 1969 to support the activities of the Corporation for Public Broadcasting (P.L. 90-294).

17. *Child Nutrition and School Breakfast Program Extension*—Authorized Federal assistance for certain child feeding programs in nonschool situations and extended the school breakfast program for three years (P.L. 90-302).

18. *International Gains Agreement*—Stabilizes annual market for wheat and provides for large multilateral food aid program on continuing basis (6/13/68).

19. *Safety of Life at Sea Convention*—improves safety standards for passenger vessels.

20. *D.C. elected school board*—Provided for election of an eleven-member school board for the District of Columbia (P.L. 90-282).

21. *Narcotics reorganization*—Transferred the functions of the Bureau of Narcotics (Treasury) and the Bureau of Drug Abuse Control (HEW) to the Department of Justice (Reorganization Plan #1 of 1968).

22. *Mass Transportation Reorganization Plan*—Transferred from the Department of Housing and Urban Development to the Department of Transportation major urban transportation grant, loan, and related research functions and maintained in HUD leadership in comprehensive planning (June 30, 1968).

23. *Veterans vocational rehabilitation*—Authorized, for the first time, part-time vocational rehabilitation training for service-connected disabled veterans (P.L. 90-431).

24. *Veterans pensions amendments*—Increased veterans dependency and indemnity compensation rates (P.L. 90-275).

25. *Land and Water Conservation Fund Act amendments*—Provided additional monies for the Land and Water Conservation Fund to acquire outdoor recreational resources (P.L. 90-274).

26. *Aircraft noise abatement*—Provided for standards for the measurement, and regulations for the control and abatement, of aircraft noise and sonic boom (P.L. 90-411).

27. *Higher education amendments*—Extends existing higher education programs and authorized new programs, such as education for the public service and special services to the disadvantaged (awaiting Presidential action).

28. *Vocational education*—Amends the existing vocational educational authorities and authorizes new vocational education programs to bridge the gap between school and work (awaiting Presidential action).

29. *Natural Gas Pipeline Safety Act of 1968*—Provides for Federal Safety standards for the transportation of natural and other gas by pipeline and for pipeline facilities (P.L. 90-481).

30. *Scenic Trails*—Established a national trails system to preserve and develop certain natural, scenic historic, and outdoor recreational areas—especially near the Nation's urban centers (P.L. 90-543).

31. *Alcoholic and narcotic addict rehabilitation* (Part of Health Services Amendments—Provides grants for the construction and staffing of community facilities for the treatment and rehabilitation of alcoholics and narcotic addicts (awaiting Presidential action).

32. *Redwood National Park*—Established a Redwood National Park of not to exceed 58,000 acres in California to preserve primeval coastal redwood forests for the purposes of public enjoyment and scientific study (P.L. 90-545).

33. *Agreement on the Rescue and Return of Astronauts*—(Ratified October 8, 1968).

34. *North Cascades National Park*—Established a 1,184,000 acre recreational complex in the North Cascade Mountains of Washington (P.L. 90-544).

35. *Wholesome Poultry*—Extended mandatory inspection to poultry products in intrastate commerce (P.L. 90-492).

36. *Health Manpower Act*—Extended and strengthened programs of training, construction of facilities, and student aid programs for health manpower (P.L. 90-490).

37. *Scenic Rivers*—Established a wild and scenic rivers system to protect certain rivers having outstanding scenic, recreational, geologic, fish and wildlife, historic, cultural or other values (P.L. 90-542).

38. *Food Stamp Authorization Increase*—authorized appropriations of $315 million for the food stamp program for fiscal year 1969 (an increase of $90 million) and $340 million for 1970 (P.L. 90-91).

Other major bills

39. Mount Jefferson Wilderness (P.L. 90-548).

40. San Rafael Wilderness (P.L. 90-271).

41. San Gabriel Wilderness (P.L. 90-318).

42. World weather program. (S. Con. Res. 67).

43. D.C. Air Pollution Control Act. (P.L. 90-440).

44. Vocational rehabilitation. (P.L. 90-391).

45. National riot insurance. (P.L. 90-448).

46. Interstate land sales. (P.L. 90-448).

47. Central Arizona project. (P.L. 90-537).

48. Flaming Gorge National Recreation Area (P.L. 90-540).

49. National Visitor Center Facilities Act of 1968 (P.L. 90-264).

50. Protection of major candidates (P.L. 90-331).

51. Food and Agriculture Act of 1965 extension (Awaiting Presidential action).

52. Commodity Exchange Act amendments (P.L. 90-258).

53. P.L. 480 (Food for Peace) extension. (P.L. 90-436).

54. Consolidated Farmers Home Administration amendments (P.L. 90-488).

55. Standard Reference Data (P.L. 90-396).

56. Metric System study (P.L. 90-472).

57. Extension of authority to call up reserve units (P.L. 90-500).

58. Federal status for National Guard technicians (P.L. 90-486).

59. D.C. Revenue Act of 1968 (P.L. 90-450).

60. D.C. Teacher pay increase (P.L. 90-319).

61. D.C. Police and Firemen pay increase (P.L. 90-320).

62. Stockpile disposal—beryl ore (P.L. 90-478).

63. Health Services amendments (Awaiting Presidential action).

64. National Flood Insurance (P.L. 90-448).

65. National Water Commission (P.L. 90-515).

66. Elected Governor of Guam (P.L. 90-496).

67. Fish protein concentrate—authorization increase (P.L. 90-549).

68. Missouri River Basin projects authorization (P.L. 90-315).

69. Elected Governor of Virgin Islands (P.L. 90-496).

70. Auto theft prevention (Awaiting Presidential action).

71. Federal magistrates (Awaiting Presidential action).

72. Bank Protection Act of 1968 (P.L. 90-389).

73. International Center (Awaiting Presidential action).

74. OAS Charter amendments (April 10, 1968).

75. International Coffee Agreement (June 28, 1968).

76. USIA Career Service (P.L. 90-494).

77. Auto insurance study (P.L. 90-313).

78. High speed ground transportation program extension (P.L. 90-423).

79. Veterans job priority (H. Con. Res. 705).

80. Veterans home loan guarantee increase (P.L. 90-301).

81. Foreign aid authorization (Awaiting Presidential action).

82. Liberalized export loan program of Export-Import Bank (P.L. 90-390).

83. Addition to National Gallery of Art (P.L. 90-376).

84. Savings and Loan Holding Company amendments (P.L. 90-255).

85. Violence Commission Subpeona Power (P.L. 90-338).

86. Sea Grant Program (P.L. 90-477).

87. Federal Voting Assistance to Absentees (P.L. 90-344).

88. Cape Hatteras National Seashore (P.L. 90-326).

89. Foot and Mouth Diseases (P.L. 90-388).

90. Great Swamp (N.J.) National Wildlife Refuge (S. 3379).

91. Preschool Programs, Handicapped Children (H.R. 18763).

VICE PRESIDENT SPEAKS TO AMERICAN LEGION ON ORDER AND JUSTICE

Mr. PROXMIRE. Mr. President, Vice President Humphrey delivered an eloquent and impassioned speech a few weeks ago in New Orleans on one of the burning issues in the presidential campaign—law and order.

His speech was frank and open. As the Vice President put it:

> There isn't any substitute for plain talk, honest talk and responsible talk.

And the Vice President is a master at that.

Vice President Humphrey said it very well when he said:

> The answer does not lie in political attacks on our courts, or on our laws, or on our law enforcement officials. You don't engender respect for the law by demeaning the institutions that provide justice under the law. You encourage disrespect for the law when that happens.
>
> The answer lies in reasoned, effective action by state, local and federal authorities, each bearing its share of the burden, each exercising its rightful responsibility to protect the lives and property of our citizens.

I ask unanimous consent that the Vice President's speech be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

An Address by the Honorable Hubert H. Humphrey, Democratic Candidate for President, Before 1968 National Convention

Thank you; thank you very much. Thank you, Commander Bill Galbraith.

Members of The American Legion and Very Distinguished Guests: It isn't often that the nominee of the Democratic Party can be introduced by a famed and respected Republican. Things have been sort of ganging up on me today, anyway. I thought for a while when I was landing out at the airport and coming here to greet you that you Legionnaires were just trying to tell me something. Stepping off the plane I saw that banker from Chicago, Jack Gleason. I saw Trial Lawyers Bacon and James. I saw Dan Foley, and then I ran face to face with the FBI and "Deke" DeLoach, and I pleaded not guilty.

This is not enough. As I have already indicated to you, I have been greeted and introduced by your distinguished and respected and dedicated Commander, Bill Galbraith, who is a good, staunch Republican.

Nevertheless, banker, I am not discouraged. I learned from a good source just coming through the hall here that probably tomorrow you will elect a great N.J. Democrat instead of him. Bill Doyle. I saw a sign right up over there. I just want to say that I truthfully hope this is a sign of good things to come. I hope this is a national trend that you are setting now.

I can take some lessons from all of you delegates and Legionnaires. I remember only two years ago when Eldon James was your Commander; the Legion got Vietnam veterans membership eligibility legislation through both houses of the Congress and on the desk of the President and signed by President Lyndon Johnson all in one day. Amazing!

If Hubert Humphrey can do half as good in his legislative program, I will consider it a great success. I want to say I have never heard of anything like it in my sixteen years in the Congress. How you did it, please tell me. We can use it again.

While I am here with you, Mrs. Humphrey is with the American Legion Auxiliary. She generally gets the best of the deal. She is over there having a fine visit.

I know that this is the beginning event of your 50th Anniversary, and if you will pardon me for some parochial pride, as I see the standard of my friends from Minnesota, I have been given to understand that the final event of your anniversary celebration will be in November 1969 in Minneapolis. I hope I will be able to attend with the "Vice" out of me.

I come to serious-minded citizens, serious-minded leaders, men of unquestioned patriotic devotion, community leaders, to talk to you about some serious business. If there is any lesson that this nation of ours has learned or should have learned in the past twenty years—yes, the past fifty years—it is that no progress—social, economic or political—can be made without conditions of order.

Let me put it another way, because it cannot be restated too often: Violence at home, aggression abroad, lawlessness anywhere, are the steppingstones to anarchy and ultimately lead to oppression. We Americans are a free people and you have helped keep this country free. We believe in all that democracy stands for—its debate, its discussion, its dissent. And so I say to you today: Dissent, yes. Disorder, no.

I am not unaware of the fact that change is the prevailing topic of the time. It is always such. There will be change whether we have presidents or not; it just comes. But if that change is to be directed in positive and constructive channels, then it must come in an environment of law and of mutual respect among people and among nations.

I am not going to deliver myself of a dissertation on international policy today. You have heard from the Commander-in-Chief. You know my views. I believe in strong national security, because without strength there is no peace, and without strength there is no security.

I believe that any form of violence threatens the fabric of law and order; and I believe that aggression, wherever it takes place, is dangerous. And I believe in this country keeping its word and keeping its commitments.

I have never believed that peace was served through appeasement, and I have never thought it was served through demagogery. The highest calling of statesmanship is a just and enduring peace. The highest calling today is international peace; but that will not be obtained by the wishing for it but rather through the sacrifice and working for it.

I have said from many a platform—and I repeat it here—that the Scriptures say, "Blessed are the peacemakers"—not the talkers, not the walkers, nor even the shouters, but the makers. And the making of peace is hard, courageous business. Sometimes it comes painfully, even as it comes now in Southeast Asia where our goal is not conquest but justice, where our goal is not dominion but self-determination, and where our goal is not war but peace. I think it is time for Americans to stand up and applaud our goals as being worthy of a great people.

International peace, national security, national development—these are three fundamental building stones of a better order. These are the goals of your America. They are the goals for ourselves as they are goals for others.

My topic today is limited to the domestic scene. I want to speak of national development and our national security.

Yes, I want to speak of what our Constitution calls for—domestic tranquility, and to secure justice. I believe both can be obtained.

Thirty-five years ago Franklin Roosevelt told this nation, "The only thing we have to fear is fear itself." Today fear stalks this land, and you and I know it. The fear that comes from tension, from lawlessness and crime, the fear even that some people incite through acts of demagoguery and extremism, through acts of violence and subversion.

Today we face, above all, one problem—a problem that I think we can come to grips with and that we need to talk about as sensible citizens—the problem of lawlessness and crime in our land, and again fear is the enemy because fear paralyzes us. It prevents us from rational thought. It produces more empty slogans than it does hard answers. Fear and paralysis, members of The American Legion, are not worthy of America.

We are known as a nation of the free and the brave, and we are known as a nation of people who do things, governed not by our fears but more by our hopes; and we trust in practical analysis rather than the prophecies of doom and gloom.

Crime and violence—we know we think about it. It is here to think about; and it is a national challenge and a danger. It is not—and let me make it clear—it is not, it should not be—and you ought not let it be—a partisan political issue, because it is not partisan. Crime affects rich and poor, black and white, Republican and Democrat, third party, fourth party, Independent, or whoever it may be. It is violence.

I could stand up here and give you a pretty good partisan speech on this, but it wouldn't add up to much. I could give to you and recite to you the facts—and they are facts—to prove that crime rates are highest in states that have Republican governors, and lowest in states that have Democratic governors. But so what? What does that prove? I don't believe there is a governor in this land who wants crime, and I don't believe there is a mayor who does, either.

Who is responsible for crime? It is committed by criminals, not by governors, Republican or Democrat, and not by Presidents, and not by Vice Presidents, and not even by Attorneys General, Republican or Democrat. So let's stop the double-talk. As the kids say, let's tell it like it is.

Political quibbling and election-year slogans about law and order are not going to lick crime or stop violence. They may get votes, but they don't do the job. What we need is a massive, unified, nonpartisan, national campaign to meet this challenge—a national citizen government campaign commitment, first to respect the law, to teach it in our homes, in our schools, in our churches, in our Legion, every place, and then a program to enforce the law fearlessly, and, where the need is, to change the law, but to do it through peaceful processes.

I began my career in public life as the mayor of a great city, a lovely city, one that you have visited and that you will visit again. I think I know a little bit about police departments and what it means to try to maintain law and order.

It is no secret that when I came into office, Minneapolis was suffering from organized crime, and it is no secret that when I left four years later to go to the United States Senate, organized crime's back was broken and a new day had come to that beautiful city.

So, I think I can speak to you with some authority and some experience. I did nothing more than I should have done, and there are people here today who helped make it possible.

My prescription was this: Be fair. Be tough. Spend enough (that is where you lose some of the folks along the way, you know) and, above all, know your enemy.

No general ever goes into battle (at least I hope not) without all the intelligence he can gather; and he ought not go into battle without equipping his own forces to meet the enemy on the most advantageous terms.

Who is the enemy? Where is he? How is he supplied, reinforced? What are his objectives? What are his weak points? What do we need to beat him?

The first question is, who commits most of the crime? I am a parent and so are you parents, and we had better face up to the hard facts, ladies and gentlemen, because most of the crime is committed by juveniles and young adults—even serious crime.

Crime rates for adults have remained relatively stable these past years. They are still high but they are relatively stable; in fact, the major increase in the crime rate since 1960 is caused by those who are under 18. And the major increase in the crime rate from 1950 to 1960 was caused by those who were under 18.

What does this tell us about our country and our institutions and our tactics? I suggest that an important part of the answer lies in activities designed to give young people, our young people, not somebody else's—our young people—positive and constructive activities that will lead them away from the temptations to crime and lawlessness and violence.

Our young people today lack a great deal. Many a home today is not really a home, and many a father today cannot do what my father did for me—take me by his side to his business. You would be surprised. General Motors, Ford Motor and others just don't appreciate having you bring your kids along when you are on the assembly line, and there isn't much time for you with them. So, we need to look to new programs designed to strengthen family ties.

Ladies and gentlemen, everything we do in this nation from here on out, government or private, ought to be related to the welfare of the family institution. How are we going to protect that home? How are we going to make the family a better social institution? How are we going to hold that family together?

That is the way we ought to be planning our cities, thinking about our education, our recreation, our present welfare system. It is a disgrace. It often destroys rather than fosters family life. And you and I know that it needs to be changed, and I am going to ask you to help get it done.

Most of our schools close their doors at 4 p.m. You own them, by the way, but they are generally closed up at the time they are needed most, and particularly on weekends. Constructive activities after classes for parents as well as children might make some sense. I think so.

More extensive day-care centers would help mothers who are on relief now have a chance to be self-sustaining, self-respecting mothers, and would help some today who have to leave their children in a crowded street or a slum. It would help them have a healthy environment at a critical time for the youngsters in their lives.

For older children we simply must provide a wide range of constructive programs in the summer, after school and throughout the year—and The American Legion has taken the lead. The police Boys Clubs around the country have taken the lead. You know what I am talking about, and you know that it makes sense.

My fellow Americans, you ought to take the message of your juvenile program and your young people's program to every community in America, not only to the Legion but to every voluntary, every volunteer organization in this land before it is too late.

I have spent a lot of time working with young people. I am Chairman of the President's Council on Youth Opportunity. I have been in the ghettos and the slums of America. I have been to every one of our major cities with few exceptions. The Mayor of this city, Mayor Schiro, has a Youth Coordinator right here, whom I met today, with little or no resources, my fellow Americans. We have to find jobs for teenagers who are unemployed and standing on street corners.

For the first time 1,400,000 needy teenagers this summer got gainful work because somebody cared, because you helped—and the Legion has helped. This great organization stood alongside me in Washington when we launched our program. We didn't have much money, but I will tell you what we had: We had commitment; we had determination; and we said we are going to do something.

We opened up 8,000 new playgrounds in this country. We had recreation programs, junior olympics, in fifty of the major cities. We enlisted the help of top athletes in America free of charge—young men and women who came out of the ghettos to become your national champions, to carry the banner of America into the Olympics. The children of the poor, to bring glory to America—they have been helping the young people of this country this summer, and I think they deserve a pat on the back.

Let me tell you this: Given an even chance, a fair break, most of our youngsters will not let you down—and you know it and I know it; and it is about time we played up some of their activities rather than always having to see what the most raucous, the most outrageous, the most extremist of the group does.

Next, where is the enemy? Crime affects all of us. You are not immune from it. None of us are. Crime rates are highest among the people who can afford it the least, the poor and the disadvantaged, who by the way commit more crime and who also suffer more than crime. In the long run we can only cut crime by getting at its causes—slums, filth, deprivation, bitterness, unemployment, rundown schools, filthy housing; and you and I know that that kind of environment breeds exactly what it sounds like—trouble.

This is where crime begins in most instances, and it is where it must be brought to an end. It isn't as if we didn't know where the battlefield is, and it isn't as if we didn't know who the enemy is. We are. And at the same time, and with equal commitment, we must press the battle on crime itself through enforcement with all of the resources at our command.

What are those forces at our command?

First—and I am going to speak up now for a group in this nation who hasn't had a pat on the back for a long time—first of all, there are the front-line forces of peace and security in this country, the local police who carry the burden of our battle against crime and violence.

I would like to have each Legionnaire go home to his respective city and call on the mayor, and have in your city an honor day for your police department. Give them a pat on the back for a change.

What do we find when we look at our police? We find, first of all, that they have been neglected and overlooked and short-changed for a long time. I know a little bit about this. When I became mayor of my city I found my police officers required to work 52 hours a week with no time and a half, and no overtime. When I left they had a 40-hour week. When I came in their pay was terrible. When I left it was at least doubled—which didn't make it good.

Our police forces are undermanned, and the men are underpaid, and they often regrettably undertrained.

We give these brave men one of the most important jobs in our society. Their job at home is as important as the job of our soldiers abroad. Then we pay them on the average of two-thirds of what is necessary to support a family in even moderate circumstances. And you expect to have law enforcement!

The criminal is pretty well heeled. I think we had better equip our forces of law enforcement so they can meet the enemy.

We make them the agents of social order, and we rightly demand that they behave lawfully in the face of extreme provocation from lawbreakers. But we rarely give these police officers the kind of quality training they need to do their jobs effectively. We don't give them, in many instances, modern technical equipment. We even tie them up with clerical work totally unconnected with the business of preventing, deterring or detecting crime.

We don't adequately train them in race relations and community relations. In other words, ladies and gentlemen, we just don't back them up. That's the problem.

Is it any wonder, then, that we don't often have the kind of law enforcement we demand and that we deserve?

I am going to do something about this if I have my chance, because I know what to do about it because I have done something about it. I do not come here to talk theory; I come here to talk from experience. And I am going to put the resources of the Federal Government, for the first time on a major scale, behind our local police forces so they can do their job.

Let me divert for just a minute to say something that is very much on my mind. I spoke of this to a fraternal order in Washington just last Sunday—B'nai B'rith. I said these words and I want to share them with you because there are some people in this country today who think the way you settle things is just by being militant, and then they define the meaning of that term.

They pick and choose the laws that they want to obey, and that applies to black and white alike. Let me make it very clear to this audience that when you are talking about lawlessness and crime and violence, you are not talking about the other guy—you are not talking about the black or the brown or the red or the white—you are talking about all of us. This is American crime, not black crime, not white crime. It is our crime.

Grabbing the guns, throwing firebombs, discrediting American institutions, shooting people down in cold blood, black or white. Violence, looting, sniping and burning. We all know they are wrong; they are illegal; they are dastardly; they are deadly wrong, and we ought not be having a lot of philosophical discussion about it. We can and we must put a stop to it.

We cannot tolerate in this country armed terrorist bands, black or white; and we cannot tolerate in this country extremism, black or white. It is wrong, and it solves nothing, and it destroys everything it touches.

This nation is not going to become a better country by those who either seek to burn it or those who seek to use repression and repressive measures upon their fellow citizens so they can have their way.

This America belongs to that great majority of people in this land who believe that this can be one nation and under God and indivisible, with liberty and justice for all.

Our courts are overworked and frequently understaffed. Their dockets are overcrowded. While it is a favorite pastime for some speakers to pick on the courts, any of you who have ever had to go to court I think prefer that you have a system of justice. The solution is to give the courts the tools to do their job, the manpower, and I intend to do just that.

The Federal Government can and should support training and recruitment of the necessary court personnel; and we ought to make the District of Columbia a model of the criminal justice process in the United States of America, and then be judged on what we do when we have federal control and federal say-so.

Now a word quickly about our correctional institutions.

I wonder how many of us realize that about 95 cents out of every dollar that we spend on our correctional institutions goes for brick and mortar? Just custody? Five cents out of every dollar goes for the care, the rehabilitation, the training of the inmates. Ninety-five cents for the buildings and the heat and the water; five cents for their health, their education, their training, their rehabilitation.

Is it any wonder that almost four out of every five of those who have ever been in a penal institution are repeaters? Over 75 percent of all the people arrested prove to be repeaters. These institutions of correction that we have are not institutions of correction—they are schools for crime in many, many instances; and that needs to be stopped, and it will be.

You say, "What would you do about it?" Well, I would take the reports which your Federal Bureau of Investigation knows, which your National Crime Commission knows, and which this Legion knows, and I would put those reports to work. I would propose that the Federal Government for the first time, in a big way, provide assistance to our state and local correctional institutions to do a better job in federal penitentiaries.

You say it costs money? It costs more not to do it. It costs money to stay well; it costs more money to go to the hospital. It costs money, my friends, to keep healthy; it costs more to die. I don't know that you can do anything without having it cost you some money. It is a question of what you want to spend it for. I prefer to spend mine on living, not on dying. I prefer to spend mine on helping.

So, I would propose the assistance necessary to bring the vital work of law enforcement and crime prevention to professional standards.

Let me summarize for you.

On this issue of crime I have tried to be as frank and open and nonpartisan as one can be. There isn't any substitute for plain talk, honest talk and responsible talk; so I put it frankly and bluntly so you may understand:

Rioting, burning, sniping, mugging, traffic in narcotics, which is a scourge in this country, and disregard for the law, are the advance guard of anarchy. They must and they can be stopped if we want to. And I put it responsibly again to this very mature audience:

The answer does not lie in political attacks on our courts, or on our laws, or on our law-enforcement officials. You don't engender respect for the law by demeaning the institutions that provide justice under the law. You encourage disrespect for the law when that happens.

The answer lies in reasoned, effective action by state, local and federal authorities, each bearing its share of the burden, each exercising its rightful responsibility to protect the lives and property of our citizens.

We do not want a police state. I want to forewarn you that in our anxiety for law and order, don't make your big government bigger and bigger with bigger policemen at the federal level. Law and order is a local responsibility with the help of federal assistance, but this big central government of ours is big enough today without a national police force.

The safety and security of our people does not require that. We do not want a police state; but we must have a state of law and justice. I say the time therefore has come for us to support our local police; to support them in action and not with slogans; to support them with better salaries so they can raise their families in security and dignity; to support them with better training so they can have the skills that they need to fight crime; to support them with better equipment.

We must support our police with effective gun control legislation, starting right in your home town right at the local level, because that is where you need to start it; and in cities with weak gun laws the murder rate is double as compared to those cities that have effective and strong gun laws.

We need to support our police by building communities and neighborhoods of law observance, where citizens obey the law willingly because the law is just and fair and because their lives have meaning and opportunity—and that is the other side. That means jobs for the jobless.

By the way, ladies and gentlemen, this richest country on the face of the earth, that has more to do with than any nation ever dreamed possible, ought to make it a matter of national commitment that any person who is willing and able to work ought to have an opportunity to work; that jobs ought to be provided in private enterprise, and if they can't be we ought to find some other way to put them to work rather than have them on welfare.

What this nation needs today is a spirit of community—neighborhoods filled with neighbors rather than neighborhoods filled with strangers. And in the end we must support our police with dollars as well as resolutions—with dollars as well as with sense—because all of these things are not cheap.

Yes, bumper stickers are right, and I have seen them all over America: "Support Your Local Police." But I want to say to you that the man who is not willing to support our police with the money it takes to do the job is fooling himself and trying to fool somebody else, and really is fooling his family.

There is no way to get national security cheap, and there is no way to have law and order cheap, and there is no way to fight crime cheaply. You either pitch in and fight it, and mobilize against it, or you lose the law. I call upon you to stand for a real commitment.

I think it is time for a moratorium on the emotion and passion that surrounds this issue. I know of no important political leader or legitimate institution of this country opposing law and order, and the attacks on individual political leaders in our institutions do not serve the cause of either law or order. They serve to break down the confidence in the very rule of law vital to this country.

The only question about civil peace in your America and mine is this: How do we best get it? I have given you a few of my suggestions today, and what I think is a reasoned message. I guess my final summing up will be this:

Civil peace is made up of two equal parts—order and justice. A safe society and a just society. The two go together, and you can't separate them. And those who say you can either don't understand what is going on or they mislead you.

People must obey the law, and the law must be enforced. At the same time, people must feel that the society of law in which they live offers them justice in the truest sense of the word.

So we have to keep moving on both fronts. I appeal to you today as one of the spokesmen for this country and a political party—I appeal not to your fears (we all have them), but that is not my appeal. I appeal to your reason. I ask you to vote your hopes, not your hearts. I ask you to join me in a testament to this country.

We have many people today who pride themselves on selling our country short. Some people try to stand tall by cutting others down. Some people would have you believe that this nation is sick because they see it through their own confused eyes. Some people would have you believe that the ferment and the turbulence that we have today means we have lost our course.

I would have you believe that America is not sick, that America is growing—a young nation, not having lost its way, my friend, but a great nation that is searching for a better way, which has always been our way.

PRESIDENT JOHNSON'S WAR AGAINST POVERTY

Mr. HART. Mr. President, a few months ago, a national news story told of a young man who was leaving his $20,000 a year job as a chef for the men serving on the DEW line. He was going to Paris to take a special course in gourmet cooking. Then he planned to return to open his own restaurant.

Not an unusual story in this land of opportunity. But in this case there was a difference. One year before, that boy had been unemployed; a dropout, with no marketable skill. Now he is in a top economic bracket—with a skill highly in demand. A child of poverty, he had joined the Job Corps.

In Little Rock, Ark., there was a critical shortage of hospital workers—and a critically large number of unemployed. Through work experience programs, more than 150 men and women were placed in career fields in local hospitals and nursing homes. Hospital supervisors said that the Economic Opportunity Act had made the difference.

In St. Louis, a group of business leaders organized themselves into a committee called Work Opportunities Unlimited. Through their efforts, more than 2,000 job opportunities have been opened for previously unemployed men and women.

These are just a few of the successes in the war on poverty. We are so accustomed to thinking in terms of dollars; of obligations; of expenditures—that we sometimes neglect to think of the human lives these figures represent. We speak of the $4 billion spent on the Economic Opportunity programs since 1964, but we seldom stop to think that this money has broken the shackles of poverty for 9 million Americans. Before these programs were enacted there was nothing ahead for them except misery and despair. Now their lives have been changed completely. And instead of being burdens to society and themselves, they are constructive, contributing citizens.

We know that in many places, in our cities and in rural areas, thousands of families have been on welfare or relief for three generations. Poverty breeds poverty. Despair breeds despair. And children become adults—live and die knowing nothing but the routine of the welfare check and the frustration of no skill, no job, no chance.

The passage of the Economic Opportunity Act of 1964 was not so much a change in our awareness of poverty, or our compassion for the poor, as it was a totally new approach to a national solution to poverty.

Under President Johnson, the Nation placed the elimination of poverty at the top, not the bottom of its list of priorities. The President said:

> Any kind of poverty will be a concern of this Administration.

In framing the original legislation, it was decided that hand-outs of money or of food, or of clothing were not a permanent solution to poverty at all. A check could never substitute for a skill. A dole could never teach a man to read; or provide a child with knowledge of a different kind of world or give a teenager a job so he could stay in school.

We recognized that poverty was not so much a lack of money—as it was a complete absence of hope for a change. So the war on poverty was framed in such a way that if a person was willing to enlist—he would be given the chance to hope for a better life through his own efforts.

It is disturbing to me that 4 years after the Economic Opportunity Act legislation was passed; 4 years after Job Corps and Neighborhood Youth Corps and Work Experience and manpower programs and Community Act and Headstart began to touch and change the lives of millions; there are still those who belive the war on poverty is simply the old welfare system, and that its programs are just another form of relief.

The facts are almost precisely the opposite. None of the Economic Opportunity programs is a dole or even gives a cash subsidy for simply being poor. Each is designed to provide a permanent exit from poverty, if the individual is willing to accept responsibility, to agree to work, and seize the opportunity offered.

For those who cannot read or write there are programs of literacy training.

For those who have no trade or no skills, there are training programs for jobs in private industry as well as in public institutions like schools and hospitals.

For those who lack the knowledge of homemaking, purchasing, credit, installment buying, proper diet control, there are courses available in hundreds of neighborhood centers throughout the country.

Instead of being just another welfare program, the war on poverty is antiwelfare. Instead of perpetuating a cycle of dependency, the war on poverty teaches independence and pride.

The Job Corps boy or girl must volunteer to leave home, go to a center, learn a trade, get a job and stay on that job. That takes guts and determination. But the end result is a taxpayer instead of a taxeater. One hundred thousand young men and women have chosen this route out of poverty and they are well on their way.

The Neighborhood Youth Corps does not pay wages for laziness or leaf raking. It demands regular attendance, satisfactory performance, and the will to self-improvement. More than a half million young Americans have volunteered to follow this route.

Even a program like Headstart is more than day care, more than babysitting on a glorified scale. Parents of Headstart children participate, they learn about their children, and how to become better parents. They become partners in the progress of their children from preschool through school itself. And more than 2 million children and their parents have chosen to take this route.

The framers of this historic legislation decided to reverse both welfare dependency and Washington dependency at the same time. And, so the entire thrust of the Economic Opportunity programs is local. The people who make the decisions, who design the specific projects, who handle the money and the programs are neighbors. Washington pools the national experience, shares successes, sets guidelines. But it is the local community which has ultimate responsibility for what it does with the funds provided.

As President Johnson said at the outset of the program:

> The War on Poverty will not be won in Washington. It must be won in the field—in every private home, every public office, from the courthouse to the White House.

And this pledge has been faithfully carried out.

To liberals this may sound conservative. To conservatives it may sound incredible. But it is true. More than 1,000 Community Action Agencies now exist, in every State of the Union. More than 3,000 counties are operating war on poverty programs. And the number of Federal officials who staff these agencies and help operate these programs is zero. The OEO has never had more than 1,300 Headquarters or regional CAP personnel to assist in the grant process, to help communities develop their applications, to monitor and evaluate the effectiveness of programs. The whole approach has been antibureaucratic and has kept the action in the grassroots where it belongs.

Today we hear a great deal about the role of the private sector in creating economic opportunity for the poor. This vital partnership between Government and industry was blueprinted by the war on poverty. From its inception 4 years ago, businessmen have helped organize and operate the various components authorized under the Economic Opportunity Act.

Some of America's most distinguished business and labor leaders sit in the Business Leadership Advisory Council and the Labor Advisory Council of the OEO.

Corporations like G.E., Westinghouse, ITT, Litton, Xerox, and many others run Job Corps Centers under contract with the Government. What they are doing; the materials they have developed; the resources they have tapped; are now spreading to other programs and other areas of training and education. Over 3,000 business and professional men sit on the boards of local Community Action Agencies and lend their skills to neighborhood projects.

The American Bar Association and the National Bar Association work with the OEO in the continuing shaping and development of neighborhood legal services programs. The American Medical Association has helped in the establishment of more than 45 neighborhood health centers to serve the poor.

Private, nonprofit agencies and organizations sponsor more than 5,000 VISTA Volunteers who work with the poor right where they live.

Opportunities industrialization centers in 18 locations throughout the United States are, in effect, working partnerships between the Federal Government, the local community, and private business.

And there are literally hundreds more examples which could be cited in programs ranging from housing development corporations to Headstart centers.

In the course of launching so many programs, for so many people in so many places mistakes have been made. Money has, at times, been spent unwisely or with little effect.

But as we look at the fine record of the war on poverty, we cannot help but take pride in its fine accomplishments.

With a 4-year total expenditure equal to one-third our annual budget for welfare, the war on poverty has done much to make welfare obsolete. It has demonstrated that the poor do not want to be poor and will help themselves climb out of poverty if the right ladders are provided.

It has returned responsibility and control to the States, the counties, and the communities of America which had begun to lose faith in their capicity to solve their own problems.

It has given children a Headstart and a follow through. It has given older people a chance to serve in programs like Foster Grandparents—restoring them to pride and usefulness. And for millions of Americans who want to work, who want to learn, who do not want to be wards of welfare, it has provided job training and the dignity of employment.

When the individual and his community have the initiative to work out their own destinies with the help of Federal resources this is creative Federalim. This is conservatism at its best because it conserves the best values of America. The self-reliance of the individual. The dedication of the volunteer: The belief that government can work best for people when it is nearest the people.

That is our dream. Now, it is no longer an impossible dream. Working together in the pattern developed so successfully by the war on poverty, all of us, in government, in the cities, on the farms, all of us will help make this dream come true.

STEEL LAYOFFS INDICATE NEED FOR QUOTAS

Mr. HARTKE. Mr. President, on October 16 of last year I introduced the Iron and Steel Orderly Trade Act with Senator DIRKSEN and 34 other Senators as cosponsors. I described it then as "a moderate quota bill," since it is one which would limit imports in any year to nearly 10 percent of the total consumption in the immediately preceding 3 years as a base period. These are facts which I noted then:

In the past 10 years steel exports have dropped from 5.3 million tons annually to 1.7 million tons.

In those same 10 years—1957–66—domestic steel consumption rose from 76 to 99 million tons annually. But this 30-percent increase was accompanied by a 32-percent decline in steel exports.

Eleven million tons of steel was imported in 1966, supplying 10.9 percent of domestic consumption.

World capacity outside the United States in those 10 years increased by 254 million tons, which exceeded world demand outside the United States by 55 million tons in 1967.

Our steelworkers averaged in 1966 $4.63 an hour, including fringe benefits. The corresponding figures for the European steel community are $1.75 and for Japan just over $1.

Steel from abroad is sold at prices averaging 20 percent below those of domestic companies.

The trade deficit in steel in 1966 was almost $1 billion; at the same time our balance-of-payments deficit was about $1.4 billion.

Mr. President, since that bill was introduced the situation has deteriorated further. We have seen the result of fears that the industry would endure a strike, with more steel users turning to foreign steel sources as a hedge against American unavailability. Each time this happens, more steel imports continue as a residue of the temporary situation, which in this instance, of course, did not result in the strike many anticipated.

I noted last year, in that same speech:

> Steel imports are shrinking employment opportunities in the steel industry. About 6,400 people are now employed in our steel plants for every million tons of finished products shipped in a year. An additional 1,300 persons are involved in coal and ore mining and transportation. Thus every million tons of domestic steel mill products shipped means employment for approximately 7,700 Americans.

I further noted that 11 million tons of steel from abroad sold here in 1966 meant the export of some 69,000 jobs in basic steel and 14,000 jobs in supporting industries as I have mentioned. These are equivalent to all the jobs at Republic Steel and Youngstown Sheet & Tube combined—our third largest and eighth largest steel producers.

To bring matters up to date, in 1967 the imports became 11.5 million tons, and predictions by the industry place foreign imports at 18 million tons in this calendar year or 1968. Thus in 2 years we have exported another 7,700 American jobs.

Today there are extensive layoffs in the steel industry. Steel output last week was 22 percent below the figure for a year ago. Employment is down by 11 percent from the July peak of 588,000, and the industry is saying that by the end of the year layoffs could reach 100,000, which is more than 17 percent of the steel industry's labor force in this country.

These last facts about the current situation and the future prospect are noted in a Wall Street Journal article by Thomas L. Ehrich in today's issue of that paper. The situation is more serious than it was when I introduced the Iron and Steel Orderly Trade Act. The implications were more completely analyzed and considered in a special study prepared for the Finance Committee as authorized on July 28, 1966, pursuant to my efforts for adoption of Senate Resolution 149 of the 89th Congress, calling for such a study. I am gratified to note that the 523-page study, titled "Steel Imports," printed for the use of the committee and released on December 19 of last year, has now been authorized for reprinting as a Senate document. In the "Summary of Conclusions" to be found on page xxiii of the study which was prepared during a leave of absence by Dr. Robert M. Weidenhammer of the University of Pittsburgh Graduate School of Business, a frequent steel consultant to private and Government groups, there appears this warning:

> If the trends indicated above persist, the Nation must be prepared to see steel imports ultimately reach such high percentages of the markets for certain steel products as to render them unprofitable for the domestic industry to make.

Mr. President, I ask unanimous consent that the article from the Wall Street Journal may appear in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Oct. 10, 1968]

DRIVE FOR CURBS ON STEEL IMPORTS QUICKENS AS DECLINING DEMAND CAUSES MORE LAYOFFS

(By Thomas L. Ehrich)

PITTSBURGH.—As layoffs follow slumping demand in the steel industry, producers are stepping up their drive for protectionist legislation against foreign imports.

They say the loss of steelworker jobs is a more potent argument with Congress and the Administration for excluding foreign steel than are industry profit problems.

When a questioner at a recent political meeting asked Sen. Clark (D., Pa.) what he would do about "imports that are chopping American jobs," the Senator gave a reply that many steel men think typifies the warming attitude toward protectionism of even such liberal legislators as Sen. Clark. "I have to be convinced each time," he said, that such legislation won't simply "benefit wealthy stockholders—and in the case of steel, I have been."

At least part of his current sympathy for protectionism could have come from the combined exhortations on the subject from Big Steel and the United Steelworkers union. An optimistic union official cites some other unexpected support for import quotas from Democrats in the Pennsylvania and Ohio Congressional delegations.

"A LOT OF UNHAPPINESS"

"There's going to be a lot of worker unhappiness about being off the job while all these imports are coming in," says Robert E. Williams, president of Youngstown Sheet & Tube Co., the big Youngstown, Ohio, steelmaker. Industry forecasts put foreign imports at 18 million tons this year, up from 11.5 million tons in 1967. The large import volume for this year reflects heavy stockpiling as a strike hedge, but mills look for imports of about 17 million tons next year unless restrictive laws are passed.

Although the nation's steel output last week was 22% below year-earlier levels, it turned upward from the week before by 1.1%, the biggest week-to-week gain since last March, according to the American Iron and Steel Institute, a trade group. Steelmakers nevertheless are saying that lay offs could reach 100,000 by year-end, or more than 17% of the industry's labor force. One source asserts that steel employment has already slumped 11% from the July peak of 588,000.

Unemployment like that, steel men say, impresses Congressmen with the effect that imported steel can have on American workers.

Opponents of protectionism argue that by artificially supporting the price of steel, a basic commodity, protective legislation imposes its own hardship on workers, forcing up prices of the goods they buy and fueling an already painful inflation.

UNEMPLOYMENT ISSUE IS SIGNIFICANT

Steelmakers say the issue of unemployment, which they attribute to imports, gains added importance in view of the close battle on protectionist legislation they expect when the 91st Congress convenes in January. Steel men concede that if unemployment recedes, or perhaps fails to develop in the magnitude they expect, the issue will lose its impact as an anti-import argument. But they feel that expected Republican gains in Congress could put protectionist legislation across, and they say odds are heavy that steel unemployment will last well into 1969.

Steel men say foreign steel makers could thwart a quota drive by offering voluntary restraints on sales in the U.S. Should foreign mills suggest a package that pleases Congress, even without satisfying the domestic industry, renewed efforts for legislative protection will make little headway, some officials predict.

So far, Japanese mills have offered to hold their annual increase in deliveries to the U.S. to 7%, which American mills consider still excessive. European producers haven't spelled out what restraints they'd make, State Department sources say, and an over-all foreign package awaits negotiations between Japanese and West German producers about how to carve up the export market to the U.S.

THE PRESIDENT'S DIRECTIVE TO SECRETARY RUSK TO BEGIN NEGOTIATIONS WITH ISRAEL ON PLANES

Mr. CASE. Mr. President, I welcome the President's prompt response to the request by Congress that he open negotiations for the sale of supersonic planes to Israel.

At the same time, it is my fervent hope, as it must be that of all Americans, that Foreign Minister Abba Eban's conciliatory speech at the United Nations will open the way to a permanent settlement of the Arab-Israel conflict.

Our commitment to help to maintain the security and independence of Israel is unequivocal, and the President's action is clearly directed to that objective. It is also clear that a continuation of the arms race in the Middle East could have disastrous consequences for all concerned, and that a permanent settlement between Israel and her Arab neighbors offers the only avenue of escape.

THE ADMINISTRATION'S ACCOMPLISHMENTS SINCE JANUARY

Mr. McGEE. Mr. President, much has been accomplished since we met in January. I should like to speak briefly of one crucial problem which is being solved, and on which I think there is broad agreement. This is a problem that has greatly burdened four administrations and five Congresses since 1958. Thanks to the determination of President Johnson, the support of Congress and the initiative of private enterprise, real progress is being achieved. The prognosis is bright.

I refer to the balance-of-payments deficit. There is evidence of substantial improvement in the outflow of dollars and gold. We are not "out of the woods," by any means. But there is evidence that President Johnson can soon note with justifiable satisfaction that the dollar has gained strength and the balance-of-payments situation has improved.

Few if any problems demanded more attention in this Chamber in 1968. The enactment of the surtax was one of a number of related measures instigated to bring relief. The year began with President Johnson's avowed determination to slash by at least $2 billion the annual deficit which rose to $3.6 billion in 1967, the highest in 6 years. One of the proposals was to discourage nonessential travel outside the Western Hemisphere by $500 million, a proposal that had been considered on two or three previous occasions. The Nation and the free world were jolted by the gravity of the payments crisis.

As Senators we are responsive to the thinking of our constituents. The American people regard freedom to travel as an inalienable right, reflecting that ours is the foremost of open societies. The reaction of the millions who go abroad, usually during school and college vacation periods, and of the travel industries, was harsh. Fortunately, these interests responded to the call for constructive alternatives to narrowing the payments gap, with emphasis on that portion for which U.S. tourism abroad was blamed. A campaign was launched to distribute tens of thousands of discount cards to foreigners interested in visiting this country. For instance, one major airline, Pan American World Airways, accounted for distribution of 10,000 cards, offering special rates in hotels, motels, restaurants, car rental agencies, and other facilities.

There is no gainsaying that the big inflow of foreign investment in U.S. plants, stocks and bonds during the second quarter of this year assisted greatly in restoring confidence in the dollar and heightening hopes for a turnaround in the deficit. Moreover, the President in August sought to give momentum to the trend by three constructive steps. One was to seek authority for the Export-Import Bank for an additional $500 million in financing of export sales to developing countries. Another was to launch a massive export expansion drive under the leadership of Secretary of Commerce C. R. Smith, one of the world's great aviation executives. And the third was to enlist the resources of the American-flag international carriers and the travel industry in promoting foreign tourism in the United States. Clearly, the President is determined to spur foreign trade earnings in his final months in office. Unfortunately, the prolonged copper strike in the first half of this year and the threat of a steel stoppage slowed the pace severely.

In furthering these aims, such international carriers as Pan American have historically promoted overseas markets for potential shippers. In fact, such sales development on behalf of U.S. producers and exporters has been a continuing activity of these transportation firms in their own interests since the 85th Congress, and the introduction at this time in 1958 of U.S.-built jetliner service between New York and London and Paris. It was 10 years ago at this time that Mrs. Dwight D. Eisenhower christened the first U.S.-built commercial jet scheduled service of the Boeing 707 Clipper America at National Airport in Washington.

Coincidentally, the first of a new generation of jetliners, the 747, world's largest, was rolled out of a new plant at Everett, Wash., on September 30, in the presence of representatives of 26 airlines, many of them foreign-flag firms. Soon these giant 747's will be flying around the world as the first of a fleet of 25 to be delivered and will be in actual operation by Pan American Airways at this time next year. It is significant that the buyers of their aircraft include Japan Air Lines and Qantas—flying the flags of this Nation's most industrially advanced trading partners and friends across the Pacific.

As Secretary Smith noted at the rollout ceremonies, the 747, the new Lockheed and McDonnell-Douglas airbuses now being developed, and the sales of the latest model twin-jets, trijets and "stretched" versions of the DC-8 will account for many billions in American exports in the next 10 years. American leadership in the design and operation of improved equipment, and the vigorous promotion of airlifted exports at constantly diminishing cost will consolidate the gains now being made. The President's grand design for the American presence in a peaceful world in Southeast Asia and around the world will depend heavily on the success of the private sector and in this Nation's brake on inflation, to remain competitive in world markets.

The initiative of the private sector is also needed to compensate for the transition from bilateral foreign aid to multilateral programs and for all U.S. enterprises, large and small, to end whatever "stay-at-home" attitudes they have had, to increase their sales abroad.

Much remains to be done in the area of simplifying documentation in foreign trade transactions, in overcoming the formidable nontariff barriers which American producers—farm and factory—encounter in protectionist countries and blocs overseas. The President is to be commended for his recognition of such obstacles, and his continuing efforts to surmount them.

TRIBUTE TO SENATOR HAYDEN

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Maine [Mr. Muskie], who is necessarily absent, I ask unanimous consent, at his request, to have printed in the Record a tribute to Senator Hayden.

There being no objection, the tribute was ordered to be printed in the Record, as follows:

TRIBUTE TO SENATOR HAYDEN

Mr. Muskie. Mr. President, the end of this session of Congress marks the end of one of the most remarkable careers ever witnessed in the Senate. Senator Hayden's career has been extraordinary not only for its unprecedented longevity, but for the quality of his service to the Nation and to the people of Arizona. It has been remarkable in the degree of dedication to his responsibilities which have been great. President Johnson correctly observed that Senator Hayden has been a third Senator to every state.

As a human being and as a friend, Carl Hayden is loved and respected for his wisdom and humility. His record and character are an inspiration and a source of strength for his colleagues.

I count it an honor to have had the good fortune to have been able to serve with him in the Senate for these 10 years, and I wish him many more years of happiness.

PRESIDENT JOHNSON WORKED FOR A SAFER AND HEALTHIER AMERICA

Mr. HARRIS. Mr. President, we need not await the judgment of history to gage the significance of the health record of the past 5 years. We have only to look about us to see the impact of the greatest burst of health legislation in the history of the Nation. President Lyndon B. Johnson truly broke historic ground in the struggle for a healthier America.

Medicare and medicaid, enacted in 1965 as part of the sweeping liberalization of the social security system, have literally brought millions of Americans in touch with the mainstream of modern health care. Among these millions are infants and children whose hold on their American birthright would otherwise have been weakened by the lack of proper medical care; mothers whose lack of pre- and post-natal care would otherwise have threatened not only their health, but also their lives; the poor who have suffered the cruel injustice of ill health because they could afford nothing better; and the elderly whose declining years too often were shattered needlessly by infirmity that their limited means could do nothing to correct.

We are well on the way to eliminating these faults, and history will record that the 89th and 90th Congresses, urged on by President Johnson, launched the greatest push in our history toward assuring for every American the precious right to health care.

But the record is by no means limited to the endeavor to make health services available to all. For much has been accomplished toward eliminating the causes of ill health, and toward making this Nation a land in which men may flourish, not merely survive.

Beginning with the passage of the Clean Air Act in 1963, Congress legislated a vigorous attack on the problem of air pollution. That attack has been strengthened by additional legislation, including the Solid Waste Disposal Act of 1965, which set in motion a Federal program to bring an end to the chaotic nightmare of mounting millions of tons of garbage, trash, junk automobiles, and industrial wastes that contaminate our cities and open countryside and pollute the air and water resources.

Protecting the American people from health hazards in the environment is closely allied to the effort to make sure that consumer goods do not threaten health. The 89th and 90th Congresses, responding to President Johnson's leadership, have earned the title of "Consumers' Congresses," because consumer interests have ranked high among the legislative accomplishments of the past 4 years.

In the area of protecting the health of consumers, the Pesticides Registration Amendments of 1964, the Drug Abuse Control Amendments of 1965, the Child Protection Act of 1966, the Wholesome Meat Act of 1967, and the Federal Cigarette Labeling Act of 1965 provided a significant degree of consumer health protection.

Other major legislative accomplishments, while not directly concerned with health per se, are of immense importance to the health and well-being of the American consumer. Perhaps most notable is the Traffic Safety Act of 1966, which aims at reducing motor vehicle injuries and fatalities, one of the major causes of death and disability in this Nation.

Improving the quality of life in America is a task that will perhaps never be finished. The field of health and medical care will always afford challenging opportunities for improvement. But it can fairly be said that the past 5 years reflected a keen sense of awareness both of the health problems facing this Nation and of the steps that can be taken to deal with them.

We have taken many of those steps, and the lives of millions of Americans are the better for it. Through improved and more accessible health care, through advancing knowledge in the health field, through more and better trained health manpower, and through the elimination or control of hazards to health, Government is responding to a basic human right—the right to health care and the freedom from avoidable health risks.

This work must go on. We must build on the accomplishments of the past. No one can fully appreciate the true meaning of the health record of the Johnson administration unless he thinks of that record in human terms. Someone receives health care by means of medicare or medicaid, a child receives medical attention to prevent a crippling handicap, a physician completes his training, a new hospital bed is made available, a meaningful step is taken to curb air pollution, an action is taken to assure the quality and safety of a consumer product. These things give real meaning to the record of achievement. President Johnson and the Congress can take justifiable pride from the progress America made in health and in consumer protection.

THE MENACE OF MERGERS

Mr. DODD. Mr. President, the economic cornerstone of our society is the philosophy of free competition.

The desire to compete freely and to break the bonds of economic slavery has drawn millions to our shores.

As a result of our free enterprise system, the United States is today the acknowledged world leader in the field of economic development.

It has become all too apparent that this country is on the verge of destroying that cornerstone, for we are today witnessing a tremendous surge of economic concentration. A veritable deluge of mergers and conglomerates are sweeping the entire country.

With growing alarm, for years I have viewed one small business after another being forced to close its operations, unable to compete with the giant merged companies and conglomerates which are playing such an increased role on the American economic landscape.

I have watched the neighborhood grocery store and the neighborhood pharmacy fold up shop.

I have seen many small banks close their doors, forcing customers to secure funds from the giants at rates of interest which can only be called usurious.

The entire situation has gotten out of hand. It must be studied closely and evaluated carefully.

I was pleased to note that the distinguished chairman of the House Judiciary Committee, Hon. EMANUEL CELLER, will undertake a comprehensive study of this subject early next year.

I concur in the importance of such a study, and I pledge that in the 91st Congress this matter will have high priority with me.

As a member of the Antitrust and Monopoly Subcommittee, I hope that we can take an in-depth look at the trend of increasing mergers which cover an astounding broad diversity of interests.

The small businessman demands it.

The low-income consumer demands it.

The country demands it.

If the Antitrust Subcommittee is for any reason unable to act, I plan to use my own resources to investigate this entire question with the utmost care.

FUNDS FOR MENTALLY RETARDED BADLY NEEDED, SAYS PRESIDENT'S COMMITTEE

Mr. HARTKE. Mr. President, yesterday the Senate turned its attention to the conference report on the Labor-HEW appropriations bill, which was approved late in the day. I speak now to note one element in that appropriation, an area which has been drastically cut but which needs instead far more assistance for the States.

When the bill came before us, I spoke as I did last year also on behalf of increased funds to be used under part C of the Mental Retardation Facilities Construction Act, which was adopted in 1963. Last year, when the budget figure was held to the $15 million of the previous fiscal year, the Senate supported my efforts to increase the amount to $25 million—which was still $5 million below the authorizations which had in each previous year been fully funded.

The amount was reduced in conference to $18 million, which was the appropriated sum in the end. But as a matter of actual practice, the administration in effect vetoed our action by withholding the money from the purpose for which we voted it. Not only did they withhold the additional $3 million, but they slashed the actual spending by two-thirds. Instead of using $18 million for mental retardation facilities construction, or even the $15 million in the budget—which, to repeat, was only half the authorization—they spent only $6 million and withheld $12 million.

This year I again called the attention of the Senate to the situation. The budget figure had been sliced down to $6 million, and the House had approved that figure. But in the Senate, the Appropriations Committee reported a bill with only $3.5 million earmarked for mental retardation facilities construction. The result would have required actual reductions in the amounts paid to many States, since the law required a minimum of $100,000 must be allotted to each State. The entire problem is discussed in the CONGRESSIONAL RECORD for September 6, when I moved to restore the full $6 million of the budget and the House.

At the close of my remarks at that time, the following exchange took place, as recorded on page 25965:

> Mr. HILL. The amendment is confined entirely to the item for mental retardation?
>
> Mr. HARTKE. The Senator is correct.
>
> Mr. HILL. There is great need for it. There is no reason why we should not accept the amendment.

So the distinguished chairman of the Labor and Public Welfare Committee took the $2.5 million item into conference. I am much pleased that this addition of 70 percent to the committee figure of $3.5 million has survived the difficult bargaining of the conference committee completely intact. Out of the entire final appropriations figure before us in this bill, a total of $18,475,000,000 plus, only two items have come through to final action as agreed sums greater than the budget figure. In every single case, with the exception only of the impacted area funds for the schools and this $2.5 million, the line items have been reduced for final action below the budget figure. Such an outcome is noteworthy, and I am sure it is an indication that Senator HILL meant it most sincerely when he said of this amendment:

> There is great need for it.

As evidence of that need, we now have available the second report to the President of the President's Committee on Mental Retardation. As the Washington Post said editorially last week, "the contents make appalling reading." The retarded need many things, and the list in the report, which is entitled "The Edge of Change," includes such items as the fact that there are only 42,715 attendants on the job in institutions for the retarded, although 80,000 are needed. As against the $48 per day for general hospital costs of a patient in 1967, the sum spent by institutions for residential care of the retarded was only $7.60 per person in public mental retardation institutions. Nearly three-quarters of all institutions housing more than 2,000 are overcrowded. Accommodations and care, in the words of the committee, are "inhuman in many institutions." In the section headed "Priority Report" the committee puts first its discussion of "Residential Care for the Retarded."

Here we are told that "renovation of existing buildings is often too costly to undertake."

> The need—

Says this distinguished panel of citizens headed by Health, Education, and Welfare Secretary Wilbur Cohen—

> is now too great and too long neglected to be solved by the states alone. Massive federal intervention to spur the improvement of present facilities and the development of new, up-to-date self-renewable systems for the residential care of the mentally retarded is imperative.

The mentally retarded are not a pressure block. They have no lobby. The only way they will receive the "massive Federal intervention" recommended by the President's Committee is for us here in the Congress to realize their need and do what we can to implement the recommendations of the President's Committee.

Mr. President, I ask unanimous consent that the Washington Post editorial, entitled "A Presidential Commission," and the portion of the committee report titled "Residential Care for the Retarded," be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

A Presidential Commission

A President's Committee on Mental Retardation delivered its report to the White House the other day, and the contents make appalling reading. Three-fourths of the Nation's mentally retarded are to be found in the isolated and impoverished urban and rural slums; conservative estimates of the incidence of mental retardation in inner city neighborhoods *begin* at 7 per cent; a child in a low-income rural or urban family is 15 times more likely to be diagnosed as retarded than a child from a higher income family.

More: Some states spend as little as three dollars a day per person for residential care of the retarded; only 42,715 attendants are on the job in institutions for the retarded; more than 80,000 are needed.

The remedy, or at least one remedy, is obvious. No one needs to be told what it is. It is more money. In the words of the report: "Massive Federal intervention to spur the improvement of a new, up-to-date, self-renewal system for the residential care of the mentally retarded is imperative."

The report is filed, and little notice is taken of it. It is another Presidential Commission which does it work, makes its recommendations, and disappears. As national priorities go, retardation is far down the list; the recommendations can be largely ignored, because the constituency is small. This immensely rich country, whose abundance is everywhere evident, continues business as usual, which is to say billions of dollars for supersonic swing-wing fighter planes and eight-lane superhighways, among other ornaments to our society. Meanwhile, children suffer. And, of course, mostly they are the children of the poor. They are retarded partly because they are poor, and they are condemned to a useless life largely because they are poor. It would be wonderful to think that someone influential in public life would take up this cause, and try to help.

Residential Care for the Retarded

Many of the nearly 200,000 residents in state institutions for the mentally retarded live in disgraceful conditions that the states' own regulatory agencies would not tolerate in privately operated facilities for anyone.

Moreover, the facilities in which these retarded persons live are in many cases in a state of decay.

The average age of institution buildings is 44 years. Some have reached the century mark. At least 50 percent are functionally inadequate for the care, growth, learning and rehabilitation programs that can be successfully carried out with the retarded.

The reasons are not hard to find.

Many states' institutions are administrative step-children. They are often located in remote places, far from population centers, according to a long-prevailing view of the retarded as mistakes of nature to be put out of sight.

They are poorly budgeted: the national average expenditure per person per day—with *all* costs, both direct and indirect, figured in—is just $7.60, and actual amounts range down to just over $3.00 in some states.

Staffs are often underpaid, underqualified and without reasonable hope of having better working conditions or career advancement. Institution locations and pay scales make recruitment of trained manpower difficult. Archaic, uneconomical administrative practices, born of the low-budget necessity to "make do," have hardened into tradition at many institutions.

Seen in this perspective, the accomplishments of some institution administrators and staffs in developing fresh, innovative programs appear near-miraculous.

The closest approach to development of standards for residential facilities for the retarded has been made by the American Association on Mental Deficiency with its institutional evaluation program. The AAMD effort, helpful though it has been in guiding many institutions' improvement activities, chiefly covers the traditional large, hospital-oriented type of residential program, however, and contains little guidance on day-to-day care.

Taxpayers pay *over a half-billion dollars a year* to operate these so-often-inadequate facilities for residential care of the retarded. In all too many cases, it is half a billion dollars paid to perpetuate outworn, inhumane warehousing of human beings.

The dilemma of how to improve the nation's institutions for the mentally retarded is a tough and tangled one. The essence of the problem is what to do about buildings, budgets, programs and populations that have existed in neglect and decay for many years wtih little or no thought being given to their needs by either state officials or the public.

Renovation of existing buildings is often too costly to undertake. But states hesitate to abandon such buildings because of the investment put into them. Finding another use for them is usually difficult because of their isolated location.

A look at institution budgets can be like an expedition into a hidden land that time forgot. Needs that were great in 1930 may not yet have been constructively studied and responded to. The hundred different ways of using residents' unpaid labor to flesh out penny-pinching personnel budgets would appall labor and management specialists.

Housed in inadequate buildings and chained by inadequate budgets, many institutions, moreover, cannot control the size or kind of population they must care for. Nationwide, there are thousands of mildly retarded individuals, "behavior problems" and "slow learners" in residential facilities for the retarded who should not be in these institutions. Thousands of severely retarded individuals are on waiting lists trying to get in. Institutions' budgets, administrative channels and ties with other agencies are too often insufficient.

The need is now too great and too long neglected to be solved by the states alone. Massive federal intervention to spur the improvement of present facilities and the development of new, up-to-date self-renewable systems for the residential care of the mentally retarded is imperative.

The recommendations that follow offer a program for beginning the job in a constructive way that will make as much use as possible of existing facilities and resources.

1. Control of the quality of public, nonprofit and private residential care for the retarded is essential.

We recommend, therefore, that the appropriate professional and voluntary organizations, with support from the federal government, take immediate steps to improve the standards for residential care of the retarded and simultaneously develop a system of accreditation of residential care programs and facilities for the retarded.

2. The federal government's Hospital Improvement Program has elicited imaginative new approaches to delivering residential care in state institutions.

We recommend that this program now be expanded to effect major change by:

A. Greatly increasing funds, with the provision that every state institution for the retarded have opportunity to participate.

B. Making awards on the basis of a state plan for bringing present institutions up to acceptable standards and the development of community-based residences as alternatives to institutions.

C. Relating awards to the size, budget, and needs of the institution.

Particular effort in this connection must be made to meet the unmet needs of the severely and profoundly retarded. Accommodations and care for them are inhuman in many institutions.

3. The use of outmoded, mass-housing buildings must be ended. Industry has rarely hesitated to abandon and replace obsolete plants; states should be no less firm in developing up-to-date facilities. A new geographic distribution of modes and forms of residential care services—including group homes, residential vocational training centers, nurseries and specialized nursing homes—is badly needed.

We recommend, therefore, that a new part be added to Public Law 88–164 to establish a construction program for relocating and rebuilding obsolete residential facilities.

Safeguards must be included to insure that future institutions do not perpetuate the mass housing and programming patterns of the past, and that the construction be planned for easy modification as new techniques and needs are found. The planning should be carried out in consultation with architects, urbanologists, demographers, community developers and other specialists in environmental sciences.

4. Hospital In-Service Training Program grants should be greatly increased to include significant training for both leadership and direct service personnel in residential care facilities.

5. Public and private social services for children and adults are related to residential care for the retarded in two ways: one, they can suggest alternatives to residential care; two, they have the competency to counsel families during their times of greatest stress—such as the time of deciding to seek a child's admission to an institution, or that of returning a retarded person to community living.

We recommend that federal, state and local welfare agencies, both public and private, clearly identify a portion of their resources for welfare services to the retarded and their families.

Such services include casework, adoption, homemaker services, foster care and day care.

Immediate strengthening of child welfare services to the retarded through expert staffing, consultation and training is an essential component of this recommendation.

6. We recommend that a federally supported insurance system be established to enable a free choice in selecting residential services.

The exercise of free choice in the selection of an institutional home for a retarded individual will bring to the residential care field the improvement motivation of free, competitive enterprise.

7. In order to provide a viable choice, we further recommend that a system of loans or grants be developed to assist private nonprofit and proprietary organizations to establish alternative forms of residential care for the retarded, such as hostels, group homes, nurseries, residential vocational training centers, nursing homes and extended care facilities.

8. State and local mental health authorities and the National Institute of Mental Health should take active leadership in de-

veloping services and programs for emotionally disturbed retarded persons in residential care or community programs.

PRESIDENT JOHNSON: CIVIL RIGHTS FOR ALL AMERICANS

Mr. HARRIS. Mr. President, historical assessments are always difficult to make when we are close to the period in question. But I do not believe any objective observer would quarrel with the statement that America has made more forward progress in civil rights during the 5 years of the Johnson administration than in any other period of our history.

The philosophy of the Johnson administration in the field of civil rights was eloquently summed up in the President's own words:

> As long as any American is denied the chance to fully develop and use his talents, to become all that he can, then every American is less than he should be.

Here is how President Johnson turned that philosophy to practical effect. Almost 100 years after the Constitution had been amended to guarantee all citizens the right to vote, Negro citizens in some parts of the country were still unable to exercise this basic democratic right. There had been previous attempts to solve this problem, but they had all been unsuccessful. For example, only about 6 percent of the eligible Negroes in Mississippi were registered to vote. The figure for Alabama was less than 20 percent, and for Louisiana it was only about 30 percent.

President Johnson proposed the Voting Rights Act of 1965 to remedy this tragically inequitable situation. After a long struggle, the Congress enacted the proposal into law. The results speak for themselves. In the five States where the legislation has had the most dramatic effect, Negro voter registration has gone up more than 90 percent. This act probably did more to broaden the right to vote than any other action since the Constitution was amended to give women voting rights.

In another area of concern, President Johnson moved forcefully and effectively to eliminate racial discrimination in the Nation's schools. Almost 10 years after the historic Supreme Court decision on this subject, more than 2,000 southern school districts were still segregated. Only one out of a hundred Negro students was attending school with white children. The 1964 Civil Rights Act, by giving new authority to the Federal Government, raised that statistic to 20 out of 100. We are not all the way there, but we have obviously come a long way.

The 1964 act also outlawed racial discrimination in public accommodations. Although enforcement powers were included in the act, a great deal has been accomplished through voluntary compliance.

Another section of the 1964 act addressed itself to the problem of discrimination in employment. Widespread progress in this field is being made every day, as is evident to anyone who observes changes in American society.

Just this year, after many years of trying, fair housing legislation finally passed the Congress. This action will ultimately have great impact on American life. Even now, the act offers hope to millions of citizens who meet discrimination in their search for decent housing.

One recent trend in the civil rights field should be acknowledged. Previously, the thrust of Federal civil rights enforcement took place in the South. In line with the realities of the situation, and in accordance with the new legislation, there has now been a shift in Federal civil rights litigation to other parts of the country. This trend is especially apparent in employment discrimination cases and it will probably be true for fair housing litigation. School and voting cases have already been filed in the North. This change is only proper, since the intent of the legislation has never been to punish a particular region of the country, but rather to advance the equal rights of all Americans, no matter where they live.

President Johnson appointed more Negroes to high Government positions than any other President. That statement takes on a significance that is more than symbolic when we recognize that the appointees were highly qualified men and women first, and Negroes second. To demonstrate the truth of this assertion, I will mention just a few of the better known nominations:

Robert C. Weaver, first Negro Cabinet officer.

Carl T. Rowan, first Negro Director of USIA.

Patricia Harris, first Negro woman Ambassador.

Constance B. Motley, first Negro woman Federal judge.

Thurgood Marshall, first Negro Supreme Court Justice.

Andrew F. Brimmer, first Negro Governor of the Federal Reserve Board.

Hobart Taylor, first Negro Director of the Export-Import Bank.

Clifford L. Alexander, first Negro Deputy Special White House Counsel.

Roger Wilkins, first Negro head of the Community Relations Service.

And there were countless other appointments, equally meritorious.

Taken as a whole, the civil rights record of the past 5 years is a credit to a progressive Congress, a fighting President, and an America which wants to live up to its highest promises for all of our people.

AMERICAN INFLUENCE IN THE CONGO AND THE EXECUTION OF PIERRE MULELE

Mr. DODD. Mr. President, today's newspapers carry the news that Pierre Mulele, former leader of the leftist Congo rebels, was executed yesterday by the Mobutu government.

Mr. Mulele, apparently, had voluntarily returned from exile in the Brazzaville Congo, under the impression that the amnesty proclaimed for political opponents of the Congo Government also applied to him.

Unfortunately, for him, he underestimated the duplicity of the Mobutu regime and the inhumanity and swiftness of Congolese justice.

He was brought to trial before a military tribunal on Tuesday of this week on charges of murder, rape, armed robbery, and rebellion.

He was denied the right to defense counsel.

Convicted within a matter of hours, he applied for clemency to President Joseph Mobutu. The appeal was turned down; and 24 hours after his conviction Pierre Mulele was executed.

Mr. President, I hold no brief for Pierre Mulele.

He was a pro-Communist leftist who at one time tried illegally to take over the country, and terrible things were done by the rebel soldiers under his command.

However, this is no excuse for barbarism and, in view of the fact that there was a general amnesty for political opponents, and, further, that Mulele had returned voluntarily under the belief that this amnesty applied to him, his execution by the Congo Government must be considered a flagrant violation of law and an affront to civilized mankind. It is savage.

I am all the more troubled by this incident because it is one of a long series of brutalities perpetrated by the Mobutu government, and because I cannot avoid the conviction that we have failed to use our very great influence in the Congo to restrain the Mobutu government and to persuade it to deal with political opponents in a manner that will not exclude it from the community of civilized nations.

In the fall of 1966 there took place the scandalous public trial of former Prime Minister Kimba and four other cabinet ministers.

The five men were sentenced to death after a public trial conducted before a howling mob of 20,000 Congolese.

The trial lasted roughly half an hour, interruptions by howling included.

There was only one witness for the prosecution and no witnesses for the defense.

There was no counsel for the defense and indeed, when the Minister of Justice was asked about this point, he replied that in the case of such exceptional trials, the accused are not permitted to have defense counsel.

Kimba and his colleagues were publicly hanged the following day with hoods over their heads because their eyes had been gouged out prior to their execution.

The Mobutu government converted the hanging into a public festival and brought out scores of thousands to witness the hanging in Leopoldville's largest public square.

The event was so revolting that not a single member of the diplomatic community honored the invitations they had received to attend.

Last year there was the affair of Mr. Van Den Steen, a Belgian who was arrested by the Congolese authorities and who, in the course of his interrogation, had his stomach burned with hot brands and had the five fingers of his right hand and his right ear cut off.

In June of 1967, there took place the midair kidnaping of former Prime Minister Moise Tshombe, which had clearly been organized by the Congolese Government.

President Mobutu on this occasion publicly rubbed his hands over the prospects of being able to execute Tshombe, apparently taking his extradition from Algeria for granted.

It is to the great credit of the Algerian Government of President Boumedienne that it refused to extradite Tshombe, and recent indications are that he will soon be set at liberty.

During the first part of this year the Congolese Government again dishonored itself by demanding the extradition from Rwanda of the 100 white mercenaries, who had given up their rebellion and left the Congo on the basis of an assurance by the Organization of African Unity and the International Red Cross that they would be repatriated to their respective countries.

Thanks primarily to the firmness of the International Red Cross and to the refusal of President Kayibanda of Rwanda to bow to Mobutu's pressures, the mercenaries were finally liberated.

What disturbs me particularly about this series of actions, culminating in the execution yesterday of Pierre Mulele, is the fact that the United States has failed to use its very considerable influence over President Mobutu to encourage a more civilized course of action.

It is widely believed in Africa and Europe that Mobutu is a puppet of the United States.

This, I think, is somewhat exaggerated.

On the other hand, there is absolutely no question that we did help install him in power and that the senior American representative in the Congo, Mr. Larry Devlin, has for many years now been one of Mobutu's closest counselors.

There can also be no question that America has rendered important economic, political, and military assistance to the Mobutu government, which should give it some leverage over it.

If this is the best that American influence and American representatives can do, then perhaps we need a different kind of representation and another kind of influence.

Mr. President, I ask unanimous consent to have printed in the RECORD two newspaper articles dealing with Mr. Mulele's execution.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Oct. 10, 1968]

REBEL CHIEF IS EXECUTED IN CONGO

KINSHASA, CONGO REPUBLIC.—Pierre Mulele, the former leader of leftist Congo rebels, was executed yesterday by a firing squad, Radio Kinshasa announced.

Congo-Brazzaville, where Mulele had lived in exile, broke off diplomatic relations with Congo-Kinshasa. When Mulele returned to Kinshasa Sept. 29, he was under the impression that he would benefit from an amnesty announced in August.

Mulele was sentenced to death by a military tribunal Tuesday for murder, rape, armed robbery and rebellion. An appeal for clemency was turned down by President Joseph Mobutu.

Mobutu reportedly told his cabinet that he could not issue a reprieve because Mulele was plotting a coup against the government up to the last minute of his return.

Mulele served as education minister in the government of Premier Patrice Lumumba, who led the first cabinet following the granting of independence by Belgium in 1961. After Lumumba was slain, Mulele led a rebel effort in the eastern area of the country until 1964.

[From the New York Times, Oct. 9, 1968]

CONGO SENTENCES REBEL TO DEATH—HE RETURNED EXPECTING AMNESTY

KINSHASA, THE CONGO, October 8.—Pierre Mulele, one of the leaders of the 1963–64 Congo rebellion, who returned here thinking he had been spared by an amnesty, was sentenced to death today by a Kinshasa military tribunal.

The Kinshasa radio said that he had appealed for clemency to President Joseph D. Mobutu, who announced last week that he was to be tried as a war criminal. The plea was rejected, the radio reported, and Mr. Mulele will be executed by a firing squad.

The special tribunal, in private session since yesterday afternoon, retired to consider its verdict at 6:30 this morning. It then sentenced Mulele, for murder, rape, armed robbery and rebellion.

Mulele, 39 years old, who led a bloody rebellion in Kwilu Province, returned here nine days ago from the neighboring republic of the Congo, the former French Congo, with the Kinshasa Government's Foreign Minister, Justin Bomboko.

He was apparently under the impression that he would benefit from an amnesty proclaimed in August. But he was arrested and President Mobutu said the amnesty applied only to political prisoners, not war criminals.

The emergency military tribunal set up by General Mobutu consisted of three high-ranking officers. Journalists and the public were barred "so that there would not be any overheating of minds," a spokesman said.

A communiqué broadcast by the Kinshasa radio last night said that a request by Mulele for a lawyer had been rejected. Information Minister Jean Jacques Kande later confirmed this.

Mulele was a supporter of the leftist Premier Patrice Lumumba, who was assassinated in 1961.

AMERICAN EDUCATION HAS GAINED UNDER PRESIDENT JOHNSON

Mr. BYRD of West Virginia. Mr. President, the past 5 years have seen the enactment of a wide variety of measures in the field of education. The judgment of history will credit Lyndon Johnson with dramatic and effective leadership in the progress of American education. We in Congress have also done our duty in providing the assurance that all of our young children will have a better chance for a quality education.

Since the beginning of the 89th Congress, 45 bills have been enacted which directly or indirectly affect the broad field of education. These measures range from preschool programs such as project Headstart and Follow Through, through elementary and secondary education to new programs helping young men and women in institutions of higher learning throughout this country.

Students at all levels received the benefits of enriched courses and new learning aids; older people are taking adult literacy classes because of such measures as the Adult Education Act. Teachers and professors were provided new fellowships and many young men and women, receiving the benefits of the vocational education programs, are learning productive job skills. We have a Teacher Corps where none existed before. Men and women already in the Nation's work force can raise their individual job skills and qualifications because of new manpower training and retraning programs.

Perhaps our greatest strides were made when we enacted the Elementary and Secondary Education Act of 1965, the major breakthrough in Federal aid to education. The bill was signed into law by President Johnson on April 11, 1965. It focused attention and money on the vast problems involved in providing a quality education to all young children, whether they attend private or public schools, if the children are educationally deprived because of family circumstances or income level. One section of this bill sought to meet, through compensatory education, the special needs of disadvantaged children.

Across the Nation, we see clearly the benefits of this program which in 1967 alone provided more than $1 billion to school districts all over the country to help them develop special programs for 9.2 million schoolchildren. These were not just the educationally deprived youth. They were the handicapped, the neglected, delinquent, and migrant children.

The act allowed medical and dental examinations, guidance services, lunch programs, purchase of educational equipment, classroom construction and remodeling, teacher training and hiring of educational manpower, preschool programs, regular classroom programs employing new techniques, and a wide variety of additional services.

More than $3 billion have been provided to the Nation's elementary and secondary schools in the 3 years of the act.

Other portions of this legislation provide funds to help bolster the library resources of schools and to purchase audiovisual materials, books, and other materials essential to the maintenance of a good library. In 1966, 43 million elementary and secondary pupils had access to new instructional materials not previously available.

When Congress enacted this bill, it realized that because of the sudden growth of new programs, our State departments of education, already understaffed and overworked, would need assistance. Therefore, the bill authorized a program of grants to strengthen State departments of education. Nearly $70 million has assisted the States under this program.

Amendments to the act authorized grants to the States to help them improve, initiate, or expand programs for the education of handicapped children. Last year $15 million was used for this purpose.

A second major area in which great progress has been made is higher education. Less than 7 months after the original Elementary and Secondary Education Act was passed by the 89th Congress, the Higher Education Act of 1965 was enacted. This law was our response to climbing enrollments in the Nation's colleges and universities, inability on the part of many economically disadvantaged students to face the expense of a college education, the small number of graduates being turned out compared to the Nation's need for a highly educated population, and the inability of some colleges and universities to raise their standards.

Title I enabled colleges and universities to aid in the solution of community problems such as housing, poverty, employment, youth opportunities, continuing education programs, or other educational programs.

Title II provides assistance for the libraries of our colleges and universities.

Title III seeks to raise the academic quality of "developing" colleges. It assists them in acquiring a good faculty by awarding national teaching fellowships, encourages them to work out cooperative arrangements with stronger members of the higher education community.

Title IV was enacted in response to the rising costs of attending college. In the past decade, tuition and fees alone rose 30 percent at public institutions and 73 percent at private ones. This title sets forth three ways to help students, especially economically disadvantaged ones, to pay these high costs: grants, insured loans, and work-study opportunities.

Title V established a wide variety of teacher training and preparation programs: fellowships for experienced and prospective teachers for further training, grants to institutions to assist them in strengthening their teacher education courses, and training for teacher aides, other subprofessional and professional educational personnel.

Finally, the act improves the quality of undergraduate instruction through grants for the purchase of laboratory and audiovisual equipment and materials, and other printed materials, and of closed circuit television equipment.

Other legislation in recent years has aided the education of such groups as health personnel, the deaf, law enforcement personnel, teachers of the handicapped, and artists. There are now on the books laws which aid nearly every facet of education.

Taken as a whole, the education record of the Johnson years has been the finest of any administration in history. Under the leadership of President Johnson, and with the dynamic drive of the Congress, America has reached new heights of achievement in education for all of our people.

OIL IMPORT PROGRAM HEADS FOR A KEY CLASH AS HEARINGS OPEN ON BIG REFINERY IN MAINE

Mr. HANSEN. Mr. President, on Monday I warned the Senate of a proposed refinery complex within a foreign-trade zone at Machiasport, Maine, which, if established, would have far-reaching consequences, especially with regard to the mandatory oil import program.

Today the Wall Street Journal published an article entitled, "Oil Import Program Heads for a Key Clash as Hearings Open on Big Refinery in Maine." I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OIL IMPORT PROGRAM HEADS FOR A KEY CLASH AS HEARINGS OPEN ON BIG REFINERY IN MAINE

(By Roger W. Benedict)

PORTLAND, MAINE.—Powerful opposing interests will collide here today over a controversial oil project that has touched off what may prove to be the most important dispute in the stormy 9½-year history of Federal oil import controls.

The outcome of the battle could have significant economic and political repercussions far beyond this picturesque New England seaport. Strong charges already have been exchanged, among them mutterings of enormous windfall profits and election-year boondoggling. A principal defender of the oil project is the Democratic Vice Presidential nominee, Sen. Edmund Muskie of Maine.

The dispute centers on a proposed $145 million oil refinery, storage complex and deepwater port to be built in Maine by Occidental Petroleum Co., Los Angeles. If it wins needed approvals from the Commerce and Interior departments, the refinery would operate entirely on foreign crude oil—300,000 barrels a day of it. This would be more than half as much foreign crude as the 559,068 barrels a day that all mainland refineries east of the Rockies currently are permitted to import.

The delivered cost of foreign oil in Maine—the Occidental refinery actually would be built at Machiasport, 160 miles northeast of Portland—would run about $1.25 to $1.46 a barrel less than domestic crude oil.

Occidental claims an impressive list of benefits for the project. They include: Price cuts on petroleum products that would save New England consumers and government agencies $50 million a year or more, providing jobs for "the most economically depressed county on the East Coast," gaining up to $500 million of chemical plant investment for the U.S. that otherwise would go overseas, boosting business for the troubled U.S. merchant marine and providing low-sulphur-content fuel oils to fight air pollution.

Outraged opposition to the project is being expressed by most of the oil industry, from big international companies to small domestic producers. Shell Oil Co., for example, calculates that Occidental's savings on imported crude will enable it to generate pretax profits of about $65 million in the first full year of operation—an amount not far below Occidental's total 1967 pretax profit of $74.7 million.

The clash is the most serious so far of a number of confrontations the last three years between the oil industry and various regional and consumer interests over the purposes of the oil import program. Although the program initially was designed to protect domestic producers, the Interior Department has since granted a series of special exemptions for such reasons as boosting depressed local economies and reducing air pollution.

Hearings to be held today will involve only one aspect of the project. Occidental seeks to establish the oil complex in a "subzone" of a proposed "foreign trade zone" in the Portland area. A foreign trade zone is physically in the U.S., but for customs and trade purposes is considered to be outside the country. Thus, raw material can be imported free of any normal restrictions, transformed into finished products and then "exported" to various countries, including the U.S.

Tariffs on oil and refined products are very small in relation to the cost advantage of foreign oil over domestic oil.

The Commerce Department's Foreign Trade Zones Board has set up an examiner's committee to hold the hearings today in Portland on requests to create a foreign trade zone and subzone. The hearings are expected to furnish opponents of the Occidental project an opportunity to marshall their forces: Among those expected to attend will be Gov. Connally of Texas, Gov. Love of Colorado and Gov. McKeithen of Louisiana, all representatives of major oil producing states.

UDALL'S DECISION TO BE KEY

The crucial decision on the project, however, will be made by Interior Secretary Udall, who must grant special quotas for foreign oil to enter the trade zone, as well as for refined products leaving the zone. Occidental seeks petroleum product quotas nearly equal to all such present quotas for the eastern two-thirds of the nation.

Mr. Udall has said he might make a ruling by late November. His decision won't be made any easier by some of the circumstances surrounding it.

The initial application to the Interior Department on June 10 for the Maine project was made in the name of New England Refinery Associates, with a covering letter from John K. Evans, president of Business Development Fund, Inc., Washington, D.C. In the letter to Mr. Udall, Mr. Evans said names of participants in the project "must be kept confidential at this time." Only on July 19, did Occidental inform Mr. Udall that Occidental owns both Business Development Fund and New England Refinery Associates.

In 1961, Mr. Evans, at that time employed by a subsidiary of the Royal Dutch-Shell Group, got Mr. Udall in hot water with letters sent to 56 oil company representatives in Washington, stating that "Secretary Udall, who happens to be a friend of long standing," had asked him to solicit the oil and gas industry to help Mr. Udall "dispose of his very sizable quota of tickets" for a $100 a plate dinner to raise funds for the Democratic Party.

Mr. Udall denied he asked Mr. Evans to write the letter, but it brought demands from some Republicans at the time that he be fired from his Cabinet post.

TEAPOT DOME RECALLED

Rep. Price (R., Texas) declared on the floor of the House of Representatives last week that approval of the Occidental project would "make Teapot Dome look like Alice's tea party." (Teapot Dome involved the preferential leasing of Government oil lands in Wyoming and California in 1922 to two oil companies, leading to the conviction of Interior Secretary Albert B. Fall for accepting bribes.)

Mr. Price also accused the Administration of using the project to influence New England votes in the November election. In today's hearings, Occidental will get strong backing from New England's six governors and a large Congressional delegation, including Maine's Sen. Muskie.

Occidental seeks quotas to sell 90,000 barrels daily of home heating oils in New England, equal to more than one-third of the area's present consumption, and 10,000 barrels a day of gasoline. The company asserts it would cut prices on the fuel oils and gasoline 10% below present levels, providing annual direct savings of over $26 million a year and probably forcing competitors to make similar cuts. About 70% of New England homes heat with oil, the highest percentage in the nation.

Other oil companies, however, take issue with Occidental's claims. For one thing, they say, fuel oil already is in plentiful supply in New England and prices therefore aren't unduly high. "We've got fuel oil running out of our ears right now," says an official of Humble Oil & Refining Co., chief domestic subsidiary of Standard Oil Co. (New Jersey). Humble notes it cut its heating oil prices in New England 0.4 cent a gallon last month.

OCCIDENTAL'S INCENTIVE

Some oil companies also charge Occidental is "buying" support for its project with some proposed provisions of the venture. Chief of these is an offer to pay 20 cents for each barrel of foreign oil processed at the facility, or about $7 million annually, into the New England Marine Resources Foundation, a nonprofit research organization that would have all six New England governors on its board. Occidental also promises savings of $6.5 million a year to the Defense Department on its purchases of petroleum products for use in New England and Europe.

If the project is approved, Mr. Udall would face a second problem of whether to add Occidental's quotas on top of those already existing, increasing the flow of foreign oil into the U.S., or to readjust all quotas, reducing the share of foreign oil allotted to all other oil companies.

Netum Steed, president of the Texas Independent Producers & Royalty Owners Association, has estimated that approval of the Occidental project could reduce the demand for Texas crude oil by 100,000 barrels a day if import quotas aren't kept within the present limits. And refiners in the eastern two-thirds of the nation, who have watched their total crude oil and unfinished oil allocation dwindle by 160,909 barrels daily, or 22% in the last three years, wouldn't take kindly to further quota cuts.

M. A. Wright, chairman of Humble, estimates that fitting Occidental's project into the present total level of imports would cut existing quotas of 122 refineries by another 29%.

OTHER TRADE ZONES AFFECTED

Some oil companies note that approval of the Maine project will open the way for foreign oil to enter plants in foreign trade zones already approved by the Commerce Department, including the Taft, La., chemical plant of Union Carbide Corp. and the Bay City, Mich., chemical plant of Dow Chemical Co.

Humble already has requested foreign trade zone status for a 100,000-barrel-a-day facility it would build at its Bayway, N.J., refinery. Humble asserts that its project wouldn't have the disruptive effect on the import program that it charges the Occidental project would have, because the Humble project wouldn't involve refined product quotas. Instead, Humble would principally make heavy fuel oils, which in effect are free from the quotas imposed by the Interior Department.

Occidental would also make low-sulphur-content heavy fuel oils, enough to supply about one-third of New England's present needs. In addition, it would make jet fuels and Navy ship fuels for the Defense Department and basic raw materials to supply an anticipated surrounding complex of chemical plants that would be built by others.

Dr. Armand Hammer, president of Occidental, has argued that the project can be accommodated in the present import program, and he charges opposition by major oil companies is based on "fear of tough competition in an area that they left without a single refinery when Jersey Standard's Esso Unit closed down the last remaining plant in Everett, Mass., several years ago."

Oil companies generally haven't any illusions that their opposition will necessarily defeat the project. "Forty-seven oil companies opposed the application by Phillips Petroleum Co. in 1965 for a special import quota to build a refinery in Puerto Rico," recalls one oil company executive. "Only Phillips supported it, but the project was approved."

THE IMPORTANCE OF SENATE RULE XXII

Mr. ERVIN. Mr. President, I have long felt that Senate rule XXII stands as a bulwark for the preservation of constitutional government and individual liberty. Because at this particular time rule XXII has come under a great deal of uninformed attack, I should like to submit my views in detail on this matter.

The next issue of Senior Scholastic magazine will include a statement written by me which explains how rule XXII has facilitated the resolution of many controversies which are bound to arise in any country with such astonishing diversity and difference of opinion as ours. I believe that this rule is vitally necessary for the protection of minorities in our country, and that its operation should be fully understood by those who labor against it.

Mr. President, I ask unanimous consent that the "Views of Senator SAM J. ERVIN, JR., on Rule XXII," to be published in Senior Scholastic magazine, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIEWS OF SENATOR SAM J. ERVIN, JR., ON RULE XXII

My own legislative experience convinces me that there must be some one place in our government where someone can say: "Stop! Consider what you are doing. Do not rush into this matter blindly."

The U.S. Senate is the only legislative body now existing on the face of the earth with rules designed to secure to minorities a reasonable opportunity to express their views. This opportunity is embodied in rule XXII, which provides that a Senator or a group of Senators can speak upon a pending bill until two-thirds of the Senators in attendance vote to end debate. This rule gives the Senate its distinctive character and has enabled the Senate on many occasions in times past to stand as the bulwark for the preservation of constitutional government and individual liberty.

Some persons who think that the Senate should act without full and fair debate as do the counterfeit legislative bodies in totalitarian countries would abolish rule XXII, and permit 51 Senators to condemn the other 49 to silence whenever they so desire. If a majority of the Senate is ever given the power to prevent a substantial minority to stand on the floor of the Senate and tell the truth about pending legislative proposals, the fear expressed by the French political philosopher, Alexis de Tocqueville, in his book "Democracy in America," that the United States is in danger of being destroyed by the power of a majority will be realized. And that moment will mark the death knell of liberty for all Americans.

Absent Senate rule XXII, there would be no debate at all on a proposed measure if its proponents could count a majority of one in favor of it. They would proceed immediately to end debate and would pass the measure by a simple majority. In this way, a momentary majority of 51 Senators could force quick passage of any measure, however ill-conceived and hastily considered, without permitting critical debate. The "minority" of 49 Senators would be powerless to speak their views except to the extent the majority of 51 might graciously permit, and they very likely would not be inclined to permit opposing debate.

Under rule XXII, however, a majority may not force a vote on a measure as long as one-third of the Senators present wish to continue debate. Instead, they must listen to the views of objecting Senators and, generally, in order to obtain an end to debate, must modify the pending proposal in line with meritorious objections raised by substantial minorities of Senators. The result in many cases is that, in the light of critical debate, the pending proposal is shown to be defective and is modified or in some cases abandoned. In literally every case the pending proposal is greatly improved by the "educational debate" made possible by rule XXII.

There have been countless instances when patently unwise, sometimes potentially disastrous, legislative proposals have failed of hasty passage because of the cloture rule. For example, in 1946, when I was serving in the House of Representatives, the nation was staggering under the impact of a coal mine strike that had caused the supply of coal to dwindle to a point that jeopardized supplies for homes and hospitals. Then the Railroad Brotherhoods threatened to go on strike and paralyze the country's transportation system. Responding to a nationwide revulsion to that threat, President Truman sent to the Congress a bill that would have given authority to draft striking railroad men into the Army. The measure was debated no more than twenty minutes in the House, which has no provision for unlimited debate, and was passed by an almost unanimous vote, including mine. The bill was then rushed over to the Senate amid a clamor for immediate consideration and passage. One man, Robert A. Taft, of Ohio, objected to an immediate vote, and under the Senate's rules the matter had to go over to the next day. By that next dawn, enough men had recovered from their passions to reconsider and defeat the bill. A night of reflection revealed to us that we were about to enact a law that violated the prohibition of the Thirteenth Amendment against involuntary servitude. Only by the grace of one Senator, protected by the rules of the Senate designed to ensure free and full debate, had we been saved from a disgraceful act of folly.

For me, the moral was clear and unmistakable. The rules of the Senate admittedly permit a minority of Senators to postpone a vote on a controversial proposal even though a present majority may favor it. Thank Heaven for the rule. Congress is the one body in which every segment of America is represented, where every opinion may be voiced. In a land of such astonishing diversity as ours, difference of opinion is inevitable. The great function of Congress is to harmonize that diversity, to compromise the differences, to arrive at a solution with which the nation as a whole can live in peace. There is no shortcut to solutions of that kind. When you are about to pass a law that will impose restraints on two hundred million people, protracted deliberation is a small price to pay to ensure a wise and equitable law.

It is my conviction that free and open debate are secured, not destroyed, by rule XXII. However much you may disagree with the positions of those who engage in extended debate in the Senate, it is important to bear in mind that the maneuver is not undemocratic—it is the very essence of democracy.

LYNDON B. JOHNSON—A GREAT CONSUMER PRESIDENT

Mr. PASTORE. Mr. President, speaking as a consumer as well as a Senator, I want to rate consumer progress as one of the finest success stories of the Johnson administration.

At no time in history have consumer gains been so impressive.

At no time have we had a President so dedicated to the protection of the consumer's health, welfare and pocketbook.

Consumers now have a voice at the topmost levels of Government, and they know how to use it.

Business has become more aware of consumer needs and more anxious to obtain consumer confidence.

Three Congresses—the 88th, 89th, and 90th—have passed 17 bills to give the consumer a better break in the marketplace and to assure him of his safety as well as his money's worth. I am proud to say that 11 of these bills were passed by the 90th Congress.

And I am also proud to say that all of these accomplishments were due in very large part to the leadership of President Lyndon Johnson.

The administrative and legislative proposals submitted by President Johnson comprised the most ambitious and most comprehensive consumer's program a President has ever presented to Congress.

In January 1964, just 6 weeks after taking office, President Johnson established the President's Committee on Consumer Interests and appointed a Special Assistant for Consumer Affairs, first, Assistant Secretary of Labor, Esther Peterson and then, last year, Betty Furness. He also appointed a new 12-member Consumer Advisory Council, consisting of university professors, home economics teachers, State officials, labor leaders and other civic-minded persons. His goal, the President said, was "to assure that the voice of the consumer will be loud, clear, uncompromising and effective in the highest councils of Federal Government."

From personal experience, we all know just how effective this voice has now become on specific consumer legislation.

The President's whole consumer program was geared to the growing realization that, in a marketplace that had become so vast, so complicated and so impersonal, the consumer needed help to assure him of his basic rights to safety, to choose, to be heard and to be informed.

Year after year, in four separate consumer messages, the President presented his proposals to Congress, and year after year, the consumer saw real progress being made on his behalf.

What developed was a mutual effort on the part of government, enlightened business leadership and consumer organizations to assure that the best practices of the American marketplace become common practice.

As a result, the state of the consumer is a great deal better today than it was before President Johnson took office. Thanks to his leadership, we now have measures to protect our children from dangerous toys.

We are taking steps to reduce deaths and accidents on our highways.

We have laws to insure truth in lending and fair packaging and labeling.

We are cutting down on tragedies from flammable fabrics.

We have established a National Commission on Product Safety.

We have more insurance protection on our savings accounts.

We are making improvements in our clinical laboratories.

We are reducing deaths and property losses from fires and natural gas pipeline explosions.

We have the Wholesome Meat Act and the Wholesome Poultry Act.

And we have numerous other measures to better insure the economic and physical well-being of all Americans.

To sum it all up, the President's consumer program has touched every household and every place of business. Its purpose is to "assure every American a fair and honest exchange for his hard-earned dollar," and I am convinced that we have gone a long way toward reaching that goal.

I do not know of a single person who can honestly challenge it, particularly since, as the President put it:

> This is not a partisan program or a business program or a labor program. It is a program for all of us—all 200 million Americans.

And, I might add, it is a program that will have to go on. Because the consumer now sees an opportunity to get all the fair breaks he has been clamoring for for years, and he is not about to settle for a halt.

DR. PAUL SANGER

Mr. ERVIN. Mr. President, much of the recent breakthrough in heart surgery was due to the pioneering efforts of the late Dr. Paul Sanger, of Charlotte, N.C. His experiments with artificial arteries and the accompanying operating techniques were a vital first step in the development of the complex heart surgery operations which have become so routine in recent years. As a New York Times article recently pointed out, thousands of people are alive today because of his efforts.

Dr. Sanger's death is a great loss to Charlotte and the country. More than a successful physician, he was a true public servant deeply involved in the life of his community and Nation.

In an age of specialists, there are few men able to transcend the intellectual and social confines of their profession. Dr. Paul Sanger was such a man. A Charlotte editorial writer eloquently summed up what I mean when he said that Dr. Sanger was an outstanding physician "who also became a social statesman, a man concerned about every aspect of the welfare of his fellow man, not just health and medical problems."

At the conclusion of my remarks, I intend to have printed in the CONGRESSIONAL RECORD articles and editorials which appeared following the death of Dr. Sanger. Particularly, I invite the Senate's attention to the warm reminiscences of Harry Golden which appeared in the Nation magazine.

Mr. President, I ask unanimous consent to have printed in the RECORD the following articles: article published in the Nation magazine entitled "Dr. Sanger Is Gone," by Harry Golden; article published in the Charlotte Observer on September 9, 1968, entitled "Paul Sanger Dies in Texas"; the article published in the Charlotte News on September 10, 1968, entitled "Pioneer in Heart Surgery, Dr. Paul W. Sanger, Dies"; the editorial in the Charlotte Observer, dated September 10, 1968, entitled "A Loss to Medicine and to City"; an editorial in the Charlotte News, dated September 11, 1968, entitled "Paul Weldon Sanger"; and an article from the New York Times dated September 10, 1968, entitled "Paul Sanger Dies—Heart Surgeon, 62."

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Nation magazine]

DR. SANGER IS GONE

(By Harry Golden)

Every night promptly at 6 p.m., Dr. Paul Sanger parked his big Lincoln in the front and came inside and we would spend an hour talking. Paul Sanger was tall, lean, the legendary Southern gentleman. Once Paul used to sit on the couch, sometimes with a bourbon, sometimes not, and say, "Start talking," as though I was his mentor. The truth is I learned more from him than he did from me. Many times these columns have been filled with insights and conclusions about health and medicine that could only have come from one of the premier doctors of the country.

Indeed that was what Paul Sanger was. He helped develop one of the machines which made open-heart surgery possible. He used to travel all over the world teaching other doctors how to operate it. Paul was the chief of thoracic and cardiovascular surgery at Memorial Hospital in Charlotte since his return from the war. He was the head of the team which labored in the Heineman Laboratory at Memorial, the other two members of which were Dr. Francis Robicsek and Dr. Harry K. Daugherty.

When I underwent an emergency gallbladder operation in December of 1966, Paul observed. Later in the night, my lungs started to fill with water and my pulse fell. The nurse called Paul and he rushed to the hospital with Dr. Daugherty. By the time he reached my room, I had virtually stopped breathing. Drs. Sanger and Daugherty said I needed a tracheotomy. Dr. Daugherty got ready.

"Bring him back," Paul said. "Bring him back and I'll give you a two week vacation in Miami." When Daugherty's emergency ministrations succeeded, Paul was as good as his word.

Paul owned a ranch outside of Charlotte where he raised thoroughbred cattle. He liked going out there over weekends. He often invited me along. It was quite a distance from Charlotte and the only way I could ever find it was to look on the horizon for that big silver silo and then head for it. I helped stock Paul's library out there. I brought him all the review copies of biography and history, books he loved. Now I won't be going there any more.

Dr. Sanger died of cancer in Houston, Texas, on September 9th. He was a brave man to the end, but still the scientist, trusting that if anything could be done, science would do it. There are hundreds of people alive and well today because of Paul Sanger's work and thought.

Paul Sanger was the best friend I had on this earth. The interesting thing about this is that there are hundreds of people who will express the same idea. He was a man who made every patient a friend for life. He was a great humanitarian. He was deeply concerned with the welfare of the world and with its people.

Paul Sanger brought to philosophy and politics the same thought that he brought to science and to medicine:

"There is no pain on earth like the pain of a new idea."

His death is the world's loss. He was without doubt the best man in the city.

[From the Charlotte (N.C.) Observer, Sept. 9, 1968]

Paul Sanger Dies In Texas

(By Bob Rosenblatt)

Dr. Paul W. Sanger, who made open heart surgery a routine operation in Charlotte and pioneered in developing artificial arteries, died Sunday at St. Luke's Episcopal Hospital in Houston, Texas.

The Charlotte heart and lung surgeon died from a carcinoid (cancer-like) condition of the liver, and had been hospitalized for several months. He was 62.

A funeral service will be held Tuesday in Yukon, Oklahoma. A memorial service is scheduled for 11:30 a.m. Friday at Christ Episcopal Church here.

The son of a small-town Oklahoma physician, Dr. Sanger lived in Charlotte for 30 years, acquiring a host of admiring friends and a national reputation as a dedicated surgeon and skilled researcher.

When illness struck, he first was hospitalized at Charlotte Memorial where "so many worried people came to visit that it damn near wore him out," said a local doctor.

And he worried about his friends.

"All of his friends knew that he felt very strongly about smoking as a cause of lung cancer," recalled Charles Crutchfield, president of Jefferson Standard Broadcasting Co.

"He worked hard and convinced a lot of us to give up smoking."

As head of the department of thoracic surgery at Charlotte Memorial, Dr. Sanger put heart surgery "on the map for Charlotte," another surgeon said.

Many of the surgical techniques were developed through animal experimentation in a sub-basement laboratory at Charlotte Memorial.

It's officially known as the Heinemann Foundation Cardiovascular Research Laboratory. Dr. Sanger directed it and was notably successful in obtaining research funds needed to support the laboratory work.

His family has requested that memorials be sent to the research facility in lieu of flowers.

Combining medical work and persuasiveness, Dr. Sanger enlisted N.C. State College and several textile firms in the early 1950's to work on an artificial artery.

The result, tested and perfected in the Heinemann laboratory, was seamless orlon, one of the first workable versions of the artificial artery. It was used in many successful operations.

Human heart transplants may someday become a commonplace operation partially because of the latest laboratory work of Dr. Sanger and his medical partners, Dr. Francis Robicsek and Dr. Harry K. Daugherty.

The team revealed in January that they were able to preserve the hearts of dogs outside the animals' bodies for up to 24 hours.

Their technique, which creates a self-contained system outside the body of the heart, one lung and a pressure bag of blood could soon be used on humans.

The Sanger-Robicsek-Daugherty team was active in the hospital operating room as well as the laboratory.

"Open heart surgery is now as common at Charlotte Memorial as appendectomies," said a physician who knows the team members.

Dr. Daugherty remembers his colleague as "a true Southern gentleman, with many interests, and he did them all well."

Dr. Sanger owned two farms, where he often entertained friends at quiet dinner parties, and also raised many of the dogs used in experimental work.

"He was a wonderful, intelligent man, a man of great compassion for his patients," said James G. Cannon, chairman of the American Credit Corp., whose cousin, the former Mary Ann Carr, married Dr. Sanger.

Born on September 17, 1906 in Minco, Oklahoma, Dr. Sanger was the son of Dr. and Mrs. Paul Sanger.

He graduated from the University of Oklahoma, Vanderbilt Medical School (where he later endowed a chair in honor of one of his professors), and did resident work at Duke University Hospital.

The young surgeon came to Charlotte in 1938 after a tour of European hospitals.

With the outbreak of World War II, Dr. Sanger played a key role in setting up the 38th Evacuation Hospital unit.

The all-Charlottean unit of physicians and other medical personnel, won its military laurels in the Italian peninsula, particularly at Anzio.

The war ended with Dr. Sanger as a colonel, chief surgeon of the unit, and winner of a Silver Star medal.

Remaining active in the Medical Corps reserve, Dr. Sanger toured Army hospitals in Korea for two months during the Korean war.

The Army surgeon general had asked for his help in teaching seminars, lecturing on war wounds, and observing the Army medical techniques.

Dr. Sanger testified before Congress on medical research, was a member of a special presidential committee on heart disease, cancer and stroke, and was one of the original trustees of the Charlotte Country Day School.

Surviving are his mother, Mrs. Paul Sanger; his wife, the former Mary Ann Carr; two sisters, Mrs. Stephene Gaunt, Oklahoma City, and Mrs. Allen Weatherby, Houston, Tex.; and three children, Paul Sanger, Jr. of Atlanta, Ga., Miss Ann Carr Sanger of Washington, D.C., and Mrs. R. Stanley Dicks of Chapel Hill.

[From the Charlotte (N.C.) News, Sept. 10, 1968]

Pioneer in Heart Surgery, Dr. Paul W. Sanger, Dies

(By Pat Stith)

Dr. Paul Weldon Sanger, who gave added years of life to people with heart disease through his research at Charlotte Memorial Hospital, died yesterday in Houston, Tex.

He had been ill for months from a carcinoid (cancer-like) condition of the liver.

Dr. Sanger was hospitalized May 21 at Memorial. One month later, on June 21, he was moved to St. Luke's Hospital in Houston for special treatment.

He died there yesterday morning, nine days before his 63rd birthday.

A memorial service will be held here at Christ Episcopal Church at 11:30 a.m. Friday. The funeral will be tomorrow in Yukon, Ohio.

The family has requested that memorials be sent to the Heinemann Foundation Cardiovascular Research Laboratory, which he directed here for more than 20 years.

Harry Golden, Charlotte newspaperman and author, remembers Dr. Sanger as "the legendary Southern gentleman."

"He was the best man in this city, a gentleman and a scholar, a man with a generous heart and a noble spirit," Golden said.

Dr. Sanger and Golden had been friends for about 10 years.

"He would come in every day on his way home with a notebook and say, "Start talking," Golden said. "He had a great sense of humor and he was an excellent talker."

"He asked me for books I thought he should read and I gave him books. He liked biographies best. He was recently reading the life of Tolstoy."

Golden said he talked with Dr. Sanger by phone two or three times a week after he was moved to Houston.

"I spoke with him Thursday. He told me he was in pain. Some days he said it's good, other days, it's not so good. He was a scientist; he thought science could help him."

"He is the world's loss, Charlotte's loss, my loss. He was my best friend," Golden said. "I won't ever have another like him."

Dr. Sanger had been chief of thoracic and cardiovascular surgery at Memorial since 1945.

The research team which he headed, laboring in the Heinemann Laboratory in Memorial, won a national reputation.

It designed an improved "blue baby" operation and modified the type of incision used in open-heart surgery so that operating room mortality was greatly reduced.

It devised a technique of applying patches to weak spots in the walls separating the heart chambers.

It performed the first heart valve transplant.

It performed, experimentally, the first complete by-pass of the right chamber of the heart.

It succeeded in keeping the hearts of experimental animals alive outside the body for 24 hours, an achievement that could lead to the development of heart banks.

The "team" included Dr. Sanger's partners, Dr. Francis Robicsek and Dr. Harry K. Daugherty.

In the meantime, he developed his department into regional center for open heart surgery.

He was born Sept. 17, 1906, in Minco, Oklahoma. His father also was a physician.

Dr. Sanger was educated at the University of Oklahoma and Vanderbilt Medical School. He completed his resident work at Duke University Hospital.

He came to Charlotte in 1938.

He was an active man, giving of his time and effort in many areas.

Since 1965 he had served on the central committee of the John Motley Morehead Foundation at the University of North Carolina at Chapel Hill.

He was director of the Hartford Research Fund at Memorial since 1959, a member of the President's Commission on Heart Disease, Cancer and Stroke, past president of the Southern Thoracic Examining Board, and a member of the medical advisory committee at Duke since 1965.

Dr. Sanger had been a member of the National Heart Council since 1963 and a consultant to the armed forces for the surgeon general on two different occasions, in 1948 and 1952–53.

He was president of Vanderbilt alumni in 1967 and a trustee at Charlotte Country Day School and Webb-Bell Buckle School in Tennessee.

Surviving are his wife, the former Mary Ann Carr; his mother, Mrs. Paul Sanger of Oklahoma City; two sisters, Mrs. Stephene Gaunt, Oklahoma City, and Mrs. Allen Weatherby, Houston, Tex.; and three children, Paul Sanger Jr. of Atlanta, Miss Ann Carr Sanger of Washington, D.C., and Mrs. R. Stanley Dicks of Chapel Hill.

[From the Charlotte (N.C.) Observer, Sept. 10, 1968]

A Loss to Medicine and to City

Dr. Paul W. Sanger, whose death occurred Sunday in a Houston hospital, was physician, scientist and humanitarian. His death, at 62, will leave a gap in the Charlotte medical scene, so much of which he helped shape.

Son of a small-town Oklahoma doctor, Paul Sanger came to Charlotte and to Memorial Hospital 30 years ago to remain. During the World War II years he was a member of the Charlotte-organized 38th Evacuation Hospital Unit in North Africa and Italy.

His deserved national reputation was based on his pioneering research in open heart surgery and in his work which created artificial arteries.

A friend described Dr. Sanger best when he suggested he was one of the few physicians who also became a social statesman, a man concerned about every aspect of the welfare of his fellow man, not just health and medical problems.

Dr. Sanger was responsible for the existence of the Heinemann Foundation Cardiovascular Research Laboratory, which he directed. There, with colleagues he persuaded to join him, he did the research which made significant advances in heart surgery possible.

He took his research interests beyond the point of mere laboratory concerns. He was personal physician and friend to his patients, too. Memorial Hospital today offers one of the nation's rare examples of a community hospital which effectively combines original research with the teaching and the practicing of medicine for the benefit of the people the hospital serves in its own community.

Dr. Sanger was a man concerned about such widely divergent problems as race relations and international relations. In his own way, he contributed to the improved status of minorities here and viewed his opportunity to teach foreign students as not only a medical endeavor but an effort to improve America's contributions all over the world.

The funds necessary for his research came in part from foundations, but he was never hesitant about asking his Charlotte friends for contributions to keep the research going. Many gave for the good of mankind, but many also contributed because they had faith in Paul Sanger and the skill of the man.

He was a rare link from research to medical education to patient care, and a man uniquely able to give equal and effective attention to all three. Charlotte as a city and medicine as a healing art are better as a result of his life.

[From the Charlotte (N.C.) News, Sept. 11, 1968]

PAUL WELDON SANGER

The name of Dr. Paul Weldon Sanger was all but a household word in Charlotte, and news of his death at 62 will weigh heavily wherever he was known.

Dr. Sanger was, of course, an eminent pioneer, both as a researcher and as a practicing surgeon. In the 1950's, he and his colleagues developed one of the first workable forms of the artificial artery, and just this year they announced a hopeful new method of preserving hearts outside the body—a method that might one day mean much to heart transplant surgery. The work of Dr. Sanger's team in the laboratory and its innovations in surgical technique brought Charlotte Memorial Hospital status as a regional center for heart surgery, and brought Dr. Sanger a national reputation.

What is less well chronicled though no less well know by those whose paths he crossed, is that Dr. Sanger was a superb human being. He gave generously of himself to friends, to his community, and to young doctors making their first entrance on the profession. His patients knew the special comfort of his deep and active compassion. "He did so much for others that he didn't advertise," one friend said, "so much that they can't advertise."

On his desk at home, Dr. Sanger kept a framed reproduction of the prayer of St. Francis Assisi:

Lord, make me the instrument of your peace.
Where there is hatred, let me sow love,
Where there is injury, pardon,
Where there is doubt, faith,
Where there is despair, hope,
Where there is darkness, light,
Where there is sadness, joy.
O Divine Master, grant that I may seek not so much to be consoled as to console,
To be understood, as to understand,
To be loved, as to love.
For it is in giving that we receive,
It is in pardoning that we are pardoned.
And it is in dying that we are born to eternal life.

"When I saw that," the same friend said, "I thought 'That speaks well for this man's life.'" It does, though not as well perhaps, even in its eloquence, as Dr. Sanger's life spoke for itself.

[From the New York Times, Sept. 10, 1968]

PAUL SANGER DIES—HEART SURGEON, 62

CHARLOTTE, N.C., September 9.—Dr. Paul W. Sanger, who helped make open-heart surgery a routine operation and who did early work on artificial arteries, died yesterday at St. Luke's Episcopal Hospital in Houston. He had been hospitalized for several months with a liver ailment. His age was 62.

PIONEER IN HIS FIELD

There are thousands of people walking around today with artificial segments of arteries. They are healthy and fairly robust, thanks in large part to the pioneering work of Dr. Sanger.

Moreover, Dr. Sanger's experiments with artificial arteries in the 1950's were an important contribution to much of the delicate, life-saving heart surgery that has become common in this decade.

Dr. Denton A. Cooley of St. Luke's Hospital in Houston, a leading heart surgeon, called Dr. Sanger's orlon artery graft "one of the stepping stones toward the development of modern-day processes."

"We have replaced this with a dacron artery," Dr. Cooley said, "but many of those original processes are still functioning, some of them even in my patients."

Dr. Sanger was chief of thoracic and cardiovascular surgery at Charlotte Memorial Hospital where he developed one of the first workable versions of an artificial artery.

In recent years, according to an associate, Dr. Sanger devoted much of his time to research in the storage of heart valves and full hearts, looking toward the day when they could be kept over long periods before being implanted in a recipient patient. Thus far, the research is confined to animal experimentation.

His associates also described Dr. Sanger as one of the first surgeons to perform some of the complicated modern lung operations.

NATIVE OKLAHOMAN

Dr. Sanger was born in 1906 in Minco, Okla., a small town that has long since gone out of existence. He received a Bachelor of Arts degree at the University of Oklahoma and his medical degree from Vanderbilt University.

He was a director of the Heineman Research Laboratory at Charlotte Memorial, a member of the President's Commission on Heart Disease, Cancer and Strokes, a director of the Hartford Research Foundation and a member of the examining board of the American Association for Thoracic Surgery.

His widow, Mary Ann, and three children survive.

A memorial service will be held Friday at Christ Episcopal Church in Charlotte.

AMERICAN SPACE ACHIEVEMENTS UNDER LYNDON JOHNSON

Mr. SPARKMAN. Mr. President, President Johnson is properly called the principal architect of America's space program. As Senator and Vice President he worked unceasingly to assure this country a role of leadership in the exploration of space. Five years ago, as Vice President and chairman of the National Aeronautics and Space Council, President Johnson said:

> The age of space is, for all regions of America, a second industrial revolution, a revolution that is bringing a new future, a new degree of participation, a new scope of contribution for every region of our country, and for every segment of society.

Under President Johnson's leadership in the Senate the Space Act was passed in 1958, creating the National Aeronautics and Space Administration. This was an act setting up a charter to win for this country a preeminence in the peaceful exploration of space.

NASA pulled together widely scattered efforts in aeronautics and space, and built an organization unique in this country's history. It has contributed to the technological competence so vital to modern industrial society.

Our first efforts seem puny in comparison with our current accomplishments. Explorer I weighed a little over 30 pounds and about the size of a basketball. Saturn V, by comparison, has an initial thrust of 7.6 million pounds and can put into low earth orbit 285,000 pounds. Yet that little package—Explorer I—revealed the existance of the Van Allen belts of radiation—a scientific finding of immense consequence.

Today we tend to regard as almost routine launches of instrumented payloads infinitely more sophisticated—payloads with far greater experimental capacity and many times the weight of that first satellite.

Manned space flight contains its own drama. We have logged almost 2,000 hours of flight time for men in space through our Mercury and Gemini programs. With Project Apollo, we will land men on the moon and return them safely to earth. And in the process—and this is extremely important—we will gather knowledge about space, about the moon, about our own planet earth through the unique sensors and computer abilities of living man.

Satellites have had their effect on life here on earth. Satellite systems have revolutionized long-range communications and have supplied surveys of the world's weather. In addition there are satellites that will aid in navigation, and in the near future contribute to air and sea traffic control and safety. Another type of spececraft will give us a view of our natural resources, of ocean phenomena, and of other characteristics of this planet that will be of incalculable value to a fuller understanding of our environment and better management of our affairs.

Purely scientific efforts have added much to our knowledge of the world we live in. The photography relayed from the vicinity of the moon by the Rangers, the Lunar Orbiters and the Surveyors—as well as other reporting done by these spacecraft—supplied information without which the manned lunar mission could not proceed.

The Pioneers, Explorers, and the various orbiting observatories are returning to our laboratories a flood of data on our environment, on the activity of the sun and its influence on the earth, and on interplanetary space.

All of this did not just happen. It was

planned; it represents the work of hundreds of thousands of people, tens of thousands of American companies and billions of tax dollars. NASA was established by the American people working through Congress. Under its aegis, a broad and vigorous research and development organization was built. And in the process we have created as well a government-industry-university aerospace team along with facilities for research, design, fabrication, testing, and launch that constitute a national asset of great value.

Moving forward in the space age has not been without problems, but as President Johnson has said:

> The way to the stars was never thought to be easy. But the goal we seek promises such great benefits to mankind that we must press on. . . .
>
> The achievements reflect not only our progress in space flight, but also new steps taken toward the real objectives of all our efforts in space—the application of new knowledge to bettering the lives of all people.

NOBEL PEACE PRIZE TO HUMAN RIGHTS CHAMPION

Mr. PROXMIRE. Mr. President, the newspapers both last night and this morning have announced the selection of Prof. Rene Cassin as the winner of the 1968 Nobel Peace Prize. This is the first time since Dr. Martin Luther King's award in 1964 the prize has been awarded to an individual. This award is certainly a signal honor to Professor Cassin and he can be assured of the congratulations of the world. However, and I am sure Professor Cassin agrees, the award has a larger significance, one that transcends the personal gloire that attaches to it. That significance is the preeminence the civilized world community thus gives to the cause of furthering the universal rights of all men. This award honors the man; yet, together with the man's dedication to human rights, magnifies and furthers that cause.

Mr. President, I am sure active advocates of human rights throughout the world rejoice in the honor done to the efforts of civilized man to insure humane concern for our fellows remains more than a thin veneer. In addition, however, there is cause for gratification in the choice of the individual. This is a man who, while a scholar of world repute, remains practical and realistic in his approach to furthering human rights.

This is a man who, in concert with Mrs. Eleanor Roosevelt, fashioned that document of towering importance, the "Universal Declaration of Human Rights." He is also substantially to be credited with securing its unanimous adoption by the United Nations.

While, Professor Cassin has presided over international tribunals dealing with appeals from national sovereignty, he has also been cited for his principal role in founding UNESCO. The man is manifestly a marvelous blend of the academic, judicial, and practical.

When it was mentioned to Professor Cassin that his lifetime efforts to preserve world peace have been somewhat less than completely successful, the professor answered in a way that summarized his entire approach to furthering universal human rights and the stable peace that would inevitably ensue:

> That is because unfortunately there are forces in all countries that favor war. I am not a moralist who believes that man must change before peace will reign. I think we must work to *change the conditions* that result from the fact that men are not always good.
>
> Now with world discoveries such as instantaneous communications, there are elements that did not exist years ago.

Mr. President, I trust these inspiring yet wholly practical words will encourage all engaged in the struggle for human rights to persevere. Surely, the example of this man who has dedicated his entire life to the rights of all men for all men, shows us the path we must follow.

Mr. President, Professor Cassin's prize is also mankind's hope for practical international mechanisms for protecting human rights and adjudicating their violation in a peaceful and cooperative fashion. Recognition of the man and the cause during International Human Rights Year give hope that we have not been celebrating a hollow festival.

Mr. President, I ask unanimous consent that various news articles concerning Professor Cassin's peace prize be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Oct. 10, 1968]

Nobel Peace Prize Goes to Cassin, U.N.'s French Human Rights Author

The Nobel Peace Prize was awarded yesterday to Prof. Rene Cassin of France, the principal author of the United Nations' Declaration of the Rights of Man.

It was the first time the prize has been given since 1965, when it went to the U.N. Children's Emergency Fund. The last individual winner was the late Rev. Dr. Martin Luther King Jr., who received it in 1964.

The 81-year-old Cassin is recognized as one of France's leading experts on international law. Before World War II, he was a delegate to the League of Nations. During that conflict, he was a member of President de Gaulle's government-in-exile and after it he began a long career at the United Nations. From 1946 until 1965 he was a member and president of the U.N. Human Rights Commission.

At present, Cassin is the chairman of the European Court of Human Rights, an adjunct of the Council of Europe sitting at Strasbourg. The court is a tribunal to which persons who believe their human rights are being violated in their own country can appeal. Its judgments are not binding other than in a moral sense.

Announcing award of the Peace Prize in Oslo, Norway, the Nobel Committee issued a statement in which it said that Cassin shared with the late Mrs. Eleanor Roosevelt the credit for having the human rights declaration approved by the United Nations on Dec. 10, 1948.

"In the last 20 years since the adoption of the declaration," the statement said, "Mr. Cassin has tirelessly worked for the carrying out of its rules, both universally and on the European level."

In Paris, Cassin told newsmen he was honored that, through him, France had been honored. He said he thought he might deserve the prize, but that many others also deserved it, and added:

"I am very happy. It is not given to every man to have the luck to learn law, to teach it, to make it as a judge and to promote it internationally as an international judge . . . I would be happier if there were a little more justice in the world."

Cassin is scheduled to receive the award, which includes 350,000 Swedish crowns ($67,000), a diploma and a gold medal, at a ceremony in Oslo on Dec. 10.

The Nobel Prizes for physics, chemistry, medicine or physiology, and literature are to be made later.

All of the awards were set up under the will of Dr. Alfred Nobel, the Swedish inventor of dynamite, who died in 1896.

The awards are made by a five-member committee selected by the Norwegian Storting (parliament).

Cassin is a short, goateed, balding man who works a full schedule despite his age. He is distinguished by great personal charm and modesty. Friends cite as an instance of this the fact that he still contributes to Ici Paris, a weekly humor magazine. When Cassin first began writing for it at the end of World War II, it was devoted to politics and news.

Emile Cahin, a sister of Cassin, yesterday described her brother as "an exclusively intellectual man. You could give him beef or mutton and he would hardly know the difference."

[From the New York Times, Oct. 10, 1968]

French Jurist Wins Noble Peace Prize

Oslo, Norway, October 9.—The Nobel Peace Prize committee decided today to mark the 20th anniversary of the adoption of the Declaration of Human Rights with the award of its prize to René Cassin of France, chairman of the Council of Europe's Court of Human Rights.

The 81-year-old professor of international law will receive 350,000 Swedish crowns (about $67,500), a citation and a gold medal at a ceremony here Dec. 10, anniversary of the death of Dr. Alfred Nobel of Sweden, the inventor of dynamite. It is also the anniversary of the adoption of the Declaration of Human Rights by the United Nations. Mr. Cassin is the 11th Frenchman to win the peace prize, first awarded in 1901.

The last previous French citizen to receive the peace award was Dr. Albert Schweitzer, the late missionary surgeon and author, in 1952.

This year's peace award is the first since 1965, when it was given to the United Nations Children Fund.

The late Dr. Martin Luther King Jr. was the last individual winner, in 1964.

Nobel Prizes are distributed annually out of the fortune left by Dr. Nobel, who died in 1896.

Awards for physics, chemistry, medicine or physiology, and literature are made by Swedish groups. The peace prize winner is chosen by a five-man committee elected by the Norwegian parliament.

Other candidates for this year's prizes are believed to have included Secretary General Thant of the United Nations and Danilo Dolci, an Italian social reformer who has been a candidate for several years.

Observers here noted that Mr. Cassin, as president of the European Court of Human Rights since 1965, might have to hear a complaint by Scandinavian countries against Greece for alleged violations of human rights after the military takeover in April, 1967.

The Council of Europe's Human Rights Commission has not yet completed consideration of the matter.

The general impression here was, however, that the committee, by awarding the prize to Mr. Cassin, wanted to honor a man whose life work has been the extension of human rights.

The committee said that since the human rights declaration was adopted Mr. Cassin "has tirelessly worked for the carrying out of its principles, both universally and on the European level."

It was believed the committee wished to underline the importance of human rights in the wake of events in Czechoslovakia and Greece.

The committee has never given reasons for its awards nor handed out extensive biographical material on the prize winners. This year, however, the committee released a 300-word statement underlining Mr. Cassin's efforts for human rights.

Mr. Cassin was born in Bayonne on Oct. 5, 1887. He is a former professor at the Paris law school.

He worked with Mrs. Franklin D. Roosevelt to have the human rights declaration approved by the United Nations on Dec. 10, 1948.

THE 1968 NOBEL PEACE-PRIZE WINNER: RENÉ CASSIN

(By John L. Hess)

PARIS, October 9.—René Cassin, the newly announced winner of the Nobel Peace Prize, acknowledged today that much of his life's work, in the League of Nations, the Geneva Disarmament Conference and the United Nations, had failed to avert war.

"That," he said gently, "is because unfortunately there are forces in all countries that favor war. I am not a moralist who believes that man must change before peace will reign. I think we must work to change the conditions that result from the fact that men are not always good."

"Now," he added hopefully, "with world discoveries such as instantaneous communications, there are elements that did not exist years ago."

Mr. Cassin, a white-bearded, dark-eyed man, slightly stooped at 81, smilingly received a few reporters in his apartment on the Ile St.-Louis.

A table was cleared of the books and papers that overflowed the suite. In the center of the table a bottle of champagne and biscuits Frenchmen traditionally offer visitors were placed.

I am honored that through me my country has been honored," he said. "I am very proud. I think that perhaps I deserved the prize, but that many others deserved it also."

When he showed the cablegram inviting him to receive the award in Oslo on Dec. 10, he raised his arms in mock despair, exclaiming, "But I must be in New York for a congress on the rights of man. I cannot be in two places at once."

For this same reason, Mr. Cassin apologized that he had to dash off to preside at a meeting of the Alliance Israelite, one of the many philanthropic organizations in which he serves. Donning an old tan coat, he moved toward the door.

LET'S FEED THEM FIRST

He declined to discuss the issues of Vietnam and Biafra as such. "It's less politics than human rights that I am concerned with," he explained. "Let's feed them first."

Mr. Cassin (pronounced Kha-SAINH, approximately) was asked why he thought he had been choosen for the award.

"I think it's for my defense of the rights of man and my activity in the league of that name."

On the future of peace, he said:

"I think the world is going through a transition period. Unification is difficult, as is proved by the history of France. Mentalities and structures must be changed. The states have the responsibility of this transformation."

Then he escaped, hurrying down the two flights of stairs. A sister, Mrs. Félice Cahen, stayed to talk about her brother.

He was, she indicated, a man who had no small interests, no hobbies, with a total devotion to his ailing wife and to his life's work. His austere habits, she said, would in any case be necessary; he suffers still from a terrible shrapnel wound in the abdomen, received in World War I.

Mr. Cassin was born in Bayonne, in southwestern France, the son of a Jewish merchant. He became a lawyer and was called to the colors in 1914. He was wounded early in the war.

MOTHER SAVED HIS LIFE

His mother saved his life, Mrs. Cahen said. The mother, Gabrielle Dreyfus Cassin, was a nurse in a hospital in Nice when young Rene was brought in and delivered to the ward for hopeless cases. Mrs. Cahen said their mother persuaded a surgeon to remove the patient to the operating room.

Convalescent, Mr. Cassin married Simone Yzombard and began a career as a professor of international law, which soon took him into the making of international law. He was a member of the French delegation to League of Nations assemblies and disarmament conferences from 1924 until 1938.

With the fall of France in June, 1940, he followed General de Gaulle to London and became secretary of his council of defense and commissioner for justice and education.

The General wrote in his memoirs: "Professor Cassin was my assistant—and what a valuable one—with regard to those agreements upon which, starting from scratch, our internal and external structure was established."

His postwar career followed two main paths, with many side ventures.

On the domestic front, he became the head of the Council of State, the administrative high court of France, then a member of the Constitutional Council, which rules on questions involving the constitution of the fifth republic. He still holds the latter post.

In the view of colleagues in the United Nations, however, his new honor relates chiefly with his work in that organization.

He was a drafter of the Declaration of Human Rights and a leader in its adoption in 1948. Later, he headed the Human Rights Commission. He was also one of the founders of the United Nations Educational, Scientific and Cultural Organization.

Since 1959, Mr. Cassin has also been a member of the European Court of Human Rights, and since 1965 he has been its president.

The court represents an innovation in international law, since it permits individual citizens to bring suit against their governments on charges of denial of human rights.

France, however, has not ratified this procedure, which makes Mr. Cassin's election a personal tribute. The court is an agency of the 18-member Council of Europe, to which France belongs.

Although thousands of complaints have been made under the convention, only 10 have reached court proceedings. One of these, growing out of the Flemish-Wallon dispute, accused the Belgian Government of linguistic discrimination. The verdict, last July, was an acquittal.

When he is not in Strasbourg for sessions of the court or off for a lecture or meeting involving any of a score of his organizations in any of a score of capitals, Mr. Cassin may be found reading or writing in his study—though just where is hard for a visitor to surmise.

His desk, the walls, much of the floor and all but two chairs are covered with books and papers.

There is no room, it would seem, for all the medals, degrees and honors he has received. His lapel bears only the insignia of the Grand Cross of the French Legion of Honor. Space will have to be made for the Nobel Prize citation and medal.

[From the Washington (D.C.) Star, Oct. 10, 1968]

1968 NOBEL PEACE PRIZE WON BY FRENCH LAWYER

OSLO.—The 1968 Nobel Peace Prize was awarded today to French legal expert Rene Cassin for his work in furthering the dignity and human rights of mankind.

Cassin, 81, was deputy chairman of the United Nations committee which wrote the declaration of human rights. The late Eleanor Roosevelt was chairman of the committee.

Cassin is to receive the $70,000 award Dec. 10 on the 20th anniversary of the declaration at ceremonies at the University of Oslo.

Cassin, born in Bayonne in Southern France, lives in Paris and is considered the greatest authority on international law in France.

He was the son of a small town businessman and began his studies in Nice as a child, later taking up law.

The peace prize had not been awarded since 1965, when it was given to the United Nation's Children's Fund. The late Rev. Dr. Martin Luther King Jr. won the prize in 1964.

Cassin was France's representative to the League of Nations from 1924 to 1938. He went to London with Gen. Charles de Gaulle where he was minister of education and justice in the French government-in-exile during World War II.

After the war, he represented France at the newly created United Nations, and it was then that he became known as an advocate of the universal rights of man.

He served as a judge in the European Court of Rights from 1959 to 1963 when he became president of the court. He has written five books on international law and still pursues an active law career.

The Norwegian Nobel Committee said he has spent the last 20 years working for the realization of the declaration.

Norwegian observers said the decision to give Cassin the prize emphasized the committee's concern on the subject.

Political sources said 48 names were under consideration.

Many members of the committee were reported to have favored giving the prize to Czechoslovak Communist party First Secretary Alexander Dubcek for his role in preventing a bloodbath when the Warsaw Pact forces invaded his country in August. But the prize rules demand that a candidate's name be submitted to the committee before Feb. 1.

OTHER CONTENDERS

Leading contenders for the 1968 prize were said to include Vinoba Bhave, 73, a mild-mannered Indian revolutionary known as "The Walking Saint" because of his program of trying to secure land for India's poor; Danilo Dolco, an Italian social reformer who had been jailed numerous times in Sicily for efforts to improve conditions for workers; and Amnesty International, a humanitarian group which works for the release of political prisoners.

The 1965 prize was given to the United Nations Children's Fund. The late Rev. Dr. Martin Luther King Jr. won the prize in 1964.

THE INCREDIBLE GAP

Mr. HRUSKA. Mr. President, as I am sure Senators will agree, to become either an elected or appointed Government official does not make a person infallible, and it certainly does not make one immune to criticism. As a matter of fact, if a man in public life makes a mistake, his opponents are almost certain to point it out.

Despite the pain of error, all elected and appointed officials owe a duty to the public to tell the truth. Our country is a democracy; we in Washington govern only by consent of the governed. Trust in the veracity of government officials is a prerequisite of stable government. People must know the truth, and they demand to know the truth.

Credibility is one issue on which the candidates in the presidential election year are being judged. The two major presidential candidates have served as Vice Presidents in their respective administrations. In 1968, at the close of the Johnson-Humphrey years, people decry the credibility gap, and the cynics have a field day.

Is it any wonder? Speaking in Sioux Falls, S. Dak., on September 19, Vice President HUMPHREY said:

> I know that things haven't been too good, and I'm the last man in the world to come out here and say you never had it so good because I know better.

Four days later, he is quoted as saying in Toledo, Ohio:

> You've never had it so good and I don't mind saying so. . . .

It is hard to keep the truth straight—at least the present administration's interpretation of the facts. By way of contrast, President Johnson, speaking in March, opined:

> This is a pretty good land. I am not saying you never had it so good. But that is a fact, isn't it?

The record of "credibility" in the Johnson-Humphrey administration is "incredible." Top administrators have failed in their duty to be candid with the people and with the Congress. Mistakes, incompetence, and embarrassment do not justify deliberate coverups.

Reader's Digest has published in its October issue a frank article entitled "Tell Us the Truth, Uncle Sam," written by Mr. John Barron, of the editorial staff. It is a sad commentary on the actions and ideals of some administrators in the present executive branch.

Mr. President, I ask unanimous consent that Mr. Barron's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TELL US THE TRUTH, UNCLE SAM

(By John Barron)

Federal agencies and bureaucrats are increasingly engaged in a self-serving policy of official deceit—a shabby practice that debases the quality and character of our democratic process.

Last spring, as Congress sought a $6-billion cut in federal spending before passing the Administration's tax bill, government agencies joined in a scare campaign to forestall economies. Most stunning was a statement by the Veterans Administration. The spending reduction, it announced, "would require the closing of the equivalent of 30 hospitals." Outraged protests poured into Washington, berating Congress for heartlessly shutting hospitals when hundreds of injured men were arriving weekly from Vietnam. Finally, a bipartisan group of Congressmen had had enough. "You know that VA announcement is utterly false," Sen. John J. Williams (R., Del.), told the Treasury Department. "We want a letter to that effect. Unless you set the record straight, your whole tax bill will go down the drain." The letter came quickly.

Not long ago the Department of Agriculture hurriedly bought 2900 expensive electric typewriters to use up money left over at the end of the year. The General Services Administration rebelled at this extravagance, pointing out that purchase through competitive bidding would have saved half a million dollars. The Agriculture Department solemnly explained that it had to buy the typewriters immediately because of all the paper work created by a new farm-bill amendment. But the fact was that Congress already had *rejected* the amendment cited.

Monthly Defense Department reports to Congress have long suggested that the amount of supplies being delivered to North Vietnam by Western ships was an inconsequential trickle. The State Department announced that it was "very sure" that none of the cargoes contained any "military or strategic" materials. But when Congress finally got a look at secert intelligence data, it learned that the number of Allied ships visiting North Vietnam was more than twice what it had been told. And authorities had no idea what material some of them carried.

These examples of official deceit symbolize an ugly phenomenon which today has begun to corrode our democracy. Increasingly, federal departments are caught lying to the public, the press, the Congress, even to each other. Such calculated deception masks mistakes, chokes off enlightened criticism and denies voters facts they need to make intelligent choices. Worst of all, it undermines the trust upon which democratic government and traditions depend.

"Much of the doubt and dissension which torment the nation today results from the belief, too often justified, that our government no longer tells the truth," asserts Sen. Vance Hartke (D. Ind.). "This is not just a moral or a philosophic problem," adds news commentator Walter Cronkite. "Half-truths or lies . . . feed the fire of skepticism and cynicism that can undermine and destroy our democracy."

In recent years the government has tampered with the truth so frequently that the phrase "credibility gap" has gained common acceptance. Like most slogans, it is not always used fairly. Official pronouncements which turn out to be wrong sometimes are the consequence of bad judgment instead of dishonesty. Some issues and programs are so complex that sincere differences about them are inevitable. Yet even after the most charitable allowances are made, the public record remains littered with official lies which no amount of explanation can erase or mitigate.

This war on the truth is waged for fundamental purposes:

TO COVER INCOMPETENCE

By deceit, bureaucracies seek to hide bungling that would justify the censure or dismissal of their administrators. Consider what the National Aeronautics and Space Administration (NASA) tried to foist off on the public last year.

NASA spends $11,500,000 of the taxpayers' money annually and employs 300 press agents to glorify itself. It initially enjoyed immunity from independent scrutiny and criticism. On the night of January 27, 1967, fire erupted in an Apollo space capsule at Cape Kennedy. Three brilliant young astronauts were suffocated, and our whole program to put a man on the moon was set back a year. NASA attempted to depict the tragedy as simply a bad-luck accident which could not possibly have been avoided.

Death was "instantaneous," it announced. "There was a flash and that was it." "We always have adhered to the highest standards of safety," intoned a space boss. "And yet, in spite of meticulous attention to the smallest detail, this tragedy has occurred."

Soon, these reassurances were shattered. New York *Times* and Washington *Evening Star* reporters learned from engineers who had heard tape recordings that the three deaths had been far from "instantaneous." The astronauts pleaded for help and, as the *Times* disclosed, up to the very end "they were scrambling, clawing and pounding to open the sealed hatch." Rep. William F. Ryan (D., N.Y.) unearthed proof out of NASA's own files that, *as a result of previous blazes*, it had been warned repeatedly of the danger of fire in the capsule. Yet it made no provision for emergency escape.

Next, several Senators asked NASA officials if Maj. Gen. Samuel A. Phillips had not submitted a report devastatingly critical of the Apollo program. "I know of no unusual General Phillips report," replied George E. Mueller, an associate administrator of NASA. The agency admitted that General Phillips had made some "notes." But it belittled their importance, and NASA boss James E. Webb refused to let investigating committees see them.

Representative Ryan obtained a copy of the Phillips report from a secret source. Instead of a few "notes," it was a voluminous document full of charts and evidence. It found the principal Apollo contractor, North American Aviation, Inc., guilty of disastrous mismanagement and waste, and showed that the entire Apollo program was jeopardized by dangerously poor workmanship and skyrocketing costs. Yet additional evidence demonstrated that NASA had done little to correct the conditions pinpointed by Phillips.

Now some Congressmen began to wonder. Had there been favoritism in awarding North American the $5-billion Apollo contract in the first place? A "Source Evaluation Board" of 190 scientists and business advisers had recommended a contractor after an exhaustive study. Had it been North American?

On April 17, the Senate Space Committee summoned Webb. Sen. Margaret Chase Smith (R., Maine) asked the direct question: "Was North American the first choice of the Source Evaluation Board?" "Yes. It was the recommended company," Webb said categorically.

Three weeks later, Senator Smith had the facts—and called Webb back to testify. She asked if it was not true that the experts actually had rated Martin Marietta Corp. above North American. Webb at last admitted that North American was *not* picked by the experts. He and his three assistants had rejected the expert recommendation on their own.

TO FORESTALL CRITICISM AND DISCREDIT CRITICS

Bureaucrats have perfected the technique of using misinformation to obscure criticism in clouds of confusion. Sen. John C. Stennis (D., Miss.) was jeered after he warned that military spending for fiscal 1966 would be $12 to $14 billion more than the Pentagon claimed. "Pure figments of someone's imagination," said Presidential Economic Adviser Gardner Ackley; and Treasury Secretary Henry H. Fowler joined in ridiculing the Senator's authoritative calculations. Yet soon thereafter the Defense Department had to ask Congress for a $12.7-billion supplement to its 1966 budget.

Next year the ritual deception was shamelessly repeated. Before the defense budget was released, senior military officers secretly reported to Rep. Melvin R. Laird (R., Wis.): "Congressman, we think you ought to know that we've purposely underestimated the war costs by at least $10 billion." Laird then accused the Administration of trying to fool the public about Vietnam war costs by understating the budget. Within hours the then Defense Secretary, Robert S. McNamara, denied the charge.

As it turned out, Laird was more than right. The military expenditures during fiscal 1967 actually were $12.1 *billion* more than Defense Department assurances. Had the truth been told, the Joint Economic Committee said last year, then Congress might have done something to avert the vicious inflation the unbudgeted costs helped cause.

In April 1966, the New York *Times* reported from Saigon that air strikes against the communists had been drastically curtailed because of a shortage of explosives. "It is not true," McNamara vowed to Congress. "All this baloney—and it is only that—about lack of bomb production is completely misleading." Yet at the time the need for bombs was so desperate that the Air Force had to buy back for $21 apiece old 750-pounders which it earlier had labeled surplus and sold to other countries for $1.70 each. The Senate Armed Services Preparedness Subcommittee later produced overwhelming evidence, including official reports from field commanders, that the shortage had been acute.

TO MANUFACTURE PROPAGANDA

The Associated Press last year organized a team of reporters to ascertain how much the government spends a year to put out public information. Their staggering finding: $425 million! This "is more than double the combined outlay for news-gathering by the two major U.S. news services, the three major TV networks, and the ten biggest American newspapers," the AP noted. Too often, this colossal publicity apparatus is used to generate deceitful propaganda justifying pet policies and practices.

The Defense Department in recent years, for example, has dazzled the public with claims of immense savings attributed to brilliant and revolutionary management. Yet coldeyed auditors from the General Accounting Office have discovered hundreds of millions of dollars of these claims to be utterly fictitious—such as the Pentagon's crediting itself with $51,800,000 "saving" when the Marines did not buy some tanks they never planned to buy in the first place.

For sheer gall, though, no bureaucrats rival poverty-program administrators. Repeatedly they have pictured themselves to the public as slaying dragons of destitution. The facts too often show otherwise. For example, in announcing a "community action" grant for four rural Missouri counties, the Office of Economic Opportunity (OEO) conjured up a compelling scene of want and despair. "Approximately 120,000 needy persons are found scattered in every town and along rural roads in an area 60 miles long and 40 miles wide," said its press release. Rep. William L. Hungate (D., Mo.), who represents the four counties, boggled. Census figures revealed the *total* population of the area to be no more than 105,000. Queried by the Congressman, OEO first said that it had erred, that only 80,000 poor people were huddled in the counties. Challenged again, it ultimately admitted that the right figure was 5000.

Residents of prosperous Danville, Ind. (pop. 3287), protested when OEO attempted to force a poverty program on them. But poverty warriors insisted, and to prove their point told Sen. Birch Bayh (D., Ind.) that the little town had 1339 families with incomes under $1000, and 1979 families receiving aid for dependent children. At a public hearing, townspeople cited the government's own statistics to prove that only 382 families had incomes of less than $1000 and only 29 were getting ADC funds. Red-faced, OEO officials said they would check.

"Those figures are for Danville, *Ill.*," one finally announced. "An understandable mistake." But it wasn't. A newspaper investigation verified that the figures were ridiculously inaccurate when applied to Danville, Ill.

OEO has claimed marvelous success for Upward Bound, a program with the worthy objective of putting poor youngsters through college. "They respond as if the floodgates to knowledge had just been opened. They do well in college, they stay in college," it boasted. However, a study by Dr. Joseph Froomkin, of the Office of Education, was not so glowing. "More than half dropped out by the beginning of the sophomore year," he concluded.

Angrily OEO condemned the report as inaccurate and stated that Froomkin had agreed to make corrections on the basis of "more complete data" OEO had supplied. He had agreed to no such thing. Rather, he had asked OEO to send along any "new data," but none was ever provided. Moreover, Froomkin's report was based entirely on statements OEO itself had made to Congress. "I'm all for the idea of Upward Bound," he says. "But why not admit how difficult the job really is?"

TO DUPE CONGRESS

Often, in evaluating legislation, Congress must rely upon information provided by government agencies. If it is withheld or falsified, lawmakers can be misled into action they otherwise might not approve. Yet today Democrats and Republicans alike complain of difficulty getting straight answers.

After Rep. Wright Patman (D., Texas) sent an inquiry to the Treasury Department, someone there mistakenly attached an internal memorandum to the reply. The memo, obviously intended for the eyes of bureaucrats only, said, "As you will note we purposefully have not answered the question except in a very indirect way."

Testifying in behalf of a bill to create a Youth Conservation Corps, Interior Secretary Stewart Udall read a statement prepared by his underlings. "A recent study has shown that 60 percent of those who went into the old Civilian Conservation Corps program, instead of going back to their old environment, went on to new jobs and new opportunities," he said. But when the Senate Labor Committee asked for a copy of the study, the Interior Department had to admit that there was no such study. Some bureaucrat had simply fabricated it to persuade Congress to do what the Interior Department desired.

Over the years, the Agency for International Development has made many appeals to Congress for foreign-aid funds. Believing what AID said, Congressmen voted billions with the understanding that they were authorizing *loans* which eventually would be repaid. Two years ago came the shocker, when minority leader Everett Dirksen's staff started examining data supplied by the General Accounting Office. They discovered that AID had distinguished as "loans" no-strings-attached handouts of $10.1 billion. There is no way of recovering the money, even though many nations who got it have become prosperous and capable of repaying.

Deceit practiced in Washington today is seldom so clearly unmasked. "For every baldfaced lie you can document," says Rep. Thomas Curtis (R., Mo.), "there are dozens of others—more sophisticated, less detectable and thus more destructive." But enough official lies have been documented to create widespread distrust. As a result of doubts spawned by misinformation, the nation finds itself perilously troubled and divided in the midst of the third-greatest war it ever has fought.

The problem of restoring the reputation of our government for truthfulness is one of the first to which the new Administration, be it Democratic or Republican, must turn. The issue here is not a partisan one. It involves the health of the nation at a time when it is beset by crises, foreign and domestic, as grave as any in its history. Historically, free men have responded best to the challenges of their time when told the truth. So will Americans today. Tell us the truth. Uncle Sam. That's what we need.

LYNDON B. JOHNSON: THE SENIOR CITIZENS' PRESIDENT

Mr. MONTOYA. Mr. President, President, Johnson's philosophy toward the millions of older Americans can best be summed up in his own words:

> A great Nation cannot just put its older citizens on the shelf. It must provide a life for them where leisure has purpose and purposes give fulfillment.

The policies and the actions of the Federal Government under the leadership of President Johnson demonstrate clearly that he backed up his enlightened philosophy with effective deeds.

Probably the outstanding example of a program aimed at helping our older citizens is medicare. I do not have to remind you of the long and disappointing years of struggle before this pioneering concept was finally enacted into law. Today, we no longer hear the outraged screams of "socialized medicine." Today, medicare is accepted as a basic right for our older citizens.

In the first 2 years of the program's operation, 95 percent of all the older people in the country who were eligible have voluntarily enrolled under the medical insurance plan. Practically all aged persons in the country are now protected under the hospital insurance plan.

More than 300,000 doctors and almost 7,000 hospitals throughout the country have participated in the program. Tens of millions of doctor bills and hospital bills were paid through medicare. The dollar amount of the payments runs into the billions.

But as everyone knows, the story of medicare is not simply a story of statistics. And it is not just a story of physical health. Medicare has a much deeper meaning to the people of America. To our older citizens, the program means that they can enjoy their retirement years free from the fear of massive medical bills that could destroy their financial and emotional security. It means that they will not have to worry that they might become a burden to their children because of a long-term illness accompanied by staggering medical bills. Medicare has effectively removed this threat to the relationship between parents and their children.

Payments made under the social security system are a good measure of how our senior citizens are faring at any given time. During the administration of President Johnson, cash payments to social security beneficiaries rose from $15.6 to $25.3 billion. And this last figure does not include payments made under medicare. Both minimum and maximum benefits for individuals covered by the social security system have been raised twice in the past 5 years, and although the payment levels are still not what they should be, President Johnson has consistently fought to put literal meaning into the phrase "social security." For the worker now receiving the average retirement benefit, the cash payment has been increased more than 20 percent. This increase, I should point out, is much larger than the rise in the cost of living during that period.

Of course, not all our older people are retiring. Some of them want to work and some of them have to work. In any event, older Americans have frequently felt the lash of discrimination in employment because of their age. The Civil Rights Act of 1964 outlawed job discrimination based on race, color, religion, sex, or national origin. The act directed the Secretary of Labor to study the problem of job discrimination because of age. His report revealed some terrible shortcomings in American society.

Half the jobs in the country are closed to workers over 55.

Half the long-term unemployed in the country are workers over 45.

Although Americans are living longer and healthier lives, older workers are often barred from jobs they could easily perform.

Three quarters of the unemployment insurance paid out goes to workers over 45.

President Johnson determined to do something to end this senseless waste of our human resources. As a result of his recommendation, Congress passed the Age Discrimination in Employment Act, signed into law on December 15, 1967. This pioneering legislation is designed to outlaw discrimination in employment against persons 40 to 65 years of age. It does not force the hiring of older people. It simply requires that jobs be filled on the basis of valid qualifications, rather than artificial barriers.

When the President signed the bill he said, "This is humane and practical legislation." It has been my experience that most humane legislation is also practical legislation. In the case of this bill, the country gains by making use of the skills and experience of our older citizens. And our older people gain by having dignity and self-worth made a part of their daily lives.

America, in the past, has not always done right by our older citizens. But thanks to the leadership of President Johnson and the response of Congress, a new day is in store for the millions of Americans who have crossed some arbitrary boundary of age. We can all draw satisfaction from our efforts on their behalf.

SECRETARY FOWLER'S ADDRESS TO THE IMF AND WORLD BANK MEETING

Mr. HARTKE. Mr. President, Washington was host last week to a most important world meeting dealing with the monetary policies and the world problems of national and international finance. Since the memorable meeting at Rio de Janeiro last year, former Secretary of Defense Robert S. McNamara has become President of the International Bank for Reconstruction and Development, popularly known as the World Bank. Since that meeting, too, at which the principle of the special drawing rights or SDR's for the settling of international accounts was settled upon, there have been the monetary and gold crises centered in London, with which the eminent leaders at these meetings played an important role.

Not the least—in fact, one of the greatest—contributions to the development of international financial and monetary cooperation has been that of Secretary Henry H. Fowler, of the Treasury Department. On Tuesday, October 1, he addressed the delegates of the nations attending the International Monetary Fund and World Bank joint session. In that address, he discussed the world situation, including both recent international cooperation in stabilizing currencies and contending with the gold problem, and set forth most cogently several needs as goals for multilateral development finance.

Regrettably, Secretary Fowler noted that in a few months he expects to leave the Treasury and its attendant responsibility as U.S. Governor of the International Monetary Fund. In doing so, however, in this "swan song" address, Mr. Fowler looked back on a series of successes in his incumbency as the nations have built further mechanisms and structures in the last 7½ years—a rather long term in the history of Cabinet officers, including the Treasury leadership. As he looks forward to leaving the vital work of the Bank and the Fund to others, Secretary Fowler can look back upon an era of most fruitful achievement. As a member of the Finance Committee, I am grateful to him for his accomplishments in these international organizations, so easily overlooked as rather esoteric and mysterious in their operations but in reality so vital to us and to the entire world. Indeed, he deserves the gratitude of all Americans for the effective work he has done since 1960 in these organizations, providing greater stability to the American dollar and to the cause of international monetary stability as well.

Mr. President, I ask unanimous consent that the address by Secretary Fowler be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF THE HONORABLE HENRY H. FOWLER, SECRETARY OF THE TREASURY OF THE UNITED STATES

Fellow Governors and Honored Guests: We meet once again in the noble cause of international cooperation. Our works—the works of peace—embody the hopes and dreams of all men.

It is my pleasure to welcome my fellow Governors and other guests to Washington once again after our memorable and enjoyable meeting last year in Rio de Janeiro.

I offer congratulations to our two world organizations and the countries they represent in the quality of leadership secured in the year past for the years ahead. In the election of President McNamara of the Bank and the reelection of Managing Director Schweitzer of the Fund, we in the free world are fortunate.

I am happy to welcome the entry into membership of Botswana, Lesotho, Malta and Mauritius during the past year.

At this meeting we can for the first time speak of the Special Drawing Rights in terms of formal legal amendments approved by the Board of Governors now in the process of acceptance by member governments. The SDR facility makes a timely entrance on the world's stage. It is increasingly evident that there is a clear need for a supplementary reserve facility of this character. The events of the past year have already shown that monetary authorities can act with greater confidence because of the prospective establishment of this facility.

My Government has been proud to act promptly both to ratify the amendments establishing the Special Drawing Rights facility and deposit its instrument of participation.

I earnestly hope that all of the members of the Fund will approve and join in the new facility. Indeed, the monetary system as a whole would benefit if the requisite number of governments completed the process of ratification and certified participation to the Fund by the end of this calendar year. The Fund could then, early in 1969, consider the activation of the facility to provide supplementary reserves in the years head.

For the first time in the world's history, we shall be looking to the leadership of an international institution to provide conscious direction in recommending the amount of growth in world reserves which the international community needs to facilitate trade and development.

Article XXIV sets forth general guidance to the Fund on discharging its responsibility under the new amendments:

"In all its decisions with respect to the allocation and cancellation of special drawing rights the Fund shall seek to meet the long-term global need, as and when it arises, to supplement existing reserve assets in such manner as will promote that attainment of its purposes and avoid economic stagnation and deflation as well as excess demand and inflation in the world.

"The first decision to allocate special drawing rights shall take into account, as special considerations, a collective judgment that there is a global need to supplement reserves, and the attainment of a better balance of payments equilibrium, as well as the likelihood of a better working of the adjustment process in the future."

Already the Executive Directors of the Fund have concluded that "action in the area of reserve creation might well become an essential element in international cooperation aimed at achieving a lasting international payments equilibrium in world environment of satisfactory economic growth and of resumed progress toward liberalization of current and capital transactions."

The Annual Report of the Fund examines recent developments in world reserves and concludes with these words:

"In sum, reserve developments over the past several years have been dominated by special and erratic influences that, on balance, have led to a substantially slower accumulation of countries' official reserves than in prior periods. Such developments could not, over the longer run, be expected to provide the basis for a satisfactory performance of the world economy."

During the years 1966 and 1967, global reserves rose only slightly more than $3 billion. Monetary gold reserves, in fact, declined substantially. The upward secular trend of reserves was maintained only by an increase of over $5 billion in foreign exchange and in claims on the Fund. With both the United States and the United Kingdom having taken vigorous measures to reduce their deficits, reliance on accumulation of these currencies for increases in world reserves would be unwise. The major industrial countries, excluding the U.S. and U.K. in fact have added only about $500 million to reserves during the 12-month period from July 1, 1967, to June 30, 1968. This is not enough to assure the continued high growth of world trade, world capital movements, and world income.

It is fortunate, therefore, that we can look forward to the Special Drawing Rights to provide the needed secular growth in reserves. I believe that in the months ahead the need to activate this facility—and on a large enough scale—will be a very urgent matter on our agenda.

The principles and considerations bearing upon activation of Special Drawing Rights also suggest an examination of the substantial progress now being reported by the two major reserve currency countries in their efforts to achieve balance of payments equilibrium in their own accounts.

We have reason to be heartened by the signs of progress now emerging in the economy of the United Kingdom. We look forward to continuation of this trend as the realistic program employed by the British Government makes its full mark upon the international transactions of that country.

As far as the United States is concerned, I am pleased to report that our accounts are moving towards equilibrium. Since our meeting in Rio, the devaluation of the pound sterling, the subsequent run on the monetary gold stock, and a deterioration in the U.S. balance of payments, caused the United States to reassess its contribution to the balance of payments adjustment process.

President Johnson, in a Message to the Nation on January 1, launched an Action Program designed to strengthen both the current and the capital accounts of our balance of payments. With the first six months' satistics already in hand and with early indications on the third quarter, there is clear evidence that substantial progress is being made towards the President's target.

The delay in the imposition of the tax bill until the end of June will certainly influence our timetable but not the result. With the passage of the fiscal restraint package in June of this year, the economy was put on a more sustainable path of expansion. The fiscal package will cut some $20 billion from the Federal budget deficit in fiscal 1969.

As this strong medicine works and our economy moves into better balance we anticipate an improvement in our trade position. Our private capital account has already shown a remarkable improvement.

Results so far this year from the overall balance of payments program are gratifying. On a seasonally adjusted liquidity basis, the first quarter deficit of $660 million was down substantially from the fourth quarter 1967 deficit of $1,742 million. The second quarter showed a continuing favorable trend with a deficit of $170 million. One of the most striking developments has been the substantial surplus on official reserve transactions during the first half of this year. Results, so far in the third quarter, are encouraging.

Whatever the outcome of our election, I am confident that the United States has arrived at a fixed and determined policy to bring our balance of payments into equilibrium as a national and international responsibility of the highest priority and to move in a determined way toward restoring price stability in an atmosphere of balanced growth. This is a major source of my confidence in the future of our international accounts.

The decisive vote to increase taxes and to decrease projected public expenditures—both unpopular measures in an election year—should go far to sustain confidence in the dollar, the economy on which it is based, and our system of government.

This vote was a momentous decision—to pay our nation's bills and order our economic and financial affairs in such a manner as to reduce sharply the twin deficits in our Federal budget and in our international balance of payments.

I believe that this action will make possible and probable a return to far better balance in our Federal budget, in our international payments, and in our economy during the fiscal year 1969, which began on July 1.

This action by the President and the Congress of the United States to impose fiscal restraint was designed in large part to protect and strengthen the financial system of the free world and discharge the responsibilities of the United States in making the adjustment process work.

I join the Managing Director in his observation that:

"The renewed momentum in the world economy over the past year has depended too much on the overly rapid expansion in the United States. It is vital that, as the U.S. advance slackens, those countries for which expansion is indicated on domestic and external grounds should take up the role of pacemaker. In the meantime, I am happy to note that it has recently proved possible for some leading European countries to generate a larger outward flow of long-term capital."

Over the longer run, our task will be to extend the record of vigorous economic growth that has been established during the 1960's. With the economy and the national finances now coming into better balance, our domestic expansion, with its unprecedented duration of 91 months, has been placed on a much more secure basis—with promising effect on our balance of payments.

Apart from the unilateral efforts of the United States and the United Knigdom to strengthen the position of the reserve currencies and provide balance to the economies on which they are based, the functioning of the international monetary system has been strengthened by impressive developments in international financial cooperation.

Notable examples are the enlargement of the "swap" networks among a number of major financial nations and their proven effectiveness in dealing with several potentially destabilizing short-term capital movements, the arrangement recently announced to strengthen the position of sterling, and the decision of the participants to maintain their commitments under the General Arrangements to Borrow.

An even more significant and far-reaching step was the agreement on measures to arrest the decline of monetary gold reserves and to insulate the international monetary system from the destabilizing influences of the private gold market and speculation in gold. I refer to the agreement on gold policies of the central bank representatives of the active gold pool nations meeting in Washington on March 17 and the subsequent expressions of support from most of the rest of the world. The meeting of the Group of Ten at Stockholm provided additional underpinning to that consensus and to the monetary system as a whole.

I had the occasion, in an address on September 24, 1968, here in Washington, to restate the gold policies of the United States and to set forth in some detail the important relationship we see between these gold policies and the stability of the international monetary system. I refer any interested Governor to the full text of that speech. I will only repeat here a few paragraphs pertaining to the operations of the International Monetary Fund:

". . . The international monetary system has a vital stake in maintaining the value of gold in existing monetary reserves at $35 an ounce—neither less nor more. This provides assurance both to the countries who hold a large proportion of their reserves in gold and to those who hold a small proportion of their reserves in gold. It is clearly within the capabilities of the system to provide such an assurance, and the United States believes it is important to the stability of the system that this be done. But for gold producing countries that assurance must run only to their monetary reserves and only after they have disposed of their newly mined gold, and any price stability assurance that is provided should not apply to newly mined gold or that held in private hands.

"In giving assurance on existing monetary reserves, we will not accede to any proposal that puts a floor under the private market, thereby assuring the speculators who have built up their hoards of gold that they may unload it at no less than the monetary price."

I also said in that address and repeat here:

"Given the unique position of gold, as both a commodity and a monetary instrument, special problems could still arise in the two-tier system. It should be possible to devise solutions for such problems—provided such solutions are designed to strengthen and do not threaten to weaken the two tier system for gold and the monetary system as a whole."

I would like at this point to venture a few remarks about the future.

The new facility for Special Drawing Rights is a major forward step in the evolutionary process of improving the international monetary system. It has received wide support among economists, academic, business and financial leaders and, of course, among monetary officials. In the United States it enjoys broad and enthusiastic bipartisan support in the Congress. This happy situation is the result of the thorough study and painstaking discussions of the problem in international bodies, in legislative committees, in academic circles and in the financial press during the period in which the Special Drawing Rights plan evolved.

I would hope that further evolutionary changes in the international monetary system would emerge in the same way. The only appropriate way to seek improvement in the system is through the same procedure of careful study, widespread official and public discussions and carefully considered action.

The further evolution of the system may not involve such fundamental changes as we have seen in 1968, but, while conserving our proven arrangements, we must be prepared to consider change at all times and with an open mind. The reason is very clear. The purpose of the international monetary system is to make it possible for all of us to produce more at home, to trade more with each other, to use capital on the widest and most efficient scale, to visit more with each other, and to help each other, in an atmosphere of financial stability. The stronger the monetary system, the better we can do these things; the weaker the monetary system, the more we will have to restrict ourselves—at home and abroad.

Monetary officials must keep abreast of new ideas and proposals and be willing to examine them in full and free discussion. Such new proposals come from economists, either in the academic or the business world, from the private business community, from legislative committees and from monetary officials themselves. For example, the Subcommittee on International Exchange and Payments of the Joint Economic Committee of the U.S. Congress recently suggested for study some specific proposals to improve the monetary system.

Academic economists and others without operating responsibilities in the international monetary system can become troubled that many of their proposals do not seem to receive a full hearing from monetary authorities. The authorities, on the other hand, sometimes charge that these proposals from outside sources are not properly grounded in the problems and conditions of the real world. Without careful official examination no one can say at present whether, in the process of official and public discussions and interchange of views, ideas on this important subject will evolve into an area of common ground and constructive action.

The central point is that if useful proposals do not attract the interest of responsible monetary officials and are not thoroughly assessed for feasibility, desirability and acceptability they may fade into the background and be lost. This we cannot afford.

For this reason, I approve most heartily the sentiments expressed by the Managing Director in his opening remarks, "The world does not stand still and the effort to improve the monetary system which serves it is an unremitting task." I take comfort in his position that, "standing as it does at the heart of the system, the Fund is deeply committed to this task . . ." [that] "it will remain alert to those needs and actively explore what contribution it might make to the further strengthening of the world monetary system" [that] "continuing attention will have to be paid to the workings of the adjustment process, the long-term structure of reserves, and the role of reserve currencies within that structure."

In a few months I shall leave my responsibilities as Secretary of the United States Treasury and United States Governor of the Fund. Therefore, it would not be appropriate for me to launch specific initiatives with which my successor would have to deal without his having participated in the launching. For this reason I do not advance any specific proposal; I take no stand in favor of or against any particular proposal. But, may I suggest that the appropriate institutional mechanisms be mobilized early next year to work on further improvements of the international monetary system in the context of the completion of the ratification of the amendments for Special Drawing Rights.

I repeat my central point: We started with the strong foundation built at Bretton Woods. We built an impressive network of international cooperation on that foundation. We built a major addition to that foundation in the Special Drawing Rights Amendment. We must be prepared in the future, as we have in the past, to approach together and to work out together additional ways to strengthen the international monetary system. To do less is to fail in our responsibilities to maintain and advance our public trust.

II

I turn now to the field of development finance. President McNamara's opening remarks yesterday were bold, challenging and constructive. He has placed before us his plan of action—grounded in practicality and constructed with vision. We have heard from him how the Bank plans to move along its course at an accelerated pace while probing into new fields. I believe this plan is right. I have confidence that as Governors of the World Bank we will respond to his leadership. The urgent need to do so is rooted not only in the hopes of hundreds of millions of people, denied and deprived, but in the well-being of the interdependent family of nations.

Over the years, the distinguished Presidents of the World Bank, its senior management and staff have molded the Bank into a solid lending institution of unquestioned excellence. They have given the Bank worldwide stature as a prime mover of development finance, as the best forum in which to examine development problems, and as a source of creative initiatives.

We welcome President McNamara's prompt move to obtain the services of Lester B. Pearson of Canada to conduct a "grand assize" of the development process. Such a comprehensive appraisal will be a vital element in devising a broadened international consensus on assistance to the developing countries—this consensus has suffered gravely in recent years from the combined shocks of budgetary and balance of payments difficulties in capital exporting countries, compounded by international monetary disturbance and somber events in a number of aid recipient countries. The Commission will enjoy the fullest support and cooperation of the United States.

We have made major progress on many of the great problems of development. We have created an institutional structure for countries to join in the common purpose of helping to improve the harsh conditions of life in which large segments of the world's population exist. A viable institutional framework for development now in fact exists. We have created, extended and consolidated a framework embracing both multilateral and bilateral elements that permits external assistance resources to flow and be properly coordinated.

This great institution, the World Bank, has grown from a single entity in the early postwar years to a healthy family of specialized institutions. Regional banks have emerged in Latin America, Africa and Asia as major financing instruments, closely attuned to the needs and opportunities in the specific regions they are designed to serve. Moreover, as President Johnson, speaking of the Middle East said on June 19, 1967,

"In a climate of peace, we here will do our full share in support of regional cooperation."

In creating this complex of institutions we have not built haphazardly. Our architecture has been coherent and innovative, complementary, and responsive to needs.

We have also witnessed the response of the developing countries to the need to organize themselves in order to attract and efficiently exploit the external assistance that was available. The extent of these efforts to upgrade the capacity to apply aid efficiently has varied from country to country, but several elements have increasingly emerged: the formulation of development objectives and multi-year plans; improvement in the technical capacity to design well and execute efficiently projects that are sound and economically justified; institution of self-help measures that give external donors assurance that domestic economic and human resources are being diligently applied; and creation and maintenance of a climate that attracts foreign private investment, without which an unsustainable burden will fall on official external financing. Although much has already been done by many developing nations to bring about those conditions that will yield a maximum flow of resources for development, we must recognize that more remains to be done.

I turn now to a pressing development problem whose solution will require all our ingenuity and best efforts. This is the financial resources problem; it will dominate the development process in the decade ahead. By and large, we know what must be done, and we have the instrumentalities to do it. But the component that is still lacking is the crucial one—a sustained volume of financial resources at a level high enough to do the job.

Finding the answer to this problem is a formidable task and the new replenishment of IDA is a major element in this effort. Absolute top priority should be given to the successful completion of the governmental approvals necessary to bring this replenishment into effect. I am hopeful that the United States Congress will act soon to authorize U.S. participation in this replenishment of IDA. An executive proposal to that effect has been pending before the legislative body since last spring.

The establishment of IDA and an earlier replenishment of its funds received strong bipartisan support from the United States Congress and three Presidents—Eisenhower, Kennedy and Johnson. The basic reason for this record of support has been the conviction that a multilateral approach to development assistance is a desirable national policy and an essential feature of international financial cooperation in the world in which we live.

I can tell my fellow Governors that U.S. participation in the new replenishment agreement has received the overwhelming approval of the House Banking and Currency Committee with bipartisan support and that it is favored by a preponderant bipartisan majority of the Senate Foreign Relations Committee. I express again my continued hope that procedural difficulties and views by a limited number of opponents will not block early approval—particularly in view of the fact that approval by the United States is essential to the replenishment agreement becoming effective.

I would like now to mention a few of the ideas bearing on the solution of the problem of assuring an adequate volume of development finance on which I think a broad agreement exists.

1. *Strengthening the Multilateral Approach.*—It is no longer open to question that a strong multilateral approach holds the greatest promise for marshalling major amounts of funds for development on an equitably shared basis.

The multilateral financial institutions have a well-earned reputation for efficient operations, deriving in large part from the enlightened management they enjoy and the competent staffs they have assembled. They maintain a rigorous objectivity in the financial and technical assistance they render and they demand of their borrowers economic performance based on dispassionate comparison of efforts and potentialities. For all these reasons, the multilateral institutions inspire confidence on the part of governments and private investors alike that they have the capacity to administer wisely the funds that are entrusted to them.

Because of the confidence they now enjoy, the multilateral institutions are in a unique position to exercise constructive leadership in the critical process of mobilizing development resources that will be adequate in relation to the demands of the developing world.

The stronger their leadership becomes, the stronger their potential for attracting financial resources in world markets. This means leadership in marshalling capital for development finance, guiding the determination of needs and priorities, in selecting the best approaches to the development task, in encouraging both developing nations and capital exporting nations to pursue sound and helpful policies. It also means leadership in developing approaches and techniques to ensure that the balance of payments of donor countries is taken fully into account in arranging the flows of development funds.

This kind of objective leadership cannot and should not be undertaken by any single nation, either donor or recipient. Only by making full use of the leadership potential of the international financial institutions can we mount the most effective attack on the problems of development finance.

2. *Broadening the Sources of Multilateral Development Financing.*—A truly multilateral approach to development financing requires a broad multilateralism in the source of borrowed funds as well as in the capital structures of the institutions. Excessive dependence on a single capital market is not sustainable over the long term, nor is it desirable from the standpoint of the institutions themselves, which need the flexibility that can only come from widely diversified sources of borrowed funds. International institutions can and should play an important part both in developing capital markets and in finding other ways of drawing resources from balance of payments surplus countries. Their objective must be the continued strengthening and expanding of the resource base of development finance.

3. *Improving the Mobilization of Domestic Resources by Developing Countries.*—A third factor on which the solution of the resources problem of the seventies will depend is the efficiency with which governments of the developing countries mobilize their own resources. This involves a tax system and a tax administration that is oriented to balanced economic growth and a set of domestic policies that is conducive to private savings and investment and the avoidance of the disruptions and distortions that characterize unchecked inflation. I would list among the irreducible minimum of sound financial policies necessary for growth a public expenditure program that is formulated with clear priorities in mind, incentives to balanced growth, stable prices, appropriate wage policies, and maintenance of realistic exchange rates. These policies and economic conditions are part of the essence of the self-help concept.

Certainly of great importance in this connection is the establishment of an effective and efficient tax system. The developing nations themselves do—and must continue to—provide the bulk of the resources needed for their development. This is not only because unlimited external resources are not available, but also because too much reliance on external resources would bring an intolerable debt burden. Revenues raised domestically, therefore, are inevitably a first resource for development and the pace of development will in consequence depend in large part on the revenues yielded by the tax system.

Substantial international efforts such as the Inter-American Conference of Tax Administrators have already been devoted to encouraging ways to make tax systems more efficient and thereby make revenues available as a source of development finance. But more can be done. For example, tax administrators and tax policy officials in a particular geographic region can establish forums for regular exchange of ideas and experience. The IMF, the World Bank, and the regional banks can add a new dimension to their activities by more active leadership in fiscal operations. They can synthesize existing bodies of experience and analysis and disseminate the product widely in forms most useful and practical for developing countries.

Beyond these steps, the multilateral development finance institutions can, in their own lending operations, give greater recognition to those countries making the greatest relative effort to mobilize their domestic resources.

4. *Compatibility of Multilateral Development Finance with the Adjustment Process.*—I have always regarded it as axiomatic that the development finance mechanism should function in a way that reinforces the workings of a sound international monetary system. This means that development finance must contribute to expanding levels of trade and payments and the smoother flows of international capital. It must also be consistent with what we have come to describe as the balance of payments adjustment process. This matter is closely related to the central problem I am addressing in these remarks—that of assuring a flow of development finance that is both *sustained* and *adequate*. We can expect such a flow only if we can arrange that it function to ameliorate, rather than exacerbate the imbalance in world payments and that it exercise a stabilizing rather than a destabilizing influence on world payments.

Development finance must therefore take into account balance of payments considerations as these considerations affect the ability of donor countries to provide resources. I have already touched on the role of the multilateral banks in mobilizing resources in the private and public capital markets. I should refer here to the recent IDA replenishment proposal as an excellent example of the way safeguards for deficit donor countries can be integrated into an international understanding without sacrificing any of the fundamental principles that have been the strength of such institutions.

5. *Private Enterprise and Development.*—I believe it has also become clear even to those who may have had lingering doubts that the adequacy of the flow of resources depends in large measure on the attraction of private investment, domestic and foreign, into development channels.

Official financing, vital as it is and will be, cannot be the major element in the financing of development. Of key importance is the far greater volume of private capital flowing internally and from abroad. In my own view, and I know it is shared here, fostering conditions for the full application of the creative energies of private entrepreneurship is essential for accelerated development. And it is also essential that these conditions be attractive for foreign as well as domestic private investment, for with the former come additional benefits of new productive technology as well as management techniques.

One need look no further than the group of countries that can be considered development "success stories" to confirm that vigorous private enterprise development plays a key role in practically all such countries. Recent U.N. figures show a close correlation between net private capital inflows and high rates of growth. The lesson should be plain.

Let me add a further thought regarding the character—rather than the volume—of private investment flows in the future. Just as the early post-war years were ones in which new mechanisms evolved to channel the flow of public development finance, so is the present period one in which new mechanisms are evolving in the field of private foreign investment. The multi-national operating company, the multi-national management service company and other structures now emergent represent the emerging multilateralism in the private investment sector. It is in the interest of all concerned that we facilitate movement in these new and significant directions.

III

Last year in Rio, the Governors of the Fund and Bank called on the staffs of the Fund and Bank for studies on the problem of stabilization of prices of primary products. Although it has not been possible for the organizations fully to complete their work on this important and demanding task, I compliment them on what they have been able to do in examining this question. The analytic part of the study which has been transmitted officially to Governors contains a very full discussion of many important aspects of this wide-ranging topic.

There is urgent need for more attention to the root causes of market difficulties and to the possibilities of better coordination of trade, production and development policies. The case of coffee, where we can have five years of experience, has shown both that there is scope for assisting developing countries through price stabilization arrangements and that where success is obtainable in such a price arrangement it hinges ultimately on bringing supply and demand into balance, at an equitable level and encouraging diversification.

It is well that the Bank and Fund staffs have broken new ground in working together on this difficult problem and it is urgently necessary that both become more involved in this area in the future.

There can be no lasting improvement in commodity market conditions without more attention to helping the developing countries make the necessary adjustment in policies and plans. These are areas in which the Fund and Bank, respectively, are already making important contributions. These institutions are well-situated to do more, with benefit to our collective interests, if they are permitted and invited to play a more active role in the international consideration of particular commodity problems and in the framing of specific proposals to ameliorate them.

We shall look forward to the further work to come with deep interest and sympathy. I am glad to support the resolution which the President and Managing Director have put forward to the Governors on behalf of the Executive Directors.

IV

Fellow Governors, in this last meeting with you as the United States Governor may I be permitted a personal word.

For nearly four years as Under Secretary of the United States Treasury and the last three and one-half years as Secretary, I have been privileged to work with many of you in the common cause of international financial cooperation for peace, prosperity and development. I am grateful to you, my colleagues, for the many kindnesses and courtesies bestowed on me in countless meetings here, in your countries, and at our other international gatherings.

We have pursued together the development of ever firmer policies and programs of international cooperation which logically flow from the earlier foundations which our countries built together in the years following World War II.

The past seven and one-half years have been fruitful in putting international cooperation in the economic and financial area on an ever more intensive, intimate, and productive basis.

Let us look back on a few examples:

The General Arrangements to Borrow and the 1965 expansion of the resources of the Fund which have given it a much more substantial capacity to perform the task originally allotted to it at Bretton Woods.

The creation of huge currency swap networks, now totalling almost $10 billion, which have proven valuable tools in minimizing the destabilizing effects of short-term capital flows.

The quick, quiet, informal, and effective means to assist nations that have found themselves in temporary monetary difficulties—Canada, Italy, the United Kingdom, and, most recently, France.

The expansion of multilateral aid to the developing nations through the enlargement of the resources of the International Development Association, the Inter-American Development Bank, and the creation of regional banks in Asia and Africa.

The reciprocal reduction of tariff barriers in the "Kennedy Round."

The development in the Fund and the OECD of machinery for the multilateral surveillance of the adjustment process and the creation of standards and guidance for the industrial countries in the 1966 Report to the OECD on "The Adjustment Process."

The development of a new facility in the Fund for Special Drawing Rights to provide an orderly expansion of world monetary reserves.

Cooperation on gold policies in the interest of greater stability for the international monetary system.

But looking ahead I am confident that the future holds opportunities for even greater and more significant progress in this area of our common aspirations. For the United States, participation in the creation of these building blocks of international financial cooperation flows logically from the basic policies laid down at the end of World War II and pursued by Presidents Truman, Eisenhower, Kennedy and Johnson, with the bipartisan support of the U.S. Congress.

I venture not only the hope but solid confidence that this pursuit of international economic and financial cooperation will be continued by their successors because it

represents the deepest aspirations of the American people for living with their neighbors on this planet.

I have the same confidence in the future policies of the other member countries of the Bank and the Fund. They are born of the same aspirations.

As President Johnson said yesterday: "Let us not fail to be wise."

WALLACE FUNDS UNREPORTED

Mr. CURTIS. Mr. President, the Washington Post today published an article entitled "Wallace Funds Unreported—Filing Is Required by Law, but Nobody Seems To Act." The article states that even though rather voluminous reports have been presented to the Clerk of the House of Representatives by the Democratic Party and the Republican Party, the Wallace party has not filed any report.

According to the article, the Federal law requires reports to be filed by political committees established "for the purpose of attempting to influence the election of presidential and vice-presidential electors in two or more States."

What is sauce for the goose is sauce for the gander. If the committees backing some candidates must obey the law, why can others ignore it? Apparently the Clerk of the House of Representatives has a responsibility to report this fact and request the Attorney General to take appropriate action. If this is not done, it will add credence to the rumor that seems to be growing that there is some sort of collaboration between Vice President Humphrey and former Gov. George Wallace.

If none of these things is done, I think the Senate Subcommittee on Privileges and Elections should hold a hearing and look into the matter.

Mr. President, I ask unanimous consent that the article entitled "Wallace Funds Unreported" be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Wallace Funds Unreported—Filing Is Required by Law But Nobody Seems To Act

(By Walter Pincus)

An Alphonse-Gaston act seems to be emerging over the failure of the George C. Wallace organization to file a campaign finance report required by Federal law.

Jack C. Wallace, brother of the third-party presidential candidate, says he's not sure a report has to be filed with the Clerk of the House of Representatives.

"We had all these things looked into," Wallace said in a telephone interview from Montgomery, Ala. "If they say we have not done things properly," by not reporting, Judge Wallace added, "they are supposed to notify you."

However, House Clerk W. Pat Jennings, who has the responsibility of administering the Corrupt Practices Act, says "it's up to them to know the law and report."

The Federal law requires reports to be filed by political committees established "for the purpose . . . of attempting to influence the election of presidential and vice presidential electors in two or more states."

Without these public reports—which have been made by the Democratic and Republican committees—the contributors and recipients of Wallace campaign funds have remained a mystery.

The law requires a political committee to list individually all contributors of $100 or more and all expenditures exceeding $10.

Jennings said he was not aware that a committee was working for Wallace's election. He said he thought the money was being raised and spent by Wallace himself. And since the law does not require an individual presidential candidate to file what he receives in his own name, Jennings has not pressed the matter.

"I haven't seen any committee," Jennings said, "and I don't think it's up to the Clerk of the House to investigate . . . If a committee does exist and doesn't come to our attention, we have nothing to authorize an investigation."

Jennings was told that a political advertisement in the Oct. 1 issue of The Washington Post was listed as paid for by "George C. Wallace Campaign, 10 High Building, Montgomery, Ala." The House Clerk asked that a copy of the advertisement be sent to him with a request that an investigation be made.

"If someone writes a letter," Jennings said, he would refer it to the Justice Department, which has the responsibility of enforcing the Corrupt Practices Act. Jennings said he thought it would be "meddling" if he took the initiative and asked the Wallace organization directly about its failure to file a report.

Judge Wallace acknowledged to The Washington Post that a campaign organization was operating on his brother's behalf.

He said the organization had a "complete set of books" and the campaign finance records "will be filed in the event it is necessary."

Judge Wallace would not say whether a report would be filed with the House Clerk before the next reporting date set by law—Oct. 26, which is 10 days before the election.

The Corrupt Practices Act provides criminal penalties for willful or negligent failure to file campaign spending reports. But there never has been a case brought to prosecution even though there have been numerous instances of failure to report.

The policy of the Justice Department was laid out by Attorney General Herbert Brownell in 1954. He said the policy was "not to institute investigations into possible violations . . . in the absence of a request from the Clerk of the House of Representatives. . . ."

PRESIDENT JOHNSON AND THE NATION'S ECONOMY

Mr. McINTYRE. Mr. President, the U.S. economic expansion is now in its 91st month—the longest period of sustained and dynamic economic growth in the history of this or any other nation.

For more than 7½ years, the American economy has progressed steadily and surely, free of the recessions that occurred so regularly in the past they came to be accepted as inevitable.

During these years of record productivity and unmatched prosperity, we have increased our gross national product by almost $350 billion in terms of current prices. This increase exceeds the combined national products of the United Kingdom, Italy, and France in 1966.

This remarkable gain in our national production has resulted from an average annual rate of growth in real output of about 5.2 percent, compared with the rate of a little over 2 percent that characterized the late 1950's.

But these statistics, impressive as they are, give only a broad view of our economic accomplishments during this period. The most meaningful measure of our gains is to be found in the benefits—the additional jobs, the higher incomes, the social progress—that have accrued to the American people.

More than 10 million new jobs have been created for the Nation's work force since 1961.

The national rate of unemployment which was nearly 7 percent in 1961, was cut down to 4 percent by 1966, and has generally remained at or below that level ever since.

In 1961, 30 of our country's chief labor market areas suffered from an unemployment rate of 9 percent or higher. By contrast, only two major labor areas today are troubled by such a high rate of unemployment.

Along with new and increased job opportunities have come significantly higher incomes for the American people. Their disposable income—the money they have available for needs and wants after taxes and adjustments for price increases—has risen 40 percent since 1961.

Prosperity is also mirrored in the savings of our citizens. From 1960 to 1967, they were able to increase their savings from $399 to $677 billion.

Every segment of society has benefited from our economic expansion. Although too many of our people still live in poverty—and the betterment of their lives must remain a primary national goal—we can be heartened by the fact that 13 million Americans moved up above the poverty level from 1960 to 1967. Last year alone, 600,000 left the ranks of the poverty stricken.

I could cite other figures as well, but I believe those will suffice to show that a strong and buoyant economy has brought extraordinary progress—economic and social—to the United States.

It should also be noted that throughout this period of growing demands on our economy, including the requirements of the Vietnam war, we have maintained a highly creditable record of price stability. And we have done so without imposing wage, price and other controls such as those that were placed on the economy during the Korean conflict and World War II.

Since 1961, the United States has had the best record of price stability of any of the 21 large, industrialized nations which make up the Organization for Economic Cooperation and Development. Prices in our country have gone up during this period by 15 percent. However, in the 20 other OECD nations, they have risen 38 percent since 1960.

This record of sustained economic advancement has not resulted from accident. We are not the richest Nation world has ever seen because of chance or because fortune has happened to favor us. We have made unprecedented progress because President Johnson deliberately planned and promoted national policies designed to make our economic system reach its full potential.

There is little that is truly new in the so-called new economics, whose principles have been used in recent years to create and foster our economic advance.

The basic value of these principles has been recognized by informed observers for over 40 years. But to get these principles out of the academic grooves, form them into working tools, and use them in the workaday world took planning, hard labor, and political courage.

Lyndon Johnson supplied what was needed, not only for the emergence of these principles, but also for sustaining them in the face of persistent attacks on their validity. Because of his foresight, tireless effort, and unwavering determination, President Johnson has been the principal architect of our present prosperity.

Without question, the key factor in our economic growth has been the wise and flexible use of fiscal policy and tax changes to give direction to the economy.

To stimulate a sluggish economy, the Congress in 1962, 1964, and 1965, under the leadership of President Kennedy and President Johnson, enacted tax reductions totaling about $24 billion at present levels of income.

These tax cuts freed the economy from an oppressive rate structure, and cleared away a network of highly discriminatory excise taxes. Businesses and corporations were given a tax credit for new investments they made in plants and equipment. Depreciation rules were liberalized.

The effect of these changes upon private industry was almost magical. Our national production bounded sharply upward, and with economic revitalization came a flow of better products for the American people at lower costs, additional job opportunities, and broadened social progress.

Recently, we have seen again the courageous and sound use of flexible fiscal policy by the President. Only this time, the goal has been, not economic stimulation, but restraints on an economy that was threatened to go forward too fast. The temporary tax increase and reductions in Federal spending, enacted by Congress in June on the recommendation of the President, are now helping to arrest and ease the inflationary strains on our economy.

The same willingness to face up to problems, and to act boldly and determinedly to solve them has marked U.S. participation in world monetary affairs during the administration of President Johnson.

The President has clearly recognized that the health of the U.S. economy and of the world economy are interdependent, and that the United States therefore must exercise political leadership abroad as well as at home.

Thus in 1965, the Johnson administration, with strong bipartisan support, took the lead in efforts to strengthen the international monetary system. The system had served well since World War II, raising world trade and prosperity to new heights. But in recent years, it had become apparent that the world supply of monetary gold and reserve currencies could no longer keep pace with the demands of growing trade and capital movements. A new form of world monetary reserve, to supplement the traditional reserves, was needed.

We know well what has now been accomplished through long and patient negotiations between the United States and other nations. By early 1969, the machinery for creation of a new reserve asset—special drawing rights in the International Monetary Fund—should be in place. The world will then have a new kind of insurance against a recurrence of the global depression that followed collapse of the post-World War I monetary system in the late twenties and early thirties.

In another area of international cooperation, the United States has gotten other nations to bear a greater share of the responsibility for financial assistance to the less-developed nations. Because of U.S. efforts and U.S. initiative, the developed countries are today channeling an increased share of their assistance through multilateral institutions, such as the Inter-American Development Bank, the Asian Development Bank, which was established on recommendation of President Johnson, and the International Development Association, the World Bank Affiliate which assists the poorest of the developing nations.

I do not suggest that the tremendous progress of recent years—the lessons we have learned about guiding and strengthening our economy, and our success in building cooperation among nations—has solved all our domestic and international problems. Far from it. At home, there remains much to do to extend the benefits of America and American prosperity to every sector of our population. And abroad, the parallel circumstances of the people of the underdeveloped nations similarly cry out for dramatic improvement.

But this I do say—under the wise and courageous leadership of Lyndon Johnson—our Nation has been set on the right course. If we steadfastly follow that course—if we continue to work, as he has done, to improve the well-being of Americans and people everywhere—we need have no doubts about the future. It will be a bright one, a golden one, for the citizens of the United States and of all nations.

CONSUMER EDUCATION

Mr. **DIRKSEN**. Mr. President, I received a copy of a booklet entitled "Guidelines for Consumer Education," issued by the Honorable Ray Page, superintendent of public instruction for the State of Illinois. The booklet is very informative and runs 89 pages with very significant material and with text and references of resources for teachers. The booklet does answer a lot of problems pertaining to consumer legislation, and it would be most helpful to those who are interested in this significant subject. I wish to commend very highly, Superintendent Ray Page, for this significant contribution to consumer education. The booklet was published by the office of the superintendent of public instruction by authority of the State of Illinois.

Superintendent Ray Page has devoted his lifetime to education and has been an outstanding superintendent of public instruction in Illinois for many years. Under his innovative and progressive leadership, significant strides have been made in the field of education in the State of Illinois.

OIL IMPORT PROGRAM CONTRIBUTES TO MONOPOLY

Mr. **PROXMIRE**. Mr. President, on several occasions in the past I have called attention to the serious problems which exist in the oil import program. I have called for a reexamination of the oil import program in terms of the goals it should seek to achieve and the most effective way to achieve them.

I have done this because the American consumer is being forced to pay a high price for the present oil import program which is not achieving its stated goal of providing for our national security. The program, as presently administered, enables the major oil companies to maintain a monopolistic position and to keep petroleum prices at a much higher level than they should be. The major oil companies do not compete by cutting prices, as they would in a market economy; they compete by putting vast amounts of money into advertising and games which promise much but give little. All of which costs the average consumer money without giving him anything in return.

The consumer is stuck. He cannot turn to any other source of petroleum products. He must buy from the major oil companies or from 'independents" who buy from the majors and who are at the mercy of the majors if they press too hard by cutting prices.

Mr. President, the consumer must be protected. If there were a market economy in petroleum pricing, I would say fine, let the market establish realistic prices. But, we are not in a market economy so far as petroleum prices are concerned, nor will we be so long as the oil import program enables the major oil companies to maintain the monopoly they presently enjoy.

Fifty-four of us in the Senate and House have sent a joint letter to the Federal Trade Commission and the Department of Justice asking for an investigation into possible price fixing in the rise in the price of gasoline and home heating oil. The mere fact that we had to send the letter indicates a failure on Congress' part to come to grips with the problem of the oil import program. We cannot continue to allow the Federal Government to contribute to such a monopoly.

The oil import program was originally instituted by President Eisenhower because of an "emergency" situation. That was 10 years ago. An emergency does not last 10 years. The only step that Congress has taken to correct these problems is to hold hearings. Hearings which have functioned only as a forum to allow the special interest leadership to show their stockholders and members what a good job they were doing. Nothing constructive has been accomplished. One can read through past hearings and read the same things time after time, only the figures being updated.

The program was supposed to keep out enough foreign oil so that the price for domestic crude oil would be high enough to encourage oil companies to explore for domestic sources of oil. The program has kept the price of petroleum products high. Unfortunately, the program benefits the majors, the ones who have refineries, and therefore get import allocations for cheap foreign oil. The program has not helped the small, independent oilman; the individual everyone points to as in need of protection. These small independents who used to form the backbone of the oil exploration industry are being squeezed out. They cannot afford the large capital expenditures needed to explore potential sources of oil left over after the majors get through picking up the choice prospects; such as offshore lands. This problem is accentuated by the oil import program because the majors who control 90 percent of the refinery capacity get import allocations worth $1.25 a barrel. This gives the majors a ready source of capital which is not available to the independents to enable them to compete for choice prospects.

Indeed, this problem was recently pointed out by the decisions of the Oil Import Appeals Board. The OIAB is empowered to distribute a certain amount of oil kept in reserve to prevent "hardships" from occurring. Although it only distributed 5,000 barrels a day from its reserves, it gave a lions share to Tenneco which is the Nation's seventh largest oil company. Thus, the rich get richer.

Much has been made about giving the petrochemical companies a share of the oil import quota and how unfair it is to the oil companies to have to share their quota with the petrochemical companies. Everytime someone gets something from the Federal Government for nothing they seem to feel they have a vested interest in it which cannot be taken away. The real problem is whether the petrochemical companies can compete with the foreign petrochemical companies and the domestic oil companies without access to foreign feedstock. The executive branch seems to feel that they cannot compete and have given the petrochemical companies a piece of the oil import quota and is seriously considering an import for export plan to give them increased access to foreign feedstock. However, whether this is true or not, we should meet the issue squarely. We cannot continue to stretch the oil import plan to meet unexpected situations without a reevaluation of national needs and means available to meet them.

Another area of concern seems to be Occidental Petroleum Corp.'s proposed foreign-trade zone in Maine. Occidental has promised that, if its proposal is approved by the Foreign-Trade Zone Board and the Department of the Interior, it will lower prices on defense fuels, gasoline, and home heating oil by 10 percent and set aside a certain sum for marine research. Naturally, all the major oil comapnies are against the proposal because it would disrupt the monopolistic position they presently enjoy. However, I think it interesting to note that even with this price reduction, they expect to make a handsome profit. It indicates, I think, the amount of money that the oil import program is costing the American consumer.

Congress must act. I will propose certain changes in the present program next year. I sincerely hope that the next Congress will face up to the fact that we do have a problem in the oil import program and act to protect the consumer and the well-being of our Nation.

I ask unanimous consent that the letter sent to the Federal Trade Commission and the Department of Justice by myself and 53 other Senators and Congressmen be included at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

September 27, 1968.

Hon. Edwin M. Zimmerman,
Assistant Attorney General, Antitrust Division, Department of Justice, Washington, D.C.

Hon. Paul Rand Dixon,
Chairman, Federal Trade Commission, Washington, D.C.

Dear Mr. Zimmerman and Mr. Dixon: Enclosed is a letter signed by 54 Senators and Congressman asking for an investigation into the rise in the price of #2 fuel and gasoline.

As you probably know, Humble Oil recently rescinded most of its prior contra-seasonal retail price increase for #2 fuel. While we do not know whether the circulation of the enclosed letter for signatures had anything to do with the price rollback by Humble, we do think their industrial statesmanship should be recognized. However, this partial rollback does not affect the basic questions raised in the letter, questions which concern the many Senators and Congressmen who took the time to sign the enclosed letter.

The prices of petroleum products do not respond to market economics as they should. For example, the prices of #2 fuel and gasoline do not really reflect the costs of the companies which produce them. Although Humble's price adjustment was most welcome, it does not reflect the fact that costs of transportation by tanker or pipeline are lower than they were last year. The other companies which have not lowered their prices are therefore reaping a double benefit—from increased prices and decreased costs of transportation.

In light of this continuing highly artifical and unsatisfactory situation, we sincerely believe that the interests of the nation's consumers, small businessmen, and independent wholesalers urgently require the full and complete investigation called for by our original letter.

Sincerely,

William Proxmire,
U.S. Senator.
Edward M. Kennedy,
U.S. Senator.

Dear Mr. Chairman [Mr. Zimmerman]: We are vitally concerned about the recent price increases in the cost of gasoline and #2 fuel (home heating oil). Because of the rather stringent laws against price fixing we think that the fact that almost all the oil companies saw fit to raise their prices by the same amount at the same time merits close consideration. This is particularly true in the case of #2 fuel because prices were raised at a time of the year when large amounts of #2 fuel were in storage and prices are traditionally the lowest.

According to a letter Senator Proxmire received from Arthur M. Okun, Chairman of the Council of Economic Advisers, a copy of which is attached, the potential impact of such a price increase could be even greater than the threatened impact of a 5% increase in steel prices. This, at a time when our nation faces growing inflation and almost all the major oil companies have posted record high profits.

The members of Congress whose names are listed below have for some time now been concerned with the combined effect of the oil import restrictions and oil industry supply and pricing decisions on independent wholesalers, retailers, and consumers particularly in the Northeast. Last winter Secretary Udall and Senator Edward Kennedy arranged a meeting between wholesaler and dealer representatives and officials of the Interior Department concerned with oil supplies. The transcript of this meeting, available from Interior, contains striking indications of massive economic pressure, if not predatory practices, by large oil companies.

In the light of the facts outlined in this transcript and the circumstances of the most recent price rise, in an area of such great potential impact on consumers, on small businessmen, and on the economy, we urge strongly that the FTC [D of J] immediately undertake to ascertain whether the simultaneous price rise was coincidental or collusive and whether it constituted part of any long range pattern of collusive or predatory practices.

A similar letter is being sent to the Justice Department [FTC].

Sincerely,

William Proxmire, Edward M. Kennedy, George D. Aiken, Edward W. Brooke, Joseph S. Clark, Thomas J. Dodd, Charles E. Goodell, Jacob K. Javits, Thomas J. McIntyre, Walter F. Mondale, Edmund S. Muskie, Gaylord Nelson, John O. Pastore, Claiborne Pell, Winston L. Prouty, Abraham Ribicoff, Margaret Chase Smith, Joseph D. Tydings, Stephen M. Young, U. S. Senators.

Frank Annunzio, William H. Bates, Edward P. Boland, James A. Burke, James A. Byrne, William T. Cahill, Silvio O. Conte, Charles C. Diggs, Jr., Harold D. Donohue, William D. Ford, Samuel N. Friedel, William D. Hathaway, Margaret M. Heckler, James J. Howard, Hastings Keith, Charles S. Joelson, Joseph E. Karth, Robert W. Kastenmeier, Peter N. Kyros, Clarence Long, Torbrt H. Macdonald, Hervey G. Machen, John W. McCormack, Joseph G. Minish, F. Bradford Morse, Thomas P. O'Neill, Jr., Philip J. Philbin, Roman C. Pucinski, George M. Rhodes, Peter W. Rodino, Henry C. Schadeberg, Neal Smith, Fernand J. St Germain, Robert O. Tiernan, Joseph P. Vigorito, U.S. Congressmen.

Council of Economic Advisers,
Washington, August 9, 1968.

Hon. William Proxmire,
Chairman, Joint Economic Committee, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This is in response to your letter of August 1 concerning the recent price increases for fuel oil and gasoline. The answers to your questions, on the basis of the best information available to us, are as follows:

1. *The cost to the consumer of the price rise in the Northeast:* The areas affected by the recent 1¢ increase in gasoline prices appear to include all of New England, the Middle Atlantic States, Maryland, Virginia, West Virginia and the District of Columbia. In 1967, these States consumed about 19 billion gallons of gasoline; this year the figure will probably be somewhat higher. The 1¢ increase in gasoline at retail would therefore add up to about $200 million for these States.

The volume of fuel oil consumption varies considerably, of course, with the severity of the winter. In the Northeast, it is of the order of 10 billion gallons; the April price increase of ½¢ per gallon therefore amounts to about $50 million.

2. *The cost if applied nation-wide:* For the Nation as a whole, 1967 gasoline consumption was about 76 billion gallons. If the same increase now applied in the Northeast spread through all other areas, the cost would approach $800 million. Similarly, for the entire Nation, consumption of fuel oil may approximate 17 billion gallons, and the corresponding total cost of a half cent increase nation-wide would be $85 million.

3. *Increases in retail petroleum prices since 1965:* In 1965, the average service station price of standard grade gasoline, including taxes, was 31.15¢ according to Platt's *Oilgram*. In June 1968, the average was 33.99¢. We do not have the figures for the end of July, but I would expect that the national average would be considerably higher, bringing the total increase more than 3¢, or about 10 percent, over the 1965 average. Of this, however, .33¢ represents increases in State and Federal taxes. If these are excluded, the increase would be about 9 percent.

In the case of fuel oil, Bureau of Labor Statistics data show an increase in the national average price from 15.9¢ in May 1965 to 17.5¢ this May, or about 10 percent.

Over the same period the consumer price index rose from its 1965 average of 109.9 to 120.9 in June 1968—likewise an increase of about 10 percent.

4. *The relative impact of the increases in gasoline and fuel oil and those for steel:* If the entire steel industry had followed Bethlehem Steel's five percent general price increase announced on July 31, the bill to the immediate customers of the steel companies would have been increased by at least $600 million. Steel passes through numerous additional steps of production and distribution before it reaches the consumer, and one would have expected markups at each stage. The ultimate effect would not have been felt immediately. A reasonable estimate of the eventual increased cost at the consumer level from a 5 percent rise across the board would be in excess of $1 billion.

Thus the recent increases in prices of petroleum products in the Northeast are about one-fourth as large as the ultimate potential dollar impact that would have followed a 5 percent general increase in steel prices. If the petroleum price increases were to become nationwide, the dollar amount involved would be close to that threatened by the 5 percent steel price increase.

We are studying fuel oil and gasoline prices carefully; in view of your interest, I will plan to keep you informed of our findings. If there is any specific further information that I can supply, I would welcome the opportunity to do so.

Sincerely yours,

ARTHUR M. OKUN,
Chairman.

TRIBUTE TO REPRESENTATIVES TUCK AND HARDY

Mr. BYRD of Virginia. Mr. President, the adjournment of the 90th Congress will bring to a voluntary end the congressional careers of two outstanding Virginians—Representative WILLIAM M. TUCK, of the Fifth Congressional District, and Representative PORTER HARDY, JR., of the Second Congressional District.

Congressman HARDY was elected to the House of Representatives in 1946. He has served continuously and with distinction.

To his State and to his Nation, he has rendered unusually valuable service as a member of the House Armed Services Committee.

As a member of this committee, he has delved deeply into our national defense program. He has been particularly active in investigative matters. If the record were ever compiled, it would show, I think, that he has saved the American taxpayer a great deal of money.

PORTER HARDY has been an effective and able Congressman. He has been unbeatable in his congressional district. Had he sought to be a candidate again, I have no doubt that he would have been overwhelmingly reelected.

PORTER HARDY will be greatly missed on Capitol Hill. His services have been distinguished and I extend to him my warm good wishes upon his retirement.

WILLIAM M. TUCK was elected to the House of Representatives in 1953. As a Member of the House, he continued an already distinguished career of public service.

Few Virginians ever have served in as many public offices as has WILLIAM MUMFORD TUCK. He was elected to the Virginia House of Delegates in 1924 and served there for 8 years. He then moved to the Virginia Senate where he served for 10 years. He then became Lieutenant Governor of Virginia in 1942, and 4 years later was elected Governor.

As Governor, he showed determination, ability, and courage. Facing many difficult problems, he met the issues head on. If one were to use only one adjective in describing Governor TUCK, that one word would be "courageous."

As a Congressman, he has stood forthrightly for the constitutional principles upon which our Nation was founded. He has spoken out on the issues. The people of the Fifth Congressional District know where BILL TUCK stands on the many grave and important matters facing our Nation.

It has been my observation that few Virginians have been as beloved or as popular as BILL TUCK.

He will be greatly missed by his colleagues in the House of Representatives; he will be especially missed by the senior Senator from Virginia whom BILL TUCK has befriended and helped through the years.

I served in the Virginia Senate when BILL TUCK was Governor. I cherish that close association with him, and I cherish my close association with him during the time the two of us have been Members of the Congress of the United States.

NATO AND SOVIET INTENTIONS TOWARD WEST GERMANY AND WEST BERLIN

Mr. THURMOND. Mr. President, I was deeply disturbed to read in this morning's press that Defense Secretary Clark Clifford is downgrading the extremely critical situation in central Europe. According to the UPI dispatch, Mr. Clifford says that there have been "recent signs that some Soviet troops are being withdrawn from Czechoslovakia." It appears that Mr. Clifford is aware of events which are known to few other observers. Indeed, even the Department of Defense itself later said that the number of troops withdrawn from Czechoslovakia was "small" and "not significant" and that even these may be replaced.

The Soviet officials have not made the slightest indication that they intend to withdraw; and, as most observers have pointed out, the recent Soviet-Czechoslovakian agreement makes no provision for the beginning of withdrawal.

According to this morning's dispatch, Mr. Clifford also went on to say that the allied powers have no present plans to increase their troop strength in Europe. The drastic shift in the Soviet troop deployment is threatening the independence of West Germany. The future of West German participation in NATO, and therefore, the future of NATO itself, is at stake. It appears to me that Mr. Clifford's statement practically gives the Soviets a green light. In effect, Mr. Clifford is serving notice to the Soviet Union that NATO will do nothing to counter the dangerous shift in the balance of forces. Mr. Clifford is inviting Soviet strategists to proceed on their course of intimidation against West Germany.

Mr. Clifford is quoted as saying:

> There are a number of Soviet divisions in Czechoslovakia just across the frontier from Bavaria in West Germany.
>
> (But) I would say at this particular time that there will be no specific plans (to increase NATO forces) because there has been no movement of Soviet troops up to the Bavarian border.

In the circumstances of modern warfare, such a statement seems to have little meaning. Modern troops can move great distances in a matter of hours, as the Soviets have just proved. Whether Soviet troops are on the border of Bavaria or a hundred miles away is of no great consequence for modern strategy. The significant shift is that the center of gravity of the Soviet forces has been moved 400 miles west. Soviet troops have been brought from Asia and from the Volga districts. It is this shift which creates a tremendous political-military change.

It appears that the administration is more concerned about continuing to develop its policy of detente than it is with facing the reality in central Europe. Is this statement by Mr. Clifford the fruit of last week's conversations between Secretary Rusk and Soviet Foreign Minister Andrei Gromyko? Are we attempting to settle the fate of West Germany over the heads of our ally? This situation is extremely critical for the future of West Germany and for all of Europe. I do not think that the future of freedom should be sacrificed for a nebulous policy of detente.

The mood of the country is to turn away from international affairs, and to concentrate our attention upon the domestic scene. It is precisely at the time of our election campaigns, and immediately after, when our Nation is most vulnerable in the international arena. For this reason, the growing intensity of the Soviet threats against West Germany and West Berlin ought to give us serious alarm.

Although Berlin has always been an object of Communist pressure, many observers are now convinced that the Soviets are also trying to bring about the submission of West Germany to Soviet policy. The Soviet plans include direct intervention into the affairs of West German politics. Depending upon the reaction and attitude of the United States, the Soviets' plans quite possibly include the use of military force against West German territory.

The real meaning of Czechoslovakia is becoming clearer every day. Although the Soviets had real grievances against the Czech Communist rulers, the force used to crush the Czechslovakian attempt to weaken Party rule was far out of proportion to that required. At least 30 divisions poured into little Czechoslovakia. Six divisions taken from East Germany were replaced with seven divisions of fresh troops. The Warsaw Pact forces, overwhelmingly Soviet, now number over 1 million men stationed in territory adjacent to West Germany, armed with the latest and most modern equipment, including missiles and tactical nuclear weapons. The skillful and dramatic operation in Czechoslovakia could easily be the dress rehearsal for an invasion of West Germany.

The picture darkens when recent Soviet declarations are examined. In the Soviet mind, the Czech situation and the German situation are closely linked. A recent article in Pravada justified the invasion of Czechoslovakia on grounds that its so-called socialist independence was threatened by reactionary elements. The article blamed the Czech Communist leaders for not having suppressed these activities on their own. Then the article went on to assert that false notions of sovereignity could not be used to justify an alleged resurgency of neo-Nazism in West Germany.

The Soviets have also said that the Potsdam agreement allows the signatories to enter the territory of former enemies to repress the resurgence of so-called militarism. Finally, the Soviets invoke the U.N. Charter, claiming that it gives them the right to take enforcement action against the "aggressive policies" of any former enemy state. It is clear that the Soviets would seek to avoid any direct confrontation with U.S. or NATO troops. Instead, they would invite the United States to "reoccupy" Germany on a four power basis; in the absence of a positive U.S. response, they would go it alone.

The arrangements cited in the Potsdam agreement and the U.N. Charter were never intended to be more than a transitional setup. Our planners naively failed to foresee that the Communists would keep half of Europe in bondage for 22 years. In any event, there is absolutely no justification for attributing any aggressive actions to West Germany, or for declaring unilaterally that West Germany is undergoing a resurgence of militarism. The West German Armed Forces are undermanned, and equipped only with conventional weapons. The Soviet Union, a great power, has just completed a troop movement on a scale not seen since World War II—yet it dares to accuse a relatively weak nation of "militarism."

The Soviets have laid out their plan in stages, and they will proceed as far as they think they can go without opposition. It all depends upon their judgment of the American will to resist. We must declare that any aggressive act against West Berlin or West Germany is an immediate act of war against the NATO pact. We must back up our words with action and commitments to see that the full level of NATO forces in West Germany is restored. The next few weeks may tell the tale whether the United States is too distracted by internal politics to save the heartland of Europe from Communist control.

If the Federal Republic of Germany falls under Soviet control, directly or indirectly, there will be no force in Europe capable of withstanding Soviet intimidation. The Government in Italy is weak, having with great difficulty just formed a coalition. France has just gone through one of its most violent internal struggles in postwar history. Spain is seeking money to enlarge its small defenses. Portugal has just changed leaders due to the incapacitating injury of the founder of its present Government. At the moment, West Germany is the keystone of free Europe.

The extent of Soviet action in Germany will depend upon the Soviet interpretation of our response. Secretary of State Dean Rusk has aptly said that we cannot tolerate Soviet designs upon West German sovereignty. But words are not enough. We cannot allow the Soviets to misinterpret our intentions. We must unmistakably make it clear that any act of aggression against the Federal Republic will be an act of war against the United States and all NATO pact signatories. Finally, our determination must be backed up with real acts. We must redeploy the troops which were rotated out of West Germany early this year, and we must redeploy immediately. The administration has said that these troops will be redeployed next year; but the Soviet timetable is measured in weeks, not years. The Soviets want to act while a lameduck Government is in charge in the United States. They hope to catch the next administration off balance.

I think that it is unfortunate that the United States was so slow to respond to the Czechoslovak invasion. Even the NATO maneuvers scheduled for late summer were canceled. We have done nothing to redress the shift in the balance of forces. NATO must be brought up to its full complement in West Germany, and it would be good to hold the canceled maneuvers now.

We have learned too well in Vietnam how the enemy interprets the so-called graduated response as a sign of weakness and indecision. We have counted the toll of gradual escalation in the bloody count of the dead and wounded. It is imperative that we avoid a war caused by accidental miscalculation on the part of the Soviet strategists in central Europe. While we still have the time to demonstrate our intentions calmly, we must do so, in order that the Soviets will think about the consequences of their aggressive plans.

To understand the need for swift action, it is necessary to go into some detail about recent Soviet actions and announced intentions. The Soviet sweep into Czechoslovakia must be interpreted as part of a grand scale operation whose real focus is West Germany. Let us first examine the excessive use of force against Czechoslovakia, and judge that against Soviet statements about West Germany. Many Westerners are so much in the habit of telling themselves that the Soviet Union has "mellowed" that they are actually calling the Soviet occupation of Czechoslovakia "a defeat." When the broader Soviet aims are held in view, such an interpretation is ridiculous.

In the early hours of August 21, the Soviets moved in with a swiftness and strength that came from 6 months' planning. The scope of the mobilization, the extraordinary problems of logistics, and the extent to which reserve and guard units were called up indicates that the operation was of major importance. There are some who maintained last May that the Warsaw Pact maneuvers were merely a show of force to bluff the Czechoslovak Communists into complying with Soviet demands. Yet the scale of the planning and the actual mobilization at that time show that the Soviets were embarking on a broader strategy. The occupation of Czechoslovakia was a necessary preliminary to other moves.

Within hours of the first landing, some 250,000 Warsaw Pact troops had occupied every inch of the country. The Czech Army put up no resistance; in fact, the Czech troops had been confined to barracks ahead of time. Despite the fact that the country had been secured, more Warsaw Pact troops began arriving 2 days later. Knowledgeable estimates of peak strength range up to 650,000 in 35 divisions. At least 30 divisions remain. It is noteworthy that strength in East Germany was increased also. Six divisions sent from East Germany to Czechoslovakia were replaced with seven divisions of fresh troops. The final count showed 21 divisions in East Germany, plus those in Czechoslovakia, for a total of perhaps 1 million men arrayed against West Germany. The importance of the operation is shown by the fact that it is in command of Gen. Ivan G. Pavlovski, a man who is commander of all Soviet ground forces and a Soviet Deputy Defense Minister. Clearly, this is not just a Warsaw Pact maneuver.

The massive shift of Soviet ground forces to the West German line has been accompanied by a stepped-up diplomatic and propaganda barrage. The Soviets blame West Germany for counterrevolutionary activities in Czechoslovakia; they assert the legal right to intervene in West German affairs; and they imply that such intervention is not an attack upon the United States or the other powers which conquered the Hitler regime. Thus they are seeking to neutralize U.S. protests at the same time that they are building the case for intervention. It is for this reason that our protests must be backed up with NATO strength.

In the Soviet mind, the situation in Czechoslovakia and the situation in West Germany are both parallel and interdependent. Those who discount Soviet intervention, perhaps even military invasion, in West Germany today are in the same position as those who were discounting the possibility of Soviet intervention in Czechoslovakia in July and early August.

It is important to note that the Soviet press is loudly blaming West Germany for making the intervention in Czechoslovakia necessary. For example, Izvestia said on September 21:

> The pointed end of West German policy, sharply hostile to socialist countries, has been aimed at Czechoslovakia . . . with the ultimate hope of restoring there capitalist conditions.
>
> Militant diversionary-terroristic groups were formed with the active participation of West German agents.
>
> Counter-revolution in Czechoslovakia received and still continues to receive through the West German press, the radio and television, advice on how to undermine the leading role of the Czech Communist Party, how to create anti-socialist parties, clubs, unions, how to seize key posts in the Party and government apparatus and in social organizations. . . .
>
> According to the Bonn schedule, the matters were to come to a head in Czechoslovakia in October-November. . . . But the showdown took place ahead of schedule, and proved to be quite different from the one expected. . . .

The Western tendency is to dismiss such statements as mere fabricated propaganda to justify the outrageous Soviet actions against Czechoslovakia. But the point is rather to justify future actions against West Germany, actions which may indeed be planned for an October–November timetable or shortly thereafter. The Soviet case against West Germany is being built around alleged militarist and so-called revanchist policies which threaten the Communist nations. The case would be weak without hard evidence of expansionary designs. Czechoslovakia is now being decked out as exhibit A—a situation where alleged German militarism was so dangerous that the Soviet troops had to be rushed in to save the Czechoslovak people. The rising crescendo of such propaganda appears to be preparation for an intervention against West Germany. Here is another example, this time from Pravda, September 25:

> The temporary entry of troops of allied countries into Czechoslovakia prevented a counter-revolutionary coup, inspired from outside the country and supported by foreign material aid, a coup the consequence of which would have been the transformation of Czechoslovakia according to revanchist hopes into an appendix of the Federal Republic of Germany, to become a thorn in the flesh of the body of socialist countries. Is it not evident that the preparation of this coup is precisely the "new" policy of revanchist circles of the Federal Republic of Germany of "building bridges" from the West to the East?

This kind of propaganda is not just an attempt to shift the blame for the invasion to West German shoulders; it is an attempt to justify action against West Germany itself.

The Soviets are basing their right to intervene upon three foundations: First, the inherent right of communism for self-preservation; second, the Potsdam Agreement; and third, articles 53 and 107 of the U.N. Charter. No objective observer would grant any of these points, but the Soviets continue to manufacture the evidence to fit their case. One important aspect of the argument is the charge that the Czechoslovaks failed to clean their own house with the result that it became necessary for their Soviet comrades to do it for them. This line is then aimed at West Germany, with an evident attempt at blackmail. The implication is that West Germany must adopt Soviet-dictated policies, or the Soviets will move in, as in Czechoslovakia. The question of national sovereignty is dismissed as of no relevance.

For example, Pravda, on September 26, declared that Soviet-dominated nations must remain a member of the Communist bloc and follow Communist principles no matter what. Deviants were threatened with the big stick of Soviet powers:

> When a Socialist country seems to adopt a "nonaffiliated" stand, it retains its national independence, in effect, precisely because of the might of the Socialist community, and above all, the Soviet Union as a central force, which also includes the might of its armed forces.

Pravda, in the same article, complained that the "counter-revolutionary elements were not duly rebuffed inside the country," and charged that they "undermined the very foundations of the country's independence and sovereignty."

The Soviet notion of national sovereignty, therefore, is quite plain. The Communists will not accept the independence of any nation that attacks Communist principles. This doctrine was specifically applied to West Germany by Pravda on September 26:

> Such an approach to the question of sovereignty means that, for example, the progressive forces of the world would not be able to come out against the revival of neo-Nazism in the Federal Republic of Germany . . . because this is "the internal affair" of "sovereign" states.

Although the most important justification in the Soviet mind for intervention into West German affairs is the self-proclaimed right to maintain the dominance of Marxism-Leninism, the Soviets also assert a claim under legal agreements. In an earlier article, on September 18,

> As a participant in the Potsdam Agreement, the Soviet Union will continue to take, in case of need, the necessary steps, together with other peace-loving states, to suppress the dangerous activities of neo-Nazism and militarism in West Germany.

The next day the official Soviet Government newspaper Izvestia extended the warning to include West Berlin.

This claim based in the Potsdam Agreement is significant because it indicates a crucial aspect of the strategy. It asserts that the Soviet Union will act "together with other peace-loving states." The implication is that those who do not join the intervention are not "peace-loving states." Thus the intervention is being portrayed as an act of peace, in which other states, such as the United States, ought to join, as well as the other signatories of the Potsdam Agreement. This strategy is intended to deflect a confrontation with the United States and to put U.S. diplomacy on the defensive. If U.S. troops were to become involved with Soviet troops, the Soviets would brand the action as unprovoked American aggression. On the other hand, the Soviet plan hopefully leaves the United States "a way out" of engagement, if U.S. leaders are inclined to be passive.

The third justification put forth by the Soviets as grounds for intervention are articles 53 and 107 of the United Nations Charter. This claim was presented last spring during a series of secret conversations held in East Berlin by Soviet Ambassador to East Germany, P. A. Abrasimov, and West German Foreign Minister Willy Brandt. The claim has also been presented in a formal diplomatic note. This claim echoes the alleged right to put down "dangerous activities" under the Potsdam Agreement. Article 53 reads as follows:

> ARTICLE 53
>
> 1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, *with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107, or in regional arrangements directed against renewal of aggressive policy on the part of any such state.*

Paragraph 2 reads as follows:

> 2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present charter.

Article 107 reads as follows:

> ARTICLE 107
>
> Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

The "regional arrangements" referred to in article 53 obviously include the Warsaw Pact. The "action authorized as a result of that war by the Governments having responsibility for such action" is apparently being interpreted as action under the Potsdam agreement. The burden of this claim, therefore, is that the Soviet Union and the Warsaw Pact have the right to intervene against "the renewal of aggressive policy" by West Germany, without the concurrence of the U.N. Security Council.

It is for this reason that the false propaganda barrage about the renewal of West German aggression takes on so ominous an aspect. This time, the Soviets have gone beyond mere rhetoric; they are engaged in remodeling the facts in the Czechoslovak case to supply the hard evidence. The Soviets have yet to establish any tangible connection between West Germany and the events in Czechoslovakia. The only influence from the West is the contagion of freedom, and the desire of human beings to manage their own affairs.

The result of the Soviet failure to come up with objective evidence is that they have fallen back on the big lie technique. They continually harp on the supposed resurgence of neo-Nazism. Again, the evidence for this resurgence is practically nil. The West German Constitution outlaws any party that is not organized democratically. A few years ago the West German high court outlawed such a party, a small splinter that never gathered any influence whatsoever. I presume that the high court would act again in a like manner if any evidence were available.

Today there is no party in German political life without democratic aims. I would make only one exception to this, and it is a party organized only 2 weeks ago. I refer to the arrogant resurgence of the West German Communist Party, an illegal organization that did not dare to raise its head until the Soviet Union put a million troops on West Germany's border.

The truth is that the term "neo-Nazi" is freely applied by the Communists to nearly anyone who is strongly pro-Western and anti-Marxist. Even the American press has acquired the habit of applying the term "neo-Nazi" to some of the most distinguished leaders of the great centrist parties, men whom themselves or whose families suffered persecution at the hands of the Nazis. The Communists have denounced meetings planned in West Berlin not only by the National Democratic Party—NPD—but also by Chancellor Kurt Georg Kiesinger's Christian Democratic Union—CDU—and even a special sitting of the Bundestag itself. No one is exempt from Communist criticism who stands in the way of the triumph of Soviet policy.

The question remains, then, as to what Soviet aims are in Europe. In my judgment, the Soviet Union wishes to complement its growing presence in North Africa and the Mediterranean with assured control over the policies of the European nations. The strongest nation in Europe today is West Germany, backed up by U.S. participation in NATO. The Soviets wish to separate West Germany from effective NATO support. I believe that the vast troop movements in Central Europe, combined with the present diplomatic and propaganda offensive, have one or more immediate goals in mind:

First. The neutralization of West German politics through threats and intimidation. If West Germany's course of action can be controlled through international blackmail, the Soviets need not risk direct military action.

Second. The integration of West Berlin into East Germany. The Soviets have long maintained that West Berlin's present status is temporary, and that it is actually part of East Germany's territory. A new constitution adopted by East Germany last spring—with hardly a protest from the West—reinforces that claim. The precarious isolation of West Berlin makes it especially vulnerable to a quick takeover, with little risk, depending upon the credibility of U.S. resistance. Such a move would seriously demoralize West Germany.

Third. An invasion into West German territory. This would be the riskiest of the three, but, as I have noted, the Soviets are carefully preparing their case to justify intervention and to avoid direct confrontation with the United States. Naturally, the Soviets would not take this option if West German politics can be controlled by other means. However, we must not assume, as so many did with reference to Czechoslovakia, that Soviet military aggression is a thing of the past. The agreement last week between Warsaw and Prague indicates that the Soviet troops will stay in Czechoslovakia indefinitely. If some of the troops move out, they may very well move west.

Soviet Marshall I. I. Yakubovskiy, head of the Warsaw Pact forces, has just completed an intensive round of high-level conferences in Eastern Europe. A moment's reflection on his itinerary suggests that extensive military operations would not catch the Warsaw Pact members off guard:

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September 19 and 20: Sofia, Bulgaria, conference with the Minister of Defense and Chief of Staff of the Bulgarian Army.

September 21 and 23: East Berlin conference with Minister of Defense and Chief of Staff of East German Army and Warsaw Pact mission in Germany and Soviet Army Command in Germany.

September 24 and 25: Warsaw, Poland, conference with Minister of Defense and the General Staff of Police Armed Forces and Warsaw Pact mission and Soviet Army Command in Poland.

September 25 and 26: Budapest, Hungary, conference with the Minister of Defense and Chief of Staff of the Hungarian Armed Forces. Chief of Staff of Warsaw Pact Forces Army Gen. S. M. Shtemenko, and Warsaw Pact Mission and Soviet Army Command in Hungary.

September 27 and 28: Prague, Czechoslovakia, conference with the Commander in Chief of Warsaw Pact Forces in Czechoslovakia, Army Gen. I. G. Pavlovskiy and Minister of Defense and Chief of General Staff of Czechoslovakian Army.

September 28 through 30: Bucharest, Rumania, conference with Minister of Defense and Chief of Staff of the Rumania Army and Warsaw Pact mission in Rumania.

Whatever the next move by the Soviets, suffice it to say that the Warsaw Pact nations will be sufficiently prepared.

Mr. President, the massive deployment of Soviet troops in Czechoslovakia indicates a commitment to a military-political objective of major proportions. The Soviets are conducting psychological warfare of broad dimensions against the West Germans. If they detect in us a sign of weakness, of preoccupation with our own internal affairs, they will not hesitate to move swiftly even with military action. We have here a crisis for NATO with serious consequences. If we do not act, Germany will be effectively neutralized, and NATO will be dismembered.

Unfortunately, the U.S. Government has been slow to act. We have responded to the crisis only with generalities. We speak only of past commitments, without reference to the specific case. Since August 21, we have a new Europe, a new situation, which cannot be met by stale assurances. Our word means nothing if it is not accompanied by suitable action. The Soviets are already in the third phase of their troop movement. After the initial invasion, they have already replaced troops taken from other satellite nations. Now they have taken their troops from the cities and deployed them in the field, in the most combat-ready situation.

For our part, we have done nothing to counter this show of force. In any modern war, troops or weapons systems are of no use unless deployed ahead of time. Today's confrontation can be swift and overwhelming. One must be prepared by advance deployment for taking initiatives or for receiving a swift strike. When enemy troops are on the border, one must be prepared for action unless there is complete assurance that the enemy troops will not be used. Enemy deployment must be countered by a reasonable balance. One must demonstrate that all operational systems are ready to respond.

Without such action, the Soviets will not be prepared to believe that we mean what we say. There is no credibility in saying that we will oppose aggressive action when it is physically impossible to counter such action in time.

Diplomatically, we have also failed to respond properly. We have made no show of close cooperation with West Germany. There have been no consultations at the highest level of our Government. We have given no public encouragement to Chancellor Kiesinger that we will assist him in modernizing his forces, so that they would be capable of meeting the thoroughly reorganized and reequipped Soviet forces. The Chancellor has not even been able to get a summit-level meeting of NATO to discuss the most serious European crisis of this generation. It is not strange that, following upon the inadequate and inconclusive meetings between Secretary of State Dean Rusk and Foreign Minister Andrei Gromyko, Chancellor Kiesinger once more opened up talk of an "Eastern Policy" toward the Soviet Union. Without decisive support from the United States, the Chancellor is forced to fall back upon the Soviet peace proposals of last year proposals which would result in the dissolution of NATO.

Mr. President, we must show a willingness to be frank and open with the West German Government, and publicly include its highest officials in our deliberations. We must reinforce our own effort in the NATO forces, replenishing the divisions and equipment we have diverted, and deploying them in the field. Finally, we must vigorously support the modernization to all NATO forces, including those of Germany, so that they will be competent to meet the Soviet threat. Without these steps, the crisis now brewing may change the map of Europe for a long time to come.

PRESIDENT JOHNSON—HOUSING FOR A NATION

Mr. BYRD of West Virginia. Mr. President, President Johnson, early in his administration, made a pledge to this Nation:

> Until each city is a community where every member feels he belongs, until it is a place where each citizen feels safe on his streets, until it is a place where self-respect and dignity are the lot of each man—we will not rest.
>
> This is what men have always dreamed their cities would be. And this is what we seek to build.

President Johnson kept that pledge. He did not rest. From 1964 with the Urban Mass Transit Act through the historic 1968 Housing and Urban Development Act this Nation witnessed the greatest march of urban progress in our history.

I do not suggest the task has been completed. We have only begun the difficult task of building "what men have always dreamed their cities would be."

Today, however, we stand at the threshold of a new tomorrow for the American city. We have moved a long way toward improving the conditions that beset the urban landscape as we entered the 1960's.

We must remember that just 5 short years ago—

There was no Department of Housing and Urban Development. Now we have a Department seeking to organize, focus, and channel America's commitment to her cities.

There was no model cities program. Now we have a far-reaching model cities program that proposes to change the entire quality of life in our cities by inventing new ways to improve both the physical and social development of ghetto areas.

There was no urban mass transit program, except for a small demonstration project. Now we have a large mass transit program experimenting with methods for speeding movement from home to job.

There was virtually no urban research program. Now there is sufficient money that we launched an urban institute to concentrate on seeking answers to the long-range problems of the cities.

There was very little involvement of private industry in the construction of low-rent public housing. Now we have the turnkey process that is attracting more and more private builders and private funds.

There was little involvement of the private sector in the construction of housing for the low- and moderate-income families. Now we have the insurance industry showing confidence in this effort by pledging a billion dollars to stimulate housing in the central core cities. And now we have a public law that allows us to create a national housing partnership to encourage the participation of private enterprise in the low-income housing market.

In addition to the new programs, President Johnson appointed two Presidential Commissions, whose membership included some of our most distinguished Americans, to study the especially complex issues.

We should soon have a report from the Kaiser Committee that has been studying new techniques for producing housing in the cities. Already that committee has contributed the idea to create a national housing partnership—another step toward greater involvement of the private sector that was included in the 1968 act.

And we should soon have a report from the Douglas Commission that has been studying for about 2 years the complexities of zoning and building codes.

Finally, on August 1, President Johnson signed into law the unprecedented Housing and Urban Development Act of 1968. This act reaffirms our national commitment to a decent home for every American. It inaugurates a 10-year housing program that proposed to build 26 million homes—6 million to replace our substandard dwellings in which 20 million Americans are forced to live.

Those of us who for so many years watched our urban programs limp along are quick to applaud this record and achievement. Yet we would be negligent to applaud only the visible, the tangible accomplishments.

Perhaps the single greatest accomplishment of this administration is its success in making this Nation aware of its urban destiny. President Johnson has brought to us a growing recognition of our urban problems, an acknowledgment that we must meet these problems, and a hope, a dream that we have the capability to produce change, to overcome our problems.

In addition, he made this country aware that our cities are more than bricks, our homes more than shelter. In four classic messages to Congress on our cities President Johnson set forth his goals, his programs that we might begin rebuilding the lives of our people as well as the homes and environments in which they live.

That day, unfortunately, has not yet arrived.

But that day now is closer than it was just a few years ago, because President Johnson has cared and has encouraged Congress and all Americans to care about our cities.

It would take a long time for me to list the many measures inspired by President Johnson and enacted by Congress which have moved us forward, steadily even though slowly at times, toward that goal of a better city and a better America.

However, I would like to speak for a few minutes about some of the principal advances over the past 4 years that have served to make life more bearable and more meaningful for millions of Americans.

In the little more than 4 years—between January 1, 1964 and the first of June of this year—millions of our citizens, especially the poor and the disadvantaged, have moved to decent, safe and sanitary living quarters because of the expanded housing programs.

For example, during a 4-year period the number of low-rent public housing units increased by 27 percent—providing housing for more than 650,000 additional persons.

Specially-designed housing for our older and handicapped citizens increased in that time to accommodate nearly 200,000 persons of low and moderate incomes.

Also, during the Johnson administration private housing for low- and moderate-income families, financed with FHA mortgage insurance assistance, nearly tripled with more than 2 million families buying homes under the FHA plan. This is about 30 percent above the level of 1963.

The college housing loan program, increased by 51 percent, providing housing for about 260,000 more students on college campuses all across the country.

In urban renewal, during a 29-month period, grants were approved for about 200 more cities and towns increasing the total by nearly $3 billion—an 80-percent increase.

Urban planning grant approvals were expanded by $122 million—or a 205-percent increase over the previous 9 years of the program. These approvals enabled 3,600 more communities and 155 additional metropolitan areas to begin comprehensive planning for sound future development.

Under the open space land program, grant approvals increased more than tenfold—by $164 million—providing our cities and metropolitan areas with about 214,000 acres of land that could be used for recreation, scenic and conservation purposes.

In addition to these increases in established programs, new programs were enacted and their records of success are now becoming visible:

The urban mass transportation program, for example, was enacted in June 1961. However, until 1964, this program included only a very small demonstration operation. In 1964 it was substantially revised and expanded. Since that time grants of about $436 million have been made for more than 200 capital improvement, demonstration and research, and systems design projects.

And under the concentrated code enforcement program grants of more than $100 milion have been made to 80 cities that they might improve their neighborhoods and keep them from sliding into blight.

Grants of $55 million have been made to help construct 190 neighborhood facility projects through which health, recreational, and various other community services can be brought to low-income neighborhoods.

The model cities program, now in its planning stages in about 108 cities, is providing the tools for this Nation's first comprehensive and concentrated attack on neighborhood decay. The program is simple in outline, it encourages a city to develop and carry out a total strategy to meet the human and physical problems of a decaying neighborhood.

This recitation of impressive achievements over a 4-year period is, in itself, a dramatic and fitting monument to the care and concern of President Johnson and the 89th and 90th Congresses for the welfare of the urban dweller and the city.

However, neither President Johnson nor Congress is interested in building monuments. We are not content to rest on achievements of the past.

We cannot afford to simply congratulate ourselves for passing the Housing and Urban Development Act of 1968. We must look to the future. We must now begin the arduous task of implementing this historic legislation.

Although much has been said about the new omnibus housing measure, the many beneficial programs encompassed in this act should be emphasized and reemphasized.

Foremost among the innovative programs included in this act are aids to homeownership and rental housing. These two new subsidy programs will reduce mortgage interest rates to as low as 1 percent—thus assisting low-income in purchasing or renting housing that they could not otherwise afford.

These programs received authorizations of $75 million each for the current fiscal year, $100 million in the next year, and $125 million in the following year. Such authorizations, if matched, and I hope they will be, by appropriations could provide some 500,000 homes for ownership and 720,000 houses for rental over the next 3 years.

The act also provides a substantial increase in the rent supplement program authorization. This increase, if adequately supported with appropriations, could provide decent living quarters for an additional 145,000 families.

The act makes changes in FHA operations including the establishment of a special high-risk insurance fund. This will enable FHA to approve home-loan applications from buyers who otherwise would not be able to get loans and in neighborhoods that do not meet present mortgage insurance requirements.

The act greatly relieves the pressures on our center city areas by authorizing a new communities program. The Department of Housing and Urban Development will guarantee the borrowings of private developers of new communities to help them over the early, trying years when their expenditures outstrip their income. We have recognized that if we are to meet expected demand for new housing we must encourage both private development of new housing in existing communities and private development of new communities.

Also included in this program are supplementary grants to States and localities to help provide the needed water, sewer and open space land projects that help in new community development.

In the area of urban renewal, the act adopted an exciting new approach whereby a community can elect to carry out a project on the more flexible basis of annual renewal activities instead of the present system where commitments are made for an entire project fully planned years in advance. The advantage of this annual renewal approach—called the neighborhood development program—is that a community can begin activities as soon as its application is approved, it can complete some improvements in a neighborhood while detailed planning for other improvements is still underway.

To assist low-income property owners make needed repairs to their homes, rehabilitation grants have been increased under this act from $1,500 to $3,000. This will help improve neighborhoods while at the same time avoiding the forced sale of homes by owners who cannot afford to make the repairs.

Perhaps of greatest significance are the provisions of this act that recognize the important role that private enterprise must play if we are to meet our far-ranging goals.

In his 1968 message on the cities the President said:

> The Government's concern is to stimulate private energy and local action . . . The real job belongs to local government and the private sector—the homebuilder, the mortgage banker, the contractor, the nonprofit sponsor, the industrialist who now sees in the challenge of the cities a new opportunity for American business.

One of the key provisions that goes to this point is the establishment of national housing partnerships to encourage the greater use of private financial resources to provide more housing. The objective of these partnerships is to combine American private capital, private management talent, planning techniques and advanced methods of construction for the sole purpose of increasing our supply of housing.

The act authorizes an additional $1 billion for fiscal 1970 for the model cities program through which the ills of a decaying or blighted neighborhood can be attacked on a coordinated basis, using all available programs of government and private agencies.

Also this act provides for a new reinsurance program in the areas of flood damage and losses resulting from riot and civil disorder. These new programs will assist the private insurance industry to provide the necessary coverage to homeowners in areas formerly denied adequate insurance.

Each of the provisions of the 1968 act—from establishing a viable homeownership program to building totally new communities—will allow tomorrow's urban administrator to begin with greater confidence the herculean task of rebuilding our cities.

President Johnson so eloquently explained the significance and the promise of this act when he said:

> This law . . . is the rock of our commitment—the commitment of all good Americans to raise up a new America in this country . . . On this rock, every man may stand in the certainty that his home will be his joy, a place where he and his wife and his children can live in pride and in safety and in pleasure and in dignity.

So, I suggest to all, the Johnson administration has given urban America 5 historic years—years marked by unprecedented progress.

These were the 5 years when a majority of Americans began facing up to the problems of their cities. These were the 5 years we began to turn back the surge of decay, of poverty that was engulfing our inner cities. These were the 5 years we began to control the floodtide of growth in our cities and in our suburban areas.

And of special significance these were the 5 years that we began the task of improving the quality of life in our cities. In 1968 our programs are no longer geared only to building physical structures, but also to uplifting the human spirit.

All these changes have not come without conflict, without turmoil, without dissension.

So to President Lyndon B. Johnson the citizens of this Nation owe a debt of gratitude. He was a dreamer, but a dreamer who matched reality with dreams, programs with ideas.

He was not satisfied with the status quo, with old interests and old ways of doing things. He knew and accepted the price of change, disruption of the old, discomfort and often dissatisfaction.

For all of this the urban dweller has a brighter future, a future where every man and his family can live in a decent home, in a safe environment and where a just and orderly society is the mark of every community.

PUBLIC OPINION, INSURANCE FACTS SUPPORT GUN LAW

Mr. DODD. Mr. President, as the 90th Congress draws to a close we have seen that the democratic process works, that the will of the people prevails in the end.

I call attention, specifically, to the adoption by both Houses of Congress of legislation to control the traffic in firearms to criminals, addicts, and others incompetent to use them.

Mr. President, I believe the gun legislation passed by this Congress is a classic example of the will of the people worked through its duly elected representatives.

The public was outraged at the abuse of firearms in this country. It made its outrage known to Congress, and for the first time in the history of the Nation firearms laws were adopted consistent with the needs of the times.

And these laws were passed over the objections of a powerful, rich and dedicated firearms lobby who, in truth, wanted no law at all that would interfere with the commerce in firearms and ammunition.

Public opinion almost uniformly supported the need for better laws and indeed supported the measures adopted by Congress.

I believe the Congressional Record should contain some of these expressions of public opinion, and I ask that a number of editorials from newspapers across the Nation be printed at the conclusion of my remarks.

The editorial opinion contained in these articles is not uniform. The editors do not all agree completely with each other on the wording of the law, nor are they in complete agreement on the manner in which Congress has handled all of the gun legislation.

But they do uniformly agree on the need for legislation that will keep firearms out of the hands of those who are most likely to misuse them.

A study recently released by one of the Nation's largest insurance companies, Metropolitan Life, buttresses the findings of more than 7 years of research by the Juvenile Delinquency Subcommittee.

A study of company records found that more than 60 percent of the firearms accident deaths in the United States in 1966 resulted from mishaps in and about the home.

Mr. President, I ask that the Metropolitan Life study be printed at the conclusion of my remarks for the benefit of those of my colleagues who might not have been exposed to it.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Charlotte (N.C.) News, Sept. 20, 1968]

A Sounder Gun Attitude

For all their shortcomings, the gun measures which will bear this Congress' imprint are a significant initial response to what is the real need for gun control in this country. The gun must be removed from its pedestal among such symbols of the American spirit as apple pie, high horsepower automobiles, cowboys, or baseball. It must be recognized in every household, instead, as the lethal, largely unneeded, tool it is. In doing this, guns must be made much more difficult to obtain.

Congress completed action on a bill forbidding mail-order sale of pistols in early June following Robert Kennedy's assassination. In July, the House passed a bill banning similar sales of long guns. This week the Senate followed suit. Efforts to obtain some requirements for registration of guns unfortunately failed this session. But Congress deserves credit for its achievements, even though it took two assassinations to prod it forward this year.

This legislation alone will probably not measurably decrease the number of crimes involving guns, at least not immediately. Nor will it reduce much the number of murders or fatal accidents involving guns. Gun registration would have helped somewhat more, but would still have had only small immediate effect. Thus those who persist in using crime statistics to support their views for or against gun control miss the overriding consideration favoring restraint in purchase and use of guns.

Guns are a crude, dangerous tradition in America, a hold-over from frontier days when guns were more generally needed—or so goes the myth. A man and his gun or a boy and his gun are held to be as sacred and inseparable as a man and his horse 70 years ago, and that notion has no more validity today than the need for every man to own a horse. There is a certain air of innocence about guns, when instead they are weapons designed for one purpose—to kill, whether it be animals or humans. Switchblade knives and machineguns are designed for the same purpose and are illegal. Rocks, butcher knives, and baseball bats are on occasions used to kill but that is not their sole purpose and they are not regulated. Automobiles result in enough deaths that their use is regulated, though they are not designed for killing.

A sounder American attitude toward guns thus is the major purpose of the legislation. A visible short-range benefit of the two laws will be to help keep guns out of the hands of the mentally disturbed or of children who would not otherwise use them if they weren't so accessible. (Though most criminals will obtain guns regardless of laws, their use by many petty crooks would probably be prevented if local registration were required). But, again, the greatest short-range effect will be to begin reducing the heretofore unchallenged position of guns in American life—a first step toward eventually reducing crimes and accidents with guns.

[From the Arlington (Va.) Northern Virginia Sun, September 30, 1968]

Clay Pigeon Citizens

The United States Senate has shown an unusually calloused attitude toward the millions of unarmed Americans in watering down every meaningful proposal for stringent gun controls and the inadequate versions of the House and Senate bills which are now going before a conference committee will do little to relieve that clay pigeon feeling for peaceful citizens while racists on both sides buy up rifles and shotguns.

Some of the reluctant senators opposing registration of guns and licensing of their owners have been almost childish in their remarks that there are enough gun control laws now and that only the law-abiding would register their guns.

Without adequate gun control laws, rifles and shotguns illegally owned cannot be classified as contraband and police cannot begin to take the guns away from people of violence until meaningful laws are passed.

Once unregistered guns are listed as bootleg, police could confiscate rifles and shotguns without worrying about search and seizure laws. Without the laws, they are powerless to take guns out of the hands of drug addicts, morons and criminals.

Congress continues to ignore the wishes of the vast majority of Americans in its approach to gun controls and it is time for them to begin to represent their constituents.

[From the Bridgeport (Conn.) Telegram, Sept. 24, 1968]

Gun Accidents

Americans pay a price for the exercise of their constitutional right to bear arms. In 1966, an estimated 2,600 paid the ultimate price—their lives.

That many either shoot themselves accidentally or were accidentally shot by others. Nearly 60 per cent, or 1,500 of these mishaps occurred in or about the home.

Metropolitan Life has published some statistics based on a study of the death claims of 143 policyholders who died in home firearms accidents in 1964–66. The weapon most often involved was a shotgun or rifle.

Every age group contributed to the toll. An appalling 11 per cent of those fatally injured were children under age 10. Nearly two-fifths of the victims were between 10 and 24 most of them in their teens. Most frequently, the gun was accidentally fired by the victim himself or by another youngster, often a brother.

At least 29 of the 143 fatal accidents occurred during the servicing or repairing of the firearms. Several were caused by that most dangerous weapon of all, the "unloaded" gun.

Twenty-six lives were lost while playing with guns, most of these from playfully pointing it at the victim. At least four deaths were caused by "Russian roulette." Another 26 persons were killed either while demonstrating the weapon, target practicing or shooting at birds and small animals.

While 83 victims died of self-inflicted wounds, another 24 were shot by family members. Five accidents resulted from scuffling for possession of a gun, four of these cases involving husbands and wives.

If these statistics tell a story, that story is that Americans have not learned to respect the destructive power of firearms.

[From the Toledo (Ohio) Times, Sept. 24, 1968]

Gun-Control Start

A bill-restricting interstate sales of rifles, shotguns and ammunition for these weapons has finally passed the Senate. Unfortunately, amendments requiring gun registration and licensing of gun owners failed by wide margins. These amendments would have made the bill far more effective in the control of crime.

The battle for gun controls has been long and hard—and it is not over. There was a gun-control bill in the Senate some months before President Kennedy was assassinated almost five years ago. For several years afterward, the legislation went nowhere, mainly because of opposition by various gun manufacturers and sporting groups, especially the National Rifle Association. Yet during this time the public's attitude on gun controls changed from indifference to one generally in favor of specific restrictions, including gun registration.

Sen. Robert Kennedy's death in June led to passage in July of the provision in the omnibus crime bill which banned mail-order sales of handguns. Now shotguns and rifles, which account for 30 per cent of deaths by firearms, soon will be subject to interstate restrictions. This is an important step toward meaningful controls and something of a victory for those who have fought for controls. However, it is equally clear that there is more that must be done, namely the requirement of gun registration and owner licensing. Considering the public's attitude today, gun-control advocates in the Senate—Dodd, Clark, Tydings, and Brooke, for example—are in a better position to continue the fight than Senator Dodd, virtually alone, was five years ago.

The gun lobby has succeeded in watering down the Senate gun control bill, but its illogic and adamancy have alerted and alarmed millions of citizens who want to reduce the misuse of guns and their role in crime. We trust that the members of Congress who agree with this position will continue to press for further gun controls.

[From the Bridgeport (Conn.) Telegram, Sept. 23, 1968]

Toys of Violence

All the agitation about guns in the wake of the assassinations of the Rev. Dr. Martin Luther King, Jr. and Sen. Robert F. Kennedy has produced some responses which, if catching, may be as important as any gun control legislation.

Some firms which sell guns quit advertising them. Some quit taking mail orders for guns and started tightening other sales policies well ahead of any possible legal restrictions. Now Sears Roebuck and Co., Donaldson's and Dayton's have announced they will stop selling and promoting children's toys, that they believe encourage cruelty and violence; Montgomery Ward said it will quit advertising and prominently displaying such toys. And the television networks say they're cutting way back on violence in their Saturday morning kiddie programs.

This is the beginning of a realization that in an increasingly compressed society even toy guns can be a menace and even make-believe violence is a game we no longer can play.

[From the Asheville (N.C.) Times, Sept. 17, 1968]

Citizens for Gun Control

Congress, having passed a weak and inadequate gun control bill before the convention recess is highly unlikely to do what's needed during the remainder of this session and decree registration and licensing. The opponents, led by the potent National Rifle Association, can muster a million letter writers and voters, and that's a bloc of fury that Congress isn't going to provoke with an election less than two months away.

The United States, with three major assassinations and thousands of guns deaths resulting from crimes, has got to have registration and licensing. Polls for several years have shown that a majority of Americans want strict gun controls. A highly organized, well healed and very vocal minority blocks the way.

It's too late for this session of Congress, but the only way out is to organize Citizens for Gun Control and muster five million votes to counter the opposition. Only then will Congress listen.

[From the Beaver Falls (Pa.) News-Tribune, Sept. 8, 1968]

BOYS AND GUNS

The News-Tribune has complaints from time to time of boys shooting BB-guns, air rifles and regular small-bore rifles in town, particularly in the outlying areas.

They shoot indiscriminately, the reports go, at anything that moves and at some things that don't move, neighbors or others.

Sometimes they kill birds, sometimes even animal pets.

Boys with such weapons—and their parents—are reminded that the discharge of any sort of gun or weapon within the city limits of Fort Pierce is forbidden by city law. In addition, the city is a bird sanctuary and the killing of protected birds is strictly forbidden.

In addition, state law prohibits the discharge of such weapons by youngsters except in the presence and under the supervision of responsible adults.

Most people of the area undoubtedly oppose the compulsory imposition of firearms registration and control as recently advocated in some quarters. However, it could be that the continued violation of existing laws by youngsters and the fact that their parents do nothing about it could change peoples' minds to the point of demanding firearms registration and sales control.

It is quite natural for a boy to want to shoot a gun. But it is the responsibility, first of all, of the parents to see to it that existing laws are observed and that guns of any description are used only when and where there can be no possibility of endangering the safety of anyone.

Meanwhile, violations may be reported to the Police Department if they take place within the city, to the Sheriff's Department if outside the city.

[From the Albuquerque (N. Mex.) Journal, Sept. 20, 1968]

A STEP FORWARD

For a while there appeared to be some doubt whether the Senate was going to vote for control of guns or for control of the U.S. Supreme Court.

But in the end some sort of legislative rationality obtained, and the Senate voted to ban mail order sales of rifles and shotguns. Unfortunately that body—with the aid of New Mexico's two members—rejected proposals for licensing and registration of firearms.

Overall the measure isn't as strict as it should be but it is also a better one than it first appeared the Senate might be willing to approve. Last spring the Senate voted against prohibiting mail order sales of long guns by nearly 2 to 1.

As for Supreme Court controls, Senate Minority Leader Everett Dirksen overcame his temporary aberration and decided gun control legislation was not the proper vehicle with which to hamstring the judiciary. He withdrew a rider which would have imposed restrictions on the nation's highest court—and other courts—in obscenity cases.

That leaves the Senate measure sufficiently similar to one approved by the House last July to assure little difficulty in reaching agreement on a final draft.

In this connection we hope the House agrees to a stricter provision placed in the Senate's version. It called for up to life imprisonment for anyone committing a federal crime of violence—such as rape, murder, arson, theft, or kidnapping—while armed with a gun. The House-approved bill has a similar provision, but sentences fall short of a life term.

It appears that in spite of the gun lobby we may yet get an effective law to control the insane traffic in guns.

[From the San Diego (Calif.) Union, Sept. 28, 1968]

GUN CONTROL MEASURE STRIKES A BALANCE

Congress has moved with wisdom and caution down the thorny path of gun control.

The Senate and House have both approved a well considered ban on the mail-order sale of rifles and shotguns.

Other safeguards bar over-the-counter sales of arms to nonresidents of a state and to persons under 18. These measures, with a prohibition on the mail-order sale of ammunition and a previously enacted law to prohibit the mail-order sale of pistols, will bring a necessary degree of regulation to the traffic in arms.

The regulations will fall most heavily upon the unsupervised mail-order marketplace where floods of cheaply imported foreign military weapons are now offered so casually that they can be purchased without challenge by criminals, revolutionaries and the mentally unbalanced.

The measure also strengthens existing law by raising the possibility of life imprisonment for a criminal who carried a gun in the commission of a federal crime of violence. The wisdom of this provision is supported by statistics showing that the use of guns in aggravated assaults is up 76 per cent in three years and that 80 per cent of the killers with guns have a prior criminal record.

The Senate, as did the House, rejected proposals to license and register firearms, a plan which would have erected a costly bureaucracy.

The legislation as it stands strikes a reasonable balance, limiting the access to firearms by the criminal and unfit without penalizing responsible citizens who need a gun for sport or defense.

[From the Logansport (Ind.) Pharos-Tribune & Press, Sept. 14 1968]

GUN CARE

The recent death of an area girl from an accidental shooting emphasizes once again the dangers inherent in all guns kept in homes.

Some people are unbelievably careless with lethal weapons. All too often the result is a needless tragedy.

Anyone who leaves a loaded gun of any kind in his home is asking for trouble, particularly if there are any young people in the family. Children have no conception of how dangerous a gun is.

Anyone who insists upon keeping a gun has a responsibility to make certain it is not loaded when it is not in use. As a further precaution, it should be kept under lock and key, not only to keep it out of the hands of young people but also to make it less accessible to burglars.

The big increase in home burglaries in recent months, particularly in the daylight hours, has magnified the danger of guns falling into the wrong hands. Guns and money are the two major objectives of burglars.

Gun owners who want to stay alive and who want their families to stay alive must maintain a most healthy respect for their weapons at all times.

[From the Florence (S.C.) News, Sept. 3, 1968]

THE FIGURES BELIE THE ARGUMENT

Harold W. Glassen, president of the National Rifle Association, says talk of regulating firearms is a "cover-up to take the public's mind off assassinations, Vietnam, and crime."

In a debate with Sen. Thomas J. Dodd, Mr. Glassen declared: "America has a crime problem. It does not have a gun problem."

Well, now, let's see.

The FBI crime report for 1967 reveals the following relationship between crime and use of a firearm:

Firearms were used to commit over 7,000 murders, 52,000 aggravated assaults, and 73,000 robberies in 1967.

Since 1964, use of firearms in murder is up 47 per cent, in aggravated assault up 76 per cent, and in armed robbery up 58 per cent.

In 1967 a firearm was used in 63 percent of the murders, 21 per cent of the aggravated assaults, and over 63 per cent in armed robberies.

Firearms used in murder were 76 handguns, 14 per cent shotguns, and 10 per cent rifles. Of the 411 police killings since 1960, 96 per cent involved the use of firearms; specifically, 304 handguns, 52 shotguns, and 38 rifles.

From 1962 through 1967 firearms were used in 29 per cent of the murders in the Northeastern states, 56 per cent in the Western states, 60 per cent in the North Central States, and over 66 per cent in the Southern states.

In the light of these FBI figures can anyone believe that the United States had no gun problem, only a problem of crime?

Mr. Glassen's argument falls in the same category as the half-truth which says "People don't kill people; guns kill people," when the whole truth is that people with guns kill people. People with guns accounted in 1967 for 68 per cent of the murders, 21 per cent of the aggravated assaults, and over 63 per cent of the armed robberies.

No gun problem?

[From the Toledo (Ohio) Blade, Sept. 19, 1968]

NO THREAT TO ANYONE

In view of the general acceptance by the public of the newly enacted local gun ordinance as recounted in a recent Blade article, it was not surprising that those pressing for a referendum had some difficulty getting the required number of petition signatures. After a check of only 200 of 759 petitions calling for a referendum, it was clear to Board of Election officials that circulators had fallen short of the required 16,016 signatures, representing 15 per cent of the total vote in the last councilmanic election.

Thus the taxpayers have been spared the expense and bother of including another issue on the ballot next November, which is just as well.

It should be increasingly clear to gun owners that this ordinance has not produced the dire effects some of them predicted it would. It has not brought confiscation of weapons, an end to sales of arms or ammunition, a drying up of sources for firearms, or the placing of an onus of any kind on gun owners. Persons who feel a compulsion to own guns legally can still own as many as they wish and purchase as many more as they like, so long as they obtain an identification card and pay the $3 fee.

Some who oppose the ordinance still object that it poses an inconvenience in that they have to fill out an application form and have a photograph taken. But that is certainly no more onerous a burden than what is required in Ohio to own a car, pass a driver's test, buy a license plate, apply for a marriage license, register a pet dog, or even to get a bicycle tag. To argue that a gun-control ordinance is wrong because it involves an application form reflects more a selfish concern for one's comfort than for the possibility of saving lives.

In the case of the local gun dealers, the ordinance may have cut into their business by discouraging some citizens from purchasing handguns. But if this means that persons who have no business owning a handgun in the first place may forgo buying one, it is a small price to pay for the ultimate contribution to public welfare and safety that a cutback on widespread handgun ownership can bring.

Toledo's new ordinance has attracted favorable attention from other cities that may decide to emulate it. It has been praised by Michigan authorities who have long been vexed by the wholesale merchandising of guns in this city—no questions asked. Now that the gun owners and collectors realize that the ordinance does little more than put them on record with the city through the identification card system, perhaps some of the more vociferous opposition to it will subside.

Equally as hopeful is the prospect that the success and general acceptance of the ordinance in Toledo—and possible similar statutes in surrounding communities—will encourage the Ohio General Assembly to enact a meaningful gun-control bill at its next session.

[From the Bedford (Pa.) Inquirer,
Sept. 12, 1968]

GUEST EDITORIAL: GUNS REPRESENT FREE MEN

Gun controls are much in the news these days and in connection with them we believe we have picked out one thing that is wrong with the country. Nor do we mean the present gun laws. The thing that could be wrong is that so many people seem to believe that vast social issues can be solved by the passage of just one more law.

The United States, we are told has the least restrictive laws concerning the ownership and use of shotguns, rifles and pistols of any "civilized" country in the world.

We won't raise an issue about what is "civilized" and what is not civilized about this country or that. Is a "civilized" country one like France so unsophisticated in politics that it can enjoy reasonable stability only when under the rule of an ironfisted dictator? Or is a "civilized" country one like England that still maintains an immensely expensive royal family and extensive "nobility" while the country goes broke? Or is a "civilized" country one like the Scandinavian nations which have the highest suicide rates in the world, or like Germany that can't seem to get along for one entire generation without something in the nature of Nazi regime? Or is a "civilized" country one like Russia which regiments quite carefully the possession of weapons—and for good cause, too, we shall not argue.

We won't argue that point, though. We'll just accept the term "civilized" in the context in which it is commonly used.

But most of our ancestors came from one of these "civilized" countries which carefully regulates if it does not outright prohibit the possession of weapons. And they have done it for centuries, not just lately.

Our forefathers fled those countries on account of regimentation and many for the specific purpose that they were denied the possession of such weapons as the technology of their day provided with which to defend themselves against the oppressive use of similar weapons by agents of the state—the sheriffs and their men and the princes and the barons and their troops.

Advocates of stiff gun controls say it is silly to propose that we need guns in our homes to protect ourselves against invasion by an alien force. That may be true enough.

But that's not why many among us have guns and have learned how to use them. We have them, basically, for our recreation—for hunting and trap shooting and skeet. That's the main reason we have them.

The simple fact that we have them, however, and that in countless ways we have shown we know how to use them will help dissuade some budding tyrant from the notion that he could impose himself upon us, whether we liked it or not, because he commanded our troops.

We need not worry so much that the next threat to world stability and our way of life will be posed by another Hitler in Germany as we need fear that those threats will be mounted by a Hitler of our own, whatever his name might be right here in our own country.

[From the Greenville (Miss.) Delta Democrat-Times, Sept. 13, 1968]

THE MOST IMPORTANT CRIME ISSUE

Attorney General Ramsey Clark told Congress this week that if "it really wants to do something to control crime," it should immediately enact a comprehensive gun-control bill. "Gun control legislation is the most important crime issue before the Senate," he said.

Almost simultaneously, Mississippi was given two terrible examples of why guns in the home are less a deterrent to crime than they are an invitation to tragedy. If these were two isolated examples, they might not be particularly pertinent, but we all know that they are not.

Nor is the fact that our loose gun control laws, varying widely from state to state, make it a matter of ridiculous ease for criminals, rioters and the deranged to obtain whatever weapons they want. The policemen who must face urban snipers or armed robbers know how important gun control legislation is. That is why they, and J. Edgar Hoover of the FBI, so consistently support gun control legislation.

But Congress continues to balk, convinced by the high-pressure tactics of the National Rifle Association that the right of any and all citizens to bear arms is all that stands between us and things that go bump in the night. While Congress dallies, or passes hollow mockeries of effective gun control bills, the death and injury toll from guns in the wrong hands at the wrong time continues to rise. Some day, somehow, Congress will have to realize that gun control legislation is "the most important crime issue" facing it. In the meantime, tragedy piles upon tragedy.

[From the New Orleans (La.) States-Item,
Sept. 20, 1968]

STIFF GUN MEASURE GETS OKAY

The United States Senate Wednesday passed a gun-control bill which is not nearly so tough as the one asked for by President Johnson. But the measure is rather stiff, as witness the objections of the National Rifle Association.

The bill probably is tougher than most Americans expected to see approved by this Congress. Some of its provisions are more restrictive than those contained in the gun-control measure already passed by the House of Representatives.

The two proposals next will be taken up by a joint House-Senate conference committee and indications are that a compromise will not be difficult to attain. So it looks as if fundamental changes in the nation's gun laws, and ultimately perhaps in the American people's attitudes toward guns, will come out of this Congress.

The Senate, as did the House before it, rejected President Johnson's request to require registration of all firearms and licensing of owners. But the Senate and House bills ban mail order sales of rifles and shotguns. Thus the ban against mail-order sales of all guns will be complete if the Senate-House compromise measure clears both houses. Mail-order handguns were banned earlier this year.

The Senate bill would go even further and bar mail-order ammunition for all guns. The House version exempts mail-order ammunition for rifles and shotguns. The conflict will have to be reconciled by the conferees.

Some provisions of the gun bills, including, and perhaps especially, the mail-order restrictions, should make it more difficult for criminals and other maladjusted individuals to obtain lethal firearms. But we must confess that, on the basis of wire service reports we have read, we can see little if any practical gain in some provisions of the two bills.

For instance, the Senate bill would make a life sentence possible for anyone committing a federal crime of violence, namely rape, murder, arson or kidnaping, while armed with a gun. The House measure provides mandatory sentences, but not life imprisonment, for anyone convicted of using a gun in a federal felony.

Such offenders already are subject to the death penalty or life imprisonment in most states. Furthermore, presumably anyone convicted of any of the felonies, committed with or without gun, is subject to maximum penalties.

As for the House provision, what federal felony does not already carry a mandatory sentence?

One section of the Senate bill would bar over-the-counter sales of firearms to nonresidents of a state unless the states are adjoining and the laws of both permit such sales. Even so, a buyer would have to submit an affidavit showing he has no criminal record and the dealer would have to delay delivery seven days to give police a chance to object.

Both the House and Senate bills would require federal licensing of dealers. This provision obviously is designed to make dealers more particular about to whom they sell guns and ammunition.

Doubtless there will be criminal traffic in firearms as long as there are criminals. But some of the above measures could, in many instances, keep guns out of the hands of persons of criminal intent.

[From the Minneapolis Tribune,
Sept. 23, 1968]

PUBLIC OPINION ON GUN-CONTROL

The gun lobby was out in full force at the public hearing Monday night on proposed state gun-control legislation. All the old arguments about confiscation, the "right" to bear arms, etc, were fired at the legislators.

Unfortunately, some legislators are using this show-of-strength by the well-organized gun advocates as an indication of public opinion. "I don't think there's any chance of passing a registration law after what we've seen tonight," said Rep. Harold J. Anderson, Minneapolis Conservative.

The fact is that the National Rifle Association and its followers do not speak for the public and never have. Opinion surveys show that a majority of the people favor strong gun-control legislation. So do FBI Director J. Edgar Hoover and most police authorities.

So does Hubert H. Humphrey. And, according to his response to a question in a press conference Sept. 8 in Pittsburgh, so does Richard Nixon: "On registration, what I favor is leaving that responsibility to the states with federal backup legislation for registration and licensing where the states do not have adequate legislation."

[From the Minneapolis Tribune,
Sept. 23, 1968]

QUESTIONS ON POLICE FIREARMS POLICY

The recent fatal shooting of a passenger in a car involved in a high-speed chase offers a good opportunity for a review of the Minneapolis police firearms policy.

The question is not whether the policeman indeed did stumble and accidentally fire a fatal shot at the 19-year-old passenger in the car. The grand jury has decided that it was an accident.

The question, more basically, is when and how firearms should be used in police work.

In this case, warning shots fired by other officers at the fleeing driver of the car reportedly prompted the policeman to draw his gun on the passenger, a reaction that is understandable.

Minneapolis police policy allows warning shots to be fired, at the discretion of the individual policeman, in an attempt to halt a fleeing felon. Auto theft is a felony. The policy also permits the use of deadly force either to protect lives or as a last resort to prevent the escape of a felon.

The President's Crime Commission, however, suggests a much more restrictive policy. The commission proposes that shooting should be permitted only for protection or as a last resort to apprehend those who have threatened the use of deadly force or are believed dangerous. Warning shots would not be allowed because they "endanger the lives of bystanders" and may prompt a suspect to return the fire.

The issue is particularly important at this time, as the commission points out, because of its bearing on police-community relations and the level of violence in an urban setting.

Any review of the present policy, we believe, ought to consider whether law-enforcement gains from a liberal firearms-use policy are important enough to offset the public hostilities that are created when the policy backfires. The review also should consider whether a de-escalation of firearms use by police might help to reduce bloodshed—particularly since police now have a good tool in the city's new gun-control ordinance with which to disarm their potential antagonists.

Metropolitan Life Insurance Co. Study on Accidental Gun Deaths

New York, N.Y.—Although prevention programs in the firearm accidents field often emphasize the inherent hazard to hunters, statisticians at Metropolitan Life Insurance Company point out that nearly 60 percent, or 1,500 of the 2,600 estimated firearm accident deaths in the United States in 1966 resulted from mishaps in and about the home. These fatal home accidents occurred at the rate of 7.6 per million persons. To a considerable extent they were the result of servicing or playing with a firearm, and were largely self-inflicted. The weapon most often involved was a long gun, that is, a shotgun or rifle.

Some of these statistics, and those that follow, are based on a study of the death claim records of 143 insurance policyholders of Metropolitan Life, who died in firearms accidents in the home, in the period 1964–66.

Every age group contributed to the toll in the insurance experience. Eleven percent of those fatally injured were under age 10. Most frequently, the weapon was accidentally discharged while in the hands of the victim or another youngster, often a brother. Nearly two fifths of the victims were 10–24 years old; most of these were in their teens. Approximately one fifth of the fatalities occurred in each of the older age groups, 25–44 and 45–64. Four fifths of the total number killed were males.

At least 29—or one fifth—of the 143 fatal accidents occurred during the cleaning, oiling or repairing of the firearms. Several of the fatalities were contributed to "unloaded guns"; some were the result of dropping the weapon; a lesser number resulted from touching the trigger while holding the weapon between the knees with the barrel pointed at the head.

Twenty-six lives were lost while playing with guns, many of these from playfully pointing the gun at the victim. At least four deaths were caused by "Russian roulette". An additional 14 were fatally injured during either shooting instruction or demonstration of the weapon's mechanism. Twelve persons sustained fatal wounds while target practicing, or shooting at birds, squirrels or other animals. A wife or husband was the victim in four of the five accidents resulting from scuffling for possession of a gun.

While 83 victims died of self-inflicted wounds, another 24 were shot by family members. Ten victims were shot by a brother, seven wives by their husbands, and the remainder by wives (2), sons (2), fathers (2) and uncle (1).

Metropolitan statisticians point out that firearms accidents often involve body areas containing vital organs, so that the victim has little chance of survival. In this insurance study, 59 of the 127 fatalities about which information was available involved the head, most often reported as a brain or skull injury. An additional 44 of the accidents caused injuries to the chest area, particularly the heart and lungs. The abdomen was the site of most of the remaining injuries.

SECRETARY FREEMAN VIOLATES SPIRIT OF IMPORT LAW

Mr. HRUSKA. Mr. President, last week Secretary of Agriculture Freeman announced officially that he did not intend to impose quantitative limitations on the importation of foreign meat this year.

This decision was based on his reading of the law, Public Law 88–482, which provides for mandatory import quotas under certain circumstances, and on his estimate that the total quantity of fresh, chilled, and frozen beef, veal, and mutton expected to be imported before the end of the calendar year 1968 will be 990 million pounds. That quantity—990 million pounds—is greater than the "adjusted base quota" of 950 million pounds, which Congress in its statement of policy said was intended to be permitted as imports, but it is less than what is known as the trigger point, that is, the estimated quantity which would automatically bring the mandatory quotas into play.

It would seem that Secretary Freeman has managed to stay in compliance with the letter of the law, but only by sacrificing its spirit. Some of our foreign suppliers, notably New Zealand and Australia, have been persuaded to hold down on their volume of meat shipments, or so the Secretary claims. By that means these foreign suppliers are able to avoid the imposition of the quotas, but to continue shipping meat to the extent of 40 million additional pounds above what they are properly entitled to under the law.

I have received a copy of a letter to Secretary Freeman from Mr. Don F. Magdanz, executive secretary-treasurer of the National Livestock Feeders Association, who has protested most vigorously against this maneuver which has the effect of defeating the whole purpose of the quota law. I ask unanimous consent that Mr. Magdanz' letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

National Livestock
Feeders Association,
Omaha, Nebr., October 2, 1968.

Hon. Orville Freeman,
Secretary of Agriculture,
U.S. Department of Agriculture,
Washington, D.C.

Dear Mr. Secretary: We were disturbed and disappointed to learn officially yesterday that the fourth quarter estimate of meat imports covered by the 1964 Import Law has been placed at 990 million lbs., which is approximately 40 million lbs. over the quota for 1968. Placing the estimate at 990 million lbs. will not activate the quota, whereas we firmly believe the quota should be imposed under the circumstances.

I refer to the intent of Congress in passing Public Law 88–482 in 1964 and to the initial statement in the law with which we are both thoroughly familiar. The language clearly declares it is the policy of the Congress that the quantity of items so specified which may be imported into the United States in a calendar year shall not exceed a given number of pounds. It seems to us this is the overriding provision in the law even though a subsequent section spells out an estimating procedure allowing you and your department some latitude.

I am sure you will recall vividly, as we do, the reason for including the 10% flexibility in making estimates of the volume of products which may be imported. This was done because you were not sure at the time how close you might be able to estimate, and thus felt the need for some leeway.

It was not the intent of Congress, nor those of us who were sponsoring the legislation, that this 10% should be used as a means of stretching or expanding the allowable volume above the calculated quota figure. In other words, it is our firm conviction that knowing imports will exceed the quota level of 950.3 million lbs., the estimate should have been made high enough to activate the quota for the remainder of 1968, and thus carry out the intent of the Congress when it passed this legislation.

We are mindful of the statement in your announcement to the effect that some agreements have been reached with supplying countries to restrain their exports. Presumably this restraint is to be exercised to the extent of not overshipping the volume of 1,045 million lbs., or the 990 million lbs. which you have estimated, and not necessarily to restrain their shipments so as to not exceed the quota of 950.3 million lbs. If shipments do total more than 950.3 million lbs. in 1968, the action that has been taken can be construed as nothing other than a deliberate failure on the part of the Executive Branch to hold imports to the quota which it could have done easily under prevailing conditions.

The decision that has been made in the first real test of the law, since it was passed, clearly demonstrates the necessity for changing the statute in order to make it more restrictive and include those new provisions which we and others have proposed.

We have been told repeatedly that the present law will work and will hold imports to no more than the calculated quota for each year. It has now been demonstrated that the law will not suffice to restrict imports to a maximum quantity fully intended by the Congress when it enacted Public Law 88–482. This development only serves to create further distrust of the applicability of the present law and will provide additional and irrefutable arguments for strengthening it so we are assured it will serve the domestic industry as it was intended to do.

Respectfully yours,
Don F. Magdanz,
Executive Secretary-Treasurer.

PRESIDENT JOHNSON STRENGTHENED AMERICAN BUSINESS AND INDUSTRY

Mr. MONDALE. Just after the Civil War, Congress established a national parks system to preserve the beauty of the land for all Americans. At the same time, passage of the Land-Grant College Acts and the agriculture extension programs charted the way to a richer economic life for rural and smalltown America.

During the years since then, Presidents and Congresses have worked together to improve both the natural environment and the economic environment of this country. Many significant milestones have been passed in those 100 years. But the 5 years of President Johnson's administration have produced dramatic achievements unequalled in so short a period of time. The list of accomplishments is impressive:

There is increasing protection for consumers in the marketplace and citizens in their homes;

The once dreary outlook for the poor and underprivileged is now turning to one of promise;

Improvements in economic statistics enable business to plan ahead with more confidence than ever before;

The water and the air in all America is becoming cleaner;

A vast highway system—safe, efficient, and beautiful—links our seacoasts and our borders; and

We can forecast more accurately the violence of the weather, and thus protect private property and human lives.

Let me describe very briefly only a few areas in which great strides have been made in a short span of time.

The American wage earner and the American housewife must have confidence that the money spent on goods and services will buy them the best quantity and quality available. President Johnson has led the way in broadening laws and regulations to achieve that end. Fair packaging and labeling legislation enacted in 1966 already has greatly reduced the proliferation of package sizes for food and other products, and brought about more understandable descriptions of those products.

Recognition of the enormous waste in lives and property because of fire—12,000 deaths and $2 billion loss of property in 1966—prompted passage of the Fire Research and Safety Act earlier this year, giving the Commerce Department authority to conduct research into fire protection and prevention, providing information to improve training and services in prevention, and to support development of fire safety and protection demonstration projects.

In the last year, the Federal law covering flammable products was broadened to permit a more effective program. The Commerce Department and its National Bureau of Standards are carrying out research of fabrics and related materials and developing methods for testing the safety of materials.

As these laws and programs improve the home environment, so do other programs improve the economic climate. Economic development programs have helped the distressed areas of the country to greatly improve use of their manpower and material resources. In a few years, the people of these areas will be living better lives and making a substantial contribution to the welfare of the entire country.

The Area Redevelopment Administration was created in 1961. In 4 years it had approved 552 loans and grants for public facilities projects. This created a demand for more than 115,000 jobs directly and indirectly related to the projects. Job training programs were developed in cooperation with the Departments of Labor and Health, Education, and Welfare. The result: training of 45,000 of the unemployed in 357 areas. These Americans achieved a goal which many thought they would never reach—a job with a paycheck.

In 1965, President Johnson saw the need for even greater effort in this direction, and asked Congress for expanded development combining the best features of the earlier programs. Thus was born the Economic Development Administration to help private individuals and companies to establish businesses or to expand existing enterprises by making loans and grants to finance public works and development facilities to meet the needs of new and expanding businesses.

To go along with those activities, the EDA makes loans for up to 65 percent of the total cost of machinery and equipment needed to establish or expand businesses. By March 1968, the agency had made a total of 139 business loans at an investment of $98 million. Regional action planning commissions to provide joint action by those with common objectives were set up for the Coastal Plains, the Four Corners, New England, the Ozarks, and upper Great Lakes areas.

More than 1,300 areas qualified for financial assistance, areas in which 50 million people live and which were suffering an unemployment rate of over 7.5 percent, much higher than the national level. In 2 years, 579 areas were removed from the program because of increased employment and a decreasing unemployment rate.

In 1964, President Johnson asked Congress to insure that American business had adequate information on advances in science and technology. The result was the establishment of the Office of State Technical Services in the Commerce Department, to coordinate dissemination of this information. In signing the enabling legislation, the President said:

> This bill will do for American businessmen what the great Agriculture Extension Service has done for the American farmer. It will result in the creation of new industries and the expansion of old ones.

The State Technical Services Act offers incentives and matching support for State programs. All States and territories have joined up. Some 200 colleges and universities are directly involved, and others are planning to come in soon. More than 1,500 projects are underway involving construction, ceramics, fishing, food processing, metalworking, minerals extraction, and textiles.

In another field, this administration has taken a dramatic step forward to increase our knowledge of the natural environment and apply that knowledge to improve the life of our citizens.

For centuries, man has talked about the weather but has been able to do little about it. Today, that truism is archaic. The weather will not change, to be sure, but through knowledge we can do something about the manner in which we confront heat, cold, rain, drought, snow and wind, the currents of the oceans and rivers, the disasters of hurricanes, tornados, and earthquakes. Man now can cope with his natural environment.

To coordinate the Federal Government's efforts in this exciting new field of scientific activity, President Johnson in 1964 established in the Commerce Department a new organization bringing together the U.S. Weather Bureau, Central Radio Propagation Laboratory, and the Coast and Geodetic Survey. Through the new Environmental Science Services Administration, better information already is being made available to agriculture, transportation, communications, and industry and commerce. In the future, ESSA will dramatically facilitate the exploration of space, the mapping and charting of the oceans, protection of public health against flood and storm pollution, early warning of impending climate changes, contribution to air pollution in metropolitan areas, and preservation of forest and recreation areas.

Already, important changes have been made in how we obtain and disseminate information. The experimental meteorological satellite has become an operational system of environmental satellites. We now have the world's largest and most modern oceanographic research and survey vessel. A National Earthquake Information Center has become operational. A continuous radio transmission network along much of coastal America has been connected to report oceanographic and meteorological conditions. The natural disaster warning system is supplying hurricane, tornado, and other hazardous storm conditions to all people. The world weather program will offer all nations the kind of environment information needed to bring man and his world into harmony.

President Johnson's emphasis on finding means to improve the economic and natural environment of Americans has brought definite progress in the last few years and promises to produce far more in the near future.

TREBLE DAMAGE DEDUCTIONS

Mr. HART. Mr. President, the 90th Congress is coming to a close without action on what I consider to be a significant measure to save taxpayer and consumer dollars—S. 2804.

This bill would have closed a tax loophole which favors the corporate antitrust law violator. In doing so, it would have added weight to the clout of private enforcement of the antitrust laws—insuring competition and presumably lowering prices.

I do not think there is much doubt in the minds of those in this Chamber that it was the intent of Congress in enacting antitrust laws that private suits were to be a major factor in their enforcement. This purpose has been underlined repeatedly by the courts.

In July 1964, in the wake of the electrical price conspiracy cases, the Internal Revenue Service severely weakened the impact of private treble damage antitrust suits as a deterrent to antitrust lawbreaking. It did this by ruling damages could be deducted as ordinary and necessary business expenses by the corporations found guilty of antitrust violations.

This was a complete flip flop from what had been generally accepted as the IRS position. And it has saved two corporations—Westinghouse and General Electric—approximately $175 million.

The Department of Justice in 1960 obtained indictments charging price-fixing conspiracies among many electrical equipment manufacturers.

As an aftermath of the criminal proceedings, approximately 1,800 suits for treble damages were brought against the defendants in criminal cases by power companies, State and municipal governments, and other victims of price fixing.

General Electric Co., the largest, had 1,783 cases brought against it by 572 plaintiffs. The second largest manufacturer, Westinghouse Electric, was sued in 1,775 cases.

Most of those suits did not name the total amount of actual damages claimed. Therefore, it is difficult to assess the real damages resulting from the criminal activity of the corporations. But, as in the settlement of most damage suits, it is reasonable to assume that damages paid were less than those actually suffered.

General Electric and Westinghouse have now settled all claims through negotiation or lawsuits.

GE paid $227,057,000 and Westinghouse, $126 million—for a total of $353,057,000.

The impact of those settlements, by IRS ruling, has virtually been cut in half because of the tax break the corporations received.

This tax break for illegal activity is a break we do not give the man who gets a traffic ticket and there is as little justification, to my mind, in giving it to corporate law violators.

I raise this issue today merely because I want to serve notice that I have not given up in what is now a 4-year-old battle to overturn the IRS ruling.

On the contrary, my determination is at an alltime high—for the recent indictment of drug manufacturers for price fixing of antibiotics may be plunging us into the biggest treble damage suits in history.

It would be scandalous if the taxpayers are once more called upon to underwrite illegal activity of this magnitude. Hopefully, when we return next January some of the Members of this body that have been assiduously attacking domestic programs in order to save the taxpayers' money will be eager to join in the fight to stop corporate law violators from getting tax benefits as a result of their illegal activities. That, it seems to me, is a route that will supply the greater benefits to our Nation.

F–111 COSTS AND DEFECTS DRAW FIRE IN AUSTRALIA

Mr. **SYMINGTON**. Mr. President, I ask unanimous consent that the attached article, "F–111 Costs and Defects Draw Fire in Australia," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

F–111 COSTS AND DEFECTS DRAW FIRE IN AUSTRALIA—GORTON EMBARRASSED BY DELAY IN DELIVERIES, WHICH CRITICS SAY CAUSES DEFENSE GAP

SYDNEY, AUSTRALIA, October 8.—The latest crashes and disclosures of defects in the F–111 have combined with price increases to make the swing-wing jet a major political embarrassment for the Australian government.

Australia has 24 F–111C aircraft on order, to form the strike reconnaissance component of the Royal Australian Air Force.

In the United States yesterday, Senator Stuart Symington, Democrat of Missouri, said that serious consideration should be given to canceling the American Air Force's entire F–111 program.

The Government of Prime Minister John Gorton, facing attacks in Parliament and in the press in recent weeks, has disclosed fresh details surrounding the open-end purchase contract.

Major criticism has been that delays in delivery caused by the need to check out defects in the plane have left a gap in Australia's air defenses.

INHERITED PROBLEM

Mr. Gorton's Government inherited the F–111 controversy from the Government of Sir Robert Menzies, which placed the order in 1963 as part of a defense build-up forced on Australia by the Indonesian-Malaysian confrontation crisis. The estimated cost for all 24 planes ordered by Australia was $125-million in 1963. At that time, critics said that the order was too hurried and had been made for maximum effect at elections.

Since then major criticism has concerned the haste with which the order was placed and the increases in the cost of the aircraft. The decision of the Menzies Government not to accept a United States offer of a loan of B–47 bombers as an interim replacement for Australia's Canberra jet bombers also has been criticized. Deliveries of the F–111s are now 18 months behind schedule, and the Royal Australian Air Force has had to extend its use of its 1950 model jets.

The Australian Defense Minister, Allen Fairhall, took delivery of Australia's first F–111C at General Dynamics' plant in Fort Worth, Tex., Sept. 4. The aircraft is a modified version of the F–111A used by the United States Air Force. The F–111C has shorter wings and a stronger undercarriage to meet Australian requirements.

TRAINING STOPPED

Since Sept. 4 there have been two crashes of F–111s—an F–111A at Nellis Air Force Base in Nevada and an F–111B off the California coast—leading to their grounding. It was announced that a metal fatigue fault was found in the frame on which the wings pivot. The crashes brought to 11 the number of such accidents since the planes began flying. Three of the crashes were in the Thailand-Vietnam area.

Mr. Fairhall was forced to announce that Australia was accepting no more aircraft until they had been completely cleared. The training of Australian crews at the Nellis base has been disrupted, and no firm delivery date for the planes has been set. The Australian Government has sent metal-fatigue experts to help Royal Australian Air Force technical staff in the United States assess the latest faults.

Two weeks ago, Prime Minister Gorton was forced by the disquiet in public and Parliament over the F–111 affair to introduce in the House of Representatives documents dealing with the ordering of the aircraft and later increases in the price of the planes. They showed that the Australian Government had hurriedly decided to buy the aircraft, then known as the TFX, without setting a price ceiling.

The price was not set until three years later, when a British contract to buy F–111's was drawn up—$5.95-million for each plane.

INCREASE IN COSTS

The latest United States estimate of the cost of all 24 planes including spares and ground equipment, is $294,63-million, which is about one quarter of Australia's entire defense budget for 1968–69.

However, there is still no ceiling price on the aircraft and there is no way Australia can cancel the contract without payment of a penalty of about $200-million.

The major cause of the price increase was the cancellation of the British F–111 purchase last January, which increases the unit price on remaining orders.

The Government defends the open-end purchase contract as necessary in cases where aircraft are still on the drawing board and costs are not definable.

Labor party criticism had been directed at financial arrangements of the purchase rather than the aircraft's capabilities. In Parliamentary debate which led to introduction of the contract documents the opposition leader in the Senate, Lionel Murphy said: "We entered the arrangement without adequate financial protection by arrangements that were so unbusinesslike as to attract the incredulity of United States Senators who were investigating the matter."

AMERICAN LABOR AND THE JOHNSON ADMINISTRATION

Mr. **YOUNG** of Ohio. Mr. President, a basic faith in the improvability of man's condition has marked the American theory of government since its inception 192 years ago. It has given us a lofty goal to strive for. But there have been periods in our history when that faith has been severely challenged. Two of these periods occurred during the depression of the 1930's, and again in the early 1960's.

During the 1930's, Americans reeled under the weight of a depression which left no segment of the economy untouched. Unable to help themselves, the American people reached a new low in confidence. But the Government, under the leadership of Franklin D. Roosevelt, responded to the needs of the people.

Economically, America of the 1960's is far different from America of the 1930's.

Yet today a segment of our population exists without hope, a segment whose condition closely parallels that of many Americans during the depression years. Most are incapable of helping themselves. They are the poor and deprived, of our ghettos and the back country of America. They were the forgotten Americans. But no longer.

For the millions of Americans living in poverty, President Lyndon Johnson has offered new hope. For many, it is their first chance at hope. For others, it is their last. But for all, the chance exists, and on a scale unmatched in the history of mankind.

When the Johnson administration took office, 3.8 million Americans were unemployed. Long-term unemployment stood at half a million. For the Negro, the situation was especially grave. Some 812,000 Negroes were jobless. While America's young people between 16 and 21 faced a 13-percent unemployment rate, Negro youth of that same age faced a staggering 23.9-percent jobless rate. Millions of Americans lacked the training necessary either to obtain employment or to advance once they had a job. Millions lacked the basic education required for even the minimum amount of hope.

What have the past 4 years meant for these people? What have the past 4 years meant in helping bring this Nation to a point of unprecedented social and economic prosperity?

The answer lies in an Economic Opportunity Act, a Civil Rights Act, a realinement of the Manpower Development and Training Act, an increase in the Federal minimum wage and in the number of those covered by that wage, a model cities program, a concentrated employment program, a work incentive program, the Age Discrimination in Employment Act, the JOBS program, and two Executive Orders, Nos. 11246 and 11422.

But these are mere titles of programs and legislation. How have they worked toward the betterment of America's workers? What do they mean for the individual?

The Economic Opportunity Act of 1964 was a landmark piece of legislation. It was a landmark because it recognized the fact that "although the economic well-being and prosperity of the United States have progressed to a level surpassing any achieved in world history, and although these benefits are widely shared throughout the Nation, poverty continues to be the lot of a substantial number of our people."

It therefore created the Job Corps, and the Neighborhood Youth Corps. Amendments to that act in 1966 created other needed programs, including New Careers, Special Impact, and Operation Mainstream.

By mid-1968, the Neighborhood Youth Corps had provided 1,400,000 job opportunities; New Careers, 10,700 job opportunities; Special Impact, 14,000; and Operation Mainstream 15,000. The Job Corps had enrolled some 161,000 young men and women.

Many of America's underprivileged, however, were suffering not from a lack of adequate training. They were suffering from the malady of discrimination, because of their color, their national origin, or their sex.

For these citizens, the Civil Rights Act of 1964 assured equal opportunity. That act was followed in 1965 by Executive Order No. 11246, which reaffirmed the policy of nondiscrimination in Federal Government employment, and in employment under Government contract.

For those Americans suffering from inadequate skill training, the Manpower Development and Training Act of 1962 provided the foundation for an answer. Yet at the time of its inception, that act had been geared primarily to the problems of technological displacement, which had been of the uppermost concern. By 1966, however, it was apparent that a changing manpower situation necessitated a redirection of that act.

In a major reevaluation of the MDTA program, it was decided that the bulk of the training effort would be directed to reclaiming the hard-core unemployed. Special groups with the greatest employment difficulties were identified: culturally impoverished and poorly educated youths, the unemployed of middle age or older, minority groups, persons with low educational achievements, the long-term unemployed, and the rural poor.

By mid-1968, over 1 million of these Americans had been enrolled in manpower programs.

For those million Americans working without adequate wage protection in hospitals, nursing homes, schools, laundries, drycleaners, large hotels, motels, restaurants, and farms, coverage under the Federal minimum wage was provided in 1966. Almost 10 million workers were added that year, bringing to 43 million the number now covered under the statute. The minimum wage was increased in 1966, with another increase coming in 1968.

In 1966, the Nation's first effort to attack urban blight on a massive scale and renovate entire neighborhoods was inaugurated with the model cities program. Today, planning grants under the model cities program include a manpower program offering new hope to residents of inner city slums.

The early 1960's convinced us that those Americans most in need of help were often not reached at all.

Thus, one of the most ambitious attempts to reach these people was initiated in 1967. It brought together existing manpower programs into a unified effort to find, train, and place the hard-core unemployed.

Last year, a new program was begun to help the Nation's welfare recipients move into work-experience or training programs. Today that program is serving 32,000 welfare clients.

For the older worker, age often means the difference between acceptance or rejection in employment. The Age Discrimination in Employment Act was passed in 1967 to help give older workers a chance on the basis of ability, not age.

Responding to a request from President Johnson, several prominent business executives this year formed the National Alliance of Businessmen to spearhead the Job Opportunities in the Business Sector (JOBS) program. The goal of the effort: to place 100,000 hard-core unemployed by the end of 1968, 500,000 by mid-1971 or earlier. By mid-1968, some 165,000 job pledges had been received, a gratifying response.

To improve the coordination of the $2.1 billion Federal manpower effort, and to give local areas a more active role in molding that effort to meet their community needs, President Johnson in 1968 signed an executive order strengthening the Cooperative Area Manpower Planning System.

What have all these actions meant to the American worker?

During the last 4 years, 6,684,000 more Americans have found jobs. Unemployment has dropped by some 666.800. Long-term unemployment is down 55 percent. Nearly 1 million Negroes found new jobs. The Negro unemployment rate dropped 30 percent. Average hourly earnings in manufacturing increased 18.6 percent. Real, spendable weekly earnings are up.

What this Nation has accomplished for our workers within the past 4 years is monumental. And, in many ways, the progress could well be called a monument to the efforts of President Lyndon B. Johnson.

ADDRESS BY HON. JOHN H. CROOKER, JR.

Mr. HARTKE. Mr. President, I am pleased to invite the attention of the Senate to the most informative address delivered by the Honorable John H. Crooker, Jr., chairman of the Civil Aeronautics Board, before the opening session of the 38th World Travel Congress of the American Society of Travel Agents in San Juan, September 16.

More than 3,000 representatives of the many industries involved in travel and tourism heard an excellent exposition of the functions of the CAB in developing a strong air transportation industry as an incentive to the growth of travel and tourism.

Chairman Crooker discussed in detail the interrelationship of the CAB, the air carriers and the travel agents and the need for understanding and cooperation if travel and tourism are to attain their projected potential.

I ask unanimous consent that Mr. Crooker's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE JOHN H. CROOKER, JR., CHAIRMAN OF THE CIVIL AERONAUTICS BOARD, BEFORE THE 38TH AMERICAN SOCIETY OF TRAVEL AGENTS, INC., WORLD TRAVEL CONGRESS, SAN JUAN, PUERTO RICO, MONDAY, SEPTEMBER 16, 1968

I am delighted to be with you here in San Juan for a variety of reasons, not the least important of which is the very selfish reason on my part that, of the two words "travel agent," the word "travel" has a very significant impact on my daily business life.

Of course, the type of travel which concerns me almost exclusively is air travel. But we try not to be narrow-minded at the CAB. We realize that occasionally you impartial travel agents still faithfully book passage on the Santa Fe Super Chief, and the Lurline.

Even so, the years have drawn the travel agents, as well as the rest of the nation, to a greater identity of interest with those of us involved in air transportation. I dare say that as recently as fifteen years ago, your gross transportation sales were weighted heavily in favor of surface modes. Now this situation has completely reversed itself and air transportation must comprise over 75 percent of your transportation sales.

So this makes air transportation vitally important to you. Air traffic has been increasing at a rate of almost 20 percent per year in recent years and no contrary trend is predicted in the years immediately ahead. The U.S. certificated route carriers generate in the neighborhood of 100 billion revenue passenger miles annually now, so you can compute roughly the tremendous size of each probable annual increase.

Impressive as these statistics are, I must confess that the travel agents' statistics are, in many ways, even more amazing than the air carriers' data. For example, the number of agent locations in the United States and Canada approved by the ATC increased about 300 percent in the dozen years ending in 1966; and there are now approximately three times more of such agency locations than there are airline ticketing facilities (including downtown and airport facilities).

Furthermore, almost all of the airline facilities are located in downtown areas of large cities or at airports, whereas some 48 percent of the agency locations are in the suburbs or non-metropolitan areas so as to serve a need which the airlines do not serve directly.

With travel agents booking (according to our latest figures) about 32 percent of the total domestic air travel market, and 60 percent of the pleasure trips, and with the U.S. certificated carriers now doing more than $5 billion per year business, these statistics establish beyond a doubt that not only is air transportation important to you, but you are important to air transportation. We at the CAB have (for the public) a pecuniary interest in your activities; and we deem it a benefit to the public for our Board to foster that interest.

Most of you know (though a few of you may not know) the legal basis for our participation—slight though it may be—in your affairs. The CAB has no *direct* jurisdiction to regulate travel agents, other than under the provisions of the Federal Aviation Act which gives the Board authority to look into unfair or deceptive practices or unfair methods of competition. However, we do exercise a measure of *indirect* jurisdiction.

The domestic and international airlines through their respective trade associations—the Air Traffic Conference of America and the International Air Transport Association—have, over the years, developed comprehensive rules to govern agency relationships. These rules, since they are embodied in agreements between the airlines and since they affect air transportation, must be filed with the CAB. They are subject to approval or disapproval by the CAB, as we believe the public interest dictates.

The initial rules relating to the appointment and retention of the agents by the domestic carriers were adopted in 1940. However, World War II intervened, and the agency program did not get into full swing until after the war.

During the postwar years, the basic tenets of the relationship between the agents and the carriers crystalized. The domestic airlines incorporated in their agency program, a number of restraints governing entry into the travel agency business on behalf of the airlines.

These restraints included such matters as a requirement that an agent have the *sponsorship* of an airline or airlines and a requirement that a showing be made as to the *need* for the agent's services in a particular area.

Rules pertaining to suspension or cancellation were adopted, but they were ambiguous and there was no provision for review of the rejection of a particular agent.

During 1947, the international carriers (through IATA) adopted an agency program which was patterned closely after the domestic carriers' program.

Two CAB proceedings were instituted in the 1950's in an attempt to remedy the inherent faults in the agency program. One dealt with domestic matters—the *ATC Agency Resolution Investigation*—and the other dealt with international matters—the *IATA Agency Resolution Investigation*. In these cases, the carriers were required to delete the sponsorship and need provisions.

The need and sponsorship requirements were found to be contrary to the public interest. Their effect was to prevent qualified applicants from becoming travel agents. Moreover, the philosophy inherent in the provisions was, in the Board's judgment, in conflict with the spirit and purposes of the antitrust laws; and it was also contrary to the prevailing situation in our economy.

The carriers were also required, by the CAB order, to establish procedures for recordation and notification of reasons for disapproving applicants or agents; to provide rebuttal opportunity to agents reviewed for violation or other charges; and, among other things, to provide for the arbitration of conflicts between the agent and his principals. The vehicle for accomplishing these actions again was the Board's authority to approve agreements and to condition such approval on inclusion of appropriate provisions.

During the early 1960's, the ATC agency procedures and regulations were refined; more specific standards dealing with agent qualification were adopted and approved. Other very significant actions were taken which greatly improved the travel agent's lot.

In 1964, the CAB approved an important agreement among the domestic airlines. This involved agents utilizing a standard ticket form and remitting funds owed to the air carriers to a designated bank area instead of to the individual carriers.

The same year (as a means of expediting the processing of new agency applications) the ATC members adopted, and the CAB approved, a procedural innovation whereby the function of review and approval of agents was transferred from the ATC agency committee, which met only twice a year, to the ATC's executive secretary who (subject to certain conditions) had the power of approval at any time. The domestic carriers also adopted a bonding program which was designed to eliminate an agent's having to maintain a trust account and to present evidence of a satisfactory credit standing. These programs were also approved by the Board.

The mid-1960's also brought the so-called "in-plant" dispute to a head. The ATC asked the CAB to approve an agreement which would have precluded travel agents from engaging in their prior practice of having representatives on the premises of a commercial customer for the purpose of selling air transportation. The Board found that agents should not be prohibited from having in-plant representation. By the same token, however, the Board did require that such representation should be carried on within the framework of certain uniform procedures, the details of which we need not now review. In short, agents were permitted to establish branch offices on the premises of commercial clients.

The ATC sought a substantial revision of the then existing structure of commissions; and (as you know) the commission structure controversy, for in-plant services, as well as over-all, is still a hotly-contested issue.

One other action by the Board was taken some years ago: The international air carriers have been permitted to grant free or reduced-rate transportation to agents for the purpose of familiarization with the product they sell. And a couple of years ago, the Board (in re-examining its approval of the international program) granted antitrust immunity to U.S. and foreign airlines, as well as representatives of the travel agency industry, to engage in discussions looking toward agreement on a program which would more effectively relate the grant of such transportation to the business interests of the carriers of the agents.

The outcome of this authorization has been a revised and more equitable international program, and a new program for domestic travel permitting agents, for the first time, to obtain one reduced-rate pass per year for each qualified employee.

I have touched on most of the specifics of the Board's past activities with regard to travel agents, except for one subject which may have some small amount of interest for you—money. As to Owen Wister "eggs is eggs," to you "money is commissions." What might be said about the appropriate percentage amount of the commission?

The issue of commissions for travel agents can be broken down into three aspects: (1) how much; (2) from whom; and (3) for what. Let's talk a little bit about these, in reverse order.

"For what" does the travel agent get paid? What does he do?

A travel agent is an advisor; a promoter; an arranger; a clerk; a fiscal fiduciary; a "follow-up-er" to make sure that nothing goes wrong.

As an advisor, you build up your clientele by honest, impartial advice plus hard work, and experience—to a measure, as does a doctor, a lawyer, a stockbroker, an insurance agent, or an architect.

As an arranger, (as the Music Man said) you have to know the territory.

While the more modest and less brash among you might deny that you also occupy the role of promoter, it is all right for me to allege this about you. I want to stress the very wholesome aspects of your promotional efforts. Especially in the United States and Canada, there are beautiful sights to see and fascinating places to visit, sports to enjoy, physical wonders to behold, historic and revered spots and monuments to observe, moments to relive in the nation's past, and interesting people and trades to study.

The President has organized a formal Discover America program to spur the interest of U.S. citizens in these national wonders, rather than in foreign travel. Due to the personal interest of such high-ranking officials as the Secretary of Commerce, and the Secretary of Transportation as well as others in government and private life the program has been a great success. They are to be commended.

You travel agents have played an important part in the program also. I commend you as well and ask you to continue your good work.

At present, the CAB, and indeed the Federal Government in general, is acutely conscious of our balance-of-payments problems. Because of concentrated effort by government and private industry, things appear more favorable now than they were a year ago. But the problem still exists; and we intend, in the year ahead, to focus more of our attention on travel within the polygon described by San Juan to Bar Harbor to Anchorage to Diamond Head.

We know that there will also be foreign travel, but we naturally urge travel agents—wherever possible—to sell U.S. citizens on the Wonders of the United States, and to give primary attention (in booking international traffic) to inbound travel.

We are now in a period of headlong technological advancement. More consumer goods can be purchased with the wages acquired from fewer hours of labor. Shorter work weeks mean more leisure time. This, coupled with more surplus income, means more pleasure travel.

The statisticians tell us that our population has been increasing at a rate of one and one-half percent per year over the past decade. Our Gross National Product has increased at a rate of four percent per year over the same period of time. Air traffic (in terms of revenue ton miles) has been increasing at a rate of almost 15 percent,—ten times the rate of population increase and almost four times faster than the Gross National Product. All of this adds up to a great potential for the alert, resourceful, knowledgeable travel agent.

For whom does the travel agent perform his services, though; and who should pay him? Well, he certainly performs for the public; but the primary pecuniary beneficiaries are those whose services he sells—the bus and steamship companies, the hotels and resorts, the sightseeing companies, and of course the air carriers.

The relationship between an agent and his principal is a personal, contractual one. So should be the relationship between the travel agent and his air carrier principal.

The carriers should generally have the discretion to determine how many agents they will authorize and who they will be, and the Board should interfere, as it has in the past, only where review of the carriers' actions indicate that such actions are adverse to the public interest. In short, I don't foresee direct regulation or licensing of agents by the CAB.

As to direct regulation of travel agents by the Board, I know some of the arguments in favor of it, but I don't think an immediate problem of tremendous significance exists.

Furthermore, recent events lead me to believe that you are learning to settle your own family disputes with the ATC and its member carriers. Your dialogue meetings with the carriers are particularly encouraging.

Now we come down to the commission question which probably concerns you more than any other—"how much." In 1966, the agents and the carriers, in response to prompting by the CAB, undertook a joint study of travel agent costs. I understand that the results of the cost study will be available around the end of this year. This should present a sound basis for a solution to the commission problems which have plagued your industry for many years. It should permit you to reconcile the distinctions between (though certainly not necessarily to abolish a disparity between) domestic and international commission rates.

To the extent that you write tickets for an airline, you perform a valuable service for it; and you should be paid. I assume that the cost study will present a means for determining the "value" of such service under UATP. If it does, it seems to me that it will be difficult for the carriers to refuse to pay you deserved compensation.

Let me say a few words of praise for the new atmosphere of cooperation which has recently permeated the agents—ATC carrier relations. Admirably, both the agents and the ATC carriers have taken long strides toward solution of their own problems, without the necessity of direct CAB intervention.

You are to be commended for the joint study of agency costs, and for the periodic dialogue meetings in which you are now engaged. Your dialogue meetings with the ATC carriers are well suited to eliminating the misunderstandings and communication problems which were mainly responsible for the past difficulties. The usefulness of the dialogue sessions with the domestic carriers suggests to me that similar meetings with the IATA carriers might prove to be beneficial and should be explored.

From the dialogue meetings can come solutions to most of the major problems confronting you today—such problems as the commission structure; the overall revision of the ATC's agency resolutions; the development of a revised program for sales reporting by agents under the ATC Area Settlement Plan; resolution of the difficulties posed by the current bonding program; the development of new credit standards applicable to travel agents; and the acquisition and integration into agency operations of automated electronic reservation systems.

With regard to this latter matter, the Board has been receiving some correspondence from the agents as well as from others. We have also been briefed by airlines and manufacturers on the technical operating characteristics of the systems. Moreover, I have noticed considerable discussion of the problems in the trade press.

Let me say that I believe automated reservation systems are here to stay. Some carriers are already automated; others are rapidly proceeding down that road. I believe that automated reservations as well as automation of other facets of the carriers' operations are absolutely essential if the major airlines are to be prepared to meet with efficiency the exigencies which are just over the horizon. As a matter of course, you will be involved in these programs. You can't avoid it. As the man says in the Malt Liquor ad, you may find it to be "a completely unique experience."

A number of your members are small, with relatively small volume, and they cannot afford to expend great sums each month on a lease for a remote station for a computerized reservation system. I understand that ASTA has already made a study of the Atar System; and that about 4,500 agents would be able to participate in the program if the cost were $50 per month, but only 1,500 agents could participate at $100 per month. The carriers will understand the significance of this.

Let me mention hurriedly some other things in which we are interested these days, which certainly will have an impact on you.

In the area of supplemental carriers, the topic of the hour is Inclusive Tour Charters. As you know, the Senate and the House have passed bills which would authorize the Board to grant IT authority to the supplemental carriers. There are relatively minor differences in the two bills. While I would prefer the Senate bill (for reasons which are too technical to relate here), either bill would be acceptable. I would expect that we will have a law giving us this power before the end of this session of the Congress.

I understand that the IATA carriers are working on a so-called bulk-purchase plan for Transatlantic air transportation. This kind of competition means more travelers; more travelers means more business for the travel agents.

Competition is a watchword in other CAB proceedings involving certificated route operations. Now pending are competitive service cases involving Transatlantic services, Transpacific services, South American and Caribbean services, and interstate service in virtually every part of the United States. In most, if not all, of these cases, the applicants have submitted proposals for extensive new service at lower fares. These cases will help pave the way to entry into the era when the cost of traveling on an airplane will be less to the average citizen, than it has been in the past. But there is a big *"If"* in this statement.

Additional airline service to the most popular spots is possible only if the planes have a place to land and to take off without unreasonable delay. Please forgive me if I make a statement about airport congestion; I don't intend to quote congestion statistics; I only want to mention what the Board is trying to do about the matter. We have authorized the carriers to hold discussions among themselves relating to the problems. Most of the short term solutions come from sources such as the FAA and local airport operators. Our real contribution can be in the long range solutions.

One big reason for the congestion is the number of passengers who connect at major points for other destinations. We have several pending cases involving proposed direct service, for these passengers, bypassing major hubs and thereby decreasing traffic through them.

Another aspect: We have recently authorized service to satellite airports in the Los Angeles and San Francisco area, and we have instituted cases involving other satellite service.

Inter-city commuter traffic is also the source of congestion, particularly among the large cities of the Northeast corridor such as Washington, New York, Boston, and Philadelphia. If many passengers can be kept out of the major airports, and delivered to close-in locations (which is where they want to go anyway), the congestion picture will be greatly improved. Now in progress is our *Northeast Corridor V/STOL Case,* designed to achieve just that result.

By no means does this enumeration exhaust the field of the Board's activity these days in regard to airports and airways congestion. But I must get away from a recitation of our work and achievements. Indeed, this was to be a keynote for *you,* and not for the Board.

I thought it would be appropriate here to announce to you the Board's designation of Mr. Howard Feldman as the Board's liaison officer with the travel agent industry. Mr. Feldman is now the Chief of the Agreements Division of our Bureau of Operating Rights—the organization unit which has primary responsibility for travel agent matters. He is eminently qualified for his position, having been involved in matters of this nature since coming to the Board in 1958. He has acted as counsel to the Agreements Division on agency matters and he was the Bureau Counsel in the *IATA Agency Investigation.* I'm certain that your dealings with Mr. Feldman will be productive.

THE JOHNSON ADMINISTRATION AND NATIONAL SECURITY

Mr. SPONG. Mr. President, there is nothing the U.S. Congress does that is more important than legislation in the field of national security.

Without minimum security, we would not be a nation at all.

Without adequate security, we would not be a free nation.

Without appropriate security, we would not be the leading free nation of the world.

President Johnson has proposed, supported, and signed a greater volume of significant legislation—in every conceivable area of both foreign and domestic concern—than any Chief Executive in this century.

That is as true of matters dealing with our national security as it is of other areas.

From November 22, 1963, through August 1, 1968, Lyndon Johnson has signed no less than 189 bills related to the activities of the Department of Defense.

These measures have ranged over a gigantic spectrum of concern.

This period has, of course, seen an acceleration of defense activity due to our commitments in Southeast Asia.

But the President has not neglected other security-related issues.

Take, for example, his continuing concern with the defense cost reduction program.

In an era of necessarily mounting expenditures, he has been adamant in his insistence that the war on waste and inefficiency be relentlessly pursued. And it has been pursued with impressive success.

From December of 1963 through fiscal year 1968, the Defense Department has realized hard savings of some $13 billion through its cost reduction program. So impressed was the President with what had been achieved, that he decided to extend the program throughout the entire executive branch of the Federal Government.

In September of 1966, he issued a memorandum to the heads of all agencies and departments, urging them to "do better" in their efforts to reduce costs in the fields of procurement, transportation, warehousing, and distribution of property.

The following year the President signed an Executive order establishing the President's Advisory Council on Cost Reduction. Among other very carefully delineated objectives, the Council was to: "Consult with leaders in business, industry, and research to draw on their experience in achieving cost reductions and to invite their suggestions."

The Defense Department—because of the importance of its mission—has to spend the largest single portion of the

Federal budget. But the President insisted that every modern managerial tool be used to the full in the Department of Defense—not merely for the purposes of saving the taxpayer's money, but in order to hone Government efficiency to its sharpest possible edge.

When the Department of Defense developed its programing-planning-budgeting system, the President once again utilized DOD experience as a guide to managerial improvement throughout the executive branch.

So successful has PPBS been that it is even being introduced by certain foreign governments into their internal operations.

On July 1 of this year, there was a further step in the managerial revolution that the President has urged on DOD. A new program entitled PRIME 69 was launched—after careful study and experiment. Both the General Accounting Office and the Bureau of the Budget were tapped for their advice and assistance during the development and testing phases.

PRIME 69 focuses on operating costs, and its thrust is to so integrate programing, budgeting, and accounting procedures that their data will be totally comparable and consistent. Major changes are being made in the incredibly complex accounting system that is the understandable and necessary ingredient in a department directly employing some 4 million employees, and indirectly affecting the employment of several million more in defense-related industries.

With characteristic directness, the President laid it on the line in a memorandum to all heads of departments and agencies:

> I want every manager to think of his part of the total Government in terms of everything he owns, everything he owes and the full cost of doing every job in relation to the products resulting from these costs. I want him to think of minimal costs and cost reduction as profit. And I want him to think in terms of his profit as a result of how he uses all the resources entrusted to him. These goals cannot be fully achieved without sound financial management practices.

But if President Johnson has kept an eagle-like eye on every tax dollar the gigantic Defense Department complex insists it must spend, he has been equally solicitous that our men in uniform should be adequately compensated for the devotion and duty they display toward their country.

In the 88th Congress he signed a military pay bill. In the 89th Congress he signed into law a further pay increase for the military, which contained as well certain other benefits. In this 90th Congress he signed another military pay bill, this one containing the eminently fair provision that unless future increases are enacted by specific legislation, the members of the uniformed services will be granted automatic increases that are equal to the overall average of pay boosts which may be authorized for civilian employees of the Federal Government.

In addition to these bills, the President has signed into law various measures dealing with armed forces mailing privileges, military medical benefits, uniformed services group life insurance, and a Savings Deposits Act.

The President's philosophy is clear: the military establishment must run a lean, efficient shop—but the military personnel should be compensated fairly.

And lest anyone believe that we can afford to neglect any necessary step to keep combat readiness effective for as far ahead in the future as we can possibly foresee, the President has given particular emphasis to research and development.

In our fast-breaking technological era that is imperative.

There have been complaints in some quarters that our R. & D. is inadequate.

It is simply not true.

Though we have had to give urgent attention to our military problems in Southeast Asia, we have continued the long-range technical base that is so essential to our future security posture.

For example, last year Project THEMIS was launched. Its objectives are the development of new centers of excellence capable of contributing basic knowledge toward the solution of important defense problems in the future; and a wider geographical distribution of Defense research funds, giving preference to institutions that receive little or no DOD support.

Just last month—on the same day—the first launches of the ultra-new Poseidon and Minuteman III missiles were a tremendous technical success.

President Johnson has kept this Nation prosperous and safe.

He is a man who understands that to serve one's country as President requires in the end—the wisdom to discover the best course, and the courage to carry it out regardless of the cost in personal terms.

SLEEPING BEAR DUNES: ONE DISAPPOINTMENT OF A GREAT CONSERVATION CONGRESS

Mr. HART. Mr. President, the amount of definitive conservation legislation which we have enacted in recent weeks clearly marks the 90th Congress as one of the great conservation Congresses.

Most prominently, the Redwoods National Park and the North Cascades National Park are now both realities. In these two parks we have at last fulfilled dreams of a generation. But not only have we authorized new national parks, monuments, historic sites, and wilderness areas, we have underwritten our park and recreation program by assuring needed financing. Through the augmented land and water conservation fund, efforts in this field by the Federal Government, the States and local governmental units will be bolstered and improved.

This Congress has made a beginning in the important work of filling out our National Wilderness Preservation System, authorized by the Wilderness Act we passed in 1964. Four new wilderness units on national forests in California, Oregon, and Washington have been established, and the first national wildlife refuge wilderness unit has been dedicated in New Jersey. From this beginning we should move ahead next year to begin bringing areas of our national park system under this wilderness protection. I am particularly interested, of course, in the protection of the wilderness assets of Isle Royale National Park in Michigan.

Not only have we expanded existing systems, we have moved boldly to establish two new systems for the protection of cherished national features. The national trails system offers great potential for defining and protecting a system of wildland trails and close-to-the-cities recreation trails.

This will encourage walking and hiking which contribute to the health and well-being of our people. The National Wild and Scenic Rivers Act declares that our national policy of dam and other construction on riverways must be complemented by a policy that preserves some of our rivers in their natural, free-flowing natural condition. I hope to see the executive branch and the Congress move vigorously to implement the trail and wild rivers systems.

We have also started to move to meet the challenge of air and water pollution, and agencies at every level of government are tooling up for this great challenge. My own State of Michigan illustrates the problem, for we border on Lake Erie which is said to be "dying," its pollution is so serious. We also border on Lake Michigan, which is already causing deep concern. We must move more rapidly with remedial programs to reclaim Lake Erie and with preventitive programs to save Lake Michigan before it goes bad.

Under the leadership of the junior Senator from Washington [Mr. JACKSON] and the senior Senator from California [Mr. KUCHEL] we have increased our recognition that the basic problem is the total and overall quality of our environment, which we must learn to manage wisely. The Committee on Interior and Insular Affairs is considering this problem, and I hope to see major progress in the near future on proposals which have been made to bring the ecological point of view to a central place in our decisionmaking.

So the 90th Congress has been a landmark in conservation, moving ahead with established programs and charting the course for new, imaginative actions. If this is to be known as the consumers' Congress, let us remember that our environment as a whole is our basic natural resource. All of our people have a right to consume pure air and clear water, to live in healthful, pleasant surroundings, and to enjoy the natural beauty of a wild river, a park, or a superb primeval wilderness area.

We have done much in the field of conservation, but we have not done all we could nor all we should in this vital area of public concern.

I regret to say that a proposal in which I have long been interested remains on the list of actions needed if we are to fulfill the dictates of a wise conservation policy for the consumers of this Nation.

On March 6, 1967, I introduced S. 1192, a bill to establish the Sleeping Bear Dunes National Lakeshore in Michigan as a unit of the National Park System.

This was not the first time I had introduced such a bill—I have sponsored the proposal in every Congress since 1961. Nor will this be the last time. Though the 90th Congress failed to enact my bill, I shall be here early in the 91st Congress to introduce and support this proposal another time.

Mr. President, this is a conservation measure of great importance to the people of my State, to the people of the Great Lakes region, and to people across the Nation who treasure our areas of nationally significant natural values.

The Sleeping Bear Dunes region lies along Lake Michigan's northeast shore. Like many such areas it takes its name from its most notable feature, the great Sleeping Bear sand dunes. But the name also obscures the fact that this proposal involves much more than just a sand dune, even though the Sleeping Bear Dunes are said to be the largest shifting sand dunes in inland North America.

S. 1192 calls for a 61,170-acre park extending along the magnificant Lake Michigan shoreline for over 30 miles. It also will include two large offshore islands—North Manitou and South Manitou Islands—bringing the total of shoreline to 64 miles. It includes not only the lakeshore and the great dunes plateau, but also quiet, free-flowing streams, wooded slopes and hills, high bluffs with beautiful vistas, deep forests and numerous inland lakes. What we seek to protect is an entire landscape of many parks, but all related as elements of its visual beauty and appeal and as products of the various geological and ecological conditions and forces whose evidence is expressed in the shape and beauty of the landscape.

A bill to establish the Sleeping Bear Dunes National Lakeshore has passed the Senate twice—in the 88th and 89th Congresses. In 1966 the House Committee on Interior and Insular Affairs favorably reported the Senate bill with amendments, but the measure died without House action in the final days of the 89th Congress.

As a result of these circumstances I have not felt that I could ask the Senate Interior and Insular Affairs Committee to again approve, nor the Senate to again pass a bill this year without some prior action by the House. I know the Senate recognizes the importance of this proposal and will act expeditiously to pass the bill when there appears to be some real likelihood of action by the other body.

In the meanwhile, I have done all I know how to encourage agreement on this bill. As many of my colleagues will recall, there was considerable opposition to the bill as first introduced in 1961. Many homeowners in the area involved were deeply concerned that their property would be taken from them. The hearings held in the local area and here in Washington were highly spirited.

Everything possible has been done to deal with the legitimate and reasonable objections. I have worked with the National Park Service and interested citizens to revise the proposal so as to reduce greatly the number of private properties included within the area. And I have worked out new provisions in the bill which give perpetual protection to owners of improved properties remaining within the area. This is a greater degree of protection than has been included in any other national park system legislation to date.

I have taken these steps because they do not compromise the objectives of the proposed National Lakeshore. Those objectives do not include any intention of acquiring all private property in the area and trying to recreate a wilderness condition over the entire area. Rather, it is our intention to preserve and protect an extremely interesting landscape which is partially wild, partially pastoral, and in some areas lightly developed. The continuance of private improved property at its present level within the area is not inconsistent with these objectives.

The areas included within the proposed boundaries has been included in recognition of this objective of maintaining an entire, unified landscape. To seriously reduce the area would be objectionable, because it would compromise the objectives in the public interest. I have been open and receptive to revisions which eliminate reasonable objections while keeping within the purpose of the National Lakeshore. I have also been approached with suggested changes which would compromise the area—such as cutting the acreage in half or seriously reducing the provisions needed to protect the area. I will not be a party to that kind of compromise.

So we have made every reasonable effort to deal with legitimate objections. The bill has undergone revisions when these have been shown to be reasonable. And in this process the objections of many of the people in the area have been eliminated. Many who objected most strenuously in the early years are now among the most persistent supporters, for they now understand the many advantages the bill will bring to them and to their area.

In the 89th Congress, the House Committee on Interior and Insular Affairs made several changes in the Senate bill, adding some additional lands to the area for buffer purposes. I have incorporated all of these changes in S. 1192. The bill which has been before the Congress this year is exactly the same as the Senate act as amended in 1966 by the House committee. In introducing S. 1192 last year I said:

> Hopefully the introduction of this "finished product" will help speed it through the Congressional committees. It represents the fullest consideration of the Senate Interior Committee, the Senate, and the House Interior Committee.

I think that by adopting these changes into my bill the process of considering it has been greatly simplified, but unfortunately the action I had hoped to see did not follow. The House has seen fit not to take action this year.

The House Interior and Insular Affairs Committee did begin, late in this session, by holding a hearing on July 29. At that time the distinguished chairman of the House committee [Mr. ASPINALL] pointed out that he had felt compelled to delay action on any park or recreation area authorizations until the financial obligations of previously authorized areas had been clarified. Finally, with the augmentation of the land and water conservation fund which we enacted this summer, the way was cleared for further action. However, other projects of seemingly greater urgency then claimed the committee's attention, and the Sleeping Bear Dunes legislation moved no further after the hearings.

Let me say that I understand the reason given for the delays which occured. Now, however, those conditions have been cleared up. At the same time, the urgency for action has greatly increased.

First of all, the area is not standing still while Congress delays action. The normal pressures of subdivision and land speculation are underway here, as they are these days in any accessible area of attractive countryside.

However, in this case these normal pressures have been seriously accelerating. The successful program of the State of Michigan to establish Coho salmon in streams along the Lake Michigan coast has created a major new sports fishery which is attracting thousands of fishermen into the area. This has the immediate effect of generating great new pressures for property in the area, including the area to be included in the Sleeping Bear Dunes National Lakeshore. In fact, the Sleeping Bear Dunes region lies athwart the section of the Lake Michigan coast where the Coho salmon fishing boom—some call it a madness—is most intense.

With these accelerating threats, we cannot afford to delay further with action on this matter. Even simply authorizing the National Lakeshore will be a major step in dealing with the threats I have outlined. The provisions of the bill which grant property owners perpetual rights to their involved property are contingent upon enactment of appropriate zoning bylaws by local authorities or upon agreement of property owners to abide by zoning standards. Zoning would have the effect of curtailing the kind of unplanned, helter-skelter subdivision and development which are the major threat. These zoning control provisions would help bring speculation and rampant unplanned development under control.

So I think there is every reason for urging prompt action on this bill. That was the message I took to the House Interior and Insular Affairs Committee when I testified at their hearing in July. I pointed out the national significance of the area and suggested that we should take action promptly if we have hopes of receiving a passing grade from future generations for our stewardship in the area of the Bear.

My work on behalf of this proposal has been to cooperate with the distinguished Member of the House of Representatives from Michigan's 12th District, Congressman JAMES G. O'HARA. JIM O'HARA has been leading this effort on the other side most effectively, and his companion bill, H.R. 6616, has been the focus of attention there.

The proposed Sleeping Bear Dunes National Lakeshore also has the strong support of Michigan's Governor, George Romney, and of the State's department of natural resources. Governor Romney and the director of the department of natural resources, Dr. Ralph MacMullan, have both expressed their support of this proposal many times. They indicate that the changes in the bill have dealt fairly with reasonable objections, that the proposed national lakeshore will not be a detriment to the local areas, but a great advantage, and that Federal action is deemed appropriate, necessary, and welcome by the State of Michigan. The same support has been expressed by Michigan's legislature in a memorial to the Congress.

Michigan State University has conducted a careful survey of the estimated economic impact of the proposal on the local economy and has found this to be wholly beneficial. The prosperity of the area will be enchanced significantly by new income, and certainly will be favored by the carefully planned development the national lakeshore will assure.

The Upper Great Lakes Regional Commission, a State-Federal commission created by the Congress to encourage and guide the economic growth of the upper Great Lakes region has also urged action on the bill. The commission includes the Governor of Minnesota, Harold LeVander, the Governor of Wisconsin, Warren P. Knowles, and the Governor of Michigan, George Romney, as well as the Federal cochairman, Thomas S. Francis.

Many distinguished private groups throughout Michigan have given their wholehearted support for the proposal. These include the Benzie County Citizens for the Sleeping Bear Dunes National Lakeshore, the Michigan United Conservation Clubs, the Mackinac Chapter of the Sierra Club, the local and statewide chambers of commerce, the Michigan Audubon Society, and the Michigan Forest & Parks Association.

The support for this proposal is large and growing. The opposition has been reduced and is diminishing as people read the bill, understand its provisions, and realize that this is not adverse to their interests, but a positive measure for their protection. The objections which remain come from a few. These people who are most vocal and vehement in blocking the bill value their own private recreation opportunities, often purchased at considerable cost, over the right of the public who are not so well off to have an opportunity for recreation in a magnificent natural setting. Under the guise of protecting local property rights or local governmental tax revenues, these people raise some continuing opposition. As I hope I have made clear, their arguments do not hold up.

The Governor and State agencies, Michigan State University, and individuals and groups of citizens from the immediately affected areas—including leading businessmen—have made clear to me that the local economy will benefit. Private rights in improved properties will not be jeopardized and local governmental tax revenues will not be reduced.

So we come to the end of another Congress without approving the bill to establish the Sleeping Bear Dunes National Lakeshore. But I believe that its ultimate enactment is now in the making. The reasonable objections of local citizens have been fully satisfied.

Mr. President, I want to say here what I predict is going to occur next in the progress of this proposal.

First, I think the threats to the area which I have mentioned—land speculation, unplanned development, and subdivision—are going to increase.

Second, I think these threats will become increasingly evident to the people. They will become evident not just to the people of Michigan, but to concerned conservationists across the Nation.

Third, I think that the increasingly evident threats will stimulate even greater interest in the area and its natural values. More and more people will discover and learn about the values we are trying to save. Concern is going to grow as more people become fully aware of just what we stand to lose.

Finally, I think this growing concern is going to stimulate a new sense of urgency among the people. This is going to mean new and much stronger demands for action to establish the Sleeping Bear Dunes National Lakeshore. The people are going to ask their leaders to act.

This is the sequence which I think is going to lead to the enactment of the bill in the 91st Congress. This is the reason for my continuing optimism for the future of this proposal and of the Sleeping Bear Dunes region.

I conclude that there are two possibilities for the future of this proposal.

One alternative is that the National Lakeshore will never be established, or will exist only in a much reduced form. This will result if the few who continue to drag their feet have their way about it. In this case, the history of this proposal will be written as a classic case of conservation failure.

The other alternative outcome is the optimistic one I hold. It is the possibility that the 91st Congress will act early next year to establish the Sleeping Bear Dunes National Lakeshore in its full size and protection as Congressman O'HARA and I have proposed. It is the possibility that the lakeshore will include the full 61,000 acres we have already agreed on and will have all the strong protective provisions we have worked out. If this optimistic alternative is, in fact, the result, we will then have earned a passing grade in stewardship of the public interest.

I choose to be optimistic—I believe I have accurately stated the trend of public concern in this matter. I think we will see the Sleeping Bear Dunes National Lakeshore as the next achievement in our continuing conservation progress.

I choose to be optimistic because I believe the public interest in this matter is absolutely clear, and that the public interest cannot be denied when it expresses itself. I, for one, intend to continue my work for this bill unflaggingly.

I believe the story of the Sleeping Bear Dunes National Lakeshore can be written as a classic case of conservation success.

MEDICAID

Mr. SCOTT. Mr. President, I earnestly hope that H.R. 2767 in its present form will not be enacted.

On September 24, the Senate adopted by a vote of 44 to 25 an amendment offered by the distinguished chairman of the Committee on Finance, Mr. LONG of Louisiana, to reduce Federal medical assistance payments to States for services rendered persons not eligible for public welfare payments. I voted against that amendment.

The enactment of H.R. 2767 in its present form would have a seriously adverse effect on the medicaid program of the Commonwealth of Pennsylvania. The reduction in the Federal share of the costs of Pennsylvania's program would result in a reduction of $30,600,000 in fiscal 1969 Federal medical assistance payments to Pennsylvania. The present tax structure of my Commonwealth will not support an increased expenditure of this amount.

In a telegram urging my continued and active opposition to the Long amendment, Gov. Raymond P. Shafer stated:

> Pennsylvania's requirements for the medically needy only are modest and the services provided are only those essential for the health and well-being of the citizens of this State.

Mr. President, I ask unanimous consent to have printed in the RECORD a memorandum on the background and implications of the Long amendment.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

CUTBACK ON FUNDS FOR MEDICAL ASSISTANCE

(Notes prepared by Elizabeth Wickenden, professor of urban studies, Graduate Center, City University of New York)

The situation.—On September 24, without advance warning, Senator Russell Long, Chairman of the Senate Finance Committee, offered an amendment to HR 2767 (a bill relating to tax handling of soil conservation assessments) which has the effect of reducing the Federal reimbursement rate under Title XIX (Medical Assistance for the Needy) for medical care extended to low income persons not already receiving cash assistance. This reduction would be effective as of July 1, 1968.

This amendment was adopted by a vote of 44 to 25 with 31 Senators recorded as "not voting".

The bill itself has not yet been acted upon but will be pending business following action on the nomination of Justice Fortas as Chief Justice.

History.—It is useful to remember that Medical Assistance was a major target in the restrictive moves, incorporated in the Social Security Amendments of 1967 (Public Law 90–248). The House adopted one limiting provision (limitation on the extent to which income levels for eligibility for medical assistance could exceed those for cash assistance) and the Senate substituted this other approach (reduced reimbursement rate for payments in behalf of the medically indigent). The conferees accepted the House version rather than that of the Senate and this was incorporated in PL 90–248. Now the Senate has voted to add *its* restriction on top of that already adopted.

Implications.—Federal-State relations. The future of Federal-State cooperative relationship depends on a reasonable stability, continuity and good faith in the Federal policies and financing provisions on whch such programs depend. Most state legislatures meet only biennially and must, therefore, project their budgets and policies on a two year basis. It is extraordinary that in a period when the need to strengthen the role of State government is continuously extolled in the Congress, a disruptive and destructive step should be taken affecting State budgetary and programming processes.

Retroactivity.—It is especially astonishing that the cut-back should be applied retroactively to funds already spent under a Federally-approved State Plan governing such expenditures and the Federal share thereof. In any other situation this would be considered an actionable breach of contract.

Open-ended authorization.—Since 1935 the States have proceeded on faith to spend money under the assistance titles of the Social Security Act on the assumption that Federal funds would be forthcoming at the end of each quarter to reimburse States for actual expenditures *on a per capita formula* that did not limit the total amount. This is virtually the only way to assure equal treatment under the law to all persons in similar circumstances in situations where the extent of need is unpredictable.

If the precedent of this Senate action were to be applied to cash payments the States would be forced to cut assistance grants in order to meet Federal requirements of open intake and equal treatment. The effect of such cuts in the present state of urban unrest is hard to imagine. In any case temporary Federal economies would be achieved at state expense.

Relationship of high to low standard States.—There is a clear implication here that states without medical assistance programs—or those with low standards—are seeking Federal economies at the expense of the States with better programs. The effect here is to try to pull everyone back to the lowest common denominator.

Medical effect.—This memorandum does not deal with the hardships imposed by denial of medical care since these seem self-evident. However, from the point of view of long-run economy, the *best* investment of public funds is often that made in *early* medical care for those marginal income families that are otherwise self-supporting. In this way health can be quickly restored and long-term dependency prevented.

THE JOHNSON YEARS: A NEW PARTNERSHIP WITH INDUSTRY

Mr. MANSFIELD. Mr. President, during the last decade it became clear that the Federal Government alone could not meet the needs of our society and its individuals. In order to operate most effectively, local government, foundations, and private charities would need to join in a focused attack on the problems facing us. It also was clear that the private sector with its tremendous productive capability and inventive genius would also have to be enlisted into this effort.

The traditional partnership of the private sector and the Federal Government was based on a relationship of arms-length transactions where an uneasy relationship was forced to develop because profits to stockholders coincided with the urgent need of the Government to protect the national interest. The problem was to extend this partnership into the area of social endeavor and the Johnson-Humphrey administration has done more to further this partnership than any other administration.

This partnership of progress has grown from the area of technological advances like Comsat, the development of the SST and business voluntary restraint in the balance-of-payments problem to one of the most significant and least noticed of the President's achievements—the involvement of the private sector in the process of the Nation's social programs. The Johnson-Humphrey administration had to overcome the traditional uneasiness between a Democratic administration and business. As this was done, businessmen realized that the administration was trying to recognize legitimate private interests as it sought to secure the public interest. It has flourished as pragmatic leaders like President Johnson and Vice President HUMPHREY took the reins of Government and public-sector oriented executives like Ford and Kaiser took over the corporate empires of our Nation. On any given day we can now find dozens of businessmen, labor leaders, professors and foundation researchers, doctors and lawyers coming to Washington to advise and help plan America's future. Out of this communication has come some of our most imaginative programs, model cities, Headstart, rent supplements and the JOBS program of the National Alliance of Businessmen.

It was under President Johnson's leadership that the Nation's life insurance companies pledged $1 billion of their own capital to finance housing and new businesses in the Nation's ghettos. Millions of dollars have already been put to work. We have also witnessed the start of a new approach to public housing in Project Turnkey, and we have witnessed the passage of legislation insuring a continuing effort in this area. Now private builders can acquire and own land, frame their own designs and present the Government with a package to build and operate low-income housing projects.

We have seen the formation of the National Alliance of Businessmen which in less than 9 months obtained job pledges for 175,000 hard-core unemployed and 75,000 of these jobs have already been filled.

Most recently, the National Housing Partnership has been formed insuring that positive action will be taken toward meeting the President's goal of a decent house for every American at a price which he can afford.

The foundations of this partnership of progress are solidly based in our free enterprise system. In that system, of course, the propelling force of business is profits—and the sustaining force of labor is increased productivity and higher wages. The Johnson-Humphrey administration saw the need to harness these forces and had the drive and initiative to make that partnership a functioning reality.

SUPPLEMENTAL APPROPRIATIONS, 1969

The Senate resumed the consideration of the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes.

Mr. HOLLAND. Mr. President, at the request of the distinguished Senator from Rhode Island [Mr. PASTORE], I am handling, at this time, the first supplemental appropriation bill for fiscal 1969 upon which the Senate committee held full hearings day before yesterday.

I want to make it clear, in these hurried days preceding—we hope—adjournment sine die, that this labor was distributed among the six Senators who are members of the Appropriations Committee. As a result of that distribution we had six different hearings going on, and the day before yesterday we completed hearings on this quite large bill.

The markup occurred yesterday. The bill comes up for consideration today. The report on the bill is on the desk of every Senator.

In the beginning, I call attention to the fact that there is a great disparity between the amount of the bill as passed by the House, $123 million plus, and the amount of the bill reported by the Senate committee, and now under consideration, which is $674 million plus.

The reason for that is the receipt by the Senate of supplemental budget estimates not considered by the House, in the amount of $470,179,000. In other words, our hearings covered not only all items upon which the House had acted, but also the items included in the supplemental requests, totaling $470 million plus. So that the amount of the bill as now reported and being considered is $674,797,727.

Mr. President, while I shall gladly consider any questions that any Senator has, since the bill contains a large number of separate items found in a great number of different agencies of our Government, I shall confine myself to special mention of items which the staff has felt and which I also feel are of sufficient general interest as to be reported.

The first is the recommendation of the committee for a $150,000 appropriation to cover the operations of the Cooperative Extension Service of the Department of Agriculture here in the District of Columbia. Under legislation which we passed early in the session, the Federal City College has now been set up and has commenced its first term with several thousand students. It was the view of the committee that the District was as much entitled to the operation of the Agricultural Extension Service and its work, particularly in such fields as home economics and health services, 4-H work, and the like, as was any other part of the Nation. Therefore, we included the $150,000 at this time.

Under the food stamp program, we raised the amount of $40 million provided in the House bill to $90 million, which covers the entire budget request.

We did that in view of the history of the program. The legislative bill was passed just a few weeks ago after a long conference enlarging the food stamp program for this fiscal year by the amount of $90 million.

The distinguished Senator from Louisiana [Mr. ELLENDER] who is the leader in this whole food stamp effort was exceedingly interested in our making available the entire amount of $90 million which, as explained to us by the

Department, would only be sufficient to carry on the present operation and to permit their extension to counties previously approved which are now urgently requesting the food stamp service for the poor people in those counties.

The third item which I mention specifically is the item found on page 7 of the report, which covers the military assistance program and that particular part which has to do with foreign military credit sales. This was not considered by the House of Representatives but had reached the Senate pursuant to legislation which has been passed by both Houses in the amount of $296 million.

The amount of $296 million is the amount provided by that legislation, which has passed both Houses.

I want to call specific attention to the next item, at the top of page 8 of the report, which the chairman will be obliged to have deleted from the bill, due to the understanding we had in committee at the markup.

The Senate will note that the committee recommendation of $160 million as our country's additional subscription to the International Development Association was made, and I quote from the report: "with the understanding that it will be deleted if authorizing legislation does not pass."

Mr. President, I am sorry to report that I am informed by the clerk of the committee that legislation is not being considered for passage at this time and will not pass at this session.

I ask now for deletion from the bill of the $160 million provided in accordance with the budget request and in accordance with the legislation which was introduced but upon which no progress has been made.

Mr. President, I offer that amendment at this time on behalf of the committee—on page 6 of the printed bill, to strike out lines 16 to 20, inclusive, as follows:

SUBSCRIPTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment of the first of three installments of the increased participation of the United States in the International Development Association, as authorized by law, $160,000,000, to remain available until expended.

The **PRESIDING OFFICER**. The Chair would advise the Senator from Florida that it will take unanimous consent to take that up at this time because there are prior committee amendments to be considered.

Mr. **HOLLAND**. Well, Mr. President, I ask unanimous consent for this item to be taken up and for this action to be taken. I am simply carrying out instructions given me by the full committee in making this request.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered, and without objection the committee amendment on page 6 is amended by striking out lines 16 to 20.

Mr. **HOLLAND**. I thank the Chair.

The next item I will mention appears at the bottom of page 8 of the report. I am going to ask the Senator from Rhode Island [Mr. PASTORE] to discuss this matter briefly, but it has to do with an appropriation for the adequate operation of the six libraries that honor six Presidents—Hoover, Roosevelt, Truman, Eisenhower, Kennedy, and Johnson.

I yield to the Senator from Rhode Island to make a further explanation.

Mr. **PASTORE**. Mr. President, I really think further explanation is absolutely superfluous. In his introduction, the Senator from Florida has fully and properly explained it. The situation is that much remains to be done in gathering, sorting, and cataloging much of the material that will go to the Presidential libraries. These libraries are maintained for the benefit and edification of the American people, to carry on the tradition of America, no less than in honor of our Presidents.

Under our proposal, the amount is $748,000. This we have obligated in the following way: $93,000 will go to the Hoover Library; $122,000 will go to the Roosevelt Library; $86,000 will go to the Truman Library; $110,000 will go to the Eisenhower Library; $237,000 will go to the Kennedy Library; and $100,000 will go to the Johnson Library.

Millions and millions of Americans will continue to visit these historic libraries, and a tremendous amount of research is made by students. These libraries are temples of inspiration. I think the codification, preservation, and conservation of these records for the benefit of American posterity is a perfect, permanent patriotic investment. That our people can forever appreciate the glories and beauties of our American way of life is a dividend that can never diminish.

Mr. **HOLLAND**. I thank my distinguished friend. I think that it is an extremely important objective that every American would want to see fulfilled.

The next point I will mention particularly has to do with the appropriation shown on the bottom of page 10 of the report, which is a recommendation of $2,052,000 in connection with the better servicing of our efforts to help Indian students.

I ask unanimous consent that the last paragraphs at the bottom of page 10 of the report be inserted in the Record to explain how this appropriation would be used.

There being no objection, the extract was ordered to be printed in the Record, as follows:

CHAPTER V

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Education and Welfare Services

Appropriation, 1969	$140,693,000
Budget amendment (H. Doc. 318)	10,752,000
House allowance	752,000
Committee recommendation	2,052,000

The committee recommends an appropriation of $2,052,000 for education and welfare services. This is $8,700,000 under the budget estimate and $1,300,000 over the House allowance.

Of the amount recommended, $352,000 is for scholarship aid to Indians which will provide one-half year funding for 600 students ($300,000) and supplemental grants for about 520 students ($52,000). The remaining $1,700,000 is for adult vocational training and will provide for establishment and operation of a vocational and prevocational training center at Fort Lincoln near Bismarck, N. Dak.

Mr. **HOLLAND**. Mr. President, the next one that I mention, because so many Senators had an interest in the setting up of the Redwood National Park in California, which we recently set up, is the raising of the House allowance from $53 to $92 million to cover the full amount needed for that acquisition. We made a legislative taking in that case. We cannot proceed to pay for it only one half at a time. This item is also to pay for what we owe in connection with the acquisition of land at the Cape Hatteras National Seashore, which is $2.5 million of the total amount.

The next item which I shall mention pertains to juvenile delinquency prevention and control. That item will be found on page 14 of the report. It will show that we raised the House allowance from $5 to $12 million. I think Senators who read the report will feel that that is the least we should do to carry out the program we adopted earlier in this Congress in connection with the important objective of preventing juvenile delinquency and the control of the juvenile delinquency after it has occurred.

In that appropriation, incidentally, $650,000 is included for the newly set up commission of the President on the causes and prevention of violence, which was not considered by the House.

Mr. President, in the legislative branch, I want to mention one item only that was strongly urged by the majority leader and with which we found the committee unanimously in sympathy, and that was the setting up in the office of the Secretary of the Senate the position of Curator of Art and Antiquities of the Senate, in accordance with the provisions of Senate Resolution 382, which we adopted sometime ago. This item provides not only the setting up of that office, at the expense of $16,570, but also provision of $11,250 for the operation of that office.

Another important new item is the $300,000 which we allowed, shown on page 17 of the report, for the operations of the National Water Commission, which we recently set up, and which is studying the water problems of the entire Nation, and particularly in those areas where those problems have become very acute. We felt we should no longer delay the financing of the activities of that commission, but should allow it to proceed.

There is one other appropriation shown on page 19 of the committee report. We recommended $500,000 for the Foreign Direct Investment Control Office. That was an office established on January 1, 1968, by executive order of the President, to deal with our troublesome questions of balance of payments and to keep in close touch with the problem and the progress, if any, we are making to solve it. We think that committee is performing very worthwhile work, and we noted that they were not able to proceed in the directions that they wanted to with available appropriations. We were glad to allow the $500,000 covered by the budget to permit it to fully function.

Mr. President, I have only one more individual item to speak on, and that is an item for the Secret Service, which appears on page 22 of the report, which was agreed to by all members of the committee.

I ask unanimous consent that the first paragraph of that part of the report which deals with the U.S. Secret Service be included in my statement at this point to furnish a complete description of what we have done.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

U.S. SECRET SERVICE

Section 3056 of title 18, United States Code, is amended by striking out the second clause and inserting in lieu thereof the following: "protect the person of a former President and his wife during his lifetime, the person of the widow of a former President until her death or remarriage, and minor children of a former President until they reach sixteen years of age, unless such protection is declined."

Mr. HOLLAND. Mr. President, I am going to discuss chapter 13 separately, which deals with proposed exemptions from the Revenue and Expenditure Control Act of 1968. Since I understand that there will be some objections to those sections, and I know of no objections to the earlier committee amendments or committee recommendations, I ask unanimous consent at this time that all of the committee recommendations through chapter 12 of the bill be approved at this time, with the understanding that they will be regarded as original text, no points of order being waived, and with a full chance to return to any item if any Senator wishes to do so. I ask that the amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, after line 2, insert:

"EXTENSION SERVICE

"COOPERATIVE EXTENSION WORK, PAYMENTS AND EXPENSES

"Payments to States and Puerto Rico

"For an additional amount for 'Payments to States and Puerto Rico', for payments for extension work under section 109 of the District of Columbia Public Education Act, as amended by the Act of June 20, 1968 (Public Law 90-354), $150,000."

On page 2, at the beginning of line 15, strike out "$40,000,000" and insert "$90,000,000".

On page 2, after line 21, insert:

"COMMODITY EXCHANGE AUTHORITY

"SALARIES AND EXPENSES

"For an additional amount for 'Salaries and expenses', $400,000."

On page 3, after line 10, insert:

"FARMERS HOME ADMINISTRATION

"SALARIES AND EXPENSES

"For an additional amount for 'Salaries and expenses', including necessary expenses, not otherwise provided, for carrying out the responsibilities of the Secretary of Agriculture under sections 235 and 236 of the National Housing Act, as amended by sections 101(a), 201(a), respectively, of the Act of August 1, 1968 (Public Law 90-448), $955,000."

On page 3, after line 19, insert:

"SELF-HELP HOUSING LAND DEVELOPMENT FUND

"For direct loans pursuant to section 523(b)(1)(B) of the Housing Act of 1949 (42 U.S.C. 1471-1490) and related advances, $1,000,000, to remain available until expended."

At the top of page 4, insert:

"MUTUAL AND SELF-HELP HOUSING

"For grants pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1471-1490), $2,700,000, to remain available until expended."

On page 4, after line 13, insert:

"COMMISSION ON REVISION OF THE CRIMINAL LAWS OF THE DISTRICT OF COLUMBIA

"SALARIES AND EXPENSES

"For expenses necessary to carry out Title X of the Act of December 27, 1967 (81 Stat. 742-743), establishing the Commission on Revision of the Criminal Laws of the District of Columbia, $150,000, to remain available until expended."

On page 5, line 5, after the word "expenses", strike out "$5,500" and insert "$1,049,500".

On page 5, after line 5, insert:

"Public safety

"For an additional amount for 'Public safety', $136,000."

On page 6, after line 6, insert:

"CHAPTER III

"FOREIGN ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT

"MILITARY ASSISTANCE

"Foreign military credit sales

"For expenses of financing sales of defense articles and defense services, as authorized by law, $296,000,000, to remain available until expended."

At the top of page 7, change the Chapter number from "III" to "IV".

On page 7, line 8, after "(Public Law 90-321)", strike out "$200,000" and insert "$400,000".

At the top of page 8, insert:

"OPERATING EXPENSES, NATIONAL ARCHIVES AND RECORDS SERVICE

"For an additional amount for 'Operating expenses, National Archives and Records Service', $748,000."

On page 8, after line 4, insert:

"ALLOWANCES AND OFFICE FACILITIES FOR FORMER PRESIDENTS

"For an additional amount for 'Allowances and Office Facilities for Former Presidents', $40,000, and funds appropriated under this head shall be available hereafter for travel and related expenses of former Presidents and not to exceed two members of their staffs."

On page 8, after line 11, insert 11:

"SECURITIES AND EXCHANGE COMMISSION

"SALARIES AND EXPENSES

"For an additional amount for 'Salaries and expenses', $200,000."

On page 9, line 2, after "(82 Stat. 477 and 498)", strike out "$5,000,000" and insert "$11,500,000"; in line 5, after the word "exceed", strike out "$15,000,000" and insert "$75,000,000"; and, in line 6, after the word "exceed", strike out "$15,000,000" and insert "$75,000,000".

On page 9, after line 7, insert:

"LOW AND MODERATE INCOME SPONSOR FUND

"For the low and moderate income sponsor fund, authorized by section 106 of the Housing and Urban Development Act of 1968 (82 Stat. 490), $2,000,000."

On page 9, after line 11, insert:

"FEDERAL HOUSING ADMINISTRATION

"SALARIES AND EXPENSES

"For necessary administrative expenses of programs of mortgage credit, not otherwise provided for, $1,250,000."

On page 9, after line 15, strike out:

"Limitation on Nonadministrative Expenses, Federal Housing Administration

"In addition to the amount made available under this head for the current fiscal year, not to exceed $3,500,000 shall be available for nonadministrative expenses."

And, in lieu thereof, insert:

"Limitation on Administrative and Nonadministrative Expenses, Federal Housing Administration

"In addition to amounts made available under this head for the current fiscal year, not to exceed $350,000 shall be available for administrative expenses and not to exceed $3,500,000 shall be available for nonadministrative expenses."

On page 10, line 8, after "(82 Stat. 81)", strike out "$1,000,000" and insert "$7,000,000".

On page 10, after line 18, insert:

"GENERAL PROVISIONS

"SEC. 401. Subject to the limitations in this Act, the Secretary of Housing and Urban Development is authorized, with respect to any activity authorized by the Housing and Urban Development Act of 1968 and made subject thereby to the provisions of the Government Corporation Control Act, as amended, to make such expenditures, within the limits of funds and borrowing authority available for such activity and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary to carry out the applicable provisions of the Housing and Urban Development Act of 1968 during the current fiscal year.

"SEC. 402. Reorganization Plan Numbered 1 of 1958, as amended, is further amended by striking out 'Office of Emergency Planning' wherever appearing therein and inserting in lieu thereof 'Office of Emergency Preparedness.' Any reference in any other law to the Office of Emergency Planning shall, after the date of this Act, be deemed to refer to the Office of Emergency Preparedness."

On page 11, line 15, change the Chapter number from "IV" to "V".

On page 11, line 20, after the word "services", strike out "$752,000" and insert "$2,052,000".

On page 12, line 1, after "(16 U.S.C. 4601-7)", strike out "$53,000,000" and insert "$92,000,000".

On page 12, line 8, after the word "expended", strike out "$55,500,000" and insert "$94,500,000"; and, in line 9, after the word "exceed", strike out "$46,000,000" and insert "$85,000,000".

On page 12, line 15, after the word "protection", strike out "$100,000" and insert "$421,000".

On page 12, line 19, after the word "facilities", strike out "$50,000" and insert "$169,000".

On page 12, after line 23, insert:

"INDIAN HEALTH ACTIVITIES

"For an additional amount for 'Indian health activities,' $850,000."

On page 13, line 3, after the word "facilities", strike out "$3,350,000" and insert $4,944,000".

On page 13, line 5, change the Chapter number from "V" to "VI".

On page 13, after line 7, insert:

"OFFICE OF EDUCATION

"ELEMENTARY AND SECONDARY EDUCATIONAL ACTIVITIES

"HIGHER EDUCATIONAL ACTIVITIES

"Appropriations for 'Elementary and secondary educational activities' and 'Higher educational activities,' for the fiscal year 1969, shall be available in an amount not to exceed $3,000,000 for necessary expenses for planning the implementation of new and expanded programs of the Office of Education under legislation enacted during the second session of the 90th Congress, to be derived from funds available for the purposes of Title III, Elementary and Secondary Education Act, as amended."

On page 13, after line 20, insert:

"HIGHER EDUCATIONAL ACTIVITIES

"For an additional amount for 'Higher educational activities' for programs of special service to disadvantaged college students, and for payments authorized by section 108(b) of the District of Columbia Public Education Act, as amended (Public Law 90–354, approved June 20, 1968), $7,741,000 of which $500,000 shall be available for such special service programs."

On page 14, after line 5, strike out:

"For carrying out the purposes of the Juvenile Delinquency Prevention and Control Act of 1968, $5,000,000: *Provided*, That none of the funds contained herein shall be used to make grants, under Title I of said Act, in excess of the following: (1) $12,500 each to the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, (2) $50,000 to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico."

And, in lieu thereof, insert:

"For carrying out the provisions of the Juvenile Delinquency Prevention and Control Act of 1968 (Public Law 90–445, approved July 31, 1968), $12,000,000, including $650,000 for support of the President's Commission on the Causes and Prevention of Violence."

At the top of page 15, change the Chapter number from "VI" to "VII".

On page 15, after line 2, insert:

"SENATE"

On page 15, after line 3, insert:

"Salaries, Officers and Employees

"OFFICE OF THE SECRETARY

"For an additional amount for office of the Secretary, $16,570: *Provided*, That the Secretary may employ a Curator of Art and Antiquities at not to exceed $22,089 per annum."

On page 15, after line 9, insert:

"Contingent Expenses of the Senate

"MISCELLANEOUS ITEMS

"For an additional amount for Miscellaneous Items, $11,250, for expenses of the Commission on Art and Antiquities of the Senate."

On page 16, after line 11, insert:

"Capitol Police

"GENERAL EXPENSES

"For an additional amount for 'General Expenses', $34,000."

At the top of page 17, insert:

"CHAPTER VIII"

On page 17, after line 1, insert:

"PUBLIC WORKS

"DEPARTMENT OF THE INTERIOR

"Bureau of Reclamation

"UPPER COLORADO RIVER STORAGE PROJECT

"For an additional amount for the "Upper Colorado River Storage Project' for the Upper Colorado River Basin Fund, $2,700,000, to remain available until expended."

On page 17, after line 8, insert:

"INDEPENDENT OFFICES

"National Water Commission

"SALARIES AND EXPENSES

"For expenses necessary to carry out the Act of September 26, 1968 (Public Law 90–515), including compensation of the Executive Director at level IV of the Executive Schedule, $300,000."

On page 17, after line 15, insert:

"CHAPTER IX"

On page 17, after line 16, insert:

"STATE, JUSTICE, COMMERCE, AND THE JUDICIARY

"DEPARTMENT OF JUSTICE

"Legal Activities and General Administration

"SALARIES AND EXPENSES, GENERAL ADMINISTRATION

"For an additional amount for 'Salaries and expenses, general administration', $136,000."

At the top of page 18, insert:

"DEPARTMENT OF COMMERCE

"Maritime Administration

"STATE MARINE SCHOOLS

"For an additional amount for 'State marine schools', for liquidation of obligations incurred for payment of allowances for uniforms, textbooks and subsistence of cadets at State marine schools, to remain available until expended, $210,000, to be derived by transfer from the amounts for administrative and warehouse expenses in the appropriation for 'Ship construction'."

On page 18, after line 10, insert:

"Foreign Direct Investment Control

"SALARIES AND EXPENSES

"For an additional amount for 'Salaries and expenses', $500,000."

On page 18, after line 14, insert:

"THE JUDICIARY

"Courts of Appeal, District Courts, and Other Judicial Services

"SALARIES OF JUDGES

"For an additional amount for 'Salaries of judges', $51,000."

On page 18, after line 20, insert:

"SALARIES OF SUPPORTING PERSONNEL

"For an additional amount for "Salaries of supporting personnel', $38,000."

At the top of page 19, insert:

"TRAVEL AND MISCELLANEOUS EXPENSES

"For an additional amount for 'Travel and miscellaneous expenses', $45,000."

On page 19, after line 3, insert:

"ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

"For an additional amount for 'Administrative Office of the United States Courts', $15,000."

On page 19, line 8, change the chapter number from "VII" to "X".

On page 20, after line 2, strike out:

"Urban Mass Transportation Administration

"SALARIES AND EXPENSES

"For necessary expenses of the Urban Mass Transportation Administration, including uniforms and allowances therefor, as authorized by law (5 U.S.C. 5901–5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; $300,000, to be derived by transfer from the appropriation for 'Urban mass transportation grants'."

On page 20, line 11, change the Chapter number from "VIII" to "XI".

At the top of page 21, insert:

"UNITED STATES SECRET SERVICE

"Section 3056 of title 18, United States Code is amended by striking out the second clause and inserting in lieu thereof the following: 'protect the person of a former President and his wife during his lifetime, the person of the widow of a former President until her death or remarriage, and minor children of a former President until they reach sixteen years of age, unless such protection is declined'."

On page 21, after line 8, insert:

"EXECUTIVE OFFICE OF THE PRESIDENT

"Council of Economic Advisers

"SALARIES AND EXPENSES

"For an additional amount for 'Salaries and Expenses', $200,000."

On page 21, line 14, change the chapter number from "IX" to "XII".

Mr. HOLLAND. Mr. President, I now come to the general provisions of chapter 13.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield, before he proceeds to that?

Mr. HOLLAND. I am glad to yield.

Mr. WILLIAMS of Delaware. I understand that in requesting agreement to the committee amendments, the Senator left out page 6, lines 16 through 20.

Mr. HOLLAND. The Senator is correct. I had already requested that those lines be omitted, and consent was given for its consideration separately. It was omitted from the bill. I am glad the Senator brought up the point that the paragraph dealing with the International Development Association has been deleted from the bill already.

The PRESIDING OFFICER. The Chair would like the Senator from Florida, if he would, to identify by line and page, when he states "through chapter 12."

Mr. HOLLAND. The item which we have deleted is found on page 6 of the printed bill, beginning at line 17 and extending through line 20. I thought we had made that clear earlier.

Mr. WILLIAMS of Delaware. Line 16.

Mr. HOLLAND. Yes; line 16 is the title, and lines 17 through 20 is the text. Really, it should have covered lines 16 through 20 on page 6 of the bill. I understand that has been eliminated by unanimous consent.

The PRESIDING OFFICER. The Chair would like a clarification of what the Senator from Florida meant when he said, "through chapter 12," and asked that the committee amendments be accepted without the right to a point of order being waived.

Mr. HOLLAND. That was to cover the entire bill, beginning with chapter 1 and extending through chapter 12, with the exception of the item referring to the International Development Association, which had already been stricken from that part of the bill.

The PRESIDING OFFICER. The understanding of the Chair is that the chapter numbers themselves have been amended. Therefore, the Chair, in order to clarify the RECORD, requests that the page and line numbers be specified.

Mr. HOLLAND. There has been only one elimination from the text of the bill, Mr. President.

The PRESIDING OFFICER. We understand that.

Mr. WILLIAMS of Delaware. Mr. President, the titles involved seem to me to be very clear. They are titles I through

XII. Beginning on page 22, we have title XIII. What the chairman is asking, as I understand it, is that all the committee amendments through the first 12 titles, which end on line 9, page 22, be agreed to, with the exception of that one deletion on page 6, which covers lines 16 through 20.

Mr. HOLLAND. The Senator from Delaware understands the situation completely, but I want it to be understood at the desk also.

The bill is in 13 chapters. Twelve chapters will remain in the bill. Only a part of one chapter has been eliminated by unanimous consent, and that is the part of that chapter that relates to the International Development Association.

The PRESIDING OFFICER. The Chair understands that, but it is necessary that the RECORD show, by page and line, through where the Senator from Florida wants the committee amendments to be accepted.

Mr. HOLLAND. The committee amendments, as I understand it, have been accepted, subject to the understanding made and subject to the elimination made of the IDA item, down to and through line 9 on page 22 of the bill.

The PRESIDING OFFICER. The Chair thanks the Senator from Florida.

Mr. HOLLAND. I thank the Chair for making sure there will be no possible lack of clarity on this matter.

Mr. President, we have one chapter ahead of us, and that is the one which came over to us from the House of Representatives; so there is no question of a point of order. Chapter XIII of the House bill is well described at the bottom of page 23 of our committee report, and I shall read that description into the RECORD, because I think it is perfectly clear. It reads as follows:

GENERAL PROVISIONS, CHAPTER XIII

The House included general provisions in the bill which would grant exemption from the overall expenditure, lending obligation, and loan authority ceilings in sections 202 and 203 of the Revenue and Expenditure Control Act of 1968 with respect to the farm price-support program of the Commodity Credit Corporation and with respect to grants for public assistance under the Department of Health, Education, and Welfare, for the current fiscal year 1969. The House provision granted a limited exemption of not more than $907 million above the January budget estimate of expenditures and net lending for farm price supports and a limited exemption of not more than $560 million for public assistance grants.

The committee has deleted the entire House provision and has rewritten it granting similar exemption for the Commodity Credit Corporation at a figure of not to exceed $907 million in section a and in section b, has granted an exemption with respect to the public assistance program in an amount not to exceed $750 million. This is necessary because of a revised estimate some $800 million higher than anticipated causing an overrun of approximately $240 million. The provision included in the bill by the committee as a substitute for the House provision reads as follows:

"REVENUE AND EXPENDITURE CONTROL ACT OF 1968

"SEC. 1302. (a) Expenditures and net lending during the fiscal year ending June 30, 1969, by the Commodity Credit Corporation (not more than $907,000,000) for farm price supports (not including amounts for special activities) in excess of the amounts estimated therefor on page 239 of the Budget for 1969 (H. Doc. 225, Part 1), and new obligational and loan authority heretofore or hereafter enacted for such fiscal year for such purposes in excess of the amounts estimated therefor on page 239 of the Budget for 1969, shall not be counted against the aggregate limitations on expenditures and net lending and new obligational authority and loan authority prescribed by Sections 202(a) and 203(a) of Title II of the Revenue and Expenditure Control Act of 1968.

"(b) Expenditures and net lending during the fiscal year ending June 30, 1969, by the Department of Health, Education, and Welfare (not more than $750,000,000) for grants to States for public assistance as authorized by the Social Security Act, as amended, in excess of the amounts estimated therefor on page 15 of the Budget for 1969 (H. Doc. 225, Part 1), and new obligational and loan authority heretofore or hereafter enacted for such fiscal year for such purposes in excess of the amounts estimated therefor on pages 306 and 307 of the Budget for 1969, shall not be counted against the aggregate limitations on expenditures and net lending and new obligational authority and loan authority prescribed by Sections 202(a) and 203(a) of Title II of the Revenue and Expenditure Control Act of 1968."

Mr. President, before I yield to the Senator from Delaware, who I understand objects to this particular chapter, I wish to make it very clear that the committee felt it was desirable to break this item down into two items, for this reason: Both of these matters have been before the Senate. One of them was acted upon favorably, the other unfavorably; and we felt, therefore, that the Senate might wish to work its will separately on these two items, not in the joint way in which they were contained in the House bill.

In addition, the committee was informed by the agency involved that the amount of the exemption stated for the public assistance program payments was not sufficient, and the amount designated by the House of Representatives, which was $560 million, was raised to $750 million.

With that explanation, and again stating that there is no point of order available here to anybody, because we are simply dealing with matters put in the bill on the House side. I yield the floor to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Florida is correct. One of these exemptions did pass the Senate—by a margin of two votes. This was for the Commodity Credit Corporation. However, the amendment which excepted that agency is still pending on a bill still in the Senate, and it looks as though it will not be enacted. I personally hope neither of these two amendments is enacted.

On April 2 of this year Congress passed a bill increasing taxes by 10 percent. As a part of that tax increase bill there was an expenditure control section which would reduce expenditures for fiscal 1969 by $6 billion. That bill was sold to Congress and to the American people on the basis that in return for accepting the 10-percent tax increase Congress and the administration, working together, would reduce spending in 1969 by $6 billion.

Not only those Members of Congress who voted for it but also the President and the executive branch, including the Director of the Budget, made public statements and commitments that they would live up to this $6 billion reduction. I regret that since that bill was passed, while the tax increase provision lies intact, the expenditure reduction provision has been gradually eroded away here in Congress by a series of exemptions for first one agency and then another. We have before us now a proposal which would exempt the Commodity Credit Corporation and the Department of Health, Education, and Welfare from having their expenditures counted against the limitation on expenditures a total amount of $1,657 million in spending.

This would mean in itself that one-third of a $6 billion expenditure reduction is being eliminated, and presumably we would have about $4 billion left. However, the joker in it is that even when we make this exception the matter is then wide open. They could expand it beyond this figure. In addition, Congress has exempted the Post Office Department, Federal Aviation Agency, the FBI, the Department of Justice, and the Department of Transportation from the employee-control features of the expenditure reduction package, with the result that if added to these two amendments here today, there is no doubt in my mind but that we might just as well go back and tell the American people that the $6 billion promised spending cut will never develop.

I do not think there is a remote chance left of our realizing our goal when we figure all of the exceptions that have been enacted, and we are now going to exempt the HEW and the Department of Agriculture.

All of these agencies at the time the tax increase bill was passed made a commitment that they would live within the expenditure control. The Director of the Budget testifying before the committee on behalf of and representing the administration said that they could accept and abide by these controls.

Certainly there is no reason why we should exempt these two agencies. I point out that even if we had held the full $6 billion spending reduction, the administration would have still had $3¼ billion more to spend in fiscal year 1969 than they had in 1968, because the original budget requests were for $9¼ billion more for 1969 than was spent in 1968. Even if we were to reduce $6 billion we would still leave $3¼ billion extra. That is the very maximum that I think the taxpayers of this country can afford to spend.

We traded very close to the brink of pushing the American dollar over the precipice of devaluation. I do not think we can take the chance, now that we have moved back from that near crisis, of approaching another one. We may not be so lucky the next time.

I feel very strongly that the pending amendments should be rejected. I think if we were to agree to these amendments it would constitute a violation of our commitment and a betrayal of trust on the part of both the Johnson administration and Congress. We would be reneging on our commitment to the American people that we would hold down spending.

The mandatory expenditure control feature of the act was passed on April 2. That measure originated in the U.S. Senate. It was introduced in the Senate by the Senator from Florida [Mr. SMATHERS] and me. The measure was cleared and approved by the Finance Committee, the Ways and Means Committee, and the Appropriations Committees of both the House and Senate. They agreed that they could and would live up to the expenditures control. I think we should keep that commitment.

Mr. President, I ask for the yeas and nays on section 1302 which is now pending.

The yeas and nays were not ordered.

Mr. WILLIAMS of Delaware. Mr. President, I will again request the yeas and nays in a moment. We will want a RECORD vote. The Senate should be on record as to whether we will stand by the expenditure control here in the last days of the session.

I hope that we can reject this section of the bill and thereby save the expenditure control features of the tax bill.

Mr. HOLLAND. Mr. President, in the first place these matters have already been acted upon in the House. We want to reduce the difficulties we will have in conference as much as we can.

My own feeling has always been one of sympathy with the position of the Senator from Delaware. I supported him in the passage of his bill. I supported him in his opposition to the exemption of the Post Office Department and certain agencies of the Department of Transportation.

I do not see how I can, however, support him on the CCC matter. And I especially address myself to that, because as it happens Congress has given directions to the Department of Agriculture as to how they shall proceed in supporting the price of the various commodities under the loan system.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield so that I may request the yeas and nays?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The Chair advises the Senator from Delaware that it would take unanimous consent for him to ask for the yeas and nays on section 1302, because as yet that is not the matter before the Senate. There are still technical amendments to be agreed to and to be considered. So, the Senator will have to ask for unanimous consent to ask for the yeas and nays on section 1302.

Mr. WILLIAMS of Delaware. I thought we had agreed to all committee amendments up to page 22, and this amendment is on page 22.

Mr. HOLLAND. Mr. President, I have no objection to that procedure. I think this is as good a time as any to order the yeas and nays.

The PRESIDING OFFICER. The Senator from Delaware can either ask for unanimous consent to do this, or we can clear the two committee amendments.

The Chair is advising the Senate as to what the situation is. What is the will of the Senate?

Mr. WILLIAMS of Delaware. Mr. President, I can ask for unanimous consent, but I do not understand the ruling of the Chair.

The PRESIDING OFFICER. The Chair advises the Senator from Delaware that there are two committee amendments, on lines 10 and 12 of page 22 that have not as yet been agreed to.

Mr. WILLIAMS of Delaware. Let us agree to those. They just change the title numbers, and we will get that out of the way.

Mr. HOLLAND. Mr. President, I first ask unanimous consent that the Senate consent tc the adoption of the amendments on lines 10, 11, 12, 13, and 14 on page 22, to meet the point so very properly suggested by the Chair.

The PRESIDING OFFICER. The Chair advises the Senator from Florida that they are not the amendments.

If the Senator would ask that the committee amendments on page 22, lines 10 and 12 be considered and agreed to en bloc, the Chair would accept that request and put it to the Senate.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the two committee amendments beginning on lines 10 and 12 of page 22 be considered and agreed to en bloc without prejudice to the later provisions of chapter 13.

The PRESIDING OFFICER. The amendments will be stated.

The assistant legislative clerk read as follows:

On page 22, line 10, change the chapter number from "X" to "XIII".

On page 22, at the beginning of line 12, change the Section number from "1001" to "1301".

The PRESIDING OFFICER. Without objection, the two amendments are agreed to en bloc.

The next committee amendment will be stated.

The assistant legislative clerk read as follows:

On page 22, after line 15, strike out:

"SEC. 1002. Expenditures and net lending during the fiscal year ending June 30, 1969, by the Commodity Credit Corporation (not more than $907,000,000) for farm price supports (not including amounts for special activities), and by the Department of Health, Education, and Welfare (not more than $560,000,000) for grants to States for public assistance as authorized by the Social Security Act, as amended, in excess of the respective amounts estimated therefor on pages 239 and 15 of the Budget for 1969 (H. Doc. 225, Part 1), and new obligational and loan authority heretofore or hereafter enacted for such fiscal year for such purposes in excess of the respective amounts estimated therefor on pages 239 and 306 and 307 of the Budget for 1969, shall not be counted against the aggregate limitations on expenditures and net lending and new obligational authority and loan authority prescribed by Sections 202(a) and 203(a) of Title II of the Revenue and Expenditure Control Act of 1968."

And, in lieu thereof, insert:

"SEC. 1302. (a) Expenditures and net lending during the fiscal year ending June 30, 1969, by the Commodity Credit Corporation (not more than $907,000,000) for farm price supports (not including amounts for special activities) in excess of the amounts estimated therefor on page 239 of the Budget for 1969 (H. Doc. 225, Part 1), and new obligational and loan authority heretofore or hereafter enacted for such fiscal year for such purposes in excess of the amounts estimated therefor on page 239 of the Budget for 1969, shall not be counted against the aggregate limitations on expenditures and net lending and new obligational authority and loan authority prescribed by Sections 202(a) and 203(a) of Title II of the Revenue and Expenditure Control Act of 1968.

"(b) Expenditures and net lending during the fiscal year ending June 30, 1969, by the Department of Health, Education, and Welfare (not more than $750,000,000) for grants to States for public assistance as authorized by the Social Security Act, as amended, in excess of the amounts estimated therefor on page 15 of the Budget for 1969 (H. Doc. 225, Part 1), and new obligational and loan authority heretofore or hereafter enacted for such fiscal year for such purposes in excess of the amounts estimated therefor on pages 306 and 307 of the Budget for 1969, shall not be counted against the aggregate limitations on expenditures and net lending and new obligational authority and loan authority prescribed by Sections 202(a) and 203(a) of Title II of the Revenue and Expenditure Control Act of 1968."

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS of Delaware. Mr. President, we are now to vote on section 1302 as reported by the committee. The committee struck section 1002. The point is if we should defeat section 1302, we want to make sure that we are not going back automatically to section 1002.

Mr. HOLLAND. Mr. President, my understanding of the situation is that the committee recommends the striking of section 1002 in the House bill and the substitution for that of section 1302 in our recommendations.

I do not believe anything about this situation is difficult to understand.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assitant legislative clerk proceeded to call the roll.

Mr. HARRIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 3615) to authorize the Secretary of the Army to convey to the port of Cascade Locks, Oreg., a certain interest in lands in the State of Oregon for municipal purposes.

The message also announced that the House had passed the bill (S. 2012) to amend the District of Columbia Public School Food Services Act, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 7417) to prescribe administrative procedures for the District of Columbia government.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 18248) to amend the act of August 9, 1955, relating to certain common carrier operations in the District of Columbia.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 909. An act for the relief of Paul L., Margaret, and Josephine Kirsteatter;

S. 1246. An act to authorize the Commissioner of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, the space over and under streets and alleys in the District of Columbia, and for other purposes;

S. 1247. An act to authorize the Commissioner of the District of Columbia to fix and collect rents for the occupancy of space in, on, under, or over the streets of the District of Columbia, to authorize the closing of unused or unsafe vaults under such streets and the correction of dangerous conditions of vaults in or vault openings on public spaces, and for other purposes;

S. 1763. An act to promote the economic development of Guam;

S. 2675. An act for the relief of Jose Estrada; and

S. 3207. An act to amend section 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands.

SUPPLEMENTAL APPROPRIATIONS, 1969

The Senate resumed the consideration of the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes.

Mr. HARRIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DODD in the chair). Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, under the parliamentary situation as I understand it, the committee amendment is a substitute for section 1002 of the House bill. I am advised by the Parliamentarian that in order for us to consider section 1002 and the Senate committee recommendation separately, we should procure unanimous consent for such separate consideration.

I have no objection to such separate consideration, and I suggest that such unanimous consent be given, that we have a voice vote on the striking of section 1002 of the House bill, and that we then proceed to the consideration of the Senate amendment.

I ask unanimous consent at this time that action be taken to allow separate consideration and a separate vote on section 1002 of the House bill and the proposed new section 1302 recommended by the committee, and that first, action be taken on section 1002 of the House bill.

Mr. HARRIS. Mr. President, reserving the right to object, I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HARRIS. If the Senate by voice vote adopted the striking portion of the committee substitute and therefore struck the House language, and thereafter also rejected the insertion of new language, where would we be? We would not have either the House version or the Senate version, would we?

The PRESIDING OFFICER. The Senator is correct.

Mr. HOLLAND. Mr. President, I believe the Senator's question is a correct one. I thing the answer would be that if we took both of those actions, we would have nothing left for section 1002 of the House bill and the proposed section 1302 of the Senate committee recommendation.

But I suggest to the distinguished Senator from Oklahoma that the entire matter would be in conference, because the House provision would, of course, be in conference between the House and the Senate; and the Senate committee already having taken the position that it has on this subject, there should not be much doubt as to what would happen in conference as to at least the acceptance of the House amendment.

Mr. HARRIS. Am I to understand that if it were in conference, the limit then for the Department of Health, Education, and Welfare public assistance payments would be $560 million, if the Senate rejected both the striking and the insertion portion of the committee substitute?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. HOLLAND. The Senator is correct. That was the full amount included in the House bill in connection with the waiver of the Revenue and Expenditure Control Act of 1968, relative to public assistance payments of the Departments of Health, Education, and Welfare. That would be in conference. I simply remind the Senator that if he wishes his amount of $750 million to be considered separately, he has the right to do so by asking for a division when we get to the consideration of section 1302. A request for division by any Senator, as the Senator from Florida understands the situation, at that stage would result in dividing subsection (a) of section 1302 and subsection (b) of section 1302 for separate consideration by the Senate.

The PRESIDING OFFICER. The Senator is correct.

Mr. HARRIS and Mr. PASTORE addressed the Chair.

Mr. HOLLAND. I shall yield to the Senator from Rhode Island, but first I yield to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator is correct.

Mr. HARRIS. Mr. President, it seems to me that this would be an irregular way to go about it.

We could divide subsection (a) and subsection (b) of the substitution, and if either subsection (a) or subsection (b) were adopted, then strike out the House language, we would have at least a chance later. If the Senate turned down $750 million for public assistance as an upward limit, we would later have an opportunity to vote on $560 million. If the House position were adopted in the Senate, that amount would be locked in in the Senate; whereas if we adopt the procedure the Senator is now talking about, first striking out the House language, and then the Senate should decide it does not want the House limit, we would be unable in conference to take any figure lower than $560 million.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. WILLIAMS of Delaware. The Senator would be protected in order to get a vote. Assuming for the moment we strike the House language by voice vote and then by rollcall vote we strike section 1302 in its entirety, the Senator is correct that we would have nothing left in the bill. However, the Senator could then offer another amendment to put back in part of the House bill and change the figure to $561 million; or he could change the figure and it would be in order.

Mr. HARRIS. Mr. President, I wish to put that statement in the form of a parliamentary inquiry.

If we first, on voice vote, strike out the House language, and later on voice vote or rollcall vote strike out subsection (a) or subsection (b), would the statement of the Senator from Delaware be correct that an amendment could be offered later which would put in some different figure, $560 million or up to $750 million?

If that is correct, I would have no objection.

Mr. WILLIAMS of Delaware. I think it is correct.

The PRESIDING OFFICER. The answer to the inquiry of the Senator is that an amendment from the floor at that point would be in order, as long as there was a substantial difference in it.

Mr. HARRIS. Very well. I shall not object.

Mr. WILLIAMS of Delaware. Mr. President, I am not trying to preclude anyone from the opportunity of offering amendments. Under the rules, without this procedure and in the event we did delete section 1302, those who wish to vote to delete it would be forced to vote for the House language; I want a vote straight up and down on each of them.

Mr. HOLLAND. Mr. President, I now renew my unanimous-consent request.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. HOLLAND. Mr. President, I ask for a voice vote on the elimination of section 1002 of the House bill.

The PRESIDING OFFICER. The question is on agreeing to the motion to eliminate section 1002 of the House bill, which the clerk will state.

The language was read, as follows:

SEC. 1002. Expenditures and net lending during the fiscal year ending June 30, 1969, by the Commodity Credit Corporation (not more than $907,000,000) for farm price supports (not including amounts for special activities), and by the Department of Health, Education, and Welfare (not more than $560,000,000) for grants to States for public assistance as authorized by the Social Security Act, as amended, in excess of the respective amounts estimated therefor on pages 239 and 15 of the Budget for 1969 (H. Doc. 225, Part 1), and new obligational and loan authority heretofore or hereafter enacted for such fiscal year for such purposes in excess of the respective amounts estimated therefor on pages 239 and 306 and 307 of the Budget for 1969, shall not be counted against the aggregate limitations on expenditures and net lending and new obligational authority and loan authority prescribed by Sections 202(a) and 203(a) of Title II of the Revenue and Expenditure Control Act of 1968.

The motion was agreed to.

Mr. HOLLAND. Mr. President, now we have for consideration the Senate recommendation of section 1302. That would be the next business before the Senate. That is the Senate committee recommendation.

On that matter I ask for a division so that we may vote separately, first on subsection (a) of section 1302.

The PRESIDING OFFICER. A division is demanded.

Mr. HOLLAND. Mr. President, the Senator from Delaware has already made his statement of opposition to section 1302 and I now wish to make a brief reply.

The Senator's position has been before the Senate as a separate matter and the Senate has taken affirmative action that what is proposed in section 1302 should be done. As a matter of fact, the affirmative action taken by the Senate went further than what is suggested here. We took that action by rollcall vote in the Senate.

In the next place, I wish to remind Senators that we have standing on the books legislation which requires the Secretary of Agriculture ahead of time to announce the price-support program, and that has been done for this year's crop a long time ago. Farmers, relying upon that announcement, have planted their crops. In some instances the crops have already matured and in other instances they will be maturing shortly.

We could not, if we wanted, prevent the payment of the money from the CCC, which is really expended by way of loans and not by way of direct payment. We could not if we wanted prevent those payments without breaking down the reliance on the faith and credit of the United States because there is involved in this matter the fact—the unfortunate fact from the viewpoint of some people, and for many others it is a fortunate fact—that nature has been very kind to us this year. Our crops are very much larger than they were estimated to be under the January estimate. Because of that the loans required to be made by the Secretary of Agriculture out of the CCC funds will be substantially more than was estimated on page 239 of the Budget for 1969.

That is the budget we received in early January and it was based on the crop estimate available at that time. The fact of the matter is that the Secretary of Agriculture has to pay out these loan funds. Incidentally, many of them will be repaid later, and there may ultimately be a very small expenditure of this amount.

Under the Revenue and Expenditure Control Act of 1968 these amounts will be counted as expenditures, although the amounts will actually be loans. If the Secretary is required to do this out of the CCC funds, and it is counted as expenditures unless we take action such as this, the other activities of the Department of Agriculture which have already been given cuts under the Revenue and Expenditures Control Act will have to absorb $907 million more of additional cuts which means that many activities of the Department of Agriculture will be seriously diminished and the whole agricultural picture will be adversely affected.

The Senate has already taken action on this same question by rollcall vote and has heretofore found that such a result would be inimical to the agricultural interests of the Nation and, thus, inimical to the welfare of the Nation as a whole.

I hope the Senate will not reverse that position but that the Senate will approve what the committee has recommended, which is the identical action already taken by the House.

I yield the floor.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Florida is correct. The Senate has taken action on this question by voting on both sides. Senators voted in April to place a mandatory reduction of $6 billion in the spending in the tax bill, and they also refused to make any exceptions for any agency of the Government. The reason there were no exceptions made is that the executive branch, specifically the Director of the Budget, in testimony before the committee, stated that these matters should not be spelled out in exceptions but that they should be allowed to make reductions in those areas which would least disrupt public service.

At the time this bill was considered by the Senate last March when we were planning to control spending not one single agency of the Government came before the committee seeking an exemption.

The CCC has not taken on one single obligation with any American farmer in any one of the States since the tax bill was passed and signed into law the latter part of June by the President.

I repeat, since that time there has not been one single obligation made. All of the commitments were made before. All of this talk about an extra crop coming along is just an excuse. We have larger crops in some areas and smaller crops in other areas.

But that is no excuse. These facts were all known when the tax bill was before us.

They have been fighting these reductions ever since they got the tax bill. It has been a continuous effort on the part of an executive branch that wants to do nothing but spend money and tax all it can get out of the people.

Mr. MILLER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MILLER. Let me say to the Senator from Delaware that I recall this matter was discussed a few days ago. My recollection is that it was agreed upon by all Senators on both sides of the aisle who were participating in the debate, it is money that is available to cover CCC requirements.

Mr. WILLIAMS of Delaware. That is correct.

Mr. MILLER. So that the conclusion that was abundantly clear then, and I suggest is abundantly clear now, is that if this measure is not adopted, the CCC will still cover the farmers' loans——

Mr. WILLIAMS of Delaware. They will.

Mr. MILLER. They have the money available.

Mr. WILLIAMS of Delaware. Yes, they have the money available, and they will have to cover the obligations. It is the law. No one is suggesting that the contractual obligations they have made with the farmers are going to be violated, whether we are for the farm program or against it, or whether we think it is too expensive or not. That is beside the point. It is the law. The obligations have been made. They were made in the first quarter of this year. They were made prior to the enactment of the tax increase Expenditure Control Act. I repeat, they have not signed up a single farmer since early spring.

They have no new obligations.

No one is suggesting that they renege on contracts. They do not have to renege. The point is, if we give them this extra $907 million they will take no reduction in the agency but put the $907 million to work somewhere else down the line in one of the other agencies. If we do not give it to them this agency will merely have to hold down some of its expenditures which are controllable items, and to the extent that they did not it would result in some other agency having to absorb the cut.

That is just a way of pouring an extra $1,657 million into the spending stream, and it could even go beyond that. The departments admit that with the contractual powers given them it could spend $2 to $3 billion more.

Mr. MILLER. I want to make this clear, that when the matter was presented before the Senate a few days ago, I repeated the clear understanding that the Senator from Delaware has just confirmed, and as a result voted against this exception now before the Senate again. If I were not assured that the CCC would, (a) pay the loans, and (b) have the money to take care of paying the loans, I would have voted for the exception. I would be inclined to vote for the exception now, but I am satisfied, from both sides of the aisle, that the money is available and that the farmer will be paid.

Therefore, there may be some other reason that is being advanced for making this exception. The Senator from Delaware has dwelled on that, as to what the probable reason is. But my first concern is that the CCC have the money and, second, that it pay the farmers. That is abundantly clear. Thus, it is not an issue before us at this time, is it?

Mr. WILLIAMS of Delaware. It is not an issue. As one who feels that the soil bank payments are too large I have tried repeatedly to put controls over them. Nevertheless, they are the law, and to the extent that the Department has contracts with the farmers they have the obligation to pay them. I am not suggesting that we renege on this obligation. The proposal I offer is to curtail expenditures on the prospective not the retroactive, because we could not do this retroactively. It would not be fair. They can carry out their obligations, and the administration, if we do not exempt them, must make the cuts in some other area.

I repeat what I said earlier, the administration in its budget asked for $9¼ billion more to spend in fiscal 1969 than it did in 1968. I am speaking now only of domestic programs, not the cost of the war in Vietnam—$9¼ billion more to spend on domestic programs. Congress, by a heavy vote in the Senate and House, approved the tax increase expenditure control bill, which provided that $6 billion be taken out of the spending stream. That would still leave $3¼ billion more than they had last year. Since that time they have been trying to whittle away this reduction with exemptions, and they have been rather successful. However, if these two amendments carry this will be the largest single exception because this alone will exempt a minimum of $1,657,000,000 out of the $6 billion, and it could go to $2.5 or $3 billion.

As I said earlier, if we adopt these exemptions we might as well figure that expenditure controls for this year are all over.

To show how the Department of Agriculture has cooperated, they talk about curtailing only the most essential programs. I was rather interested to note a bulletin that came out of the Department in the last couple of weeks, since they have been talking about being so short of money, wherein they are encouraging farmers, "If you are interested in turning your farm into a golf course, a recreational center, a hunting lodge, or a hunting preserve we have plenty of money to lend you. All you have to do is ask for it. We have the money." Then they threaten to shut down all essential services. That is bureaucratic blackmail on the part of the executive department in order to get some extra money—an executive department that knows only one thing, and that is to spend and spend and then to tax the people for all they can bear.

Congress enacted the tax with the promise that it would support an expenditure reduction. I think it would be a catastrophe if during the closing days of this session we completely eliminated expenditure controls.

But if we do not retain the expenditure limitation let us go home and be frank about it with the people. Just tell them, "The only thing we saved out of all this is the increased tax."

I am sure that as the people of this country send their taxes in to the Government next year they will feel very "appreciative" of the action taken by Congress.

Mr. HOLLAND. Mr. President, my two friends on the other side of the aisle have made their position sound reasonable and effective. They have even used the word "blackmail," which I do not appreciate. The fact is that their position is not reasonable. The reduction of $6 billion which was voted was applied against the budgeted amounts. The fact is that the budget amounts for the operations of CCC proved not to be correct.

Why? Because the seasons were better than anticipated and because production has gone way, way up in many of the basic crops.

What they had meant to do when this act was proposed—and I voted for it and stuck by it all the way through, and voted against all proposed exemptions in the various departments they have exempted—was to effect a reduction of the budget amount. The fact is, the budgeted amount in the CCC operations just happens to be way under what they will need to carry out the positive instructions of Congress under law which we have passed and under which we have given directions to the Department of Agriculture to carry them out.

Mr. President, it is true that the CCC, under its borrowing authority from the Treasury, can get the money, so far as the money is concerned, to meet its lending requirements. But if it does that, and unless the amendment is adopted, the additional sum beyond the budgeted amount for CCC operations—the additional sum being over $900 million—just has to be cut out of other operations of the Department of Agriculture. There is not any doubt that this will be the situation.

The Department has shown it will have to make additional cuts, in addition to those it has already taken in its operations, because they are all subject to the $6 billion total cut. These additional cuts which would have to be made are shown on page 9 of the House hearings. The Department has shown where it will have to apply the cut if the Congress insists on CCC going ahead, meeting its full obligations, which I think it should, because they are obligations to Uncle Sam under the law. The Department shows that five additional agencies are stricken almost fatal blows if these additional cuts are made in that area.

I read from page 9 of the House hearings:

> Effect of reduction if applied to consumer protection and food programs.

That is where it will have to be applied, because it is the only sizable program—

> Meat and poultry inspection and other marketing services, $153 million—

That is an additional reduction, in addition to the reduction it is already required to take.

> School lunch program, $249 million—

Additional reduction.

> Food stamp program, $238 million.
>
> Commodity distribution and related expenses, $223 million.
>
> Agriculture research service—research, plant and animal disease and pest control, $86 million—

Making a total of $949 million.

Any Senator coming from an agricultural State, or coming from any State in the Nation as a whole, who wants to strike this death blow, not only to agriculture but to the whole Nation, may do so by his vote on this amendment, but any Senator who does that, because this $6 billion cut was applied to the budget estimate at a time when the budget esimates for CCC happened to be $907 million less than they are now proving to be under the very large crop situation, will be answerable to his own people and to the Nation because of the destruction of other programs.

I just want to make that very clear. It is not an answer to say that the CCC can go to the Treasury, borrow money, and make these loans. Of course, it can do that. We have legislation on the books allowing CCC power to do that. But we also put legislation on the books applying the $6 billion cut be distributed among the various agencies of Government. And here we have an attempt to make a $907 million additional cut effective as to the U.S. Department of Agriculture in all of its agencies except the CCC. That is the full explanation of what the Senators are attempting to do here, and I want them to understand it and I want the RECORD to show it. They propose to destroy, or virtually destroy, other very valuable programs to the farmers of the country and to the Nation as a whole.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Iowa.

Mr. MILLER. The Senator knows of the great respect I have for him. I must say the Senator from Iowa finds it incredible that the Senator from Florida would tell us that these various programs are going to be curtailed as he said they are going to be curtailed. Who says they are? By what authority is this being done?

When the Senate passed the $6 billion expenditure reduction, we did not apply it to the Department of Agriculture, or the Department of Health, Education, and Welfare, or the Justice Department, or the Post Office Department. We, in effect, said to the Director of the Budget and to the President, "You are going to have to cut $6 billion out of the $9 billion increased spending that you want for fiscal 1969." That is the way it was passed.

If what the Senator from Florida says is true, it would amount to perhaps a $6.9 billion expenditure reduction that would have to be made out of the $9 billion expenditure increase. If it is $6.9 billion out of a $9 billion increase, it would still leave over $2 billion more to spend in fiscal 1969 than in fiscal 1968.

There is no mandate by the Congress that these various programs be cut. As a matter of fact, I think it would be well to make a little legislative history on the floor of the Senate that we do not intend to have these programs cut back, and that they still will have as much as 1968, and that they have room to expand it a little more.

I think it comes down to, if the committee amendment is not agreed to, the Director of the Budget and the President of the United States determining whether or not these programs are going to be cut or maintained. I do not think that can be decided on the floor of the Senate, except to make clear the intention of many of us—and certainly my intention—that it is not being cut back at all. But just because the Senator from Florida stands on the floor and says this is going to happen is not going to impress me too much, because I do not believe he can speak for the President or the Director of the Budget. He can speak for himself, but they have the decision to make; and, since this is a separation of powers matter, it is quite proper that they have the decision to make. So I do not think we are tying our hands on this at all.

Mr. HOLLAND. I appreciate the remarks of my distinguished friend. All I am saying is that if the Senators who are making this proposal do not think this additional cut of $900 million is going to hit hard some place, then they are thinking along a different line than I can possibly follow, because the fact of the matter is that it is a cut which is directed against the budgeted amount. If the Senator from Iowa will look, he will find it is directed against the budgeted amount. The fact is that the budgeted amount for CCC proves to be nearly $1 billion under what they are going to actually need.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HOLLAND. The fact of the matter is that this additional expenditure or loan amount is going to have to be taken out of somebody else's hide. The figures I put in here are not the figures of the Senator from Florida; they are figures coming from the Department of Agriculture, and are shown on page 9 of the Appropriation Committee hearings in the House.

Mr. MILLER. Mr. President, will the Senator yield further?

Mr. HOLLAND. I yield.

Mr. MILLER. I wish to make two points. The Senator says this extra $900 million is going to have to come out of somebody's hide. Why can it not come out of the extra $2 billion appropriated for fiscal 1969?

What is wrong with taking it out of the extra $2 billion which, I am sure the Senator from Florida and the Senator from Delaware will agree, even with the committee amendment rejected, will still be available for spending? That is where to take it out, not out of somebody's hide.

The second point is that the Senator may be reading figures from some correspondence from the Secretary of Agriculture which says, if the $900 million has to come out of the Department of Agriculture's hide, here is what is going to happen.

I suppose that if it is going to come out of the Secretary of Agriculture's hide by virtue of a directive of the President of the United States, that may be what will happen. But I think the Senate is perfectly capable of saying, "Mr. President, do not take it out of the Department of Agriculture, take it out of that $2 billion additional spending which Congress has made available to you."

Mr. HOLLAND. The fact of the matter is that this cut was directed at a budget which has proved to be inaccurate as to the CCC, and nobody is to blame. Nature has been kind to us, and we just produced a bumper crop.

To say that even though we directed this cut to the budgeted amount, we are still going to make it apply, even though that budget is shown to be completely inadequate is a type of reasoning I would not follow, because it seems to me we thus put Congress in a very difficult situation. We have said to the Secretary of Agriculture, "Go ahead and make these commitments to your farmers," and he made them last fall, early in the year. Now we find that his baseline figures as to what he would need to meet those commitments by way of loans were grossly below what he will actually need; yet Senators who based their cut upon a budget they were then relying upon, are now not willing to say that those budgeted figures were inaccurate, due to nobody's fault, and that either we are going to have to make this allowance, or we will visit vastly worse hardships upon other programs of the Department of Agriculture, that we did not have in mind when we passed that bill.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. There was no way of anticipating, a year or 2 or even 6 months ago, that there would be as many price support loans made on all of the grains as is now the case. In the case of wheat, for example, probably four times as many farmers have taken out loans this year as last, because the cash price is only about a dollar a bushel right now. This situation is not without precedent. During the Eisenhower administration, there were 2 or 3 years when we had to reimburse the Commodity Credit Corporation so they could continue making price support loans.

With loans at the present low price support levels, the Government is certainly not likely to suffer much loss. The cash price in my area is usually above—about 25 cents per bushel above—the loan level. That being true, the farmers will redeem their wheat. If they do not, the Federal Government stands to gain rather than lose by the transactions.

With respect to legislative history on other farm programs, if it is the intent of the Senate that these programs should be exempted from the reductions, it does no harm to exempt them.

Mr. HOLLAND. I thank the Senator for his very clear statement of the situation. He represents our second wheat producing State in the volume it produces, and a State which produces great amounts of feed grains as well, which are also directly affected by this price support loan program.

The Senator knows perfectly well that the Secretary has no choice except to meet the commitments he has made, which means, if the Commodity Credit Corporation is not exempted, that he will be forced to turn to other agencies and cut them down to the bone. I do not believe the Senator from North Dakota wants that to be done, and I do not think he thinks it is any crime for us to admit, by our vote, that when we were considering the budget for CCC appropriations needed for expenditures this year, we were mistaken, just as the Secretary was mistaken and just as the whole Nation was mistaken. Mother Nature has made us all mistaken; and we should not try to hold the Secretary—which is what the opponents of this exemption are in fact trying to do—to a budget level which is completely below what he is going to need to meet the commitments the United States has made, through him, under a law passed by Congress.

Mr. YOUNG of North Dakota. If these loans were not available to farmers right now, it would not only be the farmers who would be affected, it would be the entire economy. That would mean a chaotic financial situation for farmers. Farmers still represent the biggest purchasers of steel, rubber, petroleum, chemicals, and other products. So the health of our agricultural economy is important to the entire economy of this country. I could not imagine a more chaotic situation than what we would have if these loans were not available, even at the present low levels.

Mr. HOLLAND. I thank the Senator, and I agree completely with his statement. The kind of action that is suggested here would bring the greatest of chaos to many very important food producing areas and production groups.

Several Senators addressed the Chair.

Mr. HOLLAND. I yield first to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I am sure the Senator from Florida will agree with me that whether we exempt or do not exempt this agency, the money is available for them to carry out their commitments under the loans to which they are committed under the law, and they will carry them out. That is not a factor here at all. The Senator from Florida agreed with me a moment ago on that.

The point is that to the extent that this agency does not absorb its proportionate part of the cut some other agency must. We did not spell out which agency had to take it. As the Senator from Florida has said, it is not one any more than another. But to the extent that the Director of the Budget does not assign a portion of the cut to the Department of Agriculture some other agency must bear it.

Under the budget presented to us we took the figure of $186.1 billion projected spending for 1969 and subtracted from that $6 billion. That $6 billion reduction can be allocated anywhere. When the executive branch singles out four or five popular programs and says, "We are going to curtail these if you do not do as we wish" Senators may call it blackmail or whatever they wish, but it is just another threat to Congress.

The Senator speaks of mother nature coming along and doing something for the crops over which we had no control. Mr. President, mother nature did not change the Post Office situation, but we had a great plea to exempt the Post Office Department. We have had the Department of Transportation, the Department of Justice, and every department and agency of the Government up here trying to get an exemption. I am sure that the Senator from Florida cannot name a single agency of the Government, or a single subdivision of any agency of the Government, that has come along and said, "We can make a reduction of $1 in our spending." No, they all say, "We are going to cut out our most essential service."

Significantly, the Department of Agriculture singles out a list of four or five popular programs. They have never said anything about cutting back on the program I mentioned a moment ago, wherein they were advertising within the last couple of weeks, encouraging farmers to turn their farms into golf courses or build hunting preserves and hunting lodges. They seem to have plenty of money to subsidize that. They do not mention that because they figure that program does not have much sympathy from the taxpayers.

Not one word was said about the Secretary cutting down on the allocation for his junkets where he and his friends travel around the world. I understand they are now getting ready to leave on another one. They never say anything about that. Oh, no. They say, "We are going to cut down on some essential service."

We mentioned the other day the Subversive Activities Control Board in the Department of Justice. Directors of that Board themselves admitted to Congress that for 2 solid years they have never performed a single duty. But in their budget request they asked for five additional employees, or an increase of one-third over the number they had before. The only reason anyone could think of for the request is that they wanted to change their bridge partners; they were tired of playing with the same old ones. The only duties they had performed for 2 years were collecting their checks, planning their vacations, and trying to keep each other awake. But the Department of Justice said, "Oh, no, we cannot close that agency down; we will try to find a job for them sometime. In the meantime, we must have more money to spend, or we will curtail some essential service. I suppose they happen to be friends of somebody, so we cannot lay them off."

I say that we can cut spending if we want to do it, and if we do not cut spending I think we are going to see a revolt on the part of the taxpayers.

When we had the Federal Aviation Agency appropriation before Congress it just happened—they say it just happened—that 24 hours before we acted on that measure the heavy demand at the airports caused the airlines to be delayed about 5 hours in landing. We heard a great furor about the shortage of safety personnel, and Congress voted for that agency an exemption from expenditure controls. Significantly, after they got their money they cleared up the shortage. However, it takes 2 years to train a controller, and they do not have any more men now than they did a few weeks ago.

I am getting a little impatient with these spendthrift bureaucrats, and that is what they are. They are very good at spending money. The only time they talk about cutting expenditures is when they want another tax increase.

They will be before Congress next year asking for an extension of the tax increase or for an increase in the debt limit. Some of those same Members of Congress who vote for these exceptions had better plan to be here asking for the extension of the tax increase or perhaps for an increase in the debt limit. They may find then that some of the earlier support received from Members of Congress who tried to help correct the situation this year will be lacking because those Members have been disillusioned. They will have lost faith and will never again believe this administration.

The credibility gap of the Johnson administration was never wider.

Mr. HOLLAND. Mr. President, the Senator knows perfectly well that he had the strong, unyielding support of the Senator from Florida in passing the bill and in rejecting, or attempting to reject, the exemption with respect to agencies that did not need an exception. I refer to the Post Office Department, the Federal Aviation Administration, and others.

We have an attempt here to strike at the agricultural economy and, through it, at the general economy of our country. I have very little interest in the loan program, because that is a very small part of the agricultural program in my State. But I have a tremendous interest in other activities that will be hard hit, like the school lunch program, the agricultural research program, the Soil Conservation Service program, and others which are all of vast importance to my State and of vast importance to the Nation.

I cannot understand the attitude of my friend, the Senator from Delaware, who directed this cut in a budgeted total and relied on the soundness on the part of the budget which reflected the CCC operations. We now find that the budgeted total is almost $1 billion under what will be needed. Yet, they seem to feel that it is not necessary to make any adjustment because of the overproduction this year.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MILLER. Mr. President, there is so much truth in what both the Senator from Florida and the Senator from Delaware have to say that I wish there were some way of bringing the two parties together. Perhaps this is one way to do it.

I think it is a grief that the President's budgeted items, which the Senator from Florida has referred to, called for $9 billion of increased spending for fiscal year 1969 over fiscal year 1968. Congress then voted to reduce that increased spending by $6 billion, leaving a total of approximately $3 billion more spending this fiscal year than last fiscal year.

All of a sudden, we have experienced better crops, and it looks that there will be $900 million more that the Secretary of Agriculture did not budget for. Why cannot that $900 million of unforeseen expenditure come out of the increased spending that Congress has appropriated, instead of doing grave harm to agricultural programs? Why cannot the President do that?

Mr. HOLLAND. Mr. President, I am glad to answer that question. The fact of the matter is that Congress has increased the level of appropriations throughout the year by adopting new programs in an amount that I suspect is greater than the $3 billion the Senator mentioned.

Congress cannot escape or evade its own responsibility in this matter. The thing that we have to do now is to decide whether we will pay any attention to the fact that the crops are much bigger than was thought would be the case when the estimates for the CCC operations this year were sent in. We know they are. The Senator knows it. The Senator knows that is the situation in his State and in other agricultural States. We have to make allowance for it or else visit an unnecessary and additional hardship upon other very important activities. That is what I do not want to see us do. I do not want to see my friends, the Senator from Iowa and the Senator from Delaware, charged with bringing this kind of condition upon the agricultural community and, through that community, upon the economy of the entire Nation, because a blow like this at the agricultural activity is a blow at the entire Nation.

Mr. MILLER. Mr. President, do I gather the answer to my question to be that the Senator from Florida does not wish to have the $900 million of additional expenditures, which he says was unforeseen, out of the extra $3 billion of increased spending, and that it would be his intention if the amendment is defeated that the $900 million come out of the hide of the Department of Agriculture instead of coming out of the $3 billion additional spending?

I find it very hard to believe that the Senator from Florida would have such intention, because he comes from a great agricultural State. If he shares my feeling on this agricultural situation, I think he would demand that the $900 million come out of the $3 billion of increased spending.

Mr. HOLLAND. Mr. President, the Senator from Iowa is like a little boy who wants to eat his cake and have it, too. Here we have a situation in which Congress has greatly increased spending this year by new legislation.

We have a situation in which the mere matter of increased salaries under the act passed last year takes a good part of the $3 billion. If the Senator served on the Committee on Appropriations, he would know that that is the case.

We have had to provide for additional salary items for every department in the

Government under legislation which we passed last year. To apply the $900 million cut against other important programs does not happen to be in accord with good sense.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. YOUNG of North Dakota. Mr. President, the Department of Agriculture seems to be a very popular department. Congress is piling more programs on it and charging more expenses to it. For example, with respect to the food stamp program, Congress has greatly increased the program. That means more expenditures for the Department of Agriculture.

The school lunch program has been increased by Congress.

The meat inspection program has been increased.

We have added more responsibility for sewer and water systems for towns and cities under 5,500 population.

These are only part of the programs that Congress has piled on Agriculture.

Mr. HOLLAND. Mr. President, I heard the Senator mention the matter of increased salaries. That increase came up this year under the step-by-step increase that we voted last year. It was a large item, as the Senator knows. He serves on the committee which has to supply those amounts. I cannot give the total, but it was a very large total this year.

Mr. MILLER. Mr. President, what it gets down to between the Senator from Florida and the Senator from North Dakota is that we are told now that the $9 billion increase in spending that has been appropriated consists of at least $3 billion to cover additional salaries which we have voted and to cover some of these additional programs like food stamp increases and meat inspection programs, so that the $6 billion cut that has been made really leaves the agencies with no real additional funds this year.

I think I could probably accept that. I want to be as fair as I can about it. If that is so, then what would happen would be that the $900 million would have to come out of the hide of some agency or agencies. And, if that is so, I think the point of the Senator from Delaware is that the President ought to take it out of the hide of those programs which are only desirable and not essential. And it seems to me that these agricultural programs which my colleague, the Senator from Florida, has mentioned are, for the most part, the essential-type programs.

Perhaps some parts of them could stand to be cut a little, but I find it absolutely incredible to think that the entire $900 million will have to come out of the hide of the Department of Agriculture. Why, for example, could not $50 or $100 million come out of those programs to which the Senator has referred, $50 or $100 million come out of HEW, $50 or $100 million out of HUD, and out of some of these other agencies?

I believe the debate is going off on the wrong tangent, because the basic implication of the proponents of this amendment is that the President of the United States is going to say that all $900 million is going to come out of the hide of those programs.

I believe the Senate would be well advised to go on record that there be no such intent whatever, and certainly the Senator from Iowa so states. If hide must be taken out, let us do it equitably. Let us take it out of some of those agencies and out of some of the programs in the other agencies.

But to suggest that a "nay" vote on this amendment will mean that the President of the United States has his hands tied and he is going to, just as night follows day, on some kind of Pavlovian reflex action, cut all those programs, to me, is beyond belief.

Mr. HOLLAND (Mr. Byrd of Virginia in the chair). Mr. President, I find it difficult to understand how any Senator who has considered all the appropriation bills this session has failed to realize what the Appropriations Committees have done already by way of reductions.

The Senator from North Dakota [Mr. Young] is the ranking minority member of the committee which handled Defense appropriations. We cut those appropriations over $5 billion. The Senator from North Dakota happens to be a member of the same subcommittee of which the Senator from Florida is a member, serving agricultural appropriations, and he knows that we cut them approximately $1.4 billion.

The committee that handles independent agencies cut appropriations for the various agencies over $3 billion. We have cut and cut and we have tried to meet these goals. But when we find a situation which we know is unfair, which we know is unexpected, which we know was not understood by the authors of this bill, which the Senator from Florida gladly supported—and it could not be understood because we did not know how much bigger than the estimates the crop was going to be—Congress should take recognition of that fact. That is what this amendment would do.

Mr. YOUNG of North Dakota. The latest figures I have from the staff of the Senate Appropriations Committee indicate that the House has cut the budget estimates by $13,059,000,000. The Senate has already cut $11,737,000,000. Those are sizable cuts. We have not been standing by idly and doing nothing. If we leave it up to the Appropriations Committee and not the Senate itself, we would have made deeper cuts.

Mr. HOLLAND. I thank the Senator for bringing out those figures. I was not able to quote them exactly.

I recall that the cut in the Defense appropriation bill was over $5 billion. The cut in appropriations for the independent offices was over $3 billion, and the cut in the appropriation for the Department of Agriculture was approximately $1.4 billion. Those are typical examples of what the Appropriations Committee has been doing.

Now, when the same Appropriations Committee says, "We did not agree to cut out the Post Office, we did not agree to cut out FAA; but we do know that here is something, based on a mistake, which could not be foreseen by anybody, which ought to be corrected by action of Congress," we think that committee is entitled to just as much credence as it was when the Senate followed the committee in voting the huge cuts. Here we find one situation which requires correction, and that is why we bring it to the attention of the Senate.

Mr. WILLIAMS of Delaware. Mr. President, I shall not detain the Senate very long.

The Senator from Florida speaks about the large difference in crops as compared with the crop that was anticipated when the tax bill was passed. He talks about the salary increase for employees and about the cost of new programs.

The crops were all planted and the condition of the crops was known on June 29, when this bill was signed by the President and agreed to by both Congress and the President. We knew what those crops were, and there has not been a 2-percent variation since that time; nor has there been a single commitment made since that time to any farmer.

The salary increase that has gone into effect was in effect prior to the enactment of that bill. Congress knew about it. It was passed a long time ago.

As to the new programs referred to, they, too, were passed previously. So Congress did know about them at the time.

The only thing is that when the chips are down and the expenditure cutting starts it hurts.

I am wondering if it is not time somebody said, "Who is going to stand up for the taxpayers?" By turning this argument around we can say that those who are against these expenditure controls are against the American taxpayers. They had better remember that there are quite a number of taxpayers who do think these expenses can be curtailed.

We can cut the authorizations $10 or $15 billion below what is asked and still end up spending $10 billion more than last year. It is a cut in actual spending that is needed.

The reduction that is left is a good bit like the reduction in employment that President Johnson put into effect in December 1965 when, with a great display of economic virtue, at a press conference he said, "I am going to reduce Federal civilian employment in the next 7 months by 25,000." That would save the American people $200 million, and everybody hailed that as a great achievement. Instead of cutting the payroll, he added 187,305 employees in the next 7 months. When we asked the Budget Director to explain this contradiction he said, "Oh, yes, he cut more than 25,000; he actually cut 35,000." He said what the President had planned to do was to add 225,000, and since he only added 190,000, he eliminated 35,000. My question is, Why did he not plan to add a half million? Then he could really have saved something.

That is what happens with these budget requests. They ask for fantastic amounts so that Congress can cut back a few billion dollars and still end up appropriating more than they got the year before. Then everybody comes out looking like a shiny rose except the taxpayer, who is caught with a bigger expenditure.

We ended the last fiscal year with a $25 billion deficit; on a 5-day week that is a rate of $100 million a day more than we are taking in. Every Member of Congress knew about these obligations, and they knew them at the time they passed the tax bill.

I say, in all fairness, that if they are going to repeal the expenditure reductions they should go the whole way and repeal the tax increase as well, because the representation was made to the American people that the two would be held together. If only the tax is going to be left it will not accomplish the purpose for which we aimed.

I say that we can absorb these expenditure reductions if Congress and the administration only had the will. They can still carry out all the essential programs of the Government, but they may have to do away with many nonessential operations they are now conducting.

Incidentally, the Department of Agriculture talks about how it is reducing expenditures. Yet, they want to add another 500 employees. The Department of Agriculture now has more employees than there are farmers, and if this keeps up all the farmers will have to go to work for the Department of Agriculture. If they do, who is going to pay the taxes?

I believe that the very least we can do is to reject the committee amendment and tell the agencies downtown that if they cannot live within the budget they should turn in their resignations and we will put in office somebody who can manage those departments. The sooner it happens, the better. In fact, I think it would be excellent training for certain spendthrift bureaucrats if we could make it mandatory that each one had to go back home and for 2 years support his family or meet a payroll by the sweat of his brow.

It would be a wonderful experience if, in order to keep their lush jobs, they had to experience some of the same hardships that a taxpayer has to go through.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, section 1302(a), which the clerk will state.

The legislative clerk read as follows:

Sec. 1302. (a) Expenditures and net lending during the fiscal year ending June 30, 1969, by the Commodity Credit Corporation (not more than $907,000,000) for farm price supports (not including amounts for special activities) in excess of the amounts estimated therefor on page 239 of the Budget for 1969 (H. Doc. 225, Part 1), and new obligational and loan authority heretofore or hereafter enacted for such fiscal year for such purposes in excess of the amounts estimated therefor on page 239 of the Budget for 1969, shall not be counted against the aggregate limitations on expenditures and net lending and new obligational authority and loan authority prescribed by Sections 202(a) and 203 (a) of Title II of the Revenue and Expenditure Control Act of 1968.

The PRESIDING OFFICER. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Alaska [Mr. Gruening], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I also announce that the Senator from West Virginia [Mr. Randolph] is absent because of a death in his immediate family.

I further announce that the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Nevada [Mr. Bible], the Senator from Maryland [Mr. Brewster], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Arizona [Mr. Hayden], the Senator from Alabama [Mr. Hill], the Senator from South Carolina [Mr. Hollings], the Senator from Washington [Mr. Jackson], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from South Dakota [Mr. McGovern], the Senator from Minnesota [Mr. Mondale], the Senator from Oklahoma [Mr. Monroney], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Alabama [Mr. Hill], the Senator from South Carolina [Mr. Hollings], the Senator from Washington [Mr. Jackson], the Senator from Washington [Mr. Magnuson], the Senator from Wyoming [Mr. McGee], the Senator from Oregon [Mr. Morse], and the Senator from Utah [Mr. Moss] would each vote "yea."

On this vote, the Senator from West Virginia [Mr. Randolph] is paired with the Senator from Connecticut [Mr. Ribicoff]. If present and voting, the Senator from West Virginia would vote "yea," and the Senator from Connecticut would vote "nay."

On this vote, the Senator from Louisiana [Mr. Ellender] is paired with the Senator from Maryland [Mr. Brewster]. If present and voting, the Senator from Louisiana would vote "yea," and the Senator from Maryland would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Utah [Mr. Bennett], the Senator from New Hampshire [Mr. Cotton], the Senator from Colorado [Mr. Dominick], the Senators from New York [Mr. Goodell and Mr. Javits], the Senators from California [Mr. Kuchel and Mr. Murphy], the Senator from Illinois [Mr. Percy], the Senator from Maine [Mrs. Smith], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Kentucky [Mr. Cooper] is detained on official business.

If present and voting, the Senator from California [Mr. Murphy], the Senator from Illinois [Mr. Percy], and the Senator from Maine [Mrs. Smith] would each vote "nay."

On this vote, the Senator from Colorado [Mr. Dominick] is paired with the Senator from Utah [Mr. Bennett]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from California [Mr. Kuchel] is paired with the Senator from New York [Mr. Javits]. If present and voting, the Senator from California would vote "yea," and the Senator from New York would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from New York [Mr. Goodell]. If present and voting, the Senator from Texas would vote "yea," and the Senator from New York would vote "nay."

The result was announced—yeas 31, nays 25, as follows:

[No. 330 Leg.]

YEAS—31

Aiken
Allott
Anderson
Burdick
Byrd, W. Va.
Carlson
Dodd
Ervin
Fong
Harris
Hart
Hartke
Holland
Hruska
Jordan, N.C.
Long, La.
Mansfield
McClellan
McIntyre
Metcalf
Montoya
Mundt
Nelson
Pastore
Pearson
Prouty
Sparkman
Stennis
Symington
Yarborough
Young, N. Dak.

NAYS—25

Baker
Boggs
Brooke
Byrd, Va.
Case
Curtis
Dirksen
Fannin
Griffin
Hansen
Hatfield
Hickenlooper
Jordan, Idaho
Miller
Morton
Pell
Proxmire
Russell
Scott
Smathers
Spong
Thurmond
Williams, N.J.
Williams, Del.
Young, Ohio

NOT VOTING—44

Bartlett
Bayh
Bennett
Bible
Brewster
Cannon
Church
Clark
Cooper
Cotton
Dominick
Eastland
Ellender
Fulbright
Goodell
Gore
Gruening
Hayden
Hill
Hollings
Inouye
Jackson
Javits
Kennedy
Kuchel
Lausche
Long, Mo.
Magnuson
McCarthy
McGee
McGovern
Mondale
Monroney
Morse
Moss
Murphy
Muskie
Percy
Randolph
Ribicoff
Smith
Talmadge
Tower
Tydings

So the committee amendment, designated section 1302(a), on page 23, lines 9 to 21, was agreed to.

Mr. HOLLAND. Mr. President, I move that the vote by which the committee amendment was adopted be reconsidered.

Mr. YOUNG of North Dakota. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, section 1302(b), on page 23, line 22, to page 24, line 10.

Mr. WILLIAMS of Delaware. Mr. President, I shall take but a minute, and then we can vote.

The Senate has just exempted the CCC and allowed an extra $907 million in expenditures. The pending amendment would exempt $750 million from the HEW budget control. The two together would add up to $1,657 million at a minimum and it could go as high as $2¼ to $3 billion.

I think that all Senators should know, as they vote, that if this amendment is adopted, when added to the other exceptions, the $6 billion spending cut has gone down the drain.

Mr. HART. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HART. As I recall it, when the Senate earlier was considering this question, there were those of us who urged that the figure be exempted. We had a dramatic increase in medicaid. We were defeated in that effort. Is it not true, however, that in the interval, there has been developed and is pending here an amendment to the tax bill which would further add to the difficulties of a number of States in handling medicaid. Am I correct in that impression?

Mr. WILLIAMS of Delaware. No. The Senator is in error. When the bill on expenditure controls first passed, I do not recall any effort being made to exempt HEW; nor do I recall any effort made to exempt CCC. There were efforts made to exempt Defense and the Post Office Department. But neither one of these agencies was exempted at the time.

As to the other bill on the Senate calendar which has in it the so-called Long amendment, if that can be enacted into law, it would reduce HEW operations next year by around $500 million and would be a further argument against the need for the $750 million extra spending asked for in this amendment. So by no line of reasoning could either of the above actions be used in justification of exempting this agency. Quite the contrary. All arguments are against adoption of the amendment. I do not think we need it at all. We should reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, section 1302(b), on page 23, line 22, to page 24, line 10, which the clerk will state:

The bill clerk read as follows:

(b) Expenditures and net lending during the fiscal year ending June 30, 1969, by the Department of Health, Education, and Welfare (not more than $750,000,000) for grants to States for public assistance as authorized by the Social Security Act, as amended, in excess of the amounts estimated therefor on page 15 of the Budget for 1969 (H. Doc. 225, Part 1), and new obligational and loan authority heretofore or hereafter enacted for such fiscal year for such purposes in excess of the amounts estimated therefor on pages 306 and 307 of the Budget for 1969, shall not be counted against the aggregate limitations on expenditures and net lending and new obligational authority and loan authority prescribed by sections 202(a) and 203(a) of title II of the Revenue and Expenditure Control Act of 1968.

The PRESIDING OFFICER. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Alaska [Mr. Gruening], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I also announce that the Senator from West Virginia [Mr. Randolph] is absent because of a death in his immediate family.

I further announce that the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Nevada [Mr. Bible], the Senator from Maryland [Mr. Brewster], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Alabama [Mr. Hill], the Senator from South Carolina [Mr. Hollings], the Senator from Washington [Mr. Jackson], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from South Dakota [Mr. McGovern], the Senator from Oklahoma [Mr. Monroney], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], the Senator from Connecticut [Mr. Ribicoff], the Senator from Missouri [Mr. Symington], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Louisiana [Mr. Ellender], the Senator from Alaska [Mr. Gruening], the Senator from Washington [Mr. Jackson], the Senator from Washington [Mr. Magnuson], the Senator from Wyoming [Mr. McGee], the Senator from Utah [Mr. Moss], the Senator from West Virginia [Mr. Randolph], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Maryland [Mr. Tydings] would each vote "yea."

On this vote, the Senator from Oregon [Mr. Morse] is paired with the Senator from Ohio [Mr. Lausche]. If present and voting the Senator from Oregon would vote "yea" and the Senator from Ohio would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Utah [Mr. Bennett], the Senator from New Hampshire [Mr. Cotton], the Senator from Colorado [Mr. Dominick], the Senators from New York [Mr. Goodell and Mr. Javits], the Senators from California [Mr. Kuchel and Mr. Murphy], the Senator from Illinois [Mr. Percy], the Senator from Maine [Mrs. Smith], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Kentucky [Mr. Morton] is detained on official business.

If present and voting the Senator from Maine [Mrs. Smith] would vote "nay."

On this vote, the Senator from Colorado [Mr. Dominick] is paired with the Senator from Utah [Mr. Bennett]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Utah would vote "nay."

On this vote, the Senator from New York [Mr. Javits] is paired with the Senator from California [Mr. Murphy]. If present and voting, the Senator from New York would vote "yea" and the Senator from California would vote "nay."

On this vote, the Senator from California [Mr. Kuchel] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from California would vote "yea" and the Senator from Texas would vote "nay."

On this vote, the Senator from New York [Mr. Goodell] is paired with the Senator from Illinois [Mr. Percy]. If present and voting, the Senator from New York would vote "yea" and the Senator from Illinois would vote "nay."

The result was announced—yeas 30, nays 28, as follows:

[No. 331 Leg.]

YEAS—30

Aiken
Anderson
Burdick
Byrd, W. Va.
Case
Dodd
Ervin
Harris
Hart
Hartke
Hayden
Holland
Jordan, N.C.
Kennedy
Long, La.
Mansfield
McIntyre
Metcalf
Mondale
Montoya
Nelson
Pastore
Pell
Prouty
Sparkman
Spong
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—28

Allott
Baker
Boggs
Brooke
Byrd, Va.
Carlson
Cooper
Curtis
Dirksen
Fannin
Fong
Griffin
Hansen
Hatfield
Hickenlooper
Hruska
Jordan, Idaho
McClellan
Miller
Mundt
Pearson
Proxmire
Russell
Scott
Smathers
Stennis
Thurmond
Williams, Del.

NOT VOTING—42

Bartlett
Bayh
Bennett
Bible
Brewster
Cannon
Church
Clark
Cotton
Dominick
Eastland
Ellender
Fulbright
Goodell
Gore
Gruening
Hill
Hollings
Inouye
Jackson
Javits
Kuchel
Lausche
Long, Mo.
Magnuson
McCarthy
McGee
McGovern
Monroney
Morse
Morton
Moss
Murphy
Muskie
Percy
Randolph
Ribicoff
Smith
Symington
Talmadge
Tower
Tydings

So the amendment was agreed to.

Mr. MILLER subsequently said: Mr. President, a point of personal privilege.

The PRESIDING OFFICER. The Senator will state it.

Mr. MILLER. Mr. President, I understand that I was not recorded on the rollcall vote just concluded.

I was present and voted "no." I then left immediately afterward for my office. When I returned, I was advised that I was not recorded as voting.

I ask unanimous consent that my name appear as a "nay" vote on the rollcall vote just concluded in accordance with my presence and vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, I move that the vote by which the Senate adopted the committee amendment be reconsidered.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARRIS. I ask unanimous consent that I may yield to the distinguished Senator from Alabama without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1023

Mr. SPARKMAN. Mr. President, I call up my amendment (No. 1023), and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Alabama [Mr. SPARKMAN] proposes amendment No. 1023, as follows:

On page 11, insert the following new section:

"SEC. 403. Section 408(e)(1)(A)(iv) of the National Housing Act, as amended, is amended by striking the phrase 'the control of any such institution' and inserting in lieu thereof the following: 'except that the Corporation may upon application by such company extend such one-year period from year to year, for an additional period not exceeding three years, if the Corporation finds such extension is warranted and shall not be detrimental to the public interest.' "

Mr. SPARKMAN. Mr. President, I shall be very brief.

The purpose of my amendment is to permit the Federal Savings and Loan Insurance Corporation to exercise some degree of judgment in requiring the divestiture of uninsured savings and loan associations by savings and loan holding companies until appropriate tax legislation can be enacted.

Section 408 of the National Housing Act, as amended by Public Law 90-255, the Savings and Loan Holding Company Amendments of 1967, makes it unlawful for any savings and loan holding company to acquire the control of any uninsured savings and loan association, or to retain the control of any such association for more than 1 year after the date of enactment, February 14, 1968.

During the time the Savings and Loan Holding Company Amendments of 1967 were under consideration, it was understood that action would be taken to provide tax treatment for divestitures required by the amendments similar to the tax treatment afforded for divestitures required under bank holding company legislation. Such tax treatment has not as yet been extended, so as to authorize the Federal Savings and Loan Insurance Corporation to permit a savings and loan holding company to retain control of an insured institution beyond 1 year from the date of enactment of the amendments. My amendment would not permit any new acquisitions. It would merely allow the Federal Savings and Loan Insurance Corporation to extend, on a year-by-year basis, the period during which a holding company could retain an uninsured association up to a maximum of 3 years, to allow for enactment of appropriate tax relief.

I have discussed my amendment with the ranking minority member of the Banking and Currency Committee, the Senator from Utah [Mr. BENNETT], who also sits on the Finance Committee, and he agrees to the need for the amendment and supports its enactment.

Mr. PASTORE. Mr. President, speaking in behalf of the manager of the bill [Mr. HOLLAND], do I correctly understand that he assured the Senator from Alabama that he would accept this amendment?

Mr. SPARKMAN. That is correct.

Mr. PASTORE. There is no expenditure of money involved?

Mr. SPARKMAN. There is no money involved. The amendment would simply make applicable to savings and loan associations the same provisions we have heretofore made applicable to banks.

Mr. PASTORE. Do I understand the Senator from Florida stated to the Senator from Alabama that the amendment would be taken to conference?

Mr. SPARKMAN. That is correct.

Mr. PASTORE. I have no objection, on that basis.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, will the Senator from Oklahoma yield briefly to me?

Mr. HARRIS. I yield.

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Washington [Mr. MAGNUSON], I send to the desk an amendment which I have been asked to offer in his behalf, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The BILL CLERK. The Senator from Montana [Mr. MANSFIELD], on behalf of the Senator from Washington [Mr. MAGNUSON] proposes an amendment as follows:

At the appropriate place in the bill, insert:

"CHAPTER VIII.—PUBLIC WORKS

"DEPARTMENT OF DEFENSE—CIVIL

"DEPARTMENT OF THE ARMY

"Corps of Engineers—Civil

"Construction, General

"The Secretary of the Army, acting through the Chief of Engineers, is authorized, in connection with the construction of the Lower Monumental Lock and Dam project, Washington, to provide protection to the historic archeological finds at the Marmes Rock Shelter area adjacent to the Palouse River, Washington, and to pay for such protection from any funds available for the project."

Mr. MANSFIELD. Mr. President, the discoveries of ancient human remains were made in 1965 but were not positively identified until 1967. The importance of the finds was recognized about the end of April 1968 when additional skull fragments and other bones were found at the site and dating by radioactive carbon measurements confirmed the age of the bones as being 11,000 to 13,000 years old.

After discussion with personnel in the National Park Service in Washington and because of the short time remaining prior to raising the pool in the reservoir, it was determined that it would be appropriate to continue these studies under section 219 of the Flood Control Act of 1965, if the National Park Service wished to undertake it on that basis.

The National Park Service stated that they would reimburse the Corps of Engineers for these costs.

By letter dated August 21, 1968, the National Park Service requested that the Corps of Engineers' agreement with the Washington State University be extended in the amount of an additional $50,000 to permit further continuation of the excavations. This $50,000 is also to be reimbursed by the National Park Service. Also during the latter part of August questions were raised as to the possibility of protecting the area from the Lower Monumental Pool which was scheduled to be raised to elevation 540, some 50 feet above the elevation of the excavations, by the end of December 1968.

Later discussions, about the first of September, with Dr. Daugherty and Senator MAGNUSON developed the information that a temporary dike was not desired but that a permanent protection to permit utilizing the area as a national park was desired if feasible.

It is considered that the Corps of Engineers does not have authority to construct this dike as a part of the Lower Monumental project.

In order to pass the fish runs on the river it will be necessary to raise the pool elevation to 540 by about March 1 in order to accommodate the fish run. Failure to accommodate the fish run in the spring could cause heavy damages.

Further studies since September 10 have established that the latest possible contract award date for construction of the levee to protect the Marmes Rock Shelter is mid-October 1968.

The earliest that a study to determine whether the area should be made a part of the national park system could be programed would be the 1970 fiscal year, beginning July 1, 1969, assuming an adequate funding and staffing program. It is judged that a period of 6 months would be required to perform the study.

The National Park Service is without authority or funds to construct such a dike. If the Corps of Engineers is authorized to proceed with a temporary dike, this course of action would allow sufficient time for Dr. Daugherty to close down his current studies in a manner that would enable some of the site to be preserved as an in situ exhibit in the event the area is placed in the park system. Also, in the event the suitability-feasibility study should be unfavorable, erection of the temporary dike would forestall flooding of the site until Dr. Daugherty has completed his salvage operations with whatever funds he may have available.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered on behalf of the Senator from Washington [Mr. MAGNUSON].

Mr. PASTORE. Mr. President, I merely wish to state, in connection with this matter, that we had this proposal before the committee, and the committee took it out of the bill. I am perfectly willing to take it to conference, but I think it will have tough sledding there. If it pleases the majority leader, I will be perfectly happy to take it, provided that it is also agreeable to the Senator from Colorado [Mr. ALLOTT], but I think we will have, as I have stated, a hard time with it. There is no budget estimate on it.

Mr. ALLOTT. Mr. President, I am willing to take it to conference.

Mr. PASTORE. All right; we will take it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HARRIS. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

SEC. —. Section 307 of the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1969, is amended by striking out "National Council on Indian Opportunity, $100,000" and inserting in lieu thereof "National Council on Indian Opportunity, $275,000."

Mr. HARRIS. Mr. President, this rather complicated matter requires some explanation. In several 1969 appropriations bills, the House inserted an amendment which would prohibit interdepartmental boards, commissions, councils, and committees from securing funds for their activities by drawing upon appropriations made to other executive agencies.

Since that amendment was to take effect on July 1 of this fiscal year, it would have immediately crippled the programs of certain very important executive coordinating bodies in which a great many Senators are deeply interested. Consequently, when the Senate Appropriations Committee took up the Independent Offices and HUD appropriations bill, which contained the amendment in question, it modified the general prohibition to permit four interdepartmental bodies to continue to secure funds from other Federal agencies, during this fiscal year only, and it specified ceilings on the amounts each of these excepted bodies could request from other agencies. Thus the committee reported out, and the Senate subsequently adopted, a ceiling of $357,000 for the President's Council on Youth Opportunity; $575,000 for the Interagency Committee on Mexican-American Affairs; $455,000 for the United States-Mexico Commission on Border Development and Friendship; and $375,000 for the National Council on Indian Opportunity.

In conference, the Senate-approved budget for the Youth Council was accepted, and the budgets for the two Mexican-American bodies were cut by about 15 and 30 percent respectively.

Unfortunately, the budget for the National Council on Indian Opportunity was cut by 73 percent, from $375,000 to $100,000—a reduction so severe as to make it almost impossible for the council to carry out any of its important new functions, which I will summarize below.

Possibly, this compromise figure of $100,000 may have been based on the fact that during fiscal year 1968, the council spent only $53,000. But the fact is that the council was created by Executive order of the President only in March of this year, and it was actually in operation—with three or four staff members—only for the last 2½ months of fiscal 1968. Moreover, of course, the council's projected budget of $375,000 was based upon its full projected program of activities for this fiscal year, as distinguished from its far less costly period of gearing up for operations which occurred during April, May, and June of fiscal 1968.

Whatever the reason for the cut, I do not believe that it can be justified. I hope it will be possible to restore to the council not its full requested budget of $375,000, but $275,000, a figure which recognizes that one quarter of fiscal 1969 has already elapsed. It should also be reiterated that this increase in the proposed budget of the council is not an additional appropriation at all, but merely an increase in the ceiling on the amount the council can request from other Federal agencies for funds which have already been appropriated by the Congress for this fiscal year.

We have not done well in the field of Indian affairs, but now we have a convergence of circumstances that promises much progress. There has been unprecedented congressional and public interest in Indians lately. Through several new Federal grant-in-aid programs, tribal leaders have developed new skill in administration and management. The historic Presidential message on Indians to the Congress on March 6 is the clearest statement of national goals that we have ever had. The National Council on Indian Opportunity offers us the means to institutionalize and make permanent these new opportunities to coordinate governmental programs and at long last consult with Indians themselves as to their priorities and needs.

The council can integrate the Federal Indian effort because its membership includes the heads of the seven departments of Government which administer Indian programs. Never before have Indian matters enjoyed such high level attention. Further the council offers the Indian people, through their six representatives who serve as members, the chance to have their plans and programs considered. Both interagency coordination and programing with sensitivity to local conditions are difficult and neither will take place automatically.

A little over a decade and a half ago the entire expenditure of the Federal Government in Indian affairs was only $73 million, virtually all administered by the Bureau of Indian Affairs. This current fiscal year will see an investment of over $500 million by numerous agencies in seven major departments, with the Bureau accounting for less than half of the total. It is now unrealistic to expect the Commissioner of the BIA or any other single Federal administrative officer to coordinate this vastly expanded and complex effort. Yet, without coordination, much of the value of the expanded effort will be lost. Surely it is not too much to divert $275,000, which is one-twentieth of 1 percent of our current expenditure on Indians, to improve the overall effectiveness of all of the programs.

Indian interest in this new effort is high. Let us not provide the cynic and the skeptic with any reason to doubt our total sincerity when we say to the American Indian, "We are now ready to give your needs our most sincere attention and hear you in our highest councils."

I urge the Senate to approve this amendment.

Mr. President, I hope that the distinguished manager of the bill will be able to accept the amendment. The amendment does not require a net increase in overall appropriations.

To summarize the situation very briefly, the amendment relates to the National Council on Indian Opportunity which was established by executive order of the President this year. The Council is made up of five members of the President's Cabinet and five members of Indian tribes appointed by the President.

There was action earlier this year in a House bill which would prevent funds for this type of council being drawn from other agencies and departments of the Government. There were exceptions made to that rule later with regard to certain of these councils. An upward limit was set. The Senate had set an upper limit for the National Indian Opportunity Council of $375,000. On the insistence of the House, in conference on the Independent Offices and HUD appropriations, the conference lowered that limit to $100,000.

My amendment would raise that upward limit from the $100,000 to $275,000, not the $375,000 limit originally asked for. Recognizing that part of the fiscal year has already gone, this amendment would allow agencies to contribute to the National Council on Indian Opportunity up to $275,000.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter I wrote on October 7, 1968, to Senator SPESSARD L. HOLLAND.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., October 7, 1968.

Senator SPESSARD L. HOLLAND,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HOLLAND: I would like to call your attention to a serious problem affecting American Indians which I believe could be relieved by an amendment to the Supplemental Appropriations Bill now pending in the House.

As you may recall, the House added an amendment to the fiscal 1969 appropriations bill which would have prohibited interdepartmental boards, commissions, councils and committees from securing funds for their activities by drawing upon appropriations made to other executive agencies. Since that amendment was to take effect on July 1 of this year, it would have immediately crippled the programs of certain important executive coordinating bodies in which a great many Senators are deeply interested. Consequently, when the Senate Appropriations Committee took up the Independent Offices and HUD appropriations bill, which contained the amendment in question, it modified the general prohibition to permit four interdepartmental bodies to continue to secure funds from other Federal agencies, during this fiscal year only, and it specified ceilings on the amounts each of these excepted bodies could request from other agencies. The budgets requested by each of these bodies were approved by the Senate Appropriations Committee and subsequently adopted by the Senate.

Unfortunately, in conference, while the budget for three of the agencies in question remained at or near the Senate figure, the budget for the National Council on Indian Opportunity was cut by 73%—from $375,000 to $100,000—a reduction so severe as to make it almost impossible for the Council to carry out any of its important new coordinating functions.

I think it is possible that this compromise figure of $100,000 may have been based on the Council's expenditure during 1968 of only $53,000, but the fact is that the Council was created by executive order of the President only in March of this year and it was actually in operation only for the last 2½ months of fiscal 1968. Moreover, the Council's projected budget of $375,000 was based upon its full projected program of activities for this fiscal year as distinguished from its far less costly period of gearing up for operations which occurred during April, May, and June of fiscal 1968.

Whatever the reason for the cut, I hope it will be possible to restore to the Council not its full requested budget of $375,000, but $275,000, a figure which recognizes that one quarter of fiscal 1969 has already elapsed.

It should be stressed that this increase in the proposed budget of the Council would not be an additional appropriation at all, but merely an increase in the ceiling on the amount the Council can request from other Federal agencies for funds which have already been appropriated by the Congress for this fiscal year. The National Council on Indian Opportunity offers us the means to institutionalize the new statement of national goals for Indians which the President issued on March 6. The Council will make it possible for the government to coordinate spending, on behalf of Indians, of over $500 million by numerous agencies in seven major executive departments. I personally feel it would be well worth while to divert $275,000—1/20th of 1 percent of that current expenditure on Indians—to improve the overall effectiveness of all programs for Indians.

I hope it will be possible for the Senate Appropriations Committee to correct this deficiency. I very much appreciate your consideration in this matter.

Sincerely yours,

FRED R. HARRIS,
U.S. Senator.

Mr. PASTORE. Mr. President, my position is that I have no objection to the amendment. I am perfectly willing to take it to conference. I do not know of anyone who is in opposition. However, I feel we should have a vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. MONDALE. Mr. President, this supplemental appropriations bill is a vast improvement over that passed by the House. The Senate Appropriations Committee, and especially the able chairman of the Subcommittee on Deficiencies and Supplementals, Mr. PASTORE, are to be commended for these improvements.

I speak particularly with respect to the funds for implementing the Fair Housing Act of 1968 and the Housing and Urban Development Act of 1968.

The committee has, first of all, recommended $7 million for enforcement of the Fair Housing Act. This sum is absolutely necessary, because the Department of Housing and Urban Development has substantial and sweeping enforcement responsibilities under that law which they will otherwise be unable to carry out. They now have complaint and conciliation responsibility for 2 percent of the housing market, and this figure will increase to roughly 20 percent after January 1. And, while this responsibility has not yet reached its maximum level, they have 100 percent responsibility over the entire housing market for education activities and programs designed to achieve voluntary compliance and early adherence to the purposes of the Fair Housing Act.

Second, and equally important, the committee has recommended a full start of the homeownership program and the rental assistance program at the level requested by HUD. It is extremely important that these programs be started now, for a delay of several months in appropriations can effectively delay the program for over a year, due to construction and rehabilitation time requirements. These programs will bring the pride and responsibility of homeownership to low-income families, promote stability, and involve to a high degree the private sector's resources and lending power to achieve our national goals. A recent article in Forbes magazine estimated that for every Federal dollar spent in these programs, 20 private dollars would be spent on housing. It predicted that the 1968 Housing and Urban Development Act will be as far reaching and vital as the Full Employment Act of 1946, and that it could enable us to meet our national housing goals for the first time.

Finally, the Senate Appropriations Committee appropriated $2 million for the low- and moderate-income sponsor fund. Many of our various housing programs have been geared in the past to use by a nonprofit sponsor, usually a church, civic group, labor union, or charitable organization of one kind or another. These sponsors are long on energy and dedication, but too often short on experience, technical capability, and capital for preconstruction and planning costs. This lack of capital and interest is profit instead of housing for low income, elderly, or handicapped persons. This item will enable nonprofit sponsors to overcome those handicaps.

Nearly 20 years ago, Congress declared in the Housing Act of 1949 that our national policy was to provide every American family with a "decent home and a suitable living environment." We specifically reiterated and reaffirmed that policy in the Housing Act of 1968.

It is a policy that we can fulfill—with dedication, foresight, and with the necessary amounts of money to make these programs work. I compliment the Senate Appropriations Committee. I thank the Senator from Rhode Island [Mr. PASTORE], for his support for these programs.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I have at the desk an amendment to page 7 of the bill. I inquire whether, as the parliamentary situation now stands, that amendment would be in order.

The PRESIDING OFFICER. The amendment is now in order.

Mr. ALLOTT. Mr. President, I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Colorado [Mr. ALLOTT] proposes an amendment, as follows:

Strike lines 10 through 20, page 7 as follows:

"GENERAL SERVICES ADMINISTRATION

"REAL PROPERTY ACTIVITIES

"Construction, public buildings projects

"Funds heretofore appropriated under the heading 'General Services Administration, Construction, Public buildings projects', shall be available in the amount of $6,000,000, for the construction of the substructure, Courthouse and Federal Office Building, Philadelphia, Pennsylvania: *Provided*, That the foregoing amount shall be the maximum construction improvement cost which may be exceeded to the extent that savings are effected in other projects, but by not to exceed 10 per centum."

Mr. ALLOTT. Mr. President, the pending amendment would strike a section added to the bill by the House of Representatives and concurred in by the committee in which certain of us retained our reservation to add $6 million to the bill for the purpose of starting the construction of a courthouse and Federal office building in Philadelphia, Pa.

Each year when the General Services Administration appears before the Independent Offices Subcommittee, they present to us a list of construction projects for the Federal Government which for the present year of 1969 was zero.

This year the Federal budget contained not one penny for starting construction of any Federal building in the United States. It contained not one penny for that purpose although we have been spending an amount annually at least equal to the $63.7 million we had in the 1968 budget.

We appropriated $125 million in 1967 for this purpose.

In 1966, we appropriated $133.6 million for this purpose.

In 1965 we appropriated $164.7 million on the construction of Federal buildings in the United States. We are now faced with a situation in which we are asked, without a budgeted figure, to appropriate $6 million, basically for the election of one man in Pennsylvania, to start the construction of a Federal building in Pennsylvania.

Technically, this is not an appropriation. It is a transfer from funds already appropriated, of which there are $196 million. But the GSA has testified very frankly before us that if this money is taken from this fund, then in order to carry those projects later to a conclusion, it would have to be replaced; so, for all substantial purposes, the effect of this amendment is an appropriation, because we will have to make up the difference.

A case is made for this particular transfer, in that it is claimed that the city of Philadelphia, which has offered the land upon which this property is to be constructed, will withdraw its offer if we do not now, at this late hour and late day, suddenly construct this Federal office building in Philadelphia.

I have in my hand a copy of a letter from the Redevelopment Authority of the City of Philadelphia, addressed to the regional counsel of the General Services Administration, dated March 26, 1968. This date is very important, because we had the General Services Administration before our committee on May 16, which was a month and a half after this letter was received by the General Services Administration.

I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

REDEVELOPMENT AUTHORITY
OF THE CITY OF PHILADELPHIA,
Philadelphia, Pa., March 26, 1968.

Re Independence Mall Urban Renewal Area, Unit 3, Parcel 8—(Federal Courthouse).

Mr. PAUL F. CIRILLO,
Regional Council, General Services Administration, New York, N.Y.

DEAR MR. CIRILLO: This will acknowledge receipt of your letter dated February 16, 1968 requesting executed copies of the Redevelopment Agreement between the United States of America and the Redevelopment Authority.

It has been concluded that since the federal government is not now in a position to proceed with construction of the Courthouse nor able to commit itself with respect to the construction schedule, it would be an error to deliver a Redevelopment Agreement to the federal government at this time.

I am advising that the Redevelopment Agreement will be kept on file until such time as the General Services Administration is in a position to make a commitment to us with respect to the construction of the Courthouse.

Very truly yours,
FRANCIS J. LAMMER,
Executive Director.

Mr. ALLOTT. The letter upon which the case is made says this, among other things:

> It has been concluded that since the federal government is not now in a position to proceed with construction of the Courthouse nor able to commit itself with respect to the construction schedule, it would be an error to deliver a Redevelopment Agreement to the federal government at this time.
>
> I am advising that the Redevelopment Agreement will be kept on file until such time as the General Services Administration is in a position to make a commitment to us with respect to the construction of the Courthouse.

I find nothing in this letter that indicates that the city of Philadelphia is going to forgo this Federal largesse and not donate the land upon which the Federal building is to be constructed if we do not appropriate at this time.

A memorandum is attached to this letter, and I understand it is from GSA. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM

The approval of the Philadelphia Courthouse and Federal Office Building in June 1961 authorized the construction of the building on a site in the Independence Mall Urban Renewal Area to be donated by the city. On May 24, 1962, the Redevelopment Authority and GSA agreed on a specific site at 6th and Market Streets identified as Unit 3, Parcel No. 8 and the building has been designed for this site. The selection was based on an offer by the city to pay to the Redevelopment Authority of the city of Philadelphia the land reuse value of the site, after which the Authority was to convey title to the site to the Government.

By letter of March 26, 1968, copy attached, Francis J. Lammer, Executive Director of the Redevelopment Authority, notified GSA that since the Federal Government is not now in a position to proceed with construction of the Courthouse nor able to commit itself with respect to the construction schedule, it would be in error to deliver a redevelopment agreement to the Federal Government at this time.

GSA accepted the letter in good faith and was not concerned until statements threatening withdrawal of the site were made in a meeting with a Philadelphia delegation on May 15 in Congressman Barrett's office, at which meeting the Mayor's representative made it clear that the city would withdraw its offer. The meeting in Congressman Barrett's office was attended by Senator Scott, a representative of Senator Clark, Congressmen Green, Byrne, Eilberg, Barrett and Nix, and members of the Judiciary. Also statements began to appear in the Philadelphia press which confirmed the attitude of the city such as the attached article which appeared in the June 5, 1968, edition of The Evening Bulletin indicating that the Cty Planning Commission had recommended to the Redevelopment Authority that the land be reclassified from institutional to commercial use and that the site be made available for commercial use.

[From the Philadelphia (Pa.) Evening Bulletin, June 5, 1968]

PLANNING COMMISSION VOTES TO LEASE OUT COURT SITE

The City Planning Commission recommended yesterday that a squareblock tract armarked for a new $48 million federal courthouse be made available for commercial use.

The tract is bounded by 6th, 7th, Market and Arch sts.

The federal Bureau of the Budget has failed to ask Congress for the necessary appropriation and, as a result, Mayor Tate has threatened to offer the land to private developers.

The commission's action is a first step toward carrying out this threat.

The commission recommended to the Redevelopment Authority that the land be reclassified from institutional to commercial use. The move makes it possible for the Authority to receive proposals from private builders.

Edmund N. Bacon, executive director of the commission, said the action does not freeze out the Federal Government but permits private builders to compete with the U.S. for the site.

He added, "It's possible we may be able to get a good tax ratable for the city."

In another action, the commission postponed final action on the proposed rezoning of the Logan square area, bounded by Vine st., the Penn Central Railroad, 19th st. and the Schuylkill River.

Several members of the commission said they wanted to learn what effect, if any, the change would have on an estimated 5,000 to 10,000 jobs in that area.

Mr. ALLOTT. The memorandum reads, in part:

> GSA accepted the letter in good faith and was not concerned until statements threatening withdrawal of the site were made in a meeting with a Philadelphia delegation on May 15 in Congressman Barrett's office, at which meeting the Mayor's representative made it clear that the city would withdraw its offer. The meeting in Congressman Barrett's office was attended by Senator Scott, a representative of Senator Clark, Congressmen Green, Byrne, Eilberg, Barrett and Nix, and members of the Judiciary. Also statements began to appear in the Philadelphia press which confirmed the attitude of the city such as the attached article which appeared in the June 5, 1968, edition of The Evening Bulletin indicating that the City Planning Commission had recommended to the Redevelopment Authority that the land be reclassified from institutional to commercial use and that the site be made available for commercial use.

Again, it is significant that the so-called request or demand that the Federal Government build this building, referred to in the GSA memorandum, was still made one day prior to the time that GSA testified before our committee and several weeks prior to the time that the Subcommittee on Independent Offices closed its hearings.

So if in fact something did exist which is beyond the intent and the words of the letter of March 26, the GSA had an opportunity, through a period of 1 month, 2 months, 3 months—almost up to the time we adjourned for the August recess—to appear before our subcommittee and to say that they wanted this money.

Mr. President, I am concerned about this matter for many reasons. First, this money is to be transferred from the money appropriated for other projects which have been authorized in past years, as I have suggested. These funds will have to be replaced by a direct, new obligational authority appropriation at a later date, and additional funds will have to be appropriated for these already needed projects because of rising costs. This $6 million is simply being used now against a future appropriation, so that expenditure and new obligational limitations of the Expenditures Control Act will not be affected, and new money will not be sought now.

One of the knottiest problems with which the Subcommittee on Independent Offices has to deal every year is the problem of when and where and how many new Federal buildings will be built in the United States. For all purposes, it has been decided, as a matter of policy, that it is cheaper for the Federal Government to build these buildings than to attempt to lease them. Of course, in the typical Federal office building they may have postal facilities and many other Government offices as well as courts, and it is impractical to find a lease arrangement, anyway. So I do not quarrel with that. But each year we have a list of 10, 15, 20 projects before us; each year the House of Representatives is asked to put in new construction projects which are not authorized by the Federal budget; each year the Senate committee is besieged and beleaguered to put in new projects which are not authorized by the budget; and each year the committee tries to work a sensible will upon them.

I cannot speak for the chairman of that subcommittee, the Senator from Washington [Mr. MAGNUSON]. He is not here, I have no right to speak for him. But, as the ranking minority member of that subcommittee, I know what he has done over the years in matters such as this; and I can not bring myself to believe that if he were here today and were acting upon the principles which he, himself, has established over the years, he would tolerate inclusion of this item.

One other aspect of this matter is heartbreaking to me. There are many cities in the United States, and they are scattered throughout the length and breadth of this country, where new buildings and new facilities are very badly needed.

In the Subcommittee on Independent Offices of the Committee on Appropriations we rarely see this list until representatives of the General Services Administration appear before the committee for the purpose of testifying. We have never had, at least this Senator has never had, any part in selecting the buildings that go on the list for construction that General Services Administration brings to us. However, I know that today, sitting over in GSA, there is an ever-increasing list of Federal buildings to be constructed by the General Services Administration which have been piling up and which through the last 2 years, 3 years, and 4 years have assumed a definite relative position as to priority.

What bothers me about this matter as much as anything, not alone that it is an unbudgeted item, not alone that I do not believe any case is made in these letters that the city of Philadelphia is about to give up a $54 million building when they see it in the offing and withdraw their offer of free land, but I just cannot believe this, and this letter and this statement of the General Services Administration does not make such a case.

When one considers the relative dates of the meeting in Philadelphia, the date of the letter, which is March 26, that the fact that the committee heard them on May 16, that the hearings of the Subcommittee on Independent Offices were open for some time after that, I find it impossible to believe that such circumstances as the General Services Administration then knew, or they claim now to have known, would keep them from coming before us and informing us of this fact.

As a matter of fact, we did not close the hearings until the end of June. So from the meeting on May 15 in Philadelphia, they had a month and a half after that time to appear before our committee and to say, "Look, we are faced with a terrible situation. The city of Philadelphia is not going to accept the $54 million building. They are going to withdraw their offer of land unless we act real quickly here and get this building in."

But somehow or other when this appropriation bill comes along, at this point, in this late hour of the day, we are asked to appropriate this money and give to Philadelphia a building which has not been justified, which is not in the budget, and which puts it in a position of preference over every other Federal construction in the United States, and I do not care whether one begins at the top with Alabama and goes down the list to Wyoming and then up the list, there are projects on the drawing board, or at least in the planning or thinking stage for every State in the Union.

So what we are doing at this late hour is to say suddenly, "Well, you know, we just have to take care of him. That is all we have to do. Even if it is not in the budget and even if we did not find out about it until the seventh or eighth of October, we have to take care of him and we have to do it one way or another. And this is what we have to do now."

But most of all and very seriously, we are doing an injustice to every State which is badly in need of Federal projects because with a very short hearing, having this bounced on us literally out of the cold blue sky, not having any opportunity to explore the matter beforehand, we are taking upon ourselves today the responsibility of putting Philadelphia ahead of all the planning by the General Services Administration; we are taking upon ourselves the responsibility of putting Philadelphia ahead of every other State in the Union, no matter what the planning may have been for years in GSA. They do plan these matters years ahead. We are saying, in effect, to General Services Administration, "Your planning amounts to nothing. It does not mean anything. We have not planned on this. We think your planning does not amount to anything, no matter what your planners may have decided for this State, Arizona, Alabama, Washington, Utah"—Colorado does not have any construction in the planning so I can speak freely—"or Missouri, Kansas, Georgia, Mississippi; no matter what you may have decided for these States, no matter what you have decided after months and years of careful planning, today almost without any testimony at all we are going to put Philadelphia at the top of the list and give them this little bit of cream."

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. PASTORE. Has the Senator from Colorado, and I ask this of one I consider a very intimate friend for whom I have admiration and affection, has the Senator from Colorado ever known of one instance where a Senator was elected or defeated because the Government did not build a courthouse in his State?

Mr. ALLOTT. I could not point to an instance, but I would say it would be a wonderful thing. I predict we will read in the newspapers about this good kindly, benign, courteous, Senator who has suddenly exerted such power in the Senate that he can bring home the bacon ahead of everybody else in the United States.

Mr. PASTORE. The State of Pennsylvania has two Senators, one a Republican and one a Democrat. I think they will both benefit, if there is a benefit.

There is a reason for this being in the appropriation bill at this time.

Mr. ALLOTT. It is in the appropriation bill but it is not in the budget.

Mr. PASTORE. I am talking about this bill. This was authorized in 1961 as to site and planning. The city of Philadelphia came along and they would like to include this building in their overall urban renewal plan that has been submitted to the Government. The Government has indicated it would like to accept the land in order to build this Federal courthouse on this particular piece of land. This is an important part of the urban renewal plan.

I do not blame the city of Philadelphia for becoming impatient because they are holding up the plan because we ourselves have not made up our minds as to what we are going to do about building this courthouse. What we are doing here is allowing a transfer of $6 million of previously appropriated funds to be used for the substructure.

The Senator may ask, Why is that necessary? That is necessary because that would be the commitment. Once they obtain the money to construct the substructure they have the door open for the acceptance of the urban renewal plan.

That is the only reason why this is being done. Before the ink gets dry on the President's signature, the election will be over. A building built or unbuilt will not elect any Senator. It will not defeat any Senator. As a matter of fact, by the time construction begins, the election will be over. There is no question about that. They will not get one spade in the dirt until long after November 5. I do not subscribe to the idea that this is being intended to elect a Senator or a Representative. That is not the case at all. I can understand how a Republican would argue that way.

Mr. ALLOTT. Would the Senator please speak a little louder? I cannot hear him.

Mr. PASTORE. I say to the Senator that I think he is being a little unkind when he says this is being done to help a Senator get reelected.

I think there is good reason for the city of Philadelphia to become somewhat impatient. They have been waiting a long time. It has been under discussion since 1961. Here it is, almost 1969. I think it is about time we give the city of Philadelphia an answer. This is to transfer the money. I realize that. I realize that we have to take $6 million of previously appropriated funds and replace it later on but this has been authorized. If we do not do it on this land, which the city of Philadelphia is willing to give, and the Federal building has been authorized, then we have to go out and buy the land to put the building on it. We will be saving money on the land that will be given by the city of Philadelphia. I do not see anything wrong with that.

I tell the Senator frankly that it does not mean a thing to me. All I am doing is defending the people who came up and presented this request. They presented it in good conscience and with good judgment. I do not think there is any finagling going on. I do not think this is a result of any meeting. I do not think that politics should be injected into this.

Mr. ALLOTT. I am glad that the Senator does not care whether it is constructed or not, but I want to make this one final point: The facts are, we are flying in the face of President Johnson's strict admonition this year that there shall be no new starts on construction in the United States of Federal buildings. There is no way we can get around that. It may be that the city of Philadelphia is impatient, but there are 100 cities in the United States which have been waiting just as long and planning just as long to build public buildings which are as badly needed as those in Philadelphia.

I am under no illusion, Mr. President, about this matter, but I thought it should be called to the attention of the Senate and to the attention of the country, because it shows how the strict guidelines of the administration can be bent for a particular individual. I am also under no illusion as to what might happen on the floor of the Senate either on a voice or a rollcall vote.

When I brought up this same amendment in committee, I found that all the members of the other party voted against me. Since they obviously outnumber us a great deal, there would really be no useful purpose served in asking for a vote; but I did want to call it to the attention of the Senate and to the attention of the country.

Mr. SCOTT. Mr. President, I rise in opposition to the pending amendment.

The Board of Judges of the U.S. District Court for the eastern district of Pennsylvania unanimously support the construction of a new courthouse. They report that the court cannot continue to cut down its huge backlog without additional courtrooms and other facilities. The eastern district, with a population of 5 million persons, has been overlooked until recently, in Federal construction plans. Within the past 10 years Federal courthouses have been built in 64 cities across our Nation. The continued exclusion of Philadelphia cannot be justified when one realizes that only nine of the 50 States have a greater population than the eastern district of Pennsylvania.

Mr. President, I ask unanimous consent that a letter on this matter from the Chief Judge of the U.S. District Court for the eastern district of Pennsylvania to the Administrator of the GSA be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DISTRICT COURT,
EASTERN DISTRICT OF PENNSYLVANIA,
Philadelphia, Pa., May 1, 1968.

Re: U.S. Courthouse, Philadelphia, Pa.

Hon. LAWSON B. KNOTT, Jr.,
Administrator, General Services Administration, General Services Building, Washington, D.C.

DEAR MR. KNOTT: The Judges of our Court have requested me to bring to your attention our acute concern about the timetable for the construction of additional facilities of two courtrooms and related Judges' chambers on the fifth floor of our present building.

The timetable contemplates completion on May 15, 1970, some two years hence and is completely unrealistic as far as our needs are concerned.

In 1961 the complement of this Court was increased from eight to eleven Judges at a time when we had only six trial courtrooms. Between the period of 1961 to late 1965, this number was increased to ten. In 1966 the complement was raised from eleven to fourteen. Solely because of lack of adequate facilities we have been unable to operate with any degree of efficiency. With the second largest number of cases in the country (Southern District of New York is the largest), it has caused a real denial of justice to some five million people located in this district.

It has occurred to us, since funds are available, according to the Head of the Business Administration of the Administrative Office of the United States Courts, that this schedule can be tightened. This is not a question of future needs, it is a need which has existed since 1961 and requires immediate action.

I am now asking you to instruct the appropriate department of your Agency to review this project, advance the time schedule and give us our new courtrooms by the very latest February 1, 1969. This is not impossible. We urgently need the facilities and ask you to give this top priority.

Very truly yours,

THOMAS J. CLARY.

Mr. ALLOTT. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. HARRIS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 11, line 20, strike the figures "$2,052,000", and insert in lieu thereof "$2,452,000".

Mr. HARRIS. Mr. President, if I may have the attention of the Senator in charge of the bill, I should like to explain the amendment, and will do so briefly.

I hope that my amendment will be adopted. It involves $400,000 for Indian scholarships, restoring the amount of money provided for that purpose by the House on a vote on the House floor.

I apologize for bringing it up here so abruptly but, as the Senator knows, the bill just came up today and this item has only just now come to my attention.

Let me first say that the amendment comes on page 11 of the bill, line 20, and would add $400,000 to the new committee figure there shown.

I call the attention of the Senator in charge of the bill to page 10 of the report. There the House allowance for education and welfare services is shown to be $752,000.

At first glance, it appears that the amount of money for that purpose was raised by the recommendations of the Senate committee. However, it has been called to my attention, as is stated in the committee report, that actually the amount of money allowed for Indian scholarships was not increased but decreased by some $400,000 by action of the Senate committee and, in addition, to the $352,000 allowed for scholarships, an item not in the House bill for construction of schools and maintenance was added, thus increasing the total figure, while decreasing by $400,000 the amount of money available for Indian scholarships.

Mr. PASTORE. If the Senator will yield at that point, let me say that we had quite a discussion on this in committee; and, if my memory serves me correctly, the figure of $352,000 to which he refers takes care of all students in the schools.

Mr. HARRIS. It does not, if I may beg to disagree with my distinguished colleague.

Mr. PASTORE. We have gone into this in quite some detail. If the Senator is right, I will accept his amendment, or recommend that it be accepted, but our information is that this takes care of all those in school. It does not take care of expanded programs. After all, the school year has already begun, so there is no emergency need at this time. That is the reason why this was done.

Mr. HARRIS. I think there is an emergency because it has to do with the ongoing nature of scholarships for the second term of some 600 Indian kids.

I call the attention of the Senator to page 96 of the hearings in the other body where a representative of the administration, Mr. Zellers, was being questioned by Congresswoman HANSEN, as follows:

> Mr. ZELLERS. The 300, the full-time people would be able, in some of the quarter schools, if this gets through soon enough, to pick up now. The others would be able to pick up on a quarter semester basis and then go to summer school.
>
> Mrs. HANSEN. You have that many applicants waiting for scholarships?
>
> Mr. ZELLERS. Yes, ma'am.
>
> Mrs. HANSEN. How many applicants do you have?
>
> Mr. ZELLERS. We have 300.
>
> Mrs. HANSEN. Three hundred that are eligible?
>
> Mr. ZELLERS. That are eligible for scholarships and then we have another 600 who have only been funded for half year and these are primarily freshmen.
>
> Mrs. HANSEN. If the money is not granted, then they cannot continue——
>
> Mr. ZELLERS. We cannot fund them for the second half of the year.
>
> Mr. HANSEN. Where would they then go for scholarship funds?
>
> Mr. ZELLERS. Presumably they have already exhausted all sources before they come to us.

Now I call to the attention of the Senator, also, page 30266 of the CONGRESSIONAL RECORD for October 9, 1968, which was yesterday, in which a colloquy was carried on in the House between Mr. EDMONDSON, of Oklahoma, Mr. UDALL, of Arizona, and Mrs. HANSEN, of Washington, in which, again, it was pointed out that unless the full $752,000 was allowed—that is the full amount requested in the supplemental and the full amount allowed by the House—about 600 students who have been funded only for half a year, and who are primarily freshmen, may find themselves cut off at midyear. I do not believe that is what the committee intended. I am, therefore, hopeful that this amount may be restored. It has just come to my attention. I think it is deserving and worthwhile.

Mr. PASTORE. How much is the Senator asking for?

Mr. HARRIS. The addition of $400,000 for this purpose, over and above the amount of money which the Senate committee added for the new item, the school in North Dakota.

Mr. PASTORE. In other words, if the Senator is wrong in his estimate, the money cannot be spent, anyway. Is that correct?

Mr. HARRIS. I believe so, but I go on the statements of Congresswoman HANSEN, who handled the matter in the House, of Congressman EDMONDSON, and Congressman UDALL, all of whom are knowledgeable in this field, plus Mr. Zellers, who was the administration's representative in the committee.

Mr. PASTORE. This matter was not handled by the Senator from Rhode Island. It was handled by the Senator from Wyoming [Mr. MCGEE]. I am advised that the Senator from Wyoming feels the amount allowed by the Senate fulfills the obligation.

Mr. HARRIS. With all due respect, we cannot decide it on the basis——

Mr. PASTORE. Of course, the matter will be in conference. I understand the House allowed $752,000. It will be in conference. If the Senator from Oklahoma can furnish me with a letter, in view of the position of the Senator from Wyoming [Mr. MCGEE], I shall be very happy to discuss it in conference. If what the Senator says is so, and if there is agreement in the House that what he is saying is so, we will be glad to recede.

Mr. HARRIS. I do not feel I would be standing by my duty to several hundred Indian children to be content with the statement that it will be taken care of in conference. We have many Indian young people in Oklahoma who are pulling themselves up by their bootstraps, and we should help them.

Mr. PASTORE. I am told by the staff member that the $352,000 is made up of $52,000 for loans already made and $300,000 for the second half of the year.

Mr. HARRIS. I have referred to yesterday's CONGRESSIONAL RECORD. The colloquy was carried on in the House only yesterday between Congresswoman HANSEN, handling the matter on the floor, who brought out of committee the figure of $500,000, and Congressman EDMONDSON, of Oklahoma, who offered an amendment to increase the figure to $752,000, and that amendment was adopted.

Mr. PASTORE. Is the Senator asking money for new scholarships?

Mr. HARRIS. I am asking for the $752,000——

Mr. PASTORE. I know, but does it include new scholarships? If it does, the Senator is right. If it does not. I would say the Senator may be in error.

Mr. HARRIS. I say it includes——

Mr. PASTORE. We did not allow new scholarships in the figure of the Senate committee. If what the Senator from Oklahoma is talking about is new scholarships for the good Indian children—and I have as much compassion for them as any Senator—then perhaps we can get together.

Mr. HARRIS. According to the testimony, it includes 300 students who have applied and would be eligible, and it also includes 600 scholarships now in force that need to be funded for the last half of the year. The House has adopted the full $752,000. It seems to me it is such a small matter. Here are people who are trying to help themselves, and we ought to help them help themselves.

Mr. PASTORE. I am perfectly willing to take it to conference. That is my own personal view. I am willing to accept the amendment. I have the highest respect for the knowledgeability of the Senator from Oklahoma, especially when it comes to Indian children. I am not one to say he does not know that subject. I am one to say he knows it well. If he feels an injustice is being done to these children, I am more than willing to cooperate. This is a matter of humanity. If we are overbudgeting, the money will not be used. Unless the children take the scholarships, there is nothing to worry about.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. MANSFIELD. I want to join the distinguished Senator from Rhode Island as well as the distinguished Senator from Oklahoma and to say that this is the most worthy cause for which this money, small as it is, could be spent. It would be only a small, partial repayment.

Mr. PASTORE. I hope the record is clear that the Senate committee did not intend to cut these Indian students off. There may be something to an expanded program. The amendment has been explained. I see no harm in accepting the amendment. I hope to discuss it with the Senator from Wyoming [Mr. MCGEE], and if I am not successfully persuasive, I will call upon the Senator from Oklahoma.

Mr. HARRIS. I thank the Senator.

Mr. MANSFIELD. Mr. President, may I add that the champion of the Indians, and good champion that he is, is always out in the forefront. They are both champions.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. JAVITS. Mr. President, I call up my amendment, which I send to the desk.

The PRESIDINT OFFICER. The amendment offered by the Senator from New York will be stated.

The ASSISTANT LEGISLATIVE CLERK. It is proposed, on page 10, line 15, to strike out "$2,500,000," and insert in lieu thereof "$5,000,000".

Mr. JAVITS. Mr. President, if I may have the attention of the Senator from Rhode Island—and I beg him to listen to me with an open mind—I believe that I have a very strong case to present.

Mr. President, my amendment seeks to raise from the $2.5 million allowed by both the House of Representatives and the Senate to $5 million the amount of money which will be available to underwrite a 3-percent interest rate for colleges and universities which proposed to build new college housing and issue their own obligations for it. The underwriting by the Federal Government will enable them to pay a market rate of interest, for them estimated at 5.5 percent, by giving them a grant, as it were, of the difference between 3 percent and 5.5 percent.

The figure in the budget—and this is a budgeted item; we are not dealing with an unbudgeted item—was $7.5 million, because it was confidently expected, not only by the Budget people and by the Department, which is one thing, but by the Banking and Currency Committee of the Senate, that $300 million could be used in this fiscal year for such construction.

I am a member of the Appropriations Committee, Mr. President, but I was not present at the meeting yesterday afternoon, for a well-known reason. I was locked in on the floor of the Senate, in an effort to deal with medicaid, another important problem, and hence I was unable to present this amendment to the committee.

But the program which is involved here, Mr. President, is one of my own authorship, which the Committee on Banking and Currency was kind enough and wise enough, I think, to accept, to put into the housing bill, which we just passed—that is why it is in the supplemental—and to speak of in very high terms.

This is one element, Mr. President, I point out to my friend from Rhode Island, because I am really speaking to him—we can get a quorum call and all that, but I think I can present the case to him—in an important and interesting new financing technique, of which college housing is but one aspect. We made use of the same technique for the college teaching facilities, which we just put into the higher education bill and, although I was stymied by the conference, the Senate adopted the principle on a multibillion dollar hospital building program; and, though I was initially unsuccessful, the conferees admitted that they will take it next year if I am lucky enough to be back, and assuming our situation remains roughly the same.

The reason why this financing technique is so gifted—and I received it, incidentally, from the best financing people in this country—is because it avoids a budgetary impact by bringing money out of the private sector, and enables us to do things which otherwise were being done by direct Government loans, except that, because of our budget situation, we cannot make the loans available. Therefore, we were faced by the choice that either we forgo it altogether, or we find some other way.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JAVITS. I have not yet come to my main point, if I may continue——

Mr. PASTORE. Maybe the Senator will not have to come the main point, if he will yield for just a minute at this point.

Mr. JAVITS. Very well.

Mr. PASTORE. This is a new program, and we were confronted with very serious questions. I am the one who handled the items for independent offices in the supplemental appropriation bill, and this was one of them.

What the Department of Housing and Urban Development did was come back after the House had acted, and asked for a restoration of the entire budget estimate, thus placing us in a very sensitive position.

Mr. JAVITS. I did not suggest that.

Mr. PASTORE. But I was very explicit to the Secretary. I asked him, "Give me your priorities. Do not send me to conference to try to refute everything the House of Representatives did.

After all, they do go into these items in detail. I do not want it to appear that we are the spenders and they are the savers. I am as interested in saving money as anyone else. We do not appropriate this money for personal pleasure or prestige, but to carry out our responsibilities to our constituents and to our country."

So the Secretary did come up with priorities, and this item was listed among those that would be desirable, in view of the fact that it was a new program, and $2.5 million would get it off the ground.

That does not mean this action is final. We will have other bills and other supplemental bills that will come up.

I have discussed this matter with the Senator from Colorado [Mr. Allott]. If the Senator from New York will make that figure $4 million instead of $5 million, we are agreeable to taking it to conference and will see what we can do.

Mr. JAVITS. Mr. President, I mean to propose that modification, but if the Senator from Rhode Island will permit me to tell him why I made the figure $5 million, I would like to do so. After all, strong feelings and consciences are involved, and I feel that I should.

Mr. PASTORE. I will appreciate the Senator's statement.

Mr. JAVITS. Here are the facts. There is no question about the bulge in enrollments. The Banking and Currency Committee said in its report that the bottleneck in respect to college enrollment is housing. That is why they cannot accept the number of students who seek admission, especially in the public institutions. That is the area where they are most squeezed.

The committee then goes on to point out that this kind of approach is uniquely applicable to the public institutions, in that many of the public institutions, which are antonomous in many States, will find it attractive to do this if they only have to pay a low interest rate.

There is, incidentally, a billion-dollar backlog in obligations for direct loans through HEW for college housing. Obviously, they could not meet it. They have had a complete moratorium since 1966. It is impossible to meet that situation; so I cast about, in my mind, for some way to try to do the job.

The Banking and Currency Committee wanted $300 million for direct loans, which they said was minimal. HUD said they would have to place $100 million in direct loans for the smaller institutions, because they cannot borrow on any terms. So that will leave the large institutions and the public institutions to utilize this new plan. That they say they can do.

So what I did was take two-thirds of the amount. Leaving the total at $300 million, assume there is $100 million in direct loans, leaving $200 million subject to this kind of approach, when I drew the amendment I made it 2.5 percent of that amount, or $5 million. I tried to use my head, also, and give the Senator something he could take or leave.

Mr. President, I ask that my amendment be modified to make the amount $4 million.

The PRESIDING OFFICER. The Senator has that right. The amendment will be so modified.

The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 20300) was read the third time.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I shall vote against the bill because, in my opinion, we have made a great mistake in making these exceptions. In my opinion, the passage of the pending bill with the exceptions contained therein nullifies whatever remains of the $6 billion spending cut.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Alaska [Mr. Gruening], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Nevada [Mr. Bible], the Senator from Maryland [Mr. Brewster], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Alabama [Mr. Hill], the Senator from South Carolina [Mr. Hollings], the Senator from Washington [Mr. Jackson], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from South Dakota [Mr. McGovern], the Senator from Minnesota [Mr. Mondale], the Senator from Oklahoma [Mr. Monroney], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], the Senator from Connecticut [Mr. Ribicoff], the Senator from Missouri [Mr. Symington], and the Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Maryland [Mr. Brewster], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Louisiana [Mr. Ellender], the Senator from Alaska [Mr. Gruening], the Senator from Alabama [Mr. Hill], the Senator from Washington [Mr. Jackson], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], the Senator from Wyoming [Mr. McGee], the Senator from Minnesota [Mr. Mondale], the Senator from Oklahoma [Mr. Monroney], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Connecticut [Mr. Ribicoff], the Senator from Missouri [Mr. Symington], and the Senator from Maryland [Mr. Tydings] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Utah [Mr. Bennett], the Senator from New Hampshire [Mr. Cotton], the Senator from Colorado [Mr. Dominick], the Senator from New York [Mr. Goodell], the Senators from California [Mr. Kuchel and Mr. Murphy], the Senator from Illinois [Mr. Percy], the Senator from Maine [Mrs. Smith], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senator from New York [Mr. Goodell], the Senators from California [Mr. Kuchel and Mr. Murphy], the Senator from Illinois [Mr. Percy], and the Senator from Maine [Mrs. Smith] would each vote "yea."

On this vote, the Senator from Utah [Mr. Bennett] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Utah would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 57, nays 3, as follows:

[No. 332 Leg.]

YEAS—57

Aiken
Allott
Anderson
Baker
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Cooper
Curtis
Dirksen
Dodd
Ervin
Fannin
Fong
Griffin
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Holland
Hruska
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long, La.
Mansfield
McClellan
McIntyre
Metcalf
Miller
Montoya
Morton
Mundt
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Scott
Smathers
Sparkman
Spong
Stennis
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—3

Russell
Thurmond
Williams, Del.

NOT VOTING—40

Bartlett
Bayh
Bennett
Bible
Brewster
Cannon
Church
Clark
Cotton
Dominick
Eastland
Ellender
Fulbright
Goodell
Gore
Gruening
Hill
Hollings
Inouye
Jackson
Kuchel
Lausche
Long, Mo.
Magnuson
McCarthy
McGee
McGovern
Mondale
Monroney
Morse
Moss
Murphy
Muskie
Percy
Ribicoff
Smith
Symington
Talmadge
Tower
Tydings

So the bill (H.R. 20300) was passed.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HOLLAND, Mr. PASTORE, Mr. RUSSELL, Mr. HILL, Mr. STENNIS, Mr. BYRD of West Virginia, Mr. MCGEE, Mr. MUNDT, Mr. YOUNG of North Dakota, Mr. KUCHEL, and Mr. ALLOTT conferees on the part of the Senate.

NURSING HOME CARE FOR CERTAIN VETERANS

Mr. KENNEDY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 3593.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the amendments of the Senate to the bill (H.R. 3593) to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii, which was, in lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill, insert:

SEC. 2. Clause (iii) of section 601(4)(C) of title 38, United States Code, is amended to read as follows: "(iii) for veterans of any war in a State, Territory, Commonwealth, or possession of the United States not contiguous to the forty-eight contiguous States, except that the annually determined average hospital patient load per thousand veteran population hospitalized at Veterans' Administration expense in Government and private facilities in each such noncontiguous State may not exceed the average patient load per thousand veteran population hospitalized by the Veterans' Administration within the forty-eight contiguous States; but authority under this clause (iii) shall expire on December 31, 1978."

SEC. 3. (a) Section 620 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) The Service Contract Act of 1965 shall not apply with respect to any contract entered into by the Administrator and an institution for the furnishing of nursing home care under this section."

(b) The effective date of the amendment made by subsection (a) shall be the ninetieth day after the date of the enactment of the Service Contract Act of 1965.

SEC. 4. Effective on the date of enactment of this Act—

(1) the provisions of section 201 of the Revenue and Expenditure Control Act of 1968 shall cease to apply with respect to employees of the Veterans' Administration, and

(2) in applying the provisions of such section to the departments and agencies of the executive branch, such employees shall not be taken into account.

And amend the title so as to read: "An act to amend title 38 of the United States Code to provide nursing home care and contract hospitalization for certain veterans living in Alaska and Hawaii, and for other purposes."

Mr. KENNEDY. Mr. President, I move that the Senator concur in the amendment of the House with an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. KENNEDY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On pages 1 and 2 of the House amendment strike out sections 3 and 4, and insert in lieu thereof the following:

"SEC. 3. Section 620 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"'(c) In applying the provisions of Section 2(b)(1) of the Service Contract Act of 1965 with respect to any contract entered into under this section to provide nursing home care of veterans, the payment of wages not less than those specified in Section 6(b) of the Fair Labor Standards Act of 1938, as amended, shall be deemed to constitute compliance with such provisions.

"'SEC. 4. (a) The provisions of section 201 of the Revenue and Expenditure Control Act of 1968 shall not apply to employees of the Veterans' Administration in any month in which the number of such employees does not exceed the number of employees employed by such Administration on June 30, 1966.

"'(b) In any month in which section 201 of the Revenue and Expenditure Control Act of 1968 does not apply to the Veterans' Administration by reason of the provisions of subsection (a) of this section, the employees of the Veterans' Administration shall not be taken into account in applying the provisions of such section 201 to other departments and agencies of the executive branch'."

Mr. KENNEDY. Mr. President, H.R. 3593 will have an important effect on our unfortunate veterans who need extended care in nursing homes, or veterans in Alaska and Hawaii who have been denied certain deserved medical benefits because of the unique situation of those two States, and on the whole operation of the Veterans' Administration and the 26 million living American veterans and their families whom it serves.

H.R. 3593 corrects two defects in the medical care of veterans in Alaska and Hawaii.

First, it permits the Veterans' Administration to extend the program for placing veterans in nursing homes to include Alaska and Hawaii, which currently are unintentionally excluded under the language of existing legislation.

Second, it permits the Veterans' Administration to contract with private hospitals in Alaska and Hawaii for the care of veterans with non-service-connected disabilities. Because all 48 contiguous States have Veterans' Administration hospitals, veterans in those States can get direct treatment from the Veterans' Administration. But non-service-connected veterans in Alaska and Hawaii, which have no Veterans' Administration hospitals, presently are left out. Contracts with private hospitals remedy the problem.

The revised Senate amendment to H.R. 3593 rescues the community nursing home program for veterans from threatened deterioration. I am pleased that it was possible to make a change which will have a major impact for veterans in nursing homes without affecting a Government policy, which I have consistently supported right down the line, that our Nation's laborers should be assured a full and equitable minimum wage.

Under the community nursing home program, which I helped to develop as a member of the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare, the Veterans' Administration is authorized to transfer any veteran patient in the Veterans' Administration hospital who has received maximum hospital benefits but who requires protracted nursing home care to a community nursing home at Government expense. The period of such care for which the Veterans' Administration can pay generally cannot exceed 6 months, and the cost of such care may not exceed 40 percent of the cost of care in a Veterans' Administration hospital. Currently, the Veterans' Administration has agreements for the furnishing of skilled nursing home care with some 2,325 community nursing homes having approximately 170,000 beds in 48 States and Puerto Rico. These homes have been paid over $25 million for the care of veteran patients since the inception of the program in 1965.

In 1966 nursing homes were brought under the Fair Labor Standards Act and by steps, under section 6(b) of that act, are working up to the full $1.60 minimum. Present minimum of $1.15 an hour will be increased by 15 cents annually until a rate of $1.60 an hour is reached in February, 1971. These minimums apply regardless of the Service Contract Act.

The Service Contract Act, passed in 1965, says that when the Federal Government contracts with an institution for services, that institution must pay the higher of first, the minimum wage under the Fair Labor Standards Act; or, second, the prevailing wage rate in the area.

It was not originally clear whether the Services Contract Act applied to nursing homes. However, in June of this year the Department of Labor ruled that it does apply and that therefore nursing homes who take veterans under the VA program must pay the higher of the prevailing wage or the minimum wage.

As a strong supporter of our minimum wage laws, I certainly support the notion that the Fair Labor Standards Act should be given full force.

The issue in the present case is whether, in the specific situation of nursing homes with veterans under the VA program, the applicable minimum wage should be the general minimum of $1.60 an hour or the transitional minimum.

Since the ruling of the Department of Labor that nursing homes in this program fall under the Service Contract Act, the program has been deteriorating because homes in smaller communities, where prevailing wage rates are lower, reject veterans rather than pay the general minimum of $1.60 an hour.

Since the ruling, outplacements from VA hospitals to community nursing homes have dropped from an average of about 232 per week to only 111 per week. Sixty-seven nursing homes have canceled their contracts within the VA under which they agreed to take veterans. Anticipated cancellations would drive close to 2,000 veterans out of nursing homes and back to VA hospitals and, of course, would prevent future veteran patients from ever being placed at all.

To meet this specific problem—to save the veterans nursing home care program—the Senate amendment to H.R. 3593 provides that in applying the provisions of the Service Contract Act to contracts of the Veterans' Administration for nursing home care, payment of the transitional section 6(b) rate under the Fair Labor Standards Act—rather than the section 6(a)(1) rate which applies at the present time—shall be deemed to constitute compliance with the provisions of section 2(b)(1) of the Service Contract Act.

I wish to emphasize that this amendment in no way affects the authority or responsibility of the Secretary of Labor under section 2(a) of the Service Contract Act to determine that a higher prevailing wage exists, or the application of such higher wage to employees in these nursing homes.

The veterans nursing home program will be able to continue under full force, saving money to the Government and benefiting the veteran, while at the same time assuring that employees receive the highest attainable wage.

The final provision of the bill, Mr. President, concerns the personnel reduction in Government employees which Congress passed earlier this year. In considering the Revenue and Expenditure Control Act of 1968, the conferees made explicit in the conference report:

> In keeping with the June 30, 1966, date the provision is carefully designed so that it can be operated in such a fashion that whenever any agency has reached its June 30, 1966, level, then it can be in a position to resume full appointment. To this end, the conferees believe that the more efficient operation of the Government means that the Director of the Budget generally should reassign vacancies to any agency which has reached its June 30, 1966, level. For example, in applying this provision in the case of the Veterans' Administration (including all such employees working in veterans' hospitals), no reduction should be required in employee levels below that of June 30, 1966, in the case of permanent or full-time employees.

As William Driver, Administrator of Veterans' Affairs, recently related:

> The impact of P.L. 90-364 employment restrictions on VA programs is proving to be far more serious than we initially anticipated. Larger-than-expected workloads are being experienced in virtually all programs, as Vietnam servicemen return to civilian life at a rate of over 70,000 a month. We cannot accommodate these increasing workloads with the reduced employment required by P.L. 90-364 restrictions. Serious backlogs are developing and the quality of care and services provided veteran beneficiaries has suffered; plans for important new and expanded programs, particularly in Health Services, have had to be either abandoned or drastically curtailed.

H.R. 3593 translates into law the earlier intent of Congress that Veterans' Administration personnel should not be forced below the June 30, 1966, level. With vastly expanded old programs, with imaginative new programs, with an increase in its budget from $6 billion in 1966 to $7 billion this year, with over 26 million living American veterans who with their families make up close to 50 percent of the population, and with servicemen returning from Vietnam and elsewhere to civilian life at a rate of over 70,000 a month, allowing the Veterans' Administration to maintain at the very least its June 30, 1966, level of employment is essential.

This Nation has a fundamental obligation to the men and women who have risked their lives and served so nobly in the Armed Forces.

Our appreciation for their contribution is reflected in the important medical programs for the treatment of veterans. This legislation assures the continuation of those programs.

The bill also assures that the Veterans' Administration, which is responsible not only for regular activities but for several new programs, can continue to operate with adequate manpower.

As chairman of the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare, it has been a great satisfaction to work on this legislation. Passage of the bill will be a further important step by the Senate to assure that the veterans of this great Nation are properly recognized and cared for.

Mr. METCALF. Mr. President, the Senator from Massachusetts has worked out a very statesmanlike compromise on this very difficult problem, and I am in complete accord with it. I hope the Senate will adopt it.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 2938. An act to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes; and

S. 4158. An act to amend title 37, United States Code, to clarify the conditions under which physicians and dentists who extend their service on active duty in a uniformed service may be paid continuation pay.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 17735) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms.

The message further announced that the House receded from its disagreement to the amendment of the Senate numbered 10 to the bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes, and concurred therein.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 15971) to increase the participation of law officers and counsel on courts-martial, and for other purposes.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 13058) to repeal certain acts relating to containers for fruits and vegetables, and for other purposes.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 763. Concurrent resolution providing for the printing as a House document a survey and handbook entitled "Federal Educational Policies, Programs, and Proposals";

H. Con. Res. 797. Concurrent resolution providing for the printing of the report entitled "Commercial Banks and Their Trust Activities: Emerging Influence on the American Economy"; and

H. Con. Res. 801. Concurrent resolution listing of operating Federal assistance programs as compiled during the Roth study.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations which were reported earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

The legislative clerk read the nomination of Lewis E. Evans, of Pennsylvania, to be a member of the Federal Coal Mine Safety Board of Review.

OFFICE OF EMERGENCY PLANNING

The legislative clerk read the nomination of Mordecai M. Merker, of Virginia, to be Deputy Director of the Office of Emergency Planning.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—ARMED FORCES

The legislative clerk proceeded to read sundry nominations in the Armed Forces which had been placed on the Secretary's desk earlier today.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I wish to state to the Senate that nothing controversial will be brought up tonight. I shall take up noncontroversial pieces of legislation which have been cleared with the other side.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. May we have some idea?

Mr. MANSFIELD. The 12 or 13 on which the Senator from New York has a "hold" will not be brought up.

Mr. JAVITS. I am talking about H.R. 2767, allegedly the pending business.

Mr. MANSFIELD. That will probably come back tonight or tomorrow.

Mr. JAVITS. If it is tonight, I will stay.

Mr. MANSFIELD. I do not think it will be tonight, but I will notify the Senator later.

Mr. JAVITS. I thank the Senator.

CERTAIN CIVILIAN EMPLOYEES OF THE AIR FORCE AT KELLY AIR FORCE BASE, TEX.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1634, H.R. 8096.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8096) for the relief of certain individuals employed by the Department of the Air Force at Kelly Air Force Base, Tex.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. YARBOROUGH. Mr. President, H.R. 8096, as reported by the Committee on the Judiciary, contains only a partial list of the individuals mistakenly overpaid at Kelly Air Force Base. Since the original list was compiled, the Air Force and the General Accounting Office have been attempting to compile a complete list. The Air Force recently submitted to me additional names which should have been included with those presently listed in section 3 of the bill.

I should like, at this time, to move to amend the list contained in section 3 of the bill to add those names which the Air Force and the General Accounting Office agree were, unfortunately, left off the original list submitted.

At this time, I send the amendment to the desk and ask for its adoption. These are the names only of those certified by either the Air Force or the General Accounting Office as having unfortunately been left off the list of original claimants as reported.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

That the following names be added at the end of the enumerated names in section 3:

Name	*Amount*
Alvarez, Thomas	$250.08
Arroyo, Olivia A	48.00
Atkinson, Oscar E. (GAO)	1,185.76
Brient, William J	557.60
Bryant, John M. (GAO)	585.60
Bujol, Wallace E. (GAO)	863.20
Burris, Henry A. (GAO)	372.80
Carter, Patricia J	32.26
Cioletti, Aldo (GAO)	230.48
Cosper, Robert E. (GAO)	248.03
Courvier, Joe (GAO)	248.03
Cunningham, Richard A. (GAO)	22.15
Erdman, Roy E. (GAO)	697.98
Frances, Elizabeth	61.60
Franklin, Geronimo W	95.10
French, Eddie J	--------
Gillum, Richard A	--------
Gloner, Florence M	--------
Grun, William R	65.28
Guerra, Henry M	315.88
Hernandez, Santos A	--------
Herrera, Jimmie	490.72
Herrera, Manuel L	4.80
Holman, Jimmie S., Jr	89.60
Huntly, Dick M	314.76
Jiminez, Frances A	6.40
Johnson, Helen F	35.20
Kearns, William S	7.20
Kreider, Carl R	385.22
Lugo, Janie T	10.08
Luker, Wilbur H	--------
Luttrall, Norma F	166.05
Mack, Wilbur F	--------
Martinez, Matiana B	34.65
McCauslin, Margaret A	--------
Metcalf, Betty	13.76
Middleton, Betty J	385.11
Minihan, Michael J	--------
Montgomery, Donald	400.15
Moody, Ruth S	416.80
Moor, Vincent C	6.66
Moore, Anne	60.80
Moore, Harvey L	741.66
Muenziler, Gene L	188.13
Negrete, Guillermo A	64.00
Nunez, James A	288.50
Paddie, George L	285.76
Paz, Ernest V	281.65
Pearce, Stanley R	100.80
Peese, Victor	53.44
Rakasky, Harry M	329.74
Ramirez, Emilia P	5.60
Ramos, Tony	127.44
Ray, Tommy I	5.60
Reese, Buster G	20.80
Renden, Gloria K	10.37
Replogle, Charles V	49.04
Rhodes, Jr., John C	--------
Roemer, Walter H	--------
Rogers, Joseph I	--------
Rosel, Consuelo O	--------
Salas, Ernesto C	$280.78
Scott, Edward	200.79
Seay, Henry A	20.78
Segel, Jesse J	--------
Smith, James E	172.00
Snyder, Donald A	109.84
Spencer, Samuel E	476.58
Spring, Zea A	301.09
Stack, Charles A	69.60
Stokes, Lila D	--------
Thacker, Dorothy J	106.35
Thomas, Roy A	41.92
Thompson, Eleanor M	82.43
Tierce, Eugene W	619.77
Tindal, Jr., Pleasant M	667.30
Treyon, Jr., Henry A	38.88
Vaughn, Betty L	587.54
Wilburn, Ollie T	282.27
Williams, Emory S	468.00
Wright, Jr., Norville B	596.16

IMPROPER STEP-IN-GRADE ASSIGNED PROMOTION

Gutzler, Charles A	--------
Beers, John J. (GAO)	2,042.24
Smith, Voyle V	--------
Cienfuegos, Nelson R. (GAO)	3,368.40
Stein, Eileen M	--------
Witt, Morris	1,600.85

WRONG STEP GIVEN OR CHANGE FROM WB TO GS

Alazar, Edgar V	276.80
Almaquer, Joe	294.80
Arizpe, Facundo	523.60
Baldwin, Mellie K	264.00
Benavides, David R	562.96
Cisneros, Orlando	108.80
Cross, Mildred	108.80
Davis, Alton E	306.80
Flores, Simon E	288.00
Gamboa, Joe M	295.20
Hawks, Meredith G	637.60
Howard, Thomas D	412.87
Martinez, Ismael	298.40
Martinez, Jose C	264.85
Martinez, Ramon L	582.80
Martinez, Ruben	90.60
Platt, Harry A	302.65
Pozos, Domingo	301.52
Quintero, Domingo G	285.60
Reed, Harold B	655.20
Rendon, Rudy M	525.60
Robin, Harold A	264.00
Sierra, Joe J	--------
Sifuentes, Gasper V	288.00
Smith, Marvin M	440.80
Smith, Melvin G	264.00
Sudduth, Ralph W	542.40
Sunvison, Burl O	441.60
White, O'Douglas	122.70
Whorton, Doris R	810.29
Thomas, Betty J	476.00
Thompson, Fentress L	564.20
Vela, Lupe	279.80
Webb, Charles W	264.00
Wells, Coy F	440.80
Weinette, Richard C	585.16

TIME IN LOWER GRADE USED IN COMPUTING INCREASE IN HIGHER GRADE

Findley, Helen F	115.16
West, James W	55.02

Mr. YARBOROUGH. Mr. President, I urge the adoption of the amendment.

Mr. JAVITS. Mr. President, what is this about?

Mr. YARBOROUGH. These are the names of people who were mistakenly overpaid at Kelly Air Force Base. Under the accounting procedures of the Air Force, they could not have these claims released. This has been approved by the Committee on the Judiciary; it has been approved by both sides; it has been approved by Senator THURMOND.

This amendment adds other names that the Air Force and the General Accounting Office have agreed on.

Mr. JAVITS. I thank the Senator.

Mr. YARBOROUGH. Mr. President, I move that the Senate agree to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 8096) was read the third time, and passed.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar Nos. 1617, 1621, 1627, 1631, 1632, 1635, 1636, 1639, 1640, 1641, 1642, 1647, and 1651.

DEMETRIOS KONSTANTINOS GEORGARAS

The bill (H.R. 1596) for the relief of Demetrios Konstantinos Georgaras was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN CIVILIAN EMPLOYEES AND FORMER CIVILIAN EMPLOYEES OF THE BUREAU OF RECLAMATION

The bill (S. 3517) for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each of the following employees, former employees, and estates of deceased employees of the Bureau of Reclamation who received the overpayment of compensation listed opposite his name for the period from March 30, 1952, through August 13, 1966, inclusive, or any portion or portions of such period, which overpayment resulted from administrative error, is hereby relieved of all liability to refund to the United States the amount of such overpayment:

Name	*Overpayment*
Adriance, Mary S	$40.00
Albee, Stanley	10.96
Anderson, E. L	15.99
Chavez, Nicolas	15.08
Emmett, Wyllis L	9.62
Fife, Rowland W	1,324.62
Gallegos, Joseph M	50.60
Gallman, W. Brooks	10.96
Guerra, Ciro	14.34
Gutierrez, Ely E	19.65
Johnson, C. P	401.60
Marmon, Walter	14.42
Moss, R. A	12.80
Peavy, Patrick	1.44
Sanchez, Ernest G	1,534.77
Torres, Sinesio	429.60

Each such employee or former employee who has at any time made any repayment to the United States on account of any such overpayments made to him (or, in the event of his death, the person who would be entitled thereto under the first section of the Act of August 3, 1950 (5 U.S.C. 5583)), shall be entitled to have an amount equal to all such repayments made by him refunded if application is made within two years after the date of enactment of this Act.

(b) For purposes of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, each overpayment for which liability is relieved by subsection (a) of this section shall be deemed to have been a valid payment.

SEC. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for any amounts for which liability is relieved by the first section of this Act.

AH MEE LOCKE

The bill (S. 3392) for the relief of Ah Mee Locke was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Ah Mee Locke, the widow of the late Loy Hepp Locke, a citizen of the United States, shall be held and considered to be an alien eligible for immediate relative status under the provisions of section 201(b), and the provisions of section 204 of such Act shall not be applicable in this case.

HENRY E. BULLOCK

The bill (H.R. 2263) for the relief of Henry E. Bullock was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN EMPLOYEES, NAVAL WEAPONS CENTER, CONCORD, CALIF.

The bill (H.R. 2282) for the relief of certain employees af the Naval Weapons Center, Concord, Calif., was considered, ordered to a third reading, read the third time, and passed.

ALFRED LORMAN

The Senate proceeded to consider the bill (S. 2393) to fix date of citizenship of Alfred Lorman for purposes of War Claims Act of 1949, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 5, after the word "on" strike out "the same date as that of his brother, Ernest Lorman," and insert "June 22, 1944, the date that he became eligible to take the oath of allegiance to the United States,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the War Claims Act of 1948, Alfred Lorman, a former citizen of Austria, shall be deemed to have become a citizen of the United States on June 22, 1944, the date that he became eligible to take the oath of allegiance to the United States, and the Foreign Claims Settlement Commission shall receive and determine such claim in accordance with all other provisions of War Claims Act of 1948, as amended, and the award, if any, made by the Commission shall be paid by the Secretary of the Treasury from the War Claims Fund.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

SOON-HIE CHO YOUNG

The Senate proceeded to consider the bill (S. 2957) for the relief of Soon-Hie Cho Young, which had been reported from the Committee on the Judiciary, with an amendment, strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Soon-Hie Cho Young shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 22, 1967, upon payment of the required visa fee and the periods of time the said Soon-Hie Cho Young has resided in the United States and any State since such date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

DIEGO M. GIMENEZ, JR.

The Senate proceeded to consider the bill (S. 3573) for the relief of Diego M. Gimenez, Jr., which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" strike out "December 23, 1962." and insert "December 24, 1962."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Diego M. Gimenez, Junior, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 24, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

DR. JOSE RAMON PORTELA Y MARGOLLES

The Senate proceeded to consider the bill (S. 3776) for the relief of Dr. Jose Ramon Portela y Margolles, which had been reported from the Committee on the Judiciary, with an amendment, strike out all after the enacting clause and insert:

That the periods of time Doctor Jose Ramon Portela y Margolles has resided in the United States and any State since December 30, 1942, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

CLIFTON R. KINDT

The Senate proceeded to consider the bill (H.R. 5918) for the relief of Clifton R. Kindt, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 1, after "8348" insert "of title 5, United States Code,".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

AMENDMENT OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the bill (H.R. 15450) to amend section 101(a)(27)(D) of the Immigration and Nationality Act, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 6, after the word "a" strike out "missionary,".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "A bill to amend section 101(a)(27)(D) of the Immigration and Nationality Act, and for other purposes."

ROBERT L. MILLER AND MILDRED M. MILLER

The bill (H.R. 5677) for the relief of Robert L. Miller and Mildred M. Miller was considered, ordered to a third reading, read the third time, and passed.

PINE HALL-POMONA CORP.

The Senate proceeded to consider the bil (S. 1169) for the relief of the Pine Hall-Pomona Corp., successor of Pine Hall Brick & Tile Co., which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 8, after the word "and" strike out "Tile" and insert "Pipe"; in line 9, after the word "Company," strike out "Greensboro," and insert "Winston-Salem,"; and on page 2, at the beginning of line 15, strike out "Tile" and insert "Pipe"; so as to make the bill read:

S. 1169

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other law or rule of law and notwithstanding any election made under the Act of September 26, 1961 (75 Stat. 674; Public Law 87-312), for purposes of applying section 613(c) of the Internal Revenue Code of 1954 (and corresponding provisions of the Internal Revenue Code of 1939) to the Pine Hall Brick and Pipe Company, Winston-Salem, North Carolina, for its taxable years ending in 1951, 1953, 1954, 1955, and 1956, in the case of brick and tile clay, fire clay, or shale used by such company in the manufacture of building or paving brick, drainage and roofing tile, sewer pipe, flower pots, and kindred products, the terms "gross income from mining" and "ordinary treatment processes normally applied by mine owners or operators in order to obtain the commercially marketable mineral product or products" shall be treated as having a meaning consistent with the decisions of the United States Court of Appeals for the Fifth Circuit in United States against Cherokee Brick and Tile Company (1955) (218 F. 2d 424) and United States against Merry Brother Brick and Tile Company (1957) (242 F. 2d 708) (certiorari denied, 355 U.S. 824).

SEC. 2. The election made by the Pine Hall Brick and Pipe Company, under subsection (c) of the Act of September 26, 1961 (75 Stat. 674, Public Law 87-312), shall, notwithstanding the provisions of subsection (b) of such Act, not be effective for any taxable year specified in the first section.

SEC. 3. If credit or refund of any overpayment of tax resulting from the application of the first section of this Act is prevented, at any time on or before the expiration of one year after the date of the enactment of this Act, by the operation of any law or rule of law, such credit or refund of such overpayment may, nevertheless, be allowed or made if claim therefor is filed on or before the expiration of such one-year period.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of the Pine Hall Brick and Pipe Company."

DETROIT TIGERS WIN WORLD CHAMPIONSHIP

Mr. HART. Mr. President, realizing the cost of each page of the CONGRESSIONAL RECORD, I shall keep my statement to an absolute minimum.

I do not know whether I speak unanimously for the Senate—surely I do not speak for Senator SYMINGTON or Senator LONG—but I hope I voice the sentiments of all other Senators when I salute the Detroit Tigers for their magnificent come-from-behind victory. Their victory is a message for all Americans to keep in mind: "You are not down when it is 3-to-1 against you." That is true of candidates also.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LAW AND ORDER

Mr. BYRD of West Virginia. Mr. President, there has been considerable discussion both before the April riots and after, concerning the question of crime in the city of Washington. The issue of law and order is the foremost domestic issue in the Nation today.

Shortly after the April riots, I characterized our Nation's Capital as a city of fear. I did not do this lightly or without thought of what I was saying. I would not carelessly characterize this or any city in a way that would bring undeserved harm to it.

In my capacity as chairman of the Senate Appropriations Subcommittee on the District of Columbia, I took action, following the April riots, to invite many Washington businessmen and women, police officers, bus drivers, firemen, and other individuals to come to my office in the evenings—when they could come with the least fear of being recognized or followed or molested—and I took from them 1,418 pages of testimony concerning their personal knowledge of the crime situation in the District.

I tried to assure these people that they would remain anonymous, for the protection of themselves, their families, and their businesses—or, in many cases, what was left of the businesses they operated before the riots.

They all gave their testimony willingly and freely, and I may state, in many instances, with an appearance of relief at the fact that someone was listening to what they had to say.

In those pages of testimony, I believe, is presented a disturbing picture of the growing problems of crime and fear which confront businessmen, policemen, and other citizens and visitors in the city of Washington.

Almost uniformly these people told a story of fear and frustration and anger. It is a story of a breakdown in police protection, a breakdown in court responsibility, and a giving way to street hoodlums and thugs. It is a story that ought to anger and outrage every citizen of this Republic who understands the elemental fact that no society can exist except by the rule of law. That rule has gone down the drain in many areas of the city of Washington. Of course the April riots are over but other disturbances have since occurred.

Mr. Justice Fortas, incidentally, following the refusal of the U.S. Senate to consider his nomination to the office of Chief Justice of the United States, commented, according to newspaper reports, that the people "should be careful on this issue of law and order," and he went on to refer to it as "a great phrase to which strange meanings are being attached."

Perhaps Mr. Justice Fortas would do well to talk with the owners of small businesses in the Nation's Capital who live in constant fear and who wage an unceasing battle against loss of property and whose nights and days are filled with danger to life and limb. To them, "law and order" is not an esoteric, cunningly concocted, mystical and evil phrase, as Mr. Fortas would apparently have us believe.

If any "strange meanings are being attached" to the phrase, it is the Supreme Court of the United States which has attached them. Moreover, Mr. Fortas can thank himself and his brothers on the Court, who have constituted a slim margin in such decisions as the Miranda decision, for the fact that the issue of "law and order" has become the No. 1 issue in the presidential campaign and for the fact that it became the basic issue, appearances largely to the contrary notwithstanding, in the refusal of the Senate to consider elevating Mr. Fortas to the role of Chief Justice.

Repeatedly I asked the following question of these businessmen: "What do you consider to be the single most pressing problem confronting the businessman in the District of Columbia?"

The answer almost invariably brought up the subject of law enforcement. Here are examples:

Mr. A: "The lack of police protection, and the lack of utter disrespect for law and order."

Mr. B: "I think the most pressing problem, not only with the employee, (but) with the employee, (is) I am scared and everybody is scared. We have a country of fear."

Mr. C: "Mentally, to be able to go back to work. I find if I had to go to work now, mentally I just can't do it. I am not up to it."

Mr. D: "The most serious thing is we cannot get help. The next most serious problem is fear."

Mr. E: "Protection. It is the main thing we need today. Any businessman needs protection against the hoodlums on the street."

Mr. F: "My immediate problem at this moment would be the need for protection . . . so that I can operate my business and give the necessary feeling of security to all of my employees."

Mrs. G: "The fact that I have no protection, no police protection, no protection at all. I feel no security in my business."

Mrs. H: "You have no protection here. If they tried to protect you, they are not given backing from anyone."

Mr. I: "My problem is this, Senator, I can't be in business without the fear of being looted and possibly killed because of the lack of protection I derive from the police department."

Mr. J: "Fear."

Mr. K: "The threat of new violence."

Mr. L: "Personal fear."

Mr. M: "Actually, the lack of police protection and the fact that the police seem to be handcuffed in order to help us, to keep order in the streets."

Mr. N: "The hoodlums in the streets. They won't let us do any business. They come into the stores and demand merchandise without money. They come in in groups. One makes believe he does the purchasing, asking lots of questions, while the others are picking up from the shelves and walking out, using threatening language, very abusive language, such as 'I'll bust your mouth. I'll hit your head'."

Mr. O: "Law and order. There is absolutely none of it. I feel that the government has failed in its obligations to its citizens."

Mr. P: "The most important problem we have right now is the problem of controlling the youths who harass our business."

Mr. Q: "The fear that my store will be demolished."

Mrs. R: "The problem is certainly nonenforcement of the law."

Mr. S: "Well, confronting me, mostly, I would say is the thieves and the violent types of people that don't work and don't want to work."

Mr. T: "I think the restoration of a climate in which normal, peaceable life can be carried on."

Mr. U: "Protection."

Mr. V: "Crime."

Mr. W: "The riot was the most pressing problem."

Mr. X: "I would say restoration of law and order. I think that has to be No. 1. I think this is one of the reasons that much of the business community went to the suburbs, and they are going to go more and more."

Mr. Y: "My main problem is the lack of financial capital."

Mr. Z: "The problem is police protection. My place has been broken into a number of times by teen-agers and kids in the neighborhood."

So, as there are 26 letters in the alphabet, I have quoted the first 26 merchants who answered the question: "What do you consider to be the single most pressing problem concerning the businessman in the District of Columbia?"

I did not select a chosen few, but I have taken them in their order from "A" through "Z," and 23 out of 26 stated that the most serious question facing businessmen in Washington is lawlessness. A 24th stated that, while his main problem was that of securing adequate help, lawlessness was the second most important problem.

Of course, as I have stated, lawlessness is the most serious domestic problem facing the country today. And unless something is done to halt the spiralling crime rate in the Nation and in the Federal City, both will be overtaken with disaster. For, in the words of a former Supreme Court Justice:

> Lawlessness, if not checked, is the precursor of anarchy.

Incidentally, Mayor Washington is reported to have said recently that the city of Washington, D.C., is only 19th on the national crime list. I wish this were true. Whether or not he was correctly quoted, I do not know. But the fact is that the city of Washington is second among 16 cities of comparable size with respect to the actual number of crime index offenses committed in calendar year 1967, and it is third among those same cities with respect to the crime rate per 1,000 population.

If Mayor Washington, indeed, stated that the city was in 19th place, he mistakenly used metropolitan statistical area data. The Washington metropolitan statistical area is 19th in the rate per 100,000 population of certain metropolitan statistical areas, but the Washington, D.C.-Maryland-Virginia metropolitan area, as reported in the Uniform Crime Report, includes not only the city of Washington, D.C., but also the following: Montgomery County, Md.; Prince Georges County, Md.; Arlington County, Va.; Fairfax County, Va.; Loudoun County, Va.; Prince William County, Va.; city of Alexandria, Va.; city of Fairfax, Va.; and city of Falls Church, Va.

Mr. President, incidentally, we have heard a great deal about the rise in suburban crime. According to the FBI, a great percentage of those crimes are committed in the suburbs of Washington by those who come from the city of Washington to commit them.

Mr. President, many and varied are the suggestions advanced regarding the causes of crime.

Some say poverty. Yet, there is probably less real poverty today in America than ever before, but crime is more rampant.

Some say injustice. Yet, the U.S. Supreme Court and some of the Federal circuit courts of appeals have weighted the balance in favor of the criminal and against society, but crime is more rampant.

Some say joblessness is the cause of crime. But the unemployment statistics of today are at a record low. Yet, crime is more rampant.

Some say racial discrimination is the cause of crime. However, more steps have been taken in the past 15 years to eradicate discrimination, both real and imagined, than at any time since the adoption of the 13th, 14th, and 15th amendments to the Federal Constitution. There have been numerous court decisions and countless Federal and State and municipal laws enacted prohibiting discrimination. Yet, crime is more rampant.

If I may again quote Mr. Justice Frankfurter, to whom I referred a moment ago:

> He must be a bold man indeed who is confident that he knows what causes crime. Those whose lives are devoted to an understanding of the problem are certain only that they are uncertain regarding the role of the various alleged "causes" of crime.

Many circumstances may contribute to crime, but one key factor will always be present—the individual himself, his temperament, his attitude, his level of mentality.

Some people argue that criminals are made, not born; others maintain that the reverse is true. But one thing is sure: something must be done to restore law and order and a respect for authority, and to renew a sense of individual responsibility in the Nation's Capital and throughout the land, or this Republic will succumb to anarchy.

There are some who say today that "social justice" must take precedence over law and order.

They seem to be arguing that individuals or groups who contend they have not received justice, if they do not actually have the right to plunder and burn and to shoot policemen, at least they can be excused for doing so. I cannot agree.

Some of our citizens have been discriminated against in the past. But that discrimination is ending everywhere in America, and rightly so. Measure after measure has been passed by the Congress and State legislatures and city councils to bring equality of opportunity nearer reality.

Federal civil rights bills, low-cost housing bills, antijob discrimination bills, education bills, and many other similar measures have been enacted.

I have supported and voted for those bills which I considered to be fair and workable and reasonable, and I have voted against those which I considered to be unreasonable and unconstitutional.

I believe in equal justice for all citizens of this country, regardless of race, or creed, or color. But I do not believe that social justice and law and order are incompatible or mutually exclusive, one of the other. We can and should have both.

I believe in equal opportunity for all citizens. I believe in equal protection under the law for all citizens. But I also believe in equal responsibility and accountability under the law for all citizens. Justice can be little more than a meaningless word without an orderly society.

But what has Government not already done to secure justice? What else is a republican form of government to do? It can only provide the climate in which social justice and equal opportunity can be brought about. It cannot confer status upon an individual.

People will probably never have absolute equality of economic or social status. Yet, some people appear to suggest that the maintenance of law and order must wait upon the time when all persons have incomes of $10,000, or $20,000, or $30,000.

But law and order cannot wait and should not be subordinated to "ifs," "and," or "buts"—such as "if we have justice, or if we have this or that, we will then get law and order," and so on.

I say, we must have law and order now. And we have a right to demand that government, at all levels, enforce the law and secure order now.

Look at the Federal City.

There has been a 320-percent increase in serious crimes in the District of Columbia in the past 11 years going back to April 1957. During this same period, the rate of solution of part I offenses has decreased from 49 percent to 19 percent.

In the 12-month period ending in August 1968, there were 45,925 serious crimes reported—to say nothing of crimes committed—an increase of 27.8 percent over the 12 months ending in August 1967. The crime of rape led the list, with an increase of 43.9 percent during the month of August 1968 alone. The crime of rape increased 176.9 percent over the same month last year.

Merchants have been shot to death at their cash registers. Bus drivers have been beaten, robbed, and murdered. Women are raped in their homes, in alleys, in Government buildings, and have even been criminally assaulted in churches. Speaking of churches, the St. Peter's Church at Second and C Streets, SE., one block from the Capitol Grounds, has announced, within the past few days, that, because of the crime situation, its doors would no longer be kept open except during church services. Federal property at the base of monuments to two of our greatest Presidents was desecrated during the summer by Resurrection City, a virulent abscess of hooliganism and infectious disorder populated in large measure by thugs, hoodlums, and members of militant street gangs.

Vandalism and thievery, muggings and yokings, have come to be looked upon as normal conduct by some people in this city.

Obscenity, vulgarity, and profanity constitute standard language on the streets of Washington.

There are those who try to gloss over the terrible picture of crime and fear so prevalent in many areas of this city. But facts are facts.

My wife and I recently visited Moscow, capital of the Soviet Union. I measure my words, Mr. President, when I say that I felt safer, insofar as bodily harm to my own person and that of my wife was concerned, on the streets of Communist Moscow than I would feel on the streets of some areas of Washington, D.C., our Nation's Capital.

While in Moscow, I discussed the subject of crime with the mayor of Moscow and with Americans living in Moscow, and it was their story that the civilian crimes of murder and rape and aggravated assault and burglary and robbery, and so forth, do not constitute a problem in the Soviet Union.

I do not recommend living in the Soviet Union. But I do urge that the Federal Government of the United States, through its courts and through its law enforcement arm, the Justice Department, do something to restore a sense of responsibility and a respect for law and order if anarchy is not to prevail.

Again, I refer to Mr. Justice Fortas. The phrase "law and order" has no "strange meaning" to the citizen whose wife or daughter has been raped, or whose store has been looted or burned, or whose brother or father has been murdered.

And if the Supreme Court of the United States does not soon come to live in the world of reality, and throw off the cocoon of doctrinaire liberalism in which it has, in recent years, been hibernating, the law abiding citizen is going to violate the law himself. I do not want to see this happen. An armed camp would indeed bring a strange meaning to the phrase "law and order," but if it ever comes to this, it will be—in part, at least—because Mr. Justice Fortas and some of his brothers on the Court helped to bring it about.

The Supreme Court may not follow the election returns, as the saying goes, but Senators do. Senators are elected by the people. They speak for the people. And the people will not long tolerate a Court whose members arrogate to themselves the function of legislative and executive reform. Reforms, of whatever nature, must be brought about by the elected representatives of the people, not by individuals who are merely appointed to the Nation's Supreme Court and who are not responsible to the people for the jobs they hold. Apparently, both Mr. Warren and Mr. Fortas have long ago lost sight of this fundamental principle of republican government.

Mr. President, I ask unanimous consent to insert in the Record volumes 1, 2, and 3 of the transcript of hearings to which I have alluded. Other volumes will follow.

There being no objection, the material was ordered to be printed in the Record, as follows:

[Vol. 1]

The U.S. Senate: Report of Proceedings, Hearing Held Before the Subcommittee on the District of Columbia of the Committee on Appropriations

[Executive confidential]

U.S. Senate, Subcommittee on
the District of Columbia, of
the Committee on Appropriations,
Washington, D.C., May 1, 1968.

The Subcommittee met, pursuant to notice, at 6:00 p.m., in Room 105, The Old Senate Office Building, Robert C. Byrd of West Virginia (Chairman of the Subcommittee) presiding.

Present: Senator Byrd (presiding).

Senator Byrd. Let me say to you that I want to secure information which would be helpful in identifying the problems of our business men in the District of Columbia, and I speak with reference to problems in connection with crime, and threats to your business, any efforts to extort money from you in return for security.

Your name will not appear on this statement nor will your address, nor will your type of business. So there will be no way you could be identified from a reading of the transcript.

Eventually I may want to make public the statements that are given to me, but the name, the address, the type of business, will not be revealed, so that there will be no way that you could be identified in so far as my transcript is concerned.

Let me ask a few questions, after which you may wish to make any statement you wish, relative to these questions or relative to the general subject.

I may not be able to at the moment think of all the questions that might be pertinent to this thing.

Do you have anything in writing with you that you might be able to give me which would be helpful to me?

Mr. A. This is a series of the events that have occurred in my place of business since this year.

Senator Byrd. All right. Now, my first question is, how long have you been in business, where you are presently located?

Mr. A. Where I am presently located is a family operation. My mother and father purchased it in 1925. We have been there 43 years. In the 43 years there had only been six holdups, four of them this year.

Senator Byrd. When were the other two?

Mr. A. One two years ago, and one previous to that, the year before—about three years ago.

Senator Byrd. But you have been at this same location how long?

Mr. A. I was five years old when my mother and father started the business, and I am continuing it. I am now 48.

Senator Byrd. Would you state the dates of the holdups?

Mr. A. On February 14, 1968, I was held up. On February 24th there was an attempt to break into my place of business. On February 27th, I was held up, at gun point each time. On April 5th my store was broken into and looted up to the tune of $20,000.

Senator Byrd. Was that during the civil disorders?

Mr. A. Yes. After I had boarded my store up there were several attempts made to break in to enter again.

I asked the police for more surveillance and they told me I would get the same surveillance everybody else gets, they had so many calls they couldn't do anything other than that.

My store remained closed until April 22nd—from April 5 to April 22. I opened April 22. Five hours and 40 minutes later I was accosted by two holdup men with guns, both with drawn guns, and robbed at gunpoint.

I have to make a living because I have two children in college, one going to the medical school at the University of Maryland, and the other going to the University of Maryland, so I must continue in business.

Today at 12:30 I was held up—today being May 1st—I was held up again at gunpoint by two individuals, both bearing guns, the calibre of which I do not know.

I asked the police for better protection and I was told that the Captain of No. 5 doesn't believe in putting a book that they have in the banks in the stores of my type and that he would do his best to give me whatever protection he could, which was nil, nothing.

I think it is a complete breakdown of law and order in the City of Washington, which is evidenced by four holdups this year and none in 40 years of operation—but six in the last three years.

Senator Byrd. Has there been a change in the section where you live which might account for this?

Mr. A. The section where I live is Capitol Hill. I have been in the Capitol Hill Restoration area. People are buying homes there and paying $40,000 and $50,000 for them and remodeling them.

Senator Byrd. What do you think accounts for the fact that for 40 years there were no holdups and then within the last three years there have been a series of holdups?

Mr. A. A complete breakdown of law and order due to the lack of the police being able to—well, they capture the men and I understand they are immediately released on their own personal recognizance without bond, and they go around holding up the same places.

Senator Byrd. Have you been able to identify the persons?

Mr. A. These people that have been holding me up are not people that live in the neighborhood.

I have a National Capital Housing Development project near me and they are not any of the ones that live in the project because I know most of them and we have good relations with the neighbors. It is an integrated neighborhood and I have very good relations to everyone.

In fact, we maintain a certain type of business where we issue credit to the people and now we do not issue any credit. But we maintain a perfect relationship with our customers.

Senator BYRD. Has it always been an integrated neighborhood?

Mr. A. Before the National Capital Housing took over the neighborhood, there was the Dixon Court which was one of the worst neighborhoods in Washington and yet we did not have any holdups or breakins or anything else. It has only been within the last three years, since the deterioration of law and order in the city of Washington, that we have had any of this trouble.

Senator BYRD. Was there any destruction of your property during the riots?

Mr. A. Yes, sir.

Senator BYRD. Were there any fires in your property?

Mr. A. No fires It looked like there had been an attempted fire. But the next door neighbor said they pulled, it wasn't the ordinary Molotov cocktail type of fire, like somebody set a match to rubber.

I have pictures. If you would like I would leave with you these, showing my place of business.

Senator BYRD. Have you been able to identify the persons as having participated more than once in the holdups?

Mr. A. Each time was by different people.

That is the debris they left. They mashed my cash register to pieces.

Senator BYRD. This was during the riot?

Mr. A. Yes.

Senator BYRD. What is the total amount of money of which you have been robbed?

Mr. A. Well, excluding today, I imagine it has been $2,000. During the riot it was around $20,000.

Senator BYRD. Including the merchandise?

Mr. A. Yes.

Senator BYRD. And what was the amount today?

Mr. A. I didn't even check out today. I was ill after the holdup and I went home and came down to meet with you.

Senator BYRD. Do you work alone in your store?

Mr. A. I work alone. My mother comes in. She is 73 years old. She has been working in the store for 43 years. I cannot keep her out. Each of the times of the holdup she was in the store, except today she didn't arrive until 1 o'clock. I was in the store with a porter.

Senator BYRD. Have you ever attempted to defend yourself against these holdups?

Mr. A. I would have attempted to defend myself, I had a gun today, but the way it works out, you don't have a chance to defend yourself.

The fellow came in the store three times today. The first time he appeared was about a quarter to 12. He purchased a pack of gum. He was there evidently to look over the premises. He left the store and came back about a quarter after 12 and made another purchase and he acted very suspicious then but he didn't do anything. He reached into his righthand pocket and got the money for the purchase and left the store. Fifteen minutes later he came back and asked for another item. I reached for the item, which happens to be in a different place, and brought it back and he reached in his pocket for the money and instead of money he draws out a gun.

You have no chance to protect yourself.

Senator BYRD. Was there someone with him?

Mr. A. There was an accomplice standing at the door this third time that he came to the store. My porter came from the rear of the store to the front and this other fellow rushes in and draws a gun out of his pocket and says to my porter, "Stand still, don't move."

The fellow says, "You have a safe? I want the money in your safe. In fact, in fact I want your wallet."

The second fellow comes over and starts patting me to take my wallet and I had my gun here and he grabbed my gun the first thing and left my wallet.

Senator BYRD. He took your gun?

Mr. A. Yes, sir.

Senator BYRD. And he kept it?

Mr. A. Yes, sir. So I did not have a chance to protect myself. I did not have a gun in the store until two years ago when in a holdup I was smacked across the head and I had a slight concussion.

Senator BYRD. You were hit?

Mr. A. That is when I purchased the gun.

Senator BYRD. You were hit with a gun upon that occasion?

Mr. A. Yes, in March of 1966.

Senator BYRD. Had you ever been injured before—or since?

Mr. A. No.

Senator BYRD. In any of these holdups?

Mr. A. No, I haven't.

Senator BYRD. What do you consider to be the single most pressing problem concerning the businessmen in the District of Columbia, in connection with their dealings with the Government of the District of Columbia?

Mr. A. Well, the lack of police protection, due to the fact that they are limited in their questioning of suspects in holdups, and the lack and utter disrespect for law and order.

Senator BYRD. Have you received any threats or has there been any effort to intimidate you or your employees in any way with reference to the operation of your business?

Mr. A. No threats as threats. But implied threats that we have done this and we might do that.

Senator BYRD. Now, would you elaborate on that?

Mr. A. Well, they come in. I had a fellow less than 18 years old who wanted to make a purchase in my store and I refused the purchase, refused to make the sale, and he said, "Well, we don't need you anyway, we are going to come back and take it." This was after the riot—since I have been open.

Senator BYRD. Did he offer you money for the store?

Mr. A. No, he did not.

Senator BYRD. Was there any indication that he was in a position to purchase your store?

Mr. A. No, he was not in a position to purchase the store. He did not look the type that was able to purchase a business of the nature of my store.

Senator BYRD. Did you report this to anyone?

Mr. A. No, I did not, because I felt it was an everyday happening, something that was just off the top of his head. He was mad because I would not make the purchase to him.

Senator BYRD. Was this one person or was it one individual speaking on behalf of a group?

Mr. A. One individual.

I also had groups that come into the store and act like they want to take everything that is in the store.

At times when I do have ample help, I have two porters that work for me parttime, and when they are there they leave everything alone.

They walk in menacing-like as if I walk out with the merchandise do something to me, I am not going to pay you for it. Nothing like this has happened, but that is the attitude that they have.

Senator BYRD. Are these Negroes or whites?

Mr. A. Negroes.

Senator BYRD. Was this a Negro who offered to buy your store?

Mr. A. He did not offer to buy my store. He wanted to buy merchandise from my store, which I refused to sell him because he was not of the age to buy this merchandise.

Senator BYRD. This is one who made the threat?

Mr. A. Yes, sir. "If you don't sell it to me we will come in and take it."

Senator BYRD. He was a juvenile?

Mr. A. A juvenile.

Senator BYRD. Do these individuals ever walk into your store in such numbers at times that they carry off merchandise without your being able to protect yourself and collect for the merchandise?

Mr. A. Not to my knowledge. But people have told me afterwards that several of these people have taken things, while I was watching one they have taken other things, just petty thievery, nothing of any big item or anything, because I have nothing, you know, worth anything on one side of the counter. Everything is behind the other side of the counter.

Senator BYRD. Were any threats made against you, at the time of the funeral of the late Dr. Martin Luther King, to the extent that if you didn't close your business something would happen?

Mr. A. Yes, there were.

Senator BYRD. Would you elaborate?

Mr. A. On April 6th at 9:30 a.m., I went to my place of business to nail it up and because the door had been busted down either by someone kicking through the door, or as I was told, a car backing up through my front door.

I nailed my door up and while I was nailing the door up two individuals, one male, one female, said, "Give me a fifth."

Senator BYRD. Give them some merchandise?

Mr. A. Give me some merchandise. And I did not pay any attention to him. The fellow standing at the door put his hand in his pocket menacingly like he had a revolver and said, "Better give me the merchandise or else I will kill you." And being my door was already nailed up and I had plenty of counter space to drop down behind, I just merely walked away and did not answer the individual.

The lady said, "If you don't give us the merchandise we will put your place on fire." I just ignored both threats and walked away.

Senator BYRD. Then what happened?

Mr. A. They walked away.

Senator BYRD. Were you threatened by anyone who requested you to close your business for the funeral?

Mr. A. No. No one asked me to close my business for the funeral.

The night of the funeral, April 5th, I closed up right after I heard the news of Martin Luther King being shot. That was 7:30 when I first heard the radio report of the shooting.

Senator BYRD. What time do you normally close?

Mr. A. Normally I close at 9 o'clock. That was April 4th, excuse me.

Senator BYRD. Did you anticipate trouble; is that why you closed?

Mr. A. No, I didn't know what to expect. My wife called me and she felt I would be better off at home than in the area, so I closed on April 4th at 7:30.

On April 5th, I closed at 2 o'clock. I was told that they broke into my place of business about 7 o'clock.

Senator BYRD. On April 5th?

Mr. A. On April the 5th. A neighbor across the street said he sat in his house, which he paid $45,000 for, and just shook with anger at seeing the people loot and take out merchandise.

I have an alarm system and the police came and stood and threw tear gas into the store and then arrested a few and went away.

While they were gone, in between the times that they came back in the store, the looting continued.

Senator Byrd. Do you own the building?

Mr. A. The building is owned by my mother.

Senator Byrd. Is your father living?

Mr. A. My father died three years ago.

Senator Byrd. Did you have any insurance?

Mr. A. I had insurance on an 80–20 basis, covered under fire insurance, and the insurance company will pay off. I received two policies today. One company renewed. So far as the second company, it has not renewed.

I had the insurance divided among three companies. So only one has renewed. The other two have not renewed as yet.

Senator Byrd. When you were robbed, as you were today, did you have any insurance that will cover that?

Mr. A. I had insurance. But after the two robberies in February the insurance company sent me a letter that they could no longer insure me—I was an insurance risk. So I applied for insurance with Lloyd's of London. The rates for Lloyd's of London for one year are as much as I paid three years to the other with the deductible clause not paying the first $150; you know it is like loss deductible on an automobile. The first robbery was only $171, so my agent informed me that if I requested the insurance from Lloyd's of London for the $171 I would only get $21 and they would throw me out, they would probably drop me, too.

The loss today I haven't figured out, so I don't know what it will come to. But I have already lost $150. I guess the loss today might be covered.

Senator Byrd. What about the large loss that occurred during the riot?

Mr. A. I lost 20 percent of the large loss.

Senator Byrd. Will you be able to get reinsured against subsequent riots?

Mr. A. I will never be able to carry the full amount of the inventory I carried before because, like I say, one company sent me policies today, renewal policies, with a higher rate, of course. The other two companies I have not heard from.

I have an agent and he is working on trying to get me more insurance. In order to be able to do business you have to have inventory in the store. The less inventory you have the less business you have, the less income there would be for myself and the District of Columbia, because my business is taxable at 3 percent plus the personal property tax and other taxes.

Senator Byrd. Do you have any problem in obtaining adequate fire insurance?

Mr. A. Well, this riot is covered under the fire insurance policy. The burglary insurance policy has been cancelled. I have not received written notice of it, but it expired April the 6th and I do not have a renewal policy as yet. That was a day after the breaking into. In other words, if they broke into my premises now under the burglary I will not be covered.

Senator Byrd. Are you going to try to get a renewal of that policy, or are you going to try to purchase a policy somewhere else?

Mr. A. I have an agent who is trying to get me a policy under the burglary insurance policy. One company has told him if I put in ultrasonic No. 2 alarm system that would sound an alarm system, which will cost $1,500 to install, they will cover me—but not for the full amount. Either 60–40 or 50–50 basis.

I installed an alarm system after my—a central alarm system after my second holdup, but they said that is not an ultrasonic system. I don't know what an ultrasonic system is but they say it doesn't pass.

This system that I installed costs me $17.50 per month. It is a trunkline to central headquarters that calls the police during a holdup. It is attached to a trap like they have in the banks, a money trap. I pulled it today and the police arrived about, I think, seven or eight minutes after the holdup. The reason for that being, I reinstalled it last week after the holdup. I had tried to get the burglar alarm system people to install it before I opened, but they were so busy because of the riot that they weren't able to come out. So I reinstalled it last Tuesday and accidentally I set it off last Wednesday. So, therefore, the alarm system called me before they could notify the police today.

Senator Byrd. Have there been any holdups of neighboring stores?

Mr. A. Yes, there have. A neighboring store has closed down, due to the many holdups. He had been held up six times this year. Now he has closed down. I guess I am the next victim.

Senator Byrd. What does your mother think about this?

Mr. A. She is not feeling very well about it, sir. She keeps saying to me, "What are we going to do? What are we going to do?" And I don't have an answer for her. I don't know what we are going to do. She is an American citizen. She came from a foreign country. She says it is worse here than it ever was in the country she came from.

Senator Byrd. What country was that?

Mr. A. Poland. She left Poland because of the different pogroms and everything they had in Poland, and she said in all her life there she had never experienced anything like this.

For forty-some years she thought this was an excellent country.

Senator Byrd. Do you charge Negroes the same prices as you charge white customers?

Mr. A. My prices are listed on the shelves, on the merchandise, and everyone is charged the identical price and everyone is given good service with a smile. We think of them as friends and neighbors, not as customers.

Senator Byrd. Are your porters colored?

Mr. A. They are colored.

Senator Byrd. How many do you have?

Mr. A. Two. During the two weeks that I was closed I still paid them. They had stayed with me. I have one porter that has been with me since 1938 and the other is a young fellow that only works parttime for me.

Senator Byrd. Would you relate briefly the facts in connection with the incident in which you were injured?

Mr. A. In March of 1966, two holdup men came into the store. One pulled out a gun and put it up to my temple and the other one said, "Kill the grey-haired so-and-so."

Senator Byrd. S.o.b.?

Mr. A. S.o.b. And I heard him pull the trigger like "click" but the gun did not go off. He said, "You know this is a holdup. Why did you ask me what I wanted?"

So he says, "Open the cash register." So he takes me to the cash register, still pointing the gun at my head, and I opened the cash register and I give him the money and he frisked me and takes the money out of my pockets and then he says, "Walk toward the back."

In the meantime a customer walked into the store and the second gunman grabbed the customer by the back of the neck and threw him down and stomped on his face.

Senator Byrd. Was the customer white or colored?

Mr. A. Colored. These were colored holdup men and the customer was colored.

He walked me toward the back and I felt something coming toward the back of my head and I turned and caught a blow right over my right eye which gave me a slight concussion.

Senator Byrd. Were you knocked out for a few minutes?

Mr. A. Well, sort of dazed, but not knocked out. I ran to the phone and called the police. At that time I did not have a burglar alarm.

Senator Byrd. Had they already gone?

Mr. A. Yes.

Senator Byrd. You didn't have a gun on you at that time?

Mr. A. At that time I did not have a gun. I did not purchase a gun until the month after that.

When I was told by the police that my protection was not adequate and that there was nothing they could do, that the courts were letting them out as fast as they were locking them up, I went out and purchased a gun and registered it with the police department. I have the permit here but don't have the gun.

Senator Byrd. Do you know whether or not any of the persons who have held up your store have been arrested and charged with a crime?

Mr. A. None of them have been arrested and no one has been in court, as far as I know, and I have looked through thousands of mug shots.

Senator Byrd. How do you feel about all of this? Are you going to continue to stay in this area? Can you get away from it? Can you find a location elsewhere, or what is the outlook?

Mr. A. With the regulations governing my business, it is awful hard to find another location in the city of Washington.

I understand there are at least 60 other stores looking for locations. The only thing is that I have a son going to college and going to medical school and I have to put him through. I feel it is an obligation to myself and to him and I will just try to stick it out for the next three years and then if it continues I will close down. But at this rate of once a week I don't think I will be able to continue, especially without any insurance.

Senator Byrd. Do you have any insurance program that will permit you to retire when you reach a retirement age?

Mr. A. I have several insurance policies that will take care of me at age 65.

Senator Byrd. Do you pay into Social Security?

Mr. A. Yes, sir. The business was owned by my mother and father and I was an employee of the business.

Senator Byrd. How old are you?

Mr. A. 48. So I have 17 years to go before retirement—if I ever reach it.

Senator Byrd. Well, I guess you have trouble sleeping at night?

Mr. A. No. Today was the worst day that I experienced. I mean I figured last week they needed some money, they had been closed for a couple of weeks, but today was the worst experience. This was something that I didn't expect at 12:30 in the daytime.

Senator Byrd. Well, I certainly thank you for coming over.

Mr. A. Thank you, Senator, for listening to me.

Senator Byrd. I wish we could find an easy solution to this situation here in the District of Columbia.

Mr. A. I wish we could, too. I spoke to the Captain who was out with the Sergeant at No. 5 Precinct before, and I asked him for extra surveillance and he said he would see what he could do. But with the troubles that he has on the streets today it didn't look like he was going to be able to give me extra surveillance.

Senator Byrd. I certainly understand your concern and I appreciate your coming over.

Mr. A. Whatever you can do to get us insurance will be appreciated. Without insurance it is dangerous to stay there. At least with insurance we have something to fall back on if something does happen.

Senator Byrd. Mr. A, what do you consider to be the fair market value of your store today versus four years ago when this wave of robberies first started?

Mr. A. Well, four years ago I would say my store was worth $40,000. Today if I can get $20,000 for it I would be lucky.

Senator Byrd. Previously you related that your insurance was 80–20 and was subject to being cancelled. Is it cancellable at any time or only on an anniversary date of the policy?

Mr. A. It is cancellable by the insurance company at their will, with notice. The last time my holdup insurance was cancelled I received ten days' notice.

I think if the police had acted more strongly at the outset of this riot—which they called a civil disorder—I think this last lawlessness that is happening in the city today would not be as much as it is.

Senator Byrd. Mr. A, what is your reaction to the performance of the police during the riot?

Mr. A. I believe that if the police had acted with greater authority and protected the public property, that the outbreak would not have been as great as it was and that the lawlessness in the city after the riot would not be as great as it is.

For example, there were seven fires set last night and several bus drivers held up and 11 street robberies, as quoted in the paper the other day.

All this, I think, is due to the fact that the police's hands are tied and they cannot uphold the law as it should be upheld.

Senator Byrd. All right. Thank you.

The next individual will be identified as Mr. B.

Mr. B, state for the record your experience, in so far as your business is concerned, during the recent riot that took place here in the city.

Mr. B. Well, about 12:30 on Friday, April 5, a young lady, incidentally a Negro young lady who worked for us, a very faithful and capable lady, told me, said to me, give me your keys and let me lock up. I think you ought to leave.

Now, there had been no looting then but apparently she saw a lot of people coming down the street when she went to lunch. I said why and she said, "I tell you, give me the keys and you leave."

I said, "We will all leave." So we closed.

Half an hour later my brother, who had just gone downtown, I went looking for him and met him and we rode around the block and stopped in the car and we just saw this mass looting before there was a sign of one policeman. We watched the people.

One man who had been in business 68 years—and this is an accurate figure—and another one had been in business 70 years, was put right out of business before there was a policeman on the scene.

Now, I had worked with No. 2 Precinct in the past on the Police Reserve Corps, which I feel 100 percent could have been utilized a long time ago.

We walked down to the police station and said "Are you aware of what is going on?" This was within walking distance. They said, "Yes, we are. We are waiting for orders."

I found out later we can't blame the police. They had orders to show restraint and they are to be commended because they did show restraint.

I feel that somewhere in the Constitution my President has an obligation to protect the humans and property rights of all people from internal and external attack.

May I go on?

Senator Byrd. Well, stick to the facts at the moment.

I know how strongly you feel about this. But for the moment, give us the facts.

Mr. B. From then on I had a responsibility, I feel, because I happened to be president of an association of 100 businesses and all representative businesses, people of every religion, of all colors, and so I felt a responsibility.

These people were emotionally upset. I forgot the economic losses and I started checking with them and the thing that disturbed me more than anything was the press in particular just gave out information that was not accurate. Whether or not people are uninformed or whether they are deliberately doing this or not I don't know.

I challenged Betty Furness. After two weeks of screaming I went down and saw her personally and I told her that in the interest of this country I would like to take her and the entire Senate Committee by foot down there in front of these buildings and give them the history of these people.

Senator Byrd. What was the information to which you referred? You indicate that the press didn't put out the right information.

Mr. B. They didn't put out the right information because there were innuendos and half-truths and falsehoods. When I was overseas during World War II, I think I was in France at the time, and they sent me to London on a two-week temporary duty on indoctrination of German documents, and suddenly this became vivid to me. They hold up a newspaper and it says I see in the Berlin paper under date so and so, and people believe it, because they see it in the paper.

Senator Byrd. I think I know what you have reference to. Let me ask you a question

Did you in your business charge Negroes more than you charged white persons?

Mr. B. No, sir. As I said before, our business is done with the most affluent people in the metropolitan area. I am not sure what a ghetto is. They don't rent, they don't rent an automobile.

Senator Byrd. Are you still in business?

Mr. B. Well, we are trying to pick up the pieces in our business and it will take a year to get back above board. We are operating out of an apartment right now.

Senator Byrd. Were you burned out? Was your business burned out?

Mr. B. Yes, sir.

Senator Byrd. What do you consider to be the single most pressing problem confronting the business man in the District of Columbia today?

Mr. B. I think the most pressing problem, not only with the business man, with the employee, with everybody, I am scared and everybody I hear is scared. We have country of fear. I am not a politician, I don't know anything about politics, but I believe I can tell any Presidential candidate how to be elected because I know how the people feel. Color has no monopoly on fear. This isn't the America that we knew and not the America we want to leave to our children.

I don't want to talk about my loss.

Senator Byrd. How long have you been in business in the area where you are presently located?

Mr. B. About 25 years.

Senator Byrd. Has the situation grown materially worse in recent years?

Mr. B. I think the situation has grown worse in every area. And let me say that the people in the ghetto are not bad people. It is my opinion, and I don't have the facts, but I think this is an organized thing. I think we have a situation here with the youths of both races are hell bent in taking matters in their own hands and the law enforcement authorities have just not done anything about it.

Senator Byrd. Are you in an integrated area?

Mr. B. No. it happened to be a Negro area. We started there in this business 21 years ago with one television set and we have expanded our business and it didn't make any difference to us where we were.

However, speaking for the people in my association, I strongly urge that the Senate, the heads of the Senate Committees walk down there with me and let me give them the history of these people, people I have known personally for 23 years, and I can point to the building now to the ground and give them the history of these people.

Senator Byrd. Have you received any threats or has there been any effort to intimidate you or your employees?

Mr. B. We personally have not and I don't like to dwell on rumors. I could talk about facts. However, we have heard about threats being made.

Senator Byrd. To you or your employees?

Mr. B. No, sir, I can't say we have. Well, of course, we have had calls where people don't say anything. That is not a fact to me. We have had phone calls.

I learned the first day in the Army to ignore rumors. But evidently there are a lot of stories and rumors around town that they have attempted intimidation.

Senator Byrd. Did you receive any threats in connection with the closing of your business for the funeral for Dr. Martin Luther King?

Mr. B. No, we did not, because we were already closed.

I would like to make another point here. I asked Miss Furness and anybody in the country, can they name one credit store that was touched? She said something about the burnings are a result of selected vengeance. I said, "Miss Furness, can you name one credit store that was burned?" She and her staff looked and couldn't name one.

The FTC has investigated the credit stores and it has been written up in the press and for some reason they haven't been touched.

Did you know that not one credit, so-called high credit store in Washington was touched? Did you know that?

Senator Byrd. I am not answering questions.

Have there been any attempts to extort money from you in return for security for your business?

Mr. B. Not from us. But again we have heard rumors to that effect.

My wife did get a phone call. Since people read about me in the paper, I have had people from all walks of life calling me. Some were commending me for speaking up. Everyone spoke favorably. Suddenly they expect me to be a savior.

I came home one night and my wife said a woman called and said she operated a liquor store because her husband got killed a few years ago and they called her up and said we would like to buy your business. She said, "Fine."

"How much do you want?"

She told them. They said, "We will buy it, no money down and $500 a month."

Again, this is hearsay. She said, "My mortgage is $476 a month. It doesn't make any sense."

And the party said, "You know it is kind of dangerous for a woman to operate a business by herself."

She said, "What do you mean?"

"Well, there have been eight stores burned."

Now, I don't take this as a fact. These are the kinds of calls I have gotten from people because suddenly they expect me to be a savior.

Senator Byrd. Have you encountered any special problems relating to the obtaining of adequate fire insurance within the last year?

Mr. B. Well, let me answer it this way: A year ago I testified before Senator Smathers' committee. Senator Smathers contacted me and he wanted me to gather information about members of our association. At that time I had contacted the members of the association and you had a situation where if a man had been in business for years and was paying his premium and he had a robbery or holdup, they cancelled his insurance. I tried to point out to them that particularly the Mom and Pop operation, where maybe the man wants to eke out a living and if he had one other burglary he would be wiped out of business—I don't know what happened to the bill, but this did happen here. Some people didn't have insurance and couldn't get insurance and they were looted and burned down and didn't have any insurance of any kind.

Now, I stated to the press that 90 percent of the people in my business couldn't get insurance because they were in an area that is considered a risk area. If somebody broke the windows they couldn't get insurance.

We happened to be fortunate, I guess, we had a lot of insurance, business interruption, vehicles and so on. We had a lot of various types of insurance and if somebody would call us and cancel the insurance we could tell them we will get another company. But the small man wasn't in a position to speak that way and this is discouraging a man from staying in business or going in business. You are striking at the very backbone of this economy.

Senator Byrd. What would you consider to be the total loss to your business over the last four years from burning, looting, and burglary?

Mr. B. To our business?

Well, the looting and burning only took place. I don't follow your question, over the last four years.

Senator Byrd. Well, you haven't had any burglaries?

Mr. B. We had minor breaks and so on, but the only loss we have taken here I would say in our business was $200,000 from just one disturbance.

Senator Byrd. How much of that was covered by insurance?

Mr. B. Well, I would say a very small part of it. I don't think anybody or any insurance company could anticipate a thing like this.

We have business interruption insurance. However, if we collect it, it would just be a small percentage of what the loss was.

Senator Byrd. What percent would it be, if you collect?

Mr. B. I would say about 20 or 25 percent of the total loss.

Senator Byrd. Do you think you will be able to collect that?

Mr. B. Well, we probably will, yes.

Senator Byrd. Well, will you have any problem in renewing the insurance?

Mr. B. Well, I think that everybody will have a problem renewing insurance. And simply because of this the business man and the insurance company wants assurance that this won't happen again, because no insurance company in America can insure this thing, and I predict that the people are going to have trouble getting insurance because we have no assurance from anybody that there is any plan to repel this if it happens again.

Senator Byrd. What about the insurance rates, do you anticipate that they will go up as a result of the riot?

Mr. B. I think the insurance rates have gone up a long time ago in areas where people have had any kind of trouble. Again I say I am not in the insurance business and I think if you brought in a qualified insurance man he would probably admit that the insurance companies are in a dilemma like anybody else, and I think people are going to have trouble getting insurance until there is assurance.

Senator Byrd. My questions to you are asked because you obviously have to pay insurance.

Mr. B. Yes, sir.

Senator Byrd. I thought you might know whether or not you received any notice your rates would be going up.

Mr. B. No, we haven't.

Senator Byrd. How do you view the forthcoming march on Washington and the demonstrations that have been promised by the late Dr. Martin Luther King and now have been repeated by Mr. Abernathy?

Mr. B. Well, as far as I know, people have a constitutional right to march or demonstrate.

Senator Byrd. I am not questioning that. But are you in fear that as a result of this there might be a recurrence of the riots?

Mr. B. I say that every human, black or white, is in fear and this is a problem right now. This is the big problem in this country.

Senator Byrd. Were you able to identify any of the people who fired and burglarized your property?

Mr. B. No, we were not.

However, the police told me that they picked up four television sets and asked me if I wanted to go down and identify them and I told them I don't want anything that doesn't belong to me. But if I could identify them, I don't want to go through a whole lot of red tape. I know which TVs are ours. They called me the next day and said they were sorry, they are not in the precinct, they are some place downtown.

We sent a lady that works for us down and she identified them in a minute and evidently the people who stole them—but the people they belong to do have a problem and you take the position it is not worth all the aggravation.

Senator Byrd. Why was the property which was identified as yours not returned?

Mr. B. I don't know. But the man at the precinct called me and told me he had four television sets that had been found in the trapdoor of a restaurant in the same block. He told me that if I wanted to come down to identify them that he would return them.

The next day he called us and told us they had been moved down to just an XYZ establishment and they were trying to determine a case.

Senator Byrd. What do you make of this?

Mr. B. Well, if I might say so, I think we have a situation here that has existed for a long time that should be investigated, or should have been investigated. But we can't live in the past. There have been fences, so-called fences.

Senator Byrd. What do you mean by "fences", for the record?

Mr. B. A fence is a place where if someone steals something they will buy it. There are many of these places. If you saw a suit at D. J. Kaufman's and you want it, they can even get you the suit and the size. They will sell a television set, jewelry, furs, almost anything.

In my opinion, if the fences had been knocked out a long time ago it would have eliminated a lot of the crime because obviously if a man can't sell something after he steals it, it might eliminate a lot of the burglaries.

I know of one case where they went through the wall of three stores. The man had a large store and they dropped 50 pairs of pants because the burglar alarm went off. Obviously if a man steals 50 pairs of pants he has to have a place to sell them or he wouldn't steal them to begin with.

Senator Byrd. And these are what you call the fences?

Mr. B. Yes, sir.

Senator Byrd. Do you feel that these fences are known to the police department?

Mr. B. Yes, I do. I think it is done on an interstate basis. I think they come in the middle of the night from Philadelphia, Baltimore, and they exchange this merchandise and it is a big business.

Senator Byrd. What do you think needs to be done in this city to give the businessman a feeling of hope and encouragement?

Mr. B. Well, forgetting riots or looting, I think when you have a situation where people come home from work, regardless of whether they live in the District of Columbia, faithful employees, they lock the doors with special kinds of locks and they are afraid to go out to the store, afraid to go to the grocery store. Employers and employees from every walk of life are living in a state of fear.

Intelligent people admit that they are arming themselves, they are getting guns, and I think this is similar to anarchy. I think that the militia should patrol the streets of Washington, D.C. indefinitely until law and order is maintained.

Senator Byrd. Did you know I asked that a military presence be maintained in this city?

Mr. B. Yes, I did. And I believe that as long as people are arming themselves I think we deserve to have the militia walking the streets, until we can get some senses in our head.

Senator Byrd. Do you feel that the Federal troops should have been pulled out so quickly?

Mr. B. I think the Federal troops should have been here a lot sooner.

Senator Byrd. You think that they should have been retained in some number, at least?

Mr. B. Yes, I think they should have been retained indefinitely until law and order is maintained. And my opinion is law and order is not being maintained with a lot of stores being intimidated and the threats and the gangsterism. Again I don't have the fact, but I am sure somebody does.

Senator Byrd. You have been a business man in the area for quite some time. Has this situation grown drastically worse within the last two, three, or four years?

Mr. B. Yes, sir.

Senator Byrd. You haven't always lived in fear, have you?

Mr. B. No, sir.

Senator Byrd. Have your employees been in fear?

Mr. B. I think my brothers will attest to this. Years ago, we grew up during the depression in Massachusetts and we first came here and we came here because Washington provided some hope. We walked around the ghettos and thought nothing of it, on a Saturday night at 12 o'clock. I don't know what a ghetto is. I still say I don't think the people in the ghettos are bad people. I think the problem here in this country is that the youths of both races have just taken matters into their own hands. I think the law enforcement officers have not been strict enough. I think it goes right down to the Supreme Court. I think we have lost respect for the police and the police have no respect for the job. They have no respect for the uniform or the badge. I think it has gotten completely out of hand.

Senator Byrd. You mean the community has no respect for the uniform or the badge?

Mr. B. The community has no respect for the badge or the officer. Even if you don't like the man in it you are supposed to have respect for the uniform.

Senator Byrd. Mr. A–B, you are a brother of Mr. B?

Mr. A–B. Right.

Senator Byrd. You no longer run a business in the city?

Mr. A–B. Right.

Senator Byrd. In the city of Washington?

Mr. A–B. That is right.

Senator Byrd. But you formerly ran a business here?

Mr. A–B. Up until three months ago.

Senator Byrd. Would you briefly explain why you had a business up until three months ago and left the city and whether or not during the time you were in the city you were held up, robbed, burglarized, or threatened?

Mr. A–B. I was located at an address in the city and it got so bad in being burglarized that I had to move. They would come in through the walls. I came in one morning and walked in the store and the whole back wall was torn down. They came in through the ceiling. They came in through the sidewalk twice. We couldn't get insurance on the location because of the trouble.

We had a burglar alarm and the alarm would ring and no one would pay any attention to it because it would break down once in a while and the alarm wasn't of any use.

So finally the only way we could stay there was we had to get a German police dog who was trained as a watchdog and when we closed up at night, we would bring the dog in, and when we opened up in the morning they would take and pick the dog up. This was no way to stay in business and I wanted to get away from there and we didn't have to do business in the neighborhood, our business did not depend on that neighborhood, so we moved.

Senator Byrd. How many times were you burglarized?

Mr. A–B. I would say at least eight.

Senator Byrd. Over what period of time?

Mr. A–B. Over two or three years. It just got so bad in the last three or four years.

Senator Byrd. You were in business there how long?

Mr. A–B. Fifteen years. For the first twelve years we never had any trouble. Finally they stopped my insurance on the glass window, the plate glass window, so it was time to go.

Senator Byrd. You could no longer get insurance?

Mr. A–B. I couldn't get insurance, couldn't get burglar insurance, so we had to leave.

Senator Byrd. Were you ever held up during that time?

Mr. A–B. No, sir. It so happens I have a big volume of business, we have a good business, we do a good job, so I didn't have to be there and we went out in the suburbs in a shopping center and we have a nice place now where it is a pleasure to go into.

* * * * *

Senator Byrd. What happened to the location where you were in the city?

Mr. A–B. It is empty. No one has moved in.

I stopped back in that neighborhood, and that whole neighborhood has been burned down or looted since then.

Senator Byrd. What do you consider to be the single most pressing problem confronting the business man in the District of Columbia?

Mr. A–B. Well, practically everybody is scared to death. Everybody in my neighborhood has guns. I was in the Service. That is the only time I ever shot a gun. I never thought in my life I would want a gun and since all that rioting and looting I told my wife I never dreamed I wanted a gun but maybe I will need it.

Before anybody is going to get me, I am going to get somebody. Not that it gives you any satisfaction but everybody is scared to death and the best thing they could do is bring the troops into the city and get these hoodlums off the street.

Now, I want to say one thing. I don't know whether this should be on the record. I know if I did the things that certain citizens have done I would have been put away a long time ago. If I got on TV and got a gun and said, "Let's start shooting up the city" I would have been put away.

Why do these people who can get away, why they haven't been put away I would like to ask you. I know you are not here to answer questions.

Senator Byrd. What do you mean when you refer to people who are on TV and who have a gun on TV?

Mr. A–B. Well, I have viewed Stokely Carmichael with a gun in his hand "Get whitey, shoot whitey, go home and get your guns, burn, baby, burn."

Senator Byrd. Did you receive any threats?

Mr. A–B. No, sir. But since we have moved we have had calls.

One call was, is . . . associated with your company? Another call was asking if we were colored or white. We do advertise on WOL, which has a large colored listening audience.

Senator Byrd. What was behind the question as to whether or not you were colored or white?

Mr. A–B. Well, I don't know. I told them we hire Americans, we don't judge people by their color. If you want to see what we are, come on out and bring some money and maybe we can sell you something.

Senator Byrd. Mr. B, at the time you left your business—you were in the general vicinity—is it your personal impression that if there had been a police presence there your store would have been looted?

Mr. B. It is my opinion that if the police had been simply guarding the corner the way the National Guard troops were the next day, they wouldn't have looted because the looting was done by kids between the ages of 14 and 16.

I am not about to blame the police department because I don't think they are adequately staffed.

However, I have been working with the Metropolitan Police Reserve Corps and to me this is a simple thing. I have suggested it on the Hill before. They have, I think, about 1000 members. This thing is not new, it is years old. There has been a bill up here for 15 years, I guess, trying to get them uniforms. These people work without pay. They are dedicated men of every walk of life. They live in the community. They are all colors. Now, these people have served during the Martin Luther King Freedom March, the Kennedy Assassination, they take children to the ball games. They are men who are just dedicated. They have no uniforms.

I went out and talked to the business men and our association got them 25 uniforms. These people are dedicated men. If you give them a uniform it gives them a tremendous pride.

Now, I recommended that if they had any kind of support this could be expanded around this city and I am sure, being very conservative, they could have 10,000 of these people.

Senator Byrd. I want to ask you a question which relates to something you said earlier. You made reference to your having gone down to the police precinct at the time the rioting was getting started. I believe you indicated that you were told that they were awaiting orders.

Mr. B. Yes, sir.

Senator Byrd. What was meant by that?

Mr. B. Well, I think they were awaiting orders, simply what they said, it was indecision. This wasn't anything that was a big surprise. They knew there was potential trouble here. We all hoped it wouldn't happen but we knew it might happen, whether it be April, May, June or July, and I think they should have been prepared for every eventuality, not looking for orders after people had been put out of business.

Senator Byrd. Ordinarily, if you would go down to the precinct and say someone was up at your store or neighboring store looting, they would send out a policeman, would they?

Mr. B. I would assume they would.

Senator Byrd. Why do you think they didn't do that in this instance?

Mr. B. I have no idea. From what they told me and what the policemen had told me later, evidently the orders were to show restraint. I know policemen have told me personally they would have liked to have done otherwise. Whether they are saying that I don't know.

Senator Byrd. Was this a precinct captain?

Mr. B. No. I went to see the captain. That was my purpose in going there. I have known captains there for years. One of the first captains that I worked with was Captain Davis, the first Negro Captain, the first Negro ever made Captain in the District of Columbia, and incidentally a fine police officer.

Senator Byrd. In this instance, was the man with whom you talked a man in authority at the precinct?

Mr. B. He was a police officer. I went in to ask for the captain and he said the captain wasn't there. There must have been 10 or 15 policemen standing around there and either on the typewriter or telephone.

Senator Byrd. What did you say when you went there?

Mr. B. I said I wonder if you are aware of what is going on over there and there were no police at all and I mean they were, there was just indiscriminate taking. They were walking up the street and maybe two blocks away there was a police officer directing traffic and it looked like they would deliberately go by him.

Senator Byrd. What did they say in the precinct station?

Mr. B. They said that they were awaiting orders.

Senator Byrd. They indicated they knew what was going on, did they?

Mr. B. Yes, they knew what was going on.

Senator Byrd. And did they say we will come up shortly or we can't come up now?

Mr. B. No, they did not. They said they were awaiting orders. They mentioned my name and addressed me and said we are awaiting orders.

Senator Byrd. What did you say?

Mr. B. My first reaction was, this is a sad situation. I said to my brother here that the police are awaiting for orders. I don't know what kind of country we are living in. What are we supposed to expect from the law enforcement officers?

Senator Byrd. How long was it after that until the policemen arrived on the scene?

Mr. B. The only policemen that arrived on the scene were policemen who were directing traffic on the various corners.

I will be honest with you that it got so out of hand I don't know what the police could have done.

Senator Byrd. Well, you have said that if there had been policemen on the corners to begin with it wouldn't have happened.

Mr. B. I strongly believe that what we need in this mechanized age is policemen patrolling the beat. There used to be a time when a policeman would patrol the beat and he would come in and note the people in the community and sit down and chat with the business man. You used to ride downtown at night and see a policeman put a flashlight in somebody's door. You don't see that any longer. I think people get a sense of security when they see a policeman on the street.

Senator Byrd. You feel that if there had been policemen on the street at the beginning of the disorder it wouldn't have gotten out of hand?

Mr. B. In my opinion, no, it wouldn't have. Because I think these were kids between the ages of 14 and 16.

Senator Byrd. But how long was it after you went to the police station until the policemen came up there and tried to restore order?

Mr. B. Well, I don't know. It seemed to me that it was maybe 3 o'clock in the afternoon until there was any indication of anybody trying to restore order.

Senator Byrd. What time did you go to the police station?

Mr. B. We went to the police station about 1:30.

Senator Byrd. Mr. A–B, you indicated you wanted to say something.

Mr. A–B. I wanted to say I was at home when this was going on, listening to the radio, and they said it broke out in the 1100 block of Seventh Street. I was concerned about my brother and I called the emergency number 444–1111, and they told me that every available policeman was in the 1100 block of Seventh Street.

Senator Byrd. What time was that?

Mr. A–B. It was about 12:30 when it came over WAVA, the all news station.

Mr. B. Every available policeman can mean anything.

Senator Byrd. Did you want to say anything? This is Mr. A–C.

Mr. A–C. As far as the amount of police that were there, there were two detectives in plain clothes. They were double parked. They were watching what was going on and they said you can't stay here. So we said we are watching our place in the next block. They said there is no point in staying around here. I said can't you do anything about it and they said no. There may have been two to three thousand people looting versus two or three policemen and the detective said we were told that if we are outnumbered and we can't handle it that there is nothing that we can do—which was true.

Senator Byrd. You don't disagree with that?

Mr. A–C. There was no way in the world. You would have had to have had at least 100 of the National Guard or militia or somebody to cope with this in such a manner, but if they were there before they started, I don't think that two policemen could have done it. It would require quite a few.

Senator Byrd. Did you see any adults participating in the looting?

Mr. A–C. It started with the school children and then when they saw how easy it was, then the women and girls and the adults came. But it started with the breaking of the windows. It was done by the teenage crowd, the young kids. We saw kids 8 or 9 years old stealing our televisions.

Senator Byrd. Mr. B, I hold in my hand here a newspaper story from the Washington Post of Saturday, April 20, 1968, which carries the following headline:

"Betty Furness Views Burning, Looting, as Selective Vengeance."

What is your reaction to that story?

Mr. B. Well, I couldn't agree more about the selectivity, but it was simply this, and I would like to prove this to Miss Furness, President Johnson, and the heads of all Senate Committees. I had an appointment with Miss Furness and I pointed out to her that I can tell you about the history of every one of the companies that was looted and burned in my association, and I represented 100 businesses.

As far as the selectivity is concerned, they selected the items that they wanted. If the so-called soul brothers had what they wanted, they selected those items, too.

The newspapers who wrote about the soul brothers who weren't touched might have been barber shops or types of businesses which didn't have merchanidse that they wanted.

Senator Byrd. It has been said that the so-called high credit businesses were not hit in the recent riot?

Why do you think this was?

Mr. B. I don't know. But it disturbs me simply because I like to read the papers and I like to get all opinions. I think the public has no other information, other than what they can read in the paper and I think they give the impression that maybe the burnings were the result of high-credit practices. Miss Furness said that they went out and burned the records. Well, the only records I know that they burned from the people I know were accounts payable, because there were no credit stores burned.

Senator Byrd. Do you know of any so-called high-credit business that was burned in the recent Washington riots?

Mr. B. I do know that the FTC has on the record a couple of companies that have been investigated for some time and they have been written up in the newspapers. I agree they are unscrupulous. They weren't touched, and I don't know why. But they weren't touched.

I might add that I asked Miss Furness and her staff if they could name one credit store that was touched, and they couldn't name one.

Senator Byrd. This article says that Betty Furness, President Johnson's advisor on consumer affairs, said yesterday she believed Negroes have "selectively" burned and looted ghetto stores they felt have victimized them.

Do you believe that that is factual?

Mr. B. No, I believe that nothing could be further from the fact. And when I pointed out to Betty Furness, I think that Betty Furness got an education. I told her that her education probably is better than mine but I live in this and there is nobody more qualified than I to tell her about these people. I think when she saw I knew what I was talking about she said, I write nationally and I offered to pay her expenses and her staff's expenses, I have never been to Watts, but I think I can prove and it is important in the national interest to prove, that the same pattern followed in Watts and Newark and any other area.

Senator Byrd. When you asked Miss Furness or those associated with her to name a single so-called high-credit store that was stricken or victimized in the recent riots, she replied in the negative?

Mr. B. They replied in the negative. They were amazed but they could not name one.

Senator Byrd. Mr. C, what do you consider to be the single most pressing problem confronting the business man in the District of Columbia?

Mr. C. Mentally to be able to go back to work. I classify that as No. 1, and it has a very close No. 2. I find if I had to go to work now, mentally I just can't do it. I am not up to it.

Senator Byrd. Would you explain what you mean by what you have just said?

Mr. C. Well, since this thing happened, I will give you a little background of my particular case, since this happened actually the night of April 4th.

Our building was not burned to the ground but we were looted completely out. And I have been going down almost every day with some help cleaning up and also airing out the gas that was thrown into the building.

It doesn't seem possible that I have been broken into eight times since that Friday, the 5th when most of the damage was done. Eight times I have been broken into and each time I have hired a carpenter and put in four by fours and secured it back as well as you can and when we get there in the morning, we will get called by the police and, we find a pipe that big around, eight or ten feet long, that they used as a driving ram. And what happens to me while I am there is absolutely unbelievable. I will give you a few examples. I don't know how nasty you want this language to be.

Say anything you want.

Mr. C. I don't particularly want to say it but I will mention it once because I don't want to make it any easier.

I was standing at the back door one day, for instance, with two of my help and there were big fans drawing out the gas and one of these fellows, a tall fellow, his eyes looked beady or something, and he says, "Is this your place?"

And I said, "Yes, sir."

He said, "How 'bout giving me a drink?"

I said, "We don't have a thing. We don't have a bottle in the place."

He said, "Are you going to give me a drink?" He says, "You ——— ———, I will be down tonight and burn this place to the ground."

This is one expression that is with almost everything and I will not repeat it any more. But this kind of remark has happened to me easily 10 or 12 times.

Senator Byrd. Since the riot?

Mr. C. Since the riot. In all fairness, I have not had a customer make a remark to me, that is known to me. These are all strangers from somewhere. They are not my regular customers.

Senator Byrd. I don't want you to identify your location or your type of business or yourself personally on the record here.

Without doing that, would you state for the record how long you have been in business, your experience as a business man in this city over the years, whether or not the city has changed in the past one year, two years, three years, four years, and if so, to what do you attribute the change. Then tell us about the riot, how it started, how it affected you, and what has happened to you since then.

Mr. C. I have been in business for myself, and a brother in this location since 1949.

When I bought the business we had a mixed clientele of Caucasians and colored which has dwindled to where it is now 99 percent colored.

I think we have a fine reputation. We sell our merchandise at a little less than our competitors in the neighborhood. We do a larger volume. We do some advertising, where they don't, and knowingly we have not created any enemies.

However, in the past three to four years there is an element of clientele moving up in our direction that is getting bad, we are getting bad language, we are getting minor threats, we have had to throw many people out or escort them out. I am awfully sorry to say for two years we have been working with guns in our pockets, even to the point of going home with them and coming to work with them, knowing that we are not supposed to. Because of the location you have to walk back into the alley to get in your car to go home, which is very bad, even though it is well lit.

I have worked with guns in my pocket and three or four of my clerks work with guns in their pockets.

Senator Byrd. You don't have to get a permit to have a gun in your place of business?

Mr. C. No, we have it registered where it was purchased since the riot. I might add that we have 14 employees, counting ourselves, of which 8 are colored and 4 are Caucasian.

Senator Byrd. Eight are colored?

Mr. C. Yes, sir.

Senator Byrd. And four Caucasians and yourself?

Mr. C. This includes ourselves because we are a corporation and we count ourselves as an employee.

Senator Byrd. But you count yourself as two?

Mr. C. Two of the four white.

Senator Byrd. That leaves two. Did you say there were 14 employees?

Mr. C. One is a parttime bookkeeper. He is still an employee. He doesn't wait on trade. We have a parttime man.

Senator Byrd. Are they white or colored?

Mr. C. Both are white.

Senator Byrd. You have eight colored and six white?

Mr. C. Yes. Since this thing happened—I have called it a thing—Thursday night, April 4, I received a call from the police that my window had been broken. I got one of my colored clerks and we went down there and there were quite a few of them hanging around. I left my colored boy in the store with the gun with instructions not to shoot anybody but if you have to shoot over their head.

Thursday night he called me on the phone every 10 or 12 or 15 minutes at home and said there are 15 or 20 out here. I said don't shoot any of them. He would shoot over their head through the window and they did not get in Thursday night except for breaking of the window.

On Friday morning we all went to work as usual. I ordered glass for the window. About 11:30 it became impossible, they were coming in 20 and 30 at a time.

Senator Byrd. When was this?

Mr. C. Friday morning, April the 5th. At 11:30 in the morning we left. We locked up and left two colored clerks in the store armed with instructions to do what you can, not to get hurt.

They managed to keep them out until about a quarter after three, when they came through the windows and threatened their lives, and they left.

I didn't go down for three days, but when

I did go down the inventory was gone. The selling area of the business was on fire, had been put out, and from that day until two days ago we have had constant breaking through the back. Of course, the front is all boarded up and sealed.

Three days ago we had a most unusual thing. We went to the stores that are burned to the ground and we took off iron grates, gratings, and put them against our back doors and windows, two or three deep, and then four by fours underneath. And we still see where they are banging on it but it has been two nights they have not gotten in. There wasn't anything for them to get after this Friday, everything was gone.

The registers were broken, the adding machines were gone, the typewriter was gone, the money was gone, everything was gone. There wasn't anything for them to get except there was maybe 12 or 15 cases of wine on the shelf still sitting there that hadn't been broken.

I would like to mention an incident not like the one I mentioned like the fellow threatening to burn it down, because this has happened eight or ten times, usually when there are three or four together. Very seldom when there is one.

Last Friday—I am sure it was Friday—I am standing in front of the business and two fellows tried to walk in. The doors were still open. I said, "Don't go in, fellows, it is dangerous, it could fall on you."

They said, "Well, you have the door open."

I said, "Yes, we are trying to get the gas out of there but we are not open to the public."

One of them reached in his pocket as if to get a knife or something and used that expression again, and said "Don't call me no so-and-so public. I am a United States citizen."

I said, "I didn't call you anything, fellow, I said we are not open, we are not selling anything to the people." He apparently didn't understand what I said when I said not open to the public. He thought I had cursed him or insulted him and when he went in to get his knife I assume my hand went in my pocket where I was still carrying the pistol and reluctantly they did walk up the street.

Now, I am never down there alone. I have my help down there because I am still paying most of them and they show up every day for a few hours. But I don't think there is a day gone by where if I spend any time at all some remark of this kind is made to me every time.

Senator Byrd. Are these colored people who talk like this to you?

Mr. C. Yes, all colored. And I might add all my help is coming down every day are all colored.

Senator Byrd. These names that you are called, they are by Negroes in the area?

Mr. C. Negroes, usually in groups, two, three, or four.

Senator Byrd. Are these adults or juveniles?

Mr. C. I would say in their 20s

Senator Byrd Have you been open for business at any time since the riot?

Mr. C. No, sir.

Senator Byrd. You are still not open for business?

Mr. C. No; and I have no idea how to open, either.

Senator Byrd. Do you think you are going to reopen?

Mr. C. Like I say, my first problem is I don't know if I can reopen mentally there or not, in that particular neighborhood.

No. 2, I am taking such a financial beating that unless I get assistance from somebody, I won't be able to open.

No. 3, I don't know if I am going to be able to be reinsured and I certainly don't feel like I am going to have the protection I need to stay open.

I am not a gambler, I don't gamble, but I wouldn't be afraid to gamble if I put windows in my store tomorrow, anybody can name the odds they will be broken tomorrow night. And I don't think they are picking on me.

Senator Byrd. Do you own the building?

Mr. C. Except for the trust I have on it, it is my building.

Senator Byrd. How long have you been in business at that location?

Mr. C. Since 1954, when I moved a few doors down.

Senator Byrd. Were you ever held up or robbed?

Mr. C. Never been held up, never been robbed. I have had minor robberies like a delivery boy taking an order is held up on the street. But we have never been held up in the store. We have always had quite a few clerks there and we do a tremendous volume for a small little place.

Senator Byrd. So your real trouble along this line began with the riot?

Mr. C. Yes. The real trouble actually began after the riot and not before. I haven't had three or four windows broken since I have been there.

Senator Byrd. Have you had people come in your store prior to the riot and threaten you?

Mr. C. We have had people that have come in disorderly that we escorted out. They call us a few names and they come back two or three hours and they don't remember because they were drunk or they apologize and the next day everything is like it was before.

Senator Byrd. You were burned out and looted?

Mr. C. Well, I wouldn't go that far, looted completely, but burned out in the selling area. My warehouse did not get burned.

Senator Byrd. What was your total loss as a result of the riot?

Mr. C. We haven't figured it out yet but I can give you a rough idea.

At the end of February we had a $104,000 inventory. I would say that the inventory was closer to $90,000 at the time it happened. We haven't established it with the accountant and insurance company yet. On my loss inside we are now getting estimates, it includes two new cash registers that I just bought in October for $4,200, and I think I got in the mail yesterday something like $1,400 to repair the two cash registers. And then I have adding machines gone and I had money, the safe was wide open. I have two bicycles that are delivery bikes that are gone and one delivery truck that the insurance company already paid me $375 for, a truck that had 12,000 miles on it, and now I find, it is my fault—on the insurance policy if the damage is greater than the blue book value you get the blue book value. I don't know how many people are aware of that. It is in there. I never knew it until now.

Senator Byrd. What is meant by the blue book value?

Mr. C. Well, every automobile has a blue book value on what your car, if your car is a year old or two years old, whatever it is. Now, this truck which I have just put $90 worth of tires on in recent months, the blue book value was $375 and the repair bill on it would have been $800. So they pay you the blue book and this is true of your personal car or truck.

Senator Byrd. Was the truck stolen or was it destroyed?

Mr. C. It was destroyed. They just came through the top of it and pulled the wires out and broke all the windows.

Senator Byrd. So what do you think your loss amounted to as of that weekend? I am not counting the losses that have accumulated since then as a result of your paying your employees, not being able to stay in business, and so on?

Mr. C. I would have to take a guess between fixtures and merchandise and the truck. My losses are going to be, I would say, $125,000 to $130,000.

Senator Byrd. How much of that will you recoup from insurance?

Mr. C. That again, Senator, would be a guess. As far as the merchandise is concerned, I am insured 80–20. To use a round figure, if I had $100,000 inventory and they paid off everything I would take a licking of $20,000.

On my fixtures, I only had $10,000 worth of insurance. This I cannot replace for $10,000. I don't know whether it is going to cost me $2,000, $4,000, $5,000, I don't know, because I don't have all the estimates in.

I have to put in a new floor, the building has to be painted, there is smoke all over, the shelving is burnt, and the registers, like I mentioned, little items like these, the hand truck that you cart stuff in. These sell for $48 and there are three of them gone. I had four and I have one left.

Senator Byrd. Did you have rental apartments over your store?

Mr. C. No, sir. And I am now in the position, Senator, where next to my building is an 18-foot parking lot which belongs to me, not paid for but it belongs to me. Next to that is a three-story building that was completely gutted. I have been informed in writing that I would not be able to rebuild my store until the danger of that wall falling my way, until that building was demolished. I have been in touch with Mr. Dugas' office and they are doing the best they can. There is no question they have a lot of work to do.

I am not in a hurry for them to tear it down because I couldn't physically and mentally go down there and open the store anyhow. If time doesn't heal, I must walk out of there broke and try something else.

Senator Byrd. How old are you?

Mr. C. Fifty-five.

Senator Byrd. Do you have a family?

Mr. C. I have a wife and two children and two grandchildren. One child is a student and one is married.

Senator Byrd. Have you experienced any special problem in obtaining adequate insurance within the past year or so?

Mr. C. I never have in my life.

Senator Byrd. Now, what do you think will be the situation if you are able to open up again?

Will you have any problem with regard to insurance?

Mr. C. No question about it. I can tell you with friends of mine what happened to them that have reopened. One fellow has a very large store and was carrying $125,000 worth of stock and insurance. They looted him somewhat but not completely.

He reopened and they immediately gave him five days' notice and cut it from $125,000 to $75,000, which affects his inventory on the volume of business that he is doing.

I have another friend that I was with this afternoon, his business is completely demolished and all of his insurances have been cancelled.

Senator Byrd. Has yours been cancelled?

Mr. C. No. We haven't settled on anything yet and my insurance man says he has no indication of cancelling. In other words, they have not told him they are going to cancel.

Senator Byrd. When they settle you might get word they are cancelling?

Mr. C. If I don't, I will be the first one that either cancelled or set a high premium with Lloyd's of London or dropped it down to a point where you can't operate the way you have been operating.

Senator Byrd. I understand you are continuing to pay your employees?

Mr. C. I have continued to pay every one except one, and as of this Friday I am going to discontinue paying three others. I will continue to pay for a while three more employees and that will be six altogether, counting us, that will continue to get after this Friday.

I have been informed by my insurance adjustor that you can't draw money on business interruption until you settle, and I have been paying out this money and, frankly, I might be able to last another month, just about a month. After that I am going down on the unemployment, I think.

Senator Byrd. Why do you continue to pay these employees?

Mr. C. It is a good question. I don't have a new employee on my staff. These fellows have been with me so long. I had one fellow who has been with me ever since I have been in business. He is not worth two cents a month but I don't have the nerve to fire him. I have told him this week to go down to the unemployment, that this Friday would be his last check.

Senator Byrd. As of this coming Friday, how many will have lost their employment with you?

Mr. C. All but six.

Senator Byrd. Out of fourteen?

Mr. C. Fourteen.

Senator Byrd. The fourteen includes yourself?

Mr. C. Yes. Out of 12, you might say.

Senator Byrd. So six out of twelve?

Mr. C. Actually we will have six, including my brother and myself. Since we are a corporation we are on a salary also.

Senator Byrd. So eight out of the fourteen will have lost their employment by Friday?

Mr. C. Yes.

Senator Byrd. Out of the eight, how many are Negroes?

Mr. C. All of them.

Senator Byrd. All eight Negroes?

Mr. C. After this Friday, we will have three white and three Negroes on the payroll.

Like I say, if I don't get somewheres within the next month, whether I like it or not they will have to come off the payroll.

When you mentioned losses, no matter what they pay me I can't pay off my debts. I don't mean to be crying poverty or anything.

Senator Byrd. You mean when you collect your insurance you won't be able to pay off your debts?

Mr. C. I won't be able to pay off all my debts.

Senator Byrd. You will still be in debt after collecting your insurance?

Mr. C. Yes. We have a good law where we pay our bills on the 15th of the month following the purchase. Actually this is a better credit regulation than it sounds on paper because what I purchase say in the month of April I have to pay by the 15th of May. This allows me to buy the first 15 days of May on credit. So actually, it is 60 days' purchases, is what it amounts to.

Now, if I stayed in business I would have been paid off in this case, would have been on April the 15th, I would have paid the March bills and I would owe the April bills.

Under the present setup if and when I go back I will have to pay both months' bills, which is a greater amount than the money I would have received.

Senator Byrd. So a good bit of the inventory you had in your store was not paid for?

Mr. C. No, because of the two months' buying period.

Senator Byrd. That was looted and you owe the bill?

Mr. C. That is right. And I will pay the bill. But don't pin me down as to how, yet.

The reason I say I am not pleading poverty, I do have a lot of equity in the building. I think my entire indebtedness in the building is about $19,000. That is the parking lot and the building. And I am also fortunate that at the present time I am not indebted to a bank. This is the first time since 1958.

Senator Byrd. How much is the building worth?

Mr. C. The cost to me of the building and parking lot was $77,000.

Senator Byrd. So you have probably $60,000 equity in the two?

Mr. C. On the cost. But not in borrowing value because the parking lot is such that it can't bring too much borrowing value.

The last time I attempted a loan on it was in February, and I think the American Security & Trust offered me a loan of $28,000 of which I owe 19. I did not take the loan.

Senator Byrd. What is the value of the property today?

Mr. C. The value of the business prior to this thing, a very conservative figure would be that my good will and my business would have brought me $125,000 without too much haggling.

I would say the good will on it today is, I don't know who I could sell it to for anything.

The rental on the two pieces of property for years has been paying $800 a month rent. It is impossible to visualize getting out and and renting this building and receiving amount close to that type of rent.

Senator Byrd. For what purposes did you rent it?

Mr. C. The corporation. I rented it to the corporation which runs the business.

Now, with the volume of business that we were doing—and I don't mind telling you we were doing well over $1 million a year of business in that place—$800 a month is not an exorbitant amount of rent. But to rent the store for some other purposes with no volume of business, anything over $250 a month, I think, would be just guessing.

Senator Byrd. Was there much destruction of the property?

Mr. C. No. Not unless that building falls on it.

Senator Byrd. You did not get burnt out?

Mr. C. No, sir. My walls are good, my roof is good, until this present time. I do not feel it is going to be good in the morning when I get up. When I go down there I am glad to see it standing. I do not have adequate insurance on my building.

Senator Byrd. Can you get adequate insurance?

Mr. C. No. I cannot now and could not before.

Senator Byrd. Why could you not before?

Mr. C. I may not be 100 per cent right on this, but when I put a trust on the building, which was $24,000, and I had a $17,500 trust on the parking lot from the owner, not from the lending institution, the insurance that the first trust people put on it was for $24,000. I then asked if I could not get $50,000 and it was explained why I could not. I then suggested that they give me replacement insurance, you know, to leave a blanket figure. Replacement trust. I was not able to place that policy.

So if my building was to be burned to the ground now I could not rebuild it for the $24,000 insurance that I have on it which has not been cancelled as yet.

Senator Byrd. On the day of the riot, were there any police in the area?

Mr. C. Yes, sir. When I arrived on the night of the 4th there were at least ten or 12 police, police that I know, that I liked, that take me to the bank at nighttime, and they made some arrests, but there was so many of them that I just do not know what they could have done about it at all.

The same thing went on when we had the troops. They were there but some of the fellows took whiskey and put it on my delivery bike because they were trying to carry too much and they walked up the street with the bike with the whiskey in the basket.

Senator Byrd. Were the troops there then?

Mr. C. Yes, sir. I do not say they were in front of the door every minute of the day, but I am just a few feet, a few yards off the street and there was quite a few there.

Senator Byrd. When did the actual looting at your place start?

Mr. C. Friday morning. Well, actually early Friday afternoon before they got in. There was no looting Thursday night, only broken windows.

Senator Byrd. On Friday morning and Friday noon the looting began?

Mr. C. Right.

Senator Byrd. You were there at that time?

Mr. C. I was there until 11:30 in the morning. We left at 11:30 and left two boys in the store.

Senator Byrd. You left because you were afraid to stay?

Mr. C. They were coming in in bunches and we just ran for our lives, you might say.

Senator Byrd. When you left were there any policemen in or around the store?

Mr. C. Not at that time.

Senator Byrd. Did you try to get any policemen?

Mr. C. Well, they were coming by and stopping. They were busy and I would ask each one of them when the scout would come by, if you get a chance, please stop by. They called me many times and kept me informed what was going on.

I used to call them and say can they come down and see what has happened and they would say no.

Senator Byrd. What reasons did they give you for not supplying assistance?

Mr. C. They made some arrests and it seemed to me they just had instructions. They came in such numbers it was not physically possible to arrest all of them. I was there at 6:30 Friday morning and they were filling up the cars with them but it was not a drop in the bucket to what was milling around there.

Senator Byrd. The police were filling up their cars with them?

Mr. C. Yes, sir. When they broke into the place next door to me they went inside and took two of them out and locked them up.

Senator Byrd. The police did?

Mr. C. Yes; one came by and broke my window and they locked him up. We caught a fellow breaking a window and held him and they locked him up.

In the alley back of my building in one period, 30 or 35 minutes, there was between 50 and 75 came through there in groups of anywhere from three to seven to eight, coming through a hole in the wire fence. They would see us standing there and go into another building. We saw them go into the dime stores and Lerners dress shop and the music stores.

Senator Byrd. When you looked around, would you see any policemen?

Mr. C. Quite often. They would make chase and they would go off in every direction and may be they would get one or two.

Senator Byrd. The policemen did the best they could?

Mr. C. I think as far as my building is concerned they did not do what I would like for them to do, but I think under the circumstances they did the best they could.

Senator Byrd. What would you have liked for them to have done?

Mr. C. I would like to have a little more power, a little more direct information to the officers of what they could do. They just sat and watched them take the stuff, just literally watched them go inside and take it and they would throw a tear gas bomb in and I stayed in the tear gas and I am blind and they worked pretty good.

Senator Byrd. You mean the looters?

Mr. C. Yes, sir.

Senator Byrd. Were all the looters Negroes?

Mr. C. I did not see any white ones. I had one of my delivery boys say that he saw a woman walk out with a case of scotch. This was in the few days that I did not go down there after the 5th. He knew the lady and he asked her to give him a bottle, because this happened so suddenly he did not have a drink at home, and she told my own delivery boy to go in and get your own whiskey.

Senator Byrd. Was this a white woman?

Mr. C. A colored woman who lives in the same building that he does.

Senator Byrd. And this was one of your employees to whom she was talking?

Mr. C. My employee asked her for a bottle of scotch.

Senator BYRD. And she was just helping herself?

Mr. C. She carried a case of scotch with her. She was a small woman. This is quite a load for her. So my delivery boy said I got caught without any whiskey, how about giving me a bottle of the scotch, and she said go in and get your own scotch.

Senator BYRD. Now, did you and your employees know a lot of the people that did the looting?

Mr. C. I would say that the ones when the looting started they all participated, but I will say that I have not had one of our customers make a nasty remark to me. In fact, it has been the other way. Most of them wish that I would reopen as soon as possible and they are sorry it happened. The ones that are making the remarks are unknown to us. I do not know what neighborhood they are from. They are young. Quite a few of them are junior high school age and quite a few of them are in their 25 and 30.

Senator BYRD. Were these people who were looting your store looting because they were hungry?

Mr. C. No.

Senator BYRD. They were not poverty stricken?

Mr. C. If they were looting from hunger, all they could get was potato chips because that is all I had for them to eat.

When you visualize a building that is 18 by 100 in its entirety, carrying a $100,000 inventory, that emptied out so damn quick, there is no telling what they hauled it away in and how many times they came back.

My windows were boarded up secure. They did not come back in there. I had iron gratings in the back windows. They went through them like nothing. I had what they call jail windows. They had chippers that cut through them like paper. When I would board them up they would find some driving ram to get back in there and I would get calls from the police at 11:30 at night, ten at night, three in the morning, and they would say they are in, we just drove by and your back door is open again.

Senator BYRD. If they cleaned you out, what are they getting in there now?

Mr. C. Every time I would seal it up they would think there was more stuff in there.

Senator BYRD. Have you restocked it?

Mr. C. No.

Senator BYRD. You have not?

Mr. C. No.

Senator BYRD. Do you have any merchandise in your store now?

Mr. C. Yes, sir, some wine and some beer.

Senator BYRD. Has that been through your restocking or some that was left over?

Mr. C. Some that was left over.

Senator BYRD. They did not get it all?

Mr. C. We have a pretty high ceiling and this is some of this cheap, very inexpensive wine that was stacked up high and some of it was beer and there was so much of this stuff on the floor, the entire length of the store, waist high, so they were putting it on the floor and getting what they could, but they did take all the whiskey off the shelves and in the back room. Some one from across the street called the police and said they are walking out with cases and cases of whiskey, cannot you do something about it, and they all tried to do something. It is hard to come up with an answer, but a lot of people say to me stop worrying about yourself, let us worry about America and let us get America. I am in favor of this too. But when a man cannot talk himself into wanting to go back to his vocation, this is a very sad situation.

Senator BYRD. Are you afraid?

Mr. C. Absolutely scared to death to go down there and I am positive they will break in as soon as I do.

Senator BYRD. As soon as you open up again?

Mr. C. There is one store, I will not mention anything that is hearsay, but if you want the address I will be glad to give it to you.

Senator BYRD. Later.

Mr. C. He was looted only in his selling area, not in the back room, and he reopened real quick and in the last four days, not counting today, his windows have been broken three nights. This is a fact, not just hearsay.

Senator BYRD. What do you consider to be the most pressing single problem that confronts the businessman in the District of Columbia now?

Mr. C. Protection of life.

Senator BYRD. Have you been offered protection if you would pay off to anyone?

Mr. C. No. I might add another thing. I see in the paper once in a while and I hear remarks, I have not been called a Jew-bastard or Jew store, I have not heard that expression.

Senator BYRD. Are you Jewish?

Mr. C. Yes, sir. I think most of my customers know it.

Senator BYRD. Do you charge the same price to Negroes as you do to whites?

You do not have many whites in the area.

Mr. C. We do not have many whites and our prices are definitely lower than any one in the neighborhood, or they were.

Senator BYRD. Were you courteous to your clientele?

Mr. C. Senator Byrd, when you take a store that is 18 feet wide and do more than $1 million of business you had better be courteous and polite, because my whiskey tastes the same as the other fellow's whiskey. There is something you had better be doing right to do this volume of business.

I am, I guess, one of the first stores to have colored clerks. Maybe not the first, but I have had them a long time.

I had a colored clerk quit recently, prior to this happening, that when he worked overtime it was not hard for him to make $200 a week. He was the only man who had the right to work as many hours overtime as he wanted to. He quit prior to this thing happening.

Senator BYRD. What do you think about the poor peoples campaign, which will involve, as I understand it, a march on Washington and some demonstrations when Mr. Abernathy gets his campaign in full swing.

How do you as a business man look at this?

Mr. C. Scared to death. I just hope that I am not open until it is over, if it is ever over.

I just cannot visualize in my mind this is going to last five or ten or 30 days. I think it could be for a year.

And assuming, taking for granted the marchers are not going to molest you or bother you, I think many of these same people are going to take advantage of it and they will.

Senator BYRD. Do you think the troops should have been taken out of the city?

Mr. C. I think the troops should have been brought in Thursday night.

Senator BYRD. And do you think they should have been taken out since the riot occurred?

Mr. C. No, sir. I think we should have had a limited curfew definitely no later than Friday the 5th. But something should have been put in Thursday night immediately.

Senator BYRD. I am talking about since the riot, since the troops have been taken out, the curfew has been lifted. Was that a mistake?

Mr. C. I think so. I think they took them out too soon and I thought they were taken out too soon. In fact, you pick up the paper every morning and see there were nine, ten, eleven, twelve more fires. They have to be arson. I do not want to blame them for anything they are not guilty of.

Senator BYRD. Are these arsons occurring right in your area?

Mr. C. Yes. Everything in my particular block is down to the ground. There is not anything standing. There is nothing else they can do.

Senator BYRD. How do you account for the fact that your place was not burned?

Mr. C. It is a side street.

Senator BYRD. You are located on a side street?

Mr. C. Yes.

Senator BYRD. But you had two fires in there?

Mr. C. They put it out twice but it did not catch, it burned the shelving.

Senator BYRD. Was that during the time of the riot?

Mr. C. Yes, sir.

Senator BYRD. There has not been any attempt to set a fire since?

Mr. C. A lot of threats but no fire.

Senator BYRD. Do the threats come by telephone?

Mr. C. No, sir. Right to me. I have not had a phone call.

Senator BYRD. You have not been offered security in return for payoff?

Mr. C. No, sir. I have heard a lot about it, but it has not happened to me.

Senator BYRD. Would you characterize the looting of your store as selective or wanton?

For instance, the items that are the most popular items that you sell the most of in your store, were they first looted?

Mr. C. I think they went first.

Senator BYRD. Was it highly selective?

Mr. C. Very popular merchandise.

When you say selective, in your opinion and in mine, you may think that cognac is select or Chivas Regal Scotch——

Senator BYRD. But in the opinion of the looter, he went to the item that seemed to be popular to him?

Mr. C. A brand that he bought like Granddad and Taylor and Forester, the popular brands went out first, from what the witnesses tell me.

Senator BYRD. Mr. C., if in fact you do not reopen, what do you estimate the loss in sales tax revenue to the District of Columbia on your business?

Mr. C. I cannot really make an estimate but it has to be tremendous. It has to be fantastic.

Senator BYRD. Could it be as much as $20,000 or $30,000 a year?

Mr. C. It has to be fantastic. I would have to ask my accountant because I really could not guess.

Senator BYRD. Well, I want to thank you for coming over. I feel sorry for you. I feel sorry for you people who have to be living under fear and who have to put up with foolishness which I think could be avoided.

I am not quite running the show. If I were, you would not be the one who would be afraid, it would be somebody else.

Mr. C. I think you are doing your share because I do not think there is anything in the manual that says you have to be here until nine o'clock at night, and this is probably not the only night you are doing it.

Senator BYRD. Well, I pray for you.

Mr. C. Feel free to call on me, if there is anything I can do.

I will not pass on a rumor. I will not tell you unless it is an absolute fact. I have heard so damn many stories it is not hard to believe them.

Senator BYRD. I expect it is a lot worse than really what you hear.

Mr. C. I had one retailer say two fellows walked into the store and ordered $7 or $8 of merchandise and put it in the bag, and you know that expression, they started walking out of the store with the bag.

This thing that happened to Mr. Brown, when a bunch of them went in there and they went right to the register.

Senator Byrd. Is that the man who was killed?

Mr. C. Yes, they went right to the register and could not open it and asked the man to open the register. They did not come to buy anything, they came in to take the register.

Senator Byrd. Do not identify yourself by name or your business or your location.

Mr. D., how long have you been in business in this city?

Mr. D. Well, since 1933.

Senator Byrd. Have you been in business at the same location since that time?

Mr D. The same location.

Senator Byrd. Do you live in your business place?

Mr. D. We lived there for 20 years.

Senator Byrd. But you no longer live in the same building?

Mr. D. Then we moved away. But my sister still lives there.

Senator Byrd. Are there rental apartments in the same building?

Mr. D. Two or three apartments.

Senator Byrd. Do you own the building?

Mr. D. Yes, sir, with my brother.

Senator Byrd. Have you seen the complexion of the neighborhood change in this period of time?

Mr. D. Yes, sir.

Senator Byrd. In what way?

Mr. D. Well, in one way the people moved away, I mean that used to be there. It was a nice neighborhood and gradually things have changed. After the war the colored moved in and they kept on moving in and our good people moved away.

They are still moving away but some of them do not know where to move to.

Senator Byrd. What percent of the population in your area would you say are now colored?

Mr. D. I think it is almost 80 per cent. I mean Puerto Rican. We have got a lot from Cuba there too.

Senator Byrd. Now, what happened to you during the riot?

Mr. D. Well, we lost two places. We used to be on a certain street and we lost that and then we had a place on another street and we lost that too.

Senator Byrd. Let me see if I am clear on this, did you have three places of business?

Mr. D. Yes, sir.

Senator Byrd. And you were the owner of all three places?

Mr. D. Three brothers.

Senator Byrd. Owned the three places?

Mr. D. Yes, sir.

Senator Byrd. What happened to the three places during the riots—without identifying the locations thereof?

Mr. D. I say one of them we lost.

Senator Byrd. When you say you lost it, what do you mean?

Mr. D. Completely. It is closed up now.

Senator Byrd. Was it burned out?

Mr. D. Too much tear gas in the building; it is still there, but everything is destroyed.

Senator Byrd. The product was destroyed but the building was not damaged?

Mr. D. Well, the building is closed up because it is too much damaged. We are not sure whether we can open it or not.

Senator Byrd. Was the building set fire to?

Mr. D-A. When I saw it they threw so much tear gas in you take two steps and get a whiff of it and you walk back out again.

Senator Byrd. There was no indication that this building had been damaged?

Mr. D-A. No, other than I saw a little bit of burning and gutting in the inside. But I did not actually see whether the structure was damaged.

Senator Byrd. You do not know whether or not the inside was gutted?

Mr. D-A. No.

Senator Byrd. Now, the second location at which your product was sold, what happened to it?

Mr. D-A. They had moved out of the second location. We just had a stand there and it was completely gutted and besides they are all boarded up and we have not been able to see anything. We went by the next day.

Senator Byrd. Let us say you have three business locations. Business location number one is where you prepared your merchandise?

Mr. D-A. That is right.

Senator Byrd. Business location number two and business location number three are marketing businesses?

Mr. D-A. That is right.

Senator Byrd. You have told us what happened to number three?

Mr. D-A. Right. Well, the other place we had moved out, we had closed that. We actually had the stand left there.

Senator Byrd. You just had the property?

Mr. D-A. Yes, sir. That was all destroyed. They tore this up.

Senator Byrd. Even though there was no merchandise in there.

Mr. D. There was two other dealers in there.

Mr. D-A. There was several other dealers, meat and vegetable dealers. That was all destroyed.

Senator Byrd. They were still opertaing in there?

Mr. D-A. Yes, sir. But they are not operating any more. That is closed.

Senator Byrd. You say it was destroyed. Was it razed to the ground?

Mr. D-A. All the windows were destroyed inside. It is all boarded up. Apparently the man has said he is not going back into business.

Senator Byrd. Apparently you were renting it to those other people at that time.

Mr. D-A. We did not own this other building. We rented from someone else. We just had a stand we leased from someone else.

Mr. D. We leased a stand from a company.

Senator Byrd. Your number one location, where you prepare your product, do you own it?

Mr. D-A. Yes, sir.

Senator Byrd. What happened to it during the riot?

Mr. D. During the riot, well, we have been the luckiest one in the block. They told us when it happened that Friday, the customers that came in and some colored people and they hollered get out, it is going to burn. So we just stuck it out and for some reason or another, we had the window in front, the plate glass window, so my brother and I stayed well behind those windows, we had peep holes, and the rioters went by and they were all broken up already.

Senator Byrd. What did he say?

Mr. D-A. They put up boards to protect the window and apparently the people did not go through. They went next door and smashed and gutted another door next to us.

Senator Byrd. So they passed your place?

Mr. D. They passed us. Since then it is talking around, you know, some of the fresh colored boys, whatever you call them, they point out that they will come and will burn it out.

Senator Byrd. During the riots this particular location was not damaged?

Mr. D. Not damaged.

Mr. D-A. One other thing happened during the riots. We were delivering something that Saturday and we got a few bricks thrown at our truck.

Senator Byrd. At your truck?

Mr. D-A. Yes, sir. It sort of struck me that the police were directing us off one street as if to keep us out of the area and you go two blocks away on the street they were directing you and they were still rioting and people were throwing bricks at you and there were no policemen around.

Senator Byrd. During the rioting were you looted?

Mr. D-A. The person next door was.

Senator Byrd. But he was not looted?

Mr. D-A. We were not. Other than the destruction of those stands.

Senator Byrd. Now, subsequent to the riot, you say you have been threatened?

Mr. D. Yes, sir, I have been threatened.

Senator Byrd. Have you been asked to pay any money to keep from being——

Mr. D. We had some phone calls right after the riot. One colored boy came in with a big suit case and he had a letter from the non-violent and he said better we give something. So I said we give through our office.

Senator Byrd. That you would give through your office?

Mr. D. Yes. So he went out. And we had a colored boy, he lives right around there, and he just helped us out. Before the riots, probably four weeks ago, he helped just a little in the afternoon. Just this Monday he comes in, he was half drunk he threatened us, he said do you know I saved your business and if it was not for him it would have been burned out. And then he actually asked us for money. He asked to borrow money.

Senator Byrd. He said what?

Mr. D. He wanted to borrow money. Well, we did not know what to do and he got so fresh I cannot even repeat what he said. He called the white people any old name and he said you see what happened on 14th, that is what they deserve, that is what the white people deserve, because they did not do right. But he was drinking. But just the same, you know, I think that should have been enough to lock a man up like this.

Senator Byrd. Did you report it to the police?

Mr. D. We reported it to the police. Yes, we did report. We did not know whether we should report. If you get the police in on those boys they get so mean and that makes it worse yet. But any way, after he was out I got the police some way and the policeman said well, if anyone comes in like this you take their names, that you could kill them.

Senator Byrd. Said what?

Mr. D. The policeman said we had a right to kill him because he asked us for money on our property. The policeman also said will you testify?

Senator Byrd. He did also say that?

Mr. D. Will you testify for extortion? Yes, we said, we would. And the policeman said you know we have to protect ourselves, the policeman cannot do anything, they cannot do nothing. They stand up there when they looted the place, they stand right next to it left and right and they stole the people poor and they did not do a thing.

Mr. D-A. I happened to go by 14th Street by Morton's store and I saw a national guard troop and they seemed like they were not more than 20 feet away and people were walking out of Morton's with more clothes all the time. It was just going on along there and they were still destroying things even though there were troops and police there.

Senator Byrd. Were there a great number of people doing that at the time?

Mr. D-A. It seemed I saw a good number walking down the street.

Senator Byrd. How many would you say you saw walking down the street?

Mr. D-A. I saw at least—you did not want to stay in the area too long. But at least I saw eight or nine people walking down with armloads of clothes.

Senator Byrd. How many soldiers and national guardsmen were there?

Mr. D-A. Apparently most of them were concentrated where the fire equipment was, but there were troops there guarding their trucks, apparently.

Mr. D. The troops came too late. Friday it happened and Saturday we got the troops in and by that time they had looted all the stores. The police were standing there. We seen colored boys, everybody with big baskets, suits, radios, everything, they just carried it away and the police were standing there, even the soldiers were standing there.

Senator Byrd. Well, now, you saw this with your own eyes. Do you think the policemen could have arrested these people at that particular time?

Mr. D–A. That is hard to say. It is one thing to say they could have arrested them and it is another thing, it seems if you are trained in crowd control tactics you could have organized them and held them in one area, some how box these people in until you got enough people there to carry them away. It might have been too much for say just a few policemen, but the thing is you know it was a good policy of not shooting anyone. That is probably the best thing they did not do. But if you are going to do something like that, you have to have enough people to actually physically control these people.

After it got out of control, of course, it was too late. But if you are not going to do anything and let it keep on going the next time it will continue like that.

Senator Byrd. Now, when you say that it is a good policy that they did not shoot any one, what do you mean by that?

Mr. D–A. I think it would have engendered more bitterness towards the white community if the police had shot.

Senator Byrd. Do you think you could have been any worse off than you are right now?

Mr. D–A. Not really. There was not really too much left to burn along 14th Street and 7th Street. There might have been a little more violence. They might have shot back at the police. That is the only thing I would not have wanted. A lot of policemen might have gotten injured. But that probably would have been the only thing left. There really is not much difference between what they did now and what they would have done if the policemen had shot.

Senator Byrd. And you are still living in fear?

Mr. D–A. My father is.

Mr. D. Yes, sir, we live in fear. We live in fear every day. We have sales ladies, sales girls in the store, and if we do not bring them home at night they will not work for us. Even some times during the day we have to get them.

Senator Byrd. How many employees do you have in your business?

Mr. D. Well, on that one location we got about five or six girls but they are not working all the time. They work split, just a few hours a day.

Senator Byrd. Are they white or are they non-white?

Mr. D. White.

Senator Byrd. All whites?

Mr. D. We did have in the other location, we had colored, and those colored we could not use them any more so they go on unemployed. And one of them had been with us a long time, but she gets unemployment now, she gets social security, and we said well you probably could work a little and she said she would let us know.

Senator Byrd. How old are you?

Mr. D. Fifty-eight. The main thing is even if we put the colored girls in our store, the way they do any other stores that the man put the colored girls in, as soon as they get there they just split the two. They say if a white girl is in there she cannot wait on the colored any more. They say that is her customer. And that brings the split right there.

Mr. D–A. I would not say it is quite that bad. At the other store we had Negro employees and they were quite competent but they were older too. So they did not work full time either. We have a good number, most of our other help in back is all Negro.

Senator Byrd. Did you pay the colored boy anything when he came in and tried to get money from you?

Mr. D. We gave. He borrowed money. He used the word borrowed.

Senator Byrd. When he came in following the riot and said that because of——

Mr. D. We gave him to keep the peace.

Senator Byrd. How much did you give him?

Mr. D. Only a few dollars, but that will not be the end.

Senator Byrd. He will be back.

Mr. D. He will be back. That is the thing. And he threatened us.

Senator Byrd. Have you had others come in and threaten you?

Mr. D. Well, we had some phone calls, yes, and we get phone calls every day from all kinds of organizations. It looks like the whole country is on relief. After four years in business we cannot get anybody to sweep our floor.

In front of our store I see every day about 50 colored boys hanging around the store. We call the police and they move them away and they just will not take a job.

Senator Byrd. They will not take a job?

Mr. D. They will not take a job.

Senator Byrd. Have you offered jobs to them?

Mr. D. Yes, I did. I had them in there and they work one day, two days, and say I do not want this job, I am not a pot washer, I am making progress, I want a good job, and then he goes back on the street on relief and that is where he gets his money.

The other day I went out of the store and I said to four boys, I never seen them, I never seen as many new faces in that neighborhood, because I went out there and I said, look, boys, you know our customers get scared when they stand around, they will not come in, would you mind just going home or—

Senator Byrd. What did they say?

Mr. D. And they said, "What, we go home? This is our life. We have a right to stay here." And I said, do you not know what happened on 14th Street, and he said, "Yes, we know what happened." And they start dancing like crazy and then they said, "Look, I think tonight we burn this corner up."

Senator Byrd. Mr. D, taking into consideration the property that you own, the good will of your business, and the value of your merchandise and equipment, if you were comparing its fair market value today versus five years ago, how would you compare it?

Mr. D. I know one thing. Since the riot we will not get nothing for the business.

Senator Byrd. To be more precise, how would you compare the fair market value of the business today, which you state is nil, as compared to the first of the year? What has been your loss in all of these items, real estate, good will and fixtures?

Mr. D. I know our real estate is down. We bought in the high price market. I know it is down because people are afraid to go in. And with the business it is the same thing. If they do not stop putting riots in the paper, what they write every day, we are going to have other riots. And they talk what they all want to do, Lord help us because we are going to be finished.

Senator Byrd. Give us a relative estimate as to what you would have considered it to have been worth on the first of the year as opposed to now. Has it decreased in value 50 per cent, 75 per cent or 95 per cent?

Mr. D. I know for a fact that one of our neighbors wanted to sell his business. He was offered $50,000.

Senator Byrd. When was this?

Mr. D. Oh, about a half year ago. And now the riot happened, and now I do not know, nobody wants it any more. Nobody wants to buy it.

Mr. D–A. I would say it is hard to say how much.

Mr. D. I know he will not get half of it.

Senator Byrd. Certainly it is hard to estimate but, nevertheless, this is the only real indicator of what your loss has been. This is an uninsurable loss but it is a very real loss. It is a loss in the value of four years of trade and practice and good will.

Mr. D. That is right.

Mr. D–A. I would say at least a minimum of 20 per cent.

Mr. D. More than 20. Even right now our business went down, people calling up and saying are you still there, can we come there, are we safe? That shows you that people are scared. They are scared over a whole city.

Senator Byrd. Your day to day sales in the location in which you are now operating, are they off substantially? Do you attribute this to the groups that have appeared in front of your business, that they have put fear into your customers? Do you think they have had a substantial debilitating effect on your business in the locations that you are still operating?

Mr. D. I know the fear is the main thing why we lose all the business.

Senator Byrd. Is it reflected in your day to day sales? How much is your business down?

Mr. D. I know it is down.

Mr. D–A. How much?

Mr. D. Forty per cent down.

Senator Byrd. A 40 per cent decrease in your daily sales?

Mr. D. Yes. The first week after it happened it was down over half. People will not come. Now they come a little back, but now that new thing is coming up they are staying away again.

Senator Byrd. The fear seems to have permeated the colored patrons and white patrons equally?

Mr. D. Some the colored too. Some colored, you know, are good colored.

Senator Byrd. Have you had any problem with reference to your insurance since the riot? Have you had any insurance cancelled?

Mr. D. Not yet. But our agent said he does not know what is coming.

Senator Byrd. What is the term of your fire insurance policy on your buildings, one year, three years?

Mr. D. I think we have two years. Then we renew.

Senator Byrd. You have actually had no fire loss?

Mr. D. No.

Mr. D–A. Actually you have to consider the section where we are located. It seems though that over toward ——— Street it has all been destroyed and there is no business activity at all. Apparently this is sort of depressing the entire area. The fact that people used to go along certain areas of ——— Street attracted business to the area. In fact there were a lot of shoe stores and a large Murphy's and Woolworth's and things of that nature.

Senator Byrd. How would you compare your gross sales in January 1968 to January of 1967, were they up or down or the same?

Mr. D. In January about the same. The trouble started when they started that riot. That is when it started. Right after the riot. Everybody is afraid. Especially our few white customers we have got.

Senator Byrd. When you say that your business has no sales value, do you mean in those terms that it is not a salable business today?

Mr. D. Not today.

Senator Byrd. And that it was a salable business?

Mr. D. It was better today because the neighborhood was not destroyed.

Senator Byrd. Before? How long ago?

Mr. D. Before the riot.

Senator Byrd. Then although this change in neighborhood has come about over a period of years, the serious impact on your particular business came about in the past few weeks?

Mr. D. That is when the serious part came.

Senator Byrd. What do you consider is the single most pressing problem that faces the businessman of this city at this moment?

Mr. D. Well, the most serious thing is the help. They leave us for a District Government job. They even be a garbage collector because they get good pay there and do not need to work.

Senator **Byrd**. So you cannot get help?

Mr. D. We cannot get help. This is impossible.

Senator **Byrd**. Well, what is the next most serious problem?

Mr. D. Well, the next most serious is fear.

Senator **Byrd**. Fear?

Mr. D. That is coming next. Especially after what is going on now. That march. People are just calling us up every day and ask us whether we are still here, and some of them tell us why do we not leave or close up. And everybody is scared.

Senator **Byrd**. Are these your friends who call?

Mr. D. Customers.

Senator **Byrd**. They are not doing it to threaten you?

Mr. D. No, they mean it good, they just do not like to see anything happen to us. We have been there for 40 years.

Senator **Byrd**. Did you receive any threats at the time of the funeral of Dr. Martin Luther King?

Mr. D. Well, they gave us the threat the day before the burial.

Senator **Byrd**. What?

Mr. D. Before he was buried. They said to us if you are here tomorrow you will not be there the next day. So we did not go in.

Senator **Byrd**. They were threatening you to close your business?

Mr. D. Yes, sir. So we did close.

Senator **Byrd**. You did close?

Mr. D. We did not go in at all.

Senator **Byrd**. Did you have anything you would like to add?

Mr. D–A. It is strange. That area was my home. And you know until about say ten years ago, and I used to live there, it is strange now they call it a slum and before it was, I never considered it as a slum or anything like that. It seems that the houses were nice then. It seems just a matter of keeping them up a little bit better, perhaps a little tighter and stricter zoning practices in the District of Columbia would help too. It would certainly help a great deal, especially in the urban renewal projects. It seems like when they emptied the Southwest and made people move there they just moved into another area and brought this thing, and it seems that if they are going to rebuild these areas that they be a little stricter rather than displacing the people that move out, that they keep them in the same communities and give them a great deal more of education, saying if they are going to have public housing there that they require these people to learn how to use this public housing rather than letting it be destroyed again in say ten or 15 years.

Senator **Byrd**. These people have been brought into your area?

Mr. D–A. I have a feeling that they were. It seems that way. It seems this is an older section of the city and they have come here.

Mr. D. It is the lowest class of people what is moving in.

Mr. D–A. You cannot say it is all low but they were poor people who were displaced in the other areas and the fact that Washington has always had a large migration of Negroes from the south.

Senator **Byrd**. You use the term "poor people," and you use the term "lower class."

I know a lot of poor people who are not low class people.

Mr. D–A. That is true.

Senator **Byrd**. Now, what do you mean?

Mr. D. Let us look at it this way. Those people, they are not poor, but they are not brought up the right way to live. That is the whole story. They are raised up. Those children, they had no home, had no father and mother, and now they put them on the street. That is the ones we have to put up with.

In Germany we got a lower class too, we got low people, we got poor people, but them people, we do not take them and move them from a low point up in a high point. We leave it low. They want to live like that.

Mr. D–A. These people are culturally deprived. These people have had poor educations all their lives.

Senator **Byrd**. You do not ascribe the hooliganism to that, do you? The fact they have been deprived and poor?

Mr. D–A. Not entirely. A lot of it is the fact that you know there has been a general breakdown of law in the city. If you only solve 26 per cent of your crimes, it means that three out of four times you are going to get away with it, and the fact that once you are caught, if it is the first time, you will get probation or something of that nature. And if it is a serious felony you just might get to serve a very short term.

Senator **Byrd**. And, of course, when you say 26 per cent, it is less than that now. It is probably down to about 24 per cent. And that is only of the crimes that are reported.

Mr. D–A. That is right. We have been held up several times. We had one fellow who came in and took a couple of shots at Mr. D here.

Senator **Byrd**. How recent was that?

Mr. D. Two years ago.

Mr. D–A. Practically three and a half years ago.

Senator **Byrd**. How many times have you been held up?

Mr. D–A. We have only been held up a few times. A lot of times they have taken something from the counter.

Senator **Byrd**. But to come in and draw a gun on you, how many times has this happened?

Mr. D–A. Once or twice. About twice.

Senator **Byrd**. About twice that you have had a real holdup?

Mr. D–A. These people have never been caught.

Senator **Byrd**. Did they take your money?

Mr. D–A. One time they got some money. That was in one of the other stores though. We were not there. The man came in and had something they thought was in his——

Senator **Byrd**. When you say they took a shot at him——

Mr. D–A. They took three shots at him.

Senator **Byrd**. How did this happen?

Mr. D–A. He came in through the back, it was raining, and late, early evening, and he just walked in and had a ski mask over his face.

Senator **Byrd**. Your father was in the building at that time?

Mr. D–A. That is right. He was at the other end and the man said for him to stop and my father misinterpreted his words and kept moving away and he took three shots at my father.

Senator **Byrd**. And missed?

Mr. D–A. He missed my father's head about that much.

Senator **Byrd**. Then what happened?

Mr. D–A. Then he ran out. And I was just about from here to there away from the man but he had a gun on me and I was not about to do anything.

Senator **Byrd**. A white man?

Mr. D–A. We could not say. Most probably a Negro man.

Mr. D. It was a colored man.

Mr. D–A. You could only see between the slits of the ski mask.

Senator **Byrd**. You could not see what color his hands were?

Mr. D–A. I thought he was Negro.

Senator **Byrd**. Did he take anything?

Mr. D. He run out.

Mr. D–A. Apparently he panicked. He was quite nervous and panicked and ran out of the door and, of course, it seemed like eternity before the police came.

Mr. D. May I say something? What we had up in our neighborhood, we had a woman raped eight times from ten colored boys. And we know for a fact it happened and it never got in the papers.

Mr. D–A. It was mentioned in the paper.

Mr. D. It was never mentioned in the paper. And the other boy, a white boy, my brother was standing next to him and he said what are you doing and the white boy was almost whipped to death and it was not in the paper either. It happened in our police precinct and nobody said nothing. Why does this not come in the paper?

Senator **Byrd**. Was the woman a colored woman?

Mr. D. The woman was a white woman.

Mr. D–A. This was some time ago.

Mr. D. About a year ago. And the doctor said he had never seen anybody so hurt like this woman.

Senator **Byrd**. Mr. D–A, you are a young man and read in the law, and your father has operated this particular business for 40 years and suffered a great loss. If he came to you and asked you what measure of force, the outer limits of the force that he might use in the protection of his property, what would you tell him?

Mr. D–A. Well, realistically supposedly some one who commits a trespass or something of this nature, you have a right to use whatever force is necessary to repel them.

Senator **Byrd**. Even up to and including—

Mr. D–A. Up to and including. But it is hard in this city, it is very hard to say kill someone. I am against killing someone, you know, unless he is using a deadly weapon or something of this nature. I am against that. But I think if you are not going to do that, you know, it seems that this city does not want these people to be killed. You have to have sufficient people there with sufficient strength to be able to take other measures. Whether this could be more policemen or more dogs or a thing of this nature, but it is hard to say really.

I would not recommend my father killing anyone.

Senator **Byrd**. But you do not consider that the law places any limitations upon him?

Mr. D–A. It does not place that much, if someone were coming in and, you know, using—if it is a simple crime such as larceny, you are not allowed to use deadly force unless you go up in an attempt to make an arrest and he tries to escape. You could probably use it. But in general, I noted a case not too long ago where a person that took something and the storekeeper tried to stop him with a weapon and stop him, and he was indicted for manslaughter.

Senator **Byrd**. I think what you are saying is that if your father took whatever action might be necessary in order to prevent a felony from taking place or to prevent the escape of the felon, he then would jeopardize himself and possibly cause himself a lot of litigation and difficulty at considerable cost and additionally, his own life, as a result of this incident might be in greater danger thereafter?

Mr. D–A. That is right. You can see this the way they react to the police here in the city. The papers here are almost against the taking of human life for minor crimes. And you have noticed this even in the case where this policeman who probably was actually doing his duty during the riot was indicted, at least from a coroner's jury, for homicide. That was practically ridiculous. The man was probably doing his duty and there is no sense that he will have to stand trial. He will have to go through the process and be suspended from his police activities. It seems to be that if a person is trying to do his duty they suffer more risk trying to enforce the law than if they just let things go and just try to arrest for the most obvious crimes.

Senator **Byrd**. Are you saying that you are afraid to protect your property and use whatever force is necessary to protect that property for fear that your life would then be greatly endangered?

Mr. D-A. Probably so.

Mr. D. Yes.

Mr. D-A. It seems property does not have any more rights. It only comes to the extent that if it is your own life is in danger or jeopardy.

Senator Byrd. And are you also saying that to protect your limb from being injured might cause your life to be taken?

Mr. D-A. That is right.

Senator Byrd. You are saying then that rather than retaliate at the moment and possibly fend off a blow, you would rather receive the blow hoping that that will be all, for fear that if you attempted to fend it off that then the blow might be more harsh?

Mr. D-A. Probably. You hope if you just let them hit you a little bit he will not come back a second time and hit you harder.

Senator Byrd. If you stopped him from hitting you a little bit then you think you might get killed?

Mr. D-A. That is right.

Senator Byrd. Do you believe the newspaper stories to the effect that the businesses that were looted were selectively chosen?

Mr. D-A. No, I do not think they were selectively chosen at all.

Senator Byrd. Do you feel that they were charging higher prices to non-whites than to whites?

Mr. D-A. Certainly I have not seen that in the stores like Peoples and Safeway and Murphys. They were not charging higher prices. I am sure some of the smaller stores which had credit prices, but not all of these were destroyed. It seemed like a lot of the other stores were.

Senator Byrd. Do you know of any high credit stores that were destroyed?

Mr. D-A. Probably a few on 7th Street.

Senator Byrd. Do you know that for a fact? Can you name one for a fact?

Mr. D-A. I never bought on credit. All that I heard was what these people occasionally said.

Senator Byrd. But the stores like Safeway and Murphys and so on?

Mr. D-A. I never saw that their prices were out of line.

Senator Byrd. Were they burned out?

Mr. D-A. Murphys and Woolworths were burned out. But Peoples and Morton's, I am sure they were not overcharging.

Senator Byrd. Mr. E., what do you consider to be the single most pressing problem confronting the businessman in the District of Columbia today?

Mr. E. Protection. It is the main thing we need today. Any businessman needs protection.

Senator Byrd. From whom?

Mr. E. By the police department.

Senator Byrd. From whom? Against whom?

Mr. E. Against the hoodlums on the street.

Senator Byrd. How long have you been in business at your present location?

Mr. E. Fourteen years in July.

Senator Byrd. What is the makeup of the population in your area?

Mr. E. In my area there is possibly 85 per cent colored right in the vicinity.

Senator Byrd. Is the population changing? Has it gotten increasingly colored recently?

Mr. E. In my 14 years there the neighborhood has completely changed from white to colored, I would say.

Senator Byrd. Now, when you say that you need more than anything else protection, have you been robbed?

Mr. E. I have been burglared twice. As I said, I need protection by the police department. I talked with any number of police department members from time to time in every precinct, and every policeman continues to tell me they just do not feel that they can do anything because their hands are tied. I tried to ask them to do things and they do not do anything, their hands have been tied. Everybody gives them the same answer.

I have talked to different policemen. I have talked to any number of policemen in this city.

Senator Byrd. Why do they say their hands are tied?

Mr. E. From the upper bracket.

Senator Byrd. Do you mean by their superiors, or do you mean the courts?

Mr. E. The courts and the superiors, and the superiors are tied from the courts.

Senator Byrd. Now, you say you were burglarized twice. Was this during the riots?

Mr. E. No, in the last four years I have been burglarized.

Senator Byrd. You have not been burglarized since the riots?

Mr. E. No.

Senator Byrd. Was your business broken into during the riots?

Mr. E. No.

Senator Byrd. There was no attempt to set fire to your business?

Mr. E. No, I was there watching it both days, Friday the 4th and 5th of April. I was there watching.

Senator Byrd. Was your business closed?

Mr. E. Yes.

Senator Byrd. Why did you close it?

Mr. E. None of my employees would come to work was the main thing.

Senator Byrd. How many employees do you have?

Mr. E. I usually run from nine to 12.

Senator Byrd. Are they white or colored or both?

Mr. E. Both.

Senator Byrd. In what proportions?

Mr. E. I have two colored and the rest white.

Senator Byrd. Why would they not come to work?

Mr. E. Afraid to come in the neighborhood, I would imagine.

Senator Byrd. Now, the 6th was on Sunday. Do you open on Sundays?

Mr. E. No, I am closed on Sunday.

Senator Byrd. On Monday, did you open following the riots?

Mr. E. No, I was closed for eight days. They put a curfew on whiskey and beer and I was closed for eight days, eight or nine days.

Senator Byrd. Your business is not primarily a liquor store?

Mr. E. No. It is a night club. I will say it is a night club, not a liquor store.

Senator Byrd. Any food stuffs in your business?

Mr. E. Oh, yes, indeed.

Senator Byrd. What do you have in the way of foodstuffs?

Mr. E. I have all kinds of steaks, chops, seafood. The bulk of my inventory is beer and whiskey. I keep that in buying power there because you have your deliveries on your groceries every day, you know.

Senator Byrd. And you said your windows were not broken?

Mr. E. No.

Senator Byrd. To what do you ascribe this?

Mr. E. I just feel as though they were not going for small places there in the neighborhood, for two reasons. I am surrounded by a certain building. There is a certain building on one side of me and a building on the back of me. I am wrapped around by a building and therefore I feel as though they are afraid of government property more so than an individual and there was a guard sitting in the window of the government building in uniform all during this thing.

Senator Byrd. Do you serve Negroes and whites?

Mr. E. Negroes and whites, yes, sir.

Senator Byrd. Do you charge Negroes more than you charge the whites?

Mr. E. No, the same thing.

Senator Byrd. You did not open on the day of the funeral of Dr. King, on the 8th?

Mr. E. No, I was not open, definitely not open. I did not open until about nine days after the riot until the curfew was lifted. It was way after his funeral that I opened.

Senator Byrd. Did you receive any threats against your opening your store?

Mr. E. I have had four telephone calls since I reopened.

Senator Byrd. I mean at the time of the funeral did anyone call you threatening you if you did open your store during the funeral?

Mr. E. No, because I was not there.

Senator Byrd. You were closed anyway?

Mr. E. Yes, sir.

Senator Byrd. Now, since you reopened, you say you have had four threatening telephone calls?

Mr. E. Yes.

Senator Byrd. What has been the nature of the calls?

Mr. E. I have had three and my bartender had one. They have called up and they wanted to know do I serve Negroes there. I said yes, indeed, any one.

I might state also here that 99 per cent of my business is white and has been for some unknown reason, even though I am in a colored neighborhood. Therefore, I was surprised I was not vandalized and burned out.

Back again to the question.

Senator Byrd. What was the nature of the threats?

Mr. E. They threatened did I serve colored and I said absolutely anyone. And they said, do not worry, you will not have to serve any colored at all because you are going to get it this weekend. And they called up again and said we left you alone that night because we were saving upstairs for us. They mentioned upstairs for us. What that is I do not know. Upstairs over me is a hall where 100 per cent colored go up there. So now they were saving that. He mentioned that on the phone, we were saving that for us, but we are going to get you.

That was the second one. The third one was Friday night a week, this past Friday night, he called me up on the phone and literally cussed me out, using a lot of vulgar language to start with, and I thought I would listen to this a minute and see what the fellow was going to say.

"You are next, you are being burned up tonight because you do not have any soul brothers name." He mentioned soul brothers to me.

Senator Byrd. What did you say?

Mr. E. I said, fellow, we serve everybody, we serve soul brothers, I have a houseful of soul brothers in now.

Senator Byrd. Did you recognize this as the same voice who called before?

Mr. E. No, I did not recognize either one of the three voices as being the same.

Senator Byrd. Did they sound like they were the voice of a Negro?

Mr. E. They sounded like a thick lipped person, a person without any education, the way they sounded.

Senator Byrd. Did they ask for money?

Mr. E. No.

Senator Byrd. Have you been asked for money?

Mr. E. No, I have not.

Senator Byrd. You have not been promised security if you would pay off?

Mr. E. No. In my neighborhood, as I say, 99 per cent of my business is white, and over the last eight years, why my white people come there I could not understand it, because every night some of their cars get stolen, which the police have a record of, the wheels stolen, the radios stolen out of the cars, 20 aerials bent on their cars. They go down the street and bend the aerials. This is the 18 to 28 group that I cater to and they still come back. Why, I do not know. I have an old car that I bought eight years ago. But they kept stealing my hubcaps and stealing my wheels in the neighborhood.

Senator Byrd. How far do you live from your business?

Mr. E. Seven miles.

Senator Byrd. Do you own the building in which your business is located?

Mr. E. I am renting.

Senator Byrd. Do you plan to stay in this building?

Mr. E. I would love to sell it and get out of that neighborhood. It is very dangerous now, too dangerous. I would love to sell it and get out.

Senator Byrd. What keeps you from getting out? You do not have a heavy inventory, do you?

Mr. E. Obligation.

Senator Byrd. You mean by contract?

Mr. E. Contract.

Senator Byrd. For leasing the building?

Mr. E. No. I had a partner there until 1962. And I bought my partner out in 1962 and I still owe him quite a bit more on that note that I bought him out with in 1962. He died. He was very sick.

Senator Byrd. You would like to get out of there?

Mr. E. Yes, if I could get my money out of what I have invested I would get out and take a loss and get out.

Senator Byrd. You do not think you could get your money out of it?

Mr. E. No.

Senator Byrd. Why?

Mr. E. I have tried. I have been advertising it for sale for the last year and a half. I have it listed with a broker and cannot get my money.

Senator Byrd. They have not been able to sell it?

Mr. E. No.

Senator Byrd. Can they sell at a five or ten per cent loss?

Mr. E. No.

Senator Byrd. Or 20 per cent below what you are asking?

Mr. E. No.

Senator Byrd. Would you sell at a loss?

Mr. E. I would sell at a loss, but I would want to get my notes paid off and just a little bit of equity out of it. I would sell definitely at a loss.

Senator Byrd. Mr. E., what would you estimate is the fair market value of your business, your good will, your fixtures, now, as opposed to two years ago, or how many years ago was it that you bought your partner out?

Mr. E. When I bought my partner out, I bought him out at say $120,000 net worth, $60,000 for his half interest, which that would be a total of $120,000 for the total place, you see. And I would gladly take $75,000 today for the total. That is how much of a loss I would take on it.

Senator Byrd. You were open last week?

Mr. E. Yes, sir.

Senator Byrd. You were open for business?

Mr. E. Yes, sir, I have 40 per cent of my usual business now—35 to 40 per cent of my usual business.

Senator Byrd. Of what it was the first week in January?

Mr. E. Yes, sir, 35 to 40 per cent of what I did in January, February and March.

Senator Byrd. So your business had fallen off more than half since the riots?

Mr. E. Yes.

Senator Byrd. Is it gradually picking back up?

Mr. E. This past week was a fraction better, just a fraction better. I mean it is so nominal you cannot say there is any difference. It is so minor.

Senator Byrd. Do you have any problems with your insurance?

Mr. E. Insurance is a very big problem. I am insured there, well, I have been insured with the Elliott-Short Company since 1942. That is one of the bigger insurance companies in Washington. My insurance has run anywhere from $1,200 to $2,400 a year since 1942 with the different restaurants I have owned. Two years ago they cancelled me out.

Senator Byrd. In this present location?

Mr. E. At this location.

Senator Byrd. Why did they cancel you out?

Mr. E. As I say, from 1942 to two years ago, that would be 24 years, I paid these fellows $1,200 to $2,500 a year in premiums and never had a loss and this company cancelled me.

I said I am very surprised that you cancelled me. They claim that it is a risk area. I said I cannot help what you call this as a risk area, I have a brick building, I cannot see where it is a risk area when I have a brick building, but they refused to renew me when I have done business with them 24 years and never had a claim. So, therefore, I have to go to a scab company now, none of the legitimate companies will take me. I now have to go to a scab company at these increased rates and I have to sign a statement to the effect that I will pay these increased rates.

Now, I am not so sure that these companies that I have my policies with are controlled by the Insurance Commissioner. I am not so sure that they are controlled, as I say, whereby if I ever have a loss I might not be able to collect. They might be a small company in Southeast Texas with a doorway this size.

I think all the larger companies today, 90 per cent of the insurance companies, are controlled by the Insurance Commission and they all go by the underwriters ratings. But this other little scab company, they take over these risk areas and they do not go by rating bureaus, they just put their own rates on.

Senator Byrd. How much higher are their rates than what you were previously paying?

Mr. E. About twice as much.

Senator Byrd. Are other businessmen in your area buying policies from them?

Mr. E. They are complaining about the same thing and our restaurant men are complaining about the same thing throughout the city. The restaurants are complaining about the same thing.

Our restaurant association has complained about this. We have to serve any human who walks in our door but the government does not make that insurance company write my insurance. There are not laws on the insurance business in the United States, but I cannot get them to write insurance for me. The Hartford or Home or Fireman's or all the better companies. I have to do business with a scab company for the higher premium.

Senator Byrd. Do you have many people who come in and refuse to pay you when they start to leave?

Mr. E. No.

Senator Byrd. How do you view the forthcoming march on Washington by Mr. Abernathy?

Mr. E. Well, we have already given them our permit to do anything they want to loot and set fire. We have already given them a permit to do anything they want. The United States Government has already given them a permit to do anything they want.

Senator, I want to say to you, that our Senators do not have enough backbone to put laws into effect and the President does not have backbone enough to put laws in the country to say we will shoot them and stop this once and for all.

As I say, all we have to do is get on the radio and say, I, the President of the United States, say we will not have but one more riot in the United States. All we have to do, we send boys to Vietnam and they get killed and all we have to do in the United States, I am ordering the policemen of the streets in Washington, D.C., or wherever we have a riot, ordering tanks and mowing everybody down on the street, man, woman or child, so therefore everybody should be able to understand this language. Those who do not want to get killed be off the street, because I am putting everybody in tanks where they will not get hurt and everybody will be killed on the street in any riot.

So, therefore, like I was standing on the street that day, I knew the government was not going to shoot anybody. If I knew that the law was to be enforced I would not have been standing on the street that day. We are sending them to Vietnam to get killed and kill our youth of this country and we let the hoodlums live.

This does not make sense.

Like President Johnson said the other day, what a wonderful thing it was we spared lives in the District. We can rebuild. We can get more money. What an asinine thing to say, that we can get more money. Here I am 55 years old. If I would have lost my entire assets, how could I, again at my age? I am 55. And he says you can get more money.

But you are giving the hoodlums a permit to live, but you are not giving the 18 or 19 year olds a permit to get life. We are giving him a permit to get killed. But we are giving the hoodlums a permit. I say shoot these hoodlums and get them off the streets and stop the riots. And if you would permit everybody to get shot on the streets, all those people would get off the streets except the hoodlums and they would get the word real quick.

Senator Byrd. When you stood in proximity to your store on the day of the riot, did you have on your person any firearm?

Mr. E. No, sir. I do not have one in my store, or I do not want one in my home. I am a believer in no firearms whatsoever. Everybody condemns me, every policeman I know, because I do not have one in the place. Like this fellow Brown that got killed yesterday, a man with a gun will always get killed. The Mr. Brown in the liquor store, he pulled this gun out and he got killed. I do not have a gun in my place of business or my home.

If you were to give me one, I would get caught for speeding going to the river to throw it in, because I do not believe in guns.

Senator Byrd. The same for your employees?

Mr. E. No guns in my place. I had a man arrested in my place three months ago for bringing in a gun. I brushed up against him and found out he had a gun and I had him arrested. I do not believe in guns. I had him arrested.

Senator Byrd. The protection that you talked about, you look to the government to furnish that?

Mr. E. That's what I am paying taxes for. I do not believe in guns. I will not have one in my place of business or my home.

Senator Byrd. In the type of business that you are in, you must necessarily have to control people once in a while? Do you have to forcibly eject them?

Mr. E. By mouth, conning the people in a nice way. I serve alcoholic beverages, we have dancing. I talk to people in a nice way and they go along with you. You get more flies with honey than you will with a stick. That has been my motto throughout life.

This government today, I just cannot believe it.

Senator Byrd. How much business do you do a year, now, would you say?

Mr. E. How much business am I doing now?

Oh, it is way down. Around $100,000 a year now.

Senator Byrd. Did you do more than that last year?

Mr. E. Right at $100,000 last year. But it has been coming down ever since 1963–64. It has gotten worse. In the last three or four years it has gotten worse up in the neighborhood.

Senator Byrd. Is this because the neighborhood is a bad area?

Mr. E. A bad area.

Senator Byrd. That your customers are afraid to come in?

Mr. E. They are afraid to come. They are afraid to come. You get some of them that want to challenge these kids. It is a challenge to them. They want to challenge them as far as that goes. They will not challenge me or my place, but on the street they want to challenge these colored people.

Senator Byrd. Who will challenge whom?

Mr. E. The white people will challenge the colored people out on the street. I will hear it out there when they leave at night time. The kids know that it is a colored neighborhood but they want to come any way to see what will happen.

Senator Byrd. The white kids?

Mr. E. Yes. I will not say they get in a fight. They will come as a challenge. Even though it is a colored neighborhood they want to come and see what it is like there. But they have been deteriorating, the business has been going down gradually all the time.

Senator Byrd. I do not have any further questions. I appreciate your coming up here. It is now five minutes to ten o'clock.

If you have anything you want to add, feel free to bring it up.

Mr. E. I just do not see why the government does not do something to protect the United States.

You read in the newspaper about the riot torn South American countries because it does not have a strong enough army to protect the government. That is the way I look at it. And now that is what the United States is getting to be, just a little riot torn country like the South American countries. Pretty soon you are going to have a guy like Castro coming here wanting to take over the country, if they do not do something about it.

Senator Byrd. Do you have difficulty employing people in your area?

Mr. E. I can put an ad in the paper for three weeks, four weeks straight, for a waitress and will not even get a reply.

I have had people to come to work for me and work for a short period and then they quit because they can get unemployment. I have gone down to the unemployment. The employees will say to the other employee, this Saturday night is all I want and now that I have enough time in for my unemployment. So I would get my employees to verify this, my other employees that work for me to verify this, and go down to the District Unemployment Compensation Board and say I want to cut this person off from unemployment because they can get a job as a waitress at any time. The papers are full of waitress positions like this. She is down here applying for unemployment compensation. She admitted that she wanted to do this. My other employees will testify to this. And they say the only thing we can do is disqualify her for the first ten weeks but she will get 16 weeks or 20 weeks. And I will say you mean you will not disqualify her for good? And they will say no, sir, she is going to get it anyway. The Unemployment Board tell me this and the employees tell me this.

Senator Byrd. If she walks out of your place and leaves her employment voluntarily, can she still collect unemployment?

Mr. E. No. The point is she was antagonistic to my customers or sarcastic. She just got so asinine to the customers and chasing them and cursing at them and she admitted to the employees why she was doing it, so she could get fired.

Senator Byrd. She wanted you to fire her?

Mr. E. Yes. And I got my employees to state that fact and then they stated we would be glad to go down to the Unemployment Board. I went down and saw a woman, kind of a big cheese down there, and she said I cannot disqualify her.

Senator Byrd. Well, I certainly thank you for coming.

(Whereupon, at 9:55 o'clock p.m., the hearing recessed.)

[Vol. 2]

The United States Senate: Report of Proceedings, Hearing Held Before Subcommittee on the District of Columbia of the Committee on Appropriations

[Executive confidential]

U.S. Senate, Subcommittee on
the District of Columbia of
the Committee on Appropriations,
Washington, D.C., May 2, 1968.

The Subcommittee met, pursuant to recess, at 6:00 p.m., in Room 105, Old Senate Office Building, Robert C. Byrd of West Virginia (Chairman of the Subcommittee), presiding.

Present: Senator Byrd (presiding).

Senator Byrd. This gentleman is Mr. F.

Mr. F., what do you consider to be the single most pressing problem confronting you as a businessman in the District of Columbia?

Mr. F. You are asking me that question?

Senator Byrd. Yes.

Mr. F. Well, my immediate problem at this moment would be the need for protection, I suppose.

Senator Byrd. Would you like to elaborate on that just a bit?

Mr. F. Well, as my letter states, I operate a business in one of the slum communities and it is a type of business that actually brings money out of this community into the community and we have some 50-odd Negroes working for us. I own the property.

We are centrally located, which is an advantage to us, but it is not necessary that we remain in this area, except for patriotic reasons, I suppose.

Unless we have protection, because we were damaged very badly during the recent riots. We will be forced to leave this area and contribute to making it a true ghetto and, of course, my definition for a ghetto is a walled-in area that you can't get out of. These people must travel two hours to their jobs. We will have a situation similar to Watts where they will find it easier to live off the Welfare than to be working seven hours a day and traveling four hours a day to get eight hours pay.

I would say my immediate concern would be to have protection, the right kind of protection, so that I can operate my business and give the necessary feeling of security to all of my employees and the ones that live out of the area so they can come to work for us.

I was there during the rioting.

Senator Byrd. Your employees are afraid, are they?

Mr. F. Some of them are, yes.

Senator Byrd. How about you? Do you have a feeling of fear?

Mr. F. Well, I don't. I was there during the rioting. I went down there during the height of it. There were 50 or 60 of them in my building. They had cleaned out the showroom, stripped it like locusts, ravaged my office, took everything out, personal papers, a portrait of myself, which could be of no use to anybody, and there were some fires set off. I don't know how I got down there. I guess it was a reflex when I learned there were buildings being burned on the street.

Senator Byrd. How long have you been in business in the District of Columbia?

Mr. F. 15 years. Not in this very same business, but in other businesses.

Senator Byrd. How long have you been in business in the location which was hit by the riot?

Mr. F. Eleven years in this building.

Senator Byrd. What is your age?

Mr. F. 36.

Senator Byrd. What has been the history of crimes of violence against your person, your employees, and/or your place of business?

Mr. F. We haven't had any significant amount of violence against our employees. We have had a few burglaries, broken windows, and things like that. Nothing to alarm us to the point that we are alarmed since the riot.

Senator Byrd. Have these breakings and enterings increased in the last two or three years, entirely aside from the riot?

Mr. F. Oh, I would say so, yes. I think it is common knowledge that crime has increased throughout the city.

Senator Byrd. Has this been noticeable insofar as your own property is concerned?

Mr. F. No. The neighborhood hasn't deteriorated over the past five or six years. It has remained the same.

As a matter of fact, businesses like myself in a few other buildings have done something to upgrade the area by putting up new structures and good-looking buildings.

Senator Byrd. How many employees do you have?

Mr. F. In the neighborhood of 70.

Senator Byrd. I believe you said about 50 of these were Negroes?

Mr. F. Yes.

Senator Byrd. Have the Negroes held employment in other than menial jobs.

Mr. F. No, not by any means.

Yes, not at this time. But I am in the present business only six years. We have a former trucker who is now assistant manager of our warehouse, on a salary, at a good salary.

We have a young Negro girl who we just took into our computer department at a very good salary. We consider her part of management. And we are doing our best to try some of the others, if they will let us.

Senator Byrd. What do you mean by that, "If they would let us?"

Mr. F. Well, we are doing our best through our profit-sharing plan and it is meaningless to let these people know they have the same opportunity as anybody else in our organization. And those that can carry the ball can go all the way with it.

We would like to show them—we would like them to show us that they can carry the responsibilities of these positions that are open to them, and if they can we will give them the jobs.

Senator Byrd. Are they showing an interest?

Mr. F. Frankly, we can't get the caliber of man that is attracted to this. Frankly, we can't hire people.

Senator Byrd. Why?

Mr. F. I don't know where they are. We pay well. We offer opportunities. They talk about unemployment. I don't know where there is unemployment unless it is this hardcore unemployment, which I don't know if I fully understand. Is it indigent or the low-level type of person seeking work? This is what we are getting. Those that have character and are willing to learn, coming right up the ladder from truck helper to truck-driver to warehouseman, and like a few of my men in the salaried positions.

Senator Byrd. Are you saying it is difficult for you to find people to fill your jobs?

Mr. F. We are a very rapidly-growing concern and we are growing by leaps and bounds and we need people. We can't get the U.S. Employment Service to send us one, not qualified, but not one applicant. And I am sure there must be many on the rolls that are looking for work. This is not a complaint, you understand, because I don't claim to have any solutions, nor do I make any recommendations. But this is our situation.

Senator Byrd. Well, you must have had some experience with the U.S. Employment Service. Why do you feel that the agency itself is just not sending them to you, or do you feel that the agency just doesn't have applicants?

Mr. F. I don't know enough about the inner workings of that agency. Certainly the type of help we are looking for to give employment to is certainly not that skilled.

Senator Byrd. What type of help is that?

Mr. F. In most cases we have a tremendous turnover in helpers and truckdrivers. And the helper doesn't have to be a driver, doesn't have to have a permit to drive. All he has to do is follow instructions. And we are not able to get them.

Senator Byrd. Is that someone to go along with the truckdriver and help him unload and load?

Mr. F. That is right.

Senator Byrd. You find it difficult to keep such positions filled?

Mr. F. Yes.

Senator Byrd. When you do fill them, do the individuals stay in the positions long?

Mr. F. Not too long. They come and go.

Senator Byrd. What would be the average pay for that type of work?

Mr. F. A completely unskilled helper will start out at $1.60 an hour for 40 hours, and in our type of business there is invariably another eight hours overtime at time and a half. So these young men make, and those that we get are very young, most of them seem to be coming from out of the area. As I say, we are not able to get them through the agencies.

The average young man starting with us does earn between $75 and $85 a week.

Senator Byrd. And they don't stay on the job long?

Mr. F. Not too long.

Senator Byrd. Do you have vacancies right now which need filling?

Mr. F. We always have vacancies.

Senator Byrd. Do you have some now?

Mr. F. Yes.

Senator Byrd. That need filling?

Mr. F. Yes, sir. I don't know about today, but I know last week we had some and I am sure we do—we could use a few men now.

Senator Byrd. Do you advertise in the newspapers for me?

Mr. F. No, we don't.

Senator Byrd. You just depend upon the USES?

Mr. F. No, we don't depend on them at all. We have abandoned them. We use the employment agencies. Naturally these men handle merchandise and they are in a truck and we have to make sure that they don't have any criminal records and we can screen them better through an agency as opposed to putting an ad in the newspaper and getting 30 of them in. Now we send them down to get their police records and maybe five of them will come back and some of those won't be qualified. We are not prepared to interview and work with that many people.

It is a pitiful thing. They can't fill out an employment application.

Senator Byrd. And you send them down to get their own police records, if they have such?

Mr. F. Yes, we do.

Senator Byrd. Do they have any problem getting this, if they ask for it themselves?

Mr. F. No problem getting a police record. None at all. And those that do return to us bring a police record that was worthwhile to use on a credit application.

Senator Byrd. What kind of police record would pass your scrutiny, let's say?

Mr. F. Well, we will hire a man with a disorderly charge. We will hire a man with a drunkenness charge, providing it hasn't occurred too often or not too recently.

We will hire a criminal if he comes to us from a prison recommended by a parole officer and under the supervision of a parole officer, because it is very rewarding to rehabilitate one of those people.

We have somebody now who is working for us as a truck helper who works for us and then returns to prison every night.

Senator Byrd. Have you had much experience in dealing with this type of individual.

Mr. F. No, not too much. We haven't been able to get too many of those.

We will hire a man for auto theft if it occurred when he was young, very young. We won't hire a man for carrying a gun or any weapon. We won't hire a man that has been involved in housebreaking or burglary.

Senator Byrd. Has your situation with regard to problems in the hiring and keeping responsible help been aggravated by the recent riot?

Mr. F. No.

Senator Byrd. Is there any difference in the selling price of your merchandise as between white and colored customers?

Mr. F. We don't deal with colored customers.

Senator Byrd. You don't deal with colored customers?

Mr. F. Not by choice but by the nature of our business.

When I say we don't deal with them, I would say two percent of our business is to colored people and these are not local people, they are from out of town. You see, our service is to fill the gap that arises by new people moving into the area and don't know whether they are going to stay. So we lease the furniture to those apartments for short periods of time, anywhere from six months to a year.

We don't do business with anybody locally because there would be no reason to rent furniture, and if they had a good credit standing they could go and buy furniture at lower monthly rates on the installment than we charge for our service.

So that explains why we don't do business with local people.

Senator Byrd. Because your products and services are not required by those local people?

Mr. F. By the people already living in the area.

Our average customer is in the area 48 hours. They are in a motel, they have rented their apartment. We service seven or 800 apartments in the area. When they rent this unfurnished apartment the apartment will call us for the furniture or they will come into our showrooms and make their selection.

Senator Byrd. So, for the record, your business is one which brings you into contact with new apartment buildings?

Mr. F. Yes. Not necessarily new apartment buildings, but arriving tenants that are new in the area moving into buildings that are generally in the semi-luxury to luxury class.

Senator Byrd. How many buildings do you have in this business? Do you have one building, two buildings, three buildings, and are they all together?

Mr. F. We have in this area that was stricken by the riot, we have one building containing 15,000 square feet, of which 4,000 feet is, I would say, as nice a showroom, a display room as you would find in the city.

Senator Byrd. What did it cost you to add that additional space?

Mr. F. About $120,000.

Senator Byrd. What was the value of this facility once you added this space? What was the value before the riot?

Mr. F. In the neighborhood of $275,000.

Senator Byrd. Now, as a result of the riot, has this value changed?

Mr. F. I haven't thought very much about that. But I imagine it has.

I own another piece of property adjacent to this piece of property, in which I intended to put another building, due to our expansion. That was estimated to run in the neighborhood of $160,000.

The new structure again would be an asset as opposed to an otherwise decaying neighborhood.

Senator Byrd. You had planned to add another building costing $160,000?

Mr. F. Yes.

Senator Byrd. Do you plan to add that building now?

Mr. F. We have curtailed any building on it. We have obtained our permits and have secured our plans and we are just waiting to see what happens before we start building.

Senator Byrd. At the moment, can you say that you do plan to go ahead with that building?

Mr. F. I would say there is a 50–50 chance at this time that I would go ahead. I would say there was a 100 percent chance a month ago.

Senator Byrd. That you intended to go ahead?

Mr. F. Yes.

Senator Byrd. But now there is a 50–50 chance?

Mr. F. Yes.

Senator Byrd. From what does this derive?

Mr. F. Well, I would like to see what happens in the next 30, 45 days. I would like to see what happens this summer.

Senator Byrd. Are you saying that as a result of the riot and in view of the forthcoming summer, which carries with it some potential, I assume, from the forthcoming march in Washington?

Mr. F. We have heard a lot of talk in the area about the march on Washington being a threat, yes.

Senator Byrd. When you say you have heard a lot of talk in the area, what do you mean by that?

Mr. F. Well, we have some Negroes in the area who will stop by when our rear door is open and chat and they will remark that they hope nothing happens during this march. We take that as some intelligence. These people never say we are going to burn you down. They will say, you know, I have been hearing talk that you are going to be burned down. And, of course, I don't approve of it but that is what I hear. And I take that as being a direct warning sometimes.

Senator Byrd. They obviously know that you employ nearly 50 Negroes?

Mr. F. Well, on Saturday morning following the riots, we were, like I say, ravished, but we did have some boards up to keep the weather out and we put up a sign saying "37 soul brothers and sisters earn their living here," thinking that, you know, maybe this would be just a little added protection against being burned down that night, because we were threatened. This sign lasted 15 minutes and it was torn down.

Senator Byrd. Suppose you tell us briefly about the riot, how it first reached you, and what the results were.

Mr. F. On Thursday night, I believe that was the night of April 4 or the morning of April 5, 3:00 o'clock in the morning I received a call from the police that our show window had been broken. And I got down to the showroom and one of the windows, a large plate-glass window, of which we have three, was broken and some furniture had been removed from the showroom.

We called the glass people and they told us they would come out and board up the entire front. There was no point putting in this window, in case something happened. Let's board the whole thing up and let's protect the whole thing until we can come out and replace the good glass.

They had many calls because there was some rioting on 14th Street that morning and they had many calls and they were afraid they wouldn't be able to get out to replace the glass anyway so they decided to board it up.

After my employees came to work and I was able to get out of the showroom and offices, I cruised down 14th Street to see what was happening and it was pretty bad, as you know.

At that time I thought, well, this was it. This was the riot and this would be the end of it.

About noon I got a few calls that they were looting and burning down on lower 7th Street near the Hecht Company. I got in my car, not as a spectator, with another man, not as a spectator, but to try to feel the pulse of what was happening so I would know how to take action in my own business.

When I got down there there were so many people looting that I would say that wherever I saw a policeman he was outnumbered perhaps 200 to one. They were emptying the stores out.

I got down to, I guess it was Mount Vernon Street, and I saw eight or ten policemen put their gas masks on and start to walk down the street abreast. I got out of the car and stayed about 20 yards behind these policemen trying to learn something, what, you know, action they were taking.

Well, there were four girls coming out of a clothing store with their arms full of clothing and one of the policemen threw a cannister among these four girls. And when it exploded they shrieked and screamed and dropped the clothes and ran. I didn't realize that I was exposed to this gas but a few seconds later the wind had blown it towards me and I got a face full of it and it was an awful thing.

I was in the Service and I am sure I must have taken some chemical warfare training, but I don't remember it being that bad. And I got back to the car and then we drove back to my showroom and it took me about 15 minutes before I could see well enough to even talk.

When I got back to the showroom, I told my people who had asked me what the conditions were, I said, well, it is pretty bad down there but I think they are going to get this under control, because I saw them using tear gas.

So at about 4:30 we closed up because our female employees, including the Negroes, of which we have, I think, on our office staff four or five, were terrified and we let them go home.

At that time we thought it was early, but had I known what was going on we would have let them go a lot earlier because nothing was happening, people weren't coming into the area, we weren't doing any business.

I got home. The traffic was very heavy because everybody was leaving town at that time. I got home about 6 o'clock. One of my men had his car in the gas station opposite our building on the other side of the street. He called to find out about his car and he was told that the furniture store was burning and this warehouse was burning and this place was burning and that they were looting my company.

I have a hand gun, which I took with me. The only thing that I took with me was a hand gun that was in my desk drawer when I left the building, because I figured if they do get in here by some chance I didn't want them to get hold of the gun because it had two clips of eight bullets each, and I had this hand gun and took it with me. I picked up my warehouse manager who had a hand gun and we came down to the area.

Now, I am not a hero. I must have gotten down there just on reflex because we bullied our way through the police and wherever we could find police and fire engines. There were police in the area because of the fires. They were protecting the firemen.

Senator BYRD. The policemen had to protect the firemen?

Mr. F. The policemen that were around. Let me put it this way.

When I got into the showroom there were two cars outside and, of course, I took their license plate numbers. I guess that was another reflex in all this chaos. They were loading up what they took out of my showroom.

When I looked inside I saw these small fires burning and there was a very big one outside. My first thought was to get some police in here. Well, the police that I could see were about a block down where the firemen were trying to put out this tremendous fire at this furniture store. I saw a police car coming down the street with a siren on it, and I stood out in the middle of the street and the police car came up against my trousers. There were four policemen in the car. The two policemen in the front told me to get out of the way, I was obstructing them, and I told them that there were fires in my building and they said get out of the way. And I said, no, there are fires in my building. And the bumper touched my trousers.

Finally the two policemen in the back, they must have been on a call, the two policemen in the back got out and went to the rear of our building where there was a tremendous fire. There were maybe 50 or 60 of them in the building and outside the building.

Senator BYRD. Who was in the building?

Mr. F. Looters.

And he told them to put the fires out. Well, they saw these policemen and they thinned a little bit, thinned out.

I went back into the building with my warehouse manager and they were carrying the stuff out as fast as they could. And we stamped out these small fires. Some of them were smouldering. They weren't the gasoline fires. They were fires set by matches, I suppose, from the paper that was taken out of boxes, the shredded paper that the lamps are contained in and various other pieces of furniture. They had just lit matches to these things, to this paper.

We managed to extinguish the fires, and whether they were afraid we would recognize them or whether they were afraid that we had somebody behind us, or for whatever reason, they dispersed. But we got rid of them. And, of course, they had emptied out the showroom completely. They took everything we had.

Then they were working on the warehouse part of it. The total loss is $58,000. That is what we know of, according to our inventory.

About one hour after we got there the troops came in.

Senator BYRD. About one hour?

Mr. F. About one hour after we got there, the troops came in. Had those troops been there, in my estimation, at the time we left, which was 4:30, the fires—as soon as we left they broke in about 5 o'clock. But had the troops been there when we left, I am sure they wouldn't have touched my building and I don't think that they would have burned those other buildings.

Senator BYRD. The troops got there about what time?

Mr. F. The troops got there about 9 o'clock. My warehouse manager and myself arrived there about 8:00.

Senator BYRD. This was 9 o'clock on the evening of——

Mr. F. When we got rid of the last looter. There is a bit of humor to this, too.

We had gotten rid of all these looters and we were pulling the wooden barricade in and while we were pulling it in, because we had got the back doors down—this is where the furniture went out the back doors into the housing projects behind us, a couple hundred apartments in this project. And while we were pulling the front barricade in somebody was pulling from the outside. Finally, we let them, whoever it was, pull it, take it all away. And this one large Negro walked in and my warehouse manager said to him, "Sorry, fellow, there is nothing left, it is all gone, we are clean." And he pushes him aside and he says, "I takes my own inventory." And with that he went into the warehouse part of our building, which we had blocked up again, and he came out with two rugs, one on each shoulder, carpeting. And I thought that was funny, if not tragic.

The troops arrived at 9 o'clock. I would say five minutes after this last looter had been in our showroom.

Senator BYRD. Before you go on there, did you attempt to stop this last looter?

Mr. F. No, I didn't.

Senator BYRD. Why didn't you?

Mr. F. What would I do with him—shoot him?

Senator BYRD. You were on your own property.

Mr. F. I wouldn't shoot him.

Senator BYRD. Why not?

Mr. F. For many reasons. The first reason is that at a particular time like this I knew there were many people on the streets that were sheep. I saw them. I know that with an early curfew and with a show of force nine out of ten people that were looting would not be there.

I was once young myself and very poor.

Senator BYRD. We have all been young and a lot of us have been poor.

Mr. F. And I am just wondering what I would have done when I was 17 years old if I saw a $100 pair of shoes in a window and it was there for the taking.

I am not condoning it, you see, but I don't know who this chap was that came in with his brazeness. I don't know who he was. He may have a brother living in the neighborhood, or a cousin. I was only interested in one thing, keep my building from being burned down. I didn't go down there to stop them from looting merchandise. I had no intention of doing that. I didn't even know if I was insured at the time because I don't keep burglary insurance. It is prohibitive for me.

Senator BYRD. It is what?

Mr. F. Prohibitive.

Senator BYRD. Too costly?

Mr. F. Yes. And the type of operation we have, for what it costs to buy this insurance they would have to load up truck after truck, you see. And we are right near the precinct. We do get good coverage during normal times from the police precinct. But I wasn't interested in saving the merchandise. I was interested in saving the building so my employees would have a place to go to work too so we would be in business, so I would have a place to go to, and this man wasn't threatening, he didn't threaten me, he didn't threaten to burn my building down. He hadn't shown any hostility in that direction.

He just wanted some merchandise. Maybe he missed out on it, I don't know. But he took these rugs and I wasn't about to kill him.

If he came into my place and said to me, "Look, we are going to protect your building from being burned down, you give me $200," I might get so mad at that point to kill a man. And I think I would. That is for a different reason. He is threatening my life, threatening my business. But I wasn't going to shoot this man.

I think my manager would have shot him had I allowed him to, because he looked at me like he was asking me what to do and I went like that, shook my head.

Senator BYRD. What time did the troops get there?

Mr. F. 9 o'clock.

Senator BYRD. On the evening of the 5th?

Mr. F. 9:00 or 9:15. I would say in that area. Between 9:00 and 9:15.

Senator BYRD. That was on the evening of the 5th?

Mr. F. Yes.

Senator BYRD. Have you received any threats or has there been any effort to intimidate you or your employees in any way with reference to the operation of your business?

Mr. F. All day of the 7th—what was Saturday following the riots—the 6th? All day long we had people coming into the showroom, an empty showroom, where we had five of six men with guns coming in and saying, "Don't worry, we will burn you down tonight."

Senator BYRD. Why did you have men in there with guns?

Mr. F. We were there with fire extinguishers. We went out and got seven extinguishers, gasoline type fire extinguishers, special fire extinguishers, because we were afraid because of these threats and threats were made Friday night by people passing, "We are going to get you, we are going to burn you." We couldn't see them because they were yelling through the doors. They knew we were there.

We had bought these fire extinguishers, eight of them, I believe, and each one was good for one Molotov cocktail and we kept the vigil around the clock for three days, to prevent the building from being burned down. If we were in there we had to protect our lives.

My men were under instructions by me not to shoot anybody unless they were endangered.

Senator Byrd. So you would shoot to protect your life?

Mr. F. Oh, yes.

Senator Byrd. I interrupted you there. You were answering my question concerning threats. Perhaps you had something else to say.

Mr. F. No. All during the day Saturday and Sunday, the following Sunday, people would come in and tell us that we are not through with you, we will get you tonight, and you know we are going to burn this place down. And they would mock us. You are empty, you have been looted, I wonder who got that. They were mocking, laughing, you know, that kind of thing.

Then we had some other people that came in and offered us sympathy, I might say. Whether they were sincere or not I don't know; but we had those kinds of people, not too many, but we did have some of those.

Senator Byrd. Have you had any threats since that Sunday?

Mr. F. Not recently. Just some talk that we hear like "I hope nothing happens." We will hear two of our Negroes saying we hope nothing happens during the March. I am not smart enough to tell what this means.

I would like to tell you something that might be interesting to you. On Friday morning one of our better Negroes—and when I say better I mean better workers, one of our better Negro workers.

Senator Byrd. Pardon me. What Friday morning are you talking about?

Mr. F. Friday morning, the Friday morning. The warehouse opens up at 7 o'clock. This is the night after Dr. King got killed.

Senator Byrd. Friday the 5th?

Mr. F. Yes. And this young fellow came up to our warehouse manager and he says, "You know, I think there is going to be a lot of trouble on account of that colored fellow being killed."

And my warehouse manager asked him what colored fellow. He said, "You know, that colored fellow down South." And he didn't know his name. I thought that had some meaning.

Senator Byrd. What meaning do you ascribe to that?

Mr. F. I connect that with the fact that all this rioting had nothing really to do, this is my opinion, had nothing really to do with the death of Martin Luther King. I think it was just an excuse for some organized, small groups of organized people, I suppose starting on 14th Street, and U Street, to set off this thing, and then it was taken up by the local hoodlums who had a chance to get something for nothing.

Senator Byrd. Have any of your employees been threatened?

Mr. F. Not to my knowledge.

Senator Byrd. Have you had any phone calls asking you to pay off?

Mr. F. No.

Senator Byrd. For security?

Mr. F. I know firsthand of people that have, but not me. I am not in that kind of a neighborhood. There are not merchants per se on my street. I occupy the whole block on my side. So you see there are not merchants that they can go to and extort money from.

Senator Byrd. To what extent have changes in the availability or price of insurance on your buildings, stock, and so forth, affected your business?

Mr. F. We haven't been cancelled out, nor have we been contacted by our insurance companies on renewals or on rates. But this is something that concerns me and I think this is perhaps why I got in touch with you.

If the insurance rates become prohibitive, if they are so high that we feel it would be wiser to move, we will move and we will leave this area and, of course, I don't know what will happen to the area. I don't know where they will get their taxes from because I pay an awful lot of taxes. If I moved into Maryland the District of Columbia loses an awful lot of money.

Senator Byrd. Your name is not on the record and the record doesn't show who you are.

What do you mean when you say you pay a lot of taxes? How much do you pay the District Government? That is all I am interested in.

Mr. F. The D.C. Government?

Senator Byrd. D.C. taxes.

Mr. F. You must understand our business. We are in the leasing business. Our equipment is personal property and I am just going to give you a guess. I would say personal property taxes, this is not including the property that we own, but just on equipment that we lease, runs in excess of $20,000 per year personal property taxes.

Senator Byrd. If you moved outside the District of Columbia, how much in taxes would you say the D.C. Government would lose?

Mr. F. I would say between $20,000 and $30,000.

Senator Byrd. You indicated a moment ago that your dollar loss was something near $60,000. Was it 58,000?

Mr. F. 58.

Senator Byrd. Was that just inventory loss?

Mr. F. No; they damaged our building pretty bad. They set fires and practically destroyed my private office, which was very well appointed, I might say, and we had some valuable art pieces.

I would say the merchandise came to $40,000, between 40 and 45. We are still trying to evaluate these things with our adjustors.

Senator Byrd. How much of this loss do you hope to recoup through insurance?

Mr. F. I won't recoup 70 percent of it. The insurance companies are not that generous.

Senator Byrd. Now, what do you consider to be the fair market value of your business, including stock, fixtures, good will, and real estate, if owned by you, on today's market, as compared with three months ago?

I am talking about that business that is right in the riot area.

Mr. F. That is not a good question for my business. I have a very unique business. I have $2,000,000 worth of inventory on location which is not in that building.

Senator Byrd. Let me see if I can rephrase it. You know what I am trying to get at?

Mr. F. The valuation of the property? The impact is this: The impact is that I have a $3 million business, and I employ 70-some-odd people, of which 52 are Negroes.

If I take this business out of the District of Columbia because of my fear that riots may occur or that I may feel insecure because of this situation, I am taking this $3 million business into another state, another area, and the District of Columbia will lose X-amount of dollars. I will have to employ people because of the distance in a different area. We will leave the 52 people in this area to seek other jobs. If everybody does that, all the business people in Washington do that, where are the people going to work? How is the income going to come into the District?

Senator Byrd. That is not what I was trying to get at.

Mr. F. You asked me what I thought the impact was.

Senator Byrd. You didn't wait for me to finish.

You have a building there that was damaged by arson and so forth. You also had a certain amount of good will in there.

In other words, before the riot an individual might have come to you and offered to buy your place of business and you would have said, "Well, I will sell it to you for X-amount of dollars."

Mr. F. I see what you are getting at, and it is still a difficult question; but I am going to answer it very accurately for you. We have no good will. If we did, it wouldn't be true when I told you it didn't make any difference whether we are located in this area, located in a different area, but I do own this property. This property is, let's say, between $275,000 and $300,000, plus another piece that I just bought for $80,000.

Now, we are talking about anywhere between $350,000 and $380,000.

These buildings that I occupied are not really a one-purpose building, but they are more important to me as a tenant, and the corporation as a tenant in this building. I own this building personally; the corporation is a tenant. The corporation is able to pay more rent because of the way the building is constructed than if I had to rent it to somebody or sell it to somebody.

So now we come to the question of what would it be worth if I was forced to move because of these conditions, and what is it worth now.

I would say I couldn't get more than $200,000 for the whole kit and kaboodle, whereas now it is worth between $350,000 and $380,000.

Senator Byrd. Well, let me ask you this question: Do you think you could sell that property today, now that the riot has occurred there? How hard would it be to sell it as compared to what it might have been three months ago?

Mr. F. You know that I couldn't sell that property today to anybody. I might a month from now or six months from now. I don't say that its value has dropped and it will stay dropped. I don't think anybody is making a move in these areas to buy anything, especially a building like mine, a one-, two- or three-purpose building. You see, it is not rented property, it is commercial property.

Senator Byrd. So because of what has happened, you would say you would find it difficult to get a sale?

Mr. F. I would say so.

Senator Byrd. At half the value that you attached to it?

Mr. F. Close to half, yes.

Senator Byrd. You would find it hard to sell it for half of what you think it is worth?

Mr. F. I feel I would, in the next 30 to 60 days, yes. I buy property from my portfolio. I wouldn't buy it.

Senator Byrd. You wouldn't buy it?

Mr. F. No.

Senator Byrd. Why?

Mr. F. Well, if I bought it, if I was someone else buying this building, I would have to buy it for two reasons. Either to occupy it, which I wouldn't do, or to rent it, which would be very difficult to do.

What would the purpose be in buying this building unless I was speculating to buy the building at such a tremendous sacrifice as to keep it several years and probably do something with it later on, but not for immediate occupancy or immediate rental.

Senator Byrd. Why?

Mr. F. Well, for the same reasons I gave you, that I felt insecure in the property now, the property that I own. The property that is serving us well physically.

Senator Byrd. How about your customers, what impact has this had on them?

Mr. F. Senator, it gets mighty lonesome down there these days. We have had very few people coming into our showroom.

Senator Byrd. Why are they not coming to you now? You have restocked it, haven't you?

Mr. F. No, we haven't restocked. We are slow to do that because we don't have the security that we like to have. We are spending $10,000 to secure this building. We are bricking up our plate glass window, buying roll-down steel doors that are very expensive, because we are interested in the esthetic aspects of these roll-down doors so we have them recessed. We are bricking up everything that the law allows us to brick up.

Where we have second-story windows, we are putting bulletproof glass in rather than bars because we don't want to make this building look like it is in a slum. So we are spending a lot of money to secure this building.

We had a door glass, the remaining piece of glass that we had, it was broken into Monday night. So we don't want to restock it. We can do business with these people from our brochures that we have, very beautiful brochures that are capable of selling an apartment of furniture or leasing, selling a lease for an apartment of furniture, but we would rather send them over to our Virginia showroom, which is very beautiful. Some of them don't get there.

Senator Byrd. Well, to what do you ascribe the paucity of customer visits now, because you haven't restocked?

Mr. F. Senator, I will answer that question for you in a better way. We had 15 or 16 apartments reserved for the month of May for people moving into the area, and they have cancelled their plans to move here.

The resident managers tell our field representatives that everything is at a standstill there; they are not getting any move-ins.

Senator Byrd. The resident managers in the apartments?

Mr. F. Yes, sir; that we service.

Senator Byrd. Did you have any rental apartments up over your store?

Mr. F. No.

Senator Byrd. Residential apartments?

Mr. F. No.

Senator Byrd. Were the looters that you saw all Negroes?

Mr. F. All Negroes.

Senator Byrd. What kind of relations do you have with people in the particular area?

Mr. F. Well, we make contributions that we are called upon to make.

Senator Byrd. On that point, are you called upon to make many contributions?

Mr. F. No. We are called from time to time to help a needy family with furniture that we may not need.

We were called upon to see what we could do about furnishing a neighborhood house. We made it nice enough for anybody to live in.

Senator Byrd. Again I want to ask you this: You haven't been asked for any money?

Mr. F. No, sir.

Senator Byrd. But you do know some other merchants who have been?

Mr. F. Yes, sir.

Senator Byrd. What about the area in which you have your business, is it a ghetto or slum area?

Mr. F. Senator, I heard newscasters of some rank and politicians and Government people refer to these areas as a ghetto. I think it is a misnomer. I believe if you look it up in the dictionary, I haven't, but I am sure you will find it closer to this, a ghetto is a walled-in area that is policed. That is a ghetto.

I personally refer to these areas as slums or communities or as neighborhoods, as slum communities or slum neighborhoods. I don't refer to them as ghettos.

Senator Byrd. I assume you would term this a slum area?

Mr. F. There are worse in the city. But I would say it was a slum area, yes.

Senator Byrd. And what do you mean by saying this is a slum area?

Mr. F. Very poor rundown housing and poorly kept shops, you know, trash in the alleys, that kind of thing.

Senator Byrd. What is the makeup of the population in that area?

Mr. F. Well, the housing project behind us, Senator, is known in the neighborhood as the home for unwed mothers. This is what we have back there.

Senator Byrd. Are these Welfare mothers you are talking about?

Mr. F. I am not sure. I imagine they are. We don't see too many of them going to work.

Senator Byrd. Well, does that name come from it being rented by the Welfare Department, or what is it?

Mr. F. When I say home for unwed mothers, that could have many meanings. This is what I hear. But there are many children in this project. I would say many of them, for all I know, might be on welfare. I am not sure.

You are asking me what else we do in the neighborhood? We dispose of used rugs that we can't use any more. Many times we will take them outside and give them away, 100 of them. We don't like to give them away where we humiliate anybody, like they are begging, so we will do it as discreetly as we can. And we do give some of these poorer people these articles of furniture to use. So there shouldn't be any reason for these people to burn us down, should there?

Senator Byrd. But the name "Home for Unwed Mothers" apparently is just an appellation that has been applied in a loose sort of way, it doesn't indicate this is an institution that is rented there for such?

Mr. F. No, of course not.

Senator Byrd. What is the makeup of the population in that area as between white and non-white?

Mr. F. There are no whites in this area.

Senator Byrd. It is all Negro?

Mr. F. All Negro.

Senator Byrd. I have only one additional question that occurs to me at the moment. I have two.

What was your impression of the police protection and the troop protection at the time of the riot?

Mr. F. At the time of the riot there was virtually no police protection. The troops coming in at night, like I say, at 9 o'clock Friday night, I think helped to enforce the curfew.

Now, when they came in, it seems we saw more police. Now, whether we just noticed them because there were fewer looters on the street, or whether there were more police at that time, I can't say. But there seemed to be some more police than there were prior to the entry of the troops.

When the troops came in the people started to leave the street and I think they helped enforce the curfew.

The following day I personally saw looters looting out of the back door where a troop was stationed at the front door.

Senator Byrd. Well, this leads me to another question. Do you think the troops should have been kept in the city longer?

Mr. F. Well, I didn't think so when they left. But I understand we have had 40 new fires and some of my good friends have been burned out since then.

Senator Byrd. Aside from our train of thought for the moment, you didn't have to call on the fire department to put out your fires, did you?

Mr. F. No. Had I been there five minutes later, the fire department couldn't have helped me, I promise you that.

Senator Byrd. I take it from your answer to the previous question that you now feel that the troops, at least some troops, should have been left in the area?

Mr. F. I don't think some troops would have been the answer, at all.

I think if the troops should have been left in, they should have been left in in some force, especially in the areas where these new fires have been started again. But, of course, that is hindsight on my part.

It was rather quiet after they left, and I thought that it was a good idea that they did leave. Maybe I was prompted to think this way by the fact that I have a son-in-law who is employed by me who is with the National Guard and I was happy to see him back, and so was my daughter.

Senator Byrd. As I see it now, and having heard from some of your friends that they have been victims of arson or attempted arson, do you think there should have been some troop presence left in the area?

Mr. F. You have to forgive me, but I think we have it the other way around. I think the troops should have been brought in earlier. And had the troops been brought in earlier, the question of whether they should have stayed longer would never have come up.

Senator Byrd. That is probably true; but I would like for you to answer the question as I asked it.

Mr. F. I think in view of the 40 fires, I would say definitely that they should have stayed.

Senator Byrd. Well, I urged that the D.C. Government maintain a military presence in the city.

Mr. F. I know you did, Senator, I know you did.

Senator Byrd. Now, let me ask this question. How do you view this forthcoming March?

You are a business man and you have experienced a riot. How do you view this March—with some consternation, apprehension, fear, or lack of interest?

Mr. F. Well, prior to these last riots, I didn't think it could happen in Washington. Then, again, I never considered somebody like King being shot and giving some of these organized groups a chance to get the thing started; because my knowledge of riots was always from an incident in an area like Watts, or an incident in an area like Detroit, that flared out rather than start in many areas in a city. But I have seen the light. I was there right through it all. And I think it would be a tragedy if we didn't have troops in this city in some large force during the March.

Senator Byrd. When the March comes?

Mr. F. Yes. We are not worried about the marchers, of course. I am worried about another execution.

Senator Byrd. Well, would you suggest that troops be brought in prior to the March, or would you suggest that we wait and see if the necessity arises?

Mr. F. It was my understanding that the troops were ready Thursday night right after Dr. King. This is my understanding from the troops themselves. We served better than 300 cups of coffee that night. These troops were cold and they weren't dressed warm enough and we had them in there and it was my understanding that they were ready Thursday night and they weren't called out until Friday night.

I would say if they were kept in readiness, ready to move instantly, that would satisfy me.

If that is not possible, then I think they should be there prior to the March.

Senator Byrd. There was terrific congestion of traffic, wasn't there? There was great traffic congestion when this occurred?

Mr. F. There was no question about it. I never saw anything like it in my life. I left at 4:30 and I couldn't get across Connecticut Avenue for 20 minutes.

Senator Byrd. That being the case, do you feel that troops in readiness is going to be enough?

Mr. F. I see what you are getting at. I see what you mean. I would like to say that I think I would feel better if the troops were in town. I would feel more secure. Because of this traffic situation, that reminds me that I watched a fire engine that couldn't get through traffic on Frday afternoon about 1:30.

Senator Byrd. What is your reaction toward your Government, what do you think about your Government at the moment? I don't care what your party is or what party is in power.

Mr. F. I happen to be a very patriotic individual and I happen to have faith in my Government.

Senator Byrd. I don't mean the form or anything like that. I am talking about you. You must have some feeling. I don't mean your Government or your party or anything like that.

I would say the policies under which we are operating, which may or may not, in your opinion, have had anything to do with what happened to you or what is happening to you at this moment.

Why are you here tonight? Why did you write me this letter? You were motivated by something.

Mr. F. I wrote you this letter because I consider myself a good citizen. I didn't ask for anything in the letter. I didn't make any recommendations. I didn't offer any solutions. I didn't have my hand out and I didn't threaten you that I wouldn't vote for you or that I wouldn't do this or wouldn't do that. I merely wanted to keep you apprised of my situation on an honest level rather than to try to sell you something or to win something. And I believe that is why you called me. Because I know someone else that wrote you a letter that you merely acknowledged with another letter, and so would I because I read the letter. And that is why I wrote you this letter, because I feel that people like myself can give you enough straight information, it is exactly what happened, without asking you for anything or without getting up on a box and telling you how to run your job.

Senator Byrd. Well, I don't think you got the thrust of my question.

Mr. F. Maybe I would make a good politician. I don't answer the questions directly.

Senator Byrd. What is your viewpoint concerning the drift of things; how do you feel about your Government?

Mr. F. Well, I feel that, you know, the Government moved slowly that night.

We all know that had the troops been called in earlier this wouldn't have happened. This is my opinion. I just said this to you in a prior statement. I feel that had they been called in earlier this would not have happened.

Now, there was some complacency somewhere along the line. I don't know what goes on between Mayor Washington and President Johnson in situations like this, but when I find out from the troops firsthand that they were ready Thursday and they weren't called until Friday, I have got a beef. My beef is that somebody acted too late, that somebody was complacent. But that doesn't mean I am going to find fault with the Government. I don't act 100 percent all the time either and all I can do is hope that we have learned, that we have developed some technology, some riot technology, and my opinion is that the troops should have been called sooner.

My opinion is that the curfew should have been put on much earlier to get these noncriminal people off the street, and I am waiting to see what the Government does.

If the Government does not do it and if I find that the Government has not learned anything from this or has not acted after they have learned or should have learned, then I am going to get up and scream and then I am going to write the kind of letter that some people write.

Senator Byrd. Do you feel that the attitudes of hoodlums, that their brazen threats to burn you out the next time, etc., are colored in any way, encouraged in any way, inhibited in any way, by the present posture of the Government in its dealing with riots, crime, and criminals?

Mr. F. There is no question about that.

I do not go along with this shoot to kill business, I will tell you right now. I think you have gotten that impression when I told you what happened in my showroom. But I certainly do not believe in coddling these hoodlums.

I was raised in a poor neighborhood in New York and we had some bad hoodlums and they did not last long, and I used to run with them and I found out that it did not pay.

Senator Byrd. How did they handle them?

Mr. F. Well, rough, quick. They made their arrests quickly. They made us fear them because we knew that the chances of getting caught were greater than that of not being caught.

If I was a young hoodlum of today in Washington, I would have to feel that my chances of not getting caught are greater than that of getting caught. And I tell you that when I was a youngster during the depression in New York I ran with some pretty bad hoodlums. But I found out that it did not pay and a lot of the boys found out that it did not pay and they made a way for themselves in this world.

Senator Byrd. Are you saying that these hoodlums must fear the law before they will—

Mr. F. I do not think a child can be brought up properly with the proper discipline without a little fear, fear of punishment, fear that they might not be rewarded unless they do it properly. I think this is basic.

Senator Byrd. I assume that you do not agree with the present attitude of Government officials, as we are led to interpret it, by their press statements and so on.

Mr. F. No, I do not. But I also have it first hand from our precinct captain that the police are terribly understaffed.

Now, I will tell you another thing. Who in this city wants to be a policeman?

Senator Byrd. Did your police captain indicate they were under any orders to be very lenient with the rioters during the riot?

Mr. F. No, he indicated to me that they used restraint and that they had to use restraint. He never told me they were under orders not to.

Senator Byrd. Were they under orders to use restraint, did he say?

Mr. F. On Saturday, I think, I spoke to one policeman that told me they were under orders not to use any force.

Senator Byrd. Could you give me that policeman's name off the record?

Mr. F. No, I would not know. I will tell you why, this policeman was in coveralls. He could have been a plain clothesman in coveralls to look like a uniformed policeman. But we have had juveniles that we have had arrested and they will blatantly and brazenly tell us that you cannot do anything to us, we are juveniles, and then we will put them on probation under their mother's care or something, and there is never a mother and father. I have never seen any of them together in all the times I have appeared in police court. There is always the mother and she says she will take care of her little boy and next week he is right back stealing again and there is a very lenient attitude toward these young people.

Senator Byrd. Mr. F., I want to thank you for coming to my office. I appreciate the time you have taken. We have been sitting here now for an hour and a half.

Mr. F. I think I should thank you because I am here on my behalf, Senator, and I thought that only business people kept these hours.

Senator Byrd. Well, I would like to talk with you longer. You have been very articulate and I have been interested in what you have had to say.

Mr. F. I will be very happy to give your office a call if any new developments come up that I think should interest you or that you can use.

Senator Byrd. I wish you would.

Mr. F. I know you are very interested in our District of Columbia and I am and I would hate to leave it.

Senator Byrd. Thank you very much.

Senator Byrd. We will call you Mrs. G.

Mrs. G., what do you consider to be the single most pressing problem confronting you as a person who is in business in the District of Columbia?

Mrs. G. The fact that I have no protection, no police protection, no protection at all. I feel no security or safe in my business.

Senator Byrd. How long have you had this feeling?

Mrs. G. For the last two to three years. But very bad in the last month, of course.

Senator Byrd. How long have you been in business in the District of Columbia?

Mrs. G. Alone, I have been in business for eight years. Before that I was in business with my brother. We have been in business over 25 years in the District. But I have been alone for eight years.

Senator Byrd. What has been the history of crimes of violence against your person, your employees, and/or your place of business?

Mrs. G. Well, my place of business was broken into and robbed at night. I was held up in February by two colored men.

Senator Byrd. Of this year?

Mrs. G. Of this year. February of this year. And, of course, my store was looted during the riot.

Senator Byrd. And how many times prior to the riot were you robbed, held up, burglarized?

Mrs. G. Two.

Senator Byrd. You were held up twice?

Mrs. G. I was held up one time and burglarized one time.

Senator Byrd. What were the approximate dates?

Mrs. G. Well, I was held up in February. The time my store was broken into was the time we had the big snow. That would be over a year, approximately two years, when we had the big snow that night.

In fact, I live in such fear now. I depend on the public for a living, naturally.

I have a lock on my door and you have to press the button and if I do not recognize you and do not know who you are I do not let you in because I am afraid of having a gun stuck in my face, after having a gun stuck in my face by two men.

Senator Byrd. When you were held up, were you robbed of money?

Mrs. G. Yes.

Senator Byrd. How much?

Mrs. G. Well, it ran, I think, about $230 some dollars.

Senator Byrd. Did you report it to the police?

Mrs. G. Immediately.

Senator Byrd. Was anyone arrested?

Mrs. G. No.

Senator Byrd. Were you able to identify the individuals who held you up?

Mrs. G. I could identify them if I ever see them.

Senator Byrd. But you did not know their names?

Mrs. G. No. But I saw them so well that I could identify them if they had been brought to me again.

This lady with me also saw them.

Senator Byrd. Tell us about the riot, how did it affect your business? What happened to your business during the riot?

Mrs. G. On the 5th, the day of the riot, they broke in my place. About noon that day they began coming by from 14th Street with new merchandise. When they would come by they would beat on my window, "we will get you next, we will get you next." Naturally I thought the best thing to do was to get out and I tried to get my records and I left my store about three o'clock. And at 5:30, she can tell you, she saw it, I was not there, they broke out the window and completely cleaned it out, all the merchandise. They broke up the counters and the sign.

Senator BYRD. Did they damage any other of your equipment?

Mrs. G. Like the mannequins, all the displays, but they did not burn the building. They just broke the showcase, the mannequins, and removed all the merchandise.

Senator BYRD. Have you had any threats since that time?

Mrs. G. No. I have not been there.

Senator BYRD. You have not been there?

Mrs. G. I have not been there to receive any threats. I have only been in and out. But I do not have any merchandise to open up. It takes time to restock.

Senator BYRD. You have not reopened?

Mrs. G. No, I have not reopened.

Senator BYRD. How many employees do you have?

Mrs. G. Just myself. I work alone.

Senator BYRD. Have you ever tried to employ help?

Mrs. G. I never felt that I needed the help. Oh, well, now, I do employ help like cleaning and things like that. But not as a clerk or anything. I do not have that big a business. It is a very small business.

Senator BYRD. How would you describe the population in your area where you do business?

Is it a slum area, is it populated by mostly Negroes, all Negroes, or mostly white?

Mrs. G. No, I think it must be about 50–50, I would think. My business is about 50–50. I have as many whites as I do colored.

Senator BYRD. Your business is about 50–50?

Mrs. G. Yes.

Senator BYRD. Do you charge the Negroes higher prices than you charge the whites?

Mrs. G. I carry all nationally advertised merchandise. Everything has a price on it. Regardless of who you are it is the same. And my prices could be checked, they are all nationally advertised.

Senator BYRD. You charge everybody the same price?

Mrs. G. That is right.

Senator BYRD. Do you do any credit business?

Mrs. G. I only have Central Charge. You know what that is, I am sure.

Senator BYRD. Have you been asked to pay any money for protection and for security?

Mrs. G. No.

Senator BYRD. Have you had since the riots any requests for contributions?

Mrs. G. No. As I said, I have not been available.

Senator BYRD. Do you live near your place of business?

Mrs. G. Not too far from it. I can drive to my place of business within 15 minutes.

Senator BYRD. Have you been in business at the same location all the time?

Mrs. G. Yes, all the time.

Senator BYRD. To what extent have changes in the availability or price of insurance on your building, stock, and so forth, affected your business?

Mrs. G. Well, I do not know. When you talk about insurance, I do not know if they will continue my policy or not. I have been told that they will not drop me, as far as the agent who handled my claim. Of course he does not have the final say. That is one thing I want to be reassured of, that I will have insurance before I open my doors again.

Senator BYRD. Could you give an estimate of the dollar loss of your business? I am not talking about the losses that you have accumulated by virtue of your not having reopened, but what was the initial loss in fixtures being damaged, loss of inventory, and so forth?

Mrs. G. I would say I lost between $16,000 and $18,000, inventory, fixtures.

Senator BYRD. Now, add to that the cumulative loss of business up to this point. What would you say you have lost?

Mrs. G. Per month?

Senator BYRD. Well, I mean since the riot occurred, what would be your total loss up to this time? You are not making any money in your business.

Mrs. G. No. I do $4,000 or maybe a little better each month. Of course, the cost of merchandise and everything comes out of that. So you can just figure what I have lost.

Senator BYRD. What do you consider to be the fair market value of your business, including the stock and fixtures, good will and real estate?

Mrs. G. If I were to sell the business?

Senator BYRD. Compare today as to compared with what it was three months ago?

Mrs. G. Well, I do not know if I could sell it or not. I think I would certainly like to, if I could. But I do not know if it would be possible to sell it.

Senator BYRD. What do you think would have been the fair market price three months ago? Do you own the building?

Mrs. G. No, I do not own the building. I rent the building. I have always thought, I may be wrong, but a business should sell for what you take in a year profit plus your inventory. So if I can make $12,000 to $15,000 a year I think my business would be worth what I make a year plus the inventory.

Senator BYRD. Is that about what you would have sold for if you had been wanting to sell three months ago?

Mrs. G. Yes, I think I would have sold it for that.

Senator BYRD. Do you think you could sell it for that today?

Mrs. G. I do not have any idea.

Senator BYRD. I mean if it were restocked as you had it before, and in consideration of the riots having taken place and so on, do you think you could sell it for that?

Mrs. G. I doubt it very much. There certainly has not been anybody interested.

Senator BYRD. If you were not in business at that location, would you go in business at that location?

Mrs. G. No, I would not. I am established there and naturally I will stay there unless I can move. I am certainly going to try to move.

Senator BYRD. Do you feel that the troops were brought in soon enough?

Mrs. G. I do not. I would like to know why they were not brought in. I would like to know why any business was sacrificed because I feel like I was made the scapegoat. I think all merchants feel that way.

Senator BYRD. You were made a scapegoat?

Mrs. G. That is right.

Senator BYRD. What do you mean by that?

Mrs. G. I think my business was sacrificed for the faults of the Government. These problems, they cannot be settled by tearing up businesses. They have to be settled through law and I think that they set back and let the merchants be the scapegoat.

Senator BYRD. Do you think the troops should have been removed?

Mrs. G. No, I do not. It is terrible up there right now. I am scared to go back in business. I have to go back, but I am afraid to go back. It is terrible the insults you have to take when I go along the street and also the insults my customers have to take when they come. They are nice people that work, you know, like well, we have the recreation department girls coming around on their lunch hour, the things that are said to them when they walk in the street, things that are said to me when I walk in the street.

Senator BYRD. What is said when you walk in the street? Do not have any hesitancy to say it to me.

Mrs. G. There is one word that I am sure you all know and they greet you with this, hello, you an M. F.

Senator BYRD. They call you that?

Mrs. G. Yes.

Senator BYRD. Who calls you that, the Negroes or whites?

Mrs. G. This is Negro. If they loiter in front of your place and you ask them to please move so people can get in and out. I would like to know why is not the law enforced. We have the same gangs that stay there day after day, any time of the day and night. They never work. They are always there in front of your store. You have to call and ask that they be removed.

Senator BYRD. How old are these people?

Mrs. G. They strike me to be from 13 and 14 up until maybe 22, 23, 25.

Senator BYRD. You would not expect a 13 year old to work.

Mrs. G. They should be in school. Why are they on the street? And when they are not in school they should not be in front of a business place. This is certainly no place for a child.

Senator BYRD. These little ones who are 13 years old, do they greet you in the same manner?

Mrs. G. Oh, certainly. You just cannot imagine the way that they greet you. You would not believe it.

Let me tell you something. Some times I am changing my window and I am up front so I can hear, and believe me, Senator Byrd, this is terrrible. But in the afternoon when the school children, about 3:30, these are school children. I have never heard such language in all my life. It would curl your hair. They are talking to themseves, not to me, but the language they use to each other. Their favorite word is M. F. I think if I went out on the street to holler that I think I would get 1,000 to answer me because I think they all have the first name. It is terrible that I have to listen to this language inside of my business because they are hollering this filth on the streets all the time. I thought there was a law against it, like I thought we had a loitering law, and it is not in effect. I spoke to the police one day when I asked some of the boys to move so a lady could come in and out.

And I said to the police, do I have to take this, and he said it is your word against theirs. If you go to court they, will say they did not and you say they did.

Senator BYRD. Well, do any of the adults call you that? Do the adults say this to you?

Mrs. G. I have not had trouble with the adults. It is mostly the young ones.

Senator BYRD. When you are talking about the 21 and 22 year olds, they are adults. Do they say this to you?

Mrs. G. Sure. They are the ones that loiter there. I imagine some of them are 26.

Senator BYRD. But just a moment ago you said no adults said this to you.

Mrs. G. I am sorry, I think of those as hoodlums and kids.

Senator BYRD. And they say this to you also?

Mrs. G. Sure. What I think is the most horrible of this is that the police cannot do anything for me. Of course, I know the police on my beat and I had some of them come by and they said I am so sorry that I could not do anything for you. Our hands were tied. Why were their hands tied. I pay to have protection. I pay taxes. That is what my taxes go for.

Senator BYRD. Did you ask them?

Mrs. G. Yes, sir.

Senator BYRD. What did they say?

Mrs. G. They said their hands were tied.

Senator BYRD. Did they explain why?

Mrs. G. That is what they said. They said they were told they could not do anything, they were not to touch them. Let them take it, they could not do anything to them.

Senator Byrd. What is your attitude toward your Government? I am not talking about political parties now. We are not talking about the structure and the form of government. We all believe in our government and we believe in the two party system. But we are not talking about that now. What is your attitude toward the people, the authorities who are—

Mrs. G. I tell you I cannot just understand what their attitude is, why they permit it. I do not think we can exist without some control over crime. In my opinion there is no control. I do not think we can exist when you have to live in fear.

Senator Byrd. Whom do you blame for that?

Mrs. G. I blame our officials. I blame our Congressmen. I blame our Senators. I blame the whole structure. We do not have laws to protect us. We do have a lot of laws, but they are not enforced. And I do not know if it is the people who are in charge, because these things never touch them. I do not know if that is the way they take this attitude or not. But I cannot see how they keep looking at the paper and understand what is going on in this country and why they turn a deaf ear and do nothing about it.

Senator Byrd. Do you feel that the people who looted your store were looting because they lived in need of clothing?

Mrs. G. No, I do not. I do not. I do not. And I think that would have happened, I think this was planned and it would have happened. It was definitely in the air. I had discussed with my husband that when Martin Luther King made the march that I wanted to close the store and be away because I lived in constant fear. You could feel it.

Senator Byrd. How do you feel about the forthcoming march on Washington?

Mrs. G. I think it is the most ridiculous thing. It will solve no problems at all.

Senator Byrd. How do you as a business lady feel about it? Is it going to affect you?

Mrs. G. Yes, I think it is going to affect me. I think it is going to affect me in a lot of ways. But I think it is going to affect me as a taxpayer.

Senator Byrd. Aside from that though.

Mrs. G. Business wise. Because, as I said, I am really afraid to open. I do not want to open until this march is over and settled.

Senator Byrd. Why not?

Mrs. G. Because I am afraid. How do I know this is not going to happen to me again? I have no assurance. I have not seen laws passed that are going to do anything to them if it happens or there will be laws passed.

Senator Byrd. Do you think the troops ought to be brought back in?

Mrs. G. I think we ought to have laws stating what will be done if you are caught doing this again, that you will be punished.

Senator Byrd. Of course we have those laws now.

Mrs. G. But they are not enforced.

Senator Byrd. So that, that being the case, do you think the troops ought to be brought back in?

Mrs. G. If it is necessary, yes, and I do think it is necessary.

Right now the stuff is still going on. They are still looting and they are still burning buildings and they are still breaking windows in our own neighborhood. It happened Saturday night. A lot of my neighbors in business have been threatened.

Senator Byrd. Do you know some who have been?

Mrs. G. Yes, I do. I know some that were called at their homes.

So would you be anxious to open your doors again in that neighborhood with the atmosphere the way it is?

I closed my business at seven o'clock at night. I used to stay open until nine. I closed because of fear.

Senator Byrd. When did you start closing at seven?

Mrs. G. A year ago. A year before that I closed at eight and now I do not know. If I get to reopen I might have to close at six.

But, as I said, I have solved the problem to a certain extent that I do have a lock. I do feel more secure doing that.

Senator Byrd. Do you have any Negro businessmen in your area?

Mrs. G. Well, just two blocks. I believe there is in the block below me a business run by a Negro. And I had one talking to me the other day. He said he is going to open up a shop in the next block.

But how many of them are owned, I do not think there are more than one or two. But, as I said, it is only two blocks there. It is not a big street.

Senator Byrd. Will you have any problems getting money to reopen your business? Will you have to get a loan?

Mrs. G. Well, fortunately I do not because my husband works. But I know a lot of people not as fortunate as I am.

Senator Byrd. How much of a total loss would you be able to recoup from insurance?

Mrs. G. $12,000. And I have been paid.

Senator Byrd. You have been paid?

Mrs. G. Yes, sir.

Senator Byrd. What percentage of the total loss would that represent?

Mrs. G. Well, I told you what my loss would be. It ran between $16,000 and $18,000. I received $12,000. That was all I had it insured for.

Senator Byrd. Did you have it insured for $12,000?

Mrs. G. For $12,000.

Senator Byrd. And you receive $12,000?

Mrs. G. And I received 12. You can only insure 80 per cent of your stock. But it so happened that I was heavily stocked because of Easter. See, your stock fluctuates.

Senator Byrd. So your loss now would be what?

Mrs. G. I would say my loss was a good $4,000 to $5,000.

Senator Byrd. Have your insurance rates gone up within the last one year, two years, three years?

Mrs. G. They have been going up every year.

Senator Byrd. Your rates have been going up every year?

Mrs. G. Yes. And I have been told by the paper, of course, they will go up 20 per cent. I imagine they will.

That is something else while I am here. I think that if not only me but any business cannot get insurance, I think the Government should insure us. Why should we be deprived of insurance because of our location? Is that fair? Is it fair to say that because I live over here and you live over here you can get insurance and I cannot?

I appreciate your not using my name because being a lady alone I am afraid. I would not want them to know I had been here and made any statements. Is that not horrible to live that way?

Senator Byrd. It is. And this is why I do not have you up in an open hearing, or even in a closed hearing, because people would see you come and they would know why you are coming. The newspapers would know why you are coming. This is why I wanted to have this private discussion with you. I did not want to endanger your life or property.

Mrs. G. Is it not horrible it has to be that way?

Senator Byrd. It is. Mrs. H., what do you consider to be the single most pressing problem confronting you as a businesslady in the District of Columbia?

Mrs. H. Well, this police protection. You have nothing. You have no protection here. If they tried to protect you, they are not given backing from any one. They have to go downtown and write letters and everything. So they are to the point where they say they will throw up their hands. They say why should I waste my time.

We have had to call them up there several times. I was fortunate during the riot because my husband and I both stayed there. We saw the other places and we stayed over top of the store that night.

Senator Byrd. Do you own the building in which your business is located?

Mrs. H. No.

Senator Byrd. Are there apartments up over the building?

Mrs. H. Yes, my cousin had the one above the store and he was in the hospital and we stayed up there and I just tried to get a little bit of rest, but you could hear glass crashing and everything and I was up and down all night long. And finally at 2 o'clock I looked out and heard a lot of talking and looked out and there were the troops finally, about 2 o'clock. That is the first time I saw them.

Senator Byrd. This was 2 o'clock on——

Mrs. H. Saturday morning, when they finally got up there. And I understand that one of the neighbors up there called the White House and demanded that they send them up there.

Senator Byrd. How long have you been in business in the District?

Mrs. H. Eleven years.

Senator Byrd. At the same location?

Mrs. H. Yes.

Senator Byrd. Is your husband in business with you?

Mrs. H. No. I have both businesses. He works.

Senator Byrd. Do you have two businesses?

Mrs. H. Yes.

Senator Byrd. How many employees do you have?

Mrs. H. Regularly about three–four in each place.

Senator Byrd. Could you give me a breakdown as to the race of your employees?

Mrs. H. Well, I have colored and white. At one place I have two colored.

Senator Byrd. And how many whites?

Mrs. H. That help out. There are two.

Senator Byrd. And in the other place?

Mrs. H. In the other place I have one colored and three whites. I can't keep the colored. I have had colored. I have hired colored twice. One stayed ten days and the other one stayed a month and left and didn't come back, and didn't call or anything.

Senator Byrd. Why can't you keep them?

Mrs. H. I don't know what is wrong with them. They don't want to work or something or else they are drinking. And I will not have anybody coming in and waiting on customers that even smells like they were drinking.

Senator Byrd. The colored that you had employed, what kind of jobs were they doing? Are they cleaning up the floors or are they selling merchandise?

Mrs. H. Well, in the one side I have them stocking and cleaning. The one I have over there, I find I was fortunate in getting a good one. But you just can't get them. Some of them up there you hire them and they don't want to work. They would rather walk the streets or stand on the corner. They don't want to work.

Senator Byrd. How recently did you have employees quit you?

Mrs. H. One in January and one in February.

Senator Byrd. Were they white or colored?

Mrs. H. No, they were both colored. I called the employment office and I didn't specify, I told them what I wanted, that it didn't make any difference, that I wanted a good one.

And they sent them up to me and I gave them a try.

Senator **Byrd**. How long did they work?

Mrs. H. One worked ten days and called up and said something about he had to get somebody out of jail. They came in the next day and he was drinking and I said that was all. The other one stayed four weeks. He had to go to a funeral. He went to the funeral and he didn't come back.

Senator **Byrd**. He never did show up any more?

Mrs. H. He never did show up. I finally contacted him and asked him and he said he had a car accident and he had been in jail, I will see you Thursday. I haven't seen him since.

Senator **Byrd**. Did he come back for his money?

Mrs. H. He didn't have any money. He waited until the end of the week, it was payday.

Senator **Byrd**. How do you go about employing people?

Mrs. H. Well, I usually call the employment office. That is where I have been calling. I was fortunate in getting the one and since then I have called the employment office and had them to send me up, you know, when I am out.

Senator **Byrd**. Are you talking about the U.S. Employment Office?

Mrs. H. Yes, that is where I called, down there. And since the other one quit in February my husband and I have been working at night. He has been working. I do have another one now. He just walked in. Of course, he is white. So I needed somebody and I had to take him.

Senator **Byrd**. Do you have any colored employees who have been with you a long time?

Mrs. H. No. I have only been in business in the one place since October. The other place has been 11 years. But I have had the one with me ever since I opened.

Senator **Byrd**. One Negro?

Mrs. H. Yes.

Senator **Byrd**. That was when?

Mrs. H. Eleven years ago. He has been with me.

Senator **Byrd**. What kind of job does he have?

Mrs. H. Well, he does stock work and everything and helps me. If I have to go down and get merchandise to bring up from the supply place——

Senator **Byrd**. Do you pay him by the hour?

Mrs. H. Yes.

Senator **Byrd**. Has your employment situation been aggravated by the recent riot? Are you having more difficulty now?

Mrs. H. I think so. For instance, the new man that I hired last night, there was an incident in there. So when we closed he wanted to know, I don't know how he worded it; in other words, what kind of salary do I pay in case they get hurt, because there was an incident happened in there last night where one of them was, went after my husband and we didn't know it. He had a bottle and he was going to hit him and so then he turned and went out the door and when he went out the door he said, I'm going to kill you.

Senator **Byrd**. This was a customer?

Mrs. H. Yes, sir, one of the gang that hangs on the street up there and drinking wine and everything like that.

Senator **Byrd**. And he went after your husband with a bottle?

Mrs. H. Well, my husband didn't know he had the bottle. He had it down at the counter. So then he told him to get out and I went to the phone right away and the minute I dialed the phone he knew who I was dialing, so he went out. And as he went out the door, that is when he told my husband, I am going to kill you.

Senator **Byrd**. Was he drinking, do you think, the man who went out the door?

Mrs. H. He is not a man. He is only about—well, he has to be 18. They just called him up for the Draft Tuesday and he didn't answer the Draft. He said the FBI could come and get him.

Senator **Byrd**. Was he drunk last night, in your judgment?

Mrs. H. He is always drinking. In fact, I have threatened to find out up there who is letting those kids have the wine and whiskey up around there, because they are 15 and 16 years old.

Senator **Byrd**. Is there any difference in the selling price of your merchandise as between white and colored customers?

Mrs. H. No, sir. All my merchandise is marked. We stamp everything.

Senator **Byrd**. What has been the history of crimes against your person, your employees, and/or your place of business?

Mrs. H. Well, the place has been broken into a couple of times.

Senator **Byrd**. How long ago?

Mrs. H. One time I think was four years ago. And then as far as theft goes, it is just terrible. I mean when we are working.

Senator **Byrd**. I am now talking about the burglaries. One occurred four years ago?

Mrs. H. One was four years ago and then New Year's, this past New Year's night, someone got in the store that night.

Senator **Byrd**. Was there any loss of merchandise on either occasion?

Mrs. H. Both times it was money.

Senator **Byrd**. How much was taken?

Mrs. H. The first time it was around three hundred and some dollars. I don't know. And the last time it was $450.

Senator **Byrd**. Now, about the thievery, tell me about that.

Mrs. H. Well, I mean it is just terrible up there. I mean they just, in the one place, of course, that is where they get it all. The other place they can't get anything. But they just steal us blind. And I am in the other place most of the time.

Now, for instance, a couple weeks ago I was over there and a customer came in the other side and said, You had better get over there because it was busy. They wait until it gets busy and then they will look in the window and see a crowd in there and they will all come in and they have these coats on with these big pockets.

So he said, You had better get over there. He said, There is a boy over there stealing you blind. He is handing it out the doors to the others and they are running up the street with it.

So I ran over there and he was in there at the time. He had been over in the other place and he was drinking, too. This is the 16-year-old. So I told him, I said, I want what you have in your pocket that belongs to me. And he said, I don't have anything in my pocket. I could see it in his pocket. But you are afraid to go in there because I didn't have my gun with me and I didn't have any stick with me. So I said, I know you have got it and I said I want every bit of it and he turned and went out the door.

When he went out the door I went after him. And, of course, he called me the nice names too.

Senator **Byrd**. What names did he call you?

Mr. H. He called me you MF you, or F you. He was going up the street and I told him, I dare you to come back in this place and say that to me, because I was going to shut the door and lock it and then call the police.

Well, there happened to be two police standing when I was hollering at him. They weren't standing five feet away from me and both of them turned a deaf ear on it, for the simple reason that they don't want to get involved with them, because I asked several of them. They said they don't want to get involved with them because they can't waste their time in court and what happens?

The judges down there make monkeys out of us.

Senator **Byrd**. That is what the policemen told you?

Mrs. H. That is what the police tell us.

Senator **Byrd**. Did you know the two policemen who were standing there?

Mrs. H. I don't know them by name. One of them I don't know who he was. I didn't get a good look at him.

Senator **Byrd**. Did you ask them why they didn't do anything?

Mrs. H. They walked away. And I said something to one of the others when they came in, too.

Senator **Byrd**. Did you have any opportunity to talk to those two policemen?

Mrs. H. Not those two, because they walked away. Evidently maybe they thought I was going to say something to them, so they went on down the street.

Senator **Byrd**. Did they come back?

Mrs. H. I didn't see them any more because I had to go over to the other place.

Senator **Byrd**. These are not two familiar faces on these policemen?

Mrs. H. Yes, I have seen the one. But I didn't see the face of the other one. They are from up around there.

Senator **Byrd**. You never asked the one policeman as to why——

Mrs. H. No, I haven't seen him since then. But this goes on all the time. They steal and steal and steal.

Well, I grabbed one of them by the back of the neck one night and shoved him out the door.

Senator **Byrd**. White boys or Negro boys?

Mrs. H. They are all colored. I had a 14-year-old pull a knife on me up there one night.

Senator **Byrd**. What was he doing?

Mrs. H. They were hanging round out front and I have a stick up there that one of the officers gave me and it has his name on it. And because I had no protection in there he said I am going to give you this and I aim for you to use it if you have to.

Well, I had it in my hand. The kids were giving me so much trouble up there and I told them I have me a stick now and I don't want to have to use it, but if I have to I will.

So one of them happened to see the Name on it. They passed the word on that it was the bad man's stick because the one it came from is a real police officer.

So when they got out front and were gathering out front I went out and I tell them to move, that I didn't want them standing out there.

So then if they didn't move I would go back and get my stick and go out.

So this one night they were ganged up out there and I went out and I told them to move. So they wouldn't move. So I walked over to the one, this one boy. He was just standing there and I walked over to him and the other one hollered you had better go because she will get the bad man's stick. So he whips out the knife and he says, I will cut you here. Well, I guess I did the wrong thing, but I didn't back away from him.

I walked up to him and I said if you do you make it a good job because you won't get the second one.

So he put the knife in his pocket and he went home.

So he came back about an hour later and I asked him where is your knife and he said I left it home. And I told him, Look, let me tell you one thing. Don't you pull that knife on me again because if you do the bluecoats are going to take you away and you are gone for a while because I am going down. But then they call, and I mean even with the officers when they come on, I can be standing maybe out front and they will stop and maybe say a few words.

They are standing there talking to me.

Senator Byrd. The officers?

Mrs. H. Yes. Minding their own business, and some of this gang will come down the street and say, Look at that MF officer, or look at that MF police and SBs and all. And the man has never opened his mouth.

Senator Byrd. The policeman?

Mrs. H. No. And the same things happens in the other side.

Senator Byrd. Now, what happened at the time of the riot?

Mrs. H. Well, we didn't have too much trouble because my husband and I both stayed there. He was in one place and I was in the other one. And, of course, he had the gun on him and I had the other one in the other side where I could get my hands on it. But they didn't have too much to say. Some of them came up the street and said, "We will get you later."

So we more or less, I mean, we had to stay there and stick to our post and everything, but we didn't know whether we were going to be there the next morning or not. But they just carried on, just like a bunch of wild animals.

Senator Byrd. Did they loot your place?

Mrs. H. No.

Senator Byrd. Did they break any windows?

Mrs. H. Not in my place.

Senator Byrd. And they didn't burn it?

Mrs. H. No.

Senator Byrd. Why did they not loot your place?

Mrs. H. I don't know.

Some of the gang, I think the rough gang around there and all, there have been times, I guess, when we have given them pennies or dimes or something like that. But I really don't know. I mean offhand why they didn't unless it was because we stayed right there.

Senator Byrd. Were you in your place of business?

Mrs. H. Yes.

Senator Byrd. All through this time?

Mrs. H. Yes. On Thursday night I was in there by myself until 3:30 because I was scared to go home. I was over there by myself.

Senator Byrd. Where was your husband?

Mrs. H. He had gone home because he has to get up at 2 o'clock in the morning to go to work.

Senator Byrd. Was he working with you at the time?

Mrs. H. He was there until earlier. He went home earlier because he gets up early in the morning.

Senator Byrd. And then he comes back to the place?

Mrs. H. When he finishes his other job he comes back.

Senator Byrd. He helps you on off hours?

Mrs. H. That is right.

Senator Byrd. He has steady employment elsewhere?

Mrs. H. That is right. But I have money on me all the time. It is 17 miles to my home. I checked and they won't even give me a permit to carry a gun and I have money on me practically every night I go home.

Senator Byrd. You travel back and forth the 17 miles?

Mrs. H. Yes.

Senator Byrd. Your husband travels back and forth, too?

Mrs. H. Yes. But I am by myself.

Senator Byrd. By yourself when?

Mrs. H. I go back and forth by myself.

Senator Byrd. Why doesn't your husband go with you?

Mrs. H. He doesn't work at night. He usually goes home. The only time he works at night is when an employee quits. Other than that he is up there on Tuesday night, and then he is up there on Saturday and Sunday nights. The rest of the nights he goes home.

Senator Byrd. Your business wasn't looted during the riot?

Mrs. H. No, sir.

Senator Byrd. Did you have any damage to your property during the riot, to the buildings, the windows?

Mrs. H. No, I don't think so.

Senator Byrd. Have you received any threats since the riots, have any threats been made against you?

Mrs. H. I don't know whether it was talking through the hat or not. We were open after the riot and we had to let them in so many at a time and I was standing out front and this man wanted to know why he couldn't get in, and I said we can only let in so many at a time because it isn't that large. And so he says, Well, that is all right, we will get you and burn you down tonight. So the other man that was standing was colored and he said something to him and he said, Man, what do you want to say that to that woman for, she don't bother anybody.

So then he more or less apologized when the other one jumped him.

Senator Byrd. Were both of them colored?

Mrs. H. Yes. But that was the only time that we have had anything like that.

Senator Byrd. Did you report to the police about the boy opening his knife?

Mrs. H. I said something to the police about it, sure. But their hands are more or less tied. They don't want to do anything.

Senator Byrd. Have you received any requests for money as payoff to keep you from being burned out or hit?

Mrs. H. No, I haven't gotten over there one day. I forget now what day it was. There was someone came by and they said they were from the nonviolence committee and they wanted to see me. But I hadn't got there yet. But they didn't come back. They wanted money. The man that runs it in the daytime said they wanted money.

Senator Byrd. Do you think the troops were brought in soon enough?

Mrs. H. No, I don't. I think the troops should have been in an hour after it happened because they knew there was going to be trouble.

Senator Byrd. How did they know?

Mrs. H. Well, I mean by their leader and the way the situation was in the District. I mean with the colored and all, and then their leader being dead, naturally somebody was going to pick it up.

Senator Byrd. Mrs. H, is your business located near the business of Mrs. G?

Mrs. H. Yes, about three doors up.

Senator Byrd. So the rioting which she has described took place in the same area where you were located?

Mrs. H. That is right.

Senator Byrd. Was there a good bit of burning and looting in that area?

Mrs. H. No burning, I don't think. I think it was looting. It was terrible. It just made you sick. Because I was there when both places—

Senator Byrd. Do you feel that the troops should have been removed?

Mrs. H. I think they were removed too soon, myself. They should have kept them on.

Senator Byrd. Do you think the troops should be in your area now?

Mrs. H. Well, if this March business is coming on, I think they should be either brought in or right on the outskirts of town where they can get in here in a hurry. Because I feel with this March, once they get here there is going to be more confusion.

Senator Byrd. How do you feel about doing business in the area where you are now? Do you feel that you are going to continue doing business? What is the outlook as you see it?

Mrs. H. Well, I will tell you. The one place I think I am going to sell. And I am going to hang on to the other one. But if I can get a good price for that one, I am going to let it go too and I am going over in Virginia. It is just to the point you don't know what is going to happen from day to day. You can be there and you don't know whether you are going to get your head blown off or somebody is going to come in and bash your head in, or what. That is what it has gotten to up there.

Senator Byrd. What about the other merchants, do they seem to be living in fear?

Mrs. H. I think all of them are up there. I mean the different ones that I have talked to up there, they say if they could sell, they would sell and get out, too.

Senator Byrd. You had a lot more nerve than many men have going out with a knife open and telling the man to put it in his jacket and so on.

Do you live in fear, yourself? Are you afraid? were you afraid then?

Mrs. H. Well, as long as I have the gun in there and all—the officers told me the first time that you let them know you might be scared of them you are in trouble. So I mean I have done these things and not knowing at the time what was going to happen.

I mean her holdup. I was in on that. At the time, of course, I didn't know it. I chased them around the corner.

Senator Byrd. What would you recommend that your Government do? How do you feel about this state of affairs?

Mrs. H. Well, I don't know who is going to do it, but I think it is about time that somebody takes the handcuffs off the police department and gets somebody in there that will back the men up and let them get back into the swing again and be real police and officers and enforce the law, instead of these organizations making monkeys out of them on the street. That is all they do.

Senator Byrd. Organizations?

Mrs. H. These different organizations. If somebody touches one of them, if the officer touches one of them, right away an organization has him down and he is writing this and that and the other thing and they are raking him over the coals.

Senator Byrd. What organizations?

Mrs. H. The colored organizations that you find.

Senator Byrd. Mrs. G, you wanted to say something more a minute ago.

Mrs. G. I wanted to state when she was talking about the two that quit, these were not little jobs of cleaning. She pays good salaries.

Senator Byrd. When you say a good salary?

Mrs. G. Well, five days a week. $117 is not bad.

Senator Byrd. Well, I certainly thank you ladies. Is there anything else you would like to say?

Mrs. G. Yes; this is two of our business people that would also very much like to see you.

Senator Byrd. All right.

This will be Mr. I. I don't want you to identify yourself by name. I don't want to identify your place of business or where it is located. You will be designated as Mr. I; that is, the letter I.

Mr. I. Yes, sir.

Senator Byrd. What do you consider to be the single most pressing problem confronting you as a business man in the District of Columbia?

Mr. I. Well, I would like to tell you this, Senator. I would like to tell you my whole story.

I am in a predominantly colored neighborhood. I would say 100 percent. And I have certainly been one who has tried everything in his power to promote good will between myself and the business and the colored people.

Just a few months ago I buried a colored man because they didn't have enough money to put him in the ground. I also promoted a stunt that we had. I gave a penny apiece for any empty beer containers or whiskey containers that anyone would bring into my store, and I got a lot of publicity on it. But I didn't do it for that. I did it to promote good will between myself and the industry and the colored people.

And when this situation came up on April 5th I really sincerely believed that I had nothing to worry about because I had done so much for them. I was their doctor, their lawyer, their counsellor, their advisor, anything that you, that they didn't know what to do—I filled out their tax papers when they came to me.

So I, when I walked out of my store at 2:30 on April the 5th I felt I had nothing to worry about.

That same evening at home I got a telephone call from one of my employees telling me that the store was being looted and torn apart. I really couldn't believe it. But I actually had to because it was so.

So being very much upset, I got into my car with a gun and went down to my place of business and saw what was happening.

When I arrived about 6:00 o'clock or 6:30 in the evening the doors had been busted down, the shelves were practically 100 percent empty and there were three police in the store with shotguns.

I didn't know which precinct they were from and I didn't care. But I knew they were police because they did have their guns and I said, "What are you going to do about these people?" About that time there were about 20 or 25 or 30 people in the store. And he said, "We can't do a thing. The only thing we can do is shoot tear gas in here and leave."

Naturally I was very upset about this. They made no attempt to make an arrest, no attempt to do anything about the people stealing my livelihood.

That is about the story—exactly what happened.

Senator Byrd. How long have you been in business in the District of Columbia?

Mr. I. Fifteen years.

Senator Byrd. At the same location?

Mr. I. At the same location.

Senator Byrd. What is your age?

Mr. I. 45.

Senator Byrd. Now, I will ask you the first question, which I don't believe you have answered, except in your own way: What is the single most pressing problem confronting you as a business man?

Mr. I. My problem is this, Senator: That I can't be in business without the fear of being looted and possibly killed because of the lack of protection that I derive from the police department.

Senator Byrd. How many employees do you have?

Mr. I. Ten.

Senator Byrd. Could you give me a breakdown as to the race of these employees?

Mr. I. Yes, sir, we have seven colored, seven Negro and three white.

Senator Byrd. Have you reopened your business since the riot?

Mr. I. Yes, I have, Senator.

Senator Byrd. And are the ten employees presently working?

Mr. I. Yes, sir.

Senator Byrd. Now, what is the present status of these employees; in other words, the seven Negro employees? What do they do? Do they sell your product or do they just clean up the place?

Mr. I. Well, let me put it this way: Of the seven Negroes we have, five are clerks, two are managers. As a matter of fact, two are porter-drivers. I have had no difficulty with these people at all. They have been very cooperative and looking out, so far as I can see, for my welfare.

We have had many incidents since reopening, and I will try to tell you about a few.

This past Saturday night we had a Negro come into our store. He ordered approximately five dollars worth of merchandise and my white clerk happened to be the man who was waiting on him. When serving the whiskey, the merchandise, he said, "I don't have to pay you, whitey, it is coming to me," or words to that effect. I can't tell you exactly what he said.

Well, our immediate feeling was we can't let him get away with this because if we do everybody will be coming in and wanting free merchandise. So it ended up we had to pull a gun and threaten him with his life in order to either pay or give the merchandise back.

When we showed the gun to him, he immediately paid.

This same day, during the day, for a small purchase of ten or fifteen cents, we heard nothing but "We don't have to pay you, whitey, this is coming to us." Or "Did you go up on your price to get back your money that we took from you?"

Or "You look pretty good now but we are going to burn you down the next time."

This has been a constant thing since this thing happened. Since being looted out we had boarded up and we were broken into twice. And due to that we lost our complete 100 percent merchandise that we have in the store.

Senator Byrd. What do you mean when you say "due to that"?

Mr. I. Due to the second and third looting. But we had merchandise in the store. But without military protection, without police protection, which I begged for, and I begged and begged, I called not once, not twice, but ten or fifteen times. I still have merchandise in my place of business. Please come down. Put a guard at my store so that I won't be taken entirely. Well, yes, we will process this. But I never saw one military personnel in this whole time.

Senator Byrd. Well, now, during the rioting were you looted?

Mr. I. Yes, sir.

Senator Byrd. Was your merchandise taken out completely during the rioting?

Mr. I. No, sir.

Senator Byrd. Now, since the rioting stopped, do I understand that you have been twice looted?

Mr. I. Yes. Before returning to business. In other words, before reopening my store. I have been twice looted since that period, yes.

Senator Byrd. You have been twice looted subsequent to the time the rioting stopped and prior to your reopening?

Mr. I. Exactly.

Senator Byrd. So you were looted three times before you reopened?

Mr. I. Yes, sir.

Senator Byrd. And in the course of these three lootings, am I to understand that you had your merchandise completely cleaned out?

Mr. I. Yes. The only merchandise that was not taken, and I might be stupid for doing this, but when I heard I was being looted I went down and I got a truck and I took out $2,200 worth of merchandise in my truck and took it to a place of storage. That was the only merchandise that was left.

However, we couldn't take the entire amount of merchandise that was left. We only took the main pieces that we felt was worth something to us.

We had at that time, when we left the store that evening on April the 5th, I would say there was another $5,000 or $6,000 of merchandise left.

Senator Byrd. Now, when you left the store on the evening of April the 5th, there was $5,000 or $6,000 of merchandise left?

Mr. I. Yes, sir.

Senator Byrd. Was that taken?

Mr. I. Yes, sir.

Senator Byrd. Then did you restore some of the merchandise subsequent to that and prior to reopening, and that was taken?

Mr. I. Yes, sir.

Senator Byrd. And then did you restore it again in preparation for reopening, and it was again taken?

Mr. I. No, sir. I don't want to put it that way. We restored some merchandise in order to reopen. We were boarded up. And they came in and took that merchandise out. But prior to this, before we reopened, before we restored any merchandise at all, there was merchandise in the store to be taken and it was taken.

Senator Byrd. Subsequent to your reopening had there been any lootings?

Mr. I. No.

Senator Byrd. Was your place set fire to?

Mr. I. No. I would just like to tell you this story that was told to me by one of my customers. They had come into my store that night to set fire to my store. And being a so-called good fellow that I was, one of my people said, "No, you can't burn him out. We will take everything we want but don't burn him down." And we found evidence of this because there was a big black burn mark in the middle of the floor.

Senator Byrd. Have you encountered any unusual problems in hiring and keeping responsible help?

Mr. I. No.

Senator Byrd. You have no problems employing people?

Mr. I. No, only because I think I understand these people.

Senator Byrd. Do you have any problems regarding absenteeism?

Mr. I. No.

Senator Byrd. Have your employees expressed a feeling of fear since the riots?

Mr. I. Yes, they have. And these were the Negro employees and yes they did.

I even had one employee say to me you know, I am beginning to dislike the colored people myself.

Senator Byrd. Was he colored?

Mr. I. And he was colored, yes, sir.

Senator Byrd. Are your employees afraid?

Mr. I. I would say yes, definitely.

Senator Byrd. Have they expressed fear?

Mr. I. They have expressed fear to me, yes.

Senator Byrd. How about yourself?

Mr. I. I am very much afraid, yes, sir.

This past Saturday we were open for business and we were allowed to stay open until midnight, if we liked. We closed at 7:15 because of the fear that I had for myself and the other white employees.

Senator Byrd. How about the colored employees?

Mr. I. They were fearful, I am sure, but we were much more so because the people that came in the store directed any derogatory remarks they had at the white people.

Senator Byrd. So you closed at 7:15?

Mr. I. Yes, sir.

Senator Byrd. Has there been any difference in the selling price of your merchandise as between your white customers and your colored customers?

Mr. I. Absolutely not, no.

Senator Byrd. Do you have price marks on merchandise?

Mr. I. Everything is marked and it is the same price for everyone.

Senator Byrd. Have you received any threats?

Mr. I. Yes. We have received threats, not on the telephone and not in writing, but in person.

As I said before, we have had many people coming in the store, "you look pretty good, man, but, man, when we get through with you next time you will not have anything up here."

Senator Byrd. What do you say?

Mr. I. Well, very frankly, it depends on the time of day. If it is early I disregard it. If it is late I lash them and tell them. I talk back to them like they talk to me.

Senator Byrd. What do you say in talking back to them?

Mr. I. Well, I probably get pretty nasty and tell them I am not worried about you, you do not frighten me. I do not want to hear you tell me these things at all because we do not need you in the store, if this is the way you feel get out and do not come back.

Senator Byrd. How long were you closed?

Mr. I. Eleven days. This was the Easter

week, which is a very big week in my business.

Senator BYRD. Have you had any experience with persons seeking a payoff from you in return for security for you?

Mr. I. No.

Senator BYRD. To what extent have changes in availability of the price of insurance on your stock and so forth affected your business?

Mr. I. Well, let me put it this way. I am not presently insured by Lloyds of London because I was in the type of neighborhood where we had a lot of difficulty before this strife and I feel now after I get my settlement with the insurance company, I feel I will be cancelled out. I feel I will not be able to get any insurance unless the Government comes up with a solution for me.

Senator BYRD. Can you give an estimate of the dollar loss to your business?

Mr. I. I would say about $40,000.

Senator BYRD. Is that as a result of the riot?

Mr. I. Definitely, entirely.

Senator BYRD. Does that include the loss of business during the 11 days you were closed?

Mr. I. No, it does not. This is a loss, I would say, of entirely merchandise and equipment. But this does not include the loss of business that I would have done.

Senator BYRD. Are you in business for yourself?

Mr. I. Yes, sir.

Senator BYRD. You are not in a partnership?

Mr. I. No, actually I am a corporation. But I am the 100 per cent owner of the corporation.

Senator BYRD. How much of the $40,000 loss do you think you will be able to recover by insurance?

Mr. I. I have not been able to really determine this yet. I do not think I am entirely and fully covered on this. But I am sure that I will get at least 75 per cent. I hope to get 75 per cent of it.

Senator BYRD. And then you are not sure that you will be able to get new insurance?

Mr. I. As a matter of fact, I would say the chances are very much against me for getting new insurance, yes.

Senator BYRD. What insurance Company?

Mr. I. Lloyds of London.

Senator BYRD. This is the company that you think you will be able to recoup from?

Mr. I. Yes, this is the one that I am insured with at the present time.

Senator BYRD. What about the rates of this company?

Mr. I. Very, very fantastically high.

Senator BYRD. How long have you been insured by this company?

Mr. I. I would say about two years.

Senator BYRD. With whom were you insured before that?

Mr. I. Before that I was with Home and Aetna.

Senator BYRD. Why did you not continue?

Mr. I. Because I was a very bad risk. In my particular neighborhood we had a lot of difficulties and we were held up and the neighborhood itself is a very bad risk.

Senator BYRD. How do the rates of the insurance company with which you now have insurance compare with those of Home and Aetna?

Mr. I. I would say double.

Senator BYRD. Do you own the building?

Mr. I. No, I do not own the building.

Senator BYRD. Do you own the equipment in your business?

Mr. I. Yes, sir.

Senator BYRD. Were there rental apartments over your place of business?

Mr. I. No, I had no apartments over me.

Senator BYRD. Are there rental apartments over you?

Mr. I. No, no second story.

If I may inject this, I was speaking to my landlord. This is a very old gentleman. And he told me if they had burned me down he would not have been able to rebuild because he was under insured for the building.

Senator BYRD. Were these looters adults in the main or—

Mr. I. When I got to my store that evening of April the 5th, there were no juveniles in the store. Regardless of what I have been reading in the papers, there were no teenagers. These people were adults, definitely adults. And when I confronted them when they had something in their hand, I had a gun in my hand and I said, "Where are you going", "I am going in the back to see what is there." I said, "You are not going back there. There is nothing back there that belongs to you." And I became very bold and told them either get out or get shot. But, of course, I could not stay there all night long.

Senator BYRD. Did they get out?

Mr. I. They became very upset. And these people that I saw there were my customers, people that came in the store every day.

Senator BYRD. Is your clientele mostly Negro?

Mr. I. One hundred per cent.

Senator BYRD. And were the looters mostly Negro?

Mr. I. As far as I know, 100 per cent.

Senator BYRD. How do you feel about staying in business in your present location?

Mr. I. Well, I am very fearful of being there. I have never been before. I would now feel that I would have to make a move, either sell my business or transfer to another area.

Senator BYRD. Do you contemplate any difficulty in doing either?

Mr. I. Well, I contemplate difficulty in selling my business.

Senator BYRD. Why would it be hard to sell your business? Apparently you were doing a good business. You had ten employees.

Mr. I. Yes, I had a very fine store. But today my good will is worth absolutely nothing. No man in his right mind would want to buy my business for any amount of money and become a target for a gun or shot gun or anything else, or be beaten over the head.

Senator BYRD. Would you be willing to sell at a loss to get out?

Mr. I. Yes, I would say, yes, at the present time I would be willing to—not like to—yes, I would be willing to.

Senator BYRD. Are you married?

Mr. I. Yes, and I have two children.

Senator BYRD. How does your wife feel about your present situation?

Mr. I. My wife has become very fearful, very nervous. She wants me to just forget it, to put the key in the door and walk out, forgetting the good will we had, forgetting everything else. She wants me to start over because she tells me that, yes, we have a good business, what good will it do if they kill you. And I have been very much on edge and I probably feel one of these days I am going to do that, put the key in the door and say to heck with it and walk out. Because it is really that difficult.

Senator BYRD. So you have problems with hoodlums hanging around in your store?

Mr. I. Definitely. More so now that we ever had. We always had a little problem with hoodlums, but today I see hoodlums that I never did recognize, do not know where they come from. I am sure they are not from my area. And they are there and they are causing a great deal of difficulty.

I just want to tell you one incident, Senator. I had an armed guard in my store now for ten days, on the outside of the store. And we leave the lights on because I feel with the little merchandise left that I have been bringing in and I feel it absolutely necessary to have a guard because I do not want to lose another penny. I have not received any money from the insurance company and I do not know what I am going to get. And the armed guard certainly will not be covered by insurance.

The other night, a week ago or so, I was going home and I got into my car and it was quite warm that evening so I locked the doors but I opened the window just a little, about a foot. I got to 13th and Maryland Avenue, Northeast, and I saw three Negroes on the corner. These were adults, not juveniles and not teenagers. These were adults. And I really do not pay any attention to this because I see Negroes all day long and I hear a lot of profanity and a lot of stuff going on and I did not pay any attention. And I stopped for a stop sign, a stop light, and I figured well, I might as well listen to the ball game and I leaned over to turn the radio on, and as I did, I heard a pow. I felt stunned in the head and I was knocked out temporarily. When I awakened I put my hand back here and I had nothing but blood. I really thought I had been shot because the only thing I heard was this pow and I raced back to the store and I told my guard, "call the police, I have been shot."

I really and sincerely felt I had been shot. When the police got there they said you have not been shot, somebody threw a bottle and hit your side view mirror and the bottle bounced off and hit you in the head and that is the reason for all the glass on the seat. So I went to the Holy Cross Hospital that night in Silver Springs and they pulled glass out of my head until 1:30 in the morning. They X-rayed me and so forth.

The next day I went to my own doctor and had a blue welt behind my ear, a great big lump, and my doctor told me a half inch higher and I would be dead. It would have hit me in the temple. Or if I had turned my head I might be blind.

Well, this is a very terrible experience for me. I am not used to violence, not used to carrying a gun, and very frankly I do now, I carry a gun. They say you are supposed to leave it at the store, but I take it with me.

Senator BYRD. So you are violating the law?

Mr. I. I am violating the law and I realize that. But I feel I must in order to protect my life.

And when, as I recall, they hollered something to me, some profanity, something I do not really know what they said, and the next thing I know I am knocked out. Well, to me this is awful. I could not believe this could happen to me. I did not treat these people like they were dogs. I did not treat them like they were inferior and, as I said before, I tried to do right to them. I brought old clothes to the poor around the store so the kids would have clothes, old shoes, anything I could do. And they did not have respect for me when this happened. I was just another retailer, another man, another whitey that they wanted to get even with.

Senator BYRD. What do these hoodlums say to you in your store when you ask them to move out?

Mr. I. They give us a hard time. I am not going to repeat the profanity they use because it would be ridiculous. But what they say I have never heard before. I do not even know some of these profane words that they use. They do not care who is around, any women or children. It still does not make any difference, they still use these words.

Senator BYRD. Can you repeat the initials of the words?

Mr. I. Yes, M.F. And S.B., and you know what I mean, the usual.

Senator BYRD. Do you feel that the troops should have been moved out of the city?

Mr. I. No, I do not. I think it was a very, very poor decision. I think the troops should still be here today and I think there should still be a curfew. Yes, sir, I do.

Senator BYRD. Did you have troops in your area?

Mr. I. That is what I would like to tell you about next. I have not seen one soldier in my area, not one. But four blocks away where there was a store that was burned, burned completely down, there was nothing to loot, nothing to take, they had four soldiers, four national guardsmen in front of the store.

But me who still had merchandise in his store, begged for help and begged for assistance and did not have any one.

Senator Byrd. What about the forthcoming march and demonstrations?

Mr. I. I am very fearful of it. From what I hear, from what I gather from the people that come into the store, we had one lady and man came in tonight, Negroes, and they called me aside and said, "Please, we just want to tell you one thing, do not stock up your store because there is still going to be a lot of trouble." There is supposed to be, according to what we heard in our store; and as I said, I do not know, I do not take too much to this, because I have heard so many rumors that tonight is supposed to be a violent night in the city.

Senator Byrd. What is your recommendation with respect to this?

Mr. I. For doing something about this?

Senator Byrd. For restoring confidence in the hearts and minds of business people and removing this fear that you were talking about?

Mr. I. What has happened now, as far as I am concerned, is going to be, it is going to be very difficult to restore this. These people have gotten away with what they did and nothing happened to them. They could walk into a store and take anything they like and walk out and the policeman would be standing there with his shotgun in his hand looking at them. So consequently it is human nature, whether it is colored or white, if you get away with it, like a child, he is going to do it again. They were not slapped on the wrist so now we have a double problem than we had before.

I think the City Government handled this very poorly personally and if I can use his name, Mr. Murphy, as far as I am concerned, he handled it doubly poor. He gave the order not to do anything. We have these people coming in the store telling us these things. But we cannot give him the names of the men because they would be fired. And he has asked at many meetings if you have a gripe tell me the names of these people so I can talk to them. But we are not going to do this. We are not going to give them the names of the officials or policemen. But they were all told hands off, do not shoot and do not lock up. This was the first order that they had. So consequently we have got a lot of problems.

Senator Byrd. I certainly thank you and I am sorry to detain you at this hour. But it is now 20 minutes after nine in the evening and I appreciate the time that you have come over to talk with me.

Mr. I. It is my pleasure, sir, and I just hope we can do something about this.

I cannot tell you how much the average retailer in this city really needs somebody like you.

Senator Byrd. What do you expect me to do?

Mr. I. I do not expect you to be Messiah or anything like that. But knowing you from the past, and I do know you, and I have been a resident of the District for many years. But I know that you are one man that will work for us because you believe in what we believe in and I really believe that, and what is right.

Senator Byrd. When you say you know me from the past, what do you mean by that?

Mr. I. Well, I have heard about you, read about you in the paper, being your a tough guy. Let me put it this way. Only tough in this respect, tough in wanting to do right and that is what we need. We cannot have any people up here, Congressmen who are just yes men and shake their heads yes and are afraid to open their mouth.

Senator Byrd. You have never met me before, have you, personally?

Mr. I. No, sir, I have not.

Senator Byrd. Well, I certainly thank you.

You will be identified as Mr. J. Do not identify yourself by name, by business, or by location.

Mr. J., what do you consider to be the single most pressing problem confronting you as a businessman in the District of Columbia?

Mr. J. Fear.

Senator Byrd. How long have you been in business in the District of Columbia?

Mr. J. Approximately 20 years.

Senator Byrd. What is your age?

Mr. J. Fifty.

Senator Byrd. How many employees do you have?

Mr. J. About 30.

Senator Byrd. Could you give me a breakdown as to their race?

Mr. J. Fifty per cent colored, 50 per cent white.

Senator Byrd. What is the present status of the colored? Are they hired in menial capacities?

Mr. J. No.

Senator Byrd. Do they sell your products?

Mr. J. They represent across the board, executive, sales office.

Senator Byrd. Do you operate on credit?

Mr. J. We have Central Charge.

Senator Byrd. What is meant by that?

Mr. J. Where the local credit agency approves or disapproves of a credit.

Senator Byrd. Is there any difference in the selling price of your merchandise as between white customers and colored customers?

Mr. J. No.

Senator Byrd. Most of your clientele colored?

Mr. J. Yes, sir.

Senator Byrd. What per cent, would you say?

Mr. J. Ninety per cent.

Senator Byrd. And you sell at the same price to white and colored?

Mr. J. Correct.

Senator Byrd. Are your credit rates any different as between one and the other?

Mr. J. No.

Senator Byrd. Have you ever encountered any unusual problems in hiring employees and keeping them on the job?

Mr. J. No.

Senator Byrd. You have no problem in filling your jobs?

Mr. J. At present we do, yes.

Senator Byrd. Have you had, let us say, in the last two or three years difficulty in employing people?

Mr. J. We have had, yes, quite a bit of difficulty in trying to obtain good employees. They just will not work in our neighborhood.

Senator Byrd. Why will they not work in your neighborhood?

Mr. J. They were scared, they were afraid.

Senator Byrd. During the past two or three years?

Mr. J. Yes, sir.

Senator Byrd. What has been the history of crimes against your person, your employees, and/or your place of business in the last, well, since you have been in business?

Mr. J. With the exception of one holdup, we have not had any crimes against our business in the last few years.

Senator Byrd. When did the holdup occur?

Mr. J. Several nights before the riots.

Senator Byrd. It occurred this year?

Mr. J. Right.

Senator Byrd. Were you at the business which was held up?

Mr. J. No.

Senator Byrd. You were at the other business at that time?

Mr. J. Right.

Senator Byrd. Tell me about the holdup.

Mr. J. Well, they came into the store with some customers, when some customers were in there, and they told the clerk and the customers that this is a holdup, do not move and there will not be any trouble. And they asked for everybody's wallet, jewelry, and they took that from the customers and the employees and then they took whatever was in the cash register.

Senator Byrd. How many individuals participated in the holdup?

Mr. J. Two.

Senator Byrd. Were they white?

Mr. J. Colored.

Senator Byrd. Were you able to identify them?

Mr. J. No. But some of the employees were able to identify them.

Senator Byrd. Were any arrests made?

Mr. J. No.

Senator Byrd. If they were identifiable, why were no arrests made?

Mr. J. Well, I believe that it was because it happened two nights before the riots and I guess the police were pretty busy afterwards.

Senator Byrd. Do your employees know the names of the two who held you up?

Mr. J. One employee identified one of the robbers. That is about all I know about it.

Senator Byrd. How much money did you lose?

Mr. J. About $600.

Senator Byrd. And the customers in your store were mostly Negro at the time?

Mr. J. All Negro.

Senator Byrd. And they lost their wallets?

Mr. J. Right.

Senator Byrd. Were there any injuries?

Mr. J. No injuries.

Senator Byrd. Were you burglarized at any time outside of the riots?

Mr. J. We have been burglarized, yes, about three times in the last two years.

Senator Byrd. And what have been the losses?

Mr. J. The losses were in the neighborhood of about $300, averaged around $300 each time.

Senator Byrd. Did you report the burglaries to the police?

Mr. J. Yes.

Senator Byrd. Have any arrests been made?

Mr. J. No.

Senator Byrd. Do you have any idea who committed the crimes?

Mr. J. No.

Senator Byrd. Have there been any lootings or breaking and entering subsequent to the riots, in your buildings?

Mr. J. No.

Senator Byrd. Have you reopened for business? Were you ever closed?

Mr. J. We were never closed.

Senator Byrd. Could you tell me what happened to you during the riots?

Mr. J. Well, I got a call from the police that they were looting the store on Thursday night. And I went down there. I got there and the store was completely looted. I am sorry, it was not completely looted, it was partially looted. Just one section was looted. And there was only one policeman there at the time and when I got there he told me he had to leave and there was a mob outside and I pleaded with him to stay, and he said he could not. And then I called the precinct and they gave him permission to stay for a while. And then I left and went home.

Senator Byrd. Why did he say he could not stay?

Mr. J. He said those were his orders, he could not stay.

Senator Byrd. It was not time for his shift to change?

Mr. J. No, just that he had to go elsewhere.

Senator Byrd. When you called the precinct station, I understood you to say that he was allowed to remain.

Mr. J. Well, only after strong urging. They said he could not stay either.

Senator Byrd. Why?

Mr. J. Because he had to go elsewhere. Other places were being looted.

Senator Byrd. Did you suffer any losses from fire?

Mr. J. Yes, sir. The next night they completely burned the store down. They partly burned the store. And then we reopened in the same location.

Senator Byrd. Did you receive any threats in connection with the funeral of the late Dr. Martin Luther King?

Mr. J. No.

Senator Byrd. In other words, were you told to close or you would be hurt, or your business would be hurt?

Mr. J. No.

Senator Byrd. Have you or your employees had threats against you since the riots?

Mr. J. They have had bands of youths coming into the store and warning them about working there, the Negro employees.

Senator Byrd. Warning the Negro employees?

Mr. J. Yes, sir.

Senator Byrd. What did they say to the Negro employees?

Mr. J. "We are going to get you."

Senator Byrd. Going to get the Negro employees?

Mr. J. Yes.

Senator Byrd. Why?

Mr. J. Well, I just believe that they feel that they should not be working for white people.

Senator Byrd. How have your Negro employees reacted toward this?

Mr. J. Scared to death.

Senator Byrd. Have you lost any of your employes since the riot?

Mr. J. No, fortunately.

Senator Byrd. What threats have been made against you, if any?

Mr. J. None.

Senator Byrd. Has anyone called you on the telephone to threaten you?

Mr. J. No, sir.

Senator Byrd. Have the young hoodlums threatened you when they came into your store?

Mr. J. No.

Senator Byrd. And what per cent of your clientele did you say were Negro?

Mr. J. Ninety per cent.

Senator Byrd. Have you considered your relations with your clientele normally to be good?

Mr. J. Excellent.

Senator Byrd. Can you estimate the dollar loss to your business as a result of the recent riot?

Mr. J. Considerable.

Senator Byrd. Could you give a rough estimate?

Mr. J. $75,000 to $100,000.

Senator Byrd. How much of this will you be able to recover through insurance?

Mr. J. Probably all of it.

Senator Byrd. Have your insurance rates increased in the last two or three years?

Mr. J. No.

Senator Byrd. Do you think you will have any problems getting reinsured after you recoup your losses in this instance?

Mr. J. I have already been notified that they have cancelled out all of the insurance. I just do not have any insurance any more.

Senator Byrd. You do not have any insurance?

Mr. J. No.

Senator Byrd. Fire insurance?

Mr. J. No, sir.

Senator Byrd. Burglarly insurance?

Mr. J. I beg your pardon. We do have fire insurance. But that is all.

Senator Byrd. What kind of insurance do you have that you think you will be able to collect on?

Mr. J. Fire insurance, and contents.

Senator Byrd. Do you think you will collect 100 per cent of your loss?

Mr. J. I should not say that. I think it would be more like 75 per cent of the loss.

Senator Byrd. Why have you changed your answer?

Mr. J. Well, it is going to be difficult. A lot of the records were destroyed. It is going to be difficult to prove it. I do not want to be optimistic but I feel I would be better off settling for 75 per cent.

Senator Byrd. And you do not think the same company will reinsure you?

Mrs. J. They have already cancelled.

Senator Byrd. They cancelled before they will pay you your insurance?

Mr. J. That is right.

Senator Byrd. How can you be sure they are going to pay you in this instance?

Mr. J. They are obligated under the terms of the policy to pay.

Senator Byrd. Have they told you they would pay?

Mr. J. They have not come right out and said it, no.

Senator Byrd. How would you compare the fair market value of your business—I am talking about the good will, the stock, the equipment, the building, et cetera, as compared with three months ago?

Mr. J. Twenty-five per cent.

Senator Byrd. How do you view the future as a businessman?

Mr. J. I view the future with a great deal of fear. I operate the business on a day to day basis with the feeling that anything could happen at any time during the day or night to destroy the few remaining parts of the business.

Senator Byrd. Do you feel fear for your life?

Mr. J. Yes.

Senator Byrd. Do you have any relatives working in your business?

Mr. J. No.

Senator Byrd. Are you married?

Mr. J. Yes.

Senator Byrd. How does your wife feel about your situation?

Mr. J. She does not want me to continue the business.

Senator Byrd. Do you intend to continue the business?

Mr. J. I am going to try.

Senator Byrd. Are you going to try to restore the business to what it was before the riot?

Mr. J. No.

Senator Byrd. Why?

Mr. J. Because it would take considerable capital and the risk is far too great to endanger anything other than the minimum amount of capital to sustain the business.

Senator Byrd. Do you feel that you could sell your business now?

Mr. J. No.

Senator Byrd. Why could you not sell your business?

Mr. J. There would not be any purchasers for a business in that area.

Senator Byrd. Would you purchase a business in that area?

Mr. J. Absolutely not.

Senator Byrd. Why?

Mr. J. The fear of burning, looting, life endangerment.

Senator Byrd. What has been the impact upon your customers? You say 90 per cent of your customers were Negro. How do they feel about the future? Have you noticed any drop off in your business?

Mr. J. Considerable.

Senator Byrd. Are the customers fewer now?

Mr. J. Much fewer.

Senator Byrd. Is this because you do not have as much stock, or because you have not replenished your stock?

Mr. J. Because of the neighborhood.

Senator Byrd. Would you explain.

Mr. J. I do not think people want to come into that neighborhood.

Senator Byrd. Why?

Mr. J. Because of the fear for their lives.

Senator Byrd. Do you feel that the troops were brought in quickly enough?

Mr. J. Absolutely not.

Senator Byrd. Do you feel they were taken away too soon?

Mr. J. Yes.

Senator Byrd. Do you feel that the curfew was lifted too soon?

Mr. J. Yes.

Senator Byrd. What will it take to remove this fear and restore your confidence?

Mr. J. It would take a complete change in the policy at the higher level wherein it was made perfectly clear that the city or the Federal Government would not tolerate any looting or arson under any circumstances, and that the necessary police protection was provided in sufficient quantity to be able to back that statement.

Senator Byrd. Is that the only thing that would restore your confidence and remove the fear that you have?

Mr. J. If the people who did the looting and arson were apprehended and convicted, would be another item that would be important.

Senator Byrd. You mentioned people at the upper level. What people do you have reference to—to what levels?

Mr. J. The highest level.

Senator Byrd. The highest level?

Mr. J. In the District Government.

Senator Byrd. What would be your recommendations to the people in the highest levels of government in your country and in your city?

Mr. J. That they came out with a statement that they would not tolerate or condone any violence or crime.

Senator Byrd. How do you feel about the forthcoming march on Washington by Mr. Abernethy?

Mr. J. I feel like everyone else, there is a very good possibility that the riots will erupt again.

Senator Byrd. Do you feel that the troops ought to be left out of the city?

Mr. J. No sir. I believe that the troops should be brought into the city.

Senator Byrd. Do you think the policemen on the street could have handled this riot in its early beginning?

Mr. J. Yes, sir.

Senator Byrd. Do you think that there were enough policemen on the street to have coped with this crowd in the early hours?

Mr. J. Well, that is a tough question. And I believe if the police in the beginning showed some strength in warning the looters and the rioters that they would be shot at, I believe that that would have stopped them in the early stages.

Senator Byrd. Do you feel that there is anything wrong with the policies that are being followed by your city government and your Federal government in dealing with law and order?

Mr. J. Absolutely. I think that by preventing a certain amount of bloodshed at this particular time or during these riots, that eventually we will have more bloodshed.

Senator Byrd. Let me ask you this: have you talked with any of the policemen in the city prior to the riot or during the riot, or since the riot?

Mr. J. I have talked to policemen prior to the riot and without an exception they all seemed to be frustrated.

Of course, during the riot they were even more frustrated. And today I say they are even more frustrated than before.

Senator Byrd. You say this. But on what do you base it? Have you had any of them tell you that they are frustrated?

Mr. J. Yes.

Senator Byrd. What did they tell you?

Mr. J. Well, they tell us they are confused. Many times they don't know what the orders are that they are supposed to implement; that their hands are tied; that they find it very difficult to make any kind of arrests. They are fearful themselves of becoming involved.

Senator Byrd. Well, have you just heard these things said, or have you had policemen tell you things specifically?

Mr. J. I have had quite a few policemen tell me specifically that this is their feeling.

Senator Byrd. Well, do you have a feeling that they were inhibited from taking action during the riot because of some feeling that they wouldn't get support from above?

Mr. J. Well, from what I understand, the orders from above were to just stand by.

Senator Byrd. Now, when you say from what you understand these were the orders, what do you mean by that?

Mr. J. In talking to the policemen, both at the lowest rank and in the middle rank, this is what they have told me, that their orders were.

Senator Byrd. Can you cite a specific policeman, a specific statement to this effect?

Mr. J. Yes. During the course of the rioting, when in conversation with a particular precinct and asking for protection and why they allowed the looters to loot the store, they gave me an answer that this was their orders.

I talked to the Captain of the Precinct who I know very well. He told me this was his orders. I talked to the Sergeant and this is what he told me, this was their orders. And I even talked to an inspector and he told me those were the orders.

As a matter of fact, I even talked to someone at the White House, and when I asked them they told me that this was the policy, that they had felt this was the best policy under the circumstances in order to avoid any bloodshed.

Senator Byrd. Is there anything else you would like to say?

Mr. J. I would like to say that as of this moment both myself live in constant fear and that probably two thirds of the District residents live under a state of fear which, of course, includes the Negroes as well as the whites.

We know that many of the Negroes are fearful of walking out on the street at night. They don't want to ride the buses. Both the citizens and businessmen are fearful of going anywhere near any of the areas where there are problems, that there are presently bands of teenager criminals who are roaming the city and threatening all the businessmen.

Senator Byrd. Are these whites or Negroes?

Mr. J. Negroes.

Senator Byrd. Negro criminals, Negro teenagers?

Mr. J. Yes, sir.

I believe that the policy of allowing looting and arson, while it may be fine at the moment, will eventually lead to much more bloodshed.

As a businessman, I think that the Constitution provides that property must be defended, as well as civilians, and the D.C. Law Enforcement Code would probably bear that out.

I think that the troops should be available within an hour, that the policy of the government is to restrain the police and allow them to loot and burn. Then to offset that they should provide compensation for any of the damage done to the businesses or to the homes that are involved.

We would like to know just what the city intends to do about letting us reopen our businesses and what kind of protection they will afford us if and when we are ready to reopen our business.

Most businessmen that I have talked to are afraid of reopening their businesses, including myself. That at the moment our insurances have been cancelled, we have no insurance, and that the District should immediately step into the picture and see to it that these businesses who want to reopen are given the benefit of insurance.

And, of course, adequate protection for the citizens and the businessmen from any kind of fear.

Senator Byrd. Thank you for your time and your statement.

You will be identified on the record as Mr. K.

Be careful that you don't identify yourself by name, by address, or by type of business.

Mr. K, what do you consider to be the single most pressing problem confronting you as a businessman in the District of Columbia?

Mr. K. The threat of new violence.

I get them every day.

Senator Byrd. How long have you been getting threats of new violence?

Mr. K. Since the first day after the actual first looting, that Saturday of the riot, which was the 6th. The riot was on Friday.

Senator Byrd. What is the nature of the threats that you receive daily?

Mr. K. Oh, there is no sense of boarding up your store because we are going to rip it off and burn the store. And if you stay there we will burn you with it. Get out, white man, we don't want you in our neighborhood.

Senator Byrd. Are these threats made by whites or Negroes?

Mr. K. Negroes.

Senator Byrd. Is your clientele mostly Negro?

Mr. K. I would say now about 75 percent.

Senator Byrd. How long have you been in business in the District of Columbia?

Mr. K. Five and a half years.

Senator Byrd. At the same location?

Mr. K. The same location.

Senator Byrd. What is your age?

Mr. K. 30.

Senator Byrd. How many employees do you have?

Mr. K. Besides myself?

Senator Byrd. Yes.

Mr. K. Four.

Senator Byrd. Are they Negro or white or both?

Mr. K. Both. Equally mixed.

Senator Byrd. Two and two?

Mr. K. Two and two.

Senator Byrd. What do the Negroes do in your place of business? Do they sell merchandise?

Mr. K. They sell merchandise.

They work behind the counter and deliver.

Senator Byrd. Have you encountered any difficulties in hiring employees?

Mr. K. Well, I had a man that worked for me five and a half years, a white man who suddenly got high blood pressure after the riot. He said he couldn't work because of doctor's orders and I have not been able to replace him.

Senator Byrd. Have you tried to replace him?

Mr. K. Yes, I have.

Senator Byrd. How have you tried to replace him?

Mr. K. I have checked with friends in the city in the same business I am in. I asked if they knew anybody that wanted employment and they said they were having the same problems I was. It wouldn't do any good to call the Department of Employment Security because they wouldn't get any answer.

Senator Byrd. Have you tried calling the U.S. Employment Service?

Mr. K. Personally, no.

Senator Byrd. Why don't you?

Mr. K. Because I feel I wouldn't get any help from them.

Senator Byrd. It wouldn't hurt to try.

Mr. K. This is true.

Senator Byrd. If you need someone to fill the position, at least try.

Mr. K. Perhaps I will.

Senator Byrd. What has been the feeling of your employees concerning the riot?

Mr. K. Well, the two that I have working, the Negroes that I have working for me, they stuck with me all the way. They were willing to stay with guns to protect the property in order to protect their own jobs. They came down that Saturday morning after they broke and entered the first time and helped me nail it up, while they were being threatened, "Uncle Tom will kill you if you help this white man nail this store up. Why are you helping that white man? He is going to stab you in the back."

One of my employees got mad and grabbed one of these persons that was shouting obscenities and said if he didn't shut up he was going to nail him to the wall. He had a hammer and nail in his hands at the time.

Senator Byrd. Are your Negro employees afraid?

Mr. K. Actually, no.

Senator Byrd. They haven't expressed any fear to you?

Mr. K. No, they have no fear whatsoever. They seem to think that if they show no fear and if I show no fear that this situation wouldn't have happened in the first place.

Senator Byrd. Is there any difference in the selling price of your merchandise as between your white and colored customers?

Mr. K. No, the same price.

I sell by the shelf price. There is no difference to anyone.

Senator Byrd. A price tag is on each item?

Mr. K. Under the item on the shelf.

Senator Byrd. Now, during the time that you have been in business, have you been looted, robbed, held up, burglarized, prior to the riot?

Mr. K. Windows have been broken and merchandise taken out and, therefore, we discontinued putting actual merchandise in the window. Just cardboard blowups.

We have had merchandise taken out of the car we deliver with. The truck was broken into and so forth and so on.

Senator Byrd. Have you had any holdups in your store?

Mr. K. Attempted, yes; but successful, no.

Senator Byrd. What do you mean by attempted?

Mr. K. Well, two men came in and tried to hold us up. But an employee of mine and myself got the drop on them and they ran out of the store. We called the Police Department. When the police arrived we saw the same two men running minutes later down the street and I pointed them out. And the reason they were still on the street is because they had the audacity to go across the street and hold up a bar and grill. Because they failed in my place they went across the street and held up a bar.

Senator Byrd. When you say you got the drop on them, what do you mean?

Mr. K. Well, one man walked in and I couldn't see the gentleman behind him. I shouldn't say gentleman. But he had his hand in his shirt and the other man that works for me was sitting at my counter where we have our money order machine. There was a .38 on the table and right away he picked it up and stomped his foot on the floor and when I saw the .38 I looked to see what the other man was doing and he had his hand in his shirt and the other man said, "I want change for a dollar." And I said, "I don't have change." He said, "Come on and give me change for a dollar." There was some loose change on the top of the register and I gave him change for the dollar and he said, "I want change out of the register."

And when he told me to open the register, that is when I took my gun out of my pocket and I said, "I am not opening the register." And they started backing toward the door and a customer walked in and he said what is going on and they broke and ran. I don't know whether we would have fired but we didn't want to hit the customer. And they ran out of the store and we called the police department.

Senator Byrd. They ran across the street and held up somebody on the other side of the street?

Mr. K. That is right. They were caught that evening.

Senator Byrd. Have you received any threats since the riot?

Mr. K. Yes, we have.

Senator Byrd. I believe you spoke of them earlier?

Mr. K. Yes, we received threats and we also received requests. We were asked if we would like to buy protection. I was personally asked if I would like to buy protection.

Senator Byrd. Who asked you this?

Mr. K. Two Negro males. I was standing in the doorway of my store and they walked up to the door and said, "Are you the manager?" and I said, "Yes", and the dark-skinned one says, "Well, would you like to buy some protection", in those words, or something to that effect.

I am not sure whether he said would you like to buy protection, but we are selling protection. I said, "What kind of protection do I need?" And he said the plywood could be kicked in and your store could burn. And I lost my temper and, can I use an obscenity. I said, you are asking to burn, too. I have two shotguns and a .38 in this store. If you want to burn you have to burn me with it. And at that point they left and were cursing as they left and I didn't see them any more after that.

Senator Byrd. Do you know them by name?

Mr. K. No. I know them by description. I described them to the police.

Senator Byrd. You did report this to the police?

Mr. K. I called the police immediately.

Senator Byrd. Is this the only instance?

Mr. K. In which I called the police. But this isn't the only instance in which it occurred, trying to sell me protection. Two Negroes, one female and one male, came in the day that we opened. We were allowed to open on Wednesday. They came in on Thursday and they wanted me to give a donation to SNCC, the Student Non-violent Coordinating Committee, and I said I felt I shouldn't give a donation to an organization that I feel destroyed my store. And they said you shouldn't have that attitude and I said that is the attitude I have. They were overly courteous. That was the funny part of it. They were very, very courteous. In other words, they were very careful not to ruffle me in any way and they said thank you and they left.

Then I had another man.

Senator Byrd. Could you identify them by name?

Mr. K. No. These are faces I had never seen before.

Senator Byrd. What made you make reference to SNCC?

Mr. K. They said they were from SNCC. And the girl wore a button that had SNCC.

Senator Byrd. You indicated that you put some blame at least on SNCC?

Mr. K. They caused the trouble.

Senator Byrd. They burned your store?

Mr. K. Well, from what I read in the papers and heard from friends, all the trouble started at 14th and U Streets. The SNCC had everything to do because Carmichael was up at their office at the time and came downstairs and the crowd gathered around him and he left at a very opportune moment.

Senator Byrd. You started to tell about another incident.

Mr. K. Yes, sir; someone else came in and said that he was from, I don't remember the name of the church. It is on Newton Street and 16th, Northwest, where Carmichael has made speeches. St. Michael's and the Incarnation. And he said he was selling pictures of Martin Luther King $1.25 a picture, ten for $10, and would I be interested. And I said, no, we don't sell anyone's pictures in the store and he said well, I think it would be a good idea if you bought them. And I said no, I am not interested. And that is all he said; and he left.

Senator Byrd. Was this a Negro?

Mr. K. Yes, sir.

Senator Byrd. Did he have the pictures with him?

Mr. K. He had a manila brown folder. Whether there were pictures in there, I don't know. But I assume there were.

Senator Byrd. Did he ask your neighboring merchants to buy pictures?

Mr. K. I really don't know. Then I had a 13 or 14-year-old girl come in the store, a Negro, she said she was collecting for the poor people that were burned up on 14th Street. And she said she represented the Barney House neighborhood, which is on 16th Street, for youths. And she showed no identification to prove she was from Barney House and I said are you collecting for the merchants that were burned out as well as the people that were burned out, and she said no, to hell with the merchants, just the people. And she walked out the door.

Senator Byrd. Did you contribute?

Mr. K. No, I said I am not contributing. And I lost my temper and followed her next door to the cleaning establishment which is near my store, and she had gone in there for a donation. And I cursed her out. Maybe I shouldn't have. And I went back to my own store.

Senator Byrd. Can you give an estimate as to the dollar loss to your business as a result of the riot?

Mr. K. You mean merchandise and fixtures?

Senator Byrd. Yes.

Mr. K. Well, I have an approximate loss of $6,000 in merchandise, and I would assess about $2,500 or better in fixtures and equipment.

Senator Byrd. Was your equipment loss by fire?

Mr. K. No, by looting. My store was not burned.

The reason I followed the Negro girl out of the store, when I wouldn't donate she said, "This goddam place is going to burn, too."

I told her if my store burned I was going to look her up personally.

Senator Byrd. Will you be able to recover your losses through insurance?

Mr. K. I believe I will be able to recover it through insurance. We are in the process of doing that now. As of yet I haven't received any money.

Senator Byrd. But you have contacted your insurance company?

Mr. K. Yes, sir.

Senator Byrd. Are they going to reinsure you?

Mr. K. Well, that is the problem. The agent says as of now I am not cancelled, but the way things look, so many other people are being cancelled that they wouldn't be surprised if I was too.

Senator Byrd. Is this a reputable, well-known insurance agency?

Mr. K. Well, he is well known to me.

Senator Byrd. Have your insurance rates increased in the past year or so?

Mr. K. Not appreciably.

Senator Byrd. Is there any indication that they will be higher in the future?

Mr. K. No, he didn't mention that.

Senator Byrd. But you haven't collected yet?

Mr. K. No.

Senator Byrd. Have you presented an estimate of your losses?

Mr. K. Some estimates. Some estimates are very hard to obtain. You can't get the people to come out and estimate your damage.

For instance, in my particular instance I dont' want to repair my place in exactly the same method that it was before because it is too easy to get into. So I figured I would redesign the front of the store and the insurance part of it is covered by the landlord and part by my company and my landlord's company insists that I get the estimates to restore the place exactly the way it was and then they would allow me a certain amount of that cost toward whatever else the landlord would like to do to redesign the building, which actually may cost less than replacing it the way it was.

Senator Byrd. Are you married?

Mr. K. Yes, sir.

Senator Byrd. How do you feel about continuing in business in this location?

Mr. K. If I could sell tomorrow and get out with a reasonable loss—when I say reasonable, $10,000 loss, or something like that, I would sell it tomorrow. But I couldn't get a customer for my store right now. I couldn't even sell it for $10,000. And I would estimate before the riot I probably could have gotten anywhere from $50,000 to $60,000 for my business.

Senator Byrd. Have you ever been assaulted by these hoodlums who come into your place of business?

Mr. K. One time. One time one of them grabbed me and hit me. This was before the rioting started. And I called the Precinct. I will never forget it. It is a horrible situation to live in a country where when you call up the police department and tell them you have a man in the store beating on the counter with his hands and quoting the Bible and threatening your life, they give you a number, and it rings for 15 minutes before you get an answer; and I timed it. And I am not exaggerating. I finally got an answer and they told me all the cars were busy and they cannot send a policeman to my store.

And I said I have a man in my store, I don't know what to do, I am liable to have to kill him. If you have to kill him, go ahead. We can't get anybody to you. And he hangs up the phone.

Senator Byrd. What happened?

Mr. K. One of my delivery men—we know this man. He is sometimes sane and sometimes insane. He has been sent away for observation I know one time for a fact and they found him sane. Personally I don't think he is sane. And my delivery man talked him into leaving the store and he came back again about two weeks later and started up again and I called the police and they came this time and the officer told him never to come back in my store again. I told him I don't want him in the store. He started hollering it was a public place, he could go any place he wanted to, and I had no right to keep him out of the store. And I told the police officer the next time he comes in the store and puts his hands on me I am going to have to kill him. He is a guy as big as I am and twice as strong.

Senator Byrd. What does your wife think about your continuing in business?

Mr. K. Actually, from Friday when we were called on the telephone and told they had broken into the store, she said I hope it burns because I don't want you to go back down there and risk your life. And we would get a little more money out of the insurance company if it burned out than if it were looted. I would have fixtures that I couldn't sell to anybody and I would come out ahead of the game on the fire.

Senator Byrd. Do you think the troops ought to be in the city now?

Mr. K. Well, let's put it this way. Let me tell you something. May I tell you something and then I will answer that question?

Senator Byrd. Yes.

Mr. K. That Friday they looted the store I was called on the telephone by the police officer to come down, your store has been broken into. I said, Is it safe for me to come down? He said, We can't guarantee your safety. I said, I am not coming down. And then another officer took the phone away from him, and I don't think I should mention his name, but I know him by name.

And he called me by name and he said, Don't come down here because we can't even protect ourselves. He said, It is really getting out of hand. Stay home.

That Saturday morning I called the Precinct and they said it would be safe to come down to my store, and we came down. Like I said, we were boarding the store up and while we were boarding the store up this group of six Negro males ranging from 17 to, I would say, 25 years old, walked up to the front of the window and said to me, "Man, I want two bottles of Scotch." And I said, "I am sorry, but I can't sell anything today, there is a ban against selling alcoholic beverages."

And he said, "'Man, I am not talking about buying. I am talking about giving it to me."

At that point he walked through the doorway of the store. There is no door. Mind you, the door is shattered to pieces. He walks over to the shelf and pushes my wife and takes two bottles of Scotch off the shelf. I drew my revolver. I was going to kill him. And my father-in-law stopped me because he said there are five others that had their hands in their pockets and they were behind me and he said they probably would have killed me. So I turned to the two troopers who were in front of my store, and I said, "These men are stealing right now. They are looting my store."

And just as though they ignored me as they didn't say a word. These Negroes started to laugh and the guy walked out and showed the two bottles of Scotch to the other five in the group and they walked over and said, "Don't worry, there is no sense in nailing it up, we will be back tonight to get the rest."

So, now, I will answer your questions. If the troopers are going to be in the city and stand on the corner and watch them loot my store and do nothing whatsoever about them, I might as well not have them there. They are show pieces or ornamentation. I don't need them there. It is ridiculous. It was a joke having them in the city to start with. If they were brought into the city they should have been used. They were brought into the city to stand around and watch people burn, rob, loot, and kill.

If I had shot that Negro I doubt very much if the troops would have come to my aid. This is my personal opinion. I don't know what they would have done had I shot him. I probably would have been charged with murder because I was outside of the doorway and he was inside.

My wife started to cry. I asked her what she was crying about. We didn't take the inventory, so whatever they take is going to be insured. Let them take the whole damned store. The troops aren't going to help me protect. They keep telling me they are going to rip it off and the troops stand there and watch them. That is the answer to the question.

Senator Byrd. Is it your understanding that if an individual enters your store, as the individual you described, that you might stop him from taking the two bottles of Scotch?

Mr. K. If my father-in-law had not grabbed my hand at that moment, I would have shot him.

Senator Byrd. It is your understanding that you would have had a right to do so?

Mr. K. I believe so. I think when somebody comes into my place, my open business, it is not any different than anything else. I work 72 hours or more a week. I open and close that store every day. This is a lot of hours to put in and a lot of money to invest in a business to have someone walk in and have the audacity to take something off the shelf and dare me to stop him. And if the police don't stop them and I don't have the right to stop them, then I don't believe I live in a free country. My civil rights are gone. I have no rights as far as that goes. I haven't a right to protect my own property.

In fact, the only reason I will say this, I didn't want to leave the store that Friday afternoon. I was going to stay there and protect my property. There is only one exit in and out of my store and my wife kept telling me if they throw a Molotov cocktail in how are you going to get out. I said I will worry about that later. She said no, it is insured, leave. I called up my insurance agent and he said what are you doing there, you should have been out of there a long time ago. This was one o'clock in the afternoon.

So I left.

Senator Byrd. What time did you normally close your business?

Mr. K. On Friday night at 9 o'clock.

Senator Byrd. What time are you closing now?

Mr. K. Well, we are closing now at 9 o'clock. But also last week we started closing at 9 o'clock on Saturdays and normally we close at 11.

Now, actually this was not my idea. A lot of the stores in my industry or business, if you wish to call it so, decided it would be safer to close at 9 o'clock than to stay open till 11. Actually we are allowed to stay until 12. But we got together and decided to close at 11 about two years ago. When they came up and asked me about it I said I don't see where I am any safer at 9 o'clock than I am at 11. I must say I lost a great portion of my business between 9 and 11 o'clock. It is costing me money to close early.

Senator Byrd. I want to thank you for coming over here and visiting with me.

Mr. K. I appreciate your listening. Every time I pick up the paper and read it I see everybody else's viewpoint, but mine is what am I going to do. After the riot the people would come into the store and probably some of them that looted me, and they seem to have the opinion that what are you worried about, the insurance company is going to pay you for what is damaged and stolen, and whatever the insurance company doesn't pay you for the Government is going to pay you. And I said what do you mean, Uncle Sam will pick up the tab. These people seem to be indoctrinated in the way of thinking that Uncle Sam will pick up the tab for anything you can't pay for yourself.

My wife and my mother help me in the store. They don't receive pay. We have lost hope because I go to the store every day and I actually feel that one day soon they are going to come back and finish the job they started. And I say to myself why am I risking my life. I ought to put the lock on the door. But I can't put the lock on six years of work. I hate to see it go down the drain.

It is like the days of the old Wild West where you had to trade and deal with the Indians, but you don't know when they are going to turn on you and attack you.

Senator Byrd. We will designate you as Mr. L for the record. Just don't identify yourself by name, business, or address.

Mr. L, what do you consider to be the single most pressing problem confronting you as a business man in the District of Columbia?

Mr. L. Personal fear.

Senator Byrd. How long have you had this feeling of personal fear?

Mr. L. Since the riots started in the District of Columbia.

Senator Byrd. How long have you been in business in the District of Columbia?

Mr. L. Since 1952.

Senator Byrd. And at the same location all the time?

Mr. L. Yes, sir. It is a family-inherited business. This has been in existence at the location since 1926.

Senator Byrd. And what is your age?

Mr. L. 43.

Senator Byrd. How many employees do you have?

Mr. L. One full time, one part time.

Senator Byrd. Are they both Negro?

Mr. L. Both Negro.

Senator Byrd. How long have these two employees been in your employ?

Mr. L. The one part time man has been in my employ several years, and the full time man, who has not returned since the rioting, has been in our employ about six or seven months.

Senator Byrd. He has not returned since the rioting?

Mr. L. No.

Senator Byrd. Why?

Mr. L. We have not been able to contact him, sir. I don't know.

Senator Byrd. Was he a good employee?

Mr. L. I would say he was, yes, sir.

Senator Byrd. He didn't take part in the looting?

Mr. L. No, sir.

Senator Byrd. Was your place looted?

Mr. L. Yes, sir, completely.

Senator Byrd. Do you have any ideas as to why he has not returned?

Mr. L. No, sir. He doesn't have a phone. We have sent him mail communications and we have not heard from him.

Senator Byrd. Has the mail been returned to you undelivered?

Mr. L. No, sir. We mailed him a check for the balance of his pay. The check has been cashed.

Senator Byrd. Do you think he may be afraid to return?

Mr. L. Yes, sir.

Senator Byrd. Have you attempted to replace him?

Mr. L. Yes, sir, through the U.S. Employment Agency. They sent a gentleman over who we told to come in the next day to work and he has not appeared.

Senator Byrd. Was he white or Negro?

Mr. L. Negro.

Senator Byrd. You told him to come in the next day?

Mr. L. Yes, sir.

Senator Byrd. And he did not report?

Mr. L. No, sir.

Senator Byrd. Did he indicate to you that he would be in?

Mr. L. Yes, sir.

Senator Byrd What kind of salary did you offer him?

Mr. L. We offered him $78 a week.

Senator Byrd. Did he indicate that this was satisfactory?

Mr. L. Yes, sir.

Senator Byrd. Have you had problems in employing individuals heretofore?

Mr. L. Not really, sir; no, sir.

Senator Byrd. I suppose that operating it, as you do, with your brother, you don't need too much help?

Mr. L. We don't need that many employees.

Senator Byrd. Are there other relatives who help in the place of business?

Mr. L. Not in recent times. Not for the last several years.

Senator Byrd Is there any difference in the selling price of your merchandise as between white and colored customers?

Mr. L. No, sir.

Senator Byrd. What is the racial makeup of your customers?

Mr. L. 95 percent Negro.

Senator Byrd. Has this been true since the time you took over the business?

Mr. L. No, sir. I would say that it was almost 60 percent Negro and 40 percent white when we took over, and the percentages have changed through the years.

Senator Byrd. What has been the history of crimes against your person, your employees, and/or your place of business prior to the riot?

Mr. L. We have had numerous holdups. I don't remember in recent years having any crime problem other than being on the premises at the time of the holdups.

The most recent was the week before the riots.

Senator Byrd. How many holdups have occurred in your business since you took over?

Mr. L. 10 or 12.

Senator Byrd. Have you or your brother or any of your employees ever been injured during the holdups?

Mr. L. My brother has been injured twice by being shot.

Senator Byrd. Is this your brother here?

Mr. L. Yes, sir.

Senator Byrd. Have there been any arrests as a result of those holdups?

Mr. L. To our knowledge, no.

Senator Byrd. Were you ever able to identify the persons by name, who held you up?

Mr. L. Let me clarify this. We have had arrests in holdups where there was no violence, where we have made identification and they have subsequently been sentenced.

In those holdups where there was violence, to our knowledge there have not been any solutions.

Senator Byrd. You are Mr. L–A.

Mr. L–A. I was shot twice in holdups in one year and in April of 1962 and December of 1962. And I had an opportunity to go to the police department and look at the record of the first shooting and they had the case solved, marked "solved" although I was never called to identify anyone. I was never notified that it was solved. I was never called to court. The case record in the police department is marked "Solved". This was the first time, when I was shot in April of 1962, in which I spent four weeks away from the store, two weeks in the hospital, and lost the partial sight of one eye and lost four and a half teeth. I was shot in the mouth. Part of it needed repair by plastic surgery on my lip.

That is all I wanted to say about the first shooting. You asked if they were solved.

Senator Byrd. In the first holdup you were shot in the mouth?

Mr. L–A. Yes, sir. While sitting in my car. They shot me through the side window. All the windows in the car were up.

Senator Byrd. You weren't in the business, you were in your car?

Mr. L–A. Yes, sir. I was preparing to put the key in the ignition to pull away from the parking space.

Mr. L. This was pertaining to the business.

Mr. L–A. I had walked from the business a block away to where I was parked and got in the car, when they attempted to rob me.

Senator Byrd. They attempted to rob you personally?

Mr. L–A. Yes, sir.

Mr. L. With the receipts of the business.

Mr. L–A. With the receipts of the business.

Senator Byrd. Did they rob you?

Mr. L–A. Yes, sir, after they shot me.

Senator Byrd. How much money did they take?

Mr. L–A. About nine dollars is all I had. I didn't have any of the store receipts with me.

Senator Byrd. Did you offer them the money?

Mr. L–A. They made me get out of the car after they shot me. I was in a state of shock but conscious. And they asked me for my wallet. I gave them my wallet and they tried to entice me around the alley and I figured if they were going to shoot me again they were going to have to do it here. There was a grocery on the corner. They apparently saw what happened because I went there for help and they had their door bolted but I pounded on the door and they let me in.

Senator Byrd. Were these Negroes who held you up?

Mr. L–A. Yes, sir.

Senator Byrd. Two, or more than two?

Mr. L–A. Two.

Senator Byrd. Now, the second time, were you in the store?

Mr. L–A. Yes.

Senator Byrd. How did this happen?

Mr. L–A. We were both in the store and one lone bandit came in and held us up and demanded cash. The cash was given to him and then he ordered me and my porter in the back room. And as I turned to go in the back he shot me in the back. Fortunately it was a defective bullet because when I took off my shirt the bullet fell on the floor. And then while I was lying on the floor, my brother didn't know whether I was dead, and I heard another shot, and I didn't know whether he was dead. They shot at him too.

Senator Byrd. They shot at your brother?

Mr. L–A. After they shot me, yes, sir. But he missed him, fortunately. The bullet went through a beer cooler.

Senator Byrd. Now, these holdups occurred prior to the riot?

Mr. L. Yes, sir.

Mr. L–A. This was in 1962. But we have been held up numerous times since. I can go back in March of 1967, or October of 1967, March of 1968. They were the more recent ones.

Senator Byrd. Why do you stay in business?

Mr. L–A. Everything we have is invested in our business, sir. We are not getting any younger. What am I going to do at the age of 50?

Senator Byrd. Are you both married?

Mr. L–A. Yes, sir.

Mr. L. We have three youngsters entering college in the fall.

I have twin sons going to college in the fall and he has a son going to college in the fall. This takes a great deal of money.

Senator Byrd. What damage did you suffer during the riot?

Mr. L. The store was completely emptied of all merchandise. Some fixtures were destroyed. Everything was completely looted. The place was not burned. But other than this it was an empty shell.

Senator Byrd. Were the places around you burned?

Mr. L. Not in the immediate area. Within a two-block area, yes, sir.

Senator Byrd. What would you estimate the loss of the merchandise looted?

Mr. L. Approximately $20,000.

Senator Byrd. What would you estimate the damage to your property?

Mr. L. Approximately $3,000.

Senator Byrd. How much of this will you be able to recover from your insurance?

Mr. L. I don't know, sir. At this point I don't know.

Senator Byrd. Did you have insurance?

Mr. L. Yes, sir. We feel that we will recover about 70 percent of the merchandise lost. And I would believe at this time all of the property——

Senator Byrd. Why do you say 75 percent of the merchandise?

Mr. L. We had 80 percent coverage and we have hired an agency at 10 percent to expedite it for us, feeling on advice this would be the easiest method to handle it.

Senator Byrd. What agency did you hire?

Mr. L. Gimble, Gable and Gold.

Senator Byrd. What kind of agency is this?

Mr. L. They are insurance adjustors.

Senator Byrd. How about your insurance rates, have they been higher in the last year or so, more so than heretofore?

Mr. L. Those insurances that have been available have been higher.

Senator Byrd. Have you had difficulty in getting insurance in recent years?

Mr. L. We have not been able to obtain holdup or burglary insurance or plate glass insurance.

Last week we had a cancellation on business interruption insurance.

Mr. L–A. Effective May 5th.

Senator Byrd. Tell me about the business interruption insurance.

Mr. L. Well, this is a policy that in case of disaster of any nature to a business, it pays the merchant at a predetermined rate until he is able to reopen and go back into business. We have carried these policies since we have been in business.

Senator Byrd. Were you closed during the riot?

Mr. L. Yes, sir, we were closed during the riot and for approximately two and a half weeks after the riot, before we could get cleaned up and get opened and partially restocked.

Senator Byrd. Will you be able to collect on your business interruption policies for these times you were closed?

Mr. L. I can only say what we feel. We have not had any real meetings with the insurance companies. We have been told that we will be able to collect all but those days where we were closed by law.

Mr. L–A. That is what I wanted to throw in.

Senator Byrd. Well, now, when you say the business interruption policies have been cancelled, what does this mean?

Mr. L. We received a notice of cancellation from the insurance companies that effective May 5, 1968, that our policy will be cancelled, null and void.

Senator Byrd. Have your premiums been paid on it?

Mr. L. Yes, sir. If I am not mistaken, it is a three-year policy for which we have prepaid.

Senator Byrd. You are prepaid on a three-year policy?

Mr. L. Yes, sir. As I understand the way this was done, it was a three-year policy with a yearly billing, which we paid annually, but it is based on a three-year rate.

Senator Byrd. You say this was to be cancelled as of May 5th?

Mr. L. Yes, sir.

Senator Byrd. What is the significance of this date?

Mr. L. I have no idea.

Senator Byrd. Was that the end of the first year?

Mr. L. No, sir; it had nothing to do with any policy calendar dates.

Mr. L–A. May I give my theory? I think they can't cancel immediately. They have to give you a couple weeks.

Senator Byrd. Is this the company that is going to pay off on the business interruption policy?

Mr. L. Yes, sir.

Senator Byrd. They are going to pay off, but they don't want to insure you any longer?

Mr. L. Yes, sir.

You asked if they were going to pay off. We assume they are going to pay off.

Senator Byrd. But you know they are going to cancel?

Mr. L–A. It says here you may regard this notice without prejudice to any pending claim.

Senator Byrd. How long have you carried the business interruption insurance with the present carrier?

Mr. L–A. Well, I tell you that is a hard question because our agent had a habit of changing companies every couple years.

Senator Byrd. How long have you carried business interruption insurance?

Mr. L–A. Since we have been in partners, 1952.

Senator Byrd. Is this the first claim that you have ever had for business interruption?

Mr. L–A. Yes, sir.

Senator Byrd. With what insurance company do you carry your insurance with reference to loss of inventory, the major loss that you had in the riot?

Mr. L–A. The Home Indemnity.

Senator Byrd. And how were you approached or how were you contacted by the insurance carrier about the insurance being expedited? Did you contact him?

Mr. L–A. Yes, sir.

Mr. L. We contacted him on the suggestion of an accountant.

Senator Byrd. And he charges 10 percent for fee?

Mr. L. Yes, sir.

Senator Byrd. And why did you feel the necessity of contacting an expediter when your policy provides for the terms of payment on the face of the policy?

Mr. L. Our accountant felt at the time that the interpretations of the policies, not being legally inclined, that we should go to someone with experience in dealing with insurance companies, that they would see that the true interpretation of the policies were followed through and we would reach maximum claims. This is the best I can explain it.

Senator Byrd. Has this practice been followed by other merchants of which you have knowledge?

Mr. L. Yes, sir. When I went into the office I had to wait in line to see this gentleman. There were people there from other industries. I don't want to mention their names. But there were people who had losses from the violence.

Senator Byrd. How did you learn of his whereabouts? Was he suggested by your agent?

Mr. L. By my accountant and several close friends who are accountants.

Senator Byrd. And when you went to his office you had to wait in line. How many people were in the line?

Mr. L. Oh, I would say five or six people. This was 8:30 or 9:00 o'clock in the morning.

Senator Byrd. Have you been held up or looted or burglarized since the riot?

Mr. L. No, sir, we have not been.

Mr. L–A. I don't know if this is the time to bring it up. We have been threatened indirectly and directly.

Senator Byrd. I was going to ask you about that. Would you explain?

Mr. L–A. Well, right after we opened up we had a customer, who we considered to be a good citizen, call us up and state that he was in a neighborhood store, that she was in a neighborhood store which was run by colored and that she heard a gang of what she called "punks" state that they are going to take care of us that weekend.

Senator Byrd. Was this a colored lady who called you?

Mr. L–A. Yes, sir. And then I had someone else come in and tell me that our tenant who lives upstairs from the store had received a warning to move because they were going to burn us down.

Senator Byrd. Is your tenant a colored tenant?

Mr. L–A. Yes, sir.

Senator Byrd. Do you just have one tenant?

Mr. L–A. No, we have three tenants. Two apartments and one business.

Senator Byrd. And one of them had been warned to move?

Mr. L. This is the one who lives directly over the store.

Senator Byrd. Did the tenant verify this?

Mr. L. I went to speak with the tenant after word had come that the tenant had received a note telling them to move. The person who told me said they did not want to be involved. I went to the tenant and asked the tenant if they had had any problems or if they had received any word of warning, and at first the tenant told me no, they had not. I said have you received any phone calls or messages of any kind intimidating you?

The tenant said, No, I did not. But someone sent a messenger to me telling me to move. We have been here 15 years, we are not moving. This was Saturday a week ago.

Mr. L–A. Then last night at approximately a quarter to 8 the phone rang and I answered it and when I identified the store this voice said, "I am one of Rap Brown's boys. We want you to close."

I am trying now to remember verbatim what he said. "We want you to close now to May 15th." He said—I don't know whether he wanted us to close immediately and stay closed until the 15th, or he was giving us to the 15th to close. He says, "You don't know how to talk to Negroes." I didn't argue with him. I didn't say anything. I just said okay and I hung up.

Mr. L. What did he say would happen?

Mr. L–A. He said "You know what happened to the other fellow. We are going to dynamite your store." That was last night.

Senator Byrd. Was that all?

Mr. L–A. That is all.

Senator Byrd. Have you been asked for money in return for security?

Mr. L–A. Not yet. We did have someone come around and try to sell us a picture of Martin Luther King with an elaborate brass frame for $50.

Senator Byrd. Did you buy it?

Mr. L–A. No.

Mr. L. It was offered to me. I told them that I didn't have the funds available at the time to purchase it.

Senator Byrd. How do you view your future as merchants in this city?

Mr. L–A. We have the store up for sale. We are going to lose a lot of money but we are nervous wrecks and we want to get out. We have nothing in the immediate plans; but both of us want to get out. We want to get out of the neighborhood. My wife has taken a full time job in a department store and I figure I can get a job and between the two of us we will manage some way.

My son is making college money by taking a weekend job. The poor kid works Saturdays and Sundays, all day Saturdays and Sundays in a country club as a bus boy to earn money for college.

But we want to get out. We have a broker, but he hasn't had any luck. We keep asking him what his prospects are and he says he hasn't had any. They are a dime a dozen now.

Senator Byrd. How long have you had the store up for sale?

Mr. L. Approximately ten days.

Mr. L–A. Ten days, I would say.

Senator Byrd. Do you own the building?

Mr. L–A. Yes, sir.

Senator Byrd. Do you want to sell the building or rent it?

Mr. L–A. We will sell the building. We want to sell to the colored. We figure that is the only way we can safeguard our building.

Senator Byrd. That is to sell to colored?

Mr. L–A. The whites wouldn't take it. You wouldn't get a white buyer unless he was a damn fool. We want to sell to colored. There is no ready cash. They just about want you to give it to them. Shall I say the first deal that was offered?

Mr. L. We were offered a deal last week which would have cost us $1,000 out of cash to get out of the business.

To explain: There was a net price on the store offered, an offer of $40,000, which is a very depressed figure. We were willing to accept this figure. Honestly, we would accept much less. They offered $15,000 in cash and the balance would be in notes for inventory and good will and the building would be in notes. They wanted a guarantee of $12,000 inventory.

If we took the 10 percent commission that we would have to pay the broker on the $40,000 figure, it meant we would have been out a thousand dollars that we would have to come up with cash, after we had paid the $12,000 for the inventory and the $4,000 to the broker. They wanted a five-year lease on the business and an eight-year note, which would be an unsecured note completely.

Senator Byrd. Was the offer made by a Negro?

Mr. L. Yes, sir.

Senator Byrd. Was he someone whom you know?

Mr. L. No, he was brought to us by the broker that we had approached.

Senator Byrd. What could you have sold this business for three months ago?

Mr. L. I feel about $60,000 or $65,000, sir.

Senator Byrd. Did you make a counter offer?

Mr. L. No, because we were completely flabbergasted. We felt that the broker was not acting in our behalf or for our good, and we felt that we didn't want to do business with this particular man.

Mr. L–A. We got the impression that the broker we hired was our agent and he was acting more as agent for the Negroes. There were two of them, partners. He was acting more as agent for them than he was for us.

Senator Byrd. Is the broker colored or white?

Mr. L–A. He is white. We called him up and hired him. He was supposed to come over. We were of the opinion that he would come over and discuss terms with us before he would bring any prospects in. He came a day before he was supposed to come, with the two prospective customers. He caught us completely unaware. My brother and I had not spoken about a price. We know it is a depressed price now, but instead of acting for us he was actually acting for both.

Senator Byrd. Did I understand that three months ago you would have thought $60,000 was a fair market price?

Mr. L. Yes, sir, 60 or 65.

Senator Byrd. After the riot and after the looting you receive a $40,000 offer and you rejected it?

Mr. L. That was $40,000 on paper.

Senator Byrd. $15,000 in cash?

Mr. L. Yes, sir.

Senator Byrd. You referred to the figure $60,000 as being a fair market value?

Mr. L. Yes, sir.

Senator Byrd. Meaning $40,000 in cash?

Mr. L. Yes, sir.

Mr. L–A. The way we feel now we are ready to give it away.

Senator Byrd. Have you substantially restocked your inventory?

Mr. L. No, sir, we are buying on a day-to-day basis. Instead of buying cases we are buying bottles. We are afraid to restock.

Mr. L–A. He bought ten cases of beer from one beer driver today and I gave him the devil.

Mr. L. This is a driver where we normally buy 35 or 40 cases twice a week.

Mr. L–A. I said, Why not buy five. He will be here tomorrow.

Mr. L. The merchants and beer companies have been particularly cooperative in this.

Senator Byrd. What about your neighboring merchants who operate other types of businesses? What do you hear from them?

Mr. L. The grocery store two doors away from us is not reopening.

Senator Byrd. He is not going to reopen?

Mr. L. No. The grocery store on the next corner has been held up three times since the riots.

Senator Byrd. Do you have anything further to say?

Mr. L. Well, I have an aunt and uncle who had a grocery store two doors away from our location. That was completely looted and the fixtures were destroyed. They are not attempting to come back and reopen because of the extensive damage and the lack of will to attempt to do this all over again.

Senator Byrd. Do they own the building in which their grocery was being operated?

Mr. L. No, sir, they were leasing.

Senator Byrd. How much longer were they under lease?

Mr. L. I don't know, sir.

Mr. L–A. May I say something?

Senator Byrd. Yes.

Mr. L–A. There is a cleaner across the street from us that was completely wiped out.

Senator Byrd. Were these Negro owners?

Mr. L–A. No. It is a chain. But the clerks were Negro, female. And as of yesterday morning, from what I could observe, they were broken into again and apparently took the cash register, because I saw them carrying a new cash register in today.

A little grocery store across the street had their windows smashed in broad daylight.

Senator Byrd. Has this happened since the riot?

Mr. L–A. Yes, sir. Yesterday, from what I could observe, a TV repair shop was broken into during the night.

M. L. This is Negro owned.

Mr. L–A. Negro owned. This was across the street. All around us.

Senator Byrd. All right, gentlemen, I thank you for coming. I am sorry that I had to keep you so late.

Mr. L–A. We are very pleased that you listened to us and I know you must be tired.

Senator Byrd. You earlier stated that three months ago you considered the fair market value of your business to have been $60,000. Would that have included the stock that was lost, or would the stock have been in addition to the $60,000?

Mr. L. The stock would have been in addition to the $60,000. In the $60,000 would have only included the real estate and fixtures—the good will and fixtures.

Senator Byrd. Before we close, is there anything further you would like to say?

Mr. L. Yes, sir. I feel in the city today there is total anarchy, that when there was no restraint shown in this rioting that a free license will continue and looting and robbing was given to the people. I am not advocating any particular method of restraint. I feel some type of restraint should have been used, and since it hasn't been used the people feel they can go ahead and continue doing it daily.

Senator Byrd. Has the situation been getting worse in the last two or three years?

Mr. L. Definitely, the situation has been getting worse in the last two or three years. But the riots culminated this.

Senator Byrd. All right, thank you.

(Thereupon, at 11:20 p.m. the instant meeting was adjourned.)

[Vol. 3]

THE U.S. SENATE: REPORT OF PROCEEDINGS, HEARING HELD BEFORE SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA OF THE COMMITTEE ON APPROPRIATIONS

[Executive confidential]

U.S. SENATE, SUBCOMMITTEE ON THE
DISTRICT OF COLUMBIA, OF THE
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., May 3, 1968.

The Subcommittee met, pursuant to recess, at 6:05 p.m., in Room 105, The Old Senate Office Building, Robert C. Byrd of West Virginia (Chairman of the Subcommittee) presiding.

Present: Senator Byrd (presiding).

Senator Byrd. Mr. M, what do you consider to be the single most pressing problem confronting you as a business man in the District of Columbia?

Mr. M. Actually the lack of police protection and the fact that the police seem to be handcuffed in order to help you, to keep order in the streets. I have seen this happen repeatedly. A police officer takes abuse that any normal human being wouldn't take and has to sit there and say, Yes, sir, and turn around and walk away and not do anything about it.

This is basically the problem I find.

Senator Byrd. How long have you been in business in the District of Columbia?

Mr. M. I have lived in the District all my life. I have been in business for about 17 or 18 years.

Senator Byrd. Have you been in business in the same location all this time?

Mr. M. No, about 10 years.

Senator Byrd. About 10 years in this location.

What is your age?

Mr. M. 39.

Senator Byrd. How many employees do you have?

Mr. M. Nine.

Senator Byrd. Could you give me a breakdown as to their race?

Mr. M. Four Negroes and that is including myself in the other nine, five whites.

Senator Byrd. As to the type of employment, what do your Negro employees do?

Mr. M. They are of limited skills.

Senator Byrd. Are they clerks?

Mr. M. No. They are not clerks. They work manually.

Senator Byrd. I see. Do you pay them by the hour?

Mr. M. By the week.

Senator Byrd. By the week. What salary would each of your Negro employees run per week?

Mr. M. One is getting $90, $85, $60, and there is one who is getting $70. They are of limited skill and the two lower categories aren't skilled.

Senator Byrd. Have your employees all been with you quite some time?

Mr. M. One of them has been with me almost ten years. I would say the majority have been with me quite a while, over four or five years.

Senator Byrd. Do you have much turnover in employment?

Mr. M. Not until I would say the last six months or so.

Senator Byrd. You have had a good bit of turnover in the past six months?

Mr. M. Yes. When you lose a good man who has been with you a long time, you keep hiring until you find the one who fills the job better.

Senator Byrd. Why have you had this difficulty in the last six months, would you say?

Mr. M. Well, the type of business that I am in is conducive at times to drinking, and they can't seem to control themselves at times.

Senator Byrd. Your customers, you mean?

Mr. M. Well, both. The employees——

Senator Byrd. Do your employees drink, you mean?

Mr. M. They are not supposed to, but the quality of the work, the type of work that is required of them I guess puts a strain on them and they just drink a little bit and when that happens, I have to let them go.

Senator Byrd. Have you had to let some employees go in the last six months because of the problem of drinks?

Mr. M. I would say two or three.

Senator Byrd. Were they white or Negro?

Mr. M. Negro.

Senator Byrd. Do you have any difficulty in getting help? If you have a vacancy, do you have any problem in filling it?

Mr. M. No. I usually call the U.S. Employment Agency and they will send someone up within a day or two. Otherwise, until that time I have to do it, do the work myself, and a couple, two or three jobs, until the work is done.

Senator Byrd. Is there any difference in the selling price in your merchandise as between white and colored customers?

Mr. M. None whatsoever. I have both.

Senator Byrd. Do you charge your colored customers the same price you charge white customers?

Mr. M. Definitely. I have one price.

Senator Byrd. Is the majority of your trade with white customers or with colored customers?

Mr. M. At the present it is mostly white. I would say in the ratio of 65–35, and as the neighborhood has changed, it has been progressively switching.

Senator Byrd. Switching in what direction?

Mr. M. More colored, less white.

Senator Byrd. What has been the history of crimes of violence against your person, the person of your employees and/or your place of business?

Mr. M. Well, against myself personally, none physically. I have been intimidated out on the street a few times, or in my place. I have had to resort to violence at times, physical violence to eject a person, and my employees, the colored and white, when they leave, they appreciate having somebody go out with them, after the place closes and walk them to their cars or wait for them to get a taxi. That is both white and colored. They are afraid to walk the streets.

Senator Byrd. They are?

Mr. M. Yes.

Senator Byrd. Are these male or female employees?

Mr. M. Both.

Senator Byrd. You are talking about the female employees who are afraid?

Mr. M. Also the male.

Senator Byrd. What about the Negro employees? Are they afraid?

Mr. M. Yes, sir. Usually you have to take them home or else they wait in the place until after I close and a cab comes and takes them. Occasionally one of them gets brave and walks off.

Senator Byrd. Gets what?

Mr. M. Gets brave and walks off, and a couple of them—there was one particularly who is no longer with us. I think he quit because he was afraid of the neighborhood. He was beaten up once while on his way home.

Senator Byrd. Was he a Negro employee?

Mr. M. Yes, sir, he was.

Senator Byrd. Was he beaten up by Negroes?

Mr. M. Yes. And I think he was what they would call rolled for a few dollars.

Senator Byrd. Are your employees afraid of white persons or are they afraid of Negro persons?

Mr. M. Basically the Negroes, sir.

Senator Byrd. Have there been any holdups at your place of business?

Mr. M. Not in my place of business, but in my neighborhood, yes.

Senator Byrd. Have there been any burglaries at your place of business?

Mr. M. Not in the last two or three, maybe four years, because I have taken safeguards against them.

Senator Byrd. What safeguards?

Mr. M. Steel gates, pipes, built-in, embedded in the walls, and steel doors put on.

Senator Byrd. Did you have any problem with burglaries prior to that time?

Mr. M. Yes. I had about three or four burglaries.

Senator Byrd. There have been no burglaries in the last four years?

Mr. M. No. Not in my place of business. When I leave my place of business at night, I usually have a police officer drop by and meet me and we walk to the car together until I get out of the neighborhood. And this has become common practice, now. They just meet me every evening and make sure I get out of there, which I never had to do before, being that I was born and raised in that particular neighborhood.

Senator Byrd. Are you afraid?

Mr. M. No, sir, I am not.

Senator Byrd. Well, why do you have to have a policeman with you?

Mr. M. Well, the truth being that I am afraid I might hurt somebody if they come toward me, and I would rather not get involved in it.

Senator Byrd. Were you affected by the riot?

Mr. M. Personally, no. People around me, yes.

Senator Byrd. Your place of business was not touched?

Mr. M. No, sir, it wasn't.

Senator Byrd. Why, in your opinion?

Mr. M. Well, basically I stood outside in front of my place of business and in no uncertain terms let the people know that I would brook no nonsense and with every means at my disposal I showed them that I meant it.

Senator Byrd. Could part of the reason be that—could part of the reason have been that your type of business is not one in which you carry a large inventory?

Mr. M. No.

Senator **Byrd**. How much inventory do you normally stock in your place of business?

Mr. M. In my place of business I would say in the neighborhood of—stockwise $3,000 or $4,000. That is at wholesale prices.

Senator **Byrd**. Are these foodstuffs?

Mr. M. Yes, sir, part of them.

Senator **Byrd**. Did you close during the riot?

Mr. M. Yes, sir, I did.

Senator **Byrd**. For how many days?

Mr. M. Seven days.

Senator **Byrd**. Did you stand out in front of your place all the day and night?

Mr. M. I did stand out in front until the troops came.

Senator **Byrd**. Day and night?

Mr. M. Yes, sir. I camped there. It was roughly from Tuesday evening around 10 o'clock, 10:30, when the disturbances started in that area, and the first time I left there, other than for a couple of hours when my associate would come down and stay, I was there until well past midnight, Saturday, early Sunday morning.

Senator **Byrd**. Why did you stay closed seven days?

Mr. M. Well, sir, basically—customers weren't coming in my place, so I stayed closed. And besides, the help was afraid to come back in.

Senator **Byrd**. Were you threatened with violence if you opened?

Mr. M. No, sir, not if I opened. I wasn't threatened at all on that score; but while out in front of my place I was threatened a couple of times.

Senator **Byrd**. What was the nature of the threats?

Mr. M. Well, if I didn't give in, didn't give them certain things they wanted, like they wanted a couple—a couple of the boys wanted a cigarette out of my mouth and they told me in no uncertain terms if I didn't take it out of my mouth and give it to them, I would be stomped to the ground.

Senator **Byrd**. Did you give them the cigarette?

Mr. M. No, sir, I didn't.

Senator **Byrd**. Were you asked to close for the funeral of the late Dr. King?

Mr. M. No, sir, we weren't. Again it was a matter that the help wouldn't come in and finally when we did open, seven days later, the help still wouldn't come in and I and one of my associates had to run the entire business which normally takes on one shift at least five people, and just two of us had to keep the place running for a period of 18 hours a day.

Senator **Byrd**. Has there been any decline in your business since the riots?

Mr. M. Yes, I would say there has been a decline in my business. There has been a definite change in the clientele.

Senator **Byrd**. In what respect?

Mr. M. More colored and less white.

Senator **Byrd**. Have you suffered any losses as a result of the riot?

Mr. M. Monetarily, yes. I would say businesswise, financially. In the loss of business, dropping of business.

Senator **Byrd**. Has it been to a marked degree?

Mr. M. Not that I can discern as yet.

Senator **Byrd**. How do you know that you have had any loss in business?

Mr. M. Well, what I would normally take in in the course of a day or the course of a week.

Senator **Byrd**. Has your loss of business been to any marked degree? Has it been 10 percent, 20 percent?

Mr. M. I would say in the neighborhood of 15 to 20 percent right now. We were hoping it would pick up. This I will say. I had my place of business on the market to sell before this happened, and since the riots I can't get a buyer anywhere, and we did have a few offers before the riots, and now these people are no longer interested in buying the business.

Senator **Byrd**. When did you first put your business up for sale?

Mr. M. Well, I started putting out nibbles about three months ago.

Senator **Byrd**. Why did you want to sell?

Mr. M. Basically, sir, with my associate, I have been connected with him a long time and I would like to strike out on my own, with my own type of business and with my own ideas, and this was the basic thing why we wanted to sell and dissolve the association.

Senator **Byrd**. Couldn't you sell out to him?

Mr. M. He was not interested in buying it mainly because of the neighborhood, and we could see what was happening to the neighborhood.

Senator **Byrd**. To what do you attribute the lack of interest in purchasers of your place of business?

Mr. M. I would definitely attribute it to the riots and the uncertainty of having any type of business in Washington at this time. I leave my place of business at night and I just knock on wood and say, well, I hope I see you tomorrow. I hope you are still standing. Within a short radius of three or four blocks of me, people in similar business like mine have been burned right to the ground. They leave the place, lock up, go home and come back the next morning and there is nothing left.

Senator **Byrd**. Do you own the building?

Mr. M. No, sir, we don't.

Senator **Byrd**. Do you have a lease on the building?

Mr. M. Yes, sir.

Senator **Byrd**. When does your lease expire?

Mr. M. We just signed a new one.

Senator **Byrd**. When did you sign one?

Mr. M. Just before the riots.

Senator **Byrd**. How long does your lease cover?

Mr. M. We go to five options and there is no fear of ever being cancelled out because the people who own the building are not in this country. The building has housed this type of business since the early '20s.

Senator **Byrd**. Can you cancel?

Mr. M. Not the way the lease is written up.

Senator **Byrd**. What would be the penalty if you——

Mr. M. To make good the rest of the contract.

Senator **Byrd**. For five years or one year?

Mr. M. Well, this I don't know. I couldn't tell you right now until I look at my contract. But if I was to close, the equipment that I have put in there, and I have built with my own hands in there, such as the furnishings and things, could not be moved. If they were moved they would be totally useless in any other place because in moving they would probably completely fall apart or you have certain things put in certain places and you move some place else and they will never work again, machines and things like that.

Senator **Byrd**. What price did you ask when you first put your property up for sale?

Mr. M. $50,000.

Senator **Byrd**. What would be a fair sales value at this time, of your place of business?

Mr. M. That is hard to tell, since I have no offers. I would still like to get out after ten years what I have put into the business I built.

Senator **Byrd**. Do you expect to get that?

Mr. M. No, sir, not by any stretch of the imaginaion.

Senator Byrd. Would you sell for less?

Mr. M. If I could get it in cash, yes. Otherwise I will take my chances and stay. If I can get enough out to go into something else, yes.

Senator **Byrd**. Do you have fire insurance?

Mr. M. Just a 30 percent coverage because in this type of business they would not cover—fire insurance will not cover the whole bit, even before.

Senator **Byrd**. You have a 30 percent coverage?

Mr. M. Yes, sir, that is about it.

Senator **Byrd**. Are your rates high?

Mr. M. Yes, sir. Before the riots, well, up to about six or seven months ago, we inquired about riot insurance and the rates were so high that it was impossible for us, with the percentage of profit that we make, to even consider getting it at that time. Now I wish I had gotten it anyway. But to go on paying the way they were, the rates they demanded, we couldn't possibly do it and stay in business.

If I may say something, sir——

Senator **Byrd**. Yes.

Mr. M. When I earlier mentioned I have been in that neighborhood, I was born and raised there and I do remember times when just up until two years ago you really weren't afraid to walk down the street. You could do as you pleased, lock your place of business and leave, because there was good police protection out on the street, and with me it is a bone of contention the way things have deteriorated with the police department now, and it is not the men because I have known a lot of these people for 10 or 15 years or better, and the morale as far as I can see is down so far that these boys are out there, they are there and that is it, because as far as locking up for doing anything, they are going to end up in more trouble than anybody else.

Senator **Byrd**. How do you know?

Mr. M. Well, sir, I have a great personal association with the men in the police department, not only as business but personal, and I am there in the middle. When I hear these boys discussing these things among themselves, and I guess I am considered like one of them and it is not too much—I hear the gripes and hear what is going on—and from what I have seen, I have to agree with them right down the line.

Senator **Byrd**. From what you have seen?

Mr. M. Yes, sir.

Senator **Byrd**. Have you had any threats against you or your place of business since the riots?

Mr. M. No. My associate has, that the place would be burned down if we didn't serve a particular person, even though by law we would have been in trouble if we had served this person.

Senator **Byrd**. This person. Why, because of his race? What do you mean by saying—my impression is that you are saying it would be against the law for you not to sell to "this person."

Mr. M. No. It would be against the law for me to serve this person in the condition they were in.

Senator **Byrd**. Why would it be against the law for you to serve them?

Mr. M. Because they were intoxicated and disorderly.

Senator **Byrd**. I misunderstood you. It would be against the law if you didn't serve them.

Mr. M. No. I would be against the law if I did. And because of this, they were threatening to burn me out, and this happened just two days ago. My associate was forced to call the police and the reaction was they came over there and I guess the policy is now to try to calm the person down and send the people on home and warn them if they do it again they would be arrested and the officers had not even left the place and this party came right back in and started the same thing all over again, and again they just told her to go on home. Nothing was done about it.

Senator **Byrd**. Have you had any threats against your person since the riots?

Mr. M. During the riots I did while I was there.

Senator BYRD. You have had none since the riots?

Mr. M. No. Not myself, personally, but my associate has.

Senator BYRD. What was the nature of the threats?

Mr. M. Well, we will get you, you will be dead, and we will burn the place down.

Senator BYRD. Is your associate white?

Mr. M. Yes, sir, he is.

Senator BYRD. And who made the threats?

Mr. M. Colored boys in the neighborhood there.

Senator BYRD. Is your associate afraid?

Mr. M. No, sir. Not personally, but for anything that might happen to the business or the people who come into our place at the time the violence might erupt, yes, I would say he is afraid there, but as a man, no.

Senator BYRD. Have you been asked to pay off those who make threats in return for security or protection?

Mr. M. No, sir, I haven't I have heard of others in the neighborhood who have, but not—we haven't been approached as yet.

Senator BYRD. Is there anything else you would like to say?

Mr. M. I don't know—I will go ahead and say it ~~and~~ you can strike it.

The only thing that really protects us down there, I stood out there and they knew I was armed, and I was forced to draw it and use it, shooting into the air, to save a white man from getting mobbed by about eight or nine colored boys who had him down on the ground rubbing his face in glass. I jumped in and with my hands pulled them off, breaking up the fight. There were I would say in the neighborhood of 300 or 400 people around, including white and colored, the whites were standing there saying—being ineffectual, saying, "Gee, look, what a shame, somebody ought to do something about." And the colored sitting there watching and saying the same thing. I took it upon myself. I tried to separate them. When they wouldn't, I took my gun and shot past their heads and that broke up the mob. I told them all to clear out of the neighborhood. If they didn't, there would be violence, and evidently they know I am a man of my word and they moved on.

I picked the man up and bandaged him and sent him home.

I feel that is one of the primary deterrents that kept them from coming into my place. I guess they considered me crazy. I feel I have worked ten years for something and if I was to turn my back and walk away and give it to somebody to burn or destroy, they are going to have to walk over me before they do it. And I feel if more people felt the same way, we might have a lot less trouble.

I have seen store windows in my neighborhood that were just about completely destroyed. Still there was something left, but they didn't have the interest to come back in and board their places up to help prevent further looting or more trouble. They just left it wide open and left it—they couldn't care less.

I think it is the—what is the word, "apathy" of a lot of the white people that is causing a lot of this, too, a lot of the business people themselves. If they did something to protect themselves, or stand up for their own rights, we might have a little action, might have a little respect. I don't know—that is just the way I feel. Basically the people standing up for themselves and giving the police something to use besides a pair of handcuffs that they have to wear themselves, I think you would get a lot more.

Senator BYRD. Do you feel that the troops were of any help?

Mr. M. Yes, I think they were a deterrent, once they moved in. Then after they found out that the troops couldn't do anything, I guess it just subsided by then. All the fire was out. That is the reason we didn't have any more trouble. I think if they had been put in early Friday morning you wouldn't have had half the trouble you had.

Senator BYRD. Do you think that troops should have remained in the city following the riots?

Mr. M. Personally I don't think so.

Senator BYRD. Do you think——

Mr. M. I think they should have been standing by in case something happens, to bring them in immediately, not wait 24 hours before you bring them in.

Senator BYRD. How soon do you think they ought to be brought in?

Mr. M. The first time any major disturbance occurs, that the police can't control, they can't stop it within 15 minutes or so, call them and bring them on in, if it gets that big that they can't be stopped.

Senator BYRD. With the traffic problems being what they are and what they were when this situation developed, do you think the troops could be brought in in time?

Mr. M. Well, I have seen the highways cleared for emergency vehicles and this would be a definite emergency.

Senator BYRD. How do you clear a highway for emergency vehicles when it is packed both going and coming and full of vehicles and they can't move, they are just parked?

Mr. M. If I had to, I would go on the sidewalk.

Senator BYRD. How do you drive a truck up a sidewalk?

Mr. M. I have done it before. I can show you. Maybe I was speaking out of turn and maybe I was a little hot about it, but I just feel they should be brought in immediately, when things get out of hand, or if you feel, have them stationed, have a battalion stationed that could be flown immediately.

Senator BYRD. I am asking you what you recommend.

Mr. M. Well, since you brought this up, I hadn't thought of the traffic angle of it. You showed me. Keep a battalion here, stationed here at the Ellipse or anywhere else.

Senator BYRD. How do you view the forthcoming March on Washington by Mr. Abernathy?

Mr. M. I don't particularly care for it. I know they have their grievances and I am afraid for trouble because no large group like that can I feel be a peaceful march through the city when they have had examples in the last two or three weeks to set them off.

Senator BYRD. What do you as a business man think ought to be done?

Mr. M. Well, there was in the paper and in the news media bonds or even the prevention of them coming in here and marching.

Senator BYRD. Apparently they are not going to be prevented from coming in and setting up their tent city.

Mr. M. This I feel——

Senator BYRD. And staying for heaven knows how long. What is your recommendation?

Mr. M. Well, giving it some thought, as I have in the last few days, use a former camp of some kind and just herd them right into it. They are camping on public ground, which I couldn't do.

Senator BYRD. Well, they won't be camping up around your place, let us say.

Mr. M. No, but still they are camping on——

Senator BYRD. What problem is this going to cause you, if any?

Mr. M. It will cause a problem. They will be roaming through the streets with no money in their pockets, and when a man is hungry, he will try anything or go for anything and cause trouble to get it.

Senator BYRD. How do you know they will be roaming through the city?

The WITTNESS. Unless they are contained, they will.

Senator BYRD. What is the feeling of your neighboring merchants regarding the summer that is ahead of us?

Mr. M. We feel it is going to be a real bad, rough summer, and if we come through it and we are still in business, we are going to be the luckiest people around.

Senator BYRD. What do you recommend, if anything, as a guarantee that you will still be in business?

Mr. M. The only thing I can see is more protection out on the streets, more police power where a man can stop something that is starting, not just walk up and say, Please little boys will you go home or please, adults, go home, and they have to turn around they curse him and spit at him and he has to walk away. When a police officer or soldier, whoever he might tell to move on, they had better move on or they are locked up. That is all. Get them off the streets any way you have to to break it up.

In any movement somebody is going to get hurt and these people that are starting this, they realize that. Now, if somebody gets hurt, that is a shame. I am taking that chance going to work every day.

Senator BYRD. Are you married?

Mr. M. Yes, sir.

Senator BYRD. What does your wife think about your staying in business, where you are presently located?

Mr. M. Well, that has been a bone of contention. She has been trying to get me to get out of there.

Senator BYRD. How do you look down the road to the future?

Mr. M. Well, sir, if I can sell or stay there until I can get a little bit more money, and then if I have to, just close and say to heck with it and walk out and get out of this city and open up a business somewhere else. And I am not a coward but I just can't see having to go to work with the fear that it might not be there tomorrow, with the uncertainty of knowing tomorrow, starting all over again for something I built up, that took ten years to build, pointblank I would just as soon sell it or close it and move out.

Senator BYRD. You have stated that you stayed on your premises and actually stayed largely in the front of it or in the door of your premises.

Mr. M. Yes, sir.

Senator BYRD. Do you know of any other merchants in your area that did the same thing?

Mr. M. Yes, sir. There is a man up the street—as a matter of fact, there was a whole strip there of six or seven of them that stayed there during the daytime and then we two stayed there the rest of the night, knowing that they were walking up and down the streets, but they didn't touch us.

Senator BYRD. Would you do it today under the same set of circumstances?

Mr. M. Any moment.

Senator BYRD. Since that time you have had an opportunity to talk with numerous other merchants throughout the city in your area and others. Approximately how many do you know that stayed on their premises or in or about their premises?

Mr. M. I would say there was a number of them. They were in the minority, I will put it that way.

Senator BYRD. Several hundred that you heard of?

Mr. M. I would not say that—I would say several hundred of them stayed in their premises and as long as they were there, they didn't get bothered.

Senator BYRD. You heard of no individual who stayed on or about their premises during the time of the riot that was looted, burned or bothered in any way?

Mr. M. That I didn't say. I said most of them that did stay didn't get hurt. But a few did get hurt. On 14th Street a man standing at his shop, they were getting burned around him because the mania was so great nothing would deter them.

Senator Byrd. But you don't know of several hundred who stayed in their places?

Mr. M. Personally, sir, I don't know. Just from what I heard. I know in my area what happened, and then a few blocks away I know what happened again in another place, and just different spots around the city.

Senator Byrd. Thank you very much.

STATEMENT OF MR. AND MRS. N

Senator Byrd. Mr. N, what do you consider to be the most pressing problem confronting you as a businessman in the District of Columbia?

Mr. N. The hoodlums in the streets.

Senator Byrd. Would you like to develop that a little bit or elaborate?

Mr. N. Well, they won't let us do any business. It seems the same group is hanging out in front of the business molesting people. That has been going on for a few years. They ask people for money, are threatening, coming into the stores and demanding merchandise without money, coming in in groups. One makes believe he does the purchasing, asking lots of questions, while others are picking up from the shelves and walking out, using threatening language, very abusive language, and so on.

Senator Byrd. Would you give an example of the threatening language?

Mr. N. I will bust your mouth. I will hit your head. Threatening to the clerks, scaring off the clerks. We have been having a hard time to keep help. They are all resigning. If we hire colored help, most of the time they quit immediately. On several occasions I had several colored help. They told me they would work in the back room. There isn't too much to do in the back room but they don't want to put up with the hoodlums. They are scared.

Senator Byrd. The colored help is scared?

Mr. N. They are scared of them.

Senator Byrd. Are the hoodlums colored or white?

Mr. N. They are colored.

Senator Byrd. And the colored help is afraid of them?

Mr. N. Yes, sir.

Senator Byrd. How long have you been in business in the District of Columbia?

Mr. N. Between 22 and 23 years.

Senator Byrd. Have you been in the business in the same location all the time?

Mr. N. No, sir. I was managing a store for 18½ years and——

Senator Byrd. At another location?

Mr. N. At another location, and in this place I was there about three and a half years.

Senator Byrd. In your present location?

Mr. N. Yes, sir.

Senator Byrd. Do you own the building where you are now located?

Mr. N. No.

Senator Byrd. Do you rent the building?

Mr. N. Yes, sir.

Senator Byrd. What is your age?

Mr. N. 48.

Senator Byrd. How many employees do you have?

Mr. N. Well, we have part time and full time. Besides—say about twelve. That is full time and part time.

Senator Byrd. Does this include you?

Mr. N. Yes.

Senator Byrd. Does your wife work also?

Mr. N. Yes.

Senator Byrd. And it includes your wife?

Mr. N. Yes.

Senator Byrd. How many of these employees are colored?

Mr. N. Two.

Senator Byrd. How long have the two colored employees been with you?

Mr. N. One has been there for a long time, I would say about 12 years before I took over the place, and the other one just a few months and, of course, I have a fast turnover because people don't want to work there too long. They quit.

Senator Byrd. Do you have a fast turnover among your white employees?

Mr. N. Yes, sir.

Senator Byrd. When you have a turnover, do you attempt to fill the vacancy with a white employee?

Mr. N. Not necessarily. Whoever I can get. I have been lucky to be able to get from the services I guess they are from out of town, so they don't know exactly what the situation is, but when they come in and start to work, they find out, so they quit.

Senator Byrd. Do you have any colored applicants who come to you wanting work?

Mr. N. Very few.

Senator Byrd. Do you feel that they just don't know that you have a job vacant?

Mr. N. I hear from time to time they are coming in and making a remark and then they say, I wouldn't work in this place. This is a rough section.

Senator Byrd. Even the colored people say they wouldn't work there?

Mr. N. Yes, sir.

Senator Byrd. Is there any difference in the selling price of your merchandise as between white and colored customers?

Mr. N. No, sir. In fact, our prices are lower than most of the stores in our vicinity.

Senator Byrd. What kind of trade do you have? Is it mostly colored?

Mr. N. Mostly colored. There are some whites coming in on account of hoodlums, we get less and less white trade.

Senator Byrd. Your white trade is falling off?

Mr. N. Yes, sir.

Senator Byrd. Because of the hoodlums?

Mr. N. Yes, sir.

Senator Byrd. Are the hoodlums white?

Mr. N. No, sir.

Senator Byrd. Is your colored trade also falling off?

Mr. N. The better trade, yes. Nice people from time to time, they call me on the telephone, or even the store. They tell me, I will have to stop dealing with you because it is just impossible to come into your place. So I ask them what is the trouble? They tell me, Who likes to be threatened? They ask me those questions.

Senator Byrd. Are these colored people talking to you?

Mr. N. Yes, sir, colored people talking to me and they say, I don't like to be called names and abusive language, and forever they ask me for money. I have to give them from time to time. I am just repeating what the customers tell me.

Senator Byrd. The customers have to give them money?

Mr. N. They have to give them money or some merchandise because they are afraid.

Senator Byrd. These are colored customers.

Mr. N. Yes, sir.

Senator Byrd. And they are afraid.

Mr. N. Yes, sir.

Senator Byrd. And they have to give money to the hoodlums?

Mr. N. Yes. sir.

Senator Byrd. Or merchandise.

Mr. N. Merchandise or money.

Senator Byrd. Have you ever been held up?

Mr. N. Yes, sir.

Senator Byrd. How many times in these three and a half years in which you have been in business?

Mr. N. Once. Once in the store and twice on delivery.

Senator Byrd. When you would deliver merchandise?

Mr. N. Yes, sir.

Senator Byrd. How long ago?

Mr. N. Within the last few years, last two years, I would say.

Senator Byrd. How did the holdup in the store take place?

Off the record.

(Discussion off the record.)

Senator Byrd. Let the record show that Mr. N described the holdup but he was afraid to state the facts for the record because hoodlums in the area might recognize from his statement of facts, his identity.

Mr. N also related an incident during which he was forced to give merchandise out of fear of bodily injury and was afraid to report the incident to the police, again for fear that retaliation would be visited upon him. ("I would be committing suicide" he said.)

Was your place of business hit during the riot?

Mr. N. Yes, sir.

Senator Byrd. Were you burned out?

Mr. N. No.

Senator Byrd. Was your place set on fire?

Mr. N. Partly.

Senator Byrd. Was the fire put out by you or by the fire trucks?

Mr. N. Fire trucks.

Senator Byrd. Were you looted?

Mr. N. Yes, sir, completely.

Senator Byrd. Was there any injury to you?

Mr. N. No, sir.

Senator Byrd. Personally?

Mr. N. No, sir. We left at 3 o'clock that Friday.

Senator Byrd. On Friday at 3:00 p.m. you and your employees left?

Mr. N. Left.

Senator Byrd. Did your employees wait until you left, before they left?

Mr. N. We all left together.

Senator Byrd. Were they afraid?

Mr. N. Yes, sir.

Senator Byrd. Were your two Negro employees afraid?

Mr. N. I think so.

Senator Byrd. Was your equipment damaged, other than by fire?

Mr. N. Yes, sir. Broken up.

Senator Byrd. How much stock did you have in your place of business at the time?

Mr. N. I would say between $80,000 and $90,000.

Senator Byrd. How much of it remained in your store after the riots?

Mr. N. Nothing.

Senator Byrd. You were completely looted out?

Mr. N. Looted out.

Senator Byrd. How did the situation develop in connection with the looting of your store?

Mr. N. They broke the window and tore out the bars I had on the window, and through the window they entered the premises and carried out all the merchandise from the shelves and from the stockroom and they completely emptied it out. Those items they didn't take, they knocked it over on the floor and damaged and broke it up, including the furniture and the equipment.

Senator Byrd. Did they then set fire to the——

Mr. N. In some spots.

Senator Byrd. Are you back in business now?

Mr. N. No, sir.

Senator Byrd. You have never reopened your business.

Mr. N. No, sir.

Senator Byrd. Why?

Mr. N. Several reasons. No. 1, I don't have the money to get started. I have to reequip the place and clean up and secure the place and restock and I don't have any money. (At this point the witness broke down and cried.)

Senator Byrd. Were you in the service of this country?

Mr. N. Yes, sir, this country, the United States. Four and a half years.

Senator Byrd. This was in World War II?

Mr. N. Yes, sir.

Senator Byrd. Were you in the European Theatre?

Mr. N. No. South Pacific.

Senator Byrd. Was your place insured?

Mr. N. Yes, sir. Not all the way.

Senator Byrd. Pardon?

Mr. N. Not all the way. We—not quite half, about half.

Senator Byrd. Have you collected the insurance?

Mr. N. Not yet.

Senator Byrd. Have you given the insurance company an estimate of your losses?

Mr. N. They are still working on it because all our records were destroyed. We purchased the place a few years ago and I still owe lots of money. I never finished paying off, and I also owe outstanding bills for the merchandise. My insurance won't cover maybe a half of it.

Senator Byrd. Why won't your insurance cover more than half?

Mr. N. Well, they cancelled me out once, the company, and when I tried to get from a different outfit, he gave me—he said that is the best he can get for me. He wasn't sure if he will be able to get me that amount. That was his answer. The insurance agent.

Senator Byrd. Why were you cancelled?

Mr. N. After the—it was a shortage of money. Somebody got into the office at one time and picked up a package of money. I was about to make a deposit. I had to come out in the front—the salesman came to see me—and then when I went back a couple of hours later, because I got busy in the front, I looked for that money and the money had disappeared right from the back office.

So, of course, I reported it to the insurance company. After that incident they cancelled me out.

Senator Byrd. How long had you carried insurance with them?

Mr. N. I took over from the original man from whom I purchased the insurance when I purchased the store.

Senator Byrd. How long ago was this, that your insurance was cancelled?

Mr. N. That was two and a half—not quite three years ago. In August it will be three years.

Senator Byrd. Have your insurance rates increased over the three years?

Mr. N. Well, the insurance was a pretty high price, pretty high premium.

Senator Byrd. The insurance that you have had up until this time was a high premium?

Mr. N. Yes, sir.

Senator Byrd. With whom have you been insured?

Mr. N. Etna.

Senator Byrd. So you did not own the building. You purchased the stock?

Mr. N. I purchased the stock.

Senator Byrd. And the equipment?

Mr. N. Yes, sir.

Senator Byrd. What do you estimate your total dollar loss to have been?

Mr. N. It was the merchandise and the equipment—the merchandise and equipment was way over $100,000 and, of course, the good will is about $30,000.

Senator Byrd. Now, when you say that your good will was $30,000, what do you mean?

Mr. N. The business. Doing business. In fact, the good will in normal times was much higher for the amount of business we did.

Senator Byrd. Would this be $30,000 per month or does this simply indicate a figure which would be included in a purchase price and which represents the effort that has been put forth over a period of time in developing a certain clientele?

Mr. N. Yes, that is it.

Senator Byrd. The latter?

Mr. N. Yes.

Senator Byrd. Well, how do you feel about the future? You say you don't have the money to go back in business. If you had the money and could go back in business in this same location, would you do it?

Mr. N. I would, provided if I can get insurance, and if I had good police protection, if they would give a chance to the police to do their job.

Senator Byrd. Well, the situation being what it is, in regard to the police, the situation being as you have described it, would you go back in business there if you had the money and could go back in business there?

Mr. N. And insurance.

Senator Byrd. If you had the money and could get the insurance, would you go back in business even though you don't feel that the police protection is adequate?

Mr. N. I would have to take a chance because I don't have anything else to do. I don't know what else I can do.

Senator Byrd. What about the lease on these premises? Are you obligated to continue that lease?

Mr. N. Until the landlord fixes the building, the rent stopped. Until he fixes the building.

Senator Byrd. What do you consider the goodwill to be worth now?

Mr. N. I don't know what to say.

Senator Byrd. Do you feel that the troops should have been removed from the area as soon as they were removed?

Mr. N. No, sir. The troops were removed too soon and the troops weren't brought in soon enough. I believe if the troops would have been brought in a day sooner, the whole situation would look entirely different.

Senator Byrd. What about the forthcoming March on Washington by Mr. Abernathy?

Mr. N. I fear it.

Senator Byrd. You what?

Mr. N. I fear it and I believe something real bad is going to happen.

Senator Byrd. If you could restock your store today and open your place of business tomorrow, would you do so?

Mr. N. I would if I could get adequate insurance and police protection.

Senator Byrd. Well, you have talked with your neighboring business people, around in the area, I am sure. What is the general attitude of your fellow business people?

Mr. N. Some of them don't want to come back. Everybody seems to be afraid. Everybody else seems to be afraid.

Senator Byrd. What are they afraid of?

Mr. N. They are afraid for the same hoodlums, for the same problem we always had. Now it got out of hand and it is much worse. Now their dreams—the hoodlums' dream came true. They always used to say and talk about those things which took place but they were just talking. Now they experienced and they tried it and it has worked, and they are still on the loose and nothing happened to them. So the situation worsened and it is going to be worse.

Senator Byrd. All right.

Mrs. N, would you like to say anything in addition to what your husband has stated?

Mrs. N. Well, the technicalities of the business, of course, he understands better than I, but for the same thing as he said about the police protection, and the hoodlums that are on the streets in bunches, and it seems like on every corner there is a bunch, you know, and these are the troublemakers and they just don't do anything about it. They threaten, they use all kinds of abusive language, and all kinds of four-letter words and, of course, I am not there as late as he is but the same thing—they don't do anything about it and these are the real troublemakers.

Senator Byrd. Did they use this language in your place of business?

Mrs. N. While I was there and, of course, in one instance, one in particular would raise his fist at me, you know, this way (indicating), and with the, you know, like a threat. Now, I could have done something to him but, of course, you just let things slide, you know.

Pardon my being unnerved, but just the same, this is about the only thing.

Senator Byrd. Were you ever threatened?

Mrs. N. Well, just at that point this one in particular, he is kind of a hothead, but nothing really—not with guns or anything like that.

Senator Byrd. Were these Negroes?

Mrs. N. Yes.

Senator Byrd. Are there any white people living in the area?

Mrs. N. Very few that I can speak of.

Senator Byrd. Do they ever come into your store and threaten you?

Mrs. N. No.

Senator Byrd. Do they ever come into the store and use this kind of language?

Mrs. N. No. It was just the, like I referred to these bunches, these hoodlums that hang around and they just don't want to go to work. They don't want to do anything.

Senator Byrd. Are they old enough to work?

Mrs. N. Of course. 21 or better.

Senator Byrd. How do you know they don't work?

Mrs. N. They are forever hanging around the streets and they are forever begging outside on the streets. And you just can't get rid of them.

Senator Byrd. Were you fearful?

Mrs. N. Well, I just didn't get involved with them. I just tried to steer clear of them and didn't get involved with them. So if you don't have anything or any words with them, you just let them go. But their language was always with intimidation, you know. And at this point even if you tried to come around to the store to see what is going on there—just this past week, you know, with threats, name calling, just to discourage you from ever coming back, or if you do, they will do something to you.

Senator Byrd. Were you down at the store this past week?

Mrs. N. Yes, I was down with my husband.

Senator Byrd. And did they threaten you then?

Mrs. N. Well, at one instance we were talking with someone there and they came by. It seems they just came out of their way and they were passing by and making some kind of words and all kinds of four-letter words, and so forth.

Senator Byrd. You can initial the four-letter words. What did they begin with? What is the first letter? Just give an example.

Mr. N. Shall I say it? I am ashamed to.

Senator Byrd. I know.

Mr. N. Starting out "mother", and S.O.B. And they had been shouting, threatening shouts. At one occasion there was a truck that arrived, and I believe they are the PRIDE boys. I went in the store with another man to get an estimate of the damages and they arrived and we heard threatening shouts. We got scared. We got into the car and we left. Now, we come around in the front of the store. We don't dare to go into the store. In fact, the store is sealed off. And they see us from afar. We hear threatening shouts.

Mrs. N. Throwing rocks, and so many things. I mean it is unheard of. You just can't imagine doing some of these things.

Senator Byrd. Off the record.

(Discussion off the record.)

Senator Byrd. Back on the record. What else would you like to say?

Mr. N. I can write books what happened over there. It is a very, very bad situation. For the last two years almost every day I was in fear of my life and they wouldn't let us do any business, chased away the customers, and many good customers stopped coming into the place for the same reason, for the threats and the abusive language, and they are always hanging out in bunches scaring off people.

Senator Byrd. But when you make reference to the past two years, why do you make reference to that time frame?

Mr. N. That is the time when the real bad things started up in that section.

Senator BYRD. What do you mean by that?

Mr. N. Well, they had a disturbance once in August that year, about two years ago. Since that disturbance, things got worse.

Senator BYRD. In talking with some of the other business men, I find that they have employed guards. Have you ever?

Mr. N. Yes, sir. We had a guard every day.

Senator BYRD. You employed a guard?

Mr. N. Yes, sir.

Senator BYRD. Over how long a period?

Mr. N. He was there about, I would say about eight months.

Senator BYRD. Off the record.

(Discussion off the record.)

Senator BYRD. Now, when you say you employed a guard, is this guard armed?

Mr. N. Yes, sir.

Senator BYRD. Do you have to get a permit to arm this guard?

Mr. N. No. The agency has the license.

Senator BYRD. I see. The guard is employed by an agency.

Mr. N. Detective agency.

Senator BYRD. A detective agency.

Mr. N. And I pay to the agency and the agency furnishes me with a guard.

Senator BYRD. I see. What is the cost of an armed guard in a situation like you have described?

Mr. N. It is between $2 and $3 an hour.

Senator BYRD. And do you employ a guard around the clock, 24 hours a day, or just when you were open?

Mr. N. Just when we were open.

Senator BYRD. Did you have more than one armed guard?

Mr. N. At times we had two.

Senator BYRD. And you had to pay between $2 and $3 an hour for each of them?

Mr. N. Yes, sir.

Senator BYRD. Were there ever any instances in which the guards had to use guns?

Mr. N. Well, the guard used to tell them that he would knock them out.

Senator BYRD. What about the guards. You say your employees were afraid and you were afraid, and I assume that you would be like most business men, that you would have a gun in your store. Most business men have guns in their stores, I would think. At least most of them who I have talked—who have talked to me have indicated that they have. But aside from that, what about the guards? Were they afraid?

Mr. N. Some of the guards were.

Senator BYRD. How do you know they were? Did they tell you?

Mr. N. They told me, and they wouldn't show up.

Senator BYRD. Were they Negroes or whites?

Mr. N. They are Negroes.

Senator BYRD. And they were afraid?

Mr. N. Yes, sir.

Senator BYRD. Well, I certainly thank you, and I thank you, Mrs. N, very much.

As I recall, you earlier said, Mr. N., that you had fixtures and stock in the amount of $100,000?

Mr. N. Yes.

Senator BYRD. And in spite of your best efforts to obtain adequate insurance, the most you were able to obtain would cover approximately half of that?

Mr. N. About half, yes.

Senator BYRD. And from the time you employed the guard, did you then endeavor to obtain additional insurance?

Mr. N. I couldn't get any more. My insurance man advised me he had a hard time to get that amount.

Senator BYRD. The presence of the armed guard, who cost you between $30 and $50 a day, on your premises had no effect on your ability to acquire additional insurance?

Mr. N. That didn't have anything to do with the insurance. I hired the guards because my help didn't want to stay with me and I was afraid.

Senator BYRD. Have you been satisfied with the manner in which your insurance has been handled since the loss? When do you anticipate being able to obtain a final settlement?

Mr. N. I don't know yet. They didn't reach mine yet. They are still working on it.

Senator BYRD. Are you dealing directly with the insurance company, or has it been suggested to you to employ an expediter?

Mr. N. I employed an expediter—is that the right word? An adjustor.

Senator BYRD. Who suggested to you that you should employ an adjustor rather than dealing with the insurance company direct, as your policy states?

Mr. N. My attorney and my accountant.

Senator BYRD. One further question. What is the fee of this firm?

Mr. N. They told me they would charge me 5 percent.

Senator BYRD. All right. Thank you very much. I am sorry to keep you so long.

STATEMENT OF MR. O.

Senator BYRD. Mr. O, what do you consider to be the single most pressing problem confronting you as a business man in the District of Columbia?

Mr. O. Law and order.

Senator BYRD. You mean the lack of it, or there is too must of it?

Mr. O. There is absolutely none of it. The Government--I feel that the Government has failed as a Government in its obligations to its citizens. I am just as mad at the Government as I am the looters because they have the power to control it and they failed us.

Senator BYRD. How long have you been in the District, in business in the District of Columbia?

Mr. O. 22 years.

Senator BYRD. Have you been in business at the same location throughout that period?

Mr. O. 22 years, yes.

Senator BYRD. How old are you?

Mr. O. 51.

Senator BYRD. How many employees do you have?

Mr. O. We had about 20.

Senator BYRD. When you say you had——

Mr. O. We are completely out of business. I look where my store was and the only thing I can look up to is the sky. There is no roof there. Only bricks on the ground.

Senator BYRD. How many of these were Negroes?

Mr. O. All. 100 percent. We weren't a Fair Practices Employer. We employed all colored people.

Senator BYRD. Why?

Mr. O. Because you couldn't put a white man to work in that neighborhood. They would resent it. The attitude was such——

Senator BYRD. The neighborhood residents would resent it?

Mr. O. I am sure they would. In fact, we wouldn't even take a chance. When we first went in business we did have them but then gradually it ceased. It turned over completely, and I would like to say that out of the employees that we employed, six of them were making in excess of $10,000 a year. They were not being exploited. And even the porter made over $100 a week in the store.

Senator BYRD. Are you saying that the neighborhood residents forced you to discriminate against white people?

Mr. O. I wouldn't say they forced me to, but I would say I would be prudent to have nothing but colored employees because most of our market was colored.

Senator BYRD. So all of your employees are out of a job.

Mr. O. Yes.

Senator BYRD. Did you encounter any unusual problems in hiring and keeping responsible help while you were in business?

Mr. O. No. We kept our same employees for a number of years because they had a good job and they were paid well and they had the dignity and were buying homes and were buying cars. They had obligations and they met the obligations. Most of them were very, very nice people.

Senator BYRD. Did you have much of a turnover in your——

Mr. O. Not with our full-time employees because when they came to work with us, they found a lifetime job because they knew they would be compensated well, according to their ability. The proof of that is that six of them were in the $10,000-a-year bracket. And the others had the opportunity if they had the ability to go for that, too.

Senator BYRD. Did you have much of a problem with absenteeism, alcoholism?

Mr. O. None. Just, as I say—none wouldn't be right. But we had a few problems, but nothing that we couldn't handle.

Senator BYRD. Was there any difference in the selling price of your merchandise as between your white customers and your colored customers?

Mr. O. There was absolutely not one cent difference in any because we operated a one-price store and anyone came in that store and even if it was a $1000 sale, and wanted to buy it for a penny less, he couldn't buy it. We weren't one cent higher and the people weren't being exploited. And we had a cash business. We didn't sell one thing on credit.

Senator BYRD. What has been the history of crimes of violence against your person, your employees and/or your place of business?

Mr. O. We were never held up in the 22 years. We had good relations in the community. We never had the problem of any armed holdup in the whole 22 years we were in business, but our employees had trouble because when they were working a lot of times people would break into their apartments and steal things that they worked so hard to accumulate.

Senator BYRD. Your store was never burglarized?

Mr. O. We had a few window break-ins, but never to the interior of the store. Just normal. We had to grate up every night.

Senator BYRD. How were you affected by the riot? What happened to your place of business?

Mr. O. It was completely torn down. We had five buildings, and four of them were completely demolished.

Senator BYRD. Were the five——

Mr. O. All adjoining each other, but when they burned, it all went down together. There was nothing left.

Senator BYRD. Were you looted prior to the burning?

Mr. O. I am sure it was looted prior to the burning. I was so lucky to get out of there with my life on Friday at 1 o'clock that it was—there was a policeman in the store and he saw us over at the parking lot. He took us out of the neighborhood. Three blocks over you wouldn't know that anything happened.

Senator BYRD. Did your employees leave at the same time you left?

Mr. O. Yes. In fact, I will say this off the record—

(Discussion off the record.)

Senator BYRD. Some of the merchants have told me that their employees stood guard on one or more nights during the riot.

Mr. O. They were there Friday night. Some of our employees stood guard.

Senator BYRD. What do you estimate your total loss to be? Let's say of your inventory.

Mr. O. My inventory would be about $400,000.

Senator BYRD. What was the—what would you estimate the loss of your equipment to be?

Mr. O. Maybe about $100,000.

Senator BYRD. What is your estimate of the loss of the buildings?

Mr. O. Well, the replacement costs of buildings would be $185,000. That is a replacement cost.

Senator Byrd. Let me say something here off the record.

(Discussion off the record.)

Senator Byrd. What do you value the good will of your business at?

Mr. O. Well, I would value it the same way the Government would value it. If I should have died, they would charge my estate two times yearly earnings.

Senator Byrd. So, roughly, what would have been your estimate?

Mr. O. It would be approximately $400,000. There were other people in the business because naturally a business that size needed more than one person in it.

Senator Byrd. I see. So you were one of the stockholders.

Mr. O. Yes.

Senator Byrd. How much will you be able to recoup from insurance?

Mr. O. A total of approximately a half million dollars.

Senator Byrd. Leaving how much lost, if I may ask?

Mr. O. Well, now, you want to count the good will as a loss? I would say about a half million dollars. Something of that order. May I say something off the record?

(Discussion off the record.)

Senator Byrd. Clarify this insurance picture for me just a little bit, if you will.

Mr. O. Sure.

Senator Byrd. When you say—did I understand you to say you would collect a half million dollars on your insurance?

Mr. O. That would be approximately a half million dollars, what we will get out of our insurance, but on that half million dollars, our liabilities are probably in excess of $200,000.

Senator Byrd. Well, now, how soon do you think you will be able to collect your insurance?

Mr. O. I have no idea.

Senator Byrd. Are you handling this matter directly with the insurance company?

Mr. O. No. We have hired an adjustor.

Senator Byrd. Why do you do that?

Mr. O. Because I will have one loss like this in a lifetime and I wouldn't know how to handle it properly. So I would have to hire someone that would know, far more about insurance than I would. You are at the mercy of an insurance. They would—in other words, I don't think I would get a fair shake from the insurance company. I had to hire somebody to look out for my interests. I think it was necessary.

Senator Byrd. What would you have to pay the adjustor, if you don't mind saying?

Mr. O. 3 percent.

Senator Byrd. Were you advised to get an adjustor?

Mr. O. My attorneys thought that it would be wise to hire one.

Senator Byrd. Are these attorneys who were regularly employed by you?

Mr. O. Well, we used them when we had use for an attorney.

Senator Byrd. Now, aside from your own loss and, of course, the loss to the employees of their jobs, I am sure that the District Government has lost some money by virtue of the taxes which would have been paid, but the goose has been killed, now, that layed the golden egg, and I am sure the Federal Government will have lost some taxes. What is your reaction to this?

Mr. O. I say the Government probably will lose in excess of $150,000 a year.

Senator Byrd. Which Government?

Mr. O. The District and the Federal Government will be far in excess of that.

Senator Byrd. How would that be broken down between the two?

Mr. O. Well, it would be approximately even because we were a collection agency. When we sold, the sales tax—when we collected the sales tax from the purchase that a customer made, we had to turn that over to the District. That would run approximately $40,000 on that one tax besides the business corporation tax and besides your franchise tax and all other taxes in the District. I would say the District would lose probably, with the employees' tax and everything, approximately $60,000 a year or better.

Senator Byrd. But aside from the income tax the employees would pay, because they may get jobs elsewhere.

Mr. O. It would still be in excess of $50,000 to $55,000 a year.

Senator Byrd. To the District?

Mr. O. To the District Government as a conservative figure.

Senator Byrd. And then $100,000 to the Federal Government?

Mr. O. I would say yes.

Senator Byrd. And are there any taxes to any other jurisdictions?

Mr. O. Yes.

Senator Byrd. Paid by your corporation?

Mr. O. No. Paid by me as an individual.

Senator Byrd. Well, are you out of a job now?

Mr. O. Yes, sir.

Senator Byrd. What could have been done to have saved your business?

Mr. O. Just a show of force, bringing in the troops at midnight when they were sitting in the D.C. Armory.

Senator Byrd. At midnight on——

Mr. O. On Thursday night. You didn't have to be smart to know that trouble—it didn't take much to start this. King's death didn't start it. It was just a spark that started it. And the people in charge didn't really have to be too bright to know that there would be some consequences. It was an opportunity for them to go. And I don't think they performed their duty in not putting out the troops to protect the people because it started as early as 7:30 on 14th and U and you can't concede anything.

Senator Byrd. It started as early as 7:30 in the morning?

Mr. O. No. That Thursday night after his death was announced and then it went up to 14th Street and when it started up there, they didn't use the force that the police could have used to put it down because I think if proper force had been used at that time, it could have been averted. It wouldn't have spread to the rest of the city. I have always believed what you permit you promote and this is—this was permitted.

Senator Byrd. What time did the troops arrive in the area?

Mr. O. They didn't come in until Friday about 10 o'clock in the evening. That was after some of the stores were burned down to the ground and when they came in, they were standing in front of the stores. They were still walking into the stores and taking out merchandise in front of the troops. The troops were standing up like mannequins, like dummies.

Senator Byrd. What about the fire trucks? Were they able to get to your place of business?

Mr. O. As far as I know. There was no construction or nothing blocking them.

Senator Byrd. How about the traffic?

Mr. O. I wouldn't know because I left there at 1 o'clock and when I came back Saturday morning to see what happened—I had called the precinct and they wouldn't give me any information, so I had to come down and find out Saturday morning.

When I came down there, I didn't see a thing. We were down to the ground.

Senator Byrd. What do you think of the proposed March on Washington by the Southern Christian Leadership Conference, at least under its aegis?

Mr. O. Well, I have some definite thoughts on it. I think people——

Senator Byrd. What I have reference to, what do you as a business man think? If you still had your business over there and had escaped the arson, what would be your attitude?

Mr. O. I think the militants are too smart to start anything.

Senator Byrd. Too smart?

Mr. O. To start anything with this Peace March. They know how far they can go because they are probably the best organized minority that ever has been in America. This thing is not an unorganized thing that happened spontaneously. I believe it is organized. It has to be organized.

Senator Byrd. What about the militants over in your area? They are not a part of this Peace March.

Mr. O. They probably will take advantage of it like they have the slogan out there saying now, "Only burn one a day to keep the troops away."

Senator Byrd. Have you heard them use that slogan?

Mr. O. I have heard it from a half dozen people. But there is a—when you say what will happen to the militants, it depends on what the Senate and Congress will give the militants. If they give them what they want, and I don't know what they want, I don't think they know, then they probably will go away peacefully. If not, I think they will go to the extreme and even go so far as burning down even more of Washington, and when they burn down more of Washington, it won't be in the ghettos.

Senator Byrd. When you say the House and Senate——

Mr. O. I am sorry. I mean the Executive Branch of the Government. I am sorry. Because after all, we live in Washington and we look up to law and order, and we look at—we have no representation here, so it is very nice of the Senate to lend its good offices to even do this because we have never had a voice before.

Senator Byrd. You vote for President and Vice President.

Mr. O. Yes. That is just recently.

Senator Byrd. Well, you have that.

Mr. O. Can you describe the situation with reference to the insurance that you carried and any problems attendant to obtaining them?

Mr. O. Today we can't get any insurance at all. In fact, if you even have a residential house in the Northwest section or any other place in Washington, they wouldn't cover any insurance in the city of Washington until the March is over.

Senator Byrd. What has been the historical situation, say, over the past three years with reference to insurance on your business, both as to price and as availability?

Mr. O. The price has always been fair. I have no complaints about the price. But a lot of people in the area did have a lot of trouble. We had equipment like ultrasonic that would set off any current of air or anything like that that would give us protection and ring an alarm at a central station. So our insurance rate wasn't too high, but what it is, the people around us had a hard time getting insurance.

We had equipment that we used for fire purposes and burglary purposes which was called ultrasonic.

Senator Byrd. Would it be fair to say that the cost of this equipment would be a cost of your insurance?

Mr. O. It would be an additional cost. That would be one of the reasons we would get a lower rate from the insurance companies, because of the equipment that we had in the store.

Senator Byrd. Did you not indicate that you were presently being insured by Lloyd's of London?

Mr. O. No.

Senator Byrd. Your present insurer—the insurance company presently carrying your insurance is——

Mr. O. Our insurance is carried through a local insurance broker.

Senator Byrd. Mr. O., could you state for the record the relevance of insurance and the importance of insurance to a business of the type which you operated?

Mr. O. Without insurance we couldn't survive because we couldn't get credit from the manufacturers. The banks wouldn't lend us money. We couldn't operate. That is just a cost of doing business, like a public utility. We must have it to survive. Without that there is no hope of ever going into business.

Senator Byrd. In your opinion, if you were in a position to reenter business at your same location, do you think that the availability of insurance would be any different than it would have been, say, a year ago when your original policies were written?

Mr. O. Oh, yes. I think I would have a much more difficult time to get insurance. It would be a much harder time to get insurance now than it would a year ago.

Senator Byrd. Let me ask you this final question. I certainly appreciate your coming at this time of day. It is 25 minutes until 9 o'clock in the evening, but I want to give you an opportunity to say anything additionally that you would like to put on the record.

Mr. O. Yes. I would like to say the major thing we need even more than insurance, even more than redevelopment, we need freedom from fear, that you can walk any street you want to, without fear of being attacked or harmed.

Senator Byrd. Thank you very much. You have nothing further to say?

Mr. O. Other than I can break it down—

Senator Byrd. How would you sum it up?

Mr. O. I would sum it up that basically we would have to have more police protection so that crime could be eliminated—not eliminated completely, but he controlled, contained. We would have to contain the criminal element regardless of the consequences. They have to be contained. Otherwise the whole society will disintegrate, and we have to have freedom from fear and we have to have insurance. I have to feel like a free man. that I can walk on any street, any place, any given time without fear of my life or without being afraid to go into any neighborhood because that isn't America when you have to do that.

I heard on the radio tonight that a man who was a manager of a food chain out in one of the suburban areas was held up and robbed and killed in the process of the robbery, and it is a tragic thing when that is the only thing you can look forward to if you go back in business, is that element again.

Senator Byrd. I want to thank you.

STATEMENT OF MR. P

Senator Byrd. Mr. P, what do you consider to be the single most pressing problem confronting you as a business man in the District of Columbia?

Mr. P. The most important problem we have right now is the problem of controlling the youths who harass our business and whole community.

Senator Byrd. How long have you been in business in the District of Columbia?

Mr. P. About 12 years.

Senator Byrd. Have you been at the same location throughout?

Mr. P. No, sir. I have been three years in the same location.

Senator Byrd. What is your age?

Mr. P. 39.

Senator Byrd. How many employees do you have?

Mr. P. 13.

Senator Byrd. How many of the 13 are Negro and how many are white?

Mr. P. Twelve Negroes and two white, including myself. White, of course.

Senator Byrd. Have you had any difficulty in hiring and keeping your responsible help?

Mr. P. No, sir.

Senator Byrd. Do you have a fast turnover in your employment?

Mr. P. No, sir.

Senator Byrd. Is there any differences in the selling price of your merchandise as between white and colored customers?

Mr. P. No, sir.

Senator Byrd. What has been the history of crimes and violence against your person, against your employees, and/or your place of business?

Mr. P. Well, the constant harassment to the white customers is the most important, then the constant harassment to the employees, the Negroes or whites. They want everything free.

Senator Byrd. Who wants everything free?

Mr. P. These young people who run around the streets.

Senator Byrd. Are they white or Negroes?

Mr. P. Negroes.

Senator Byrd. And when you speak of harassment, did you say your customers are being harassed?

Mr. P. Yes.

Senator Byrd. Are they Negro or white?

Mr. P. White and Negro together.

Senator Byrd. And you spoke of your employees being harassed.

Mr. P. Yes.

Senator Byrd. Are your colored employees harassed?

Mr. P. Yes.

Senator Byrd. By the Negro hoodlums?

Mr. P. Yes.

Senator Byrd. Have you ever been robbed?

Mr. P. Once.

Senator Byrd. You, personally, were robbed?

Mr. P. My father.

Senator Byrd. Has your store been held up?

Mr. P. No, sir.

Senator Byrd. Was your father in the store?

Mr. P. Yes.

Senator Byrd. When he was robbed?

Mr. P. Yes. A year ago, the same time, about a year ago.

Senator Byrd. Was he injured in the robbery?

Mr. P. No, sir. Nobody was injured. They just got the money and they ran.

Senator Byrd. There have been no other holdups of your place.

Mr. P. No, sir.

Senator Byrd. Has your place been burglarized?

Mr. P. We usually have a man inside who stays all night watching the place until recently that we were almost wiped out.

Senator Byrd. What happened to your place of business during the riot?

Mr. P. Well, everything was destroyed inside, all the equipment, all the food was stolen. They put a fire in it but the fire was extinguished quickly. It just went up one side of the building only.

Senator Byrd. What is your estimate of the damage done to your equipment during the riot?

Mr. P. $10,000.

Senator Byrd. What is your estimate of the loss of your inventory during the riot?

Mr. P. About $6,000 to $7,000.

Senator Byrd. Have you reopened?

Mr. P. No, sir.

Senator Byrd. Why have you not reopened?

Mr. P. Well, constantly we have been threatened. I have been over there in the area to clean up the store and these young people, they go around and they threaten if you open we will burn it. So actually they make these statements over and over and our approach—a lot of people in the community who have positions, and I just tried to talk to them to see if any way we can reopen, tried to serve the community again, because actually we not only are the victims of this situation, but the whole community is the victim, the victim as well.

Senator Byrd. So it is correct that you have not been prevented from reopening because of lack of money?

Mr. P. Oh, yes, indeed. But we can probably borrow some money from the Small Business or from the bank or somewhere.

Senator Byrd. Have you tried?

Mr. P. Not yet.

Senator Byrd. Why?

Mr. P. Because I have got to have some assurances before I do that, to see that—how can we go borrow money without knowing we are going to open up? We are waiting for some answers from the Government to—these youngsters, they don't go to school, from age 8 to 16 or 17. No police can touch them or nobody can talk to them. They do run in whole bunches. I think they are the ones that—unless we see that something happens to these youngsters, there is no way anybody can open up, either business small or large.

Senator Byrd. When you say you are waiting for some answers from the Government, what do you mean?

Mr. P. Some actions to be taken. These youths over here, they have to be placed somewhere. I am very sure of it. They won't leave. They are loose. I don't think anybody, not in the District only, but any business, if we leave them loose, these conditions get worse instead of better. A long time ago I put an article in the newspaper, about a year ago, and we explained then that we thought that the small stores in the suburban areas or in the neighborhoods, they were the guarantee of the big stores downtown. Now it seems to me the small stores in the areas out in the communities right now, they are almost closed and destroyed.

Senator Byrd. Almost what?

Mr. P. They are destroyed. 90 percent of them are destroyed. The problem now comes downtown. Now, the President——

Senator Byrd. Finish that statement. What were you going to say, the President?

Mr. P. The President, who is in charge, should see better that it is coming closer to his house right now and it seems to me that is exactly what happened.

Senator Byrd. The President of what?

Mr. P. Of the United States.

Senator Byrd. Off the record.

(Discussion off the record.)

Senator Byrd. How much of your loss do you think you will be able to recover through your insurance?

Mr. P. That I don't know yet, sir. We just tried to arrange with the insurance people. I don't know how much they will compensate me yet. That is an open question. I don't know how much we will get.

Senator Byrd. How much of your property did you have insured?

Mr. P. Well, I had enough insurance.

Senator Byrd. To cover how much?

Mr. P. $20,000.

Senator Byrd. So do you feel that you will be able to recover the full $20,000?

Mr. P. No. I don't feel I will recover that. Even if I recover half, that puts me back to open, if I can open. Even with half the amount of money, still I can repair and open the place.

Senator Byrd. Do you think you will receive half?

Mr. P. Even if we receive half. I don't know how much we will receive. But even if we receive half of it, I will still be able to open, but the trouble is that the assurance—what assurance do we have that this same thing won't happen the same way it happened, because all these youngsters, they are loose. They don't go to school. And I hope there is some law to make them go to school or take them away somewhere.

Senator Byrd. Are any of them beyond the school age?

Mr. P. Oh, yes.

Senator Byrd. Any of them over 17 or 18?

Mr. P. Yes. We have a lot of them. The police have a very bad record of them because they are in and out, and it seems to me that somebody is behind who pays the bills when you go in and out of jail.

Senator Byrd. Are some of these adults?

Mr. P. Yes.

Senator Byrd. Have your insurance rates gone up in the last year or so?

Mr. P. Well, 5 percent, but actually that wasn't the reason. Now, we don't know if we have any insurance or not because they notified us they don't know themselves. They didn't tell us that we have insurance or wouldn't have insurance.

Senator Byrd. You mean from here on if you go back in business you don't know whether or not they will——

Mr. P. We don't know.

Senator Byrd. Whether they will cancel the policy?

Mr. P. We don't know.

Senator Byrd. Do you own the building?

Mr. P. Yes.

Senator Byrd. Was the building damaged?

Mr. P. Slightly.

Senator Byrd. Was it burned out?

Mr. P. No. One side of it. It can easily be repaired because it is cinder block and all.

Senator Byrd. What is your estimate as to the damage to the building itself?

Mr. P. I think it is $3,000.

Senator Byrd. What was the fair market value, in your judgment, of the building and of the fixtures and the good will three months ago, of your business?

Mr. P. The business without the building was $70,000 in my estimation.

Senator Byrd. The business without the building.

Mr. P. That is right.

Senator Byrd. How could it have been worth $70,000 when your inventory was—what did you say?

Mr. P. $7,000.

Senator Byrd. And your equipment was worth what?

Mr. P. $35,000.

Senator Byrd. I see. A moment ago you spoke of the damage to your equipment as being less than that figure.

Mr. P. That is right.

Senator Byrd. Well, now, what would be the fair market value today if the equipment were fully repaired and the building were fully repaired? What would be the fair market value today? Has it suffered any?

Mr. P. Yes.

Senator Byrd. Would you be able to sell it for $60,000 today?

Mr. P. No, sir.

Senator Byrd. Why not?

Mr. P. Not even 50 percent because nobody buys. Everybody is scared to go and buy. I offered it to them at 50 percent. I was——

Senator Byrd. You offered to sell it for half?

Mr. P. Yes. And nobody wants it.

Senator Byrd. To whom did you offer it?

Mr. P. They approached me. They wanted to incorporate the business to the community.

Senator Byrd. Were these Negroes?

Mr. P. Yes. And I naturally agreed. I said, Of course, I agree for the method, first, how they propose to incorporate the store. They didn't make it plain how.

Senator Byrd. Now, when you refer to this group, is this a reputable group?

Mr. P. I suppose so, yes.

Senator Byrd. This is not a group of hoodlums?

Mr. P. No, sir.

Senator Byrd. Not a group of the black militants, black power group or anything of that nature?

Mr. P. This is the—they all work together. You can tell the difference now, because two months ago I thought they were the best people that can talk and get together and now somehow we fall apart. It is a friction between them themselves and just—we lost the communications somewhere between them. I used to be a very good—on very good friendly terms but now there is no communication as close as we had. No sincere answers.

Senator Byrd. Were you in your business when it was looted?

Mr. P. No, sir. I called them at the Precinct and asked them what kind of assurances we had. I was the last one to leave the area, 5 o'clock.

Senator Byrd. 5 o'clock in the afternoon?

Mr. P. Yes.

Senator Byrd. On Thursday?

Mr. P. Of Friday. They told me they could give no assurances of any probable——

Senator Byrd. Who was this?

Mr. P. The Police Station.

Senator Byrd. Why did they say they couldn't give you any assurances?

Mr. P. Because they said they don't have enough men and they have too many troubles. As I talked to the officials, they told me that it was not that they don't have enough men. They don't have enough authority to clean up these problems.

Senator Byrd. The Inspector told you that?

Mr. P. Yes.

Senator Byrd. That they did not have the authority to?

Mr. P. That is right. He said technically they don't have the authority, not even to tell them to move out of the street corner or to arrest them if they do anything. Evidently they had their hands tied up.

Senator Byrd. Have you had any offers to leave your store alone if you would pay off?

Mr. P. No, sir.

Senator Byrd. Have you been threatened since the riot?

Mr. P. Yes. They told us if we would fix it up, they would burn it up again. This is what actually 50 people in a meeting, when they made that threat, the same bunch of boys, hoodlums, I will call them, because they are not juveniles. They are over 20.

Senator Byrd. Where were they when they made this threat?

Mr. P. We had a meeting.

Senator Byrd. Were the hoodlums there?

Mr. P. Yes.

Senator Byrd. At the meeting?

Mr. P. Yes.

Senator Byrd. And they told your group that?

Mr. P. Yes. They say fix up these stores, and we will burn them out.

Senator Byrd. They said what?

Mr. P. If we fix them up they will burn them up again.

Senator Byrd. Can you identify the persons who are connected with the group which wished to purchase your property?

Mr. P. I don't know the last names, but I know the first names.

Senator Byrd. Has this same group approached other merchants?

Mr. P. I don't know.

Senator Byrd. What is the status of your contacts with this group, at this point?

Mr. P. They said they are working on it. They will let me know at a later-on date what we can do.

Senator Byrd. Has the group indicated to you that it has any money with which to make purchases of property?

Mr. P. No, but somehow I have the feeling that there is money available behind them.

Senator Byrd. Are these people whom you recognize as some of your former customers?

Mr. P. Yes.

Senator Byrd. What kind of citizens are they? Are they——

Mr. P. Right now they are Government employees, actually, because they are working in the District Government.

Senator Byrd. These citizens who formed this group are District Government employees?

Mr. P. Well, I don't know if they formed a group but this is the ones who approached me. They are District employees, yes.

Senator Byrd. These were the people who were talking about going in business for themselves and buying you out?

Mr. P. This is the people that want to incorporate the business for the community.

Senator Byrd. And buy you out?

Mr. P. Right.

Senator Byrd. And these are employees of the District Government?

Mr. P. Yes, sir.

Senator Byrd. Do you feel that they had anything to do with the looting of your business?

Mr. P. No, sir.

Senator Byrd. You don't think they did.

Mr. P. No, sir.

Senator Byrd. Do you know they didn't? What makes you think they didn't?

Mr. P. Well, I hardly think because they seemed very nice people, you know, so I hardly think they, themselves, they would involve themselves because they have good positions in the District Government, and I don't think they would risk the reputation.

Senator Byrd. Did they offer you a certain amount of money for your business?

Mr. P. No. No answer to that yet. No answer to that yet.

Senator Byrd. How did they approach you?

Mr. P. Well, they asked me if I think it would be a good idea to make people feel that they have their own store. I told them this just has to be explained how. Can I give somebody work or sell—they stumble and they can't answer. I make my offer plain. I say I will sell the assets 50 percent off.

Senator Byrd. In other words, you offered to sell your property for half what you thought it was originally worth?

Mr. P. Yes, because we feel that our time is getting short. The harassment is getting so bad that I don't think any—they don't like us. And there are few of us.

Senator Byrd. What?

Mr. P. Just few of us in business over there and we won't be able to stay. The pressure and harassment. It is impossible for us to continue staying there when—under these circumstances, under these conditions. If the conditions change, certainly they won't settle for anything because we have no reason to sell it.

Senator Byrd. Are you married?

Mr. P. Yes, sir.

Senator Byrd. Do you fear for yourself as a person?

Mr. P. Most of the time, yes. They are irresponsible.

Senator Byrd. They are what?

Mr. P. They are irresponsible and there is too much hate. Right now already too many militants. These youngsters have too much hate.

Senator Byrd. Do they hate you?

Mr. P. Not personally me but they hate my race and it makes me the same thing.

Senator Byrd. What is your race?

Mr. P. I am white.

Senator Byrd. Well, I appreciate your time and your statement. I can appreciate the problems I think confront you.

Mr. P. I don't know what we are going to do. This is a problem it seems to me the whole city has, the whole nation or the whole world. But nevertheless the laws in the District are so lenient and there must be some enforcement somewhere because actually it isn't only destruction to our property but there will be destruction to our lives, too, just as well.

Senator Byrd. Well, I would like to see that proper enforcement, too.

Mr. P. Thank you very much.

STATEMENT OF MR. Q.

Senator Byrd. Mr. Q., what do you consider to be the single most pressing problem confronting you as a business man in the District of Columbia?

Mr. Q. The fear that my store will be demolished.

Senator Byrd. Do you have any fear for your person?

Mr. Q. I suppose everybody does but when you get mad and something like that happens, you don't think of your person.

Senator Byrd. In your present business—how long have you been in business?

Mr. Q. Seventeen years.

Senator Byrd. Were you in business prior to that?

Mr. Q. Yes, I was.

Senator Byrd. Have you been at the same location during the past 17 years?

Mr. Q. Yes.

Senator Byrd. What is your age?

Mr. Q. 46.

Senator Byrd. How many employees do you have?

Mr. Q. Two.

Senator Byrd. Are they Negroes or whites?

Mr. Q. Negroes.

Senator Byrd. Have they been with you quite some time?

Mr. Q. About two years.

Senator Byrd. Have you encountered any unusual problems in keeping responsible help?

Mr. Q. Yes, very definitely.

Senator Byrd. What are those problems?

Mr. Q. The problem is mostly theft, irresponsibility, and I would say just lack of interest.

Senator Byrd. You may have misunderstood my question. Have you encountered any unusual problems in hiring and keeping your responsible help?

Mr. Q. No, no problems at all keeping the help.

Senator Byrd. Is it hard to keep help; have you had much of a turnover?

Mr. Q. I have had quite a bit of turnover, that it was me that made the turnover. In other words, if I didn't like a person I would fire him right on the spot.

Senator Byrd. Yes, you must have had some good reasons for that.

Mr. Q. I sure did.

Senator Byrd. What were the reasons? Absenteeism? Alcoholism? Insubordination or what?

Mr. Q. I would say insubordination, I would say theft were the two major things in my store.

Senator Byrd. Your employees would steal from you?

Mr. Q. Oh, yes.

Senator Byrd. Is there any difference in the selling price of your merchandise as between white and colored customers?

Mr. Q. No, sir.

Senator Byrd. What percent of your clientele is colored?

Mr. Q. We have such a heterogeneous group there. I would say it is about 50 percent colored, 50 percent white.

Senator Byrd. Have you ever experienced a holdup?

Mr. Q. No, sir.

Senator Byrd. Have you been robbed?

Mr. Q. Just by minor things from employees but never been broken into—wait a minute. Excuse me. I was broken into one time through my window. They broke my window a dozen times and robbed things out of the window but never the store.

Senator Byrd. Have you ever been held up at the point of a gun?

Mr. Q. No, sir, I have not.

Senator Byrd. Have you been injured in any altercations in your place of business?

Mr. Q. No, sir.

Senator Byrd. Have your employees been injured in altercations in your place of business?

Mr. Q. No, sir.

Senator Byrd. Was your business burned during the riot?

Mr. Q. No, sir, it was not.

Senator Byrd. Was it looted?

Mr. Q. It was not.

Senator Byrd. Were your windows broken during the riot?

Mr. Q. No, sir.

Senator Byrd. To what do you ascribe this good fortune?

Mr. Q. Honestly, I can't say for sure. One thing is that an apartment above and I own my own property, and I have an apartment upstairs and the tenants are colored, all of them are colored.

Senator Byrd. How many tenants do you have?

Mr. Q. Well, just one apartment, but in this apartment there are three old folks, is what it is.

Senator Byrd. And they are all colored?

Mr. Q. They are all colored. And I could say one thing, that the police were supposed to be around there and gave a lot of help. Where they couldn't do anything on 14th Street. They immediately came over to my area.

Senator Byrd. And they gave your area some protection, did they?

Mr. Q. I personally think so. I think that is the reason why a lot of the area wasn't burned. There were no fires in our area.

Senator Byrd. Were you closed during the riot?

Mr. Q. Yes, sir, I sure was.

Senator Byrd. For how many days?

Mr. Q. Well, I didn't close for a whole day. I just observed the curfews and opened up the store regularly.

Senator Byrd. Were you open on Sunday?

Mr. Q. I was open on Sunday. I was open on Saturday. I was open on Friday, going backwards, and I was open on Thursday. No, it was Thursday, Friday and Saturday during those riots I was open.

Senator Byrd. Were you open during the funeral of Dr. King?

Mr. Q. No, I was not.

Senator Byrd. Did you close of your own volition?

Mr. Q. Yes.

Senator Byrd. Were you threatened?

Mr. Q. No, I was not threatened.

Senator Byrd. Were you afraid to open?

Mr. Q. Yes.

Senator Byrd. But you had not been threatened?

Mr. Q. No, I hadn't.

Senator Byrd. Had you been asked to close?

Mr. Q. Yes, I was, but not by colored. It was more or less from the other business men because they were closing and they asked me very nicely to close so it wouldn't cause—wouldn't rock the boat, so to speak.

Senator Byrd. Have you found it difficult to secure insurance on your buildings?

Mr. Q. I have had insurance for many years with a regular agent. I called him regularly every day to make sure I was covered and all he kept on saying I am covered, don't worry about it. You are covered. You are covered. And I have a packaged insurance plan where it takes care of the windows and the thefts and holdups and everything else.

Senator Byrd. Are the rates going up?

Mr. Q. From what I understand, yes.

Senator Byrd. Have they gone up in the last year or two years?

Mr. Q. Not as far as I am concerned, no, sir.

Senator Byrd. Do you think they will go up now, now that the riot has occurred?

Mr. Q. Without a question.

Senator Byrd. Will they go up because of the riot?

Mr. Q. Yes, sir. As far as I am concerned, I mean, as far as I know.

Senator Byrd. You have had no difficulty getting insurance to date?

Mr. Q. No difficulty, no, sir.

Senator Byrd. You haven't had to purchase your insurance from a company that charges twice the normal rate or anything of that kind?

Mr. Q. No. I have had one agent for many years.

Senator Byrd. What do you consider to be the fair market value of your business, including stock, fixtures, good will and real estate, if owned by you, on today's market as compared with three months ago?

Mr. Q. I really can't—I would have to guess but business in Washington has got a taboo.

Senator Byrd. What?

Mr. Q. Taboo. People don't even want to talk about Washington when it comes to property.

Senator Byrd. Why is that?

Mr. Q. Because of these riots. I mean, after all, you don't know from one day to the next what is going to happen, and this has been borne out by little incidents all over the area.

Senator Byrd. What would you say the fair market value would have been three months ago? What would you have priced your business at three months ago?

Mr. Q. With the property and all, about $75,000 to $100,000.

Senator Byrd. Would that have been the fair market value?

Mr. Q. Yes, sir. Of course, that would be completely stocked.

Senator Byrd. And goodwill?

Mr. Q. Goodwill, yes. Goodwill.

Senator Byrd. And the building?

Mr. Q. And the building.

Senator Byrd. What would you feel that you could get for that property today?

Mr. Q. Well, the property, I would assume there hasn't been too much of a decrease in because it is standing and it is there, but as far as selling the store, there is no chance at all. I don't think anybody would want it except some inexperienced colored would want it.

Senator Byrd. How do you know they would want it? Have you had any offers?

Mr. Q. No offers. No direct offers. Just implications.

Senator Byrd. Such as?

Mr. Q. Well, I sure would like to buy your business there, that kind of stuff. And it comes from colored men that have money and they look it over like this, and three months ago I wouldn't think of it. Now I don't know.

Senator Byrd. Have they made you an offer?

Mr. Q. No.

Senator Byrd. Have you indicated an interest?

Mr. Q. No. I haven't indicated interest. I can't see running like a bunch of scared chickens.

Senator Byrd. What do you think about some of the owners of the burned-out places out there today? Do you think they might—do you think they would have run like a scared chicken if they had seen what was coming?

Mr. Q. Well, I don't know. This is something awfully hard to say.

Senator Byrd. Well, let me ask it this way: How do you feel about business in the future in your present location?

Mr. Q. Well, I have my own views on this. I would say that eventually, like with yourself, you have an interest, and so eventually Washington being more or less of a—just a District, it isn't a state, it isn't a voting place, but eventually everybody will have to in Washington itself and develop Washington the way they should have done years ago, as an ideal city, and I think that this is going to be the result of these riots, maybe not this year or next year but in years to come.

Senator Byrd. Do you think Washington is ever going to be an ideal city?

Mr. Q. It is going to have to be or something is going to have—something is going to have to give.

Senator Byrd. Are you being realistic? How long have you lived in this city?

Mr. Q. I don't know if I am being realistic or not. I have lived in it since 1938.

Senator Byrd. Have you seen changes occur in this city?

Mr. Q. Oh, yes.

Senator Byrd. For the better or for the worse?

Mr. Q. All for the worse, always.

Senator Byrd. What is the trend likely to be? Do you see any change in that trend?

Mr. Q. No. I can't see a good feature of it now. I can't see anything good for the District right now.

Senator Byrd. What do you as a business man in this city have to say with reference to the forthcoming so-called Poor People's Campaign?

Mr. Q. Well——

Senator Byrd. How do you view that? You are still in business.

Mr. Q. I am still in business and I view it as almost an insult to the Government, as sort of saying, Well, if you don't mind me putting it this way, sort of thumbing their noses at the Government and saying, All right, we are taking on all comers, come on, let's fight. And this is not—in my opinion, this is not the way to run a country. This is not the way to do things.

Senator Byrd. Do you feel that—did you feel apprehensive in connection with this forthcoming march?

Mr. Q. Yes, very definitely.

Senator Byrd. Apprehensive with reference to what? Your business or yourself or what?

Mr. Q. Apprehensive on this point—maybe I am stepping on somebody's feet.

Senator Byrd. Don't worry about stepping on feet. Your name isn't on this and you can say whatever you want.

Mr. Q. As far as I am concerned, I think the Government officials from the top all the way down are weak, that they are afraid to make a decision. They cannot stand on their own two feet. They are always afraid, and especially because most of them are colored.

Senator Byrd. Most of who are colored?

Mr. Q. In the District.

Senator Byrd. Talking about the officials?

Mr. Q. The officials, like Washington. I don't know if I am supposed to say that.

Senator Byrd. Say whatever you want but don't identify yourself.

Mr. Q. I feel that the Mayor of Washington, and so forth, is just weak. He can't come out and say we are to do this and we are to do that. It is always this hemming and hawing around, never hitting the nail on the head. That was brought out by these riots. There shouldn't have been a riot, to start off with. If he was any kind of a man, he would have gotten out in the street and stopped it, like the man in Cleveland.

Senator Byrd. They didn't stop it in Watts. They didn't stop it in Newark. They didn't stop it in Detroit.

Mr. Q. But they stopped it in Cleveland and in Cleveland—Cleveland was a hot spot because of the fact those people were pushed around from one place to another.

Senator Byrd. What would you recommend if you could—if you had the authority to recommend a solution for the problems of the business man in this city, what would it be?

Mr. Q. Well, sir, I will tell you. Step 1, one of the fundamental reasons why Washington is deteriorating is because of the factors that your building code laws are choking the city and preventing any decent construction. And therefore, the people are living as they are living, in these old broken-down houses, and I would say that a lot of them are losing their own respect because of the fact that a lot of them may be—I truly believe that if there was a new set of codes with good strong leadership we would have a wonderful city. And the private enterprise would take over the property and would build, believe me they would, because I have spoken to many, many builders, and this is one of the things that they want. They want to be able to build high-rises.

Senator Byrd. How would that stop the riots?

Mr. Q. In one respect these people are being pushed from one area to the other, at least the way it appears to me. Like in Southwest they tore down the whole of Southwest and they were pushed up into 14th Street, into these old broken-down houses.

Senator Byrd. Who had lived in the broken-down houses?

Mr. Q. Well, those houses are not—a lot of places were good at one time and some of them were not so good at one time. I know, of course, they cause their own problems by breaking them down and this is another problem, but I do believe that a good system—it is an amazing thing. When something is going on, a building, they always have these inspectors saying, You have got to do this and that because you have got to worry about this and worry about that.

Senator Byrd. All right, Aside from the building codes, what would you recommend?

Mr. Q. Well, good strong leadership, especially from the Mayor; especially from the President. The President just didn't act right.

Senator Byrd. In what way?

Mr. Q. This indecision, this absolute indecision. I am afraid to do this because I have got to do that. I am afraid to do that because I have got to do this. It makes such a poor view for the rest of the world. We are laughed at and our prestige is lost. I have spoken to many, many foreigners.

Senator Byrd. When you speak of indecision, indecision with regard to what?

Mr. Q. Local affairs. To our own local affairs. He made the decision that we were going to have home rule.

Senator Byrd. Well—

Mr. Q. Close to home rule. But what I am speaking about, he says we are going to put in a Mayor. So right away we have a new Mayor. Well, this is good, but then again what did the Mayor do? Nothing. He just went around and shook hands.

Senator Byrd. Well, the President can't be blamed for lack of home rule.

Mr. Q. No. I am not blaming him there. I wouldn't even think that home rule would be the solution, but I do think——

Senator Byrd. In what connection has his indecision been responsible for what happened?

Mr. Q. He didn't send out the troops, plain and simple. He could have sent out the troops at the flick of a finger. Thirty-eight or twenty-eight hours later the troops came in.

Senator Byrd. Of course, he has to receive a formal request from the Mayor for the troops before he can send in the troops.

Mr. Q. He does? Well, I heard that, too. It would seem to me that he could say, Mayor, we need the troops. Let's go.

Senator Byrd. Well—

Mr. Q. And it has put an awful black mark on the Democratic Party, I can tell you that right now, because whoever I speak to, and I will tell you something, many people who were previously opposed to a man by the name of Wallace, they are willing to take him on wholeheartedly. And, of course, there are lot of things to be said about Wallace and a lot of things not to be said, but it is a shame that a whole city should be torn apart and people sacrified, and I know of many cases, of course—you probably have heard more than I have—but these people put their hearts and their souls into their business, and their whole lives into their businesses.

Senator Byrd. Would you like to get out of the location where you are now and get your full—the full value of your property?

Mr. Q. Yes, I would, but I see no prospect. The only thing left for me to do is to do that.

Senator Byrd. What does your wife think about your situation?

Mr. Q. She sits in mortal terror every night. She calls up and says, Anything happen? Anything happen? Well, one night we had a congregation of youngsters in front of our store and it just so happens that because I have a small store, I do a lot of the work myself. I went out to do a certain job and I came back and my help told me, he has a gun, cocked up, sitting right next to the cash register, and I jumped four feet in the air. I said, What is going on, and he told me. He said, All I did was just put it—he just put it in his clothes like this, his gun in his clothes. We have a .38 special. And he just stood at the door and was waiting for the first one to walk in, and nothing happened.

But I can tell you another thing I believe in, that I don't think—well, Murphy has to go. That is all there is to it. I don't think that this business of mamby-pambying around is going to do anything. Everybody has to have discipline and no matter where you go, it is discipline or you don't have anything. And the police is our form of discipline and I cannot see holding back the policeman. I just can't see it. Some of them act with injustice and this so-called brutal attempt, and so forth, but some of the things that are pulled on a policeman are really sickening, and I think that the police force should be, if anything, they should be separated from the control of the Mayor.

Senator Byrd. Well, I want to thank you.

Mr. Q. I hope I helped you.

Senator Byrd. Well, you did. And I want to thank you for coming over. I appreciate your time.

STATEMENT OF MR. AND MRS. R.

Senator Byrd. Mr. R, what do you consider to be the single most pressing problem confronting you as a business man in the District of Columbia?

Mr. R. Confronting me right now, it is a hard question to answer. How would you answer that?

Senator Byrd. Mrs. R, are you in business with your husband?

Mrs. R. Yes.

Senator Byrd. Are you employed by him?

Mrs. R. Yes.

Senator Byrd. Are you a partner of his?

Mrs. R. Yes.

Senator Byrd. All right. Perhaps you would like to answer the question.

Mrs. R. I think that the problem—there isn't any problem right now. Business is over, as far as we are concerned. We are completely burned out.

Senator Byrd. I see. But as a business man, or as a lady who has been engaged in doing business in the District of Columbia, what is the most pressing problem that confronts the average business man in this city?

Mrs. R. Well, the problem is certainly nonenforcement of the law. The only way that I can see it, this is the end result of non-enforcement of the law.

Senator Byrd. How long have you been in business in the District of Columbia?

Mr. R. 22 years.

Senator Byrd. Have you been at the same location all that time?

Mr. R. No. I have been in the same location for 14 years.

Senator Byrd. What is your age?

Mr. R. I am 61. I will be 62 very shortly. A few months.

Senator Byrd. How many employees do you have?

Mr. R. I had six employees.

Senator Byrd. You had.

Mr. R. I had six employees.

Senator Byrd. I take it that you are not in business at the moment.

Mr. R. No.

Senator Byrd. Were your employees white and colored?

Mr. R. All colored.

Senator Byrd. What were the salaries or average wages?

Mr. R. Well, the average wage went anywhere from $80 a week to $125 a week.

Senator Byrd. Why do you no longer have these employees?

Mr. R. Because I have been burned out of business.

Senator Byrd. During the riot?

Mr. R. During the—well, I guess you would call it the riot. I don't call it a riot. How would you define riot?

Senator Byrd. The statute defines a riot. We in the Congress enacted a statute last year applicable to the District of Columbia, I believe, which had a definition of riot and I don't recall precisely what the definition was.

Mr. R. The reason I say this is because I recall in 1919 we had a riot in this city. Were you here in the city then, Senator? 1919.

Senator Byrd. No.

Mr. R. I was. We had a riot which consisted of white people shooting Negroes and Negroes shooting whites. There was no looting and no arson. That is a riot.

Senator Byrd. Well, that is one kind of a riot but——

Mr. R. This I don't call a riot because there was no shooting, between the races. There were no fights between the races. It was strictly breaking, entering, looting and arson. To me that is not a riot. That is strictly looting.

Senator Byrd. That to you is not rioting, but it is recognized as a riot, I am sure, on the statute books, and in my judgment it would be a riot.

Mrs. R. I am sure there are many facets to what would constitute a riot. I am sure that it has progressed in some 30 or 40 years.

Senator Byrd. Prisoners can riot. They can all be white and still it is a riot.

Mrs. R. It has nothing to do with race. It has nothing to do with race.

Senator Byrd. I don't think shooting each other is——

Mr. R. Or beating each other up or something like that. Maiming. That would be rioting.

Senator Byrd. I don't think that shooting one another is the gravamen by which we would determine whether or not a civil disturbance is a riot but that is beside the point here. What I am asking you is was your business destroyed during the civil disturbance? We will put it that way?

Mr. R. Yes, it certainly was.

Senator Byrd. Was your business looted, prior to it having been burned down?

Mr. R. Yes, sir.

Senator Byrd. Were you in the business when it was looted?

Mr. R. It happened about anywhere from half an hour to an hour after I left the business at 8 o'clock that evening.

Senator Byrd. What evening was that?

Mr. R. Thursday evening.

Senator Byrd. And it was looted about an hour after you left?

Mr. R. Approximately an hour after I left, sir.

Senator Byrd. And was the business still standing on Friday?

Mr. R. The building was still there but the place was looted, completely looted.

Senator Byrd. No?

Mrs. R. Yes. It was, the next day.

Mr. R. I got down there the next morning at 10 o'clock in the morning, after calling the police whether it was safe to go down, because Thursday night I called the police and they said not to come down. But I called Friday morning and I asked whether it would be safe to come down and they said yes, it would be fairly safe, and I went there to observe and I found the place completely looted, plundered and pillaged, and torn up. It wasn't just taking merchandise and going but just just everything broken up and torn up.

Senator Byrd. Were you ever burglarized prior to the——

Mr. R. Quite a few times.

Senator Byrd. Disorder? You were? A number of times?

Mr. R. A number of times; but it usually consisted of a couple of hundred dollars worth of merchandise or a couple of thousand dollars worth of merchandise, never a total loss.

Senator Byrd. Did you ever experience a holdup?

Mr. R. No. I was very fortunate. I looked forward to it every day that I went there. I was on the alert every minute. I anticipated a holdup every day.

Senator Byrd. Were you ever robbed outside your place of business?

Mr. R. No. I was very fortunate. I was always on the alert.

Senator Byrd. Were your employees ever injured in any altercations inside your business?

Mr. R. Never. Never.

Senator Byrd. Did you ever have to defend yourself in your place of business?

Mr. R. Well, to a point. I would catch quite a few shoplifters and I would have to take the merchandise away and chase them out of the store and tell them to work some place else.

Senator Byrd. What do you estimate the cost of the inventory which was lost?

Mr. R. The cost of my inventory I would approxmate at $80,000. This doesn't include the fixtures. The insurance people also include any inventory or your fixtures. I didn't include the fixtures. I figured just the merchandise alone.

Senator Byrd. What would you estimate the damage to your fixtures?

Mr. R. The damage to the fixtures and the looting of the fixtures, probably another $10,000 or $15,000.

Senator Byrd. And did you own the building?

Mr. R. I bought the building a little over two years ago, so I don't own it, but I was paying on it.

Senator Byrd. How much equity did you have in the building?

Mr. R. I had about $12,000 or $13,000 equity.

Senator Byrd. How much of this loss do you expect to recoup?

Mr. R. I do not know because the insurance adjustors have not given me a price on it yet. They don't know whether I can get the place fixed up again or whether they will have to total it, and they want me to get estimates from builders what it would cost to put the place back in condition. So I don't know how it is going to work out financially.

Senator Byrd. How would you estimate the good will?

Mr. R. I would estimate the good will at two years' profit, profit on two years' business.

Senator Byrd. Which would amount to what, roughly, per year?

Mr. R. Well, I would say approximately good will, figure about $30,000 a year profit.

Senator Byrd. So you are saying——

Mr. R. Good will would be about $60,000.

Senator Byrd. Can anything be recovered in so far as the good will is concerned? There is no recovery of good will?

Mr. R. No. That is lost. That is gone forever.

Senator Byrd. Is that covered by insurance?

Mr. R. No.

Mrs. R. Is this ever covered by insurance? It was covered 100 percent—no, it wasn't covered 100 percent. It was covered—the insurance was $50,000 on the inventory.

Senator Byrd. Could you have insured it in a higher amount?

Mr. R. I could have, but due to my past losses, which I figured would run $2,000 or $3,000, no one ever figured on a total loss. Had I planned on a total loss, naturally you would cover it.

Mrs. R. Your agents, if I may interject something, don't even advise you to insure 100 percent. Even your building. Nobody figures you are going to have a 100 percent loss. They figure a certain percentage, 5 percent, 10 percent, not a 100 percent loss.

Senator Byrd. Well, there are 100 percent losses if fires break out.

Mr. R. In a fire, yes.

Mrs. R. But ours was considered a fireproof building.

Senator Byrd. I see.

Mrs. R. You went on the advice of your agents. I think he is supposed to be a reliable man. Even they are absolutely flabbergasted. They said 90 percent of their clients were underinsured.

Mr. R. All underinsured.

Senator Byrd. You are not dealing directly with your insurance company?

Mr. R. Yes, I am.

Senator Byrd. I thought you mentioned an adjustor a moment ago.

Mr. R. The insurance adjustor. Their adjustor.

Senator Byrd. I see. When do you think you will receive payment on your insurance?

Mr. R. There is a problem. There is something I don't know. I was given no time. I don't know.

Senator Byrd. Have your insurance rates gone up in recent years?

Mr. R. I believe they have, and I understand they are going to go up again, since this—they say there is going to be a 20 percent increase.

Senator Byrd. If you could go back in business in the same location, would you?

Mr. R. To be fair with you, I would be scared to go back. Like most merchants today, I would be afraid to go back because they are afraid the same thing can happen again. You are living in fear.

Senator Byrd. Fear of your business or fear of your life?

Mr. R. Fear of your life and fear of the looting and burning again.

Senator Byrd. How do you feel about it, Mrs. R?

Mrs. R. Well, I think as far as we are concerned, because of our age, I think it would be foolish for us to go back. What was burned down took years—it took us 15 years to build up. At 52 and 61 we don't have another 15 years to begin again. It would take from—just the people that we have talked with about rebuilding, it would take a year before we could open again. So that it would mean from the beginning and then even from—aside from the rioting, we have had very little police enforcement which sort of soured you even prior to this.

I was telling this gentleman here—I have gone to the precinct, I have gone to the Municipal Building trying to get enforcement on the street. We even became a part of a—we were one of the charter members of the U Street business group, trying to keep the level of the street up, keep this element from growing and we just couldn't get any cooperation. So that going back under those conditions would be idiotic.

However, you have to consider that it is premature to say anything. You have no choice but to try to protect what you have there. You just have to see what the Government will do, and if they will do nothing, how you come out with the insurance people—so that it is really premature to say anything.

If the law has teeth in it, certainly people want to go back, but it would be idiotic to go under these conditions.

Mr. R. There have been several instances where people did go back that were just looted, and were looted again a second time and a third time and in some cases were shot at. In fact, I had a friend of mine who was killed Tuesday night in a holdup of a place that was previously looted twice before that.

Senator Byrd. Was this a liquor store?

Mr. R. Liquor store at Ninth and L.

Senator Byrd. This was a friend of yours?

Mr. R. A friend of mine.

Mrs. R. There were other instances where you can see this thing was coming because they would—it didn't happen to us but it was happening in our type of business. They were coming in in clusters of ten and twelve and they would spread out and grab an armful of whatever they wanted and just walk out with it.

Senator Byrd. Were these adults or juveniles?

Mrs. R. Well, it is pretty hard to say. When you say adults and juveniles, I happen to know a little bit about what is considered the type of mentality.

Mr. R. Late teens and early twenties.

Mrs. R. And they are over 21 that conduct themselves like the 14 and 15 year olds.

Senator Byrd. Were they male or female?

Mrs. R. Well, all male.

Mr. R. Sometimes a female would come along with them.

Mrs. R. If they have females working with them, they are outside with shopping bags.

Senator Byrd. Were they white or colored?

Mrs. R. All Negro.

Senator Byrd. A moment ago you referred to a friend of yours who was killed this past Tuesday.

Mr. R. Tuesday night.

Senator Byrd. And did you say he had been looted, robbed or held up sometime prior thereto?

Mr. R. He was looted previous to the holdup.

Senator Byrd. During the riot?

Mr. R. A week or so before. Two weeks before.

Senator Byrd. Did I understand someone to say that not too long ago he had a younger brother who was also killed in a holdup?

Mr. R. His older brother was killed in a holdup about three or four years ago.

Senator Byrd. Mrs. R, how would you characterize your neighborhood and what was it about your neighborhood that might have led to the early outbreak of violence at the very outset of the riot, in your particular section?

Mrs. R. What would I say led to it? I believe what led to this in our particular neighborhood was the lack of strength of our particular police precinct in not controling the commoding.

Mr. R. There is a non-commoding law which enforced.

Mrs. R. As a matter of fact, we had always made it a policy that every time there was an arrest, we followed it up to the letter. I, myself, have been discouraged from testifying.

Senator Byrd. Would you characterize your neighborhood as to any particular organizations?

Mrs. R. We had the agitating groups in the immediate area.

Senator Byrd. When you say agitating groups, without naming the groups—if you don't want to name them—how would you generally identify them? Did you have reference to the KKK?

Mrs. R. No. That is pretty hard to word without——

Senator Byrd. Let me ask you this. We hear that there are SNCC groups, we hear that there are CORE groups in town, there are Negro organizations which are described as militant groups. Is that what you have reference to?

Mrs. R. Yes. I think the militants—well, you see, I don't think that the Southern Christian Leadership is nonmilitant.

Senator Byrd. You don't think it is militant?

Mrs. R. Yes—I do think it is militant.

Senator Byrd. You do think it is militant.

Mrs. R. Yes.

Mr. R. Which group?

Senator Byrd. SNCC.

Mrs. R. I would lump them all, really. We also had the NAACP right there.

Mr. R. I am a member of the NAACP. I had to be or else.

Mrs. R. That is right.

Senator Byrd. What do you mean by that?

Mr. R. Well, to be in good with them. I am in the neighborhood and they expected everyone in the neighborhood to belong, to sympathize with them.

Senator Byrd. To belong to the NAACP?

Mr. R. That is right.

Senator Byrd. Whether you are white or non-white?

Mr. R. Just a member.

Senator Byrd. Were you threatened?

Mr. R. No.

Senator Byrd. All right. Now, let's pursue the line of questioning. In your day-to-day dealings with your customers, conversations that you overheard, do you have some reason to believe that a course of violence was being periodically preached within the neighborhood?

Mrs. R. Well, as far as preached in the neighborhood, not in direct conversation because we would not be involved in that kind of conversation in a neighborhood.

Senator Byrd. These groups that we have referred to, did they meet periodically?

Mrs. R. Well, now——

Senator Byrd. Biweekly? Do you have any reason to know?

Mrs. R. I would have no way of knowing that. They might have met every night. I would have no way of knowing that.

Mr. R. We have had occasions of people walking in and wanting to walk out with merchandise without paying and they would say to our salesmen, who are Negro, you wouldn't say anything if I walked out with this, would you? He said, Of course, I would. It is my job. The first thing they called him was Uncle Tom. If you did not go along with the program you were an Uncle Tom.

Senator Byrd. There is another expression which has been much in evidence in recent months, "Get whitey". Is this an expression that would have been used in your neighborhood?

Mr. R. It was at times. In fact, the next morning when you came down, that group that was outside the store made a remark to you.

Mrs. R. Oh, yes.

Mr. R. We got you good last night, whitey. They were bragging about it.

Mrs. R. It is a term that would be used.

Senator Byrd. Is the looting and the burning selective in your block and in your neighborhood?

Mrs. R. Very definitely. I can't say this for the record.

(Discussion off the record.)

Senator Byrd. What is your feeling today about the obligation of your Government, the District of Columbia Government, the Government of the United States, to furnish protection to your property?

Mrs. R. Well, I feel that as far as protection and enforcement of the law, I really feel it is a city problem, but what we are talking about, my husband and I, is compensation by the Government for allowing this thing to happen in our particular instance, since it was actually at that time breaking and entering. There were law enforcement officers there and they absolutely let it happen. We feel that we, as citizens, were entitled to protection under the law and the Government just stood by and let this thing happen.

Senator Byrd. You were not physically present, so how is it that you know that the Government had a capability of protecting your business?

Mrs. R. I can tell you that within the hour after this thing happened, we called the precinct. The desk sergeant there happens to be a fellow who comes in the store and we know him and he said, There are policemen on the scene. He said, There is everybody down there and do not come anywhere near here. Now, either they are going to watch it or I am going to at least put up a doggone good fight.

I think we have got a right to protect what we bought and paid for and we certainly didn't get it in the welfare line or a grant, any place.

Mr. R. One of my customers said he was standing outside the store watching the looters walking out with merchandise and a policeman standing there not doing a thing. The police were watching the looters take the merchandise out.

Mrs. R. We do have—I don't know whether the man would be mad enough to come up. He is supposed to be—what is he—he is President of the Urban League, Morton. He got up at this meeting and he cried great big crocodile tears about how he saw his neighbors looted and burned and he couldn't do anything. Now, there is an eye witness right there.

Mr. R. He is the president of the Urban League.

Senator Byrd. Whom do you hold responsible for this great loss of your lifetime's work?

Mrs. R. I hold the United States Government responsible.

Senator Byrd. But who in the United States Government?

Mrs. R. Well, now, as a layman and not knowing all of the branches—I wouldn't say branches, but who do you look to but the President of the United States? I felt that the President got up in front of television and he said, We will not tolerate violence in our city. We will not tolerate burnings and shootings. And they thumbed their noses at him and they let it happen. And we sat by and also did nothing.

Senator Byrd. Is it your feeling that the inaction of the police department was attributable to some restraint that was placed upon them by higher authority?

Mr. R. I think so.

Mrs. R. It would certainly be obvious. What other deduction could you come to? I am sure that in our dealings with the police officers, I certainly think that the policeman on the streets would love to do his duty and they have cried to us and cried to us that there is hardly any point in arresting anybody or apprehending anybody.

We went down just recently to appear against some of these looters and certainly the policemen caught them with the merchandise, it had our label on it, and the case was continued for a month.

Now, I am not that easily frightened off. I will come back next month—if it takes six months or six years, or they have to take me out of an old-age home, I will appear, you see. And that has been our policy in the past. But I can't say that we have been encouraged to appear. In the past I have been discouraged and I have had to go to the lawyer representing that thief and tell him, you may just as well hear this case because you will not frighten me off. I will appear. You can have it postponed and postponed and I will be there. And I was. And what will they do? He will get off on personal bond and that kind of thing and I have to spend a day in court on my own time. How do you combat that? And that is the end result.

You can hear conversations out on our street—we used to hear it before we had the bars up. I am going to come back here tonight and get that coat. I have seen them break in this place and they don't do anything to them. And you can put that on the record because that I can back up.

Senator Byrd. Do you feel that the troops were pulled out of the city too soon?

Mrs. R. Very definitely. No doubt about it. No question in my mind.

Senator Byrd. How do you view the forthcoming March on Washington?

Mrs. R. I expect a disaster.

Senator Byrd. Why do you expect a disaster?

Mrs. R. If they couldn't control a group of this size, how could they hope—if they couldn't control—the greater portion certainly had to be local, the agitators and the organizers possibly were not from Washington, and they couldn't control this, how can they hope to control tens of thousands, possibly tens of thousands? And if this that happened several weeks ago was an indication of how they handle a riot or how they handle this type of willful disregard of the law, now, how can they handle maybe four times as many people?

Senator Byrd. You said something which indicated that outside influence may have stimulated this outbreak. What do you have reference to?

Mrs. R. Well—

Mr. R. Just before the fire Stokeley Carmichael was at the corner instigating it. It is a known fact. Everybody knows that.

Mrs. R. I will tell you, it is very hard. This is just my own assumption. You can't say I heard or I have a witness to this. It is just my impression or my thought and you have to be—you have to back that up, Senator, is that true? As far as—I don't know that I am alone or my husband and I are alone in the thought that it was not necessarily Washington organized. I would certainly think that is pretty common knowledge. Rap Brown moves around from town to town. People like that. You would have to be stupid not to draw that conclusion. And the fact that no knuckles were cracked. They have gained courage. They have gained strength through this thing.

We have a neighbor just several blocks from us who was handed a handbill, "Charley White, go home, we don't want you here."

And that was early in the morning. Later in the latter part of the afternoon a man came into her and said, Are you a "soul sister"? She said, Well, what do you mean? I don't know what you are talking about. He said, Well, do you believe in black power? And she said, Well, you know, I am for any kind of power. I stay here and mind my own business.

She is a very meek, mild person. He said, Look, if you don't believe in black power, and you don't really love, you can't stay here because you have to mean it.

Senator Byrd. To whom was he addressing this?

Mrs. R. The owner of the store.

Senator Byrd. Near your—

Mrs. R. Yes. She is terrified. Here is a woman who has a sick husband and is right down there practically, who may as well be alone.

Senator Byrd. Well, I don't have any more questions of you. It is fifteen minutes past 10 on this Friday evening. And I certainly just want to thank you for coming over, and I know you have been kept waiting because other businessmen have been in here ahead of you.

I appreciate your signed statements and the time you gave.

Mrs. R. We are glad to do it.

Senator Byrd. At least you have had an opportunity to get something off your chest.

Mrs. R. Oh, this has been a three-week fillibuster. We have been getting it off our chests.

Mr. R. Now, will this actually mean anything?

Mrs. R. What could be—I was asking this gentleman, what possibly could this result in? What can we hope for?

Senator Byrd. I can't promise you anything. I am one Senator——

Mrs. R. What are we trying for?

Senator Byrd. I have been fighting your fight for a long time, before the riot ever took place. I have been standing up against the welfare cheaters here, the inefficiency in Government, the crime that has run amok, the lack of support for the police by the community.

Mrs. R. Criminal, just criminal.

Senator Byrd. And I have been speaking out a long time. I am trying to find out what your problem is. I think I know something about it but I think that I can at least do this: I can have the businessmen in and let them talk. If I had a public hearing, you couldn't come. You would be afraid to come, wouldn't you?

Mrs. R. Not really.

Senator Byrd. Well, if you planned to go back in business in that same area, you would be afraid to come, wouldn't you?

Mr. R. Oh, yes. Definitely.

Mrs. R. Oh, yes. Not if I thought I was going to have some protection.

Mr. R. You can't bank on that.

Mrs. R. It is an abstract thought, of course.

Senator Byrd. At this point you can't have that assurance. I can't give it to you. If it were within my power to give you that kind of assurance, this riot wouldn't have been handled like it was.

But I couldn't have you up in a public hearing. I couldn't have you even up here in a closed hearing because people would know about it, the press would know about it, you would be recognized. So this is the only way I have to elicit information from the people who have been hurt, the business people who have been hurt, and I have the information as I gather it along from various business people. I will be able to put bits and pieces into the whole and it will form a profile of the fear or the feeling or the optimism, whatever it may be, that business people in this business community possess.

Now, one can get a little dab here and a little dab there by watching the newspapers.

Mrs. R. Not really.

Senator Byrd. But I am making an effort here to get this material. I will make it available to the public. I don't know how, whether it will be in a committee hearing or whether I will go on the Senate Floor, but this information ought to be told, the story ought to be told.

Now, the troublemakers tell their story. They don't have any problem. They are not afraid of their lives. They stand up in front of television and use all kinds of threats. They get their story across for whatever value or reason one wishes to attach to that story, but you don't get your story across. You are afraid to talk on the record and I would be, too, if I were you.

But I want to put the story in the Record, and this record will be available a thousand years from now when you and I, when our bits of dust are gone, but that record will be the record, and if this is but a symptom of the decay and deterioration and decline of our country, at least the symptom ought to be put on the record.

Mr. R. I am afraid that is exactly what is happening. It is a cancer in this country.

Mrs. R. It doesn't need to be.

Senator Byrd. It doesn't need to be, but I will say this, I don't know whether or not the President really knows what is happening in this city.

Mr. R. I don't think so, either.

Senator Byrd. Now, if that is the case, I hope that this story, if it can be brought to his attention, will be revealing to him and if it is, if he doesn't know what has happened, maybe it will do some good.

Mr. R. I was wondering how——

Senator Byrd. Maybe the members of Congress will know a little more about it if I can spread it on the record. That is the only purpose I have in mind. You don't have to convince me. I have got one vote. I have had that one vote for law and order and laid it on the barrelhead for a long time. But we need more votes. So I am just hoping that this will somehow be of help.

Mrs. R. But let me—you know, it is just something on the top of my head. How did we get this way when—I certainly am not one to put my heel on the Negro. As American citizens they are certainly entitled to privileges as long as it is not abused, the privileges, but how is it and what are heard? Why does the Supreme Court—they are heard in every category. Every time anything comes up the Government is right quick to fund something. This thing about Pride right here in Washington is such a classic example. You know, isn't it—it didn't take long and didn't take a lot of legislation and didn't take a lot of talking and every time that three or four—they get hold of someone. Someone made a comment about this Marion Barry. Yes, he is ally fellow, but they had to polish Thurgood Marshall the same way they groomed him, the same way—not Barry, this Rufus Mayfield.

They had to do the same thing about him.

Senator Byrd. What did you mean when you said they had to polish Thurgood Marshall?

Mrs. R. Somebody heard in conversation that Thurgood Marshall was what they call one of these down home boys and he was groomed because they saw potential in him as an orator. Now, how is it that their orators, and they do have them, get their point across so effectively while we talk about it over a cocktail?

Senator Byrd. Well, I do not know. I sometimes wonder about a lot of these things.

Mrs. R. They are getting a lot of legislation passed that seems awfully lopsided. I am not for grabbing the whole, but I do think—

Senator Byrd. Would you mind—off the record.

(Discussion off the record.)

Senator Byrd. Let me ask you this question: You are a business man in this community. What is your religion?

Mr. R. We are the Hebrew religion.

Senator Byrd. You saw some of the other business people who came into my office before you came in. Did you know them personally?

Mr. R. No. I knew one.

Senator Byrd. Did you recognize them as being of your faith, your religious faith? Were they Hebrews also?

Mr. R. This particular person that I knew, yes.

Senator Byrd. Do you feel that this destructiveness was against you because of the Jewish faith?

Mr. R. I can't say that, although it has been said. Unfortunately it seems that 95 percent of the merchants, small merchants, they are all—in fact, they are all small merchants—happen to be of the Jewish faith and it just happened to work out that way, although I have heard even before all this among your black power advocates, a certain amount of anti-Jewish—anti-semitism mentioned.

Senator Byrd. But you don't think that this spark of disorder here was directed at you because of your religion?

Mr. R. No. I don't believe it actually has anything, any anti-Jewish in its real meaning. Strictly thievery.

Senator Byrd. Do any of these hoodlums ever hurl epithets at you which have religious connotations?

Mr. R. At times. Sometimes. You have to expect that.

Mrs. R. You consider the source. You don't really take it seriously. You consider who is speaking and you don't really consider anything. I think that is just one of the facets.

Mr. R. Could I just mention that I had six colored employees? You do have that on there.

Senator Byrd. Yes.

Mrs. R. Of course.

Mr. R. I was wondering how would the President react if the looters looted the Government buildings of their typewriters and adding machines and——

Mrs. R. And the Art Gallery.

Senator Byrd. Well, I can say this, that the school buildings in the District of Columbia are looted every year of typewriters, adding machines.

Mr. R. Yes, partially, but I mean to come in en masse as they did in a small store, they came in, say, 50 or 100 at a time, the purpose—not just stealing and walking out as they have been doing, but coming in to every office in this building and other Government buildings and taking out the typewriters and adding machines, all valuable equipment. How would the President answer that?

Senator Byrd. I cannot answer that. I am not sure as to what would happen.

Mr. R. Would the police restrain themselves?

Senator Byrd. I don't know.

Mrs. R. That would be Federal. You are taking something that is Federal.

Mr. R. Now, picture down at the National Gallery of Art. There are millions of dollars of art. Picture mobs of looters walking in and looting the National Gallery of Art. What would the Government do in a case like that?

Senator Byrd. Well, I can't answer because I am not the President.

Mr. R. Would there still be restraint on the Police Department?

Senator Byrd. I can't answer that because I am not the President.

The President indicated that he felt that there had been very little loss of life and that property could be restored and replaced.

Mrs. R. I clipped that article.

Senator Byrd. So we are talking of property when you speak of looting the Government buildings. I don't know what his reaction would be.

Mr. R. The President did say property can be restored, money can be restored, but lives cannot. What does he mean by that? Who is going to restore this property and money?

Mrs. R. We hope he means no one will be the sacrificial lamb and this is how we feel, that we were sacrificed at the altar of this thing.

Senator Byrd. Will you be able to restore your property?

Mr. R. Not profitably. Even if I restore it, it will never have the same value that it once had. And then on top of that, it will be unlikely to rent it to a white owner because no one wants to go in that area. If we are fortunate to rent it, it will have to be to a Negro tenant.

Mrs. R. And if you want to know, that is playing right into their hands. That is precisely what they want. I think this is the idea. You see, if they burn you and then don't let you back in, this is entree to them. What are you going to do with a burned out hole? You either are going to have to try to rebuild it, and if you do, then you have to sell it or give it or sacrifice it, and this is the way I see it. This is the plan behind the whole thing. That is why certain things were pinpointed, and I will say before it was burned, we had an idea of trying to get a Small Business loan for the fellow that we had managing the store. Maybe we could put him in.

Senator Byrd. I want to thank you for your time.

(Thereupon, at 10:30 p.m., the hearing was concluded.)

OUTSTANDING DISABLED VETERAN OF IOWA

Mr. HICKENLOOPER. Mr. President, I have a letter from Mr. Donald D. Mayers, commander of the Scott County Chapter No. 2 of the Disabled American Veterans, of Davenport, Iowa, in which he refers to the selection of Past Commander George T. Nickolas, of Davenport, Iowa, as the outstanding disabled veteran of Iowa, selected at the State convention in Waterloo, Iowa, on June 22, 1968.

He encloses a copy of an editorial by Past Commander Nickolas on the forthcoming "Hire the Physically Handicapped" Week. I think it is worthy of note, and I ask unanimous consent that Commander Mayers' letter be published and be followed by the editorial by George T. Nickolas, entitled "It Is Easy To Do Less."

There being no objection, the letter and editorial were ordered to be printed in the Record, as follows:

Diabled American Veterans, Scott
County Chapter No. 2,
Davenport, Iowa, September 20, 1968.

Hon. B. B. Hickenlooper,
U.S. Senate Office Building
Washington, D.C.

My Dear Senator Hickenlooper: We of Scott County Chapter Two have been honored by having Past Department Commander George T. Nickolas of 4426 El Rancho Drive, Davenport, Iowa, honored as the Outstanding Disabled Veteran of Iowa. The State Convention in Waterloo, Iowa, on 22 June 1968 selected him for this singular honor. Past Commander Nickolas was also honored by the Freedoms Foundation at Valley Forge with a George Washington Honor Medal for a letter to the editor that he wrote as Department Commander of Iowa.

I have taken the liberty of enclosing an editorial that Past Commander Nickolas wrote for the forthcoming "Hire the Physically Handicapped Week". I think that it conveys a message that would be well for all of us to read. I hope that you will take the time to have it read into the Congressional Record. If you do place it in the Record, I would appreciate two copies of the Record. We would like to have one placed in our Department Historical Records and we will present the other to Past Commander Nickolas.

I would also like to take this opportunity to express our appreciation of your years of distinguished service to Iowa. We of the Disabled American Veterans of Iowa will miss your able representation in Congress.

Very truly yours,
Donald D. Mayers,
Commander.

It Is Easy To Do Less

(By George T. Nickolas)

The disabled veterans who are victims of America's wars quite likely appear to be well cared for and adequately compensated for their loss. It is easy for us to agree and sympathize with programs for the disabled; it is easy and convenient to set up local, state, and national committees to promote hiring the physically handicapped, and it is easy to set aside a national week to bring to everyone's attention the "Hire the Physically Handicapped Program," but this process lulls our citizens into thinking that everything possible is being done, and that the disabled veterans are living the "good life" and obtaining good jobs.

We have in the past few years seen vast changes in the providing of equal job opportunities to minority groups and women. In some cases special treatment is granted to compensate for past inequities. We have seen organized labor obtain for the working class better working conditions, decent wages, adequate vacation time, rest breaks, and necessary fringe benefits.

The "American Way" has fostered the free enterprise system and, in turn, the collective bargaining system. These have contributed toward making this country great. Valiant young men have supported and defended this "American Way," and have given their arms, their legs, their sight, and their health. It behooves us to do more than pay lip service to the program of "Hire the Physically Handicapped." How can we turn our backs on the men who gave so much in order that we may continue to enjoy the fruits of the most advanced labor conditions, industrial climate, and individual freedoms of any nation in history? It is not easy to say, but the truth of the matter is we do *forget* these men. Industry will not hire many of these handicapped veterans because it increases their insurance costs and thus their overhead to produce products. What disabled veteran seeking a job has not heard this over-used excuse?

The labor and business men of this great country simply *must* join together with the various veterans organizations in the fight to provide equal job opportunities, living wages, and good working conditions for these deserving disabled men who have given so much. Today, much more than ever before, the business and labor communities must join in the re-education, counseling and placement of disabled American veterans. Every day that the Vietnam War continues, scores of Americans are wounded and disabled in the service of their country. These veterans must be rehabilitated and become a vital element of the American Labor market. Let the man stand and be counted who states that the disabled veterans ask for special privileges, charity or welfare. No, my friends, they ask only, and surely deserve, a chance to honorably earn a living for themselves and their families.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CZECHOSLOVAKIA

Mr. PELL. Mr. President, on July 9, 3 months ago almost to the day, I returned from a visit to Czechoslovakia. I first visited Czechoslovakia over 30 years ago and have visited there frequently ever since. In fact, I served there for 2 years on my first assignment as a Foreign Service officer—a period that included time before, during, and after the Communist putsch of 1948 and have been back there several times since.

When I left Czechoslovakia in July, I was both exhilarated and apprehensive. I was exhilarated by the brave efforts of Czechoslovakia's new leaders to reform its Communist society to make it more democratic and humanistic, more responsive to the will of the Czech and Slovak peoples, more tolerant of dissent and more progressive socially, economically and culturally. I was, at the same time, apprehensive because of ominous signs which pointed to the almost certain prospect of Soviet economic, political, and military pressures and which led me to warn—in my report in July to the Committee on Foreign Relations—of the very real possibility of a repetition of the Soviet invasion of Hungary in 1956. My fears unfortunately proved to be well founded, and the world has seen the tragedy all of us hoped we would not see.

The Soviet Union has paid a stiff price for its invasion and occupation of Czechoslovakia. When Soviet, and other Warsaw Pact, armies violated the frontiers of Czechoslovakia they ruptured the already tenuous unity of the Communist world. The Communist Parties of France and Italy, the two largest Communist Parties in Western Europe, declared themselves opposed to the invasion of Czechoslovakia, even though they had supported the Soviet invasion of Hungary in 1956, as did the Rumanian and Yugoslav parties. Elsewhere in Eastern Europe, the Soviets have lost considerable popular support. And in Czechoslovakia itself, the traditional friendship for the Soviet Union has been replaced by a deep enmity. Even within the Soviet Union, there are signs that the invasion has widened the gap between the leaders and the people and has further alienated important elements in Soviet society.

Their aggression has also cost the Soviets seriously outside the Communist world. The growing détente between Communist and non-Communist Europe has been set back.

In the United States, there has been a sharp hardening in the attitude of the public toward the Soviet Union, an attitude which had shown some disposition to replace emotional anticommunism with a more pragmatic willingness to take Soviet expressions of a desire for peaceful coexistence at face value. The Senate's delay in advising and consenting to ratification of the Nonproliferation Treaty is tangible evidence of this new mood. In brief, the icy winds of the cold war have again begun to blow across Europe and the Atlantic.

We do not yet know how the Czechoslovak tragedy will unfold in the coming months. It is too early to tell, for example, whether Czechoslovakia's new leaders will be able to remain in office or to retain even a trace of the reforms they had instituted. The language of the Soviet-Czech communique of October 4, in which the Czechoslovak delegation promised that they "will intensify the struggle against the anti-Socialist forces, will take the necessary measures to place all the mass information media at the service of socialism, will reinforce the party and state organs with men firmly adhering to positions of Marxism, Leninism, and proletarian internationalism" does not bode well for the future of the Czech and Slovak people. Nor do we know for how long the example of Czechoslovakia's fate will paralyze reform movements in other Eastern European countries, although the behavior of the Soviet Union may well accelerate, rather than suppress, the latent discontent. "The invasion is bound to lead to new malcontent and disillusionment," one authority on communism observed in a recent interview. The authority whose words I quote is none other than Milovan Djilas, former Vice President of Yugoslavia.

The invasion and occupation of Czechoslovakia pose delicate questions for our policy toward Eastern Europe and the Soviet Union. For the Soviets have upset a fundamental assumption of Western policy—the assumption that the Soviets would not resort to the use of force in Europe as they had in Hungary; the assumption, in other words, that 1968 was not 1956.

In fact, 1968 has proved to be 1956 with a vengeance. For not only Soviet soldiers violated the frontiers of a fraternal ally; Polish, Hungarian, Bulgarian, and even East German forces were also involved. These members of the Warsaw Pact thus violated their own solemn commitments to each other, for article 8 of the Warsaw Treaty states that the contracting parties adhere "to the principle of respect for the independence and sovereignty of the others and noninterference in their internal affairs." And, unlike the situation in Hungary in 1956 when Soviet intervention was aimed at preserving a socialist regime which seemed in danger of being replaced by a non-Socialist regime, and at holding a country in the Warsaw Pact which threatened to sever its alliance ties, Soviet and Warsaw Pact soldiers now occupy a country whose government was headed by Communists who had pledged to keep it Communist and who had also pledged to remain faithful to the Warsaw Pact.

Ideas cannot be defeated by tanks and bayonets are of little use against ideology. Military force cannot hold back the powerful impulses of nationalism. Nor can rhetoric. In a speech before the United Nations General Assembly on October 3, Soviet Foreign Minister Gromyko said that ". . . socialism really and genuinely does settle the national question." His statement may express his dream, but it certainly does not describe a reality.

We are learning the power of ideology and the force of nationalism in a most painful way in Vietnam today. The Soviet Union will learn the same lesson—both at home and throughout its empire in Eastern Europe—as a result of the invasion of Czechoslovakia, an invasion which can perhaps best be described as a rearguard engagement in a losing battle against reaction. For reform is the wave of the future in every country, including the Communist countries of Europe. Communism will have to accommodate to change or it will destroy itself by being torn apart from within. The human spirit craves independence and freedom, not censorship and restriction. The Czechoslovaks demonstrated this fact clearly in the months prior to August 21. They, and others, will demonstrate it again in the years ahead.

Writing from Prague in October 1938, a month after the Munich agreement, George F. Kennan observed:

> The story of Czechoslovakia is not yet ended. There is no use in minimizing the dangers and trials that lie ahead. But if there is any lesson to be learned from the tortuous history of this continent, it is that strength, courage, and perseverance—qualities which the Czech people now possess in greater degree than ever before—have never been permanently suppressed and have never failed in the end to win their just place in the surging, changing movement of political life.
>
> This thought will not comfort the Czechs in their present mood of bitterness and frustration; but it may well be a source of consolation to those outsiders who have followed their past struggles with sympathy and admiration and who have never ceased to wish them well for the future.

Strength, courage, and perseverance have still not been permanently suppressed. And the people of Czechoslovakia should know that those of us who have followed their past struggles, including their most recent struggles, "with sympathy and admiration" continue to wish them well for the future. For in 1968, as in 1938, their future and our future are inextricably linked.

In connection with these thoughts and the eventual outcome of events in Czechoslovakia, I recently read a very interesting article entitled "The Kremlin's Great Mistake," written by Victor Zorza and published in Look magazine on October 1, 1968.

Mr. Zorza has well expressed many thoughts that I share. I ask unanimous consent that Mr. Zorza's article be printed in the Record following my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Kremlin's Great Mistake: Russia's Gang-up on Czechoslovakia Threatens to Backfire and Speed Up Exactly the Communist Reforms the Soviets Dread

(By Victor Zorza)

The seizure of Czechoslovakia, which the Kremlin thought would stop the breakup of the Communist world, is bound to hurry it. The slow process of change that was turning Stalinist Russia into a politically civilized country looked, until recently, as if it would take another generation or so. Now, the Czechoslovak lesson to the Kremlin leaders is that there is not enough time for the slow and orderly phasing of change. The Russians know now that tragedy will result unless the system is reformed from within, quickly. If they have learned this lesson, it will take no longer than five or ten years to adapt an obsolete political structure to the needs of the modern world. If they have failed to learn anything, the system will fall to pieces before that, as it was beginning to in Czechoslovakia.

Two powerful elements are accelerating the march of Communist politics—the people, who in the past were largely an object to be manipulated and progressive politicians, who in the past rarely dared to reveal themselves as such. Both these elements have always existed in Communist countries, but Czechoslovakia has shown their potential power. For six months, until Russian tanks drove into Prague, a free people were seeking ways to make their new freedom last. They were using Communist politicians as the instruments of their search, and the Communists, except for a small minority of discredited officials, were at one with the nation.

Potentially, the same relationship of forces exists within every Communist country. The people of Poland or Hungary, or for that matter, Russia, want exactly the same kind of freedom that the Czechs and Slovaks have been demanding, and the politicians in the Kremlin know it. These politicians are themselves divided into those who would give the people at least some of the freedoms they crave, as the Dubcek leadership was trying to do both before and after the invasion, and the unregenerate Stalinists or neo-Stalinists, who believe that the people must be held in subjection and that their craving for freedom can and must be suppressed. It may be difficult to imagine Communist politicians being in favor of granting political freedoms to the nation, but Czechoslovakia has proved once again that it can happen.

We in the West must make at least the effort of imagination to try to see that this same political division exists within every Communist country, instead of regarding the party leaders as united in their opposition to freedom and in their hostility to the outside world. We should not expect them to share our views. Their own will do just as well. The progressive wing in the Czechoslovak Communist leadership was not implanted by the West; it did not derive its ideas from the Bible, but from Karl Marx. Dubcek himself was trained in Russia, in the school for Communist leaders from which many of the Soviet Union's own top officials must graduate. As Dubcek and his comrades struggled and intrigued and pushed to get President Novotny out, so younger men, more radically inclined than the established leadership, are struggling and intriguing and pushing to get Brezhnev out of the Kremlin; and in this, they have the sympathy, and probably the help, of older men such as Kosygin, who are more in tune with the feelings of the pepole.

The alliance between the people and some of their politicians is what brought Czechoslovakia to a boil. Similar alliances, instinctively felt, will keep other Communist countries simmering dangerously, unless the Kremlin manages to devise some means of reducing the heat. The invasion of Czechoslovakia cannot and will not by itself take the heat out of Communist politics. It can do no more than clamp a lid on the cauldron for a short while, but under that lid, the emotions and the hopes, the passions and the ideals, will reverberate and spread and grow until the whole thing explodes; unless, of course, the Communist leaders themselves realize the extent of the danger and do something about it. It is generally agreed that Soviet troops marched into Czechoslovakia because the Russians feared that the striving for freedom would spread to the other Communist countries and thus cause the distintegration of the whole totalitarian structure. The conclusion usually drawn from this is that the Kremlin will henceforth suppress, ruthlessly and irrevocably, the progressive trend in Russia and in the other Communist countries. But given the nature of Communist politics as it has developed over the last few years, this conclusion is based on the wrong premises.

Ever since Khrushchev took the reins of power, the Kremlin has been conducting a holding operation, to prevent too rapid a change in the structure of the Communist system, rather than to prevent change altogether. Virtually everything that the Communist leaders have done, in Russia and elsewhere, can be seen in terms of this holding operation, designed to gain time to control and direct the process of change, instead of allowing it to sweep them out of power. But they know that change is inevitable, and that if they try to stop it, it will come about without them.

In Russia, the evolution of the Communist political system has been going forward with the leaders' grudging cooperation, ever since they got rid of Khrushchev for forcing the pace of change too abruptly. What their intervention in Czechoslovakia shows is that they realize how vulnerable their own country is to the freedom infection; after all, that is why they thought they had to move. They know that Russia and the other Communist countries are as ready as Czechoslovakia was for the new political system that must take the place of the existing political patchwork of lies, coercion and compromise. They know that they cannot indefinitely keep sending their tanks into neighboring countries, or, for that matter, into Russian cities, to keep the old system from crumbling. They, therefore, marched into Czechoslovakia in order to give themselves a breathing space. But the need to march—and the tremendous political cost that they incurred thereby—will have gone a long way to persuading them that they themselves must now speed up the process of change.

The Kremlin's action reflected a deeply held belief, and fear, among the leaders of the Soviet Union and their allies that Czechoslovakia was going "capitalist." There is a chance that the degree of freedom Czechoslovakia's new leaders were prepared to allow would have ultimately made it possible for the nation, in free elections, to sweep the Communists out of power. If this had happened, Czechoslovakia would, for all practical purposes, have left the Communist camp. Even without any such drastic political change, the unhindered reform of Czechoslovakia would have made it seem more and more "capitalistic" in the eyes of the Communist governments, so that they would have come to regard it as part of the Western bloc—as, for a time, they regarded Tito's Yugoslavia.

If the Russians had allowed the Czechoslovak reformation to proceed, the pattern would have been much the same. They would again have taken every step to isolate it from the main body of communism, and to insulate themselves from the creative current of ideas flowing through the Czechoslovak Communist party. But this could have succeeded only if they had pushed Czechoslovakia into the arms of the West, thus providing themselves with an excuse for treating the country as a Communist renegade and enemy, as they had treated Yugoslavia.

A new Iron Curtain separating Czechoslovakia from the rest of the Communist world would not have been completely effective, but it might well have been sufficiently thick to muffle the sound of any successes attained by the Czechoslovak experiment. Simple ideas like freedom of speech and of the press cannot be kept out of Russia these days. Actually, there is little need to import them. They exist wherever men are capable of thought and feeling. What makes them dangerous is any evidence, such as Czechoslovakia would have provided, that freedom works, and pays.

The Russian leaders thus had only two alternatives: to isolate Czechoslovakia, which might have enabled them to delay considerably the spread of the freedom infection, or, by invading the country, to suppress the infection.

In choosing the second course, they tried to do the impossible; for whatever initial successes the Kremlin might achieve, the Czechoslovak experiment will go on. It may go on more slowly, but after initial setbacks, it is bound to be resumed with redoubled force. Moreover, so long as Czechoslovakia remains part of the Communist bloc, its experiments are part of the evolutionary process within the bloc as a whole, and they are certain to have a greater effect on what is happening in Moscow—and in the other Communist capitals—than if Czechoslovakia had left the Communist camp. By sending troops to keep it inside the Communist camp, the Kremlin has ensured that the Czechoslovak experiment will stay within the family—and that the family will be inevitably affected by it.

But where is the assurance that the Czechoslovak reforms will continue? After all, the Polish reform movement of 1956 soon spent itself; and the Hungarians, once they recovered from the 1956 revolution, were content to accept the gradual but exceedingly slow improvements that the Russians have since allowed them to introduce, as long as they do not tinker with the system.

The Polish and Hungarian revolutions were the outbursts of pent-up emotion as the long Stalinist night began to give way to the new dawn. They were unprepared, unpremeditated reactions to the sudden loosening of control. After the passions had played themselves out, the Kremlin pulled in the reins again, and the Communist leaders of Poland and Hungary cooperated. They feared that failure to do so would lead to the overthrow of their own Communist parties and loss of their jobs.

The Czechoslovak revolution, by contrast, was led by the party's own more forward-looking leaders, who for several years had worked in the secrecy of the party apparatus to move toward a more progressive policy. When they finally became convinced that President Novotny and his immediate entourage were determined to prevent any such change, they acted. But now the years of intrigue and secret party struggle gave way to a clear-cut issue; and for the first time in the history of Communist rule, an established party leadership was removed from power by something like a democratic voting procedure within the party organization. The nation cheered, and gave a genuine mandate to the new leaders to carry out the new policies, economic and cultural, to provide both bread and freedom.

Intellectual ferment, in which the writers had played a major part, was an important element of the Czechoslovak revolution, as it had been in Poland's and in Hungary's. But the economic issue, which had intruded repeatedly into the party discussions since 1963, was new in the case of Czechoslovakia—and decisive. The old economic system, taken over from the Russians together with one-party rule, worked after a fashion for a few years, when Czechoslovakia was building steelworks and tractor plants. But it proved hopelessly inadequate to the needs of a country that saw its capitalist neighbors grow richer and richer, develop new industries, install modern management techniques, introduce sophisticated technologies, while Czechoslovakia lagged behind, tied to the Russian economy, which itself trailed perceptibly behind Western Europe and, disastrously, behind America. It was this economic disequilibrium that the more progressive Czechoslovak Communists set out to correct. But in so doing, they found that they had to change the political system as well. The economic ills were rooted in the decision-making process, which was devised to suppress political independence, and at the same time suppressed the business initiative that alone could have delivered the goods.

The essence of Karl Marx's analysis of 19th-century Europe was that The Revolution would come when the people realized that the economic structure of society was hampering its development. There was much in his analysis that was sound common sense. Perversely, it is now in Communist Russia and its satellites that the economic structure is hampering the development of society. The Czechoslovak Communist party, the first to perceive this, launched its own revolution against the orthodox political establishment, just as Marx predicted would happen.

Whatever the immediate political consequence of the invasion of Czechoslovakia may be, the economic revolution will go on. In time, the economic structure of the system will change so much that it will affect the political structure. The essence of the economic changes being demanded by reformers all over the Communist world—and there are many of them even in the highest reaches of the Soviet party—is that economic decisions should be taken on rational economic grounds, to yield the greatest good for the community and to prevent the senseless waste of huge resources that has been so marked a feature of the Communist economic system.

This is the one great issue between the conservatives and the radicals in the Communist leaderships everywhere. Kosygin has had to fight repeatedly in the Kremlin to get his economic-reform schemes passed; but often, the execution of these plans lagged far behind the vision of the more radical innovators. The opposition can usually be traced to the vested interests of the party bureaucracy, which does not want the power of economic decision-making to be taken out of its hands. It knows that once this happens, political power, too, will soon slip out of its grasp. The essence of political power is to decide on the allocation of the nation's resources between competing demands, and the party establishment wants to do this in the secrecy of the Kremlin council chamber, not in full view of the people, who might then be inclined to demand a voice in the proceedings.

In recent years, the leadership debate about the allocation of resources has become so bitter that it could scarcely be hidden from the nation. Khrushchev's failure to satisfy the demands of the military for more and better weapons was one of the main causes of his downfall. The conservatives in the political leadership, who had many complaints of their own against Khrushchev's radical policies, were able to count on the military in securing his removal from power. But Brezhnev and Kosygin, who worked together to get rid of Khrushchev, soon fell out themselves on the same military vs. civilian issue. Brezhnev, beholden to the military, wanted to give them more money. Kosygin, concerned about the health of the economy, wanted the money for modernization and development.

Brezhnev was the product of the party machine, and the hints discernible between the lines of his public speeches reveal something of the conservative stand that he was taking on behalf of the bureaucracy in the secret Kremlin debates. Kosygin's job was to run the country's industry, and *his* speeches reveal a preoccupation with practical affairs, an interest in securing results through the rational management of the economy and a barely suppressed impatience with empty ideological catchwords.

Whenever there is any hint of differences in the leadership, Brezhnev and Kosygin can usually be seen on opposite sides of the fence. It is Brezhnev who has been making speeches denouncing Soviet writers and intellectuals for demanding, in effect, the same freedom that the Czechoslovak writers had won for themselves. Kosygin is known to sympathize with the intellectuals—whose willing cooperation he needs if the economy is to be reformed—and he manages to keep his criticism of them to a minimum. It was Kosygin who gave signs of interest in the American proposal for a moratorium on offensive and defensive missiles, but the joint forces of the party bureaucracy and the military managed to hold up the talks for more than a year after he had first agreed to negotiations. All the while, Brezhnev was making speeches about the need to look to Russia's defenses.

The issues between the opposing factions in the Kremlin—cultural and economic, military and political—are much the same as they were in Czechoslovakia, allowing for the differences in size and power between these countries. Essentially, the debate pits conservatives against progressives. Although in many cases the issues between them appear to be strictly practical, the real struggle is between those who want to preserve the old system with as little change as possible and those who realize that it must be changed radically if it is to survive in a world that is constantly changing.

The events in Czechoslovakia will quicken the dispute. They will lead to greater strains and stresses in Russia and in the other Communist countries. The struggle will become more intense and, if a breakdown of the whole political system is to be averted, change—and rapid change—will have to be accepted.

The rebirth of freedom in Czechoslovakia was the result of the first real attempt by a member country of the Soviet bloc to speed up the changes that are inevitable in any case. The invasion of Czechoslovakia was one of the last spasms of a political organism still dominated by the conservatives. Even if it leads, for a time, to a strengthening of the forces of reaction in the Communist world, it will prove ultimately to have been their undoing.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 50 minutes p.m.) the Senate adjourned until tomorrow, Friday, October 11, 1968, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate October 10 (legislative day of October 9), 1968:

ARIZONA

Eva C. Morales, Kearney, Ariz., in place of C. L. Steveson, resigned.

Jerry P. Yazzie, Window Rock, Ariz., in place of H. L. McDonald, resigned.

CALIFORNIA

Irene H. Micheli, Ryde, Calif., in place of B. M. Calahan, deceased.

IDAHO

Betty Jane Nitz, Elk City, Idaho, in place of C. J. Nitz, resigned.

ILLINOIS

W. Russell Koch, Bowen, Ill., in place of L. O. Cain, retired.

INDIANA

Elsie E. Cornelius, Bath, Ind., in place of G. A. Rees, retired.

KANSAS

Lloyd K. Greenwood, McPherson, Kans., in place of R. F. Johnson, retired.

MICHIGAN

James H. Bolton, Galesburg, Mich., in place of W. M. Buss, retired.

David Rigozzi, Jr., Bangor, Mich., in place of P. B. Wood, retired.

Stanley L. Thompson, Hastings, Mich., in place of C. H. Hinman, retired.

MISSOURI

Frederick M. Ream, Green Ridge, Mo., in place of D. E. Myers, retired.

NEBRASKA

Robert T. Musil, DuBois, Nebr., in place of E. E. White, retired.

Court J. Fielding, Hayes Center, Nebr., in place of G. A. Kittle, retired.

NEW JERSEY

Anna L. Peterson, Leesburg, N.J., in place of I. B. Lowden, retired.

PENNSYLVANIA

Harry Marchesini, Millsboro, Pa., in place of C. W. Wishart, deceased.

TENNESSEE

Arthur E. McCaskill, Moscow, Tenn., in place of J. W. Simmons, retired.

TEXAS

Avis M. Tyler, Sundown, Tex., in place of D. E. Waggoner, deceased.

WASHINGTON

Paul E. DeHaven, Tonasket, Wash., in place of C. D. Williams, resigned.

WEST VIRGINIA

Joseph B. Faller, Ridgely, W. Va., in place of U. A. Dougherty, retired.

Doyle D. Robinson, Jr., Logan, W. Va., in place of M. L. Johnson, retired.

Melvin L. Atchley, New Hope, Ala., in place of G. B. Butler, retired.

Richard L. Reiter, Redlands, Calif., in place of D. J. Stanton, retired.

Loran L. Balch, Sagle, Idaho, in place of N. A. Sheffler, retired.

William L. Hampton, Ulysses, Kans., in place of J. S. Forrer, retired.

Ernest A. Paradis, Attleboro, Mass., in place of F. J. O'Neil, deceased.

James P. Fitzgerald, Monticello, Minn., in place of F. A. McCoy, retired.

Jesse L. Campbell, Manchester, Tenn., in place of W. C. St. John, deceased.

Robert A. Habermacher, Sabinal, Tex., in place of W. D. Stephens, retired.

Andrew J. Pachosa, Grand Coulee, Wash., in place of W. O. Kurth, retired.

James E. Broughton, Jr., Wellington, Ala., in place of M. C. Phillips, retired.

John M. Moore, Arkadelphia, Ark., in place of L. R. Nowlin, retired.

Davis M. Longmire, Jr., Brookdale, Calif., in place of E. J. Nelson, retired.

Llewellyn E. Burnham, Elsinore, Calif., in place of L. E. Burnham, retired.

Jacob C. Fewell, Okeechobee, Fla., in place of C. C. Betts, resigned.

Robert J. Yunker, Mokena, Ill., in place of M. M. O'Brien, retired.

Orrie G. Epple, Aredale, Iowa, in place of K. M. Hopkins, retired.

Robert E. Folkerts, Bristow, Iowa, in place of D. A. Early, deceased.

Robert A. Noll, Westmoreland, Kans., in place of C. S. Smith, retired.

Frank J. Rodman, Hermansville, Mich., in place of H. D. Stecker, retired.

Charles H. Pirch, Holden Mo., in place of J. L. Snyder, deceased.

Edward J. Welch, Guild, N.H., in place of G. L. Nichols, retired.

John A. Fulkrod, Ramsey, N.J., in place of J. D. Roosa, retired.

John J. Howley, South Amboy, N.J., in place of G. W. Stader, deceased.

Mary Alice Desmond, Athol Springs, N.Y., in place of H. T. Quick, retired.

Raymond P. Riordan, Auburn, N.Y., in place of T. H. Brogan, deceased.

Edgar A. Cashwell, Saxapahaw, N.C., in place of L. B. Woody, retired.

Ralph R. Peyton, Zanesville, Ohio, in place of H. W. McCracken, retired.

Raymond P. Hoffman, Fennimore, Wis., in place of Gerald Scanlan, retired.

John W. Bakker, Shell Lake, Wis., in place of H. N. Hoskins, transferred.

Paul R. Woods, Sumner, Iowa, in place of E. F. Borcherding, deceased.

Mildred L. Peterson, Toddville, Iowa, in place of Ivan Oliphant, retired.

Herbert E. Ryan, Jr., Rising Sun, Md., in place of F. M. Rawlings, deceased.

Charles F. Ward, Anoka, Minn., in place of W. J. Jacob, retired.

James D. Rassmussen, Grand Rapids, Minn., in place of H. M. Madson, retired.

Jerry D. Wood, Mount Vernon, Mo., in place of R. C. Fossett, retired.

Otis A. Tjeltveit, Red Lodge, Mont., in place of L. R. Spogen, retired.

Myron C. Haker, Stanford, Mont., in place of E. H. Burchak, retired.

Gordon H. Parnapy, North Bangor, N.Y., in place of E. V. Monica, deceased.

Karl C. Boeyink, Penfield, N.Y., in place of F. L. Jones, resigned.

DIPLOMATIC AND FOREIGN SERVICE

John B. Behm, of Maryland, to be a deputy special representative for Trade Negotiations, with the rank of Ambassador.

IN THE NATIONAL GUARD

The Army National Guard of the United States officer named herein for promotion as a Reserve commissioned officer of the Army, under provisions of title 10, United States Code, sections 593(a) and 3385:

To be major general

Brig. Gen. John C. Baker, O368365.

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593(a) and 3392:

To be major generals

Brig. Gen. Laurence B. Adams, Jr., O396901, Adjutant General's Corps.

Brig. Gen. Floyd L. Edsall, O555952, Adjutant General's Corps.

Brig. Gen. Charles H. Wilson, O485619, Adjutant General's Corps.

To be brigadier general

Col. Sylvester T. DelCorso, O358188, Adjutant General's Corps.

IN THE ARMY

The following-named person for appointment in the Regular Army, by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283 through 3294:

To be first lieutenant

Davis, Stewart, OF103119.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be captain

Alex, Allen M., O5704893.
Allen, David L., O5706439.
Brown, John E., MN2297783.
Burke, Paul F., O5311417.
Bush, William E., *Jr., O5313413.*
Caulk, Richard R., O5404963.
Conrad, Jimmy A., O1923148.
Cook, Clariss M., Jr., O5310528.
Darden, Earl, O4002042.
Davis, Medley M., O5405011.
Garrett, Charles A., O4049875.
Hardy, Joel L., Sr., O2298916.
Hatcher, John M., O5304597.
Hoyt, Max E., O4058032.
Malone, Edward C., Jr., O5215927.
Ramsey, Charles G., O5307640.
Rittenhouse, William, O5215815.
Swenson, James W., MN2293714.
Vile, William A., O5312353.
Welsh, Gary P., O2317048.

To be first lieutenant

Baker, William G., O5711151.
Ball, Michael G., O5321481.
Barkley, Craig C., O5212968.
Barkman, Ralph A., Jr., O5318310.
Clerk, Jerald D., O5408259.
Coleman, John F., O5711305.
Cozart, John W., O5406812.
Cupples, Alan B., O5014264.
Delay, Thomas H., O5516484.
Dowdy, James T., O5224381.
Duckworth, Walter L., O5417826.
Fraley, Robert W., O5321058.
Freidhoff, Terrance E., MN5417487.
Hutcheson, Carroll R., O5410329.
Martin, Glenice J., L2320088.
Meyers, Richard R., O5230408.
Niles, David P., O5326773.
O'Brien, Charles J., O5017667.
Sanchez, Lorenzo, O5706424.
Sanders, Ross I., O5323210.
Shelby, William L., O5530266.
Telfair, William D., O535164.

To be second lieutenant

Avirgan, Stephen C., O5235186.
Baybrook, Thomas G., O5257930.
Benham, Billy, O5328540.
Brown, Clark C., O5419751.
Campbell, Michael B., Jr., O5237283.
Clark, Michael D., O5348111.
Collins, Carl L., Jr., O5421351.
Connolly, John F., O5307063.
Connor, Vincent P., O5427035.
Cox, Ronald H., O5329878.
Crandford, William M., O5237360.
Daily, Charles T., O5425626.
Dietz, Charles L., O5422652.
Dodson, Stanley D., O5338976.
Earley, Dondal N., O2328448.
Estey, Allan W., O5539677.
Farley, Donald P., O5246952.
Flanders, Charles L., O5235305.
Frey, Jeffery B., O5228484.
Fulbright, Larry R., O2326584.
Hebert, Maurice G., O5420601.
Owens, Jerry C., O5424234.
Palmer, Frederick E., O5247674.
Pfaehler, Karl H., MN2326610.
Rather, Ralph E. J., O5424959.
Shaw, Charles C., O5241070.
Smith, William C., O5425541.
Sullivan, Michael F., O5225110.
Thomas, Harry W., III, O5424747.
Traynham, John C., O5424873.
Tuerke, Theodore R., O5352092.
Wainwright, Richard A., O5239140.
Wilson, John S., O2324362.
Wolf, Donald J., O5252667.
Zapata, Jenaro A., O5344493.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288 and 3290:

Ausflug, Denis F.
Bishop, Robin M.
Cope, Samuel E.
Deming, Dennis C.
Dismukes, James O.
Eichel, James L.
Ferguson, Melvin D.
Ford, Franklin H.
Gerke, Dennis M.
Gogola, Gordon S.
Hiler, Thomas S.
Huber, John D.
James, Ralph W.
Lee, Larry R.
Lyons, Gary J.
Phillips, Christian
Plath, Richard G.
Polese, James F.
Sakaley, John A., III
Seeman, Michael J.
Shaffer, Richard A.
Shively, Ronald A.
Smith, Clyde, Jr.

The following-named scholarship student for appointment in the Regular Army of the *United States in the grade of second* lietuenant, under provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288 and 3290:

Galloway, Robert D.

IN THE NAVY

Vice Adm. Rufus L. Taylor, U.S. Navy for appointment to the grade of vice admiral on the retired list in accordance with the provisions of title 10, United States Code, section 5233.

The following-named officers of the U.S. *Navy for temporary promotion to the grade* of commander in the line, subject to qualification therefor as provided by law:

Adams, Billy J.
Adams, John L.
Agnew, William F.
Ailes, John W., IV
Alberts, Richard P.
Alderson, Donald M., Jr.
Alexander, Howard W.
Alexander, James W.
Allen, Bill R.
Allen, Galen B.
Ammann, Robert E.
Anderson, Erns M.
Anderson, Richard N.
Anderson, Robert G.
Arthur, Glenn N., Jr.
Artz, Robert C.
Aschenbeck, Gene W.
Asher, Roy W.
Asman, Robert K.
Atherton, Raymond
Atkinson, Gerald L.
Augustyniak, Edward J.
Aut, Warren E.
Awbrey, Roy D.
Bader, Allen L.
Bailey, Gail R.
Baker, Walter F.
Baldwin, John A., Jr.
Ballinger, Robert M.
Banham, Herbert G., Jr.
Bannon, John M.
Barber, James A., Jr.
Barker, George D.
Barker, William S.
Barnes, Richard A.
Barr, Ronald L.
Barry, John M.
Bates, Glenn D.
Bates, Walter F.
Battles, Roy E.
Batzler, John R.
Bauder, James R.
Baumgartner, John P.
Bausch, Francis A.
Bean, Alan L.
Bechelmayr, Leroy R.
Beisel, Gerald W.
Belay, William J.
Beltz, Russell C.
Benefiel, Oscar W., Jr.
Bennett, Raymond D.
Bernardin, Peter A.
Berry, James L.
Bethany, Jesse E.
Biegel, Herbert K.
Bigney, Russell E.
Bishop, Michael E.
Black, Cole
Blackmar, Fredrik S.
Blackwell, Jack L., Jr.
Blanchard, James W., Jr.
Blanchard, Ralph W., Jr.
Blount, Donald W.
Blythe, Russell M.
Bock, "E" James
Bodensteiner, Wayne D.
Bolerjack, Robert C.
Bolt, Ronald L.
Bond, John R.
Borden, Douglas H., Jr.
Boslaugh, David L.
Bossart, Edmund B., Jr.
Brace, Robert L.
Bracken, Leonard A., Jr.
Bradley, Bedford C.
Bradley, David W., Jr.
Brady, Frederick, L., Jr.
Brady, Joseph G.
Braun, Peter J.
Brecheen, John A.
Briggs, Donald R.
Browder, Edward H.
Brown, Isom L.
Brown, Leo P.
Brown, Robert C., Jr.
Brown, Robert C.
Browning, Robert B.
Brubaker, Joseph D., Jr.
Brunick, Gerald P.
Buck, Harry J.
Buck, Wallace A.
Buckley, John E.
Bull, Norman S.
Bullard, Jerry L.
Burch, William J.
Burdon, Eugene R.
Burgess, Harold E., Jr.
Burke, Robert M.
Burke, Thomas J., Jr.
Burnett, Richard W.
Burns, John A.
Burrows, Hubbard F., Jr.
Butler, William S.
Butts, Richard F.
Buzzard, Robert D.
Cabot, Alan S.
Cajka, Anthony C.
Calhoun, William B., III
Campbell, Michael J.
Campbell, Richard H.
Cann, Thomas P.
Carcaba, John H.
Carlson, Dudley L.
Carlson, Leland J.
Carpenter, Walter H.
Carry, Allan H.
Carter, Powell F., Jr.
Caruso, Amedeo B.
Case, Robert W.
Caston, Terry G.
Caswell, David W.
Cellar, Charles J., Jr.
Chambers, Donald R.
Chaney, Conner F.
Channell, Ralph N.
Chapdelaine, Jerrold E
Chapman, Melvin E.
Chase, Warren P.
Christensen, Howard E.
Christmas, Walter B.
Cisson, Arthur
Clark, Charles F., Jr.
Clark, Orris V.
Clark, Robert E.
Clark, Robert C.
Clausen, Carroll E.
Clement, Carl C., Jr.
Cliff, Gene L.
Coakley, Stephen A.
Cobb, Emsley F.
Cobb, George W.
Cochrane, James H
Cockfield, David W.
Coffey, Roger L.
Coleman, Charles L.
Colley, Richard T.
Collier, John H.
Collier, Neuland C.
Combs, Martin F.
Conley, David J.
Conn, Richard L.
Connelly, John G.
Conway, James M.
Cook, Charles F.
Cook, Vernon H., Jr.
Cookson, Robert H.
Cooper, Daniel L.
Corcoran, Martin F.
Corey, Stuart M.
Cornell, Gordon C.
Corsi, Joseph A.
Cotton, Alfred S.
Courtney, Warren P., Jr.
Cowles, Robert R.
Cox, Henry
Creech, Worley Y., Jr.
Creighton, Perry F., Jr.
Crummer, James F.
Cuccias, Leo P.
Cutchen, Paul O.
Dagdigian, James J.
Daleke, Richard A.
Daloia, John, Jr.
Daly, Paul S.
Damon, Terry A.

Dana, John B.
Dartnell, William H.
Daus, Rudolph H.
Davis, George W., Jr.
Davis, Harry L.
Davis, Richard H.
Day, Earl F.
Deal, James W.
Dean, Ronald I.
Debroder, Glen G.
Degroff, James L.
Deibert, Bernard N.
Delano, George B.
Delgiudice, David
Delozier, James L.
Demmin, Lester F.
Dennison, Daniel C.
Dennison, William E.
Deshler, William A.
Devalois, Edwin W.
Devries, Edgar L.
Dicarlo, Vincent A.
Dickson, George K.
Diehm, William C., III
Dietz, Warren C.
Dillon, John F.
Dingle, James W., Jr.
Dixon, Max W.
Donnelly, Verne G.
Donovan, Ian E. M.
Doonan, Robert J.
Dopazo, Anthony J.
Doucet, Richard E.
Dougherty, Gerald P.
Downing, Thomas P.
Doyle, Robert C.
Ducharme, George W.
Duffy, Francis J.
Duke, Robert J.
Dunn, Joseph J.
Durbin, Robert H., Jr.
Dwyer, John L.
Easton, Ervin R.
Eaves, James S.
Eckart, James H.
Edberg, Walter O.
Edwards, Donald L.
Eichinger, Joseph C.
Eidsmoe, Norman E.
Elder, William N.
Elie, Gayle O.
Elliott, Charles P.
Emery, Robert E.
Emery, Thomas R. M.
Englert, Robert J.
Ervin, Billy, M.
Estocin, Michael J.
Evans, James J.
Evans, Richard P.
Evans, Thomas G.
Everett, Lauren R.
Exon, Roger M.
Fairchild, Joseph D.
Fall, Robert H., III
Fancher, Allen P.
Farino, Francis J.
Faron, John F.
Fend, Clarence E., Jr.
Ferguson, Sam A.
Ferrier, Harry H.
Fetterman, John H., Jr.
Fields, James E.
Fillingane, Hulon P.
Fink, Jerome I.
Fischer, Herman V., Jr.
Fisk, Harold W.
Fitzgerald, John
Fitzsimmons, Harry S., Jr.
Fladger, Myles E.
Flanigan, John E., Jr.
Fleming, James T., Jr.
Fleming, Raymond T., Jr.
Fletcher, William B., III
Fleury, Clement E.
Flick, John P.
Flight, John W., Jr.
Florin, Donald E.
Flowers, Walter R.
Foard, Wyatte F., Jr.
Foley, Harvey D.
Folta, Daniel A.
Ford, James N.
Fortenberry, Thomas N.
Fox, Evarts C., Jr.
Francke, Robert L.
Frecker, David A.
Frederick, Peter G.
French, Maynard D.
Froid, James C.
Frye, Thomas A.
Fulk, Gerald A.
Fuller, Milo W.
Funck, James R.
Furlong, George M.,
Gaffrey, Leo J.
Galinsky, Jerome J.
Gardner, Geoffrey L.
Garlitz, Jerry E.
Garman, Glen E.
Garner, William D.
Garrow, Jack A.
Gasser, Thomas A.
Gauthey, Jules R.
Gerhan, Charles F., Jr.
Gerl, Neil D.
Gerow, Francis W.
Gilbert, Donald B.
Gilchrist, Richard B.
Gill, Russell R.
Gilmore, Joseph M
Glade, Gerald L.
Gleim, James M.
Golanka, Stanley R.
Gonzalez, Alfred H.
Good, Robert C.
Gooding, Charles L., Jr.
Gore, James R.
Grady, Michael T.
Graf, Howard F.
Grafius, Guy A. B.
Graham, Joel H.
Graham, Robert F.
Graham, Roger L.
Graham, Sidney R.
Grant, Edwin H., Jr.
Grantman, Roger H.
Granum, Roger B.
Greathouse, Edwin A.
Greenhalgh, William T., Jr.
Grego, James M.
Griffin, James L.
Griffing, Edward P.
Grimes, Laurence H., Jr.
Grozen, Paul B.
Grunenwald, John W.
Guille, Sherred L.
Guimond, Gordon R.
Gunther, Howard P.
Hagen, Elmer C.
Hager, Donald G.
Hagmann, Albert P.
Hague, John D.
Haines, Collins H.
Hall, Don L.
Hall, Roy V.
Halle, "S" Portland, III
Hamilton, David G.
Hamilton, Harry D.
Hamilton, Robert B.
Hampton, Winfred F., Jr.
Hamrick, Franklin G.
Harmon, James O.
Harmony, Lee D., Jr.
Harms, Stanley J.
Harness, William D.
Harper, Elwood N.
Harrison, Stuart E.
Hartsaw, David R.
Harvey, Donald L.
Harvey, Neil L.
Harvey, Richard M.
Hastoglis, Anthony A.
Hayes, Fay C.
Haywood, Jesse H.
Heath, Edmund W.
Hebert, Donald F.
Heckman, Donald C.
Hellinger, Richard L.
Hendricks, George H.
Hendricks, Richard A.
Hendrickson, Claude F., Jr.
Henry, Albert L., Jr.
Henry, William F.
Hepworth, Robert W.
Herberger, Albert J.
Hernandez, Diego E.
Herndon, Franklin C., Jr.
Herzog, Louis L.
Hettinger, Louis P.
Heyl, William E.
Hickey, John A.
Higgins, Hugh W.
Hine, Paul M., Jr.
Hine, Raymond W.
Hine, William G.
Hinger, Carl K.
Hinton, Robert M.
Holderness, Robert T., Jr.
Holland, William J., Jr.
Hollinshead, William G.
Holloway, Lowell J.
Hoover, Harry A.
Horne, Hainyard L., Jr.
Hosepian, Edward S.
Hosier, Charles S.
Hubbard, Henry L.
Hudson, Joe A.
Huggins, Harry L.
Hughes, John W.
Hughes, Richard M.
Hunley, Charles C.
Hunt, Herman L.
Hunt, Kirby P.
Hunter, William G.
Hyman, Arnold J.
Isaacs, Allen L.
Ives, Clarence D.
Ives, Richard H.
Jackson, George L.
Jackson, Robert S.
James, Harry R., III
Janes, William E., Jr.
Jardine, Edward F., Jr.
Jefferis, Lawrence R.
Jenkins, John C.
Jensen, Carl T.
Jewell, Robert W., Jr.
Johnson, Billie D.
Johnson, George L.
Johnson, Grant R.
Johnson, John R.
Johnson, Roger D.
Johnson, Thomas J.
Johnson, William J., Jr.
Johnston, Fred W., Jr.
Jones, Gerald L.
Jones, Harry W.
Jones, Roycroft C., Jr.
Jumper, Eugene A., Jr.
Jurgensen Kenneth I.
Kaag, William C.
Kaiser, Donald S.
Karlen, James H.
Katzman, Marvin S.
Keaney, Mark J.
Keene, Glenn F.
Keene, Thomas J.
Keery, Jerry L.
Keiser, Robert B.
Keith, Clyde R.
Keith, John D.
Kellaway, Peter W.
Kelleher, Thomas A., Jr.
Keller, Constantine C. III
Kellerman, Donald W.
Kemp, Forest E.
Kennedy, Jack M.
Kennington, William A.
Kephart, Robert D.
Kerrigan, Robert J.
Kiefaber, Thomas G.
Kiehl, Richard L.
Kiernan, Warren R.
Kilborn, Edgar L.
King, John E., Jr.
Kingston, Edward A.
Kingston, John J., Jr.
Kirby, Alexander G., Jr.
Klein, Verle W.
Klusmann, Charles F.
Knapp, Franklin P.
Kobler, Robert H.
Koch, Richard J., Jr.
Koehler, Robert L.
Koester, Earl C., II
Kohn, Edwin R., Jr.
Kolaras, Demosthenes N.
Kopfman, Theodore F.
Kother, Charles G.
Kramer, James B., Jr.
Kraus, Kenneth E.
Krienke, Henry P.
Kronzer, Joseph J., Jr.
Kucera, Ronald C.
Kugler, Valarius E.
Kunkler, Hilary G.
Kuplinski, Stanley J.
Lacklen, Albert J.
Lake, Rodney D.
Lambert, Russell G.
Landers, Robert J.
Lang, James M.
Langelier, Wilfred E., Jr.
Laughlin Gerald F., Jr.
Lavallee, William F.
Lawhon, Eugene M.
Lawless, Spencer C.
Lawniczak, George E., Jr.
Layn, Samuel W.
Leaver, John M., Jr.
Leckie, William O., Jr.
Leclerc, Raymond P.
Lee, Leonard M.
Lee, Melvin R.
Leedom, Clair E., Jr.
Leibel, Robert J.
Lenardi, Donald M.
Lengel, Robert C.
Leo, Leonard
Leopold, Robert K.
Levey, Gerald
Lewey, Ira D.
Lewis, John R., Jr.
Lewis, Joseph C.
Lighton, Paul G.
Lilienthal, Donald H.
Lindsey, Austin M.
Linehan, Donald B.
Locke, William J.
Lockhart, John V.
Looby, Robert J.
Loomis, Robert R.
Lotton, Donald E.
Lotze, Herbert E., Jr.
Lough, Gordon K.
Lowery, Willis E.
Lucken, Frank E.
Lukenbach, Max D.
Lull, Edward W.
Lund, Eugene P.
Lusk, Charles T.
Lynch, Hugh F.
Lynch, Will T.
Lyons, William P.
MacAdam, William F.
Mack, John A.
Mack, Robert P.
MacKenzie, Joseph D.
MacKinnon, Malcolm, III
MacLean, Robert E.
Maddox, Iven J.
Majors, William T.
Manthorpe, William H. J., Jr.
Marquis, Ronald A.
Marryott, Ronald F.
Marsh, Lloyd P.
Marshall, Norman G.
Martin, Donald
Masalin, Charles E.
Masterson, Leo S.
Mathews, Donald R.
Mathews, Richard L.
Matzner, Rudolph, Jr.
Mauldin, James H.
McAdoo, William C.
McArdle, Stephen J., Jr.
McCann, Joseph D.
McCarthy, Charles J., Jr.
McCarthy, Paul F., Jr.
McCarty, Charles M.
McCauley, William F.
McClellan, Gordon
McClellan, Billy L.
McClure, John S.
McCoy, Frank R., Jr.
McCrimmon, Douglas R.
McDaniel, Eugene B.
McDonnell, John R.
McGonagill, Eber C.
McGrath, James W.
McGuiness, Donald A.
McIntyre, James G.
McIsaac, Alban T.
McKay, Richard D.
McKeown, Thomas J., Jr.
McKinzie, Raymond C.
McLaren, Alfred S.
McNish, John E.
McVoy, Robert P.
Meloy, Robert T.
Melton, Wade I.
Meltzer, Herbert S.
Mengle, Kenneth J.
Meyer, William F.
Mieldazis, Richard J.
Miesse, Walter T.
Miles, Dewitt C., Jr.
Miles, Robert W.
Mills, James P. W.
Minnich, Donald E.
Miyagawa, George R.
Moats, Lewis D.
Monaghan, James J.
Moody, Dewitt H.
Moore, Gene R.
Moriarty, Jack O.
Morris, James I.
Morrison, Robert M.
Morrow, Richard D.
Moss, David L.
Moxley, Donald F.
Mudgett, Richard L.
Multer, Richard P.
Mundt, Werner F.
Munger, Burton L.
Munsey, Malcolm H.
Musorrafiti, Francesco A.
Mustin, Henry C.
Myer, Charles W.
Myers, Robert U.
Narmi, Ronald E.
Narowetz, Bruce A.
Nash, Gordon C., Jr.
Nations, Travis D.
Nelson, Lawrence R.
Newbegin, Robert G., IV
Newell, Byron B., Jr.
Nichols, Jack H.
Nixon, Robert T.
Noll, Rolf F.
Norby, Merlin R.
North, Henry C., Jr.
Nyquist, John W.
O'Brien, Charles M., Jr.
O'Connell, Daniel E.
Oehlbeck, Edward W.
Ogden, Edward G.
O'Hara, John T.
Olsen, Walter E.
Olson, Darryl D.
Olson, Ross S.
Ormond, George, Jr.
Ortmann, Dean A.
Osborn, Harold N.
Osborne, Charles N., Jr.
Oslun, William J.
Ostergren, James E.
Ostlund, Ross G.
O'Sullivan, Richard C.
O'Toole, Walter D. J.
Overbay, William A.
Overman, William J., Jr.
Owesney, William T.
Paganelli, John E.
Paisley, John B., III
Palmer, Philip M.
Paschal, Allan P.
Paul, Roy C.
Pearl, Harlan R.
Peckham, Daniel E.
Pedigo, Robert E.
Peirce, William B.
Perry, Raymond
Pesenti, Francis V.
Peters, Richard A.
Petersen, Gordon S.
Peterson, Richard A.
Petri, Gordon L.
Pfeiffer, Paul N.
Phillips, George S.
Phillips, Paul E.
Pierce, John T.
Pillow, George E., Jr.
Pirie, Robert B., Jr.
Plowman, Herschel L.
Plumly, Charles M.
Poe, Benjamin L., Jr.
Pollard, William A.
Pollmann, Eugene L.
Potter, Thomas B., Jr.
Powell, John H.
Powers, Edward F., Jr.
Powers, John B.
Pray, William L.
Prentice, Gordon R.
Pressly, George B.
Price, William J.
Pruden, Neil S.
Pugliese, William N.
Pullen, Luther D.
Rademacher, John W.
Radler, David H.
Raiter, Richard F.
Ratliff, William E.
Rausch, Leonard M.
Raysin, Paul E.
Rebello, Kenneth R.
Reed, Calvin C.
Reed, Richard L.
Reid, Gerald E.
Reise, Thomas L.
Renard, John W.
Renninger, Willard H.
Reszetar, Stephen W.
Reynolds, Marvin D.
Rhodes, William K., Jr.
Rice, Robert V.

Richey, Fredrick J.
Ricketts, Myron V.
Riendeau, Gerald L.
Rivers, John B.
Roberge, Francis D.
Roberts, John W.
Roberts, Wilson J.
Robins, John R.
Robinson, Clifford V.
Rockwell, William A.
Roe, Donald W., Jr.
Roe, John E., Jr.
Rollins, Everet F., Jr.
Roseman, Troy B.
Roth, James F.
Rouchon, Alvin A.
Rumelhart, Max R.
Rush, William H.
Ryan, James W.
Ryan, John N.
Ryman, Gerald M.
Sample, Chester G.
Samples, Loy C.
Sanders, Carl H., Jr.
Santivasci, John D.
Satre, Robert S.
Saunders, Wesley W.
Schaadt, Douglas D.
Scheiter, Gene L.
Scheurich, Thomas E.
Schlemmer, Robert M.
Schmitt, Robert W.
Schrader, Harry C., Jr.
Schultz, Earl E.
Schuppert, Vincent J.
Schwartz, Robert J.
Scoles, Albert J.
Scott, Gary L.
Scott, George W.
Scott, Thomas P.
Searight, Murland W.
Seely, James M. G.
Segal, Robert B.
Seibert, Markley R.
Seifert, Robert J.
Selgrath, James J.
Serig, Ward Earl K.
Shanahan, Thomas E.
Sharpe, Lawrence A.
Shaughnessy, Francis M.
Sheehan, Robert K.
Sheldon, Charles B.
Sheldon, George E., Jr.
Shelton, Donald C.
Shine, Thomas, Jr.
Shirley, Milford E.
Shughrou, John J., Jr.
Shulick, John, Jr.
Shumaker, Robert H.
Shupe, Gordon B.
Sievert, Robert G.
Sigmond, Arie C. A.
Sill, John R.
Simia, Richard
Simmering, Larry K.
Simon, Roger O.
Sineath, George E.
Skorupski, Stanley S. Jr.
Slack, Stephen R.
Slayton, Marshall T.
Slingerland, Raymond D.
Slough, John H.
Smidt, Robert L.
Smith, Albert L.
Smith, Allen III
Smith, Barton L.
Smith, Charles R.
Smith, Charles L.
Smith, Cyril P.
Smith, Darrel
Smith, Dickinson M.
Smith, Edward G.
Smith, Joel E.
Smith, John W.
Smith, Kenneth E.
Smith, Marvin G., Jr.
Smith, Ralph R.
Smith, Richard J. W.
Smith, William D.
Snyder, Sherman R.
Sommers, Carl W., II
Sottak, Edward J.
Sousa, Manuel B., Jr.
Sousae, Jack F.
Spear, John R.
Spisak, Thomas J.
Starbuck, Thomas H.
Stechmann, Donald H.
Steenstra, George A.
Stehle, Leroy R.
Stembel, David M., Jr.
Stephens, Gordon L.
Stevens, James R.
Stevens, William
Stevenson, Peter K.
Stewart, John E.
Stickney, Harold L.
Stoddart, Ronald L.
Stone, Jack W., Jr.
Stone, Robert A.
Stone, Ronald P.
Stoneback, Charles K.
Stott, George W., Jr.
Strange, Robert C.
Stratton, Richard A.
Streit, John B.
Striffler, Willard C., Jr.
Stromeyer, Anthony J.
Struven, Robert L.
Stuart, Donald B.
Steubben, Richard W., Jr.
Stuntz, Harley L., III
Sturgeon, William J., III
Sullivan, Florence M.
Sutherland, Paul E., Jr.
Switzer, Robert J.
Sympson, William G. A., Jr.
Tallman, John M.
Tanner, John P.
Tansey, Eugene A.
Taylor, John E.
Taylor, Patterson C.
Tennison, Raymond P.
Test, Richard Z.
Tevelson, Marchel C.
Thayer, Albert J.
Thomas, Richard L.
Thomas, Spencer J.
Thompson, Ernest T.
Thompson, James C.
Thompson, Richard G.
Thune, John R.
Todd, James F.
Toncray, James R.
Toupin, Ernest J., Jr.
Tracy, William K.
Trask, Ace F.
Trebor-MacConnell, Barrie K.
Trelford, Wallace E.
Trygsland, Arnold L.
Tsantes, George, Jr.
Tucker, James W.
Tucker, John E.
Tully, William R., Jr.
Turley, John W.
Turner, Edmund L.
Turpel, Joseph F.
Tuttle, Jerry O.
Ullman, Robert W.
Ulrich, John H.
Underwood, Fred S.
Upshaw, Donald E.
Vandewater, George L., Jr.
Vandien, Casper
Vandusen, Harold L.
Vanmetre, James M.
Vaught, Gerald C.
Veatch, Philip A.
Vehorn, Raymond C.
Vernam, Claude C.
Vilhauer, Levern T.
Vonperbandt, Louis K.
Vreeland, James M.
Wack, Charles G.
Wages, Clarence J., Jr.
Waggoner, Donald L.
Walck, Claude W.
Walden, William A.
Walker, Jack O.
Walker, John A., Jr.
Walker, William E.
Wall, Joseph E.
Wallace, Richard J.
Wallace, Robert C.
Walsh, Lawrence P.
Walsh, William A.
Walter, Joseph J.
Warburton, Thomas G.
Ward, Charles W. D., Jr.
Ward, Conrad J.
Ward, John H.
Watson, Jerome F.
Ways, Raymond A.
Weaver, John C.
Webb, James E.
Weber, Richard M.
Webster, Hugh L.
Weed, John W.
Weeks, Wayne F.
Weil, Calvin M.
Wernimont, Donald J.
West, Donald A.
Westbrock, Donald H.
Westbrook, Darrel E., Jr.
Wetzel, James F.
Whalen, Joseph D.
White, Billy J.
White, Danforth, E.
White, Jack M.
White, Trentwell M., Jr.
Whittier, James F.
Wickstrand, Don R.
Widder, John A., Jr.
Widman, Manfred W.
Wiecking, Kenneth D.
Wigley, Lawrence S.
Wigley, William W.
Wilkinson, Edward A., Jr.
Willever, Edward L.
Williams, David E.
Williams, Gerald G.
Williamson, John P., Jr.
Willis, James L., Jr.
Wilson, Gordon, B.
Wilson, John R., Jr.
Wilson, William R.
Wilster, Gunnar F.
Wiltse, Irving M.
Winchester, Warren H.
Windham, Paul M.
Winiker, David R.
Winn, John C., Jr.
Winn, Velmer A. J.
Wise, Stephen A.
Witherspoon, Beverly W.
Witthoft, Ronald D.
Wolfe, Glenn C.
Wolkensdorfer, Daniel J.
Wood, Albert A., Jr.
Wood, John D., Jr.
Worth, Edward R.
Yonke, William D.
York, Howard L.
Yosway, Philip F.
Young, Clinton H.
Young, Leonard R.
Young, Milton E.
Yurso, Joseph F.
Zaborniak, Walter J.
Zadd, Charles J.
Zettle, Harold
Zipf, Otto A.
Zseleczky, Emil J.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant commander in the Medical Corps, subject to qualification therefor as provided by law:

Abbott, Emile G., III
Addison, Robert G.
Adler, Richard H.
Alena, Gordon R.
Anderson, Homer A., Jr.
Anderson, John N.
Anderson, John D.
Aucoin, Edsel J.
Bade, Ernest L.
Balch, Steven A.
Barnard, Douglas E.
Barnett, Blair M.
Barnhouse, Dean B.
Barone, Anthony
Barrington, Sylvester
Bartley, Stanley L.
Beasley, Dean J.
Bell, Donald D.
Bell, John D.
Bell, Roger A.
Bellanca, Joseph J.
Belmont, Anthony P.
Bercier, Charles H., Jr.
Berliner, William P.
Billings, Kenneth J.
Binder, William A.
Birchard, Kenneth K., Jr.
Blackman, Stephen A.
Blanding, James D., Jr.
Blome, Bruce R.
Blood, Joseph B., Jr.
Blount, Edgar R., Jr.
Bocker, John E. C.
Bollinger, Charles W.
Bonner, Mack, Jr.
Bonsanti, Robert L.
Bouvier, John J.
Bracht, Edward A.
Brandau, Adam G., Jr.
Branson, William B.
Brassel, Roger W.
Brian, David A.
Brigden, Robert B.
Brill, Robert F.
Brodhacker, James E.
Brown, Joseph B. E.
Brown, Thomas C.
Browning, Jim R.
Browning, William H., III
Brownlow, Wilfred J., Jr.
Bruno, Alphonse H. L., Jr.
Buckley, Kenneth T.
Buedingen, Richard P.
Butler, Jay B. V., Jr.
Calcagni, John A.
Campbell, Dudley K.
Campbell, Doyle E.
Campbell, William H.
Cantwell, Howard D.
Carlson, Richard E.
Carter, James M.
Case, Robert G.
Casey, John M.
Cassens, Anthony A., Jr.
Cavanagh, Ronald J.
Cestaro, George V. Jr.
Chambers, John T.
Charters, John R.
Cirillo, Nicholas B.
Cloutier, Charles T.
Cole, Joe C.
Connally, Thad F. Jr.
Cook, Taylor I.
Cook, Ted A.
Cordes, Bernard J.
Covington, Charles T.
Crain, Jack L.
Cranton, Elmer M.
Crawford, Alvin H.
Crawford, William G.
Crislip, George D.
Criswell, Francis M.
Crosby, Robert T.
Crummy, Charles S.
Cunningham, Melvin D.
Cupples, Howard P.
Dechairo, Douglas C.
Deinlein, Donald A.
Delafuente, Robert D.
Depenbusch, Francis L.
Digaudio, Paul T.
Divittorio, Albert J., Jr.
Dodge, Herbert S.
Donnell, Robert L.
Dorsey, John B.
Dovi, Sebastian F., Jr.
Drake, Clayton F., Jr.
Dueker, Christopher W.
Dwinnell, Frank L., Jr
Edwards, James B., III
Edwards, Oscar E.
Egnatinsky, Jack
Eich, Wilbur F., III
Ellis, Robert G.
English, Roger W.
Englund, Stanley A.
Etnoyer, John J.
Evans, Earl F., Jr.
Evertson, Larry R.
Fair, Richard H.
Farmer, Donald E.
Farrell, Raymond L.
Finn, John J., Jr.
Fischer, Louis C.
Fisher, Thomas H.
Fleming, George E.
Fletcher, John R.
Folkerth, Theodore L.
Foreman, David R.
Fowler, James R.
Frary, Lynn R.
Friebel, Harry T.
Fulmer, Jack T.
Fussell, Macea E.
Garrison, John M.
Garvin, David F.
Gay, Charles C.
Geha, Dwight G.
Georges, Leon P.
Gillis, David B., Jr.
Giuntoli, Robert L.
Gleaton, Hugh E., Jr.
Gold, Michael S.
Gold, Robert S.
Goldman, Barry
Goldstein, Lester S.
Golwyn, Daniel H.
Good, Edward F.
Goodman, Dennis B.
Goodstein, Richard K.
Gorman, Michael D.
Gosink, Leonard J.
Gowan, Jimmy L.
Grandolfo, William R.
Grasinger, John E.
Graybiel, Ashton L.
Green, Joseph P.
Grimes, Cecil D., Jr.
Grimes, James A.
Grollmus, John M.
Gudas, Frank R.
Ham, James W. M.
Hamm, Ronald L.
Hanahan, Ralph B., Jr.
Hanson, Donovan D.
Happel, Terry J.
Harrer, David S.
Harris, Garry C.
Harris, John M., III
Harris, Thomas M.
Harrison, William O.
Haynes, Henry D.
Heaster, James M.
Henrichs, Walter D.
Highgenboten, Carl L.
Hill, Larry W.
Hinz, William M.
Hogdell, Robert D.
Hodges, Leon C., Jr.
Hoke, Hugh H., Jr.
Holland, John A.
Holm, William W.
Holschuh, Karl D.
Holt, David
Houser, James J.
Houston, Patrick J.
Houts, Robert L.
Howe, John K., Jr.
Hughes, James P.
Hunt, Ernest W., Jr.
Isabelle, Frank E.
Jackson, William B.
James, Reese E.
Johannes, James D.
Johnson, Ray M.
Jones, Harvey M.
Jones, James K.
Juras, Edward P.
Jurczak, Dennis M.
Just, Samuel V.
Kaminsky, Howard H.
Kammerer, William R.
Kandler, Paul A.
Keane, John P.
Kearney, Donald J.
Kearney, Gary P.
Keenan, Francis D., Jr.
Kelleher, John E., Jr.
Kelley, Leon R.
Kellogg, Gordon F.
Kelly, Dan A.
Kelly, Patrick J.
Kenner, "R" Robertson
Kerr, David M.
Kirchner, Peter T.
Kitzmiller, John L.
Klein, Elmer F., Jr.
Klofkorn, Raymond W.
Klopp, Donald W.
Knudson, Robert D.
Kom, Carlton J.
Koomos, George L., Jr.
Korn, Errol R.
Kosch, William F., III
Kreider, Stanley J.
Krueger, Joseph L.
Lachowicz, Michael R.
Lambert, James A., Jr.
Landes, James W.
Landry, Sylvio G., Jr.
Lang, Clayton A.
Lang, Maynard F.
Lanier, Andrew J., Jr.
Lapine, Thomas J.
Larimer, Alan M.
Larsen, Geoffrey A.
Lee, Wayland S.
Levine, Michael J.
Levine, Raphael K.
Lewis, Robert B.
Lingousky, Arthur P.
Locascio, Paul A.
Love, James T. Jr.
Lussier, George A.
Lynch, Michael J.
Lyons, James F.
Lyons, John R.
Lytle, John E.
Mace, John W.
MacLean, Thomas A.
MacLeod, William A. J
Madonia, Paul W.
Majewski, Paul L.
Mallin, Bruce A.
Mallon, Robert B.
Mangold, Harry A.
Mann, Charles H.
Mannarino, Francis G.
Mantel, Lewis
Marnell, Daniel J.
Marroy, Larry J.
Mastin, Robert E.
Mathews, Richard H.
Mattheis, Dale B.

Mayer, Gerald T.
McCauley, Robert F.
McClurkan, James M.
McCraney, Ward T., Jr.
McGinn, James S.
McKenney, Martin E.
McKinlay, Robert T., Jr.
McMullen, Douglas B.
McMurry, Gordon T.
McNally, William E.
McRoberts, Martin L.
McRonald, Ross E.
Meese, Richard F.
Mellema, James D.
Merritt, Thomas B.
Milek, Michael A.
Miller, David E.
Miller, Douglas A.
Milroy, William C.
Minckler, Donald S.
Mitsunaga, Richard Y
McBurney, Paul L.
Morgan, James F.
Morhauser, Edward G.
Morrison, Charles C.
Moskowitz, Maurice L.
Motley, Thomas E.
Muldowney, Thomas J
Munden, Frank A., Jr.
Munroe, Courtland L., Jr.
Murphy, John F.
Murphy, William M., Jr.
Myers, Allen R.
Myers, Howard
Nelson, Lawrence E.
Nelson, Ralph A.
Nesson, John W.
Newens, Adrian F.
Newman, Cyril
Nielsen, Louis T.
Noel, Ewell C., Jr.
Norcross, Frederick C.
Norman, Stanley G.
Nye, Charles E.
O'Connell, Clifford T.
O'Keefe, Michael A.
Oldt, Robert F.
Orr, Robert D.
Oury, James H.
Owens, William D.
Paolillo, Richard D.
Park, Phillip M.
Parker, David D.
Patterson, James H., Jr.
Peloquin, William H.
Penn, George H., II
Perron, Andre K.
Perry, James P.
Phelps, Lynn M.
Pleet, Albert B.
Polich, Vance L.
Poole, Joel R.
Potter, Roger A.
Presnall, Dixon
Pridmore, Ted T.
Principe, Ralph F.
Prouty, Willard R.
Pruyn, Stephen C.
Purvis, Gene H.
Queen, Thomas A.
Rademacher, Wade
Raymond, Lawrence W.
Redding, Marshall S.
Reed, Charles N., III
Reisman, Joel A.
Rend, Charles A.
Ricketson, George M., I
Roberts, James D.
Robinson, Donald M.
Roche, William D., Jr.
Romeo, Sam J. W.
Romfh, Richard F.
Rosene, Philip G.
Ross, William A. J.
Rotert, Larry G.
Rowe, Jay F., Jr.
Rozendal, Robert H.
Rubel, Lawrence R.
Ryter, Stephen R.
Sandri, Piero F.
Sanford, Harold W., Jr.
Sayler, Osbey L.
Scaring, William A.
Schaefer, Wendelin W.
Schaffer, Donald E.
Schell, Paul L.
Schley, Jenkins L.
Schroder, Paul E.
Schueller, William A.
Schwabe, Mario R.
Scutero, James V.
Senechal, John H.
Seventko, Joseph M., Jr.
Severson, Larry J.
Shaeffer, Charlie W., Jr.
Sharbo, David A.
Shaw, James O.
Shea, William D.
Sherman, Jerrold M.
Shields, Joseph A., Jr.
Shields, Milton B.
Shipman, Nolan D.
Simms, Ernest L.
Sirmans, Meredith F.
Sleight, Harold E., II
Slocum, Carl W.
Smith, Jerry R.
Smyth, Joseph P.
Sorensen, Dean E.
Spencer, Harold L.
Storch, Regis T.
Strout, Eugene S.
Sullivan, Timothy J.
Summit, James K.
Swartz, Gene P.
Swope, John P.
Tanz, Frederick J.
Telfer, Robert B.
Testa, Joseph A.
Thalblum, Harvey
Thorning, David R.
Thrasher, James W.
Tocchet, Paulino E.
Todd, Herbert M.
Todino, Joel D.
Tom, Robert W.
Trefny, Frank A.
Trevino, Ricardo J.
Trucksess, Mark E.
Tucker, Edward S.
Tyson, James W.
Ulmer, David E.
Utterback, Thomas D.
Vanhouten, Francis X.
Vankeulen, Leo J.
Vantassel, Peter V.
Velat, Gary F.
Vertuno, Leonard L.
Vieweg, Walter V. R.
Virgilio, Richard W.
Voltolina, Eugene J.
Wagner, Richard P.
Wainwright, Robert B.
Wall, George T.
Wallestad, Jon E.
Walley, Robert E., III
Wallin, Gene A.
Waltermire, James A.
Warden, James R.
Warren, Jerry G.
Waterbury, Richard C.
Weaver, Joseph W.
Welham, Richard T.
West, David P.
West, Gerard M.
West, Harold D., Jr.
Wheelock, Robert H.
White, Marshall W., Jr.
Wiklund, Richard A.
Wilken, Dennis D.
Williams, George A.
Williams, Paul F.
Williams, Ronald B.
Williams, Samuel W.
Williams, Theodore G.
Wilson, Billy H.
Wilson, Orville D., Jr.
Wise, James L., Jr.
Witowski, John J.
Wolfsen, James L.
Wood, William B.
Woodworth, Warren F.
Wray, Reginald P., Jr.
Ziegler, David C.
Zimmerman, Jack E.
Zurschmeide, David B.
Anderson, John P., Jr.
Benninger, Charles J., III
Bilotta, Victor J.
Blackburn, Archie B.
Bortz, Bernard J.
Buettner, Louis E.
Collins, Jack R.
Conger, John D.
Cooper, Jack S.
Cramer, Dewey B.
Crossman, Wayne F.
Fassett, Richard L.
Fox, Ira L.
Geisinger, James G.
Gerber, Frederic H.
Graham, Gary C.
Harrelson, John M., III
Herron, Jerry M
Howe, Warren B.
Hudson, John A.
Jones, Merwood M.
Korelak, Robert M.
Kvale, Paul A.
Maxey, Clarence O.
McCarthy, Michael P.
McDonald, Bruce M.
Montgomery, William H.
Nelson, Norman D.
Nolte, Craig R.
Pope, Dallas H.
Reit, Russell J.
Rhoades, Marques E.
Rogers, Hunter B., III
Shea, John A.
Stetson, Robert E., Jr.
Stout, Rex A.
Sturtz, Donald L.
Suesberry, Wilbur, Jr.
Tredway, Donald R.
Wax, Ronald L.

Diplomatic and Foreign Service

Nathaniel Davis, of New Jersey, a Foreign Service Officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Guatemala.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 10 (legislative day of October 9), 1968:

U.S. Circuit Judge

David Stahl, of Pennsylvania, to be U.S. circuit judge, third circuit.

U.S. District Judge

Albert J. Henderson, Jr., of Georgia, to be U.S. district judge for the Northern District of Georgia.

U.S. Attorney

Morton L. Susman of Texas to be U.S. attorney for the Southern District of Texas for the term of 4 years.

Jon O. Newman, of Connecticut, to be U.S. attorney for the District of Connecticut for the term of 4 years.

U.S. Marshal

J. Paul Teal, Jr., of North Carolina, to be U.S. marshal for the Western District of North Carolina for the term of 4 years.

Indian Claims Commission

Margaret Hunter Pierce, of the District of Columbia, to be a Commissioner of the Indian Claims Commission.

Bureau of Mines

John F. O'Leary, of Maryland, to be Director of the Bureau of Mines.

Post Office Department Advisory Board

Robert L. Hardesty, of the District of Columbia, to be a member of the Advisory Board for the Post Office Department.

POSTMASTERS

ARIZONA

Anne M. McKeown, Lukeville.
Monroe G. Ebsen, San Simon.
Gladys M. Walker, Superior.

ARKANSAS

Kermit E. Hale, Stuttgart.

GEORGIA

Emmie L. Bassett, Juniper.
Sam C. Alley, Lakemont.
A. Joe Anderson, Sharpsburg.
Launa W. Addington, Tallulah Falls.
T. Hugo Starling, Thomaston.

INDIANA

William Rudolph, Jr., Ireland.
Lucille C. Wells, Linton.
Forrest D. Butler, Rockville.

MINNESOTA

Rees M. Johnson, Rushford.

OHIO

Frank Orlando, Wickliffe.

OKLAHOMA

Glenn E. Morrison, Ketchum.

SOUTH CAROLINA

Anne M. Heller, Sandy Springs.

TEXAS

Alva A. Sanders, Bastrop.
Elma J. Sewell, Coldspring.
William C. Galloway, Corsicana.
Dreda F. Jacoby, Eola.
H. Floyd Smith, Hemphill.
Herman L. Glass, Jacksonville.
Victor C. Novosad, Sugar Land.

WEST VIRGINIA

Ruth E. Lewis, Burnsville.

Office of Emergency Planning

Mordecai M. Merker, of Virginia, to be Deputy Director of the Office of Emergency Planning.

Federal Coal Mine Safety Board of Review

Lewis E. Evans, of Pennsylvania, to be a member of the Federal Coal Mine Safety Board of Review for the remainder of the term expiring July 15, 1971.

In the Air Force

The nominations beginning Clark E. Aamodt, to be major, and ending Robert D. Strate, to be captain, which nominations were received by the Senate and appeared in the Congressional Record on September 27, 1968.

In the Army

The nominations beginning Kenneth R. Rees, to be captain, and ending George Woods, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on September 24, 1968.

In the Navy

The nominations beginning Daniel R. Aldridge, to be ensign, and ending Theodore G. Williams, to be permanent lieutenant (j.g.) and temporary lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on October 3, 1968; and

The nominations beginning John Abbott, to be captain, and ending Carl D. Thome, to be lieutenant (j.g.), which nominations were received by the Senate and appeared in the Congressional Record on October 3, 1968.

In the Marine Corps

The nominations beginning Kenneth H. Albers, to be second lieutenant, and ending Kenneth H. Yazel, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on October 3, 1968; and

The nominations beginning Thomas R. Abernathy, to be lieutenant colonel, and ending Walker M. Lazar, to be first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on October 3, 1968.

HOUSE OF REPRESENTATIVES—*Thursday, October 10, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord shall preserve thy going out and thy coming in from this time forth and even forevermore.—Psalm 121: 8.

Our Father God, whose mercy is over all Thy works and whose will is ever directed to Thy children's good, grant unto us the assurance that behind the shadows of our earthy scene stands One who slumbers not and in the midst of our joys and sorrows lives One whose strength never fails, and whose love never falters.

Now as we draw near to the close of this 90th Congress and look forward to the days ahead keep us mindful of Thy favor, eager to do Thy will, and ready to support our country in every good and noble way.

Some of these Representatives will be leaving not to return and some will be leaving to return—bless them all with Thy spirit. Give to them wherever they are and wherever they go, strength for daily tasks, patience, particularly when others are impatient, and a loving heart even amid the bitterness of those who differ with them. May they walk worthily in Thy wonderful way for the welfare of our country and the well-being of all mankind.

In the spirit of the Master we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Tuesday, October 8, 1968, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 4158. An act to amend title 37, United States Code, to clarify the conditions under which physicians and dentists who extend their service on active duty in a uniformed service may be paid continuation pay.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1246. An act to authorize the Commissioner of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, public space in, on, over, and under the streets and alleys under his jurisdiction, other than freeways, and for other purposes; and

S. 1247. An act to authorize the Commissioner of the District of Columbia to fix and collect rents for the occupancy of space in, on, under, or over the streets of the District of Columbia, to authorize the closing of unused or unsafe vaults under such streets and the correction of dangerous conditions of vaults in or vault openings on public spaces, and for other purposes.

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18037) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes";

That the Senate agreed to the amendments of the House of Representatives to Senate amendments Nos. 7, 11, 13, 15, 17, 19, 31, 32, 42, 49, and 52 to the above-entitled bill;

That the Senate recede from its amendment No. 65 to the above-entitled bill;

That the Senate disagree to the amendment of the House of Representatives to Senate amendment No. 10, further insists on its amendment No. 10 to the above-entitled bill, and ask a further conference with the House on the disagreeing votes of the two Houses thereon;

And appointed Mr. HILL, Mr. RUSSELL, Mr. STENNIS, Mr. MAGNUSON, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. JAVITS, and Mr. COTTON as conferees on the part of the Senate.

RESIGNATION FROM COMMITTEE ON THE JUDICIARY

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 9, 1968.
Hon. JOHN W. MCCORMACK,
Speaker of the House, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I hereby resign as a Member of the House Committee on the Judiciary, to take effect immediately.

Sincerely,

HERBERT TENZER,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

RESIGNATION FROM COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 10, 1968.
Hon. JOHN MCCORMACK,
Speaker of the House of Representatives, the Capitol, Washington, D.C.

DEAR MR. SPEAKER: Please accept the letter as authorization of my resignation from the Public Works Committee of the House of Representatives.

I shall be most appreciative of an assignment to the House Judiciary Committee in lieu of my current assignment to the House Public Works Committee.

Sincerely yours,

JEROME R. WALDIE,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

RESIGNATION FROM COMMITTEE ON SCIENCE AND ASTRONAUTICS

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 10, 1968.
Hon. JOHN W. MCCORMACK,
Speaker of the House,
Washington, D.C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Science and Astronautics upon my election as a member of the Committee on the Judiciary.

It has been a distinct pleasure for me to have served on the Committee of Science and Astronautics for the past eight years. I have enjoyed my association with the distinguished chairman and the other members of the Committee.

Respectfully submitted.

WILLIAM F. RYAN,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION OF MEMBERS TO STANDING COMMITTEES

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 1319) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1319

Resolved, That the following-named Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON FOREIGN AFFAIRS: ABRAHAM KAZEN, JR., of Texas.

COMMITTEE ON THE JUDICIARY: WILLIAM F. RYAN, of New York; JEROME R. WALDIE, of California.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE: GRAHAM PURCELL, of Texas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EFFECTIVE LAW ENFORCEMENT

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, many times in the past I have raised my voice in favor of measures designed to preserve the safety of our streets and the security of our homes. I have also criticized half-hearted law enforcement and official blindness to the results of failure to execute our laws.

I was particularly critical of official negligence and indecisiveness during the April riots here in Washington and I pointed out that the timidity and hesitation of enforcement officials at the critical moment were responsible to a large degree for the manner in which the riots mushroomed to unprecedented limits of destructiveness.

Because of this background I am particularly happy to congratulate local and Federal officials for the manner in which the disturbance of last Tuesday was handled. Although there was the potential for an explosion and an inclination to expand the disturbance, Washington officials, including executive and police, acted promptly to contain and repress the disorder. Clearly there has been much development since last April. A line of communication with Federal officials has already been established. The system of notifying policemen has proven to be effective. The response of the individual policeman, even though off duty, was most gratifying. Finally, after the accumulation of sufficient numbers the police contingent moved to restrain the trouble makers with adequate, but not undue force.

The appropriate officials have obviously decided that a little lawlessness should no longer be condoned and that the welfare of the community requires that force be met with adequate counterforce and that outbreaks be nipped in the bud.

This is the manner in which these outbreaks should be handled everywhere and I congratulate Washington officials for having taken to heart the lesson of last April, even though they learned it the hard way.

THE "PUEBLO" CREW

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHERLE. Mr. Speaker, today marks the 262d day that the crew of the U.S.S. *Pueblo* has been in the hands of the North Korean Government. Captured while in the service of this country, these brave Americans have languished in Communist prisons for 10 months.

This morning news reports fill us once again with hope that 82 American families will soon be reunited. All Americans share the hope that these latest reports will come true.

Today, as Members of Congress prepare to finish their business and return to their districts, we have a feeling of accomplishment. We have completed our service in this Congress and now it is our responsibility to report on its record to the people back home.

What can we tell our constituents about the fate of the *Pueblo* crew? As we depart from Washington, it is not possible for these Americans to depart from North Korea. We are servants of the American people, but so are they.

It is my hope that when the 91st Congress convenes in January, the men of the U.S.S. *Pueblo* will have been released from captivity. It is also my fervent hope that, if not, our absence will not result in the relaxation of this Nation's efforts to secure their freedom.

The flag of our country must never be made a doormat for any nation to step upon. National honor requires that our men be returned at the earliest possible time, so that they too can return home from a job "well done."

SALE OF SUPERSONIC JET FIGHTERS TO ISRAEL

Mr. ROTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. ROTH. Mr. Speaker, responding to Congress' mandate, the President has at long last decided to begin talks with Israel for the sale of supersonic jet fighters. As one who earlier this year cosponsored House Resolution 1268 calling for the sale of sorely needed Phantom jets to Israel, I am delighted with the administration's decision and hope that the talks will quickly reach agreement.

The Middle East remains a dangerous tinderbox. Bitter Arab demands for vengeance, Soviet-supported rebuilding of Arab air and land power, and U.S. inaction on Israel pleas for arms to match the renewed threat have created a serious imbalance in Israeli versus Arab military power. This imbalance might, if not righted, tempt the Arabs and the U.S.S.R. to plunge the area into a new war and raise still greater dangers to world peace.

The United States has a clear obligation to assist this courageous democracy by enabling Israel to acquire modern weapons so essential to its national security and, indeed, the very survival of its people.

SURVIVAL RIGHTS FOR CIVILIAN EMPLOYEES OF THE UNITED STATES

Mr. BLACKBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BLACKBURN. Mr. Speaker, today, I am introducing a bill designed to give to the families of civilian employees of the United States certain survival rights which they do not have today, and I would appreciate your giving this measure your careful consideration and subsequent vote.

At the present time, civilian employees cannot secure private insurance coverage. They are exposed to personal hazards, to some degree, as those who are doing the fighting in Vietnam. I think the activities of our civilian advisers and others in Vietnam who are participating in the "other war" are making a contribution which is equally as important as that made by our fighting men. If we win the "shooting war," yet fail to win the hearts and minds of the people of Vietnam, we still could lose in the final analysis.

Yet, when a civilian employee is killed in ambush by the Vietcong or shot during a North Vietnamese offensive, his children do not receive certain educational benefits which the surviving children of our fighting men do.

I recognize the hour is late for the 90th Congress to do anything with this bill, however, I hope that its introduction will give encouragement to our civilian employees of the United States in Vietnam that Congress is aware of their plight and will take action early in the next session to do something about it.

I am happy to report that there is strong bipartisan support to this measure. Twenty of my colleagues have added their names to this legislation as cosponsors now, and others have assured me they will support it when the 91st Congress convenes.

SOUPED-UP FEED GRAINS PROGRAM BECAUSE OF ELECTION

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, what a coincidence. On my desk today was a news release from the Department of Agriculture that one of the many advisory committees of Secretary Freeman has recommended a higher diversion under the feed grains program, higher loan rates, and higher payments. Yesterday this body saw fit to exempt the Commodity Credit Corporation from the discipline of the Expenditure Control Act. So now the deck is cleared. It is just a matter of days, perhaps hours, before Secretary Freeman will announce a souped-up feed grains program for next year and send an army of ASCS employees roaming around the countryside to tell the farmers just before election day what glorious days are ahead.

MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2938) to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes.

The Clerk read the title of the Senate bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

Mr. STEIGER of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—will the gentleman from Kentucky, the chairman of the Committee on Education and Labor, and the gentleman from Michigan, a member of the Select Subcommittee on Labor, explain the provisions of this bill as it passed the Senate as compared to the bill passed by the House?

Mr. PERKINS. Mr. Speaker, if the gentleman will yield, let mey say to the distinguished gentleman from Wisconsin, who has worked so diligently to see these amendments become law, that this bill, for the most part incorporates two bills that each passed this House unanimously. They are H.R. 15990, on seasonality in the construction trades, and H.R. 15045, extending and amending MDTA. We are all acquainted with the good work of the Manpower Development Training Act on which we are now expending about $400 million annually. If I recall correctly, there is $400 million in the appropriation bill and in the conference report that passed this Chamber a few days ago. The money by and large for the programs is allocated to the States and training programs are worked up by the State employment offices and the State education people.

Over the 6 years since we have enacted this program, a half million adults and youths have completed training under this program and thousands more have benefited from it. It is a good program.

Mr. STEIGER of Wisconsin. Mr. Speaker, further reserving the right to object, the Senate version of this bill omits an amendment I sponsored providing for the annualization of skill centers, which this body passed last month. At that time members on both sides of the aisle expressed their support for the skill center as an institution well-suited to deal with the problems of the hardcore unemployed and their intention that skill center operations should be placed on an annual, rather than a project-by-project, basis. I rise to indicate my willingness that this amendment be dropped. Since the Labor Department has now firmly and irrevocably pledged itself to develop procedures which can and will provide for the funding of all future skill center operations on an annual basis.

Mr. Speaker, I am happy at this time to yield to the gentleman from Michigan [Mr. O'Hara].

Mr. O'HARA of Michigan. Mr. Speaker, I thank the gentleman. As he points out the amendment offered by the gentleman to the original House bill does not appear in the bill before us today. I thought when the gentleman offered his amendment it was a good one. I supported that amendment and I support the idea behind it.

I might say to the House that the gentleman from Wisconsin has so forcefully presented this matter that he has convinced the Department of Labor that he is right, and they have now indicated, in a letter to the chairman of the subcommittee, the gentleman from Indiana [Mr. Brademas], that they will undertake to develop ways and means of operating the program in the manner provided for in the amendment offered by the gentleman. They feel they have administrative authority to enable them to do this.

Therefore, the gentleman is quite correct. His amendment will be unnecessary if they will carry through with their intent.

Mr. Speaker, at this point I ask unanimous consent to insert in the Record a copy of the letter from Hon. Stanley H. Ruttenberg, Assistant Secretary and Manpower Administrator of the U.S. Department of Labor, addressed to Hon. John Brademas, chairman of the Select Subcommittee on Labor of this House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

U.S. Department of Labor,
Washington, D.C., October 2, 1968.
Hon. John Brademas,
Chairman, Select Subcommittee on Labor, Committee on Education and Labor, House of Representatives, Washington, D.C.

Dear Congressman Brademas: I am writing to express the strong interest of the Department of Labor in developing more effective funding procedures for skill centers. We are very much aware that the nature of these centers may necessitate a refinement of funding and administrative procedures to facilitate planning for the entire year by skill center directors and local Employment Service offices.

To explore this matter further, pilot programs are being undertaken in three established skill centers in varied geographic locations: in Syracuse, New York, annual funding has been approved for fiscal year 1969; in Fort Worth, Texas, and in Philadelphia, Pennsylvania, such arrangements are in process and should be completed shortly. Plans for these pilot programs provide for elimination of individual training project funding, for maintenance of a predetermined specified trainee capacity at the center, and for the greatest possible use of the skill center as a link between programs. From the experience gained in these three, quite different, centers, a model for funding as well as trainee flow will be developed and applied to all skill centers to insure their effective operation on a year-round basis.

We shall be glad to keep you informed of our progress and our findings.

Sincerely,
Stanley H. Ruttenberg,
Assistant Secretary and Manpower Administrator.

Mr. STEIGER of Wisconsin. Mr. Speaker, further reserving the right to object—and I appreciate very much the kind words of the gentleman from Michigan—my amendment sought to overcome by legislation a major administrative obstacle which has hampered the further development of skill centers. Effective utilization of skill centers too often has been seriously curtailed by project-by-project funding. I was pleased to see that the Senate report of the Education and Welfare Committee also pointed out that such funding "results in idle capacity that cannot be shifted rapidly to meet local needs." Planning these programs on the basis of a longer time period is an important benefit to be derived from annualization.

To sum up, it is my understanding that the administrative agreement reached now with the Labor Department provides every possible assurance that the problem of annualization will not arise again.

Mr. O'HARA of Michigan. Mr. Speaker, if the gentleman will yield further, I wish to express my agreement with that statement. I think that is a clear statement of the conversation I had with and the view Chairman Brademas has been given by the Department of Labor.

Mr. STEIGER of Wisconsin. Mr. Speaker, the bill as it passed the Senate is a good bill. I have, with the gentleman from Kentucky and the gentleman from Michigan, worked on this bill for a long time. It does basically adopt the position of the House.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding. I appreciate the gentleman from Kentucky, the chairman of the full committee, and the gentleman from Michigan, the manager of the bill providing information in advance about their intent.

I simply want to clarify two points before we accept these Senate amendments to the House-passed legislation.

As I understand it, the meat of the bill, in addition to continuing the present program, is in section 12, which sets up a new program of grants to the States for supplementary comprehensive manpower programs on a matching basis, provided that the State programs can only receive grants where their operation will facilitate the Federal related programs, and that includes the guideline for the disadvantaged and their rehabilitation, and not be inconsistent with the State's cooperative manpower system.

Mr. PERKINS. The gentleman is correct. These supplemental programs will be funded on a 75–25 basis.

Mr. HALL. I appreciate the gentleman's confirmation. In line with the information supplied, I understand sections 6 and 7 of the House-passed bill were left out, and are therefore not now under consideration; is that correct?

Mr. PERKINS. That is correct.

Mr. STEIGER of Wisconsin. If I may respond to the gentleman from Missouri, that is correct. Those were the amendments offered by the gentleman from New York [Mr. Goodell] prior to his being appointed to the Senate. If the gentleman from Missouri would examine page 29912 of the Record for October 7, he would find there a discussion by the now Senator from New York [Mr. Goodell] on this provision.

Mr. HALL. I appreciate the gentleman yielding.

Mr. STEIGER of Wisconsin. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. Perkins].

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2938

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Manpower Development and Training Act of 1962 is amended as follows:

(1) Section 104(a) of the Act (LABOR MOBILITY DEMONSTRATION PROJECTS) is amended by striking out "1968" in the first sentence of such section, and inserting in lieu thereof "1970";

(2) Section 105 of the Act (TRAINEE PLACEMENT ASSISTANCE DEMONSTRATION PROJECTS) is amended by striking out "1968" in the first sentence of such section, and inserting in lieu thereof "1970";

(3) Section 251 of the Act (Part D—Correctional Institutions) is amended by striking out "1969" in the first sentence of such section, and inserting in lieu thereof "1970";

(4) Section 304(d) of the Act is amended by striking out "1968" and "1969", and in-

serting respectively in lieu thereof "1969" and "1970";

(5) Sections 310(a) and 310(b) of the Act are amended by striking out "1969" wherever it appears, and inserting in lieu thereof "1972".

Sec. 2. Section 106 of the Manpower Development and Training Act of 1962 is amended to read as follows:

"LABOR MARKET INFORMATION AND JOB MATCHING PROGRAM

"Sec. 106. (a) The Secretary of Labor shall develop a comprehensive system of labor market information on a national, State, local, or other appropriate basis, including but not limited to information regarding—

"(1) the nature and extent of impediments to the maximum development of individual employment potential including the number and characteristics of all persons requiring manpower services;

"(2) job opportunities and skill requirements;

"(3) labor supply in various skills;

"(4) occupational outlook and employment trends in various occupations; and

"(5) in cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends.

Information collected under this subsection shall be developed and made available in a timely fashion in order to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act of 1964, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Education Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

"(b) The Secretary of Labor shall develop and publish on a regular basis information on available job opportunities throughout the United States on a National, State, local, or other appropriate basis for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection. The Secretary is directed to develop and establish a program for matching the qualifications of unemployed, underemployed, and low income persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis. Such programs shall be designed to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations, and between such agencies and organizations on a National, State, local, or other appropriate basis, with a view to the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information.

"(c) A report on the activities and achievements under this section shall be included in the report required under section 107.

"(d) Not less than 2 per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for carrying out the provisions of subsection (b) of this section."

Sec. 3. (a) Section 202(f) of the Manpower Development and Training Act of 1962 is amended by striking "(i)" and inserting in lieu thereof "(j)".

(b) The first sentence of section 231 of such Act is amended by striking "(i)" and inserting in lieu thereof "(j)".

Sec. 4. Section 203(c) of the Manpower Development and Training Act of 1962 is amended by striking out the words "at a rate not in excess of $20 a week" and by inserting in lieu thereof the following: "at a rate which shall not exceed the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available".

Sec. 5. (a) Section 203(a) of the Manpower Development and Training Act of 1962 is amended by striking out "and the Virgin Islands" and inserting in lieu thereof ", the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands".

(b) The third sentence of section 231 of such Act is amended by inserting after "purposes of the Act" the following: ", and except that the State agency for the Trust Territory of the Pacific Islands may be paid up to 100 per centum of such costs".

(c) Section 308 of such Act is amended by striking out "and Guam" and inserting in lieu thereof "Guam, American Samoa, and the Trust Territory of the Pacific Islands".

Sec. 6. Section 204(a) of the Manpower Development and Training Act of 1962 is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That the Secretary shall not refuse to receive for consideration any application from an applicant who desires to conduct a training program under this part".

Sec. 7. Section 231 of the Manpower Development and Training Act of 1962 is amended by renumbering the existing provisions (a) and by adding new subsection (b) as follows:

"(b) In making arrangements for institutional training financed in whole or in part with funds appropriated to carry out title I, and title II, parts A, B, C, and D of this Act, including but not limited to basic education, employability and communications skills, prevocational training, vocational and technical programs, and supplementary or related instruction for on-the-job training whether conducted at the job site or elsewhere, priority shall be given to the use of skills centers as established under the authority of this section."

Sec. 8. The first sentence of section 301 of the Manpower Development and Training Act of 1962 is amended by adding before the period a comma and the following: "but in no event shall any State be apportioned less than $750,000; except that for the Virgin Islands, Guam, and American Samoa, such amount shall be $100,000 each".

Sec. 9. Section 301 of the Manpower Development and Training Act of 1962 is amended (1) by striking out "sixth month" in the proviso therein and inserting in lieu thereof "ninth month", (2) by striking out "30 days" in such proviso and by inserting in lieu thereof "15 days", and (3) by striking out in such proviso ", except that the requirement for prior notice shall not apply with respect to any reapportionment made during the last quarter of the fiscal year".

Sec. 10. Section 301 of the Manpower Development and Training Act of 1962 is further amended by inserting "(a)" immediately after "Sec. 301." and by adding the following new subsection at the end thereof:

"(b) Where the Secretaries of Labor and Health, Education, and Welfare have approved a plan submitted by a State council with whom they have an agreement under this Act, which plan may be submitted under a comprehensive area manpower planning system or under such other planning requirements as the Secretaries may specify, such State agency shall have authority to approve (1) project applications for an amount not to exceed 20 per centum of the funds apportioned to such State under the first sentence of section 301(a) without further project approval by the Federal Government; and (2) all other project applications which conform to such State plan, unless either of the Secretaries disapprove such project applications within 30 days following receipt of such applications."

Sec. 11. The Manpower Development and Training Act of 1962 is amended by inserting after section 308 the following new section:

"TRAINING AND TECHNICAL ASSISTANCE

"Sec. 309. (a) In carrying out the responsibilities under this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare shall provide, directly or through grants, contracts, or other arrangements, training for specialized or other personnel and technical assistance which is needed in connection with the programs established under this Act or which otherwise pertains to the purposes of this Act. Upon request, the Secretary may make special assignments of personnel to public or private agencies, institutions, or employers to carry out the purposes of this section; but no such special assignments shall be for a period of more than two years.

"(b) Two per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III, of this Act shall be available only for training and assistance authorized by this section."

Sec. 12. The Manpower Development and Training Act of 1962 is further amended by adding at the end thereof a new title as follows:

"TITLE IV—SEASONAL UNEMPLOYMENT IN THE CONSTRUCTION INDUSTRY

"Sec. 401. (a) The Congress finds that seasonal unemployment represents a substantial portion of the unemployment in the construction industry, and a significant portion of all unemployment, that seasonal unemployment results in economic hardship for construction employees, employers, and for the consumers of construction services; that such unemployment constitutes unnecessary and wasteful misuse of the Nation's manpower resources; that stabilization of construction operations may be expected to have a correspondingly stabilizing effect on construction employment and costs; and that it is highly desirable from the standpoint of the economy as a whole, and manpower policy in particular, that positive and expeditious action be taken by public authorities and private groups to regularize construction employment.

"(b) It is therefore the purpose of this title to provide for the conduct of a study of seasonality in the construction industry, with special attention to its implications for national manpower policy.

"Sec. 402. The Secretary of Labor and the Secretary of Commerce, jointly, shall study, investigate, conduct research, and prepare a report containing their findings and recommendations concerning means to achieve stabilization of employment in the construction industry and the diminishment of seasonality of employment in such industry, with special attention to its implications for national manpower policy, and shall transmit such report to the President and to the Congress no later than December 31, 1969.

"Sec. 403. Matters which the Secretary of Labor and the Secretary of Commerce, after consultation with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration, and the Director of the Bureau of the Budget, and with engineers, with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration, and the Director of the Bureau of the Budget, and with engineers, architects, and representatives of labor and management in the construction industry, shall consider, shall include, but not necessarily be limited to, the extent to which seasonal unemployment in the construction industry can be reduced without substantial increases in construction costs by means such as—

"(a) the application of modern techniques to reduce the influence of weather on construction activity;

"(b) the resolution of technical problems which have not been solved by existing research and development activities;

"(c) possible changes in contract procedures in allocation cycles; and

"(d) improved planning and scheduling of construction projects."

SEC. 13. The Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new title:

"TITLE V—SUPPLEMENTARY STATE PROGRAMS

"STATEMENT OF PURPOSE

"SEC. 501. It is the purpose of this title to provide a method whereby a State may utilize Federal matching funds, together with its own funds for the purposes of supplementing, coordinating and improving the effectiveness of, or correcting imbalances among, the services available from all Federal manpower and related programs seeking to improve the ability of disadvantaged persons to move into productive employment.

"AUTHORIZATION FOR GRANTS

"SEC. 502. The Secretary of Labor (hereinafter in this title referred to as the Secretary) is authorized to grant to any State which meets the requirements of section 403 an amount, for fiscal years 1969 and 1970, not to exceed 75 per centum of the cost of the supplemental efforts and activities undertaken by a State pursuant to the provisions of this title.

"APPLICATIONS AND CONDITIONS

"SEC. 503. (a) Any State which desires a grant under this title shall make application to the Secretary at such time, in such manner, and containing or accompanied by such information as he deems reasonably necessary.

"(b) No grant may be made under the provisions of this title unless the Secretary finds that—

"(1) after consultation with said State, the effectiveness of Federal manpower and related programs seeking to move disadvantaged persons into productive employment within such State can be facilitated or improved by additional State efforts and activities; and

"(2) such application (A) describes how such additional efforts and activities will be undertaken in support of existing Federal programs, (B) demonstrates that such efforts and activities are not inconsistent with such State's cooperative area manpower planning system plan, (C) demonstrates that such efforts and activities will contribute to carrying out the purposes of this title, and (D) provides assurances that the State will pay the non-Federal share of the costs of such efforts and activities under this title.

"RULES AND REGULATIONS

"SEC. 504. The Secretary may prescribe such rules and regulations under this title as he deems necessary.

"AUTHORIZATIONS OF APPROPRIATIONS

"SEC. 505. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title."

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR PARTIAL REPAYMENT TO CONTINGENT FUND, HOUSE OF REPRESENTATIVES, TO COVER CERTAIN EXPENSES OF HOUSE BEAUTY SHOP

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Report No. 1959) on the resolution (H. Res. 1314) providing for the partial repayment to the contingent fund of the House of Representatives of certain sums paid from such fund to cover certain expenses of operation of the House Beauty Shop, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 1314

Resolved, That the Clerk of the House of Representatives is authorized and directed to accept and deposit to the credit of the contingent fund of the House such sum not in excess of $7,500 as the Select Committee on the House Beauty Shop, created by H. Res. 1000, Ninetieth Congress, may tender to the Clerk in partial repayment to the contingent fund of the House of amounts paid from that fund, pursuant to section 2 of H. Res. 1000, to cover certain expenses in connection with the operation of the House beauty shop.

With the following committee amendments:

On page 1, line 5, strike out "H.R. 1000" and insert in lieu thereof "H. Res. 1000".

On page 1, line 8, strike out "H.R. 1000" and insert in lieu thereof "H. Res. 1000".

Mr. FRIEDEL. Mr. Speaker, House Resolution 1314 is almost unprecedented in legislative history of the House of Representatives. Our usual legislation concerned with money calls for various and sundry expenditures from a few hundred to a few billion dollars. This resolution is a complete reversal of the pattern in that it authorizes the return of money to the Government.

The House Beauty Shop is set up on a self-sustaining basis. The $7,500 being returned under this resolution is a 50-percent repayment of $15,000 authorized last December for the purchase of equipment and materials for the operation of the shop. At the time the House authorized the $15,000 it was stated in the House that the sum would be restored to the contingent fund as quickly as possible. It is to the credit of the Select Committee on the House Beauty Shop that this commitment has not been forgotten.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding.

If I correctly understand this resolution, it simply authorizes recovery into the Treasury of funds provided to the women who took over the department of sartorial elegance and cosmetology in the House Office Building; is that correct?

Mr. FRIEDEL. The gentleman is correct. This is the first time I know of anything like this.

Mr. HALL. Mr. Speaker, I am pleased, delighted, and yet flabbergasted. I want to commend not only the ladies but also certainly the beauty parlor and the Committee on House Administration.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INCREASING THE COMPENSATION OF THE EXPERT TRANSCRIBERS TO OFFICIAL REPORTERS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1960) on the resolution (H. Res. 995) increasing the compensation of the Expert Transcribers to Official Reporters, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 995

Resolved, That effective December 1, 1967, each position of Expert Transcriber to Official Reporters of Debates and each position of Expert Transcriber to Official Committee Reporters shall be paid basic annual compensation at the rate of $3,900 per annum. There shall be paid out of the contingent fund of the House of Representatives, until otherwise provided by law, such sums as may be necessary to carry out this resolution.

With the following committee amendment:

On page 1, line 1, strike out "effective December 1, 1967," and insert in lieu thereof "effective on the first day of the first month following the date of enactment,".

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding.

I am not certain of the parliamentary situation. I understand that this is a privileged resolution from the Committee on House Administration. I presume that the only way to correct any errors therein would be, under the parliamentary situation, simply to deny the previous question and amend, or to vote it down. This is not a unanimous consent request, as I understand it.

There is real doubt in my mind, Mr. Speaker, as to whether or not we should correct one error by making another one perhaps. I will say that the distinguished gentleman from Maryland, the chairman of the Committee on House Administration, has conferred with me about this apparent—or alleged—need on the part of our seven assigned transcribers for the Reporters of Debates involved in the administration of the House itself and the eight assigned to the committee reporters. I am advised concerning their salaries and income and I am also advised concerning the cost of living in the greater metropolitan area in which they serve, but inasmuch as the salaries are being increased to "keep up with the Joneses," I am thoroughly convinced that this is adding fuel to the fires of inflation in the ever-mounting spiral and that perhaps we ought to be decreasing a few salaries around here instead of increasing simply in order to catch up with others. We should not simply be spiraling and mounting ever onward and upward the inflationary fires which so constantly decreases the purchasing power of our dollar.

Mr. Speaker, I think that there have been no actual losses of our transcribers except maybe to private enterprise in privately owned and privately invested reporting services in other or nearby cities. Certainly I do not believe that the competition between the (fringe) benefits of Capitol Hill employees are offset or have weaned away any of our employees to the downtown bureaus in this particular instance. I do know our transcribers here in the Capitol are receiving upwards of a third again as much as the individual Members habitually pay their employees for similar duties. I am equally well aware of the fact that our House employees work long hours, to wit, the last 38 before we convened here today, in accomplishing their duties. However, this does not happen very often, it seems to me, Mr. Speaker. I am well aware of the fact that the sessions of the House, for a number of reasons, which we will not go into at this time, but which have often been recounted on this floor, are extending more and more to be an annual 12 months of year around employment, rather than 6 to 9 months with 3 months of relatively slack period, at least for the transcribers.

Finally, Mr. Speaker, I want it said that I find no fault with the service rendered by our transcribers at this time. I have on occasion found some sharp differences between what we as individual Members say on the floor and get back from the transcriptionists, but "there is many a slip twixt the cup and the lip," and this certainly does not necessarily need to be all their fault.

I wish that this raise for our present honored employees had not come up at a time when we have the Federal Expenditures Control Act and are urging all of the other branches to cut down on their expenditures. Still I suppose there is never a timely time for an increase in salary when you are trying to hold the Federal budget in line. I just wish that there were some way an individual Member could be protected other than having a privileged resolution offered, where for example we could invoke the unanimous consent rule.

I would like to hear anything which the gentleman has to say in response to my general observations.

Mr. FRIEDEL. I would state to the distinguished gentleman from Missouri that we are not trying to act on this bill as a "means of keeping up with the Joneses." We handled this resolution strictly on its merits and it passed both the subcommittee and the full committee by a unanimous vote. It represents an increase of about $1,300 per year per transcriber.

Mr. Speaker, everyone of us knows here that the transcribers do a wonderful job and that they are dedicated and skilled employees of the House.

I would like to state further that the total cost as a result of the enactment of this resolution will be in the neighborhood of $20,000 for the 15 employees involved.

Mr. Speaker, I would like to see the resolution adopted.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONTINUATION PAY FOR PHYSICIANS AND DENTISTS WHO EXTEND SERVICE ON ACTIVE DUTY

Mr. RIVERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4158) to amend title 37, United States Code, to clarify the conditions under which physicians and dentists who extend their service on active duty in a uniformed service may be paid continuation pay.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 4158

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 311(a)(2) of title 37, United States Code, is amended to read as follows:

"(2) has completed his initial active duty obligation; and".

SEC. 2. The amendment made by this Act becomes effective as of January 1, 1968.

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, this is a very simple bill. The purpose of the bill is to clarify the statutory language which permits the Department of Defense to pay so-called continuation pay to medical and dental officers in critical specialties.

The Comptroller General has placed an extremely narrow interpretation on the existing statutory provisions which, if observed by the Department of Defense, will require approximately 200 medical officers to pay back an average of $2,400 of continuation pay which had been awarded them since March of this year.

I wish to emphasize that enactment of this legislation will not affect the present requirement under which no medical officer is eligible for this "continuation pay" unless he has completed 8 years or more of active military duty.

Stated another way, this bill simply takes care of a technical deficiency in the language of existing law and is strongly recommended for enactment by the Department of Defense, the Bureau of the Budget, and the Committee on Armed Services.

I should also point out that the other body unanimously approved this bill today (S. 4158).

The Armed Services Committee of the House unanimously reported favorably an identical bill (H.R. 20313).

There is no increased cost involved in enactment of this legislation.

I therefore ask for the unanimous approval of the House.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 20313) was laid on the table.

TO INCREASE PARTICIPATION OF LAW OFFICERS AND COUNSEL ON COURTS-MARTIAL

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15971) to increase the participation of law officers and counsel on courts-martial, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, after line 2, insert:

"That this Act may be cited as the 'Military Justice Act of 1968'."

Page 1, line 3, strike out "That chapter" and insert "SEC. 2. Chapter".

Page 1, lines 5 and 6, strike out "by inserting the words 'or special' after the word 'general'." and insert "to read as follows:

"'(10) "Military judge" means an official of a general or special court-martial detailed in accordance with section 826 of this title (article 26).'."

Page 1, after line 6, insert:

"(2) Section 806(c) is amended by striking out 'law officer' and inserting in lieu thereof 'military judge'."

Page 1, line 7, strike out "(2)" and insert "(3)".

Page 2, line 2, strike out "law officer" and insert "military judge".

Page 2, line 4, strike out "law officer" and insert "military judge".

Page 2, line 6, strike out "law officer" and insert "military judge".

Page 2, line 8, strike out "law officer and the law officer" and insert "military judge and the military judge".

Page 2, lines 8 and 9, strike out "and the convening authority consents".

Page 2, line 12, strike out "law officer" and insert "military judge".

Page 2, line 14, strike out "law officer," and insert "military judge, if one has been detailed to the court, and the accused".

Page 2, line 15, after "(1)(B)" insert "so requests".

Page 2, line 18, strike out "(3)" and insert "(4)".

Page 2, line 25, strike out "(4)" and insert "(5)".

Page 3, line 2, strike out all after "thereof:" down to and including line 7 and insert: "A bad-conduct discharge may not be adjudged unless a complete record of the proceedings and testimony has been made, counsel having the qualifications prescribed under section 827(b) of this title (article 27(b)) was detailed to represent the accused, and a military judge was detailed to the trial, except in any case in which a military judge could not be detailed to the trial because of physical conditions or military exigencies. In any such case in which a military judge was not detailed to the trial, the convening authority shall make a detailed written statement, to be appended to the record, stating the reason or reasons a military judge could not be detailed."

Page 3, after line 7, insert:

"(6) The second and third sentences of section 820 (article 20) are amended to read as follows: 'No person with respect to whom summary courts-martial have jurisdiction may be brought to trial before a summary court-martial if he objects thereto. If objection to trial by summary court-martial is made by an accused, trial may be ordered by special or general court-martial as may be appropriate.' "

Page 3, line 8, strike out "(5)" and insert "(7)".

Page 3, line 12, strike out "law officer" and insert "military judge".

Page 3, line 19, strike out "(6)" and insert "(8)".

Page 3, in the line following line 21, strike out "Law officer" and insert "Military judge".

Page 3, strike out all after the line following line 21 over to and including line 25 on page 4 and insert:

"(9) Section 826 (article 26) is amended to read as follows:

" '§ 826. **Art. 26.** Military judge of a general or special court-martial

" '(a) The authority convening a general court-martial shall, and, subject to regulations of the Secretary concerned, the authority convening a special court-martial may, detail a military judge thereto. A military judge shall preside over each open session of the court-martial to which he has been detailed.

" '(b) A military judge shall be a commissioned officer of the armed forces who is a member of the bar of a Federal court or a member of the bar of the highest court of a State and who is certified to be qualified for duty as a military judge by the Judge Advocate General of the armed force of which such military judge is a member.

" '(c) The military judge of a general court-martial shall be designated by the Judge Advocate General, or his designee, of the armed force of which the military judge is a member for detail by the convening authority, and, unless the court-martial was convened by the President or the Secretary concerned, neither the convening authority nor any member of his staff shall prepare or review any report concerning the effectiveness, fitness, or efficiency of the military judge so detailed, which relates to his performance of duty as a military judge. A commissioned officer who is certified to be qualified for duty as a military judge of a general court-martial may perform such duties only when he is assigned and directly responsible to the Judge Advocate General, or his designee, of the armed force of which the military judge is a member and may perform duties of a judicial or nonjudicial nature other than those relating to his primary duty as a military judge of a general court-martial when such duties are assigned to him by or with the approval of that Judge Advocate General or his designee.

" '(d) No person is eligible to act as military judge in a case if he is the accuser or a witness for the prosecution or has acted as investigating officer or a counsel in the same case.

" '(e) The military judge of a court-martial may not consult with the members of the court except in the presence of the accused, trial, counsel, and defense counsel, nor may he vote with the members of the court.' "

Page 4, after line 25, insert:

"(10) Section 827 is amended—

"(A) by striking out 'law officer' in the second sentence of subsection (a) and inserting in lieu thereof 'military judge'; and

"(B) by redesignating paragraphs (1) and (2) of subsection (c) as paragraphs (2) and (3), respectively, and by inserting a new paragraph (1) as follows:

" '(1) the accused shall be afforded the opportunity to be represented at the trial by counsel having the qualifications prescribed under section 827(b) of this title (article 27(b)) unless counsel having such qualifications cannot be obtained on account of physical conditions or military exigencies. If counsel having such qualifications cannot be obtained, the court may be convened and the trial held but the convening authority shall make a detailed written statement, to be appended to the record, stating why counsel with such qualifications could not be obtained;'."

Page 5, line 1, strike out "(9)" and insert "(11)".

Page 5, lines 5 and 6, strike out "single-officer general court-martial" and insert "general court-martial composed of a military judge only".

Page 5, line 12, strike out "law officer" and insert "military judge".

Page 5, lines 14 and 15, strike out "single-officer special court-martial" and insert "special court-martial composed of a military judge only".

Page 5, line 23, strike out "law officer" and insert "military judge".

Page 6, line 3, strike out "law officer of a single-officer court-martial" and insert "military judge of a court-martial composed of a military judge only".

Page 6, line 8, strike out "law officer" and insert "military judge".

Page 6, line 12, strike out "law officer" and insert "military judge".

Page 6, line 13, strike out "(10)" and insert "(12)".

Page 6, line 17, strike out "law officer" and insert "military judge".

Page 6, after line 22, insert:

"(13) Section 837 (article 37) is amended—

"(A) by inserting '(a)' at the beginning of the first sentence thereof;

"(B) by striking out 'law officer' in the first sentence and inserting in lieu thereof 'military judge';

"(C) by adding at the end thereof the following new sentence: 'The foregoing provisions of the subsection shall not apply with respect to (1) general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of courts-martial, or (2) to statements and instructions given in open court by the military judge, president of a special court-martial, or counsel.';

"(D) by adding after subsection (a) (as designated by paragraph (1) hereof) a new subsection as follows:

" '(b) In the preparation of an effectiveness, fitness, or efficiency report, or any other report or document used in whole or in part for the purpose of determining whether a member of the armed forces is qualified to be advanced, in grade, or in determining the assignment or transfer of a member of the armed forces or in determining whether a member of the armed forces should be retained on active duty, no person subject to this chapter may, in preparing any such report (1) consider or evaluate the performance of duty of any such member as a member of a court-martial, or (2) give a less favorable rating or evaluation of any member of the armed forces because of the zeal with which such member, as counsel, represented any accused before a court-martial.'."

Page 6, line 23, strike out "(11)" and insert "(14)".

Page 6, line 25, strike out "law officer" and insert "military judge".

Page 7, line 1, strike out "law officer" and insert "military judge".

Page 7, line 3, strike out "(12)" and insert "(15)".

Page 7, lines 7 and 8, strike out "law officer" and insert "military judge".

Page 7, line 8, strike out "law officer" and insert "military judge".

Page 7, line 15, strike out "law officer" and insert "military judge".

Page 7, line 22, strike out "law officer" and insert "military judge".

Page 8, line 5, strike out all after "present." down to and including "record." in line 10.

Page 8, line 12, strike out "law officer" and insert "military judge".

Page 8, line 15, strike out "law officer" and insert "military judge".

Page 8, line 16, strike out "law officer" and insert "military judge".

Page 8, line 17, strike out "(13)" and insert "(16)".

Page 8, line 20, strike out "law officer" where it appears the first time and insert "military judge".

Page 8, line 20, strike out "law officer" where it appears the second time and insert "military judge".

Page 8, line 23, strike out "(14)" and insert "(17)".

Page 8, line 23, strike out "841(a) (article 41(a))" and insert "841 (article 41)".

Page 8, line 24, after "sentence" insert "of subsection (a)".

Page 8, line 25, strike out "law officer" and insert "military judge".

Page 9, line 2, strike out "and".

Page 9, line 4, after "sentence" insert "of subsection (a)".

Page 9, line 4, strike out "law officer" and insert "military judge".

Page 9, line 5, strike out "thereof." and insert "thereof; and".

Page 9, after line 5, insert:

"(C) by striking out 'law officer' in subsection (b) and inserting in lieu thereof 'military judge'."

Page 9, line 6, strike out "(15)" and insert "(18)".

Page 9, lines 8 and 9, strike out "law officers" and insert "military judges".

Page 9, line 18, strike out "law officer" and insert "military judge".

Page 10, line 1, strike out "(16)" and insert "(19)".

Page 10, lines 10 and 11, strike out "law officer" and insert "military judge".

Page 10, line 11, strike out "law officer" and insert "military judge".

Page 10, line 19, strike out "(17)" and insert "(20)".

Page 10, line 20, strike out "law officer" and insert "military judge".

Page 10, line 21, strike out "law officer" and insert "military judge".

Page 10, line 23, strike out "(18)" and insert "(21)".

Page 11, line 3, strike out "law officer" and insert "military judge".

Part 11, line 6, strike out "law officer" and insert "military judge".

Page 11, line 8, strike out "law officer" and insert "military judge".

Page 11, lines 10 and 11, strike out "law officer" and insert "military judge".

Page 11, line 14, strike out "law officer" and insert "military judge".

Page 11, lines 16 and 17, strike out "law officer" and insert "military judge".

Page 11, lines 17 and 18, strike out "law officer" and insert "military judge".

Page 11, line 20, strike out "words "of" and insert "words "law officer of".

Page 12, line 1, strike out "and" and insert "military judge or".

Page 12, line 2, strike out "law officer" and insert "military judge".

Page 12, lines 9 and 10, strike out "single-officer court-martial. An officer who is detailed as a single-officer" and insert "court-martial composed of a military judge only. The military judge of such a".

Page 12, lines 12 and 13, strike out "Such single-officer" and insert "The military judge of such a".

Page 12, line 17, strike out "(19)" and insert "(22)".

Page 13, line 5, strike out "(20)" and insert "(23)".

Page 13, lines 9 and 10, strike out "law officer" and insert "military judge".

Page 13, lines 10 and 11, strike out "law officer" and insert "military judge".

Page 13, line 15, strike out "law officer" and insert "military judge".

Page 13, after line 23, insert:

"(24) Section 857 (article 57) is amended by inserting the words 'or deferred' after 'suspended' in subsections (a) and (b); and by adding at the end thereof a new subsection as follows:

" '(d) On application by an accused who is under sentence to confinement that has not been ordered executed, the convening authority or, if the accused is no longer under his jurisdiction, the officer exercising general court-martial jurisdiction over the command to which the accused is currently assigned, may in his sole discretion defer service of the sentence to confinement. The deferment shall terminate when the sentence is ordered executed. The deferment may be rescinded at any time by the officer who granted it or, if the accused is no longer under his jurisdiction, by the officer exercising general court-martial jurisdiction over the command to which the accused is currently assigned.' "

Page 13, after line 23, insert:

"(25) The table of sections at the beginning of subchapter IX is amended by striking out

'866. 66. Review by board of review.'

and inserting in lieu thereof the following:

'866. 66. Review by Court of Military Review.'."

Page 13, after line 23, insert:

"(26) Section 865(b) is amended by striking out 'board of review' each time it appears therein and inserting in lieu thereof 'Court of Military Review'.

Page 13, after line 23, insert:

"(27) Section 866 (article 66) is amended—

"(A) by striking out the catchline and inserting in lieu thereof the following:

" '§ 866. Art. 66. Review by Court of Military Review';

"(B) by amending subsection (a) to read as follows:

" '(a) Each Judge Advocate General shall establish a Court of Military Review which shall be composed of one or more panels, and each such panel shall be composed of not less than three appellate military judges. For the purpose of reviewing court-martial cases, the court may sit in panels or as a whole in accordance with rules prescribed under subsection (f). Appellate military judges who are assigned to a Court of Military Review may be commissioned officers or civilians, each of whom must be a member of a bar of a Federal court or of the highest court of a State. The Judge Advocate General shall designate as chief judge one of the appellate military judges of the Court of Military Review established by him. The chief judge shall determine on which panels of the court the appellate judges assigned to the court will serve and which military judge assigned to the court will act as the senior judge on each panel.';

"(C) by striking out 'board of review' each time it appears in subsections (b), (c), (d), and (e) and inserting in lieu thereof 'Court of Military Review';

"(D) by striking out 'boards of review' each time it appears in subsection (f) and inserting in lieu thereof 'Courts of Military Review'; and

"(E) by adding at the end thereof the following new subsections:

" '(g) No member of a Court of Military Review shall be required, or on his own initiative be permitted, to prepare, approve, disapprove, review, or submit, with respect to any other member of the same or another Court of Military Review, an effectiveness, fitness, or efficiency report, or any other report or document used in whole or in part for the purposes of determining whether a member of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of a member of the armed forces, or in determining whether a member of the armed forces should be retained on active duty.

" '(h) No member of a Court of Military Review shall be eligible to review the record of any trial if such member served as investigating officer in the case or served as a member of the court-martial before which such trial was conducted, or served as military judge, trial or defense counsel, or reviewing officer of such trial.'."

Page 13, after line 23, insert:

"(28) Subsection (b) and (f) of section 867 (article 67) are amended by striking out 'board of review' each time it appears and inserting in lieu thereof 'Court of Military Review'."

Page 13, after line 23, insert:

"(29) Section 868 (article 68) is amended to read as follows:

" '§ 868. Art. 68. Branch offices

" 'The Secretary concerned may direct the Judge Advocate General to establish a branch office with any command. The branch office shall be under an Assistant Judge Advocate General, may establish a Court of Military Review with one or more panels. That Assistant Judge Advocate General and any Court of Military Review established by him may perform for that command under the general supervision of the Judge Advocate General, the respective duties which the Judge Advocate General and a Court of Military Review established by the Judge Advocate General would otherwise be required to perform as to all cases involving sentences not requiring approval by the President.' "

Page 14, line 1, strike out "(21)(A)" and insert "(30)".

Page 14, lines 5 and 6, strike out "board of review" and insert "Court of Military Review".

Page 14, strike out all after line 10 over to and including line 3 on page 15.

Page 15, after line 3, insert:

"(31) Subsections (b), (c), and (d) of section 870 (article 70) are amended by striking out 'board of review' each time it appears and inserting in lieu thereof 'Court of Military Review'."

Page 15, after line 3, insert:

"(32) Section 871 (article 71) is amended—

"(A) by striking out 'board of review' in subsection (c) and inserting in lieu thereof 'Court of Military Review'; and

"(B) by inserting 'or deferred' in the first sentence of subsection (d) immediately after 'suspended'.

Page 15, after line 3, insert:

"(33) Section 873 (article 73) is amended to read as follows:

" '§ 873. Art. 73. Petition for a new trial

" 'At any time within two years after approval by the convening authority of a court-martial sentence, the accused may petition the Judge Advocate General for a new trial on the grounds of newly discovered evidence or fraud on the court. If the accused's case is pending before a Court of Military Review or before the Court of Military Appeals, the Judge Advocate General shall refer the petition to the appropriate court for action. Otherwise the Judge Advocate General shall act upon the petition.' "

Page 15, after line 3, insert:

"(34) Section 936(b) (article 136(b)) is amended by striking out 'law officer' and inserting in lieu thereof 'military judge'."

Page 15, after line 3, insert:

"Sec. 3. (a) Whenever the term law officer is used, with reference to any officer detailed to a court-martial pursuant to section 826(a) (article 26(a)) of title 10, United States Code, in any provision of Federal law (other than provisions amended by this Act) or in any regulation, document, or record of the United States, such term shall be deemed to mean military judge.

"(b) Whenever the term board of review is used, with reference to or in connection with the appellate review of court-martial cases, in any provision of Federal law (other than provisions amended by this Act) or in any regulation, document, or record of the United States, such term shall be deemed to mean Court of Military Review."

Page 15, after line 3, insert:

"Sec. 4. (a) Except for the amendments made by paragraphs (30) and (33) of section 2, this Act shall become effective on the first day of the tenth month following the month in which it is enacted.

"(b) The amendment made by paragraph (30) of section 2 shall become effective upon the date of enactment of this Act.

"(c) The amendment made by paragraph (33) shall apply in the case of all court-martial sentences approved by the convening authority on or after, or not more than two years before, the date of its enactment."

Secretary.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, H.R. 15971 is a bill designed to increase the participation of law officers in courts-martial, to make more efficient and speed up court-martial procedures, and to give added procedural safeguards to the accused.

On January 10, 1967, Representative Charles E. Bennett introduced H.R. 12705 which contained many provisions of one of his earlier bills, H.R. 226. Hearings were held on this bill before Subcommittee No. 1 of the House Armed Services Committee. The subcommittee voted to report the bill with certain amendments to the full committee. The full committee approved the bill, redesignated as H.R. 1597, on May 21, 1968, and the House passed the bill on June 3, 1968. On September 26, 1968, the bill was approved by the Senate Armed Services Committee with certain amendments proposed by Senator Ervin. In October the bill was passed as amended by the Senate.

The Department of Defense favors enactment of this bill. In addition, the American Bar Association and the Federal Bar Association have recommended enactment of many provisions of the bill on previous occasions.

The need for this bill has become acute because of the increased size of our Armed Forces resulting from the military activtly in Southeast Asia. Besides the savings in time and manpower afforded by the bill, the bill provides meaningful benefits and protections to the accused.

The enactment of this legislation will permit the procedure for trials by special and general courts-martial to conform more closely with the procedure used in the trial of criminal cases in the U.S. district courts and will enhance the prestige and effectiveness of the law officer, whose name is changed by the bill to "military judge," so that his judicial stature and authority in the courtroom will more closely approximate that of a civilian trial judge. The bill allows the military judge to rule finally on certain procedural matters, such as motions for findings of not guilty, on which he now may be overruled by the court members who are untrained in the law. The bill provides for pretrial and posttrial sessions to be held by the military judge without the presence of the court panel for the purpose of deciding procedural questions. The bill provides for trial in special and general court-martial by a military judge alone without court members if the accused requests and the request is approved by the military judge. These last two provisions are expected to save innumerable man-hours of line officers who would otherwise be required to be in attendance at courts-martial, as well as improving the internal efficiency of the justice system.

The bill contains the following provisions designed to increase the fairness of the military justice system. The accused must be afforded the right to be defended by qualified lawyer counsel at special courts-martial unless the commander certifies one cannot be obtained. Mere inconvenience is not a basis for certifying the nonavailability of legal counsel. Additionally, before a bad conduct discharge can be adjudged at a special court-martial, the accused must be represented by qualified counsel, and the proceedings must be presided over by a military judge unless physical conditions or military exigencies prevent one from being obtained. The bill extends the time in which the accused can petition for a new trial from 1 to 2 years.

The bill changes the name of the intermediate appellate agencies in the military from boards of review to courts of military review. The bill requires that the judges of these courts and the military judges of courts-martial be part of an independent judiciary, responsible only to the Judge Advocate General. In addition, the bill authorizes the convening authority to release an accused from confinement pending appeal. This provision is analogous to release on bail in the civilian courts, except that bail is not required.

Finally, the bill permits an accused faced with trial by summary court-martial to object to such trial, at which time the convening authority may bring charges at special or general court-martial or dismiss them as he decides.

The enactment of this bill will be the most significant advance in the field of military justice since the enactment of the Uniform Code of Military Justice in 1951.

Mr. KING of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, it has been more than 17 years since the Uniform Code of Military Justice came into effect on May 31, 1951. At one time it was clear that the military justice system, at the general court-martial level, was vastly superior to the civilian system of criminal justice, both State and Federal. Procedures required free legal representation by a qualified lawyer, verbatim transcripts, automatic right to appeal at no cost, and full and complete disclosure of all relevant evidence at every stage of the case. Most of these procedures are now part of civilian criminal practice. In other areas, the military has fallen behind its civilian counterpart.

The time has come once again to make the system of military justice a model for all criminal justice systems. H.R. 15971 will produce the most significant changes in military justice in 17 years and will place the military in the forefront of the administration of criminal justice. It will do so in a manner which will tremendously improve military efficiency. The bill changes many of the procedures of the military justice system to bring them in line with procedures in the Federal courts. The military judge will have many of the powers and prerogatives of the Federal district judge, including the right to rule on interlocutory questions and hold pre- and post-trial sessions without assembling the members. This feature will speed up trials and insure that the trial will not be delayed unnecessarily after the members have assembled.

Provisions of the bill which permit an accused to be tried by a military judge alone will free line officers from the necessity of serving as court members in many guilty plea cases. Additionally, the provisions will provide the accused with another option in the system; as in the Federal district courts, it is expected that many defendants will choose to be tried by a judge alone. The potential manpower savings resulting from eliminating court members in some cases and speeding the procedures in all other cases are substantial. This is particularly important in Vietnam where men are needed to perform combat duties.

The bill provides for the right of defendants in special courts-martial, at their request, to be defended by free qualified legal counsel. While many civilian courts have been moving in the direction of requiring assigned counsel in misdemeanor cases, I feel that the American fighting man should not have to await court decisions for this valuable right. Who more than the soldier risking his life for his country is entitled to the best of legal safeguards when he is faced with a criminal charge?

The armed services provide our fighting men with first-class medical service, first-class weapons, first-class logistical support, first-class training, and first-class leadership. This bill provides the U.S. servicemen with a first-class system of justice. It will accomplish this without impairing military discipline, for I am convinced that morale and discipline are both enhanced when a serviceman knows that his rights will be safeguarded.

Additionally, before a bad conduct discharge can be adjudged at a special court-martial, stigmatizing the accused with a record which may seriously affect his life, he must be represented by qualified legal counsel and his court-martial must be conducted by a military judge, unless such a judge is not available because of military exigencies or physical conditions.

The bill permits a convening authority to release an accused from confinement pending appeal, but without the requirement that bail be deposited. It extends from 1 to 2 years the time in which an accused may petition for a new trial. The bill also permits an accused to object to trial by summary court-martial; the convening authority may then bring charges at special or general court-martial or he may dismiss them.

H.R. 15971 changes the name of the appellate boards of review to courts of military review and requires that the judges of these review courts and of courts-martial be part of an independent judiciary.

H.R. 15971 will place military justice ahead of the Federal courts in protecting the rights of accused. And this is as it should be.

This bill will result in a justice system which will stand as a model of fairness for both the State and Federal bars in the years to come.

As a member of the subcommittee which considered this legislation I am proud to recommend it to my colleagues.

Mr. BENNETT. Mr. Speaker, on June 3 of this year the House passed H.R. 15971, which now again is before us because of Senate amendments. This bill changes many of the procedures of the military justice system in order to bring them in line with procedures in the Federal courts. The Senate has added several substantive amendments to the House-passed bill. I have carefully studied the Senate amendments, and I feel they should be accepted by the House. I am happy to report that the House Armed Services Committee concurs in this view.

I have been advised the Department of Defense favors enactment of the legislation with the Senate amendments. The amendments have not changed the noncontroversial nature of the legislation, but they have strengthened the bill and include needed reforms.

Most of the Senate amendments are taken from legislation Senator ERVIN, of North Carolina, and I have had pending for years. On January 10, 1967, I introduced H.R. 226, an omnibus bill of amendments to the Uniform Code of Military Justice. Five months later Senator ERVIN introduced his omnibus bill, S. 2009. These bills differed, but what Senator ERVIN and I both were, and still are, striving for, were much-needed reforms in the Uniform Code.

H.R. 15971 represents a culmination of

Senate and House efforts to get these needed reforms enacted. The Senate studied legislation in this field for 8 years and held exhaustive hearings, and the Senate amendments, on the whole, are a product of those hearings. The House held hearings last year on the House version of this bill. The provisions of this bill, as amended, are therefore not new to the Congress and most of them have been under consideration for years.

The need for this bill has become acute because of the increased size of our Armed Forces resulting from our present military activity in Vietnam. The bill provides meaningful benefits and protections to the accused, as well as streamlining procedures. The bill contains the following provisions, which are designed to increase the fairness of the military justice system: First, the accused must be afforded the right to be defended by a qualified lawyer at special courts-martial—heretofore such a right only existed in the case of general courts-martial; second, before a bad conduct discharge can be adjudged at a special court-martial, the accused must be represented by a qualified lawyer and the proceedings must be conducted by a "military judge"—a term I will discuss below—except where physical conditions or military exigencies prevent one from being obtained; third, the bill extends the time in which the accused can petition for a new trial from 1 to 2 years; and fourth, an accused faced with trial at summary court-martial can object to such an informal trial, at which time the convening authority must bring charges at a special or general court-martial or dismiss them.

The enactment of H.R. 15971 will permit the procedure for trials in the military to conform more closely to the procedures used in the Federal courts. The bill also enhances the prestige and effectiveness of the law officer, whose name is changed to "military judge." The role of the "military judge" will closely approximate that of a civilian trial judge: he will rule finally on certain procedural matters and will hold open pretrial and posttrial sessions without the presence of the court for the purpose of deciding procedural questions. An accused can request a special and general court-martial by a "military judge" alone.

The bill changes the name of the intermediate appellate agencies in the military from boards of review to courts of military review. The bill requires that the judges of these courts and of courts-martial be part of an independent judiciary. In addition, the bill authorizes a military form of release on bail pending appeal, the need for which has been pointed out in several recent cases.

The importance of this legislation cannot be overstated. It is particularly needed in Vietnam, as has been pointed out by General Westmoreland; for under the bill line officers will be free from the necessity of serving as court members in many cases; and many previously wasted man-hours will be saved because of streamlined procedures.

I think it is most significant that the House of Representatives, which fathered the Uniform Code of Military Justice, also initiated the action on this legislation and now has the opportunity to put the capstone on it. The enactment of H.R. 15971 will be the most significant advance in the field of military justice since enactment of the Uniform Code of Military Justice. I heartily recommend the House approve the Senate amendments.

Mr. Speaker, the following is an analysis prepared by officers in the Department of Defense concerning the Senate amendments to H.R. 15971:

1. The Senate on 3 October 1968, passed H.R. 15971, with a number of amendments proposed by Senator Ervin. The amendments, in summary, are as follows:

a. Increases the power of the Judge Advocate General to grant rehearings on the grounds of newly discovered evidence or fraud on the court by including appeals from summary and special courts-martial.

b. Accused can object to trial by summary court-martial (at present, he can object to trial by summary court only if he has not refused to accept punishment under Article 15.

c. Accused has a right to trial by a one-officer special or general court-martial if the law officer approves (i.e., the convening authority would not have veto power as in the House version).

d. A bad conduct discharge may not be adjudged by a special court-martial unless the accused is represented by lawyer counsel, and a military judge, if one is available, is detailed to the court.

e. Changes the title of the law officer to military judge.

f. Establishes a statutory field judiciary in all services.

g. Establishes a court of military review in each service composed of one or more panels. (Replace present Boards of Review).

h. Establishes statutory authority for branch offices.

i. Strengthens the provisions of Article 37, UCMJ, pertaining to unlawful command influence.

j. Permits a convening authority to defer the confinement portion of a sentence pending appellate review.

k. Provide lawyer counsel at the request of accused in a special court-martial unless the commander certifies one cannot be obtained.

2. Department of Defense favors H.R. 15971 and approves the amendments thereto.

3. The substance of each amendment does not raise new matter. Their various provisions have been treated in detail in legislative proceedings where all interested parties within and without the Department of Defense have been afforded extensive opportunity to be heard. The legislative history concerning these amendments could be established through at least the following sources: Joint Hearings before the Subcommittee on Constitutional Rights of the Committee on the Judiciary and a Special Subcommittee of the Committee on Armed Services, United States Senate, Eighty-ninth Congress on Military Justice; Joint Reports of the Code Committee (Art. 67g, UCMJ), and Hearings on H.R. 12705 and H.R. 15971 before the Committee on Armed Services of the House of Representatives.

The legislative history developed by these sources is as follows:

a. The record of the Joint Hearings (1966) reflects the testimony of many knowledgeable witnesses in the field of military justice. One of the most knowledgeable witnesses was Chief Judge Robert E. Quinn, U.S. Court of Military Appeals. He stated that he was in substantial agreement with all the bills proposed by Senator Ervin (S. 745—S. 762) and that they were a step in the right direction. (Report of Joint Hearings at Page 277). In addition, the record of the Joint Hearings (1966) reveals the following items of legislative history concerning some of the above amendments.

(1) Amendment listed as "a." is similar to S. 751 discussed at pages 550–557 of the report of the Joint Hearings.

(2) Discussion of the amendment listed as "b." is encompassed in the discussion of S. 759 at pages 619–629.

(3) Amendment listed as "c." is a concept similar to that proposed in S. 752 discussed at pages 558–571.

(4) Amendment listed as "d." is similar to provisions of S. 750 discussed at pages 519–549 and S. 752 discussed at pages 558–571.

(5) Amendment listed as "e." is similar to S. 745 discussed at pages 464–474.

(6) Amendment listed as "f." is similar to S. 745 discussed at pages 464–474.

(7) Amendment listed as "g." is a concept similar in part to S. 748 discussed at pages 497–507.

(8) Amendment listed as "h." is similar to provisions of S. 748 discussed at pages 497–507.

(9) Amendment listed as "i." is similar to S. 749 discussed at pages 508–518.

(10) Amendment listed as "k.," although not specifically considered in a proposed senate bill in the Eighty-ninth Congress, was considered in detail at the Joint Hearings. The concept of providing qualified counsel at special courts-martial was discussed by all of the services and DOD in their answers to questionnaires sent to them by the committee. Pages 876, 917, 940, 965.

b. The record of the Joint Reports of the Code Committee reveals the following items of legislative history concerning concepts or proposals similar to some of the above amendments:

Amendment a.—Pages 37–39, (1964 Report); page 3, (1965 Report); page 18, (1966 Report).

Amendment b.—Page 41, (1966 Report).

Amendment c.—Page 40, (1966 Report); pages 15–34, (1964 Report).

Amendment d.—Pages 31, 32, (1966 Report).

Amendment e.—Page 17, (1966 Report).

Amendment f.—Page 12, (1965 Report).

Amendment g.—Pages 18, 41, (1966 Report).

Amendment i.—Pages 18, 38, 39, (1966 Report).

Amendment j.—Page 37, (1966 Report).

Amendment k.—Pages 44, 59, (1966 Report).

c. The transcripts of the Committee Hearings in the House on H.R. 12705 and H.R. 15971 reveal the following items of legislative history.

(1) Amendment "c" provides that the convening authority would not have veto power over the accused's request for a single officer court. This would leave the approval of the accused's request solely within the sound discretion of the military judge. The arguments as to the appropriateness of the convening authority's veto power were presented in detail at pages 37–71 of the transcript of the 26 October 1967 hearing, and pages 8–10 of the transcript of the hearings of 14 March 1968.

(2) Amendment "k" provides for lawyer counsel at the request of the accused at special courts-martial when available. The need for lawyer counsel when a bad conduct discharge can be adjudged by a special court-martial was discussed at the Armed Services Committee Hearing of 24 April 1968. In particular, the great need for lawyer counsel to defend all military accused was emphasized by Representaive Hébert at page 14 of the transcript.

Without retracing the exact positions taken by persons interested in the subject matter of the amendments, the foregoing sampling demonstrates that the subject or substance of the amendments is not new matter, but has been exhaustively considered in prior legislative proceedings and reports to the Congress.

4. In addition the substance of each amendment has been commented upon in detail in various Department of Defense (DOD) reports. The amendment listed as "j" was a separate legislative proposal and a part of the Defense legislative program for the second session of the 90th Congress. The Congress was furnished a detailed report concerning this proposal. The amendments listed as "e.," "f.," "g.," and "h.," were a portion of a sister bill proposed by the Department of Defense as a part of the Departments report on S. 2009. S. 2009 was introduced by Senator Ervin in the 90th Congress and contained in substance most of the bills proposed by him in the 89th Congress. The Department of Defense report stressed the need for the amendments listed as "e.," "f.," "g.," and "h." This report was forwarded to the Congress.

GENERAL LEAVE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 days in which to extend their remarks on the bill H.R. 15971 just passed by the House.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROVIDING FOR PRINTING AS A HOUSE DOCUMENT "FEDERAL EDUCATIONAL POLICIES, PROGRAMS, AND PROPOSALS"

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1961) on the concurrent resolution (H. Con. Res. 763) to provide for the printing as a House document a survey and handbook entitled "Federal Educational Policies, Programs, and Proposals," and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 763

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document a survey and handbook entitled "Federal Educational Policies, Programs, and Proposals", and that two thousand copies be printed for the use of the Committee on Education and Labor, House of Representatives.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR PRINTING OF REPORT ENTITLED "COMMERCIAL BANKS AND THEIR TRUST ACTIVITIES: EMERGING INFLUENCE ON THE AMERICAN ECONOMY"

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1962) on the concurrent resolution (H. Con. Res. 797) providing for the printing of the report entitled "Commercial Banks and Their Trust Activities: Emerging Influence on the American Economy," and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 797

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Committee on Banking and Currency of the House of Representatives two thousand copies of the two-volume subcommittee print entitled "Commercial Banks and Their Trust Activities: Emerging Influence on the American Economy," a staff report prepared for the Subcommittee on Domestic Finance of the Committee on Banking and Currency.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

LISTING OF OPERATING FEDERAL ASSISTANCE PROGRAMS AS COMPILED DURING THE ROTH STUDY

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration I submit a privileged report (Rept. No. 1963) on the concurrent resolution (H. Con. Res. 801) listing of operating Federal assistance programs as compiled during the Roth study, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 801

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document the listing of operating Federal assistance programs as compiled during the Roth study and which appear in the Congressional Record of June 25, 1968, pages H5441 to H5585, inclusive, and that five thousand four hundred and twenty additional copies shall be printed, of which four thousand three hundred and ninety shall be for use by the House of Representatives and one thousand and thirty shall be for the use of the Senate.

SEC. 2. Copies of such document shall be prorated to Members of the Senate and the House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House document rooms.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE PRINTING AS A HOUSE DOCUMENT OF THE BIBLIOGRAPHICAL LIST ENTITLED "HUNGARIANS IN RUMANIA AND TRANSYLVANIA," PREPARED BY THE LIBRARY OF CONGRESS

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration I submit a privileged report (Rept. No. 1964) on the resolution (H. Res. 497) providing for the printing as a House document of the bibliographical list entitled "Hungarians in Rumania and Transylvania," prepared by the Library of Congress, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 497

Resolved, That there shall be printed as a House document the bibliographical list entitled "Hungarians in Rumania and Transylvania," prepared by the Library of Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PRINT AS A HOUSE DOCUMENT THE EULOGY PROCEEDINGS ON FORMER REPRESENTATIVE HUBERT B. SCUDDER

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1965) on the resolution (H. Res. 1280) to print as a House document the eulogy proceedings on former Representative Hubert B. Scudder, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 1280

Resolved, That there shall be printed as a House document such tributes and encomiums as were made in the Congress on the occasion of the passing of the Honorable Hubert B. Scudder, former Representative in Congress of the First District of California and a distinguished public servant. This document shall be published in such typographical design and case binding as directed by the Joint Committee on Printing.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF "COMPILATION OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968"

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1966) on the resolution (H. Res. 1301) authorizing the printing of "Compilation of the Housing and Urban Development Act of 1968," and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 1301

Resolved, That there shall be printed twenty-four hundred copies of the committee print entitled "Compilation of the Housing and Urban Development Act of 1968" for the use of the Committee on Banking and Currency.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 421]

Abbitt
Adair
Ashley
Ashmore
Aspinall
Ayres
Barrett
Belcher
Bell
Berry
Bevill
Blanton
Blatnik
Boggs
Bow
Brooks
Brown, Calif.
Broyhill, N.C.
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Casey
Clancy
Clark
Clausen, Don H.
Conyers
Cowger

Cunningham
Curtis
Denney
Devine
Dickinson
Diggs
Dow
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Ford, Gerald R.
Galifianakis
Gallagher
Gardner
Giaimo
Gray
Green, Pa.
Gross
Gurney
Hagan
Haley
Halleck
Hammerschmidt
Hanna
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Howard
Hull
Hungate
Jacobs
Jones, N.C.
Karsten
Keith
King, Calif.
Kirwan
Kleppe
Kluczynski
Kupferman
Kyl
Kyros
Laird
Landrum
Langen
McCarthy
McClory
McFall
Madden
Martin
Mathias, Calif.
Mathias, Md.
Meeds
Michel
Miller, Calif.
Minshall
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, N.Y.
Nichols
O'Hara, Ill.
Ottinger
Patman
Pettis
Pickle
Pollock
Pryor
Railsback
Reifel
Reinecke
Resnick
Riegle
Roberts
Robison
Rogers, Colo.
Rosenthal
Roudebush
Roush
Ruppe
Ryan
Sandman
Scheuer
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Stafford
Staggers
Steiger, Ariz.
Stratton
Sullivan
Thompson, N.J.
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Wampler
Watkins
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wright

The **SPEAKER**. On this rollcall 275 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EQUAL TIME FOR TELEVISION DEBATE

Mr. **WOLFF**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **WOLFF**. Mr. Speaker, I take this time to read from the AP ticker the word that Minority Leader EVERETT DIRKSEN, "without mentioning a filibuster, says that Senate Republicans will resist with the means at our command" to block passage of the equal time bill that survived historic locked-door debate in the House. The article goes on to state "that DIRKSEN made it clear in an interview after the 27½-hour House debate on the measure ended Wednesday, that Senate Republicans have no intention of letting the bill become law."

It seems to make very specious, the argument which was used by our Republican colleagues in the House, that the attempted filibuster all night was on the congressional reform bill.

I think this is a very definite indication of the fact that Mr. Nixon is afraid to meet with Mr. HUMPHREY and Mr. Wallace. It is a sad commentary for the American people that they will be denied their right to see all candidates in direct confrontation and that the Republicans in Congress will go to any length to see to it that this denial will be enforced.

PERSONAL EXPLANATION

Mr. **DULSKI**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **DULSKI**. Mr. Speaker, I was absent on rollcall No. 367. Had I been present I would have voted "yea."

THE PRESIDENT'S DECISION TO SELL PHANTOM JETS TO ISRAEL

Mr. **FARBSTEIN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **FARBSTEIN**. Mr. Speaker, I think that I could not allow this time to go by without making some mention about the fact that the President of the United States has finally decided to sell Israel Phantom jets and that the Foreign Minister of Israel has made an important proposal to the United Nations. I learned about it too late to make a statement yesterday.

But, Mr. Speaker, I truly believe that the President should be congratulated for his decision in this matter.

I think the Israel Government is to be commended for the judicious, thoughtful and reasonable proposals for peace in the Middle East that Foreign Minister Abba Eban presented to the United Nations on Tuesday. I say again, Mr. Speaker, that President Johnson is to be commended for authorizing immediate negotiations with Israel for the sale of supersonic jet fighters to restore the balance of power in that region. Thus, in the brief period of a few days, we see encouraging signs that the immobility which has characterized relations between the nations of that region may be over. I regard both these moves as important steps toward peace. Let me say further that I believe the action of the Congress in recommending the sale of Phantom jets to Israel carried great weight with President Johnson in coming to his conclusion.

The Israeli proposals, as submitted to the United Nations, are both comprehensive and generous. They do not ignore the grievance of the Arabs any more than they are unmindful of the security needs of Israel. Mr. Eban presented the outline for resolution of the problem of Jerusalem, as well as the festering dilemma of the Arab refugees of the successful Middle Eastern wars. Certainly there is much within these proposals that the Arab States can embrace. They were submitted in a spirit of conciliation, with a willingness to take into account conflicting points of view. I pray that President Nasser and his fellow heads of the Arab States will see that all the people of the Middle East—both Jew and Moslem—will benefit from an end of this protracted mutual hostility. I entreat these leaders to respond sympathetically to the Israeli offer of comity.

President Johnson's decision also brings hope for peace. I think it is fair to say that the temptation of the Arab States grows in proportion to the military superiority they see themselves as holding over Israel. The war of 1967 was a major miscalculation on their part, but they continue to examine their relationship to Israel in these terms. Over and again, we have heard Arab chiefs say they will make war on Israel as soon as they are ready—as if it is Israel's duty to stand by and wait for its extermination. The delivery of the Phantom jets will dampen Arab expectations. Soviet arms shipments may continue, as they have at a growing pace since the June war, but America's delivery of the Phantom jets will demonstrate that Arab rearmament will be matched, item for item. Perhaps the President's announcement will persuade the Arab leadership to pause and recognize how foolish it is to maintain the escalation of the arms race.

I thus congratulate Mr. Eban and his assistants, as I do our own President, for stepping forth manfully in the quest for peace.

DAY OF COURAGE

Mr. **CAREY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **CAREY**. Mr. Speaker, I take this time to comment on the momentous events of this week that took place and to accentuate the display of courage that occurred on October 9, a day which is marked with courage because it, of course, is the day on which we commemorate Leif Ericson, the great Norwegian explorer.

And you will recall that the nominee, the Vice President of the United States, the nominee of the Democratic Party for the Presidency of the United States this year, proudly claims origins in the Norwegian people. And our courageous candidate, HUBERT HORATIO HUMPHREY, of course, with his great spirit is fully prepared to do battle anywhere, on television or on radio, if he can only find someone to battle with him.

Mr. Speaker, I ask the House now, in light of this display of courage by our candidate, can it be true that the Republican candidate, big, bold, brave Richard M. Nixon, who says he is unafraid to face the Russian bear, may be afraid to face the NBC peacock?

A JOB WELL DONE

Mr. **CONTE**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. **CONTE**. Mr. Speaker, now that the smoke has cleared, and everyone has rested after our record-breaking 32-hour session, I want to take this opportunity to commend our House reading clerks, Joseph Bartlett and Charles Hackney, and John Jenkins, acting tally clerk, John J. Moorconis, temporary assistant tally clerk, the guardians of the rollcall, who worked through the 48 such rollcalls, innumerable parliamentary inquiries, and the business transacted during our marathon session. We should all commend them for services far and above and well beyond the call of duty—or should I say the call of the roll?

I personally thank the House reading clerks and the Official Reporters of Debates for a job well done.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I thank the gentleman from Massachusetts for yielding, and I certainly want to associate myself with his remarks, but I believe the whole House would also join me in paying tribute to the Speaker, Mr. McCORMACK. No man has ever conducted himself with greater dignity and decorum and preserved the principles of fair play and parliamentary integrity in this House better, and with greater dignity than Speaker McCORMACK himself, and he stayed with us throughout the whole period. While younger men had to seek rest, the Speaker personally directed order in the House throughout the 32 hours. This is not only a tribute to his integrity but his stamina as well.

It is indeed living proof of his great courage and great dedication. In the entire history of the Congress, I am sure that no Speaker has ever been put to a more severe and exhausting test than Speaker McCORMACK and no Speaker has equaled Mr. McCORMACK's dignity under such trying conditions. I am sure I speak for all Members in pointing out his achievement is historic and unprecedented. As far as I am concerned, Mr. McCORMACK can remain Speaker of this House just as long as he personally desires.

Mr. CONTE. I certainly want to join with the gentleman from Illinois in those remarks. They are well deserved. The Speaker showed fantastic stamina, great courage, and outstanding leadership and it is a great tribute to him.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Speaker, I would like to commend the reading clerks also, because they spelled my name correctly in the 39 rollcalls that I missed.

OEO FINANCES YIPPIE LEADER

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, after so many scandals in the administration's poverty program, it would appear that one would just become numb with disbelief. But, a story which appeared in the Washington Post this morning should shock even the most ardent OEO supporter.

According to an Associated Press article originating in New York, a spokesman for the Human Resources Administration, an OEO-financed program, admitted that Yippie leader Abbie Hoffman has been on the payroll as a $40-a-day consultant. He went on the payroll July 15 and received money for a total of 17 so-called working days before being dropped from the program September 30.

In fact, he remained on the payroll right up to the day he was to appear before the House Committee on Un-American Activities. Had the committee not subpenaed Hoffman, he would no doubt still be receiving antipoverty funds.

Numerous instances have been shown where the taxpayers' money was squandered on ill-conceived poverty projects that benefited professional rioters and criminals, but in allowing Abbie Hoffman to get on the payroll, the OEO has sunk to a new low.

Hoffman played a prominent role in the violence which occurred in Chicago during the Democratic National Convention. As a leader of the Youth International Party, or Yippies, Hoffman is a self-professed revolutionary with an appalling record of un-American activity.

Just recently Hoffman and his fellow-conspirators appeared before the House Committee on Un-American Activities in connection with the Chicago demonstrations.

As the hearings have already pointed out, Hoffman and the other notorious student leaders of the "New Left" plan the overthrow of the Government by any means.

It is just incredible that despite untold occasions of fraud and corruption in the so-called poverty program, OEO bureaucrats continue to pour tax dollars into programs which finance revolution.

This is the first time in history that the financial resources of a nation are directly allotted to those who are actively engaged in its overthrow.

The war on poverty is nothing more than a war on the hard-working American taxpayer. If OEO can give $40 a day to the likes of Abbie Hoffman today, then it is conceivable that it would give $4 million a day to someone like Fidel Castro tomorrow. After all, there is not 10 cents worth of difference in the political philosopy of Hoffman and Castro.

CONFERENCE REPORT ON H.R. 17735, GUN CONTROL ACT OF 1968

Mr. CELLER. Mr. Speaker, I call up the conference report on the bill (H.R. 17735) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms, and ask unanimous consent that the statement of the Managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1956)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 17735) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Gun Control Act of 1968".

TITLE I—STATE FIREARMS CONTROL ASSISTANCE

PURPOSE

SEC. 101. The Congress hereby declares that the purpose of this title is to provide support to Federal, State, and local law enforcement officials in their fight against crime and violence, and it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection, or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title.

SEC. 102. Chapter 44 of title 18, United States Code, is amended to read as follows:

"Chapter 44.—FIREARMS

"Sec.
"921. Definitions.
"922. Unlawful acts.
"923. Licensing.
"924. Penalties.
"925. Exceptions: Relief from disabilities.
"926. Rules and regulations.
"927. Effect on State law.
"928. Separability clause.

"§ 921. Definitions.

"(a) As used in this chapter—

"(1) The term 'person' and the term 'whoever' include any individual, corporation, company, association, firm, partnership, society, or joint stock company.

"(2) The term 'interstate or foreign commerce' includes commerce between any place in a State and any place outside of that State, or within any possession of the United States (not including the Canal Zone) or the District of Columbia, but such term does not include commerce between places within the same State but through any place outside of that State. The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone).

"(3) The term 'firearm' means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

"(4) The term 'destructive device' means—

"(A) any explosive, incendiary, or poison gas—

"(i) bomb,

"(ii) grenade,

"(iii) rocket having a propellant charge of more than four ounces,

"(iv) missile having an explosive or incendiary charge of more than one-quarter ounce,

"(v) mine, or

"(vi) device similar to any of the devices described in the preceding clauses;

"(B) any type of weapon (other than a shotgun or a shotgun shell which the Secretary finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and

"(C) any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled.

The term 'destructive device' shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10; or any other device which the Secretary of the Treasury finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting purposes.

"(5) The term 'shotgun' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

"(6) The term 'short-barreled shotgun' means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(7) The term 'rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

"(8) The term 'short-barreled rifle' means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches.

"(9) The term 'importer' means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term 'licensed importer' means any such person licensed under the provisions of this chapter.

"(10) The term 'manufacturer' means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribtuion; and the term 'licensed manufacturer' means any such person licensed under the provisions of this chapter.

"(11) The term 'dealer' means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail (B) any person engaged in the business of repairing firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms, or (C) any person who is a pawnbroker. The term 'licensed dealer' means any dealer who is licensed under the provisions of this chapter.

"(12) The term 'pawnbroker' means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

"(13) The term 'collector' means any person who acquires, holds, or disposes of firearms or ammunition as curios or relics, as the Secretary shall by regulation define, and the term 'licensed collector' means any such person licensed under the provisions of this chapter.

"(14) The term 'indictment' includes an indictment or information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

"(15) the term 'fugitive from justice' means any person who has fled from any State to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding.

"(16) The term 'antique firearm' means—

"(A) any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; and

"(B) any replica of any firearm described in subparagraph (A) if such replica—

"(i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or

"(ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

"(17) The term 'ammunition' means ammunition or cartridge cases, primers, bullets, or propellent powder designed for use in any firearm.

"(18) The term 'Secretary' or 'Secretary of the Treasury' means the Secretary of the Treasury or his delegate.

"(19) The term 'published ordinance' means a published law of any political subdivision of a State which the Secretary determines to be relevant to the enforcement of this chapter and which is contained on a list compiled by the Secretary, which list shall be published in the Federal Register, revised annually, and furnished to each licensee under this chapter.

"(20) The term 'crime punishable by imprisonment for a term exceeding one year' shall not include (A) any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secretary may by regulation designate, or (B) any State offense (other than one involving a firearm or explosive) classified by the laws of the State as a misdemeanor and punishable by a term of imprisonment of two years or less.

"(b) For the purposes of this chapter, a member of the Armed Forces on active duty is a resident of the State in which his permanent duty station is located.

"§ 922. Unlawful acts.

"(a) It shall be unlawful—

"(1) for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce;

"(2) for any importer, manufacturer, dealer, or collector licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce any firearm or ammunition to any person other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, except that—

"(A) this paragraph and subsection (b) (3) shall not be held to preclude a licensed importer, licensed manufacturer, licensed dealer, or licensed collector from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received; and this paragraph shall not be held to preclude an individual from mailing a firearm owned in compliance with Federal, State, and local law to a licensed importer, licensed manufacturer, or licensed dealer for the sole purpose of repair or customizing;

"(B) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firearm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of this title, is eligible to receive through the mails pistols, revolvers, and other firearms capable of being concealed on the person, or use in connection with his official duty; and

"(C) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States;

"(3) for any person, other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, the State where it maintains a place of business) any firearm purchased or otherwise obtained by such person outside that State, except that this paragraph (A) shall not preclude any person who lawfully acquires a firearm by bequest or intestate succession in a State other than his State of residence from transporting the firearm into or receiving it in that State, if it is lawful for such person to purchase or possess such firearm in that State, (B) shall not apply to the transportation or receipt of a rifle or shotgun obtained in conformity with the provisions of subsection (b) (3) of this section, and (C) shall not apply to the transportation of any firearm acquired in any State prior to the effective date of this chapter;

"(4) for any person, other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, to transport in interstate or foreign commerce any destructive device, machinegun (as defined in section 5845 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary consistent with public safety and necessity;

"(5) for any person (other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector) to transfer, sell, trade, give, transport, or deliver any firearm to any person (other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector) who the transferor knows or has reasonable cause to believe resides in any State other than that in which the transferor resides (or other than that in which its place of business is located if the transferor is a corporation or other business entity); except that this paragraph shall not apply to (A) the transfer, transportation, or delivery of a firearm made to carry out a bequest of a firearm to, or an acquisition by intestate succession of a firearm by, a person who is permitted to acquire or possess a firearm under the laws of the State of his residence, and (B) the loan or rental of a firearm to any person for temporary use for lawful sporting purposes; and

"(6) for any person in connection with the acquisition or attempted acquisition of any firearm or ammunition from a licensed im-

porter, licensed manufacturer, licensed dealer, or licensed collector, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false, fictitious, or misrepresented identification, intended or likely to deceive such importer, manufacturer, dealer, or collector with respect to any fact material to the lawfulness of the sale or other disposition of such firearm or ammunition under the provisions of this chapter.

"(b) It shall be unlawful for any licensed importer, licensed manufacturer, licensed dealer, or licensed collector to sell or deliver—

"(1) any firearm or ammunition to any individual who the licensee knows or has reasonable cause to believe is less than eighteen years of age, and, if the firearm, or ammunition is other than a shotgun or rifle, or ammunition for a shotgun or rifle, to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age.

"(2) any firearm or ammunition to any person in any State where the purchase or possession by such person of such firearm or ammunition would be in violation of any State law or any published ordinance applicable at the place of sale, delivery, or other disposition, unless the licensee knows or has reasonable cause to believe that the purchase or possession would not be in violation of such State law or such published ordinance;

"(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located, except that this paragraph (A) shall not apply to the sale or delivery of a rifle or shotgun to a resident of a State contiguous to the State in which the licensee's place of business is located, if the purchaser's State of residence permits such sale or delivery by law, the sale fully complies with the legal conditions of sale in both such contiguous States, and the purchaser and the licensee have, prior to the sale, or delivery for sale, of the rifle or shotgun, complied with all of the requirements of section 922(c) applicable to intrastate transactions other than at the licensee's business premises, (B) shall not apply to the loan or rental of a firearm to any person for temporary use for lawful sporting purposes, and (C) shall not preclude any person who is participating in any organized rifle or shotgun match or contest, or is engaged in hunting, in a State other than his State of residence and whose rifle or shotgun has been lost or stolen or has become inoperative in such other State, from purchasing a rifle or shotgun in such other State from a licensed dealer if such person presents to such dealer a sworn statement (i) that his rifle or shotgun was lost or stolen or became inoperative while participating in such a match or contest, or while engaged in hunting, in such other State, and (ii) identifying the chief law enforcement officer of the locality in which such person resides, to whom such licensed dealer shall forward such statement by registered mail;

"(4) to any person any destructive device, machinegun (as defined in section 5845 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary consistent with public safety and necessity; and

"(5) any firearm or ammunition to any person unless the licensee notes in his records, required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Paragraphs (1), (2), (3), and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, licensed dealers, and licensed collectors. Paragraph (4) of this subsection shall not apply to a sale or delivery to any research organization designated by the Secretary.

"(c) In any case not otherwise prohibited by this chapter, a licensed importer, licensed manufacturer, or licensed dealer may sell a firearm to a person who does not appear in person at the licensee's business premises (other than another licensed importer, manufacturer, or dealer) only if—

"(1) the transferee submits to the transferor a sworn statement in the following form:

" 'Subject to penalties provided by law, I swear that, in the case of any firearm other than a shotgun or a rifle, I am twenty-one years or more of age, or that, in the case of a shotgun or a rifle, I am eighteen years or more of age; that I am not prohibited by the provisions of chapter 44 of title 18, United States Code, from receiving a firearm in interstate or foreign commerce; and that my receipt of this firearm will not be in violation of any statute of the State and published ordinance applicable to the locality in which I reside. **Further, the true title, name, and address of the principal law enforcement officer of the locality to which the firearm will be delivered are**----------

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Signature------------------ Date--------.'

and containing blank spaces for the attachment of a true copy of any permit or other information required pursuant to such statute or published ordinance;

"(2) the transferor has, prior to the shipment or delivery of the firearm, forwarded by registered or certified mail (return receipt requested) a copy of the sworn statement, together with a description of the firearm, in a form prescribed by the Secretary, to the chief law enforcement officer of the transferee's place of residence, and has received a return receipt evidencing delivery of the statement or has had the statement returned due to the refusal of the named addressee to accept such letter in accordance with United States Post Office Department regulations; and

"(3) the transferor has delayed shipment or delivery for a period of at least seven days following receipt of the notification of the acceptance or refusal of delivery of the statement.

A copy of the sworn statement and a copy of the notification to the local law enforcement officer, together with evidence of receipt or rejection of that notification shall be retianed by the licensee as a part of the records required to be kept under section 923(g).

"(d) It shall be unlawful for any licensed importer, licensed manufacturer, licensed dealer, or licensed collector to sell or otherwise dispose of any firearm or ammunition to any person knowing or having reasonable cause to believe that such person—

"(1) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

"(2) is a fugitive from justice;

"(3) is an unlawful user of or addicted to marihuana or any depressant or stimulant drug (as defined in section 201(v) of the Federal Food, Drug, and Cosmetic Act) or narcotic drug (as defined in section 4731(a) of the Internal Revenue Code of 1954); or

"(4) has been adjudicated as a mental defective or has been committed to any mental institution.

This subsection shall not apply with respect to the sale or disposition of a firearm or ammunition to a licensed importer, licensed manufacturer, licensed dealer, or licensed collector who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms or ammunition, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

"(e) It shall be unlawful for any person knowingly to deliver or cause to be delivered to any common or contract carrier for transportation or shipment in interstate or foreign commerce, to persons other than licensed importers, licensed manufacturers, licensed dealers, or licensed collectors, any package or other container in which there is any firearm or ammunition without written notice to the carrier that such firearm or ammunition is being transported or shipped; **except that any passenger who owns or legally possesses a firearm or ammunition being transported aboard any common or contract carrier for movement with the passenger in interstate or foreign commerce may deliver said firearm or ammunition into the custody of the pilot, captain, conductor or operator of such common or contract carrier for the duration of the trip without violating any of the provisions of this chapter.**

"(f) It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm or ammunition with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

"(g) It shall be unlawful for any person—

"(1) who is under indictment for, or who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

"(2) who is a fugitive from justice;

"(3) who is an unlawful user of or addicted to marihuana or any depressant or stimulant drug (as defined in section 201(v) of the Federal Food, Drug, and Cosmetic Act) or narcotic drug (as defined in section 4731(a) of the Internal Revenue Code of 1954); or

"(4) who has been adjudicated as a mental defective or who has been committed to a mental institution;

to ship or transport any firearm or ammunition in interstate or foreign commerce.

"(h) It shall be unlawful for any person—

"(1) who is under indictment for, or who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

"(2) who is a fugitive from justice;

"(3) who is an unlawful user of or addicted to marihuana or any depressant or stimulant drug (as defined in section 201(v) of the Federal Food, Drug, and Cosmetic Act) or narcotic drug (as defined in section 4731(a) of the Internal Revenue Code of 1954); or

"(4) who has been adjudicated as a mental defective or who has been committed to any mental institution;

to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

"(i) It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe that the firearm or ammunition was stolen.

"(j) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, which is moving as, which is a part of, or which constitutes, interstate, or foreign commerce, knowing or having reasonable cause to believe that the firearm or ammunition was stolen.

"(k) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm which has had the importer's or manufacturer's serial number removed, obliterated, or altered.

"(l) **Except as provided in section 925(d) of this chapter,** it shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

"(m) It shall be unlawful for any licensed importer, licensed manufacturer, licensed dealer, or licensed collector knowingly to make any false entry in, to fail to make appropriate entry in, or to fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

"§ 923. Licensing.

"(a) No person shall engage in business as a firearms or ammunition importer, manufacturer, or dealer until he has filed an application with, and received a license to do so from, the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. Each applicant shall pay a fee for obtaining such a license, a separate fee being required for each place in which the applicant is to do business, as follows:

"(1) If the applicant is a manufacturer—

"(A) of destructive devices or ammunition for destructive devices, a fee of $1,000 per year;

"(B) of firearms other than destructive devices, a fee of $50 per year; or

"(C) of ammunition for firearms other than destructive devices, a fee of $10 per year.

"(2) If the applicant is an importer—

"(A) of destructive devices or ammunition for destructive devices, a fee of $1,000 per year; or

"(B) of firearms other than destructive devices or ammunition for firearms other than destructive devices, a fee of $50 per year.

"(3) If the applicant is a dealer—

"(A) in destructive devices or ammunition for destructive devices, a fee of $1,000 per year;

"(B) who is a pawnbroker dealing in firearms other than destructive devices or ammunition for firearms other than destructive devices, a fee of $25 per year; or

"(C) who is not a dealer in destructive devices or a pawnbroker, a fee of $10 per year.

"(b) Any person desiring to be licensed as a collector shall file an application for such license with the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. The fee for such license shall be $10 per year. Any license granted under this subsection shall only apply to transactions in curios and relics.

"(c) Upon the filing of a proper application and payment of the prescribed fee, the Secretary shall issue to a qualified applicant the appropriate license which, subject to the provisions of this chapter and other applicable provisions of law, shall entitle the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign commerce during the period stated in the license.

"(d)(1) Any application submitted under subsection (a) or (b) of this section shall be approved if—

"(A) the applicant is twenty-one years of age or over;

"(B) the applicant (including, in the case of a corporation, partnership, or association, any individual possessing, directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is not prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under section 922 (g) and (h) of this chapter;

"(C) the applicant has not willfully violated any of the provisions of this chapter or regulations issued thereunder;

"(D) the applicant has not willfully failed to disclose any material information required, or has not made any false statement as to any material fact, in connection with his application; and

"(E) the applicant has in a State (i) premises from which he conducts business subject to license under this chapter or from which he intends to conduct such business within a reasonable period of time, or (ii) in the case of a collector, premises from which he conducts his collecting subject to license under this chapter or from which he intends to conduct such collecting within a reasonable period of time.

"(2) The Secretary must approve or deny an application for a license within the forty-five-day period beginning on the date it is received. If the Secretary fails to act within such period, the applicant may file an action under section 1361 of title 28 to compel the Secretary to act. If the Secretary approves an applicant's application, such applicant shall be issued a license upon the payment of the prescribed fee.

"(e) The Secretary may, after notice and opportunity for hearing, revoke any license issued under this section if the holder of such license has violated any provision of this chapter or any rule or regulation prescribed by the Secretary under this chapter. The Secretary's action under this subsection may be reviewed only as provided in subsection (f) of this section.

"(f)(1) Any person whose application for a license is denied and any holder of a license which is revoked shall receive a written notice from the Secretary stating specifically the grounds upon which the application was denied or upon which the license was revoked. Any notice of a revocation of a license shall be given to the holder of such license before the effective date of the revocation.

"(2) If the Secretary denies an application for, or revokes, a license, he shall, upon request by the aggrieved party, promptly hold a hearing to review his denial or revocation. In the case of a revocation of a license, the Secretary shall upon the request of the holder of the license stay the effective date of the revocation. A hearing held under this paragraph shall be held at a location convenient to the aggrieved party.

"(3) If after a hearing held under paragraph (2) the Secretary decides not to reverse his decision to deny an application or revoke a license, the Secretary shall give notice of his decision to the aggrieved party. The aggrieved party may at any time within sixty days after the date notice was given under this paragraph file a petition with the United States district court for the district in which he resides or has his principal place of business for a judicial review of such denial or revocation. In a proceeding conducted under this subsection, the court may consider any evidence submitted by the parties to the proceeding. If the court decides that the Secretary was not authorized to deny the application or to revoke the license, the court shall order the Secretary to take such action as may be necessary to comply with the judgment of the court.

"(g) Each licensed importer, licensed manufacturer, licensed dealer, and licensed collector shall maintain such records of importation, production, shipment, receipt, sale, or other disposition, of firearms and ammunition at such place, for such period, and in such form as the Secretary may by regulations prescribe. Such importers, manufacturers, dealers, and collectors shall make such records available for inspection at all reasonable times, and shall submit to the Secretary such reports and information with respect to such records and the contents thereof as he shall by regulations prescribe. The Secretary may enter during business hours the premises (including places of storage) of any firearms or ammunition importer, manufacturer, dealer, or collector for the purpose of inspecting or examining (1) any records or documents required to be kept by such importer, manufacturer, dealer, or collector under the provisions of this chapter or regulations issued under this chapter, and (2) any firearms or ammunition kept or stored by such importer, manufacturer, dealer, or collector at such premises. Upon the request of any State or any political subdivision thereof, the Secretary may make available to such State or any political subdivision thereof, any information which he may obtain by reason of the provisions of this chapter with respect to the identification of persons within such State or political subdivision thereof, who have purchased or received firearms or ammunition, together with a description of such firearms or ammunition.

"(h) Licenses issued under the provisions of subsection (c) of this section shall be kept posted and kept available for inspection on the premises covered by the license.

"(i) Licensed importers and licensed manufacturers shall identify, by means of a serial number engraved or cast on the receiver or frame of the weapon, in such manner as the Secretary shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer.

"(j) This section shall not apply to anyone who engages only in hand loading, reloading, or custom loading ammunition for his own firearm, and who does not hand load, reload, or custom load ammunition for others.

"§ 924. Penalties.

"(a) Whoever violates any provision of this chapter or knowingly makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter, or in applying for any license or exemption or relief from disability under the provisions of this chapter, shall be fined not more than $5,000, or imprisoned not more than five years, or both, and shall become eligible for parole as the Board of Parole shall determine.

"(b) Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships, transports, or receives a firearm or any ammunition in interstate or foreign commerce shall be fined not more than $10,000, or imprisoned not more than ten years, or both.

"(c) Whoever—

"(1) uses a firearm to commit any felony which may be prosecuted in a court of the United States, or

"(2) carries a firearm unlawfully during the commission of any felony which may be prosecuted in a court of the United States, shall be sentenced to a term of imprisonment for not less than one year nor more than 10 years. In the case of his second or subsequent conviction under this subsection, such person shall be sentenced to a term of imprisonment for not less than five years nor more than 25 years, and, notwithstanding any other provision of law, the court shall not suspend the sentence of such person or give him a probationary sentence.

"(d) Any firearm or ammunition involved in or used or intended to be used in, any violation of the provisions of this chapter or any rule or regulation promulgated thereunder, or any violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5845(a) of that Code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

"§ 925. Exceptions: Relief from disabilities.

"(a)(1) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, sold or shipped to, or issued for the use of, the United States or any department or agency thereof or any State or any department, agency, or political subdivision thereof.

"(2) The provisions of this chapter shall not apply with respect to (A) the shipment or receipt of firearms or ammunition when sold or issued by the Secretary of the Army pursuant to section 4308 of title 10, and (B) the transportation of any such firearm or ammunition carried out to enable a person, who lawfully received such firearm or ammunition from the Secretary of the Army, to engage in military training or in competitions.

"(3) Unless otherwise prohibited by this chapter or any other Federal law, a licensed importer, licensed manufacturer, or licensed dealer may ship to a member of the United States Armed Forces on active duty outside the United States or to clubs, recognized by the Department of Defense, whose entire membership is composed of such members, and such members or clubs may receive a firearm or ammunition determined by the Secretary of the Treasury to be generally recognized as particularly suitable for sporting purposes and intended for the personal use of such member or club.

"(4) When established to the satisfaction of the Secretary to be consistent with the provisions of this chapter and other applicable Federal and State laws and published ordinances, the Secretary may authorize the transportation, shipment, receipt, or importation into the United States to the place of residence of any member of the United States Armed Forces who is on active duty outside the United States (or who has been on active duty outside the United States within the sixty day period immediately preceding the transportation, shipment, receipt, or importation), of any firearm or ammunition which is (A) determined by the Secretary to be generally recognized as particularly suitable for sporting purposes, or determined by the Department of Defense to be a type of firearm normally classified as a war souvenir, and (B) intended for the personal use of such member.

"(5) For the purpose of paragraphs (3) and (4) of this subsection, the term 'United States' means each of the several States and the District of Columbia.

"(b) A licensed importer, licensed manufacturer, licensed dealer, or licensed collector who is indicted for a crime punishable by imprisonment for a term exceeding one year, may, notwithstanding any other provision of this chapter, continue operation pursuant to his existing license (if prior to the expiration of the term of the existing license timely application is made for a new license) during the term of such indictment and until any conviction pursuant to the indictment becomes final.

"(c) A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act) may make application to the Secretary for relief from the disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of such conviction, and the Secretary may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to act in a manner dangerous to public safety and that the granting of the relief would not be contrary to the public interest. A licensed importer, licensed manufacturer, licensed dealer, or licensed collector conducting operations under this chapter, who makes application for relief from the disabilities incurred under this chapter by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary grants relief to any person pursuant to this section he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor.

"(d) The Secretary may authorize a firearm or ammunition to be imported or brought into the United States or any possession thereof if the person importing or bringing in the firearm or ammunition establishes to the satisfaction of the Secretary that the firearm or ammunition—

"(1) is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10;

"(2) is an unserviceable firearm, other than a machinegun as defined in section 5845(b) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece;

"(3) is of a type that does not fall within the definition of a firearm as defined in section 5845(a) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, excluding surplus military firearms; or

"(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm or ammunition.

The Secretary may permit the conditional importation or bringing in of a firearm or ammunition for examination and testing in connection with the making of a determination as to whether the importation or bringing in of such firearm or ammunition will be allowed under this subsection.

"§ 926. Rules and regulations.

"The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter, including—

"(1) regulations providing that a person licensed under this chapter, when dealing with another person so licensed, shall provide such other licensed person a certified copy of this license; and

"(2) regulations providing for the issuance, at a reasonable cost, to a person licensed under this chapter, of certified copies of his license for use as provided under regulations issued under paragraph (1) of this subsection.

The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

"§ 927. Effect on State law.

"No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State so that the two cannot be reconciled or consistently stand together.

"§ 928. Separability.

"If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

SEC. 103. The administration and enforcement of the amendment made by this title shall be vested in the Secretary of the Treasury.

SEC. 104. Nothing in this title or the amendment made thereby shall be construed as modifying or affecting any provision of—

(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954);

(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

(c) section 1715 of title 18, United States Code, relating to nonmailable firearms.

SEC. 105. (a) Except as provided in subsection (b), the provisions of chapter 44 of title 18, United States Code, as amended by section 102 of this title, shall take effect on December 16, 1968.

(b) The following sections of chapter 44 of title 18, United States Code, as amended by section 102 of this title shall take effect on the date of the enactment of this title: Sections 921, 922(l), 925(a)(1), and 925(d).

TITLE II—MACHINE GUNS, DESTRUCTIVE DEVICES, AND CERTAIN OTHER FIREARMS

SEC. 201. Chapter 53 of the Internal Revenue Code of 1954 is amended to read as follows:

"CHAPTER 53—MACHINE GUNS, DESTRUCTIVE DEVICES, AND CERTAIN OTHER FIREARMS

"Subchapter A. Taxes.
"Subchapter B. General provisions and exemptions.
"Subchapter C. Prohibited acts.
"Subchapter D. Penalties and forfeitures.

"SUBCHAPTER A—TAXES

"Part I. Special (occupational) taxes.
"Part II. Tax on transferring firearms.
"Part III. Tax on making firearms.

"PART I—SPECIAL (OCCUPATIONAL) TAXES

"Sec. 5801. Tax.
"Sec. 5802. Registration of importers, manufacturers, and dealers.

"SEC. 5801. TAX.

"On first engaging in business and thereafter on or before the first day of July of each year, every importer, manufacturer, and dealer in firearms shall pay a special (occupational) tax for each place of business at the following rates:

"(1) IMPORTERS.—$500 a year or fraction thereof;

"(2) MANUFACTURERS.—$500 a year or fraction thereof;

"(3) DEALERS.—$200 a year or fraction thereof.

Except an importer, manufacturer, or dealer who imports, manufactures, or deals in only weapons classified as 'any other weapon' under section 5845(e), shall pay a special (occupational) tax for each place of business at the following rates: Importers, $25 a year or fraction thereof; manufacturers, $25 a year or fraction thereof; dealers, $10 a year or fraction thereof.

"SEC. 5802. REGISTRATION OF IMPORTERS, MANUFACTURERS, AND DEALERS.

"On first engaging in business and thereafter on or before the first day of July of each year, each importer, manufacturer, and dealer in firearms shall register with the Secretary or his delegate in each internal revenue district in which such business is to be carried on, his name, including any trade name, and the address of each location in the district where he will conduct such business. Where there is a change during the taxable year in the location of, or the trade name used in, such business, the importer, manufacturer, or dealer shall file an application with the Secretary or his delegate to amend his registration. Firearms operations of an importer, manufacturer, or dealer may not be commenced at the new location or under a new trade name prior to approval by the Secretary or his delegate of the application.

"PART II—TAX ON TRANSFERRING FIREARMS

"Sec. 5811. Transfer tax.
"Sec. 5812. Transfers.

"SEC. 5811. TRANSFER TAX.

"(a) RATE.—There shall be levied, collected, and paid on firearms transferred a tax at the rate of $200 for each firearm transferred, except, the transfer tax on any firearm classified as any other weapon under section 5845(e) shall be at the rate of $5 for each such firearm transferred.

"(b) By Whom Paid.—The tax imposed by subsection (a) of this section shall be paid by the transferor.

"(c) Payment.—The tax imposed by subsection (a) of this section shall be payable by the appropriate stamps prescribed for payment by the Secretary or his delegate.

"Sec. 5812. Transfers

"(a) Application.—A firearm shall not be transferred unless (1) the transferor of the firearm has filed with the Secretary or his delegate a written application, in duplicate, for the transfer and registration of the firearm to the transferee on the application form prescribed by the Secretary or his delegate; (2) any tax payable on the transfer is paid as evidenced by the proper stamp affixed to the original application form; (3) the transferee is identified in the application form in such manner as the Secretary or his delegate may by regulations prescribe, except that, if such person is an individual, the identification must include his fingerprints and his photograph; (4) the transferor of the firearm is identified in the application form in such manner as the Secretary or his delegate may by regulations prescribe; (5) the firearm is identified in the application form in such manner as the Secretary or his delegate may by regulation prescribe; and (6) the application form shows that the Secretary or his delegate has approved the transfer and the registration of the firearm to the transferee. Applications shall be denied if the transfer, receipt, or possession of the firearm would place the transferee in violation of law.

"(b) Transfer of Possession.—The transferee of a firearm shall not take possession of the firearm unless the Secretary or his delegate has approved the transfer and registration of the firearm to the transferee as required by subsection (a) of this section.

"PART III—TAX ON MAKING FIREARMS

"Sec. 5821. Making Tax.
"Sec. 5822. Making.

"Sec. 5821. Making Tax.

"(a) Rate.—There shall be levied, collected, and paid upon the making of a firearm a tax at the rate of $200 for each firearm made.

"(b) By Whom Paid.—The tax imposed by subsection (a) of this section shall be paid by the person making the firearm.

"(c) Payment.—The tax imposed by subsection (a) of this section shall be payable by the stamp prescribed for payment by the Secretary or his delegate.

"Sec. 5822. Making.

"No person shall make a firearm unless he has (a) filed with the Secretary or his delegate a written application, in duplicate, to make and register the firearm on the form prescribed by the Secretary or his delegate; (b) paid any tax payable on the making and such payment is evidenced by the proper stamp affixed to the original application form; (c) identified the firearm to be made in the application form in such manner as the Secretary or his delegate may by regulations prescribe; (d) identified himself in the application form in such manner as the Secretary or his delegate may by regulations prescribe, except that, if such person is an individual, the identification must include his fingerprints and his photograph; and (e) obtained the approval of the Secretary or his delegate to make and register the firearm and the application form shows such approval. Applications shall be denied if the making or possession of the firearm would place the person making the firearm in violation of law.

"Subchapter B—General Provisions and Exemptions

"Part I. General provisions.
"Part II. Exemptions.

"PART I—GENERAL PROVISIONS

"Sec. 5841. Registration of firearms.
"Sec. 5842. Identification of firearms.
"Sec. 5843. Records and returns.
"Sec. 5844. Importation.
"Sec. 5845. Definitions.
"Sec. 5846. Other laws applicable.
"Sec. 5847. Effect on other law.
"Sec. 5848. Restrictive use of information.
"Sec. 5849. Citation of chapter.

"Sec. 5841. Registration of Firearms.

"(a) Central Registry.—The Secretary or his delegate shall maintain a central registry of all firearms in the United States which are not in the possession or under the control of the United States. This registry shall be known as the National Firearms Registration and Transfer Record. The registry shall include—

"(1) identification of the firearm;

"(2) date of registration; and

"(3) identification and address of person entitled to possession of the firearm.

"(b) By Whom Registered.—Each manufacturer, importer, and maker shall register each firearm he manufactures, imports, or makes. Each firearm transferred shall be registered to the transferee by the transferor.

"(c) How Registered.—Each manufacturer shall notify the Secretary or his delegate of the manufacture of a firearm in such manner as may by regulations be prescribed and such notification shall effect the registration of the firearm required by this section. Each importer, maker, and transferor of a firearm shall, prior to importing, making, or transferring a firearm, obtain authorizations in such manner as required by this chapter or regulations issued thereunder to import, make, or transfer the firearm, and such authorization shall effect the registration of the firearm required by this section.

"(d) Firearms Registered on Effective Date of This Act.—A person shown as possessing a firearm by the records maintained by the Secretary or his delegate pursuant to the National Firearms Act in force on the day immediately prior to the effective date of the National Firearms Act of 1968 shall be considered to have registered under this section the firearms in his possession which are disclosed by that record as being in his possession.

"(e) Proof of Registration.—A person possessing a firearm registered as required by this section shall retain proof of registration which shall be made available to the Secretary or his delegate upon request.

"Sec. 5842. Identification of Firearms.

"(a) Identification of Firearms Other Than Destructive Devices.—Each manufacturer and importer and anyone making a firearm shall identify each firearm, other than a destructive device, manufactured, imported, or made by a serial number which may not be readily removed, obliterated, or altered, the name of the manufacturer, importer, or maker, and such other identification as the Secretary or his delegate may by regulations prescribe.

"(b) Firearms Without Serial Number.—Any person who possesses a firearm, other than a destructive device, which does not bear the serial number and other information required by subsection (a) of this section shall identify the firearm with a serial number assigned by the Secretary or his delegate and any other information the Secretary or his delegate may by regulations prescribe.

"(c) Identification of Destructive Device.—Any firearm classified as a destructive device shall be identified in such manner as the Secretary or his delegate may by regulations prescribe.

"Sec. 5843. Records and Returns.

"Importers, manufacturers, and dealers shall keep such records of, and render such returns in relation to, the importation, manufacture, making, receipt, and sale, or other disposition, of firearms as the Secretary or his delegate may by regulations prescribe.

"Sec. 5844. Importation.

"No firearm shall be imported or brought into the United States or any territory under its control or jurisdiction unless the importer establishes, under regulations as may be prescribed by the Secretary or his delegate, that the firearm to be imported or brought in is—

"(1) being imported or brought in for the use of the United States or any department, independent establishment, or agency thereof or any State or possession or any political subdivision thereof; or

"(2) being imported or brought in for scientific or research purposes; or

"(3) being imported or brought in solely for testing or use as a model by a registered manufacturer or solely for use as a sample by a registered importer or registered dealer; except that, the Secretary or his delegate may permit the conditional importation or bringing in of a firearm for examination and testing in connection with classifying the firearm.

"Sec. 5845. Definitions.

"For the purpose of this chapter—

"(a) Firearm.—The term 'firearm' means (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length; (5) any other weapon, as defined in subsection (e); (6) a machinegun; (7) a muffler or a silencer for any firearm whether or not such firearm is included within this definition; and (8) a destructive device. The term 'firearm' shall not include an antique firearm or any device (other than a machinegun or destructive device) which, although designed as a weapon, the Secretary or his delegate finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

"(b) Machinegun.—The term 'machinegun' means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any combination of parts designed and intended for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.

"(c) Rifle.—The term 'rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger, and shall include any such weapon which may be readily restored to fire a fixed cartridge.

"(d) Shotgun.—The term 'shotgun' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made and remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of projectiles (ball shot) or a single projectile for each pull of the trigger, and shall include any such weapon which may be readily restored to fire a fixed shotgun shell.

"(e) Any Other Weapon.—The term 'any other weapon' means any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a barrel with a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or a revolver having a rifled bore, or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition.

"(f) Destructive Device.—The term 'destructive device' means (1) any explosive, incendiary, or poison gas (A) bomb, (B) grenade, (C) rocket having a propellent charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than one-quarter ounce, (E) mine, or (F) similar device; (2) any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, the barrel or barrels of which have a bore of more than one-half inch in diameter, except a shotgun, or shotgun shell which the Secretary or his delegate finds is generally recognized as particularly suitable for sporting purposes; and (3) any combination of parts either designed or intended for use in converting any device into a destructive device as defined in subparagraphs (1) and (2) and from which a destructive device may be readily assembled. The term 'destructive device' shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685 or 4686 of title 10 of the United States Code; or any other device which the Secretary of the Treasury or his delegate finds is not likely to be used as a weapon, or is an antique or is a rifle which the owner intends to use solely for sporting purposes.

"(g) Antique Firearm.—The term 'antique firearm' means any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar type of ignition system or replica thereof, whether actually manufactured before or after the year 1898) and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

"(h) Unserviceable Firearm.—The term 'unserviceable firearm' means a firearm which is incapable of discharging a shot by means of an explosive and incapable of being readily restored to a firing condition.

"(i) Make.—The term 'make', and the various derivatives of such word, shall include manufacturing (other than by one qualified to engage in such business under this chapter), putting together, altering, any combination of these, or otherwise producing a firearm.

"(j) Transfer.—The term 'transfer' and the various derivatives of such word, shall include selling, assigning, pledging, leasing, loaning, giving away, or otherwise disposing of.

"(k) Dealer.—The term 'dealer' means any person, not a manufacturer or importer, engaged in the business of selling, renting, leasing, or loaning firearms and shall include pawnbrokers who accept firearms as collateral for loans.

"(l) Importer.—The term 'importer' means any person who is engaged in the business of importing or bringing firearms into the United States.

"(m) Manufacturer.—The term 'manufacturer' means any person who is engaged in the business of manufacturing firearms.

"Sec. 5846. Other Laws Applicable.

"All provisions of law relating to special taxes imposed by chapter 51 and to engraving, issuance, sale, accountability, cancellation, and distribution of stamps for tax payment shall, insofar as not inconsistent with the provisions of this chapter, be applicable with respect to the taxes imposed by sections 5801, 5811, and 5821.

"Sec. 5847. Effect on Other Laws.

"Nothing in this chapter shall be construed as modifying or affecting the requirements of section 414 of the Mutual Security Act of 1954, as amended, with respect to the manufacture, exportation, and importation of arms, ammunition, and implements of war.

"Sec. 5848. Restrictive Use of Information.

"(a) General Rule.—No information or evidence obtained from an application, registration, or records required to be submitted or retained by a natural person in order to comply with any provision of this chapter or regulations issued thereunder, shall, except as provided in subsection (b) of this section, be used, directly or indirectly, as evidence against that person in a criminal proceeding with respect to a violation of law occurring prior to or concurrently with the filing of the application or registration, or the compiling of the records containing the information or evidence.

"(b) Furnishing False Information.—Subsection (a) of this section shall not preclude the use of any such information or evidence in a prosecution or other action under any applicable provision of law with respect to the furnishing of false information.

"Sec. 5849. Citation of Chapter.

"This chapter may be cited as the 'National Firearms Act' and any reference in any other provision of law to the 'National Firearms Act' shall be held to refer to the provisions of this chapter.

"PART II—EXEMPTIONS

"Sec. 5851. Special (occupational) tax exemption.
"Sec. 5852. General transfer and making exemption.
"Sec. 5853. Exemption from transfer and making tax available to certain governmental entities and officials.
"Sec. 5854. Exportation of firearms exempt from transfer tax.

"Sec. 5851. Special (Occupational) Tax Exemption.

"(a) Business With United States.—Any person required to pay special (occupational) tax under section 5801 shall be relieved from payment of that tax if he establishes to the satisfaction of the Secretary or his delegate that his business is conducted exclusively with, or on behalf of, the United States or any department, independent establishment, or agency thereof. The Secretary or his delegate may relieve any person manufacturing firearms for, or on behalf of, the United States from compliance with any provision of this chapter in the conduct of such business.

"(b) Application.—The exemption provided for in subsection (a) of this section may be obtained by filing with the Secretary or his delegate an application on such form and containing such information as may by regulations be prescribed. The exemptions must thereafter be renewed on or before July 1 of each year. Approval of the application by the Secretary or his delegate shall entitle the applicant to the exemptions stated on the approved application.

"Sec. 5852. General Transfer and Making Tax Exemption.

"(a) Transfer.—Any firearm may be transferred to the United States or any department, independent establishment, or agency thereof, without payment of the transfer tax imposed by section 5811.

"(b) Making by a Person Other Than a Qualified Manufacturer.—Any firearm may be made by, or on behalf of, the United States, or any department, independent establishment, or agency thereof, without payment of the making tax imposed by section 5821.

"(c) Making by a Qualified Manufacturer.—A manufacturer qualified under this chapter to engage in such business may make the type of firearm which he is qualified to manufacture without payment of the making tax imposed by section 5821.

"(d) Transfers Between Special (Occupational) Taxpayers.—A firearm registered to a person qualified under this chapter to engage in business as an importer, manufacturer, or dealer may be transferred by that person without payment of the transfer tax imposed by section 5811 to any other person qualified under this chapter to manufacture, import, or deal in that type of firearm.

"(e) Unserviceable Firearm.—An unserviceable firearm may be transferred as a curio or ornament without payment of the transfer tax imposed by section 5811, under such requirements as the Secretary or his delegate may by regulations prescribe.

"(f) Right to Exemption.—No firearm may be transferred or made exempt from tax under the provisions of this section unless the transfer or making is performed pursuant to an application in such form and manner as the Secretary or his delegate may by regulations prescribe.

"Sec. 5853. Transfer and Making Tax Exemption Available to Certain Governmental Entities.

"(a) Transfer.—A firearm may be transferred without the payment of the transfer tax imposed by section 5811 to any State, possession of the United States, any political subdivision thereof, or any official police organization of such a government entity engaged in criminal investigations.

"(b) Making.—A firearm may be made without payment of the making tax imposed by section 5821 by, or on behalf of, any State, or possession of the United States, any political subdivision thereof, or any official police organization of such a government entity engaged in criminal investigations.

"(c) Right to Exemption.—No firearm may be transferred or made exempt from tax under this section unless the transfer or making is performed pursuant to an application in such form and manner as the Secretary or his delegate may by regulations prescribe.

"Sec. 5854. Exportation of Firearms Exempt From Transfer Tax.

"A firearm may be exported without payment of the transfer tax imposed under section 5811 provided that proof of the exportation is furnished in such form and manner as the Secretary or his delegate may by regulations prescribe.

"Subchapter C—Prohibited Acts

"Sec. 5861. Prohibited Acts.

"It shall be unlawful for any person—

"(a) to engage in business as a manufacturer or importer of, or dealer in, firearms without having paid the special (occupational) tax required by section 5801 for his business or having registered as required by section 5802; or

"(b) to receive or possess a firearm transferred to him in violation of the provisions of this chapter; or "(c) to receive or possess a firearm made in violation of the provisions of this chapter; or

"(d) to receive or possess a firearm which is not registered to him in the National Firearms Registraton and Transfer Record; or

"(e) to transfer a firearm in violation of the provisions of this chapter; or

"(f) to make a firearm in violation of the provisions of this chapter; or

"(g) to obliterate, remove, change, or alter the serial number or other identification of a firearm required by this chapter; or

"(h) to receive or possess a firearm having the serial number or other identification required by this chapter obliterated, removed, changed, or altered; or

"(i) to receive or possess a firearm which is not identified by a serial number as required by this chapter; or

"(j) to transport, deliver, or receive any firearm in interstate commerce which has not been registered as required by this chapter; or

"(k) to receive or possess a firearm which has been imported or brought into the United States in violation of section 5844; or

"(l) to make, or cause the making of, a false entry on any application, return, or record required by this chapter, knowing such entry to be false.

"SUBCHAPTER D—PENALTIES AND FORFEITURES

"Sec. 5871. Penalties.

"Sec. 5872. Forfeitures.

"SEC. 5871. PENALTIES.

"Any person who violates or fails to comply with any provision of this chapter shall, upon conviction, be fined not more than $10,000, or be imprisoned not more than ten years, or both, and shall become eligible for parole as the Board of Parole shall determine.

"SEC. 5872. FORFEITURES.

"(a) LAWS APPLICABLE.—Any firearm involved in any violation of the provisions of this chapter shall be subject to seizure and forfeiture, and (except as provided in subsection (b)) all the provisions of internal revenue laws relating to searches, seizures, and forfeitures of unstamped articles are extended to and made to apply to the articles taxed under this chapter, and the persons to whom this chapter applies.

"(b) DISPOSAL.—In the case of the forfeiture of any firearm by reason of a violation of this chapter, no notice of public sale shall be required; no such firearm shall be sold at public sale; if such firearm is forfeited for a violation of this chapter and there is no remission or mitigation of forfeiture thereof, it shall be delivered by the Secretary or his delegate to the Administrator of General Services, General Services Administration, who may order such firearm destroyed or may sell it to any State, or possession, or political subdivision thereof, or at the request of the Secretary or his delegate, may authorize its retention for official use of the Treasury Department, or may transfer it without charge to any executive department or independent establishment of the Government for use by it."

SEC. 202. The amendments made by section 201 of this title shall be cited as the "National Firearms Act Amendments of 1968".

SEC. 203. (a) Section 6107 of the Internal Revenue Code of 1954 is repealed.

(b) The table of sections for subchapter B of chapter 61 of the Internal Revenue Code of 1954 is amended by striking out:

"Sec. 6107. List of special taxpayers for public inspection."

SEC. 204. Section 6806 of the Internal Code of 1954 is amended to read as follows:

"SEC. 6806. OCCUPATIONAL TAX STAMPS.

"Every person engaged in any business, avocation, or employment, who is thereby made liable to a special tax (other than a special tax under subchapter B of chapter 35, under subchapter B of chapter 36, or under subtitle E) shall place and keep conspicuously in his establishment or place of business all stamps denoting payment of such special tax."

SEC. 205. Section 7273 of the Internal Revenue Code of 1954 is amended to read as follows:

"SEC. 7273. PENALTIES FOR OFFENSES RELATING TO SPECIAL TAXES.

"Any person who shall fail to place and keep stamps denoting the payment of the special tax as provided in section 6806 shall be liable to a penalty (not less than $10) equal to the special tax for which his business rendered him liable, unless such failure is shown to be due to reasonable cause. If such failure to comply with section 6806 is through willful neglect or refusal, then the penalty shall be double the amount above prescribed."

SEC. 206. (a) Section 5692 of the Internal Revenue Code of 1954 is repealed.

(b) The table of sections for part V of subchapter J of chapter 51 of the Internal Revenue Code of 1954 is amended by striking out:

"Sec. 5692. Penalties relating to posting of special tax stamps."

SEC. 207. (a) Section 201 of this title shall take effect on the first day of the first month following the month in which it is enacted.

(b) Notwithstanding the provisions of subsection (a) or any other provision of law, any person possessing a firearm as defined in section 5845(a) of the Internal Revenue Code of 1954 (as amended by this title) which is not registered to him in the National Firearms Registration and Transfer Record shall register each firearm so possessed with the Secretary of the Treasury or his delegate in such form and manner as the Secretary or his delegate may require within the thirty days immediately following the effective date of section 201 of this Act. Such registrations shall become a part of the National Firearms Registration and Transfer Record required to be maintained by section 5841 of the Internal Revenue Code of 1954 (as amended by this title). No information or evidence required to be submitted or retained by a natural person to register a firearm under this section shall be used, directly or indirectly, as evidence against such person in any criminal proceeding with respect to a prior or concurrent violation of law.

(c) The amendments made by sections 202 through 206 of this title shall take effect on the date of enactment.

(d) The Secretary of the Treasury, after publication in the Federal Register of his intention to do so, is authorized to establish such periods of amnesty, not to exceed ninety days in the case of any single period, and immunity from liability during any such period, as the Secretary determines will contribute to the purposes of this title.

TITLE III—AMENDMENTS TO TITLE VII OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

SEC. 301. (a) Title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351) is amended—

(1) by striking out "other than honorably discharged" in section 1201, and substituting therefor "discharged under dishonorable conditions"; and

(2) by striking out "other than honorable conditions" in subsections (a) (2) and (b) (2) of section 1202 and substituting therefor in each instance "dishonorable conditions".

(b) Section 1202(c)(2) of such title is amended to read as follows:

"(2) 'felony' means any offense punishable by imprisonment for a term exceeding one year, but does not include any offense (other than one involving a firearm or explosive) classified as a misdemeanor under the laws of a State and punishable by a term of imprisonment of two years or less;".

SEC. 302. The amendments made by paragraphs (1) and (2) of subsection (a) of section 301 shall take effect as of June 19, 1968.

And the Senate agree to the same.

Emanuel Celler,
Peter W. Rodino, Jr.,
Harold D. Donohue,
Robert W. Kastenmeier,
William M. McCulloch,
Charles McC. Mathias, Jr.,
Managers on the Part of the House.

Thomas J. Dodd,
Samuel J. Ervin, Jr.,
Joseph D. Tydings,
Warren G. Magnuson,
John O. Pastore,
Philip A. Hart,
Everett McKinley Dirksen,
Roman L. Hruska,
Hugh Scott,
James B. Pearson,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 17735) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference.

SHORT TITLE

The House bill provided a short title of "State Firearms Control Assistance Act of 1968". The Senate amendment proposed the short title, "Gun Control Act of 1968". The conference substitute adopts the Senate amendment.

DEFINITIONS

Interstate and foreign commerce—Under the Senate amendment the term "interstate and foreign commerce" included commerce between any place in a State and any place outside of that State, commerce between two points in the same State but through any place outside thereof, and commerce within the District of Columbia or within any possession. The Canal Zone was expresly excluded.

The House bill definition included only commerce between a State and any place outside thereof; commerce between two points in the same State but through any place outside thereof was excluded.

The conference substitute is the same as the House bill, except that commerce within any possession of the United States (not including the Canal Zone) or within the District of Columbia is included.

Destructive devices.—The House bill defined the term "destructive device" to mean any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile or similar device and to include any type of weapon which will or is designed to or may be readily converted to expel a projectile by the action of any explosive and which has any barrel with a bore of one-half inch or more in diameter. It excluded from such term the following: Any device which is not used, or which is not intended to be used, as a weapon, any shotgun other than a short-barreled shotgun, any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for hunting big game, and certain surplus obsolete ordnance. Also excluded is any other device which the Secretary of the Treasury finds is not likely to be used as a weapon.

The Senate amendment is essentially the same as the House bill, except that (1) the only rockets included in the definition are those having a propellent charge of more than 4 ounces and the only missiles included are missiles having an explosive or incendiary charge of more than one-quarter ounce, but parts from which a destructive device may be readily assembled are included; and (2) excluded from the definition are shotguns and shotgun shells found by the Secretary to be suitable for sporting purposes, and any device which the Secretary finds is an antique or a rifle which the owner intends to use solely for sporting purposes. Further, the Senate amendment does not specifically exclude the nonautomatic rifles excluded by the House bill.

The conference substitute adopts the Senate amendment.

Collector.—Under the House bill the term "collector" was defined to mean any person who acquires, holds, or disposes of firearms or ammunition as curios or relics. The definition in the Senate amendment is the same, except that the Secretary of the Treasury was given authority to define by regulation the phrase "curios or relics". The conference substitute adopts the Senate amendment.

Antique firearms.—The term "antique firearm" was defined in the House bill to include (1) firearms manufactured in and before 1898 and (A) not using fixed ammunition (rim or center fire), or (B) using fixed ammunition not readily available; and (2) replicas of such firearms not using fixed ammunition. The Senate amendment defined such term to mean (1) firearms manufactured in or before 1898; and (2) replicas of such firearms (A) not using fixed ammunition, or (B) using fixed ammunition not readily available. The conference substitute adopts the Senate amendment.

Ammunition.—Under the House bill the term "ammunition" was defined to include only ammunition for destructive devices, pistols, and revolvers and was defined to exclude shotgun shells, metallic rifle ammunition, and .22 caliber rimfire ammunition. Under the Senate amendment such term was defined to mean all ammunition and components of ammunition for all firearms. The conference substitute adopts the Senate amendment.

Published ordinance.—The Senate amendment contained a provision not in the House bill which defined the term "published ordinance" to mean published local laws found by the Secretary of the Treasury to be relevant to the enforcement of chapter 44, of which a list shall be published annually in the Federal Register and furnished to each licensee under such chapter. The conference substitute adopts the Senate amendment.

Definition of crimes.—Both the House bill and the Senate amendment prohibited the shipment, transportation, and receipt of firearms and ammunition by persons under indictment for, or convicted of, certain crimes. Both the House bill and the Senate amendment provided relief from such prohibitions for licensees under indictment and provided a procedure for relief from such prohibitions for convicted persons. A difference between the House bill and the Senate amendment which recurs in the provisions described above is that the crime referred to in the House bill is one punishable by imprisonment for more than 1 year and the crime referred to in the Senate amendment is a crime of violence punishable as a felony.

Under both the House bill and the Senate amendment the crimes were defined to exclude Federal and State offenses relating to antitrust violations and similar business offenses. The conference substitute adopts the crime referred to in the House bill (one punishable by imprisonment for more than 1 year) but excludes from that crime any State offense not involving a firearm or explosive, classified by the laws of the State as a misdemeanor, and punishable by a term of imprisonment of not more than 2 years.

UNLAWFUL ACTS

Exemption from prohibition on sales and deliveries by licensees to nonresidents.—Both the House bill and the Senate amendment made it unlawful for licensees to sell or deliver any firearm to a person who is not a resident of the State in which the licensee is located. The following exemptions from such provision were provided in the House bill or the Senate amendment or in both:

(1) *Contiguous State exemption.*—Under the House bill the sale or delivery of a rifle or shotgun by a licensee to a resident of a State contiguous to the State in which the licensee is located would not be prohibited if the purchaser's State of residence permits such sale or delivery by law and if such sale or delivery complies with the laws of the contiguous States. The Senate amendment is identical, except that the licensee and purchaser must also comply with the affidavit, notice, and waiting period requirements prescribed in section 922(c) of chapter 44. The conference substitute adopts the Senate amendment.

(2) *Purchase of replacement rifle or shotgun.*—Under the House bill a person is permitted (upon execution of a prescribed sworn statement and the giving of notice to the chief law enforcement officer of such person's place of residence) to purchase outside his State of residence a rifle or shotgun if his rifle or shotgun was lost or stolen or became inoperative while hunting or participating in an organized rifle or shotgun match or contest in the State of purchase. The Senate amendment contained no comparable provision. The conference substitute adopts the provision in the House bill.

(3) *Loan or rental of a firearm.*—The Senate amendment contained a provision not in the House bill which permitted the loan or rental of a firearm to a non-resident for temporary use for lawful sporting purposes. The conference substitute adopts the Senate amendment.

Sale or delivery of destructive devices.—Under the House bill a licensee was prohibited from selling or delivering any destructive device, machinegun, short-barreled shotgun, or short-barreled rifle except as authorized by the Secretary of the Treasury. The Senate amendment is identical to the House bill, except that no comparable authority is given to the Secretary of the Treasury. The conference contains the provision in the House bill.

Exemptions from restrictions on certain sales and deliveries by licensees.—Under the House bill transactions between licensees are exempted from the prohibition on sales and deliveries by licensees of destructive devices and from the prohibitions on sales and deliveries which relate to the recipient's age or residence and to the requirements of local law. The Senate amendment is identical to the House bill, except that licensees are also permitted to make sales or deliveries of destructive devices to research organizations designated by the Secretary. The conference substitute adopts the Senate amendment.

Affidavit and notice requirement for certain transactions in firearms.—The Senate amendment contained a provision not in the House bill which provided that any non-over-the-counter intrastate sale of a firearm by a licensee to an unlicensed person and any sale of a firearm by a licensee to a resident of a State contiguous to the State in which the licensee is located would be subject to the execution (and preservation) of a sworn statement (containing specified information), to the giving (and preservation) of notice of the sale to the chief law enforcement officer of the purchaser's residence, and to a 7-day waiting period. The conference substitute adopts the Senate amendment.

Restrictions on firearms and ammunition transactions involving certain persons.—Under the House bill sales or other dispositions of firearms or ammunition to the following were prohibited: (1) a fugitive from justice (any crime); (2) a person who is under indictment for, or who has been convicted of, a crime punishable by imprisonment for a term exceeding 1 year; (3) a narcotic addict or drug user, and (4) a person adjudicated in any court as a mental defective or committed under a court order to a mental institution. In addition, such persons were prohibited from shipping firearms and ammunition in interstate or foreign commerce and from receiving firearms or ammunition which have been shipped in interstate or foreign commerce.

Under the Senate amendment no prohibition was placed on sales or other dispositions, shipments, or receipts, of firearms or ammunition involving narcotic addicts, drug users, mental defectives, or committed persons. In addition, the Senate amendment prohibition on sales or other dispositions, shipments, or receipts of firearms or ammunition applied only to those fugitives from justice fleeing prosecution for a felony and only to those persons indicted or convicted of crimes of violence punishable as felonies.

The conference substitute adopts the broader restrictions provided in the House bill and in the case of mental defectives and committed persons does not require that there be prior action by a court inasmuch as mental boards and commissions constitute the adjudicating or committing authority in some jurisdictions.

LICENSING

License fees.—The House bill provided the following schedule of fees:

Manufacturers of—	*Annual fee*
(1) Destructive devices or ammunition for such devices	$1,000
(2) Firearms other than destructive devices	50
(3) Ammunition for firearms other than destructive devices	10
Importers of—	
(1) Destructive devices or ammunition for such devices	1,000
(2) Firearms other than destructive devices or ammunition for firearms other than destructive devices	50
Dealers (including pawnbrokers) in—	
(1) Destructive devices or ammunition for such devices	1,000
(2) Firearms other than destructive devices and ammunition for firearms other than destructive devices	10

The Senate amendment differed from the House bill in the following respects: (1) The annual fee required for manufacturers of firearms other than destructive devices was $500; (2) the annual fee required for importers of firearms other destructive devices or ammunition for such firearms was $500; and (3) an annual fee of $250 was required for pawnbrokers dealing in firearms other than destructive devices or in ammunition for such firearms.

The conference substitute is identical to the House schedule of fees except that an annual fee of $25 is required for pawnbrokers dealing in firearms other than destructive devices or in ammunition for such firearms.

Collector's license.—The Senate amendment contained a provision not in the House bill which provided that a license granted to a collector would apply only to transactions in curios and relics. The conference substitute adopts the Senate amendment.

Requirements for a collector's license.—The Senate amendment contained a provision not in the House bill which treated an applicant for a collector's license in the same manner as an applicant for a manufacturer's, dealer's, or importer's license. The conference substitute is identical to the Senate amendment, except that it is made clear that the applicant for a collector's license does not have to have business premises. He is required to have premises from which he will or intends to conduct his collecting under his license.

PENALTIES

Penalties for violation of chapter.—Under the House bill a fine not to exceed $5,000, or imprisonment not to exceed 5 years, or both, were provided for any violation of the provisions of chapter 44 and for the making of false statements or representations with respect to information required to be kept by licensees or in connection with an application for any license, exemption, or relief from disability. The penalty provided in the Senate amendment was a fine not to exceed $10,000, or imprisonment not to exceed 10 years, or both. Further, the Senate amendment provided that a person convicted under the chapter would become eligible for parole as the Board of Parole determines. The conference substitute adopts the penalties in the House bill and contains the provision in the Senate amendment relating to eligibility for parole.

Use of firearms in commission of crimes.—The House bill provided—in a provision added to chapter 44 of title 18—for a sentence of from 1 to 10 years for a first offense, and a sentence of from 5 to 25 years for a subsequent offense, where a person uses a firearm to commit, or carries a firearm unlawfully during the commission of, a Federal felony. The House bill further provided that such sentence could not be suspended, that probation could not be granted, and that such sentence could not be imposed to run concurrently with any sentence imposed for such Federal felony committed.

The Senate amendment provided—in a new chapter 116 added to title 18—for the imposition of an additional sentence of an indeterminate number of years up to life upon any person armed with a firearm while engaged in the commission of certain enumerated Federal felonies. The Senate amendment further provided that in the case of a subsequent conviction, the court could not suspend the sentence or grant probation.

The conference substitute is identical to the House bill, except that the prohibitions on suspension of sentence and probation are applicable only to second and subsequent convictions and that concurrent sentencing under the section is not prohibited.

EXCEPTIONS: RELIEF FROM DISABILITIES

Exemption from provisions of chapter 44 for firearms and ammunition delivered by the Secretary of the Army to certain persons and groups.—The House bill contained a provision which exempted from the provisions of chapter 44 shipments of firearms and ammunition which the Secretary of the Army is authorized to make to certain institutions, organizations, and persons. The transportation of such firearms and ammunition by the recipients was also made exempt from the provisions of chapter 44 while the recipients were engaged in military training or in competitions. The Senate amendment contained no comparable provision.

The conference substitute conforms to the House bill making clear that the intent of the provision is to exempt from chapter 44 the shipment of firearms or ammunition by the Secretary of the Army when sold or issued by him pursuant to section 4308 of title 10, United States Code, the receipt of such firearms or ammunition, and the transportation of any such firearm or ammunition carried out to enable a person, who lawfully received such firearm or ammunition from the Secretary of the Army, to engage in military training or in competitions.

Exemption from provisions of chapter 44 for transactions in firearms and ammunition by members of the Armed Forces and their clubs outside the United States.—The Senate amendment contained a provision not in the House bill which provided that transactions by members of the Armed Forces (and their clubs recognized by the Department of Defense) outside the United States in firearms and ammunition particularly suitable for sporting purposes and for the personal use of such members of the Armed Forces or their clubs would be exempt from the provisions of chapter 44.

The conference substitute adopts the Senate amendment with an amendment making clear that the provisions of Federal law prohibiting shipments to, and receipt by, certain classes of persons will apply to shipments and receipt of firearms and ammunition authorized by this provision, as will provisions of Federal law making it unlawful fraudulently to acquire firearms or ammunition. It further makes clear that the Secretary of the Treasury is authorized to determine which firearms are particularly suitable for sporting purposes.

Exemption from the provisions of chapter 44 for shipments of firearms and ammunition into the United States by members of the Armed Forces abroad.—The Senate amendment contained a provision not in the House bill which exempted from the provisions of chapter 44 shipments of firearms and ammunition made by members of the Armed Forces abroad to their places of residence in the United States if the firearm or ammunition shipped is particularly suitable for sporting purposes or, in the case of a firearm, is of a type which the Department of Defense determines is normally classified as a war souvenir, and if the firearm or ammunition is for the personal use of the member of the Armed Forces who shipped it.

The conference substitute conforms to the Senate amendment, except that it is provided that (1) the exemption under the provision is to apply when authorized by the Secretary of the Treasury as consistent with Federal and State laws and published ordinances, and (2) the Secretary of the Treasury is to determine which firearms are particularly suitable for sporting purposes.

Relief from disabilities imposed on a person convicted of a crime—The House bill provided that the Secretary of the Treasury may, upon application, grant relief from disabilities (imposed under chapter 44) caused by conviction of crimes punishable by imprisonment by more than one year, if he determines that the applicant will not conduct his operations in an unlawful manner and that the granting of such relief is not against the public interest. It further provided that any licensee could continue operations under his license pending final action on his application for relief.

The Senate amendment was the same except that (1) the crimes referred to are crimes of violence punishable as felonies; (2) relief is provided for restrictions imposed by any Federal law (not just chapter 44) incurred by reason of such conviction; (3) instead of a standard for relief relating to the lawfulness of future conduct of the applicant's business, the standard is that the applicant is not likely to act in a manner dangerous to public safety; and (4) only licensed manufacturers, importers and dealers are permitted to operate under their licenses pending final action on an application for relief.

The conference substitute conforms to the House bill, except that the standard for relief provided in the Senate amendment is adopted, as is the Senate provision for relief from restrictions imposed by any Federal law (not just chapter 44) by reason of conviction.

Import controls—The House bill banned importation of all surplus military firearms, while the Senate version permitted importation of military surplus, rifles, and shotguns suitable for or readily adaptable to sporting purposes. The conference substitute contains the provision in the House bill.

EFFECTIVE DATE

The House bill provided that the amendment to chapter 44 of title 18, United States Code, would take effect 180 days after the bill's date of enactment. The Senate amendment provided that the amendment to chapter 44 would take effect on December 16, 1968—as originally provided in the Omnibus Crime Control and Safe Streets Act of 1968—except that a provision of chapter 44 relating to restrictions on imports of firearms and ammunition would take effect on August 1, 1968. The conference substitute conforms to the Senate amendment except that it provides that the restriction on imports of firearms and ammunition shall take effect on the date of the enactment of the bill.

The Senate amendment and the House bill contained identical anti-preemption provisions, but the Senate amendment contained an added provision, not in the House bill, that: "no governmental agency, including State, possession, or political subdivision, may legalize the confiscation of otherwise legally held and used firearms". Although the conference substitute does not contain this added provision of the Senate amendment, it is intended that the Act not be construed to authorize the confiscation of lawfully possessed firearms.

AMENDMENT TO TITLE VII OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Definition of "felony".—The Senate amendment contained a provision not in the House bill redefining the term "felony" in section 1202(c)(2) of title VII of the Omnibus Crime Control and Safe Streets Act of 1968—relating to unlawful possession or receipt of firearms. That term was defined to mean, in the case of State law, an offense determined by the laws of the State to be a felony. The conference substitute defines that term as any offense punishable by imprisonment for a term exceeding 1 year, but does exclude from the definition any offense (other than one involving a firearm or explosive) classified as a misdemeanor under the laws of a State and punishable by a term of imprisonment of 2 years or less.

Veterans not barred from receiving, possessing or transporting firearms unless dishonorably discharged—The House bill contained a provision, not in the Senate version, which changed a provision in title VII of the Omnibus Crime Control and Safe Streets Act of 1968 barring veterans discharged under "other than honorable conditions" from receiving, possessing or transporting firearms, to bar only veterans discharged under "dishonorable conditions". The effective date of the House provision was made to coincide with the enactment date of title VII (June 19, 1968). The conference substitute contains the provisions of the House bill.

AMENDMENTS TO INTERNAL REVENUE CODE OF 1954 (NATIONAL FIREARMS ACT)

The Senate amendment contained a provision, not in the House bill, which amended the National Firearms Act in the following significant respects: The scope of that Act was extended to cover additional weapons, most notably destructive devices; the registration requirements were extended to all weapons covered by the Act; any element of self-incrimination was eliminated; and increased penalties were provided for violations of the Act.

Extension of the scope of the National Firearms Act.—The present National Firearms Act covers gangster-type weapons such as machineguns, sawed-off shotguns, short-barreled rifles, mufflers, and silencers. Under the amendment it would also cover machinegun frames and receivers, so-called "conversion kits" for turning other weapons into machineguns, and combinations of machinegun parts when in the possession of a single person. Also smooth-bore pistols and revolvers designed to fire shotgun shells, concealable combination rifles and shotguns, and destructive devices would be included. Antique firearms and unserviceable heavy weapons would be excluded from coverage.

Extension of registration requirements.—At present, only those weapons imported, made, or transferred without compliance with the taxing provisions of the Act are required to be registered. Under the amendment registration of every weapon covered by the Act as amended (except those in the possession of the United States) would be required. Manufacturers, importers, and makers would register the weapons in their control. All weapons registered under present law would be considered registered under the Act as amended. The Secretary would maintain a national firearms registration and transfer record containing all the data collected under the requirements of the Act as amended.

Elimination of any element of self-incrimination.—In *Haynes* v. *United States* (390 U.S. 85 (1968)), the Supreme Court held the registration requirement of existing law constitutionally unenforceable because it required registration almost exclusively by those in illegal possession of a weapon and made this information available to prosecute them for illegal possession. The Senate amendment avoids this problem by extending the registration obligation to all possessors of the weapons—legitimate or otherwise—and by providing that registration information may not be used directly or indirectly to prosecute a natural person for an offense prior to or concurrent with his registration.

Increased penalties for violations.—The present penalty for a National Firearms Act violation is a fine of $2,000, imprisonment for 5 years, or both. The amendment increases this penalty to a fine of $10,000, imprisonment for 10 years, or both.

The Senate amendment also made conforming changes to other provisions of the Internal Revenue Code of 1954.

The conference substitute adopts the Senate proposed amendments to the National Firearms Act and to related provisions of the Internal Revenue Code of 1954.

Emanuel Celler,
Peter W. Rodino, Jr.,
Harold D. Donohue,
Robert W. Kastenmeier,
William M. McCulloch,
Charles McC. Mathias, Jr.,
Managers on the Part of the House.

The SPEAKER. The gentleman from New York [Mr. Celler] is recognized for 1 hour.

Mr. CELLER. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. McCulloch] and yield myself such time as I may take.

Mr. Speaker, the conference report on H.R. 17735 represents many long hours of painstaking work on the part of staff and Members of both bodies. Seven House Members and 13 Senators served as conferees.

I believe that the conference report contains a fair, reasonable, and effective compromise of the views of the two Houses on what was one of the most controversial and most intricate pieces of legislation that I personally have encountered in my service in the Congress.

The conference report contains a preponderance of the provisions of the bill as it passed the House. Let me illustrate:

First. Restrictions on firearms and ammunition transactions involving certain persons: The conference report adopts the House version prohibiting narcotic addicts, drug users and mental defectives from shipping, transporting, or receiving firearms or ammunition. The Senate version did not contain such a provision.

Second. Imports: The conference report also adopts the provision contained in the House bill barring the importation of all military surplus firearms. The Senate amendment did not contain such a provision.

Third. Veterans not barred from receiving, possessing, or transporting firearms unless dishonorably discharged: The conference report adopts a provision contained in the House bill, but not in the Senate version, which lifts a ban under existing law on certain veterans from receiving, possessing, or transporting firearms. The conference substitute adopts the House bill.

Fourth. Purchase of replacement rifle or shotgun: The conference report substitute also carries forward a provision in the House bill, which was not contained in the Senate version which permits, under specified circumstances, the purchase of a replacement rifle or shotgun by one outside of his State of residence if his rifle or shotgun is lost or stolen or becomes inoperative while he is hunting or participating in an organized rifle or shotgun match.

The House version prevailed in that regard.

The conference report contains several other significant provisions which were either contained in the House bill or in the Senate bill, or in both, but which were amended as a result of the give and take and compromise of a free and open conference. Among these are the following:

First. Exemption for shipments of firearms and ammunition for the promotion of civilian marksmanship program.

Under the House bill, shipments of firearms and ammunition which the Secretary of the Army is authorized to make to certain persons, institutions, and organizations under the civilian marksmanship program were exempt. The transportation of such firearms and ammunition by the recipients was also made exempt while the recipients were engaged in military training or in competitions. No comparable provision was contained in the Senate amendment.

The conference report conforms to the House bill but makes clear that the intent of the provision is to exempt only the shipment of firearms or ammunition by the Secretary of the Army when sold or issued by him under the civilian marksmanship program, to exempt the receipt of such firearms or ammunition and to exempt its transportation when made to enable a person to engage in military training or in competitions.

Second. Ammunition: Under the House bill the coverage of ammunition transactions was limited to ammunition for destructive devices and revolver and pistol ammunition. Rifle and shotgun ammunition and .22-caliber-rimfire ammunition—useful in many handguns—was specifically omitted from the bill. This was a central point of disagreement between the House and the Senate conferees. The conference report contains the ammunition provisions of the Senate amendment. Those provisions include all ammunition and components of ammunition for all firearms.

Third. Licensed collectors: Both the House bill and the Senate amendment contained provisions establishing a category of "licensed collector," and provided for the licensing of firearms collectors by the Secretary of the Treasury, and conferred upon such licensed collectors certain benefits and exemptions under the act. The Senate version better defined the rights and privileges of collectors, their qualifications to be licensed, and the authority of the Secretary of the Treasury in relation to them. The conference substitute adopts the Senate provisions. In my opinion, these provisions suitably effectuate the intent of this House with respect to firearms collectors.

Fourth. Use of firearms in commission of crimes: Both the House bill and the Senate amendment imposed additional penalties for the use of firearms in the commission of Federal crimes. The House bill provided for a sentence of from 1 to 10 years for a first offense, and a sentence of from 5 to 25 years for a second or subsequent offense.

The House bill further provided that such sentence could not be suspended, that probation could not be granted, and that such sentence could not be imposed to run concurrently with any sentence imposed for the commission of the base felony. The Senate amendment provided for the imposition of a sentence of an indeterminate number of years up to life, and further provided that in the case of a second or subsequent conviction the court could not suspend the sentence or grant probation.

Under the conference report, a first offender, if convicted of using a firearm to commit, or carrying a firearm unlawfully during the commission of, a Federal felony would be subject to imprisonment for not less than 1 year nor more than 10 years. A second or subsequent offender, upon conviction, would be subject to imprisonment for not less than 5 nor more than 25 years and no probation or suspended sentence could be granted. The conference substitute does not bar concurrent sentencing nor does it preclude the grant of probation or suspended sentence by the court in the case of the first offender.

Fifth. National Firearms Act amendments: The Senate version contained amendments not in the House bill revising the Internal Revenue Code of 1954 as it relates to machineguns, destructive devices, and certain other firearms. One of the principal purposes of this provision was to bring within the scope of the National Firearms Act—heretofore covering gangster-type weapons, such as machineguns, sawed-off shotguns, and deceptive weapons, such as flashlight guns, fountain pen guns, et cetera—destructive devices, such as explosives, incendiary or poison gas, bombs, grenades, mines, rockets, or missiles.

The provisions under the Senate amendment would extend the scope of the National Firearms Act to cover such destructive devices, and subject persons engaging in the business of dealing in such weapons to the occupational tax and registration requirements of the Internal Revenue Code. A second purpose of the Senate amendment is to eliminate any element of self-incrimination raised by a recent Supreme Court decision—*Haynes* v. *United States*, 390 U.S. 85—decided this year, interpreting the registration provisions under the Internal Revenue Code relating to these gangster-type weapons. The Senate amendment avoids the problem by extending the registration obligation to all possessors of the weapons—legitimate or otherwise—and by immunizing the registrant from any prosecution for a violation of law disclosed on the basis of information submitted by him in the registration statement.

Sixth. Licensing: The House bill and the Senate amendment contained provisions establishing licensing fees for firearms manufacturers, importers, and dealers. The conference report adopts the House schedule of fees with a minor amendment affecting pawnbrokers.

In addition, the conference substitute adopts Senate amendments, not in the House bill, requiring execution of an affidavit and the provision of notice to local law-enforcement officials in non-over-the-counter intrastate firearms sales as well as firearms sales to residents of contiguous States. The conference substitute also adopts provisions of the Senate amendment authorizing shipments of firearms and ammunition by and to members of the armed services stationed abroad if otherwise consistent with the provisions of the act.

Of course, a greater part of the conference report comprises unchanged provisions of the House bill. H.R. 17735 was approved by this House on July 24, 1968, by a vote of 305 to 118.

The Senate has already approved this report concerning which I have read. The Senate having approved this conference report, the House can only accept or reject this report. It can only vote it up or down. There can be no motion to recommit.

As I said before, this bill has some very vexatious provisions. It had many Gordian knots. It was rather difficult to untie these knots.

I said before, there were 13 Members from the Senate. We had seven Members on our side. We met frequently, and I think with a dedicated spirit. I wish to compliment all of the House conferees for the very fine spirit they showed in trying to work out solutions to these very difficult problems.

This report is a compromise. It cannot be anything else but a compromise. We had a sort of irresistible force meeting an overwhelming energy, as it were. If we did not have any compromise we would have had stalemate and the bill would fail. I do not think the Members wish that.

In a very famous speech Mr. Edmund Burke way back in 1775 used some very significant language. His speech was on conciliation with America. He said:

> All government, indeed every human benefit and enjoyment, every virtue and every prudent act, is founded on compromise and barter.

So we have bartered. We have compromised on these different provisions of this highly important firearms control bill. I do hope that the report will be overwhelmingly received.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Florida.

Mr. CRAMER. As I am sure the distinguished chairman of the committee knows, I, along with the distinguished gentleman from Virginia and others, have had very strong feelings that one of the principal deterrents to the improper use of guns is a strong penalty for those who commit crime with a gun or attempt to commit such a crime. I felt very strongly that it was imperative the House and the Congress support the Poff amendment, which it seemed to me accomplished this much needed deterrent.

Now, based upon that premise which I have established, I should like to ask the distinguished chairman, who headed the House conferees, of course, about this so-called compromise we have back relating to that specific subject matter, because I believe that is the heart of this whole bill. That is my personal opinion.

As I understand it, the manner in which the conference report comes back, in effect, as compared to the Poff amendment, permits one to have the first bite. It is like the dog bite cases. In other words, one can commit a crime with a gun in the first instance. There is not a mandatory scale sentence in addition to the sentence for the basic crime.

What good is that going to do compared to the strong Poff amendment in deterring such people as those who assassinated the President, Martin Luther King, and others? That gives them the first bite. That does not seem to solve the problem.

Would the chairman advise me as to why in the world the conferees came back with that approach? I just do not understand it.

Mr. CELLER. Are you finished with the question?

Mr. CRAMER. Yes.

Mr. CELLER. Well, we covered all of the points which you have just mentioned and I think we covered them well. We were confronted with a solid phalanx of opposition on the part of all the Senate conferees led by the distinguished senior Senator from North Carolina, who is an erudite scholarly constitutional lawyer, a student, and a knowledgeable one, of the subject. They were very adamant on the subject that first offenders should not be treated as indicated in the so-called Poff amendment. The sentence is mandatory, I must differ with the gentleman. However, in the case of a first offender the judge has the discretionary power of probation or of suspended sentence. Otherwise the sentence is mandatory.

The only difference between the final result and the amendment as it passed the House is the following: We accept the punishments in the compromise report which are involved in the so-called Poff amendment for first and second offenders. The difference—and it is the only difference—is as follows: In the case of a first offender the judge has discretionary power to grant probation or he has the discretionary power to suspend. In the case of a second or subsequent conviction it parallels the Poff amendment. The court does not have that right. It cannot suspend and it cannot provide probation. In both cases, the first and the second offenses, the conference report differs with the Poff amendment in the sense that the Poff amendment prohibits concurrent sentences. The conference report permits sentences to run concurrently in the discretion of the court.

Mr. CRAMER. May I ask a question on that point, Mr. Chairman?

Mr. CELLER. Yes.

Mr. CRAMER. Do I understand, then, that even in a second offense that the penalties are not required for additional terms in addition to the terms for the basic felony? In other words, even in a second offense they can run concurrently?

Mr. CELLER. The penalties are mandatory on the second offense and the judge has no discretion whatsoever to suspend the sentence or to grant probation.

Mr. CRAMER. The question I asked is with regard to the consecutive or concurrent running of the terms of the penalties. As I understand it, even on a second offense the terms or years can run concurrently.

Mr. CELLER. Yes, sir.

Mr. CRAMER. And one does not have to be added to the other.

Mr. CELLER. That is correct.

Mr. CRAMER. It seems to me with that approach there is no justification for that whatsoever. The court can decide that there is a penalty for the basic felony which would be the same as the penalty for using arms. That does not provide an adequate deterrent then.

Mr. CELLER. I would like to indicate to the gentleman from Florida, for whom I have great respect and whose knowledge has always been a great help to us when he was a member of the Committee on the Judiciary, that the conference compromise arises from a divergence in approach to first offenders and the role of the Federal courts in fashioning sentences under the Federal criminal law. We argued long and labored very hard on this matter. We came to a stalemate. What are the conferees supposed to do? Break up the conference? We would have had to break it up if there was no yielding. They had yielded to us on most of the other provisions. As I have said, a conference is a matter of compromise. We had very little else to do in that situation.

Mr. CRAMER. I thank the chairman for his reply. I understand the problem relating to conferences, and I also realize that you must stand strong enough to win some of these things. But I want to serve notice on the House, and I presume I do so in conjunction with the gentleman from Virginia, that this fight is not over.

Mr. McCULLOCH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the conference committee report. This is really a historical moment, for its marks the first time in 30 years that major Federal firearms control legislation has advanced this far in the House or this far in the Congress. But more important, it has traveled this far in the legislative process through the most thoroughgoing and comprehensive study and analysis and consideration of any piece of legislation—I repeat, of any piece of legislation—that I have had the opportunity to work on in the Judiciary Committee of the House, with the possible exception of the human rights bill in 1963 and 1964.

Mr. Speaker, the Committee on the Judiciary began consideration of firearms control proposals in March 1967. We held 12 days of hearings on anticrime legislation, much of which was devoted to the control of firearms.

Subcommittee No. 5, chaired by the able gentleman from New York [Mr. CELLER], the chairman of the full Committee on the Judiciary and on which I serve as the ranking Republican member spent many hours considering the matter and some of the ablest members of the Judiciary Committee on the minority side, freshmen members on our side, spent countless hours upon this legislation.

And, Mr. Speaker, I should like to say that if the House had allowed as many conference committee members as were allowed by the other body, both in general opportunity and in proportion to numbers, there might have been another outcome on this matter.

Mr. Speaker, the full Committee on the Judiciary finally reported out this bill by a vote of 29 to 6, with the minority members in unanimous support of the legislation. And, by the way, the important amendment which was offered by the distinguished gentleman from Virginia came after the bill had been reported by the full Committee on the Judiciary.

The Committee on Rules, thereafter, considered the bill for 2 full days during which time many Members offered their views to the committee. In July we considered this measure for 5 days on the floor of the House. Fifty or more amendments were proposed and almost one-half of them were adopted.

In the other body many of our House amendments were adopted in toto. In a joint House-Senate conference comprised of 13 Senators—I repeat, 13 Senators—and 7 Members of the House, we spent long hours resolving our differences. The report was agreed to by all but one House member of the conference committee. And, yesterday the other body agreed to the conference report.

I am satisfied that the conference report represents the very best practical resolution of the differences between the two bodies of the Congress.

I might add that the two matters that the House wrote into the bill and that were changed in conference, had my support throughout the discussions in the conference committee, particularly the amendment of the House which received a vote of 412 to 11.

Mr. Speaker, there comes a time when one must compromise differences or come out of the conference with nothing. On balance, this bill is neither unduly harsh—and I repeat that statement—this bill is not unduly harsh or burdensome to law-abiding citizens, nor is it a weak, loosely drawn, or easily circumvented measure.

Mr. Speaker, I should like to say that anyone who lawfully owns a gun and lawfully uses that gun, will have little if anything to worry from this bill. It is fair, it is effective, and it is a reasonable, comprehensive proposal to control the interstate and foreign commerce traffic in firearms and ammunition. It gives effect to enforcement by State and local jurisdictions in their efforts to control the traffic and use of firearms and ammunition.

I repeat that the three minority members of this conference committee held out to the bitter end for those things that we fought for and won in the House, but it finally came to the place where you either compromised or had no legislation, and as the chairman has so ably said, particularly since the Senate has agreed to the conference committee report, we either have no gun legislation if we reject it, or on the other hand we do have gun legislation if we adopt the conference committee report, and that I recommend.

Mr. LATTA. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Ohio.

Mr. LATTA. Mr. Speaker, I would like first of all to compliment and commend the Members of the House who served on this conference committee. In doing so, I want to recall a little history.

When this matter was before the Committee on Rules we more or less made our position quite clear that we were against registration and licensing. When this bill came on the floor we again stated that we were opposed to registration and licensing. Had this matter gone back to the Senate, and had the conferees put registration and licensing into this bill, it would have been defeated by the House today. I want to compliment the conferees of the House for holding firm for the House position against registration and licensing.

As I look over the Senate conferees I sometimes wonder how the members of the conference committee did that, as several conferees on the Senate side who were all for registration and licensing of firearms.

So in view of that fact I want to say that the members of the conference committee did a tremendous job in keeping licensing and registration out of this bill.

I am glad you retained my amendment in this bill. By so doing, you give ample freedom to the sportsman—who lost his firearm in hunting, or has firearm broken while hunting in a noncontiguous State, or has it stolen—to purchase a firearm and not have to abort his trip. I thank you for this and I am certain the sportsmen appreciate it, too.

If I am in error and if I am reading your new language incorrectly, I will be happy to yield to the gentleman from Ohio for a correction.

Mr. McCULLOCH. I thank the gentleman for his contribution. He has analyzed correctly the new proposal for the acquisition of a gun by a hunter when his gun becomes unworkable or lost or stolen. As a matter of fact, I think the language is much better now than when it left the House.

We want to thank the gentleman from Ohio for his contribution in plugging that loophole. When the bill came to the House, it was unknown to the Members. The gentleman had been working on it so long and what the gentleman has said is completely accurate.

Mr. LATTA. Mr. Speaker, if the gentleman will yield further, I would like to ask a question concerning the small custom gun manufacturers. We have a lot of good ones in the country and we have some fine ones in Ohio.

You are not putting these small custom gun manufacturers out of business by this bill as it now stands; are you?

Mr. McCULLOCH. No.

Mr. LATTA. And the answer is "No;" there has been no change in the House bill in regard to them? So far as the hand loaders are concerned, they are taken care of in this bill?

Mr. McCULLOCH. That is correct.

We thank the gentleman very much for his contribution.

Mr. Speaker, in view of the fact that we have so little time and so many Members who wish to speak, I now turn the time back to the majority.

The SPEAKER pro tempore (Mr. NATCHER). The gentleman from Ohio has consumed 11 minutes.

Mr. McCULLOCH. Mr. Speaker, since it seems that the majority at this time does not wish to use time, I yield 5 minutes to the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Speaker, the adoption of this conference report will be pleasing to the criminal element in America, and will anger many shopkeepers, duck hunters, and trapshooters.

The conferees have eliminated the House provision on ammunition and have destroyed the effectiveness of the Poff amendment on minimum mandatory sentences.

Mr. Speaker, for the third time in the brief span of 4 months this House faces a vote on major firearms control legislation. On June 6 the House voted to accept the Senate-passed amendments to the omnibus crime control bill which outlawed the interstate sale of pistols and revolvers as well as over-the-counter sale of handguns to minors and nonresidents. This bill became law June 19. In it we required that every gun dealer keep detailed records of every firearm sale and we banned the sale of all firearms and ammunition to fugitives, felons, or indicted persons. This was good, sound, responsible legislation. I strongly favored its adoption.

In late July, the House passed the bill, H.R. 17735, the conference report on which is now before us.

The House long gun control bill extended to sales of rifles and shotguns generally the restrictions on pistols and revolvers contained in the crime control bill. The classes of persons denied the right to purchase all firearms were expanded to include drug users and mental defectives.

The House adopted my amendment to exempt from the coverage of the bill shotgun shells and ammunition designed and used for target shooting and the hunting of rats, other vermin, predators, birds, and game. The following prohibitions on the sale of ammunition for heavy weapons, pistols, and revolvers were imposed by the House.

First. No sales to persons under 21.

Second. No interstate shipments to persons other than licensed dealers;

Third. No over-the-counter sales except by licensed dealers; and

Fourth. No sales to fugitives, felons, indicted persons, drug users, and mental defectives.

The House version also required a minimum mandatory sentence for unlawfully using or carrying firearms in the commission of Federal felonies of from 1 to 10 years for the first offense and from 2 to 25 years for subsequent offenses. No suspension or probation was to be permitted by the House, and the gun sentence was to run after the sentence imposed for the base felony. I supported the passage of the House bill and I would support and urge the passage of any true compromise.

I believe it to be the continuing legislative objective of the Congress to help prevent the wrong persons from obtaining guns and ammunition and using those weapons in the commission of crimes, without imposing unduly restrictive limitations on those who have rights and even necessities to purchase and possess firearms, and who use them lawfully.

But this conference report violates its own purpose clause. That clause reads in part:

> The purpose of this title is to provide support to Federal, State and local law enforcement officials in their fight against crime and violence, and it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purposes of hunting, trapshooting, target shooting, personal protection, and any other lawful activity.

Unlike the House version, I find the conference report unacceptable in two important respects:

First, the House version requiring minimum mandatory sentences for first offenders wrongfully or unlawfully using or carrying firearms in the commission of Federal felonies has been eliminated, as has the important provision providing for consecutive sentences. Criminologists tell us that certainty of punishment is a significant deterrent to crime. Our experience with mandatory sentencing provisions of the Federal narcotics laws bears this out. And yet this certainty of punishment is not now retained in the Gun Control Act.

Second, the conference report fails to make any distinction between hunting and sporting ammunition and the kinds of ammunition used most frequently in criminal activities.

When it became apparent to me as a conferee that the conference would not accept the House language pertaining to ammunition, I offered a compromise. I suggested that the conference adopt the following definition of ammunition as a fair and reasonable way to bridge the gap between the differing House and Senate versions:

> The term "ammunition" shall include only ammuntion for a destructive device and pistol or revolver and rifle ammunition. It shall not include shotgun shells containing pellets less than 0.24 inches in diameter or any .22 calibre rimfire ammunition.

The effect of my suggested compromise would have been to include within the coverage of the act shotgun shells containing buckshot, shotgun shells containing a single slug, and virtually all rifle ammunition. This proposal was voted down. The criticism of my compromise was that it still excluded .22-caliber-rimfire ammunition.

I then informally suggested that at least the conferees might exclude small pellet shotgun shells. But that was also brushed aside.

Let me say for the record that the gentleman from Ohio [Mr. McCulloch] and the gentleman from Maryland [Mr. Mathias] did an excellent job in trying to maintain the House position on the Poff amendment, and did support the compromise language that I suggested on the matter of ammunition. But we were voted down.

The failure to compromise on this vital ammunition issue means that the law-abiding citizen, contrary to the stated purpose of this bill, will be subject to harassment and inconvenience. The small town and rural shopkeeper who presently stocks shotgun shells as a convenience to hunters without in most cases even dealing in firearms will now be required to obtain a Federal license and to pay a fee to continue this service.

In addition, every seller will be required to keep a record of every single ammunition transaction. To give you some idea of the paperwork that will be involved, there are presently more than a quarter of a million transactions in .22-caliber ammunition every day.

And if anyone sells this ammunition, or even a single box of shotgun shells, to a convicted felon, a fugitive from justice, or un unlawful user of marihuana, certain dangerous drugs, or narcotics, he subjects himself to 5 years in jail and a $5,000 fine, or both.

In addition, the House bill specifically permitted sportsmen to continue purchase of ammunition components in interstate commerce for purposes of handloading. The conference committee report would now force the handloader to procure his supplies in person from licensed dealers, thus nullifying the cost benefits he previously enjoyed.

Finally, the hunter will no longer be permitted to make bulk purchases of his shotgun shells directly from out-of-State manufacturers at considerable savings. There is simply no evidence to suggest that this type of harassment and inconvenience will make any significant contribution to the fight against the criminal use of firearms.

I strongly favor reasonable Federal controls on interstate shipment and over-the-counter sales of handguns, long guns, and ammunition related to criminal activity. But I cannot in good conscience support legislation such as this which unnecessarily jeopardizes the rights of law-abiding citizens, and emasculates those provisions of the House bill which would deter the criminal and reduce the incidence of crime.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. McCulloch].

Mr. McCULLOCH. Mr. Speaker, I yield to the gentleman from Alabama [Mr. Edwards] for a unanimous-consent request.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, I thought the House gun bill was not acceptable although it was a much better bill than that proposed by the President. The Poff amendment in the House bill was the only bright spot in the bill, but now the Senate and the conferees have emasculated that provision.

In short, Mr. Speaker, while the House bill restricted the lawful use of guns, the Senate bill and the conference report have even further restricted use by law-abiding citizens and made it much easier on criminals. I just cannot understand the conferees accepting so many of the Senate provisions. In particular, the Poff amendment should have been kept in the bill without any change. This amendment was a very real effort to get at the criminal.

Mr. Speaker, I voted against the House bill, and I will most assuredly vote against the conference report. I urge my colleagues to do likewise.

Mr. McCULLOCH. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey [Mr. Hunt].

Mr. HUNT. Mr. Speaker, I take this occasion to discuss a bill which is very vital to the American public. I have long been a supporter of the restrictions insofar as the sale of mail order guns has been concerned. The Federal Firearms Act of 1953 took care of ammunition through the mail. I supported this legislation when it came on the floor, and I voted for the bill.

I am perplexed to find that the medium arrived at in this report nowhere resembles what we intended it to be. The House bill was a good bill. The Senate bill which was passed was a good bill. I thought the conferees who were to confer and compromise were to seek the middle ground, but I find that in this report they have deleted certain factors which both Houses had included and agreed upon.

World history is replete with many instances of so-called compromises as have been discussed here today. We had a classic example with Neville Chamberlain and we had another at Yalta. I am not going to compromise my principles on this bill. I cannot see why or understand why a first offender should not pay the penalty on the mandatory stipulation for the crime he commits with a weapon while committing another offense, and to say that this penalty should be concurrent, to me is repugnant.

How many dead policemen do we have in their graves today who have been the victims of a man on his so-called first offense with a gun in his hand? Sixty percent of the murders committed against policemen are committed by those persons on parole.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. HUNT. I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Speaker, I commend the gentleman from New Jersey for his statement. I know of his great experience in the law enforcement field.

It seems to me what the conferees have done is to create trouble for the law-abiding citizen and take all the teeth out of it which would have penalized the hoodlums and the criminal. This proposed legislation to me is just something which will harass those who live within the law and burden those people only.

I think it is interesting and I ask counsel why in the conference report they made provision for the sale of these weapons which are seized under the provisions of the Internal Revenue Act, which I understand means that the highest bidder will buy these weapons at a public sale. It seems to me at least, if they were interested in doing something worthwhile, they would be requiring that those weapons would be destroyed when they are confiscated.

But I concur in what the gentleman from New Jersey says, that those who commit crimes of violence with weapons are given the very last drop of protection, in this proposed conference report.

Mr. WATSON. Mr. Speaker, will the gentleman yield?

Mr. HUNT. I yield to the gentleman from South Carolina.

Mr. WATSON. Mr. Speaker, I rise in support of the observations made by the gentleman from New Jersey, a man probably more versed in the field of crime and law enforcement than anyone who is privileged to serve in this body.

While there may be areas of compromise in this as well as most differences between the House and the Senate, but in my judgment compromise with crime is never in order. A person using or possessing a weapon while committing a felony is a potential murderer, and there should be a prohibition against any court suspending the minimum sentence as provided in the House-passed gun bill. I hope this House will reject this conference report.

Mr. HUNT. Mr. Speaker, the second portion of the conference report I wish to discuss, is the ammunition portion. The conference report, if passed, will place a greater penalty on a licensed gun dealer who sells ammunition, than that imposed on a convicted criminal. Should the dealer inadvertently sell a box of shotgun shells to a criminal, a narcotic user, or anyone not legally entitled to purchase the shell, the dealer can be fined up to $10,000 and imprisoned up to 10 years in prison. What a travesty of justice.

If this is the thinking of this body, then something is wrong in our thinking. I said at the outset that the original bill was good, but certainly this report is to the contrary. I refuse to support this conference report.

Mr. CELLER. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I have a very high regard for the distinguished gentlemen who served as conferees and who bring this conference report to us. That does not change the fact that I am convinced the worst of both the House and Senate bills is now submitted for House consideration. We have had very little time to attempt to analyze the conference report and its recommendations. It was not available to the Members for study until late this morning and whether this could be avoided or not, the effect has been to deny the opponents of antigun legislation reasonable time to prepare for this discussion.

It is notable that many of the safeguards written into the bill by the House have now been dropped. In other words, the work of 5 days of careful effort during debate in the House to protect the rights of the people in the lawful ownership of weapons for legitimate purposes has been sharply curbed. There are instances where legal rights which were protected by the House have been continued but are subject to definition and regulation by Federal authorities. In other words, the Secretary of the Treasury and his agents may set aside, rewrite, or add to the law virtually at will. The section for firearms collectors has virtually been destroyed. Ammunition and ammunition components could no longer be shipped by mail. A waiting period has been provided which substantially kills the right to make long gun purchases in contiguous States. An affidavit and waiting period has been written in the bill for intrastate mail orders which will largely make useless the sections provided for mail order purchases in the House bill.

A matter of very serious concern is the fact that the mandatory sentencing features of the House bill have now been eliminated, and in this measure as in so many others, it appears that greater effort is being made to protect the rights of the criminal than those of the law-abiding citizens. The amount of record-keeping which will be required will provide a particular problem for dealers, and it may be prohibitive for the small shop-owners.

And finally, the new bill includes lengthy revisions of the National Firearms Act which defy interpretation in the short time which has been available for their perusal. This is bear-trap language which may pose all types of problems and complications both in interpretation and in enforcement of the law. It is simply impossible to attempt to say what the new language does, who it covers, or how they would be affected.

The House passed a bill which had been carefully studied after it reached the floor, and the numerous amendments which were written into it were testimonial to the fact that the House felt safeguards should be provided. Now many of these safeguards are gone, and numerous restrictions against weapons ownership are back in the bill. We have not had an opportunity to study them, to digest them, to know what they mean. This conference report should be rejected and the conferees instructed to stand by the House bill, which they certainly have failed to do in the conference already held.

But I have asked for this time so that I could ask the distinguished gentleman from New York, for whom I have the greatest admiration and friendship, a few questions.

Notably, I have followed the language contained on page 12 and on page 32 about the exemption which was written into the bill in the House for the National Board for the Promotion of Rifle Practice. May I ask, is it intended by this language that the lawful operations of the National Board for the Promotion of Rifle Practice are protected and insured under this bill?

Mr. CELLER. Most assuredly yes.

Mr. SIKES. Could I ask the distinguished chairman about the language on page 12—I quote from the last sentence under paragraph 2 under section 925 "to engage in military training or in competitions."

The work which is done in rifle clubs can not be considered to be military training and it is not necessarily in competition. Yet the work carried on in rifle clubs is a legitimate one and in fact one of the primary operations of the National Board for the Promotion of Rifle Practice. Is it clearly intended that this wording does not exempt those clubs from their normal, orderly operations?

Mr. CELLER. Yes, that is true, but I will say that particular language which the gentleman read is his own language.

Mr. SIKES. But it is intended that continuation of the rifle clubs will be included in the work of the National Board for the Promotion of Rifle Practice?

Mr. CELLER. Yes, sir.

Mr. SIKES. I have a number of other questions, but I am going to yield first to my distinguished friend from Michigan [Mr. DINGELL] who has a great interest in this legislation and who contributed significantly to the improvement of the bill on the House floor.

Mr. DINGELL. Mr. Speaker, I thank my good friend. I merely wish to say that this bill is presented under almost impossible circumstances. There is no opportunity for a discussion of the evil effects of the legislation as brought back to us by the conferees. It should be rejected, and then we can start this matter over once again next year, when reasonable legislation, fair to honest citizens, can be enacted. This legislation coddles criminals and imposes unconscionable burdens on law-abiding citizens.

Mr. SIKES. May I ask the distinguished chairman from New York, whether the 7-day waiting period which was written into the bill, also covers purchases in an adjoining State?

Mr. CELLER. It does.

Mr. SIKES. But it does not cover, do I understand correctly, a sportsman who seeks to replace a weapon lost, broken, or destroyed while on a hunting trip?

Mr. CELLER. That is the so-called Latta amendment to which reference is made, and it does not apply.

Mr. SIKES. On that, the 7-day waiting period does not apply?

Mr. CELLER. That is right.

Mr. SIKES. I understand from reading the conference report that shipments of components for ammunition for reloaders by mail is prohibited in this bill.

Mr. CELLER. It is prohibited. All ammunition and parts of ammunition are prohibited.

Mr. SIKES. That is not in keeping with what I understood was said on the minority side a few minutes ago. Is there any disagreement on this matter?

Mr. McCULLOCH. Mr. Speaker, if the gentleman will yield to me, if he is referring to me, I did not say that. I said, if anything was said, that components could be bought over the counter by the person who wanted to use them.

Mr. SIKES. Then, do I understand that the shipment of components for reloading is prohibited by this bill?

Mr. CELLER. That is correct.

Mr. SIKES. May I ask this question: I see that veterans who have dishonorable discharges may not purchase weapons by mail. Many of these were very young people who got into trouble and received a dishonorable discharge, yet some of them later find a very useful place in private life and fill a responsible place in society. Some of them are able to get their dishonorable discharges corrected. Have the conferees thought through on the effect of this language?

Mr. CELLER. May I read the statement on page 34, which will answer it?

The SPEAKER. The time of the gentleman has expired.

Mr. SIKES. It is my purpose now to provide a comparison between the House version and the conference committee report of the firearms control bill, H.R. 17735.

HOUSE	CONFERENCE REPORT
Findings. No findings.	No findings.
Ammunition. Excluded ammunition for rifles, shotguns and .22 caliber rimfire.	Includes ammunition and ammunition components for all firearms.
Collectors. May be licensed to have same status as dealers and acquire hold and dispose of any firearm or ammunition as a curio or relic.	Same but authorizes the Secretary of the Treasury to define the scope of the provision by regulation.
No such limitation.	Licenses apply only to transactions in curios and relics.
No qualifications required.	Qualifications for license same as for dealers, manufacturers and importers.
Nonresidents. May bring into or receive in state of residence firearms obtained outside the state if so acquired prior to date of enactment of this Act.	Adopted.
Latta sporting use exception for out of state shooters whose long gun is lost or inoperative.	Adopted.
No specific provision.	Temporary use transfers or loans permitted for sporting purposes.
Contiguous States. Exception for long gun purchases.	Adopted, but with a 7-day waiting period requirement.
Affidavit and waiting period for intrastate mail orders. No such requirement.	Adopted. Affidavit, 7 days wait, and notification to local law enforcement chief.
Prohibited persons. Includes drug users and mental defectives.	Adopted.
Penalties. Poff amendment required minimum mandatory sentences for carrying firearms in federal felonies 1–10 years first offense and 5–25 years for subsequent offenses. No suspension or probation permitted. Sentences must be consecutive to sentences for base felony.	Imposition of minimum mandatory sentence for first offense not required. Imposition required for subsequent offenses. No requirement for consecutive terms in addition to terms for the base felony.
Imports. All military surplus firearms excluded. Non-military surplus permitted only upon Secretary's finding of suitability for sporting purposes.	Adopted.
National act amendments. No provision.	Adopted lengthy revision of the National Act (gangster weapons control) to include destructive devices and to accommodate recent court decisions inhabiting enforcement of parts of the Act.

Mr. McCULLOCH. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Speaker, not in anger but in sorrow, I must announce that I will vote against the conference report.

If the real purpose of gun control legislation is to control crime, then the central control mechanism of this bill has been fractured. As the bill passed the House, the central crime control mechanism was the mandatory jail sentence amendment. That amendment, which the House adopted by a vote of 412 to 11, prescribed minimum mandatory jail sentences for using a gun in the commission of a Federal felony. Upon conviction, the sentence could not be suspended and probation could not be granted. More significantly, the judge was required to impose it to run consecutively to rather than concurrently with the penalty imposed for the base felony.

The conference report makes two changes, each of which is mischievous and both of which are unacceptable. First, it makes the penalty for the first offense altogether permissive rather than mandatory. Second, although it authorizes a mandatory penalty for a second offense, it grants the trial judge absolute discretion to impose the sentence to run concurrently with the sentence imposed for the base felony.

I am of the legal school of thought that ordinarily minimum mandatory penalty structures are self-defeating. Often, they do not deter. When the penalty is considered too great for the offense, prosecutors do not prosecute or they reduce the charge; juries acquit. However, this is no ordinary case. The penalties in this amendment were not addressed to the base felony. They would not deter the basic criminal act. The amendment was addressed to the use of a firearm in the commission of the base felony. It was designed to persuade the man who has decided to set forth on a criminal venture to leave his gun at home. It is not the severity of punishment that deters. It is the certainty of punishment that deters.

In the posture which the conference report leaves it, the amendment will not promote certainty of punishment. Rather, with respect to the first offense, actual time in jail will be no more certain than it is today. The criminal who is tempted to use a gun in the commission of his crime can still do so with the full knowledge that he has at least a 50–50 chance, even after being caught, convicted and sentenced, of never serving a day in jail. And even if it is his second offense, he knows that any jail term he may be required to serve may run concurrently with the same term that can be imposed under present law for the base felony.

With such odds, why should he refrain from using a gun?

Mr. CELLER. Mr. Speaker, I yield myself 2 minutes.

The gentleman from Virginia for whom I have the highest regard makes it appear that there were only trifling penalties involved in this bill. There are very severe penalties in this bill and in this report, and they are very great and somewhat Draconian. For the first offense the penalty is imprisonment for not less than 1 year nor more than 10 years. For the second offense, it is imprisonment for no less than 5 years nor more than 25 years. Twenty-five years is a rather long stretch.

Mr. Speaker, I am rather startled that the gentleman from Virginia lacks such confidence in our Federal courts as to first offenders that he would take away from Federal judges in the case of first offenders the right to place on probation and would prevent the court from even suspending sentences, no matter what the circumstances may be.

No matter how compelling the circumstances may be, the court could not suspend a sentence and could not award probation. And, I think that when we contemplated the dignity and the efficacy of our U.S. judges throughout the length and breadth of the land, we find that they have done an excellent job. But there seems to be a denial in a way, indirectly, of that good job being done by our Federal judges based upon what the gentleman from Virginia has said.

Mr. Speaker, you know there is an old saying that those who fail to recognize the mistakes of history may have to live those mistakes all over again.

In England in 1870 there was a great amount of crime very much like there is today. One could not traverse the London streets without being mugged or having one's pockets picked. They passed a law that pickpocketing would earn the death penalty—so emotional and hysterical the people became that they wanted to have this extremely drastic penalty.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CELLER. Mr. Speaker, I yield myself one additional minute.

As a result of that drastic penalty, Mr. Speaker, what happened? The hangings that occurred were always a spectacle, so crowds always gathered and the hangings became the causes for more and more pickpocketing, with the result they realized their mistake. It was such a drastic penalty. They repealed the statute.

That is the type of mistake we should never make. Also keep in mind that the more drastic the penalty is, you do not deter crime. That is the history of penology.

So if you take away the right of the judges to grant something merciful, humanitarian, particularly for a first offender by way of probation, by way of suspension, you are doing a grevious wrong.

For that reason, Mr. Speaker, I hope the conference report will be adopted.

Mr. McCULLOCH. Mr. Speaker, I yield to the gentleman from Idaho [Mr. Hansen].

Mr. HANSEN of Idaho. Mr. Speaker, on July 24 of this year the House of Representatives passed H.R. 17735, the so-called State Firearms Control Assistance Act of 1968.

This name, Mr. Speaker, is entirely misleading. This is not a State firearms control assistance act. Rather, it would more appropriately be called "An act to impose Federal control and standards upon the sovereign States." I opposed the bill and I voted against it.

However, before final passage, several amendments were adopted, all of which I supported. One exempted all .22-caliber-rimfire ammunition, metallic ammunition suitable for use only in rifles, and all shotgun shells from the regulations and restrictions imposed on ammunition. This left only ammunition for destructive devices and ammunition for pistols and revolvers covered in the House bill. I would have preferred that pistol and revolver ammunition had also been exempted, but this was not the will of a majority of the Members of the House.

Another amendment, which was adopted by the overwhelming vote of 412 to 11, provided stringent sentences for the use of a gun in a Federal offense. The sentences, under this amendment, could not be suspended and could not not run concurrently with any term of imprisonment for the commission of any such felony. Nor could probation be granted.

This was an excellent amendment, Mr. Speaker, in that it would keep the convicted criminal off of the street and would, I believe, serve as a powerful deterrent to the use of a firearm in the commission of a Federal felony. The criminal, knowing that any judge sentencing him for his crime, could not, as is too often the case, be overly lenient, would think at least twice before using a firearm in his nefarious trade.

These were good amendments to an otherwise bad bill and I voted for them.

But the other body passed its version of the bill embodying measures even harsher in some respects than those contained in the one passed by the House, and much softer in others. The trouble is, Mr. Speaker, that where the other body should have toughened the bill they made it weaker, and where they should have weakened it they made it tougher. Thus, they made a bad bill even worse.

The version approved by the other body imposes what is tantamount to the registration of all ammunition, including shotgun shells, rifle shells and all .22-caliber-rimfire ammunition purchased by an individual. This is an unconscionable intrusion on the rights and privacy of the law-abiding citizen. It is also a provision which will not deter or prevent the criminal from obtaining ammunition.

As I pointed out a moment ago, Mr. Speaker, 412 Members of the House of Representatives voted for stringent additional sentences for a criminal when he has used a gun in the commission of a crime.

The other body, however, taking no note of the overwhelming sentiment of House Members, adopted a watered-down version of the House amendment—one which would continue to permit judges to dispense more mercy than justice in imposing sentences on criminals.

Unfortunately, it appears that the other body worked its will when the managers for the two bodies met to reconcile the differences in the two bills. As a result, if we adopt the conference report, we will be negating all the work that has been done on this side of the Capitol. We will be capitulating to the other body.

I would hope, Mr. Speaker, that the House will insist on its version of the bill and will vote to instruct its managers to return to conference and uphold that position.

I shall vote against the bill in any event, Mr. Speaker, but I implore the Members of this body that, if we are to impose unjust and unwarranted restrictions upon the several States that we impose the lesser of two evils, the House bill rather than the Senate bill.

Mr. McCULLOCH. Mr. Speaker, I yield to the gentleman from Illinois [Mr. Collier].

Mr. COLLIER. Mr. Speaker, I am deeply disturbed and disappointed that the conferees have seen fit to gut one of the most important provisions of the bill which passed the House on the Gun Control Act of 1968. While I intend to vote for the conference report rather than risk the possibility of not writing into law other provisions of the bill which are meaningful, I wholeheartedly disagree with the logic of the distinguished chairman of the committee, Mr. Celler, in that I believe that removal of the mandatory sentence for commission of a crime or felony while in possession of a firearm eliminates an important aspect of the deterring features of the bill. I regret that the conference report also provides for the mandatory sentence for second offenders to run concurrent with that of penalties for other convictions.

Because it is late in the session, we would not have time to reject the conference report to correct this provision in accordance with the majority position of the House when this bill was originally passed. This means that opposition to this bill would result in no legislation at all, and I am certain that many of the other provisions of this legislation would be incorporated in any bill that might be passed by a subsequent Congress.

Hence, I shall personally introduce legislation to amend this bill if it becomes law to restore the so-called Poff amendment, if I am a Member of this body when the 91st Congress convenes.

It is important, it seems to me, that this become part of the Federal gun-control statute as a means of preventing or reducing crimes wherein firearms are unlawfully used.

Mr. McCULLOCH. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. Williams].

Mr. WILLIAMS of Pennsylvania. Mr. Speaker, I believe that the House bill which we passed is actually superior to the bill which is proposed in this conference report.

I have the greatest respect and esteem for my colleague, the gentleman from Virginia [Mr. Poff] and the gentleman from New Jersey [Mr. Hunt] and many others. I agree basically with what they have been saying here today. But we must remember this. The 90th Congress is about to adjourn either today, tomorrow, or Saturday. If we do not take favorable action on this conference report, we are not going to have this law covering gun control and controls on ammunition. Further, if this conference report is defeated the 91st Congress will have to start again on gun control legislation from scratch. I think this would basically be a very serious mistake.

The deficiencies that have been pointed out by some of my very distinguished colleagues here today are very apparent to me and are very glaring. But to pass this conference report will give us a bill to deal with this very serious problem between now and the time that the 91st Congress convenes and we can change anything we want to after we convene in January.

So, Mr. Speaker, I would urge very sincerely that all of my colleagues support this conference report.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS of Pennsylvania. I yield to the gentleman.

Mr. WHITENER. Mr. Speaker, as the House considers this conference report I again express my thorough disapproval of the so-called gun control legislation.

The conferees have made changes in the proposal in such manner as to make the bill less acceptable than it was when we considered it here before. In my judgment, those who support the conference report will regret it upon mature reflection.

The approach to the problem of crimes of violence should be by penal statutes which punish the wrongdoer, not the law abiding. In presenting this bill in its present form the conferees are imposing burdens upon the good citizen and doing nothing to stem the tide of violent crime by criminals. The punishment provisions as to those who commit crimes of violence with firearms in this proposal relate only to Federal offenses. Most violent crimes committed in the United States are State offenses, not Federal.

It is an effort in delusion to try to convince the American public that the stepped up punishment for crimes of violence will be a deterrent to violence committed in violation of State laws.

I again register my opposition to this legislation. It is my plea to my colleagues that they do the same.

Mr. CELLER. Mr. Speaker, I yield such time as he may require to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Speaker, I rise to express support for the conference report on H.R. 17735 and urge its adoption. It represents, in my opinion, workable and effective legislation on the subject of firearms controls.

It extends the prohibitions of the Omnibus Crime Control Act dealing with sales of pistols and revolvers to rifles and shotguns. The conference report adopts the Senate version with respect to the definition of ammunition and extends the bill's prohibitions on sales to juveniles and to interstate sales, to all ammunition and to the components of ammunition for all firearms. I believe that the conference substitute combines important and desirable features of the House bill and the Senate amendment.

For example, the conference report bans imports of all surplus military firearms; it requires the execution of an affidavit and the provision of notice to local law enforcement officials in intrastate mail-order firearms rules as well as firearms sales to residents of contiguous States.

Mr. Speaker, enactment of the Gun Control Act of 1968 follows a long arduous legislative history. It is a significant and essential first step in effective firearms legislation. It will enable the States to adopt meaningful and effective firearms control and regulate firearms and ammunition sales and possession within their borders.

Mr. CELLER. Mr. Speaker, I yield myself one-half minute and yield to the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, I would like to ask the chairman this question: If a national of a foreign country finds himself in this country on a legal visit, could he buy any ammunition, shotgun, rifle, or pistol and take it back to his country with him?

Mr. CELLER. We never considered anything of that sort in the committee or in the conference.

While there is a provision in the act that sales cannot be made to a nonresident, I am inclined to believe that "nonresident" would be a nonresident of a State.

My inclination would be to say that there is nothing in the act that would prevent such a sale as the gentleman has indicated. Therefore, it would not come within the prohibitions of the act.

I would like to give more patient study to that before I give an unqualified answer.

Mr. Speaker, I yield such time as I have remaining to the gentleman from Wisconsin [Mr. KASTENMEIER].

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 1½ minutes.

Mr. KASTENMEIER. Mr. Speaker, I want to take this opportunity to commend my chairman and my fellow conferees for their work on this bill. The moment occurs when in the consideration of it the House should keep in mind the many months and, actually, the years leading up to the prospective enactment of this measure.

The House bill and the Senate bill have produced this conference report which is within the four squares of both.

One concession that we did make, that is the House conferees, was to adopt the "purpose" set forth in the Senate bill and I would like to read it because Members will not have been aware of it previously.

It states:

> SEC. 101. The Congress hereby declares that the purpose of this title is to provide support to Federal, State, and local law enforcement officials in their fight against crime and violence, and it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection, or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title.

Mr. Speaker, I have recited these points so that Members can return to their districts and in this sense construe the bill, which I trust we are about to pass today.

Mr. Speaker, I urge adoption of the conference report.

Mr. HALL. Mr. Speaker, I voted for the so-called long gun interstate mail-order ban bill on July 24, 1968, in this House. I have been criticized for it ever since by those who did not thoroughly understand the ban, or indeed the fact that a "shell" only remained of the original administration bill.

I was prepared to support a ban on injudicious sale or mailing of guns across interstate lines, to unknowns as to age, soundness of mind, and committed felonies. I have always said I would never vote for registration or any bar to our constitutional right to bear arms.

Now comes a gutted conference report which I can never support. The mandatory sentencing has been removed for all intents and purpose, and the penalty clauses severely reduced to the point of making such legislation a mockery. I presume we should have expected this conference action, but I can never forgive the veiled registration for guns of unknown serial, or date. It is therefore far better to have no bill in the pressure of these closing days of the 90th Congress, than a travesty on freedom, rights, and justice. Therefore, I shall vote against this conference report.

Mr. SKUBITZ. Mr. Speaker, when the gun control bill was before this body for consideration a number of amendments were presented and accepted which, in my opinion, were basic if the purpose of the bill were to be achieved. We said the basic purpose was to provide support to law enforcement officers in their fight against crime and not to place burdens on law abiding citizens in the acquisition or use of firearms for personal protection or use in such lawful activities as hunting, trapshooting, target shooting, and so forth.

This body added two amendments which I considered basic. First a proviso that provided a mandatory sentence for the possession of a gun by any person who was caught committing a felony—and that such sentence would not run concurrently with the base felony. Second we exempted the sale of such ammunition used principally by hunters.

Regrettably, the conferees strengthened the restrictions on hunters and coddled the criminals. They restricted the sale of shotgun shells and removed the mandatory sentence which this body place in the bill relating to the possession of a gun in the commission of a felony.

Now, the distinguished chairman tells us that all legislation is a matter of compromise. This may be true but not on basic principles. We are told we must accept the conference report or there will be no law.

Mr. Speaker, if this be the case—then I say vote against this bill.

Congress will reconvene in 90 days. Let the new Congress work its will. Let us not surrender our position.

I want to stop crime as much as anyone in this body. But if you want to stop crime let the criminal know that we mean business. It is not the severity of the penalty that we place in a law that deters the criminal mind. It is the fact that the penalty will be enforced.

Mr. WAGGONNER. Mr. Speaker, when the roll is called on the so-called gun control bill, I will vote against it. I have no need to justify my vote either to myself or my constituents and I do not rise for that purpose. I rise to see that it is made explicitly clear that every attempt has been made to create the impression that this legislation provided little or nothing in the way of registration of firearms. The truth is, however, that with the passage of this bill, the Congress will throw wide the door for registering all firearms, numbering in the multiple millions. It will establish a recordkeeping bureaucracy and hand it virtually limitless power to pry.

I call your attention to subsections (a) and (b) of section 5842, subchapter B. Subsection (a) states that—

> Each manufacturer and importer and anyone making a firearm shall identify each firearm by a serial number and—

Listen well to me—

> and such other identification as the Secretary or his delegate may by regulations prescribe.

In other words, the Congress is being asked to authorize the Secretary of the Treasury to write whatever guidelines he wants without asking approval of anyone.

Look now with me at subsection (b) of section 5842 and you find that the Secretary is given exactly the same authority over all firearms which do not have serial numbers. In other words, the Secretary will be authorized to require the registration of every gun with a serial number and every gun without a serial number. That, to me, describes every gun in existence.

Subsection (a) takes care of registering all guns manufactured in the future; subsection (b) takes care of all those already manufactured. That, gentlemen, is total registration without a doubt.

This bill represents the worst features of both the House and Senate bills and is complete capitulation to the ivory-headed cranks who believe that registering the guns of peaceful citizens will have any effect on the crime rate or act as a deterrent to any criminal who wants to own and operate a firearm.

It is beyond my comprehension how intelligent men can ascribe a conscience to an inanimate object like a gun. It reminds me of primitive man beating the river with a stick because it flooded.

The Congress will live to regret this legislation if it passes and I freely predict that a future Congress will undo the mischief the passage of this bill will do. I am glad my vote will be in the right column when the roll is called. I will vote "no."

Mr. MATSUNAGA. Mr. Speaker, I rise to urge the adoption of the conference report on the Gun Control Act of 1968.

The House conferees, under the able leadership of the distinguished gentleman from New York [Mr. CELLER], deserve a well-earned vote of thanks from this body for their patient but considerable effort which is evidenced by the conference report on H.R. 17735, a bill which would provide for better control of the interstate traffic in firearms.

This gun control measure, despite the strong and sometimes unreasonable opposition it seems to have inspired in some quarters, will eventually be known as one of the more important pieces of legislation to emerge from the 90th Congress. It represents our response, while not as strong as some would have liked, to the alarming increase, nationwide, in the number and types of crimes which are perpetrated by the use of firearms. Clearly, we can ill afford to engage indefinitely in academic discussions on the relationship between easy access to firearms and the commission of major crimes with the use thereof. Today's victim of a heinous crime may be a stranger; tomorrow's victim may be someone who is near and dear to us. The time for action is now.

This legislation represents an important step in buttressing, without supplanting, existing State gun control laws.

Mr. Speaker, because the underlying purpose of this legislation has been the subject of widespread misunderstanding, I would like to make it clear by pointing out what it is not. This is nowhere more succinctly stated than at the beginning of title I, which is entitled "State Firearms Control Assistance."

It is there stated that it is not the purpose of this gun-control act "to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection, or any other lawful activity," and, further, that the proposed law "is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes." I am certain that a clear knowledge of the purpose of this legislation would eliminate much of the misunderstanding which seems to have been generated by its consideration in Congress.

Mr. Speaker, I again urge the adoption of the conference report on H.R. 17735.

Mr. SAYLOR. Mr. Speaker, if the House of Representatives adopts this conference report there will be joy in the hearts of the criminals of America and encouragement to many people to join that element; the law-abiding citizen, the hunter, the marksman, the trapshooter, the individuals who have from time immemorable in this country had shells available as a service to their patrons will be angry.

The House conferees have capitulated completely and have eliminated the provisions of the House bill with regard to ammunition and have literally nullified the effectiveness of the Poff amendment on minimum mandatory sentences.

When the House passed H.R. 17735, it contained an amendment exempting the coverage of the sale of shotgun shells, ammunition designed and used for target shooting, trap shooting, the hunting of rats, predators, and small game. The House version also contained the so-called Poff amendment requiring a minimum sentence for unlawfully carrying firearms and the commission of Federal felonies of from 1 to 10 years for the first offense and from 2 to 25 years for subsequent offenses. No suspension or probation was permited by the House and the gun sentence was not to run concurrently, but after the completion of the sentence imposed for the base felony.

The Poff amendment requiring minimum mandatory sentences for first offenses carrying firearms and the commission of Federal felonies has been eliminated. Every criminal who expects to use a gun in the commission of a crime will be happy when they read of Congress' action today. There is no doubt that the certainty of punishment for both the Federal felonies and the use of firearms would have been a significant deterrent to crime. The conferees' failure to place this provision in the law is absolutely inexcusable.

The conference report is woefully delinquent in another respect. It fails to make any distinction between the kinds of ammunition used most frequently by criminals and those used by hunters and sportsmen.

The amendment defining the term "ammunition" as used in the House bill was an absolute necessity for the public acceptance of any gun legislation. This definition has been eliminated from the bill. It is my understanding that the Republican conferees attempted to offer a substitute definition of ammunition which was summarily defeated by the Senate and the House conferees on the Democratic side.

The failure of the conferees to either keep the House definition of ammunition or any reasonable compromise thereof means that every law-abiding citizen, every hunter, every sportsman, every target shooter will be subject to harassment and unnecessary inconvenience.

I predict that the failure of the House conferees to maintain the House position on the definition of ammunition will be the beginning of another era in American history reminiscent of the Volstead Act and prohibition when Congress by its failure to understand the problem harassed the law-abiding citizens of this country and made bootlegging and lawbreaking the desire of the majority of the American citizenry.

Every store in every town, large or small, every rural gas station, country store who for generations has stocked shotgun shells as a convenience to hunters without, in almost every case, dealing in firearms will now be required to obtain a Federal license and to pay a fee to continue this service. I predict that the small town store, the rural shopkeeper, the rural gas station will refuse to carry these shotgun shells as a convenience to their trade.

Every seller of these shotgun shells will be required to keep a record of every single ammunition transaction and if he should perchance sell a box of shotgun shells to a convicted felon, a fugitive from justice, a user of drugs or narcotics, he is subject to a penalty of 5 years in jail a $5,000 fine, or both. The answer is simple—the average citizen will be grossly inconvenienced because sellers of ammunition will not be harassed by the type of paperwork involved.

While I have no way to prove the accuracy of the statement, I have been informed by munition manufacturers that there are more than a quarter of a million sales of .22 caliber ammunition every day of every year and during the hunting season the figure might rise to half a million transactions a day. This does not take into account the millions of men why buy shotgun shells for hunting during the hunting season. For these and other reasons, it is impossible for me to support this conference report.

The harassment of law-abiding citizens imposed by this bill upon our citizenry, the undue burden placed upon merchants who sell ammunition indicate that Congress once again during the 90th Congress has panicked and has passed punitive legislation that will not touch the criminal and his illegal use of firearms but will be of untold burden to law-abiding American citizens.

I sincerely hope that an enlightened 91st Congress in days of cool and deliberate legislation will have the wisdom to repeal this onerous legislation just as the rank and file of American citizens required the appeal of the 18th amendment. Failure to do so will forever label October 10, 1968, as "Black Thursday"—the day when the criminal was extolled and the law turned on the law-abiding citizen.

Mr. McCULLOCH. Mr. Speaker, I end my statements on gun legislation as I began them today. This conference committee report on the whole is a job well done, although I was overruled in two of the matters in controversy. This bill as reflected by the conference committee report is a good bill. We should have had such legislation long ago.

By the adoption of this conference committee report every Member who votes for it today will be serving a useful—I repeat—a useful public purpose.

The SPEAKER pro tempore (Mr. NATCHER). The question is on the conference report.

The question was taken.

Mr. CELLER. Mr. Speaker, on that I demand the yeas and nays.

Mr. WAGGONNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 161, nays 129, not voting 141, as follows:

[Roll No. 422]

YEAS—161

Addabbo
Anderson, Ill.
Annunzio
Arends
Ashley
Bates
Bennett
Betts
Biester
Bingham
Boland
Bolling
Bolton
Brademas
Brasco
Broomfield
Brotzman
Brown, Mich.
Broyhill, Va.
Burke, Mass.
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Cederberg
Celler
Chamberlain
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Culver
Daddario
Daniels
Davis, Wis.
Dawson
Delaney
Dent
Derwinski
Donohue
Dulski
Eckhardt
Esch
Eshleman
Fallon
Farbstein
Feighan
Findley
Fino
Flood
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Gibbons
Gilbert
Gonzalez
Green, Oreg.
Griffiths
Grover
Gubser
Gude
Halpern
Hanley
Hathaway
Hechler, W. Va.
Horton
Howard
Irwin
Joelson
Jones, Mo.
Karth
Kastenmeier
Kelly
King, N.Y.
Kirwan
Latta
Leggett
Long, Md.
McCarthy
McCloskey
McCulloch
McDade
McDonald, Mich.
Macdonald, Mass.
Machen
Mailliard
Matsunaga
Meskill
Minish
Mink
Monagan
Morgan
Morse, Mass.
Murphy, Ill.
Nedzi
Nix
O'Hara, Mich.
O'Konski
O'Neill, Mass.
Ottinger
Patten
Pelly
Pepper
Philbin
Pike
Pirnie
Poage
Podell
Price, Ill.
Pucinski
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rodino
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Rumsfeld
St Germain
St. Onge
Scheuer
Schneebeli
Smith, Iowa
Smith, N.Y.
Springer
Stanton
Steiger, Wis.
Taft
Teague, Calif.
Tenzer
Thompson, Ga.
Tiernan
Udall
Van Deerlin
Vander Jagt
Vanik
Vigorito
Whalen
Widnall
Williams, Pa.
Wolff
Wydler
Wylie
Yates
Zablocki

NAYS—129

Abernethy
Albert
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Ashbrook
Baring
Battin
Blackburn
Bray
Brinkley
Brock
Brown, Ohio
Broyhill, N.C.
Buchanan
Burleson
Clawson, Del
Cleveland
Collins
Colmer
Cramer
Davis, Ga.
de la Garza
Dellenback
Dingell
Dole
Dorn
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Flynt
Foley
Fountain
Fuqua
Gathings
Gettys
Goodling
Gray
Griffin
Hagan
Hall
Hamilton
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Hosmer
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Kazen
Kee
Kornegay
Kuykendall
Laird
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClure
McEwen
McMillan
MacGregor
Mahon
Marsh
Mathias, Calif.
May
Mayne
Miller, Ohio
Mills
Mize
Myers
Natcher
Nelsen
Olsen
O'Neal, Ga.
Passman
Perkins
Poff
Price, Tex.
Purcell
Quie
Quillen
Randall
Rarick
Rivers
Rogers, Fla.
Satterfield
Saylor
Schadeberg
Scherle
Schwengel
Scott
Shriver
Sikes
Skubitz
Slack
Snyder
Steed
Stephens
Stubblefield
Stuckey
Talcott
Taylor
Teague, Tex.
Tuck
Ullman
Waggonner
Wampler
Watson
Watts
Whalley
White
Whitener
Whitten
Winn
Wyatt
Wyman
Young
Zion
Zwach

NOT VOTING—141

Abbitt
Adair
Adams
Ashmore
Aspinall
Ayres
Barrett
Belcher
Bell
Berry
Bevill
Blanton
Blatnik
Boggs
Bow
Brooks
Brown, Calif.
Burke, Fla.
Burton, Utah
Bush
Button
Cabell
Carter
Casey
Clancy
Clark
Clausen, Don H.
Corman
Cowger
Cunningham
Curtis
Denney
Devine
Dickinson
Diggs
Dow
Dwyer
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Fisher
Ford, Gerald R.
Galifianakis
Gallagher
Gardner
Giaimo
Green, Pa.
Gross
Gurney
Haley
Halleck
Hammerschmidt
Hanna
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Hull
Hungate
Jacobs
Jones, N.C.
Karsten
Keith
King, Calif.
Kleppe
Kluczynski
Kupferman
Kyl
Kyros
Landrum
Langen
McClory
McFall
Madden
Martin
Mathias, Md.
Meeds
Michel
Miller, Calif.
Minshall
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, N.Y.
Nichols
O'Hara, Ill.
Patman
Pettis
Pickle
Pollock
Pryor
Railsback
Reifel
Reinecke
Resnick
Roberts
Robison
Rogers, Colo.
Roudebush
Roush
Ruppe
Ryan
Sandman
Schweiker
Selden
Shipley
Sisk
Smith, Calif.
Smith, Okla.
Stafford
Staggers
Steiger, Ariz.
Stratton
Sullivan
Thompson, N.J.
Thomson, Wis.
Tunney
Utt
Waldie
Walker
Watkins
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wright

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Giaimo for, with Mr. Hébert against.

Mr. Kyros for, with Mr. Aspinall against.

Mr. Hanna for, with Mr. Roberts against.

Mr. Mosher for, with Mr. Hammerschmidt against.

Mr. Erlenborn for, with Mr. Carter against.

Mr. Miller of California for, with Mr. Henderson against.

Mr. Stratton for, with Mr. Jones of North Carolina against.

Mr. Charles H. Wilson for, with Mr. Pryor against.

Mr. Barrett for, with Mr. Montgomery against.

Mr. Boggs for, with Mr. Ashmore against.

Mr. Eilberg for, with Mr. Bevill against.

Mr. Galifianakis for, with Mr. Brooks against.

Mr. Green of Pennsylvania for, with Mr. Blanton against.

Mr. Kluczynski for, with Mr. Cabell against.

Mr. McFall for, with Mr. Edwards of Louisiana against.

Mr. Madden for, with Mr. Fisher against.

Mr. Murphy of New York for, with Mr. Haley against.

Mr. Hicks for, with Mr. Burton of Utah against.

Mr. Holifield for, with Mr. Dickinson against.

Mr. Hull for, with Mr. Gardner against.

Mr. Moorhead for, with Mr. Harsha against.

Mr. Moss for, with Mr. Morton against.

Mr. Pickle for, with Mr. Smith of Oklahoma against.

Mr. Roush for, with Mr. Steiger of Arizona against.

Mr. Bell for, with Mr. Nichols against.

Mr. Mathias of Maryland for, with Mr. Patman against.

Mr. Watkins for, with Mr. Selden against.

Mr. Railsback for, with Mr. Staggers against.

Mr. Thompson of New Jersey for, with Mr. Walker against.

Mr. Minshall for, with Mr. Willis against.

Mr. McClory for, with Mr. Landrum against.

Mr. Robison for, with Mr. Abbitt against.

Mr. Ayres for, with Mr. Everett against.

Mr. Ryan for, with Mr. Pollock against.

Mr. Adams for, with Mr. Herlong against.

Mr. Blatnik for, with Mr. Shipley against.

Mr. Hawkins for, with Mr. Morris of New Mexico against.

Until further notice:

Mr. Rogers of Colorado with Mr. Gerald R. Ford.

Mr. Hungate with Mr. Bow.

Mr. Waldie with Mr. Adair.

Mr. King of California with Mr. Berry.

Mr. Corman with Mr. Halleck.

Mr. Brown of California with Mr. Pettis.

Mr. Edwards of California with Mr. Langen.

Mr. Evans of Colorado with Mr. Michel.

Mr. Meeds with Mr. Keith.

Mr. Helstoski with Mr. Harvey.

Mr. Hays with Mr. Martin.

Mr. Gallagher with Mr. Kleppe.

Mr. Fascell with Mr. Belcher.
Mr. Evins of Tennessee with Mr. Kyl.
Mr. Dow with Mr. Clancy.
Mr. Sisk with Mr. Smith of California.
Mr. Clark with Mr. Kupferman.
Mr. O'Hara of Illinois with Mr. Cunningham.
Mr. Tunney with Mr. Devine.
Mr. Resnick with Mr. Bush.
Mrs. Sullivan with Mrs. Dwyer.
Mr. Diggs with Mr. Button.
Mr. Wright with Mr. Don H. Clausen.
Mr. Karsten with Mr. Denney.
Mr. Jacobs with Mrs. Heckler of Massachusetts.
Mr. Casey with Mr. Sandman.
Mr. Schweiker with Mr. Burke of Florida.
Mr. Reinecke with Mr. Gross.
Mr. Utt with Mr. Cowger.
Mr. Roudebush with Mr. Bob Wilson.
Mr. Thomson of Wisconsin with Mr. Wiggins.
Mr. Ruppe with Mr. Curtis.
Mr. Moore with Mr. Gurney.
Mr. Reifel with Mr. Stafford.

Mr. LONG of Maryland changed his vote from "nay" to "yea."

Mr. GRAY changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 17735, the conference report on which was just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 10790, RADIATION CONTROL FOR HEALTH AND SAFETY ACT OF 1968

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on H.R. 10790, Radiation Control for Health and Safety Act of 1968.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

WOODROW WILSON

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, as the sponsor of similar legislation, I was very pleased by the approval this week in the House, of H.R. 19988, which establishes a Woodrow Wilson International Center for Scholars.

Our 28th President was one of the few genuine scholars to occupy the office of Chief Executive, and despite his untimely death, future events have testified to the wisdom of many of the policies he espoused in the face of savage opposition. His integrity, personal courage, and idealism, moreover, have made him a constant source of inspiration to all who have embarked upon public service careers.

It is particularly appropriate that his memorial will be a living institution, dedicated to the research and education that were so important a part of the President's life. It is fitting too, that the center will be a major monument in the reconstruction of Pennsylvania Avenue and an adornment to the city Woodrow Wilson loved.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 19908, FOREIGN ASSISTANCE APPROPRIATIONS, 1969

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on H.R. 19908, the foreign assistance appropriation bill, 1969.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

REPEALING CERTAIN ACTS RELATING TO CONTAINERS FOR FRUITS AND VEGETABLES

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 13058) to repeal certain acts relating to containers for fruits and vegetables, and for other purposes, with a Senate amendment thereto, and disagree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That the Acts of Congress listed below are hereby repealed:

"(a) The Act of August 31, 1916, entitled 'An Act to fix standards for climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and for other purposes' (39 Stat. 673, as amended; 15 U.S.C. 251–256);

"(b) The Act of May 21, 1928, entitled 'An Act to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes' (45 Stat. 685, as amended; 15 U.S.C. 257–2571);

"(c) The Act of June 5, 1940, entitled 'An Act to prohibit the exportation of tobacco seed and plants, except for experimental purposes' (54 Stat. 231; 7 U.S.C. 516–517);

"(d) The Naval Stores Act approved March 3, 1923 (42 Stat. 1435; 7 U.S.C. 91–99);

"(e) The Act of May 17, 1928, entitled 'An Act to authorize the appropriation for use by the Secretary of Agriculture of certain funds for wool standards, and for other purposes' (45 Stat. 593; 7 U.S.C. 415b-415d).

"Sec. 2. Section 10(b)(3) of the Act of November 3, 1966 (80 Stat. 1302; 15 U.S.C. 1459 (b)(3)), is amended to read as follows:

"'(3) containers subject to the provisions of the Act of August 3, 1912 (37 Stat. 250, as amended; 15 U.S.C. 231–233), or the Act of March 4, 1915 (38 Stat. 1186, as amended; 15 U.S.C. 234–236).'

"Sec. 3. This Act shall become effective sixty days after the date of its enactment."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was disagreed to.

A motion to reconsider was laid on the table.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1969

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes, with Senate amendment No. 10 in disagreement, and consider the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

On page 15, line 17, insert the following:

"For grants and payments under the Act of September 30, 1950, as amended (20 U.S.C., ch. 13, and under the Act of September 23, 1950, as amended (20 U.S.C., ch. 9), $90,965,000, fiscal year 1968: *Provided*, That these funds shall not be subject to the provisions of the Anti-Deficiency Statute, Revised Statutes 3679, section 665(c), title 31, United States Code: *Provided further*, That the expenditure of this appropriation shall not be taken into consideration for the purposes of title II of the Revenue and Expenditures Control Act of 1968."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Flood moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein.

Mr. FLOOD. Mr. Speaker, this language is the only thing holding up this appropriation bill of $18.5 billion.

Section 406 of the Vocational Education Act amendments seems to many and, I must say, not to others, to cover what the language in disagreement seeks to do; but in any event there are many instances in which it has been made clear that the President has the constitutional power to refuse to spend money which the Congress appropriates. So this language does not mean very much anyway and certainly should not hold up the completion of congressional action on such an important appropriation bill.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I agree with the gentleman from Pennsylvania that there is no need to hold up the whole Labor-HEW appropriation bill merely because of this language. The language will not be interpreted as a requirement to spend because of the constitutional question which is involved. The Congress cannot compel the President of the United States to spend money that he does not want to spend. The effect, if we do not accept this amendment, and if the funds were spent by the President, would be to take $90 million from the health and welfare programs of the Department of Health, Education, and Welfare, mostly from NIH and the other Public Health Service programs, because this expenditure would have to be counter-balanced by cuts in other programs. I think the Congress should be aware of this fact.

I agree with the gentleman from Pennsylvania. I hope the House will concur in the amendment because there is no reason to hold this bill up over an amendment which does not mean any more than this one does.

Mr. FLOOD. Mr. Speaker, I always am happy to have the cooperation of the gentleman from Wisconsin and I appreciate it very much.

Mr. Speaker, as a matter of principle I do not like to offer this motion which I have offered, but under the circumstances we have decided to be practical.

Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

A motion to reconsider was laid on the table.

MAKING IN ORDER CONSIDERATION OF CONFERENCE REPORTS THE SAME DAY REPORTED DURING REMAINDER OF WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that during the remainder of this week it shall be in order to consider conference reports the same day reported, notwithstanding the provisions of clause 2 of rule XXVIII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. JONAS. Mr. Speaker, reserving the right to object—and I shall not object—I hope, Mr. Speaker, that there will not be any objection offered to the unanimous-consent request of the gentleman from Oklahoma. This procedure is necessary if we are to adjourn this week. I can assure Members on this side that minority members of the Committee on Appropriations are being consulted and will be consulted before conference reports on bills under our committee's jurisdiction are brought up.

So, Mr. Speaker, I certainly do not object, and I hope there will be no objection from this side of the aisle.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. ARENDS. Mr. Speaker, further reserving the right to object, I only do this to ask the gentleman if his remarks could be interpreted as a fair indication that the House can complete our work this week?

Mr. ALBERT. The gentleman hopes it will be.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, reserving the right to object, I would ask the gentleman from Oklahoma if this is tantamount to the same rule under which we would consider any such request without unanimous consent had sine die adjournment been set at a day certain?

Mr. ALBERT. I would say to the gentleman from Missouri that I believe that is a parliamentary inquiry, but I believe the gentleman is correct.

Mr. HALL. The distinguished majority leader's opinion satisfies me.

Further reserving the right to object, Mr. Speaker, if I understand correctly, the gentleman's unanimous-consent request applied to all conference reports that might come up for the balance of this week?

Mr. ALBERT. For this week only.

Mr. HALL. Does the gentleman anticipate that we may continue, then, as a matter of necessity, to have a session on Saturday next, which is Columbus Day—a Federal holiday?

Mr. ALBERT. This Member hopes we do not, because Columbus Day is considered a holiday.

Mr. HALL. Mr. Speaker, further reserving the right to object, to the knowledge of the gentleman are there any outstanding and vitally important bills other than the Defense procurement appropriation conference report, the foreign assistance conference report, and the now other body loaded-up supplemental conference report?

Mr. ALBERT. There are a few other conference reports.

Mr. HALL. Would the gentleman say those are the three principal ones?

Mr. ALBERT. I would consider those by far the principal ones.

Mr. HALL. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ELIGIBILITY FOR, AND PERIOD OF LIMITATION ON, EDUCATION ASSISTANCE AVAILABLE UNDER PART III, TITLE 38, UNITED STATES CODE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 16025) to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. SAYLOR. Mr. Speaker, reserving the right to object—and I shall not object—I take this time to direct a question to the chairman of the Committee on Veterans' Affairs, to ask whether or not he will explain the amendments he will offer and what they will do to this bill?

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Speaker, this bill has passed the House unanimously.

This bill, H.R. 16025, provides education and training benefits to widows of service-connected dead veterans and wives of 100 percent disabled service-connected veterans. It has a minor provision relating to reimbursement of State approving agencies for approving schools, and provides that a war orphan may have up to 48 months of training if he also serves and gains eligibility through his service.

The Senate has added several amendments and we are agreeing to the amendment to reimburse flight schools on a monthly rather than a quarterly basis.

We have disagreed to the loan program for flight schools and the reinstatement of institutional on-farm training. In place of this, we have added language which would permit one-half and three-fourths time training under the cooperative farm training program which is now a part of the law.

We are agreeing to the revised eligibility formula proposed by the Senate amendments, with some modifications which have been suggested by the Veterans' Administration and which we understand are acceptable to the Senate. In fact, it is my understanding that this agreement, with the modification of the two Senate amendments, is acceptable to the other body.

The several motions which I have made cooperate fully with the other body in resolving the difference between the two versions of the bill H.R. 16025. I have reason to believe that they will be acceptable to the Senate, at least I sincerely hope so, and that this matter can be sent speedily to the White House. The exact effect of the motions which I have made are shown in the chart which I include as part of my remarks:

H.R. 16025

AS PASSED BY THE HOUSE MAY 20	AS PASSED BY THE SENATE JULY 15	PROPOSED COMPROMISE HOUSE AMENDMENT
Permits veteran who has used eligibility under the World War II, Korean conflict GI bills, War Orphans Educational Assistance Act, or the Vocational Rehabilitation program, and who has earned entitlement under Chapter 34 of title 38, United States Code, to an aggregate of 48 months entitlement under two or more programs.	Same.	Same.

H.R. 16025—Continued

AS PASSED BY THE HOUSE MAY 20	AS PASSED BY THE SENATE JULY 15	PROPOSED COMPROMISE HOUSE AMENDMENT
Extends eligibility for educational benefits to widows of deceased veterans of service-connected causes or wives of veterans who are permanently and totally disabled from service-connected disabilities $130 a month for a full time course for a maximum of 36 months.	Same.	Same.
Changes the period of entitlement of a veteran pursuing a course of education exclusively by correspondence by providing a charge to entitlement of one month for each $130 paid him as an educational assistance allowance.	Same.	Same.
Authorized V.A. to reimburse State Approval Agencies for a portion of administration expenses incurred because of the state's administrative responsibilities in connection with VA Educational programs.	Same.	Same.
No provision.	Public Law 89-358 authorized 1 day of educational assistance for each day of service for a maximum of 36 months. The Senate amendment changes this formula to 1½ days of education for each day of service.	Provides that each eligible veteran shall be entitled to educational assistance for a period of one and one-half months for each month or fraction thereof of service.
		Authorizes for an eligible veteran who has served a period of 18 months or more after January 31, 1955, and has been released under conditions which would satisfy his active duty obligation entitlement to educational assistance of 36 months. As an example a serviceman obligated to perform 24 months of active duty, for the convenience of the Government is released at the end of the 21st month. Under the proposed compromise he would be eligible for the full 36 months of educational assistance.
No provision.	Liberalizes on-the-farm training program by virtually returning to the World War II provisions.	Liberalizes farm cooperative training authorized in Public Law 90-77 by making it available on a part-time basis—¾ and ½ time as well as previously authorized full time; and permits prescheduling to fall within 44 weeks of year.
No provision.	Permits payments for flight training to be made monthly rather than quarterly.	Same as Senate version.
No provision.	Allows direct loans to veterans of up to $500 to obtain a private pilot license with interest not to exceed 6% repayable over a 3-year period.	No provision.
No provision.	Permits eligible veteran to pursue program of flight training generally accepted as necessary for attainment of a recognized vocational objective in the field of aviation or generally accepted as ancillary to the pursuit of a vocational endeavor other than aviation.	No provision.
	Effective dates	
Sections 1, 2, and 3 become effective on the first day of the second calendar month after date of enactment. Section 4 applies to contracts for periods beginning after June 30, 1968.	Same, but adds Section 5, with same effective date as Sections 1, 2, and 3.	Same as passed Senate.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I take this opportunity to thank the chairman of the House Committee on Veterans' Affairs for this explanation.

Mr. Speaker, I rise in support of the motions offered by the distinguished chairman of the Committee on Veterans' Affairs. The principal thrust of H.R. 16025 is to provide educational benefits to widows of service-connected deceased veterans and wives of service-connected totally disabled veterans similar to the educational benefits presently available to war orphans, and to authorize a maximum of 48 months of educational entitlement in those cases in which a veteran has entitlement under both the war orphans educational program and the current GI bill.

These are commendable objectives and are not in disagreement between the two Houses. The effect of the series of motions offered by the gentleman from Texas is to concur in the Senate amendments that revise the formula for computing educational entitlement under the GI bill; authorize the payment of flight training allowances monthly instead of quarterly as provided in existing law; and revise the farm cooperative training program authorized by existing law.

Existing law authorizes 1 day of education for each day of military service. The Senate has amended the bill to permit 1½ days of education for each day of military service. The proposed action will agree with this amendment and at the same time authorize those young men who are released a few months early and who have satisfied their draft obligation to receive the maximum 36 months of educational entitlement. This formula of 1½ days of education for each day of military service, follows the formula established by earlier GI bills. It is equitable and I will support it.

Under existing law, a veteran is required to engage in training on a farm on a full-time basis and participate in related classroom instructions for 12 clock hours per week. Correspondence we have received indicates that many veterans are unable to participate in such training because of their inability to farm all day and attend 12 clock hours of classes per week. The Senate amendment would substitute at least 200 hours per year with a minimum of 8 hours per week. The gentleman's amendment provides a more satisfactory approach by retaining the current 12 hours per week for entitlement to the full-time training allowance, but will also authorize the payment of proportionate training allowances for 6 clock hours or 9 clock hours of classroom work per week.

The gentleman's motion would also disagree with the Senate amendment that authorizes direct loans to pay for flight training in the pursuit of a private pilot's license.

At the time the flight training provisions of existing law were enacted, both Houses gave careful consideration to this subject. To prevent avocational flight training and yet permit flight training when associated with a valid occupational objective, the new law required a private pilot's license or its equivalent as a prerequisite to the approval of flight training courses under the GI bill. It is our belief that these requirements have served to prevent the pursuit of avocational flight training and should be retained in the law.

Mr. Speaker, I support the gentleman's motions and urge that they be adopted.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The Clerk will report the first Senate amendment.

The Clerk read as follows:

Senate amendment No. 1: Page 2, strike out lines 5, 6, and 7, and insert:

"(1) by striking out subsection (a) and inserting in lieu thereof the following:

"'(a) Except as provided in subsection (c), each eligible veteran shall be entitled to educational assistance under this chapter for a period equal to one and a half times the duration of his service on active duty after January 31, 1955 (or the equivalent thereof in part-time educational assistance).',"

Mr. TEAGUE of Texas. Mr. Speaker, I offer an amendment to Senate amendment No. 1.

The Clerk read as follows:

Amendment to Senate amendment No. 1 offered by Mr. TEAGUE of Texas: In lieu of the matter proposed to be inserted by Senate amendment numbered 1, insert the following:

"(1) by amending subsection (a) to read as follows:

"'(a) Except as provided in subsection (c) and in the second sentence of this subsection, each eligible veteran shall be entitled to educational assistance under this chapter for a period of one and one-half months (or the equivalent thereof in part-time educational assistance) for each month or fraction thereof of his service on active duty after January 31, 1955. If an eligible veteran has served a period of 18 months or more on active duty after January 31, 1955, and has been released from such service under conditions that would satisfy his active duty obligation, he shall be entitled to educational assistance under this chapter for a period of 36 months (or the equivalent thereof in part-time educational assistance).',".

The amendment to Senate amendment No. 1 was agreed to.

Senate amendment No. 1, as amended, was concurred in.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 2: Page 9, line 1, after "SEC. 3." insert "(a)".

Senate amendment No. 2 was concurred in.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 3: Page 9, after line 7, insert:

"(b) Section 1682(d) of title 38, United States Code, is amended by striking out '12 clock hours per week' and substituting in lieu thereof the following: 'at least two hundred hours per year (and of at least eight hours each month)'."

Mr. TEAGUE of Texas. Mr. Speaker, I offer an amendment to Senate amendment No. 3.

The Clerk read as follows:

Amendment to Senate amendment No. 3 offered by Mr. TEAGUE of Texas: In lieu of the matter proposed to be inserted by Senate amendment numbered 3, insert the following:

"(b) Section 1682 of title 38, United States Code, is amended—

"(1) by inserting after 'program' where it first appears in subsection (a)(2) the following: ', other than a "farm cooperative" program,'; and

"(2) by amending subsection (d) to read as follows:

"'(d)(1) An eligible veteran who is enrolled in an educational institution for a "farm cooperative" program consisting of institutional agricultural courses prescheduled to fall within 44 weeks of any period of 12 consecutive months and who pursues such program on—

"'(A) a full-time basis (a minimum of 12 clock hours per week),

"'(B) a three-quarter-time basis (a minimum of 9 clock hours per week), or

"'(C) a half-time basis (a minimum of 6 clock hours per week) shall be eligible to receive an educational assistance allowance at the appropriate rate provided in the table in paragraph (2) of this subsection, if such eligible veteran is concurrently engaged in agricultural employment which is relevant to such institutional agricultural courses as determined under standards prescribed by the Administrator.

"'(2) The monthly educational assistance allowance of an eligible veteran pursuing a farm cooperative program under this chapter shall be paid as set forth in column II, III, IV, or V (whichever is applicable as determined by the veteran's dependency status) opposite the basis shown in column I:

" 'Column I	Column II	Column III	Column IV	Column V
Basis	No dependents	One dependent	Two dependents	More than two dependents
				The amount in Column IV, plus the following for each dependent in excess of two:
Full-time	$105	$145	$145	$7
Three-quarter-time	75	90	105	5
Half-time	50	60	70	3'."

The amendment to Senate amendment No. 3 was agreed to.

Senate amendment No. 3, as amended, was concurred in.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 4: Page 10, in the table following line 2, strike out

"Over $10,000 but not exceeding $35,000.	$450 for the first $10,000 plus $450 for each additional $5,000 or fraction thereof."

and insert:

"Over $10,000 but not exceeding $35,000.	$450 for the first $10,000 plus $400 for each additional $5,000 or fraction thereof."

Senate amendment No. 4 was concurred in.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 5: Page 10, after the table following line 2, insert:

"SEC. 5. (a) Subsection (a) of section 1677 of title 38, United States Code, is amended by striking out the material preceding clause (1), and inserting in lieu thereof the following:

"'(a) The Administrator may approve the pursuit by an eligible veteran of flight training where such training is generally accepted as necessary for the attainment of a recognized vocational objective in the field of aviation or where generally accepted as ancillary to the pursuit of a vocational endeavor other than aviation, subject to the following conditions:'.

"(b) The second sentence of section 1677 (b) of title 38, United States Code, is amended to read as follows: 'Such allowance shall be paid monthly upon receipt of a certification from the eligible veteran and the institution as to the actual flight training received by, and the cost thereof to, the veteran during such month.'

"(c) Section 1677 of title 38, United States Code, is amended by adding at the end thereof a new subsection as follows:

"'(c)(1) In any case in which a veteran wishes to pursue a course in flight training under this section but does not possess a valid private pilot's license and has not satisfactorily completed the number of hours of flight instruction required for a private pilot's license, the Administrator is authorized to make a direct loan to such veteran to pursue the flight training required for a private pilot's license.

"'(2) Loans made under this subsection may be made in any amount not exceeding $500 and shall bear interest at a rate determined by the Administrator, but not to exceed 6 per centum per annum.

"'(3) Loans made under this section shall be repayable in equal monthly installments over a period of time not to exceed three years commencing upon the failure of the eligible veteran to enter upon a course of training under subsection (a) of this section within one year after completion of the requirements for or the obtaining of a private pilot's license, but up to 100 per centum of such loan (plus interest) may be canceled at the rate of 33⅓ per centum for each calendar year of service performed by the veteran in a recognized vocational field in aviation entered upon pursuant to training under subsection (a) hereof.

" '(4) Loans made under this section shall be made upon such other terms and conditions as may be prescribed by the Administrator.' "

Mr. TEAGUE of Texas. Mr. Speaker, I offer an amendment to Senate amendment No. 5.

The Clerk read as follows:

Amendment to Senate amendment No. 5 offered by Mr. Teague of Texas: In lieu of matter proposed to be inserted by Senate amendment No. 5, insert the following:

"Sec. 5. The second sentence of section 1677(b) of title 38, United States Code, is amended to read as follows: 'Such allowance shall be paid monthly upon receipt of a certification from the eligible veteran and the institution as to the actual flight training received by, and the cost thereof to, the veteran during such month.' "

The amendment to Senate amendment No. 5 was agreed to.

Senate amendment No. 5, as amended, was concurred in.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 6: Page 10, line 3, strike out "5." and insert "6.".

Senate amendment No. 6 was concurred in.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 7: Page 10, line 4, strike out "2 and 3" and insert "2, 3, and 5".

Senate amendment No. 7 was concurred in.

A motion to reconsider the various votes was laid on the table.

GENERAL LEAVE TO EXTEND ON H.R. 13058

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on H.R. 13058, the bill passed a few minutes ago.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE TO EXTEND ON H.R. 16025

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on H.R. 16025.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONFERENCE REPORT ON H.R. 7735, DUTY ON CERTAIN ARTICLES OF ALUMINA, BAUXITE, COPPER, AND CELLULOSIC PLASTICS

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 7735) relating to the dutiable status of aluminum hydroxide and oxide, calcined bauxite, and bauxite ore, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1950)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 7735) relating to the dutiable status of aluminum hydroxide and oxide, calcined bauxite, and bauxite ore, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That (a) items 907.15 (relating to aluminum oxide (alumina) when imported for use in producing aluminum), 909.30 (relating to bauxite, calcined), and 911.05 (relating to bauxite ore) of the Tariff Schedules of the United States (19 U.S.C. 1202) are each amended by striking out '7/15/68' and inserting in lieu thereof '7/15/71'.

"(b) The amendments made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after July 15, 1968. Upon request therefor filed with the customs officer concerned on or before the 120th day after the date of the enactment of this Act, entries and withdrawals of articles described in items 907.15, 909.30, and 911.05 of the Tariff Schedules of the United States (as amended by subsection (a)) which were made after July 15, 1968, and before the date of the enactment of this Act shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entries or withdrawals had been made on the date of the enactment of this Act.

"Sec. 2. (a) Section 5134(b) of the Internal Revenue Code of 1954 (relating to claims for drawback of distilled spirits taxes on account of certain nonbeverage uses) is amended by striking out in the last sentence thereof '3 months' and inserting in lieu thereof '6 months'.

"(b) The amendment made by subsection (a) shall apply with respect to claims filed on or after the date of the enactment of this Act.

"Sec. 3. (a) Items 911.10 (relating to copper waste and scrap), 911.11 (relating to articles of copper), 911.13 (relating to copper bearing ores and materials), 911.14 (relating to cement copper and copper precipitates), 911.15 (relating to black copper, blister copper, and anode copper), and 911.16 (relating to other unwrought copper) of the Tariff Schedules of the United States (19 U.S.C. 1202) are each amended by striking out '6/30/68' and inserting in lieu thereof '6/30/70 (see headnote 3 of this subpart)'.

"(b) The headnotes of subpart B of part 1 of the Appendix to the Tariff Schedules of the United States are amended by adding at the end thereof the following new headnote:

" '3. (a) Items 911.10, 911.11, 911.13, 911.14, 911.15, and 911.16 shall not apply when the market price of copper is under 36 cents per pound.

" '(b) For purposes of subparagraph (a), the market price of copper has the meaning assigned to it by headnote 5(b) of the headnotes of schedule 6, part 2, subpart C.

" '(c) For purposes of subparagraph (a), the market price of copper shall be considered to be under 36 cents per pound only on and after the 20th day after the date of a report by the United States Tariff Commission to the Secretary of the Treasury that it has determined that the market price has been under 36 cents per pound for one calendar month. After any such report, the market price shall be considered as not being under 36 cents per pound only on and after the 20th day after the date of a report by the Commission to the Secretary that it has determined that the market price has been 36 cents or more per pound for one calendar month.

" '(d) Determinations by the Commission under this headnote shall be made in the manner prescribed by headnote 5(e) of schedule 6, part 2, subpart C.'

"(c) The amendments made by this section shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after June 30, 1968. Upon request therefor filed with the customs officer concerned on or before the 120th day after the date of the enactment of this Act, entries and withdrawals of articles described in items 911.10, 911.11, 911.13, 911.14, 911.15, and 911.16 of the Tariff Schedules of the United States (as amended by subsection (a)) which were made after June 30, 1968, and before the date of enactment of this Act shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entries or withdrawals had been made on the date of the enactment of this Act.

"Sec. 4. Part 4 of schedule 8 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after item 854.10 the following new item:

" '	854.20	Cellulosic plastics materials imported for use in artificial kidney machines or apparatus by a hospital or by a patient pursuant to prescription of a physician..........	Free	The Column 2 rate applicable in the absence of this item '

"(b) Headnote 1 of such part 4 is amended by striking out 'and 852.20' and inserting in lieu thereof ', 852.20, and 854.20'.

"(c) The amendments made by subsections (a) and (b) shall apply with respect to articles entered or withdrawn from warehouse for consumption on or after the date of the enactment of this Act."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the amendment of the Senate to the title of the bill, insert the following: "An Act to continue for three years the existing suspension of duties on certain alumina and bauxite, and for other purposes."

And the Senate agree to the same.

W. D. Mills,
Hale Boggs,
Frank Karsten,
John W. Byrnes,
Thos. B. Curtis,
Managers on the Part of the House.

Russell B. Long,
George Smathers,
Clinton P. Anderson,
John J. Williams,
Frank Carlson,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7735) relating to the dutiable status of aluminum hydroxide and oxide, calcined bauxite, and bauxite ore submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment strikes out all of the House bill after the enacting clause and inserts a substitute. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment.

FIRST SECTION

The bill as passed by the House would provide permanent duty-free treatment for calcined bauxite, bauxite ore, and aluminum hydroxide and oxide (alumina). Under the first section of the Senate amendment, the duty on calcined bauxite, bauxite ore, and aluminum oxide (when imported for use in producing aluminum) would be suspended until July 15, 1970. The Senate amendment would merely re-establish a previous duty suspension on such articles which expired on July 15, 1968, and contains provisions according duty-free treatment to such articles entered after such date and before the effective date of the bill. The substitute agreed upon in conference adopts the substance of the Senate amendment but extends such suspension of duty for an additional year (until July 15, 1971).

SECTION 2

Section 2 of the Senate amendment would amend section 5134(b) of the Internal Revenue Code of 1954 (relating to claims for drawback of distilled spirits taxes on account of certain nonbeverage uses) to permit such claims to be filed within the 6-month period (3-month period under existing law) next succeeding the quarter in which the spirits are used for nonbeverage products. The House bill contains no such provision. The Senate amendment would apply with respect to such claims filed on or after January 10, 1967. Under the conference substitute, the amendment of the Senate is accepted but is made applicable only with respect to claims for drawback filed on or after the date of enactment of the bill.

SECTION 3

The Senate amendment would add a new section 3 to the House bill under which the suspension of duty (which expired on June 30, 1968) with respect to copper waste and scrap; certain articles of copper; copper bearing ores and materials; cement copper and copper precipitates, black copper, blister copper, and anode copper; and other unwrought copper (items 911.10, 911.11, 911.13, 911.14, 911.15, and 911.16, respectively, of the Tariff Schedules) would be re-established and extended until June 30, 1970. The Senate amendment would also increase from 24 cents per pound to 36 cents per pound the market price at which copper provided for in subpart C, part 2, schedule 6 of the Tariff Schedules (relating to copper, its alloys and basic shapes and forms and to copper waste and scrap) and certain other copper bearing ores and materials are dutiable at higher rates. (The 36 cents per pound market price would also be the point at which the duty suspensions on copper provided for under the Senate amendment would cease to apply.) The conference substitute accepts the Senate provisions relating to suspensions of duty until June 30, 1970, but makes the 36 cents per pound market price ("peril-point") provisions of the Senate amendment applicable only for purposes of terminating such duty suspensions.

SECTION 4

Under section 4 of the Senate amendment, cellulosic plastics materials imported by certain nonprofit public or private institutions for use in artificial kidney machines or apparatus would be accorded duty-free entry. No such provision was contained in the House bill. The substitute agreed upon in conference adopts the provisions of H.R. 13419, as passed by the House, under which duty-free treatment is accorded such cellulosic materials when imported for use in artificial kidney machines or apparatus by a hospital or by a patient pursuant to the prescription of a physician.

W. D. Mills,
Hale Boggs,
Frank Karsten,
John W. Byrnes,
Thos. B. Curtis,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, the action of the conference with respect to the Senate amendments on H.R. 7735 involves both Senate amendments to the provisions of the original House bill and three other customs and tariff amendments, one of which incorporates a bill favorably reported by the Committee on Ways and Means, and another measure which was only recently unanimously approved by the House.

BAUXITE AND ALUMINA

As the Members will recall, H.R. 7735, as passed by the House, provided for the permanent duty-free treatment of calcined bauxite, bauxite ore, and aluminum hydroxide and oxide—alumina.

The first Senate amendment would extend the temporary duty suspension on calcined bauxite, bauxite ore and on alumina when imported for use in producing aluminum for 2 years to July 15, 1970, the temporary duty suspension on these products having expired on July 15, 1968. The House conferees agreed to this amendment to merely extend the prior temporary suspension of duty, but for a 3-year period to July 15, 1971. In addition, the conference agreement provides for the duty-free entry of these products after July 15, 1968, and before the effective date of the act.

FILING TIME FOR DRAWBACK CLAIMS

The second Senate amendment would amend section 5134(b) of the Internal Revenue Code of 1954 relating to claims for drawback of taxes on distilled spirits used in the production of nonbeverage products to permit such claims to be filed within a 6-month period rather than 3 months under existing law. The Senate amendment would make this extension in filing time retroactive to January 10, 1968.

The House conferees agreed to the 3-month additional filing time for such drawback claims but not to the retroactive effect of the Senate amendment. Thus, under the conference agreement, the extension of filing time for such drawback claims becomes effective upon the date of enactment of the act.

COPPER DUTY SUSPENSION

The third Senate amendment would continue the temporary suspension of duty on certain forms of copper which expired on June 30, 1968, for 2 years to June 30, 1970. This amendment is similar to provisions of H.R. 16654 which was favorably reported by the Committee on Ways and Means on May 22, 1968, in House Report No. 1420. Normally, these duty suspension bills are taken up in the House by unanimous consent. However, in deference to my friend, the gentleman from Montana [Mr. Olsen], who objected to the copper duty suspension bill, we did not bring it to the floor. Subsequently, the bill was added by the Senate to H.R. 7735 in substantially the same form as reported by the Committee on Ways and Means.

Mr. Speaker, we have suspended the duty on copper a number of times in the past when the domestic demand for copper exceeded the supply with resulting pressures on price of copper in the United States. We are still faced with a situation in which the world price of copper is 49 or 50 cents per pound, while the domestic price is about 42 cents per pound. Thus, the duty suspension will serve the same purpose as it has in the past of eliminating an unnecessary cost to consumers of copper in this country without, we believe, an adverse effect on the producing interests, either companies or workers.

In addition to providing for a temporary duty suspension of 2 years for certain forms of copper as proposed by the Committee on Ways and Means, the Senate amendment would also increase from 24 cents per pound to 36 cents per pound the domestic market price below which higher rates of duty would become applicable to imports of copper provided for in subpart C, part 2, schedule 6 of the tariff schedules—relating to copper, its alloys and basic shapes and forms and to copper waste and scrap—and certain other copper-bearing ores and materials. The amendment provides that the 36-cents-per-pound market price would also be the point below which the duty suspensions on copper provided for under the Senate amendment would cease to apply. In view of the earlier action of the Committee on Ways and Means in reporting H.R. 16654, the House conferees agreed to the Senate amendment except that the 36-cents-per-pound market price provision is made applicable solely for purposes of terminating the suspension should the price of copper fall substantially below current levels.

FILTERS FOR KIDNEY MACHINES

The fourth Senate amendment would provide for the duty-free entry of cellulosic plastics materials imported by certain nonprofit, public, or private institutions for use in artificial kidney machines or apparatus. Since a similar bill, H.R. 13419, was unanimously passed by the House on September 30, the conferees agreed to adopt the provisions of H.R. 13419 as passed by the House. Under the conference agreement, duty-free entry is accorded cellulosic plastics materials imported for use in artificial kidney machines or apparatus by a hospital or by a patient pursuant to the prescription of a physician.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. MILLS. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. DENT], who has urged also some opposition to this particular proposition.

Mr. DENT. Mr. Speaker, I thank the gentleman very much for giving me an opportunity to speak on this, because I want to express the position of the United Steel Workers.

It gives me a great deal of pleasure to be able to do this, particularly since over the years they have not particularly supported my viewpoints on matters pertaining to tariffs and imports. However, I said many years ago that when you scratch a freetrader and he starts to bleed, he bleeds just like a protectionist if it happens to be that he is being scratched by some of his own comments, that is, his own industry is hurt.

Now, we find that many industries are hurt, and the copper miners find themselves now in the same position of my glassworkers and my steelworkers, and rubberworkers and by shoemakers, and my tile and ceramic makers, and almost everybody, in many cases.

But in this particular case, you see, it is not so much the philosophy of free trade that is wrong in its concept, but what we have done—we have added a new ingredient, we have allowed for the first time in the history of the world, for the first time industry that is subjected to mandate, conscious of operations by legislation passed by the Congress, to get out from under this obligation and create production facilities in other areas overseas, and then returning to the United States the products of their manufacture.

The core of the trouble in the copper mining industry is that at this time copper miners in this country, the operators, are producing copper overseas, and they are now expanding the production facilities overseas and are doing absolutely nothing to increase the production in the United States.

It is true that they put a protective covenant in the Commission's last ruling which allowed the tariff point to go from 24 to 36 cents. But what this really does is protect the profits of the corporate entity.

It has absolutely nothing to do with the peril point or unemployment rate and it goes even a little further. In the arguments made by the so-called freetraders, they always come up with that old lollipop, "This is going to hurt the consumer because it is going to raise prices." But no one says anything about the peril point increasing to 36 cents and giving any consideration to the consumer.

You see the old former great arguments of free trade are as outmoded as the horse and buggy would be if we tried to institute and to install it as a mode of transportation in this country.

We seem to have a broad view of trying to get to the moon and about all of the great computerizing of our production facilities and about our thinking—and even of our education. But we have the same old deadwood philosophy of free trade that belongs to a time so long ago that it ought not even be mentioned where people can read.

Mr. Speaker, this is a very serious thing.

We have today, for instance, an increase in one item—one item alone in the United States has been increased from January 1 for the first 7 months to a position where in our complete consumption of this product, if it continues for 3 more years, there will not be one shoemaker in the United States of America.

We are now in a position where we could not prosecute even a bush war—even a bush war—if we are not able to import textiles into this country. The highest shipment of textiles in the history of the United States occurred in the month of July.

Now we have a two-way standard in this country—we protect our agricultural products—and we do it openly—and wisely I would say, if we allow our agricultural products to be lampooned all over the world, with world prices being less than ours. So we give to agriculture a sustaining bonus by saying to agriculture—we will pay you the difference between what it costs and what you can sell for on the world market.

Now you have to do the same for every manufactured product in the United States in the next 10 years. There is not one industrial product in the United States that can stand foreign competition.

I have been accused of taking junkets. My committee has gone on trips and what I have seen on those trips convinces me that the United States had better start looking to its rear door because we cannot at this moment make enough woolen blankets to keep our Army warm if we got into a war in a cold spot. The only reason we are not in a crisis in that respect is because Vietnam happens to be warm. But get into a little old fracas in Siberia and we would have frozen soldiers—and they would not have to be shot down.

Mr. Speaker, the ever-mounting pressure from imports is coming close to the breaking point for all U.S. industry impacted by imports.

The copper mining areas of our country are again being thrown to the wolves of international free trade.

The normal trade problems caused by cheap foreign labor and U.S. taxing policies are added to by the impact of U.S. investment overseas by U.S. industry.

Labor in the end is the big loser followed closely by the main street merchant. Not too far behind will be found the professional practitioners whose income must depend upon the payment by workers for services rendered.

Industry and its stockholders may not feel the pinch for a long time, but pinch it will.

The copper miners of the United States are joining a long list of injured and unemployed workers from all over the country in practically every industry and production line. Workers in glass, steel, textiles, shoes, sporting equipment, ceramics, and plywood have learned a long time ago that there is little good in appealing to Congress for relief.

However, the record must be made. I place the following correspondence attesting to the changing position of organized labor in the area of free trade and protectionism.

No nation with a high-cost economy can compete in world trade without losing its industrial freedom.

We have already gone too far down the street toward industrial oblivion because of our blind adherence to a trade policy that has no more right to exist in this atomic age than the horse and buggy being reinstalled as our main mode of transportation.

The correspondence follows:

UNITED STEELWORKERS OF AMERICA,
Washington, D.C.

OPPOSE SUSPENSION OF DUTIES ON COPPER IMPORTS — SUPPORT METCALF-MANSFIELD AMENDMENT TO H.R. 7735—PREVENT EROSION OF COPPER MINERS' JOBS

The United Steelworkers of America, which is the Union representing the workers in the nonferrous industry, wishes to register its objection to the Senate Finance Committee's amendment to H.R. 7735. In particular, we oppose the continuation of the temporary suspension of duties on copper imports.

The tariff schedule recently negotiated in the Kennedy Round fixed the duty at 1.5 cents per pound. We oppose the suspension of this duty in that the action of Congress would represent *special* treatment to the copper industry at a time of layoffs of miners at domestic locations.

The request for a tariff suspension is certainly colored by the fact that it is the domestic mining operators who are the importers of copper from their own overseas facilities. Much attention has been given recently to the infusion of American capital into the expansion of foreign copper mining facilities.

The point the Union makes, however, is that these foreign facilities are being expanded at a time in which there is an actual contraction of domestic facilities. It might be one thing to suggest that the American producers should be constrained to follow a policy of active *expansion* of domestic facilities because of the gap between the domestic mining capacity and domestic processing capacity. But what we are saying is that at least there should be no positive action by the government and Congress to *encourage* foreign expansion in the face of actual domestic contraction. The suspension of copper duty at this time would represent an encouragement to the domestic producers to continue their aggressive overseas investment policy.

UNITED STEELWORKERS OF AMERICA,
Washington, D.C., July 25, 1968.

Re Copper Suspension.

The United Steelworkers of America, which is the Union representing the workers in the nonferrous industry, wishes to register its objection to the Senate Finance Committee's amendments to HR–7735. In particular, we oppose the continuation of the temporary suspension of duties on copper imports.

The tariff schedule recently negotiated in the Kennedy Round fixed the duty at 1.5 cents per pound. We oppose the suspension of this duty in that the action of Congress would represent *special* treatment to the copper industry at a time of layoffs of miners at domestic locations.

The request for a tariff suspension is certainly colored by the fact that it is the domestic mining operators who are the importers of copper from *their own overseas* facilities. Much attention has been given recently to the infusion of American capital into the expansion of foreign copper mining facilities. The drain on the balance of payment is obvious.

The point the Union makes, however, is that these foreign facilities are being expanded at a time in which there is an actual contraction of domestic facilities. It might be one thing to suggest that the American producers should be constrained to follow a policy of active *expansion* of domestic facilities because of the gap between the domestic mining capacity and domestic processing capacity. But what we are saying is that at least there should be no positive action by the government and Congress to *encourage* foreign expansion in the face of actual domestic contraction. The suspension of copper duty at this time would represent an encouragement to the domestic producers to continue their aggressive overseas investment policy.

Recently, Congressman Rhodes (R-Ariz.), while supporting a one-year suspension of copper duties, indicated: "Foreign productive capacity is currently at an all time high and is expected to increase substantially during the next few years. Given this situation, the domestic copper mining economy could be gravely jeopardized by Congress attempting at this time to determine whether or not a suspension of copper impact duties would be warranted more than a year from now." We, of course, object even to a one-year extension because the problem of overseas excess production is a real one.

It is interesting to note that the Committee raised the "perial point" from 24 cents to 36 cents per pound whereby the tariffs would be reimposed if domestic prices dropped below that level. Although we have no basic objection to the change in the level, it should be remarked that there is no similar concern for an unemployment level "trigger." It is well for the industry to protect its profit margins (even though the consumer might not benefit) but surely there should be a "trigger" to protect the worker. This is our main objection to the suspension of the duty.

Every major American copper company is now engaged in extensive expansion of their foreign mines, smelters and refining operations. No similar expansion is going on in the U.S. mines and smelters. We now have 2,000 union members laid off in Montana because Anaconda decided to expand in Chile and curtail in Montana. Phelps Dodge is now phasing out the big underground mine in Bisbee, Arizona, but buying in on a tremendous copper expansion program in Peru.

The Labor Department has certified the unemployment problem in the Butte area by approving an anti-poverty grant to provide part-time job opportunities. H. Floyd Sherrod, Special Assistant to the Secretary, also recognized the problem on unemployment but suggested that the solution should be ". . . in the form of attracting additional industry to the communities, retraining workers, and possible worker relocation projects." This is hardly an adequate solution but certainly the problem should not be exacerbated by a positive government action to suspend the current law on copper duties. It is surprising, therefore, to us that the Commerce Department could recommend the legislation and advise that: "We know of no adverse effect from the present suspension on the overall interest, of the domestic copper producers, and none is anticipated," while, at the same time, the Department of Labor was acknowledging an unemployment problem.

Furthermore, we are aware that even if duties are collected on imported copper, they are refunded by the Treasury Department when the refined copper is re-exported. Although we are a *net* importer of copper at the rate of approximately 10 to 12 per cent of domestic consumption, we do import about another 10 per cent which is destined for re-export after being refined and processed. This supply of copper imports would, in effect, be duty free. Hence, rejection of the suspension bill would have no adverse impact upon the re-export market and the workers so engaged. I enclose a copy of a letter sent to Senator Ribicoff wherein the workers in the processing plants in the Connecticut area, oppose the suspension.

We urge, therefore, that the copper suspension bill be rejected on the floor of the Senate.

Sincerely,

JOHN J. SHEEHAN,
Legislative Director.

[Letter foreign shipper of copper]

UNITED STEELWORKERS OF AMERICA,
Washington, D.C., September 18, 1968.

Mr. CARLOS SANTA MARIA
Corporacion Del Cobre,
New York, N.Y.

DEAR MR. SANTA MARIA: It is absolutely correct to indicate that our present position relative to the suspension of duties on imported copper has been determined by our concern for the current unemployment among copper miners.

Our concern also arises from the fact that the situation may become permanent in that decrease of proportionate investment by the American copper companies in their domestic facilities will result in further deterioration of employment opportunities.

However, I hasten to indicate that our action in this matter about a "local temporary situation" is *not* one of reversing "the policy that the United States has been sustaining for many years in connection with world custom tariffs."

Actually, the reverse is true. The Congress is being asked by the domestic copper industry, which has holdings overseas, to *temporarily suspend* for another two years the imposition of the current law governing tariffs. It is this temporary solution to which we object, especially since we have a temporary—we hope—problem which will only be exacerbated by further flight of American capital for investment in overseas mining facilities.

I might also mention that the favorable employment figures nationally do not portray the gravity of unemployment within certain groups of workers or certain regions. We cannot translate satisfaction with the prosperity in the national economy into disinterested with the hardships of chronic unemployment—unless there is already a conscious public policy to phase out employment in the copper fields. We do not think there is such a policy and this Union does not support such a position if one is developed.

I did enjoy your visit in our office and I hope we will be able to call upon your offer of cooperation at a future date.

Sincerely,

JOHN J. SHEEHAN,
Legislative Director.

Mr. DENT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MILLS. Mr. Speaker, I yield 5 minutes to my colleague the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I rise today to speak for more than 1,600 miners and their families. I wish it were physically possible for me to bring all of those families here to the House to speak for themselves, because their presentation, I know, would be far more persuasive than any words I might speak here today.

These 1,600 families—good men, women, and children—live in and around Butte, Mont., one of the major cities in Montana's western congressional district.

Until a year and a half ago, they worked in the copper mines, many of them risking their lives daily in the mines for approximately the same wages earned by a grocery carryout boy. These workers sincerely believed they had a legitimate case to bring before management. They believed they were not being paid wages commensurate with their production skills.

All of us know the tragic story that followed. Labor and management failed to come to terms and the copper workers I represent here today were forced to struggle to make ends meet during the long, cold winter months. The mines stood idle.

I called upon the President and upon the Congress time and time again to bring a halt to the tremendous flow of copper imports during those days. I called attention to the fact that the copper companies were actually profiting at the expense of the workers by importing tons and tons of foreign copper—free of tariff—while domestic mines stood idle. It is a simple fact that the game was rigged against the workers.

Last night I flew here from Washington to make this plea in behalf of 1,600 families because the game is still rigged against them despite the fact that the strike ended several months ago.

Yes, it is still rigged. Although the strike has ended, these 1,600 men have not been returned to their jobs.

The domestic copper companies have announced expansion of their foreign operations, yet 1,600 Montanans have not been returned to their jobs.

Imports continue high; there is no tariff on copper imports; we are referred to as the "copper poor country," yet 1,600 men whom I am speaking for today have not returned to work.

The Nation struggles to overcome a balance-of-payments deficit because we do not export enough and because we import too much. As we import copper, we export gold, and 1,600 experienced workers in Butte, Mont., are told they are no longer needed.

Our Nation's copper supply is constantly threatened by the continuing insecurity of dependence upon foreign production; our copper companies increase their reliance upon cheap, foreign labor; and domestic mines stand idle—become dilapidated—and 1,600 workers are told they are no longer needed.

Mr. Speaker, I want to bring one fact home to every one of my colleagues in this Chamber. I predict we will regret the day that we allowed the domestic copper industry to gradually expire and placed our confidence in foreign mines, foreign, underpaid workers, and possible foreign control. If our supply of copper from abroad is suddenly cut short, it will be too late to say "All right, you 1,600 miners, we need you to come back to work. You have a responsibility to your Nation and your Nation needs copper."

Responsibility is a two-way street. Permit me to say a word about responsibility.

Our Government turned to these workers and their fathers some 25 years ago and told them of their responsibility to their Nation. They were told that copper was vital to our defense; that it would be unpatriotic to threaten a walkout to obtain the living they were asking.

Well, the citizens of the First District of Montana do love their country. They accepted their responsibility. They signed a no-strike agreement.

Their patriotism to this Nation placed our copper workers at a disadvantage with comparable workers in other industries and that disadvantage has never been overcome. Therefore, the roots of last year's copper strike were planted some 25 years ago, during World War II. The men I represent accepted their responsibility to their country. Will their Government accept its responsibility today to these men and their families?

Today these workers have begun to relocate, searching for the job security every worker should have.

You have before you legislation which, if passed, could break the back of the copper industry in my State and in the Nation. It is our turn, distinguished colleagues, to accept the responsibility we have to these 1,600 families.

I sincerely believe that a further suspension of the 1½-cent copper tariff is not only unnecessary, but a threat to the workers I represent here on this floor. Further, it is a threat to the Nation itself.

Allow me to review for you a few facts and figures relative to copper imports.

The total consumption of primary copper in 1966 in this country was 1,600,000 short tons and not the 2,400,000 reported by Senator FANNIN. The latter quantity includes some 600,000 tons recovered from old—scrap—copper. Then, the actual imports of primary copper in 1966 were approximately 600,000 tons, and not the approximately 240,000—10 percent of 2,400,000—that would be implied by the Senator. The 240,000 may be net imports after exports are discounted; but much of the exports are manufactured or semimanufactured forms, produced largely from domestically mined copper. If duty had actually been in effect in 1966, we are certain that less than 200,000 short tons would have been entered in bond, and thus be exempt from duty on reexportation. Because of the suspension, about 400,000 tons escaped duty, which is about 25 percent of the primary consumption and not 10 percent, as given by Senator FANNIN.

No mention seems to be made of the loss to the U.S. Treasury by the suspension of the duty—500,000 tons at 1½ cents per pound would be $15 million. A lot of roads and many schools could be built for this amount.

Then in other circles, they seem to make of this 1½ cents duty, as being of no consequence. The entire cost of mining, crushing, and delivering ore from the Berkeley pit in my district is only about 3 cents a pound of recoverable copper. With a 50-percent increase that could be made if duty were in effect—to 4½ cents—look at the expansion that could take place in Butte, and the producer would still remain even.

Laying all data on production, consumption, prices, and so forth, to one side, if we could survive on 8½ months strike without very great dislocation and with only significant increases in imports in the last few months of the strike, then the capacity to produce domestically must be very great and we want to protect and continue that capacity by lifting the duty suspension.

Mention is made of the peril point of 36 cents at which duty would go into effect. It has also been cited that copper has been selling overseas at still higher prices. It could very well be that copper will stay above the 36-cent level for some time to come, so duty would not become applicable. If copper should continue at the higher price, that is all the more reason for expanding domestic production and keep that money at home so as to help reduce our unfavorable balance of trade that has been so much in the news of late. If that peril point had been 42 cents a pound, I might not be so concerned.

All the primary copper producers—with the exception of a few smaller ones—are operators of large foreign mines and are more anxious to bring in higher profit copper from overseas than to produce it domestically, so this plea of the producers leaves me very cold. Naturally they want the duty suspended.

I do not mean to imply here that Senator FANNIN has anything but the highest motives and is acting in the interest of his great State of Arizona, but some of the advice he has received may be biased in favor of the producers, and this is not in the real interest of his State's economy and the Nation's welfare in my honest opinion.

I include the following letters:

UNITED STEELWORKERS OF AMERICA,
Washington, D.C., June 26, 1968.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: Thank you for passing on to me the Department of Labor's comments on our proposal that the copper ore duty not be continued.

Like you, we believe that, as a rule, trade barriers are bad for American labor and American business although we feel that trade should be on a balanced basis in view of excess capacity in many overseas facilities. And like you, we have actively pursued this policy. The United Steelworkers has appeared at many hearings of the United States Tariff Commission against the invocation of escape clause actions. We have also, in the past, testified against the imposition of iron ore duties.

We wish that we could maintain such a policy. The trouble is that too few other people, either at home or abroad, go along with us.

It would be foolish for us to maintain a position which is obviously undermining our own existence and, therefore, reducing our own influence.

Copper ore is largely imported by American companies which have mines both here and abroad and which have their major smelting and refining operations located close to the American market.

That's the case of iron ore. The steel companies make their steel here, but have depended to an ever increasing extent on iron ore which they bring in from their own mines abroad, substituting their own imported ore for the discontinued domestic production. Last year, for example, we imported 45 million tons of iron ore, compared with a domestic production of 84 million tons.

Originally, the American companies sought new sources abroad because they feared depletion of their shipping grade reserves in the United States. Now, however, this reason is no longer valid because lower quality ores, like taconites, can be processed into most efficient pellets. The American companies are now developing some of their American properties into pellet producers. But they are doing the same thing abroad. The reason for this reliance on foreign ore is the American tax structure which gives American companies with foreign subsidiaries a special benefit for their foreign production, which is denied them for their domestic production.

The steel companies, like the copper companies, leave more and more of their ore profits abroad to be able to use it for expansion and development purposes rather than bringing the profits back into the United States where they would be subject to corporation taxes.

Congress has not yet seen fit to correct this evil. We, therefore, do not believe that Congress ought to compound our difficulties by extending the duty suspension on copper.

Just recently, Congressman Rhodes (R-Arizona) also admitted that the expected expansion of the overseas facilities would have an adverse impact upon expansion of our own domestic facilities. Hence, he does not agree with the bill which was reported by the Ways and Means Committee. Instead, he prefers a one year expansion. Yet the argument is just as valid for that period of time in view of the fact that the domestic producers have not reopened some of their mines. Although we could develop a demand greater than our capacity to mine at least we should utilize our current operating capacity since the jobs of unemployed miners are at stake. It is for that reason that we urge that the current law on tariff for copper be maintained and not suspended.

Sincerely,

JOHN J. SHEEHAN,
Legislative Director.

(Note.—The Letter Below has been sent to members of the Senate Finance Committee on the attached sheet.)

UNITED STEELWORKERS OF AMERICA,
Washington, D.C., July 8, 1968.

SENATE FINANCE COMMITTEE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Recent disclosures of American corporations' interest to continue expansion of their overseas facilities cause grave concern to our Union in view of the fact that our workers remain unemployed.

Just recently, Congressman Rhodes (R-Arizona) also admitted that the expected expansion of the overseas facilities would have an adverse impact upon expansion of our own domestic facilities. Hence, he does not agree with the bill which was reported by the Ways and Means Committee. Instead, he prefers a one year expansion. Yet the argument is just as valid for that period of time in view of the fact that the domestic producers have not reopened some of their mines. Although we could develop a demand greater than our capacity to mine at least we should utilize our current operating capacity since the jobs of unemployed miners are at stake. It is for that reason that we urge that the current law on tariff for copper be maintained and not suspended.

We urge your continued opposition to any committee action on the suspension of copper duty even for one year.

Sincerely,

JOHN J. SHEEHAN,
Legislative Director.

Senate Finance Committee: ANDERSON, CLINTON P., BENNETT, WALLACE F., CARLSON, FRANK, CURTIS, CARL T., DIRKSEN, EVERETT, FULBRIGHT, J. W., GORE, ALBERT, HARRIS, FRED R., HARTKE, VANCE, LONG, RUSSELL B., MCCARTHY, EUGENE, METCALF, LEE, MORTON, THRUSTON B., RIBICOFF, ABRAHAM A., SMATHers, George A., Talmadge, Herman E., Williams, John J.

United Steelworkers of America,
Washington, D.C., July 25, 1968.
Re copper suspension.
Hon. Lee Metcalf,
U.S. Senate,
Washington, D.C.

Dear Senator Metcalf: The United Steelworkers of America, which is the Union representing the workers in the nonferrous industry, wishes to register its objection to the Senate Finance Committee's amendment to H.R. 7735. In particular, we oppose the continuation of the temporary suspension of duties on copper imports.

The tariff schedule recently negotiated in the Kennedy Round fixed the duty at 1.5 cents per pound. We oppose the suspension of this duty in that the action of Congress would represent *special* treatment to the copper industry at a time of layoffs of miners at domestic locations.

The request for a tariff suspension is certainly colored by the fact that it is the domestic mining operators who are the importers of copper from *their own overseas* facilities. Much attention has been given recently to the infusion of American capital into the expansion of foreign copper mining facilities. The drain on the balance of payment is obvious.

The point the Union makes, however, is that these foreign facilities are being expanded at a time in which there is an actual contraction of domestic facilities. It might be one thing to suggest that the American producers should be constrained to follow a policy of active *expansion* of domestic facilities because of the gap between the domestic mining capacity and domestic processing capacity. But what we are saying is that at least there should be no positive action by the government and Congress to *encourage* foreign expansion in the face of actual domestic contraction. The suspension of copper duty at this time would represent an encouragement to the domestic producers to continue their aggressive overseas investment policy.

Recently, Congressman Rhodes (R–Ariz.), while supporting a one-year suspension of copper duties, indicated: "Foreign productive capacity is currently at an all time high and is expected to increase substantially during the next few years. Given this situation, the domestic copper mining economy could be gravely jeopardized by Congress attempting at this time to determine whether or not a suspension of copper impact duties would be warranted more than a year from now." We, of course, object even to a one-year extension because the problem of overseas excess production is a real one.

It is interesting to note that the Committee raised the "perial point" from 24 cents to 36 cents per pound whereby the tariffs would be reimposed if domestic prices dropped below that level. Although we have no basic objection to the change in the level, it should be remarked that there is no similar concern for an unemployment level "trigger." It is well for the industry to protect its profit margins (even though the consumer might not benefit) but surely there should be a "trigger" to protect the worker. This is our main objection to the suspension of the duty.

Every major American copper company is now engaged in extensive expansion of their foreign mines, smelters and refining operations. No similar expansion is going on in the U.S. mines and smelters. We now have 2,000 union members laid off in Montana because Anaconda decided to expand in Chile and curtail in Montana. Phelps Dodge is now phasing out the big underground mine in Bisbee, Arizona, but buying in on a tremendous copper expansion program in Peru.

The Labor Department has certified the unemployment problem in the Butte area by approving an anti-poverty grant to provide part-time job opportunities. H. Floyd Sherrod, Special Assistant to the Secretary, also recognized the problem on unemployment but suggested that the solution should be ". . . in the form of attracting additional industry to the communities, retraining workers, and possible worker relocation projects." This is hardly an adequate solution but certainly the problem should not be exacerbated by a positive government action to suspend the current law on copper duties. It is surprising, therefore, to us that the Commerce Department could recommend the legislation and advise that: "We know of no adverse effect from the present suspension on the overall interest of the domestic copper producers, and none is anticipated," while, at the same time, the Department of Labor was acknowledging an unemployment problem.

Furthermore, we are aware that even if duties are collected on imported copper, they are refunded by the Treasury Department when the refined copper is re-exported. Although we are a *net* importer of copper at the rate of approximately 10 to 12 per cent of domestic consumption, we do import about another 10 per cent which is destined for re-export after being refined and processed. This supply of copper imports would, in effect, be duty free. Hence, rejection of the suspension bill would have no adverse impact upon the re-export market and the workers so engaged. I enclose a copy of a letter sent to Senator Ribicoff wherein the workers in the processing plants in the Connecticut area, oppose the suspension.

We urge, therefore, that the copper suspension bill be rejected on the floor of the Senate.

Sincerely,

John J. Sheehan,
Legislative Director.

United Steelworkers of America,
Washington, D.C.

Oppose Suspension of Duties on Copper Imports; Support Metcalf-Mansfield Amendment to H.R. 7735; Prevent Erosion of Copper Miners' Jobs

The United Steelworkers of America, which is the Union representing the workers in the nonferrous industry, wishes to register its objection to the Senate Finance Committee's amendment to HR–7735. In particular, we oppose the continuation of the temporary suspension of duties on copper imports.

The tariff schedule recently negotiated in the Kennedy Round fixed the duty at 1.5 cents per pound. We oppose the suspension of this duty in that the action of Congress would represent *special* treatment to the copper industry at a time of layoffs of miners at domestic locations.

The request for a tariff suspension is certainly colored by the fact that it is the domestic mining operators who are the importers of copper from their own overseas facilities. Much attention has been given recently to the infusion of American capital into the expansion of foreign copper mining facilities.

The point the Union makes, however, is that these foreign facilities are being expanded at a time in which there is an actual contraction of domestic facilities. It might be one thing to suggest that the American producers should be constrained to follow a policy of active *expansion* of domestic facilities because of the gap between the domestic mining capacity and domestic processing capacity. But what we are saying is that at least there should be no positive action by the government and Congress to *encourage* foreign expansion in the face of actual domestic contraction. The suspension of copper duty at this time would represent an encouragement to the domestic producers to continue their aggressive overseas investment policy.

United Steelworkers of America,
Washington, D.C., July 29, 1968.
Re Copper Suspension.
Hon. ———,
U.S. Senate, Washington, D.C.

Dear Senator ———: Our Union *opposes* any suspension of duties on copper imports at this time. We suggest that the Kennedy Round negotiations as applied to copper should be retained.

We, therefore, urge your support of the Mansfield-Metcalf amendment which would delete a Senate Finance Committee addition to H.R. 7735 providing a suspension of copper duties. Jobs of copper miners are at stake.

Sincerely,

John J. Sheehan,
Legislative Director.

The above letter has been sent to all those names on the attached list.

Senators Anderson, Bayh, Bennett, Bible, Brewster, Burdick, Cannon, Carlson, Church, Clark, Cooper, Curtis, Dirksen, Dodd, Fulbright, Gore, Gruening, Harris, Hart, Hartke, Hatfield, Hill, Inouye, Jackson, Javits, Kennedy, E., Long, R., Chairman; McCarthy, McGee, McGovern, McIntyre, Magnuson, Mansfield, Metcalf, Mondale, Monroney, Montoya, Morse, Morton, Moss, Muskie, Nelson, Pastore, Pell, Proxmire, Randolph, Ribicoff, Scott, Smathers, Talmadge, Tydings, Williams, H., Williams, J., Yarborough, and Young, S.

JULY 31, 1968

Senators Aiken, Brooke, Case, Griffin, Prouty, Sparkman, and Symington.

[From the Congressional Record, June 24, 1968]

H.R. 16654.—A Bill To Continue Until June 30, 1970. the Existing Suspension of Duties on Certain Forms of Copper

(Mr. Rhodes of Arizona asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. Rhodes of Arizona. Mr. Speaker, on June 30, 1968, the current suspension of duties on certain forms of copper expire, and it is therefore likely that we will be called upon very soon to vote on H.R. 16654, which would extend the suspension of duties for another 2-year period. Some opposition to the bill as it presently stands has developed at the committee level, and it is not yet apparent whether the bill will come out with a closed rule. However, the Arizona copper industry, which comprises more than 50 percent of the country's copper mining economy, is opposed to the bill in its present form, and I want to take this opportunity to apprise my colleagues of the demerits of the legislation, as proposed.

The Arizona copper industry has supported suspensions of copper duties in the past, and is currently in favor of extending such suspensions, deeming such a position in the best interests of both the industry and of the national economy. However, while the industry is of the opinion that an extension of the current suspension is warranted under present circumstances, the inability of either the industry or of the Congress to foresee economic conditions in the distant future suggests that the extension be limited to no more than a 1-year period. There are many factors which make up the market conditions with respect to copper at any given point in time. Such factors are global in scope, and at best they are most difficult to forecast. Today, every one of these factors, with one exception, is imponderable in the extreme. The one ponderable factor is foreign productive capacity.

Foreign productive capacity is currently at an all-time high and is expected to increase substantially during the next few years. Given this situation, the domestic copper mining economy could be gravely jeopardized by Congress attempting at this time to determine whether or not a suspension of copper import duties would be warranted more than a year from now. I join with the industry in being of the opinion that it would be a far wiser and safer course to leave that determination open until some time next year when the index of foreign productive capacity can be more adequately evaluated. In that we all realize that it is far more difficult to reverse a previously made legislative enactment than to make one initially, and in that the latter course is the more responsible one, an extension limited to 1 year appears warranted.

Since World War II, the Congress has suspended import duties on seven different occasions, essentially because of temporary shortages in world supply and the resultant desirability of encouraging imports in order to meet domestic demand. Of these suspensions, one was for a 3-year period—1955–58—three were for 2-year periods—1947–49, 1951–53, 1966–68—and three were for 1-year periods—1949–50, 1953–54, 1954–55.

The domestic copper industry is now recovering from 9 months of strikes. During that period, inventories of copper were virtually eliminated and foreign copper was imported on an unprecedented scale in order to meet domestic demand. While the industry is now back in full production, newly mined copper from domestic sources has not yet caught up to domestic demand and some foreign imports are needed to meet that demand. Especially in light of our current war needs, it would not be inappropriate for Congress to extend the current suspension for some period of time.

With the present price for most newly mined domestic copper at 42 cents per pound, it is unlikely that the current, modest, import duty of 1.5 cents would operate either to curb imports or to raise the domestic price, even if we did not enact the current extension of the duty suspension. On the other hand, it is obvious that in light of the present demand and the present price, the domestic copper producing industry would not be adversely affected by an extension of a duration in keeping with the existence of current factors. The basic issue, however, is how long a duration that should be.

The two major considerations involved in determining the proper duration of an extension of the current suspension are the outlook of the domestic industry and the efficacy of the present 24-cent "peril point" proviso included to accord protection in the event of a drastic change in market conditions during any period of suspension of the duties.

With inflated economies both at home and abroad, and the nature and prospects of the war in Vietnam, no one can predict with any degree of accuracy what the demand for newly mined domestic copper will be more than a year from now. As indicated above, the principal reason for this unpredictability are the substantial increases in the production of newly mined copper, both at home and, particularly, abroad. It is known that during this year alone annual productive capacity of newly mined copper will rise by approximately 25,000 tons at home and 139,000 tons abroad. It is also known that during 1969 annual worldwide productive capacity will increase by approximately 300,000 tons more. It is known that during the entire period of the proposed 2-year extension our domestic capacity to produce newly mined copper will at least equal expected domestic consumption. And, we know also that foreign capacity to produce newly mined copper will reach approximately 3,756,000 tons by the end of this year and that figure will exceed by some 2,200,000 tons our actual domestic consumption during 1968. Reflecting on the relationship between foreign production capacity and foreign consumption of copper, it can be seen that while, during the protracted 1967–68 strikes, imports of foreign copper reached an unprecedented high, at no time during that period was the availability of copper abroad impaired.

In the face of these facts, for anyone to say that copper will continue to be in short supply more than a year from now is to engage in a guessing game of wide dimensions. The outlook being as hard to determine as it is, a 2-year suspension cannot be supported, especially in light of constantly increasing world supplies of newly mined copper.

The efficacy of the 24-cent "peril point" provision is the second factor to be examined in evaluating the advisability of a 2-year extension. In 1951, Congress incorporated as a part of the suspension legislation, the provision that such suspension would become inoperative and the import duties reinstated at any time the domestic price of copper fell below 24 cents per pound. The provision is included also in the proposed extension embodied in H.R. 16654. The 24-cent figure, in terms of the current state of the domestic industry, is totally inefficacious and wholly irrelevant. In the 17 years since its inclusion in suspension legislation, wages in the industry have doubled, construction costs and supplies have skyrocketed, average grades of domestic ore have decreased substantially, and it has become quite clear that many domestic mines would have to shut down entirely even if the price fell and remained considerably higher than the antiquated 24-cent "peril point."

The 24-cent peril point is a totally ineffectual anachronism, and H.R. 16654 would do nothing to give current meaning to the proviso. Without this assurance of protection to the industry in the event of falling prices, any extension which could endanger the domestic copper producer should be strictly limited in point of time.

The Congress has long recognized that a healthy, viable, domestic copper-producing industry is essential to the welfare of our national economy and crucial to the maintenance of our national security, especially in times of increased military activity. It can be demonstrated that an extension of the current suspension of copper import duties for a period of 2 years could gravely jeopardize that industry because of realistic possibilities for changes in the copper market situation, primarily a slackening of demand and an excess of production, particularly from abroad. Under these circumstances, there just is no reason why Congress should decide now what it need not decide now, and what it could far better decide a year frow now. A suspension of import duties for any period becomes, in practical effect, an international commitment not to impose such duties during the specified period. It is thus far more difficult to repeal a suspension already granted than to extend one.

For these reasons, Mr. Speaker, I wish to express my hope that we will have an opportunity to amend H.R. 16654 so that extensions of the suspended duties on copper imports reach only until June 30, 1969, a period of 1 year, and I respectfully urge my colleagues to consider the merits to so limiting such extension. Thank you.

UNITED STEELWORKERS OF AMERICA,
Washington, D.C., September 18, 1968.

Mr. CARLOS SANTA MARIA,
Corporacion Del Cobre,
New York, N.Y.

DEAR MR. SANTA MARIA: It is absolutely correct to indicate that our present position relative to the suspension of duties on imported copper has been determined by our concern for the current unemployment among copper miners.

Our concern also arises from the fact that the situation may become permanent in that decrease of proportionate investment by the American copper companies in their domestic facilities will result in further deterioration of employment opportunities.

However, I hasten to indicate that our action in this matter about a "local temporary situation" is *not* one of reversing "the policy that the United States has been sustaining for many years in connection with world custom tariffs."

Actually, the reverse is true. The Congress is being asked by the domestic copper industry, which has holdings overseas, to *temporarily suspend* for another two years the imposition of the current law governing tariffs. It is this temporary solution to which we object, especially since we have a temporary—we hope—problem which will only be exacerbated by further flight of American capital for investment in overseas mining facilities.

I might also mention that the favorable employment figures nationally do not portray the gravity of unemployment within certain groups of workers or certain regions. We cannot translate satisfaction with the prosperity in the national economy into disinterest with the hardships of chronic unemployment—unless there is already a conscious public policy to phase out employment in the copper fields. We do not think there is such a policy and this Union does not support such a position if one is developed.

I did enjoy your visit in our office and I hope we will be able to call upon your offer of cooperation at a future date.

Sincerely,

JOHN J. SHEEHAN,
Legislative Director.

Mr. MILLS. Mr. Speaker, I yield 5 minutes to the gentleman from Montana [Mr. BATTIN].

Mr. BATTIN. Mr. Speaker, I thank the chairman for yielding to me.

I really do not like to disagree with my friend and colleague from Montana, but I have always understood that the purpose for a tariff was to protect a producer in the United States. He made the point that we have been a net importer of copper for some little time. As a matter of fact, we have been a net importer of copper since before World War II.

I should like to clear up another error, because there has been the discovery of and the development of copper resources in this country. As a matter of fact, one of the problems which our Government is faced with today, because of Vietnam, is to secure enough copper so that it can be turned into shell casings. Yet if we were to add on to the price the tariff that now would be in effect we would find ourselves as a government having to pay increased costs.

A tariff is not going to protect the job of anyone in the copper industry because it is going to be added on, and the ultimate consumer is going to pay the cost. It is going to be, as it is in any case, an "add on" that is going to be paid for by one of the big consumers, the U.S. Government and any other purchaser.

However, even beyond that we do have as a domestic price today, 42-cent copper. The world price ranges between 49 and 51 cents. It has not been below 47 cents since the strike itself started back in 1967. If the United States had to depend upon a foreign source only and did not have, as my colleague says, some agreement on bringing in copper, the price we would be faced with would be almost prohibitive.

This country ran into a situation once before when the price of copper rose and many of the users of copper, which provided jobs for the people who mine the ore, started purchasing substitutes. They went to plastics. We find today even the Department of Defense and some other agencies are experimenting with disposable gun cartridges.

If the price of copper reaches the point where people cannot profitably buy and use it, the market will be lost and miners will be out of work. Then it will not be a question of a tariff, but it will in fact be a problem of how to find enough consumption for the copper which is mined in the United States itself. It is not an easy problem, because when the gentleman from Pennsylvania [Mr. DENT] spoke he referred to free traders. I suppose I am the last one in this body who could be described as a free trader. I voted against the Trade Expansion Act, because I believe in protection, but I believe in protecting industries that produce more in this country than can be consumed so that we do not have a flood of imports that affect our production and our price here. We want to keep that stable. We do not have that situation now. We have a high world price and a low U.S. price. We do have people involved in the discovery of new sources. The Commerce Department says:

> Despite steps being taken to increase copper production, all forecasts are that this country will continue to be a net importer of a substantial tonnage of copper in order to meet its domestic requirements as it has been since before World War II. If the existing tariff on copper is reinstated, this would not discourage imports into this country but would simply result in an added cost to the processors of the same, which would of course be passed on to the final consumer.

Mr. Speaker, demand for copper has been increasing substantially to the point that it is projected by the Department of Commerce in this year there will be an increase of 30 percent over what it was in the previous year. They do not look for a reduction in imports until sometime next year. Actually, the executive department itself wanted this bill.

Our colleague on the committee, the gentlewoman from Michigan [Mrs. GRIFFITHS], introduced the bill in the House. It was discussed there. I have as much sympathy for the situation as the gentleman from Montana [Mr. OLSEN] has.

Mr. OLSEN. Then, why do you not show it?

Mr. BATTIN. If showing it means capitulation to what I think is a false argument, then I will not do it. I do not believe in capitulation.

Mr. OLSEN. No. You do not think that these copper miners are entitled to a tariff protected job?

Mr. BATTIN. I do not believe they are entitled to a tariff protected job unless the tariff would protect their job, and it will not protect their job, because you will still have to import into the United States a certain number of tons of copper to take care of the country's needs.

Mr. OLSEN. You do not think they will be taken care of by exploration in this country if it is hampered by the import of cheap copper mined by cheap labor?

Mr. BATTIN. If cheap copper is at a world price of between 49 and 51 cents, and domestic copper is 42 cents, I do not think it is very cheap.

Mr. OLSEN. No. But that is the strike that did that.

Mr. BATTIN. No. That is today's price in the London market. The price was 47 cents before the strike started.

Mr. OLSEN. Surely it is, but it will change. Of course, the Anaconda company anticipates that it will change. So does every other domestic company anticipate that the price will come down. That is why they support the suspension of this tariff.

Mr. BATTIN. I would suggest to the gentleman that before the copper strike——

Mr. OLSEN. I ask you why it is that the major companies support the suspension of the tariff increase. Why would they support the suspension of the tariff unless they expected the price to come down on the international market?

The **SPEAKER** pro tempore (Mr. ROONEY of New York). The time of the gentleman from Montana has expired.

Mr. MILLS. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. BATTIN. I would have to say to the gentleman that since April 30, 1947, we have been involved in a suspension of the tariff. We were involved with a suspension of the tariff when it expired June 30 this year. This conference would extend it for another 2 years. But, specifically, to answer the gentleman's question as to the price, you say the strike affected the world price. Before the strike it had not been below 47 cents a pound and, of course, it has been higher since the shortage and the shortage has been reflected in the periods between 1941 and now.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Arkansas.

Mr. MILLS. I think my friend, the gentleman from Montana, who is now in the well, will recall that we were told when we had this matter up for consideration in our committee prior to reporting the bill that there was a shortage of copper throughout the world.

Mr. BATTIN. Yes.

Mr. MILLS. At one point in recent months we were quite concerned as to whether or not we would be able to obtain the amount of copper we needed to import into the United States to supplement our own domestic production of copper. I think it is the existing shortage that perhaps has brought the price of copper from 36 cents a pound where it was a few months ago up to 42 cents per pound.

Mr. OLSEN. Why suspend the tariff, then?

Mr. BATTIN. Who is going to pay for the tariff? The copper companies?

Mr. OLSEN. You say that the international price of copper is so high. Why suspend the tariff, then?

Mr. BATTIN. We have to import, and we are an importer of copper. We do not produce enough to take care of consumption. It is going to cost the consumer more money and does not protect any U.S. job or industry.

Mr. OLSEN. Is the gentleman telling me that the domestic price of copper will not rise to the international price?

Mr. BATTIN. At one time they did raise it from 36 to 42 cents per pound. But they had a rollback within a matter of hours because of what emanated down on Pennsylvania Avenue.

Mr. OLSEN. You do not think that the domestic price will rise to that of the international price?

Mr. BATTIN. Well, it has not, I will say to the gentleman. I do not know if this is the forum or if this is the place to discuss this particular matter. There are, however, as a result of the strike some 1,600 people that are presently out of work. I do not know if this is the group that should try to settle an argument between a very great labor union and the great copper producers of the country.

Mr. OLSEN. We are not talking about the labor union. I am talking about 1,630 families who are out of work because of the importation of copper.

Mr. MILLS. Mr. Speaker, if the gentleman will yield, let me assure my good friend, the gentleman from Montana who is concerned about this situation, that if I had the remotest thought that the reimposition of this duty would resolve the problem of those 1,630 families unemployed in his district, I would not have been for this provision in the committee, nor in the conference.

We have had this duty back on copper since the first of July, but the employment situation in your district has not changed, has it, during that period of time?

I am not arguing with you about it. I just want to assure you that if we thought for 1 minute that would have improved the situation to have left that copper duty in effect, we would not have this bill in the House. We believe the situation is due to factors other than the duty itself.

Mr. OLSEN. I respect the views of the gentleman very much, as I do the views of the gentleman from Montana [Mr. BATTIN], and I know that you are both good, honorable men, but I believe that the international copper industry thinks that they can sink this copper tariff by holding off. That is why the copper employment situation has not changed, and it will not change. It is a parallel to what happened in the lead industry. Twenty-five years ago we produced about 60 percent of the total lead consumption in this country, and today——

The **SPEAKER** pro tempore (Mr. ROONEY of New York). The time of the gentleman has again expired.

Mr. MILLS. I yield the gentleman from Montana 2 additional minutes, Mr. Speaker.

Mr. BATTIN. I thank the gentleman for yielding me the additional time.

Mr. OLSEN. Will the gentleman yield further?

Mr. BATTIN. I yield to the gentleman from Montana.

Mr. OLSEN. I thank the gentleman.

Today 60 percent of the lead consumption in this country is foreign produced. That is what is going to happen in copper if we do not do something about the copper tariff, or maybe a copper quota that restricts the importation of copper. If we do not do this, we are going to find ourselves in an emergency one of these days when we do not have enough copper production to take care of the needs of this country at all.

Mr. BATTIN. I would say to the gentleman that is exactly the position we have been in since prior to World War II, we do not have enough domestic production, and there has been expansion.

The gentleman from Arizona [Mr. UDALL], was here a moment ago, and one of the great new areas of expansion in the production of copper happens to be in the gentleman's State of Arizona. New techniques have been developed, and we are caught right here, and the situation is very simple. There has been a lot of automation. The jobs that the gentleman is talking about are lost in deep-shaft mining. They do not do that in the new developments in Arizona. They have gone to the open pit. That has been done in Butte, Mont. with the Berkley pit, and I am sure the method will be used in other places.

I would like to say that if a tariff is the way to restore the jobs of anybody who is out of work in the copper industry today, that I would not be here opposing the gentleman's viewpoint.

Mr. OLSEN. I believe the gentleman knows my position now.

Mr. BATTIN. Yes, I do.

Mr. OLSEN. And I have the same position with regard to beef.

Mr. BATTIN. I know the gentleman does.

Mr. OLSEN. And the gentleman believes that we ought to have beef import quotas.

Mr. BATTIN. Absolutely.

Mr. OLSEN. But not for copper; is that right?

Mr. BATTIN. For a very simple reasons, that we can and have demonstrated in the past, that we can produce in this country all of the beef that is necessary in order to feed the people in this country. We have also demonstrated that we cannot produce enough copper to supply the needs of this country.

Mrs. GRIFFITHS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentlewoman from Michigan [Mrs. GRIFFITHS], who introduced the House bill to suspend the duty on copper.

Mrs. GRIFFITHS. Mr. Speaker, I thank the gentleman for yielding.

We know that we have been importing copper for 30 years, and this year more than in other years, and we will need more throughout the years.

The Detroit Tigers just won the World Series 4 to 1, and I do not believe anyone should do anything to ruin this day.

The **SPEAKER** pro tempore. The time of the gentleman has again expired.

Mr. MILLS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 17324, RENEGOTIATION AMENDMENTS ACT OF 1968, ETC.

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 17324) to extend and amend the Renegotiation Act of 1951, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER** pro tempore (Mr. ROONEY of New York). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1951)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17324) to extend and amend the Renegotiation Act of 1951, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, and agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE II—ADMINISTRATION OF THE ANTIDUMPING ACT, 1921

"Determinations under the Antidumping Act, 1921

"SEC. 201. (a) Nothing contained in the International Antidumping Code, signed at Geneva on June 30, 1967, shall be construed to restrict the discretion of the United States Tariff Commission in performing its duties and functions under the Antidumping Act, 1921, and in performing their duties and functions under such Act the Secretary of the Treasury and the Tariff Commission shall—

"(1) resolve any conflict between the International Antidumping Code and the Antidumping Act, 1921, in favor of the Act as applied by the agency administering the Act, and

"(2) take into account the provisions of the International Antidumping Code only insofar as they are consistent with the Antidumping Act, 1921, as applied by the agency administering the Act.

"(b) No later than August 1, 1969, the President shall submit to the House of Representatives and United States Senate a report for the period beginning on July 1, 1968, and ending on June 30, 1969, which shall—

"(1) set out the text of all determinations made by the Secretary of the Treasury and the United States Tariff Commission under the Antidumping Act, 1921, in such period;

"(2) analyze with respect to each determination in such period the manner in which the Antidumping Act, 1921, has been administered to take into account the provisions of the International Antidumping Code;

"(3) summarize antidumping actions taken by other countries in such period against United States exports and relate such actions to the provisions of the International Antidumping Code; and

"(4) include such recommendations as the President determines appropriate concerning the administration of the Antidumping Act, 1921."

And the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: On page 8 of the Senate engrossed amendments, strike out lines 13 through 24, and in lieu thereof insert the following:

"(b) The President shall cause to be published promptly in the Federal Register (1) a copy of each complaint filed under subsection (a), (2) the results of the investigation made with respect to each such complaint and his findings thereunder, and (3) in the case of each complaint with respect to which he makes an affirmative finding of discrimination, or threat thereof, any rules and regulations made by the Federal Maritime Commission pursuant to subsection (a) and each subsequent finding made by him under such subsection."

And the Senate agree to the same.

Senate amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE IV—MISCELLANEOUS AMENDMENT

"SEC. 401. (a) Section 103(c)(6) of the Internal Revenue Code of 1954 (relating to exemption for certain small issues in the case of industrial development bonds) is amended by adding at the end thereof the following new subparagraphs:

"'(D) $5,000,000 LIMIT IN CERTAIN CASES.—At the election of the issuer, made at such time and in such manner as the Secretary or his delegate shall by regulations prescribe, with respect to any issue this paragraph shall be applied—

"'(i) by substituting "$5,000,000" for "$1,000,000" in subparagraph (A), and

"'(ii) in determining the aggregate face amount of such issue, by taking into account not only the amount described in subparagraph (B), but also the aggregate amount of capital expenditures with respect to facilities described in subparagraph (E) paid or incurred during the 6-year period beginning 3 years before the date of such issue and ending 3 years after such date (and financed otherwise than out of the proceeds of outstanding issues to which subparagraph (A) applied), as if the aggregate amount of such capital expenditures constituted the face amount of a prior outstanding issue described in subparagraph (B).

"'(E) FACILITIES TAKEN INTO ACCOUNT.—For purposes of subparagraph (D)(ii), the facilities described in this subparagraph are facilities—

"'(i) located in the same incorporated municipality or located in the same county (but not in any incorporated municipality), and

"'(ii) the principal user of which is or will be the same person or two or more related persons.'"

For purposes of clause (i), the determination of whether or not facilities are located in the same governmental unit shall be made as of the date of issue of the issue in question.'"

"'(F) CERTAIN CAPITAL EXPENDITURES NOT TAKEN INTO ACCOUNT.—For purposes of subparagraph (D)(ii), any capital expenditure—

"'(i) to replace property destroyed or damaged by fire, storm, or other casualty, to the extent of the fair market value of the property replaced,

"'(ii) required by a change made after the date of issue of the issue in question in a Federal or State law or local ordinance of general application or required by a change made after such date in rules and regulations of general application issued under such a law or ordinance, or

"'(iii) required by circumstances which could not be reasonably foreseen on such date of issue or arising out of a mistake of law or fact (but the aggregate amount of expenditures not taken into account under this clause with respect to any issue shall not exceed $250,000),

shall not be taken into account.

"'(G) LIMITATION ON LOSS OF TAX EXEMPTION.—In applying subparagraph (D)(ii) with respect to capital expenditures made after the date of any issue, no obligation issued as a part of such issue shall be treated as an obligation nct described in subsection (a)(1) by reason of any such expenditure for any period before the date on which such expenditure is paid or incurred.

"'(H) CERTAIN REFINANCING ISSUES.—In the case of any issue described in subparagraph (A)(ii), an election may be made under subparagraph (D) only if all of the prior issues being redeemed are issues to which subparagraph (A) applies. In applying subparagraph (D)(ii) with respect to such a refinancing issue, capital expenditures shall be taken into account only for purposes of determining whether the prior issues being redeemed qualified (and would have continued to qualify) under subparagraph (A).'

"(b) The amendment made by subsection (a) shall apply with respect to obligations issued after the date of the enactment of this Act."

And the Senate agree to the same.

Amend the title so as to read: "An Act to extend and amend the Renegotiation Act of 1951, and for other purposes."

W. D. MILLS,
HALE BOGGS,
FRANK M. KARSTEN,
JOHN W. BYRNES,
THOMAS B. CURTIS,
Managers on the Part of the House.

RUSSELL B. LONG,
GEORGE SMATHERS,
CLINTON ANDERSON,
ALBERT GORE,
HERMAN TALMADGE,
VANCE HARTKE,
JOHN J. WILLIAMS,
FRANK CARLSON,
WALLACE F. BENNETT,
CARL T. CURTIS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17324) to extend and amend the Renegotiation Act of 1951, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendments Nos. 1, 2, 3, and 4: These are clerical amendments. The House recedes.

Amendments Nos. 5 and 9: These amendments relate to the definition of the terms "standard commercial article" and "standard commercial class of articles". Under the bill, as passed both by the House and the Senate, the price of an item must not be in excess of the lowest price at which it is sold in similar quantity by the contractor or subcontractor for civilian industrial or commercial use, except for any excess attributable to the cost of accelerated delivery or other circumstances. The bill as passed by the House specifies "unusual" circumstances, the Senate amendments specify "significantly different" circumstances. The House recedes.

Amendments Nos. 6, 7, 8, and 10: In defining the terms "standard commercial article", "standard commercial service", "service which is reasonably comparable with a standard commercial service", and "standard commercial class of articles", the bill as passed by the House required that at least 50 percent of the receipts or accruals from the sales or services be from sales or performance for civilian industrial or commercial use or purposes. Under the Senate amendments, at least 55 percent of the receipts and accruals must be receipts and accruals which are not subject to the Renegotiation Act. The House recedes.

Amendment No. 11: This is a technical clarifying amendment. The House recedes.

ADMINISTRATION OF THE ANTIDUMPING ACT, 1921

Senate amendment No. 12 adds a new section to the bill. Subsection (a) provides that until otherwise provided by law hereafter enacted—

(1) the Secretary of the Treasury shall perform his duties and functions under the Antidumping Act, 1921, in accordance with the regulations prescribed under such Act as in effect on June 30, 1968; and

(2) the United States Tariff Commission shall perform its duties and functions under the Antidumping Act, 1921, in accordance with precedents established in affirmative determinations made under such Act by the Commission before June 30, 1968.

For purposes of paragraph (1), the duties and functions of the Secretary of the Treasury (A) are not to include determinations as to whether the quantity of merchandise deemed to have been sold at less than fair value is more than insignificant, and (B) are not to include the acceptance of assurances (i) of price revisions to eliminate the likelihood of sales below fair value, or (ii) that sales in the United States of merchandise at less than fair value have terminated and will not be resumed.

Subsection (b) requires the Secretary of the Treasury and the United States Tariff Commission to perform their duties and functions under the Antidumping Act, 1921, without regard to the provisions of the International Antidumping Code, signed at Geneva on June 30, 1967, until such time as legislation enacted to implement the provisions of such Code becomes effective.

The House recedes with an amendment. Under the conference agreement, nothing contained in the International Antidumping Code, signed at Geneva on June 30, 1967, shall be construed to restrict the discretion of the United States Tariff Commission in performing its duties and functions under the Antidumping Act, 1921, and in performing their duties and functions under such Act the Secretary of the Treasury and the Tariff Commission shall—

(1) resolve any conflict between the International Antidumping Code and the Antidumping Act, 1921, in favor of the Act as applied by the agency administering the Act, and

(2) take into account the provisions of the International Antidumping Code only insofar as they are consistent with the Antidumping Act, 1921, as applied by the agency administering the Act.

Also under the conference agreement, no later than August 1, 1969, the President shall submit to the House of Representatives and United States Senate a report for the period beginning on July 1, 1968, and ending on June 30, 1969, which shall—

(1) Set out the text of all determinations made by the Secretary of the Treasury and the United States Tariff Commission under the Antidumping Act, 1921, in such period;

(2) Analyze with respect to each determination in such period the manner in which the Antidumping Act, 1921, has been administered to take into account the provisions of the International Antidumping Code;

(3) Summarize antidumping actions taken by other countries in such period against United States exports and relate such actions to the provisions of the International Antidumping Code; and

(4) Include such recommendations as the President determines appropriate concerning the administration of the Antidumping Act, 1921.

INTERNATIONAL COFFEE AGREEMENT ACT OF 1968

Amendment No. 13: Senate amendment numbered 13 adds a new title III to the bill, which provides authority for implementation of the International Coffee Agreement, 1968. Except as noted below, the text of title III is the same as the text of H.R. 18299, as reported to the House (House Report No. 1704).

Under H.R. 18299, the authority conferred on the President to carry out and enforce the International Coffee Agreement, 1968, would terminate September 30, 1973. Under the Senate amendment, the authority terminates September 30, 1970.

Both H.R. 18299 and the Senate amendment require the President to submit to the Congress an annual report on the International Coffee Agreement, 1968. In addition to the information specifically required by H.R. 18299, the Senate amendment requires the report to include full information with respect to matters pertaining to the transportation of coffee from exporting countries to the United States.

The Senate amendment includes a section (Sec. 306, for which there is no corresponding provision in H.R. 18299) relating to the prevention of discrimination against United States flag ships in the shipping of coffee to the United States. The amendment requires the President, upon complaint, to make an investigation to determine whether any exporting country which is a member of the International Coffee Organization (or group of exporting countries which includes any member of such Organization) is taking action which, directly or indirectly, discriminates, or threatens to discriminate, against vessels registered under the laws of the United States in the shipping of coffee to the United States. If the President finds that discrimination, or threat thereof, exists, he is required to notify the Federal Maritime Commission and it is required to promptly make appropriate rules and regulations under section 19 of the Merchant Marine Act, 1920 (relating, in general, to rules and regulations to adjust or meet general or special conditions unfavorable to shipping in the foreign trade). If, within a reasonable time after the notice to the Commission, the President finds that the effect of discrimination, or threat thereof, still exists, the authority conferred on the President by the bill to carry out the International Coffee Agreement Act of 1968, is to cease to apply until such time as the President finds that the effect of discrimination, or threat thereof, has ceased to exist.

The amendment also requires the President to inform the Committee on Ways and Means and the Committee on Finance of complaints made and action taken under the section.

The House recedes with an amendment. The conference agreement retains the text of the Senate amendment except that, in lieu of reporting to the Committee on Ways and Means and the Committee on Finance, the President is to cause information with respect to complaints made and action taken under section 306 to be published promptly in the Federal Register.

INDUSTRIAL DEVELOPMENT BOND SMALL ISSUE EXEMPTION

Amendment No. 14: Section 107 of the Revenue and Expenditure Control Act of 1968 amended section 103 of the 1954 Code (relating to interest on certain governmental obligations) by inserting a new subsection (c). Under this subsection, the general rule is that industrial development bonds (as defined in the subsection) are to be treated as obligations which are not the obligations of a State or political subdivision. Subsection (c) also contains exceptions to this general rule, including (in paragraph (6) of subsection (c)) an exception for certain small issues, that is, issues where the aggregate authorized face amount is $1,000,000 or less and substantially all of the proceeds are to be used (1) for the acquisition, construction, or improvement of land or depreciable property, or (2) for the redemption of a prior issue described in clause (1) of this clause.

Senate amendment numbered 14 raised the $1,000,000 limit in paragraph (6) to $5,000,000.

The House recedes with an amendment which is a substitute for the amendment proposed by the Senate. Under the conference substitute, the $1,000,000 is raised to $5,000,000 but only in certain specified circumstances, which are set forth in new subparagraphs (D), (E), (F), (G), and (H) of section 103(c) (6).

New subparagraph (D) provides that the governmental unit which is the issuer of the issue in question must elect to have the $5,000,000 limit apply to this issue in lieu of the $1,000,000 limit. If it makes this election, then in testing whether this issue comes within the $5,000,000 limit, there must be taken into account not only the prior outstanding issues which have to be taken into account under section 103(c) (6) (B) of the Code, but also certain capital expenditures made during the 6-year period which begins 3 years before the date of issue of the issue in question and ends 3 years after such date. The capital expenditures which are to be so taken into account are expenditures which meet all three of the following tests:

(1) They are made with respect to facilities described in new subparagraph (E), that is, facilities (A) the principal user of which is or will be the same person or related persons, and (B) which (on the date of issue) are located in the same incorporated municipality or in the same county (outside of the incorporated municipalities in such county),

(2) They are not financed out of the proceeds of issues which (at the time the $5,000,000 limit is being tested) are outstanding and to which section 103(c) (6) (A) of the Code applied, and

(3) They are properly chargeable to capital account (determined, for this purpose, without regard to any rule of the 1954 Code which permits expenditures properly chargeable to capital account to be treated as current expenses).

Each such capital expenditure is to be taken into account beginning with the time when it is paid or incurred, and is to be taken into account in the amount so paid or incurred.

The new subparagraph (F) added to section 103(c) (6) of the 1954 Code by the conference substitute provides that the following capital expenditures are not to be taken into account in applying the $5,000,000 limit:

(1) Capital expenditures to replace property damaged or destroyed by fire, storm, or other casualty, to the extent that these expenditures do not exceed in dollar amount the fair market value (determined immediately before the casualty) of the property so damaged or destroyed.

(2) Any capital expenditure required by a change made after the date of issue in a Federal or State law, or a local ordinance, which applies generally, or required by a change made after such date in rules and regulations of general application issued under such a law or ordinance.

(3) Capital expenditures required by circumstances which could not reasonably be foreseen on the date of issue or arising out of a mistake of law or fact (such as a mistake pursuant to which an item is treated as a repair and deducted rather than capitalized).

New subparagraph (F) (iii) contains a limitation of $250,000 with respect to any issue on the aggregate amount not taken into account under such provisions.

New subparagraph (G) provides a limitation on the loss of tax exemption which may arise under the $5,000,000 by reason of capital expenditures made after the date of issue. As previously indicated under the new subparagraph (D) (ii) there must be taken into account not only capital expenditures made during the 3-year period before the date of the issue in question, but also during the 3-year period following such date. Thus, subsequent expenditures may have the effect of making taxable an issue which at the time of issue qualifies for exemption. New subparagraph (G) provides that in such a case the loss of tax-exemption for the interest will begin only with the date on which the expenditure which caused the issue to cease to qualify under the $5,000,000 limit was paid or incurred.

New subparagraph (H) relates to certain issues substantially all of the proceeds of which are to be used to redeem prior issues. The first sentence of the new subparagraph (H) provides that the election of the $5,000,000 limit (in lieu of the $1,000,000 limit) may be made only if all of the prior issues being redeemed are issues to which section 103(c) (6) (A) applies, that is, each prior issue must be one which qualified under subparagraph (A) itself (or which qualified under subparagraph (A) by reason of a $5,000,000 election made under subparagraph (D) and which would have continued to so qualify if the redemption had not taken place). The second sentence of new subparagraph (H) provides that in applying the capital expenditure tests of subparagraph (D) (ii) to refinancing issues, capital expenditures are to be taken into account only for purposes of determining whether those prior issues which were made under a subparagraph (D) election qualified under subparagraph (A) and would have continued to qualify under subparagraph (A) but for the redemption.

Subsection (b) of section 401 of the conference substitute provides that the amendment made by subsection (a) is to apply with respect to obligations issued after the date of the enactment of the bill.

W. D. Mills,
Hale Boggs,
Frank M. Karsten,
John W. Byrnes,
Thomas B. Curtis,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, before us is the conference report on H.R. 17324. This bill extends the Renegotiation Act for a period of 3 years, or until June 30, 1971. The bill also amends the present exemption from renegotiation for standard commercial articles and services to reduce the scope of this exemption and thereby to provide assurance that articles and services qualifying for it are in fact of a commercial nature. It will be recalled that we considered this bill in May of this year.

Mr. Speaker, as I am sure my colleagues are aware, the purpose of renegotiation is to eliminate excessive profits from Government contracts and related subcontracts in the national defense and space programs. We adopted a 3-year extension of the act when we considered this bill for two basic reasons.

First, because modern military and space procurement is characterized by highly sophisticated and rapidly changing technology, Government contracts often are negotiated on the basis of inadequate cost estimates and production experience. We need the after-the-fact review of renegotiation to assure that excessive profits which may arise in these cases will be recovered by the Government.

Second, the amount of military procurement is continuing at a high level. Many of these contracts will not be completed for 3 or 4 years. As a result, we will continue to need the Renegotiation Board to scrutinize the amounts received under these contracts for at least the next 3 years.

Because the 3-year extension of the act was continued in both the House and Senate versions of the bill, this was not in conference.

The bill as passed by both the Senate and the House also contained a series of amendments to the existing exemption from renegotiation for standard commercial articles and services. This exemption excludes from renegotiation those items which have a commercial market that is of sufficient magnitude to establish market-tested prices for these items.

Under present law the exemption is available only if certain requirements are satisfied. One of these is that an article must either be an item maintained in inventory stock or an item for which there is a regularly maintained price schedule if the article is to qualify as an exempt standard commercial article. Another requirement which is probably a more important one is that at least 35 percent of the sales of the item must be nonrenegotiable sales. This requirement is designed to test whether there are sufficient marketplace sales of an item to establish an arm's-length price for it.

The Members will recall that we adopted various amendments to this exemption when we considered the bill last May. The Senate accepted the amendments contained in our bill with only minor changes.

One of our amendments to this exemption redefined commercial sales to exclude from this category nonrenegotiable sales to governments. The Senate felt that this new definition would create substantial administrative problems for the Renegotiation Board and for contractors and subcontractors, especially lower tier subcontractors. The Renegotiation Board itself concurred in this view. Accordingly, the Senate retained the existing definition of commercial sales; namely, nonrenegotiable sales. To compensate for the effect of this change, however, the Senate increased the required percentage of sales of an item which must be made commercially for the exemption to apply to 55 percent rather than the 50-percent level which we had adopted.

In view of these factors, the House conferees agreed to accept these Senate amendments. Accordingly, under the bill as agreed to by the conferees an article or service will not qualify for exemption from renegotiation as a standard commercial article or service unless at least 55 percent of the sales of the item are nonrenegotiable sales.

Two other amendments to the Renegotiation Act itself are minor in effect and are of a technical nature. One perfects the words used in describing how price is to be determined for the standard commercial articles and services exemption. The other is a change in the effective date necessitated by the passage of this bill after June 30, 1968.

In summary, Mr. Speaker, the bill as agreed to by the conferees continues the authority of the Renegotiation Board to scrutinize excessive profits for another 3 years and also modifies the standard commercial articles exemption to provide assurance that the items which qualify for it are of a truly commercial nature.

INDUSTRIAL DEVELOPMENT BOND EXEMPTION

Mr. Speaker, the Members will recall that one of the provisions contained in the Revenue and Expenditure Control Act of 1968 which recently became law removed the then existing tax exemption for interest on industrial revenue bonds. A special exception was provided, however, for small bond issues; namely, those of $1 million or less. Thus, municipalities can continue to issue these small issues without the interest on them being taxable.

Mr. Speaker, the Senate considered the purpose of this exemption was to allow communities to provide assistance to small businesses seeking to locate in the community. They believed, however, that the ceiling set on the amount of bonds for which tax exemption could be obtained—namely, $1 million—was unrealistic. Moreover, it was noted that on the basis of public offerings of industrial revenue bonds in 1967 a $5 million exemption would exclude only about 13 percent of all bonds issued. The fact that a $5 million limit on the one hand would still retain industrial revenue bond treatment—taxability of the interest on these bonds—for 87 percent of the value of issues and on the other hand would allow local governmental units to provide more meaningful and realistic assistance to small businesses they wish to attract to the community, the Senate adopted an amendment raising the existing $1 million limit to $5 million.

The Senate conferees believed that a $5 million limit was necessary if the exemption was to have any meaning at all. The House conferees, after considering the matter, agreed to accept the principle of the Senate amendment. The House conferees, however, pointed out that merely raising the limit to $5 million would create a major avenue for partially avoiding industrial revenue bond treatment in the case of large facilities where $20 or $30 million was involved. Under the Senate amendment a person could have constructed part of a facility with the proceeds of a $5 million tax-exempt industrial revenue bond issue and then could have constructed the remainder of the facility using proceeds from some other bond issue in whatever amount was necessary. This certainly did not seem to the House conferees to be a way to assist small businesses, but rather seemed to be the creation of a substantial loophole.

The House conferees, therefore, asked that the Senate proposal be restricted so as to prevent this avoidance and to provide assurance that this larger exemption would in fact serve its underlying purposes; namely, to assist small businesses in locating in a community. In other words, the House conferees accepted the principle of the Senate amendment but conditioned this acceptance on a limitation on the availability of the larger exemption. The House conferees were able to persuade the Senate conferees to accept the limitation.

Mr. Speaker, as agreed to by the conferees, the amendment provides an alternative to the $1 million exemption of present law. This alternative, which is elective, allows a governmental unit to issue industrial revenue bonds for use by a private concern up to a level of $5 million without the interest on the bonds being taxable, if a limitation which is designed to assure the retention of the small business purpose of the exemption is satisfied. Under this limitation the $5 million limit is applied to the amount of bonds issued by the governmental unit for the concern, plus any capital expenditures in that governmental unit by the same concern or related persons, made within the 6-year period beginning 3 years before and ending 3 years after the bonds are issued and financed from other sources. In other words, a person may not use an exempt $5 million bond issue to construct part of a facility and then use other funds for further construction of that facility or other facilities in the same town or other governmental unit within a 6-year period.

The amendment contains safeguards for the governmental unit and business concern which provide that certain capital expenditures, to a limited extent, that are of a type that could not reasonably have been anticipated when the bonds were issued are not to be considered in applying the $5 million limit. These excluded expenditures are those made to replace property damaged or destroyed by casualty. Also excluded are expenditures required because a generally applicable law or ordinance was changed after the bonds were issued. The final category of excluded capital expenditures are those required by circumstances that could not reasonably be foreseen when the bonds were issued or which arise out of a mistake of law or fact. Only $250,000 of expenditures in this latter category, however, may be excluded from consideration.

Even though capital expenditures above the $5 million limit in the 3-year period after bonds are issued may cause a bond issue to lose its exempt status, the amendment provides that the interest on the bonds is to become taxable only as of the time the $5 million limit was exceeded.

I might say of my good friend the gentleman from Wisconsin [Mr. Byrnes], the ranking Republican member of the committee, that he has fought very vigorously and at times provoked my displeasure, may I say, for the vigorousness of his opposition on this industrial bond issue matter. Some time back he offered legislation to abolish entirely the tax-free status of industrial development bonds. I have often wondered if the gentleman does not have more influence with the Treasury than the chairman of the committee, since finally, the Treasury saw it his way and issued regulations removing the tax exempt status of these bonds. In this conference he fought against raising the exemption from $1 million to $5 million and got the Senate conferees to limit the $5 million to cases where total capital expenditures do not exceed $5 million. Mr. Byrnes also was the one conferee who did not agree to this amendment. Mr. Curtis, Mr. Boggs, Mr. Karsten, and I supported the bond amendment in the conference, but my good friend, as he always does fight his battles, fought vigorously. But there are other far more important matters in the conference report. It is not the only proposition in conference so he signed the conference report because there are other items in this conference report that I think none of us want to forgo seeing passed before we adjourn.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, I thank the gentleman for yielding. I was very interested in the comments of the gentleman, and I am interested in this legislation. For a number of years, I was in the Iowa Development Commission, and we were asking for this type of thing for the benefit of developing industries in the smaller communities, who can find this a valuable tool in the development of industry for smaller communities. Is it the judgment of the gentleman that this will happen now as a result of this?

Mr. MILLS. It will continue, I think, to be used. What the opponents of it will say is that we have not eliminated enough of the exemption in the process of accepting the $5 million compromise, because the $5 million provision in this conference report, according to information I have, will continue to provide tax-free interest on industrial bonds to the extent of about 87 percent of the total issues, based on experience in the past.

The SPEAKER pro tempore. The time yielded by the gentleman from Arkansas has expired.

Mr. MILLS. Mr. Speaker, I yield myself 5 additional minutes.

What we were trying to do all along—what Mr. Byrnes of Wisconsin was primarily concerned about; and I joined his concern and joined that of others—was to do something to prevent the subsidizing of very large companies, which are thoroughly capable of building their own plants, with this type of tax-free interest.

Some companies—and the gentleman knows what I am talking about—have gone so far as to ask communities to vote over $100 million in bond issues for their benefit; and the communities do it. They want that employment opportunity in their area.

These large companies really do not need this kind of an arrangement to grow. They will grow whether they have it or not. Those big bond issues and the continued use of this privilege also disturbed many of us because of the effect upon the municipal bond market. The demand for these bonds at present interest rates is a limited area.

The addition of these very large issues of the tax-free issues could have had the effect also of raising interest rates for all municipal bonds, if we had permitted the situation to go uncorrected. It would hurt the market for bonds for the development of schools and those other activities which we know are certainly activities of local governments. It could cost them more for regular activities if we allow industrial bonds without limit.

I believe we have limited the exemption in a proper way. I believe we have done it in such a way as to permit me to answer the gentleman's question affirmatively. The conference report deals adequately with the smaller communities. They will be permitted either of the two alternatives, the $1 million exemption on a bond issue without regard to the size of the total facilities or a $5 million bond issue if the total capital expenditures for the facilities do not exceed $5 million.

Mr. SCHWENGEL. And the social and economic effect for that community and that State would be very beneficial?

Mr. MILLS. Yes. We preserved this opportunity.

Mr. SCHWENGEL. Some would say this is a loophole, but it is a one-shot proposition. If it is a loophole it ought not to pass and some way could be found for the Treasury to recover the loss at some later date.

Mr. MILLS. If we do not do it this way, they could do it through EDA lending them 65 percent of the cost, using Government money so long as somebody locally puts up 35 percent.

Mr. STEED. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I am glad to yield to the gentleman from Oklahoma.

Mr. STEED. First I want to congratulate the gentleman and his committee for what I consider to be a very acceptable solution to a problem in which many of us have had great interest.

As the gentleman knows, I have discused this matter with him many times. Knowing the problem as I know he does, would it not be fair to say that the solution he has brought here today, for all practical purposes, meets about every kind of a situation that could be justified under this sort of program? These limits are sufficient to accomplish about any worthwhile purpose anybody would have much reason to want to bring up under such an arrangement.

Mr. MILLS. I would answer the gentleman's question affirmatively without equivocation whatsoever if it were not for the fact that some have expressed some concern about the definition of the type of operations that can fall within the $1 million or the $5 million exempt issue limit. We may have to review this. In connection with whatever reform legislation we have next year, we may want to hear witnesses with respect to this matter of definition.

Mr. STEED. With the solution here we are definitely better off than we were previously?

Mr. MILLS. There is no doubt about it.

Mr. STEED. I thank the gentleman.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from South Carolina.

Mr. DORN. I should like to ask the distinguished and able gentleman from Arkansas, did I correctly understand the gentleman to say that the limit would be $5 million plus 5 percent?

Mr. MILLS. Actually, $5 million plus $250,000 in some cases. That does not mean you can start out planning on using the $250,000. You cannot plan on using the $250,000 above the $5 million. The $250,000 is only available to cover the cost of things which could not initially be foreseen.

Mr. DORN. Mr. Speaker, I want to compliment and commend the distinguished gentleman from Arkansas. As usual, he has brought back to the House legislation which is sound and reasonable. I again congratulate the distinguished chairman of the great Committee on Ways and Means.

Mr. MILLS. I thank the gentleman.

Mr. Speaker, there are two other amendments in this bill, and I yield myself 5 additional minutes to discuss them.

TITLE II OF H.R. 17324—ADMINISTRATION OF THE ANTIDUMPING ACT OF 1921

As added by the Senate, title II would have required the Secretary of the Treasury and the U.S. Tariff Commission to perform their duties and functions under the Antidumping Act of 1921 without regard to the provisions of the International Antidumping Code, signed at Geneva on June 30, 1967, until such time as legislation enacted to implement the provisions of the code becomes effective.

In addition, the Senate amendment would have required that the Secretary of the Treasury perform his duties and functions in accordance with regulations prescribed under the Antidumping Act as in effect on June 30, 1968. However, in making determinations under the Antidumping Act of 1921, the Secretary of the Treasury would have been precluded from making determinations as to whether the quantity of merchandise deemed to have been sold at less than fair value is more than insignificant. He would also have been precluded from making determinations which include the acceptance of assurances of price revisions to eliminate the likelihood of sales below fair value—dumping—or that sales in the United States of merchandise at less than fair value have terminated and will not be resumed.

Further, with respect to the duties and functions of the Tariff Commission, the Senate amendment would have required that the Commission perform its duties and functions in accordance with precedents established in affirmative determinations—where injury to an industry is found—made under such act by the Commission prior to June 30, 1968.

The House conferees agreed to title II with an amendment. Under the conference agreement, nothing contained in the International Antidumping Code, signed at Geneva on June 30, 1967, shall be construed to restrict the discretion of the U.S. Tariff Commission in performing its duties and functions under the Antidumping Act, 1921, and in performing their duties and functions under such act the Secretary of the Treasury and the Tariff Commission shall—

First, resolve any conflict between the International Antidumping Code and the Antidumping Act, 1921, in favor of the act as applied by the agency administering the act; and

Second, take into account the provisions of the International Antidumping Code only insofar as they are consistent with the Antidumping Act, 1921, as applied by the agency administering the act.

Also under the conference agreement, no later than August 1, 1969, the President shall submit to the House of Representatives and U.S. Senate a report for the period beginning on July 1, 1968, and ending on June 30, 1969, which shall—

First, set out the text of all determinations made by the Secretary of the Treasury and the U.S. Tariff Commission under the Antidumping Act, 1921, in such period;

Second, analyze with respect to each determination in such period the manner in which the Antidumping Act, 1921, has been administered to take into account the provisions of the International Antidumping Code;

Third, summarize antidumping actions taken by other countries in such period against U.S. exports and relate such actions to the provisions of the International Antidumping Code; and

Fourth, include such recommendations as the President determines appropriate concerning the administration of the Antidumping Act, 1921.

As members are aware, the Antidumping Act of 1921, as amended, is a part of our domestic law which provides protection for U.S. industry against unfair pricing practices involving goods produced in foreign countries and sold in the U.S. market. Under this law, this Secretary of the Treasury is responsible for investigating complaints under which it is alleged that a foreign exporter or importer is selling merchandise in the U.S. market at a price lower than the price at which such merchandise is being sold in the home market. It further requires that when the Secretary finds that such a pricing practice is taking place, that he refer the case to the U.S. Tariff Commission. It is the responsibility of the Tariff Commission to determine whether such pricing practices are injuring or threatening to injure a U.S. industry or are preventing such an industry from being established. If the Tariff Commission makes an affirmative finding as to injury, the Secretary of the Treasury must impose a special dumping duty in an amount equal to the differential between the purchase price of the import and its foreign market value.

The language of the statute is general in nature and has permitted the agencies which have responsibilities under it a great deal of latitude in administering their respective functions under the act.

The general nature of the statute has resulted in criticism by foreign importers who allege that the complaint procedures result in the harassment of legitimate trade. On the other hand, some domestic industries have complained that the terms of the act are so vague that it is too difficult for domestic industries to obtain relief under its provisions.

Nevertheless, the Congress has not felt it necessary to limit the scope or provide more specific definitions of such terms as "industry" and "injury" under the act. In this respect, it has continued to grant the Secretary of the Treasury and the Tariff Commission a great deal of discretion in carrying out their respective duties and responsibilities under the act and in treating with each case on its individual merits.

During the Kennedy round of trade negotiations, our negotiators entered into an agreement on behalf of the United States which provides an international code for countries to follow in the administration of their own antidumping statutes and regulations. The code provides for the definition of such terms as "dumping," "injury," and "industry," as well as specifying certain investigation and administrative procedures to be followed by the parties to the agreement. The International Antidumping Code was acceded to definitively on behalf of the United States on June 30, 1967, and entered into force on July 1, 1968.

Representatives of the executive branch maintain that no prior congressional authorization was necessary and no legislation to implement the code is needed in view of the fact that the code is not in conflict with the provisions of the Antidumping Act of 1921.

The existence of the negotiations with respect to the Antidumping Code has been publicly known for several years, and the successful completion of the negotiations with respect to the International Antidumping Code has been hailed as a breakthrough in the negotiation of an international agreement seeking the removal of unreasonable and uneconomic nontariff barriers to trade.

However, during the negotiations and subsequent thereto, both within the Congress and within some industry circles, questions were raised concerning the basis of the authority for such negotiations and the likely effects of the implementation of the code on domestic law. In addition, the Tariff Commission itself is divided on the question of consistency between the Antidumping Act as it has been administered and the provisions of the International Antidumping Code.

The action of the Senate in adding this amendment to the Renegotiation Act as passed by the House was based on both hearings conducted by the Committee on Finance on the question of consistency between the code and the act and on a prior position taken by the Senate in the 89th Congress in Senate Joint Resolution 100 with regard to the international trade agreements not previously authorized by the Congress. Nor is this a new issue to the House conferees. During the public hearings on foreign trade and tariffs held by the Committee on Ways and Means earlier this year, testimony was received from domestic industry questioning the consistency of the International Antidumping Code with the act which raised the question as to whether the implementation of the code has the effect of amending domestic law without congressional action. There was also testimony from industry and others in support of the International Antidumping Code, particularly with regard to its benefits to U.S. exporters who in the future might otherwise face unfair antidumping actions on the part of foreign governments in the absence of the code.

In addition, the Committee on Ways and Means held 2 days of executive sessions on the question of consistency between the Antidumping Act and the International Antidumping Code. Other measures have also been taken by the committee to establish information on which a judgment might be based as to the effects of the code's implementation on the administration of the act.

On the one hand, there is the question of international obligations under the code entered into by representatives of the United States. On the other hand, there is a question of whether the President by an executive agreement can amend the results under, if not the substance of, a prior domestic law in the absence of congressional action.

In view of the immediate nature of the issues involved and their importance, the conference agreement, I believe, represents a sound and orderly means of meeting the issues. The conference amendment speaks for itself in maintaining the full statutory discretion of the Secretary of the Treasury and the United States Tariff Commission under the Antidumping Act in the performance of their duties and functions.

TITLE III OF H.R. 17324—INTERNATIONAL COFFEE AGREEMENT ACT OF 1968

Mr. Speaker, title III of H.R. 17324—International Coffee Agreement Act of 1968—as passed by the Senate, would authorize the President to carry out and enforce the International Coffee Agreement of 1968. This Senate amendment is similar to H.R. 18299 as favorably reported by the Committee on Ways and Means on July 11, 1968.

The provisions of title III as well as the provisions of H.R. 18299, as favorably reported by the Committee on Ways and Means, would provide the necessary authority for the United States to require valid certificates of origin to accompany coffee imports and to limit coffee imports from countries not members of the agreement and to impose special fees and other measures to offset discriminatory treatment by other governments in favor of the export or reexport of processed coffee. Both versions of the proposed act would also authorize requirement of certificates of origin on reexport or exports of coffee from the United States and the keeping of certain records of status and other information.

Both title III and H.R. 18299 would provide for an annual report to the Congress by the President concerning the operations of the agreement. Both versions of the proposed 1968 act would provide that should the President determine that there has been an unwarranted increase in the price of coffee, he shall require the International Coffee Council and the Executive Board to take appropriate action and further, that the President shall report such determination to the Congress, and if the Council fails to take appropriate action, the President shall transmit to the Congress such recommendations as he may consider appropriate to correct the situation.

These provisions of title III and the identical provisions of H.R. 18299 were approved by the Senate and by the Committee on Ways and Means as necessary procedures to permit the United States to implement the International Coffee Agreement of 1968 which was ratified by the Senate on June 28, 1968.

Title III provides authority for continued U.S. participation in the International Coffee Agreement for a period of 2 years until September 30, 1970. The bill approved by the Committee on Ways and Means would have provided for such authority for a 5-year period or for the life of the International Coffee Agreement of 1968. It is argued that the 2-year authorization will provide an opportunity for Congress to review the effectiveness of the agreement while it is in operation rather than when it is expiring.

Section 306 of title III, Prevention of Discrimination Against U.S.-Flag Ships, provides for the suspension of the authority to implement the coffee agreement if discriminatory shipping practices by foreign entities continue to affect U.S.-flag vessels after other remedies have failed to remove the discrimination. This provision is not contained in H.R. 18299 as reported by the Committee on Ways and Means.

It would require the President to investigate complaints that any country which is a member of the International Coffee Agreement or group of countries which includes a member of the agreement is engaged in discriminatory actions against U.S. vessels engaged in the shipping of coffee to the United States. If he finds such discrimination or threat of discrimination exists, the President is to notify the Federal Maritime Commission which must promptly take appropriate action under section 19 of the Merchant Marine Act of 1920, as amended. If, after a reasonable period of time, the President finds that the effect of discrimination or the threat thereof continues to exist, the authority conferred by the other sections of title III is suspended until such time as the effect of discrimination has ceased to exist. This provision would also have required the President to furnish to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a copy of each complaint of alleged shipping discrimination and a report on the results of investigations and on any action taken under this provision.

In view of the fact that a similar bill was favorably reported by the Committee on Ways and Means, the House conferees agreed to accept title III with an amendment. This conference amendment would require in lieu of reports to the Committee on Ways and Means and the Committee on Finance, that the President have published promptly in the Federal Register information with respect to complaints made and actions taken under section 306 regarding discrimination against American shipping.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Wisconsin.

Mr. REUSS. I thank the distinguished chairman of the Committee on Ways and Means for yielding.

In my mind, it is unfortunate that an otherwise excellent conference report is marred by the reopening of one of the worst income tax loopholes on the books, the exemption from the Federal income tax of interest on industrial development bonds. The exemption is extended on bond issues up to $5 million, and this, in fact, would include about 75 percent of all these industrial development bond issues if you take the figures for the most recent year, 1967.

The trouble with this loophole is that it gives a bonanza subsidy without any regard for the need of economic development. It encourages plant pirating from one community to another. And it costs the Treasury of the United States hundreds of millions of dollars because of the very high bracket of the people who are able to escape taxation.

The SPEAKER pro tempore (Mr. Rooney of New York). The time of the gentleman from Arkansas has again expired.

Mr. MILLS. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. Reuss].

Mr. REUSS. I thank the distinguished chairman for yielding this time to me and I shall not take the entire 5 minutes.

Worse than that, the proposed exemption drives up the interest rate on legitimate State and municipal bonds for schools and roads and firehouses and police stations and all other governmental activities.

Now, when this practice developed, perhaps 10 years ago, it did not involve very much, but it has now risen to the status of a $1-billion-a-year industry. When it started out about 10 years ago, it was confined principally to smaller communities which needed the subsidy.

At that point there could be little objection to it. However, today almost every State in the Union, some 44 States at the last count, permits this kind of misuse of the Federal tax-exemption privilege. As a result, you have a beggar-thy-neighbor rat race which really vitiates any good the subsidy might have done.

I note that the proposed exemption of up to $5 million is vigorously opposed by three such different organizations as the Investment Bankers Association of America, the National Association of Counties, and the AFL–CIO, each for different reasons. The investment bankers oppose it because they see this as an illegitimate use of the investment banking power. The counties because they quite properly perceive, now that everybody is doing this, this simply means that counties and municipalities have to pay a higher interest rate on their legitimate public-purpose borrowing. And the AFL–CIO largely because of the plant pirating which is encouraged by this kind of exemption.

Mr. Speaker, I had hoped that this was going to be the Congress in which we were going to plug loopholes. To me it would be a very poor epitaph for the Congress, that on one of its last days we reenacted one of the worst and most unjustifiable tax loopholes, and I hope we do not do it.

Mr. MILLS. Mr. Speaker, will the gentleman yield to me?

Mr. REUSS. I yield to the gentleman.

Mr. MILLS. Let me assure my friend from Wisconsin, just as I have assured my other friend from Wisconsin, that the Committee on Ways and Means is concerned about loopholes. However, we cannot stop some of these things overnight because sometimes that can cause hardships to areas represented by some of our other colleagues who are trying to aid the economic development of their communities.

This, I believe, does represent a rather fair compromise between allowing no tax-free industrial bonds, and the position of allowing the issuance of $100 million or more of such bonds for the benefit of some one company.

This provision will be watched very carefully by our committee. Certainly we will receive periodic reports on its use from the Treasury Department, and we are going to keep up with it.

There are always opportunities to amend the tax laws if we find that we have not done the right thing.

Mr. REUSS. I would have thought the fair compromise would be to take the one that is the law right now, and restrict the exemption to $1 million. That does help the very small communities, and can be used for small plants, but when you raise this to $5 million, you can build quite a plant for $5 million.

Mr. MILLS. We agreed to that, as the gentleman knows, earlier, as a compromise, and the gentleman from Wisconsin and I thought maybe it was a fair compromise. But there is another body around here that has its own ideas on what is right and what is wrong, and it did not suit it.

But anyhow, I will assure my friend that we will continue to watch this very carefully.

Mr. REUSS. I thank the gentleman.

Mr. MILLS. Mr. Speaker, I now yield 10 minutes to the distinguished gentleman from Wisconsin [Mr. Byrnes].

Mr. BYRNES of Wisconsin. Mr. Speaker, I thank the gentleman for yielding.

First, it would probably be well for continuity to address myself to the industrial development bond issue. I would accept the explanation that the chairman made as to my position on this matter. I do regret that we find ourselves—the chairman and I—in very great disagreement at times on this particular issue.

When we had the Tax Expenditure Control Act before us, which provided a $1 million exemption; I was opposed to the exemption. I would have been happier without that, but at that time it was a matter of taking at least a partial restraint and restriction on the use of the industrial development bonds, or having the situation continued as it has in late years, which was becoming more and more of a racket.

In this conference we were faced, of course, again with another proposal to whittle away at the restrictions that were adopted in the amendment to a Revenue and Expenditure Control Act.

I think, however, that if my colleague, the gentleman from Wisconsin—and it is pleasant to find him in agreement on the issue—will examine the conditions that we were able to put in in the conference on the use of the $5 million exemption, he will find that it is not an unlimited $5 million exemption. Many of these $5 million issues of the past would not qualify because of conditions that are imposed on the use of the $5 million exemption.

So there still is restraint. I must admit that I am not happy with it. I refused to go along with it. But as we all know, in a conference it is a matter of trying to reach an agreement between two bodies. We had in this particular conference some very vital pieces of legislation. We had the continuation of the Renegotiation Act. While I might change some provisions of the Renegotiation Act, I do not think this is the time to eliminate the renegotiation as a basic policy of Government.

We also had in this particular conference agreement the extension of the Coffee Agreement. I think we ought at least experiment a little longer with it. I think it has a potential for good for the consumer in this country.

So this was a matter of whether you must weigh going along with one item against throwing out all of the good. So I did agree with the chairman and the other conferees that I would sign the conference report.

Let me say, I was concerned at that time, as I think some others were, as to whether the Senate would agree to some of these restrictions on the $5 million because their conferees were determined to eliminate $1 million and substitute $5 million without restriction. I think there was a victory in the fact that we have put these restrictions on the use of the $5 million. Those who take the position that the gentleman from Wisconsin [Mr. Reuss] does—and I take—will find that it is not just a $5 million exemption, but there are some very basic restrictions which I would hope will hold the matter down.

But I would point out, though—since it has already been suggested by the chairman, that there may be other liberalization that we should add to the present law by definition—unless definitions that we have in the law today are definitions which restrict the use of municipal borrowing for truly municipal purposes—and I doubt that—I will be opposed.

I will say to my colleagues and others who are concerned over the expansion of the industrial development bond business that we do have to be alert to resist any effort to scuttle the whole amendment by changing the definition, and thus make everything eligible as a municipal function.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS. My friend as usual has described exactly the situation that we have in mind, that we might possibly have taken in areas that we did not intend at all to take in because they have no relation to industrial development.

Mr. BYRNES of Wisconsin. I would certainly agree that as to a normal municipal function, they should be entitled to issue tax exempt securities. I do not believe that the existing definition forecloses that right. I am worried that some of the proponents would change the definitions to defeat what we have accomplished. I would say to my chairman, frankly, that if his bill were enacted into law, we might as well start all over again. We would start all over again having industrial bonds issued for everything under the sun.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to my colleague from Wisconsin.

Mr. REUSS. I merely wish to interrupt a very perceptive discourse to congratulate the gentleman from Wisconsin [Mr. Byrnes] on his very long fight against abuse of these municipal industrial bonds. He has explained the situation with which he was confronted in conference. I wish to commend him for fighting the good fight. It was not possible to win in the conference, but his efforts are appreciated on this side as well as on the other side.

Mr. BYRNES of Wisconsin. I thank the gentleman. I do wish to issue a word of warning that the fight is not yet over. We still have some forces that are intent on undoing what was done in the amendment that was adopted as part of the Revenue and Expenditure Control Act.

Mr. Speaker, in spite of the disagreement in this area, what the Senate did, and really what the conference finally had to end up accepting, even with restrictions, I do accept in the conference report. I think it would be a very serious error if this conference report was turned down, if the Renegotiation Act was permitted to expire and if the Coffee Agreement was permitted to expire. And I would plead with my colleagues to accept the conference report.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the chairman, the gentleman from Arkansas.

Mr. MILLS. The third important item in this is the conference language relative to the Antidumping Act and the International Antidumping Code.

Mr. BYRNES of Wisconsin. I almost forgot to say something about that, and I am glad the gentleman mentioned it. It believe there is no question but that the executive branch, in entering an agreement, has attempted to restrict the Tariff Commission in its interpretation of the basic law of the land. Their effort was to impose on the Tariff Commission a definition of an industry and of injury more restrictive than what is provided by the basic antidumping law and by such definition make it more difficult, and in many cases impossible, to obtain countervailing duties. The agreement would make it difficult, if not impossible, to give relief in cases where today it might be possible to find dumping and to impose a countervailing duty.

I believe the compromise we arrived at here was a good compromise. I would only hope that the Tariff Commission recognizes that the intention is that they have just as much latitude in determining whether injury takes place or what is an industry in applying the antidumping law as they had before this agreement was entered into, because it is that latitude of discretion that is the law of this land, not the restrictive definition that is contained in the agreement.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BOGGS. Mr. Speaker, I rise in support of the conference report on H.R. 17324. In particular, I wish to discuss briefly title II, which relates to the International Antidumping Code.

Together with the other outstanding achievements of the Kennedy round, I support the International Antidumping Code. It is of decided benefit to U.S. trade to have a common set of rules applied by the major trading countries in the field of dumping. I feel that the code represents a significant effort to avoid potentially serious nontariff barriers—the area in which much work remains to be done if international trade is to keep open and growing.

I was therefore especially concerned when the Senate saw fit to approve an amendment to the bill extending the Renegotiation Act which would have had two serious consequences. First, it would have forced the United States to repudiate the International Antidumping Code. Second, it would have tied the hands of the Treasury Department and the Tariff Commission in administering the Antidumping Act.

I am now pleased to be able to report that the conference committee acted wisely, in my judgment, and rejected both parts of the Senate amendment. Instead, it substituted a provision which accommodates the proper interests and responsibilities of both the Congress and the Executive.

It is clear to me, as a conferee who partcipated in every discussion on this issue, that title II constitutes congressional recognition of the International Antidumping Code. That is, instead of rejecting the code, it accepts it. It is noteworthy, for example, that subsection (a)(2) expressly directs both the Treasury Department and the Tariff Commission to take the code into account in administering the act. Moreover, subsection (b)(2) clearly envisages that the code will be applied by both administering agencies. This means, in effect, that the code is given a statutory status.

At the same time, title II delineates the bounds within which the code is to be applied. The International Antidumping Code is, after all, not a treaty but an executive agreement. As such it is established, as a matter of law, that it cannot change or alter an existing statute—in this case, the Antidumping Act, 1921.

Title II, therefore, sets forth two basic propositions. First, the code is to be applied only insofar as it is consistent with the Antidumping Act. Second, any conflict between the code and the act must be resolved in favor of the act. Thus, these two propositions should reassure those who have doubts about this question—affirming what is, under the Constitution, the necessary relationship between an executive agreement and a Federal statute.

Title II also provides that nothing in the International Antidumping Code shall be construed to restrict the discretion of the Tariff Commission. Within the context of the whole provision, I understand this to mean that, while the Tariff Commission is to take the code into account—as subsection (a)(2) clearly says—nevertheless there must be no restraint upon the ability of the Tariff Commission to consider independently and objectively the question of the consistency between the act and the code in making specific determinations with respect to injury.

I would also note the clause "as applied by the agency administering the act," which appears at the end of subsections (a)(1) and (a)(2). At no time in the conference committee was there even a suggestion that "as applied" meant "only as it has been applied in the past." Such a highly restrictive meaning would, in effect, have revived subsection (a)(1) of the original Senate amendment, which was stricken in conference. I think the only reasonable approach is to interpret "as applied" to mean "as it has been and will be applied," in order to give the administering agencies the ability to make the most appropriate determinations, in light of whatever regulations are in force at the time. I should add that even the attempt of the original Senate amendment to tie the Tariff Commission down to prior cases or precedents was illusory. The fact is that there are virtually no precedents established in this field by the Tariff Commission. Individual Commissioners have typically considered dumping cases in light of the peculiar facts of each case, with little attempt to establish legal principles concerning the question of injury.

As a whole, title II strikes me as a constructive accommodation of two legitimate interests. On the one hand, the provision gives statutory recognition to the code and thus permits us and the other countries to work with it. Problems may arise in the application of the code, but at least this provision does not prematurely kill the code as the original Senate amendment would surely have done.

On the other hand, title II gives proper recognition to the primacy of the Antidumping Act and establishes the traditional limits within which the International Antidumping Code, as an executive agreement, is to be applied by the two agencies concerned. This affirmation of basic principles should leave no doubt about the relationship between the code and the act.

Accordingly, I think the way is clear for the United States to participate in the code together with the other signatories. Through actual experience, the provisions of the code can be tested and appraised. This will permit all parties concerned to judge the merits of the International Antidumping Code and its contribution to the liberalization of international trade.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CURTIS. Mr. Speaker, I wish to comment on that part of the conference report which concerns the International Antidumping Code. The conference agreement on this issue constitutes a compromise which, in my judgment, permits U.S. implementation of the code.

As I have said in the past, I regard the code as a commendable and beneficial forward step in dealing with nontariff barriers. In particular, it constitutes a significant effort in harmonizing various national antidumping laws—and harmonizing them largely in terms of the substantive and procedural aspects of our own Antidumping Act.

As a result, the code is of real advantage to our exporters. They can now expect fair treatment when a dumping charge is brought against them. Moreover, they can anticipate that an objective test of injury to a domestic industry will be applied before dumping duties are actually imposed.

Repudiation and collapse of the code would have deprived U.S. exporters of these valuable benefits. Moreover—and this was an even greater concern of mine—it would have made considerably more difficult any future U.S. effort to grapple with a nontariff barrier through multilateral negotiation. Surely no other country would have been encouraged under these circumstances to rely on our word again.

I am therefore pleased with the conference agreement. In the first place, both parts of the original Senate amendment were deleted. That is, the Senate conferees receded not only from the part repudiating the code but also from the part which would have frozen the administration of the Antidumping Act in terms of past precedents and regulations and repealed two longstanding practices of the Treasury Department. The latter was only partially related to the code and was, I think, an unfortunate effort to rigidify the administration of the act.

The final agreement constitutes a complete substitute for the original Senate amendment. It is, as I have said, in the nature of a compromise and reflects the respective concerns of the House and Senate conferees.

As a general matter, I think it fair to say that the House conferees were opposed to any action which would have undermined the code. Their position was taken in light of the fact that most of the other signatories have ratified the code and that the code entered into force on July 1, 1968. For the United States to withdraw in this situation could have had a serious impact upon our trade relations with other countries.

At the same time, the Senate conferees were clearly concerned about the relationship between the International Antidumping Code and our Antidumping Act and whether the code was in all respects compatible with the act. It is my own feeling that the language of the two documents is such that they can be fairly construed in harmony with each other. As I see it, the code basically supplies those criteria which a reasonable man would probably use in applying such abstract concepts as industry, injury, and casualty. Nevertheless, I recognize that there can be an honest difference of opinion about such matters.

The final conference agreement reflects these two respective concerns. On the one hand, section 201(a) clearly gives a statutory status to the code. In fact, the two administering agencies are enjoined to take it into account in administering the Antidumping Act. In this way, the provision gives the code domestic force and assures that the United States will be able to obtain the advantages it offers to our exporters. In particular, I would hope that Canada will now proceed promptly to obtain its own implementing legislation.

On the other hand, section 201(a) also makes it quite clear that the code can have absolutely no force and effect beyond the bounds established by the Antidumping Act. It does so by providing that any conflict between the code and the act shall be resolved in favor of the act and that the code is to be taken into account only insofar as it is consistent with the Antidumping Act. As I have said before, I see no inconsistencies and hence these provisions have only a declaratory significance for me. For those who believe there are inconsistencies, however, these provisions have an inhibiting effect. In either case, they express basic principles of law about which there can be no question.

Fundamentally, of course, it is for the Treasury Department and for the Tariff Commission—and even individual Commissioners—to decide, after taking the code into account, whether there is an inconsistency in a particular case. The need to maintain this basic discretion was recognized, I think, by all the conferees and is emphasized in the first clause of section 201(a). In this way, I think, the conference agreement balances the need to give the code domestic effect and the need to assure that there is an ultimate freedom to disregard the code if an irreconcilable conflict is found between the act and the code.

In short, the way is now clear to give the code a fair test. Through the work of the Committee on Anti-Dumping Practices provided for by the code itself, as well as the annual report of the President called for by section 201(b), we should be in a position to make an informed judgment on the degree to which it has achieved its very worthwhile goals.

Mr. MILLS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. REUSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make a point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 199, nays 44, not voting 188, as follows:

[Roll No. 423]

YEAS—199

Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Baring
Bates
Battin
Betts
Boland
Bolling
Bolton
Brasco
Brinkley
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Byrnes, Wis.
Cahill
Cederberg
Chamberlain
Clawson, Del
Cleveland
Cohelan
Collins
Colmer
Conable
Conte
Corbett
Culver
Daddario
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Derwinski
Dole
Donohue
Dorn
Dowdy
Downing
Duncan
Edmondson
Esch
Eshleman
Feighan
Findley
Flood
Flynt
Foley
Frelinghuysen
Friedel
Fulton, Pa.
Garmatz
Gathings
Gilbert
Gonzalez
Goodling
Griffin
Griffiths
Grover
Hagan
Hall
Hansen, Wash.
Hardy
Hathaway
Hechler, W. Va.
Horton
Hosmer
Hunt
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Jones, Ala.
Jones, Mo.
Karth
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Kelly
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Leggett
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Lloyd
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Lukens
McCloskey
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McCulloch
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Passman
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Pepper
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Sandman
Satterfield
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Scherle
Schneebeli
Shriver
Skubitz
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Smith, Iowa
Smith, N.Y.
Springer
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Steed
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Taft
Talcott
Teague, Calif.
Tenzer
Thompson, Ga.
Tiernan
Vander Jagt
Vigorito
Waggonner
Wampler
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Halpern
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Kornegay
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Brown, Calif.
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Bush
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Cabell
Carey
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Casey
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Vanik
Waldie
Walker
Watkins
Whitener
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Young
Zion

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Gerald R. Ford.
Mr. Aspinall with Mr. Halleck.
Mr. Annunzio with Mr. Morse of Massachusetts.
Mr. Miller of California with Mr. Adair.
Mr. Ashmore with Mr. Quillen.
Mr. Giaimo with Mr. Broomfield.
Mr. Hull with Mr. Minshall.
Mr. Holifield with Mr. Rhodes of Arizona.
Mr. Roberts with Mr. Clancy.
Mr. Brooks with Mr. Berry.
Mr. Barrett with Mr. Ayres.
Mr. Nix with Mr. Ottinger.
Mr. Eilberg with Mr. Michel.
Mr. Evins of Tennessee with Mr. Martin.
Mr. Nichols with Mr. Roudebush.
Mr. Moorhead with Mr. Cunningham.
Mr. Celler with Mr. Stafford.
Mr. Boggs with Mr. Bow.
Mr. Johnson of California with Mr. Mailliard.
Mr. Kirwan with Mr. Utt.
Mr. Kluczynski with Mr. Brock.
Mr. McFall with Mr. Cramer.
Mr. Kyros with Mr. Broyhill of North Carolina.
Mr. Walker with Mr. Collier.
Mr. Teague of Texas with Mr. Don H. Clausen.
Mr. Green of Pennsylvania with Mr. Harvey.
Mr. St Germain with Mr. Keith.
Mr. Staggers with Mr. Belcher.
Mr. Stratton with Mr. Bob Wilson.
Mr. Pickle with Mr. Burke of Florida.
Mr. Fisher with Mr. Harrison.
Mr. Fascell with Mr. Cowger.
Mr. Rogers of Colorado with Mr. Denney.
Mr. Hanna with Mr. Edwards of Alabama.
Mr. Fallon with Mr. Smith of California.
Mr. Hamilton with Mr. Dickinson.
Mr. Patman with Mr. Kyl.
Mr. Galifianakis with Mr. Snyder.
Mr. Haley with Mr. Curtis.
Mr. Murphy of New York with Mr. Mosher.
Mr. Morris of New Mexico with Mr. Bush.
Mr. Young with Mr. Devine.
Mr. Wolff with Mr. Railsback.
Mr. Whitener with Mr. Watkins.
Mr. Jones of North Carolina with Mr. Hansen of Idaho.
Mr. Joelson with Mr. Zion.
Mr. Barrett with Mr. Robison.
Mr. Bevill with Mr. Erlenborn.
Mr. Carey with Mrs. Dwyer.
Mr. Dent with Mr. Pollock.
Mr. Nedzi with Mr. Gurney.
Mr. Moss with Mr. McEwen.
Mr. Gallagher with Mr. Hammerschmidt.
Mr. Gettys with Mr. Carter.
Mr. Gray with Mr. Kleppe.
Mr. Hawkins with Mr. Bell.
Mr. Hays with Mr. Gross.
Mr. Selden with Mr. Pettis.
Mr. Shipley with Mr. Gardner.
Mr. Sikes with Mr. Thomson of Wisconsin.
Mr. Howard with Mr. Burton of Utah.
Mr. Hicks with Mr. Ruppe.
Mrs. Sullivan with Mr. Button.
Mr. Sisk with Mr. Wiggins.
Mr. Clark with Mr. Schweiker.
Mr. Carey with Mr. McClory.
Mr. Meeds with Mr. Biester.
Mr. Madden with Mr. Blackburn.
Mr. Wright with Mr. Reinecke.
Mr. Vanik with Mr. Schadeberg.
Mr. Thompson of New Jersey with Mr. Scott.
Mr. Hungate with Mr. Fino.
Mr. Ichord with Mr. Steiger of Arizona.
Mr. Blanton with Mr. Reifel.
Mr. Landrum with Mr. Moore.
Mr. Charles H. Wilson with Mr. Mathias of Maryland.
Mr. Abbitt with Mr. Langen.
Mr. Henderson with Mr. Kuykendall.
Mr. Edwards of California with Mr. Kupferman.
Mr. Edwards of Louisiana with Mr. Smith of Oklahoma.
Mr. Evans of Colorado with Mr. Olsen.
Mr. Everett with Mr. Corman.
Mr. Dow with Mr. O'Hara of Illinois.
Mr. Rees with Mr. William D. Ford.
Mr. Waldie with Mr. Macdonald of Massachusetts.
Mr. Casey with Mr. Brown of California.
Mr. Blatnik with Mr. Tunney.
Mr. Cabell with Mr. Burton of California.
Mr. Jacobs with Mr. Ullman.
Mr. Montgomery with Mr. Helstoski.
Mr. Roush with Mr. Resnick.
Mr. McCarthy with Mrs. Green of Oregon.
Mrs. Mink with Mr. King of California.
Mr. Karsten with Mr. Willis.

Mr. ECKHARDT, Mr. DANIELS, Mr. BYRNE of Pennsylvania, and Mr. HALPERN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AUTHORITY FOR THE SPEAKER TO DECLARE RECESSES TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that during the remainder of the day it may be in order *for the Speaker to declare recesses subject to the call of the Chair.*

The SPEAKER pro tempore (Mr. Rooney of New York). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 20300. An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 20300) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Holland, Mr. Pastore, Mr. Russell, Mr. Hill, Mr. Stennis, Mr. Byrd of West Virginia, Mr. McGee, Mr. Mundt, Mr. Young of North Dakota, Mr. Kuchel, and Mr. Allott to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3531. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis.

CONFERENCE REPORT ON H.R. 653, DUTY ON CERTAIN NONMALLEABLE IRON CASTINGS AND FABRICS IN CHIEF WEIGHT OF WOOL

Mr. MILLS. Mr. Speaker, I call up the *conference report on the bill (H.R. 653)* to amend the Tariff Schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings, and ask unanimous consent that the statement of the managers on the *part of the House be read in lieu of the* report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1949)

*The committee of conference on the dis*agreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 653) to amend the Tariff Schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings, having met, after full and free conference, *have agreed to recommend and do recom*mend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with the following amendments:

On page 3, line 16, of the Senate engrossed *amendments strike out "parts 3 and" and in*sert the following: "part 3 (other than fabrics valued over $2 per pound provided for in item 337.50) and in part".

On page 5 of the Senate engrossed amendments strike out line 3 and all that follows thereafter down through line 8 on page 6 and *insert the following:*

"Sec. 3. (a) The Secretary of the Treasury is authorized and directed to admit free of duty one mass spectrometer, and all equipment, parts, accessories, and appurtenances for such spectrometer which accompany it, imported for the use of Utah State University.

"(b) Upon request therefor filed with the customs officer concerned on or before the 120th day after the date of the enactment of this Act, the entry or withdrawal of the articles described in subsection (a) shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated in accordance with the provisions of subsection (a)."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

W. D. MILLS,
HALE BOGGS,
FRANK KARSTEN,
JOHN W. BYRNES,
TOM CURTIS,
Managers on the Part of the House.

RUSSELL B. LONG,
GEORGE SMATHERS,
CLINTON P. ANDERSON,
JOHN WILLIAMS,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 653) to amend the Tariff Schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill as passed by the House would establish a duty of 3 percent ad valorem (the rate applicable before August 31, 1963, the effective date of the Tariff Schedules of the United States) with respect to unfinished nonmalleable cast iron parts for certain machinery. Such parts under existing law are dutiable at 10 percent ad valorem. The first section of the Senate amendment would retain the article description in the House bill for such parts except for language describing certain processes not deemed to be advancements in manufacture with respect to such parts (which language, under the House bill but not the Senate amendment, would also apply with respect to nonmalleable iron castings for machine tools under item 674.51 of the Tariff Schedules) and would (consonant with tariff concessions granted during the Kennedy Round) apply a duty of 2.5 percent ad valorem for entries of such parts made in 1968, 2 percent ad valorem for entries made in 1969 and 1970, and 1.5 percent ad valorem for entries made in 1971 and thereafter. The House bill contains a provision which would permit entries of such parts made after August 30, 1963, and on or before the effective date of the bill to be liquidated or reliquidated at the rate of 3 percent ad valorem. A similar provision is in the Senate amendment except that entries made during 1968 and before such effective date would be liquidated or reliquidated at the rate of 2.5 percent ad valorem. The conference substitute adopts the first section of the Senate amendment.

Section 2 of the Senate amendment would add a new section to the House bill under which fabrics provided for in parts 3 and 4 of schedule 3 of the Tariff Schedules (relating to woven fabrics and fabrics of special construction or for special purposes) in chief weight of wool, whether or not in chief value of wool, would be dutiable at the applicable wool fabric rate. Under the Senate amendment a fabric would be deemed to be in chief weight of wool if the weight of the wool component is greater than the weight of each other textile component of the fabric. The Senate amendment would also add a duty of 37.5 cents per pound to the existing Column 1 rate of 32 percent ad valorem on the following fabrics provided for in items 355.70, 356.30, and 359.30 of the Tariff Schedules: (1) woven or knit fabrics (except pile or tufted fabrics) of wool, coated or filled with rubber or plastics material or laminated with sheet rubber or plastics, (2) woven or knit fabrics (except pile or tufted fabrics) of wool, coated or filled, not specifically provided for in the Schedules, and (3) textile fabrics, including laminated fabrics of wool, not specifically provided for in the Schedules. Under the conference agreement the provisions of the Senate amendment are retained except that fabrics provided for under item 337.50 of the Tariff Schedules (relating to certain wool-silk fabric), if valued over $2 per pound, are exempt from the chief weight of wool test.

Section 3 of the Senate amendment would add a new section to the bill as passed by the House amending the Tariff Act of 1930 to provide that no provision of such Act, or regulation promulgated thereunder, shall be construed to prevent any State from regulating the transportation or importation for delivery or use therein of intoxicating liquors. This section of the Senate amendment is omitted from the conference substitute. While the conferees on the part of the House agree with the purpose of this amendment (i.e., to assist a State in regulating the traffic of alcoholic beverages which are purchased in that State and transported, without payment of State taxes, to a foreign country ostensibly for consumption there, but are illicitly brought back into that State), they do not believe that this amendment would extend or clarify the existing authority which the States have with respect to the control of alcoholic beverages.

Under section 4 of the Senate amendment the Secretary of the Treasury would be authorized to admit free of duty certain items of scientific and hospital equipment imported for the use of certain institutions. Since a question as to whether or not like items are available from domestic manufacturers was not satisfactorily resolved, the conferees agreed not to retain the provisions of section 4 of the Senate amendment in the conference substitute except with respect to a mass spectrometer imported for the use of Utah State University. Duty free treatment for this spectrometer was provided the University under a prior law but request for refund of duties paid was not made during the period of time prescribed under such law.

W. D. MILLS,
HALE BOGGS,
FRANK KARSTEN,
JOHN W. BYRNES,
TOM CURTIS,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, in approving H.R. 653, the Senate made certain technical amendments to the House-passed bill and, in addition, added three other amendments.

NONMALLEABLE IRON CASTINGS

As the Members will recall, the bill as unanimously approved by the House on March 14, 1967 (H. Rept. No. 111), provided that certain unfinished nonmalleable iron castings would be dutiable at the rate applicable to such castings prior to the new tariff schedules. The Senate amendments to the original House bill are technical in nature and would remove certain descriptive language with regard to the processing of such iron parts which is considered to be unnecessary to achieve the objective of the bill.

Further, the technical amendments, in recognition of the passage of time since the bill was approved by the House, would recognize and provide for the tariff concessions granted during the Kennedy round of trade negotiations, including provision for the reliquidation of entries at the appropriate rate of duty under the new tariff schedules. The House conferees agreed to the Senate amendments as consistent with the intent of the original bill as unanimously agreed to in the House.

FABRICS IN CHIEF WEIGHT OF WOOL

The second Senate amendment would add a new section to the House bill under which fabrics provided for in parts 3 and 4 of schedule 3 of the tariff schedules—relating to woven fabrics and fabric of special construction or for special purposes—in chief weight of wool whether or not in chief value of wool would be dutiable at the applicable wool fabric rate. Under this amendment, a fabric would be deemed to be in chief weight of wool if the weight of the wool component is greater than the weight of each other textile component of the fabric. The Senate amendment would also add a duty of 37.5 cents per pound to the existing column 1 rate of 32 percent ad valorem on fabrics provided for in items 355.70, 356.30, and 359.30 of the tariff schedules which would result in wool fabric rates of duty being made applicable to certain fabrics of wool which have been laminated or coated with rubber or plastics or with other textile fabrics.

The Senate amendment is based on a suggestion contained in a study made by the Tariff Commission at the request of the Committee on Ways and Means in reference to a tariff loophole problem. Tariff avoidance practices have necessitated legislative amendment of the wool tariff schedules in a number of instances in recent years. This tariff loophole problem has involved, for the most part, practices of foreign exporters and importers with respect to certain fabric which contains reused or reprocessed wool but because of the high value of the other fibers blended with such wool may be dutiable at lower rates of duty than would apply if the fabric were imported as wool fabric in chief value of wool.

The Committee on Ways and Means did not have an opportunity to consider in detail this suggestion contained in a report to the committee by the Tariff Commission. However, it is believed that the provision would substantially and—we hope—permanently solve the recurring tariff avoidance problem with respect to fabrics essentially of low value, reprocessed wool being manipulated in such a way as to avoid the regular tariffs on wool fabrics. In recognition of certain traditional trade in high value fabric of wool-silk blends, the conferees agreed to a House amendment to the Senate amendment which provides that the chief weight of wool test would not apply to fabrics provided for under item 337.50 of the schedules relating to wool-silk fabrics if value over $2 per pound.

TRADE IN TAX-FREE LIQUOR

The third Senate amendment would add a new section to the Tariff Act to provide that no provision of such act or regulation promulgated thereunder shall be construed to prevent any State from regulating the transportation or importation for delivery or use therein of intoxicating liquors. The House conferees were sympathetic to the intent of this amendment which is to assist the States in regulating the traffic in alcoholic beverages which are purchased in the United States ostensibly for consumption in a foreign country but which may be illicitly brought back into the United States without payment of the State taxes. It was the view of the House conferees, however, that this amendment would not in any way extend or clarify the existing authority of the States with respect to the control of alcoholic beverages. Therefore, this Senate amendment is omitted from the conference proposal.

HOSPITAL AND SCIENTIFIC EQUIPMENT

The fourth Senate amendment provides for the duty-free treatment of four hydraulic operating tables for use in the Hospital for Crippled Children in Newington, Conn., of a mass spectrometer for Arizona State University, and of a mass spectrometer for Utah State University. The House conferees agreed with only one of these provisions with respect to the mass spectrometer for Utah State University. The duty-free treatment for the mass spectrometer for Utah State University was provided for under a prior law but the request for refund of duties paid was not made during the period of time prescribed under the prior law. With regard to the other provisions, the House conferees followed their usual course of checking with regard to the availability of such equipment from our domestic producers. Because this question was not satisfactorily resolved with respect to either the four hydraulic operating tables or the mass spectrometer for Arizona State University, the conference agreement omitted provisions for duty-free treatment for this equipment.

Mr. BOLAND. Will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I want to compliment the conferees on this bill for maintaining intact section II of the amendment added by the Senate Finance Committee.

Designed to clear away a major inequity in the duty schedules now applied to imported fabrics, section II would revise these schedules to subject cloth in chief weight of wool to the same fabric duties as cloth in chief value of wool. Under the provisions of section II a fabric would be judged in chief weight of wool if the weight of the wool component is greater than the weight of each other textile component in the fabric. The section, moreover, would add a duty of 37.5 cents per pound to the existing column 1 rate of 32 percent ad valorem on certain woven or knit fabrics treated with rubber, plastics, or other comparable materials.

Section II of the Senate amendment would eliminate what has been aptly described as a loophole in our tariff laws. The section, even more significantly, would grant a new measure of financial justice to a large section of the country's wool industry.

The following letter from the Charlton Woolen Co. of Charlton City, Mass., makes clear the importance of section II to that firm and to hundreds of other wool firms throughout the United States:

CHARLTON WOOLEN CO.,
Charlton City, Mass., September 16, 1968.

Hon. EDWARD P. BOLAND,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BOLAND: I am writing to request your urgent support of the Bill affecting Nonmalleable Iron Castings (H.R. 653) to which the Senate Finance Committee has added an amendment which would subject cloth in chief *weight* of wool to the same wool fabric duties as cloth in chief *value* of wool. While the Senate Finance Committee has reported this bill out, it has yet to be called out by Chairman Long, and still must go before the House. The bill has the support of the Commerce and Labor Departments, and is absolutely vital to the economic well being of the people of Charlton. Anything you can do to expedite passage by Congress of this bill will be greatly appreciated.

Sincerely,
CHARLTON WOOLEN CO.,
R. REED GRIMWADE, *Treasurer.*

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to revise and extend their remarks prior to the adoption of the three conference reports that I have called up today.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 15147, TO AMEND THE IMMIGRATION AND NATIONALITY ACT

Mr. FEIGHAN submitted a conference report and statement on the bill (H.R. 15147) to amend the Immigation and Nationality Act to provide for the naturalization of persons who have served in combatant areas in active-duty service in the Armed Forces of the United States, and for other purposes.

CONFERENCE REPORT ON H.R. 3865 FOR RELIEF OF MAURITZ A. STERNER

Mr. TENZER. Mr. Speaker, I call up the conference report on the bill (H.R. 3865) for the relief of Mauritz A. Sterner and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. 1929)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3865) for the relief of Mauritz A. Sterner, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same.

ROBERT T. ASHMORE,
WILLIAM L. HUNGATE,
HENRY P. SMITH III,
Managers on the Part of the House.

PHILIP A. HART,
JOHN L. MCCLELLAN,
HIRAM L. FONG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3865) for the relief of Mauritz A. Sterner, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill as passed the House provided for payment to Mauritz A. Sterner in the amount of $25,000. The Senate amendment changed this amount to $50,000. Your conferees agreed to accept the Senate figure.

In the Senate, a companion bill, S. 530 for the relief of Mauritz A. Sterner, was the subject of a hearing before the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary. This hearing was held August 31, 1967. The claimant, Mauritz A. Sterner, appeared at that hearing and testified that approximately $51,000 was spent by him in developing and presenting his idea, and supplementary information was supplied to the Senate Committee in the form of tabulations by an accountant showing losses suffered by Mr. Sterner for the years 1945 through 1953 of $24,180, and for the years 1954 through 1962 of $26,957.83. In its report accompanying the bill, H.R. 3865 (S. Rept. No. 1179, 90th Cong., 2d), the Senate committee stated:

"The testimony before the Senate subcommittee indicated that Mr. Sterner has received no compensation for the many years of effort he devoted to conducting experiments on his idea, in developing a flame and water resistant paper suitable for blanket use and in fabricating and proving useful his idea. He has spent over $51,000 of his money for such purposes."

On the basis of this information, the House conferees agreed to accept the Senate figure.

ROBERT T. ASHMORE,
WILLIAM L. HUNGATE,
HENRY P. SMITH III,
Managers on the Part of the House.

Mr. TENZER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

INVESTIGATION AND STUDY OF HOUSING, AND NEW TOWN AND COMMUNITY DEVELOPMENT, AND GOVERNMENTAL FINANCIAL INSTITUTIONS AND CENTRAL BANKS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1304 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1304

Resolved, That, for the purpose of the studies and investigations specified in H. Res. 356, approved by the House of Representatives on March 7, 1967, the Committee on Banking and Currency is authorized to send not more than five members of such committee and three staff members to England, Ireland, Austria, Greece, Italy, France, Union of Soviet Socialist Republics, Germany, Sweden, Finland, and Holland, for the purpose of conducting an investigation and study of housing, and new town and community development, and government financial institutions and central banks as they relate to housing; and is further authorized to send not more than five members of such committee and three staff members to the Republic of China, India, Australia, Japan, Pakistan, Philippines, Thailand, Hong Kong, and Korea, to investigate and study housing and new community developments and development lending activities in which the United States participates.

Notwithstanding section 1754 of title 22, United States Code or, any other provision of law, local currencies owned by the United States shall be made available to the Committee on Banking and Currency of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

On page 1, line 6, after "France", strike out "Union of Soviet Socialist Republics".

The committee amendment was agreed to.

Mr. BOLLING. Mr. Speaker, I reserve my time, and I will yield half of my time to the gentleman from Ohio [Mr. Latta].

Mr. LATTA. Mr. Speaker, I am not in support of the resolution. I understand the resolution is going to pass, but I just want to point out to the Members of the House that this particular committee already has outstanding one travel resolution that they have not exhausted, House Resolution 1093. They are proposing to study new towns in Europe, and a trip is also planned to the Far East. They have had one in Europe on this subject. I am opposed to it.

Mr. Speaker, I yield back the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 152, nays 66, not voting 213, as follows:

[Roll No. 424]

YEAS—152

Abernethy
Albert
Anderson, Ill.
Andrews, N. Dak.
Ashley
Bingham
Boland
Bolling
Bolton
Brademas
Bray
Brinkley
Brown, Mich.
Buchanan
Burke, Mass.
Burleson
Byrne, Pa.
Cahill
Cohelan
Conable
Conte
Conyers
Corbett
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Derwinski
Dingell
Dole
Donohue
Downing
Dulski
Eckhardt
Edmondson
Esch
Eshleman
Feighan
Findley
Flood
Flynt
Ford, William D.
Fraser
Frelinghuysen
Friedel
Garmatz
Gathings
Gibbons
Gilbert
Gonzalez
Goodling
Griffin
Griffiths
Gubser
Hagan
Halpern
Hanley
Hansen, Wash.
Hardy
Hathaway
Hechler, W. Va.
Horton
Hosmer
Irwin
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Kastenmeier
Kazen
Kee
Kelly
Kornegay
Laird
Leggett
Lipscomb
Lloyd
Long, La.
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
MacGregor
Machen
Mahon
Mathias, Calif.
Matsunaga
May
Meskill
Minish
Mink
Monagan
Morgan
Morton
Murphy, Ill.
Natcher
O'Hara, Mich.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Perkins
Philbin
Pike
Pirnie
Poage
Price, Ill.
Pryor
Pucinski
Purcell
Quie
Reid, N.Y.
Reuss
Rhodes, Pa.
Riegle
Rivers
Rodino
Rooney, N.Y.
Rosenthal
Roybal
Sandman
St. Onge
Saylor
Scheuer
Schneebeli
Shriver
Skubitz
Slack
Smith, Iowa
Stanton
Steed
Stephens
Stubblefield
Stuckey
Tenzer
Tiernan
Udall
Van Deerlin
Vander Jagt
Waggonner
Watts
Whalen
Whalley
White
Whitten
Williams, Pa.
Yates
Zablocki

NAYS—66

Adams
Andrews, Ala.
Arends
Ashbrook
Bates
Battin
Bennett
Betts
Brotzman
Brown, Ohio
Broyhill, Va.
Byrnes, Wis.
Chamberlain
Clawson, Del
Cleveland
Colmer
Culver
Davis, Wis.
Dowdy
Duncan
Foley
Fountain
Grover
Gude
Hall
Hutchinson
Jarman
King, N.Y.
Latta
Lennon
Long, Md.
McMillan
Marsh
Mayne
Miller, Ohio
Mills
Mize
Myers
Nelsen
O'Konski
Poff
Price, Tex.
Randall
Rarick
Reid, Ill.
Rogers, Fla.
Roth
Rumsfeld
Satterfield
Scherle
Schwengel
Smith, N.Y.
Steiger, Wis.
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Tuck
Wampler
Watson
Winn
Wyatt
Wylie
Wyman
Zwach

NOT VOTING—213

Abbitt
Adair
Addabbo
Anderson, Tenn.
Annunzio
Ashmore
Aspinall
Ayres
Baring
Barrett
Belcher
Bell
Berry
Bevill
Biester
Blackburn
Blanton
Blatnik
Boggs
Bow
Brasco
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Burke, Fla.
Burton, Calif.
Burton, Utah
Bush
Button
Cabell
Carey
Carter
Casey
Cederberg
Celler
Clancy
Clark
Clausen, Don H.
Collier
Collins
Corman
Cowger
Cramer
Cunningham
Curtis
Denney
Dent
Devine
Dickinson
Diggs
Dorn
Dow
Dwyer
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Fino
Fisher
Ford, Gerald R.
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Gettys
Giaimo
Gray
Green, Oreg.
Green, Pa.
Gross
Gurney
Haley
Halleck
Hamilton
Hammerschmidt
Hanna
Hansen, Idaho
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Joelson
Johnson, Calif.
Jones, N.C.
Karsten
Karth
Keith
King, Calif.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyl
Kyros
Landrum
Langen
Lukens
McCarthy
McClory
McEwen
McFall
Macdonald, Mass.
Madden
Mailliard
Martin
Mathias, Md.
Meeds
Michel
Miller, Calif.
Minshall
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Nedzi
Nichols
Nix
O'Hara, Ill.
Olsen
Ottinger
Patman
Pelly
Pepper
Pettis
Pickle
Podell
Pollock
Quillen
Railsback
Rees
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Roberts
Robison
Rogers, Colo.
Ronan
Rooney, Pa.
Rostenkowski
Roudebush
Roush
Ruppe
Ryan
St Germain
Schadeberg
Schweiker
Scott
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Steiger, Ariz.
Stratton
Sullivan
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tunney
Ullman
Utt
Vanik
Vigorito
Waldie
Walker
Watkins
Whitener
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wydler
Young
Zion

So the resolution was agreed to.

Messrs. ADAMS, RUMSFELD, LONG of Maryland, and STEIGER of Wisconsin changed their votes from yea to nay.

Mrs. HANSEN of Washington changed her vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that a clerical error appearing on page 1, line 3, of the resolution just agreed to be corrected to read "March 8, 1967" instead of "March 7, 1967."

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

RELATING TO CREDITABLE SERVICE FOR RETIREMENT PURPOSES OF JOHN T. M. REDDAN

Mr. HARDY. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 1305 relating to creditable service for retirement purposes of John T. M. Reddan.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the resolution as follows:

H. Res. 1305

Resolved, That, for the purposes of subchapter III of chapter 83 of title 5, United States Code, and subject to sections 8334(c) and 8339(h) of such title, the period beginning on February 1, 1957, and ending at the close of December 31, 1962, during which John T. M. Reddan performed full-time service for the Committee on Government Operations of the House of Representatives pursuant to written contract with such committee, shall be held and considered to be a period of service performed by him as a congressional employee within the meaning of paragraph (1) of section 2107 of title 5, United States Code. The United States civil Service Commission shall accept the certification of the chairman of the Committee on Government Operations of the House of Representatives, or his designee, concerning such service for the purposes of this resolution.

With the following committee amendment:

On page 1, line 1, after "That," insert "until otherwise provided by law".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 20300, SUPPLEMENTAL APPROPRIATIONS, 1969

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. MAHON, WHITTEN, ROONEY of New York, PASSMAN, BOLAND, NATCHER, FLOOD, Mrs. HANSEN of Washington, Messrs. JONAS, LAIRD, CEDERBERG, LIPSCOMB, and SHRIVER.

PRESIDENT JOHNSON LAUNCHED A NEW ERA FOR CONSUMERS

Mrs. MINK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mrs. MINK. Mr. Speaker, on October 8, the New York Times said in an editorial:

> More progress has been achieved in protecting the consumer in the market place in the past five years than in any comparable period. President Johnson has provided skillful political leadership.

I would like to add to the tribute.

President Johnson has not only provided skillful political leadership in his program for the consumer, he has given the consumer the kind of personal attention that can come only from a President who is actively dedicated to meeting the needs of the people.

A great many of those needs have been met.

In the past 4 years, Congress has supported and passed 17 of the President's proposals that are of direct benefit to the consumer. Just in the past year alone, these bills went through at the rate of one a month. This is an unprecedented record. And we of the 90th Congress can take pride in it.

Because when we pass bills that benefit the consumer, we benefit everyone. We are all consumers. We all buy things. We all use things. And we all need services only the marketplace can offer.

That marketplace has become so vast, so complicated and so impersonal, the consumer needs help to assure him of his basic rights to safety, to choose, to be heard and to be informed.

The administrative measures that the President has taken and the bills that the President proposed and that we in Congress have passed have helped the consumer in all these areas. The consumer's right to safety has been strengthened by laws to reduce accidents on the highways, to prevent tragedies from flammable fabrics, to prevent children from being injured by dangerous toys, to reduce deaths and property losses from fires and natural gas pipeline explosions, to make certain that products used in the home are safe and not hazardous, to improve our laboratory clinics, and to give us more federally-inspected meat and poultry.

The consumer's right to choose and to be informed has been strengthened by the truth-in-packaging law and the truth-in-lending law.

The consumer's right to be heard was strengthened by the President just 6 weeks after taking office. In January 1964, he established the President's Committee on Consumer Interests so that the voice of the consumer would be "loud, clear, uncompromising and effective" in the highest councils of the Federal Government.

At the same time, he appointed Assistant Secretary of Labor Esther Peterson as his Special Assistant for Consumer Affairs, a post which was taken over last year by Betty Furness.

He also appointed a new 12-member Consumer Advisory Council consisting of university professors, home economics teachers, State officials, labor leaders and other civic-minded citizens to speak up for the consumer and recommend actions on his behalf.

I might also add that one of the biggest breakthroughs for the consumer came right here in Congress. The House Committee on Banking and Currency set up a Subcommittee on Consumer Affairs. And in 1966, the Chairman of the House Committee on Government Operations established within his Committee a Special Inquiry on Consumer Representation in the Federal Government, and the chairman of the Senate Commerce Committee created a consumer subcommittee.

I do not wish to imply that action to protect the consumer is something new in the Federal Government. It has been going on since the Constitution gave Congress the power to fix the standard of weights and measures. But what I want to make clear is that at no comparable time in history has the consumer moved forward as quickly or as successfully as he has during President Johnson's administration.

This progress has been apparent all over the country.

Just in the past year, consumer groups on a national, State, and local level increased from 29 to 45, and a new national organization, the Consumer Federation of America, came into being.

In response to public demand in the States, consumer fraud protection agencies over the past year increased from 16 to 26. And consumer councils from four to eight.

In short, we now have a consumer-conscious America—an America that has wakened to the fact that all its 200 million people are consumers, and that they all have a right to a fair and square deal in the American marketplace.

We have seen this happen because we in Congress have not been deaf to the demands of the people. We have been a consumer Congress. And we have supported a consumer President.

CONFERENCE REPORT ON H.R. 19908 FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATIONS, 1969

Mr. PASSMAN submitted the following conference report and statement on the bill (H.R. 19908) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

CONFERENCE REPORT (H. REPT. No. 1969)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 19908) "making appropriations for foreign

assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6 and 8.

That the House recede from its disagreement to the amendments of the Senate numbered 3 and 10; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$167,000,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$125,000,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$255,000,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$300,000,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$102,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 4.

OTTO E. PASSMAN,
JOHN J. ROONEY,
(except as to
title I),
JULIA BUTLER HANSEN,
JEFFERY COHELAN,
CLARENCE D. LONG,
GEORGE MAHON,
GARNER E. SHRIVER,
SILVIO O. CONTE,
CHARLOTTE T. REID,
DONALD W. RIEGLE, Jr.,
FRANK T. BOW,
Managers on the Part of the House.

JOHN O. PASTORE,
SPESSARD L. HOLLAND,
GALE W. MCGEE,
WILLIAM PROXMIRE,
RALPH YARBOROUGH,
GORDON ALLOTT,
MILTON R. YOUNG,
KARL E. MUNDT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at a conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 19908) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—FOREIGN ASSISTANCE

Funds appropriated to the President
Economic Assistance

Amendment No. 1.—*Technical cooperation and development grants:* Appropriates $167,000,000 instead of $150,000,000 as proposed by the House and $200,000,000 as proposed by the Senate.

Amendment No. 2.—*International organizations and programs:* Appropriates $125,000,000 instead of $119,000,000 as proposed by the House and $134,900,000 as proposed by the Senate.

The committee of conference is agreed that no part of this appropriation shall be available for U.N. Programs for Southern Africans.

Amendment No. 3.—*International organizations and programs, loans:* Appropriates $12,000,000 as proposed by the Senate.

Amendment No. 4.—*Alliance for Progress, technical cooperation and development grants:* Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $81,500,000, of which not less than $350,000 shall be available only for the Partners of the Alliance instead of $70,000,000 as proposed by the House and $90,000,000 as proposed by the Senate.

Amendment No. 5.—*Alliance for Progress, development loans:* Appropriates $255,000,000 instead of $200,000,000 as proposed by the House and $330,000,000 as proposed by the Senate.

Amendment No. 6.—*Alliance for Progress, Partners of the Alliance:* Deletes the appropriation of $350,000 as proposed by the Senate.

Amendments Nos. 7 and 8.—*Development loans:* Appropriates $300,000,000 instead of $265,000,000 as proposed by the House and $350,000,000 as proposed by the Senate; and restore language proposed by the House, which was stricken by the Senate, prohibiting the transfer of funds to the World Bank and its affiliates, and the Asian Development Bank.

TITLE II—FOREIGN ASSISTANCE (OTHER)

Amendment No. 9.—*Peace Corps:* Appropriates $102,000,000 instead of $100,000,000 as proposed by the House and $104,000,000 as proposed by the Senate.

TITLE III—EXPORT-IMPORT BANK OF THE UNITED STATES

Amendment No. 10.—*Limitation on administrative expenses:* Authorizes the use of not to exceed $12,000 for entertainment allowances for members of the Board of Directors as proposed by the Senate instead of $9,000 as proposed by the House.

OTTO E. PASSMAN,
JOHN J. ROONEY,
(except as to title I)
JULIA BUTLER HANSEN,
JEFFERY COHELAN,
CLARENCE D. LONG,
GEORGE MAHON,
GARNER E. SHRIVER,
SILVIO O. CONTE,
CHARLOTTE T. REID,
DONALD W. RIEGLE, Jr.
FRANK T. BOW,
Managers on the Part of the House.

Mr. PASSMAN. Mr. Speaker, I call up the conference report on the bill (H.R. 19908) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the statement.

Mr. PASSMAN (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading of the statement.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The SPEAKER. The gentleman from Louisiana is recognized for 1 hour.

Mr. PASSMAN. Mr. Speaker, I hope we may be able to establish two records this evening.

The first is bringing back from conference the lowest foreign aid program, as contained in title I of the bill, in the history of the program.

The other is the brevity with which we hope to dispose of the legislation.

The conference bill calls for $1,755,600,000 of new funds for title I, mutual security, for fiscal year 1969. This is $1,164,400,000 below the budget request. It is $229,220,000 below the authorizing legislation. The bill is $176,750,000 below the bill as it passed the Senate, and only $136.5 million above the bill passed by the House on September 19.

We believe this is a bill which should satisfy those of us who have been trying to bring the annual foreign aid appropriations contained in title I of the bill down to a reasonable amount.

Mr. Speaker, I yield now to the distinguished gentleman from Kansas [Mr. SHRIVER].

Mr. SHRIVER. Mr. Speaker, I want to concur in the remarks made by the distinguished chairman of the subcommittee and to state I am in agreement, as are other conferees on the minority side, unanimously, with the position taken by the conference. The figure agreed upon is, I believe, one favorable to the House position, as stated earlier, compared to the Senate bill.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the distinguished gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding.

My only question is, Would the gentleman outline just the one or two areas where the principal amount of the $136.5 million above the House-passed bill is located? I understand, from private information, it is with the Alliance for Progress primarily because of difficulties in Central and Latin America. Is that true?

Mr. PASSMAN. I shall be pleased to indicate the places where we increased the funds above the bill as it passed the House and the amount of the increase.

Technical assistance, $17 million.

International organizations, $6 million.

Indus Basin, $12 million.

Alliance technical assistance, $11.5 million.

Alliance development loans, $55 million.

Worldwide development loans, $35 million.

That makes a total increase of $136.5 million for title I activities over the House-passed bill.

In title II we added $2 million for the Peace Corps above the House bill. This makes a grand total of $138.5 million above the bill passed by this body on September 19. I will include in the RECORD at this point a table showing a detailed comparison of the various items contained in the bill:

FISCAL YEAR 1969 FOREIGN ASSISTANCE APPROPRIATION BILL

	New budget (obligational) authority, fiscal year 1968	Budget estimates of new (obligational) authority, fiscal year 1969	New budget (obligational) authority recommended in House bill, fiscal year 1969	New budget (obligational) authority recommended in Senate bill, fiscal year 1969	Conference action	Conference action compared with—			
						Appropriations, 1968	Budget estimate, 1969	House bill	Senate bill
TITLE I—FOREIGN ASSISTANCE									
Economic assistance:									
Technical cooperation and development grants	$180,000,000	$235,000,000	$150,000,000	$200,000,000	167,000,000	−$13,000,000	−$68,000,000	+$17,000,000	−$33,000,000
Surveys of investment opportunities	1,250,000	3,000,000	(1)	(1)	(1)	−1,250,000	−3,000,000		
American schools and hospitals abroad	11,500,000	15,100,000	14,600,000	14,600,000	14,600,000	+3,100,000	−500,000		
Special foreign currency program	*(5,986,000)*	*(5,100,000)*	*(5,100,000)*	*(5,100,000)*	*(5,100,000)*	*(−886,000)*	*(+2,000,000)*		
International organizations and programs	130,000,000	142,255,000	119,000,000	134,900,000	125,000,000	−5,000,000	−17,255,000	+6,000,000	−9,900,000
U.N. Children's Fund			1,000,000	1,000,000	1,000,000	+1,000,000	+1,000,000		
Loan program		12,000,000		12,000,000	12,000,000	+12,000,000		+12,000,000	
Supporting assistance	600,000,000	595,000,000	365,000,000	365,000,000	365,000,000	−235,000,000	−230,000,000		
Contingency fund	8,875,000	45,000,000	5,000,000	5,000,000	5,000,000	−3,875,000	−40,000,000		
Alliance for Progress:									
Technical cooperation and development grants	80,000,000	110,000,000	70,000,000	90,000,000	81,500,000	+1,500,000	−28,500,000	+11,500,000	−8,500,000
Partners of the Alliance	330,000			350,000		−330,000			−350,000
Development loans	389,000,000	515,000,000	200,000,000	330,000,000	255,000,000	−134,000,000	−260,000,000	+55,000,000	−75,000,000
Development loans	435,000,000	765,000,000	265,000,000	350,000,000	300,000,000	−135,000,000	−465,000,000	+35,000,000	−50,000,000
Administrative expenses:									
AID	56,365,000	58,775,000	51,000,000	51,000,000	51,000,000	−5,365,000	−7,775,000		
State	3,315,000	3,870,000	3,500,000	3,500,000	3,500,000	+185,000	−370,000		
Subtotal, economic assistance	1,895,635,000	2,500,000,000	1,244,100,000	1,557,350,000	1,380,600,000	−515,035,000	−1,119,400,000	+136,500,000	−176,750,000
Military assistance	500,000,000	420,000,000	375,000,000	375,000,000	375,000,000	−125,000,000	−45,000,000		
Total, title I, foreign assistance	2,395,635,000	2,920,000,000	1,619,100,000	1,932,350,000	1,755,600,000	−640,035,000	−1,164,400,000	+136,500,000	−176,750,000
TITLE II—FOREIGN ASSISTANCE (OTHER)									
Peace Corps	107,500,000	112,800,000	100,000,000	104,000,000	102,000,000	−5,500,000	−10,800,000	+2,000,000	−2,000,000
Limitation, administrative expenses	*(28,400,000)*	*(30,300,000)*	*(29,500,000)*	*(29,500,000)*	*(29,500,000)*	*(+1,100,000)*	*(−800,000)*		
Ryukyu Islands, Army, administration	15,078,000	20,772,000	20,772,000	20,772,000	20,772,000	+5,694,000			
Assistance to refugees in the United States	53,500,000	69,774,000	69,774,000	69,774,000	69,774,000	+16,274,000			
Migration and refugee assistance	5,500,000	5,485,000	5,485,000	5,485,000	5,485,000	−15,000			
Asian Development Bank		20,000,000	20,000,000	20,000,000	20,000,000	+20,000,000			
Inter-American Development Bank	300,000,000	505,880,000	505,880,000	505,880,000	505,880,000	+205,880,000			
International Development Association	104,000,000					−104,000,000			
Total, title II, foreign assistance (other)	585,578,000	734,711,000	721,911,000	725,911,000	723,911,000	+138,333,000	−10,800,000	+2,000,000	−2,000,000
TITLE III—EXPORT-IMPORT BANK									
Limitation, program activity	*(2,672,000,000)*	*(2,552,050,000)*	*(2,552,050,000)*	*(2,552,050,000)*	*(2,552,050,000)*	*(−119,950,000)*			
Limitation, administrative	*(4,190,000)*	*(4,932,000)*	*(4,932,000)*	*(4,932,000)*	*(4,932,000)*	*(+742,000)*			
Total, title III, Export-Import Bank	*(2,676,190,000)*	*2,556,982,000*	*(2,556,982,000)*	*(2,556,982,000)*	*(2,556,982,000)*	*(−119,208,000)*			
Grand total, all titles of the bill	2,981,213,000	3,654,711,000	2,341,011,000	2,658,261,000	2,479,511,000	−501,702,000	[2] −1,175,200,000	+138,500,000	−178,750,000

[1] Program authorized but with no specific authorized amount.

[2] It is tentatively estimated that these reductions will result in expenditure reductions of about $215,700,000 below budgeted expenditures.

Mr. LLOYD. Mr. Speaker, I voted against the foreign aid appropriation bill in the House. Since this carries a slightly higher appropriation after conference I cannot in good conscience vote for this conference report out of respect to the clear desire of the vast majority of the citizens of Utah's Second Congressional District who have appealed to me.

However, I vote thus with some regret and it is my strong hope that this program will be better understood and supported in the future because of better progress against waste and better knowledge communicated to thoughtful and responsible citizens.

Mr. PASSMAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The **SPEAKER.** The question is on the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SCHERLE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 125, nays 93, not voting 113, as follows:

[Roll No. 425]

YEAS—125

Adams
Albert
Anderson, Ill.
Arends
Ashley
Bates
Bolton
Brademas
Brotzman
Buchanan
Burke, Mass.
Byrne, Pa.
Byrnes, Wis.
Cohelan
Conable
Conte
Conyers
Corbett
Culver
Daddario
Daniels
Dawson
Dellenback
Derwinski
Dingell
Donohue
Downing
Dulski
Eckhardt
Edmondson
Esch
Feighan
Findley
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Garmatz
Gibbons
Gilbert
Gonzalez
Griffiths
Gubser
Gude
Halpern
Hanley
Hansen, Wash.
Hardy
Hathaway
Hechler, W. Va.
Horton
Hosmer
Irwin
Jones, Ala.
Karth
Kastenmeier
Kazen
Kee
Kelly
Laird
Leggett
McCloskey
McCulloch
McDade
MacGregor
Machen
Mahon
Mathias, Calif.
Matsunaga
Mayne
Minish
Mink
Monagan
Morgan
Morton
Murphy, Ill.
Nelsen
O'Hara, Ill.
O'Hara, Mich.
O'Konski
O'Neill, Mass.
Passman
Patten
Pelly
Perkins
Philbin
Pike
Pirnie
Price, Ill.
Pryor
Pucinski
Purcell
Quie
Reid, N.Y.
Reuss
Rhodes, Pa.
Riegle
Rivers
Rodino
Ronan
Rooney, N.Y.
Rosenthal
Roybal
Rumsfeld
St. Onge
Scheuer
Schneebeli
Schwengel
Shriver
Slack
Smith, Iowa
Smith, N.Y.
Stanton
Taft
Teague, Calif.
Tenzer
Tiernan
Udall
Van Deerlin
Whalen
Widnall
Yates
Zablocki

NAYS—93

Abernethy
Andrews, Ala.
Andrews, N. Dak.
Baring
Bennett
Betts
Bray
Brinkley
Brown, Mich.
Brown, Ohio
Burleson
Burton, Utah
Chamberlain
Clawson, Del
Cleveland
Colmer
Cramer
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dole
Dowdy
Duncan
Eshleman
Flynt
Fountain
Gathings
Griffin
Grover
Hagan
Hall
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
King, N.Y.
Kornegay
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McClure
McDonald, Mich.
McMillan
Marsh
May
Meskill
Miller, Ohio
Mills
Mize
Myers
Natcher
O'Neal, Ga.
Poage
Poff
Price, Tex.
Randall
Rarick
Reid, Ill.
Rogers, Fla.
Roth
Sandman
Satterfield
Saylor
Scherle
Skubitz
Steed
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Talcott
Taylor
Thompson, Ga.
Tuck
Vander Jagt
Waggonner
Wampler
Watson
Watts
Whalley
White
Whitten
Williams, Pa.
Winn
Wyatt
Wylie
Wyman
Zwach

NOT VOTING—113

Abbitt
Adair
Addabbo
Anderson, Tenn.
Annunzio
Ashbrook
Ashmore
Aspinall
Ayres
Barrett
Battin
Belcher
Bell
Berry
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bow
Brasco
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burton, Calif.
Bush
Button
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Clancy
Clark
Clausen, Don H.
Collier
Collins
Corman
Cowger
Cunningham
Curtis
Denney
Dent
Devine
Dickinson
Diggs
Dorn
Dow
Dwyer
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Fino
Fisher
Ford, Gerald R.
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Gettys
Giaimo
Goodling
Gray
Green, Oreg.
Green, Pa.
Gross
Gurney
Haley
Halleck
Hamilton
Hammerschmidt
Hanna
Hansen, Idaho
Harrison
Harsha
Harvey
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Joelson
Johnson, Calif.
Jones, N.C.
Karsten
Keith
King, Calif.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyl
Kyros
Landrum
Langen
Lukens
McCarthy
McClory
McEwen
McFall
Macdonald, Mass.
Madden
Mailliard
Martin
Mathias, Md.
Meeds
Michel
Miller, Calif.
Minshall
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Nedzi
Nichols
Nix
Olsen
Ottinger
Patman
Pepper
Pettis
Pickle
Podell
Pollock
Quillen
Railsback
Rees
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Roberts
Robison
Rogers, Colo.
Rooney, Pa.
Rostenkowski
Roudebush
Roush
Ruppe
Ryan
St Germain
Schadeberg
Schweiker
Scott
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Steiger, Ariz.
Stratton
Sullivan
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tunney
Ullman
Utt
Vanik
Vigorito
Waldie
Walker
Watkins
Whitener
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wydler
Young
Zion

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Boland for, with Mr. Casey against.

Mr. Nix for, with Mr. Ruppe against.

Mr. Burton of California for, with Mr. Everett against.

Mr. Morse of Massachusetts for, with Mr. Gettys against.

Mr. Celler for, with Mr. Haley against.

Mr. Cabell for, with Mr. Hull against.

Mrs. Dwyer for, with Mr. Hungate against.

Mr. Springer for, with Mr. Ichord against.

Mr. Wiggins for, with Mr. Montgomery against.

Mr. Mosher for, with Mr. Olsen against.

Mr. Clark for, with Mr. Sikes against.

Mr. Mathias of Maryland for, with Mr. Shipley against.

Mr. Wydler for, with Mr. Walker against.

Mr. Dent for, with Mr. Clancy against.

Mr. Evans of Colorado for, with Mr. Don H. Clausen against.

Mr. Erlenborn for, with Mr. Snyder against.

Mr. Fallon for, with Mr. Railsback against.

Mr. Fulton of Pennsylvania for, with Mr. Pettis against.

Mr. Farbstein for, with Mr. Collier against.

Mr. Fascell for, with Mr. Quillen against.

Mr. Fulton of Tennessee for, with Mr. Smith of Oklahoma against.

Mr. Gallagher for, with Mr. Cowger against.

Mr. Gray for, with Mr. Schadeberg against.

Mrs. Green of Oregon for, with Mr. Pollock against.

Mr. Hamilton for, with Mr. Fino against.

Mr. Podell for, with Mr. Kyl against.

Mr. Pickle for, with Mr. Goodling against.

Mr. Pepper for, with Mr. Gardner against.

Mr. Ottinger for, with Mr. Harsha against.

Mr. Moss for, with Mr. Hammerschmidt against.

Mr. Meeds for, with Mr. Watkins against.

Mr. McFall for, with Mr. Harrison against.

Mr. Kyros for, with Mr. Steiger of Arizona against.

Mr. McCarthy for, with Thomson of Wisconsin against.

Mr. Johnson of California for, with Mr. Reifel against.

Mr. Hébert for, with Mr. Adair against.

Mr. Annunzio for, with Mr. Rhodes of Arizona against.

Mr. Teague of Texas for, with Mr. Carter against.

Mr. Bow for, with Mr. Roberts against.

Mr. Aspinall for, with Mr. Martin against.

Mr. Miller of California for, with Mr. Ashbrook against.

Mr. Giaimo for, with Mr. Hunt against.

Mr. Brasco for, with Mr. Cunningham against.

Mr. Addabbo for, with Mr. Devine against.

Mr. Holifield for, with Mr. Battin against.

Mr. Kirwan for, with Mr. Lukens against.

Mr. Thompson of New Jersey for, with Mr. Denney against.

Mr. Barrett for, with Mr. Nichols against.

Mr. Green of Pennsylvania for, with Mr. Blackburn against.

Mr. Eilberg for, with Mr. Morris of New Mexico against.

Mr. Button for, with Mr. Henderson against.

Mr. Rostenkowski for, with Mr. Dickinson against.

Mr. Rogers of Colorado for, with Mr. Brock against.

Mr. Hanna for, with Mr. Ashmore against.

Mr. Mailliard for, with Mr. Jones of North Carolina against.

Mr. Biester for, with Mr. Whitener against.

Mr. Ryan for, with Mr. Broyhill of North Carolina against.

Mr. St Germain for, with Mr. Galifianakis against.

Mr. Murphy of New York for, with Mr. Edwards of Alabama against.

Mr. Madden for, with Mr. Bevill against.

Mr. Macdonald of Massachusetts for, with Mr. Broyhill of Virginia against.

Mr. Carey for, with Mr. Collins against.

Mr. Boggs for, with Mr. Blanton against.

Mr. Broomfield for, with Mr. Dorn against.

Mr. Moorhead for, with Mr. Burke of Florida against.

Mr. Cahill for, with Mr. Abbitt against.

Mr. Vanik for, with Mr. Utt against.

Mr. Vigorito for, with Mr. Smith of California against.

Mr. Charles H. Wilson for, with Mr. Fisher against.

Mr. Brooks for, with Mr. Fuqua against.

Mr. Joelson for, with Mr. Berry against.

Mr. Blatnik for, with Mr. Gurney against.

Mr. McClory for, with Mr. Hansen of Idaho against.

Mr. Anderson of Tennessee for, with Mr. Zion against.

Mr. Bingham for, with Mr. Reinecke against.

Mr. Corman for, with Mr. Minshall against.

Mrs. Heckler of Massachusetts for, with Mr. Kuykendall against.

Mr. Howard for, with Mr. Harvey against.

Mr. Hicks for, with Mr. Michel against.

Mr. Bell for, with Mr. Langen against.

Mr. Nedzi for, with Mr. Brown of California against.

Mr. Kluczynski for, with Mr. Willis against.

Mr. Jacobs for, with Mr. Herlong against.

Mr. Tunney for, with Mr. Landrum against.

Mrs. Sullivan for, with Mr. Staggers against.

Mr. Wolff for, with Mr. Edwards of Louisiana against.

Mr. Hays for, with Mr. Kleppe against.

Until further notice:

Mr. Evins of Tennessee with Mr. Gerald R. Ford.

Mr. Patman with Mr. Halleck.

Mr. Bingham with Mr. Belcher.

Mr. Roush with Mr. Bush.

Mr. Rees with Mr. Bob Wilson.

Mr. Rooney of Pennsylvania with Mr. Cederberg.

Mr. Edwards of California with Mr. Curtis.

Mr. Sisk with Mr. Gross.

Mr. Dow with Mr. Ayres.

Mr. Helstoski with Mr. Keith.

Mr. Resnick with Mr. McEwen.

Mr. Diggs with Mr. Kupferman.

Mr. King of California with Mr. Robison.

Mr. Waldie with Mr. Roudebush.

Mr. Hawkins with Mr. Schweiker.

Mr. Wright with Mr. Scott.

Mr. Young with Mr. Karsten.

Mr. Ullman with Mr. Selden.

Mr. O'KONSKI changed his vote from "nay" to "yea."

Mr. MESKILL changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

AMENDMENT IN DISAGREEMENT

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 4: Page 3, line 17, strike out "$70,000,000" and insert "$90,000,000".

MOTION OFFERED BY MR. PASSMAN

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 4 and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted, insert the following: "$81,500,000, of which not less than $350,000 shall be available only for the Partners of the Alliance:".

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the motion was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 10, 1968.

The Honorable The SPEAKER,
House of Representatives.

SIR: Desiring to be temporarily absent from my office, I hereby designate Mr. Billie Gene Hollowell, an official in my office, to sign any and all papers and do all other acts for me which he would be authorized to do by virtue of this designation and of Clause 4, Rule III of the House.

Respectfully yours,
W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

LEGISLATIVE PROGRAM FOR TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I desire to take this time to announce to the House that the Department of Defense appropriation bill, which contains about half of the budget, will be called up tomorrow, and it is imperative that all Members be here for the purpose of consideration of that bill.

DEPARTMENT OF DEFENSE APPROPRIATIONS—CONFERENCE REPORT

Pursuant to previous order of the House, Mr. MAHON submitted a conference report and statement on the bill (H.R. 18707) making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes.

WATER QUALITY IMPROVEMENT ACT OF 1968

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, I want to applaud the efforts of this body in passing, last Monday, the Water Quality Improvement Act of 1968. The bill was largely the product of Senator MUSKIE and stands as a most practical and immediate step toward stopping the real causes of pollution.

I have been concerned about the problem of pollution since early 1967 when my own Lake Michigan was starting to show the effects of man's carelessness. After considerable study it appeared that the causes of pollution in our waters stemmed from the discharge of untreated sewage from our cities, harmful chemical discharge from our factories, the discharge of oil from shore installations, boats and vessels, and the unrestricted discharge of raw sewage, trash and garbage from boats and vessels.

On October 26, 1967, I introduced H.R. 13708 and H.R. 13709 in the hopes of blocking these sources of pollution. I naturally thought my bills would prove effective in this area but I have not such pride of authorship that I cannot see that S. 3206 which we passed, does precisely the things I pointed out should be done.

I was pleased with section 18 of the bill dealing with the control of sewage from vessels but thought that recreational vessels should be controlled as any other.

Virtually every craft afloat these days is a contributor to pollution. The number of pleasure boats has reached the staggering total of 8,000,000 and the number of other vessels, from large liners to the small fishing boats which ply our waters, comes to about 150,000 annually. It is estimated that the discharge of all vessels in the United States for 1 day would equal the untreated discharge from a city the size of Buffalo or Cincinnati.

The threat from all the craft afloat has been recognized right in the locality of our Nation's Capitol. In the Chesapeake Bay there are areas where oystermen are not permitted to dredge because the fecal matter from boat and vessel concentration has been absorbed into the oyster beds and affords a clear and present danger of hepatitis to any unsuspecting soul who orders a half dozen "blue points" from such a source. The bill just passed, although not eliminating much pollution from pleasure craft, makes a bold and dramatic start in the right direction.

I was happy to see the strengthening of the Oil Pollution Act of 1924 and the provision for more and better sewage treatment facilities.

I think this decisive action by Congress was necessary to set the gears of correction in motion. While the problem of clearing up a river or a tidal area is within the scope of possibility, it is rather widely believed that once a lake becomes polluted, it is irretrievably lost. I am hopeful that this belief is not accurate and indeed the amendments to section 5 of the Federal Water Pollution Control Act would also hold out that hope, and I further pray that ways and means will be found to restore the dissolved oxygen not only to the waters of Lake Michigan but also to the now dying Lake Erie.

Thank God and Senator MUSKIE for this good start.

WE NEED HELP—REARM GERMANY AND JAPAN

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, Gen. Douglas MacArthur met with a small group of us from this House many years ago in New York at the Waldorf. General MacArthur suggested that if Communist Russia persisted in aggression and armament we would soon have no alternative but to encourage the full rearmament of West Germany and Japan.

Mr. Speaker, with the ruthless, sinister, and diabolical invasion of Czechoslovakia, it is evident to all of us that Communist Russia and Red China intend to conquer the world. This stark Russian Communist aggression as my friend the gentleman from Missouri referred to it, in Czechoslovakia occurred at a time when we are trying to work out treaties of peace, trade and understanding with Russia. It occurred when we were talking peace with Hanoi in Paris and thus it aided Communist North Vietnam in its aggression against the south. We hear simultaneously with Red aggression in Czechoslovakia, of Russian experimentation with satellites designed for military aggression against the free world. In view of developments in Europe and Southeast Asia, we have no alternative but to encourage and sponsor complete rearmament of Germany and Japan. Germany and Japan have the world's greatest pool of skilled labor outside of the United States itself. They have a vast reservoir of skilled manpower. They have demonstrated an ability to fight and now we need them on the side of freedom.

Our country has over one-half million men in the mud and mire of Southeast Asia fighting and dying to protect Japan, Formosa, Indonesia, India, and all of the free nations of Asia. These countries have close to a billion population. They should fight for their own defense with their own manpower. It should not be necessary to send our American boys 10,000 miles to fight for people who are indifferent to their own military security. In Europe certainly there is enough manpower in England, Germany, France, Italy, and yes, Spain to halt Red aggression. Spain should be in NATO and France should be induced into returning. Mr. Speaker, we must use the manpower in Formosa and every other source to relieve the strain on our own country and on American manpower. Our men are deployed on the road to Berlin, the Mediterranean, in Asia, the Caribbean, and throughout the entire world. Many free nations who received billions in foreign aid from the United States should now be called on to help us with money, materials, and men. We cannot bear this burden alone. The time is at hand for the Congress and the administration to take positive action to enlist the complete rearmament of Germany and Japan.

SOLID WASTE DISPOSAL

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. TIERNAN. Mr. Speaker, yesterday I introduced an amendment to the Solid Waste Disposal Act of 1965. This proposed legislation, the Solid Waste Disposal Facilities Act of 1968, would provide for a Federal-local program of financial assistance toward construction of conventional solid wastes disposal facilities.

A few months ago, when I began my study of the problem of solid wastes disposal, I was struck by the enormity of the problem and the casual attitude that has characterized the American approach to it. We have developed elaborate systems of transportation, organization, and management to bring goods to the consumer, yet we have left to Mother Nature the question of the disposal of the refuse of our industrial society.

Now, our unimaginative, often downright harmful, methods have proven inadequate. Many of our large metropolitan areas are running out of time as the debris of affluence literally threatens to bury them in a sanitation workers' nightmare. The tremendous increase in the use of paper products in packaging and in the refuse of urban renewal are two reasons why our present facilities have become quite ineffective.

The fact is, most conventional techniques being applied today are not up to the task of solid waste removal. The sanitary landfill in principle offers real possibilities for imaginative disposal; its costs are high in dirt, space, and money. Incineration in its most sophisticated procedures is also quite expensive and only two-thirds efficient.

And yet if the costs can be more efficiently borne by the Federal Government, States, and municipalities these two approaches can offer at least a possible solution to the question. Indeed, solid waste disposal can become something of a national asset.

The goal of many of the research and pilot demonstration projects funded under the Federal Solid Waste Disposal Act is to discover ways to salvage some kind of benefit from wastes. Thus at Virginia Beach, Va., the sanitary landfill technique is being used to construct a 60-foot high hill of municipal refuse. When completed the mound will become a combination park, soap-box-derby ramp, and amphitheater. The town of Hempstead, Long Island, operates a refuse incinerator that drives both a 2,500-kilowatt electric powerplant and a 420,000 gallon-a-day water desalting plant.

This may be argued that in most instances the value added to processed waste is less than the cost of processing. I think this is so, but the argument fails to take into account the direct and indirect costs of air, water, and land pollution to society.

Nevertheless, much more could be done to make conventional solid waste disposal more efficient and less costly if not profitable. The key would seem to be cooperation and up-to-date organization at every level of government. Research efforts must be coordinated to prevent overlapping of effort and to promote the most economical solutions. At the Federal level, the research activities of all environmentally oriented agencies might be placed under a central authority in the Department of Interior. University research projects might also be regionalized. At several schools such as the Universities of Florida, West Virginia, and Cincinnati the air, water, and land pollution experts are forming "environmental engineering" groups whose goal is "waste management" and whose approach is "systems engineering."

And at the local government level, the most successful programs are regional in nature. One of the most efficient waste disposal systems in the country includes 70 separate municipalities within Los Angeles County. Collection and disposal costs there—even with high real estate prices and longhaul—are among the lowest in the country.

Regionalization of effort then, seems to be a necessity no matter what disposal method is used. My State of Rhode Island for instance, would be idealy suited for such a metropolitan system; the concentration of the majority of the population in a small area seems to make political boundaries irrelevant in this problem. The high costs of waste disposal that face already overburdened municipalities could be shared, and the result would be a more complete and a more efficient operation of expensive new facilities.

At the same time that conventional methods are being refined, the search must continue for new ways of handling wastes. We should not hesitate to study and apply revolutionary organizations and methods being developed here and abroad. Sweden recently established a nature management board that will eventually coordinate waste disposal for the entire country. Our country ought to strive for the same centralized direction.

A close look ought to be taken at new schemes for transporting wastes from urban areas. Dumping is one method that is being tested in Sweden and Britain. There, tubes that carry bulky household refuse pneumatically to large central incinerators have been installed in a number of large apartment complexes.

One American researcher with Federal support is studying the possibility of pumping wastes in a liquid form. He has suggested that ordinary municipal refuse might be ground up in household or municipal grinders mixed with water from the sewer system and pumped out of town to landfill areas. Carrier pipes need not be large and might be laid in existing sewer lines which are usually built oversized. Such a system might prove less expensive than trucking and might eliminate the noise and traffic nuisance of costly trucking operations.

Whatever direction the problem of waste disposal takes, I am convinced that the Federal Government has a major role to play. At present, the Federal Solid Waste Disposal Act of 1965 provides support for solid wastes research and pilot-demonstration projects. My bill will fund municipal and intermunicipal planning in waste control.

It will also provide financial assistance for the construction of soil waste disposal facilities by State, municipal interstate, or intermunicipal agencies. Grants would be made only if a project was consistent with State or interstate plans for solid waste disposal. Provision is made for the completion and improvement of existing facilities as well as for the construction of operation of facilities that do not contribute to air pollution. I think this legislation will offer some long overdue relief to the many communities now grappling with the dilemma of disposal.

Solid waste disposal must be recognized as a tremendously acute problem. Thoughtful planning is a prerequisite to action, but action now in the form of new or improved facilities is mandatory. Initial costs may be high but imaginative facilities must be planned and constructed immediately or else in the near future the problem of solid waste disposal will become the nightmare of disposal.

SPEECH BY HON. EUGENE M. BECKER

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BRINKLEY. Mr. Speaker, there are times in the lives of most men when the excellence of their individual performance distinguishes them from their fellows. One such occasion for Eugene M. Becker came during the celebration of Fort Benning's golden anniversary.

Mr. Becker was principal speaker at the banquet commemorating the 50th anniversary of Fort Benning on Saturday, October 5, 1968, attended by distinguished Fort Benning alumni, such as our own colleague, the Honorable CHARLES E. BENNETT, and hundreds and hundreds of others—from sergeants to generals, all with a common love for Fort Benning. Community leaders complemented this fine group in great numbers, their presence a salute to the infantryman and Fort Benning, and in tribute to military friendships which had enriched their lives.

The Army Band with a superb performance set the stage for the appropriate climax. It came when the commanding general of Fort Benning, Gen. John M. Wright, presented Mr. Becker for his address. When you read it, you will know the measure of this man and the depth and quality of his feeling.

Mr. Speaker, I commend this most appropriate and scholarly work to our membership in a spirit of appreciation for the privilege of having heard its presentation.

Although a glowing tribute to the infantrymen, it is more than that. It mirrors the greatness of our beloved land in spotlighting some of America's most noble sons.

The speech follows:

ADDRESS BY HON. EUGENE M. BECKER, ASSISTANT SECRETARY OF THE ARMY (FM), GOLDEN ANNIVERSARY OF FORT BENNING, OCTOBER 5, 1968, FORT BENNING, GA.

General Wright, it is with great care, great pride, and with a purposefully measured and respectful cadence in my voice that I speak to you this evening on the occasion of the Golden Anniversary celebration of the founding of Fort Benning, the Home of the Infantry.

Fort Benning, as we all know, is the world's most distinguished Infantry center, famed for its training and schooling in this oldest of military arts. But Fort Benning is more than this. It is, indeed, a living symbol of the great Western historical tradition of the Infantry as well as of the great American tradition of the Infantry.

All men of the Infantry have shared common spirit through the ages. The Infantry of our country, however, has added something unique and special to this tradition—something distinctly American.

I should like, therefore, to address the meaning of Infantry in history and then the meaning of Infantry in the sense of American Infantry. Fort Benning is the embodiment of both.

Infantry warfare, that is to say, the reliance of armies on the foot soldier, was known and practiced with reat ardor by the Greeks and Persians 500 years before the birth of Christ. During that distant and remote period, the Persians had developed an Infantry strongly supported by chariots and cavalry. The Greeks, fewer in number, limited in horses and faced with too difficult a terrain for chariots, developed a heavy Infantry which placed emphasis on individual skill and discipline. At the Battle of Marathon in 490 B.C. the Persians massed an army of 250,000 on a great plain and joined battle with the Greeks. The center of the Greek line could not hold and in a moment of anguish the Persian forces broke it. But the Greek flanks held firm and as the Persians advanced in the middle their forces were surrounded and thoroughly defeated. The Persians suffered 6,400 killed. The Greeks lost 200 men. Thus, is the history of the Great Battle of Marathon. But we know in our own hearts, not in written history, that when the center of the Greek line was broken by the massive chariot and cavalry charge, when the few beleaguered Infantry in the center fought desperately to rejoin the line, there must have been one lone twenty-two year old boy who in the din and in the furor saw his closest buddy thrown to the mud before the grinding chariot wheels of the enemy. And in seeing, he undoubtedly threw himself to the ground, forcing his friend to the side only to lose his own life or limb in the action. This is not written in history but it is written in the hearts of all Infantrymen as they reflect on the twenty-two year old American boy—whoever he may be—who throws himself on a grenade to protect the lives of those around him. So my first observation about the universal qualities of the Infantry spirit is that it embodies a true meaning of courage.

Still another page of history. In the 14th century, which saw the last of the Middle Ages and the beginning of the Renaissance, new weapons were introduced in the Infantry which threatened the traditional supremacy of the Cavalry. The longbow became the terror of the heavily mailed knight. It seems astonishing to me that such a bow was accurate at 200 yards and could penetrate armor out to 400 yards. The skill of the yeoman determined how rapidly and accurately it could be fired. The British Infantry, under Edward the III, recognized the importance of the foot soldier and equipped him with the longbow. In 1346 the British Infantry engaged a French Infantry-Cavalry force in the major Battle of Crecy. The British held a line against an advance of inferior French Infantry. For every arrow fired by a French crossbow, the English responded with six from their longbows. The French, frustrated with the inadequacy of their Infantry, organized twelve massive separate cavalry charges against the British Infantry line. The French were defeated and the Infantry again became a supreme military weapon. So it is written in history. But again, we know in our hearts that somewhere in the confusion of the British Infantry ranks during the last charge—and I am drawing from my imagination—a thirty year old British non-commissioned officer saw his ranks depleted, with three or four French mounted soldiers, heavily mailed, threatening what few men he had left under his command. With a sharp, knowing voice he most assuredly ordered a quick lateral dispersal, allowing the feint to confuse the enemy. Just as quickly he most assuredly ordered his men about at twenty feet, directing their bow fire broadside into the horses and soldiers of the hated enemy now behind their lines. This, too, is not written in history but is written in the minds of all Infantrymen as they recall and reflect on the deeds of those sergeants in dim memory who managed somehow to get their remnants of a few men to turn around in the mud, push their BAR's up the last dirty knoll and fire until exhausted. So my second observation about the universal qualities of the Infantry spirit is that it embodies a true meaning of leadership.

And still another dimming fragment of history. General John Pershing watched from afar the European campaigns of World War I for nearly three and a half years. He believed that trench warfare represented needless sacrifice and led to no attainable goals. The great General remained convinced, however, that a sound army meant a great Infantry, but a moveable, flexible Infantry not addicted to the inflexibilities created by trench warfare. And finally, he had a chance to prove his point. The American Infantry at St. Mihiel caught the Germans by surprise and through a pincer movement captured 15,000 prisoners. This was a great action, to be sure, but in a daring move, General Pershing did more: he shifted a half a million men over one hundred miles by truck to assure a permanent breakthrough at St. Mihiel. He carried out this unorthodox move at a time when commanders in the world were committed to policies which Pershing considered bankrupt. This is all history. But in unwritten history, in our own hearts, we know—and I am again drawing from my imagination—that Pershing's decision to move his vast Army over so many miles so quickly, was born in the loneliness of leadership. So my third observation about the universal qualities of the Infantry spirit is that it embodies an unusual sense of loneliness, a kind of holy loneliness—if you will, something that tells us of a difficult life, suggesting respect with bowed heads.

So today, Fort Benning is an embodiment of all that is great in the glorious history of the Infantry. Infantry is courage, is leadership, is a holy loneliness.

But I believe something more. I believe that Fort Benning also represents a unique American contribution to the Infantry spirit.

In the case which I have just cited concerning General Pershing's important decision to move great numbers of men a great distance in a very short time we see a reflection of an imaginative leadership which I believe to be uniquely American. Imaginative because the idea was unusual for the time, unshackled by conventional opinion. It is this exuberant American imagination which has reasserted itself in every great Infantry conflict of our nation. We need recall only the daring of Normandy or the MacArthur drama of Inchon.

Still another quality in the Infantry spirit which I find uniquely American is that of generosity. The images flicker rapidly to our minds: the doughboy giving chocolate to Italian kids on a dusty, God forsaken Roman Road; the doughboy protecting a German prisoner from *German* mortar fire; the American Infantry soldier in Vietnam who—while taking time off from the daily chore of risking his life—builds hospitals and schools, treats the civilian wounded, cares for the sick.

Why, then, does this combination of imagination and generosity seem particularly American to me? I should like to put it this way: the American Infantry is the *only* Infantry which is rooted in a Democracy that has proven lasting and workable. Our Democracy, our freedom, nurtures imagination and individual leadership. And although the Infantry demands discipline—indeed, must have discipline in its ranks—the American Infantry still finds room for the individuality of each doughboy: the young farmer from Nebraska who has found a slightly better way to pitch a tent, the Brooklyn kid who has worked out a slightly different signalling system for his patrols.

Fort Benning is symbolic of those great qualities of the American Infantry tradition: "Courage, Leadership, A Holy Loneliness, Imagination, Generosity."

From shaky beginnings fifty years ago Fort Benning has developed into a great and distinguished Army post. When I began my talk, I said that I would speak in measured cadences and a part of my reason for saying this lies in the fact that we all, when thinking of Benning, think of Generals Marshall, Stilwell and Bradley who in turn reflect other lights—now dim—of great leadership that has nurtured the life of the American Infantry.

Today Fort Benning continues its immense contribution to military life. We are all familiar with its Infantry School, its Army Infantry Training Center, its Ranger School and its many other specialized and valuable functions. Fort Benning has seen great style changes—if I may call them that—in Infantry warfare in its long history. It is now adopting itself to new styles to meet new needs.

And finally we come to Vietnam. This is a young man's war and a young man's challenge. The Vietnam war is typified by small unit actions. General Abrams is aggressively pursuing the enemy through the use of extensive patrols and ambushes. These actions are headed by young sergeants, lieutenants and captains. Even when a full scale battle erupts the nature of the terrain and foliage compartmentalize the fighting so that the small units are on their own—far more so than in other wars.

The fact is, the war in Vietnam, a major conflict for our country, is not a war of Artillery, nor a war of Armor. It is an Infantry war, purely and simply. And the origins of our superlative Infantry record in Vietnam began right here at Fort Benning.

Fort Benning has within its fibers of existence today the strengths of the past sufficient in measure to meet the unknowns in the future. But Fort Benning is not buildings—or installations: it is the collective Infantry echo of the past and the collective spirit of the Infantry of the present. Its hallowed and quiet voices speak to us as Pagondas spoke before the Battle of Delium in classical times:

"Remember the poet: let the elder men among us emulate their own earlier deeds, and the younger who are the sons of those valiant fathers do their best not to tarnish the virtues of our people."

This to me is Fort Benning.

SLEEPING BEAR LAKESHORE, COHO MADNESS, AND SUPPORT FROM THE SIERRA CLUB

Mr. **O'HARA** of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. **O'HARA** of Michigan. Mr. Speaker, I regret to say that the proposed Sleeping Bear Dunes National Lakeshore has not been established in my State of Michigan by action of this Congress. Thus this important conservation effort is delayed for another year.

There can be no question of the national significance of this area—a full 60,000 acres lying along three great sweeping bays of the Lake Michigan shoreline. These three bays are separated by great headlands and bluffs, the debris left by the continental glaciers which carved this basic landscape some 15,000 years ago. Since the retreat of the glaciers, the level of Lake Michigan has stabilized and action of wind and storm has deposited vast sand dunes atop these bluffs.

The result of these geologic forces has been the creation of a magnificent and diverse natural landscape. From the high hills one has expansive views across the numerous inland lakes, over the sweeping bays and great dunes, and beyond to Lake Michigan and to North and South Manitou Islands just offshore.

The scene is diversified still further by the interesting variety of plant and animal life; by the forests which, at this season of the year are becoming a riotous display of all of fall's brilliant colors; and by the pastoral beauty of lightly developed farms, orchards, and fields.

As I have said, no one disputes the national significance of the landscape found here, with this display of geological and ecological interests. The area is much, much more than simply a few sand dunes—it is a diverse but unified landscape of great beauty and signficance.

And yet, these nationally significant values are being lost. The forests are being slashed down and the dunes pushed aside to punch roads and subdivisions into quiet lakeshores and superb vista points. These values are being lost because the public is losing the opportunity to find access to these areas and to enjoy these many values. The special interest areas, the lakeshores, the vista points, and spots of particular natural beauty are the first to fall to the speculator and subdivider.

In recent years, even months, a new force has begun to exert powerful pressures on the Sleeping Bear Dunes Area. I refer to what we in Michigan call Coho Madness.

In 1964 the Michigan Department of Conservation launched a tremendously promising new program to bring the coho, a west coast salmon species, to the Great Lakes. Coho salmon were planted in a number of streams flowing into Lake Michigan in hopes that they would become established and return to these streams each fall in a spawning run.

The result was a spectacular success from the point of view of establishing the salmon runs. As a result, we now have an important new fishery which gives great promise of providing recreational pleasure to many people as well as bringing new prosperity to areas which have, in some cases, suffered long economic depression.

But also as a result, we have a whole host of serious problems which have been generated by the coho salmon planting and the subsequent rush of public interest and fishing use.

I think we have to realize that the sudden tremendous impact of a great number of fishermen can do untold damage if use has not been properly planned for and if it is not properly controlled. Otherwise there is the danger of overuse, and misue of the area's streams.

Because it seems to me that this coho salmon program, if properly approached and carefully planned, can complement and be a part of the Sleeping Bear Dunes National Lakeshore, and that likewise, the National Lakeshore can serve the coho program. The two go together, that is, they ought to.

This point is well stated by an editorial recently printed in the Ann Arbor News which I include in the RECORD at this point:

[From the Ann Arbor News, Sept. 9, 1968]

FROM OUR POINT OF VIEW: MICHIGAN'S COHO COAST, DUNES PARK GO TOGETHER

Our Governor is no great shakes as a fisherman, but even he couldn't conceal his enthusiasm over his first bout of coho salmon fishing. Thousands of other fishermen are discovering the same thrill along Michigan's Coho coast.

The Michigan coho experiment has been an unqualified success. Sport fishing and tourism are riding the crest of the boom. The salmon plant experiment has been copied and is under way elsewhere.

The fighting fish is doing economic wonders for Northwest Lower Michigan, so much so that the communities and counties along Lake Huron have complained about not getting a piece of the action.

The burst of activity along the Coho coast ties in nicely with the proposed Sleeping Bear Dunes National Lakeshore. The powerful draw that a national lakeshore and some of the best sport fishing in the nation would exert on the leisure instincts of Michiganians and non-Michiganians alike is a rare opportunity which must be seized.

The Sleeping Bear bill will be doomed to the status of a perpetually lost cause if positive action is not taken soon. The Bear twice has passed the Senate, but it invariably dies in the House. That pattern must change.

The Bear's rightful place is in the public domain. The area's wilderness character is being destroyed, even if slowly, by the developers. The dunes must be set aside now, in its present unspoiled state.

Michigan's coho program has so far been wisely and responsibly handled. Such excesses as have occurred are the fault of the anglers themselves, in their greed to catch their limit.

Another fine (but certainly not the concluding) chapter of the coho story will be the signing into law of the Sleeping Bear Dunes National Lakeshore. The two go together.

Mr. Speaker, the coho salmon program could be a partner in progress with the Sleeping Bear Dunes National Lakeshore. Together these two developments would serve the public interest and the prosperity of the region much more fully than either could do alone. But if the programs are not coordinated and linked together, they will work at cross purposes to the detriment of both.

Reasonable planning for the future might include a harbor of refuge along the lakeshore near, but not within, the mouth of the Platte River, as a part of the Sleeping Bear Dunes National Lakeshore.

If the coho madness continues out of control and if the national lakeshore is delayed permitting further subdivision and development, the area will not gain in the long run, and the national interest, too, will have been slighted.

In a more recent column in the Ann Arbor News, Naturalist Doug Fulton has asked the question bluntly: Has the coho killed the bear? Mr. Fulton began his column with a clear statement of the situation:

> Coho salmon are now jumping in the very shadow of Sleeping Bear dune. As they jump and roil their way up rivers and streams filled with thousands of eager fishermen they are unwittingly but surely causing a near uncontrollable pressure upon the Bear.
>
> Everywhere in coho-land, as that part of Michigan has come to be called, land values are skyrocketing. If the last meaningful chance to establish a National Recreation Area in the Bear country has not now passed, it soon will.

As I have said in previously addressing the House on this subject, these are trends only. The great values of this area which give it undoubtedly national significance remain. But they are increasingly endangered—imperiled by many forces which, as they accelerate, will encroach bit by bit on all that makes this area so important and of such public value.

This situation offers us only two choices. The first is to do nothing. We can simply delay and ignore the problem. As we do so, these trends will continue and we shall all too soon discover that the values of the area are gone.

As a variation of this do-nothing choice, we may misdirect our good intentions into half measures. Instead of giving this area protection in the scope and coverage it requires, we can talk about less acreage than is needed, we can talk about weaker provisions for protection, and we can talk about trying to administer the area with less than the necessary resources. In our talk we can simply forget that neither inaction or half measures will be counted as stewardship by future generations.

I for one—and I know most others concerned with this matter share my view—refuse to approach the public interest by half measures. It is the caliber and quality of this area with which we must concern ourselves. It is the opportunity we have to serve the broad interest of the people which we must consider. This area is so significant and offers such superb public opportunities for outdoor recreation and nature appreciation that, in the public interest, it deserves national recognition.

This is the reason this country has a national park system and a national park policy. In my experience as a member of the Parks and Recreation Subcommittee, I have learned that our predecessors in the Congress have wisely seen that there are some portions of this continent which are of such importance as a part of our natural heritage that they should come under Federal care and administration for the enduring benefit of all the people.

How can we as a nation best protect and utilize this resource? My answer is contained in my bill, H.R. 6616, which would create a National Lakeshore, much like those we have established at Cape Cod, Padre Island, Assateague, Point Reyes, Fire Island, Indiana Dunes and elsewhere. H.R. 6616 would create a national lakeshore adequate to the mission—a full 60,000 acres encompassing the key areas necessary to properly and assuredly perpetuate for all people the great values of the Sleeping Bear Dunes area.

My answer is the unique and forward-looking concept which we have embodied in this proposal and in H.R. 6616.

Mr. Speaker, it is not the intent of my proposal that this area should all come under Federal ownership, that all private homes should be condemned and removed, or that the area should all revert to a totally natural condition. That is not the point. The point is, rather, to find the key elements which make this whole area a unified, significant landscape. Let me emphasize that: the point is to define the key features which contribute to making the Sleeping Bear area a quality landscape.

Now, with that concept the professional planners, naturalists and recreation specialists of the National Park Service have carefully analyzed the Sleeping Bear region and drawn a comprehensive proposal. We have arrived at a plan for the area which includes the key elements of the landscape—both the natural areas such as the high dunes, and the important elements. By identifying these key landscape elements and by fully protecting them through inclusion of the necessary acreage, we assure perpetuation of the diversity and human interest of this landscape.

This is the background of developing a proposal which involves some 60,000 carefully selected acres. Half measures will not do the job. Less acreage will simply and directly mean a reduction in the quality of the area and a reduction in the utility of the national lakeshore to meet its objective—the perpetuation of this significant landscape for the enjoyment and benefit of all the people.

At the same time, we have found that it will not be necessary to acquire all of the property involved in fee simple Federal title in order to accomplish the objectives of this concept. For the most part it will be possible to permit the owners of improved property to hold these indefinitely, if they so desire. So the bill specifically prohibits Federal condemnation of such properties, as long as they are maintained in accordance with locally written zoning ordinances which serve the purpose of the lakeshore concept. This is perfectly reasonable: individuals are permitted to hold their property in perpetuity so long as they do not develop it in ways which would detract from the quality of the landscape we seek to preserve. In return, these property owners receive a protection for their existing property stronger than they could possibly hope for otherwise. They have assurance that the beauty of the landscape which attracted them to the area in the first place will be perpetuated. That is surely a fair exchange. Certainly these property holders should be on notice that, without this kind of careful zoning—which does not exist at all at the present time—subdivision and overengineered, underplanned development will quickly destroy the present landscape and pastoral environment.

What I have wanted to emphasize in these remarks is that the present proposal is not haphazard. It has an underlying logic of purpose. Over the history of this proposal the specifics have changed somewhat, but the essential purpose remains clear. To accomplish that purpose, the present alinement of the proposed area and the present provisions of H.R. 6616 are essential.

Mr. Speaker, I look forward to working for this proposal in the 91st Congress. I have watched the public interest in this matter grew.

In the earlier years of the proposal the area was little known except by a few. It was discovered as a nationally significant resource by a special shoreline survey of the Great Lakes undertaken by the National Park Service in the late 1950's.

Since that time more and more people have come to know the values of this area and to appreciate the need for their careful protection. First a few, the proponents of this legislation are now many. The interest and the concern has spread. Not just in Michigan, but across the Great Lakes region people are joining in support.

For example, the Upper Great Lakes Regional Commission, charged by law with promoting the economic progress of this whole region, has recently reaffirmed its support in a telegram to me. I include this telegram in the RECORD at this point:

> The Upper Great Lakes Regional Commission reaffirms its support for the establishment of the Sleeping Bear Dunes National Lakeshore. This has a long legislative history and the provisions of the present bill (H.R. 6616) have reduced the possible adverse effects on private property owners and local units of government. It is imperative that Congress approve this legislation now particularly inasmuch as funds have been made available in S. 1401. We need this legislation before further commercial and residential development destroy the very qualities which have given the Sleeping Bear Dunes national significance. H.R. 6616 has the Commission's unanimous support because of the urgency of prompt action.

This telegram, expressing the urgency of prompt action, was signed by all four members of the Upper Great Lakes Regional Commission: Gov. George Romney of Michigan, Gov. Harold LeVander of Minnesota, Gov. Warren P. Knowles of Wisconsin and the Federal Cochairman, Thomas S. Francis. I can assure that this strong endorsement is based on a careful consideration by the Commission of the importance of this proposal from the regional perspective.

Furthermore, support is growing for this proposal nationwide, as people and groups become aware of the values involved and the urgency for protecting them. It has been recognized that this is not simply a project to provide for regional recreation opportunities, but more importantly to protect and perpetuate a nationally significant area and its many values.

The most recent illustration of this growing interest and concern in the proposed Sleeping Bear Dunes National Lakeshore is the formal endorsement of the proposal by the Sierra Club. At their meeting in California on September 14, the board of directors of the Sierra Club unanimously adopted the following resolution of support:

> In order to preserve the natural diversity of the Sleeping Bear Dunes region, to protect against further subdivision and land speculation, and thus to secure public opportunity to enjoy its values, the SIERRA CLUB urges immediate action to establish a Sleeping Bear Dunes National Lakeshore under Federal administration.

I welcome this added support, and I wish to stress the importance that this body take action on this important conservation proposal early in the 91st Congress.

If we do not act soon, the result is likely to be a classic example of a conservation failure. As our colleague, JOHN SAYLOR, the distinguished ranking minority member of the Interior and Insular Affairs Committee, said at the July hearing, this is shaping up as a classic case of Uncle Sam's too little, too late.

It is my hope, Mr. Speaker, that the 91st Congress will take a good hard look at this situation, and will act early next year to end this delay and to establish the Sleeping Bear Dunes National Lakeshore while there is still time to fulfill the need and to meet the public interest.

THE SUPREME COURT MUST HAVE A TWO-THIRDS VOTE REQUIREMENT

Mr. BETTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, I am introducing a constitutional amendment today which is designed to restore greater public confidence in the Supreme Court by requiring a two-thirds vote by the Justices in cases involving interpretation of the U.S. Constitution or the constitution of any State.

The requirement of a two-thirds concurring vote would serve not only to restore the public confidence in the Court, by showing that decisions of the Court result from the judgment of a prominent majority, but also could have the added effect of reducing the involvement of the Court in extrajudicial legislative activities. Providing a two-thirds concurring vote could, by making accord more difficult, reduce the frequency of rulings, thereby helping to limit the role of the Court in the legislative process. At the same time, actions by the Court would be those of the larger majority and therefore more likely to receive wider public acceptance. As lawmaking is the constitutional function of our State legislatures and the Congress, it is only through extensive deliberation and debate that policy is formulated. I believe that limitation of the Court's role in policymaking is in keeping with the constitutional principle of the separation of powers.

A constitutional amendment is the proper and most durable method of adopting a new voting rule for the Supreme Court, even though its ramifications are more complicated than the enactment of a statute by Congress. The process of amending the Constitution will involve the concurrence of the legislatures of 37 States and in this action will focus wide public attention on the issue. State legislative consideration of this question would serve as a mandate to the Court that the people demand restraint in judicial lawmaking. This process avoids the possible separation of powers conflict which could result by the Court having to decide the constitutionality of a statute prescribing a new voting system.

Let me emphasize that the amendment I propose does not abridge the power of the Court to exercise judicial review. My proposal is designed to insure the accuracy of rulings and at the same time to guarantee that decisions by the Court are in the best interests of our Nation. Nor would this amendment apply to all cases decided by the Court. Cases dealing with the application of statutes—not declaring laws or practices of Federal or State Governments unconstitutional—would not be affected by the two-thirds vote requirement.

The impact of the amendment would be significant, however, if we review the number of Supreme Court decisions made by a 5-to-4 vote in recent years. In the period 1954–67 there were 124 5-to-4 decisions by the Court in cases where constitutional questions were decided. There were 90 5-to-4 decisions during that period on cases where procedures and statutory construction were at issue.

Today we are witnessing an increasing disdain for authority, both on the national and local levels. Now, more than ever before, we must seek to restore the public faith in the supreme law of the land, our Constitution, and in our highest judicial body, the Supreme Court. Certainly the controversy which arose in the Senate over the Fortas nomination proves the low state of public support which exists toward many recent decisions. By enacting a higher vote requirement, namely by six Justices out of nine, I believe we would see a restoration of public faith in the decisions of the Court, and I believe also we would find those decisions rendered to be of a higher consistency with traditional constitutional principles and of a more responsible nature.

FIFTIETH ANNUAL NATIONAL CONVENTION OF THE AMERICAN LEGION

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, most of us know that the American Legion held its annual national convention—50th—in New Orleans, La., on September 10 through 12, 1968. I am personally proud of the American Legion, and particularly that one of the national chaplains is Prof. Elmer Harphan, of Camdenton, Mo., one of the counties of our newly alined Seventh District. While at the annual convention, the American Legion passed Resolution No. 487 on recommendation of the committee on foreign relations. The subject of the resolution is the Panama Canal, and the stated purpose is, "to oppose abrogation of U.S. rights concerning operation and security of the Panama Canal."

Mr. Speaker, I will include this complete resolution hereafter in the RECORD. This is predicated on its worthwhileness plus the testimony that I have given before our House Committee on Foreign Affairs, along with many other Members. It is also important, because as a member of the Committee on Armed Services, I know that the vitality of shipping interests and economy depends on our territory in the Republic of Panama, and the canal operations, and that it is vital to our hemispheric and around the world defense.

Mr. Speaker, these treaties proposed by the executive branch should never even be considered and are in fact unconstitutional when it involves ceding U.S. real estate, in fact, to another nation. This requires an act of Congress. I commend the Legion for its action and urge the support of all Members to both the whereas and resolve clauses of this document, and against the give-away treaties and against unconstitutional action.

RESOLUTION NO. 487 ADOPTED AT THE 50TH ANNUAL NATIONAL CONVENTION OF THE AMERICAN LEGION AT NEW ORLEANS, LA., SEPTEMBER 10, 11, 12, 1968

To oppose abrogation of U.S. rights concerning operation and security of the Panama Canal

Whereas, in 1903, the United States and the Republic of Panama entered into a treaty "to insure the construction of a ship canal across the Isthmus of Panama to connect the Atlantic and Pacific oceans;" and

Whereas, by that treaty, the Republic of Panama (for a lump-sum payment of ten million dollars in gold, plus an annuity now amounting to nearly two million dollars) granted to the United States in perpetuity the use, occupation, and control of a zone of land and land under water for the construction, maintenance, operation, sanitation, and protection of the canal, and granted to the United States all the rights, power and authority, within the zone mentioned, "which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority;" and

Whereas, the Panama Canal now represents a total U.S. investment to date of nearly five billion dollars, and is a vital strategic asset to the United States for hemispheric defense and our own national security; and

Whereas, the Panama Canal also is of great economic importance to the United States, inasmuch as 70 percent of traffic through the Canal either originates or terminates in U.S. ports, and Canal operations represent a net gain for U.S. balance-of-payments of more than 40 million dollars annually; and

Whereas, despite the above stated considerations, representatives of the United States and the Republic of Panama have negotiated three new treaties concerning United States canal rights in Panama; and

Whereas, these three treaties, if ratified, would

(1) abrogate the 1903 treaty and eliminate all known rights, power and authority of the United States in the Canal Zone,

(2) substitute a weak and perhaps inefficient form of international administration over the present canal,

(3) compromise and probably render impossible our ability to defend the canal in times of crisis (or even to insure its security in normal periods),

(4) abandon both our capital investment and its earnings,

(5) give the existing canal outright to the Republic of Panama on or before the last day of 1999,

(6) provide that the United States might construct—at our expense—a second (i.e., "sea-level") canal across Panamanian territory, the ownership of which would revert to Panama—at no cost to that country—60 years after the opening of such canal, or the year 2067, whichever is the earlier; and

Whereas, The American Legion has consistently expressed its strong opposition to any weakening of the United States sovereign rights, power, and authority over the Panama Canal and the Canal Zone; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in New Orleans, Louisiana, September 10, 11, 12, 1968, That The American Legion reaffirms its positions heretofore taken with regard to the Panama Canal and the Canal Zone, and opposes any new Canal treaties that would abrogate the essential provisions of the 1903 U.S.-Panama Treaty; and be it further

Resolved, That we urge both the House of Representatives and the Senate of the United States Congress to adopt a joint resolution expressing it to be the sense of the Congress and the American people that the Government of the United States shall maintain and protect its sovereign rights and jurisdiction over the Panama Canal, and that the United States Government shall in no way forfeit, cede, negotiate, or transfer any of these sovereign rights or jurisdiction to any other administration, government, or international organization.

NATIONAL FOOTBALL LEAGUE—ANTITRUST

The **SPEAKER** pro tempore (Mr. RHODES of Pennsylvania). Under a previous order of the House, the gentleman from New Jersey [Mr. CAHILL] is recognized for 30 minutes.

Mr. CAHILL. Mr. Speaker, beneath the thrills of the 1968 professional football season lurks a threat to the rights of the players who provide us with excitement Sunday after Sunday, and to the very existence of the game.

In my judgment, this danger is the direct result of ill-considered legislation enacted in November 1966 which exempted the merger of the National and American Football Leagues from Federal antitrust jurisdiction. Practices of many team owners and league officials since this merger have convinced me they have exploited their monopoly to suppress the free and open negotiation of players for contracts, salaries, and pensions.

Moreover, in my opinion, the National Football League's recent high-handed dealings with players and their association are persuasive evidence of a tacit agreement in restraint of trade, deliberately calculated to rob players of their bargaining rights. They have been guilty, in their own terms, of "illegal procedure."

I believe a full-scale congressional investigation and Justice Department prosecution are necessary to protect the players and insure the future of pro football as one of our most popular sports.

The new power of the combined leagues over captive players is most strikingly illustrated in the "option clause." The standard 1-year contract also retains the services of the player for an additional year through this device. If he elects to "play out his option" the second year, he must take a 10-percent cut in salary, whereupon he becomes a "free agent" and can sign with any other team.

The actual language of the clause is as follows:

> 10. On or before the date of expiration of this contract, the Club may, upon notice in writing to the Player, renew this contract for a further term until the first day of May following said expiration on the same terms as are provided by this contract, except that (1) the Club may fix the rate of compensation to be paid by the Club to the Player during said period of renewal, which compensation shall not be less than ninety percent (90%) of the amount paid by the Club to the Player during the preceding season, and (2) after such renewal this contract shall not include a further option to the Club to renew the contract; the phrase "rate of compensation" as above used shall not be understood to include bonus payments or payments of any nature whatsoever other than the precise sum set forth in Paragraph 3 hereof.

The teams exercise their option by mailing a written notice to the player on or about May 1. This notice may take various forms but in essence it would read as follows:

> DEAR ———: Reference is hereby made to that certain contract made and executed and delivered by and between (name of team) and yourself, dated July 1, 1967. This is to advise you that in accordance with Paragraph 10 of that contract, the undersigned (name of team) hereby exercises its option upon your service under said contract for a term of one year commencing May 1, 1967, to and including May 1, 1968, at 90% of your compensation specified in Paragraph 3, $——— excluding any bonuses.

In theory, this all sounds very equitable. It was one of the devices the NFL used many years ago to ward off the threat of antitrust prosecution. It was a factor in persuading Congress to exempt the NFL–AFL merger from antitrust jurisdiction. But principle and practice are two different things.

Take the recent case of Dave Parks, the most prominent and recent of several examples. Parks is an end who played out his option with the San Francisco 49ers and signed with the New Orleans Saints. Commissioner Pete Rozelle ruled that the Saints would have to give the 49ers their first draft choice for 1968—Tackle Kevin Hardy of Notre Dame—as well as their first draft choice for 1969.

This severe penalty meant only one thing, in my judgment. It was a clear threat to players that "playing out an option" could well result in unemployment; it was an obvious warning to owners that dealing with a "free agent" would be too expensive.

It means that from now on—unless Congress and the Justice Department come to the aid of the captive players—an athlete achieving "free agent" status at a financial sacrifice will find himself a drug on the market. Another team will fear to sign him unless he is a superstar who might be worth the risk involved. But it is not the superstar I am concerned about; its the journeyman, the average player with family responsibilities, the athlete with only a year or two left to play. And as a lifelong sports fan, I am concerned about seeing more and better pro football—played by free men.

The merger now has players in a vise. Football's hierarchy callously tells them in effect: "Play on our terms or do not play at all." It is therefore apparent to me that there is a movement within the merged NFL which seeks to eliminate the options clause as an effective force.

I say that these tactics represent a thinly disguised evasion of antitrust laws. Certainly, the standard option clause will appear prominently in every player contract, but its effectiveness has been blunted. It remains only as a sham to dupe Congress and the American public.

In my opinion, such an evasion is not exempted from antitrust prosecution by the 1966 legislation. It will be recalled that this legislation came to the floor of the House as a rider on the bill to suspend 7 percent tax credit for machinery and equipment purchases. By its terms, the rider only exempted from Federal antitrust jurisdiction "a joint agreement by two or more professional leagues." During House debate proponents made clear that this language only granted exemption from antitrust jurisdiction to the actual steps necessary to effect a merger of the AFL–NFL.

It is evident to me that the Justice Department now has an existing power to curb illegal restraints on a player's right to be dealt with fairly as a "free agent."

I am also convinced that the Congress must reexamine its decision to permit a blanket merger of the National and American Football Leagues, as previously indicated, this decision was based on approval of a nongermane rider for which appropriate committee hearings were never held. Although player representatives requested an opportunity to present their views their testimony was never heard. Similarly the public's interest in more and better football was given small consideration.

During House debate on the rider which I opposed, I expressed my belief that these irregular legislative procedures had "mousetrapped" the Judiciary Committee and had subjected every Member of the House to "unnecessary roughness."

The first half of the game has been played, and organized football has convinced me it intends to be "offside" whenever it chooses. But now we are ready for the second half and I insist on playing the rest of the game with an appropriate congressional committee as referee.

I have therefore today written to the Department of Justice requesting an investigation of the described NFL option clause practices.

When the 91st Congress convenes I will also direct a formal request to appropriate congressional committees for a comprehensive examination of the merged leagues.

SAFETY FACTORS MUST BE CONSIDERED IN TRUCKING LEGISLATION

The SPEAKER pro tempore (Mr. EDMONDSON). Under a previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 30 minutes.

Mr. SCHWENGEL. Mr. Speaker, the support for my position on S. 2658 is continuing to grow.

Just recently—a letter dated September 28—I received a letter from the Fraternal Association of Steel Haulers signed by the national chairman, William J. Hill, in which they say that there are many safety factors that must be considered as we consider this kind of legislation. And, I agree with him when he says "We are the men who drive the trucks, and we feel that our opinions must be heard."

Mr. Speaker, enclosed is a statement written by Edward Verlich, Press labor editor. This is a very incisive and decisive article that ought to be read by all Members of Congress.

The letter and the article called attention to the their views. I hope every Member of Congress will read it.

FRATERNAL ASSOCIATION OF STEEL HAULERS, WESTERN PENNSYLVANIA,
Pittsburgh, Pa., September 28, 1968.

Congressman FRED SCHWENGEL,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. SCHWENGEL: I have been requested by the officers and members of the Fraternal Association of Steel Haulers to inform you of our opinions in regard to Bill #2658.

We can see no benefit to the Steel Haulers in the present wording of the Bill.

It is also our opinion that there are many safety factors that must be considered. We are the men who drive the trucks, and we feel that our opinions must be heard.

Please advise me if there is any way in which we can further express our opinions. Enclosed please find copy of our public statement to the press.

I would appreciate an answer as soon as possible.

Very truly yours,
WILLIAM J. HILL,
National Chairman.

STEEL HAULERS CALL ROAD "BOXCARS" UNSAFE, COSTLY

(By Edward Verlich)

The Fraternal Assn. of Steel Haulers (FASH)—whose members own and operate tractor-trailers—have come out solidly against the U.S. Senate-passed bill that would increase the length, width and weight of big rigs on the interstate highway system.

William Hill, national chairman of FASH and president of its Western Pennsylvania branch, said a nationwide survey of the 7000 owner-operators, many of them Teamster Union members, shows they oppose the big-truck bill.

The group's opposition marks the first intra-industry fight over the measure.

The steel haulers work under contract, in many instances for the big trucking companies who are pushing hard for passage of the bill. The bill is awaiting final action in the House.

"A lot of people will be mad at us for this but we have to protect ourselves," Mr. Hill said.

In an interview he contended "we have questioned many managers and dispatchers in the steel hauling industry and their opinions are basically the same as ours, but they will not admit to it publicly."

Mr. Hill charged the bill would:

Benefit only a few at the expense of many.

Drive steel haulers and small trucking firms out of business in the struggle to compete with the big firms.

Create a hazardous situation on the highways.

Tear up concrete and asphalt roads at a fast clip.

"The only things in this bill for the steel haulers are higher taxes, higher license fees, less loads and a definite step toward the end of the owner-operators," Mr. Hill declared.

Senate Bill 2658 which would amend Section 127 of Title 23 of the U.S. Code would increase the allowable width of trucks and buses from 8 to 8½ feet plus "the additional width necessary for safety devices and tire bulge due to loads."

Mr. Hill contends the addition would make tractor-trailers nine-feet wide. "Can you imagine two nine-foot wide trailers passing each other in one of the Turnpike tunnels or on Carson St.?" he asked.

The bill permits triple trailers and a weight increase from 73.280 to 138,000 pounds. Some people believe there's no weight ceiling at all in the bill, Mr. Hill said.

He pointed to a minority report by four congressmen that says fewer than 300,000 of the 15 million trucks in the nation will be able to take advantage of the bill's provisions.

The legislation becomes special, the report states, because it will cost $2.8 billion for new construction and upgrading of older highways if every state adopts the new limits.

As a result, the report says, 80 million passenger-car drivers and 15 million truck owners will have to share the cost of the bill for 300,000 trucks.

Mr. Hill said steel haulers would have to purchase new equipment to remain competitive.

"Some of our guys are just now recuperating from the cost of the weight limit increase in Pennsylvania passed in 1964. We're not in a position to go and buy new equipment or revise our old because we've been working at little profit the past 20 years," he said.

Mr. Hill pointed out that the giant trucks would also be permitted on access roads. "Our highways are not ready for this operation," he said.

"Doubles or triples in this region are definitely unsafe in regard to the possibility of trucks jackknifing. If one of these outfits would jackknife, it could cause a tremendous amount of damage since they would tie up a complete six-lane super highway," he said.

Experienced truck drivers went out in an auto on the Ohio Turnpike in rainy weather and "they said that passing a double-bottom in the rain is extremely hazardous due to a lack of visibility," the steel hauler official said.

As far as he knows, congressmen have failed to question drivers to see how they feel about the big trucks. Mr. Hill said all tractor-trailer drivers that he's queried oppose the increased width and length.

There is a need for legislation, he added, to provide uniform payloads across the nation. The weight load varies from state to state making cross-country hauling a risky business.

For example, Pennsylvania has a 73,280 pound maximum while for a $10 special license fee, loads up to 120,000 pounds can be hauled within 10 miles of all interstate roads in Indiana.

Mr. Hill also said the weight limit should apply only to the truck's payload.

A trucker who buys a heavy steel truck with big tires, big brakes and other items carries less load than a lightweight rig that has trouble holding a load on the road, he said.

"In effect, we're being penalized for being safe. Similar trucks should be allowed to haul the same tonnage," he said.

He pointed out that Pennsylvania allows tri-axle trailers while New York, Illinois and Maryland outlaw them.

"Standards should be uniform from coast to coast," Mr. Hill said.

A NATION IN CRISIS—THE REPUBLICAN RESPONSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. RHODES] is recognized for 30 minutes.

Mr. RHODES of Arizona. Mr. Speaker, ours is a nation in crisis. The plight of the cities, the demands of the war in Vietnam, the paradox of unemployment and underemployment when good jobs go unfilled, the need for better education and better housing, and the growth of rioting and violence that have their roots in permissiveness, frustration, and despair are problems that must be met and solved. Fortunately, this country is great enough and it has the skill to meet these challenges. But it will take the combined effort of all of our citizens—black and white, young and old, city and rural—as well as private industry and Government to get this job done.

In the 1966 elections the American voters dramatically expressed their disapproval of the way things were going. By electing 47 additional Republican Members of the House of Representatives they clearly signaled that they had had enough of promises without performance, that they were dissatisfied with massive Federal programs that were slapped together in haste and then steamrollered through the Congress.

As John W. Gardner observed before he resigned as Secretary of Health, Education, and Welfare:

> There is bitterness and anger toward our institutions that wells up when high hopes turn sour. No observer of the modern scene has failed to note the prevalent cynicism concerning all leaders, all officials, all social institutions. That cynicism is continually fed and renewed by the rage of people who expected too much and got too little.

It is apparent that although billions and billions of dollars have been spent by an ever-increasing Washington bureaucracy, solutions have not been found to the many problems that face America. This dismal record has led Daniel P. Moynihan, former Assistant Secretary of Labor and now director of the Harvard-MIT Joint Center for Urban Affairs, to state:

> We must abandon the notion that the nation, especially the cities of the nation, can be run from agencies in Washington.

During the 90th Congress, the Republican Members of the House of Representatives have addressed themselves to the problems and challenges that confront this country. In committee and on the House floor, legislative measures that update existing programs or establish a new and sound approach to problem solving at the Federal level have been sponsored and supported.

As Republicans, we are proud of our reputation and achievements as good managers. Certainly, there is much to be done in this area in view of the Federal Government's mushrooming operations. In this crisis, however, there is also a growing need for innovation, new thinking, new solutions.

In the 48 policy statements that the House Republican Policy Committee has issued during the 90th Congress, an intensive effort has been made to formulate and to articulate Republican legislative programs and proposals that provide sound solutions to major problems or basic improvements in present laws. The success of this effort can be measured by the fact that in 28 cases the bill or amendment supported by the policy committee was adopted by the House of Representatives. And in the 34 cases where a rollcall vote was taken on the amendment or position supported by the policy committee, 93.8 percent of the Republican Members voting, voted in agreement with the policy committee.

Despite this record of legislative achievement, the 90th Congress has been primarily a testing and proving ground for the Republican leadership and Members in the House of Representatives. For, as the minority party, our role in the legislative process has been severely limited. All too often, Republican measures have been defeated or never scheduled for floor or committee consideration by the Democratic majority. Thus, there is developed and now waiting to be considered a substantial list of legislative items. Should the American voters in the November election select a Republican majority for the House of Representatives, the following items will receive prime consideration in the preparation of a Republican agendum for the 91st Congress. This list is not set forth in order of priority nor is it intended to include every subject that will be acted upon by the next Congress. The listed subjects, however, have been considered in great detail, and positive proposals and programs have been developed with respect to them, by the House Republican conference, policy committee and task forces as well as the Republican coordinating committee and the 1968 Republican platform.

Electoral college reform.

Clean elections legislation.

Congressional reform.

Creation of a new Hoover Commission.

Block grants and revenue sharing.

Reform foreign aid.

Revise military draft system.

Improve social security.

National emergency strikes.

Fiscal reform.

Reform and revise welfare programs.

Revitalize the merchant marine.

Provide farm policies and programs that will bring fair prices and greater opportunity to the American farmer.

Law enforcement and criminal justice.

Review and evaluate existing Federal programs.

Encourage the initiation and expansion of private industry job training programs through enactment of Republican Human Investment Act.

Encourage State and local direction of educational programs and provide system of tax credits for higher education costs.

Clean air, clean water.

Speed the development of modern mass transportation systems. Provide new and long-range highway planning and programs.

Improve veterans' benefits.

ELECTORAL COLLEGE REFORM

Under our present system, the President is elected by ballot in the electoral college. Every State is represented by electors equal in number to the State's representation in the House and Senate. These electors are selected in the manner determined by the individual State legislatures. In addition, the District of Columbia is granted three electors by operation of the 23d amendment. A candidate for President must receive a majority of the 538 ballots cast, or 270 votes, to be elected. The electoral college never assembles in one place, but rather meet separately in 51 separate jurisdictions. There is only one round of balloting. If no candidate receives a majority, then the House of Representatives elects the President and the Senate elects the Vice President.

The present electoral college system is dangerously inadequate. For example:

First. It has permitted a candidate with fewer popular votes than another candidate to be elected President.

Second. It has allowed electors to disregard the mandate of their election in casting an electoral ballot.

Third. The winner of the plurality of the popular vote in a State wins all of the electoral votes in that State regardless of the vote received by the other candidates.

Fourth. It has required the House of Representatives to decide elections when no candidate received a majority of electoral votes. In this process, each State, regardless of population, is given one vote.

Fifth. Under the present system, the President and Vice President that are finally chosen can be from different political parties.

Sixth. There is no provision made in the present law for the selection of a successor in the event of the death of a presidential or vice presidential candidate prior to the counting of the electoral votes by Congress on January 6.

There have been a number of plans proposed to correct deficiencies in the present system. One plan retains the electoral votes of the States, abolishes the office of elector and automatically awards the electoral votes of a State to the popular winner in that State. A second, the "district" plan continues both the office of elector and a State's electoral votes but provides that the electoral votes are to be spread among equipopulous districts—equal in number to the number of Representatives in the House—plus two at-large districts. The winner of each district automatically receives its electoral vote. A third plan abolishes the office of elector but retains the State's electoral votes, which are divided among the candidates in proportion to their shares of the total popular vote within the state. And a fourth plan proposes that the President be elected by direct vote of the people. Under this plan, the present electoral college system is completely abolished.

One of the first things the next Congress must do is solve this serious problem and then, without further delay, present to the American people a workable plan.

CLEAN ELECTIONS LEGISLATION

The laws dealing with election campaigns must be revised and updated. The Federal Corrupt Practices Act was enacted in 1925. The Hatch Act was passed 28 years ago. Studies such as the 1962 report of the President's Commission on Campaign Costs reveal that present laws invite evasion and are filled with loopholes. Absent basic reform, public confidence in the election process may be eroded. For 2 years the House Republican leadership, the policy committee, and the Republican members of the House Administration Committee have worked for the enactment of clean elections legislation. Specific and detailed election reform legislation has been drafted and introduced.

Honest reporting of campaign contributions and expenditures and streamlined enforcement procedures would be insured through the enactment of the following Republican election reform bill:

First. A five-member bipartisan Federal Elections Commission is established to receive reports and statements regarding campaign contributions and expenditures.

Second. The Commission is given full and complete authority to enforce the provisions of the act. It shall be the duty of the Commission to make reports and statements available for public inspection and to prepare and publish summaries and reports.

Third. Candidates for Federal office and political committees supporting such candidates that accept contributions or make expenditures exceeding $1,000 in any calendar year, are required to report contributions and expenditures.

Fourth. Donations by an individual of more than $5,000 to any candidate for Federal office or any committee supporting such candidate in any calendar year are prohibited.

Fifth. Conventions, primaries, and party caucuses are placed under the reporting and disclosure provisions of the bill.

Sixth. The disclosure of gifts or honorariums of more than $100 is required of candidates for the House and Senate as well as incumbents.

Seventh. Members of the House and Senate are prohibited from using contributions derived from a fundraising event or activity for personal or family purposes.

Eighth. Campaign contributions by political action committees financially supported by a corporation, trade association, or labor organization are regulated.

CONGRESSIONAL REFORM

The problems of today and the challenges of tomorrow demand an efficient and effective Congress. A spittoon approach to the problems of a computerized society is no longer adequate. Unless new procedures and techniques are developed, the historic role of Congress as an essential check on the power of the Executive may be destroyed.

Republican congressional reform legislation will be one of the first pieces of legislation to be brought to the House floor next year. This legislation would:

First. Establish a Joint Committee on Congressional Operations with continuing authority to study the structure and procedures of Congress, to recommend additional reforms and changes and to determine the feasibility of employing data processing and information retrieval systems.

Second. Establish an Office of Placement and Office Management to assist Members, committees and officers of the Senate and House seeking competent personnel and to furnish advice and information regarding office management procedures.

Third. Protect the rights of the minority by providing the right to appoint and direct certain committee staff members, the right to present minority views and reports, the right to call witnesses during committee hearings and the right to equal time on conference reports.

Fourth. Permit the broadcasting, telecasting and photographing of committee hearings that are open to the public.

Fifth. Establish a bill of rights for committees that would require announcement of record votes and permit a majority to compel the calling of a meeting, the opening of meetings to the public and the filing of a report.

Sixth. Authorize measures designed to assist Members of Congress in the performance of their congressional duties. Such measures would include enlarging committee staffs, strengthening and improving the Legislative Reference Service, and authorizing the committees to employ experts as consultants on an interim basis.

Seventh. Provide for the adjournment of Congress during the month of August.

Eighth. Implement fiscal controls and budgetary reforms that would include a greater utilization of the General Accounting Office, a multiple year financial projection of programs, the updating of the budget on June 1 of each year, and the testimony of responsible executive department officials before the Appropriations Committee of each House within 30 days after the budget is presented to Congress.

CREATION OF A NEW HOOVER COMMISSION

Waste, inefficiency and duplication of effort have been the natural and foreseeable result of the bureaucratic explosion that has taken place within the Federal Government during the past 5 years. New agencies, bureaus and programs have been created in unprecedented numbers without a corresponding and much-needed review and reorganization of the executive branch. As a result, a catalog of Federal Programs for Individual and Community Improvement requires 414 pages. The Encyclopedia of U.S. Government Benefits covers 1,007 pages. There are more than 60 Federal programs that deal with urban problems while 37 offices in the executive branch are concerned with the problems of the aging. And there are 42 separate Federal agencies involved in educational programs. Republican legislation that would establish a new independent bipartisan commission patterned after the two distinguished Hoover Commissions, to recommend essential reorganization and reform in the executive branch of our Government must be enacted.

The two Hoover Commissions, which were created and established by Republican Congresses, contributed markedly to the ability of the Congress and the agencies themselves to improve efficiency and to eliminate duplication of Executive functions. For example, the first Hoover Commission recommended the Reorganization Act of 1949. Other recommendations led to the creation of the General Services Administration, the National Security Act Amendments of 1949 which formally established the Department of Defense, the Classification Act of 1949, the reorganization of the Post Office Department, and the passage of the Budget and Accounting Act of 1950. On the basis of the recommendations of the second Commission, the Department of Defense was reorganized, the budget system was modernized further, research activities were coordinated, the Federal career service improved, and the National Library of Medicine created. Without question, a new Commission would lead to reforms of similar scope and significance.

BLOCK GRANTS AND REVENUE SHARING

Block grants encourage maximum State coordination and permit the States and localities to establish priorities and run their own programs with a minimum of Federal interference.

The Comprehensive Health Act provides one of the best examples of what can be done under the block grant approach. This Republican-sponsored and supported act consolidated 16 separately administered public health programs and permitted the States to develop plans, establish priorities, and coordinate local activities.

The recently passed Law Enforcement and Criminal Justice Assistance Act as it was improved and perfected by Republican amendments, also employs a block grant approach. It provides maximum State and local control over law enforcement and minimum Federal interference.

The Republican-proposed, revenue-sharing program provides a long-range solution to the serious fiscal problems of State and local governments. Revenue and credit sources available to State and local governments have not kept pace with demands and prices. On the other hand, the income tax on which the Federal Government relies for the bulk of its revenue, produces steadily increasing amounts.

Under the Republican proposal, federally collected tax revenue will be returned to the States with no strings attached and with a minimum of Federal administrative oversight. With this money, the State and their political subdivisions will have an opportunity to initiate and implement essential programs which they determine have a high priority in their particular State or locality. These programs will be directed and controlled by State and local officials. The deadening hand of Federal bureaucracy will not be permitted to follow the Federal money and thereby control the local program.

REFORM FOREIGN AID

In foreign as well as domestic affairs, the Johnson-Humphery administration has attempted to solve problems by simply applying large amounts of tax dollars. They have lost sight of the fact that the initial and basic theory of the point four program was its emphasis on technical assistance. Then, as now, developing countries are handicapped by a lack of administrative and technical skill.

The foreign aid authorization should be limited to 1 year. There is a definite need for new ideas and changes in the aid program. The stagnation and deterioration of recent years must be reversed. Investigations in depth must be conducted. Outmoded and counter productive policies and projects must be identified and corrected.

Our aid must be positioned realistically in our national priorities. Only those nations which urgently require America's help and clearly evince a desire to help themselves will receive such assistance as can be diverted from our own pressing needs. In providing aid, more emphasis will be given to technical assistance. Multilateral agencies will be encouraged so that other nations will help share the burden. The administration of all aid programs will be revised and improved to prevent waste, inefficiency, and corruption. Maximum participation by private enterprise will be encouraged.

Foreign aid activities will not be permitted to range free of our foreign policy. Nations hostile to this country will receive no assistance from the United States. We will not provide aid of any kind to countries which aid and abet the war effort in North Vietnam.

REVISE MILITARY DRAFT SYSTEM

The order of call for eligible registrants should be revised so that those in the younger age group would be called to active duty first. Under the present system of priorities for induction, the oldest are selected from the age group of 26 years and under. This system has resulted in considerable uncertainty. An individual classified as available at 18½ remains subject to possible induction until he reaches his 26th birth date. Moreover, the degree of his exposure to induction increases directly with his age and reaches its maximum point on the day before he reaches age 26. The younger men, as a group, are more adaptable to the routines of military training and there are fewer dependents' problems at these ages. Also, a man who is awaiting a draft call has greater difficulty in finding and keeping suitable employment.

When military manpower needs can be appreciably reduced, we will place the Selective Service System on standby and substitute a voluntary force obtained through adequate pay and career incentives.

IMPROVE SOCIAL SECURITY

The social security system will be strengthened by providing automatic cost-of-living adjustments under social security and the Railroad Retirement Act. An increase in earnings permitted to social security recipients without loss of benefits, provision for post-age 65 contributions to social security with deferment of benefits, and an increase in benefits to widows will also be provided. The age for universal social security coverage will be gradually reduced from 72 to 65 and the former 100 percent income tax deduction will be restored for medical and drug expenses for people over 65. Additionally, steps to help improve and extend private pension plans will be taken.

NATIONAL EMERGENCY STRIKES

Promises by the Johnson-Humphrey administration to recommend legislation dealing with crippling economic strikes have never been honored. Instead, settlements forced or influenced by Government and overriding the interests of the parties and the public have shattered the administrations' own wage and price guidelines and contributed to inflation.

Effective methods for dealing with labor disputes involving the national interest must be developed. Permament, long-range solutions of the problems of national emergency disputes, public employee strikes and crippling work stoppages are imperative. These solutions cannot be wisely formulated in the heat of emergency. The development of practical, acceptable solutions that conform fully to the public interest will be given the highest priority.

REFORM AND REVISE WELFARE PROGRAMS

The rigid welfare requirements that stifle work motivation must be revised. Locally operated children's day-care centers that free the parents to accept work will be supported.

Burdensome administrative procedures will be simplified, and existing programs will be revised so that they encourage and protect strong family units.

Recent studies indicate that many Americans suffer from malnutrition despite six separate Federal food distribution programs. Fragmentation of Federal effort hinders accomplishment. Federal food distribution programs must be unified. There must be active cooperation with the States and private enterprise, to help provide the hungry poor sufficient food for a balanced diet.

FISCAL REFORM

The economic crisis triggered by the chaotic fiscal policies of the Johnson-Humphrey administration poses the greatest single threat to the initiation and implementation of the plans and the programs that are desperately needed to meet and solve our pressing problems. The last balanced budget was in 1960. The deficits under the Kennedy-Johnson-Humphrey administration have totaled $65.8 billion and the deficit in fiscal 1968 was a record $25.4 billion.

Since the Johnson-Humphrey administration took office, the cost of living has increased nearly 11.6 percent. Interest rates have reached their highest point since the Civil War. So unprecedented is the rate of increase, the standard books of tables for estimating mortgage payments must be rewritten. Three years ago a home could have been purchased with a Government-backed mortgage of 5¼ percent. Today, the rate of interest is 6¾ percent. This means that a homeowner with a 20-year $20,000 loan will have to pay $5,154.40 more in interest charges.

From the outset of the fiscal crisis, Republicans in Congress have demanded the establishment of priorities, a reduction in spending and the revision and reform of existing programs. The Republican Members of the Appropriations Committee and the Ways and Means Committee led the fight to make budget cuts, recisions and limitations on budgetary authority an integral part of any tax increase. Largely at the insistence of Republicans, the Revenue and Expenditure Control Act of 1968, contained an order to cut $6 billion in 1969 budget expenditures, $10 billion in new obligational authority and $8 billion in unspent authorizations.

In the 91st Congress, an even greater effort will be made to establish priorities, reduce spending and revise and reform existing programs. Unless our present fiscal deterioration is averted, the very people that we now seek to help will be hurt the worst. Job training and educational programs will be set back years. Social programs will be curtailed and urban renewal and slum clearance will be crippled.

REVITALIZE THE MERCHANT MARINE

Our merchant marine has been allowed to deteriorate. There are grave doubts that it is capable of an adequate response to emergency security needs.

The United States has drifted from first place to sixth place in the world in the size of its merchant fleet. By contrast, the Russian fleet has been rapidly expanding and will attain a dominant position by 1970. Deliveries of new ships are now 8 to 1 in Russia's favor.

For reasons of security, as well as of economics, the decline of our merchant marine must be reversed. A vigorous and realistic ship replacement program to meet the changing pattern of our foreign commerce must be implemented. Industry-Government maritime research and development, emphasizing nuclear propulsion must be expanded. Construction and operating subsidy procedures must be simplified and revised.

REVIEW AND EVALUATE EXISTING FEDERAL PROGRAMS

The Great Society programs administered by huge Federal bureaucracies have not delivered the goods. Waste, inefficiency, and few real results have been the rule rather than the exception.

State and local governments are now buried under a mass of Federal grant-in-aid programs. There are today some 1,271 separate aid programs that are administered by a total of 21 Federal departments and agencies, 150 Washington bureaus and 400 regional offices. There are some 70 federally funded job training programs with some cities having as many as 30 operating side by side.

Many programs have outlived their original purpose; others actively compound the problems they were designed to relieve; still others are loosely administered and very wasteful. In the next Congress, we would seek to squeeze as much effectiveness as possible from the ill-conceived and hastily enacted programs that are now on the books until such time as they can be revised, consolidated, transferred, or terminated.

AGRICULTURE

Our legislative goal is farm policies and programs that will enable producers to receive fair prices in relation to the prices they must pay for other products.

Proposals designed to encourage farmers, especially small producers, to develop their bargaining position will be considered.

A two-way export-import policy which protects American agriculture from unfair foreign competition while increasing our overseas commodity dollar sales to the rapidly expanding world population will be provided.

The management of the Commodity Credit Corporation's inventory operations will be reorganized so that the Corporation will no longer compete with the marketings of farmers.

Programs for distribution of food and milk to schools and low-income citizens will be improved.

The program to export our food and farm technology in keeping with the Republican-initiated food-for-peace program will be strengthened.

Farm cooperatives including rural electric and telephone cooperatives will be assisted consistent with prudent development of our Nation's resources and rural needs.

Research for industrial uses of agricultural products, new markets, and new methods of cost cutting in production and marketing techniques will be emphasized.

Programs emphasizing vocational training, economic incentives for industrial development, and the development of human resources will be used to revitalize rural America.

Credit programs designed to help finance the heavy capital needs of modern farming, will be improved.

Finally, the American farmer will be given a more direct voice in shaping his own destiny.

LAW ENFORCEMENT AND CRIMINAL JUSTICE

Republicans in the 90th Congress have led the way toward the enactment of major legislation in the field of law enforcement and criminal justice.

Republicans in the 91st Congress will continue to accord this subject top priority.

We will sponsor and support measures which prevent and deter crime as well as those which are concerned with crimes that have been committed.

Chronic or repeat offenders, for example, are a major cause of crime. We will seek legislation to involve private industry in the rehabilitative process behind prison walls through the medium of tax incentive. We will also explore the feasibility of a Federal bonding program to encourage meaningful employment of ex-convicts who earnestly desire to "go straight."

At the same time we will protect society from unrehabilitative professional criminals by providing for realistic sentencing standards as to them.

We will assist State and local law enforcement while preserving the primacy of State responsibility in this area.

We will increase public protection against racketeer infiltration of legitimate businesses.

We will revamp the Federal law enforcement establishment, the Federal corrections system, and the system of criminal justice at large.

We will improve narcotics rehabilitation.

We will improve the bail reform law.

Through the Joint Congressional Committee on Crime we will exercise continuous legislative oversight to insure that the laws passed by Congress are utilized and enforced by the executive branch.

Finally, we will explore the means to reintroduce reality into the process of determining the guilt or innocence of criminal defendants.

JOBS

The most effective job trainer in the Nation is private enterprise. Employers and employees working together have conceived and developed many sound training programs. Our rapidly advancing technology requires many additional programs of training and retraining. To meet this need, business must expand its formal as well as informal training capability. Classes must be held during business hours or after work in plants, offices, and nearby classrooms. The skilled supervisors and the acknowledged experts employed by the various companies as well as full-time teachers must be utilized to provide the required instruction if we are to close the training gap. This can be done through the Republican Human Investment Act.

The Republican Human Investment Act provides a thoughtful and effective method to meet the chronic unemployment and underemployment problem that is posed by the uneducated, unskilled, untrained worker. It would stimulate the initiation and expansion of job training and retraining programs by private industry by providing a tax credit for certain expenses of such programs.

CLEAN AIR

The Air Quality Act of 1967, Public Law 90-148, for the first time makes meaningful and definite divisions of responsibility between States and the Federal Government on the matters of combating air pollution. At the insistence of the Republican Members, it limited the authority of the Department of Health, Education, and Welfare to three things: First, determining the scientific criteria; second, recommending abatement procedures; and, third, designating air sheds.

The States, singly or in concert, are authorized to meet the problems by first, determining how much of the various pollutants can be emitted by industries and other installations, and, second, creating machinery for enforcement.

Unfortunately, the tasks assigned to the Federal Government are proceeding very slowly. A Republican administration and a Republican Congress would see to it that the Federal Government carried out its assigned responsibilities diligently so that State governments can protect their citizens from the dangers of increasing air pollution.

EDUCATION

Programs for preschool children must be improved and expanded. State, local or private programs of teacher training will be encouraged. Better teaching methods and modern instruction techniques such as educational television and voluntary bilingual education will be supported.

States will be encouraged to present plans for Federal assistance which would include State distribution of such aid to nonpublic schoolchildren and include nonpublic school representatives in the planning process. Where State conditions prevent use of funds for nonpublic schoolchildren, a public agency should be designated to administer Federal funds.

Posthigh school technical institutes that will enable young people to acquire satisfactory skills for meaningful employment will be expanded. For youths unable to obtain such training, we propose an industry youth program, coupled with a flexible approach to minimum wage laws for young entry-level workers during their training periods.

The rapidly mounting enrollments and costs of colleges and universities deprive many qualified young people of the opportunity to obtain a quality college education. To help colleges and universities provide this opportunity, we favor grant and loan programs for expansion of their facilities. We support a flexible student aid program of grants, loans, and work opportunities, provided by Federal and State Governments and private organizations. We favor tax credits for those burdened with the costs of higher education, and also tax deductions to encourage savings for this purpose.

CLEAN WATER

During the 91st Congress, we will seek to achieve the goals of the Federal Water Pollution Control Act, enacted July 9, 1956—Public Law 84-660—as amended, and supplemented in 1961, 1965, and 1966. Emphasis will be upon the efficient and effective administration of existing programs and maximum funding of those programs, rather than upon the continual promulgation of new legislation, which has been the case since 1961.

The role of the States will be paramount, and the effective participation of the States in exercising leadership and accomplishing their responsibility will be emphasized. Restrictive action by Federal agencies, resulting in the hampering of State programs, will be eliminated—if necessary, by legislation.

As the program becomes unmired from its present burdens of bureaucratic vagary, caprice, and lethargy, its virtues and defects will be revealed. Based upon these and upon the changing conditions of the Nation, new legislation, when and if needed, will be developed.

Recognizing the need for legislation in special areas, such as oil pollution, the Republican program calls for sensible legislation designed to eliminate the causes and to ameliorate the effects of water pollution without destroying industries or imposing onerous burdens on those who could, in effect, be scapegoats.

TRANSPORTATION

A balanced, competitive transportation system in which each mode of transportation—train, truck, barge, bus, and aircraft—is efficiently utilized must be maintained. The Johnson-Humphrey administration's failure to evolve a coordinated transportation policy has resulted in outrageous delays at major airports and in glacial progress in developing high-speed trains transportation linking our major population centers.

The Nation's air transport system performs excellently, but under increasingly adverse conditions. Airways and airport congestion has become acute. New and additional equipment, modern facilities including the use of computers, and additional personnel must be provided without further delay.

A trust fund approach to transportation, similar to the fund developed for the Eisenhower Interstate Highway System, will be explored as a means of speeding the development of modern mass transportation systems and additional airports.

The Federal-aid highway program must be restructured to keep abreast of the Nation's transportation needs, and planning must be undertaken now to provide for necessary highway improvement after 1975.

IMPROVE VETERANS' BENEFITS

A sound program of veterans' benefits that will merit the approval of the Nation and its veterans must be perfected. Such a program will include: First, compensation payments that are commensurate with the cost of living for service-connected disabled veterans and their survivors, particularly widows with minor children; second, special consideration for older veterans in determining eligibility for pension and hospitalization; third, the continued operation of the Veterans' Administration hospital system dedicated to the care and treatment of veterans, with an adequate number of beds, both medical and nursing care, to accomplish this purpose; fourth, the formulation of a national policy on cemeteries and burial benefits for veterans; and fifth, continued priorities in employment, for veterans, with special attention to the returning Vietnam veterans.

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENTS AND FLOOR VOTES, 90TH CONGRESS

First, February 8, 1967: Adopted a statement urging the immediate consideration and enactment of the Election Reform Act of 1967 which has been sponsored and introduced by Republican Members. This act would establish a five-member bipartisan Federal Elections Commission which would receive, investigate, and audit campaign contributors and expenditure reports and statements.

Second, February 8, 1967: Adopted a statement urging the immediate establishment of a select committee on standards and conduct. This 12-member committee would be empowered to recommend rules and regulations to insure proper standards of conduct by Members and officers and employees of the House. Also, it would have the authority to investigate alleged breaches of conduct, recommend appropriate action and report violations of law to the proper Federal and State authorities.

H. Res. 416 (Apr. 13, 1967), final passage:

Yea	175
Nay	0
Not voting	12
Percentage	100

Third, February 8, 1967: Opposed H.R. 4573 which would raise the debt ceiling to $336 billion without making certain basic budgetary reforms. Urged the adoption of an amendment which would include as a part of the public debt participation certificates sold as full faith and credit obligations. Also, urged the adoption of an amendment which would permit the Secretary of the Treasury to save as much as $50 million in annual interest payments by issuing up to $6 billion long-term Treasury obligations on the same interest basis as short-term obligations.

Motion to recommit:

Yea	153
Nay	23
Not voting	11
Percentage	86.9

Final passage:

Yea	2
Nay	173
Not voting	12
Percentage	98.8

Fourth. February 23, 1967: Adopted a statement urging the immediate consideration and enactment of legislation sponsored and introduced by Republican Members that would establish a Commission on the Reorganization of the Executive Branch of the Government—new Hoover Commission.

Fifth. March 8, 1967: Adopted a statement urging the immediate consideration of legislation introduced by Republican Members that would eliminate political favoritism and insure the recognition and promotion of able and experienced career postal employees.

Sixth. March 15, 1967: Adopted a statement urging the immediate consideration of the Human Investment Act of 1967. This Republican-sponsored legislation would encourage American business to invest in our No. 1 resource—the American working man and woman. It would stimulate the initiation and expansion of job training and retraining programs by providing a tax credit for certain expenses of such programs.

Seventh. March 22, 1967: Commended the Republican members of the Joint Economic Committee for their excellent analysis and review of the 1967 Economic Report of the President. Urged the enactment of a Republican resolution that would return the 1968 budget to the President and request that he indicate the places and amounts where he believes substantial reductions may be made.

Eighth. April 5, 1967: Urged the updating and revision of the copyright law, H.R. 2512. This law would insure that authors receive the encouragement they need to create and the renumeration they deserve for their creations.

Final passage:

Yea	182
Nay	1
Not voting	4
Percentage	99.4

Ninth. April 5, 1967: Urged the creation of a bipartisan Congressional Committee on Captive Nations. There is an obligation to promote the enjoyment of human rights and fundamental freedoms wherever they may be denied or threatened. If we are to consider building bridges to the East, such an effort should start with the people in the captive nations.

Tenth. April 19, 1967: Urged basic reforms in the Elementary and Secondary Education Act. Under the present law, Federal support intended to improve elementary and secondary education has been used to undermine State and local initiative and responsibility. Urged an amendment to provide block grants to the States for educational purposes. Such grants would replace the multiplicity of categorical grant-in-aid programs now in operation.

Block grant amendment:

Yea	154
Nay	26
Not voting	7
Percentage	85.5

Eleventh. April 26, 1967: Adopted a statement regarding congressional redistricting which noted that the establishment of precise criteria for congressional redistricting is a matter for Congress. If Congress does not establish guidelines for the State to follow, the districts in 22 States or 297 congressional districts may be ruled invalid. H.R. 2508 would provide congressional standards for the State to follow in the establishment of districts for the election of representatives to Congress.

Motion to recommit:

Yea	158
Nay	3
Not voting	26
Percentage	98.1

Final passage:

Yea	141
Nay	15
Not voting	31
Percentage	90.3

Twelfth: May 3, 1967: Urged the prompt enactment of legislation to prohibit the deliberate and defiant desecration of the American flag.

H.R. 10480 final passage:

Yea	175
Nay	0
Not voting	12
Percentage	100

Thirteenth. May 3, 1967: Adopted a statement that warns of a national crisis in the American maritime industry that has been triggered by the neglect, confusion, and general inability of the Johnson-Humphrey administration to meet the mounting maritime problem. Urged the revitalization and modernization of our shipbuilding industry so that the demands of the future can be met. Called for the development of a meaningful maritime policy that will incorporate a forward-looking ship replacement program.

Fourteenth. May 10, 1967: Adopted a statement which urged prompt action on the congressional reorganization legislation, S. 355. The awesome problems of today and the challenges of the 1970's demand an efficient and effective Congress. Unless Congress is strengthened, there is grave danger that the historic role of Congress as an essential check on the massive power of the executive may be dangerously diluted.

Fifteenth. May 24, 1967: Adopted a statement supporting the Military Selective Service Act of 1967, S. 1432. This legislation updates and improves the present Selective Service System in a number of important respects. It establishes uniform criteria for future undergraduate college student deferments.

Final passage:

Yea	164
Nay	0
Not voting	22
Percentage	100

Sixteenth. June 7, 1967: Adopted a statement in opposition to H.R. 10328 which would increase the public debt ceiling by $29 billion. Urged a cutback in nonessential spending and honest reporting of anticipated Government expenditures. This must be done if we are to avoid a runaway economy that may lead to Government control of wages, prices, and credit as well as further increases in taxes.

Final passage:

Yea	0
Nay	176
Not voting	11
Percentage	100

Seventeenth. June 14, 1967: Adopted a statement on the railroad labor dispute legislation, House Joint Resolution 559, pointing out that due to the vacillating performance of the Johnson-Humphrey administration, the country is faced with a tragic situation. Legislation must be enacted, for in this period of international tensions and war, a chaotic nationwide railway strike cannot be permitted. No record vote.

Eighteenth. June 21, 1967: Opposed H.R. 10867 which would increase the borrowing authority of the Treasury to a maximum of $365 billion. Urged the continuation of the present $336 billion debt limit. This would be adequate to finance the Government expenditures through September 30, 1967, and would afford the Johnson-Humphrey administration another opportunity to review and reassess its fiscal policies and forward to Congress up-to-date and credible information regarding anticipated expenditures and revenues.

Motion to recommit:

Yea	169
Nay	10
Not voting	7
Percentage	94. 4

Final passage:

Yea	0
Nay	176
Not voting	10
Percentage	100

Nineteenth. July 12, 1967: Urged the prompt enactment of antiriot legislation, H.R. 421. This Republican-sponsored legislation would impose criminal penalties upon persons traveling in or using the facilities of interstate commerce with the intent to incite a riot.

Final passage:

Yea	180
Nay	4
Not voting	2
Percentage	97. 8

Twentieth, July 19, 1967: Urged the House-Senate conference on the National Aeronautics and Space Administration authorization bill to accept the key Republican amendments which were adopted on the floor of the House. These amendments reduce the funds requested by NASA by $201.4 million, establish an independent safety panel in NASA and require the Space Administration on its own initiative to keep Congress fully and currently informed of problem areas in the space effort.

Motion to recommit:

Yea	157
Nay	20
Not voting	9
Percentage	88. 7

Twenty-first. August 2, 1967: Adopted a statement with respect to the Law Enforcement and Criminal Justice Assistance Act of 1967, H.R. 5037, which urged the adoption of three key amendments. The States must be given the authority to coordinate applications for assistance and distribute aid to local law-enforcement activities. An appropriate allocation formula should be adopted that would limit the Attorney General's unchecked discretion to distribute funds. A National Institute of Law Enforcement and Criminal Justice which would be authorized to establish regional training institutes should be established.

Amendment that would grant authority to States:

Yea	172
Nay	4
Not voting	10
Percentage	97. 7

Final passage:

Yea	173
Nay	1
Not voting	12
Percentage	99. 4

Twenty-second. August 9, 1967: Urged the Johnson-Humphrey administration to provide the American people with an effective antiballistic missile system. The Joint Chiefs of Staff unanimously support the position that this country should deploy an antiballistic missile system. The Joint Committee on Atomic Energy has warned:

> A low order of magnitude attack could possibly be launched by the Chinese Communist against the United States by the early 1970's.

Twenty-third. August 16, 1967: Supported H.R. 12080, the Social Security Amendments of 1967. This bill provides an across-the-board increase of 12½ percent, increases the amount an individual may earn and still get full benefits, strengthens the benefit formula, improves the health insurance benefits, and requires the development of programs under Aid to Families with Dependent Children—AFDC—that would insure that individuals receiving aid would be trained to enter the labor force as soon as possible.

Final passage:

Yea	182
Nay	1
Not voting	3
Percentage	99. 4

Twenty-fourth. September 13, 1967: Adopted a statement with respect to the Appalachian Regional Development Act Amendment of 1967 and Amendments to the Public Works and Economic Development Act of 1965, S. 602, which urged that the Appalachian region be retained in its present size, that the authorization be restricted to its current amount and that the amendments to the Public Works and Economic Development Act be deleted.

Amendment to reduce authorization by $50 million:

Yea	146
Nay	14
Not voting	26
Percentage	91. 2

Motion to recommit:

Yea	143
Nay	17
Not voting	26
Percentage	89. 3

Twenty-fifth. September 19, 1967: Supported the Partnership for Health Amendments of 1967—H.R. 6418. This Republican sponsored and supported proposal provides $892 million in comprehensive health grants to the States during the next 3 years. With these funds each State and locality will be able to zero in on its most serious public health problem whether it is due to rat infestation or some other cause.

Final Passage:

Yea	172
Nay	4
Not voting	10
Percentage	97. 7

Twenty-sixth. October 11, 1967: Supported H.R. 159 which would create an independent Federal Maritime Administration.

Final Passage:

Yea	162
Nay	5
Not voting	19
Percentage	97

Twenty-seventh. October 18, 1967: Adopted a statement supporting a reduction of at least $5 billion in governmental expenditures. Urged that a spending ceiling be imposed so that the anticipated Budget expenditures for fiscal year 1968 would be reduced from $136.5 to $131.5 billion.

H.J. Res. 888—Spending ceiling amendment:

Yea	171
Nay	9
Not voting	6
Percentage	95

Twenty-eighth. October 25, 1967: Supported the Air Quality Act of 1967, S. 780. This legislation encourages the solution of air pollution problems on a regional basis in accordance with air quality standards and enforcement plans developed by the States. It provides $362.3 million over a 3-year period for air control research, studies, planning, and grants to States and air pollution agencies.

Final passage:

Yea	161
Nay	0
Not voting	25
Percentage	100. 0

Twenty-ninth. October 31, 1967: Supported the Federal Meat Inspection Act, H.R. 12144. This legislation updates and revises the act of March 4, 1907, the Horsemeat Act and the Imported Meat Act into a single new statute. It broadens the present meat inspection service by establishing a Federal-State cooperative meat inspection program. The Department of Agriculture is provided with authority to eliminate practices that could defraud consumers and endanger the public health.

Final passage:

Yea	179
Nay	1
Not voting	6
Percentage	99. 4

Thirtieth. November 8, 1967: Urged the prompt consideration of clean elections legislation. On June 27, 1967, a bipartisan election reform bill, H.R. 11233, was reported by a subcommittee of the House Administration Committee. This legislation contains the basic reforms advocated and supported by President Johnson and the Republican congressional leadership. With the next presidential and congressional elections less than 1 year away, congressional action cannot be delayed if this legislation is to be in effect and operative during the 1968 campaigns.

Thirty-first. January 30, 1968. Supported the consumer credit protection legislation, H.R. 11601. Urged the adoption of a Republican loan sharking amendment which would make it a violation of Federal law for anyone engaged in interstate commerce to lend money at rates of interest held to be illegal under the statute of the State in which the transaction takes place.

Final passage:

Yeas	165
Nays	1
Not voting	21
Percentage	99.3

Thirty-second. January 30, 1968. Urged the immediate enactment of clean elections legislation and supported legislation that would make possible TV debates between presidential candidates.

Thirty-third. February 7, 1968: Adopted a statement on the present fiscal crisis caused by the spending policies of the Johnson-Humphrey administration that has fed the inflation fires, skyrocketed interest rates and created large deficits. Pledged that in the second session Republicans would make an even greater effort to establish priorities, reduce spending and revise and reform existing programs.

Thirty-fourth. February 21, 1968: Adopted statement regarding the removal of the gold cover and the balance-of-payments deficit. Seven years of Democratic spendthrift policies have reduced this country from a fiscal strongman into a hat-in-hand supplicant whose currency is dependent upon the restraint and forbearance of others. The removal of the gold cover without making fiscal and monetary reforms will simply paper over our basic problems. Recommended the immediate enactment of legislation that would impose a ceiling on Government spending.

Thirty-fifth. March 6, 1968: Adopted a statement on the 8-month-old Copper Strike and National Emergency Dispute legislation. The Johnson-Humphrey Administration permitted the Copper Strike to continue until our defense effort has been jeopardized. Production lines in a number of basic industries had to be closed and the balance-of-payments deficit was deepened by more than $300 million. Urged the immediate scheduling of hearings by the Democratic Congressional Leadership to resolve the present stalemate and the development of more effective methods for settling labor disputes involving the national interest.

Thirty-sixth. March 27, 1968: Urged the prompt consideration and enactment of the proposed Code of Official Conduct, H. Res. 1099.

Final passage:

Yeas	180
Nays	1
Not voting	6
Percentage	99.4

Thirty-seventh. May 1, 1968: Adopted a statement on the National Aeronautics and Space Administration Authorization Bill, H.R. 15856 which urged the reduction of the Administration request by an additional $200 million. Recommended greater emphasis on research and development programs and a reduction in the components and hardware presently on order and subject to obsolescence prior to the time that they could be used.

Final passage:

Yeas	115
Nays	51
Not voting	20
Percentage	69.2

Thirty-eighth. May 8, 1968: Supported the extension of Public Law 480, H.R. 16165. This statute which is the cornerstone of the Food for Peace Program was enacted into law under the leadership of President Eisenhower and by a Republican Congress in 1954. It has meant the difference between life and death for millions of people in a world where much of the population is engaged in a desperate race between food production and population growth.

Final passage:

Yeas	151
Nays	25
Not voting	11
Percentage	85.7

Thirty-ninth. May 22, 1968: Supported the one-year extension of the Food and Agriculture Act of 1967, H.R. 17126. One-year extension would provide the farmer with the leadtime that is needed to make essential plans for planting and marketing. It would also provide the necessary interval in which the next Congress and the new Republican Administration could formulate an effective farm program.

Final passage:

Yeas	65
Nays	95
Not voting	26
Percentage	40.6

Forty. May 22, 1968: Urged the adoption of H.R. 8578, a bill that would amend title I of the Land and Conservation Fund Act of 1965. Unless additional revenue is provided for the Land and Water Conservation Fund Act, recreation areas urgently needed and presently authorized cannot be acquired. H.R. 8578 would bring into the fund the essential revenue.

Final passage:

Yeas	154
Nays	4
Not voting (1 present)	28
Percentage	97.4

Forty-first. May 22, 1968: Urged the adoption of the Wholesome Poultry Products Act, H.R. 16363. This bill would update and expand the original Poultry Products Inspection Act that was enacted into law under the Eisenhower administration.

Final passage:

Yeas	160
Nays	9
Not voting	18
Percentage	94.6

Forty-second. June 5, 1968: Supported H.R. 17267, a bill to Remove Federal or District of Columbia Employees Convicted of Committing an Unlawful Act which is Related to a Riot or Civil Disorder.

Forty-third. June 19, 1968: Supported the Natural Gas Pipeline Safety Act of 1968, S. 1166. This bill provides adequate Federal safety standards for the interstate transportation of gas by pipeline and for pipeline facilities. It would close the safety gap that now exists with respect to this important mode of transportation.

Final passage:

Yeas	161
Nays	2
Not voting (1 present)	23
Percentage	98.7

Forty-fourth. June 26, 1968: Supported the recently reported Election Reform Act of 1968, H.R. 11233 and urged that it be scheduled for immediate floor consideration. For 2 years the House Republican Leadership and Policy Committee and the Republican members of the House Administration Committee have worked for the enactment of clean elections legislation. The weak proposal recommended by the Johnson-Humphrey administration has been shelved in favor of the strong measure that was developed by the Republican Members. Through the incorporation of Republican provisions, honest reporting of campaign contributions and expenditures and streamlined enforcement procedures would be insured.

No record vote.

Forty-fifth. July 25, 1968: Adopted a statement on the seizure and detention of the U.S.S. *Pueblo* which censured the Johnson-Humphrey administration for the manner in which it has handled this humiliating affair. Failure in the conduct of international affairs by the Johnson-Humphrey administration, as in the *Pueblo* affair, has led to the widespread belief that the United States is indeed a "paper tiger."

Forty-sixth. July 25, 1968: Opposed H.R. 15890, a bill that would authorize the Johnson-Humphrey administration to appoint 428 additional supergrade positions. Adoption of this legislation would mean that top paying jobs ($22,835 to $28,000) per year could be awarded in the waning days of a thoroughly discredited administration to key political appointees and cronies.

Adoption of a rule to bring H.R. 15890 to House floor for debate and vote:

Yeas	---
Nays	157
Not voting	30
Percentage	100

Forty-seventh. September 4, 1968: Supported the extension of the Manpower Development and Training Act of 1962 (MDTA), H.R. 15045. Properly amended and administered, this Republican sponsored and supported act can play an important role in the fight against unemployment and underemployment.

Final passage:

Yeas	143
Nays	—
Not voting	44
Percentage	100

Forty-eighth. September 18, 1968: Urged the prompt consideration of electoral college reform. Due to the defects in the present electoral system, the American people are confronted with a potentially dangerous situation every 4 years. The final selection of the President is subject to numerous uncertainties. A stalemate in that selection or a protracted period of doubt and confusion are alarming possibilities.

	Percentage
Total average	93.8

THE HONORABLE GEORGE M. RHODES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. MORGAN] is recognized for 60 minutes.

Mr. MORGAN. Mr. Speaker, I have requested this time for myself and other colleagues of the Pennsylvania delegation and the House to pay tribute to our distinguished friend and colleague, the gentleman from Pennsylvania [Mr. RHODES], who is completing his 20th year of outstanding service in this body. GEORGE RHODES will soon enjoy the fruits of retirement, having decided not to seek reelection to an 11th term.

GEORGE RHODES was first elected to the 81st Congress in November 1948, defeating the incumbent Republican, Congressman Fred Muhlenberg. He has the distinction of having served as Representative longer than any other Congressman in the history of his native Berks County, dating back to the first Congress, which met in 1789. He has been the most successful votegetter in his district, having been reelected in the 1952 and 1956 presidential election years, despite the overwhelming victories in his district by President Eisenhower. In 1960, Rhodes again led the Democratic ticket with an 8,465-vote majority although Vice President Nixon carried his district over the late President Kennedy by 11,171 votes. Redistricted in 1962 with our former colleague, Dr. Ivor Fenton, a 12-term Member and dean of the Republican delegation, GEORGE RHODES won his most notable victory by a 5,000-vote margin. In 1964 he defeated James Bamford, former Republican mayor of Reading, by 60,000 votes to win his ninth term. He was reelected to his 10th term in 1966 by a 20,000-vote margin.

Mr. Speaker, GEORGE RHODES is truly a "Congressman's Congressman." Modest, soft spoken, considerate of his colleagues, he shuns personal publicity or credit for his many legislative accomplishments in behalf of his constituency, his State, and Nation. His dedication, quiet effectiveness, and high standards of integrity are a credit—both to himself and to the House of Representatives. His conscientious efforts as a legislator are shown by the fact that he has one of the best attendance records of any Member of Congress, averaging 98 percent during his service in the House. In the 86th Congress, he was recorded on every vote. A determined liberal in every best sense of the term, GEORGE RHODES was in the vanguard of the fight for every progressive legislative accomplishment of the Truman, Kennedy, and Johnson administrations, sponsoring or cosponsoring most of the milestone legislative achievements enacted into law.

During his first four terms, RHODES served on the Post Office and Civil Service Committee, where he helped lead the fight for equitable pay for postal and classified employees and for more fair postal rates. He also was a pioneer in the establishment of an employee-management relations program in the executive branch.

In 1956, he was named to the Interstate and Foreign Commerce Committee, where he served on the Subcommittee on Health and Safety. He cosponsored the Hill-Rhodes Act with Senator LISTER HILL, of Alabama, providing the first general Federal-aid grants to assist graduate schools of public health in the training of essential public health specialists. The Association of Schools of Public Health presented an award of merit to Congressman RHODES for his leadership in the health field. The citation read in part:

> The name of Congressman George M. Rhodes will always shine in the annals of the public health profession. Congressman Rhodes typifies the thoughtful, conscientious and progressive legislator who acts in the Nation's behalf and who deserves the Nation's gratitude.

Mr. Speaker, GEORGE RHODES has also received a national award for his outstanding work and legislative efforts in behalf of the Nation's handicapped citizens. He was cosponsor of legislation to improve social security by lowering the retirement age and to make benefits available to disabled persons. He has introduced, supported, and voted for every substantative improvement in the Social Security Act, including the medicare program, since he came to Congress 20 years ago.

Prior to his election to the Ways and Means Committee in 1964, where he has continued to serve with great distinction, he also served on the House Administration Committee. During two Congresses in the 1950's, he was chairman of the House Subcommittee on Morals and Ethics. Rhodes also served during the past six Congresses as assistant Democratic whip and floor leader of the Pennsylvania delegation.

Mr. Speaker, before his election to Congress in 1948, GEORGE RHODES worked in the printing and publishing industry in Reading, Pa., as a printer, manager, editor, and publisher. He was active in the trade union movement in Reading and served as president of the Reading and Berks County Central Labor Union and as vice president of the Pennsylvania AFL.

Born in Reading on February 24, 1898, RHODES attended the Reading public schools and is a World War I veteran. In 1921, he married the former Margie Seiverling, of Lititz, Lancaster County, a former nurse. His son, George, Jr., is a physician who served in the U.S. Naval air service during World War II. He also has a daughter, Jean, and 4 grandchildren.

RHODES has also served with distinction in many community endeavors. He has served on the boards of the Community General Hospital in Reading, the Reading Housing Authority, the YMCA, the Berks County Red Cross, the Community Chest, and the Council of Social Agencies. During World War II, he was a member of the War Manpower Committee and the War Rationing Board in Berks County. He is a member of Gregg Post No. 12, American Legion of Reading and Berks County.

Mr. Speaker, many thousands of schoolchildren and other visitors from his district who have come to Washington over the years have been treated to his personally conducted tours of the Capitol Building and other historic shrines of the Nation's Capital. His lovely wife, Margie Rhodes, often assisted in making their visits an interesting, pleasant, and educational experience.

We here in the House will miss GEORGE RHODES, his leadership, his unswerving loyalty to the liberal principles he believes in so strongly, his advice and counsel in the years ahead. He has contributed much in his lifetime of devoted service to the progress of our Nation and the well-being of its citizens. Mr. Speaker, I join the many friends of GEORGE RHODES in wishing to him and his wife, Margie, the best of health, happiness, and enjoyment of the well-deserved retirement years that lie ahead.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, I desire to join my friend, the gentleman from Pennsylvania [Mr. MORGAN] in his words of commendation of the services of our mutual friend who is retiring from the Congress at the end of this term, GEORGE M. RHODES.

Although I have known him during all the time he has served in the House prior to becoming a member of the Committee on Ways and Means, I learned to know him a lot better as a member of that committee. I would want the people who have honored him by sending him here for 10 terms to know that as a member of the Committee on Ways and Means for these past 4 years, he has been very diligent in the discharge of his responsibilities. He has demonstrated interest in the welfare of the people who are affected by the jurisdiction of our committee. He has been very regular in his attendance and on each piece of legislation that we have considered in that committee during his time on the committee he has made his contribution to the legislation that has been reported. Particularly is that true with respect to the social security legislation that we considered and which was passed by the Congress during the course of the year 1967.

Mr. Speaker, we on the committee will miss, and we already are missing GEORGE RHODES, because he saw fit some days ago to resign from the committee. We have already experienced, during this short period of time, some degree of the loss that we will sustain in the next Congress through GEORGE's retirement.

I wish for him and his lovely wife a continuation of a successful career in whatever activities he might decide to take on in lieu of a continuation here in Congress. Certainly my best wishes go with him and his wife in those activities.

Mr. PATTEN. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New Jersey.

Mr. PATTEN. Mr. Speaker, I would like to join the friends of George Rhodes today in extolling his virtues. The nearest thing that comes to my mind is that when I hear our Speaker say that the Democratic Party is the party of the people, I think of George Rhodes. He is really a man of the people. I had to see him when I first entered Congress in 1963 because New Jersey's representation on the Ways and Means Committee is through George Rhodes.

Doctor, I want you to know that over the years as we sat and talked about the parliamentary situation on the floor or the issues of the day or the goals of the administration, there were few men in this House who would give you the correct answer the way George Rhodes could do all the time.

So in behalf of the New Jersey delegation, we want to thank him for the way he has served us on the Ways and Means Committee, and in that respect the Committee on Committees. We have always found him cooperative and a wonderful person to work with. I am sure the people of his district will never get a better Representative who could be called a Representative of the people in the fullest sense that I know George Rhodes is. Thanks ever so much.

Mr. VANIK. Mr. Speaker, it is with great regret that I learned of the recent decision of my good friend and colleague, the Honorable George M. Rhodes, who is retiring from Congress by his choice at the end of this session.

As a fellow member on the Ways and Means Committee of the House of Representatives and as a Member of the House, I am proud to have had the benefit of the splendid association of this just and inspiring political leader. He is in the high esteem of his constituency and he is in the high esteem of his colleagues.

I wish him great good health and happy retirement days. My experience in the Congress and my experience in life is richer as a result of my long and close association with this distinguished statesman.

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to join with my colleagues on the Pennsylvania delegation and the many Members of the House who today salute Congressman George M. Rhodes. We personal friends will miss him when he retires at the end of this 90th Congress.

George Rhodes has earned a fine reputation as a Representative who serves well both the people of his Sixth Pennsylvania Congressional District and the people of the entire country. He came to Congress with the background of a labor editor and labor representative. While receiving strong support from labor organizations, he has always been fair to both business and labor.

Mr. Speaker, I join the many friends of Congressman George Rhodes in congratulating him on his good record of conscientious service and in wishing him well on his retirement.

Mr. ULLMAN. Mr. Speaker, I want to join with my colleagues in wishing George Rhodes a happy and well-deserved retirement. Having served on the Ways and Means Committee with him, I think I know something of the great service he has performed for his district, his State, and the Nation.

We will miss him on the committee, and the House will miss him. Those personal qualities that have made him an effective representative of the people of Pennsylvania have also served him well in all that he has achieved throughout his service in the House of Representatives.

Mr. ZABLOCKI. Mr. Speaker, it is with feelings of sadness mixed with wishes for a happy retirement that I join in this tribute to my friend and esteemed colleague, Congressman Rhodes.

This is a sad occasion for me because this Congress is losing one of its most able and gifted legislators. The people of Berks and Schuylkill Counties, the people of Pennsylvania, and indeed, the people of this country are losing a representative who has distinguished himself as a man who has known and shared the needs of the people, and worked untiringly to see that these needs were met by their Government.

Probably the greatest example that I can cite of his dedication to the people of this country are his contributions in the field of public health. Due to his leadership, Congress enacted legislation to strengthen graduate public health training in the United States. Under the Hill-Rhodes Act, the fight against crippling and killing disease was stepped up by the federally sponsored training of many new doctors, nurses, and other public health specialists.

It has indeed been an honor to serve with Congressman Rhodes for 20 years. We both came to Congress in 1949, and even as a freshman Congressman, I was impressed with the wealth of his experience. During these past 20 years, Congressman Rhodes has brought this experience as well as ever new and creative ideas to his work on the many different committees and subcommittees of this body on which he has served.

The distinguished gentleman from Pennsylvania has indeed made his mark on the work of this legislative body—a mark that will not be erased by his retirement.

I wish to join his many friends in commending him for the dedicated service he has given to his country, and to wish him all the best in his well-deserved retirement.

Mr. FEIGHAN. Mr. Speaker, several of our colleagues who are my good friends and with whom I have served for many years in this body, are retiring at the end of the present session. One of them is my good friend, the able gentleman who has represented the Sixth District of Pennsylvania for the past 20 years, George M. Rhodes. George Rhodes has rendered distinguished service to his constituency, his State, and the Nation, and his successor would do well to emulate his record. His interests, energies, and talents were freely devoted to the people he represented. He was proud that his constituents had elected him to Congress 10 times and he showed his appreciation by his dedicated and exemplary record of service to them.

George was a prodigious worker, not only here, but in the Ways and Means Committee. He is an astute statesman and he will be missed when the 91st Congress convenes. He has a warm and friendly personality and I regret his departure from Congress. Whatever his future plans may be, I want George to know that he takes with him my best wishes for success and happiness in the future.

Mr. FARBSTEIN. Mr. Speaker, to Congressman George Rhodes, who is retiring at the end of the 90th Congress, I express my regret that you are leaving us, and my highest regards for your achievement during 20 years of service.

George Rhodes has served with distinction as a member of the Ways and Means Committee, and as a result of his experience there, he possesses an extraordinary knowledge of matters pertaining to the national economy, especially in the area of tax laws and international trade. His keen awareness of fiscal issues has led him to cosponsor numerous pieces of legislation which would provide favorable tax allowances for the aged, the workingman, schoolteachers, and ministers. He has been vitally concerned with obtaining an equitable distribution of social security payments, especially to the disabled.

George Rhodes is known as a man of uncommon dedication to the trust which his constituents have placed in him; as a man of character and personal integrity whose first and abiding interest is the Nation and the people he represents.

In an age of increasing complexity and uncertainty, we can ill afford the loss of so able a legislator. But the time must inevitably come for a man to choose to retire. We cannot pay tribute to George Rhodes without deploring the void which his absence will leave; and yet I know he will continue in the active and productive life which has characterized his entire career. I wish him health and prosperity in a well-deserved retirement.

Mr. BOLAND. Mr. Speaker, one of the Congress' most able and effective Members, the Honorable George M. Rhodes, of Pennsylvania, has announced his intention to retire at the end of the current session. I join my colleagues in paying tribute to Congressman Rhodes now that he is ending his remarkable career in the House of Representatives.

Since his election to Congress 20 years ago, George Rhodes has proved beyond a doubt the measure of his ability by the unstinting attention which he has given to the duties of the office he holds. His service on the House Ways and Means Committee testifies to his acumen in financial and economic matters, even as it measures his capacity for hard work.

Congressman Rhodes, not content with the mere function of committee membership, however, has made himself an ardent proponent of tax legislation designed to benefit the taxpayer, as well as of legislation which would provide more equitable social security payments to those most in need of such benefits. He has sponsored legislation calling for a more liberal policy regulating personal income tax exemptions, for tax benefits to schoolteachers pursuing courses, and for the elimination of inequities governing disability insurance for workers receiving compensation payments.

He has been particularly concerned with eliminating disparities in the regulation of social security payments, and has, in this regard, sponsored legislation providing for the payment of full benefits to both men and women at the age of 60, when based upon attainment of retirement age.

In the area of economic foreign policy, George Rhodes has maintained throughout his career a comprehensive view of economic priorities. He has, in particular, encouraged the growth of international trade on a basis that is fair to both domestic and foreign production interests.

Our economy, our Nation, can scarcely afford to lose so active and perceptive a public servant. And yet I know that he will welcome the release from heavy responsibility which retirement will afford, after so many years of hard work in the service of his country.

To George Rhodes, therefore, I extend my very best wishes for a future which can only be bright, if the past is a measure of the years to come.

Mr. FRIEDEL. Mr. Speaker, I wish to associate myself with the remarks of my colleagues who have preceded me in expressing tribute to a fine gentleman and a great Congressman who has so ably represented the Sixth District of the Keystone State for the past 20 years.

Our beloved colleague, Representative George Milton Rhodes, has voluntarily decided not to seek reelection to Congress after having served 10 terms which began in 1948, the same year President Truman was elected.

During his tenure in office, he has earned an excellent reputation as a dedicated and able public official and one who is endowed with great qualities of both heart and mind. That he is an effective Member of Congress can be gathered from the fact that in the past few years alone, he was instrumental in the creation of the model cities program for Reading, urban renewal projects and antipoverty programs for Berks and Schuylkill Counties which are in his district.

The area of public housing always was of special concern to Congressman Rhodes. It was due to his efforts that one of the Nation's first housing projects for the elderly was erected in Reading, Pa.

His understanding of the problems of the senior citizens and his work on their behalf is widely known. For this and for his sponsorship of legislation lowering the social security retirement age to 62 years and in providing benefits to disabled persons won him national recognition.

Our colleague earned the esteem of the entire House for his ability and zeal in connection with matters affecting the health of the Nation.

Congressman Rhodes received a citation from the deans of the schools of public health of various universities, including Harvard, Yale, Johns Hopkins, and Columbia for leadership in the enactment of legislation to strengthen graduate public health training in the United States. He was presented with the "Award of Merit" by Dr. Ernest L. Stebbins, dean of the Johns Hopkins School of Public Health and president of the Association of Public Health Schools. The award was the second such award to be made by the association in its 21-year history.

Although George Rhodes is a lifetime Democrat, the Pottstown Republican, a newspaper in his district, stated in an editorial in its October 7, 1968, issue:

> The busier a person is the more likely he is to get a job done. That seems to be a general fact. And frequently, the more important role a man has, the more he finds time for others.
>
> Take for example Congressman George Rhodes. He's accessible, cooperative, and ready for help. Now that he's approaching the end of his term and retirement, it seems like a good opportunity to give a thank you to this Congressman who has really been on the job. The very fact that he always tries to come up with an answer and finds time for his constituents helps form the reason why he will be remembered for his years in Washington.
>
> Politicians promise to do these things, that is, to be available to serve their citizens, but the promise doesn't always get fulfilled as well as it has been by Rhodes.

When the 91st Congress convenes, this able legislator who is imbued with a deep sense of human values will certainly be missed for he has made lasting contributions to his State and the Nation as a Member of this body.

I know that all of us wish him many more years of health and happiness.

Mr. EILBERG. Mr. Speaker, I wish to join my colleagues in paying tribute to the prodigious talents of Representative George Rhodes who is retiring from Congress after this session.

His record and conduct in this body for the past 20 years has been a model for democratic principles. He is honest, honorable, and frank.

I am proud to have served with him and feel privileged to call him my friend and fellow Pennsylvanian.

I have always found him firm in his convictions, resolute in his determination to further the cause of American democracy, and clear in his understanding of his responsibilities to the citizens of our great State.

The pattern of integrity in what he said, commonsense in the way he said it, and courage in his convictions have been important qualities in his character.

Because he never betrayed the trust of those who elected him, his constituents have rightly and heartily supported his candidacy time and time again.

It is my sincere hope that George will continue to enjoy in retirement the success and constructive life he led in Congress.

The deep respect and admiration I hold for him will not pale although he is no longer in the House. I hope he returns here often to visit his many friends. He will always be welcome.

Mr. REUSS. Mr. Speaker, this House will lose a distinguished and dedicated Member—and the people of America a true friend—at the close of this session when George Rhodes retires from the Congress. If anyone ever deserved the honored title of "Public Servant," it is the gentleman from Pennsylvania.

Trained as a printer in his early years, the tradition of quiet, painstaking craftsmanship that is a mark of that trade has stayed with George throughout his years of membership in this body and on the important Committee on Ways and Means. We who have sought his wise counsel on legislation can certainly attest to that.

But there was another tradition inculcated in George Rhodes during those early years in Reading, that of service to his fellow man, of concern for those less fortunate. This, too, we have seen demonstrated many times.

I had the privilege to be associated with George when he played a key role in the founding of the Democratic study group, and I shall always remember that experience. We will miss you, George, but most of all, the American people will miss you.

Goodby and good luck.

Mr. RODINO. Mr. Speaker, it is a great honor for me to join my colleagues today in paying tribute to George Rhodes.

Since we first came to Congress together 20 years ago, I have been privileged to call George Rhodes, and respect and admire him as a man of conscience and integrity. His progressive legislative record is a positive testimonial to his abiding concern for and genuine dedication to the welfare of his fellow man, and in his unassuming manner George has left a permanent mark on this House.

We shall all miss his warmth and congeniality, and I certainly join his many other friends in wishing George much happiness and health in the future. And I look forward to what I hope will be his frequent visits back to the House.

Mr. BENNETT. Mr. Speaker, it is with a heavy heart that we say goodby to Congressman George Rhodes and his beloved wife as he retires from this body. The gentleman from Pennsylvania came to Congress at the same time that I did; and this, fortunately for me, has brought my wife and me to close association with him and his wife; and that will always be treasured by us. George is a man of uncommon ability who always maintains the common touch, that is the knowledge of the problems of average people and the solutions to these problems. His work on the Ways and Means Committee has brought deserved honor to him. He has excellently represented his district and State; and his many contributions to the legislative process and to important legislation will always be a lasting memorial to him. As he and his wife leave us, they do so with the love and affection of the entire House.

Mr. HORTON. Mr. Speaker, I met the news of Hon. George M. Rhodes' retirement from Congress with deep regret, for he is a friend and colleague who has won the admiration of his colleagues on both sides of the aisle.

Elected to Congress in 1948, George Rhodes quickly became known as an expert in finance and tariff matters, as well as a champion of the workingman.

His great ability, sagacity and wisdom have rendered him a leader, both in his home district in Pennsylvania and here in the U.S. House of Representatives.

George Rhodes came to Congress from Reading, Pa., where he was a vital force in the labor union movement. George never, in the ensuing Congresses since 1948, lost his concern for the welfare of the workingman, and he became a leading defender of the social security program which has been broadened and bettered with his help.

An ardent reformer and friend of the workingman, George is a man who is also concerned with the problems of industry. As a leading member of the House Ways and Means Committee he has helped to protect and guide American industry through times good and bad with the ardent dexterity of a person accustomed to huge tasks and complex problems.

It has been a pleasure working with George M. Rhodes, a friend and colleague, and I know that I am joined by all the Members of the House in wishing him every happiness.

Mr. ROONEY of Pennsylvania. Mr. Speaker, it is with great pleasure at this time that I join with my colleagues in paying tribute to a fine and capable gentleman, a fellow Pennsylvanian, and a good friend, George Rhodes.

His 10 terms in the House of Representatives are marked with dedication, drive, and a sense of duty, both to his constitutents and to his country. George has capably served on one of the most important, dynamic committees in the House, the House Ways and Means Committee. On the House floor, he has been extremely interested and cooperative in the advancement of constructive legislation. Aside from his record as an outstanding statesman, he has also proven himself in the business world and in humanitarian endeavors.

We will all miss George's presence in Congress, but I add my best wishes to those of my colleagues, on a long and happy retirement.

Mr. WILLIAMS of Pennsylvania. Mr. Speaker, it is with great pride and pleasure that I join my fellow colleagues in paying tribute to Congressman George M. Rhodes, of the Sixth District of Pennsylvania who is retiring at the end of this Congress.

Mr. Rhodes' long record of service, both to his own Sixth District and to our country, is certainly a commendable one and will be sorely missed at his departure from the U.S. House of Representatives.

His service on the House Ways and Means Committee has been invaluable and his contribution great, and I am confident that my colleagues will join with me in thanking him for his many years of dedicated service to our country.

At this time, I want to wish Mr. Rhodes the very best of happiness and health in the years to come during his retirement.

Mr. RHODES of Arizona. Mr. Speaker, it is my pleasure to join the Members of this body in tribute to Hon. George M. Rhodes on the occasion of his retirement after 20 years of dedicated public service. His qualities of statesmanship and deep concern for his fellow Americans have served his constituents and this Nation well.

I feel privileged to have known George Rhodes on both a political and personal basis, and as one Rhodes to another, it will seem a little lonely being the only Rhodes in the House, assuming my constituents return me to the 91st Congress.

I am glad to take this opportunity to wish Mr. and Mrs. George Rhodes every happiness in their future.

Mr. FALLON. Mr. Speaker, I would like to express my deep regret over the impending retirement of the Honorable George M. Rhodes, of the Pennsylvania Sixth District, a veteran of two decades' outstanding service in the House.

All who have known George Rhodes during his tenure in this Chamber have come to recognize his extraordinary knowledge of national affairs and his remarkable abilities as a legislator. An expert in financial matters, he has contributed greatly to the passage of sound legislation during service on the Ways and Means Committee. And as whip and floor leader of the Pennsylvania Democratic delegation he has proven himself the unqualified agent of reform. The Fair Deal, New Frontier, and Great Society programs all received his full support. Moreover, as an expert on labor matters he has helped in the development of considerable legislation looking to improved conditions for the workingman throughout the land.

Preceding his entrance into politics, George Rhodes saw service in World War I and upon his return to civilian life entered the labor movement in Reading, Pa., in time becoming president of the Reading and Berks County Central Labor Union. This post he held for 22 years, at the same time rising to the position of managing editor of the New Era a weekly newspaper published by the American Federation of Labor. He was also for a time president of the Conference of Eastern Pennsylvania Central Labor Unions, and Berks County representative at numerous conventions of the Pennsylvania Federation of Labor. He was elected to Congress, initially, in 1948.

Despite his long association with the labor movement, George Rhodes has revealed, as a Congressman, an unusual tendency to fairmindedness and willingness to consider the arguments of every side. Yet he has never modified his principles in the slightest degree. The friend of social security, he has defended that program against the assaults of its enemies through his entire congressional career. He also has sponsored legislation looking to increased income tax exemptions for persons of low and middle income and benefits for veterans of armed conflict in the national defense.

He has been, in every respect, a public-spirited man, who has served his district and his country with distinction.

Mr. EDMONDSON. Mr. Speaker, it is a pleasure to join my friends and colleagues in paying a well-deserved tribute to a distinguished Pennsylvanian, the Honorable George Rhodes, who has won the respect and admiration of all of us during his fine service in this body.

George Rhodes has been described by the dean of the Pennsylvania delegation as "a Congressman's Congressman."

The term has been well earned by this conscientious and dedicated public servant, who has left many legislative landmarks along the road of his congressional service.

The election of Congressman Rhodes to the Committee on Ways and Means, whose members are selected by their colleagues in the Democratic caucus, is an indication of the respect and regard of his fellow members.

George Rhodes will be missed in this body. I hope and trust his retirement will be a pleasant and productive period and a well-earned rest as well.

Mr. MOORHEAD. Mr. Speaker, there can be no higher accolade given to a man who has dedicated his life to public service than that he served the people well.

And there is no one in this body who deserves this accolade more than my distinguished and revered colleague from my home State of Pennsylvania, the Honarable George M. Rhodes, who has announced his retirement after 20 years of outstanding service to the people of Berks and Schuylkill Counties and to the Nation as a whole.

Thus, I feel privileged to join with my other colleagues in saluting George Rhodes for a difficult job well done and in wishing him joy and pleasure in his hard-earned retirement.

Mr. Speaker, this body will miss the diligent and conscientious approach George Rhodes has brought to the legislation under his jurisdiction as a member of the Committee on Ways and Means.

And the more than 468,000 people of his District will miss the responsive sympathy for their problems that became George Rhodes' trademark as their Representative.

In 1960, the late great Senator from Tennessee, the Honorable Estes Kefauver, paid this accurate tribute to George Rhodes:

> George Rhodes is a tireless worker. He has one of the best attendance records in Congress. But more important than that, George Rhodes is one of the leaders in Congress for better Social Security, medical care for the aged, improvement in farm income, aid for our schools, lower interest rates and full employment.

George Rhodes' labors over the years to assure dignity and self-respect in the lives of our retired citizens earned him the title of "Mr. Social Security" from his constituents and older Americans across the Nation.

Knowing that a land as rich as America cannot forsake those who have contributed so much to its prosperity during their working lives, George Rhodes took up the battle for improved social security legislation.

He was in the forefront of the struggles to increase benefits to meet higher living costs, to lower the eligibility age for women from 65 to 62, to provide disability benefits for the disabled of all ages, and to provide medical care for the aged under the social security program.

George Rhodes is also a recognized leader in public health legislation. The Hill-Rhodes Act passed under his guidance has greatly strengthened graduate public health training in the United States. Under the provisions of this pioneering act, additional physicians, nurses, engineers, and other public health specialists have been trained to meet the shortages of personnel in health agencies throughout the Nation so that the fight against killing and crippling diseases can be speeded up and won.

For his outstanding work in this critical field, George Rhodes has won commendation from the deans of the schools of public health of such outstanding universities as Harvard, Yale, Johns Hopkins, Columbia, and Pittsburgh.

In 1962, George Rhodes received the "Award of Merit" of the National Association of Public Health Schools from Dr. Ernest L. Stebbins, dean of the Johns Hopkins School of Public Health.

This award was the second to be made in the 21-year history of the association. The first went to the champion of public health efforts in the other body, Senator Lister Hill of Alabama, who, like George Rhodes, is this year ending his distinguished congressional career.

In addition to his work for the people of America, George Rhodes happily shouldered the burden of working for the interests of his Democratic Party in this body. He was until early this year a regional whip, working closely with the other 13 Democrats from Pennsylvania on legislative matters.

George Rhodes has governed his activity in this body by the principle that a Representative is only as good as the service he provides for his constituents. The record shows that he has not only lived up to this principle but also gone beyond it, dedicating himself to the welfare of others.

His constituents have found over the years that if they sent George Rhodes a letter, they got a prompt and pertinent reply. If they had a problem, George Rhodes went to bat for them. If they came to Washington, it was often George Rhodes himself who took them on tours of the Capitol.

In addition, George Rhodes has always made a point of telling his constituents how he votes. He has presented weekly reports on Reading radio stations for years, and no one has been readier to accept invitations to speak or debate issues.

The respect and liking that George Rhodes has generated both in this body and among his constituents will follow him into his retirement, and he will be able to enjoy for the rest of his days life's richest reward—the esteem of his fellow men.

I think it would be fitting to close my remarks about this generous and good man by reading an editorial about him from the October 7 issue of the Pottstown Republican, a newspaper whose name indicates its political leanings. I would like to add my amen to the sentiments expressed in the editorial and wish George Rhodes a reluctant but grateful farewell and health and happiness in his retirement. The editorial says:

> The busier a person is, the more likely he is to get a job done—that seems to be a general fact.
>
> And, frequently, the more important role a man has, the more he finds time for others.
>
> Take for example, Congressman George Rhodes. He's accessible, cooperative, ready to help. Now that he's approaching the end of his term and retirement, it seems like a good opportunity to give a thank you to this Congressman who has really been on the job.
>
> The very fact that he always tries to come up with an answer and finds time for his constituents helps form the reason why he will be remembered for his years in Washington.
>
> Politicians promise to do these things—to be available, to serve their citizens, but the promise doesn't always get fulfilled as well as it has been by Rhodes.

Mr. BARRETT. Mr. Speaker, I want to join in paying tribute to a good friend and distinguished colleague, a fellow Pennsylvanian, the Honorable George M. Rhodes. Having served as a colleague of this remarkable man for the past 20 years, I have come to know him well.

As a young man George Rhodes served his country during the First World War. Soon after his marriage to his charming wife Margie, he became active in union affairs, spending more than 20 years serving the workingman before coming to the Congress of the United States. He has been a devoted and loyal son of the Commonwealth of Pennsylvania.

While we will miss him and his good counsel, we wish him a long life with good health and joy wherever he may be and whatever he may do.

Mr. SCHNEEBELI. Mr. Speaker, during the 10 terms that my Pennsylvania colleague, George M. Rhodes, has been in Congress, he has been most conscientious in supporting the political philosophy he has espoused for many years.

I have always found him to be very friendly and warmhearted, and a Member who has served his constituency well. We have served together on the Ways and Means Committee and I have always enjoyed working with him there.

With his record of service of 20 years here in the House of Representatives, we can only hope he has a very active and fruitful retirement back in Reading, Pa., to which he is returning, and that he can look forward to many more years of good health and much happiness, with some time devoted to the well-earned rest he so richly deserves.

Mr. JOHNSON of California. Mr. Speaker, it is an honor to join with my colleagues in paying tribute to the Honorable George M. Rhodes of Pennsylvania, who is retiring after serving since the 81st Congress in the House of Representatives.

I have been privileged to serve with George since I was first elected in the 86th Congress. He has been most helpful to me particularly on problems pending before the Ways and Means Committee.

He has served the Sixth District of Pennsylvania and the Nation in an admirable manner and he will be missed by all of us when we convene in January.

To our colleague I want to say thank you for a job well done, and wish him much happiness and success in the future.

Mr. DICKINSON. Mr. Speaker, for 20 years in Congress, Representative George Rhodes has been a Democrat. This is not meant in a political sense, although he is a fine Democrat, but in that bigger way that marks a man who has planned for and worked for the interests of other men.

Representative Rhodes has been the kind of Democrat who constantly gives of himself for the advancement of all Americans.

He has worked diligently and efficiently as a member of the Ways and Means Committee. His loyalty, industry, and determination have made him a valuable person to have on your side.

He has always delighted in a struggle and was aggressive in his attack and successful in his accomplishments.

George's quiet strength and dignity have made him a natural leader in the House and his pleasing personality has won him many friends.

He is a man who understands other men and who is understood by them. This quality makes him an excellent legislator, able to work with anyone on any problem and come to satisfactory conclusions.

He has been the dedicated public servant of his constituents in Pennsylvania's Sixth District. He can rest assured that he takes their gratitude and respect with him into retirement.

It was these loyal constituents who returned George Rhodes to Washington time and again. There can be no finer tribute to a man than this—that the people who looked to him for leadership and guidance were never disappointed by him in their expectations.

It was a privilege to know Mr. Rhodes. I wish him a happy and productive retirement.

Mr. CORMAN. Mr. Speaker, it is a sad time at the closing of a Congress when we learn of the retirement from the House of a number of our friends and colleagues. With each retirement, the hard work and dedication of these men are lost to us. This is especially true in the case of Congressman George Rhodes, the able and distinguished Member from Pennsylvania's Sixth District.

George Rhodes must have a deep sense of pride in his record of achievement as he looks forward to his retirement. He leaves behind him, along with his remarkable record in Congress, many devoted friends, and I am pleased to be among them.

Those who have had the privilege of his friendship have always found him to be an exceptionally able and honorable man. His intelligent use of his office to promote good government for his constituency and his thoughtful participation in civic affairs are what mark him as a legislative leader, a good citizen, and a patriotic American. George Rhodes has always adhered to the highest standards and pursued only the objectives he considered beneficial for his country. His committee work has been exemplary, his counsel eloquent; he has given countless hours of his time and energies to the service of his district, his party, and our Nation. His efforts to obtain security, prosperity and freedom for all Americans is the best service he could have offered his country.

Congressman Rhodes deserves his well-earned retirement. He has done everything he could to protect our heritage; no man could have done more. I wish for him the best of everything in his retirement years.

Mr. MADDEN. Mr. Speaker, I join the vast majority of my colleagues in Congress regretting the retirement of our friend and colleague, Congressman George M. Rhodes.

During his service in Congress he has made an outstanding contribution not only to his congressional district, but also to the State of Pennsylvania and the Nation. George is endowed with an abundance of good commonsense, personality, industry, and ability. I do not know of any congressional district which has the good fortune to have a more sincere representative than the Sixth Congressional District of Pennsylvania.

Everybody who had the good fortune to become personally acquainted with George immediately recognized his ability, honesty, and sincerity. Before coming to the Congress he was a successful newspaper editor and printer, and successful in business.

I wish to join other Members in congratulating him on the record he has made over the years in this legislative body. I also join them in extending best wishes for good health, happiness, and many years of enjoyment in his retirement.

Mr. SIKES. Mr. Speaker, I am pleased indeed to join my colleagues in paying a well-deserved tribute to Representative George M. Rhodes of Pennsylvania, who has served in the Congress most meritoriously for the past 20 years.

Congressman Rhodes has distinguished himself as a man of integrity and tremendous ability, and has been a true asset to the Congress, to his State, and to the Nation. His insight into the problems of contemporary America, and his acute desire to find solutions to these problems, have gained for him great admiration and respect. He has been an inspiration to us all, and he will be sadly missed by this body which he has served so well.

I am sorry to see him leaving the Congress for he will be missed very much. Nevertheless, I am glad to claim this privilege of joining with his many friends in wishing him success and happiness in all his future endeavors.

Mr. O'NEILL of Massachusetts. Mr. Speaker, it gives me great pleasure to join the distinguished chairman of the Committee on Foreign Affairs in paying tribute to my good friend and colleague George Rhodes.

I regret that George will not be here after this Congress, but I welcome the opportunity to praise a true, dedicated Representative of the people. Since the 81st Congress, George Rhodes has served the people in the House of Representatives. As any good Congressman, he has served his district, his State, and his Nation. But George Rhodes has an added constituency, he has been the Representative of the workingman. His years in and with the labor movement have made him one of the most learned men in the Congress with regard to problems facing the workingman. He has been constant in his concern and diligent in his search for equitable and fair practices.

George has served without stint on the Ways and Means Committee. His contributions there have helped our Nation seek a continually more equitable system of taxation and efficient programs for Government exercising its revenue powers.

We will all miss George in this body. I know that a very spirited contest is being conducted for his seat. Spirited it must be for no person can possibly replace this knowledgeable and dedicated man.

I wish him a long, successful, and happy retirement.

Mr. ROSTENKOWSKI. Mr. Speaker, I want to express my gratitude to my colleague from Pennsylvania, Doc Morgan, for taking this time to pay tribute to George Rhodes, my good friend and colleague. I think I, more than anyone else benefited from Mr. Rhodes presence in Congress, for he was my seat mate on the Ways and Means Committee. I gained much from his counsel and kindness.

It was Mr. Rhodes who vigorously supported medical care for the aged in our committee. It was Mr. Rhodes who vigorously acted in favor of tax reduction legislation; it was Mr. Rhodes who, through long hard study, helped in great measure on social security legislation.

We shall long feel the absence of his in-depth thinking.

To his constituents in the Sixth District of Pennsylvania, my gratitude in sending him here, and to George, my best wishes for continued success in the days ahead. He has given his country much for which I am sure we are thankful.

Mr. PATMAN. Mr. Speaker, it is a privilege to rise today to pay tribute to my good friend, the Honorable George M. Rhodes, who is retiring from the Congress at the end of this session. After serving alongside my colleague from Pennsylvania for two decades, I have come to know the full dimensions of this great and dedicated lawmaker, and I join with his many friends today in expressing my tremendous respect and admiration for this sincere humanitarian and for the many constructive enactments that bear the mark of his careful, precise workmanship. George Rhodes has all the attributes of an outstanding legislator—keen intelligence, unflinching courage, inspiring leadership, and devotion to high principle. These are the qualities which have made him a valued colleague and an honored friend.

The deep compassion and devotion which he brings to his work are known to all who have served with him. He has shown during his entire service in the House a profound understanding of the issues, and a rare talent for teamwork which has helped us on many occasions to function with great smoothness and harmony. Through his fine service on the powerful Committee on Ways and Means, he has made significant contributions to the work of the Congress and has helped our Nation attain the preeminent position it holds in the world today.

He will be sorely missed by his many friends here in the House. We wish George Rhodes every continuing success as he returns to his beloved Pennsylvania, with the certain knowledge that future years will bring further distinction to an already outstanding career.

Mr. BYRNE of Pennsylvania. Mr. Speaker, it was sad news when I learned that my friend and colleague, the Honorable George M. Rhodes, planned to retire at the close of the 90th Congress.

It has been my privilege to count George as a warm, personal friend for many years. We have had a deep bond between us, having both been native Pennsylvanians and having served together for the last 16 years in the U.S. Congress.

He has been a dedicated public servant, a genuine statesman, and a fearless fighter for the principles in which he believes. His retirement is a great loss to his constituents whom he so ably serves, and he will be sorely missed by them and his many friends and admirers here in Washington and in Pennsylvania.

I pray that the future will be exceedingly kind to George, showering him with good health, success, and happiness in his endeavors.

Mr. VAN DEERLIN. Mr. Speaker, in common with his colleagues in the House, and I am sure with the residents of the Sixth Congressional District of Pennsylvania, I deeply regret the retirement of Representative George Rhodes.

When I first came to Congress in 1963, I was fortunate enough to draw an office next door to that of Mr. Rhodes. As time went by, I found that I was indeed more fortunate than I a freshman Congressman had any reason to expect. For Congressman Rhodes was untiring in his courteous assistance to an eager but inexperienced newcomer. He was always available for assistance or advice, and his helpfulness extended not only to me but to my staff members, most of whom were also inexperienced.

The willingness of George Milton Rhodes to be of help to his fellow man, and his ability to do so in his career as a Member of Congress was recognized and appreciated by his constituents, who returned him to the House nine times.

Their gratitude for his efforts on their behalf and on behalf of his country will be equalled only by their regret at his departure from Congress.

Mr. MATSUNAGA. Mr. Speaker, it is with regret that I note the approaching end of an outstanding career in the House of Representatives—that of our distinguished colleague from Pennsylvania, George M. Rhodes, who will be retiring at the end of this session.

Congressman Rhodes' work in the House has been extensive. He has put his many talents to effective use in his service on the House Post Office and Civil Service Committee, the Interstate and Foreign Commerce Committee, the Committee on House Administration and, currently, as a member of the House Committee on Ways and Means.

The concern of Congressman Rhodes for our Nation's handicapped citizens is evidenced by the national awards he has received for his outstanding efforts in this area. He is the cosponsor of legislation which has broadened and improved the social security system.

Congressman Rhodes has also received commendations for his leadership in obtaining the enactment of legislation to strengthen graduate public health training in the United States. His skill in obtaining meaningful legislation in the field of public health has been widely recognized.

We will miss George Rhodes. He has made significant contributions to this

House, to his State, and to our Nation, and I wish him Godspeed and aloha during his well-earned retirement years.

Mr. BINGHAM. Mr. Speaker, I am glad of this opportunity to join my colleagues in paying tribute to the gentleman from Pennsylvania [Mr. RHODES] upon his completion of 20 years of service in the House of Representatives.

I deeply regret that Mr. GEORGE RHODES has felt it necessary to retire from the Congress, and that he will be leaving us at the end of this session.

The gentleman from Pennsylvania has a long record of achievement in the House, as has been brought out by other speakers. I should like to stress, on a more personal note, the pleasure I have had in my conversation with him, both on and off the floor of the House. His warmth and kindliness have always been evident, and were particularly welcome to me in my first months in the Congress as a freshman Member. My friendship with the gentleman has been a kind of sequel to the friendly association he and my brother Alfred M. Bingham had many years ago.

As he leaves the House, we all wish GEORGE RHODES well. Whatever he does will certainly be in the interest of his community, State, and country.

Mr. GATHINGS. Mr. Speaker, after 20 fruitful years of dedicated service in the House of Representatives, one of the great legislators has chosen to seek retirement at the end of this term. Our friend and colleague, the Honorable GEORGE M. RHODES, will have represented his district in Pennsylvania longer than any other dating back to the first Congress. In those years, GEORGE has served faithfully and with distinction on the Committee on Post Office and Civil Service, later the Committee on Interstate and Foreign Commerce; and, for the past 4 years, on the great Committee on Ways and Means. In each assignment he has made his imprint on the legislation developed and sponsored by those bodies.

In addition, GEORGE has given of his talents and ability as floor leader of the Pennsylvania delegation and assistant Democratic whip. He has been one of the leaders in maintaining the integrity of the House in his work as chairman of the House subcommittee on Morals and Ethics.

The Congress can ill afford to lose such a man. The Nation will regret to see him leave the House. He has given generously of his ability and the country is the better for it.

As he leaves Congress, our very best wishes go with him and his fine wife and companion. It was a genuine pleasure for my family to travel to Europe by boat with GEORGE and Mrs. Rhodes in 1955. It was an enjoyable association.

Mr. KORNEGAY. Mr. Speaker, I appreciate the opportunity given through the special order secured by Dr. THOMAS MORGAN, of Pennsylvania, to say a word about my former fellow member of the House Commerce Committee, who now serves on the House Ways and Means Committee, but whose association in the Commerce Committee was always so pleasant and profitable.

GEORGE RHODES was elected to the House in November 1948, to begin his service in the 81st Congress, and he has been reelected to each succeeding Congress so that at the conclusion of the current session he will have served his district, his great Keystone State of Pennsylvania, and the Nation for 20 years. This is a wonderful record, and I am sure that GEORGE can feel replete with satisfaction over a race well run, and certainly he deserves the voluntary retirement which he is seeking at the end of the 90th Congress. Our good wishes go with him and our hopes for a pleasant retirement period, filled with activities which he has perhaps not had time to pursue during his long period of public service in the House and on two major committees of the Congress.

My very best personal wishes go out to him and to the members of the family for the months and years ahead, and I appreciate the opportunity of having served with Congressman RHODES and having had the privilege of calling him friend and colleague.

Mr. ROONEY of New York. Mr. Speaker, I am pleased to join with my colleagues in saluting the honorable GEORGE M. RHODES who is retiring this year after 20 years of service in the House of Representatives. It has been my privilege over the years, Mr. Speaker, to call GEORGE RHODES a friend and I will, along with my colleagues, miss the quiet, unassuming manner which marks GEORGE for the gentleman he is. GEORGE has devoted his life to his fellow man, first as a labor representative then as president of the Reading and Berks County Central Labor Union and as vice president of the Pennsylvania AFL–CIO. Much of his time has been given to varied charitable and community efforts. The people of his Sixth Congressional District have recognized the innate fineness of GEORGE RHODES and 10 times have shown their confidence in him as they sent him to the House of Representatives. GEORGE has earned the right to a happy and rewarding retirement and we all wish him well. But he will be missed.

Mr. RYAN. Mr. Speaker, I want to join my colleagues in this tribute to Congressman GEORGE M. RHODES of the Pennsylvania Sixth District upon his impending retirement. As a great admirer and warm personal friend of GEORGE RHODES, I am very sorry to see him leave us. His performance as a Congressman has merited the full confidence of his constituents, who have kept him here through 10 full terms.

As a liberal, GEORGE RHODES has voted for the domestic programs of the Fair Deal, the New Frontier, and the Great Society. And as an important member of the Ways and Means Committee, he has used his influence to promote the welfare of the many against the vested interests of the few. He also has served, for some time, as whip and floor leader of the Pennsylvania Democratic delegation. In every category he has proven himself a true leader, sound thinker, valiant competitor, and stanch supporter of progress and American ideals.

Before entering politics, GEORGE RHODES served his country in World War I, and upon his return to civilian life became active in the trade union movement, in Reading, Pa. Before long, he was elected president of the Reading and Berks County Central Labor Union and president of the Conference of Eastern Pennsylvania Central Labor Unions. He also served as Berks County representative at numerous conventions of the Pennsylvania Federation of Labor, and for many years was managing editor of the New Era, published by the A.F. of L.

As a member of the Ways and Means Committee, GEORGE RHODES has championed the cause of social security, seeking constantly to extend the beneficial aspects of the program. Also, as a keen observer of taxation matters, he has devoted considerable time to attempting to erase the inequities of the internal revenue system. As the constant friend of labor, he has introduced in the current Congress legislation designed to benefit the workingman in numerous respects.

A true representative of all that is good in our American political tradition, GEORGE M. RHODES stands today among the most respected Congressmen in Washington.

I sincerely regret his decision to retire, and wish him well in his future endeavors which, I am sure, will be marked by the same spirit of humanitarianism which has characterized his service in the House of Representatives.

Mr. DORN. Mr. Speaker, no matter what may transpire during the national elections on November 5, the House of Representatives, in a sense, is going to be a loser. GEORGE M. RHODES, who has so ably represented the Sixth District of Pennsylvania for the past 20 years has decided to retire. His steady wisdom and mature judgment will be sorely missed.

Representative RHODES has certainly earned his rest. The entire story of his life is of dedicated service to his fellow man. Before his election to the U.S. House of Representatives in 1948, GEORGE RHODES was continuously representing those he believed he might be able to help, whether it was workingmen, their families, or the impoverished youth of his community. The underprivileged had their champion in whatever organization he served.

All of us are beholden to Congressman RHODES for the unstinting dedication with which he served on the Ways and Means Committee. If younger men who take their places here will study his career, GEORGE RHODES can show them the path to responsibility and the honors that come in its train.

GENERAL LEAVE TO EXTEND

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous material in tribute to Mr. RHODES.

The SPEAKER pro tempore (Mr. EDMONDSON). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

REMARKS IN TRIBUTE TO CONGRESSMAN E. C. "TOOK" GATHINGS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Arkansas [Mr. Mills] is recognized for 60 minutes.

Mr. MILLS. Mr. Speaker, it is with mixed emotions that I rise in the House today to pay tribute to one of the most distinguished and most beloved legislators the State of Arkansas has ever produced, the Honorable Ezekiel Candler "Took" Gathings of West Memphis, Ark., who last year announced his retirement at the end of this Congress.

I am pleased and happy that "Took" is nearing the realization of one of his dearest desires, that is, to go back to Arkansas at the close of this session, after 30 years of service here in the House, and as "Took" has put it, "live close to the finest people that can be found, anywhere." At the same time, I am saddened somewhat that "Took" and I will not be together when the 91st Congress convenes in January, for it will be the first time in three decades that I will not be privileged to shoulder the yoke with him in our representation in this Chamber of adjacent congressional districts and answer the opening rollcall of a new Congress.

Mr. Speaker, "Took" Gathings and I were elected on the same day and we commenced our service together here in this House on January 3, 1939. He and I through the years have enjoyed taking turns in politely deferring to the other as the "dean" of the Arkansas congressional delegation in terms of consecutive years of service. Actually, his surname comes before mine in the alphabet so he in reality has been the "dean" of our delegation and has been a real source of inspiration and leadership and guidance to all the Representatives and Senators from Arkansas who have come and gone in his long and distinguished tenure here in this body. He has been a true "dean" to us in every sense of the word.

I think if there ever were a person who was called into public service it is "Took" Gathings. He was undoubtedly predestined for it when he was born in Prairie County, Miss., on November 10, 1903. His parents named him after the Congressman who was then representing the First Congressional District of Mississippi, the Honorable Ezekiel Candler, who was a close friend of his father. His family members would ask the little fellow, who was the youngest of eight children, if he would grow up and go to Congress like Mr. Candler. All of us who have been privileged to serve with him know that "Took" did, indeed, come to Congress and certainly all of us here in the House, and all the people of his district and the people of Arkansas and of this country have been much the better for it.

His parents were Melville W. and Virgie Garner Gathings, and his ancestors have been outstanding citizens of this country since the 1600's. His great-grandfather, James J. Gathings, was the largest landowner in Anson County, N.C. His grandfather, Sampson Gathings, was an enterprising plantation owner in Monroe County, Miss., who served under Gen. Nathan Bedford Forrest during the War Between the States. His father was mayor of Prairie, Miss., for many years as well as a farmer, merchant, and postmaster. The Gathings family moved to Earle, Ark., when "Took" was 12 years of age.

One of the significant characteristics about "Took," that all of us who have been honored to serve with him know very well, is the fact that he is a hard worker and never stops until the job is done. This was also true of him as he grew up in Arkansas. He started working as a child around his family's store. Then his mother bought a hotel in Earle, and young "Took" kept himself busy in that business waiting tables, carrying luggage, and serving in the kitchen. His first paying job was rewinding reels at the Earle Theater for the big salary of $2 a week plus the chance to see the show free. From there he went on to delivering papers, sodajerking, collecting drycleaning, and dumping gravel.

At the age of 16, when his mother became seriously ill, "Took" missed a year of school while he nursed her back to health. He always had a marked devotion for his mother.

His dropping out of school for a year did not deter him from his desire to get an education. As soon as his mother was well, he went back to Earle High School to graduate. He was a star center for both the football and basketball teams at Earle and an excellent student. After graduation, "Took" attended the University of Alabama for 3 years and then transferred to the University of Arkansas where, 3 years later, he received his law degree.

During his first year at the University of Arkansas, he helped pay his way by serving as business manager of the annual yearbook, the Razorback. The second year there he was president of Pi Kappa Alpha fraternity, and during his last year at the university, he served as the fraternity's house manager. When he took over managing the Pi Kappa Alpha House, the fraternity was under a heavy financial burden. By some clearheaded refinancing and careful budgeting, after a year "Took" was able to leave the fraternity on a sound financial basis.

On April 6, 1939, "Took" married a very beautiful Forrest City girl, Miss Tolise Kirkpatrick. Their two fine children are Tolise and Royston. "Took" has always been a very devoted husband and father, and it is typical that in his announcement last year of his retirement he would pay tribute to his lovely wife and children. In that announcement, "Took" said:

> I have been blessed with a helpmate who has been a genuine inspiration for good and a ready source of strength. Our two children, both born in the Nation's Capital, have been a joy and a pleasure.

Mr. Speaker, Mrs. Mills and my daughters cherish very highly our long and warm friendship with the Gathings family and know that his wonderful wife and fine children have been a great joy and comfort to him throughout the long years of his dedicated public service.

Mr. Speaker, his initial venture into politics won "Took" a seat in the Arkansas State Senate where he was an outstanding member of that body for 4 years prior to his election to Congress in November 1938. As I have said, it was on January 3, 1939, that he and I took the oath of office together in the House of Representatives.

As we all know, during his long and distinguished tenure in this House "Took" has served on a number of important committees and subcommittees, including Veterans', Claims, Irrigation and Reclamation, Census, Immigration and Naturalization, and during World War II the Military Affairs Committee. However, he decided that he could best represent his people by serving on the House Committee on Agriculture, and it was in 1944 that he was appointed to that committee. He has risen to the ranking position on the Agriculture Committee, where he has served as chairman of the Subcommittee on Cotton, as well as the chairman of the Subcommittee on Farm Labor. In addition, he is the ranking Democrat on the Subcommittee on Rice and Oilseeds, which has jurisdiction over rice and soybean problems. He has another important assignment as the ranking Democrat on the Conservation and Credit Subcommittee which deals with the Farmers Home Administration and other lending institutions as well as soil conservation, watersheds, and water resources development. He is also a member of the Small Farms Subcommittee.

Mr. Speaker, "Took" Gathings did find his niche, his place of ultimate service, on the Committee on Agriculture, and he has had a profound and salutary influence on the important national agricultural legislation that has been reported by that committee over the past quarter of a century. It would be impossible in the time allotted this afternoon to enumerate all of the significant legislative enactments that bear his name or on which he has left a mark, but let me mention just a few:

His 1965 bill to swap cotton allotments for rice allotments.

Those portions of the comprehensive agricultural acts over the years that have related to cotton and rice.

Public Law 86-172 providing for the preservation of acreage history and reallocation of unused cotton acreage allotments.

The Gathings bill to provide for the release and reapportionment of unused rice acreage.

The Eastland-Gathings bill which made it possible for manufacturers and processors of cotton to buy a season's requirements in future contracts.

The Water Facilities Act providing for loans to farmers for the purchase of irrigation equipment.

Price-support legislation for cotton seed and legislation to bring soybeans under the price-support program.

Mr. Speaker, "Took" Gathings' legislative interests have by no means been circumscribed or limited to the agricultural field, however. He has also been exceedingly influential in the development of very significant legislation outside the field of agriculture. For instance, the Gathings amendment to the Surplus Disposal Act was successful in authorizing funds from this program for use in the Fulbright international student exchange program. He was responsible for the passage of legislation to make mortgage funds available for veterans' housing projects. He was the forerunner in the Congress in the fight against the smut peddler. In the 82d Congress, he served as chairman of the Select Committee on Pornographic Literature. On this point, Mr. Speaker, I might add that if his ideas had been adopted we probably would not have the problems that we have today in this very difficult area.

As we all know, "Took" has been an enthusiastic and very effective supporter and has worked very hard for the flood control work that has been accomplished in recent years in the lower Mississippi Valley. His successful efforts are particularly noteworthy and especially manifest in the remarkable development and improvements that have taken place in eastern Arkansas, particularly in the basins of the Arkansas, White, and St. Francis river systems. He was cosponsor of the legislation that resulted in the building of bridges now spanning the Mississippi River at West Memphis and at Helena.

Mr. Speaker, I do not know of anyone who has been in public service in Arkansas who has meant more to the state's development and progress than "Took" Gathings. All of us dislike the thought of his leaving the House, but we take satisfaction and comfort in the fact that he is returning to his beloved Arkansas and that he is taking with him the heartfelt gratitude of the people of his district, his State and this Nation, all of whom are saying to him, "Well done, thou good and faithful servant."

I know that I shall continue, as will so many of his colleagues here in the House, to seek his judicious counsel and to cherish very highly our long association and warm friendship in the years that lie ahead.

Mr. Speaker, I insert in the Record at this point excerpts from "Took" Gathings' formal announcement of his intention to retire, which he released on October 18 of last year:

> At the end of this term of office the good people of the First District of Arkansas will have honored me with thirty years of service in the Congress.
>
> I am deeply appreciative of the trust and faith they have accorded me.
>
> These past years in which I have worked with five Presidents have been some of the most eventful in all the history of mankind. We have experienced World War II, the Korean conflict, the Cold War, the Cuban Crisis, Vietnam and the advent of the Space Age.
>
> These have been turbulent, exciting times that have necessitated Congress to remain in Washington practically the whole of many of these years. And now, let it be said with candor that I am homesick. Thirty years is enough. I want to step out of the Washington whirlwind and go home to live close to the finest people that can be found anywhere.
>
> I will not be a candidate for re-election in 1968. Several years of deliberation have gone into the making of this decision.
>
> I have been blessed with a helpmate who has been a genuine inspiration for good and a ready source of strength. Our two children both born in the Nation's Capital have been a joy and a pleasure. I have been aided extensively by dedicated office staffs who have capably handled great volumes of work with dispatch and devotion.
>
> The people of the First Congressional District of Arkansas will always be in my affection. I am grateful to them for the support, kindnesses and considerations shown me all these years. I want each of them to know that in private life as in the past public one, my doormat will always read "Welcome."

Mr. Speaker, I am glad to yield to the gentleman from Texas [Mr. Poage].

Mr. POAGE. Mr. Speaker, I would like to suggest that when I first came here I thought the Arkansas delegation was an outstanding delegation. In a very few years the Arkansas delegation saw some material changes. The gentleman from Arkansas [Mr. Gathings], came, I think 2 years after I did. The chairman of the Committee on Ways and Means, Wilbur Mills, came at the same time. Two years later I thought the whole Arkansas Senate was going to move up here. All of them were outstanding men. Two of them, Mr. Mills and Mr. Gathings, are still with us as Members of this House, and I still have the same high opinion of the outstanding ability of these Members that I had a good many years ago. In fact, I do not think that any State during my 30 years in Congress has had a more able delegation in Congress than the State of Arkansas. I have been proud to call them my friends and still look upon the Representatives from that State as among the best friends I have here. I just do not have a better friend than "Took" Gathings. "Took" and I have served on the Committee on Agriculture together, I guess it must be for 24 years or something on that order. For a large part of that time we have sat next to each other. We have not been at the head of the list all the time, but we moved up. One of the pleasures I had when I became chairman of that committee was to know I was going to have "Took" Gathings as my ranking Democrat and as vice chairman of the committee. Our Committee on Agriculture is possibly the only committee in the House today that still has a vice chairman, and I am particularly proud that we have such an outstanding one as we have during the 2 years I have been chairman of the committee. I say that because "Took" is the kind of man that it is a real pleasure to work with. When you ask him if he will see that something gets done, he goes and sees that it is done. You do not get into any argument or particular discussion with him. He just goes and does it. If I felt that I was not going to be here, all I would have to do is let him know and I know that the work is going to be cared for, and it was cared for.

Mr. Speaker, I appreciate the fine cooperation I have had with Congressman Gathings on the Committee on Agriculture both when we were chairman and vice chairman and before then, because we worked for a long time before either one of us was in any position to get to the head of that list. However, we always worked together and it has always been a pleasure. I feel that he has contributed tremendously to the welfare of our American farmers and the American economy.

You all know the gentleman from Arkansas [Mr. Gathings] is not the kind of man who seeks to be the center of the spotlight, but he is the kind of man who seeks to see that the job gets done.

I say that Arkansas still has a fine representation, but Arkansas is not going to have as much representation next year as they have had in the past, and it is going to feel it.

Mr. Speaker, the entire State and Nation will feel it and the entire agricultural community of this Nation is going to feel it. People who never knew "Took" Gathings are going to feel it and people who do not know today that he is a member of the Committee on Agriculture, they are going to find out that they are not going to be as well off in the future because of the fact that he is going to spend the next several years with his family rather than spending his time here in the Congress.

Mr. Speaker, I do not blame him for going home. He has a magnificent record. I feel he is one of our good friends also, and we appreciate the Gathings family as a whole. We appreciate the head of that family as an individual as well as a member of the Committee on Agriculture because "Took" has been a whole lot more than a Member of this House or more than a member of the Committee on Agriculture. He has been a great citizen, a fine and outstanding American who has contributed his part in making this a better country as a whole.

Mr. Speaker, sometimes I think we get to associate someone in connection with his work in a specialized category and feel that is what he does.

Mr. Speaker, "Took" Gathings has participated in many activities here, but I know that for years he has been the bulwark of the Morning Prayer Breakfast Club. He has been one who has participated in all of the good activities of his community, whether that community happened for the moment to be in Washington, D.C., or across the river in Alexandria where "Took" lives when he is here while the House is in session, or whether it be West Memphis, Ark.

Mr. Speaker, that is the kind of man I want to see in this country. I do not believe anyone can be a real good Congressman who is not a real good citizen at home. "Took" has been a real good citizen all his life and he is going to remain a good citizen, a first-class citizen, next year as he is this year and possibly will be a little more directly to his home community than he has been even here. But he is probably not going to be in the position to wield the power that he has here, and that is going to be the loss of the country and of this House of Representatives and it is going to be my personal loss of a good friend.

Mr. Speaker, we find no fault with his decision to retire, but we do regret that he will not be working with us so closely in the coming years. We hope to see him in West Memphis in the future and we hope that he will see fit to pay his friends a visit in Texas.

Mr. PATTEN. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the distinguished gentleman from New Jersey.

Mr. PATTEN. I thank the distinguished gentleman from Arkansas [Mr. Mills] for yielding.

Mr. Speaker, I would like to extoll the gentleman from Arkansas [Mr. Gath-

INGS] and in my opinion the finest tribute that I can pay him is one that came across my mind only yesterday. We in this Supplementary Appropriations bill had an item contained therein dealing with the Commodity Credit Corporation and a great fuss was made about the fact that there was $900 million involved. When I realized the fact that out of all the populated countries of the world we are the only rich nation that feeds its own people and you sit here and regard that great investment in that little bit of surplus as if it were a burden, amazed me.

I should think our country would thank God for its blessings. Certainly China, India, Russia, or these other populated areas would love to have enough food to feed their people.

One of the Members who has been my teacher here on the subjects of rice and cotton was Congressman GATHINGS—and do not believe he did not have to be a teacher, because I was really a neophyte about such subjects as soybeans—and as I say, Congressman GATHINGS was my teacher. The Members may not know it, but our distinguished guest here today, Hon. E. C. GATHINGS, gets around, and he does not hesitate to ask you for a vote—and agriculture is not too popular when you come from New Jersey in the district I do, and read some of the editorials rapping the farm program, to give him a vote. But, Mr. Speaker, I believe you have noticed my voting record, and I vote for the Committee on Agriculture.

However, many people might be surprised to know it when you talk about cotton, but we have thousands of workers in the district I represent who depend on the success of the cotton program. Ninety percent of all surgical dressings and hospital linens are made in my district. The firm of Johnson & Johnson alone have almost a monopoly. So my district, and the workers in it, are all directly tied in with the State of Arkansas and the work of the Committee on Agriculture.

Mr. Speaker, I just want to say that it has been a great privilege to know the gentleman from Arkansas [Mr. GATHINGS]. In a way, I feel that the State of Arkansas and the district I represent are farther apart in certain respects than, say, Madagascar. Both places are strange to me.

But I do want the members on the Committee on Agriculture, and the Subcommittee on Cotton, and others, to know that I vote for them year in and year out.

So, Mr. Speaker, again I want to say that I am glad to extol the gentleman from Arkansas [Mr. GATHINGS]. He has been a great advocate, a great teacher, especially insofar as I am concerned, and I certainly will miss him in the next Congress—and I hope that I am here to miss him, since he has decided not to come back.

I thank the gentleman very much for yielding me this time.

Mr. MILLS. Mr. Speaker, I now yield to the gentleman from New York [Mr. SMITH].

Mr. SMITH of New York. Mr. Speaker, I thank the gentleman for yielding, and I would like to say that I have not known "TOOK" GATHINGS too long. He was here long before I came to the House of Representatives. But certainly, "TOOK," you are a gentleman, and you have been one of the backstoppers for the weekly congressional prayer breakfast on Thursday mornings.

I know that your absence from the Halls of Congress next year will be missed just as much on this side of the aisle as it will be on that side of the aisle. I would like to say to you, "TOOK," that there is a heartfelt invitation outstanding any time that you come back to Washington from being an "Arkansas Traveler," and if you can make it at 8 o'clock in the morning, that Thursday morning prayer group will love you for it.

Mr. MILLS. Mr. Speaker, I yield to my colleague from Arkansas [Mr. PRYOR].

Mr. PRYOR. Mr. Speaker, I thank my colleague from Arkansas for yielding to me.

Mr. Speaker, it is a privilege for me to join with other Members today in paying special tribute to the Honorable E. C. "TOOK" GATHINGS, who will retire from Congress at the end of this year. I am grateful for having had the opportunity to work with him during my one full term in the House of Representatives. I deeply appreciate the helpful and cooperative attitude that this very senior Member has displayed to this very junior Member. He has on many occasions given me the benefit of his good counsel.

For 30 years Congressman "TOOK" GATHINGS has represented the First District of Arkansas with distinction, devotion, and great integrity. In addition to his many achievements during this long tenure of his public service he has achieved the reputation among his colleagues as one of the most knowledgeable men in Congress in the field of agriculture. His contributions in the entire spectrum of agricultural legislation are indeed extensive, and I would like to cite several of the measures initiated by Congressman GATHINGS which have become public law:

First, I would mention his 1965 bill which provided for exchanging cotton allotments for rice allotments and vice versa.

Second, he was responsible for those parts of the Agricultural Acts of 1958, 1962, and 1964 that related to cotton and rice.

Third, he authored a bill to provide for the release and reapportionment of unused rice acreage.

Fourth, he pushed through the Water Facilities Act providing for loans to farmers for the purchase of irrigation equipment.

Fifth, he initiated legislation to bring soybeans under the price support program—only to cite a very few of his many legislative accomplishments while servicing, for 30 years, the First Congressional District of his State of Arkansas.

Having been a valued and valuable member of the House Agriculture Committee for 24 years, I know that his expertise will be sorely missed by that distinguished committee, and certainly, too, by this entire Congress.

He is one of those Congressmen who always came to work early and stayed late. No problem is too small or too big for "TOOK" GATHINGS to become interested in.

He is certainly a man of deep conviction and compassion—and during these last 2 years I have become more conscious of this every day. He has served the people of his State and his Nation with great pride and great dignity.

Mr. Speaker, we wish Congressman GATHINGS good health and good fortune in the years ahead and I know that he will find still many more ways to continue serving his community, the great State of Arkansas and the United States of America.

Mr. MILLS. Mr. Speaker, I yield to the gentleman from Georgia [Mr. BRINKLEY].

Mr. BRINKLEY. Mr. Speaker, I appreciate the gentleman yielding.

I would like to mention an experience I had about a year ago one Sunday afternoon when I was flying back into Washington from Georgia. I flew back into the National Airport, that busy place, and upon disembarking I met Congressman "TOOK" GATHINGS there at the airport. I asked him what he was doing there because it looked as if he was waiting for someone. He said he was. He was waiting for a young man who was to be a page from his own district in Arkansas. I talked with him a few minutes about that and he said he always did that. He felt it was the right thing to do, so the young man would not feel lost. I was impressed by this, and in my further association with him in this Chamber I have been impressed by the fact that he meets all men on the same level, and the fact that he is a man's man.

I believe it was Henry Adams who said that a teacher affects eternity. I would say with my friend from New Jersey that he is a teacher and that he has taught the new Members of this body well by his good example. We wish him well in Arkansas and we appreciate his service here.

Mr. MILLS. Mr. Speaker, I yield to the gentleman from Washington [Mr. FOLEY].

Mr. FOLEY. Mr. Speaker, I appreciate the distinguished gentleman from Arkansas yielding to me.

I was struck by the remarks of the distinguished gentleman from Arkansas and other gentlemen who have spoken and who have extolled "TOOK" GATHINGS. I think I was particularly struck by the remarks of the distinguished chairman of the Committee on Agriculture, the gentleman from Texas [Mr. POAGE]. The gentleman from Texas and I have disagreed on matters, I do not think I disagreed with a word—or could have disagreed with a word—that he said about "TOOK."

I think what I have heard this evening on the floor indicates how difficult it is to sum up the career of a man even when he is being described by those who have great admiration and great affection for him and even when he has made such outstanding contributions to the legislative history of this body as "TOOK" GATHINGS has made. Because an enumeration of his legislative achievements cannot possibly describe the day-by-day impressions that he has made in his work, and the kindness and generosity, the sentiment and the spirit, that have identified everything he has done in the Congress.

As a new and junior Member of the Congress myself, I have appreciated the countless kindnesses that "TOOK" always extends to every Member. I have appreciated his deep concern for the welfare not only of the farmers in his own district and his own State, but with farmers everywhere in the United States and with people everywhere.

He is a generous man. He is a kind man. He is a religious man. He is the kind of person who has, what for the lack of a better word, we can just describe as character the quality which impresses and infuses itself on everything he does and which makes him the sort of Member who not only serves in the House, but distinguishes it.

I also must say that I share the respect and admiration of the chairman [Mr. POAGE] for the delegation from Arkansas. It is an outstanding delegation. I am sure it will continue to be, because in addition to the distinguished gentleman from Arkansas [Mr. GATHINGS] whom we honor this evening, and the distinguished chairman of the Committee on Ways and Means, I find great admiration for the gentleman who just left the well [Mr. PRYOR]. This State seems to elect exceptionally fine Congressmen.

I think all of us can understand how "TOOK" GATHINGS would want to spend his retirement years close to the people he loves best. No State in the Union has done more to send exceptional Representatives to Congress, and all of us who know him think that none has been finer than has "TOOK" GATHINGS in his service to his people and in his service to his country and this body. We shall be poorer in his absence.

Mr. GATHINGS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to my colleague from Arkansas.

Mr. GATHINGS. Mr. Speaker, I want to thank my colleagues for those very fine remarks that they have made, and for having stayed here so long tonight to make them. I am grateful indeed to you. Those words of praise are most reassuring and inspiring. I do not merit them, but your generosity is most appreciated, I assure you. It has been a day I will long remember and cherish.

It has been a marvelous experience to work with you as a Member of the House of Representatives. I love the House of Representatives. In fact, about one-half of my adult life has been spent here. It is, in my opinion, the greatest deliberative body in the world.

When the roll is called on a "yea" and "nay" vote in this House, the American people speak. It is a barometer of the attitude of 200 million residents across 50 States in this Nation.

When WILBUR MILLS asked me about setting this special order, I demurred. In fact, I vetoed the idea but he prevailed. Now, after hearing these tributes, WILBUR, I am glad that you persisted. They sound mighty good to me. The expressions that have been made and the friendships that I have enjoyed with the Members, the employees, and those who deal with the Congress will be highly prized by me throughout the years to come.

Mr. FEIGHAN. Mr. Speaker, any man who has dedicated more than half of his life to public service, as has our able and distinguished colleague, "TOOK" GATHINGS, is a completely selfless man. Not only has "TOOK" GATHINGS served here in this body for 30 years, he served 4 years in the Arkansas State Senate before coming to Congress. Thirty-four years of public service is a very long time in the lifespan of a man and it has certainly tested his physical fiber. "TOOK" GATHINGS has been one of the stalwarts of this House and of his party and he has made an incalculable contribution to the progressive legislation which has been enacted into law during the past 30 years. That he has served his constituents loyally and well is confirmed by the fact that they have returned him to Congress these many years. Our colleague has established a splendid record of accomplishments, he is a gentleman of superlative ability and could always be depended on to carry through when the opposition was keen. He is fairminded, always extending courtesy to those who disagreed with him—a friendly man of warm personality and sharp wit, and his departure from this body saddens all of us. When "TOOK" GATHINGS bids farewell to his colleagues, he knows he takes with him the affection and good wishes of every Member with whom he has served. I wish him and his dear ones God's richest blessings.

Mr. DERWINSKI. Mr. Speaker, I am pleased to join the other Members of the House in honoring our colleague and my good friend, E. C. "TOOK" GATHINGS, upon his retirement from the Congress. He has been an outstanding Member and merits the respect in which he is held in the House. His 30 years of service as a Representative from Arkansas have been marked by effectiveness and dedication to sound principles of government and sincere interest in the problems of his constituents.

On a personal basis, I wish to emphasize not only the great respect I hold for him but also our friendship. We happen to be "neighbors" in a small community outside of Alexandria and our wives are also very good friends. Therefore, I know "TOOK" as a good friend and all-around individual in addition to being a great public servant.

Mrs. Derwinski joins me in wishing "TOOK" a very long, happy, and busy retirement.

Mr. CRAMER. Mr. Speaker, I take this opportunity to join with my colleagues in paying a highly deserved tribute to our good friend and esteemed colleague, the Honorable E. C. "TOOK" GATHINGS. After 30 years of outstanding service in the House of Representatives, "TOOK" GATHINGS has elected to retire from public office in Washington. His presence here will be sorely missed by those of us who have been privileged to know and to work with him. An outstanding lawyer, "TOOK" GATHINGS has, through the industriousness of his efforts, capably contributed his knowledge and his talents to the legislative process. His contribution has been a major one and has earned him the respect of his colleagues and the gratitude of his constituents who are indeed fortunate to have been so ably represented in the House for so many years. "TOOK" GATHINGS' departure from Washington is a personal loss to me as I value most highly the warm friendship we have shared since I have been privileged to know him, the memory of which I will continue to treasure over the years.

Mr. MILLER of Ohio. Mr. Speaker, I wish to take time to express my feelings regarding Congressman GATHINGS, who will retire after his present term.

Congressman GATHINGS serves as the vice chairman of the Committee on Agriculture of the House. I have had the pleasure of serving on that committee.

Congressman GATHINGS has been an inspiration to me personally, and to many other Members on both sides of the aisle.

As a freshman Congressman, I especially appreciated his leadership in committee.

I am proud to join the many others in praising this fine gentleman.

Mr. MONTGOMERY. Mr. Speaker, it is an honor for me to speak a few words about a friend and adviser, the Honorable E. C. "TOOK" GATHINGS.

When I came to the Congress less than 2 years ago, one of the things that impressed me most was the sincere and avid dedication of the vice chairman of the Agriculture Committee, to which I was assigned. I have come to depend on Congressman GATHINGS for advice and leadership because I quickly discovered that there was no more faithful and loyal member on our committee. He always was in attendance at our meetings and he inevitably had done his homework on the legislation we were considering.

Whenever he was called on to preside at committee meetings, he always was completely fair and nonpartisan. He never denied the newer members on the committee the chance to be heard, and this personally has meant a great deal to me.

Those who have worked with "TOOK" GATHINGS have had a rich and rewarding experience.

His 30 years of service in this body is not only a credit to his ability and hard work, but it serves also as a tribute to the foresight of the people in the First District of Arkansas who have chosen him as their Congressman on 15 occasions.

My best wishes go to "TOOK" GATHINGS and his lovely wife as they return to West Memphis and the folks back home.

Above all, I want to say "thank you" for providing me an example of what loyalty, dedication, and service really are.

Mr. RHODES of Arizona. Mr. Speaker, I am pleased to have this opportunity to express my deep respect and admiration for Hon. E. C. "TOOK" GATHINGS for his wisdom and statesmanship, and for the devotion he has shown his Nation through 30 years of dedicated service in the House of Representatives.

"Took" Gathings is one of my favorite people in the Congress. He is an expert on agriculture, and we have much in common as we both represent districts in which cotton is grown. His advice and counsel, and good work in behalf of the cotton industry have been very helpful to me.

I will miss Representative Gathings in the next Congress, and wish to express to him my best wishes for his every happiness in the future.

Mr. PATMAN. Mr. Speaker, the Honorable Ezekiel Candler Gathings has ably and honorably represented the First District of Arkansas for a period of 30 years during which time some of the most significant legislation in our national history has been enacted. His participation in the deliberations of this House have always been effective and substantial, and in the field of agriculture in particular his comprehensive knowledge has been a bright and powerful beacon, providing guidance for his colleagues and, indeed, for the entire Nation. The wonderful manner in which "Took" Gathings has meticulously and fervently represented the interest of his constituents here in Congress is proverbial, and if there ever was a Member who "voted his convictions," with vigor and with integrity, it is my esteemed friend from our neighboring State of Arkansas.

I am indeed sorry that my friend and learned colleague is about to bring his distinguished legislative service to a close with final adjournment of the 90th Congress. I have every confidence, however, that his great professional and moral attainments will continue to produce the meaningful rewards that have established him as an outstanding Member of this House. I extend to the Honorable E. C. "Took" Gathings and to his fine family my very best wishes for the many beneficial years that lie ahead.

Mr. EDWARDS of Louisiana. Mr. Speaker, I appreciate this opportunity to express my deep respect and admiration for my colleague from Arkansas, the Honorable E. C. "Took" Gathings, who will be retiring at the end of this session of Congress. We all regret that we will no longer have the privilege of working with him here in the Halls of Congress and we will miss having the benefit of his wisdom and inspiration.

During his years of service on the House Agriculture Committee, "Took" Gathings' outstanding contributions to the field of agriculture have been well known. In addition to his influential positions on the committee as chairman of the Subcommittee on Cotton and chairman of the Subcommittee on Farm Labor, "Took" Gathings is also the ranking Democrat on the Subcommittee on Rice and Oilseeds. As a result of his insight into the needs and problems of agriculture, "Took" Gathings has sponsored numerous pieces of legislation of tremendous import and interest to the farmers of our country and has ushered them to successful conclusion as legislative landmarks in the field of agriculture.

I can personally attest to the fact that the rice industry owes a very special debt of gratitude to "Took" Gathings for the progress which it has reaped as a result of his leadership.

I take pride in the fact that the Seventh Congressional District of Louisiana, which I have the privilege of representing in Congress, produces 24.6 percent of all rice produced in the United States and 85 percent of the rice produced in the State of Louisiana. On behalf of the many rice producers and millers who comprise the rice industry of my State of Louisiana, I wish to express our gratitude and appreciation to "Took" Gathings for his generous efforts and contributions in our behalf. We are all the richer because he has unselfishly championed the cause of what was right and just for the agricultural interests of our great country and his influence will be felt for many years to come.

While my association with "Took" Gathings has been mostly agriculturally oriented because of the particular interests and problems of my district, I am not unmindful of his contributions to the welfare and security of our Nation in other legislative fields. Certainly the people of America owe an everlasting debt of gratitude to a 100-percent loyal American citizen and public official who has placed the interest and welfare of his Nation above sectional and specialized interest in the true demeanor of a truly dedicated public official.

To my friend and colleague, "Took" Gathings, a sincere and heartfelt "thank you" and best wishes for a well-deserved retirement.

Mr. FRIEDEL. Mr. Speaker, I wish to join my colleagues in paying tribute to the distinguished Member from Arkansas, E. C. "Took" Gathings.

"Took" Gathings entered politics almost immediately after graduating from law school and has devoted his entire adult life to public service. After having served in the State Senate of Arkansas he was elected to the 76th Congress in 1939 and to each succeeding Congress thereafter.

Having served with distinction for 30 years in this body, he has decided to retire at the end of this session. I regret this decision on his part as I am sure his constituents do because he is one of the most conscientious Members of this body. While "Took" never sought the limelight, few will deny the impact of his quiet wisdom and long experience in public life on the course of legislation coming within the jurisdiction of the Committee on Agriculture. As vice chairman of that committee his advice was sought by many of us on all problems concerning agriculture and he has played an important role in the enactment of legislation beneficial to farmers and was instrumental in bringing natural gas to eastern Arkansas.

During his early years in Congress, Representative Gathings was a very active member of such committees as World War Veterans, Claims, Irrigation and Reclamation, Census, Immigration and Naturalization, and the Military Affairs Committee.

Mr. MAHON. Mr. Speaker, it has been an honor and a privilege to serve in the House of Representatives with the gentleman from Arkansas, the Honorable E. C. Gathings.

His unwavering devotion to his district and the country has been the hallmark of his service here.

Others have spoken at length in regard to the life and public service of this outstanding American, and elaboration on my part is unnecessary. However, I do want to join in words of good will and best wishes to him as he approaches the end of his congressional career. Good luck, Took.

Mr. HATHAWAY. Mr. Speaker, it is a pleasure to join with my fellow Members of Congress in paying tribute to our friend and colleague, E. C. Gathings, who for the past 30 years has represented the First Congressional District of Arkansas.

When Congress adjourns this year, "Took" will leave this Chamber after three decades of outstanding and dedicated service to his country and the people of Arkansas. We who have served with him shall miss his presence here, but I am sure the people of Arkansas' First Congressional District will experience an even greater loss.

I wish him the very best as he leaves this Hall for what I hope will be a happy and healthy future.

Mr. BELCHER. Mr. Speaker, I want to commend our colleague, Wilbur Mills, for providing us this opportunity to pay a well-deserved tribute to my good friend, E. C. "Took" Gathings.

After 30 years of devoted service, "Took" has decided not to seek reelection to Congress this year. To his friends and colleagues here in the Capitol and to his many friends and supporters back home in his constituency in the First District of Arkansas, that is a lamentable decision. But, he has more than earned this respite from the labors of public service. I know how much he has enjoyed serving in Congress and how conscientiously he has carried out the heavy responsibilities which go with the office. I think in some ways "Took" is going to miss us as much as we are going to miss him.

It has been my great pleasure and privilege to serve with "Took" on the Committee on Agriculture where he is currently the vice chairman and where he has rendered tireless and unique service to the cause of American agriculture. His has always been a voice of calm and reason. On many occasions his own special brand of humor has helped to dispel tensions, clear the air, and make it possible to get the cantankerous machinery we call the legislative process going again, just when it threatened to bog down. On those occasions when he has presided over the committee it has always been with fairness and dispatch.

Most importantly, "Took" has brought to the committee a deep understanding of the problems American agriculture faces today; a wisdom and insight into the operation of this great industry; and a concern and compassion for the needs and the welfare of that large segment of our population which still derives its livelihood from tilling the soil.

I think in my entire lifetime I have never met a more kindly man than "Took" Gathings. He is the very epitome of a true gentleman: well bred, courteous, gracious, and considerate. He is also a man of deep convictions. And the sincerity with which he holds those convictions and his ability to articulate them have made him both a valuable and persuasive legislator.

I am proud to have served with "Took" Gathings in Congress and on the Agriculture Committee for the past 18 years. And I am grateful for the years of friendship we have shared. I shall always hold that friendship in the highest esteem.

"Took," I wish the very best in health and happiness for you and your dear wife in the years to come and God's richest blessing on you both.

Mr. FALLON. Mr. Speaker, I would take this occasion to extend my warmest regards to the Honorable Ezekiel C. Gathings of the Arkansas First District, who is retiring from Congress at the close of the current term. His performance in this Chamber, over the past three decades, has won the admiration not only of his loyal constituency, but of his colleagues here, as well. He is an outstanding Congressman.

As second-ranking member of the Committee on Agriculture, Ezekiel Gathings has become known as the "farmer's friend," for all he has accomplished and attempted to accomplish in the interest of the farming communities throughout the land.

There are those who, in the name of progress, would relegate the noble farming tradition to second-class status, but not without the strong and able opposition of the honorable gentleman from the Arkansas First District. Recognizing, as he does, the dependency of industry on agriculture, even to this very day, Ezekiel Gathings has made known his views and held the line against unnecessary encroachment on the rights of agriculture by a rampant machine-age—and with telling effect. He is a man of high principles and must be commended for standing by those principles, in the face of all inducements to the contrary.

Virtually from the start of his adult life, Ezekiel Gathings has been engaged in politics and legislation. Graduating with a law degree from Arkansas University, in 1929, he promptly identified himself with the Democratic Party organization and in 1934 was elected to the State senate where he remained until his election to Congress 4 years later. In 13 subsequent elections, his policies were overwhelmingly endorsed by his constituents.

Congratulations, Congressman Gathings, for a job well done.

Mr. PHILBIN. Mr. Speaker, I was very sorry to learn of the retirement from the House of my esteemed, beloved, and outstanding friend, the Honorable E. C. "Took" Gathings, of Arkansas.

Took has had an illustrious career in the Congress and his outstanding leadership will long be remembered, not only by members of his own district and State, but by a grateful Nation which recognizes his dedicated service, his great contributions, his fidelity to duty, and his superb patriotism.

Took Gathings is not only a warm, thoughtful, considerate friend, but he is a very able, distinguished Congressman and a great American.

His magnificent service on the House Agriculture Committee, and his leadership, not only in the affairs of that committee but in the House as well, has been of highest order.

He is cherished, admired, and loved by his many friends, and it would be impossible precisely to fill the place he occupies in the Congress and in the hearts of his colleagues and friends.

I am very sorry to see him leave the Congress, because he is the type of dedicated American needed now more than ever before in the affairs of Government. After his long, arduous service to the Nation, his district, and great State, Took Gathings is entitled to relaxation and rest and the deep gratitude of his constituency and the Nation he has served so faithfully and well.

I wish for this great American, Congressman Took Gathings, and his lovely wife and family, all choicest blessings of continued good health, success in all their endeavors, prosperity, happiness, and peace for many years to come.

Mr. UTT. Mr. Speaker, I am most grateful to my committee chairman, the Honorable Wilbur Mills, for making it possible for me and my colleagues to pay tribute to one of the outstanding Members of the Congress, E. C. "Took" Gathings.

"Took" has been one of the farmer's greatest friends in Congress, and agriculture throughout the country owes much of its progress to him. Of greater overall importance is his deep spiritual faith, typified by his presidency of the Congressional Prayer Breakfast group. The only one who can really foresee the ramifications of proposed programs and legislation affecting them, and permit infallible decisions, is our Supreme Being, and "Took's" reliance upon His guidance has helped to prevent much error through the many years of his public life.

I, personally, and the whole Congress will miss "Took," and it is my sincere hope that he will enjoy the long, healthful, and contented retirement which he has so well earned.

Mr. BENNETT. Mr. Speaker, all of us hate to see our beloved colleague "Took" Gathings retire from this body, where he has done such an excellent job for his district and State; and where he has left behind him a solid and impressive body of constructive legislation, which will always be a lasting memorial to his concern for his fellow man and his ability and dedication to his country. Yes, we will miss him and his lovely wife, who has contributed so much to his own good work here. Our country is a better country because he has been here in Washington, working for the common good of all but with the uncommon ability that is his. We wish for both him and his wife every happiness in their retirement and hope that they will often return to renew old friendships here.

Mr. JONES of North Carolina. Mr. Speaker, I am honored to join with other Members of Congress in paying tribute to my friend, Congressman Gathings.

His warm personality and interest, not only in his own district, but in the affairs of all concerned with the problems of agriculture, explains why he has had a term of service extending over 30 years, 26 of which he has ably served on the House Agriculture Committee. We, his colleagues, are indebted to Congressman Gathings for his untiring work and the notable contributions he has made which has resulted in such important legislation pertinent to agriculture.

Along with the entire membership of this House, I will miss Congressman Gathings, and I can only wish him many years of health and happiness in his well-deserved retirement.

Mr. ANDREWS of Alabama. Mr. Speaker, it is indeed a great pleasure for me to join with other Members of this great body to pay tribute to Ezekiel Candler Gathings, who will end 30 years of service in the U.S. House of Representatives when we adjourn.

"Took," as we all know him, has served the First Congressional District of Arkansas faithfully since he was elected to the 76th Congress. In fact, I know of no one who is more fervently dedicated to the well-being of those he represents. In addition to being a devoted public servant and a capable leader, "Took" Gathings is a man of deep understanding.

Representing an agricultural district myself for the past 25 years, I am well aware of the contributions he has made in the field of agriculture, both in talent and time, through his work on the House Agriculture Committee. As vice chairman, you might say he is one of those rare craftsmen who perform every task to which he is assigned with unusual meticulousness and care. Mutual friends who serve with him on the committee tell me his labor is painstaking; his scholarship thorough; his integrity without blemish.

On many important and some highly controversial issues, he never hesitates to take a strong position, and always is able to capably defend that position. With a storehouse of information on many subjects, his influence is felt on many occasions.

I have been privileged to enjoy his friendship through the years, and I feel sure I speak for all of us who really know him when I say the memory of his true friendship will long remain with us and his outstanding achievements will brilliantly illuminate the annals of this, the greatest deliberative body in the world, for many years to come.

"Took," you and your lovely family have my very best wishes for good health, fortune, and increasing success.

Mr. PURCELL. Mr. Speaker, I am sure that every freshman Congressman picks out certain men who represent real success and achievement in this body. "Took" Gathings, the man who we are honoring today, presented that sort of image to me when I first came here, and in the intervening years I have spent here, I have never lost my deep respect for "Took's" ability, dedication and counsel.

During the time I have worked with "Took" on the Committee on Agriculture, I have never failed to be impressed by his insight and ability to apply his vast experience to bear on any problem we have faced. I personally hate for him to leave us, for I have grown so used to seeing him sitting in the vice chairman's seat, that I cannot imagine his not being there next year.

I am certain that the people of "Took's" district will strongly feel the loss of this great and skilled legislator and representative of their interest. Perhaps some of them will probably never know how much they have owed to "Took," but, believe me, I am sure that his district will be poorer for his absence.

Congressmen are always coming and going, and some of us will find that our legacy will consist of a few pages in the Congressional Record, some testimony before one committee or the other, and our name on a few bills that were signed into law.

"Took's" legacy not only includes all of what I have mentioned, but in addition his willingness to help, his cheerfulness and friendship have rightly earned him the accolade of this entire body. He is one of those rare individuals whose friendship has personally enriched my life, and I wanted to take this opportunity to tell him so. We all wish you and Tolise the best as you leave this Chamber, "Took," and we will certainly miss you.

Mr. ZWACH. Mr. Speaker, I join my colleagues today to pay a sincere, well-earned tribute to our retiring colleague from the First District of Arkansas, E. C. Gathings.

It has been my pleasure to have served on the Agriculture Committee with the distinguished Member during the past 2 years. His thoroughness and his sincerity of manner and intent in securing all of the information available on the subject under discussion has earned him the respect and admiration of his colleagues. His knowledge and understanding of the basic farm programs will be sorely missed on this committee.

My best wishes are extended to Mr. Gathings for a happy, long life for him and his family, as he leaves this body.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise to join my colleagues in paying tribute to a truly great American, E. C. "Took" Gathings. I count him as a very dear friend, and am truly sorry he is retiring from the Congress.

In 30 years in the House of Representatives, Took has compiled an outstanding record of devoted service to the people of Arkansas and the Nation. The accolades of those who have served with him will attest to this.

He is, moreover, a man of stanch dedication to those principles and traditions which have built our Nation to its height of greatness.

During the past 2 years, as a first-term Member from Arkansas, it has been my high honor and privilege to work closely with Took on matters relating to our State and Nation. His counsel has been invaluable; his wise guidance, an education.

On social occasions when the Arkansas delegation could be together, it was always such a pleasure to visit with Took and Tolise. They shall be missed so very much.

It is our sincere hope that the retirement days ahead are blessed with good health and an abundance of those things which go to make up happiness.

Mr. McMILLAN. Mr. Speaker, I want to join the Arkansas delegation in paying tribute to one of the finest gentlemen that I have had the pleasure of knowing during the 30 years I have been a Member of Congress. I was distressed to learn my good friend "Took" Gathings had decided to not be a candidate to Congress for the 91st Congress and return to his home to resume his law practice. The Agriculture Committee and the Congress will suffer a great loss by not having "Took" Gathings here to give us the benefits of his experience and thinking on agriculture and numerous other national and worldwide problems. The State of Arkansas and especially the district represented by Mr. Gathings will miss his prestige and influence here in the Congress more than any other group. Congressman Gathings as vice chairman of the Agriculture Committee has spent more time in trying to assist the cotton growers and ginners than any other Member of this Congress. He was of great assistance to the Congress in passing the one-price cotton bill and numerous other important pieces of legislation now on the statute books. I will personally miss Congressman Gathings since I have had the pleasure and privilege of sitting to his right on the committee ever since I have been a member of the Agriculture Committee.

Again, I want to express my personal regrets and my congratulations at the same time as I wish "Took" Gathings and his lovely family everything they desire in the future.

Mr. de la GARZA. Mr. Speaker, we pay tribute today to a giant of a man—not only a giant among the legislators but a tall man—one to whom all can look up.

This man is Ezekiel "Took" Gathings of Arkansas—a great man—a legislator's legislator—always ready, willing, able, and highly qualified to lend a hand—a man whose contributions to the Nation's agriculture are monumental.

Not only is Mr. Gathings a highly honorable man, but he is a patient and courtly gentleman. When I came up here as a freshman, and I was assigned to the Agriculture Committee on which he has served so admirably for so many years, I found Mr. Gathings has the patience of Job. His kindnesses overwhelmed me—matched only by his desire to help a new, young, green Member understand the complications of the agriculture program.

When someone says Mr. Gathings is a "great American," he is not just whistling. He is the type we hate to see leave the service of his country—but also he is the type we are happy to see take advantage of time to spend with his family, with his dear friends, in the area he loves.

Mindful of those facts, we join in the Adios—Vaya con Dios, Congressman "Took" Gathings. We will miss you more than you will miss us.

Mr. MORGAN. Mr. Speaker, one of the great privileges of serving in this House is the association we have with some of the finest and most dedicated representatives of the people of our country. We are all conscious of the high honor of being selected by our fellow citizens to represent them here, but we soon become aware that most of us share this other privilege and honor of association.

The Honorable E. C. Gathings, affectionately known to us as "Took," personifies the very best that we come to admire and cherish here. He is a friendly man, so quiet and unassuming that you have to know him to realize his ability and capacity. For 30 years now, he has represented the First Congressional District of Arkansas with distinction. "Took" is especially known to us for his expertise in all matters relating to agricultural problems and the entire country is indebted to him for his consistent and skilled sponsorship of constructive legislation to help the American farmer.

I am proud to have had the opportunity to serve with this great American. We are all sorry that he is retiring to private life, but we wish him continued success in all his efforts and the best of happiness for him and his family.

Mr. WHITTEN. Mr. Speaker, it is bad to lose ones friends from service in the Congress, particularly when he happens to be a neighbor. It is certainly with a feeling of regret that I note the retirement of my good friend and neighbor, Hon. E. C. "Took" Gathings. He and his wife, Tolise, and their children, have been very close to my family through the years.

I know that "Took" has earned his retirement, but we will certainly miss the benefits of his efforts here as well as our association. No one has been more reliable and dependable in looking after the interests of his district and the Nation.

In the area of agriculture, which is not an easy one in which to work, you could always count on "Took" Gathings being there on the front row, well informed and courageous. A lawyer by profession, he made use of his training and his talents. Except for "Took" Gathings, our problems would have been greater and our economic situation worse.

I join with "Took's" many friends in saying that he leaves a mark here which will be a challenge to whoever may succeed him. Though he is retiring, the people of his district will benefit from the work and legislation with which "Took" has been identified through the years.

We wish for "Took" and Tolice many, many happy years and trust we will see them back here often.

Mr. PIRNIE. Mr. Speaker, we heard with deep regret the decision of our good friend, E. C. "Took" Gathings to retire from Congress at the end of this session. Those of us privileged to serve with him recognize his splendid character and fine ability. When I first came to this body I was a member of the Agriculture Committee upon which Took was a ranking member. I was impressed with his unassuming but highly effective conduct and I soon became proud to claim him as a friend. The passage of time has only confirmed and enhanced this high opinion. Took Gathings is one of the truest gentlemen in this Congress. Fair and kindly, he has worked faithfully for his constituents and the Nation. I am proud of his service and congratulate the people of the First District of Arkansas upon the representation they have had in this body for the past 30 years. It sets a standard difficult to equal.

I wish for Took health and happiness for many years to come.

Mr. STUBBLEFIELD. Mr. Speaker, I rise to pay tribute to a distinguished son of Arkansas, a skillful legislative leader, a great American, Representative E. C. "Took" Gathings, who will retire at the end of this session.

Took Gathings has represented the people of Arkansas' First District, since the 76th Congress, with competence, integrity, and courage. To me, he has been a good friend, one to whom I could always look for inspiration and guidance, and I have.

He is living proof of the success a man may attain by steady application, by long hours of hard work, by unselfish dedication to the public interest; and his ability and character have made him one of the most effective voices in this body. "Took's" devotion to duty and strict adherence to our democratic ideals have won him the lasting support and admiration of his constituents. For over 30 years, he has been a tower of strength in this House.

When I first came to Congress 10 years ago, I sought the counsel of Took Gathings, already a ranking member on the House Agriculture Committee to which I was also assigned. During the 10 years I have served with him on this committee, I have appreciated fully his great achievements as a leader of the Agriculture Committee and have benefited from his directives and foresight.

Yes, the faith shown in Took Gathings by his constituents has been well justified; he has never failed to represent them to the very best of his considerable ability. His retirement to the scenes he loves best will bring to our beloved colleague the fulfillment and happiness of a splendid career. We wish you well, Took, as you leave us but trust that you will keep in touch, renewing often your close associations here.

Mr. DOLE. Mr. Speaker, it has been my privilege to serve on the House Committee on Agriculture with "Took" Gathings for the past 8 years. I have never known a finer man and am certain this opinion is shared by every Member of this body. "Took" is a gentleman, an effective legislator, and a friend of rural America.

The voters in his district have exercised excellent judgment over the years in reelecting him and their confidence has been well placed. He will be missed by those who rely on him in the great State of Arkansas, by many Members of Congress who have sought his advice and counsel, and by rural Americans everywhere. Notwithstanding, "Took" has earned a rest and I am proud to join his many, many friends in wishing him every success in the months and years ahead.

Mr. TEAGUE of California. Mr. Speaker, I have served with "Took" Gathings for 12 years on the House Committee on Agriculture. I have never known a man of finer character. He will be sorely missed.

Mr. HANSEN of Idaho. Mr. Speaker, it is always hard to say "goodbye" to a beloved and respected colleague, and it is particularly so in the case of the gentleman from Arkansas [Mr. Gathings].

It has been my pleasure to serve on the House Committee on Agriculture with "Took" Gathings for the past 3 years. In the 90th Congress, I have also served with him on two subcommittees, one of which—Family Farms—he has more than ably chaired.

During this time, and even though we are not of the same political party, no one could have possibly been friendlier to me and of more help than "Took" who was always more than willing to pass on to a younger colleague the wealth of experience and knowledge he has amassed during the 30 years he has served with such distinction in the House of Representatives.

Mr. Speaker, "Took" Gathings will be missed in the House by both his party and mine. One cannot say that he will be missed by both friends and enemies as he has no enemies—just friends. Political associates and political opponents are as one in this instance.

Mr. Speaker, while I regret that "Took" is ending his long and outstanding career, I am fully aware that he richly deserves the peace and contentment of retirement. My heartfelt thanks for his friendship and help will be with him during that time.

Mr. SIKES. Mr. Speaker, I would like to add my voice to the many others who have taken advantage of this opportunity to express their esteem for the work, the accomplishments, and the fine personality of the distinguished gentleman from Arkansas, Representative E. C. "Took" Gathings. He is held in highest regard.

His has been a most distinguished record. For 30 years he has served the House, his district, and the Nation in exceptional fashion. For that reason we honor him not only for his length of service—which is considerable—but also for the caliber and number of his accomplishments during that period.

One of the senior Members of the House, "Took" Gathings, has been a leader among legislators. He is a devoted public servant, a man who has given outstanding service to the great House Committee on Agriculture. I take this opportunity to wish my good friend of many years, Congressman Gathings, and his family, the best of health and happiness and a full measure of prosperity in the years ahead.

Mr. HAGAN. Mr. Speaker, in tribute to my esteemed colleague the Honorable E. C. "Took" Gathings, I want to take this opportunity to congratulate Congressman Gathings on his retirement. His continuous representation of Arkansas' First District, since the 76th Congress, is acknowledgment of achievement and dedication.

I have become accustomed to hearing his name, preceding mine by several Members' names, during rollcall since my election to Congress. The distinguished senior Member will be greatly missed in the House.

My enthusiastic best wishes are extended to Congressman E. C. Gathings for good health and happiness in his retirement.

Mr. SPRINGER. Mr. Speaker, I am glad to have this opportunity to pay tribute to our good friend, "Took" Gathings. During his 30 years service in the House "Took" has won the hearts of his colleagues as well as their respect. Wherever he goes he seems to carry with him an aura of kindly dignity.

Whatever the future may have in store for "Took" we may be sure that he will meet each problem as it arises with the same wisdom, the same calm deliberation, that he exhibited so many times in dealing with legislative matters before this House.

"Took" has served the people of his State and district with integrity and to the best of his ability. I am sure they will miss him as much as we will in this Chamber.

Mr. HUTCHINSON. Mr. Speaker, I join with his many friends in the House in wishing "Took" Gathings and his lovely wife Tolise many wonderfully happy years in their retirement. It was my good fortune to serve with the gentleman from Arkansas [Mr. Gathings] on the Committee on Agriculture during the 88th Congress. Mrs. Hutchinson and I have enjoyed being with the Gathings on many social occasions. Even after 30 years of service here there must be times our friend "Took" looks upon his decision to retire with some regret, but after the marathon session of the last 24 hours he probably is happy to be well out of it. Our best wishes go with him as he leaves the House when the 90th Congress expires.

Mr. RHODES of Pennsylvania. Mr. Speaker, with my colleagues in the House, I join in paying my respects to the distinguished gentleman from Arkansas, the Honorable E. C. Gathings, who is retiring at the end of this 90th Congress.

Since coming to the Congress I have learned to know Congressman Gathings as a sincere and dedicated Member of the House and a capable and hard-working legislator.

Serving for 30 years as a Representative of his district in Arkansas indicates the confidence his constituents have in him and the high regard in which he is held by those who know him.

My wife joins with me in expressing best wishes to "Took" and his lovely wife, Tolise. May they enjoy good health and a long and happy retired life.

Mr. DOWDY. Mr. Speaker, it is with great pleasure that I join today in paying tribute to my good friend and colleague, the Honorable E. C. "Took" Gathings, who is retiring from Congress at the end of the present session after 30 years. These years have been fruitful and his accomplishments many.

His service has been outstanding, and he has been an inspiration to all who have served with him. I am grateful to have had that opportunity.

I join with his many friends in wishing "Took" continued success and happiness in the years ahead.

Mr. EDMONDSON. Mr. Speaker, I am highly pleased to hear this well deserved tribute in the House to our beloved Colleague from Arkansas, the Honorable E. C. GATHINGS.

"TOOK," as he is affectionately called by a host of friends, has been a splendid Member of this body for many years, and has made a great contribution to his State and the country during his service.

He is undoubtedly one of the most knowledgeable members of the powerful Committee on Agriculture, and has been influential in building and strengthening our farm economy and making it our Nation's greatest asset in the Cold War.

Congressman GATHINGS has been a credit to his great State throughout his distinguished service in the Congress, and will be sorely missed in his well-deserved retirement.

I am sure I speak for all Oklahomans in wishing this fine neighbor and public servant much happiness in the future.

Mr. BURLESON. Mr. Speaker, it is indeed fitting and proper to pay special tribute to a distinguished Member of this body who has served with distinction in the House of Representatives for the past 30 years.

Besides a strong personal friendship for "TOOK" GATHINGS, I have always found his advice and counsel most valuable. As vice chairman of the Committee on Agriculture in the House he has shown a dedication and intimate knowledge of the agricultural problems of our country.

Although his leadership will be sorely missed by the Nation, the Congress, and the congressional district which he represents, he has earned the retirement which he seeks.

I join with his many other friends and colleagues in paying tribute to a man who has served long and well and wish for him and his family every happiness and contentment in his retirement.

Mr. KORNEGAY. Mr. Speaker, it is a genuine privilege to participate in the special order arranged by Congressman MILLS, for a word of "hail and farewell" to his delegation colleague, the Honorable EZEKIEL CANDLER GATHINGS, who is more familiarly and affectionately known to us here in the House as "TOOK" GATHINGS.

As a Member who has decided to retire from the Congress after 8 years, I am completely awed at the thought that "TOOK" GATHINGS has served in the House for 30 years, and that having been elected to the 76th Congress, he has been returned in every 2-year election since that date. This distinction he shares with his fellow "Arkansas traveler," the Honorable WILBUR MILLS, chairman of the great Committee on Ways and Means, who was also elected to the 76th and who has been returned to the Congress in each succeeding election. Congressman GATHINGS now voluntarily plans to retire at the end of the 90th Congress from his arduous duties and to enjoy, I hope, the many accolades he has won and the distinction he so justly deserves from his long service in the Congress of the United States.

I doubt if anybody in the Congress knows as much about cotton as does "TOOK" GATHINGS, and his knowledge of this commodity, so meaningful to the economy of our country, has been widely shared with those of us who represent cotton growing and cotton textile areas. His great storehouse of knowledge on this agricultural commodity will be greatly missed, as will his general knowledge of the science of agriculture, stemming from his great seniority on the House Agriculture Committee, where as ranking majority member he presently serves as vice chairman of that great committee.

In addition to his chairmanship of the Subcommittee on Cotton of the Agriculture Committee, he is also chairman of the Farm Labor Subcommittee. I believe he became chairman of these two important subcommittees in the 84th Congress and has served in this capacity ever since, although in the 89th Congress, there was a name change from Equipment, Supplies, and Manpower Subcommittee to the simpler designation of Farm Labor Subcommittee.

"TOOK" GATHINGS' expertise in agriculture, and more specifically in the area of cotton culture and its many ramifications, is too well known to be subjected to any great emphasis on my part. But he is not only an expert in the fields in which he has specialized in the Congress for 30 years; he is an able legislator in many fields not related to agriculture, and he is an effective and most competent spokesman for his district, State, and the Nation.

His affability and his kindliness of manner, particularly toward younger colleagues like myself, are well known and I deeply value his friendship and the opportunity I have had to be associated with this true gentleman from Arkansas during the 8 years I have served in the House. He and I have both been practitioners of the law before coming to the Congress, as well as being fellow Masons, Shriners, and members of the Scottish Rite. In the religious field, our paths diverge somewhat, for "TOOK" goes the Baptist way, while I follow in the Methodist path of John Wesley. But I hope my life will exemplify the teachings of my church, as well as "TOOK'S" life exemplifies the Baptist path toward the good life. His gentility, his gentleness of manner, and his genuine and sterling traits of character have endeared him to all who have known and associated with him in the House, and I am proud to be counted as one who has had this privilege of association.

I wish for "TOOK" GATHINGS and his lovely family every happiness and many pleasant activities in the years ahead.

Mr. WAGGONNER. Mr. Speaker, before we adjourn this session of the Congress, I know my fellow Members will not object to my taking a moment to pay a personal tribute to our beloved colleague, E. C. GATHINGS.

"TOOK" as we all know him, was one of the Members who went out of his way to befriend me when I first came to this body 7 years ago. Being my neighbor to the north of Louisiana, I was familiar with his name and his reputation. He is known in our area of the country as one of the rocks you can lean on and know that firmness will support you. In the years we have been friends here in the House, he has proved that more times than I can possibly recall. He has served his constituents with distinction and has set a benchmark down that those who follow after him will have difficulty in reaching.

I will miss him personally and I know the House will miss him officially. Good luck ,"TOOK," in whatever you do in the future. We are all a little better for your having been here.

Mr. GRIFFIN. Mr. Speaker, I join the Arkansas delegation and other Members in expressing appreciation for the fine service rendered by Hon. E. C. GATHINGS on the eve of his departure from the House. We all honor his decision to retire after 30 years in this body, but nevertheless, we accept it with a feeling of regret because we will miss the unfailing courtesy and engaging personality of a dedicated legislator.

As a tireless worker on the Committee on Agriculture, Mr. GATHINGS has firmly established the richly deserved reputation of being one of our most knowledgable authorities on agriculture. His accomplishments are many and he will be remembered as one of the giants always promoting and fighting for the advancement and prosperity of the American farmer.

The gentleman from Arkansas has long set a quiet, exemplary standard of conduct as a Member of Congress—a standard that embodies the very best that America can produce, and he is just that, Mr. Speaker, the very best that America can produce.

We in Mississippi are especially proud of the contributions of our distinguished neighbor in view of the fact he was born in Mississippi. I think it is fitting to note that Mr. GATHINGS was possibly destined to serve in this body. Ezekiel Candler represented Monroe County, Miss., in Congress, on the date of birth of our departing colleague, EZEKIEL CANDLER GATHINGS.

As he leaves the House, EZEKIEL CANDLER GATHINGS takes with him my profound respect and my sincere best wishes for good health and good fortune in all the days ahead.

Mr. ALBERT. Mr. Speaker, my ties with no Member of the House run more deeply nor entwine my heartstrings more firmly than those I have with the Member from Arkansas, E. C. GATHINGS.

"TOOK" is a son of the South. For more than 300 years his ancestors have lived in one of the Southern States—North Carolina, Mississippi, Arkansas. He embodies what we think of as typical southern qualities of character; courtesy, good will toward his fellows, devotion to God and country, and a sense of responsibility which has led him like his ancestors, to be a leader of men.

For many years, "TOOK" and I served together as members of the Committee on Agriculture. He was a hard-working member of the committee and the programs for which he worked have been of immeasurable benefit to his district and the country. He was one of the foremost advocates of flood control, irrigation and reclamation, soil conservation, and water resources development. He resolved some of the most difficult problems in rice and cotton legislation. He has worked for farmers, for fishermen, for small businessmen, for consumers who need public utilities, for veterans, and against smut peddlers long before this became a matter of great public interest.

He is a Member of unassailable integrity, determination, and devotion to duty.

I could say that my colleague has had a distinguished career, has over the long years since 1939 when he was first elected to the House, shown talent, dedication, and accomplishment well above the average and well beyond the call of duty, and this would be the truth. But there are no words to sum up the regret I know at the departure of my old friend, whose help and support and understanding have added so much to my own service. "TOOK" has earned the respect and affection of his colleagues. We will miss working with him. We will miss his presence and his friendship. We wish him joy in his new pursuits, and many happy years.

Mr. KLUCZYNSKI. Mr. Speaker, I would like at this time to pay tribute to one of the most outstanding and dedicated men in the history of the House of Representatives, and that man is "TOOK" GATHINGS. Through the years, he has proved to be a hard-working and devoted servant of the people of his district and the State of Arkansas, as well as a source of inspiration and guidance to all of the Members of the Congress.

As a ranking member of the Agriculture Committee, "TOOK" has had a very influential part in the most important national agricultural legislation, and has made great strides in the progress and development of the State of Arkansas, as well as the rest of the Nation.

He will be greatly missed by all of us, and I wish for him a retirement filled with health and happiness.

Mr. EVINS of Tennessee. Mr. Speaker, I want to join my colleagues from Arkansas in paying a brief but sincere tribute to our distinguished colleague, E. C. "TOOK" GATHINGS who is retiring

"TOOK" GATHINGS has left his mark on the Congress during his three decades of outstanding service. His work on the Committee on Agriculture has been outstanding and his contributions will stand as a monument to his outstanding service.

He has served his district, his beloved State of Arkansas, and the Nation well, and he will be greatly missed.

As he begins a richly deserved retirement, Mrs. Evins and I join in extending our very best wishes for every good luck and success.

Mr. PERKINS. Mr. Speaker, my first impulse is to enter a vigorous protest against the proposal presented to us by our colleague from Arkansas. However, I suppose a Member of Congress has constitutional rights the same as other

So if "TOOK" GATHINGS has decided that 30 years is long enough to spend in the House of Representatives, surely none of us would attempt to block his retirement.

We do, however, have every right to express our disapproval, to voice a wish that this valuable Member of Congress should not deprive the House, his district, and his country of the experience which three decades have given him at the early age of 64.

Those of us who represent rural areas will miss badly his fine service on the Agriculture Committee where he has been the ranking member. His departure from the House will be a loss to farmers everywhere in the Nation.

Those of us who have served with the gentleman from Arkansas wish him every good thing in this new phase of his useful career.

Mr. JONES of Missouri. Mr. Speaker, I am pleased to join with our good friend, colleague and neighbor, the gentleman from Arkansas [Mr. MILLS], who has arranged this special order to pay our tribute to my good friend and neighbor, the Honorable E. C. "TOOK" GATHINGS.

One reason why I have had a special affection for "TOOK," I guess, is because he is the first Representative with whom I became acquainted, after my election in November 1948, when the voters of the 10th Missouri District honored me by selecting me as the successor to a great Representative, the late Honorable Orville Zimmerman, who had served on the House Committee on Agriculture with his neighbor, to the south and west, "TOOK" GATHINGS.

Shortly after the election, I made the drive to West Memphis, Ark., where I had made an appointment to meet Congressman GATHINGS in his district office. In his gracious manner, I was received in his office; made to feel at home, and assured that he was most happy to be of any assistance that he could in seeing that I got off on the "right" foot. I was full of questions, but "TOOK" had the answers, and I immediately formed the opinion that here was the kind of man that I wanted as my friend. We had many things in common, since our two districts joined on the west and south of my home county. We had many mutual friends, and some of them were actually dual constituents; he had voters in Arkansas who owned farms in Missouri while some of my Missouri constituents had interests in the district he represented.

"TOOK'S" advice to me in those presession days was most helpful, just as it continued to be throughout the 20 years that I have had the honor and privilege of serving with him. We had identical problems, both in agriculture, drainage, and flood control. Sometimes our problems with drainage and flood control threatened to develop into controversies where it might have become easy for us to be on different sides, but I cannot recall any time when he permitted any unpleasantness to creep into our association.

"TOOK" GATHINGS is a humble person; he is reserved; he is a religious person, and we have enjoyed our association in the weekly prayer breakfast group where each of us enjoyed the privilege of serving as chairman of the House group. When I say that he is a humble person and one who is reserved, I do not mean that he is hesitant about letting all know where he stands. He is tenacious when it comes to representing his people, and as I have observed the hundreds of Members who have passed through the House of Representatives during the last 20 years, I know of none who was more dedicated, or who felt the responsibility of his office in serving the people of the district he represented, than "TOOK" GATHINGS.

"TOOK" and I rarely talked about how we intended voting on any measure, but those who might find occasion to "check the record" might be surprised how many times our votes were the same. And, why not, when we were representing the same kind of people; people who believed in working hard, and who asked only for the opportunity to make an honest living. Contrary to what some people probably believe, they were not as opposed to "civil rights" as they were dedicated to preserving their personal and property rights which they saw being eroded as court decisions destroyed precedents that had been established over the years.

"TOOK" GATHINGS was a family man, and he had a wonderful helpmate in his wife, Tolise, and their greatest joy was in their two children, both of whom were born in the Nation's Capital, where they grew to adulthood. Mrs. Jones and I have enjoyed the friendship of this fine couple over the years, and as they return to their home in West Memphis, they will be close to our home in the boot heel of southeast Missouri and Ethel and I are looking forward to enjoying a continuation of this friendship as we all look forward to enjoying our retirement, with the opportunity of continuing our service to our fellowman in our home communities.

Mr. WHITENER. Mr. Speaker, it is with a deep sense of sadness that I join with my colleagues in calling to the attention of the House of Representatives the retirement of my close friend and distinguished colleague, the gentleman from Arkansas, Hon. E. C. "TOOK" GATHINGS.

"TOOK" GATHINGS was one of the first Members of the House that I met when I took my seat in the House in January 1957. My congressional district in North Carolina has both an agricultural and industrial economy. From the very beginning of my service in the House, I found "TOOK" GATHINGS to be most helpful and cooperative to me and to the farmers, particularly the cotton growers of my district.

His great knowledge of agriculture problems and his sincere desire to improve the agricultural economy of our Nation has characterized the work of "TOOK" GATHINGS on the Agriculture Committee and on the floor of the House.

His devotion to the problems of the people of his district and his determined position in support of constitutional principles of government have also earned "TOOK" GATHINGS the respect and admiration of all of us who have been privileged to observe his work. It will not be easy for the people of Arkansas to replace "TOOK" GATHINGS in the House.

He has been an outstanding representative of his people, of his district, State, and Nation in every respect. In the fullest sense, he has measured up to the high standards which the American people expect of their representatives in the Congress.

All of us will miss our friend from Arkansas. The House of Representatives will not be the same without "TOOK" GATHINGS. As he says farewell to the Congress, however, "TOOK" GATHINGS can take with him the deep sense of satisfaction that comes to those who have performed diligently and faithfully and with outstanding distinction a high public trust.

Mr. COLMER. Mr. Speaker, I should like very much to join with the many friends of "TOOK" GATHINGS here in the House who are paying tribute to this splendid Representative in the Congress of these United States.

For the past three decades it has been my distinct privilege and pleasure to know and be associated with this outstanding, dedicated Member of the Congress from the State of Arkansas. During all of those years I have had the pleasure of working with my good friend and fraternity mate in what we thought was for the best interest of our great common country.

"TOOK" GATHINGS is a dedicated and patriotic American. I flatter myself that he and I shared the same political philosophy. This, coupled with the fact that we had a common union in that we both are members of the Pi Kappa Alpha fraternity, tended to weld a friendship that has lasted uninterrupted over these many years.

Mr. Speaker, I am confident that the people of Arkansas, like his associates here, will miss the very fine, outstanding service and contribution that this tall man from the delta country of the great State of Arkansas has made. Finally, may I say that this friendly and dedicated Member leaves Congress with the best wishes of his many friends for a happy and fruitful period of retirement. Mrs. Colmer joins me in conveying to "TOOK" and Mrs. Gathings our very best wishes for the years that lie ahead.

Mr. ROONEY of New York. Mr. Speaker, it is indeed a privilege to join in this tribute to the distinguished gentleman from Arkansas, the Honorable E. C. "TOOK" GATHINGS. For 30 years "TOOK" GATHINGS has represented the people of Arkansas' First Congressional District and for 4 years prior to that he served in the State Senate. His life has truly been one dedicated to serving the people. His work on the House Committee on Agriculture, of which he is the ranking Democratic member, has been outstanding and has benefited the entire country. He will be missed by all of us here but we wish him well in his retirement. He has certainly earned it.

Mr. ABBITT. Mr. Speaker, I wish to join my colleagues in paying tribute to our good friend Representative E. C. GATHINGS on the occasion of his retirement from service here in the House of Representatives.

"TOOK" has been one of my closest friends and associates through the years and I have always admired and respected him as a Member of Congress and as a personal friend. He is a man of outstanding ability, studious and gifted in many ways. I have had the privilege of serving with him on the House Agriculture Committee for many years and can personally attest the fact that he has been a great contributor to the welfare of the rural people of America. He is a friend of the farm community and has ably represented his constituents over the years.

It is always difficult to take the full measure of a man's contribution over so long a period of time. But "TOOK" GATHINGS has demonstrated time and time again that he is an outstanding leader and a dedicated public servant. He will be greatly missed not only in his constituency in Arkansas but among his friends here in Washington.

Mr. DORN. Mr. Speaker, my good friend and colleague, Congressman E. C. "TOOK" GATHINGS, of Arkansas, will retire from Congress this year. For 30 years he has been a public servant of outstanding ability. I shall miss "TOOK" GATHINGS, for he was a veteran of the House even before I came here almost 20 years ago.

"TOOK" GATHINGS possesses that unique quality which makes him a truly great American and Congressman. He has never lost his personal esteem for those whom he represents. No other Member excels him in fulfilling the needs of his constituents. His door is always open to those whom he serves, and the people of Arkansas are well aware of this as evidenced by their devoted support of him in 15 elections.

"TOOK" GATHINGS' concern for his country is real. He fights for and supports programs in the best interests of this Nation at all times. As vice chairman of the Agriculture Committee, he has labored long and hard for the farmers of this Nation; and, our agricultural economy is better today because of his interest and leadership in the field of agriculture.

When I think of "TOOK" GATHINGS, I think of good government. I think of citizenship and love for America. I think of pride in community affairs. He is this kind of man. Mr. GATHINGS has been an inspiration to me here in Congress. For all the help he has given to me and the people of South Carolina, I express my deepest thanks. He is truly a great American and one I have been proud to know and call my friend. Mrs. Dorn and family joins me in wishing for "TOOK," Mrs. Gathings, and family the very best, always.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that Members who could not be here at this hour but who are desirous of having remarks concerning Mr. GATHINGS and his service to the House be permitted to insert their remarks in the RECORD just prior to the statement made by Mr. GATHINGS, and that they may have 5 days in which to do so.

The SPEAKER pro tempore (Mr. EDMONDSON). Without objection, it is so ordered.

There was no objection.

CHANGE IN ORDER OF SPECIAL ORDERS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that my special order of business, which occurs now, be changed from the time of the special order of business to the time following the special order granted to the gentleman from Illinois [Mr. RUMSFELD], and that then my special order of business would be in order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

PERSONAL EXPLANATION

Mr. VANIK. Mr. Speaker, between 4:40 and 9 o'clock this evening I was in my district on a matter affecting my constituents and, therefore, I missed votes on the renegotiation conference report and the foreign aid appropriations conference report.

Had I been present, I would have voted in the affirmative on both of these conference reports.

TRIBUTES TO HON. ROBERT DOLE OF KANSAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. RUMSFELD] is recognized for 60 minutes.

Mr. RUMSFELD. Mr. Speaker, I have requested this special order to honor one of the ablest, hardest working, and most effective Members of the House of Representatives, Congressman BOB DOLE, of Kansas. BOB DOLE is leaving the House he has served since his election to the 87th Congress on November 8, 1960, and, in the opinion of many, he will continue to serve the people of Kansas in the one body.

As a distinguished and knowledgeable member of the House Committee on Agriculture, and as a hard-working member of the Republican task force on urban affairs, Congressman DOLE is equipped to bridge the widening gulf between the needs and general philosophy of rural and urban America, and thereby serve all the people of Kansas. His service as an adviser to the U.S. delegation to the United Nations Food and Agriculture Organization at Rome, Italy, in 1965; his survey of the food crisis in India at the request of the President of the United States in 1966; and his service as a congressional delegate to study the Arab refugee problem in the Middle East in 1967, have given him an international perspective and experience which will enable him to contribute substantially to the international responsibilities of a U.S. Senator.

I know BOB DOLE as a personal friend and as a legislator. A former soldier who still bears the scars of wounds he received as an army lieutenant in the Po Valley of Italy, during which he spent 39 months in hospitals in Italy, Africa, Florida, Kansas, and Battle Creek, Mich. The Army awarded him the Bronze Star with cluster, hailing his "persistence, fearless leadership, and personal daring," and promoted him to captain, but it could not give him back the use of his injured right arm.

The courage and leadership he exhibited on the battlefield were clear indications of the qualities he would exhibit as a Member of the House of Representatives. He has matched these virtues with a heed intellect. He was graduated magna cum laude from Washburn University, Topeka, and also holds a law degree.

However, the quality which distinguishes Bob Dole is service to the people. After his discharge from the army in 1948, and after earning his law degree at the Washburn Municipal University, he was elected to the Kansas Legislature. He then served four terms as Russell County attorney before being elected to Congress. Then, as now, he earned higher elective office on a record of superior performance.

His record in Congress has been a distinguished one.

I served with Bob Dole on the House Committee on Government Operations. He is a dedicated, intelligent, compassionate, hard-working man of the highest standards of integrity and honesty. For 5 years we were in adjoining offices in the Cannon Building, and our similar interests and the coincidence of our offices gave me many opportunities to work with him. His performance has earned him recognition as one of the Nation's foremost experts on the public policy affecting the American farmer. He thoroughly understands the necessity of building profitable markets for farm commodities at home and abroad. He is able to analyze the complex market structure of feeding America and, in these years of the consumer, he is able to perceive and reconcile competing needs of the diverse sectors of the economy.

He has been a good friend, and I and the House will miss him. I have every reason to believe that the people of Kansas will return him to Washington next year to take the seat of their distinguished incumbent Senator, Frank Carlson.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman from Texas.

Mr. POAGE. Mr. Speaker, the gentleman from Kansas [Mr. Dole] has served for some years on the committee of which I have had the pleasure to be chairman. I would feel remiss if I did not join in the testimony here to point out that Bob has been a great member of that committee. Obviously his views and mine have not been in accord at all times. We have had a great many differences of opinion, but I do feel the highest regard for Bob Dole.

I know him to be an honorable and conscientious and hardworking gentleman, even though he is politically misled. He is a fine American and a fine citizen, and we on the committee are going to feel the loss of the gentleman from Kansas [Mr. Dole] because he is a good influence and a gentleman with whom I have been proud to work.

I wish him well. If he succeeds in beating a great Democrat, he will deserve to fill the seat of another great man who is going out of the U.S. Senate at this time, but wherever he is, I wish the best for Bob Dole.

Mr. RUMSFELD. Mr. Speaker, I thank the gentleman from Texas for making those comments.

At this time, Mr. Speaker, I ask that the gentleman from Texas be granted permission to revise his comment that the gentleman from Kansas might be politically misled. If the gentleman from Texas does not do that, of course, then it must be added. I know the gentleman from Texas would agree that the real judgment on that will come on November 5 by the people of Kansas.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Speaker, I am particularly glad to have an opportunity to say a good word for Bob Dole. He had the great good fortune and excellent judgment of marrying a beautiful and attractive young lady, Phyllis Holden. Phyllis is the daughter of a good friend of mine, once a constituent, who served for many years with great distinction in New Hampshire as one of our truly great county agricultural agents.

I wish to add my words of good luck and commendation to those of the gentleman from Illinois and I, too, hope that our colleague, Bob Dole, serves in the other body in the near future. He has done a great job as a Congressman and as a U.S. Senator we can expect even greater contributions.

Mr. HORTON. Mr. Speaker, I would like to take this time to express my regrets over the retirement of my friend and competent colleague from Kansas, Representative Bob Dole.

Bob may be justly proud of his contributions during the past 8 years in this House. He has been an excellent member of the Agriculture Committee and the Government Operations Committee.

I consider it a particular privilege to pay tribute to the thoughtful and inspiring leadership of Representative Dole, who has spared no sacrifice in his dedicated representation of his district and State.

The gentleman from Kansas [Mr. Dole] is a fine American and an able legislator who has recognized the challenge and opportunity of his generation to further the ultimate realization of the noblest goal of mankind—the preservation of peace.

As an Army officer and as a Congressman, he has set an example for all of us to follow in our pursuit of a secure and free world.

His wise and judicious statesmanship will be missed. I hope he enjoys his retirement as much as we in the House have enjoyed his presence.

Mr. WYDLER. Mr. Speaker, I will miss the gentleman from Kansas in the House of Representatives. His ready wit and keen insight have always kept the proceedings of the House in proper perspective. Bob Dole will make a wonderful U.S. Senator and all the people of Kansas are lucky indeed to have a man such as he represent them.

Mr. VANDER JAGT. Mr. Speaker, it is a special privilege for me to join in a salute to our colleague Representative Bob Dole, who is retiring from the House this year.

The distinguished gentleman from Kansas brought a vigorous, vibrant, imaginative approach to his job as a Representative from his great State.

Congressman Dole has made a genuine and realistic effort to cope with the growing problems of this day and age. He welcomed a tough, demanding task and all the challenges of his job in the House.

I join in applauding him for his enthusiasm, courage, imagination, skill, and patience.

Mr. CRAMER. Mr. Speaker, I am pleased to have this opportunity to join my colleagues in paying tribute to the Honorable Robert J. Dole, who is concluding 8 years of notable service in the House by seeking to continue his representation of the State of Kansas in the U.S. Senate. I have every confidence that the voters of Kansas, recognizing Bob's record of outstanding ability and achievement, will overwhelmingly support him in his bid for the Senate. It has been a privilege for me to work with Bob as a colleague and to know him as a friend. The House is losing a valued and respected Member but the Senate will be fortunate to gain the benefit of the superior contribution Bob Dole can be counted on to render in that body. I commend Bob on his record of outstanding service in the House and I wish him success as a U.S. Senator.

Mr. RHODES of Arizona. Mr. Speaker, it has been a real privilege for all of us to have worked with Representative Robert Dole for the past 8 years, and it is fitting that on the eve of his departure we pay him a special tribute for his many accomplishments as an outstanding legislator who has earned our unreserved respect. Representative Dole has served his constituents and his Nation well.

Bob Dole is from my native State. We have had much in common and have worked very closely together on matters of legislation. I am pleased that he will still be a Member of the Congress in the U.S. Senate, where I know he will have a brilliant career.

Mr. TAFT. Mr. Speaker, I would like to join my colleagues in a tribute to my good friend, Bob Dole, who is retiring from the House of Representatives to go to the U.S. Senate. He is a skilled and conscientious worker, both in committee and on the floor. He will be a fine addition to the other body, but we will sorely miss him here.

Bob is to be congratulated for his record as an excellent Congressman who represents his district very well, and the people of Kansas will be fortunate to have such a fine new Senator.

Mr. ZWACH. Mr. Speaker, I am most pleased to join with the many other Members who are today paying tribute to our very distinguished colleague, the Member from Kansas.

During the four terms in which the gentleman from Kansas [Mr. Dole] has represented the First District of the Sunflower State, he has shown a quality of leadership and excellence which should be an example to us all—a leadership which will be greaty missed in the coming sessions of this body.

I feel privileged to have served with Congressman Dole on the House Agriculture Committee for the past 2 years. Bob has a deep understanding and awareness of the American farm situation which is truly rare and invaluable. His work on the committee has given us a direction of articulate and thorough consideration of the issues vital to the agricultural sector of our American life and economy.

I know that all Members who have served with the gentleman from Kansas [Mr. Dole] will want to join me in wishing him well, and saying a hearty "thank you," as he leaves this body.

Mr. BOB WILSON. Mr. Speaker, I join my colleagues today in honoring an outstanding Congressman who, in the future, we shall have to refer to as a member of the "other body."

I have had the pleasure of serving in the Congress with Bob Dole over the past 8 years. He is a dedicated American, a man who has served his country with honor on the battlefield, and is now serving with equal distinction in the U.S. House.

We will miss him here on this side of the Capitol, but we will count on his support and continued contribution to good government in the Senate.

The First District of Kansas can well be proud of their choice of Bob Dole for Congress. He has been a vocal and effective spokesman for today's forgotten man—especially the U.S. farmer. He has attempted to introduce commonsense into the Nation's farm program. He has earned the respect of Members of this body on both sides of the aisle.

We here today extend our best wishes, our gratitude for his fine service to party, State, and the country, and look forward to more of the same from him as a U.S. Senator.

Mrs. BOLTON. Mr. Speaker, the gentleman from Kansas [Mr. Dole] is known to all of us as a hardworking and very able Member of the House. I am happy to have this opportunity to join the gentleman from Illinois [Mr. Rumsfeld] and others in paying tribute to our colleague.

Bob Dole has served the people of the First District of Kansas with great ability, outstanding distinction, and extraordinary courage. He is a skillful debater, and he has participated in and contributed much to the discussions on the House floor during his years here. Now, he aspires to represent all the people of his State in the other body—the U.S. Senate.

While all of us will miss your presence here in the House, Bob, we wish you much success and know that you will reach your goal. Please come back and visit us often.

Mr. LUKENS. Mr. Speaker, I appreciate this opportunity to participate in the honoring of our colleague from Kansas, Robert Dole.

His counsel and guidance has proved personally invaluable to me as a freshman Congressman. His service to this country in the military and in the House of Representatives is admired by not only the people of the State of Kansas, but the entire Nation as well.

Although Bob Dole is retiring from the House of Representatives, he will continue to serve this country in the Senate. Bob's retirement can only be considered a loss to this body, but the Senate can only stand to gain by his presence there.

I hold no other man in greater esteem than Bob Dole.

Mr. STEIGER of Wisconsin. Mr. Speaker, it is a pleasure to join in this salute to our very special colleague from Kansas, Bob Dole. His 8 years of work in this body have marked Bob as one of our most able, dependable, and amicable Members. We are confident in feeling that he will make an outstanding representative of the entire State of Kansas in the 91st Congress. A hundred thousand good wishes, Bob Dole.

Mr. WILLIAMS of Pennsylvania. Mr. Speaker, it is indeed a privilege and an honor to join with my fellow colleagues in paying tribute to the distinguished gentleman from the First District of Kansas, Congressman Bob Dole, on his retirement from the U.S. House of Representatives to seek election with the other body.

His record of service on the Agriculture and the Government Operations Committees is certainly one that is to be applauded, and I am confident that his fellow committee colleagues will miss his abilities, counsel, and intelligence. He has been a devoted public servant and it has been a pleasure for me to serve with him in Congress.

I want to take this opportunity to wish the gentleman from Kansas [Mr. Dole] the best of luck and I am sure we will see him in January with the other body. What is the loss of the House in Bob Dole will be the gain of the Senate.

Mr. SHRIVER. Mr. Speaker, I join the distinguished gentleman from Illinois [Mr. Rumsfeld], in paying tribute to our colleague, Bob Dole, of my home State of Kansas. Congressman Dole and I were elected in November of 1960 to represent adjoining districts of the great State of Kansas. We have worked together closely during the past four Congresses in behalf of the best interests of our State and the Nation.

Bob Dole has many fine qualities which have served his district and the Nation well. Above all, he is a hard, indefatigable worker. His efforts as a member of the House Agriculture Committee to bring commonsense to farm programs are well known and appreciated by his constituents.

Bob possesses a rare combination of strong convictions in regard to the direction in which our country should be moving, and the gifts of humor and understanding which add to the effectiveness of his positions. These are admirable attributes for anyone, but especially for a man seeking the office of U.S. Senator.

As we all know, Bob Dole served his country heroically during World War II. He was awarded the Bronze Star with cluster for bravery in ground action in Italy and still bears evidence of wounds incurred during this service. But he has not rested on this military service to his country. Bob now seeks to continue serving the Nation.

As Bob moves to the other body, the Members of the Kansas delegation in the House will be proud to continue the close cooperative efforts to bring the best representation for our State in Washington.

Mr. SKUBITZ. Mr. Speaker, one of the bright and shining lights that has risen upon the political horizon of Kansas is Bob Dole. Young in years but old in experience, Bob Dole has compiled a record of achievement in this body of which we in Kansas are proud. This is no accident. It comes from hard work, dedication to service, and a sincere desire to serve his country and his State.

I have known Bob Dole for the past 10 years. I have watched him grow and mature in stature. He is honest—a man of conviction. He has a clean wholesome philosophy of life and abides by it. He is an American first—and places his country's interest above all else.

Bob Dole will not be with us next year. His sound advice, suggestions, and leadership will be missed. I join my colleagues today wishing him well in the Senate of the United States. Our loss is the other body's gain.

Mr. MIZE. Mr. Speaker, I wish to commend all those taking part in honoring our colleague Congressman Bob Dole, of Kansas, who will be leaving us at the end of this session, and who will be going to the other side of the Hill as the new junior Senator from Kansas. He has been a great Member of the House and will ably fill the vacancy in the Senate caused by the retirement of our beloved senior Senator from Kansas, the Honorable Frank Carlson, who is retiring this year.

I have had the pleasure of serving with Bob in the House for the past 4 years and recognize him to be one of the best qualified Members of the Congress. He is an articulate spokesman, extremely hard worker, attractive personality, is full of energy and unaffected earnestness.

Senator Frank Carlson had the following to say about Bob Dole:

> As a young attorney, a State Legislator and a Congressman, Bob Dole has impressed me with his talent, integrity and enthusiasm. I have worked closely with Bob on matters concerning agriculture, foreign relations and our State. He is typical of a young, well equipped generation contemporary with the problems of our fast changing world. The people of Kansas expect leadership from their elected representatives. Bob Dole fits that tradition.

Bob Dole is a great guy—a personal friend—and while we will miss him in the House we wish him the very best as he takes on even greater responsibilities. I am attaching herewith what some of the Kansas newspapers say about Bob:

[From the El Dorado Times]

Similar to Senator Carlson

Dole is honest, highly ambitious for the continued development of Kansas and, in all ways, a decent, upstanding citizen. In many respects, he partakes of the same characteristics that have been evident in the long and useful service of the vastly respected Frank Carlson . . . No higher judgment of any man can be accorded.

[From the Chicago Tribune]

A Top Republican Spokesman

(Dole), the spokesman for this vast expanse in the heartland of America, has been graduated . . . to the top ranks of a young Republican group.

[From the Norton Daily Telegram]

Effective Fighter for Farmers

Dole currently is leading a crusade for better farm prices, and his record would indicate he is capable of being a mighty effective fighter for the farmers of Kansas.

[From the Iola Register]

Personable, Energetic, Earnest

Dole has won supporters with his attractive personailty, energy and unaffected earnestness . . . He would make a good Senator for Kansas.

[From the Lawrence Journal-World]

Top-Grade Man in Washington

(Dole) is a top-grade man who could be expected to represent Kansas with distinction. He is sound and honorable, and he knows how to influence his colleagues in gaining support for desirable legislation. He is not addicted to double-talk which plagues so many Washingtonians.

[From the Topeka Daily Capital]

Will Make Good Senator

Kansas Republicans . . . overwhelmingly chose a fine young man in Bob Dole as their nominee for the Senate. His record as a member of the House shows he will make a good Senator.

[From the Southwest Daily Times]

Need More Politicians Like Him

(Dole), who not only has made a name for himself in Congress but also put our Jayhawk state on the map . . . votes his own real convictions, along with those of his constituents . . . He is the type of politician we need and need many more of in Washington.

[From the Great Bend Tribune]

Doesn't Follow the Crowd

His stands on national issues are well known, and he is willing to fight for them even when occasionally it would be easier to follow the crowd.

I am also including in the Record the following biographical sketch of this outstanding young man:

Biographical Sketch of Bob Dole

Born: July 24, 1922 in Russell, Kans., the son of Mr. and Mrs. Doran R. Dole.

Education: Graduate of Russell public schools; attended University of Kansas, Lawrence; A.B., Washburn Municipal University, Topeka, 1952; L.L.B., Washburn, 1952.

Military Service: Enlisted U.S. Army, 1943; served 5½ years in World War II as 10th Mountain Division platoon leader in Italy; twice wounded and twice decorated for "heroic achievement"; discharged 1948, a Captain.

Public Service: At age 26, elected to Kansas Legislature, 1951–1953; elected four terms as Russell County Attorney, 1953–1961; elected to U.S. House of Representatives, 1960; re-elected 1962, 1964, 1966; announced candidacy for U.S. Senate, December 20, 1967.

Congressional Victories: 1960, elected by about 20,000 votes in Kansas' Sixth District; 1962, received 21,500 plurality in newly-reapportioned First District against a three-term Democrat incumbent; re-elected 1964, and in 1966 by plurality of 52,918 votes. As First District Congressman, Dole represents 52 counties or nearly half the area of the state.

Legislative Interests: Fourth ranking Republican member, House Committee on Agriculture; former member, House Government Operations Committee; member, Republican Task Force on Urban Affairs; member, Mexico-U.S. Interparliamentary Group.

Sponsored farmer-to-farmer program of U.S. technical assistance to farmers in underdeveloped countries (enacted into law 1966); consistent supporter of increasing farm income, development of soil and water conservation and rural electrification; led public exposure of Billie Sol Estes scandal; active in advancing legislation to improve law enforcement, combat crime and prevent misuse of dangerous drugs; active in shaping legislation affecting small businesses, senior citizens and war veterans.

Adviser, U.S. delegation to United Nations Food and Agriculture Organization conference, Rome, Italy, 1965; member, Congressional delegation to survey food crisis in India at request of President Johnson, 1966; member, Congressional delegation to study Arab refugee problem, Middle East, 1967.

Other Activities: Past president of Washburn Alumni Association and Kansas County Attorney's Association; past lieutenant governor, Kiwanis and chairman of Russell County Red Cross; present memberships include county, state and American bar associations, 4–H Fair Association, B.P.O.E., Masonic Lodge, Isis Shrine, Chamber of Commerce, American Legion, Veterans of Foreign Wars and Disabled American Veterans.

Family: Married June 12, 1948 to Phyllis Holden of Farmington, New Hamsphire, an occupational therapist; one daughter, Robin, age 13; residence, 6136 Beachway Drive, Falls Church, Virginia.

Mr. WINN. Mr. Speaker, I want to take this opportunity to join my colleagues in paying tribute to Congressman Bob Dole, who has so efficiently represented the first district of Kansas these past 8 years.

Bob Dole, who has long had the reputation of having a great sense of humor, will go down in history as a man of accomplishment for his Nation, his State, and his district.

Sitting as a ranking Republican on the House Agriculture Committee, Bob was known to his colleagues and to the people of his home State as an expert on the problems of the farmer and other industry affected by agriculture.

As a freshman Member of the House these past 2 years, I found Bob Dole one of the most cooperative Members of the House. His keen interest in the problems of the people of this country probably dictated his conscience to drive him until he became known as one of the hardest working Members of the House on either side of the aisle.

His long hours of work, dedication to the job and abundance of energy stamp Bob Dole as one of the bright and shining young stars in the galaxy of youth in the Republican Party.

When Bob joins his new colleagues in the Senate in January 1969, I am sure that he will lose little time in proving to the Members in the other body—his ability to shoulder more than his share of the legislative load.

The House will miss Bob Dole's ability, humor, and leadership, but I'm sure that he will never forget his friends in the House of Representatives.

Mr. LAIRD. Mr. Speaker, it is my great privilege to join my good friend, the gentleman from Illinois [Mr. Rumsfeld], in paying tribute to our distinguished colleague from the First Congressional District of Kansas, the Honorable Robert J. Dole.

Bob Dole came to the House of Representatives in 1961 with the start of the 87th Congress. Since that time, he has served with distinction on the House Committee on Agriculture. Today, he is one of the ranking Republican Members of that distinguished body and is known for his expertise in several critical areas, particularly the areas of conservation, of credit, and of the operations of the Department of Agriculture.

Bob Dole's services to his Party have accompanied his services to the Congress. Thus, Bob is a vital member of the Republican Task Force on Agriculture, and also the member of the Republican Committee on Committees for Kansas.

I do not have to dwell on Bob Dole's outstanding record as a veteran of World War II and as a local elected official in Russell County, Kans.; nor need I expound on his civic contributions. These are part of the record of this outstanding gentleman and they speak for themselves.

Bob Dole has served well the people of the First Congressional District of Kansas. It is with a great deal of pride and confidence that I look forward to working with the Honorable Robert J. Dole next January when he returns to Washington as the junior Senator from the great State of Kansas.

Mr. BELCHER. Mr. Speaker, it is a special pleasure for me to join today in honoring our colleague, Bob Dole. I have developed a very special feeling for Bob by virtue of the fact that we have served together on the Agriculture Committee ever since he came to Congress 8 years ago. I am proud of the record he has made and value greatly the friendship that has resulted from our association together.

Bob, of course, is leaving us this year as another of the bright young aspirants to the title of "Senator." Frankly, I hate to lose him from our team in the Agriculture Committee, but I am glad to be able to stand here and say with complete confidence that come January 3, 1969, he will be "Senator Dole." And I want to compliment the other body on having pirated one of our best players.

Bob Dole's rise in Congress and in the field of public service has, by most any standard, been a meteoric one. A military hero of World War II, Bob received his LL.B. degree from Washburn University in Topeka, Kans., only 16 years ago, and served one term in the Kansas State House of Representatives and four terms as Russell County attorney before his election to this body in 1960.

Although 8 years is certainly not a short term of service in the Congress of the United States, I think it is worthy of note that in only four terms Bob has risen to be the fourth-ranking minority member of the Agriculture Committee and the ranking minority member of the very important Foreign Agriculture and Departmental Oversight Subcommittees. He has become an expert on our food-for-peace program, and has a knack for getting at the heart of issues which has contributed significantly to the deliberations of the committee.

Diligent and conscientious, he has served both his State and the Nation commendably and has certainly earned the confidence which the voters of Kansas have placed in him by nominating him to compete for a seat in the U.S. Senate. The seat that he seeks has long been held by one of the greatest statesmen Kansas has ever given this country, Senator Frank Carlson. Bob will have a tremendous challenge and standard to live up to if he takes that seat in January, but I have taken the measure of this dedicated, good-humored young man for 8 years and I say, "If anyone can do it, Bob, I know you will."

I want to wish you every success, Bob. May you and your family enjoy always the very best of health, happiness and the good life has to offer. And may God continue to guide you and give you wisdom throughout a long and noble career.

Mr. TEAGUE of California. Mr. Speaker, Bob Dole and I have been associated on the Republican side of the House Committee on Agriculture for several years. He is one of the brightest and most attractive young men I have ever known. To those assets must be added his tremendous capacity for work and his marvelous sense of humor. He will be sorely missed when he leaves us to brighten the other side of the Capitol.

Mr. PELLY. Mr. Speaker, those of us who are back next year are going to miss our colleague, Bob Dole. He will be missed as an able and effective legislator, but if as I anticipate he transfers his talents and becomes, a Member of the Senate, his area of public service will not be lost to his State and Nation.

But, I do not care who takes Bob's place, how able or how hard working and capable, he will never, I am sure, exceed or even equal the Dole wit and charm.

It has been a privilege to serve with Bob Dole. I hate to think of the House without his sense of humor. But, I trust in the future and across the Capitol, he and I and all of us will meet regularly and enjoy the continuation of a fine friendship.

Mr. PIRNIE. Mr. Speaker, it was 8 years ago that the people of the First District of Kansas elected Bob Dole to this body. We who have been privileged to serve with him, are very grateful for their wisdom in doing so. Bob immediately became a highly respected member and the years have only increased this regard and affection. His keen sense of humor has eased many a tense situation, emphasized many a point in debate. With courage and judgment he has handled his responsibilities in a truly outstanding way.

I recall Bob's visit to my district. The people greatly enjoyed his talk and became his admirers which they still are.

When Bob elected to run for the Senate, my first reaction was one of regret. Now I realize how selfish I was for our loss will be a real gain for the State of Kansas. Bob will serve with distinction wherever he is and I am confident he will continue this same splendid record in the other body. Certainly he has our very best wishes in all that he undertakes.

Mr. FINDLEY. Mr. Speaker, for 6 years I had the privilege of sitting next to the gentleman from Kansas as a member of the House Committee on Agriculture. This occurred in the 87th, 88th, and 89th Congresses. Since then close association has continued.

This gives me a unique vantage point from which to view the service of the gentleman from Kansas [Mr. Dole]. He has been my valued colleague in many a legislative enterprise. On those rare occasions when we have disagreed, even the disagreement has been entirely pleasant.

His wit is unexcelled and during the dreary periods of this decade it has been a precious commodity indeed.

He is a skilled parliamentarian and politician, and one of the most promising members of the Republican Party.

While I regret very much his departure from the House, I know his arrival in the Senate will brighten, enliven, and enrich that body.

Best wishes to Bob and to his wife, Phyllis, and daughter, Robin.

Mr. MARTIN. Mr. Speaker, it is my pleasure to join in honoring Congressman Bob Dole, of Kansas. Bob and I were freshmen Congressmen in the 87th Congress and it has been my distinct privilege to witness 8 years of outstanding service of a young man dedicated to the highest principles of government.

Bob Dole has given exemplary service to his State and Nation as a member of the House Agriculture Committee. As a midwesterner he is keenly sensitive to the needs and problems of agriculture. His devotion to duty on the House Government Operations Committee likewise displays his wide scope of ability as a legislator.

The U.S. House of Representatives is losing a Member of unquestioned integrity; a man of outstanding ability; a man of highest principle. Our loss in the House will be minimized only by his election to the U.S. Senate where Bob Dole will be able to again serve his State and Nation with distinction.

Mr. TALCOTT. Will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman from California [Mr. Talcott].

Mr. TALCOTT. I am pleased to participate with the friends and colleagues of the gentleman from Kansas [Mr. Dole] in wishing him bon voyage into the political maelstrom of the other body. I wish we could continue to enjoy his association in the House. His presence always added immeasurably to the enjoyment of my service in the House. His pleasant manner, his keen, quick and wonderfully droll sense of humor were exceeded only by his conscientious, highly principled service to his district, the State of Kansas and our beloved Nation.

The whole State of Kansas is fortunate to have a man of Bob's stature, ability and respect to represent them in the Senate of the United States.

Mrs. Talcott and I wish Bob and Phyllis continued success and great personal satisfaction during his service in the U.S. Senate.

Mr. ERLENBORN. Mr. Speaker, the 90th Congress is drawing to a close. Its sessions have been long and arduous, and, from this standpoint, there is a certain pleasure in the prospect of adjournment. It is somewhat unpleasant, though, to contemplate the start of the 91st Congress with the certain knowledge that many of our able and effective colleagues will not be returning to the House. Among these is the Honorable Bob Dole, the good and faithful Representative of the First District of Kansas for the last 8 years, to whom we today pay tribute.

Having known and served with Bob for 4 years and having had during most of this time the opportunity and advantage of working on the Government Operations Committee with this knowledgeable and responsible legislator, I know his absence will be felt. At the same time, I know that he will continue to serve his State and his country, and I proudly join in extending him every good wish in his endeavors.

Mr. DEL CLAWSON. Mr. Speaker, the same lively sense of humor, buoyant spirit and zest which Bob Dole brought to his service to his country and his constituents in the First District of Kansas were also bestowed upon friends and acquaintances fortunate enough to work with him during his 8-year career. It has been a pleasure to work on the same side of the aisle and to make common cause on most legislative issues. Bob's opinion on the matters before the House Agriculture Committee and the Committee on Government Operations was valued and frequently sought. We will miss both his warm personal qualities and his able legislative contribution. I join with his other friends in this body in wishing him every success as he retires from the House.

Mr. ANDERSON of Illinois. Mr. Speaker, I shall always cherish the years of my association in the House of Representatives with the distinguished gentleman from Kansas [Mr. Dole]. We came to this House together after the 1960 election. Therefore, I feel that special affinity that always binds together those who have shared similar experiences in life. Although he leave this body, we shall remember his dedicated and conscientious service in many different fields. His self-deprecating wit, fidelity to fundamental principles of sound, conservative, yet progressive government have made him one of the most beloved and respected Members of the House of Representatives. We wish him well in all his future endeavors and we are certain that he is destined to carve out a distinguished career of public service in years to come in the Senate of the United States.

Mr. SCHERLE. Mr. Speaker. With the adjournment of the 90th Congress, the House will lose a respected colleague, Mr. Bob Dole.

However, because he seeks a seat in the other body, Kansans will have the opportunity to keep Bob Dole working for them in Washington. Our loss will be the Senate's gain.

In his 8 years as a Congressman, Bob Dole has served Kansas well. But he has done much more than that. He has been an able representative of the American farmer, both through his work as a member of the House Agriculture Committee, and as an adviser to the U.S. delegation to the United Nations Food and Agriculture Organization.

Bob Dole's efforts in the House have earned him great respect and many friends. He will serve in the Senate with equal distinction.

Mr. BROTZMAN. Mr. Speaker, I am very pleased to be able to participate in this tribute to our colleague, the distinguished gentleman from Kansas [Mr. Dole], who is leaving the House of Representatives at the end of this Congress.

Bob Dole is one of my closest friends in this Chamber. We have worked together on many legislative projects and I have a particular respect for his expertise in the field of agriculture. I recall that early last year several farmers in my district approached me with a suggestion that wheat producers be given the privilege of drawing one-half of their wheat certificate payments in advance. Not being a member of the Agriculture Committee, I decided to visit with Bob Dole regarding this matter. We got a bill drafted which would permit wheat farmers to receive an advance payment on their certificates—something which already is being done in the feed grains and cotton programs. As you all know, the House passed the Dole-Brotzman bill on December 4, 1967 and it is now awaiting Senate action.

The help which Bob Dole gave me on getting this legislation through the House of Representatives is but one example of his dedication to the well-being of all Americans—whether they live on the farm or in the city.

Bob Dole has been an outstanding legislator. The people of Kansas' First District could not have a finer representative. He is going to be missed in this Chamber. I am sure that we all wish him all possible success in his future endeavors.

Mr. ARENDS. Mr. Speaker, 8 years' service in the House is a comparatively short period of time. But in this relatively short period Bob Dole has risen to a position of stature. He has accomplished more in 8 years than many have accomplished in 16.

This is because he is not only a man of unusual ability, but one who diligently applies that ability to each and every assignment. He has served with distinction on the Committee on Agriculture. Bob Dole probably knows more about the problems of agriculture and the intricacies of our farm programs than most anyone serving in Congress. I know that I have consulted with him many times on many questions in our mutual desire to advance the best interests of our farmers. I know he has made a constructive contribution to the work of the Committee on Agriculture.

The people of the State of Kansas recognize that Bob is the logical successor to their distinguished and beloved Senator Frank Carlson. We shall miss Bob in the House, but we also recognize that the U.S. Senate will give him a larger opportunity for service. Our loss is the Senate's gain; but, happily, he will still be able to assist the Congress in writing legislation. And, happily, we shall see him from time to time. We will have the benefit not only of his knowledge and skill but also the benefit of his unusually keen sense of humor. When the "going" has been the roughest, Bob has always been able to add that something that lightens the burden and puts things in their proper perspective.

I extend to Bob my very best wishes for his continued success.

Mr. McCLORY. Mr. Speaker, permit me to join my colleagues in their expressions of respect, affection, and admiration for Bob Dole, as he moves from this honorable body to the other side of the Capitol.

As one who has known him for only 6 years of his eventful life, I have developed a friendship with him which seems to antedate our meeting in Washington. Perhaps this is due to the things we share: our native Midwest, our "small town" places of birth, our legal profession, our early public service in the State legislature, and our initial memberships on the Government Operations Committee as Members of Congress, not to mention our partisan affiliation.

In the time I have known Bob Dole as a colleague in the U.S. House of Representatives, I have observed his skill in representing the people of the First District of Kansas and the entire Nation, with equal devotion. His experiences have prepared him well for leadership in many areas—from agriculture to veterans' affairs—and as a leader he has excelled. He has reported "mission accomplished" as a representative of the American people to other countries and on a variety of delegations.

Now, Mr. Speaker, he takes his experience, his excellence, his dedication and his untiring application to the other body—as the choice of the people of Kansas in November. Not to win that election seems almost impossible. I do not wait until then to congratulate him and to wish for him and his family all the rewards to which his ability and accomplishments entitle him.

Mr. WHALEN. Mr. Speaker, I would like to take this opportunity to express my best wishes to our colleague, the Honorable Robert Dole, of Kansas.

Bob is a candidate for election to the other body, after having distinguished himself as a Member of the House of Representatives for the last 8 years. During that time, he served his district, State, and Nation with unstinting selflessness. As we all know, he was an outspoken and dynamic member of the House Agriculture Committee. His frankness and persuasiveness marked him out as an effective legislator.

Few people realize that Bob Dole compiled an outstanding record despite the lingering handicap of wounds he received in combat as a 10th Mountain Division Infantry officer in Italy during World War II.

Mr. Speaker, I am proud to have been associated with Bob Dole as a Member of this House. I am sure all of our colleagues join me in wishing him continued success.

Mr. CEDERBERG. Mr. Speaker, with the leaving of Bob Dole from the House of Representatives, the House loses one of its more energetic and hard-working public servants. In the 8 years that the people of the First District of the State of Kansas have had Bob Dole as their Representative, I think it could be fairly said that they have been the recipients of the labor of an unusually dedicated man.

It is not unusual to find Bob Dole working long after his staff has left for the evening, and to find him in his office long before anyone else in the morning. This type of dedication to the work of congressional representation has not gone unnoticed by his people and so Bob Dole looks forward to moving to the other body as the reward of 8 years of truly outstanding work.

The First District of Kansas comprises 52 counties and, being the representative of a rather large district myself, I can readily appreciate the tireless devotion which goes into adequately representing and serving so large an area. This, Bob Dole has done with distinction.

The people of the State of Kansas are and ought to be proud of Bob Dole, and I know he will serve in the Senate with distinction.

Mr. MORSE of Massachusetts. Mr. Speaker, I am pleased to be able to join my colleagues in expressing my appreciation and best wishes to Bob Dole, with whom I have had the honor of serving in the House of Representatives since we were freshmen in the 87th Congress.

Although I have not had the pleasure of sharing a committee assignment with Bob, those who have sat on the Agriculture and Government Operations Committees with him have testified to his dedication, conscientiousness, and his skill in dealing with the many vital issues which have come before him.

I know he will enrich the Senate with these same qualities, and I wish him the best as he faces the challenge of the coming weeks.

Mr. RAILSBACK. Mr. Speaker, I would like to join with my colleagues in paying tribute to one of the most dedicated Members of this House of Representatives, Bob Dole. He has served the voters of the First District of Kansas and his country with great distinction during the past 8 years. He will be missed on this side of the Capitol when Congress convenes next January, but I know that he will do an equally outstanding job in the Senate.

During the short time that I have known him, he has impressed me with his knowledge, deep understanding, and wit. He has done a remarkable job in trying to bring order, logic, and good sound judgment to help solve the cost-price squeeze problem that faces our Nation's farmers today.

Bob, we thank you for your many contributions, congratulate on the great job that you have done, and wish you the best of luck in the future.

Mr. UTT. Mr. Speaker, the loss to the House by Bob Dole's decision to seek a seat in the other body, I am convinced will be the Senate's gain. Bob Dole has been an effective representative of his district in Kansas on the Agriculture Committee, and has ably served his district, his State, and our country on the Government Operations Committee as well as on the floor of the House.

It has been a genuine pleasure to know Bob and to work with him in the House, and I look forward to frequent renewals of friendship in the years to come, as I feel sure the voters of Kansas will recognize the wisdom of being represented by him in the Senate. Bob is a young man with vast experience, and I wish him every possible success in what I hope will be a long and productive continuing career of public service.

Mr. WHALLEY. Mr. Speaker, on this memorable occasion, when so many friends and colleagues of Congressman Bob Dole rise to offer congratulations and express their high regard, I want to add my own warm best wishes to a colleague of the highest caliber.

It has been a rare privilege for me to serve with Bob Dole in Congress. The people of Kansas can be justly proud of his record of dedication and devotion to the best interests of his district, State, and Nation during his tenure in Washington.

Congressman Dole has proven himself a most able legislator both on the floor of the House, and on the Committee on Agriculture.

People everywhere can be proud and grateful for his outstanding work in behalf of the "farmer to farmer" program, which was passed in 1966. This program, which provides technical assistance to farmers in underdeveloped countries of the world, will always be a tribute to his efforts and abilities.

Bob Dole will certainly be missed in the House of Representatives. However, we can find some solace in the fact that Bob will continue to serve the public, and his abilities will continue to work for the betterment of our society.

I would like to extend my very best wishes to Congressman and Mrs. Dole for continued health, happiness, and good fortune in the years ahead.

Mr. DORN. Mr. Speaker, the Sunflower State of Kansas has sent many distinguished legislators to the Nation's Capital. The Senate has said a fond farewell to one of its most respected elder statesmen, Frank Carlson, of Kansas. It is now the unhappy turn of the House of Representatives to say farewell to one of its most respected younger statesmen, Bob Dole, of Kansas.

Representative Dole began his career as a public servant after a record of heroism as an infantry officer in World War II had earned him many decorations. He served in various offices on the local and State levels before he was chosen to represent his fellow citizens in the U.S. House of Representatives.

He began his 8-year tenure here auspiciously. He has served on the Agriculture and Government Operations Committees in a manner that has commanded the admiration of his colleagues in both parties.

I consider it a privilege to have known Bob Dole, Mr. Speaker. He has earned his honors and he wears them with becoming humility. I wish him continued success.

GENERAL LEAVE TO EXTEND

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of this special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CONGRESSIONAL REFORM AND ELECTION REFORM: THE LAST HURRAH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire [Mr. Cleveland] is recognized for 60 minutes.

Mr. CLEVELAND. Mr. Speaker, this is another special order to discuss the Legislative Reorganization Act of 1967 and the Election Reform Act, sometimes called the Ashmore-Goodell bill, which I regret to say are still locked up in the House Rules Committee.

One might say, Mr. Speaker, that this is the "last hurrah" for congressional reform and election reform this year, but, to paraphrase an old saying, "Congressional reform is dead; long live congressional reform". The efforts which a number of Republicans, too numerous to mention, have made have been recognized across the land. I am confident whoever controls the House next year will have to take cognizance of this ground swell which is the result of efforts of a group of young Republicans, in some respects coupled with efforts of some of the Democratic Congressmen, to see to it that we clean up our own affairs and put our own House in order. We propose, Mr. Speaker, a modern Congress.

Mr. Speaker, the hour is late, and for that reason I will not dwell too long on the details, but, because so many people are interested in this matter I do wish to insert in the Record certain editorials and newspaper comments with regard to this matter.

I believe I will start—and I am sure the Speaker will understand why I do so—with some remarks that have been published in my own district.

Mr. Speaker, in my district the Keene Shopper News commented on congressional reform, and I wish to insert their remarks in the Record at this point. I believe I have unanimous consent for that purpose.

The matter referred to follows:

Cleveland Pushes for Congressional Reforms

Second district Congressman James C. Cleveland and twelve other House Republicans recently decried—"horse and buggy rules and regulations" which bring "imprecise and unresponsive legislative solutions."

The Congressmen plan to bring to the floor of the House of Representatives a reform program with completely open debate in hopes of gaining some action before the close of the legislative session.

If reform legislation is not passed this session the statement said, it cannot possibly be implemented before 1971. The Senate passed S. 355, 75 to 9, a year ago adopting recommendations for reform.

SEVEN INSTANCES

The statement pointed out seven instances of House of Representatives operations that need reform.

"Why, for example, is Congress still considering Appropriations bills in September, when the fiscal year began more than two months ago? Is this the best way for the executive agencies to plan intelligently?

"Why are not the Members told what the schedule will be for the coming week before the last day of the current week?"

SECRET BALLOTS

"Why are important votes of Members of Congress at committee and subcommittee meetings usually kept secret?

"Why is Congress not adequately fulfilling its oversight and review responsibilities?

"Why are appropriations bills totaling billions of dollars passed by voice votes instead of record votes which would enable the people to know the votes of their Representatives?

"What excuse can there be for the failure to pass that title of the Legislative Reorganization Act which would tighten up provisions of the Federal Lobby Act?

"What excuse can there be for not even considering the Election Reform Act which would update and tighten Federal laws relating to campaign funding and spending and require disclosure?"

FACTFINDING RESEARCH

Congressman Cleveland, who was on the joint committee on the Organization of Congress, did research and factfinding on ways to improve operation of the two houses of the legislature. Most of the Committee's proposals were adopted by the Senate in S. 355, the "Legislative Reorganization Act."

The proposal by Cleveland and the other twelve Congressmen is an attempt to get the House of Representatives to act on S. 355 and H.R. 11233, the Election Reform Act, which have been held up in the House Rules Committee.

Another publication in my district, Mr. Speaker, the Plymouth Record, has commented twice with regard to this matter, and I wish to insert their remarks in connection with their efforts to obtain change and reform in Congress at this point.

The matter referred to follows:

[From the Plymouth (N.H.) Record, Oct. 3, 1968]

No Matter How We Slice It—Times Change

"Mr. Speaker, times change, and unless our beloved House changes with the times, its greatness will surely be challenged. There are broad currents of unrest running across the land. Disrespect for cherished institutions is mounting . . . particularly among the young."

"If the House of Representatives reveals itself publicly as incapable of change and reform, are we not contributing to a situation we all deplore?" So wrote the proponents of legislative reform in the Congress last week. Our own 2nd District Congressman, Jim Cleveland, hardly ever a sleeper on such crucial matters, has carried the banner well and high in this reform campaign. Thus we expect some constructive debate if Jim and other committee members keep hammering away at the issue at hand. Undoubtedly this is a key issue if we are to gain domestic tranquility in these times and states.

In essence, the Congressional reform legislation makes provision for: "open committee meetings and public disclosures of committee votes; restrictions on proxy voting in committees; fair consideration for adequate minority staff on committees; live telecasting and broadcasting of committee hearings; the use of automatic data processing of Federal budget information; reorganization of the General Accounting Office; open hearings of the Appropriations Committees of both the House and Senate; mandatory roll call votes on all appropriations bills; removal of postmasters and rural letter carriers from the patronage system; increased regulation of lobbying activities; and others."

Another bill to reform the creaking election machinery completely overhauls laws pertaining to campaign fund-raising, a practice sorely in need of revision. Other restrictions that would accompany, upon passage, are limitations on individual campaign contributions, detailed reports of money spent for such purposes, establishment of a five-member bipartisan Federal Elections Commission and the prohibiting of expenditures of political contributions for personal reasons. We might add that a closer look should also be taken at our antiquated Electoral College as well, and, as our state GOP has already planked, encouragement to drop the voting age to 18 in each of the states. Full recognition that: "The only permanent thing in life is change," not only by some of our statesmen and representatives, but by the constituency at large, is now required more than ever before.

Jim Cleveland is on the right track. Now, if only the committee to bring about legislative reform is not thwarted by those who, acclaiming to "keep the system intact", are actually maintaining the status quo to the growing detriment of our social order we can make. The changes within our government must come lest we destroy the entire order.

[From the Plymouth Record, Sept. 26, 1968]

A THOROUGHLY MODERN SOCIETY

That technological change forges ahead at a faster rate than does social change is a well known and seemingly irreversible axiom. But should the institutions that man creates to regulate his social order lag as far behind as they do?

While New Hampshire voters were busy nominating their party candidates the week before last, the Congress of the United States was in session discussing this very point; social versus technological change. Focus of attention was centered around what the lawmakers termed as the refusal of Congress ". . . to modernize the legislative branch of the Federal Government."

With his constituents going to the polls to renominate him, Congressman James Cleveland, a member of the Joint Committee on the Organization of the Congress, was supporting the concept of legislative updating. "We live in an era of change," echoed the Congressional Record of September 10th. "Whether that change will be wild and erratic or thoughtful and responsive depends in part on the U.S. Congress."

In other words, can we expect our social regulatory institutions to keep abreast, or even at a close distance behind, of the rapid changes in American life if our own top lawmaking body fails to set the example?

We might go so far as to say that the real test of our democracy, as we enter upon an era in our history when social unrest and demand for change become more prominent, will be its ability to flex judiciously in the context of the times.

Congressman Cleveland's committee continued on record "The institutions which must deal with the problems of today and tomorrow must be as modern as the problems, or we run the risk that individuals within the society will seek means other than the traditional democratic processes of finding answers to their problems."

We couldn't be in more accord and Jim deserves credit for pursuing such insight. But what usually emerges as a bigger obstacle is—How?

Most of us are aware of the shortcomings inherent to our system of government. Yet we continue to pride ourselves that our way has fewer than any other, and it does. The real test, however, is to be measured by that system's ability to keep pace with the times.

As special interest groups practice logrolling, as self-serving legislation displaces conscientious thought, government starts to swing out of the mainstream and head for the shoals of social upheaval. When lobbyists exert more influence than does the popular will, we are in trouble.

Indeed, the American people are wearying under the endless barrage of being sold as "good for America" package deal promises when, in effect, they are mere continuations of the same old comfortable "reforms."

We should not be totally interested in merely preserving the so-called "American way of life." Seeing to it that intelligent, foresighted and representative change occurs ahead of forced change (which may not be representative) is our number one obligation. In this manner our democratic framework will remain intact far longer.

As you and the committee have so aptly stated, Congressman Cleveland, if we linger too long, other means will undoubtedly be sought to bring about change.

Mr. Speaker, the Nashua Telegraph, a paper published in the largest city in my district, has commented editorially on this matter, and I wish to include that editorial at this point in the RECORD.

The matter referred to follows:

HOUSE SHIRKS RESPONSIBILITY

Election reforms and congressional reorganization bills are much like the cliche about the weather—much talked about, but little done about.

A move to actually do something about these issues appears doomed to a quiet death in the House Rules Committee. The bills to effect reforms in national election processes and the operation of the Congress are an outgrowth of a joint Senate-House committee study. The Senate approved two separate bills on the subjects more than a year ago. The all-powerful House Rules Committee has refused to permit the representatives to vote on similar measures.

A group of Republican congressmen—among them New Hampshire's James Cleveland—has attempted, with little apparent success, to pry these measures out of the Rules Committee and onto the House floor for debate.

The need for election reforms should be obvious. Too many candidates wage campaigns financed by huge gifts from lobbyists of all persuasions parcelled out through various supporting groups so as not to exceed limits on individual donation acceptances. The net result is that many candidates take office deeply in the debt of a given lobby. Can he honestly support all the factions in his district?

Among other things the pending legislation would restrict any organization or individual to a donation totalling $5,000 to any candidate, regardless of how many different organizations may accept funds in the name of that candidate.

The bill to overhaul legislative procedures also appears set to die aborning. This legislation is sweeping in scope, attempting to bring the legislative procedures of Congress out of the dark ages.

If the House fails to act on these bills the entire process will have to be repeated in the next Congress, because no such pending legislation can be carried over to a new Congress.

The American taxpayer is wont to criticize the archaic practices of Congress and abuses of the elective process, but is lax in keeping abreast of efforts to alleviate these problems. There are few if any organized pressure groups at work to push enactment of these bills and thus, in all probability they will die.

Will Representative Cleveland and the sponsors of the bills from both sides of the House floor be able to muster the energy for another long torturous fight through the legislative treadmill in the next Congress for this legislation? It is far easier to roll with the tide, and having swam against that tide once, who could blame them for shying away from another frustrating battle.

But these measures are important to good government, and if—as it seems probable—the bills remain in committee this session we hope a more publicized campaign will be waged in the next Congress to get such measures on the books.

Mr. Speaker, the Concord Daily Monitor, of the capital city of New Hampshire, has commented on the need for reform of Congress now. I wish to include that editorial at this point in the RECORD.

The matter referred to follows:

[From the Concord (N.H.) Daily Monitor, Oct. 1, 1968]

REFORM CONGRESS NOW

An angry group of congressmen is brushing aside the niceties in attempts to get a series of congressional and election reform bills up for a vote in the House of Representatives.

Rep. James C. Cleveland of New Hampshire is one of the leaders of this group which is defying fatuous congressional courtesies to force floor action on the bills the Democratic House leadership doesn't want.

The three bills would streamline the structure of Congress. One would put teeth into election laws governing campaign fund-raising and spending.

The measures, all passed by the Senate more than 18 months ago, are bottled up in the leadership-dominated House Rules Committee, and it takes a petition of 217 members to get the bills out.

The angry group, mostly Republicans, is refusing to give "unanimous consent" on the House floor for consideration of non-controversial bills that usually whisk through. It is demanding that the record of proceedings from the previous legislative day be read in full.

In other words, they are tying up Congress.

And they should.

All three bills are years overdue, Congress already has become an anachronism.

Committee chairmen, mostly southerners, wield life-or-death power over legislation that is introduced. This power is used to extract favors, or favorable votes, concerning their own pet projects or pieces of legislation.

One of the reform bills would correct this.

The minority party in Congress is allowed little or no committee staff, and this is where the bedrock of Congress' work is done.

One of the measures would give minority members on all congressional committees at least better staffing than now.

Lobbying regulations would be tightened. Congress would be forced to conduct more of its business in the open, instead of behind closed doors, as at present.

The crass refusal of the House leadership, and Speaker John W. McCormack of Massachusetts in particular, to deal honestly with this critical problem is one of the reasons for widespread voter cynicism.

The road is wide open for members of Congress to act dishonestly. The pending bills would block some of those roads. The expulsion of Rep. Adam Clayton Powell of New York was indicative of the sort of activity the measures seek to correct.

But the House slapped at the symptom by barring Powell, and let the disease fester.

Unless the House takes some action—and soon—it will drag itself further into the gutter, create even more widespread disrespect for itself and seriously endanger a democratic institution.

In the far northern reaches of New Hampshire, Mr. Speaker, the Colebrook News and Sentinel has commented in great detail on legislative reorganization and election reform, and I wish to include that article at this point in the Record.

The matter referred to follows:

[From the Colebrook (N.H.) News and Sentinel, Oct. 2, 1968]

LEGISLATIVE REORGANIZATION ACT AND ELECTION REFORM ACT

(NOTE.—It isn't often that we quote the Congressional Record. Congressman Jim Cleveland sent this on to us from the House proceedings of September 10, and it seemed worth our reader's attention.—Ed.)

(Statement of Representatives Donald Rumsfeld (Ill.), Thomas B. Curtis (Mo.), Charles E. Goodell (N.Y.), James C. Cleveland (N.H.), Clark MacGregor (Minn.), Bill Brock (Tenn.), Rogers Morton (Md.), Robert Taft (Ohio), Barber Conable (N.Y.), George Bush (Texas), Edward Biester (Pa.), John Dellenback (Ore.), and Charles Whalen (Ohio).

We live in an era of change. Whether that change will be wild and erratic or thoughtful and responsible depends in part on the U.S. Congress.

Recent events in our world, have emphasized the critical need for democratic institutions to keep abreast of the times. The institutions which must deal with the problems of today and tomorrow must be as modern as the problems, or we run the risk that individuals within the society will seek means other than the traditional democratic processes of finding answers to their problems.

The Congress of the United States is the representative Federal institution in our society. Regrettably, it appears to be the farthest behind in modernizing its procedures to cope with the problems of its 20th century constituency.

Congress must function as an efficient instrument of government. We cannot afford the continued imprecise and unresponsive legislative solutions which the present "horse and buggy" rules and procedures are designed to produce. All too often the result, in recent years, has been to accelerate the trend toward "government by commission" by deciding that we cannot cope with a problem, which report, then, too often gathers dust rather than the attention of the Congress.

Today, we are faced with an information explosion, and the Congress still refuses to utilize modern electronic data processing methods, although it appropriates millions of dollars for purchase and use of such equipment by the executive agencies.

In a day when the television screen is the ubiquitous guest of every family, we still refuse to permit live coverage of debates or important measures on the House Floor, as well as meetings of House committees on matters of national significance.

Why, for example, is Congress still considering Appropriations bills in September, when the fiscal year began more than two months ago? Is this the best way for the executive agencies to plan intelligently?

Why are not the Members told what the schedule will be for the coming week before the last day of the current week?

Why are important votes of Members of Congress at committee and subcommittee meetings usually kept secret?

Why is Congress not adequately fulfilling its oversight and review responsibilities?

Why are appropriations bill totaling billions of dollars passed by voice votes instead of record votes which would enable the people to know the votes of their Representatives?

What excuse can there be for the failure to pass that title of the Legislative Reorganization Act which would tighten up provisions of the Federal Lobby Act?

What excuse can there be for not even considering the Election Reform Act which would update and tighten Federal laws relating to campaign funding and spending and require disclosure?

Most Members of Congress are deeply concerned about the refusal to modernize the legislative branch of the Federal Government. We were sufficiently concerned more than three years ago when, by a unanimous vote of both Houses, we created a Joint Committee to study the situation and recommend improvements. The Senate was sufficiently concerned more than a year ago when it passed, by a vote of 75 to 9, S. 355, adopting most of the Joint Committee's bipartisan recommendations.

On the Republican side, we have been sufficiently concerned in the House to have had a special G.O.P. Task Force study of Congressional reform, to have testified in greater numbers than any other group before the Joint Committee on the Organization of the Congress, to have written a book proposing ways to modernize the Congress. (We Propose: A Modern Congress, McGraw-Hill, 1965), and to have engaged in continuous effort to bring this legislation to the Floor.

We point with special pride to the herculean efforts of our colleagues Thomas B. Curtis and Durward G. Hall, both of Missouri, and James C. Cleveland of New Hampshire, the three House Republicans on the Joint Committee on the Organization of the Congress, to bring about enactment of legislative reorganization legislation. The House Republican leadership and Republican members of the Rules Committee have worked valiantly to achieve Congressional reorganization, and support for both meaningful Congressional and election reform are part of the 1968 Republican Platform.

Similarly, House Republicans have done everything humanly possible to have the House take action on a long-needed overhaul of the Federal election laws pertaining to campaign fund-raising and spending in Federal elections. On this issue, we single out the outstanding work of the co-authors of the bill, Congressmen Glenard P. Lipscomb of California, Charles E. Goodell of New York, and the minority members of the House Administration Committee.

We believe that most Members of the House of Representatives of both parties are concerned enough about Congressional reorganization and election reform to pass these bills if they were brought to the Floor. That is why we are here today.

Summaries of the Legislative Election Reform Act, H.R. 11233, Reorganization Act, S. 355, and the Ashmore-Goodell bill are available this morning, as well as a brief summary of the legislative history of each. A Legislative Reorganization Act passed the Senate on March 7, 1967. An Election Reform Act was approved by the Senate on September 12, 1967. Both of these measures are now pending in the House Rules Committee, and the Democratic leadership of the House has indicated that no action is contemplated on either issue before adjournment of the 90th Congress. It appears from Democratic leadership comments in the press as well that both of these bills are dead.

Is this becasue the House is too busy? How can this be when there was no session on Friday and we spent yesterday on a bill for "marketing orders on pears for canning and freezing?" Do these legislative priorities make sense—pears over Congressional reform, pears over election reform?

We cannot accept this. If Legislative Reorganization and Election Reform legislation are not passed by the House this year, both bills will have to begin again the long torturous legislative road in both Houses. It would mean that it would be 1971 before many of their provisions could be implemented. The Congress cannot wait. The American people should not allow such a delay. We need these bills to effectively do our job. We need them before adjournment.

On Wednesday, September 11, a group of Republican Congressmen will engage in a series of parliamentary moves which will have the effect of altering normal proceedings of the U.S. House of Representatives. Our purpose is not to be disruptive. Our sole purpose is to dramatize the need for House consideration, and hopefully, House action, on both of the reform bills before adjournment. As members of the minority party, we recognize that we do not have the votes to pass these bills alone. But we are asking that they be passed specifically in the form in which they have reported, or in the more extensive form recommended in the Republican minority views which are contained in the reports accompanying both bills. All we are asking is that the House be given the opportunity to express its will on both bills, under completely open rules so that meaningful debate can be conducted and amendments offered.

Our attempts to alter the proceedings will be carried out on specific days which will be announced publicly in advance. We do not intend to hold up other legislation which is to be considered in this session, nor do we have any purpose beyond the one stated: to point up the urgent need for action on the Legislation Reorganization and Election Reform bills, and to gain House consideration of both bills before we adjourn the 90th Congress.

The parliamentary maneuvers which we will use will be within the official rules of the House of Representatives. Unlike the Senate there is no provision for a filibuster in the House. The Democratic majority can always work its will, and that is as it should be. We will be using proper parliamentary procedures to focus attention on the need to enact election reform legislation.

We are asking no more than that these bills be brought to the Floor of the House, under open rules, for consideration by the House. Because of our deep concern that America's democratic institutions must be modernized to be responsive to the needs of the people, we are asking no less, and we believe that the American people will accept no less.

A television station, although located in Massachusetts, has some of its outlets in New Hampshire, and the editor has spoken three times editorially in this regard, Mr. Speaker, and I wish to include those remarks at this point in the Record.

The matter referred to follows:

SPECIAL REPORT

Broadcast: Dec. 4, 1967, 11:25 p.m.; Dec. 5, 1967, 6:57 a.m.; Dec. 5, 1967, 7:25 p.m.

A couple of months ago the United States Senate was discussing a so-called "election reform" bill. The idea is laudable. Who wants to be counted as favoring crooked elections? But the effective implementation of such a thought is another matter. All of us are against sin, the type of sins we wish others would not practice. We are most particularly against those sins, when others practice them more successfully than we do. Did you ever consider who pays the salaries and office expenditures of your Senators and Representatives. Well, if you pay a tax, practically any tax, you are among the employers of such public officials. As an employer you have certain rights, you can insist on performance of duty, or you can then seek to dismiss your employee.

It is interesting to note that the members of the Congress have, over the years, cloaked themselves with job security, that we, employers, know very little about. For example, a dismissed employee (a defeated congressman, in other words) who may be rejected for incompetence, or a variety of sins which any employer would not tolerate, now receives a pension based on his years of employment, so that after a number of years, he can afford to sneer at his employers, and some do.

The Congress insists on a complete disclosure of income and investments for most top administrative officials, on the thesis that such people are in policy positions and should not be able to use such positions for personal enrichment. But how about the members of the Congress, themselves, in this regard. With a self-righteousness that is almost hysterical they refuse to make a similar requirement of themselves; and for good reason. The oil, mining and less well known interests are solidly protected by the undisclosed ownerships of significant proportions in the Halls of Congress. Some of these have leaked out periodically. Even the crime-busting Senator McClellan has a stake in a business which has been convicted of larceny.

Meaningful disclosure is practically impossible to legislate. Meaningful election reform is equally hard to come by, and measures aimed at correcting alleged abuses are by necessity full of loopholes, and should all be repealed. It is clear that only a vigorous and competitive journalistic profession can safeguard the public in these critical areas.

Special Report

(Broadcast: June 25, 1968, 11:25 p.m.; June 26, 1968, 6:57 a.m.; June 26, 1968, 7:25 p.m.)

We have here a book published by McGraw-Hill and put together by the distinguished congressman from the Second District of New Hampshire—the Honorable James Cleveland, a man for whom we have had a continual respect since we first became aware of his existence. This book contains a series of essays analyzing various aspects of the Congress of the United States, and where certain of its procedures are faulty. Along with this analysis, it contains miscellaneous recommendations as to how these things might be improved.

We hope this book gets a lot of circulation, for two reasons. First, in our opinion, its recommendations make a lot of sense. The people of the United States would be far better served by their Congress if all these recommendations were wholeheartedly and enthusiastically adopted—which, of course, the Congress could do anytime it wished. Now, the second reason we like this book is that it's written by a bunch of Republicans. Every contributor to it is a member of the House Republican Task Force on Congressional Reform.

This condition, of course, indicate that the document might be slightly partisan, but there is nothing necessarily evil about that. After all, most of us belong to a political party, and precious few of us are supporters of two at once! But our ears have been close to the ground, and some of what we have heard would indicate to us that, come next January, there may be a lot more Republicans in the United States Congress than there are this summer. It's possible that there may even be a Republican majority—in which case, there should be no question as to the ability of the Republican party to put all of these desirable reforms into effect.

Special Report

(Broadcast: March 19, 1968, 11:25 p.m.; March 20, 1968, 6:57 a.m.; March 20, 1968, 7:25 p.m.)

If there's one thing that members of Congress and other legislators are very sensitive about, it's disclosing any meaningful detail on their personal business activities and beneficial relationships. We periodically become aware of law partnerships or insurance agencies that receive large and regular fees from government contractors, and there are numerous other but comparable operations. Such elected representatives feel that the public can either elect them or forget them, and how they take personal advantage of their public office is perfectly all right because people can always decide at the next election they don't want that kind of person serving them. And there is some merit to this approach.

However, it's interesting to note that the Congress has, through the Securities and Exchange Commission, enacted laws that require the officers and directors of any corporation of significance to file detailed explanations of all kinds of sales and purchases of stock, and explanations of any business dealings with other corporations in which these officers or directors might have some ownership. The logical reason for this requirement is so that members of the public, which might own some of this stock, can at least be made aware of sweetheart or inside deals made by the management or the directors which aren't available to the rest of the stockholders—And this protection is right and proper. It is so right and so proper that we don't understand why Congressmen can't see very clearly the same analogy as pertaining to them.

Every one of us is a stockholder in the great corporation called the United States, and we regularly elect directors called Congressmen. If it is in the public interest for the officers and directors of private enterprise to account to the Securities and Exchange Commission for what they do on the side or even in their official capacities, it surely is equally proper and right for the directors of public enterprise to account on the record for their private business actions in the same depth of detail as required of the private directors.

Now, Mr. Speaker, I wish to add at this point a very interesting article from Roll Call, written by Allan Brownfeld, whom many of us know either personally or by reason of his writing. He, in a very illustrative article, comments on this general problem. Those of us who have read Mr. Brownfeld's work on several occasions know he has a depth of scholarship and perception, which I consider remarkable. Because he writes here on Capitol Hill, I believe his remarks are particularly interesting, and I wish to have those remarks of his, in the October 3 issue of Roll Call, included at this point in the RECORD.

The matter referred to follows:

GOP PUSHES FOR HOUSE REFORMS

(By Allan C. Brownfeld)

Two bills, the Legislative Reorganization Act of 1967 and H.R. 11233, "To Revise the Federal Election Laws," have been the subject of increasing discussion by members of the House.

Together, these two bills constitute the package known as "Congressional Reform." More than a year ago, the Senate passed and sent to the House for its approval the Monroney-Madden Reorganization Bill. It has remained for 18 months before the House Rules Committee, despite all efforts to have it taken up. The same is true with regard to the bill calling for campaign spending reforms. The first bill has received the vocal opposition of House committee chairmen, the second of lobbyists. Neither appears likely to be voted upon in this session.

In early September a small group of House Republicans and several Democrats began an effort to bring these bills to the floor. The Republican group, led by Rep. Donald Rumsfeld, initially sought floor action on both bills, but later concentrated its efforts on the campaign spending measures. The Democrats, led by Rep. Thomas M. Rees, centered their effort on the Congressional Reorganization Bill.

Rep. Rumsfeld has accused the Administration of deliberately tying up the bills, some portions of which would not become effective until the 92nd Congress in 1971. In a letter to Speaker John McCormack, the House Republicans said "unless our beloved House changes with the times, its greatness will surely be challenged." Rumsfeld elaborated: "All that we are asking is that the majority leadership schedule these bills for consideration so that the House may be given the opportunity to express its judgment under completely open rules so that debate may be conducted and amendments offered."

The money bill, in the light of recent controversies, seems to many the more compelling. The existing 1925 law governing campaign finances is filled with loopholes. It rests upon the assumption that publicity will cleanse politics of improper influence. But the law's requirements on disclosure of income and spending exclude more political activity than they embrace.

For example: primary elections or the selection of delegates to political conventions, political committees operating within a single state, donations handed to a candidate's aides rather than to the candidate. The law imposes a $5,000 limit on contributions, yet invites evasion by letting donors give the limit to any number of clubs, associations, or committees supporting the same candidate. Chairman Robert W. Dowling of City Investing Co. in New York has pledged $100,000 to the Democrats, mostly to help nominee Humphrey, and says "there's nothing unusual about it at all."

The Senate bill was even tightened in the House where South Carolina Democrat Robert Ashmore, chairman of the elections subcommittee, drafted an even stronger version. Ashmore's support was of particular interest because many conservative Southerners opposed extending the reach of Federal law to cover state-run primaries. But that bill only proceeded as far as the House Administration Committee, the parent body.

The bill was released June 27, 1968, too late for any reasonable chance of enacting it, but early enough to shift the blame for this lack of action. At that time, there was discussion of an early adjournment, and Rules Committee members "deferred action" for that reason. While the adjournment deadline failed, the "deferral" still stands.

The reorganization bill began to take shape in 1965 when a special House-Senate Committee heard suggestions for strengthening Congress from almost 200 witnesses. The Senate passed a bill in 1966 by a vote of 75–0. Among its provisions; it would refine the jurisdiction of bill-writing committees, authorize hiring specialists to over-see the Executive branch, enlarge the Legislative Reference Service, and give the General Accounting Office computer capability for better budget analysis. Also included is a proposal to pick postmasters solely by merit, as opposed to the "spoils system" of today.

Committee chairmen are vigorously opposed to portions of the bill. They object to opening more committee meetings and to a provision permitting broadcast media into hearing rooms. They object to more staff help for the Republican minority and to restrictions on voting by proxy as well as a provision requiring announcement of how a lawmaker votes at committee bill-drafting sessions. Some opponents have claimed that announcing committee votes makes members more vulnerable to pressure from lobbyists.

Lobbyists have opposed the bill for they do not want the General Accounting Office checking their quarterly spending reports. They do not want the disclosure of contingent fee arrangements with employers for influencing Congress.

Rep. Thomas Curtis, ranking Republican House member of the Joint Congressional Reorganization Committee, stated that it was "a question of whether the Congress is to be a deliberative body or a place to ram through bills agreed to at the White House or on Wall Street. The White House, under present rules, can stop legislation it doesn't want or it can ram through bills that haven't been studied." Speaker John McCormack responded to those who accused him of responsibility for keeping these measures from a vote. "They're absolutely mistaken," he said. He blamed it all on politics.

The fact is that some kind of Congressional reorganization is vitally needed, regardless of the merits of the pending legislation. This being the case, those who refuse to bring the legislation to the floor are, in the long run, doing harm to the fulfillment of its vital role in the federal system of the Congress itself.

Discussing not the American Congress, but the trial of Galileo, Arthur Koestler, in his book, The Sleepwalkers, states that "professionals with a vested interest in tradition and in the monopoly of learning" always tend to block the development of new concepts. So the Aristotelian scholars in the 17th century universities dealt intolerantly with Galileo. "Innovation is a twofold threat to academic mediocrities: it endangers their oracular authority, and it evokes the deeper fear that their whole laboriously constructed intellectual edifices might collapse . . ."

As resistance to change is the hallmark of the reactionary, so allegiance to change for its own sake is the mark of the radical. Change is neither good nor bad in itself. Only rarely is change equal to progress. Yet, to overlook the evils in an existing system, and to preserve such shortcomings, is hardly a valid exercise for those who seek to strengthen the institution.

The Congress has increasingly abandoned its role in our system of checks and balances. More and more it has granted broad areas of jurisdiction to bureaucrats, and more and more has become a rubber stamp for the executive. Rarely has it exercised its own prerogatives. One of the reasons for this is that in our technological age, the Congress has not had the proper staffing, the proper sources of background information, and the necessary equipment with which to enter into meaningful debate with such adversaries as agency directors seeking additional appropriations. This Reform Bill would solve part of that problem.

To maintain Congress as it is today is to maintain a rapidly failing institution. To increase its vigor, the current reform legislation must be considered and debated, and the best portions of it adopted.

It is interesting to note that Republicans, who are alleged to oppose change, are in the forefront of supporting the legislation and Democrats, who allegedly support change, are successfully blocking it. Perhaps these are the strange bed-fellows which politics makes.

Mr. Speaker, one of the leaders in this effort, the gentleman from Illinois [Mr. RUMSFELD]——

Mr. GROVER. Mr. Speaker, will the gentleman yield?

Mr. CLEVELAND. I yield to the distinguished gentleman from New York [Mr. GROVER] who has been long associated with those of us who have fought for congressional reform and election reform.

Mr. GROVER. I take it from the gentleman's preface that he was about to make reference to one of the great leaders in this fight for congressional reform who is here in the body tonight.

I did want to make reference to a fact I know very well; which is, the gentleman from New Hampshire, before he came to the House of Representatives, I believe, served some 12 years in the State senate in New Hampshire, and there was a leader for legislative reform, fighting for efficiency in the procedures of the legislative body. I am very pleased to see he has taken it up here.

I might say that, as the gentleman knows, I served 6 years in our statehouse at Albany and was quite interested in reform, but could not get off base with "The Establishment."

I am quite happy to join with the gentleman from New Hampshire and our leader from Illinois in this effort. I was about to suggest to the gentleman from New Hampshire that, since the gentleman from Illinois has to make a flight tonight, we might direct a question to him, so as to get a progress report on how things look in the coming session of Congress; that is, the 91st Congress.

Mr. CLEVELAND. Mr. Speaker, I will yield to the gentleman from Illinois, but, before I do, I might say that the next item I wished to insert in the RECORD was a very complimentary article from the Wilmette, Ill., Life concerning Congressman RUMSFELD's effort to obtain some of these reforms. I ask unanimous consent that this be placed at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

[From the Wilmette (Ill.) Life, Sept. 30, 1968]

RUMSFELD STEPS UP GOP FIGHT FOR REFORMS

House Republicans, led by Cong. Donald Rumsfeld of Wilmette, escalated their campaign for congressional and election reform this week in a letter to the Speaker and with a publicity stunt involving antique cars.

Wednesday, several of the congressmen tooled up to the Capitol steps in a 1909 Mitchell Flyer and two 1946 Lincoln Continental convertibles.

The three autos were used to publicize the fact that Congress has been a long time in revising itself and the laws governing federal elections.

FIRST LAW IN 1910

The 1909 auto was used to point out the fact that in 1910 Congress passed the first law setting up a campaign expenditure reporting system. The 1909 model was "the closest we could get to 1910," Cong. Rumsfeld's office said.

The two 1946 models emphasized that in that year Congress passed the first congressional reform law.

Object of the stunt was a bill that would tighten limits on contributions and expenditures in federal elections and one that would reorganize congressional committees and establish permanent committees on operations and ethics.

Both were approved overwhelmingly in the Senate last year but are still in the House rules committee.

Nearly three weeks ago, Cong. Rumsfeld and 12 other GOP representatives began a series of parliamentary maneuvers aimed at prying the two bills loose from the committee.

This week they underscored the cause in a letter to Speaker John W. McCormack (D.-Mass.)

Signed by 134 of the 186 Republican House members, it warned Cong. McCormack that "broad currents of unrest" require changes in the House and unless they occur "its greatness surely will be challenged.

URGE SCHEDULING

Urging the Speaker to take "whatever steps are necessary" to schedule the bills for floor consideration, the letter said the "Disrespect for cherished institutions is mounting, particularly among the young.

"If the House of Representatives reveals itself publicly as incapable of change and reform, are we not contributing to a situation we all deplore?" it asked.

Mr. CLEVELAND. I might say with Congressman GROVER I will be interested to hear what the leader of the "Rumsfeld Raiders" has to say at this late hour in the ball game. We know that we all waited here tonight for 30 minutes in one instance and 45 minutes in another instance in order to obtain a mere quorum so as to finish our business. I suspect that Mr. RUMSFELD will report that although the fight has not yet been given up, it may, temporarily at least, be given up in this session of the Congress because we will not have a quorum tomorrow.

Now, Mr. Speaker, I yield to my colleague, the Congressman from Illinois [Mr. RUMSFELD].

Mr. RUMSFELD. Mr. Speaker, I thank the gentleman from New Hampshire for yielding to me.

The gentleman from New Hampshire makes a very revelant point when he indicates that this evening it took long periods to gather a sufficient number of Members on the floor to constitute a quorum. The bills that were under consideration were important pieces of legislation. The foreign aid appropriation conference report was one of those measures. The very fact that the House of Representatives is considering an appropriation bill on October 10 says a lot. The appropriations in that bill are for the fiscal year that began July 1. That means the Agency for International Development does not even tonight at this moment know with any precision the amount of funds that will be made available to them so that they can plan for fiscal year 1969, and that fiscal year is 3½ months gone. It should be clear to anyone who hears or reads that fact that it is practically impossible for the AID to conduct itself in a thoughtful, responsible, and efficient way under those circumstances. Tomorrow a bill constituting half of all of the money that will be spent by the Federal Government of the United States for fiscal year 1969 will be voted out of the House of Representatives. One bill, one omnibus bill, in excess of $70 billion will be voted on on October 11, 1968, 3½ months after the fiscal year began.

Mr. CLEVELAND. If the gentleman will yield to me at that point, I would like to say that on the basis of tonight's performance, we would be very lucky if even half of the Members—half of the Members—of this distinguished body would be there to consider this very substantial and large appropriation measure.

Mr. GROVER. Mr. Speaker, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from New York, although I had previously yielded to the gentleman from Illinois [Mr. RUMSFELD].

Mr. GROVER. In defense of the Members and I think they do not need defending. I think the record speaks for itself. This protracted session and the protracted delays of the appropriations bills is deplorable, because all of the appropriations bills normally should be through the Congress at the end of July 1.

Mr. Speaker, I think one of the factors involved here—and I think it is unfair to the Members—is the fact that this has happened in the past 6 years and it has been accepted as a common practice during this period of time, without any substantial change. These people this year and in years past have not had any time off except the period of time between the two conventions. It really is impossible to determine based upon the operations of the House of Representatives, how they can plan their family activities and plan their campaigns and district visitations.

If the gentleman will yield further, while we have had difficulty in getting a quorum here, I am not going to pin on the Members of Congress and the operations of the Congress the full blame. We should have a complete look at these operations in order to proceed in a more orderly fashion.

Mr. CLEVELAND. I think the distinguished gentleman from New York [Mr. GROVER] made a good point when he said that we will be lucky if we have half of the Members here tomorrow. I think we will be even more lucky if no one calls for a rollcall. After all as Congressmen, we received, for instance, invitations to speak in our district in mid-October, last spring at a time the leadership in the Senate and the leadership of the House were assuring us that we would probably adjourn and get our business completed prior to the national conventions which were to be held in August. I think that the individual Members had every right to accept these invitations and I think they are perfectly justified in going out and fulfilling those commitments.

Mr. Speaker, it is my opinion that the gentleman from New York [Mr. GROVER] made a good point. It is the institution and it is the workings of the institution that needs change. This is why we have the need for congressional reform which is so manifest, particularly in the waning hours of this, the 90th Congress.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. CLEVELAND. I shall yield to the gentleman if the gentleman from Illinois [Mr. RUMSFELD] whom we interrupted had completed his remarks. I shall yield to the gentleman for a moment if the gentleman from Illinois who was making his remarks is agreeable to that and had finished.

Mr. RUMSFELD. No, I had not finished, but I would be happy to have you yield to the gentleman from Washington.

Mr. CLEVELAND. I yield to the gentleman from Washington.

Mr. FOLEY. Mr. Speaker, I assure the gentleman that I will not offer a motion to adjourn the House before he has had sufficient time to complete his remarks. Regardless of the time of the special order.

Mr. CLEVELAND. And, I hope you will not lock the doors if you do make such a motion.

Mr. FOLEY. If we are discussing the merits of congressional reorganization. I am fully in sympathy with the position taken by the gentleman from New Hampshire [Mr. CLEVELAND], the gentleman from Illinois [Mr. RUMSFELD], and the gentleman from New York [Mr. GROVER]. In fairness that the RECORD should be made clear that this is not a matter confined to the minority side of the aisle. In recent days there seems to have been a determined effort to promote an impression that congressional reform is the exclusive interest and concern of the minority, which I know the gentleman knows is not the case.

Mr. CLEVELAND. You are not quoting me, are you?

Mr. FOLEY. No, I am just asking the gentleman if it is a fair statement and the simple truth that there are many people on this side of the House who support the congressional reorganization bill.

Mr. CLEVELAND. I want to say this, that the gentleman from Washington is quite correct because some Members of his party have seen the light and have presented a discharge petition for the reorganization bill. We welcome them to our ranks. But the fact of the matter is, and then let us face it, this House is run and we have seen it operated in this fashion throughout this year and throughout other years—this House is run by his party and it is his party that has the responsibility of determining whether these bills should be brought out and scheduled.

Mr. FOLEY. Mr. Speaker, if the gentleman will yield further, is it not correct that if some people on this side of the aisle are less than zealous about congressional reform, the corollary of that statement, is that many on his side of the aisle have shown no zeal at all about the bill which he and the distinguished gentleman from Illinois support? Is not that true?

Mr. CLEVELAND. Did the gentleman ask me if some people on my side of the aisle are not zealous in their support of this reform bill?

Mr. FOLEY. The gentleman is correct.

Mr. CLEVELAND. Then the gentleman would have to ask those people.

Mr. FOLEY. Does not the gentleman believe——

Mr. CLEVELAND. Mr. Speaker, I do not yield further to the gentleman at this point. I will yield to the gentleman later if he wishes to discuss it further, but the gentleman from Illinois has to leave.

But before yielding to the gentleman from Illinois, I want to say for the record that the Republican policy committee on two occasions, and the Republican conference on another, and the minority members on the Committee on House Administration and the Republican members on the Joint Committee on Congressional Reorganization have repeatedly tried to get these bills up on the floor of the House, and to have a vote on them, either up or down.

I will now yield to the gentleman from Illinois [Mr. RUMSFELD] and then I will yield to the gentleman from Washington.

Mr. RUMSFELD. Mr. Speaker, I thank the gentleman from New Hampshire for yielding.

First I would like to respond briefly to the remarks made by the gentleman from Washington.

The Republican side has been involved over a period of many years, and a number of them have been cosponsors of resolutions to create the Joint Committee on Reorganization of the Congress. The Republican task force, headed by the distinguished gentleman from New Hampshire [Mr. CLEVELAND], has been active in this. The McGraw-Hill Publishing Co. published a book which we sponsored, and 20 of us wrote chapters for the book. We have testified before the Joint Committee, we have put statements in the Republican platform, and in Republican policy statements, and at the Miami convention there was item after item concerning this.

This is not to say that there are not Democratic Members who are interested also, and certainly not to say that there may not be a few Members on this side who might not agree with everything in the bill. But the fact of the matter is over 134 Members on our side signed a letter to the Speaker urging him to schedule the election reform bill and the legislative reorganization bill before this session ended. But to show that the remarks of the gentleman from Washington have some substance, let me read a statement by a very prominent Democrat, and this is from the October 9 CONGRESSIONAL RECORD of the other body. The distinguished majority leader, Mr. MANSFIELD, said—and the subject under discussion was the proposed establishment of a separate Committee on Veterans Affairs in the Senate:

> May I say that the leadership of the Senate, indeed the entire Senate, is already on record in this Congress as favoring the establishment of a Senate Committee on Veterans' Affairs. Such a proposal was included in the reorganization bill passed by the Senate early in the first session. I, along with the great majority of the Senate, favor this reorganization plan—a plan that was recommended by a joint committee of both Houses.
>
> And while the Senate acted favorably, House approval is still required to enact this measure that so many Senators consider vitally important.
>
> Reports from the other body—as recent as its proceedings through last night and early this morning, and perhaps even at this moment—indicate a vigorous last-ditch effort on the part of some Members of the House to reach the consideration of the congressional reform bill which contains this provision for a Senate Committee on Veterans' Affairs. If I read this morning's press reports correctly, it is the expressed aim of these House Members to bring this bill to a House vote before adjournment.

He went on to say:

> I realize full well that Senate Resolution 13 is cosponsored and supported by an overwhelming majority in this body. I favor its enactment. Let me remind the Senate, however, that the establishment of this com-

> mittee by this resolution requires only Senate approval and does not need the concurrence of the other body. Action can thus be scheduled at any time up to and including the very last day of this session.
>
> With this in mind, it has been the leadership's intention to make no effort to undermine the reorganization bill by prematurely passing this separate highly important resolution. Indeed, action on this matter should occur at the end, if not on the very last day of the session so long as the congressional reorganization reform measure remains pending in the House. This has been the leadership's intention from the beginning, but a public announcement to that effect would have been tantamount to the removal of this key provision from the Reorganization bill.

He went on to say:

> But I believe the remaining chance for the reform measure—however slim—must still be preserved and that the Senate should not remove this feature from the bill at this time.

He says right here:

> May I say further—and this is for emphasis—that this matter has been before the Democratic policy committee on every occasion on which it has met, and that the consensus, without question and unanimously, was that as long as the Senate had passed a Senate veterans preference amendment with the Congressional Reorganizations Act, we ought to give the House a chance to face up to this measure and in that way achieve the objective which we all desire, without taking up a separate piece of legislation, which we may well be forced to do, and will do if the House does not act.

There is a member of the Democratic Party who has acted, he and his leaders in the other body, and has in fact supported these measures, and he says that the leadership of this body has refused to schedule for consideration the Legislative Reorganization Act.

Mr. FOLEY. If the gentleman is right in his statement——

Mr. RUMSFELD. If the gentleman from Washington will withhold his comments at this time, I would prefer to first finish commenting on this.

He says that the leadership of this body has refused to schedule the legislation that had been passed by the other body, and that was months ago. He has repeatedly lent his support for legislative reorganization, I believe that is clear. No party has a monopoly on brains or energy or interest or support, or justification upon any given matter. This is, however, a statement made by the gentleman which is very accurate, on the support for legislative reorganization on this side of the aisle, compared to what we find on that side of the aisle where you do control the programs, and where you could have scheduled the legislation.

Mr. FOLEY. Would the gentleman like to discuss that statement, or would the gentleman——

Mr. CLEVELAND. Mr. Speaker, I have not yielded to the gentleman from Washington.

The SPEAKER pro tempore. The gentleman from New Hampshire has the floor.

Mr. CLEVELAND. I have yielded to the gentleman from Illinois.

The SPEAKER. The gentleman from Illinois will proceed.

Mr. RUMSFELD. The fact is, as I was saying, that the control of this Chamber is on the other side of the aisle, and had there been any desire or inclination involved on that side of the aisle to schedule such legislation it could have been easily done, and done very quickly, many months ago.

Now, it is just that simple.

In conclusion, let me simply say that this week has been a long one, and an exhausting one for everyone.

The distinguished majority leader of the other body very accurately interpreted what was going on here. There were a number of us who were concerned and did not want to see this session of the Congress close without having the Members of the House at least have an opportunity to express their will on these two measures. It now appears that that will be the case.

I, for myself, would simply want to express my regrets to any Members and to the officers of the House, and certainly to the employees of the House for any inconvenience that our efforts earlier this week may have caused them. Certainly they worked hard and their every effort must be near perfect or flawless. We realize the pressure under which they work and I would not want the 90th Congress to conclude without expressing my personal thanks to them for their work during the past 2 years and for their very fine and excellent work, but also as I have indicated to express regret if any were inconvenienced as I am sure they were during the earlier part of the week.

Mr. CLEVELAND. Mr. Speaker, I yield to the gentleman from New York [Mr. GROVER] on that point.

Mr. GROVER. Yes, and I do not want to interrupt your trend of thought, but the gentleman from Illinois just made reference to the yeomanlike service and the dedicated service of the House employees. I would like to underscore and reiterate that, having sat through those long hours the night before last and most particularly to the selfless dedication of the gentlemen who went through those many rollcalls. I think the Members of the House know and appreciate their really wonderful dedicated work not only throughout the year, but during those very trying hours.

The House employees and particularly Reading Clerks Joe Bartlett and Charles W. Hackney, along with John Jenkins, acting tally clerk, and John Moorconis, temporary assistant tally clerk, who labored through the 32-hour-and-17-minute session and called the roll in 46 rollcalls for a total of 20 hours and 3 minutes—a test of sheer physical endurance accepted with grace, dedication, and good humor.

Mr. CLEVELAND. Mr. Speaker, to continue with my general discussion, I do want to point out as we insert these newspaper comments in the RECORD, I think it is appropriate that there be inserted in the RECORD some comments that praise the gentleman from Illinois and I am going to do that. But I have here a comment that I think might make the gentleman from Washington feel a little better. This is an article from the Huntington, W. Va., Advertiser and the headlines say, "Democrats Join GOP Effort for Congressional Reform."

Mr. Speaker, I ask that this be a matter of the record right here in this place.

The SPEAKER pro tempore (Mr. EDMONDSON). Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

DEMOCRATS JOIN GOP EFFORT FOR CONGRESSIONAL REFORM

WASHINGTON.—A group of five House Democrats have joined a Republican effort to force a congressional reorganization bill out of the Rules Committee.

The Republicans prevented the House from doing anything except answer endless roll calls and listen to a reading of the previous day's proceedings from noon to 2:20 p.m. Wednesday to dramatize their desire to see action on the bill.

But the protest apparently failed to budge the measure from the Rules Committee, which says it has completed its business and will reconvene only on an emergency basis.

The Democratic group says it will give the committee one more week to act or face the threat of having the bill wrested from it by a discharge petition.

The five Democrats, all second-termers, are Reps. Thomas M. Rees of Calif., Brock Adams of Wash., William Hathaway of Maine, Andrew Jacobs Jr. of Ind., and James Schever of N.Y.

They will need the signatures of 218 members on their petition in order to override the committee.

Discharge petitions rarely succeed in moving bottled-up legislation but with time running out on the 90th Congress, backers of reform legislation are grasping at any straw.

Rep. Donald Rumsfeld, R-Ill., who led the Republican protest demonstration, said his group is also eyeing new moves and considers the battle still far from over.

Rumsfeld expressed satisfaction with the parliamentary snakepit he and his followers created on the House floor Wednesday by following the House rules right out the window.

They relented after 2½ hours and let it go to work on a $72 billion defense appropriations bill.

"I think this will help the members realize the importance of acting on these bills," Rumsfeld said after the session. "It may also lead to some pressures brought to bear on the members from outside."

Rumsfeld is also trying to get the House to act on election law changes that would tighten up requirements for reporting campaign contributions and expenditures. It also is tied up in the Rules Committee.

Mr. CLEVELAND. Mr. Speaker, I want to go on and place in the RECORD another editorial, this from the Washington Post. I know the gentleman from Washington will particularly appreciate this editorial because it speaks about obsolescence on the Hill and it speaks about the Legislative Reorganization Act, smothered and killed in the Committee on Rules.

But this editorial, mirabile dictu—and you are going to have to look that up, Mr. Reporter—does not put any blame on the Democrats whatsoever. I think it is very kind of the Washington Post to comment on the very sorry state of affairs without mentioning the leadership of the House which must have had at least something to do with the long languishing death of the legislative reorganization bill of 1967.

Mr. Speaker, I ask unanimous consent that this be made a part of the RECORD at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The editorial referred to is as follows:

OBSOLESCENCE ON THE HILL

Congress has flagrantly illustrated its failure as a modern legislative body by continuing to tinker with 1969 appropriations bills three months after the beginning of the fiscal year. Its procrastination compelled the enactment of another standby spending bill for the Departments of Defense, Labor and Health, Education and Welfare and the foreign-aid program. Executive agencies are forced to limp along without knowing where they stand. The deficiencies of Congress thus impose grave handicaps upon many agencies of the Government.

It is deeply ironical that the Congress which has so signally failed to meet its obligations, has also smothered the legislation designed to modernize some of its procedures. The legislative reorganization bill which the Senate passed by a vote of 75 to 9 a year and a half ago is still in the House Rules Committee's dustbin. This bill would provide additional committee staff, open committee hearings to live broadcasting and telecasting, speed up the filing of reports, require open business meetings of committees, the disclosure of votes and so forth. Though it is a mild reform bill, the reactionary forces in the House seem determined to kill it. Along with it in limbo is the constructive election reform bill.

The House leadership can scarcely contend that it has not had time for consideration of these important measures. While they have been gathering dust, many bills of lesser importance have been enacted. The ugly truth is that the leadership in the House is not sufficiently concerned about modernizing its machinery to turn a hand in behalf of that objective.

Individual Congressmen complain about not being able to match the pace of the far-flung Executive Branch. Yet the legislative institution as a whole continues to plod along as if it were still in the nineteenth century. It appropriates millions for electronic data-processing equipment for the executive agencies but refuses to use such equipment itself in the face of the current information explosion. Every year it demonstrates the impossibility of handling the vast avalanche of bills that descends upon it. Yet it refuses to devise effective means of separating the wheat from the chaff or of adhering to a legislative agenda.

Notwithstanding the substantial volume of useful legislation turned out by the present Congress, it has woefully failed to shake itself free from its strait jacket of obsolescence.

Mr. CLEVELAND. Mr. Speaker, there are students of congressional reform who will be following this struggle that we have launched with some help of Members from the other side of the aisle. For the benefit of those students who will be writing term papers, perhaps theses and other works, I wish to place at this point in the RECORD a synopsis of some of the activities that we have engaged in during the past several weeks.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

The synopsis is as follows:

LEGISLATIVE REORGANIZATION ACT—ELECTION REFORM ACT—REFERENCES TO INFORMATION IN THE DAILY CONGRESSIONAL RECORD

TUESDAY, 10 SEPTEMBER 1968

H8469–85—Rumsfeld Special Order: Initial Statement of Rumsfeld Group, Press Conference Sept. 10, H8471. Summary of Election Reform Act (H.R. 11233), H8472. Legislative History of Election Reform Act, H8473. Summary of Legislative Reorganization Act (S. 355), H8473. Legislative History of Legislative Reorganization Act, H8474. *Press Comment, H8474. 1968 Republican Platform Planks on Reform, H8482 (column 1).

H8485–86—Taft Special Order.

H8491–96—Schwengel on information handling.

E7838–40—Chartrand on information handling, under Moorhead.

WEDNESDAY, 11 SEPTEMBER 1968

H8499–02—Parliamentary Moves.

H8522—Rumsfeld on delay in appropriations bills (column 3).

E7864—Railsback on reform.

THURSDAY, 12 SEPTEMBER 1968

H8549—Anderson (John) on reform.

H8549—Morton on reform.

H8618—MacGregor Objects to Dispensing with Calendar Wednesday.

H8625–31—Schwengel, from "We Propose:" Foreword by Curtis, Introduction by Ford, Ch. 1 on 'Minority Staffing' by Cleveland.

E7923—Steiger (Wm.) on reform.

E7924–26—Sec'y John Gardner on The Life and Death or Institutions, under Bolling.

TUESDAY, 17 SEPTEMBER 1968

H8815–16—Rumsfeld Reserves Right to Object to Dispensing with Calendar Wednesday.

H8840–75—Brock Special Order: Text of Election Reform Act (H.R. 11233), H8841. Text of Legislative Reorganization Act (S. 355), H8845. *Press Comment, H8861. List of Government Commissions, H8866. Calendar Wednesday: List of Bills Eligible under Calendar Wednesday, H8870. Riddick, "U.S. Congress: Organization and Procedure," extract, H8871. Cannon's Procedure (House Doc. 610, 87/2), extract, H8872.

H8785—Railsback on reform.

H8819–20—*Press Comment, under MacGregor.

E8010–12—Curtis on Kerner Commission Report.

E8039–41—Teague of Texas on Congressional Ethics.

E8041–42—Roth on Federal aid programs, under Steiger.

TUESDAY, 24 SEPTEMBER 1968

E8166–67—GOP Letter to the Speaker, text and signatures, under Rumsfeld.

WEDNESDAY, 25 SEPTEMBER 1968

H9096–97—Taft on election reform.

H9126–49—MacGregor Special Order: *Press Comment, H9128. Curtis reports to constituents, H9135. Friedman on the Post Office, under Rumsfeld, H9137. Rumsfeld on committee rules, H9138. Letter to Rumsfeld from political scientists, H9139. Eisenhower on political fundraising, H9139. *Press Comment, CQ, H9141. Recommendations and additional views from Final Report of the Joint Committee on Organization of Congress, H9143.

H9168—Cleveland on New S.O.B.

THURSDAY, 26 SEPTEMBER 1968

H9202–04—Rumsfeld Objects to Bills under Unanimous Consent.

H9203—Rees on Discharge Petition.

H9192–98—Cleveland and Defeat of New S.O.B.

E8244–61—Kravitz on Congressional Reorganization (mistakenly listed under Sen. Carl Curtis instead of Rep. Tom Curtis; see correction on E8325, 27th Record): Background, Legislative Reorganization Act of 1967, E8244. Comparison of Congressional Reform Efforts in '46 and '67, E8245. Short History of House Rules Committee, E8249. Section-by-section analysis and comparison of S. 355 with bills introduced by Messrs. Smith and Madden, H8251.

Mr. CLEVELAND. Mr. Speaker, before I conclude my remarks, and before I offer en bloc in the RECORD other articles in connection with this matter, I think because the gentleman from New York [Mr. GROVER] and the gentleman from Illinois [Mr. RUMSFELD] did refer to a rather long session in the past day or two. Therefore a statement by the gentleman from Illinois [Mr. RUMSFELD] and a statement of our minority leader the gentleman from Michigan [Mr. GERALD R. FORD] would be appropriate at this point in the RECORD.

I ask unanimous consent to have them printed at this point:

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

The statements are as follows:

STATEMENT OF CONGRESSMAN DONALD RUMSFELD, OCTOBER 9, 1968

Yesterday, a determined group of Republicans, comprised primarily of the Republicans who met with the press on September 10, 1968, to announce their intentions to push for consideration of the Legislative Reorganization Act and the Elections Reform Act, carried forth their previously stated plan to "engage in a series of parliamentary moves which will have the effect of altering normal proceedings of the U.S. House of Representatives. Our purpose is not to be disruptive. Our sole purpose is to dramatize the need for House consideration, and hopefully, House action on both of the reform bills before adjournment."

Some have described yesterday's activities as a "filibuster" or "minibuster" against other legislation which was scheduled for consideration by the House. That accusation does not accord with the facts. If anyone has engaged in a "filibuster" it is the Democratic leadership in the House. They have effectively "filibustered" the two reform bills by refusing to schedule them for consideration, under open rules, by the House during this Congress.

Some have said that the proper course of action was to work to have the House Committee on Rules schedule our reform bills. During the summer, the Rules Committee announced a self-imposed moratorium on clearing bills for House action, and said that no rules would be granted to legislation which was not already cleared by committee. We believed the Rules Committee. Evidently the Committee was misunderstood, or at least did not mean exactly what it appeared to mean, because the Committee has seen fit to meet and grant a rule for other legislation, which, in our opinion, is less important to the nation than either of the two reform bills.

In short, the Rules Committee door was closed to legislation or election reform legislation, but not to Hubert Humphrey or George Wallace. When the Rules Committee announced its intention to hold hearings on other legislation, Congressman Taft and I went to the meeting and waited more than two hours to petition the Committee to schedule the reform bills. We were not able to secure the same treatment as Mr. Humphrey and Mr. Wallace did for their bill. This is clearly the real coalition at work—Northern Democrats and Southern Democrats.

Confronted with the iron-fisted control of the Democrats, we realized that the parliamentary tactics used yesterday constituted the best leverage available to us at this late date. If we are to get action on these vitally needed measures, we will have to try to force open the heavily barred gate to the Floor of the House of Representatives. The Democratic leadership has indicated its desire to adjourn this Congress. We believe this Congress should not be adjourned without having had the opportunity to enact legislative and election reforms.

These reform bills are as important to the American people as any other legislation now pending before the House. We are aware of the need to make available to the American people full and complete information so that they can intelligently cast their votes, and this is the purpose of the Election Reform Act which we seek to bring to the House Floor. The Election Reform Act will compel for the first time full disclosure to the American people of the campaign fund-raising and expenditures of anyone seeking elected Federal office. Based upon this information I am confident the American people will be able to best make their decisions as to who will represent them.

The Legislative Reorganization Act will affect the quality of every piece of legislation produced by the Congress. And the Congress, we should remember, is the co-equal branch of our government charged with the formulation of public policy.

Both bills have already passed the Senate and have been awaiting House action for months. Each would have to start the legislative process anew if not passed now.

For further information contact 225–3711.

Statement by Representative Gerald R. Ford, House Minority Leader

In a last ditch effort to get the dominant Democratic Majority to schedule the Clean Elections and Congressional Reform legislation for Floor consideration during this 90th Congress, the Republican Members have kept the House of Representatives in continuous session for over twenty-four hours. During this historic session, there have been some 36 quorum roll calls and six roll call votes.

In order that the record may be absolutely clear with respect to this important matter, the following pertinent information must be noted.

During this Congress the House Republican Members, Leadership and Policy Committee have done everything that they can to get the Congressional Reorganization and Clean Elections legislation to the House Floor. In the 89th Congress and again in this Congress, the Republican Policy Committee repeatedly urged prompt action on both Clean Elections and Congressional Reorganization legislation. The very first action of the House Republican Policy Committee this year on July 30, 1968, was to adopt a statement demanding prompt consideration of the Election Reform Bill and legislation that would permit television debates between presidential candidates.

Significantly, it was only after a great deal of prodding by the Republican Members of the House Administration Committee that the Election Reform Act of 1968, H.R. 11233, was finally reported from Committee. And prior to bring reported, the weak Election Reform proposal recommended by the Johnson-Humphrey Administration was shelved in favor of the strong measure that was initially developed by the Republican Members. It was only through the incorporation of a number of Republican provisions that honest reporting of campaign contributions and expenditures and streamlined enforcement procedures were ensured.

Despite the continuing efforts of Republican Members, the House Democratic Leadership refused to schedule this vital legislation for Floor action. The Congressional Reform Bill and Clean Elections Bill were left to languish in the Rules Committee. The prospects of legislative action prior to the 1968 election were very dim indeed.

This sorry situation was described in an October 3, 1968 Washington Post Editorial entitled, "Obsolescence on the Hill." This editorial stated:

"It is deeply ironical that the Congress which has so signally failed to meet its obligations, has also smothered the legislation designed to modernize some of its procedures . . . Though it is a mild reform bill, the reactionary forces in the House seem determined to kill it. Along with it in limbo is the constructive election reform bill."

This then is the reason that in what appears to be the last week of the 90th Congress, the Republican Leadership has used an extraordinary, parliamentary device in an attempt to break this essential legislation loose. And we promise that when the American voters in the November election elect a Republican Majority in the House of Representatives, the "straitjacket of obsolescence" will be unstrapped and these bills will have a high priority in a Republican Agenda for the 91st Congress.

Mr. CLEVELAND. Mr. Speaker, we have some comments from newspapers around the country. I ask unanimous consent to place these in the Record en bloc with, first, a list of their headings and a little description of them.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The articles are as follows:

Press Comment

1. Jack Anderson in Denver Post, 9/9: "Youth vs. Age."
2. Sam Kinch in Dallas News, 9/11: "GOP Theatens Delaying Action."
3. Philip Meyer in Akron Beacon Journal, 9/11: "They'll Tie Up House."
4. AP, Atlanta Constitution, 9/12: "5 Democrats Join GOP Reform Push."
5. Ward Sinclair in Louisville Courier Journal, 9/13: "Once-Burned Cowger."
6. Ben Cole in Arizona Republic, 9/15: "Shall They Overcome?"
7. Phil Meyer in Portland Oregonian, 9/22: "Congress: Our Crisis."
8. Editorial, Chicago American, 9/23: "Power Bloc in Congress."
9. Tom Leach in Chicago American, 9/24: "House GOP Pushes Battle."
10. Phil Potter in Baltimore Sun, 9/24: "Senate Absenteeism is Criticized."
11. Editorial, Salamanca, N.Y., Republican-Press, 9/26: "Congressional Reform."
12. Story,* Washington Evening Star, 9/27: "Young Turks Protest."
13. Editorial, Washington Evening Star, 9/27: "Two Needed Reforms."
14. Gould Lincoln, Washington Evening Star, 9/28: "Congressional Reform Overdue."
15. Editorial, Portland Oregonian, 9/29: "Hidebound House."

[From the Denver (Colo.) Post, Sept. 9, 1968]

Youth Versus Age

(By Jack Anderson)

Washington.—A classic confrontation between youth and age is developing in the House of Representatives over legislative reforms. Kindly old Speaker John McCormack has marked the reforms for a quiet burial. Dynamic, young Rep. Donald Rumsfeld, R-Ill., is determined to dig them up.

McCormack is fronting for the committee chairmen, who hold the real power on Capitol Hill. They are inclined to run their committees like feudal baronies.

Most committee chairmen are past the 65-year mandatory retirement age that the majority of private corporations set for their executives. In the Senate, 10 of the 16 chairmen are past 65; six are over 70. The situation is much the same in the house, where 11 of the 20 chairmen are past 65 and seven are past 70. Yet these are the men who are supposed to stimulate our youth, to get America going.

Most chairmen also come from small towns or rural areas. Thus has Congress entrusted the explosive problems of our great cities to men from another time and place.

The flow of legislation is controlled by Senate Rules Chairman Everett Jordan, 72, of Saxapahaw, N.C., and House Rules Chairman William Colmer, 78, of Pascagoula, Miss. Most bills dealing with the cities are processed by Senate Labor and Welfare Chairman Lister Hill, 73, of Montgomery, Ala., and House Education and Labor Chairman Carl Perkins, 55, of Hindman, Ky.

No wonder the people of the ghettos and the youth of the country feel that their cries are ignored and that they must resort to violence to be heard. It will be interesting to see whether Rumsfeld can rally enough young dissidents in the house to overcome the throttlehold of the old chairmen of legislation. To move these old codgers will take an outpouring of mail from home.

[From the Dallas (Tex.) News, Sept. 11, 1968]

GOP Threatens Delaying Action

(By Sam Kinch, Jr.)

Washington.—A group of 13 House Republicans, including Rep. George Bush of Houston, Tuesday warned the Democratic leadership that House business will be slowed down if two congressional reform bills are not brought up for votes.

The GOP congressmen said, "Our purpose is not to be disruptive. Our sole purpose is to dramatize the need for House consideration, and hopefully House action, on both of the reform bills before adjournment."

They placed blame for the lack of action on the bills on House Speaker John McCormack and the "undercover power structure" of the chamber.

Both measures—one to modernize congressional organization and one to strengthen campaign finance regulation—have been stymied for more than a year in the House Rules Committee.

The congressional organization bill would make more than 100 changes in House and Senate machinery, including stronger controls over lobbying and more staff for minority party members on committees. The campaign finance bill would tighten disclosure of campaign contributions and expenditures, and would set up new rules on contributions to persons campaigning for federal office.

The Senate passed both bills last year, but the House Rules Committee—which must approve them before the House can vote—has taken no action.

The Republican reformers said their delaying tactics, such as demanding time-consuming roll calls and quorum calls, will begin Wednesday, when the House is supposed to take up the $72 billion defense appropriations bill.

But the GOP group added that "we do not intend to hold up . . . legislation" and said it would announce in advance the days on which slow-down tactics would be used.

The Republicans acknowledged that they do not have enough votes to pass the reform bills without help from other House members. But they said, too, "We believe that most members, of both parties, are concerned enough about congressional reorganization and election reform to pass these bills if they were brought to the floor."

Bush, a first-term House member, issued a separate statement, in which he said, "It is not fair to the American people to be dependent on outdated machinery for the functioning of our governmental institutions. Reforms should be enacted now so that the next Congress may utilize the new procedures."

Bush also placed blame for frustration of the reform bills on the Democratic leadership: "There is no excuse for these bills to have been bottled up so long. Why does the Democratic party want to thwart the will of the people?"

House Speaker McCormack, asked about the Republicans' charge that he helped block passage of the bills, said, "They are absolutely mistaken. Certain Republicans will make any charge. This is a political year and you have got to expect these charges to be made."

He refused to speculate on the impact of the Republican reformers' slow-down until the delaying maneuvers have been initiated.

[From the Akron (Ohio) Beacon Journal, September 11, 1968]

THEY'LL TIE UP HOUSE TO GET REFORM BILLS

(By Philip Meyer)

WASHINGTON.—Some two dozen House Republicans adopted the politics of confrontation Tuesday to try to jar Congress into reforming itself.

Led by Rep. Donald Rumsfeld of Illinois, they promised to tie the House up into parliamentary knots to demonstrate their concern over the need for reform.

The first such demonstration was to be today, when the house is scheduled to pass a bill appropriating money for the defense department for the fiscal year that began last July 1. The bill was supposed to have been passed last Spring. "I can't think of any more effective example," said Rumsfeld.

Although they can't filibuster, as in the Senate, the GOP congressmen can do any number of things to bring the House to a standstill. Among the ways:

Demand a reading of the journal (up to four hours or more, depending on the length of the previous day's session.)

Object to unanimous consent requests (as a minimum, this can force a quorum call or a vote, or force the house to go through other formalities it would prefer to skip).

Suggest the absence of a quorum (if a head count shows less than half the members are present, congressmen have to be called by name until a quorum appears. Minimum time: 30 minutes.)

Insist on roll call votes (average time, 40 minutes).

A four-man research team, consisting of Reps. Robert Taft, Jr. of Ohio, Clark MacGregor of Minnesota; Durward Hall of Missouri; and Barber Conable of New York is searching the rule book for other disruptive devices.

However, the purpose of the demonstration is not to disrupt, Rumsfeld said Tuesday, but to "alter the proceedings" to dramatize the need for reform. All of their maneuvers will be perfectly legal within the rules, they want to reform.

The hoped-for outcome is that speaker John McCormack will become so fed up with the delays that he will give the signal to the House Rules Committee to release the pigeon-holed reform bills.

House rules have not been revised since 1946.

The proposed congressional reforms are contained in two bills. One, passed by the Senate on a 75–9 vote in March, 1967, seeks to make Congress more efficient and more answerable to the public.

It would require open business meetings of committees and public disclosure of committee votes, use of computers to help congressmen keep track of the federal budget, more staff help, and tougher controls over lobbying.

The other bill tightens controls over campaign giving and spending and tries to close some of the loopholes which let much of the cash flow in election campaigns go unreported.

[From the Atlanta (Ga.) Journal, Sept. 12, 1968]

FIVE DEMOCRATS JOIN GOP REFORM PUSH

WASHINGTON.—A group of five House Democrats has joined a Republican effort to force a congressional reorganization bill out of the Rules Committee.

The Republicans prevented the House from doing anything except answer endless roll calls and listen to a reading of the previous day's proceedings from noon to 2:20 p.m. Wednesday to dramatize their desire to see action on the bill.

But the protest apparently failed to budge the measure from the Rules Committee, which says it has completed its business and will reconvene only on an emergency basis.

The Democratic group says it will give the committee one more week to act or face the threat of having the bill wrested from it by a discharge petition.

The group is being led by M. Rees of Calif., Brock Adams of Wash., William Hathaway of Maine, Andrew Jacobs Jr. of Ind., and James Schever of N.Y.

They will need the signatures of 218 members on their petition in order to override the committee.

Discharge petitions rarely succeed in moving bottled-up legislation but with time running out on the 90th Congress, backers of reform legislation are grasping at any straw.

Rep. Donald Rumsfeld, R-Ill., who led the Republican protest demonstration, said his group is also eyeing new moves and considers the battle still far from over.

Rumsfeld expressed satisfaction with the parliamentary snakepit he and his followers created on the House floor Wednesday by following the House rules right out the window.

They relented after 2½ hours and let it go to work on a $72 billion defense appropriations bill.

"I think this will help the members realize the importance of acting on these bills," Rumsfeld said after the session. "It may also lead to some pressures being brought to bear on the members from outside."

Rumsfeld is also trying to get the House to act on election law changes that would tighten up requirements from reporting campaign contributions and expenditures. It also is tied up in the Rules Committee.

His next move, he indicated, might be on behalf of this legislation next week.

[From the Louisville (Ky.) Times, Sept. 13, 1968]

THE LITTLE NEWS FROM WASHINGTON: ONCE-BURNED COWGER CAN CONSOLE HIS FELLOW CONGRESSMAN

(By Ward Sinclair)

WASHINGTON—As Rumsfeld's Raiders struck in the House of Representatives this week, Louisville Rep. William O. Cowger could not help but indulge himself a bit.

Cowger covered some of the same anti-establishment ground last session—and got burned for his efforts.

The Raiders are a group of moderate Republicans headed by Rep. Don Rumsfeld of Illinois. They are demanding action on mild congressional and election reform bills.

Both measures are tied up in the House Rules Committee, reportedly at the request of Speaker John McCormack and others of the Democratic leadership, who are not inclined to change.

To emphasize their dissatisfaction with the inaction and with the casual way Congress goes about its business, the Raiders this week began a series of parliamentary maneuvers to delay action on other important pending bills.

By causing these delays Rumsfeld and Co. hope to get the leadership to free the reform bills for consideration on the floor.

The Raiders are asking for the same kind of action that Cowger and 27 other first-term Republicans last fall unsuccessfully sought by writing a critical letter to McCormack. Among the 28 was Indiana Rep. Roger H. Zion of Evansville.

They called for release of the reform bill from the Rules Committee and they sought longer work hours to be able to deal with unfinished business.

For his efforts, Cowger was called into McCormack's office and "eaten out" for having publicized the pocket rebellion. And then the House met in an unusual Friday session, when Cowger and other critics were back home in their districts. The absence of the freshmen who wanted longer work hours was duly noted.

[From the Arizona Republic, Sept. 15, 1968]

SHALL THEY OVERCOME? MINIFILIBUSTER BY YOUNG MEMBERS OF HOUSE AIMED AT NEEDED CONGRESSIONAL REFORMS

(By Ben Cole)

WASHINGTON.—Rep. Sam Steiger, R-Ariz., is one of the 14 young Republican members of the House who are staging a small revolt in behalf of congressional reforms everybody agrees should be made.

Washington newsmen have tagged their effort the "minifillibuster," after the manner of scribes to overwork almost any handy new slang.

The 14 are not trying to overturn any apple carts. Their fillibuster consisted of focusing four quorum calls and using up 150 minutes of time in the House session last Tuesday.

They plan to put on another foot-dragging exhibition Wednesday of this week.

Their objective is incredibly sensible and thoroughly justified.

They want to get a vote on a bill, already passed by the Senate, to make a few modest changes in the way Congress runs its affairs.

For instance, they would like the minority staffs to have a little more help. They would like to see the ancient rules of the House modernized. They would make committee votes public. They would require modern business procedures in the operation of Congress.

They want better legislative supervision over executive operation and assured continuity in appropriations.

All of these things have been proposed by a joint committee of Congress which conducted exhaustive hearings and wrote an extensive report. The cochairmen of that panel were Sen. Mike Monroney, D-Okla., and Rep. Ray J. Madden, D-Ind., both old warhorses who can't be accused of harboring any rebellious notions against Speaker John W. McCormack, D-Mass., and his leadership lieutenants.

Madden, a member of the powerful Rules Committee—a place of party trust—has prodded without success to get the reorganization bill out of the committee of which he is a member. That means only one thing—Speaker McCormack doesn't want it out.

The 14 Republicans—they since have been joined by five Democratic youngsters—also want a mild election reform bill reported out of House Administration Committee. This measure is hardly earth-shaking, but among a few small items it would change is the hypocrisy of allowing congressional candidates to escape the $5,000 expenditure limitation by having a "committee" handle their finances.

Rep. Donald Rumsfeld, R-Ill., one of the leaders of the little fillibuster, said the group had made its point last Tuesday because it appropriately put on the show of protest during action on the gigantic $72 billion defense appropriations bill.

Steiger said he hopes the Wednesday effort will get some expression from the House leadership on reopening the reform bill hearings, at least.

The group of young members is taking hope from the quiet encouragement coming from older members. Not a few of these are cheering for Rumsfeld, Steiger, et al., although they are not taking an active hand.

Of course, if they succeed, the group will have scored a victory for everybody. And if they lose, well, then, they were just a bunch of newcomers testing their strength.

There have been rebellions among young members before; but this time, the upstarts have picked an issue that is reasonable and fair, and who can tell? They might overcome.

[From the Sunday Oregonian, Sept, 22, 1968]

CONGRESS: OUR CRISIS

(By Philip Meyer)

WASHINGTON.—The main crisis before the United States today is not the war in Vietnam or race relations or urban slums or pollution of the air.

The main crisis is the need to repair and redesign the increasingly erratic machinery of the U.S. government before it slips out of control.

This little-discussed view is held by an increasing number of diverse but concerned people—from liberal intellectuals to conservative congressmen.

What James Macgregor Burns has called "the tangle of power" in Washington has grown so clumsy that, in Burns' view, elections are made almost meaningless. When the people have spoken in recent elections, "The government was not able to move forward on the mandate the American people gave it in those critical elections," he told a gathering of political scientists.

Burns, a liberal Democrat and admirer of both John F. Kennedy and Lyndon B. Johnson, is being echoed by a little band of Republican congressmen who are trying to blast some congressional streamlining out of the House Rules Committee.

REBELS GROW

The rebellious group, which is using the House's own inefficient rules to tie it up until the leadership does something, started as half a dozen Republicans led by Donald Rumsfeld of Illinois.

Congressional reform did not start as a partisan issue. A reform bill sailed through the Senate a year ago last March with a 75–9 vote. President Johnson—whom the Republicans blame for blocking the bill in the House for the last 18 months—has called for even stronger reforms.

The real hang-up evidently is not with the administration but with senior congressmen who have learned to wield power under the existing rules and don't want to take a chance on a new system.

If passed, the bill would loosen the power of committee chairmen to either snag legislation or to ram bills through without consideration.

A majority of the members of a committee could call a meeting, a power now reserved to chairmen. Meetings would be public, except those called to revise bills or to vote. But committee votes would be made public.

Proxy votes—a device most often used to let senior members swing more weight—would be restricted in committee sessions. And no bill could be considered on the floor of either house until printed copies of the committee report had been available to members for at least three days.

MOST INNOCUOUS

Other provisions, also fairly innocuous, would set up a computerized information system to enable congressmen to keep track of the federal budget. Hearings on the budget would have to begin 30 days after it was submitted. All appropriations bills would have to be passed on record votes.

Staffing of congressional committees would be strengthened. Lobbyists would be more closely regulated with the closing of some loopholes that enable most lobbyists to get by without registering. Committees would be required to check up on the laws they had helped enact to see how they were working out.

All of this is mild stuff compared to a congressional reform proposal made by President Johnson in his January, 1966, State of the Union message. The main trouble with the House of Representatives, Johnson said then, is that its members spend about half their time politicking for re-election.

He proposed a four-year term for House members so they would have more time to attend to public business.

This proposal was too radical for Congress to swallow. It might look to the voters as though House members were trying to seize too much power. But Johnson's unusual interest—presidents traditionally do not tell the legislative branch to reform itself—helped spur action on the lesser reforms.

The Senate-passed bill was the first serious effort to streamline Congress since the Legislative Reorganization Act of 1946. That one had to be maneuvered around the Rules Committee to pass through a rarely used procedure that lets the speaker send a bill directly to the floor.

[From the Chicago (Ill.) American, Sept. 23, 1968]

POWER BLOC IN CONGRESS

It can be said with considerable truth that there's really only one issue in this election: Too much power in the hands of too few people. Everybody, all the way from George Wallace to the "new left" radicals, seems to agree on that. What the different factions differ about is who has this excess of power.

The young say it's the old, the doves say it's the hawks; Wallace and company said it's the liberals and the "pointy-head intellectuals," the liberals say it's the stuffy, conservative power structure; and the way-out extremists say it's everybody except, of course, themselves. Practically everybody, tho, is furious because Minority X is frustrating the just wishes of Majority Y, to which they happen to belong.

We would like to suggest, since this feeling is so widespread, that some of it be directed against a clearly appropriate target. That is the minority in Congress that has repeatedly and determinedly blocked attempts to reform Congress and make it more responsive to the nation's needs.

In this case, we believe, the issue could hardly be clearer. A bipartisan group of legislators, one of whose leading spokesmen is Rep. Donald Rumsfeld [R., Ill.], has been battling for more than a year to pry out of the House rules committee bills for congressional reform and election reform, so that the House could vote on them. The bills remain bottled up primarily because two men—House Speaker John McCormack and Rep. William Colmer [D., Miss.], chairman of the rules committee—do not want reforms, and will not give the House a chance to vote on a strong bill for fear it might be approved.

To our mind, these bills are about the bare minimum needed to keep Congress functioning effectively and preserve public confidence in it. The Democratic-sponsored reorganization bill was adopted by the Senate, 75 to 9, a year ago last March. Among its important provisions are these:

It would provide for open business meetings of committees and public disclosure of votes taken there; strengthen Congress' fiscal control by improving budget information—for instance, by providing for automatic data processing; and insure that minority members get enough staff and clerical help.

A key provision is one requiring roll-call votes on all appropriations bills, so that constituents may know just how their congressman voted to spend or not to spend their money.

The election reform bill, approved unanimously by the Senate one year ago, would tighten up federal laws on campaign funding and spending. The history of this year's 21-billion-dollar highway bill, and the hefty payments made by lobbyists into the campaign funds of lawmakers who supported it, are a good example of the need for this one.

Yet, at the quiet request of Speaker McCormack, Colmer has steadfastly refused to hold committee hearings on these reforms. The House will be allowed to vote on them, it appears, only if they can be "compromised" into harmlessness; and even then they would go before the House under a "closed" rule, meaning that members could not try to strengthen them again by amendments. The House hierarchy, in short, proposes a simple choice: A useless bill or nothing.

Rumsfeld and others who want an effective Congress have mounted a final effort to break up this power play before Congress adjourns. We hope you will add your voice to theirs.

[From the Chicago (Ill.) American, Sept. 24, 1968]

HOUSE GOP PUSHES BATTLE FOR REFORM BILLS

(By Tom Leach)

WASHINGTON.—A group of House Republicans, unable to force consideration of congressional and election reform bills thru a series of parliamentary protests, have taken a new approach.

They have warned House Speaker John W. McCormack [D., Mass.], that "broad currents or unrest" demand that the House change with the times and unless it does "its greatness surely will be challenged."

The warning was made in a letter sent to McCormack and signed by 134 Republican congressmen. It urged the Democratic leadership to take "whatever steps are necessary" to schedule the two bills for consideration under open rules.

LED BY RUMSFELD

The Republicans, led by Rep. Donald Rumsfeld [R., Ill.], said:

"There are broad currents of unrest running across the land. Disrespect for cherished institutions is mounting, particularly among the young. If the House of Representatives reveals itself publicly as incapable of change and reform, are we not contributing to a situation we all deplore?"

Rumsfeld and 14 other Republicans have attempted to force action on the bills by causing periodic delays in House proceedings thru parliamentary objections.

The objections to voice votes and other routine matters were utilized to dramatize the failure of the House leadership to reschedule the reform legislation for a floor vote, Rumsfeld said.

LOCKED IN COMMITTEE

The reform bills, already approved by the Senate, have been locked up in the House rules committee. There is little chance they will be acted upon this session.

The congressional reform proposal provides for public disclosure of all congressional committee votes; television broadcasting of committee hearings; open committee meetings; reorganization of the general accounting office; mandatory roll calls on appropriation bills; removal of postmasters and rural letter carriers from the patronage system; and increased regulation of lobbying.

The election reform bill tightens reporting of campaign contributions; establishes a bipartisan federal elections commission, and prohibits the use of political contributions for personal purposes.

Rumsfeld said that since the original group of 15 was formed 2 weeks ago to protest the refusal of the leadership to schedule the bills, supporters to the cause have grown rapidly.

[From the Balitmore (Md.) Sun, Sept. 24, 1968]

SENATE ABSENTEEISM IS CRITICIZED

(By Philip Potter)

WASHINGTON, Sept. 23.—This election-year Congress, still facing some of the most divisive issues of the session with its members anxious to get home to campaign, today heard harsh words about itself and cries for reform.

Incensed by absenteeism that kept the Senate from acting on schedule for the second consecutive legislative day, Senator Mansfield of Montana, the majority leader, declared:

"This country is in grave trouble. The people are highly dissatisfied. We, by our own actions, are making the Senate look ridiculous and picayune."

In the House, which adjourned until noon tomorrow when a quorum call failed to produce enough members to do business, more than two thirds of the Republican members today demanded action on a congressional reform bill passed by the Senate in March, 1967, and an election reform measure reported by the House Administration Committee last June. Both are tied up in the House Rules Committee.

A letter to the speaker, Representative McCormack (D., Mass.) was signed by 134 of the 187 Republican House members.

The letter called upon the Democratic leadership to schedule the bills for action before the Ninetieth Congress adjourns. The target date for that now is October 15, three weeks before the general election November 5.

The congressional reform measure would require open meetings of all Senate and House committees, with live telecasting and radio broadcasting and public disclosure of committee votes; adequate minority staff on committees; mandatory roll-call votes on all appropriation bills; removal of postmasters and rural letter carriers from the patronage system, and increased regulation of lobbying activities.

The election reform measure would repeal campaign spending limits, but retain the present $5,000 limit on individual contributions, require periodical reports of campaign finances and prohibit personal use of political contributions.

BIPARTISAN SUPPORT

Representative Rumsfeld (R., Ill.), speaking for the group of Republicans, said there is broad Republican and Democratic support for both measures.

A group of five House Democrats plan to file a petition with the House this week to force the Rules Committee to discharge the congressional reform bill. It would have to be signed by a majority of the House, after which it could be called up for floor action by any member who signed the petition.

But under House rules, the discharge petition can only be called up on the second or fourth Monday of any month and cannot be considered within the final six days before formal adjournment of the House. Thus there is doubt this procedure could be effective.

UNABLE TO GET QUORUM

Senator Mansfield's ire was evoked because he had been forced to adjourn the Senate in mid-afternoon last Friday when it was impossible to muster a quorum of 51 members. He then set the beginning of today's session for 10 A.M., but it took 2 hours and 15 minutes before enough senators arrived to make a quorum.

[From the Salamanca (N.Y.) Republican-Press, Sept. 26, 1968]

CONGRESSIONAL REFORM STYMIED

While the Senate is arguing over confirmation of Abe Fortas as Chief Justice of the United States, restless members of the House of Representatives are marking time, impatient to get home for electioneering. The congressmen would serve the nation well (and improve their own political image at the same time) if they would use this opportunity to consider some major reform legislation to modernize Congress and congressional election campaigns.

The last congressional reorganization measure was enacted 22 years ago. Things have changed a lot since 1946. The power and prestige of Congress relative to the White House have diminished. Part of the reason lies in the failure of Congress to modernize and keep in step with the times.

Many political scientists have urged modernization in recent years, and reform bills have made some progress. A year ago, by an overwhelming vote, the Senate approved a bill to tighten lobby registration laws and effect other needed changes. A bill to revise the federal elections laws, particularly those dealing with campaign contributions, was passed by the Senate last September without a dissenting vote. Then in June of this year, the House Administration Committee reported another election reform bill.

But all these measures have been bottled up by the House Rules Committee, which has blocked all congressional reform legislation from being brought to the floor, thus preventing the House from debating the matter and making its will known.

The Senate reform bill provides for open committee meetings and public disclosure of committee votes; restriction on proxy voting in committees; fair consideration for an adequate minority staff on committees; live telecasting and broadcasting of committee hearings; the use of automatic data processing of federal budget information.

Also, reorganization of the General Accounting Office; open hearings of the Appropriations Committees of both the House and Senate; mandatory roll call votes on all appropriations bills; removal of postmasters and rural mail carriers from the patronage system, and increased regulation of lobbying activities.

The House election reform bill completely overhauls the federal election laws pertaining to campaign fund raising. It repeals existing limitations on expenditures by candidates and political committees; retains the present $5,000 limit on individual contributions and applies an aggregate limit to the candidate and the committees supporting the candidate; requires comprehensive and detailed reports of campaign finances on a periodic basis; establishes a five-member bipartisan federal elections commission, and prohibits use of political contributions for personal purposes.

The reform bills in the House still are not as strong as many specialists in government would like; they have been considerably watered down. But they would move things in the right direction, speeding up the legislative process and casting some light on sources of campaign help and lobbying pressure.

Unfortunately, unless the House votes on these measures before adjournment, the effort will have to start all over again when the next Congress convenes. Under those circumstances, there would be a two-year delay before many of the proposals could be made effective.

A move was started this week by 134 House Republicans to pry the reorganization bills out of the House Rules Committee, by appealing to Speaker John W. McCormack and the Democratic leaders to schedule the reform measures for consideration on the floor. Prospects of success in this effort aren't exactly bright, but there is some hope. The public interest would be served if the majority powers who have engaged in the blocking tactics would yield and permit the House to vote on these important matters.

[From the Washington (D.C.) Evening Star, Sept. 27, 1968]

YOUNG TURKS PROTEST

Maybe the House of Representatives can't filibuster but it can "minibuster."

And a lively group of young Turks led by Rep. Donald Rumsfeld, R-Ill., is doing just that—all well within the rules of the lower body of Congress.

They want to get right down to the root of what is making a lot of people protest.

"People on the streets are saying this system (the legislative branch of the federal government) is unacceptable," Rumsfeld told a press briefing yesterday.

GOOD SYSTEM

"I know this is a good system but these people have credibility and people will listen to them," he declared.

Rumsfeld and a group of nearly 20 Republican House members are employing complicated legislative maneuvers in an attempt to dislodge two bills from the grip of the House Rules committee.

The Election Reform measure and the Congressional Reorganization bill have been languishing in the committee for 18 months after being passed by the Senate in March 1967—because the panel's chairman, Rep. William Colmer, D-Miss., wants to let them sleep.

"There are some people who are senior members in the House who would seem to have their powers changed if the bill passed," Rumsfeld said.

SUPPORT FOR BILLS

He went on further to point out that the Democratic leadership has expressed support for the two bills.

"But every external group gets used to the way Congress works," he said. "Maybe there is no great desire to see changes."

"I know I and a majority of Republicans in the House favor the bills and it seems passing strange that they have not been called up," he continued. "It makes you wonder who is against the legislation."

Neither Rumsfeld nor his colleague Rep. Barber Conable, R-N.Y., who shared the briefing with him, would admit knowing where the real opposition comes from or what motivates it.

The Illinois lawmaker explained that many of the aspects of federal legislation with which the man on the street is dissatisfied comes not from the legislation itself but from the cumbersome system that produces it.

"One of the most important things we could do is to take steps to make the system more responsible, to see that legislation is precise and not sloppy," he said. "People are mad at a program and not the system that produced it."

[From the Washington (D.C.) Evening Star, Sept. 27, 1968]

TWO NEEDED REFORMS

The big story in the House of Representatives, at the moment, is an attempt by a small group of members from both sides of the aisle to force the Rules Committee to bring the campaign spending and congressional reorganization bills to the House floor.

Both bills were passed by the Senate last year. If the House Rules Committee succeeds in bottling them up for the remainder of this session, the whole legislative process will have to begin anew in the 91st Congress, with the result that these reforms might not take effect for another two years or so.

It seems probable that both bills would be passed by the House, if only they could be brought to a vote. The Senate approved one by a 75–9 vote and the other by a unanimous vote. The appeal so manifestly demonstrated in these votes flows from a widespread congressional recognition of the pressing need for the two reform measures. In essence, these companion pieces provide for reasonable restraints and wider disclosure of campaign spending and fund raising in federal elections and for the first reform of Congress' internal procedures since 1946.

These proposals have been exhaustively studied on a bipartisan basis within Congress. They are complicated matters, however, and degrees of difference have developed on substantive issues. Thus it would make sense for both bills to be reported under a procedure where they are subject to amendments from the floor. But in any event, House members should be afforded the opportunity to vote these bills up or down before the end of this congressional session.

[From the Washington (D.C.) Evening Star, Sept. 28, 1968]

CONGRESSIONAL REFORM OVERDUE

(By Gould Lincoln)

As the 90th Congress of the United States shuffles along towards its end, there still remains time for it to reform its own procedures—and it should. Both houses have been guilty of neglecting sound public policy and the country's interests, though on different lines.

For example, more than a year ago, the Senate passed and sent to the House for its approval the Monroney-Madden congressional reorganization bill. There it has languished for 18 months before the House Rules Committee, despite all efforts to have it taken up. The bill was prepared by a joint committee of the two houses, with Sen. Mike Monroney of Oklahoma as chairman and Rep. Ray Madden of Indiana as cochairman.

All-powerful chairmen of the House standing committees—and the ranking members of those committees, Democratic and Republican—are reported to have had an important role in opposition to the bill, which clipped their wings to some extent. Another group—outside of Congress but with much influence on legislation—is the swarm of lobbyists in Washington, registered and unregistered, which opposed the bill because it contains a lobbying section which calls for information regarding lobbyist activities and expenditures.

Another bill which has been tied up in the House Rules Committee calls for campaign spending reforms, intended to give the fullest publicity to money raised for political campaigns to nominate and elect presidents, vice-presidents, senators and representatives. Here again the lobbyists for big financial interests have had their part in the deadening opposition.

On the Senate side, there is need also to clip the wings of committee chairmen who set their teeth against legislation they oppose personally. As in the House Rules Committee, civil rights legislation was stalled for years. And as the Rules Committee of the House has been used to hold up and prevent needed legislation, the "filibuster" has been the strong right arm of minorities.

The wonder is, that despite the House Rules Committee, the Senate filibuster and the recalcitrant chairmen of both House and Senate Committees, so much legislation has passed and become law this year. These measures include a new civil rights act, dealing with housing, a tax bill needed to check inflation, bills for federal aid to education, a gun control bill—not as strong as it should be, an anti-crime and anti-riot bill. That so much has been accomplished is a tribute to leadership in the Senate and to strong public and executive pressure in the House—and in part to House leadership.

There is a long list of other much needed measures not acted upon, and which will be lost as Congress is bent on winding up business and getting out of Washington so that members may rest or campaign for re-election. Indeed, many members are already on the wing, making it difficult to get a quorum present to vote on anything.

Although last minute attempts are under way to get action on the congressional reorganization bill and the campaign expenditures bill, via petitions in the House to discharge the Rules Committee, bring the measures to the floor, to suspend the rules and pass these measures, the outlook is not good.

Congressman Madden is looking to the next Congress for action on a more meaningful reorganization bill, which he contends is greatly needed. It is twenty years since the last congressional reorganization bill was enacted. That measure, like the one now pending, was sponsored by Sen. Monroney, at that time a member of the House, and by the late Sen. Kefauver of Tennessee in the Senate. The danger is that the same kind of opposition may raise its head. Wide public support will be needed if anything material is to be accomplished.

[From the Sunday Oregonian, Sept. 29, 1968]

Hidebound House

Attention on this laggard Congress has centered on the Senate dawdling along in the filibuster against the nomination of Justice Abe Fortas as chief justice. But the House of Representatives is also culpable. Its leadership is still sitting on an important congressional reform bill that the Senate passed overwhelmingly 18 months ago.

The provisions of the bill (S. 355) have been reviewed in these columns. It would provide for open committee meetings, public disclosure of committee votes, limitations on the autocratic power of committee chairmen, removal of postmasters and rural letter carriers from the patronage system, and other long overdue reforms.

This week, 134 of the 186 Republicans in the House, including Oregon's Wendell Wyatt and John Dellenback, signed a letter to Speaker John W. McCormack asking that the bill be brought to the floor from the Rules Committee into which it disappeared in March, 1967. They plan to follow up with a discharge petition, which could pry the bill from the committee with a minimum of 219 votes.

There is support for their action on the Democratic side of the House, but whether enough Democrats are ready to sign their names and thus incur the wrath of the Democrats running the House, including the presiding committee chairmen, remains to be seen. If enough do not step forward to prevent the bill's dying in this Congress, the Democratic Party will deserve a tough rap for stifling reforms without even giving the people's representatives a chance to vote on them.

As the Republican congressmen's letter said: "Disrespect for cherished institutions is mounting—particularly among the young. If the House reveals itself as incapable of change and reform, are we not contributing to a situation we all deplore?"

Mr. CLEVELAND. Then, Mr. Speaker, because the hour is late, and because this hard-working staff that has been just eulogized by Mr. GROVER I know would like to conclude their efforts this evening, I will ask unanimous consent that a miscellaneous group of comments on this general subject be printed in the RECORD at this point.

I might point out that the first two articles of the group came from the Illinois area. They pay a special word of tribute to Congressman RUMSFELD, who, as we all know, has been a leader of a group that has tried to dramatize the efforts that we are making to act on these two bills.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

[From the Elgin (Ill.) Daily Courier-News, Sept. 25, 1968]

GOP Urges Congressional, Election Reforms

(By Richard Vawter)

WASHINGTON.—A majority of Republicans in the House have petitioned Speaker John W. McCormack and the Democratic leadership to bring to the floor for consideration bills on congressional and election reform.

The leader of the move, Rep. Don Rumsfeld, R–Ill., last week engineered parliamentary maneuvers to tie up business in the House and draw attention to the need for new rules in that body.

The legislative reorganization act of 1967 was approved by the Senate March 7, 1967, and has lain on a shelf in the House Rules Committee since, bottled up by the leadership.

A bill to revise the federal election laws was passed by the Senate Sept. 12, 1967, and another election reform bill was reported by the House Administration Committee June 20, 1968. They too are bogged down in the Rules Committee chaired by William D. Colmer, D-Miss.

The letter to McCormack asks that he and the Democratic leadership "take whatever steps are necessary to schedule these bills for action on the floor of the House before adjournment and under completely open rules."

"Mr. Speaker, times change, and unless our beloved House changes with the times, its greatness will surely be challenged," they wrote to 82-year-old McCormack.

"There are broad currents of unrest running across the land. Disrespect for cherished institutions is mounting—particularly among the young.

"If the House of Representatives reveals itself publicly as incapable of change and reform, are we not contributing to a situation we all deplore?"

The Congressional Reform Bill provides for open committee meetings and public disclosure of committee votes, restrictions on proxy voting in committees, fair consideration for adequate minority staff on committees, live telecasting and broadcasting of committee hearings, the use of automatic data processing of federal budget information, reorganization of the General Accounting Office, open hearings of the Appropriations Committees of both the House and Senate, mandatory roll call votes on all appropriations bills, removal of postmasters and rural letter carriers from the patronage system increased regulation of lobbying activities and other changes.

The Election Reform Bill would overhaul the Federal Election Laws pertaining to campaign fund-raising and spending in federal elections. It would repeal existing limitations on expenditures by candidates and political committees, retain the present $5,000 limit on individual contributions and apply in the aggregate to the candidate and the committees supporting the candidate, require comprehensive and detailed reports of campaign finances on a periodic basis, establish a five-member bipartisan Federal Elections Commission and prohibit the use of political contributions for personal uses.

[From the Evanston (Ill.) Review]

The Push for Reform

It is easy to make a strong case for the congressional and election reform bills that Cong. Donald Rumsfeld and some other House members are attempting to dislodge from the rules committee.

It is even easier, however, to make a strong case for open debate on the measures on the House floor. And this is really all the reformists are seeking at this point.

The Legislative Reorganization Act of 1967, approved by the Senate in March of last year, is hardly revolutionary. It would not touch some of the most outworn parts of the congressional machinery, such as the seniority system. But it would at least add some sanity to a committee system that is now unbelievably archaic.

It would, for example, provide for open business meetings of committees, public disclosure of committee members' votes, and public notice of committee hearings. Budget procedures would be improved, committees would be given larger staffs, and postmasters and rural mail carriers would be removed from the patronage system.

The Election Reform Act of 1968, pending since it won Senate approval a year ago this month, also is limited in scope, establishing guidelines for political contributions and calling for creation of a bipartisan election commission to administer the measure.

Specifically, the act would extend the $5,000 ceiling on personal campaign contributions to include the aggregate amount donated directly or indirectly to a candidate. The existing requirement is commonly skirted through contributions to a candidate and to various committees supporting him.

Candidates also would be required to make comprehensive and detailed reports on campaign finances, and contributors would have to report all contributions in excess of $100.

Perhaps the strongest evidence of the merits of both measures is that virtually no one vocally opposes them. Apparently unable to find a basis for opposition, the rules committee simply sits on them.

The only tactic left to the reformists is to dramatize the problem through demands for quorum calls, journal readings, roll call votes, and other delaying tactics that have been instituted. We support all legal methods that will help subject these two crucial measures to democratic processes.

[From the San Francisco (Calif.) Examiner, Sept. 10, 1968]

GOP To Stall for Changes

WASHINGTON.—An angry knot of Republican congressmen promised today to employ delaying and other parliamentary tactics until they break loose measures to modernize the Congress.

At a news conference, 13 Republicans blamed the Democratic leadership for not scheduling long-delayed election reform and congressional streamlining measures.

Rep. Thomas Curtis (R-Mo.) said it was an "undercover power structure" between Speaker John McCormack and other Democratic leaders working in conjunction with the White House to block measures they disliked.

Rep. Donald Rumsfeld (R-Ill.) also said McCormack was the main obstacle to the reform measures. They said they will start delaying tactics, such as insisting on quorum calls and demanding roll calls, when the House takes up the $72 billion defense appropriations bill tomorrow to "dramatize" their cause.

Both modernizing bills have been pigeonholed in the House Rules Committee. The election reform bill strengthens campaign fund raising and spending laws, while the congressional revamping bill contains some 100 measures for streamlining congressional procedures.

In addition to Rumsfeld and Curtis, sponsors of the "stall-in" are Charles Goodell (N.Y.), James Cleveland (N.H.), Clark MacGregor (Minn.), Bill Brock (Tenn.), Rogers Morton (Md.), Robert Taft (Ohio), Barber Conable (N.Y.), George Bush (Tex.), Edward Biester Jr. (Pa.), John Dellenback (Ore.) and Charles Whalen (Ohio).

[From the Chicago (Ill.) News, Sept. 28, 1968]

Backers Try To Save House Reform Bill

(By Robert Gruenberg)

WASHINGTON.—In the closing days of Congress, a last valiant effort is under way to bring the House of Representatives into the 20th Century.

Although not so labeled by the men trying the almost-impossible, it is in reality a bipartisan effort. However, there is no official link between the Democrats and the Republicans working on the project.

It is the attempt to bring the Legislative Reorganization Act of 1967 out of the hidebound House Rules Committee where it has lain for 18 months—since its overwhelming passage by the Senate—with little more than a half day's hearing.

Unless it is approved in the closing days of this session it will be "dead" and will have to start the long subcommittee-Senate-and House-route all over again next year.

The measure could go a long way toward disproving the theory of America's young dissenters in the streets that the Establishment is unable to govern itself, much less the nation.

House Democrats and Republicans who want to see the bill pass candidly acknowledge that leaders in their parties are working against it.

One of its supporters, Rep. Donald Rumsfeld (R-Ill.), said he discussed the bill last week with majority leader Carl Albert (D-Okla) and Albert "indicated he would frustrate it," said the North Shore congressman.

The measure is, after all, a threat to time-dishonored practices, and gnaws at some of the roots of what is wrong with the legislative process.

It would, in reforming the committee system, provide for open meetings and disclosure of votes, limit proxy voting and prohibit floor consideration of a measure until it had been available to members for three days.

It would allow minority committee members to call witnesses and permit committee hearings while the House or Senate is in session—extremely difficult under present rules.

It would overhaul budget procedures and force roll-call votes on all spending measures. It would do away with the practice of choking off the effectiveness of minority members by denying them staff.

And where it runs headlong into opposition of the old guard in both parties, it would remove postmasters and rural mail carriers from the patronage system. It would regulate lobbyists more closely, requiring complete disclosure of money spent for lobbying, and disclose contingent fees paid to influence legislation.

Early this week, House Republicans, led by Rumsfeld and 14 others, got 129 of their colleagues to sign a letter urging House Speaker John W. McCormack (D.-Mass.) to schedule the congressional reform measure as well as a federal elections reform bill, also holed up in the Rules Committee.

The 134 Republicans wrote: "Times change, and unless our beloved House changes with the times its greatness will surely be challenged. There are broad currents of unrest running across the land.

"Disrespect for cherished institutions is mounting—particularly among the young. If the House reveals itself as incapable of change and reform are we not contributing to a situation we all deplore?"

Late this week, independent-minded Democrats too began moving. Rep. Brock Adams (D-Wash.) and Rep. Thomas Rees (D.-Calif.), began a movement to pry the measure out of committee.

They have to do this by filing a "discharge petition" on the speaker's desk for all to sign—Democrats and Republicans. A minimum of 219 signatures is needed.

But committee chairmen have long memories and challenging the seniority system can be unhealthy for a congressman's future.

If there are as many as 50 Democrats willing to sign the discharge petition, and the 134 House Republicans mean what they said in the letter to McCormack, then the total—184—is within shooting distance of success and perhaps the momentum would carry it through.

[From the Baltimore (Md.) Sun, Sept. 25, 1968]

Morton Pushes House Reforms: Scores Seniority System, "Antiquated" Rules

(By James Macnees)

WASHINGTON, September 24.—Representative Morton (R., 1st.) denounced today the seniority system in the House of Representatives which "lets eight or ten committee chairmen control what legislation we consider."

"We demand reorganization and the use of the most modern techniques by the executive branch of government but neglect our own work because of antiquated House rules," the Marylander declared.

"We've got to bring Congress into the middle of this century and we're going to do it," he said.

Mr. Morton is a prime mover in a group of young Republican lawmakers who have banded together to remove traditional roadblocks in the path of legislation through Congress.

Among these are bills to provide for open committee sessions, public disclosure of action in committee by which members can and do vote to restrict legislation while voting for it on the House floor and inhibiting the use of proxies—"proxies have been misused terrifically," Mr. Morton said.

Another bill being pushed by the "young Turks" is a measure to reform campaign practices in congressional elections.

But, perhaps the most eagerly sought-after reform is one designed to cut down the "undercover power structure" in the House, by which the speaker, Representative McCormack (D., Mass.), and other Democratic House leaders, together with the White House, move legislation which they favor to a vote and block other bills which fail to meet their approval, Mr. Morton said.

He said a part of the group's strategy is to bring into public view the need for reform and how that reform has been "thwarted by the leadership and the seniority system."

CHAIRMEN'S POWER

A kind of graphic demonstration has been scheduled tomorrow by the Republican Congressmen advocating election and House rules reform. Some of them will travel to the capitol tomorrow in a 1909 Mitchell Flyer and two 1946 Lincolns.

High on the list of changes Mr. Morton listed concerned "the power of committee chairmen."

"Of course we've got calendar Wednesday," Mr. Morton remarked. "Calendar" is a technique by which a committee chairman can bring to the floor any bill his committee has approved without its having to gain the approval of the Rules Committee.

One peculiarity of this process is that the chairmen are called on alphabetically—Appropriations Committee, first, etc.—and committees low down on the alphabet may go uncalled.

"TWENTY-ONE-DAY RULE"

The House has repealed another of its rules which was sometimes used to bring legislation out of a recalcitrant Rules Committee—the "21-day rule." Formerly, if the Rules Committee held a bill for 21 days without action, the concerned committee chairman could, himself, bring it to the floor. Repeal reinstituted this obstacle.

The Morton group blames the House Democratic leadership for not scheduling debate on their reform proposals and has threatened to employ delaying and other parliamentary tactics to get action.

One hundred and fifty-five of the House's 187 GOP members signed a letter to Mr. McCormack, which was made public today, urging that he schedule consideration of the congressional and election reform bills.

[From the Minneapolis (Minn.) Tribune, Sept. 12, 1968]

GOP "Insurgents" Fail To Force House To Act on Reform Bills

(By Charles W. Bailey)

WASHINGTON, D.C.—A little band of Republicans briefly tied the House of Representatives in parliamentary knots Wednesday—but failed to loosen the death-grip of a committee on a pair of bills aimed at modernizing House procedures and publicizing campaign spending.

The GOP insurgents, including Rep. Clark MacGregor of Minnesota, managed to stop House business for a couple of hours by forcing roll-call and quorum votes on usually routine matters.

But their demand for action on the "reform" bills was ignored by the Democratic leadership and finally was undercut by their own party chieftains who joined the Democrats in voting to end the delaying action.

The result was not unexpected, as the insurgents had forecast that their principal gain probably would be limited to publicizing the issue.

There was some surprise, however, in the alacrity with which house GOP leaders—including Minority Leader Gerald Ford and Republican Whip Leslie Arends—lined up with the Democratic forces.

At issue were two bills—one to revise House procedures by tightening lobbyist regulations, cutting patronage, limiting committee powers and providing more minority staff help, and the other to set new limits and disclosure regulations on campaign contributions.

The GOP rebels, led by Rep. Donald Rumsfeld of Illinois and MacGregor, used existing House rules to dramatize their case. They forced four roll calls—each requiring about half an hour—and two nonrecord votes on such matters as the presence of a quorum and the reading of the previous day's journal.

Toward the end of the process, Rumsfeld asked House Speaker John W. McCormack whether he would arrange to let the House vote on the two bills—both of them pigeonholed in the powerful Rules Committee.

McCormack drew chuckles from members when he replied that "that's a most unusual question . . . if the gentleman would consult with me outside, I would give him an answer."

Majority Leader Carl Albert of Oklahoma was more blunt. "That bill is not eligible for programing at this time," he said—referring to the fact that it is in the hands of the Rules Committee, and at least by implication making it clear he wouldn't do anything to pry it loose.

When McCormack advised another Republican to try using a "discharge petition"—a procedure under which bills can be taken from committees for a floor vote if a majority of House members sign a petition—the GOP forces noted that they have only 188 members, 30 short of a majority in the 435-member House.

At this point, Rep. Wayne Hays, an Ohio Democrat who opposes the campaign-spending bill, suggested pointedly that there were plenty of Republicans who are against it, too.

"If the gentleman will get 188 Republican signatures on the petition," Hays told Rep. James Cleveland of New Hampshire, "I'll get him 30 Democrats."

Hays also mocked the mini-filibuster, asking whether it was "the biennial effort of the Republicans to throw it away. Always when we Democrats are down, they manage to pull this off so we can get up."

[From the Philadelphia (Pa.) Inquirer, Oct. 3, 1968]

Last-Ditch Fight for Reform Bill Started in House

(By Robert Gruenberg)

Washington.—In the closing days of Congress, a last valiant effort is under way to bring the House of Representatives into the 20th century.

Although not labeled so by the men trying the almost impossible, it is in reality a bipartisan effort, although there is no official link between the Democrats and the Republicans working on the project.

It is the attempt to bring the Legislative Reorganization Act of 1967 out of the hidebound Rules Committee of the House, where it has been for 18 months—ever since its overwhelming passage by the Senate—with little more than a half day's hearing.

Despite its dull title, its lack of glamour, and what Rep. Donald Rumsfeld (R. Ill.) Rep. Brock Adams (D., Wash.), two of the chief battlers for the measure, would agree is "an issue without a constituency," it is one of the most important Congressional reform measures since the last one was passed in 1946.

If approved in this session of Congress it could go a long way toward disproving the theory of America's young dissenters in the streets—that The Establishment is unable to govern itself, much less the Nation. If not approved it will have to start the long, involved subcommittee—committee—Senate—House route all over again.

The measure is a threat to time-dishonored practices, and gets at some of the roots of what is wrong with the legislative process.

It would, for instance, in reforming the committee system, provide for open meetings and disclosure of votes; limit proxy voting, and prohibit House floor consideration of a measure until it had been available to members for three days.

It would allow minority committee members to call witnesses, and permit committee hearings while the House or Senate is in session—which is extremely difficult to do under present rules, resulting in great waste of time.

It would overhaul budget procedures and force roll call votes on all spending measures. It would do away with the practice of choking off the effectiveness of minority members by denying them staff.

Probably most important—and here is where it runs into the opposition of the Old Guard in both parties—it would remove postmasters and rural mail carriers from the patronage system, regulate lobbyists closer, including complete disclosure of money spent for lobbying, and disclose contingent fees paid to influence legislation.

These are only a fraction of the reforms its backers argue for. But intransigency prevails. Last week 134 House Republicans, led by Rumsfeld and 14 others, got 129 of their colleagues to sign a letter urging House Speaker John W. McCormack (D. Mass.) to schedule for consideration the Congressional reform measure, as well as a Federal elections reform bill, also holed up in the Rules Committee under Rep. William Colmer (D., Miss.).

[From the Cincinnati (Ohio) Post & Times-Star, Sept. 24, 1968]

Republicans Push for Reform Bills

(By John Russell)

Washington.—A group of dissident Republicans, including 10 Ohio lawmakers, today petitioned House Speaker John McCormack of Massachusetts to get the Senate-approved Congressional Reorganization and Election Reform bills onto the House floor.

Rep. Robert Taft Jr., one of the original 15 GOP "Young Turks" said they were calling on the House leadership "to take whatever steps are necessary to bring both bills to a vote before adjournment."

The group, led by Rep. Donald Rumsfeld of Illinois, has been dramatizing the need for congressional action through a series of mini-filibusters and parliamentary delays for the past two weeks.

In a letter to the speaker the group said, "unless our beloved House changes with the times, its greatness surely will be challenged.

"There are broad currents of unrest running across the land. Disrespect for cherished institutions is mounting, particularly among the young.

"If the House reveals itself publicly as incapable of change and reform, are we not contributing to a situation we all deplore?"

The Congressional Reform Bill, passed last year by the Senate after two years of study, provides for open committee meetings, public disclosure of committee votes, open hearings of appropriations committees of both Houses, mandatory roll call votes on all appropriation bills and increased regulation of lobbying activities.

The Election Reform Bill would require detailed reports of campaign finances and would eliminate the phony campaign committees that candidates now set up to skirt the $5000 limit on individual campaign contributions.

Among Ohioans joining Taft in the move to get the bills released from the House Rules committee include, Reps. Donald Clancy, Cincinnati, and D. E. (Buz) Lukens, Middletown.

[From the Cincinnati (Ohio) Enquirer, Sept. 26, 1968]

Fresh Hope For Reorganization

Those who pronounced the cause of congressional reorganization and election reform dead for the current session of Congress (and we, admittedly, were among them) reckoned without the resourcefulness and the determination of a dedicated group of young House Republicans.

Led by Cincinnati Rep. Robert Taft Jr. and Illinois Rep. Donald Rumsfeld, the team of 15 GOP lawmakers has formally petitioned House Speaker John W. McCormack to allow the House to consider the Legislative Reorganization Act of 1967 and the Election Reform Act of 1968. In that effort, Mr. Taft and Mr. Rumsfeld have had the support of Cincinnati Rep. Donald D. Clancy and of Rep. Donald E. Lukens of Middletown. Both measures have been approved already by the Senate, but Speaker McCormack has used his influence to keep them bottled up in the House Rules Committee.

The election-reform measure would require detailed reports of campaign expenditures to supplant the existing and easily circumvented rule limiting individual campaign contributions to $5000. The other measure—the product of a two-year study of how Congress operates—would provide for open meetings of congressional committees, mandatory roll-call votes in all appropriations measures, public disclosure of committee votes and new devices to regulate lobbying activities.

Nearly every student of the electoral system and of Congress' way of doing business recognized long ago the need for modification and modernization.

Speaker McCormack, however, seems to be the spokesman for the status quo in Congress, and he is loath even to permitting the House to debate the issues.

The Taft-Rumsfeld group, however, is not limiting its strategy to petitioning the House leadership. It has resolved to keep up its pressure until the speaker and his allies relent.

The full House calendar and the hopes, for an early congressional adjournment are, of course, working against the reorganization and reform bills, and they could very well tip the scales against both.

But before the final gavel falls on the 90th Congress, the Capitol Hill establishment will know that it has been through a spirited battle.

[From the Springfield (Ill.) State Register, Oct. 4, 1968]

Congressional Reform Bills Should Be Passed

The Rules Committee of the U.S. House of Representatives has kept bottled up for 18 months a congressional reorganization bill that should have been passed last year. It was passed by the U.S. Senate by a vote of 75 to 9 in March of 1967 after just a few weeks of consideration.

Rep. William Colmer, D-Miss., chairman of the Rules Committee, is holding up action on the bill in true Dixiecrat style. In a year and a half, he has permitted hearings on the bill during part of one day.

One of the unfortunate things about Congress is the seniority system which has placed great power in the hands of those members who have held their seats longest. As a result, a disproportionate number of committee chairmen are Southern Democrats because of the traditional one-party dominance in the South.

Colmer is a good example of those committee chairmen who have perpetrated and maintained rules which give them a great measure of control over legislation. These Dixiecrats have not hesitated either to make alliances with Republicans or other Democrats to kill legislation they oppose.

The Senate filibuster, which just this week forced President Johnson to withdraw appointment of Abe Fortas as Chief Justice of the Supreme Court, is an example of both the ridiculous rules of Congress and the strength of a Dixiecrat coalition with other groups—this time a conservative Republican element.

Unfortunately, the Legislative Reorganization Act of 1967 now bottled up in the Rules Committee, would not prohibit filibusters, the technique of any determined minority to thwart the will of the majority.

But the bill would do such things as:

Open business meetings of committees and require public disclosure of votes taken in committee meetings.

Put restrictions on proxy voting in committees.

Give minority members of committees the right to call witnesses.

Permit committee hearings while the House or Senate is in session.

Require open hearings by Appropriation Committees of both houses.

Make roll call votes on appropriations bills mandatory.

Remove postmasters and rural mail carriers from the patronage system.

Provide for more complete disclosure of lobbying expenditures.

Permit a committee majority to overrule the chairman when he refuses to hold hearings on a bill or report a bill to the floor.

In addition, two election reform bills—one passed by the Senate in September, 1967 and another reported by the House Administration Committee last June—are also being suppressed in the Rules Committee by Colmer.

Most of the Republicans in the House have expressed their support for these reform bills. They have petitioned Speaker John McCormack to use his influence to bring the bills to the floor.

Most Democrats in the House probably favor these bills also. They ought to join the petitioning Republicans to force action on the measures.

[From the Wilmette (Ill.) Life, Oct. 3, 1968]

Antique Cars Help GOP Drive

House Republicans, led by Cong. Donald Rumsfeld of Wilmette, escalated their campaign for congressional and election reform this week in a letter to the Speaker and with a publicity stunt involving antique cars.

Wednesday, several congressmen drove up to the Capitol steps in a 1909 Mitchell Flyer and two 1946 Lincoln Continental convertibles.

The three autos were used to publicize the fact that Congress has been slow in revising its rules and the laws governing federal elections.

GO BACK TO 1910

The 1909 auto was used to point out the fact that in 1910 Congress passed the first law setting up a campaign expenditure reporting system. The 1909 model was "the closest we could get to 1910," Cong. Rumsfeld's office said.

The two 1946 models emphasized that in that year Congress passed the first congressional reform law.

Object of the stunt was a bill that would tighten limits on contributions and expenditures in federal elections and one that would reorganize congressional committees and establish permament committees on operations and ethics.

TIED UP IN HOUSE

Both were approved overwhelmingly in the Senate last year but are still in the House rules committee.

Nearly three weeks ago, Cong. Rumsfeld and 12 other GOP representatives began a series of parliamentary maneuvers aimed at prying the two bills loose from the committee.

This week they underscored the cause in a letter to Speaker John W. McCormack (D-Mass.).

Signed by 134 of the 186 Republican House members, it warned Cong. McCormack that "broad currents of unrest" require changes in the House and unless they occur "its greatness surely will be challenged."

Urging the Speaker to take "whatever steps are necessary" to schedule the bills for floor consideration, the letter said that "Disrespect for cherished institutions is mounting, particularly among the young.

"If the House of Representatives reveals itself publicly as incapable of change and reform, are we not contributing to a situation we all deplore?" it asked.

[From the Pittsburgh (Pa.) Press, Sept. 21, 1968]

Why Not Now?

It may be too much to hope from the faltering House Democratic leadership, but it would be so easy and so sensible for it to react favorably to the demand of a group of young Republicans for action now on the "clean elections" and congressional reorganization bills.

Both bills have passed the Senate; both are ready for House debate.

Democratic leaders alone are responsible for inaction by the House up to now. They have the undoubted power to send both measures to the floor. Why they do not ask for House action now is a political puzzle.

One of the bills is intended to modernize to a minor but important extent, the procedures of Congress, the better to handle knowingly the problems of today.

The other is intended to overhaul the outdated Federal election laws that are so full of holes as to be worthless, laws which invite a major scandal.

The bill also provides a means for full and prompt disclosure of campaign spending, and puts safeguards around both contributions and expenditures.

The Republican group has started a series of parliamentary moves to dramatize the need for action on these bills. Their efforts are not disruptive but very worthwhile.

[From the Cleveland (Ohio) Plain Dealer, Sept. 29, 1968]

Break Reform Blockade in House

The House of Representatives Rules Committee does no credit to the federal legislative process when it bottles up measures dealing with congressional reorganization and election reform.

The blockade tactic is another evidence that the American citizen is justified in his sometimes cynical view of actions—or non-actions—taken by those he selects to represent him.

More than a year ago two separate bills providing for election reform and modernization of congressional operations and procedures were passed by the Senate. In the case of the election reform bill, the House Administration Committee made a favorable report and sent it along to the Rules Committee for action. In the case of the bill for congressional reorganization, which had been debated 17 days in the Senate, the House Rules Committee held but one partial day's hearing.

Since that time not much has occurred, save efforts by a small band of conscientious congressmen, including Ohio's Rep. Robert Taft, R-1, to dislodge the bills from committee. The efforts continue in these waning days of the 90th Congress, but to date they have been given scant chance of success.

Which is shameful. And disgraceful.

The act for reorganization of the legislative branch of the federal government was the outgrowth of work begun in 1965 by a Joint Committee on the organization of Congress. The resultant bill sought to update antiquated procedures, rules and operations mainly through change in the committee system, in regulation of lobbying and in fiscal controls. Among other things under the heading of "Congress as an Institution" it proposed the removal of postmasters and rural mail carriers from the patronage system and the return of excess stationery allowances to the general fund rather than to the personal funds of the senator or representative.

The other bill, directed toward election reform, tightened the rules applying to the raising, spending and accounting of funds used in all the federal election processes.

It is understandable that certain features of the congressional reorganization and election reform bills might be unpalatable to some members of the House of Representatives who see their personal powers threatened.

It passes understanding, however, that there continues to be effective resistance in the House to all moves to bring the matters out to the floor for free and open debate.

Members of the Senate long ago showed no such reluctance to come to grips with the sensitive issues involved.

Members of the House Rules Committee, with a nudge from the House leadership and membership, now should demonstrate the same quality of courage.

[From the Newark (N.J.) News, Sept. 26, 1968]

House Reforms

A dissident bipartisan group in the House is again attempting to circumvent the Rules Committee, which despite its liberalization during the Kennedy administration, continues to exercise dictatorial control over legislation.

Practically all House bills must have the committee's consent before the full House is given the chance to act on them. The dissidents, who support congressional reforms, charge the committee persists in bottling up legislation that seeks new guidelines on campaign spending and congressional reorganization. Both measures were adopted by the Senate last year.

The main effort against the Rules Committee has been undertaken by Republicans. They have abandoned the procedure known as Calendar Wednesday and currently are operating through the discharge petition. Both methods are rarely used and seldom successful.

House Democrats, meanwhile, have been unable or unwilling to agree on strategy for detouring the reform bills around the Rules Committee. The Republican spokesman for reorganization, Rep. Thomas B. Curtis of Missouri, has told the House, "If anybody thinks we are going to play dead on this issue in an election year, he is in for a whopping surprise."

The surprise would come if the House did anything about reform this year, or any other year.

Mr. CLEVELAND. Does the gentleman from Washington wish to be heard further at this time?

Mr. FOLEY. I do not desire to impinge upon the gentleman's statement.

Mr. CLEVELAND. I have no further remarks to make. I am about to conclude. I did not want to be accused under any circumstances of shutting off deliberation or debate on this subject. I do know that the gentleman has been concerned with it. I do know that he perhaps feels that we have been a little harsh.

Mr. FOLEY. I only regret that the gentleman from Illinois, after waiting so late to address the House, could not wait a few minutes longer to engage in a few words of debate on this matter.

Mr. CLEVELAND. We made it clear that he had an airplane to catch.

Mr. FOLEY. I think it was also rather clear that he was not going to discuss this matter with the gentleman from Washington. He made it clear that he was going to make a prepared statement on the floor and was not going to engage in any dialog.

Mr. CLEVELAND. I ask the gentleman to ask me the questions that he would have asked him.

Mr. FOLEY. How many Members are on the Republican side of the House?

Mr. CLEVELAND. At the last count the number was 187. If the country is well advised, it will be more than 218 next year. What is the next question?

Mr. FOLEY. I would ask the gentleman if there is not a procedure under the House rules for removing a bill from the jurisdiction of a committee?

Mr. CLEVELAND. The gentleman is correct. There is a procedure for removing a bill from the jurisdiction of a committee, and that is the discharge petition. If the gentleman can explain to me how 187 Members in a body of 435 can hope to get a discharge petition to get a bill out of a committee, then the gentleman's mathematics does not agree with mine. Next question, please.

Mr. FOLEY. I ask the gentleman if it is not a fact that not one-half of the Members on his side have bothered to sign such a discharge petition at the desk.

Mr. CLEVELAND. I have no knowledge of how many Members have signed the discharge petition that was at the desk. I signed it myself. But the fact is—and I am sure you know because you are well versed in the rules of the House—that even if that discharge petition had been signed by more than half the Members of this House on the day it was entered, there would still be some days that would have to elapse before the matter could come to the floor of the House under the rules of the House. This was a vain effort in any event.

It may be perfectly true that all our members did not sign that, but I will say this. More than half our members, in fact 75 percent, addressed a letter to the Speaker of the House asking him to schedule the bills. This letter was not answered.

After this letter was delivered to the Speaker, and the general understanding was that because there was so little time the Rules Committee could not meet to give a rule, after that happened, the Rules Committee did meet in order to give a rule to the equal-time debate bill.

The gentleman knows and I know—and I hope the general public knows—that any time the leadership—with pressure perhaps from Hubert Humphrey and even perhaps from Mr. Wallace—want a bill reported, they can get it. They got the TV equal-debate bill out and that was after we sent our letter asking the Speaker to report out the election reform and legislative reform bills.

The gentleman has the floor if he wants to reply.

Mr. FOLEY. Every time I wish to reply, the gentleman cuts me off, so I will wait for the gentleman to conclude, and then I will ask unanimous consent for my own special order.

Mr. CLEVELAND. The gentleman from New Hampshire is going to agree, of course, to a unanimous-consent request for the gentleman from Washington to have that time. If the gentleman has something to say, he may say it now.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from Washington.

Mr. FOLEY. Mr. Speaker, I will tell the gentleman I support the congressional reform bill, as many on our side do, but the efforts of the gentleman from Illinois and the gentleman from New Hampshire are much less effective, in my judgment, because they have been clouded by political overtones. If the gentleman from Illinois and the gentleman from New Hampshire and others of their colleagues are interested in getting an organizational reform bill before Congress, they should concede that is not a partisan matter and that it should not and must not be a partisan matter if we are to succeed. And if not even a majority of the Members on the gentleman's side of the aisle have lifted a finger—outside of signing the letter—to see that the bill reaches the floor, perhaps their exhortations like charity should begin closer to home.

The reorganization bill was passed by a committee and signed by Members on both sides of the aisle.

I might say the complaints about the Rules Committee not reporting out the bill come with sad grace after the gentleman's party was instrumental in voting down the adoption of the 21-day rule in this Congress. If we had the 21-day rule in this Congress, the congressional reform bill would have been reported by that means long ago.

The fact of the matter is that this is going to be a bipartisan effort or it is not going to be a successful one. Those who clamor for congressional reform should start out by being honest with the House and with the country and not try to use this as a political instrument for partisan advantage. It is too important a matter.

Mr. CLEVELAND. Mr. Speaker, I thank the gentleman from Washington. He has given me a suitable platform to conclude my remarks on the "Last Hurrah" for the congressional reform. He apparently does not know that I served on the committee which wrote the congressional reorganization bill. The gentleman in the chair, the very distinguished gentleman from Oklahoma [Mr. Edmondson], knows how long and how hard his Senator Monroney labored in those deliberations.

The gentleman from Washington may be interested to know that I was on the joint committee that drafted this bill. For the information of the gentleman from Washington, there were six U.S. Congressmen and there were six U.S. Senators, three from each major party and from each branch, the Senate and the House.

This was a bipartisan effort.

I think the Senate, which passed this bill by a vote of 75 to 9 in March of 1967, reflected the bipartisan spirit in which this bill was drafted. The magnificent leadership of Senator Monroney of Oklahoma helped steer that through the Senate with an almost unanimous vote.

It was only after that bill came to the House that the gears seemed to get out of mesh. Those who served on the committee from the House, three Representatives from the Democratic side and three Representatives from the Republican side, pleaded for long periods of time with the Rules Committee to give us a hearing and get the bill going.

Of course, this is not a partisan matter. This bill was not conceived in a partisan atmosphere. I think the gentleman from Washington is regrettably misinformed when he says it was, because this was a completely bipartisan committee that drafted it.

In addressing myself just briefly to the election reform bill, I must say the gentleman from Washington apparently does not realize I also serve on the House Administration Committee.

I sat on the Committee on House Administration through long days of effort and debate on the election reform bill. The leader of that debate was our own Congressman [Mr. Goodell], now a U.S. Senator, and a very distinguished gentleman [Mr. Ashmore] who, together with Congressman Goodell, drafted that bill. That was a bipartisan effort.

Any attempt to say that these bills have been drafted in a partisan way or have been started with a partisan attitude is totally false on the record. As a member both of the Joint Committee on the Organization of the Congress and the Committee on House Administration, I am appalled the gentleman would even suggest this.

Our complaint is that after these bills—these bipartisan bills—were out of the committees and were sent to the Rules Committee, nothing happened.

Our position is very simple. The gentleman's party controls this House. We know it. We have seen a recent example of its muscle when, on short notice, it brought out the TV bill. We know the majority has the muscle. The Humphrey-Wallace people have the muscle. We ask only why it has not been used for these two bills.

Mr. GROVER. Mr. Speaker, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from New York.

Mr. GROVER. It does occur to me that when one of the spokesmen [Mr. Foley] for the other side of the aisle said in a dialog not too long ago with the gentleman from Illinois [Mr. Rumsfeld] that if he—Rumsfeld—could get the 187 Members on our side of the aisle he would then guarantee him 31 Members from his side of the aisle.

I think it is an unfortunate reference to the effort being made here. I agree with the gentleman from Washington that this is not a partisan matter. But the ball has been carried by this side of the aisle. There is no question about that. If the other side of the aisle had any real interest I think we would have had this bill out and voted on and passed by this time. They did this with the equal debate bill in just a few days. Why could not they have done it with election reform and congressional reform in months or years.

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

IN DEFENSE OF NOMINATING CONVENTIONS

The SPEAKER pro tempore (Mr. Edmondson). Under a previous order of the House, the gentleman from Wisconsin [Mr. Steiger] is recognized for 30 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, in these weeks following the national conventions, we have heard a great amount of talk about abandoning our nominating conventions for a nationwide primary election. The hope is advanced that a national primary may be a more democratic method of choosing presidential candidates. So much has been said about the shortcomings of conventions and so little has been said about the strengths of the convention system, that it is not surprising to note the results of a recent Gallup poll which shows 76 percent of the American people today would prefer a national primary.

No doubt this Gallup poll reflects a healthy, widespread desire for convention—for changes in the manner in which some of our States select their convention delegates, for changes that might cut down on the convention tedium, and speechmaking, and for changes that would increase opportunities for full and free discussion and debate. These are desirable and achievable goals, and convention reform clearly would make our political institutions stronger and more democratic.

Unfortunately, the Gallup poll may also reflect some widespread misunderstanding of the convention system and a failure to appreciate the very valuable functions which a national convention performs—a number of functions which would not be fulfilled by a national primary or by other nominating systems in a country as large and diverse as the United States. Mr. Speaker, I earnestly feel the time has come for us to look at these functions and to underscore their importance to the American people.

The formal functions of a convention are simple: a convention adopts the party platform, and nominates candidates for the Presidency and Vice-Presidency of the United States.

The informal functions of a convention are more subtle and crucial to the democratic process: a convention nominates candidates in a certain way—through a process of reconciliation—and it resolves the differences within the party.

The informal functions make the important difference between a national primary and a national nominating convention. While only a convention can reconcile the differences within a party, a national primary could not avoid polarizing the differences within a party. A national primary system might well lead to the degeneration of the two-party system and make us incapable of self-government.

The question follows reasonably—What has happened to the convention system, and our two-party system, in 1968?

I submit that the reason the Republican Convention was so successful in 1968 and why the Democratic Convention was not successful in resolving its differences is that the Republican candidates all followed the informal rules of the convention system while one of the major candidates at the Democratic Convention was following the rules of a primary and not the rules of the convention system. For all of the good things which might be said of Senator Eugene McCarthy, it is nevertheless true that his unwillingness to reconcile differences at the convention—for whatever reason—was an important cause for the failure of the Democratic Convention to unify the party in 1968.

Abraham Lincoln recognized the informal rule of reconciliation as key to a successful convention when he wrote to one of his supporters in early 1860:

> My name is new in the field, he said, and I suppose I am not the first choice of a very great many. Our policy, then, is to give no offense to others.

It is cause for thought whether Lincoln could have united the 1860 Republican Convention with a less conciliatory outlook. It is also cause for thought whether Lincoln could have become a presidential nominee in a national primary election. The UAW Washington Report has been among the few who have reminded us of the costs involved in running for President in a nationwide primary. To quote the September 9 issue of the UAW newsletter:

> Running in 50 states is a fantastically costly business. Imagine a man of modest means like George McGovern trying to raise several million dollars to pay the cost of TV and radio time in 50 States. It's tough enough just to pay those costs in a single state, let alone in the whole nation.

Setting aside the problem of costs of a national primary, though they alone are a gigantic problem, there are strengths present in the convention system which are simply not present in any other system. As citizens we take it for granted that conventions have been a vital part of our democratic process since 1832. During these 136 years, France has experienced a proliferation of political parties, a monarchy, an empire, and four republics. The United States has enjoyed the growth of a stable two-party system, and a number of truly great Presidents.

Mr. Speaker, I wish to submit a few significant articles in defense of the convention system for the attention of my colleagues. Before doing so, I only wish to affirm my deep personal confidence in the nominating convention system and my hope that we will concentrate on the far larger problem in our presidential elections—the electoral college—which I believe should be abolished, and which certainly should be considered before Americans can seriously contemplate changes in our nominating process. National conventions are a long way from obsolescence. Unhappily the electoral college is not.

Following a general discussion of the nominating process, by two eminent political scientists—Prof. Nelson W. Polsby and Aaron B. Wildavsky—from their volume, Presidential Elections, I insert at this point six recent news columns and editorials on national conventions and national primaries.

[From Presidential Elections]

(By Nelson W. Polsby and Aaron B. Wildavsky)

In order to evaluate the nominating process, it would be helpful to suggest a set of goals which most Americans would accept as desirable and important. The following six standards appear to meet this test: Any method for nominating Presidents should (1) aid in preserving the two-party system; (2) help secure vigorous competition between the parties; (3) maintain some degree of cohesion and agreement within the parties; (4) produce candidates who have a likelihood of winning voter support; (5) lead to the choice of good men; (6) result in the acceptance of candidates as legitimate.

We may first look at some suggested alternatives to the system that presently relies so heavily upon decision-making by party leaders at national conventions.

A national direct primary has often been suggested. This, however, would have serious disadvantages. It is quite probable that as many as 10 candidates might obtain enough signatures on nominating petitions to get on the ballot. Nor would it be surprising if they divided the vote equally. The victor would then have to be chosen in a special run-off primary. By following this procedure, the United States might have to restrict its Presidential candidates to wealthy athletes. No man without enormous financial resources could ever raise the millions required for the nominating petition, the first primary, the run-off primary, and the national election; and no one who was not superbly conditioned could survive the pace of all these campaigns.

National primaries might also lead to the weakening of the party system. It is not unusual for a party to remain in office for a long period of time. If state experience with primaries is any guide, this would result in a movement of interested voters into the primary of the winning party where their votes would count more. As voters deserted the losing party, it would be largely the die-hards who were left. They would nominate candidates who pleased them but who could not win the election because they were unappealing to a majority in the nation. Eventually, the losing party would atrophy, thus seriously weakening the two-party system and the prospects of competition among the parties. The winning party would soon show signs of internal weakness as a consequence of the lack of opposition necessary to keep it unified.

[From the Christian Science Monitor, Aug. 7, 1968]

NOMINATING CONVENTIONS DEFENDED

National party conventions obsolete?

Three North Carolina political scientists don't think so.

Despite current criticism of national party conventions as the means of nominating major presidential candidates, they say, the system will survive because it functions better politically than any suggested alternative.

"They" are Dr. Donald Mathews of the University of North Carolina, Dr. Preston W. Edsall of N.C. State University, and Dr. Jack Fleer of Wake Forest University.

The three professors admitted that some improvements could be made in the convention system, but they asserted that a change to a "national primary" method would cause more division within the parties when need for agreement is most needed.

They added that a convention serves several other important purposes than that of nominating candidates: It produces a platform, honors party service, distributes rewards in the form of party offices, and promotes a sense of identification of a loose confederation of state parties with a national organization.

One of the national convention's prime functions, they stressed, is to promote harmoney, unity, and cohesiveness for the general election campaign. This is done through conciliatory speeches, adjustments in the platform, sharing of party offices, and even the choice of a running mate to bring strong factions of the party behind a team of candidates.

In primaries, Dr. Fleer said, it is winner take all. "There is no way of offering the loser anything," Dr. Mathews said.

A series of bitter primaries, they insisted, could result in a breakdown of the two-party system and could encourage splinter parties.

Dr. Fleer said he would be concerned about the cost of national primaries in money and time. A large slate of candidates would mean the probability of a run-off between candidates and two expensive elections. There would be a strain on politicians as well as voters.

Also pointed out was the question of locating the power to decide who would be entered on the primary ballot.

In answer to the argument that the primary system might involve more people and be more representative, the professors contend primaries tend to attract only a small percentage of the voters.

[From the Wall Street Journal, Sept. 12, 1968]

POLITICS AND PEOPLE: KEEP THE CONVENTIONS

(By Alan L. Otten)

Every four years, immediately following the Presidential nominating conventions, there's an outraged outcry to reform the system. And this year the hullabaloo is especially uproarious.

As always, the clamor is being led by partisans of the losing contenders—Republicans who didn't want Dick, Democrats who didn't want Hubert. But this time their ranks have been swollen by average citizens who didn't want either, and by even larger legions bored or outraged by the cut-and-dried Miami Beach proceedings or deeply disturbed by the Chicago dissension.

Angry editorials denounce the convention system as all-but-guaranteed to name the worst possible men. Senate Democratic Leader Mike Mansfield says the events of August simply confirm the need for a national Presidential primary. Liberal Wisconsin Sen. Gaylord Nelson proposes a 30-man study commission—representing all the recent candidates, the President, Congress, state and local governments—to devise a better way of picking tickets.

The current complaints are the same ones voiced every four years. The conventions, it's argued, don't reflect the popular will; rather, they're rigged and controlled by backroom bosses who wheel and deal with their puppet-packed delegations, heedless of rank-and-file sentiment (yet the critics also charge that conventions are too easily stampeded, which doesn't precisely square with the image of boss control). The floor proceedings are said to rob people of their faith in the democratic process, projecting alternate images of humdrum trivia and carnival excess, both incompatible with the serious business of picking a President. "Outmoded, undignified and undemocratic," says Sen. Harry Byrd of Virginia.

Hopefully, the present outcry will fade in time. For the convention system—more precisely, the combination of a handful of state primaries plus a pyramid of conventions, local, state and national—really has served the nation well. If the pattern is haphazard and illogical, it nonetheless supplies an effective means of testing and selecting candidates.

Particularly in recent years the system, including the national convention at the top of each party's pyramid, has chosen some outstanding men: Roosevelt and Willkie and Dewey, Eisenhower and Stevenson, Kennedy. As frequently pointed out but even more frequently forgotten, both Richard Nixon and Hubert Humphrey are—despite the hostility some groups harbor for them—highly trained, experienced, intelligent men.

Convention delegates, all surveys show, are not wooden puppets but well-educated, politically alert and usually independent-minded. They may not adequately represent the poor or the minorities, but neither are they faceless hacks blindly following a boss' orders.

Most polls showed that Mr. Nixon and Mr. Humphrey were indeed the choices of their parties' rank and file. In the polls, it was Republicans and independents who pushed Sen. Eugene McCarthy ahead of Mr. Humphrey against the GOP candidates, and Democrats and independents who ranked Gov. Nelson Rockefeller ahead of Mr. Nixon. Certainly the nominations of Mr. Rockefeller or Mr. McCarthy would have left equally large numbers of people disenchanted with their parties' deliberations.

It's easy to forget that the convention provides party leaders and party followers a vital opportunity to come together, talk things over, try to work out differences and eventually negotiate some compromises that may keep the party together. Strong parties are essential to the American system; they provide oil to keep wheels turning, glue to hold people together.

The most commonly offered alternative—the national primary, which is usually portrayed as some magical expression of pure democracy—is fatally flawed. It is expensive and time-consuming, and often would favor the man with the most money or the most persuasive TV style; would Estes Kefauver, who certainly would have won a Democratic national primary in 1952, have made a better President than the convention-chosen Adlai Stevenson?

The national primary is peculiarly vulnerable to some dramatic event that occurs shortly before the voting day; a foreign crisis or domestic disorder will have far greater impact on a one-shot national primary than on a months-long series of primaries and conventions.

Other objections abound. A national primary would weaken party structure, would eliminate the opportunity for negotiation and compromise. How is the Vice Presidential candidate to be chosen, and how does the party ensure that his views jibe with the Presidential candidate's? Would the people be allowed to vote in either party's primary? Would there be a proliferation of candidates, and then what if none wins a majority—would there be a runoff primary?

The current controversy over last month's conventions has diverted attention from a number of reforms initiated there. Both parties curtailed the nominating and seconding speeches and floor demonstrations, and that trend is sure to continue.

The Democrats ordered further-reaching changes. They made clear, in ruling on delegate-credential disputes in Mississippi and Georgia, that local parties must permit full participation by Negroes and other minorities. The unit rule—requiring all delegates to vote as the majority wants—was abolished not only at the national convention but at state and local conclaves. Delegate selection must now take place within the convention year rather than over a long preceding period. The power of a governor or a state committee to hand-pick delegates is greatly limited. And the Democrats emphasized their intention to enforce these changes in 1972 and after.

"Important gains were achieved this year," Mr. Humphrey argued to the American Political Science Association last week, "and more significantly, the groundwork was laid for even more basic reforms before 1972. I make this prediction: The face of American politics will be fundamentally different because of the decisions which the Democrats made last week in Chicago."

Even allowing for the political hyperbole, there's much in what Mr. Humphrey says. The face of American politics will at least be lifted, if not completely changed. And the nation should recognize, before it orders still more drastic facial renovation, that not only is this operation already under way but that the present face isn't all that ugly.

[From the New York Times, Aug. 20, 1968]

REFORMING THE CONVENTON

Not since the progressive era of sixty years ago has the political convention been under such attack as it is today. Some of its critics are radicals bent on demonstrating that there is no difference between the two major parties and that the political "system" is a fraud. Others are liberals who genuinely hope to make the convention and the parties work more effectively and more responsively.

An informal group of liberal Democrats organized two weeks ago under the chairmanship of Gov. Harold Hughes of Iowa has now produced a useful report proposing numerous specific reforms. Some of these recommendations can be adopted at next week's Chicago convention; others are intended to make the 1972 convention more democratic.

None of them will satisfy those critics who have adopted a rule-or-ruin strategy, but these proposals should find a welcome from all who believe that the national party conventions have served the public interest well in the past and can be made to serve it even more effectively in the future.

The Hughes report essentially attempts to put the one-man, one-vote principle into effect in party affairs. It calls attention to the many small undemocratic practices which have developed almost unnoticed. Since 1944, for example, each state the party won in the last national election has received bonus delegates at the next convention. As a result, the smallest states are not significantly over-represented as compared to the large urban states.

The unit rule is another undemocratic feature. It has declined in use at national conventions, but in some states such as Texas it is still enforced in the district and county conventions and has a distorting effect on the true state of public opinion. At the national convention itself, the major committees on credentials and platform are made up of two members from each state. The Hughes group urges that the states be represented according to population.

A considerable time lag in the selection of delegates tends to make the convention less responsive to today's issues and candidates. Thus, the national committeeman and committeewoman from each state are automatically delegates, but they are the retiring committee members chosen four years ago, not the new members selected this year. About one-quarter of the other delegates to next week's convention were chosen by county and state committees elected in 1966 or even earlier. This was long before the Vietnam issue took its present shape or it was foreseen that President Johnson would not be a candidate.

The national convention has proved a durable institution since the Democrats held their first one in 1832 to renominate President Andrew Jackson. If party leaders now reform the methods used in selecting delegates, the convention as an institution will have taken a long step toward surmounting the crisis of confidence which now afflicts it.

[From the New York Times, Sept. 8, 1968]

THE CONVENTIONS RECONSIDERED

The national political conventions are under a heavy but contradictory crossfire. The Republican convention in Miami Beach was properly criticized for its long stretches of tedium and its interludes of fatuity. The Democratic convention in Chicago is being attacked because it was too indecorous, too charged with passion and violence.

Political party managers always want a smooth-running convention that puts the party's best possible face before the public. From that standpoint, the disorderly Chicago convention was a public relations disaster for the Democrats. But that is not the same as saying that the convention was a failure from the public's viewpoint. The delegates raised and debated the serious issues dividing the country.

Critics complain that anti-Johnson delegates were sometimes not recognized by the chair, that the band tried to drown out the voices of the New York delegation and others who began to sing "We Shall Overcome" after the defeat of the substitute Vietnam plank, and that Mayor Richard Daley tried to pack the galleries on the final night.

But democracy is usually a tumultuous and unseemly affair, especially when men feel strongly about vital issues. Probably since the first popular assembly convened there have been presiding officers who turned a deaf ear to delegates they did not like. Rival factions have always tried to pack the galleries and to shout down their opponents. To take note of these historical facts is not to condone them. An unending effort has to be made to create procedural safeguards strong enough to curb the ineradicable human impulse to unfairness. But critics should not pretend they were born yesterday and are innocent of any knowledge of pressure tactics in politics.

It would be most unwise to abolish the conventions in favor of a national primary. A candidate would then find it impossible to begin, as Senator Eugene J. McCarthy did last winter in New Hampshire, with almost no money or organized support but with an issue, and gradually have his support snowball across the country. A national primary which would have to be waged simultaneously in fifty states would make it even more important than it now is for a Presidential candidate to have money and machine support.

The conventions need to democratize their internal procedures. The Democrats made important progress in that direction at Chicago in laying down rules for the 1972 convention. Conventions also need to cut back on time-consuming ritual and speeches by obscure functionaries whom the delegates obviously do not want to hear.

But these reforms aside, the conventions have served the nation well in the past and will continue to do so in the future. In this century alone, the conventions have nominated leaders of the quality of Woodrow Wilson, Alfred E. Smith, Franklin D. Roosevelt, Wendell Willkie, Dwight D. Eisenhower, Adlai Stevenson and John F. Kennedy. It is hard to think of any other political arrangement which has produced better leaders. The nation can improve its conventions and its other political institutions; it has no reason to discard them.

[From the New York Times, Sept. 20, 1968]

REFORMING CONVENTION SYSTEM

AMHERST, MASS.,
September 9, 1968.

TO THE EDITOR: The complaint of Alex Glidzen [Sept. 7 letter] against the political system which offers the electorate Nixon and Humphrey "when the people obviously preferred" choosing between Rockefeller and McCarthy needs answer. Putting aside the fact that Nixon was a big winner in the primaries and that McCarthy lost most of those in which he contested, what can be said for the view implied that the conventions are engines of repression which stifle popular men of mind, crude presses that stamp out party coins in the image of the Caesars who manage the members? I think that the answer is, "Not much."

In 1952 the same political system denied the Presidential nomination to Estes Kefauver, whose primary victories showed that he was the man "the people obviously preferred," and instead put up Adlai Stevenson, whose political fortunes were being promoted by the Chicago boss, Jake Arvey. I do not recall any clamor to reform the convention system by the admirers of Stevenson, who resemble in many respects those who have recently supported Senator McCarthy. Nor does the record show that Stevenson moved to step aside for the man "the people obviously preferred," or that he repudiated the Chicago boss who helped to make his nomination possible.

There are important reforms of the convention system to be made—the abolition of the unit rule and the seating of representative delegations from Mississippi and Georgia are a good start—but if rationality still has some standing that passion will allow, the impulse to reform must grow from an attachment to principle rather than to personality.

EARL LATHAM.

[From Time magazine, Sept. 20, 1968]

TIME ESSAY—AMERICAN ROULETTE: THE ELECTORAL COLLEGE

The single most vilified provision of the U.S. Constitution has no immediate bearing on the critical issues of civil rights, inflation or war, although ultimately its effect on them is immeasurable. Nor does the passage involve the two "pops" for which reformers have been crusading in recent months: popular nationwide primaries and popular tax-supported campaign financing. It concerns instead the 59-word paragraph in Article 2 of the Constitution that establishes the Electoral College as the mechanism for choosing a President. In the 180 years since ratification, more than 500 proposals have been advanced in Congress for abolishing or altering the College. Forty reform amendments are currently before the House Judiciary Committee and debate about the function and wisdom of the system is reaching the highest pitch in decades.

The reason for the fuss this year is the possibility, exaggerated though it may be, that George Corley Wallace and his "spoiler" third party could conceivably capitalize on the proportional mathematics of the College and deny victory to either major-party candidate. Wallace would thus deadlock the results of the Nov. 5 voting, and—with just two weeks remaining before Inauguration Day—could throw the election into the House of Representatives. Political Scientist James MacGregor Burns says of the U.S. electoral process: "It's a game of Russian roulette, and one of these days we are going to blow our brains out." Most Americans might agree with Burns' appraisal if only they understood how the process works.

Unless he is an elector, no American votes directly for the "President of his choice." Instead, voters in each state decide between slates of opposing electors chosen by the contending parties. In Kansas, for example, voters who put their X beside Richard Nixon's name this Nov. 5 will actually be choosing seven Republicans, among them Dean S. Evans Sr., 47, a Salina grain and cattle dealer and regular party contributor. Kansans who prefer Hubert Humphrey will actually vote for seven Democrats, including Mrs. Georgia Neese Clark Gray, 68, a Topeka bank president and U.S. Treasurer under Harry Truman.

Each slate of electors is equal in number to the total of the state's U.S. Senators and Representatives, a device that grants small states the same disproportionate share of influence that they obtain from their two Senate votes. New York, with a population 50 times that of Nevada, has only 14 times as many electoral votes. Laws in each state award all its electoral votes to the state-wide winner, no matter how large or small his plurality. The winner-take-all device applies whether the popular vote is light or heavy, and in the "one-party states" it often discourages dissidents from voting.

JERRY-RIGGED IMPROVISATION

Forty-one days after they are named, the electors meet in their state capitols to choose the President. Legally, they are free to select whomever they please, although custom and party discipline usually bind them to the nominee they have pledged to support. If no candidate wins a clear majority of the electors' 538 votes, the contest moves to the House of Representatives, where, in theory, the 26 smallest states, with 17% of the U.S. population, could impose on the nation a President of their own choosing.

Most American historians oversimplify the origins of the College when they write that the constitutional draftsmen of 1787 did not trust the people to choose a President directly. In part, the Electoral College plan did emerge as a compromise between the patrician view of government and the belief, shared by James Madison and Gouverneur Morris, that Americans should elect their President directly. Also important, however, was a seamier accommodation with slavery. The Southern states had already forced a provision into the Constitution that permitted three-fifths of their slaves to be tallied in determining their seats in the House of Representatives—even though the slaves could not vote. Direct presidential election would have undercut that advantage. The Electoral College allowed the South to swing the numerical weight of its slaves without granting them suffrage. "In politics," writes Constitutional Historian John Roche, "there are no immaculate conceptions. The Electoral College was merely a jerry-rigged improvisation which has subsequently been endowed with a high theoretical content. It had little in its favor as an institution—as the delegates well appreciated."

Even while George Washington held office the new American nation was moving toward a two-party system. Though the Founding Fathers had intended the electors to choose the two best men in the land to be President and Vice President, the nominating function was quickly grabbed by the parties. In 1796, when one Federalist elector in Pennsylvania voted for the opposition, an exasperated colleague uttered the now classic definition of the elector's job: "What, do I chuse Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be President? No! I chuse him to *act*, not *think*." With electors emasculated, party leaders in a few states, pushed through the winner-take-all method of awarding a state's total electoral vote to the popular-vote champion.

HIS FRAUDULENCY

Almost from the outset, the collegiate arrangement proved troublesome. In the election of 1800, Democrat-Republican Thomas Jefferson drew the same number of electoral votes (73) as his vice-presidential running mate, Aaron Burr. The divided House took 36 ballots to resolve the deadlock and place Jefferson in office. The 12th Amendment, requiring separate electoral votes for the office of President and Vice President, was adopted four years later. The system has not changed since.

More trouble developed in 1824. With the Federalist Party all but dead, the presidential vote split among four Democrats. Kentucky's Henry Clay and Georgia's William H. Crawford each won 13% of the popular vote, and their electoral votes were enough to deny a majority to Andrew Jackson, the popular winner with 152,933 votes (42.2%). In the House, Clay threw his support to the runner-up, John Quincy Adams, who had collected 31.9% of the popular vote. Clay's action made Adams President, and by no small coincidence, Clay became Secretary of State. Though Jackson later won two terms in the White House, his demands for direct election by the people were ignored.

Jackson's arguments against the process came back to life in 1876, when New York's Democratic Governor Samuel J. Tilden won the popular presidental vote with 4,287,670 ballots (50.9%). Even so, a special commission awarded the electoral votes for four disputed states to his opponent, Ohio's Republican Governor Rutherford B. Hayes, who thereupon squeaked into the White House by one electoral vote. Newspapers promptly pilloried Hayes as "His Fraudulency."

Nearly a century ago, Sam Tilden made light of his electoral loss by saying: "I shall receive from posterity the credit of having been elected to the highest position in the gift of the people, without any of the cares and responsibilities of the office." It is doubtful if a loser in one of today's superheated campaigns would be so graceful—or indeed whether a minority President like Adams or Hayes could deal with Congress or the world on so minuscule a mandate. Both Harry Truman in 1948 (with 49.6% of the popular vote) and John Kennedy in 1960 (49.5%) were hampered in their dealings with Congress by their minority status.

Most free-world governments grant their Chief Executive a more powerful mandate. Save for Argentina, Finland, India, Portugal and West Germany, which use modified Electoral College systems, democratic nations that have written their constitutions in the years since 1787 have generally avoided the Electoral College compromise in favor of either direct popular election (as in France and Mexico) or a variation on the English parliamentary system.

Over the years, would-be reformers of the U.S. system have looked both abroad and inward for a better electoral technique. Their proposals have taken four general tacks:

The automatic plan was first described by Thomas Jefferson in 1801 and was urged as recently as 1966 by Lyndon Johnson. It would abolish the electors, award their votes to each state's popular winner, and thus eliminate unpledged and "faithless electors" (17 in the past two decades) who might break their party pledges. Chief drawback of the automatic system: it would not abolish the two features that contribute to the election of minority Presidents: the winner-take-all system, and the unequal weights given to voters in different states.

The runoff plan would keep a deadlocked election out of the House by holding a runoff election between the top two candidates in order to determine their electoral vote. It, too, would maintain the chance of a minority President.

The proportional plan would break up the winner-take-all state blocs and award electoral votes in direct ratio to popular votes within the states. As proposed in 1950 by Senator Henry Cabot Lodge of Massachusetts, it became the first electoral reform in 130 years to win the required two-thirds Senate majority, but died in the House a few months later. South Dakota's Republican Senator Karl Mundt has for many years supported a similar plan, under which electors would be chosen by congressional district, thus weakening "the present inordinate power of organized pressure groups in the big-city states." Liberal opponents (J.F.K. among them) have countered both proposals, arguing that as long as rural states can outvote urban ones in the Senate, the big-city minorities need their electoral swing strength as a counterbalance. As Political Scientist Clinton Rossiter wryly notes: "One gerrymander deserves another."

Direct popular election goes beyond the automatic runoff, proportional and district plans, which are quasi reforms at best. D.P.E. would allow U.S. voters to choose their man without the doubtful screen of electors and the possibility of backroom deals. The Civil Rights Act of 1964 and the Voting Rights Act of 1965, along with the anti-poll-tax amendment of 1964, greatly increased Negro registration in the South (from 12% in 1947 to 57% this year). The result was to leave those states less reason to fear being overwhelmed, under D.P.E., by states with more liberal voting requirements. The leading D.P.E. crusaders are the staid American Bar Association and Birch Bayh, the Democratic Senator from Indiana who successfully floor-managed the 1965 fight for a presidential-succession amendment. Their proposal has backing from a 1967 Gallup poll showing 65% of the country in favor. Though Mundt contends that direct voting would violate the federal principle preserving separate voices for each state, Senate Majority Leader Mike Mansfield notes that the states are already well represented in the Senate and House.

Nonetheless, many authorities believe that the Electoral College is necessary to sustain the nation's bipartisan stability. "The sure way of killing the two-party system is to go to direct election of the President," argues Yale's Alexander Bickel. Every four years, he claims, five or six men would get into the election under a variety of party labels. Some would be eliminated, but in round two the bottom men would sell off their support for political favor. In many ways, it would be no different from having the election thrown into the House of Representatives every year. To meet that concern, Bayh's bill would require the victor to have only a simple plurality but at least 40% of the popular vote. Should no candidate reach that mark, the top two would compete in an immediate runoff. Most state, House and Senate races have been decided in this manner for years, and so strong is the two-party habit with voters that only two Presidents—John Quincy Adams and Abraham Lincoln—have ever won on less than 40% of the popular vote.

THE LOGICAL STEP

Bayh's 40% rule would scrap the constitutional lever that permits a "spoiler" like George Wallace to mount a sectionally based threat out of proportion to his popular strength. To swing an election, any future third party would have to win more than 20% of the nationwide vote. Some observers fear that this would severely check the historic power of third parties to press new ideas or important compromises on the major parties. Reform advocates, however, contend a major party that loses badly enough is always in the market for the new ideas and voting groups a minority party reveals. Nixon's alliance with ex-Dixiecrat Strom Thurmond, for example, seems aimed at siphoning off Wallace votes into the Republican tank.

Though the chances of an electoral debacle in 1968 may seem remote, the very tempo and tone of U.S. democracy demand reform of the anachronistic Electoral College. The long-term trend of the American political system is toward direct democratic participation of the voter in government at every level. State legislatures, which originally chose most presidential electors, ceded that role in the early 1800s; their constitutional right to elect U.S. Senators was relinquished to the electorate 55 years ago by the 17th Amendment. State laws restricting the vote to landowners virtually disappeared by 1850, and in 1920 women won the vote. Recent franchise laws and reapportionment decisions have dramatically advanced the work of ensuring a fair and equal vote for every citizen. Direct popular election of the President is the next logical step.

THE "FOURTH ESTABLISHMENT"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Delaware [Mr. ROTH] is recognized for 15 minutes.

Mr. ROTH. Mr. Speaker, on June 25 I introduced the Program Information Act and discussed the findings of an 8-month study of Federal programs conducted by my staff and me. I told the House that failure on the part of Congress and the executive branch to know exactly how the broad authorizations and appropriations are being implemented by the various departments and agencies means that—in effect—we are creating a "fourth establishment" responsible to no one, self-perpetuating in nature and too often duplicative in effort.

Today I would like to discuss with you my experience over the last 6 months with an organization which I believe is perhaps the best example of this "fourth establishment" I speak of. That organization is the Department of Health, Education, and Welfare.

Before I proceed with a discussion of my experiences and difficulties with HEW, however, let me first review the Program Information Act and what benefits this body and the American people would derive from its passage.

The bill would require that there be published annually, and updated monthly, a central and complete compendium of all Federal operating programs. This would be prepared by the Bureau of the Budget and presented annually to the Congress by the President. At the time of presentation the President would be required to provide recommendations on simplifying and consolidating guidelines, access requirements and programs.

The compendium would contain information most needed by our State and local officials, as well as private individuals, in determining the kinds of Federal assistance available and how to go about applying for it.

The Program Information Act currently is cosponsored by 130 Members of the House and of the other body. This figure includes Members from both sides of the aisle, as well as numerous so-called liberals and conservatives. Since the bill's introduction in June, it has been unanimously endorsed by the National Governors' Conference at its annual meeting in Cincinnati in July, the National Association of Counties, at its annual meeting in Washington, D.C., in July, and the National Legislative Conference at its annual meeting in Miami in August. The need for passage of the bill has been the subject of editorials which have appeared in more than 250 newspapers across the Nation and I have in the last 4 months received thousands of letters from mayors, Governors, county executives, educators, and other public officials as well as private citizens asking how they may be of assistance in obtaining passage of the Program Information Act.

The legislation, needless to say, is long overdue. The significant proliferation of operating Federal assistance programs began in 1960, yet only now are we beginning to address the solution to a major information problem that has arisen because of this. Since 1960 there have been at least two attempts by the Office of Economic Opportunity to create something approximating a Government-wide catalog, and at very significant expense to the taxpayer. Regardless, the lack of adequate data and management information is still critical today. Perhaps the best illustration of this has been the great demand for the June 25 CONGRESSIONAL RECORD which contains my compendium of operating Federal assistance programs obtained during my study. There have been no copies of that particular RECORD available for months. The Library of Congress reprinted it, but that supply was exhausted within days, and my office still receives scores of requests each week for copies, which I might add we do not have.

MOST AGENCIES WERE HELPFUL

Mr. Speaker, at this point I would like to report that most of the people in the many agencies we visited or corresponded with during the 8 months of our study were highly cooperative, extremely helpful, receptive to our efforts to find information, and in many cases offered us helpful hints on how to better go about completing our project.

HEW, USDA WERE UNCOOPERATIVE

However, two agencies, the Department of Agriculture and the Department of Health, Education, and Welfare, were highly uncooperative, negative in meeting our requests. It is our experience with the latter of these two agencies that I would like to discuss here today.

As you know, we obtained information about the 1,091 programs in our compendium by the use of questionnaires sent to program managers; that is, the men and women whose jobs it is to administer these programs within the various departments and agencies of the Federal Government. In most departments and agencies, these program managers quickly filled in our questionnaires and returned them to my office. The information asked for by the questionnaire is the same as that shown to be needed by State and local public officials in a federally sponsored survey taken by Midwest Research Institute for the Department of Housing and Urban Development.

However, at HEW the questionnaires we sent to program managers somehow found their way to the office of Mr. Ralph K. Huitt, Assistant Secretary for Legislation. That began a series of meetings, telephone conversations and letters between my office and HEW, in which some officials there proved themselves to be totally unconcerned about and unaware of the informational needs of public officials and private citizens who might want to better themselves or their communities by making use of programs administered by the Federal Government, and proved themselves to be completely negative in their attitude about what constitutes a legitimate request of a congressional office.

To this date, the questionnaires I sent to the Department of Health, Education, and Welfare remain unanswered. Following, Mr. Speaker, are the kinds of excuses given by the Department, which more than any other in the entire Federal Government, should be in touch with the informational requirements and needs of the people:

The information I requested was too unique. Yet, that same information was supplied to me by every other agency in the entire Federal Government, with the exception of the Department of Agriculture—which I shall discuss on another occasion. And is the information shown in the Midwest Research study to be most needed by State and local officials in dealing with the Federal Government. While arguing that the information I requested was too unique, HEW is providing virtually the same information I requested at no cost to commercial publishers who repackage it for distribution to subscribers who pay hundreds of dollars a year. Many of their subscribers are the same people who should be getting adequate information already from HEW in the form of catalogs who now are not;

That it would take too long to process this request for only one Congressman. Yet, my bill is cosponsored by 130 other Members of Congress, indorsed by our Nation's Governors, county executives and supervisors, and State senators and representatives;

That the information is already contained in other catalogs, and even if it is not, I should wait until new catalogs are printed at some indefinite date in the future. Yet, the reason I started on this study was because existing catalogs and informational sources are so miserably inadequate and inconsistent. For example, one office of Health, Education, and Welfare told me it has 52 programs. The OEO catalog shows it has 62 programs, one HEW brochure lists 82 programs for this office, another brochure lists 111 programs. My study shows the office administers more than 120 programs;

That HEW programs and personnel change so rapidly that the answers to my questionnaire would be obsolete almost as quickly as they could be compiled. If programs are, in fact, changed that often by HEW, is it any wonder that we have so much trouble solving social and health problems? And if personnel changes occur that often, perhaps an investigation of such amazing personnel turnover is in order;

That the questionnaires were all referred by the individual program managers to the Office of Congressional Liaison, and collectively represented too immense a task to be undertaken by that office. Yet, I have received information leading me to believe that the Office of Congressional Liaison promulgated a letter to program managers directing them to send my questionnaire to that office. In fact, one particularly efficient manager who quickly filled in the questionnaire and returned it to me, later had to call my office asking that it be returned—presumably so that he could comply with the directions of the Office of Congressional Liaison;

That the information I requested would require massive expenditures of man-hours. Yet, other agencies did not complain of this. Perhaps other agencies are better organized than HEW, but nevertheless, the kind of information I requested is so fundamental that if it is not readily available for the program manager, then the system is long overdue for a vast shakeup. I submit that if this excuse is true it is as telling as any other single thing I found in showing that the present system is simply not working. Also, I would like again to make the point that HEW provides such information to commercial organizations who publish it and sell it at high rates to anyone who can pay the price and who wishes to apply for a Federal program;

That the Department of Health, Education, and Welfare has such vast, broad authority in the implementation and evolution of its programs that it is difficult to precisely describe each and every one. Mr. Speaker, the above excuse, boast or whatever it was intended to be was given to me in a conversation in my office with an Assistant Secretary of Health, Education, and Welfare. It was given to my staff in a conversation in the Office of Congressional Liaison at Health, Education, and Welfare. And it is the single most telling point in corroborating my earlier statement:

> That failure on the part of Congress and the executive branch to know exactly how the broad authorizations and appropriations are being implemented by the various departments and agencies means—in effect—we are creating a "fourth establishment" responsible to no one, self-perpetuating in nature and too often duplicative in effort.

Mr. Speaker, in the period since I made the findings of my study known to the members of this body, I have written to the Secretary and Assistant Secretary of the Department of Health, Education, and Welfare on four occasions. I have met with an Assistant Secretary once in my office. My staff has met with the congressional liaison officer and an assistant to the Secretary on numerous occasions. We have had scores of telephone conversations with these officials. All this for the singular purpose of trying to obtain information from HEW that should be available and needs to be available. Each time HEW officials have offered a new excuse, I have soundly refuted it, only to be met with another equally refutable excuse within a few days.

Mr. Speaker, this then is the epitome of the "fourth establishment" at work. What it wants to do, it does. What it wants to change, it changes. What it wants to ignore, it ignores. Within the "fourth establishment," the efforts of one single Congressman or the combined voice of 130 are only minor annoyances, and that, Mr. Speaker, is why it is so frightening and why it cannot be allowed to continue unchecked in the future as it has been in the past.

CONGRESSMAN WILLIAM F. RYAN SPEAKS ON THE CONSEQUENCES OF VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. Dow], is recognized for 10 minutes.

Mr. DOW. Mr. Speaker, I should like to call to the attention of my colleagues a major address on the consequences of Vietnam delivered by my friend and colleague, Congressman WILLIAM F. RYAN, at Yeshiva University in New York City on November 19, 1967. From the beginning of that tragic conflict, Congressman RYAN has been an outspoken critic of the administration's policy in Vietnam. His has been a voice of sanity and reason in troubled times, and his analysis of the consequences of Vietnam reflects great sensitivity and understanding. As he said in that speech 1 year ago, "when the war is over and the burning is done, we must be different than before."

The courageous leadership of Congressman RYAN in the search for peace has been an inspiration to all of us and has given hope to students as he has spoken out on the issues from New York to California. His Yeshiva University speech follows:

You have asked me to speak today on a difficult subject indeed—the consequences of Vietnam on America. I will do so—but with caution, and provisionally. For your topic asks that we measure the repercussions of a still unfolding event; it requires that we think about the present retrospectively. Let us review it, however, with a special sense of gravity. For there is another more powerful topic that overshadows our own—the consequence of Vietnam on Vietnam. These are the consequences of battle, of destruction, of death. They are the consequences on a society which is no longer a society, a people with little to remember but tragedy and little to face but torment. For children, they are the consequences of orphanhood. For the mothers, the consequences of prostitution. For fathers, the consequences of a future without prospects, and thus without full manhood.

A country lies devastated by twenty years of bloody war. So if we seek to measure the effects of Vietnam on our own society, we must begin by acknowledging the consequences of our responsibility for that devastation. That is to say, we must face the fact of complicity and the reality of guilt.

Were these, however, the only consequences for America to bear, we would probably live untouched by this terrible war. We are Leviathan: with wealth and power which can comfortably engage in adventures of unexampled material cost. We are Imperius: whose violent expeditions are too distant for most eyes to see and hearts to feel.

Or so it has seemed until very recently. For in the past year, Vietnam has finally caught up with America. And we must finally face the infection in American society, which many of us warned would inevitably follow our military instrusion into Vietnamese society.

How then do we begin to understand what Vietnam has done to us? We might start with the words of William Butler Yeats:

"THE SECOND COMING

"Turning and turning in the widening gyre
The falcon cannot hear the falconer;
Things fall apart; the centre cannot hold;
Mere anarchy is loosed upon the world,
The blood-dimmed tide is loosed, and everywhere
The ceremony of innocence is drowned;
The best lack all conviction, while the worst
Are full of passionate intensity.
"Surely some revelation is at hand;
Surely the Second Coming is at hand.
The Second Coming! Hardly are those words out
When a vast image out of *Spiritus Mundi*
Troubles my sight: somewhere in sands of the desert
A shape with lion body and the head of a man,
A gaze blank and pitiless as the sun,
Is moving its slow thighs, while all about it
Reel shadows of the indignant desert birds
The darkness drops again; but now I know
That twenty centuries of stony sleep
Were vexed to nightmare by a rocking cradle,
And what rough beast, its hour come around at last,
Slouches towards Bethlehem to be born?"

Which of us can view the course of American politics these past three years and not accept the terrible relevance of Yeat's vision. For things are falling apart. The center cannot hold.

It appeared strong enough in 1964—more strong perhaps than ever. The election of Lyndon Johnson had seemingly achieved both a mandate for social reform and the broadest consensus to support it. Business, labor, the farms, the cities, the intellectuals, the young—all were somehow caught together in a center which would hold by virtue of the fact that there was very little left for the periphery. And then came Vietnam.

With it, we witnessed the quick collapse of consensus, the first blow to cohesion, the first arch in the widening gyre. From the Right came the inevitable awareness that Vietnam would provide an opportunity to beat back whatever impetus for social reconstruction had stirred in the first half of the decade. The liberal hour was only minutes old. Perhaps, reasoned the Right, time could really be interrupted. And indeed we have seen how fragile time is.

For two years now, we in Congress have watched the resurgence of the conservative coalition. In the last days of the 89th Congress, that resurgence began to be felt.

And the 90th Congress has seen its quick accession to power. The consequences of that are clear beyond the cloakrooms of the Congress. The programs of the New Frontier and the Great Society are decimated. Aid to Education has been cut back 50%, Model Cities 50%, rent supplements 75%. Last week the House passed a poverty bill which is an insult and a provocation to the nation's oppressed—depriving them, as it does, of any voice in programs supposedly designed for their benefit. And meanwhile, the House becomes a theatre of the absurd as it passes bills against flag burning, bills against draft card burning, bills against picketing the Capitol, bills against supposed agitators, hateful word, who move into the cities of our nation to provoke violence which otherwise would remain repressed and contained—as it has for 200 years.

So the center cannot hold the Congress, which is now the captive of Reaction. Nor can it any longer hold in check the Military-Industrial. The Armed Services Committee reports whatever legislation it wishes. And the measures pass with barely a whimper. The draft comes up for review, and all the inequitable features are retained, in some cases reinforced. The military, increasingly, influential in the White House, now finds it can achieve an impetus for arms control that many had seen promised after the Cuban missile-crisis and the test-ban treaty.

The Joint Chiefs are given permanent terms, for the first time ever. They now sit in regularly on all White House strategy sessions, when that had not been done in the past. And further accretion of power by the military is stemmed only by a Secretary of Defense whose energy and influence is now depleting under pressure which has built against him for years.

So the center cannot hold the Right either in Congress or in the Pentagon. And the Military-Industrial complex anticipates still greater power as things fall further apart.

They fall apart too in the liberal coalition which had seen 1964 as both vindication and opportunity. The traditional alliance of labor, the cities, intellectuals and the young is now ridden with splits. Liberals fall apart from a labor bureaucracy which is fat and bureaucratic and ill-disposed to take seriously the twin threats of poverty and racism, let alone break its ties with the administration over Vietnam.

The cities are in utter turmoil, political as well as social and economic, as the resources to meet their crisis are absorbed by War. Many intellectuals, and many universities find themselves locked into national power in the form of research contracts and research grants. And many who are more free are growing disaffected from power to the point of denying any possibility of its eventual creative use.

The young are the greatest casualty of all—through this experience of national tragedy may be for them the lesson that may prevent its repetition, if indeed we are to recover.

Still we find among them a growing nihilism which takes many forms. For some, there is the desperate search for new community in the hippie experiment. Rejection of property, the consumption, even, of new kinds of food. Power corrupts, but flower power liberates, absolutely—unless of course it is accompanied by addiction to strange drugs with strange names: Grass, Acid, Samck and most ominously, Speed. And so their search for utopia, so characteristically American in much of its innocence and hope, is broken apart, not merely by its own contradictions, but by a society which will not leave it in peace; which peeps, and mocks and absorbs, and refuses to understand new words, if words there are for so poignant a world as that.

Among the political young, idealism has given way to dissent, and dissent to open resistance. So they reason if great institutions of power will not yield to democratic pressure, and if, indeed, those institutions themselves respond with violence, whether in Vietnam or the ghetto, then many began to believe that the institutions in turn will be moved only by violence in kind. Hundreds storm the Pentagon. Thousands roam the streets of New York in pursuit of confrontation with the Secretary of State, most not yet at the point of open violence, yet clearly on the path—as things fall apart, as the center cannot hold.

And "mere anarchy is loosed upon the ghetto." "The blood dinned tide is loose and everywhere the ceremony of innocence is drowned." That is the message of American Summer: Watts, Harlem, Newark, Detroit, the others. Early in the decade, society had turned to civil rights. It sought to set right the legal injustices of the South. It promised to redress material grievances in the North. And it gave them . . . Vietnam, and received in turn, riot. How can we blame anyone but ourselves for this most tragic disaster? We have oppressed the Negroes for centuries. We promise. We urge non-violence. And then the resources for delivery of that promise are stolen away and spent for violence, then thousand miles from our shores.

How can it be disputed that the riots of summer are not somehow the consequences of Vietnam, the consequences of unmet pledges.

The consequences of violence abroad, and the consequences of repression at home, and the pledge made in Congress and elsewhere: "don't reward the rioters."

"The ceremony of innocence is drowned." For white innocence is no longer real in the eyes of many young Negroes. And those who might once have seemed innocent are now thought guilty for having chosen the ceremony of tokenism as a response to oppression.

Things have fallen apart. The direction of our politics has become centrifugal, and as power leaves the center, only those on the fringes can control events. And so we face a situation where the violence in our society takes the stage to share it with those whose only response is repression. Revolutionary action in the ghetto prompts blind reaction from the Congress. And we sit by, those of us in the early 1960's, who thought our hour had come.

We no longer seem able to change our society in any way. We watch events escape us, "turning and turning in the widening gyre." And if we think ourselves the falcons, we have lost the bird; "the falcon cannot hear."

We look to the future, then, and wonder, with Yeats, "Surely some revelation is at hand. Surely the second coming is at hand." But are things as dramatic as that?

So much, of course, depends on the direction of Vietnam. There is, of course, one form the future may take. We may stay on and on in Vietnam. Our commitment might grow—perhaps with an invasion of the North. The administration may decide that the only chance it has to remain in power is to foreclose the possibility of dissent and repudiation by requesting, and probably receiving, a declaration of war.

In turn, we will suffer a tax increase as large or larger than that requested this year. Still greater chunks of domestic spending will be cut out by the conservative coalition in Congress. We will see more violence in the streets, not merely this time by black Americans, but by white Americans who can no longer control their anger at the course of national policy. The public dialogue will be set by partisan politics, the conventions and the election. And the irrelevance of what most Presidential candidates have said so far leaves little room for optimism regarding their future pronouncements.

That could be one American future. And beyond it lies a new America indeed. An America with troops somehow permanently mired in Asia. An America with troops in permanent occupation of its ghettos. An America where civil liberty is suspended in the name of civil order. An America where violence is as explicit a form of action as it is presently a form of entertainment. An America where the center is dead, where liberalism is defeated, probably discredited for its complicity in our predicament or its failure to realize early its proportions. That will be an America, indeed, which corresponds to the second coming of Yeat's vision. "The rough beast, his hour come round at last" will be the beast of total reaction, virtual Fascism. For there is too much evidence that the beast is already "slouching toward Washington to be born."

I do not think it inappropriate for us to take that vision seriously. For such conditions have taken hold of societies before us. And if the past three years have meant anything, they have taught us that we are not so special, so pure, so innocent a nation as once we thought.

While I take it seriously, however, I still reject the notion that it must be tomorrow's reality. In that sense, of course, I confess that I am operating with all the liberal optimism that has provided such wishful and mistaken prognosis over the past years. Nevertheless, I see a different vision for this country than that suggested by Yeats *Second coming* I do so because I reject one line in the poem, the line which has it that: *"The best lack all conviction."*

I am encouraged to believe that the best in America are full of conviction, conviction, if you will full of healthy and passionate intensity.

That conviction in our best citizens seems to me likely to grow over the next year. I think there is reason to believe that the failure of the Administration's policy in Vietnam will come through to many, many citizens. It is already doing so, with a momentum which, to my mind, is unlikely to ebb. I am not sanguine about the short-term efforts of this momentum. For while the best in America are filled with conviction, there still is very little opportunity for that conviction to be transformed into political power. While we grow in number, we still may find no space in which to move.

The administration will, in any case, be under enormous pressure over the next year to accept the compromise negotiated settlement many of us have urged for years. As of now, I believe the President is still set on a course seeking military victory. For the power of the military and military-minded in this Administration is enormous. Nevertheless, massive political pressure by dissenting Democrats represents one hopeful course—a course which may ultimately convince the President that to be re-elected he must disengage from Vietnam.

How likely it is that this will be achieved in the next year no one can say. Our adversaries will surely view any legitimate peace moves with great suspicion and hostility. They may, indeed, decide not to settle the war until our own impatience prompts us to accept virtually any terms. But I continue to believe we can disengage from Vietnam in honor if we decide we want to do so.

What then of the consequences of Vietnam, *after* Vietnam? Here we must indeed be highly speculative. Much of what follows a settlement to the war will turn upon the kind of settlement we secure. Let me raise here one very dangerous precedent of Korea. After a long negotiation and a compromise settlement, many began to pursue scapegoats; scapegoats for the loss of China, scapegoats for no-win in Korea, scapegoats for the supposed deterioration of morality in the government. We called that reaction McCarthyism. And it seems to me a very possible consequence of a settlement which would appear to many as a sell-out. That, in fact, has always been the danger of constantly raising our commitment in Vietnam. What will be said, then, to the parents of thousands of dead sons if we agree in 1968 or 1969 to the kind of peace we might have secured in 1965 or 1966? How will we justify the expenditure of over $100 billion, if all we have to show for it is a future South Vietnam almost as unstable as that which we sought to remake so many years before?

I raise these questions apprehensively because I cannot see how we will get out of Vietnam on terms which will permit a convincing claim of victory. So we shall witness a conflict between the reaction of relief at the end of the war and the reaction of anger at the utter error and waste of the war in retrospect. How our politics will react to that conflict cannot be measured now. But there is, I think, real cause for anxiety.

The end of the war in Vietnam will surely bring a demand for new steps to end our domestic crisis, the crisis of the cities. I foresee several problems here. First, there is an uncritical assumption that funds presently spent for Vietnam will somehow automatically be diverted for domestic reconstruction. There is no particular historical precedent for such action. Neither the end of World War II, nor the end of Korea saw a form of reconversion which emphasized social investment. The end of Vietnam, I would guess, may not be terribly different. The military will resist tenaciously any significant reduction in its budget. New weapons systems can always be invented and then claimed absolute necessities for national security. The war may end, but the war lobby will be with us for some time. For it is built into the very fabric of our society.

There is another danger to domestic progress in a post-Vietnam America. It is not the danger of simply refusing to divert military expenditure to social investment. It is the danger, rather, of the wrong kind of social investment. A year, or several years from now, we may be so beset by such turmoil in our cities that society will decide the restoration of order must precede the redress of grievance. Such a restoration might take openly repressive form, as we imagined earlier. But it might take a more sophisticated shape. I have in mind what one might call the corporate path to social order and reform. Big business, we are increasingly told, holds the key to solving our urban crisis. The great genius of the private sector will be required to solve all the social diseases business has either caused or neglected for the many years. And so we are beginning to hear of schemes to involve big business in the rehabilitation of old neighborhoods, the construction of new ones, the education of our young, and all the other problems of the ghetto.

The corporate path to social reform seems to me a dangerous one indeed. The primary concern may well turn out to be the preemption of more radical and imaginative experiments in the ghetto. I have no confidence, for example, that businessmen will concede to indigenous poor people the right and the power to make decisions themselves about programs intended for their own benefit. And participation of the poor in reconstructing their own environment seems to me the key to overcoming the root psychological problems underlying poverty. What reason can we be given to believe that corporate power, suddenly grown selfless, will voluntarily surrender control over what it regards as investment?

So considerable obstacles may be present to significant domestic reform after Vietnam. The same, I think, may be said of foreign policy. Let me say here that I believe the entire American foreign policy establishment must be overhauled if we are to escape the interventionist disasters of the last decade. That means, to begin with, a new Secretary of State. But it also means a changing of the guard that will reach deep into the diplomatic bureaucracy.

I believe such action will not be impossible in an environment where Vietnam will be seen to have been a terrible disaster.

Powerful Members of the Senate, for example, may well be inclined to call for reconstruction of American diplomacy after Vietnam. The academic community will surely feel likewise.

Yet here, too, there is a difficult problem. There is reason to believe that the ultimate reaction to Vietnam will be isolationist in character. Many liberals may feel inclined to seek a cutback in foreign aid and commitments. Their position, and it will have some merit, will be that the American presence in the developing countries is so likely to prove destructive that we must simply withdraw that presence. That view will be difficult for many to oppose. It will force us to argue against the lessons of 10 years. It will force us to argue that American power can align itself with progressive forces around the world—when we have rarely done so in the past. It will force us to argue that America will tolerate regimes that are or seem revolutionary in character—when we have squashed revolution in the past. It will force us to argue that our incredible wealth may be used on behalf of the wretched of the earth—when all too often it is seen used to shore up their oppressors.

That whole argument will be a good one to join if it can be joined responsibly and with restraint. But again we must be aware of the very real possibility that post-Vietnam America may be bitter, angry, and ill-disposed to examine rationally the possibility of a more creative internationalism than we have seen heretofore.

I have been with you for too long, and perhaps I have seemed to wander. I have done so, however, out of need. For one way to escape the depressing reality of the present is to imagine the possibility of a brighter day. That day may seem very, very difficult to project tonight. Not merely because the present consequences of Vietnam are so deadly, but as well because the obstacles we will face when the war is over seem so very large.

To tell you that I still hold to a fundamental optimism about our nation may thus seem ironic after so many dark words. Yet I look at this country, even now, and find a younger generation full of passionate, intense conviction. I see young people willing to stand up for ideals, despite the consequences. I see young people seeking to build in the ghetto, and reform the University. I see among many of my constituents and many of my colleagues a readiness to accept error, ask new questions, and seek new answers. Such radical introspection can be the most auspicious consequence of Vietnam if somehow we can stop the killing. For when the war is over and the burning is done we must be different men than before.

This nation is so obscure, so perverse. We are at once violent to the point of deadliness and generous to the point of selflessness. We have the child's need for love and the adolescent's disregard for what must be done to be loved. We embrace the world, and choke it to death in the process.

We live in the best of times and the worst of times—both, I suppose, of our own making. No single vision can encompass our enormity, and few can express the elation and the pain of what we are.

So who am I, really, to presume any special power to project the consequences of the most traumatic hour of this American century. For myself, I choose hope and optimism. Not because our present situation is any less tragic than it seems, but rather because I view our terrible faults as ultimately the product of naive and distorted idealism. Naivete, if humble, will permit enlightenment. Idealism may grow wise. And so, perhaps, we can rescue new self-definition from destruction, and thus ransom our future from this trying day. But at what costs, at what costs?

CONGRESSIONAL REORGANIZATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. FOLEY] is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, I do not believe I can let the RECORD stand with the suggestion I was attempting to imply partisanship in the origins of this bill. Exactly the opposite is the case. I am complaining there has been an unfortunate partisanship in espousing it, unfortunate especially because I agree with the gentleman that the bill was conceived out of a bipartisan effort.

Any congressional reform legislation, Mr. Speaker, must be a bipartisan effort, and I am sad to say that that effort has been weakened by the obvious and determined efforts of several of its sponsors, sincere as they are in supporting the legislation, to seek a political opportunity in claiming special credit for the minority party, special support for the bill by the minority party, and to imply that all those on this side of the aisle, are opposed to the legislation.

Every Member of this House has equal responsibility to support legislation that he feels is in the interest of the country, and there are rules and procedures in this House by which bills which are not reported to the floor can be brought there by a simple majority of the Members.

I am not going to go into great detail about who signed a discharge petition and who did not, but the gentlemen on the floor know who have signed it and who have not, because they have examined it. Any cursory examination indicates that it is by no means—by no means—a matter exclusively of the minority. In fact, I would suggest to them that they count the Members of the minority who have signed that document and count the Members of the majority who have signed it and decide for themselves who is interested in implementing the rules in support of congressional reorganization.

Several of my friends in the minority seem to prefer every course except a course of action; every manner except the most direct; every procedure except that most clearly provided by the rules. They have even claimed that the record-breaking obstruction which they raised against the debate bill—obstruction which was in itself a magnificent example of the need for congressional reform—was resorted to in the interest not of defeating the debate bill but of forcing out the reorganization bill—an assertion which most news commentators viewed with deserved skepticism.

This body described by Hamilton as the place where the people govern must constantly reform itself and its rules to meet the great demands of the Republic. "Reform if you would preserve" is the wisest advice for all political institutions. It must be heeded here.

I would hope that we not have an exacerbation of this kind of partisanship but that we have a diminution of it. The next Congress is going to need to consider this legislation or something very similar to it. Partisan wrangling is not going to bode well for that important legislation. The Congress is very much in need of reform. It is very much in need of reorganization legislation, but it is not going to help for gentlemen to come to the well and in a self-serving and partisan way fill the RECORD with self-serving and partisan documents a month before a national election. This is the kind of bill that ought to be taken out of partisan reform and not thrust in it as it is in almost every occasion by some of the gentlemen on the other side of the aisle.

I am glad to see at this late date, after much debate, a few forced statements coming from my friends that Democrats have supported this bill and congressional reform. I hope we can now see the end of partisan posturing and the resumption of constructive cooperation.

UPDATING THE IMMIGRATION ACT OF OCTOBER 3, 1965

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, the act of October 3, 1965, became fully effective on July 1 of this year. The abolition of the national origins quota system and the imposition of ceilings of 170,000 and 120,000, exclusive of spouses, parents, and children of citizens, on the Eastern and Western Hemisphere respectively, became operative on that date.

Testimony before the Subcommittee on Immigration of the Judiciary Committee of the House, of which I am chairman, given by representatives of the State, Justice, and Labor Departments, has established the general overall workability of the statute during the 2½-year interim period and has indicated that the same condition should prevail hereafter.

Certain areas, however, have created problems which could not have been anticipated, because of the lack of definitive data on the types and classes of immigrants which came under the nonpreference sections of the law prior to December 1965. The provisions of the act of October 3, 1965, with respect to relatives of U.S. citizens and resident aliens are creating no problems and will not create problems, except for the brothers and sisters of citizens. Although in excess of 24 percent is allocated to this fifth-preference class, there is a heavy backlog, growing heavier, in this class. Absent a change in the class, there is no prospect that it will ever become current. However, 2 years ago I proposed that special immigrant—numerically exempted—visas should be made available to brothers and sisters of U.S. citizens who were on waiting lists when the law became effective on December 1, 1965, and who would not have obtained their visas by July 1, 1968, because of the numerical limitations contained in the law. This is a key provision of a bill (H.R. 20406) which I have introduced today to remedy some of the other defects which have been highlighted as a result of our committee study.

The two employment preferences, of 10 percent each, are backlogged about 1 year each by applicants in excess of available numbers. I am reliably informed that a drop-down from the first and second preferences—which are more than adequate for any anticipated demands in those classes—of excess numbers into the third preference will bring that section current within 1 year and should continue a state of currency thereafter.

By permitting unskilled aliens with jobs to have a preference, the law has negated the existence of any nonpreference class and has heavily oversubscribed the sixth preference. By removing unskilled from this class, we complete the task of bringing all preferences reasonably current and lay a foundation for some new seed nonpreference immigrants, which would essentially be composed of unskilled aliens and some few immigrants who could establish that they would not be employed in the United States.

Petitions to accord a third or sixth preference currently require consultation with the Secretary of Labor. Within the professional classes the Department of Labor is not best qualified to determine the needs and requirements of this country. In the fields of medicine and education, Health, Education, and Welfare is uniquely qualified to perform this task. Section 6 would amend the language of section 204(b) to restore the language which was in the law prior to October 3, 1965; that is, "appropriate agencies of the Government" in lieu of "the Secretary of Labor." It is understood that the Labor Department would be the appropriate agency of consultation for all sixth-preference petitions.

Since consultation with the Secretary of Health, Education, and Welfare or the Secretary of Labor would be a requirement under the third and sixth preferences, the veto power of the Secretary of Labor under section 212(a) (14) should be inapplicable to those two preference classes and section 5(c) of the bill deletes that requirement.

Various inequities in the exemptions from 212(a)(14) accorded to natives of the Western Hemisphere have been pointed out in testimony before the committee and section 7 of the bill brings the exemptions for the two continents into line.

In section 8 is incorporated a proposal of the Department of State to make the 2-year foreign residence requirement of exchange aliens applicable only to two classes: Aliens whose participation in a program was financed by an agency of this Government or a foreign government or those who come from less developed countries, as defined by the Secretary of State. Waivers would continue to be authorized as they are today, within these two classes, but the vast bulk of the physicians and educators whose program studies are financed by private hospitals and universities would not be required to spend 2 years abroad before becoming immigrants.

Section 1 would eliminate the requirement that temporary workers may only be permitted entry into the United States, even though the Secretary of Labor has certified that persons in their occupations are in short supply, if the positions to which they are coming are temporary in nature. The amendment would continue the requirement that the alien be a bona fide nonimmigrant. Additionally, it would be required that he be either a person of distinguished merit and ability or be coming to perform tasks which the Secretary of Labor would determine that unemployed persons in the United States were not available to perform. It would permit the entry of persons under these circumstances, to fill positions which are permanent in nature, such as university professorships, hospital residencies, and some agricultural positions. Removal of the word "industrial" would permit commercial, professional, and other classes of trainees to be admitted under h(3) visas.

Sections 2, 3, 4, and 10 are housekeeping amendments which delete the various provisions which related to quota immigration during the transition period and incorporate into the Immigration and Nationality Act certain provisions of the act of October 3, 1965.

The further problem that remains unsolved is the effect of the law on those countries which were given such generous allowances under the old national origins quota systems. My subcommittee will make its first order of business in the next Congress the conduct of hearings and the introduction of a committee bill to resolve this problem.

CONGRESSMAN RYAN'S ADDRESS ON VIETNAM AT CARNEGIE HALL ON DECEMBER 17, 1967

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from California [Mr. BURTON] is recognized for 10 minutes.

Mr. BURTON of California. Mr. Speaker, on December 17, 1967, the New York Council for a Sane Nuclear Policy held a mass rally at Carnegie Hall in New York City to protest the administration's policy in Vietnam and to discuss the prospects of the 1968 elections. At this meeting my friend and colleague, Congressman WILLIAM F. RYAN, spoke along with other leading critics of the war, including Senator VANCE HARTKE, of Indiana.

Included at this point in the RECORD are the very stirring remarks of Congressman RYAN:

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I want to thank Sane for its invitation and thank you for being here. But having said that, I want to express a sentiment perhaps less formal—but more appropriate.

For years I have spoken at meeting after meeting after meeting. I am tired of meetings. I am tired of mere dialogue. I am tired of repeating again and again and again the policy alternatives the Administration so disingenuously solicits from its critics.

End the War. Stop bombing the North. Deescalate in the South. Accept a coalition government for the South.

Renounce the attempt to impose a pro-Western military junta on the people of Vietnam.

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And then . . . get out of Vietnam.

That's the program. Those are the alternatives. I know what they are. You know what they are. The Administration knows what they are. And from here on our business is not to repeat endlessly what Lyndon Johnson chooses to ignore.

Our business is to organize against this war, and turn those who support it around—or turn them out—from the White House to the Courthouse.

Our business too is to look beneath the symptom of Vietnam to the system which has produced Vietnam, and the Dominican Republic, and even now is producing Thailand or Bolivia or South Africa. The system which has produced Watts, and Newark, and Detroit, and even now is producing Chicago, or Philadelphia—or Harlem or Bedford-Stuyvesant.

The system which has produced a $70 billion military budget. And the system which has produced the men who preside over, and supervise and enjoy the benefits—of that system.

The Peace Movement has done a remarkable job.

We have not ended the war. But, I think, we have stripped away much of the hypocrisy and the lies and the sheer perversion of language which allowed this war once to command the almost complete support of the American people.

The war is wrong. And that speaks for itself. We have amplified the sound and opened many ears. Still, the war continues, and of no less importance, the system which produces Vietnam is not merely prosecuting a war, but itself growing stronger in the very act of prosecution. We must all be brutally aware of that fact today.

I point, for example, to the Military-Industrial complex, an institution, as you all know, initially labelled by Dwight Eisenhower—one of its most faithful servants.

When President John F. Kennedy first took office, his military budget was $47 billion. The reported request of the Joint Chiefs for the forthcoming fiscal year is over $80 billion. Now, that figure represents more than money. It represents lives committed, influence extended, opposition preempted. It is, very simply, Power—something, quite frankly, they have and we don't.

Let us look merely at the surface of that power. Robert McNamara, the man most equipped to curtail it, is out. He leaves behind him a budget nearly twice as large as when he came—despite his renowned cost-cutting genius. He leaves behind a commitment to deploy a limited anti-ballistic missile system—despite his opposition to that decision. He leaves behind an impetus to escalation in the development of new offensive weapons systems—despite his interest in arms control.

He leaves behind him, of course, the indispensable Joint Chiefs of Staff, who are now appointed, for the first time, to permanent four year terms. And, of course, lest we forget, he leaves behind him the war in Vietnam.

For all the extraordinary efforts of one extraordinary man and all his extraordinary aides, the power of the military has grown during his stewardship. And there is a lesson in that. Institutional power is greater than personal power.

That power is reaching beyond its immediately apparent structural boundaries. It reaches into the university community. Defense Department grants to universities for basic research now total nearly half a billion dollars annually.

But how can we quantify the intellectual independence thus forfeited, the teaching thus neglected, or the free inquiring scholarship thus preempted by this most insidious development? The Department of Defense spends more for university based research than the National Science Foundation which was established for that purpose, and it spends more for social science research than any other Federal Agency.

Universities then, which should be the most autonomous, critical, and independent institutions in any democracy, are increasingly under the influence of the military establishment.

So, of course, is much of the labor union bureaucracy. Ten percent of the entire labor force earns its living directly from defense spending. That interest transcends jobs and contracts. It represents a basic commitment to a system of economic organization and public policy priorities which, let us be frank, depends upon the existence of an incredible war machine.

More ominously, the Defense Department is increasingly active in the area of domestic problem solving. Because it is guaranteed of receiving almost any budgetary request from Congress, the Defense Department is soliciting funds for low-cost housing, for education of the disadvantaged, for basic research into the problems of poverty.

The Military-industrial complex in short, is rapidly becoming a social-industrial complex. The threat that poses should not be underestimated.

This complex consolidates its power during times of war. It consolidates political power. It consolidates budgetary power. It consolidates institutional power.

And that is clearly one of the most dangerous and hidden consequences of Vietnam . . . a consequence which will be with us, and perhaps more apparent, long after the war is ended.

There are, as well, the more ambiguous effects of the military perspective on our national life. The war increasingly sets the terms and the very language with which we describe our problems at home.

When the ghetto explodes, for example, what do we hear in Congress, and indeed from the officials of the riot area. "The trouble is caused by those outside agitators."

That's the theory of outside aggression, embodied in the State Department's Vietnam White Paper of 1965—this time addressed to our problems at home, the same search for scapegoats, the same attempt to lay blame outside the real area of oppression.

Or we hear: "We need an anti-riot bill to stop the infiltration of those agitators."

The House passes it; that's how we bomb the North at home.

Or: "If we don't stop them in Newark or Harlem today, they'll be in Plainfield or on Park Avenue tonight." That, of course, is our domestic domino theory.

And naturally, "we can't reward the rioters" . . . Does that sound very different from "we can't reward aggression"—the gospel according to Dean Rusk?

And how do we intend to deal with the ghetto in the future? Well, give it just a little poverty program, but make sure we control its administration. That's our foreign aid program. Send in some real experts about life in the ghetto, and help the people find a new way. In Vietnam we call it pacification.

And then, of course, beef up the National Guard. After all, we're going to need some troops in there. But we will not call them military advisors this time.

I don't want to push similes too far. But they go pretty far on their own, don't they? And in so doing, they emphasize a deeper metaphorical truth which in our overriding preoccupation with the war, tends to be ignored.

Vietnam is Watts. The environment, the people, the conditions may all seem different. But the basic problems are the same, how do we respond to oppression and deprivation? Do we respond with force? Do we make decisions for people or let them choose their own course? And can we overcome the virus of racism and class?

The American ghetto is the third world within us. There is a We, and for all our naive idealism, We are Empire. There is a They, and for all our professed willingness to help . . . They are Colonials. We own their property. We set the rules for them. We have the power to transform their home. We can be executioners. They can be victims. Or we can be Samaritan. And they can be beneficiary.

Empire. Colony. That is the great American problem, as it has always, finally, been the problem of the West—of Greece and Rome in antiquity. Of Europe in modern times.

We will not solve the problem of American Empire today, any more than we will end the war today. But I want very much to say this. We will not understand Vietnam or Newark until we understand the nature of Empire. We will not prevent future Vietnams—or future Newarks—until we alter the attitudes and the institutions, which make such tragedies possible, perhaps inevitable.

What that calls for, of course, is radical analysis—which, by definition, means going beneath the surface. I cannot tell you here what such analysis entails. But we must learn how to make the fundamental roots of our present troubles more visible. What would it mean, therefore, to hold a rally in Carnegie Hall . . . not on Vietnam, again, but on the War Machine?

The War Machine would be more visible. And to turn it around, we must first make it visible. What would it mean to hold a meeting on the influence of the military on the university? That influence would be more visible. And to overcome it, we must reveal it.

Vietnam and Watts. Vietnam and Labor. Vietnam and Language. Vietnam and Liberals. Empire and Colony. I touch on only a number of topics which, by virtue of their very choice as the subject for a meeting like this, would become more visible.

(And for that matter, how about a meeting on Dean Rusk?)

That may sound silly to you.

But I am simply trying to drive home a basic point which I think many of us have ignored, understandably in our preoccupation with the surface horror of Vietnam. We must go beneath and root out, and analyze and understand, and make visible. We must do all this if we are to flatter ourselves with the belief and the presumption that we can prevent wars, and end oppression and poverty.

Such analysis, is necessary because it alone will produce the answer to race, and class, and Empire. But it also is possible because those diseases have really surfaced, for all of us to see and feel, in horror and in shame.

So we must analyze. And we must organize. For every one of us in this hall who is angry, there are a hundred on one block, one thousand in one neighborhood, ten thousand in our city, and a million in this nation who share that anger. To organize that anger, and to organize it at the grass roots level is necessary, because the problems lie at the roots of our society. It is necesary. And it is possible, because the apparent candidates of the national parties seem unable to accept or incorporate, or express or represent the present anger of millions of Americans.

Let's not pretend that such a project is going to yield immediate results. But we must build with a long-term view. We may not stop Vietnam. We may not stop Newark. But we may be able to stop Bolivia, in 1973. We may be able to stop Chicago, or whatever ghettos in this country do not burn in the next several years.

I ask you, then, not to leave this hall either relieved from the catharsis of this meeting. They are always cathartic. Or depressed because tomorrow's paper will be just as awful as today's. We can always be depressed. I hope, I really, hope, that you can leave regenerated and anxious to seek our new ideas, new energy, new ways to organize—democratically, non-violently, effectively.

I hope, too, that we can all leave with a conviction to ask questions about ourselves—if this does not sound too much like a sermon. Because the life of a nation is no better than the individual lives of its citizens, and that is really how to take the war seriously.

Such introspection, I think, can be the one bright consequence of this terrible war. Many of our best young people are undergoing such introspection, at home and on the campus. It is leading some to violence, which is wrong and self-defeating. But it is also leading to many courageous acts of conscience.

I have tried to ask what it really means to be a United States Congressman.

I have tried to ask what I have to do in order to change my society.

I have tried to ask what blame the liberalism I have always believed in shares for bringing about the conditions which now beset us.

I do not pretend that is enough. But it is a beginning, because it starts where everything else begins.

When this war is over, and the burning is done, we must be different men than before.

That is the message I wish to leave with you tonight. And I do so confident that our own sense of tragedy inevitably must lead us to face ultimate causes, ultimate meanings, and ultimate duties.

REPORT TO CITIZENS OF THE SIXTH DISTRICT OF NEW JERSEY

Mr. CAHILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAHILL. Mr. Speaker, I am taking this opportunity to review and report the activities of the 90th Congress to the citizens of the Sixth Congressional District of New Jersey, and to express my personal views concerning the achievements and failures of this Congress.

Although I have served in the Congress for almost 10 years, it has only been my pleasure to represent the citizens of the Sixth District since January 1967, following the establishment of new congressional boundary lines by the New Jersey Legislature. The Sixth District now comprises Burlington County in its entirety, almost all of Ocean County, and a portion of Camden County, and it extends from the Delaware River to the Atlantic Ocean.

Since January of 1967 when the 90th Congress convened, our Nation has been confronted by many grave problems. The continuing war in Vietnam, armed conflict in the Middle East, the gold crisis and our balance-of-payments dilemma have provided major challenges to our international commitments and foreign relations. At home, violent civil disorders, racial conflicts, soaring crime rates, and increasing consumer frauds have threatened domestic progress and stability. The complexity and solution of these urgent problems have been a deep concern of this Congress, and have received priority attention.

It will, of course, be impossible to discuss all of the legislation introduced, or even approved, by this Congress. I shall therefore limit my observations to the most important activities of the 90th Congress in international affairs, domestic affairs, and District affairs.

INTERNATIONAL AFFAIRS

VIETNAM

The all-pervading international issue confronting our Nation is, of course, that of Vietnam. Our very large commitment, in terms of men and materiel and of policy continues to present problems with respect to the carrying out of our domestic programs and in our dealings with other nations. Our ability to respond militarily to new crises which might arise and threaten us in different quarters of the globe has been substantially weakened by the present war in Vietnam. As a result the credibility and force of our words and warnings to such countries that flaunt the principles of international justice has been significantly undercut.

As an illustration, I refer to the piratical seizure of the *Pueblo* by North Korea last January. And more recently, during last spring and early summer, as the threat of an invasion of Czechoslovakia by the Soviet Union loomed larger and larger, we again felt the effects of Vietnam. Instead of indicating that such a move might provoke reprisals, with whatever deterrent effect that might have had, there was a reluctance to initiate any overt act that might show a sign of interference on our part.

We all hope and pray that the efforts of Ambassadors Averell Harriman and Cyrus Vance in Paris will succeed in bringing an honorable peace to that war-torn land of Vietnam. We all want to see this war resolved as soon as possible. As long as the talks hold out some prospect for ultimate settlement, we must pursue them with all due diligence.

THE MIDDLE EAST

With tensions flaring again in the Middle East, every effort must be made to avert a new outbreak of war and to work toward a resolution of differences at the peace table. The goal of a stable peace will not be accomplished through conflict, preferences, the veto power of the Secretary of Labor under section 212(a)(14) should be inapplicable to those two preference classes and section 5(c) of the bill deletes that requirement.

Various inequities in the exemptions from 212(a)(14) accorded to natives of the Western Hemisphere have been pointed out in testimony before the committee and section 7 of the bill brings the exemptions for the two continents into line.

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Section 1 would eliminate the requirement that temporary workers may only be permitted entry into the United States, even though the Secretary of Labor has certified that persons in their occupations are in short supply, if the positions to which they are coming are temporary in nature. The amendment would continue the requirement that the alien be a bona fide nonimmigrant. Additionally, it would be required that he be either a person of distinguished merit and ability or be coming to perform tasks which the Secretary of Labor would determine that unemployed persons in the United States were not available to perform. It would permit the entry of persons under these circumstances, to fill positions which are permanent in nature, such as university professorships, hospital residencies, and some agricultural positions. Removal of the word "industrial" would permit commercial, professional, and other classes of trainees to be admitted under h(3) visas.

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More ominously, the Defense Department is increasingly active in the area of domestic problem solving. Because it is guaranteed of receiving almost any budgetary request from Congress, the Defense Department is soliciting funds for low-cost housing, for education of the disadvantaged, for basic research into the problems of poverty.

The Military-industrial complex in short, is rapidly becoming a social-industrial complex. The threat that poses should not be underestimated.

This complex consolidates its power during times of war. It consolidates political power. It consolidates budgetary power. It consolidates institutional power.

And that is clearly one of the most dangerous and hidden consequences of Vietnam . . . a consequence which will be with us, and perhaps more apparent, long after the war is ended.

There are, as well, the more ambiguous effects of the military perspective on our national life. The war increasingly sets the terms and the very language with which we describe our problems at home.

When the ghetto explodes, for example, what do we hear in Congress, and indeed from the officials of the riot area. "The trouble is caused by those outside agitators."

That's the theory of outside aggression, embodied in the State Department's Vietnam White Paper of 1965—this time addressed to our problems at home, the same search for scapegoats, the same attempt to lay blame outside the real area of oppression.

Or we hear: "We need an anti-riot bill to stop the infiltration of those agitators."

The House passes it; that's how we bomb the North at home.

Or: "If we don't stop them in Newark or Harlem today, they'll be in Plainfield or on Park Avenue tonight." That, of course, is our domestic domino theory.

And naturally, "we can't reward the rioters" . . . Does that sound very different from "we can't reward aggression"—the gospel according to Dean Rusk?

And how do we intend to deal with the ghetto in the future? Well, give it just a little poverty program, but make sure we control its administration. That's our foreign aid program. Send in some real experts about life in the ghetto, and help the people find a new way. In Vietnam we call it pacification.

And then, of course, beef up the National Guard. After all, we're going to need some troops in there. But we will not call them military advisors this time.

I don't want to push similes too far. But they go pretty far on their own, don't they? And in so doing, they emphasize a deeper metaphorical truth which in our overriding preoccupation with the war, tends to be ignored.

Vietnam is Watts. The environment, the people, the conditions may all seem different. But the basic problems are the same, how do we respond to oppression and deprivation? Do we respond with force? Do we make decisions for people or let them choose their own course? And can we overcome the virus of racism and class?

The American ghetto is the third world within us. There is a We, and for all our naive idealism, We are Empire. There is a They, and for all our professed willingness to help . . . They are Colonials. We own their property. We set the rules for them. We have the power to transform their home. We can be executioners. They can be victims. Or we can be Samaritan. And they can be beneficiary.

Empire. Colony. That is the great American problem, as it has always, finally, been the problem of the West—of Greece and Rome in antiquity. Of Europe in modern times.

We will not solve the problem of American Empire today, any more than we will end the war today. But I want very much to say this. We will not understand Vietnam or Newark until we understand the nature of Empire. We will not prevent future Vietnams—or future Newarks—until we alter the attitudes and the institutions, which make such tragedies possible, perhaps inevitable.

What that calls for, of course, is radical analysis—which, by definition, means going beneath the surface. I cannot tell you here what such analysis entails. But we must learn how to make the fundamental roots of our present troubles more visible. What would it mean, therefore, to hold a rally in Carnegie Hall . . . not on Vietnam, again, but on the War Machine?

The War Machine would be more visible. And to turn it around, we must first make it visible. What would it mean to hold a meeting on the influence of the military on the university? That influence would be more visible. And to overcome it, we must reveal it.

Vietnam and Watts. Vietnam and Labor. Vietnam and Language. Vietnam and Liberals. Empire and Colony. I touch on only a number of topics which, by virtue of their very choice as the subject for a meeting like this, would become more visible.

(And for that matter, how about a meeting on Dean Rusk?)

That may sound silly to you.

But I am simply trying to drive home a basic point which I think many of us have ignored, understandably in our preoccupation with the surface horror of Vietnam. We must go beneath and root out, and analyze and understand, and make visible. We must do all this if we are to flatter ourselves with the belief and the presumption that we can prevent wars, and end oppression and poverty.

Such analysis, is necessary because it alone will produce the answer to race, and class, and Empire. But it also is possible because those diseases have really surfaced, for all of us to see and feel, in horror and in shame.

So we must analyze. And we must organize. For every one of us in this hall who is angry, there are a hundred on one block, one thousand in one neighborhood, ten thousand in our city, and a million in this nation who share that anger. To organize that anger, and to organize it at the grass roots level is necessary, because the problems lie at the roots of our society. It is necesary. And it is possible, because the apparent candidates of the national parties seem unable to accept or incorporate, or express or represent the present anger of millions of Americans.

Let's not pretend that such a project is going to yield immediate results. But we must build with a long-term view. We may not stop Vietnam. We may not stop Newark. But we may be able to stop Bolivia, in 1973. We may be able to stop Chicago, or whatever ghettos in this country do not burn in the next several years.

I ask you, then, not to leave this hall either relieved from the catharsis of this meeting. They are always cathartic. Or depressed because tomorrow's paper will be just as awful as today's. We can always be depressed. I hope, I really, hope, that you can leave regenerated and anxious to seek our new ideas, new energy, new ways to organize—democratically, non-violently, effectively.

I hope, too, that we can all leave with a conviction to ask questions about ourselves—if this does not sound too much like a sermon. Because the life of a nation is no better than the individual lives of its citizens, and that is really how to take the war seriously.

Such introspection, I think, can be the one bright consequence of this terrible war. Many of our best young people are undergoing such introspection, at home and on the campus. It is leading some to violence, which is wrong and self-defeating. But it is also leading to many courageous acts of conscience.

I have tried to ask what it really means to be a United States Congressman.

I have tried to ask what I have to do in order to change my society.

I have tried to ask what blame the liberalism I have always believed in shares for bringing about the conditions which now beset us.

I do not pretend that is enough. But it is a beginning, because it starts where everything else begins.

When this war is over, and the burning is done, we must be different men than before.

That is the message I wish to leave with you tonight. And I do so confident that our own sense of tragedy inevitably must lead us to face ultimate causes, ultimate meanings, and ultimate duties.

REPORT TO CITIZENS OF THE SIXTH DISTRICT OF NEW JERSEY

Mr. CAHILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAHILL. Mr. Speaker, I am taking this opportunity to review and report the activities of the 90th Congress to the citizens of the Sixth Congressional District of New Jersey, and to express my personal views concerning the achievements and failures of this Congress.

Although I have served in the Congress for almost 10 years, it has only been my pleasure to represent the citizens of the Sixth District since January 1967, following the establishment of new congressional boundary lines by the New Jersey Legislature. The Sixth District now comprises Burlington County in its entirety, almost all of Ocean County, and a portion of Camden County, and it extends from the Delaware River to the Atlantic Ocean.

Since January of 1967 when the 90th Congress convened, our Nation has been confronted by many grave problems. The continuing war in Vietnam, armed conflict in the Middle East, the gold crisis and our balance-of-payments dilemma have provided major challenges to our international commitments and foreign relations. At home, violent civil disorders, racial conflicts, soaring crime rates, and increasing consumer frauds have threatened domestic progress and stability. The complexity and solution of these urgent problems have been a deep concern of this Congress, and have received priority attention.

It will, of course, be impossible to discuss all of the legislation introduced, or even approved, by this Congress. I shall therefore limit my observations to the most important activities of the 90th Congress in international affairs, domestic affairs, and District affairs.

INTERNATIONAL AFFAIRS

VIETNAM

The all-pervading international issue confronting our Nation is, of course, that of Vietnam. Our very large commitment, in terms of men and materiel and of policy continues to present problems with respect to the carrying out of our domestic programs and in our dealings with other nations. Our ability to respond militarily to new crises which might arise and threaten us in different quarters of the globe has been substantially weakened by the present war in Vietnam. As a result the credibility and force of our words and warnings to such countries that flaunt the principles of international justice has been significantly undercut.

As an illustration, I refer to the piratical seizure of the *Pueblo* by North Korea last January. And more recently, during last spring and early summer, as the threat of an invasion of Czechoslovakia by the Soviet Union loomed larger and larger, we again felt the effects of Vietnam. Instead of indicating that such a move might provoke reprisals, with whatever deterrent effect that might have had, there was a reluctance to initiate any overt act that might show a sign of interference on our part.

We all hope and pray that the efforts of Ambassadors Averell Harriman and Cyrus Vance in Paris will succeed in bringing an honorable peace to that war-torn land of Vietnam. We all want to see this war resolved as soon as possible. As long as the talks hold out some prospect for ultimate settlement, we must pursue them with all due diligence.

THE MIDDLE EAST

With tensions flaring again in the Middle East, every effort must be made to avert a new outbreak of war and to work toward a resolution of differences at the peace table. The goal of a stable peace will not be accomplished through conflict, but rather through recognition by all nations of each other's right to assured boundaries, freedom of navigation through international waters, and independent existence free from the threat of aggression.

The first priority of action, in my judgment, as we encourage the adversaries to sit down and talk, is of a two-pronged nature: We must, first, seek an end to the upward-spiraling arms race in the Middle East; and, second, seek the stationing of the United Nations peacekeeping forces in areas of extreme tension. As to the first part, however, it is my judgment that the reckless actions of the Soviet Union, in rearming certain Arab States and in deploying a fleet to the Mediterranean, defy that important and constructive goal of lessening tensions in that area, and thereby of strengthening world peace. Her actions must be deplored.

As long as the Soviets persist in creating an imbalance of military forces in this region, the United States will be compelled to answer this threat to Israel by providing her with essential military equipment needed for her defense.

BIAFRA

In still another part of the world, a tragic civil war is being waged between Nigeria and secessionist Biafra, the former eastern region of Nigeria. It is our Government's position that the Federal Military Government of Nigeria is not deliberately attempting to carry out a policy of genocide against the Biafran people. The Nigerian Government has continually stated that its aims are only to end secession, preserve the unity of Nigeria, and reintegrate the easterners into the fabric of national life on a nondiscriminatory basis. But whatever those avowed intentions might be, tragic excesses have occurred on both sides.

The seriousness of this situation is now underscored in light of the very recent appeal of the Biafran leaders to Communist China. We must increase our efforts to bring an end to hostilities and to alleviate the tragedy of mass starvation. We must convince the warring parties to sit down and talk, so that international agencies such as the United Nations and the International Committee of the Red Cross can be permitted to carry out their relief work more effectively.

FOREIGN AID

At the end of the second session, the Congress completed action on our foreign aid programs for 1969, by authorizing the smallest appropriation—less than $2 billion—in its 22-year history. I supported these cuts since I felt that fiscal responsibility dictated them at this time. Although there has been widespread criticism of the administration's Southeast Asian policies, Congress nevertheless agreed to meet its obligations in paying the cost of the war—estimated at nearly $30 billion annually. Thus, while investment in the economic development of allies and underdeveloped countries may be a sound concept, it must not be to the detriment of our country economically. There must also be some indication from recipient countries that the aid they receive is being used wisely by them, that the investments are actually helping them to progress. In view of the many pockets of potential crisis around the world, Congress was reluctant to provide or increase military assistance abroad because of the danger of feeding that potential for military conflict. Accordingly, in the House a total of $1,993,850,000 was authorized, of which only $390 million was for military assistance. The final amount authorized for next year, as a result of the House-Senate conference in September, was lowered to $1,974 million. This represents cuts of nearly $1 billion from the administration's original request for $2.962 billion.

DOMESTIC AFFAIRS

Many important domestic programs, ranging from housing and education to the space program, were victimized by inadequate funding during the 90th Congress. The pressure on our economy was perhaps most vividly demonstrated during the last year through the international dollar crisis. Even friendly foreign powers demanded a tighter and less inflationary economy in the United States in exchange for continued recognition of the United States dollar as the important medium of foreign trade exchange in international currency. Congress thus decided to take a new look at income and outgo in our economy and to eliminate deficits in our current spending to the greatest possible degree.

SURTAX

To curb the swelling inflation which was threatening our Nation's continued economic growth and pushing up the budget deficit to staggering new highs, the Congress passed the 10-percent surtax early during this second session. I voted for this measure, but only after it was made clear that a $6 billion spending cut by the Congress would be forthcoming. This extra tax on individual incomes became effective as of April 1, 1968, and will remain in effect through June 30, 1969. I will, however, oppose any automatic extension of this tax measure next June unless it is made abundantly clear to me that both wise fiscal policy and the state of our economy so require. During its application, the surtax is expected to net an additional $15.6 billion in revenues. These new revenues have already significantly benefited our economy by stabilizing the dollar and contributing to a reduction in interest rates. While it is always regrettable to have to raise taxes, the economic situation of the Nation required that action be taken, and Congress met its responsibilities.

CRIME AND CIVIL DISORDERS

This is an area of national concern in which I have had a deep interest. It has become clear that increasing disregard for law in our Nation demands prompt congressional action. The widespread growth of organized crime and the violent looting and rioting in America's cities are reaching crisis proportions and demonstrate the urgency of this demand. However, I do not believe that the Federal Government should directly intervene in local law enforcement. I am convinced that Federal law enforcement programs should concentrate on assisting local and State governments in their efforts to meet the challenges of crime and civil disorder.

Thus, when the House of Representatives considered President Johnson's omnibus crime control and safe streets bill in August of 1967, I proposed major amendments which would permit over $500 million in Federal financial assistance and grants to be administered by State governments rather than the U.S. Attorney General. Basically, these amendments insure that all local governments and police forces will have an opportunity to receive grants, that anticrime programs will not involve waste and duplication, that highest priority will be given to the elimination of rioting, looting and organized crime, and that local law enforcement will not be taken over by Federal controls.

My amendments were adopted by the Republican Party and approved by a 186-to-86 vote of the House of Representatives. They were subsequently introduced in the Senate by Senator DIRKSEN and again received overwhelming approval. In view of the violence and soaring crime rates that our Nation is now experiencing, it is to be hoped that State governments will undertake immediate action to implement this vital program.

Further, the tragic assassinations this year of Senator Robert F. Kennedy and Dr. Martin Luther King generated tremendous public concern for more effective gun control measures. The Congress reflected this concern in the Omnibus Crime Act by prohibiting the interstate shipment of handguns to anyone other than a licensed dealer, and regulating the over-the-counter sale of handguns, including prohibiting their sale to juveniles and any persons not a resident of a dealer's State. The Congress in recently enacted legislation voted to expand this prohibition on interstate shipment to the sale of long guns.

Widespread use of hallucinogenic drugs—LSD—and other dangerous drugs among the Nation's youth has also commanded Congress' attention this year. The House passed a bill, now awaiting Senate action, which establishes legal penalties for trafficking in LSD, stimulant or depressant drugs. It also provides penalties for possession of such drugs. However, because the bulk of such drug use occurs among the young, this is a very difficult area in which to legislate. I feel strongly that while it is imperative to curtail the use of these drugs, it is equally important to protect our youth through programs of education.

I am happy to report that during this session of Congress a very significant Juvenile Delinquency Preventive and Control Act was passed. It authorizes assistance to courts, correctional systems, and community agencies engaged in the prevention, control and treatment of juvenile delinquency. It is my judgment that the consequences of such assistance are immeasurable, for with adequate treatment the juvenile offender can be steered away from the path of crime.

CONSUMER PROTECTION

When the truth-in-lending bill came to the floor of the House of Representatives, I was deeply disturbed by its failure to crack down on deceptive and fraudulent lending schemes, by way of fraudulent second mortgages and deceptive home repair practices, which have bilked thousands of New Jersey homeowners. Constituent complaints, reports of several newspapers in the New Jersey-

Pennsylvania area and the District of Columbia, and results of investigations which I requested the Post Office Department and Federal Trade Commission to undertake were convincing proof that corrective legislation was necessary.

I therefore proposed amendments to truth-in-lending which were unanimously approved by the House of Representatives. Basically, my amendments clamp down on unscrupulous home repair racketeers who lure homeowners into unwittingly signing second mortgages on their homes, while they think they are signing ordinary installment loan contracts. Under my amendments a 3-day "cooling off" period is provided during which the homeowner may back out of the deal. They also require lenders to explain clearly what is involved in a second mortgage.

The channels of interstate commerce are increasingly being used to perpetrate business and sales frauds. In order to protect consumers against shady practices, I have introduced legislation which would make such deceptions of the public a Federal crime punishable by fine and jail sentence. It would also give the Federal Trade Commission power to immediately restrain schemes which are being investigated. The FTC now has no way of stopping phony business practices until case decisions are rendered, which sometimes take 2 years. Meanwhile, the fraudulent operator can continue to fleece the public.

I have also dedicated much effort to urging Congress to revise the Federal Interstate Highways program. New Jersey, which serves as a corridor for traffic to all parts of our Nation, does not receive its fair share of Federal money from the present outdated program. Unless this can be changed, in the very near future our State's transportation situation will become critical.

AUTOMOBILE INSURANCE

Hearings recently concluded by the House and Senate Commerce Committees indicate the extent and seriousness of problems in America's automobile insurance system. The testimony of insurance industry executives, State insurance commissioners, and representatives of the public interest confirmed what I originally stated to the Congress in a floor speech in the House of Representatives in April of 1967: In brief, a crisis exists. First, the cost of automobile insurance to the consumer has skyrocketed. Second, it has become extremely difficult for most normal drivers to buy insurance at regular rates. Arbitrary and overly selective industry practices have resulted in the young, the old, members of minority groups and religious denominations being classified poor risks and having their auto insurance canceled or terminated. Third, many poorly managed insurance companies have gone bankrupt, leaving thousands of accident victims without compensation. Another source of dissatisfaction has been the delay in settling claims for minor injuries and the extended wait for court trial where claims involve serious injuries.

In June of last year, a staff study of this matter was authorized by Chairman CELLER, and many of my constituents, I am sure, are familiar with the attention the staff report received in newspapers and magazines throughout the Nation. Subsequently, President Johnson, in his message to the American consumer early this year, proposed legislation which would authorize the U.S. Department of Transportation to conduct an investigation of automobile insurance. That study is now underway.

In speeches on the floor of the House of Representatives, in testimony before Senate and House committees, in proposing legislation, and in addressing interested consumer groups throughout the Nation, I have dedicated every effort to eliminating the abuse of motorists by insurance companies. In this connection I testified several months ago at a hearing before the New Jersey insurance commissioner and urged the rejection of an automobile insurance rate increase requested by the insurance companies. The increase was not granted. The New Jersey insurance commissioner also agreed for the first time to consider investment income as a part of the insurance company profit in deciding whether a rate increase was justified. The Justice Department's favorable response to my recent request for an antitrust investigation of insurance companies in New Jersey has been especially encouraging. I am determined to continue these efforts.

CIVIL RIGHTS

The Congress continued its efforts during this session to eradicate certain lingering arbitrary and discriminatory legal barriers to full participation of Negroes and other racial minorities in the processes of democracy. Although much remains to be done by our Nation in reversing what is a regrettable historical pattern, I believe that the Civil Rights Act of 1968 is the most important one yet to be passed by the Congress.

EDUCATION

Many education programs initiated during or prior to the 89th Congress were continued, expanded, or improved during this session. These expanded programs have provided vital assistance to institutions of higher education in improving their physical plants, facilities, and curricula, and in affording loans to needy students. In my judgment, while the amendments and expansions made are important, they do not go far enough. These programs, like certain others, felt the sting of inadequate funds. They represent a critical investment in our most precious national resource—our young people. I strongly hope that the next Congress will carry out its full responsibility in this important area.

An important act, which I strongly supported, was also passed this session, which will continue and expand the Vocational Education Act of 1963. This act goes far in improving the quality of vocational training, particularly for the handicapped, and in consolidating and strengthening vocational education programs throughout our 50 States.

HOUSING

In the area of housing, I am pleased to report that this session of the 90th Congress has passed a landmark omnibus housing measure—the most comprehensive housing bill since 1949. Some of the many significant provisions of this act include, among others: assistance to low- and moderate-income families in purchasing homes; assistance to low- and moderate-income families in renting housing; strengthening amendments for various FHA mortgage insurance programs; FHA assistance to new community developers in financing and constructing developing communities; an increased fund authorization for urban mass transportation assistance, which is so vital to New Jersey, and extension through June 1970 of the emergency mass transportation program; programs to encourage private industry construction of low- and moderate-income housing through Government-supported profit-making corporations; housing loans for rural residents if other assistance is unavailable; a 10-year housing program requiring the President to submit a report on goals and plans and requiring periodic annual reports thereafter.

In addition, the bill includes a national flood insurance program which will provide insurance coverage to families in areas prone to floods. Private insurance industry has been unable or unwilling to insure many families living in such areas, which leaves them at the mercy of fate. Under this new program the Federal Government will support the private insurance industry in protecting these families' homes and property. I am hopeful that implementation of this program will one day result in providing flood insurance for all residents along the New Jersey coast.

MEDICAL MANPOWER

Soaring costs of medical treatment, long waiting room delays, and difficulty in obtaining care on nights, weekends, or emergencies make clear that our Nation is not producing sufficient doctors, nurses, and other health personnel. I have carefully investigated this shortage of medical manpower and have been convinced that it is the result of extravagant and wasteful Federal expenditures for medical research. In short, it appears that America's medical educational system has not produced bedside physicians for 90 percent of the public's illnesses, but rather a small professional corps of researchers and specialists.

Through speeches on the floor of the House, testimony before appropriate congressional committees and the introduction of corrective legislation, I have succeeded in making many Members of Congress aware that we must produce more medical manpower if a crisis is to be avoided.

VETERANS

The 90th Congress passed a number of measures affecting, and of interest to, veterans or veterans' survivors.

In a gesture of gratitude toward those who have fought in Vietnam, both the House and the Senate passed a resolution expressing the congressional policy that Vietnam veterans should be accorded employment preference in the Federal Government and that the Government, through its procurement operations, shall encourage the same on the part of private industry.

A bill was also enacted into law which increases the basic compensation rate for totally disabled veterans from $300 to $400, and adjusts compensation rates for partial disability to reflect increased costs of living.

Another bill passed by both Houses this session increases the income limitations used in determining the amount of disability pension for an eligible veteran. Pensioners will now be able to receive greater amounts of income, such as from social security benefits increases, without incurring disability pension reductions.

And finally, during the last week of the second session, the Congress passed a law which extends educational assistance to widows of veterans killed in service, thereby availing them of the opportunity to increase their knowledge and their ability to compete for decent-paying work. The bill provides the widow with a day and a half of free education for every day her deceased veteran husband served in the Armed Forces.

SOCIAL SECURITY

During the first session in 1967, the Congress enacted the House version of a series of important amendments to the Social Security Act. I vigorously supported these amendments. They are intended to come to the aid of the nearly 40 million retired Americans, who do not enjoy the benefit of rising wages and income to cope with rising prices.

The social security bill provides an across-the-board increase by 12½ percent, increases the amount an individual may earn and still get full benefits, strengthens the benefit formula and improves the health insurance benefits.

Under the provisions of this bill, the amount that a person may earn and still get his benefits would be increased from $1,500 to $1,680 and the amount to which the $1 for $2 reduction would apply, would range from $1,680 to $2,880 a year. The amount a person may earn in 1 month would be increased from $125 to $140. The number of days of hospitalization would be increased from 90 to 120 days. A patient would be permitted to submit his itemized bill directly to the insurance carrier for payment.

REFORM MEASURES

There are a number of important areas which I consider to be in critical need of reform—the Selective Service System, our system of taxation, the electoral college, our postal system, and the rules governing the workings of the Congress and the conduct of its Members. It is my considered judgment that we must give these matters top priority attention when the 91st Congress convenes next January. For in each of them there exists varying degrees of inequity and inefficiency which we can no longer afford to tolerate.

DISTRICT AFFAIRS

Generally speaking, all three of the counties in my district enjoyed population and industrial growth, resulting in new homes, new businesses, and increased prosperity for the Sixth District as a whole. The Federal Government saw fit to award a significant number of contracts to various industries in our district. For example, between January 1967 and October 1968, contracts exceeding $350 million were awarded to RCA operations alone in our district.

BURLINGTON COUNTY

Statistics show that Burlington County has the greatest land space of the entire 21 counties in New Jersey, and that Ocean County has the second greatest land space in the State. Within this area is the New Jersey Pine Barrens, which is the most extensive wildland tract in the Middle Atlantic Seaboard region, occupying 2,000 square miles of the Atlantic coastal plain in southeastern New Jersey. Portions of the Pine Barrens area have been recommended to be designated as a new national park and also for a jetport to serve the New York-New Jersey metropolitan area.

During the early part of 1967, the National Park Service arranged for a study of a section of the Pine Barrens to determine whether it had sufficient scientific value for establishment as a national park. A report covering the study was completed in October 1967, and it recommended the Wading River Ecosystem and the Great Swamp section of the Wharton Tract as being nationally significant and eligible for inclusion in the National Registry of Natural Landmarks because of their multiple values. Because of the concern that existed among local interests I sponsored meetings in Ocean and Burlington Counties for the purpose of clarifying the original study. The National Park Service is now conducting another study for the purpose of recommending alternative procedures for the ultimate pinpointing of sections of the Pine Barrens that might be included in the National Park Registry. While I endorse the present study, I also recognize the need to protect existing industries in the Pinelands and the possible loss of ratables to municipalities through the designation of a new national park, and, therefore, intend to follow the present study closely to insure that any eventual recommendations and subsequent legislation serve the best interests of Ocean and Burlington Counties.

JETPORT

Concerning the jetport proposal, I am reserving any final judgment on this plan, recently announced by the Governor's Jetport Commission, until the recommendations are thoroughly evaluated and a conclusion is reached by the U.S. Secretary of Transportation. The Federal Aviation Administration has consistently opposed the establishment of a jetport in the Pinelands because of a problem relating to air patterns, and prominent airline officials have also expressed opposition to a Pineland jetport, alleging that it is not close enough to the New York-New Jersey metropolitan area.

Limitations on Federal resources imposed by the war in Vietnam have had widespread impact in our congressional district. Serious reductions in federally impacted school funds which have threatened Burlington County school districts provide but one example. In my judgment, despite the need for economy in Government spending, the administration has acted unwisely in cutting these funds. The education of children whose parents serve in the Armed Forces seems to me a fundamental part of our defense effort. Unfortunately, amendments which I proposed to the supplemental appropriations bill that would have restored the impact school districts programs to their full funding level were defeated. However, determined efforts to secure full funding are continuing, and some encouragement is provided by recent Senate amendments to the Health, Education, and Welfare appropriations bill.

OCEAN COUNTY

I am pleased to announce that, during my first 2 years as a Representative serving the recreational area of Ocean County, there were several projects completed. I was able to persuade the Army Corps of Engineers, in the summer of 1967, to acquire emergency funds to permit the dredging of Tuckerton Creek Channel, following action by the Ocean County Board of Freeholders, which established this dredging as a No. 1 priority for the improvement of Ocean County waterways.

Having been notified that there had been no dredging of Barnegat Inlet for approximately 15 years and that dangerous shoals existed in this vital waterway, I arranged for emergency interim dredging of this inlet both in the summers of 1967 and 1968. As a result of this dredging, the most severe hazards were diminished and there was considerable improvement in navigation for this vital outlet to the Atlantic Ocean. In addition, firm plans have now been set up for the development of a new, permanent channel in Barnegat Inlet. A prototype will soon be established in model form at the Vicksburg experiment station in Mississippi to implement the recommendations which, I hope, will result in a permanent solution for the problems of Barnegat Inlet.

The U.S. Army Corps of Engineers is continuing its study to ascertain the advisability of constructing a realined 12 feet deep and 100 feet wide intercoastal waterway. Upon receipt of reports that there was considerable shallowness in the present intercoastal waterway, I made special arrangements with the Corps of Engineers for the dredging of these shallow areas to insure that a 6-foot depth would be constantly maintained in all sections of the intercoastal waterway of Ocean County. My Toms River congressional office was set up as a liaison with local interests to receive complaints about these shallow areas to expedite corrective action without delay.

Recognizing the special needs of our senior citizens, I sponsored a senior citizens' forum in Ocean County during the autumn of 1967 in an effort to assist our retired Americans with the many problems confronting them in this period of their lifetime. Approximately 1,000 senior citizens attended this forum and indicated it was beneficial, particularly from the standpoint of information supplied to the senior citizens from various Government agency representatives who attended the forum.

CAMDEN COUNTY

On the advent of my representation of the Sixth Congressional District, I found a particular need for establishment of new, modern postal facilities in this rapidly growing area of New Jersey. I have constantly prodded the Post Office Bureau of Operations in Washington about the critical needs of postal improvements for the Sixth Congressional District, and, while not entirely successful, I am glad to report that several new post offices were constructed. I have not been satisfied with the operations of the Post Office Department generally, and I intend to continue exerting pressure upon top Post Office officials to acquire new, modern postal facilities and better methods of postal distribution for many communities of the Sixth Congressional District. Continuing efforts to seek Federal aid to alleviate flooding conditions in the Camden County area were pursued with diligence. Regular meetings were held both in the district and in Washington with representatives of major industrial concerns relative to Federal problems. Meetings were held with representatives of management, labor, and service organizations almost weekly in the district and in Washington. Personal interviews were conducted daily by staff, and weekly by myself, with constituents. Regular attendance at various associations, fraternal and veterans organizations was pursued through frequent trips between the district and Washington. Active cooperative efforts with municipal, county, and State leaders were a regular practice.

Since the Sixth Congressional District covers such a wide territory, I established two district offices for the convenience of the citizens—one in Cherry Hill, and the other in Toms River. Both offices, in addition to the principal office in Washington, have been maintained with a full-time staff for the servicing of the constituency and the solution of the many problems presented. Without exception, the correspondence addressed to the Cherry Hill, Toms River, or Washington offices has been answered promptly, and it is my hope that all citizens received efficient and courteous service.

During the 90th session, my offices processed literally thousands of requests for assistance. We have handled matters relating to social security, veterans' affairs, immigration, small business, Military Academies, post offices, farm problems, and military service matters—to mention but a few. I have been fortunate, too, in receiving expressions of opinion on pending legislation before the Congress from thousands of constituents. This has been most helpful in aiding me to obtain the views of the constituency and in focusing my attention on matters of particular interest to individuals, businesses, and corporations of the area.

In closing this report, I wish to express my appreciation to the people of the Sixth Congressional District for the honor of serving them as their Representative in the 90th Congress.

REDWOOD PARK LEGISLATION—INVOLUNTARY CONVERSION

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, today I introduce legislation which results from enactment of the Redwood National Park bill which the President signed on October 2, 1968, and for which we last week appropriated a portion of the moneys for acquisition of private lands. Upon enactment more than 22,000 acres of private lands became U.S. property. Unlike most conversions of privately owned lands to public ownership, Public Law 90-545 transferred title by act of Congress, rather than through condemnation proceedings in the courts. There was a twofold purpose for the legislative-taking provision: to prevent logging within the park boundaries and to avoid escalation of prices during the negotiations or litigation of land value. The companies have not complained about this measure and, in fact, have observed a voluntary moratorium on cutting within the proposed park boundaries for the past years.

Last month during the floor discussion of the conference report on the Redwood National Park bill, several questions were raised about its provisions. One we resolved yesterday by passage of the supplemental appropriation bill. There was a concern that the United States would acquire the lands by act of Congress without making provision for prompt payment. By appropriating $46 million for partial payment for the land subject to the legislative taking we have authorized, and I believe, directed, the Secretary of the Interior to make a prompt partial payment for the acquisitions. Another problem discussed before adopting the conference report was the unique tax problem created by the taking of private lands. Section 1033 of the Internal Revenue Code provides that upon the involuntary conversion of property the taxpayer does not have to recognize the gain upon reinvestment of the proceeds. This section of the law covers almost all situations in which the United States takes private properties for public use. In the case of the Redwood National Park, however, section 1033 does not meet its purpose, for it requires a reinvestment in "like" property. The very purpose of the Redwood National Park legislation is to preserve the last remaining redwoods. It is obvious that redwood timberlands are not available to the companies whose lands are taken for the park. It is my purpose in introducing this legislation to extend coverage of section 1033 to this unique situation.

The legislation I propose today does not protect unlimited reinvestment by the companies. Rather, in line with the purposes for which section 1033 was first adopted, the companies would have to restrict investment to properties similar in nature to the business in which the company was already engaged at the time of enactment. In order to stimulate reinvestment in the counties whose tax bases have been severely reduced by the creation of the Redwood National Park, I propose that reinvestment protection be given to any new trade or business in those counties. It is my hope that this latter provision will stimulate job protection in Del Norte and Humboldt Counties.

The conference report on the Redwood National Park legislation expressed the hope that a bill of the nature I introduce today will be passed. In the discussion of this issue on the floor, the distinguished chairman of the House Interior Committee, the Honorable WAYNE N. ASPINALL, promised that he would sponsor such legislation next year. I do not introduce this bill in order to fulfill that promise, but only so that this bill will be brought to the attention of the Treasury Department during the time that Congress is in adjournment, so that it will have time to make suggestions with regard to the draft. That is the purpose of my introduction today, and I hope that the Committee on Ways and Means to which this bill will undoubtedly be referred, will seek a report on this proposed legislation so that next year, all of those involved in the creation of the Redwood National Park will have the opportunity to cosponsor legislation to complete this unfinished business.

ADDRESS OF PRESIDENT OF REPUBLIC OF CHAD AT LUNCHEON IN HIS HONOR

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the African Subcommittee of the Committee on Foreign Affairs it was my privilege and my pleasure to host a luncheon in the Speaker's dining room at the Capitol in honor of His Excellency Francois Tombalbaye, President of the Republic of Chad, during his recent visit to Washington.

Here is a list of those present on this delightful, stimulating, and historic occasion:

Host: Hon. Barratt O'Hara, Chairman, Subcommittee on Africa.

Official Party: The President of the Republic of Chad, Francois Tombalbaye; Minister of Foreign Affairs, Dr. Jacques Baroum; Ambassador to the United States, Lazare Massibe; Minister of Economy and Transport, Abdoulaye Lamana; Minister of Plan and Cooperation, Georges Diguimbaye; Minister of Agriculture, Raymond Naimbaye; Director of the Cabinet, Office of the President, Alphonse M'Bainoungam; and Hon. Tyler Abell, Chief of Protocol of the United States, accompanying the official party.

From the House of Representatives: Hon. John W. McCormack, Speaker; Hon. Thomas E. Morgan, Chairman, Committee on Foreign Affairs; Hon. L. H. Fountain; Hon. Leonard Farbstein; Hon. William T. Murphy; Hon. Benjamin S. Rosenthal; Hon. Frances P. Bolton; Hon. Edward J. Derwinski; Hon. James G. Fulton; Hon. J. Irving Whalley; and Robert F. Brandt, Staff, Committee on Foreign Affairs.

Hon. C. Robert Moore, Deputy Assistant Secretary for African Affairs; Hon. Sheldon B. Vance, U.S. Ambassador to the Republic of Chad; William E. Schaufele, Jr., Country Director for Central West Africa; E. Jan Nadelman, Alternate Country Director for Central West Africa; Walter S. Clarke, Country Officer for Chad; and John S. Leahy, Office of Congressional Relations.

Remarks of President Tombalbaye, of Chad, at luncheon in Speaker's dining room on October 3, 1968, follow:

Mr. Chairman of the Subcommittee on African Affairs, Mr. Speaker, Honored Representatives of the American Nation: Here in this building, which is the symbol of American democracy, I would like to tell you on behalf of the people of Chad, how happy I and the members of my party are to be invited to visit your beautiful country.

Indeed, does not the United States give the example of a country which has been developed by the will, tenacity and work of its children, in the space of a few, still recent, centuries?

Whatever injustices, errors, and violence which might have accompanied that change (we recognize that there are two sides to every question) the positive aspects of the transformation of part of this continent cannot be ignored by those people who are thoughtful and who, like us in Africa, are trying desperately to lead their peoples towards progress with as little social injustice as possible.

Good will, work, justice and progress have been and continue to be the foundations of the mission which the Progressive Party and I have assumed since our country acceded to its independence.

It is with this end in view that we established a plan guided by the principles of an increase in the standard of living for the rural population and the consolidation of national unity in all its aspects.

We hope to strengthen the economic aspect of our national unity by an equitable distribution of the centers of progress through the creation of centers of industrial and agricultural development; by the adoption of a minimum program of national integration, translated into concrete form, by the construction of major axes of communication between the principal regions of the country.

We hope to strengthen the *social* aspect of our national unity by a better public health policy for all; by an educational policy which is adapted to the reality of the different regions.

We hope to strengthen the *technical* aspect of our national unity by training large numbers of Chadian administrative personnel who will be able to take up the tasks of development effectively.

But it would be highly presumptuous for me to say that this program, as modest as it is, could be brought to a successful conclusion without the aid and assistance of the countries with which my country maintains friendly relations.

However, in the second year of our 5-Year Plan, it is unlikely that even 60% of our original forecasts will be achieved. The delays, the postponements, the half-successes are essentially due to last-minute reversals by countries on which we were counting heavily. Among these countries, alas, is the United States, which gave up certain projects of primary importance for Chad; moreover, these were projects for which the United States had already agreed to finance the studies. Among others, I could cite the Massaguet-Bokoro, Mongo-Mangalmé road which could have created conditions favorable to the full flowering of the sentiment of national unity.

But we would be demonstrating bad will if we did not recognize the efforts made by the Department of State and by the American representation in Chad to have my country's projects carried out. The responsibility for this state of affairs must be borne by the serious cuts made in the Foreign Aid program and by the alarming policy followed for the last two years by the Congress of the United States.

I have called this policy alarming.

Mr. Chairman,

Honored Members of Congress,

I would like to tell you of the dangers faced by the world, especially by countries like ours, where everything still needs to be done and where we will no longer be able to count on aid from countries like yours.

Our aim is to spare our country the trials of violence and instability. We cannot maintain that pledge unless our people are able to develop in harmony and in peace.

After the First World War, the United States turned in on itself and wished to concern itself no longer with the problems of Europe and the rest of the world. But it returned to Europe twenty-five years later to start the same process again.

International solidarity is such, today, that great nations such as yours owe it to themselves to refrain from making any decisions which, rather than maintaining peace, contributes to setting into motion more quickly the mechanism of war.

When I speak of aid and assistance I would like to emphasize this point; I mean that aid and assistance judiciously granted to a nation which has defined and categorized its needs and which then turns to other nations asking them for the necessary supplement to that country's own efforts.

Commonsense has it that an ounce of prevention is worth a pound of cure.

On January 20, 1961, one of your famous sons spoke the following words to the American Nation:

"To those new States whom we welcome to the ranks of the free, we pledge our words that one form of colonial control shall not have passed away merely to be replaced by a far greater iron tyranny. . . .

To those peoples in the huts and villages across the globe struggling to break the bonds of mass misery, we pledge our best effort to help them help themselves, for whatever period is required. . . . If a free society cannot help the many who are poor, it cannot save the few who are rich."

We dare hope that that call was not made in vain and has not remained in vain.

Today the fate of Mankind concerns us all, rich or poor, large or small.

Today, as yesterday, the solution remains Man's access to social well-being and to the equitable enjoyment of all of this world's goods.

Mr. Chairman,

Honored Members of Congress,

Permit me, as a last word, to wish each one of you good luck in the coming elections so that the fund of experience which you have amassed on this Committee may help the American people to have a better understanding of the problems of Africa today.

Good luck and thank you.

GREETINGS TO UGANDA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, yesterday, October 9, was the sixth anniversary of Uganda's independence. Uganda lies astride the Equator in central-east Africa, the area of the country being nearly the size of the State of Oregon. Kampala, the capital, is in the Province of Buganda on the shores of Lake Victoria, the source of the White Nile. The famous Mountains of the Moon form a part of her harbor with the Congo.

Under the wise leadership of President Obote, Uganda has enjoyed one of the most impressive economic growth rates in all of Africa. Foreign investment is welcome and I am sure that many American businessmen will be interested in taking advantage of the many opportunities available in this prosperous, progressive African nation. In so doing they will add to the many ties of friendship which already unite our two countries.

I want to extend my congratulations and best wishes to the people of Uganda, to President Milton Obote, and to His Excellency E. Otema Allimadi, Uganda's Ambassador to the United States.

BIRTHDAY SALUTE TO LESOTHO

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, on Friday of last week, when the House was not in session, and therefore my congratulations were delayed, the second anniversary of the independence of the kingdom of Lesotho—one of the islands of freedom in southern Africa—was celebrated. It is most appropriate that we should extend greetings to the people of Lesotho, who have, in the face of difficulties, maintained their course toward a truly multiracial society.

We note with particular satisfaction that Lesotho, since its independence, has taken an active part in the realm of international affairs and that on many major issues it had supported the position of the West.

Let us hope that the bonds of friendship which have already been established through the Peace Corps and our normal diplomatic connections will be enhanced and expanded in the years to come.

TRIBUTE TO A GOOD AND GREAT MAN, THE SPEAKER OF THE HOUSE, THE HONORABLE JOHN WILLIAM McCORMACK

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the distinguished Speaker of the House of Representative, the Honorable John William McCormack, celebrates this year the 40th anniversary of his election to Congress. Our skillful and beloved Speaker has earned a special place in the hearts of his colleagues, constituents, and countrymen for his devoted service, his true friendship, and his undying patriotism and dedication to the House, to his district, and to the United States of America.

A Boston constituent has said of him:

> Knowing what it is to be poor, John has never moved away from his people . . . He's always helping some guy who's down on his luck, and he's never taken a dime. There'll never be another like him.

A former congressional chaplain has been quoted as saying that if all men lived a life like John McCormack's there would be no need for chaplains. His personal life as well as his career is an inspiration to all those privileged to know him and serve with him.

The son of a Boston bricklayer and grandson of an immigrant who had fled the Irish potato famine, John lost his father on the eve of his graduation from grammar school. In order to support his mother and two younger brothers, he left school to work for $3 a week as a messenger for Western Union, and earned additional wages on Sundays, delivering newspapers. Lured by the salary of $4 a week, he later went to work for the law firm of William T. Way, and that barrister encouraged the boy to read law. By the time he was 21 years old, never having attended high school or college, John successfully passed the Massachusetts bar examination.

For 6 months after he began to practice law, he continued to deliver Sunday newspapers, to make ends meet. He served his country in World War I and was honorably discharged at the termination of the conflict with the rank of sergeant major. His legal practice flourished after his return to Boston, and he made a reputation as an adroit trial lawyer and built up his practice into a successful enterprise that grossed $30,000 in 1928.

The Speaker has said that politics was a natural interest to all who lived in South Boston, and it certainly appealed to him. At the age of 25, he successfully sought the office of delegate to the Massachusetts Constitutional Convention. He served in the State house of representatives from 1920 to 1922, and in the State senate from 1923 to 1926, the last 2 years as Democratic leader. First elected to the U.S. Congress in 1928, he has been reelected in every succeeding election. Throughout the New Deal, the Fair Deal, the New Frontier, and the Great Society, he has worked tirelessly to secure the enactment of the programs of Democratic administrations in Congress. Before election as Speaker in 1962, John was an adept majority leader and Democratic whip.

Most of us will remember him from those days as a slambang fighting Irishman from Boston. He fills a different position now. In the vitally powerful and important office of Speaker, he performs in a different manner, but he is still a witty debater who has always remained true to his principles, and who has influenced, through positive action, the course of government.

Speaker McCormack has been the champion of the workingman, the underprivileged, and the elderly. He has put his mark on extensive legislation in the areas of health, education, welfare, civil rights, and labor. He helped write both the Wagner Act and the Social Security Act, the first minimum-wage bill was one of his special projects, and he was influential in the passage of the Civil Rights Act of 1964. He has continued to be ruled by a high personal moral code, by his understanding of the problems of other people, and by his concern for the well-being of all the people of America.

Speaker McCormack is rarely seen on the Washington social circuit. He owns no property, and donates much of his salary to charity. He spends most of his nonworking hours in the company of his beloved wife of many years, the former Harriet Joyce. He is not a drinking man. He is, in short, a deeply religious man, a superior leader, an outstanding Democrat, a patriotic American, a fine and true friend. He has never failed to help a colleague, to counsel when counsel is sought, to show loyalty to his ideals and to his friends, and to give of himself to the district whose every street he knows and loves. His humanity, his friendship, and his unfailing consideration are matched only by his skillful and aggressive leadership, his ability to compromise, and his knowledge of the workings of the House of Representatives. John William McCormack has said that if he had to choose, he would far prefer to be a good man than a great man. In his many years of service to this Nation, he has proved to be both.

ATOMIC WASTE DISPOSAL

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, with adjournment of this Congress, House Joint Resolution 599—to create a Federal Committee on Nuclear Development—will be among the casualties of inaction. As author of the resolution I am, of course, disappointed but not surprised at my colleagues' failure to act upon it.

Referred to the Joint Committee on Atomic Energy, House Joint Resolution 599 was immediately confronted with the improbability of acceptance by those who depend to a great extent upon the judgment of the very organization—Atomic Energy Commission—whose decisions would be scrutinized by the Committee the resolution would create. In consequence, House Joint Resolution 599 was pigeonholed as anticipated.

Yet I do not consider the effort a total loss. The fact that similar resolutions were introduced by at least 27 other Members of the House from 10 States is alone an indication of a sense of suspicion about our civilian reactor program.

Other harbingers of popular demand for an investigation are appearing in the Nation's press in the form of questions about the mushrooming cost of atomic energy, limited reserves of uranium, the reactor's potential for contaminating air and water—a subject of popular concern in communities where nuclear plants threaten to locate, and the waste disposal problem.

The latter consideration was the subject of a column, "Atomic Garbage Piles Up," in the Pittsburgh Press of September 19. I include this report in the Record at the conclusion of my remarks.

The subject is so important that my colleagues will also be interested in the following excerpts by Dr. E. F. Schumacher, economics adviser to the National Society for Clean Air at Blackpool on October 19, 1967:

> But what is a safe place, let us say, for the enormous amounts of radioactive waste products created by nuclear reactors? No place on earth can be shown to be safe. It was thought at one time that these wastes could safely be dumped into the deepest parts of the oceans, on the assumption that no life could subsist at such depths. But this has since been disproved by Soviet deep-sea exploration. Wherever there is life, radioactive substances are absorbed into the biological cycle. Within hours of depositing these materials in water, the great bulk of them can be found in living organisms. Plankton, algae, and many sea animals have the power of concentrating these substances by a factor of 1,000 and in some cases even a million. As one organism feeds on another, the radioactive materials climb up the ladder of life and find their way back to man.
>
> No international agreement has yet been reached on waste disposal. The conference of the International Atomic Energy Organization at Monaco, November 16th to 21st, 1959, ended in disagreement, mainly on account of the violent objections raised by the majority of countries against the American and British practice of disposal into the oceans. "High level" wastes continue to be dumped into the sea, while large quantities of so-called "intermediate" and "low-level" wastes are discharged into rivers or directly into the ground. An AEC report observes laconically that liquid wastes "work their way slowly into ground water, leaving all or part (sic!) of their radioactivity held either chemically or physically in the soil."
>
> The most massive wastes are, of course, the nuclear reactors themselves after they have become unserviceable. There is a lot of discussion on the trivial economic question of whether they will last for 20, 25, or 30 years. No one discusses the humanly vital point that they cannot be dismantled and cannot be shifted but have to be left standing where they are, probably for centuries, perhaps for thousands of years, an active menace to all life, silently leaking radioactivity into air, water, and soil. . . .

Mr. Speaker, maybe it is time for someone in addition to the Russians and a few isolated voices in Great Britain and the United States to express alarm at the manner in which AEC deals with the lethal litter problem. The question of atomic waste disposal was further accentuated by U.S. Government action following the accidental dropping of nuclear devices abroad. If there is no danger in burying atomic waste underground, why is it necessary to transport contaminated snow from Greenland and soil from Spain for burial in this country?

It is time to find out why America should be exposed to radioactive material considered too dangerous for other countries.

Regrettably, House Joint Resolution 599 has not been adopted. Each day its objective becomes more urgent, and I trust that my colleagues will rejoin the battle immediately after the 91st Congress convenes.

The column from the Pittsburgh Press follows:

ATOMIC GARBAGE PILES UP

(By Ian Johnson)

> London.—The good ship Topaz, 2250 tons, is not the most attractive, nor the most popular vessel on the high seas. It is a floating garbage can.
>
> The garbage: radioactive waste from half a dozen countries whose governments, embarrassed by atomic "sewage" piling up in the backyards of huge nuclear stations, hired the ship to take it away.
>
> The mission of the Topaz is, or was, to sail far out in the Atlantic and dump the stuff—carefully sealed in welded, triple-skinned oil drums into the deepest and it was assumed, the safest, depths.
>
> Until recently, nuclear reactor waste in Britain, Belgium, Holland, France, Germany and the U.S. has been pushed into deep holes, old mine workings or tipped into lakes.
>
> But neighbors, even as far as a hundred

miles away, object violently, and the bottom of the ocean obviously appears to be the most acceptable dump.

But is it? The Russians claim that no matter how carefully the waste is packed, in time the casings will corrode and leak.

And they point out the indisputable fact that whatever radiation is in the drums will stay alive for 24,000 years.

They claim, further, to have already detected higher levels than normal of of strontium in fish caught in the Arctic—though this, they admit with a sneer, might be caused by the American loss of an H-bomb on the Greenland ice cap.

The amount of waste from an atomic power station is small, and can be reduced to 150 gallons of liquid a year.

But it is also deadly and is being accumlated in ever-increasing quantities as more and more reactors come into service.

The outcry by the Russians—and understandable anxiety expressed by all deep-sea fishermen—will probably lead to the abandonment of the ocean method of garbage disposal.

THE PROBLEMS OF ENVIRONMENTAL QUALITY CONTROL

Mr. DADDARIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DADDARIO. Mr. Speaker, the problems of environmental quality control—smoggy air, water pollution, preservation of the remainder of this Nation's most scenic locations, noise abatement, protection of endangered wildlife species, restraint on unwise pesticide use, and carefully planned highway and other construction to protect natural landscape values—continue to attract the attention of scholars, concerned citizens, industrial leaders, and the general public.

Over a hundred pieces of legislation on these and other environmental problems were introduced in the two sessions of the 90th Congress and referred to 19 committees of the House and Senate. I have been pleased that the activities and studies of our Subcommitee on Science, Research, and Development have drawn the attention of my colleagues to a number of the more critical environmental quality issues.

On July 17, 1968, a group of Senators and Representatives—responding to the invitation of Senator HENRY M. JACKSON, chairman of the Senate Interior and Insular Affairs Committee, and GEORGE P. MILLER, chairman of the House Science and Astronautics Committee held an informal colloquium which focused on the evolving task the Congress must face in finding more adequate means to manage the overall quality of the American environment. Mr. Laurance Rockefeller, a distinguished conservationist, participated in those discussions and very clearly delineated the growing public expectations with respect to recreation and the protection of landscape values.

Among his many accomplishments is the work of the Citizens Advisory Committee on Recreation and Natural Beauty of which he is chairman. Mr. Rockefeller recognized the ubiquitous impact of the electric power industry on environmental qualities and established an Electric Utility Industry Task Force on Environment to study the problem in detail. A report "The Electric Utility Industry and the Environment" has just been issued; I am analyzing its contents, and believe it to be worthy of study by all Members. Its major conclusions are:

MAJOR CONCLUSIONS

The Task Force arrived at many conclusions and made several recommendations regarding transmission and distribution lines, improvements in facilities to ease the impact on the environment, plant siting, etc., as will be seen in this report. There were, however, four major conclusions drawn by the Task Force which merit special emphasis:

1. THE IMPORTANCE OF ENVIRONMENTAL CONSIDERATIONS

The movement to promote environmental quality is young, thriving, and, in the opinion of the Task Force, permanent. All of industry must adjust to it.

Since utility facilities are so prevalent a part of the landscape, beautification and preservation of scenic values are elements which must be incorporated into the policies and programs of every utility. Considerations of environmental protection and enhancement, as well as cost and reliability, are an inherent part of all planning. Fortunately, many utility companies recognize the importance of protecting and enhancing the environment, wherever this can be done consistent with their primary obligation to provide efficient, reliable power at reasonable rates, and have taken important forward steps.

The Task Force recommends that all utilities move ahead on this front as rapidly as possible, and further recommends that state regulatory agencies give full consideration to the importance of the environment in their relations with the industry, since their cooperation is essential if important progress is to be made.

2. POSSIBLE APPROACHES TO FEDERAL PARTICIPATION IN UNDERGROUNDING DISTRIBUTION LINES

Undergrounding of overhead distribution lines, particularly in urban and suburban areas, appears to be developing as a significant part of an emerging national policy to improve the quality of the environment.

Considerable progress has been made in the undergrounding of lines in new residential areas, due principally to the lowering of underground distribution line costs and to federal, state and local programs. In the survey of the industry made for the Task Force, it was indicated that distribution lines into new residential areas would normally be underground by 1980. However, the Task Force believes this can be expedited, and has set 1975 as a target date after which no new overhead distribution lines should be constructed in new residential subdivisions.

The cost of converting all existing overhead distribution to underground, if this should be attempted, is staggering. It is estimated that it would cost in the order of $150 billion to underground the present $18-billion investment in overhead distribution, and therefore such an objective is unrealistic.

Attacking the problem even in high priority areas, such as urban and suburban areas, will require massive expenditures, although there are no reliable figures available that apply to these areas in particular.

It can be assumed that at some future date federal funds may become available, and if it should be decided at a federal policy level that this is a worthy area for expenditure in the interests of environmental enhancement, government assistance would greatly expedite progress. This is the only way in which a really widespread national program to convert overhead lines to underground can be undertaken.

Precedents are already established for federal assistance in programs aimed at improving the environment, such as pollution control, highway beautification, and improvement in recreational resources. Federal assistance to aid in undergrounding could come through federal grants to communities, as is done in these other cases; or indirectly, through special tax credit incentive plans to investor-owned utilities, with equitable methods of assistance for non-investor-owned utilities.

The Task Force has explored three possibilities: (1) a grant-in-aid for environment improvement available to local governmental bodies which have adopted undergrounding as an element in environmental improvement programs; (2) a special tax credit to investor-owned utilities based upon the book cost of the present distribution system, (3) an increase in the investment tax credit to utilities from the present 3% to the 7% level presently applicable to other industries.

The grant-in-aid approach would provide an equitable method of assistance to all elements of the industry. It avoids certain complications inherent in the tax credit proposals.

It is important to note that where considerable undergrounding is done in a community the local government may also have expense in connection with the facilities (such as street lighting and fire alarm and traffic signal systems), a situation which may also warrant federal assistance, and which would be taken care of if the grant-in-aid formula were used. In addition, consumers would also have to bear the expense of adapting their facilities to accommodate underground service.

3. A CALL FOR ACTION AT THE STATE LEVEL IN CONNECTION WITH TRANSMISSION LINES

Undergrounding of high-voltage transmission on a large scale will not be technologically possible nor economically feasible for many years. Research is moving forward, but more needs to be done, and the federal government should assist. Meanwhile, better methods must be found for accommodating both the public need for more electric energy and for a better environment.

Because of critical power supply situations which have developed in the past, and may continue in the future, efforts must be made to reduce the incidence of adversary proceedings growing out of environmental questions in connection with the expansion of power facilities. The problems must be solved some better way than through extended court procedures. Growing demands indicate that present power resources which will be increased nearly 8.5% during this year must be virtually doubled in the next ten years. Failure to meet these requirements will jeopardize the growth of the nation, and can dangerously threaten reliability of the supply. Yet, legitimate objections to plant sites and routings of transmission facilities must be heard and considered, and adjustments must be made wherever feasible.

To help resolve this situation, the Task Force recommends that state legislatures, in cases where they have not already done so, be encouraged to provide regulatory agencies with a right of review over the routing of high-voltage transmission lines planned by the utilities under their jurisdiction. Moreover, the Task Force suggests that, when and where deemed desirable, competent committees, acting in an advisory capacity to regulatory authorities, be appointed by the governor of the state to consider all facts related to environmental questions involving electric utilities and make appropriate recommendations.

The function of such committees should be strictly advisory. Their prestige and public presentation of the case should prove sufficient to reduce the incidency of adversary proceedings.

4. URBAN SITING OF NUCLEAR PLANTS

The Task Force recommends that earnest examination be conducted on the feasibility of siting nuclear plants in urban areas at the earliest possible time.

Urban siting of nuclear plants could make vital contributions to the environment. Urban siting would alleviate the problem posed by air pollution, and would have a beneficial effect on reducing the number of long-distance transmission lines.

Responses to the questionnaire distributed nationwide to utilities indicated that the vast majority of companies (87%) involved in nuclear power projects are vitally interested in urban siting.

It is noted that the Atomic Energy Commission (AEC), as well as individual utilities, are investigating and researching factors that would be involved in urban siting, and these efforts are commendable and should be encouraged.

The Task Force commends the AEC on its increasing interest in urban siting. The Task Force recommends that electric utilities and government agencies make every effort to acquaint the public with the safety and reliability records being achieved in the operation of nuclear plants, so that there will be a maximum of public acceptance when the AEC feels justified in licensing urban nuclear plants.

Mr. Speaker, I believe the Congress will find this a most valuable report and a most useful frame of reference for the consideration of corporate action, in cooperation with Government response, for the enhancement of our total landscape. Laurance Rockefeller and the members of his task force have made a major contribution to environmental policy formation. I strongly urge that the Rockefeller report receive the serious attention of all Members of the Congress.

THE CATHEDRAL OF THE IMMACULATE CONCEPTION

Mr. HANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, in my judgment one of the most important aspects of community life is its religious activity. The degree of this activity can be a significant barometer in assessing the moral fiber which prevails within the locale. Houses of worship play such an important role in the implementation of this all-important activity.

My community, Syracuse, N.Y., takes great pride in counting among its houses of worship one which presently is observing the 125th anniversary of its founding. I refer to the Cathedral of the Immaculate Conception, under the jurisdiction of the diocese of Syracuse. His Excellency Bishop Walter A. Foery presides over this diocese, assisted by His Excellency Bishop David F. Cunningham. Rector of the Cathedral of Immaculate Conception is the Right Reverend Monsignor James P. McPeak, who, on Tuesday, October 1, of this year celebrated his 90th birthday. In 1964 Monsignor McPeak was relieved of his administration duties and was succeeded by Right Rev. William J. Shannon.

As a native of Syracuse I have taken great pride in the fact that this magnificent cathedral is located in my hometown. I would like to share with my colleagues the following material which accurately describes in summary fashion the history of this great cathedral:

CATHEDRAL MASS HONORS RECTOR

The Rt. Rev. James P. McPeak, rector of the Cathedral, was honored at the Noon Mass on Tuesday in observance of his 90th birthday. Bishop Walter A. Foery and Bishop David F. Cunningham were present at the Mass.

Later at the Rectory, Msgr. McPeak was guest at a luncheon, attended by the Bishops and the Cathedral staff.

In mid-September, Msgr. McPeak noted the 65th year of his ordination as a priest. In the summer of 1952, Msgr. McPeak was named by Pope Pius XII to the office of protonotary apostolic, the highest dignitary of the priesthood next to the bishop. This office permits Msgr. McPeak to pontificate as bishop several times a year in the absence of the bishop.

Msgr. McPeak served as secretary to the Most Rev. Patrick A. Ludden, first bishop of the diocese. In recognition of his faithful service, he was given the large gold ring with purple setting formerly worn by Bishop Ludden. Bishop Foery presented the ring as a personal gift at the time of his 55th ordination anniversary.

Msgr. McPeak has served under all five bishops of the diocese. A native of Oswego, he was ordained Sept. 9, 1903 in St. Bernard's Seminary, Rochester. He went on to do graduate work at the Catholic University of America, Washington, D.C., where he received the degree of licentiate in sacred theology.

After serving several area parishes, Msgr. McPeak was made rector of the Cathedral in 1923.

CATHEDRAL PARISH TO NOTE 125TH ANNIVERSARY SUNDAY

On Sunday (October 6th, 1968) the Cathedral of the Immaculate Conception in Syracuse will observe the 125th Anniversary of its founding as a parish.

It was an institution which began as a parish community and evolved into its present Cathedral status in 1904.

St. Mary's was a parish originally part of the Diocese of Albany, and it became the Cathedral (or official church of the Bishop) when Syracuse was fragmented from the Diocese of Albany and became a Diocese in itself with the Most Rev. Patrick A. Ludden as its first Bishop. Bishop Ludden had been Vicar General of the Diocese of Albany.

Onondaga County historically records the fact that the actual first Mass offered in St. Mary's was Christmas of 1842. Previous to this the only existing Catholic church in the area was in the town of Salina, the present St. John the Baptist Church at Park and Court Streets.

On July 26, 1841, an advance guard of the present Cathedral parish organized under the title of the "Catholic Society of Syracuse" and purchased the Townsend Estate at the corner of Montgomery and Madison Streets for the sum of $800.00. This is the present site of Cathedral School, with 333 pupils under the guidance of the Daughters of Charity of St. Vincent de Paul with Sister Laura as Superior.

The first Pastor of St. Mary's was Father Michael Heas who spearheaded a movement to erect a church, and obtained for $400.00 a former Episopalian church located on the present site of the S.A. & K. Building. The building in toto was moved to Madison and Montgomery Streets and accommodated only 300 people. The present Cathedral seats 1500.

Father Heas' parish covered an immense territory—all the land south of the Erie Canal and the adjacent villages of Fayetteville, Janesville, Cazenovia and Split Rock. The parish growth was so enormous that in 1854 it was found necessary to establish another parish five blocks northeast of St. Mary's and this was the beginning of St. John the Evangelist parish in 1854.

There was an interesting note about Father Heas' death and burial. He strongly objected to ostentatious funerals and upon his passing in 1859 his remains were carried on the sturdy shoulders of the parish founders from Montgomery and Madison Streets to the old St. Mary's Cemetery presently occupied by the soon-to-be-completed Toomy-Abbott Towers.

The next Pastor was Father James A. O'Hara, a zealous priest and administrator and according to the records "a most eloquent preacher." It was he who foresaw the need for a larger and more beautiful church and he set out to secure a new site. Accordingly he purchased the property at the juncture of Montgomery, Jefferson and E. Onondaga Streets. The property cost $35,000.00 and was considered an excessive price-tag in its day. It was still St. Mary's and it was still under the jurisdiction of the Diocese of Albany. The cornerstone was laid in November of 1874 by the Bishop of Albany, Bishop McNierney. According to records Bishop Lynch of Charleston "preached a memorable sermon for the occasion." The building of the new St. Mary's became a long and discouraging task. The pristine enthusiasm of the faithful had waned. Construction slowed and eventually came to a halt with but three walls up and only partially finished. Many pillars stood erect but rough hewn Capitals remained awkwardly on the ground, waiting for money to raise them to their proper position. Times were bad and funds were short and the project became cruelly known in the community as "O'Hara's folly."

In 1882 a young priest filled with enthusiasm entered the scene. He was Father John Grimes and he was sent as an assistant to Father O'Hara. It was the freedom Father O'Hara gave to his talents which permitted the Cathedral eventually to be completed, and on December 6, 1886, twelve years after the laying of the cornerstone, the same Bishop of Albany came to Syracuse for the solemn dedication. The sermon was delivered by Bishop Ryan of Buffalo.

Meanwhile, the old wooden church remained in forsaken condition until 1892 when it was somewhat renovated and rushed into service as a parish Catechetical Center.

It took $250,000.00 to build the new St. Mary's Interestingly, that structure went only as far as a point roughly where the present communion railing of the Cathedral now stands. But in 1887 when the Most Rev. Patrick A. Ludden was consecrated as the first Bishop of the New Diocese of Syracuse, he temporarily used St. John the Evangelist as his pro-Cathedral but eventually settled upon St. Mary's as his Cathedral, and called it "The Cathedral of the Immaculate Conception." One of his first projects was to enlarge the edifice and to do it he purchased the building west of the St. Mary's and immediately adjacent to it known as the "La-Concha Baths," a kind of health club in modern terminology. This permitted the completion of the three sanctuaries and two sacristies. At last the Diocese of Syracuse had its own Cathedral.

Upon his appointment as Bishop of Syracuse, with St. Mary's incomplete, the ceremonies of Bishop Ludden's consecration as Bishop required a larger church. Appropriately his consecration took place in Syracuse in the present Assumption church on North Salina Street.

Father O'Hara died on December 23, 1889. So great was his fame that upon his burial the bell in City Hall was tolled.

In 1890 Father Grimes succeeded Father O'Hara as Pastor. It was he who was responsible for the renowned pipe organ installed in 1892 and presently played by Duane A. Sutton, Organist and Choir Director. It was a three manual and pedal instrument of approximately 60 stops and about 300 pipes.

Improvements and additions have followed over the years.

St. Mary's officially became the Cathedral of the Immaculate Conception in March 1904. It was consecrated as a Cathedral September 25th, 1910. Cardinal Farley, the Archbishop of New York celebrated the Mass and Bishop Conaty of Los Angeles preached the sermon. Father Grimes became Monsignor Grimes in 1904 and Coadjutor Bishop of Syracuse in 1909. Upon the death of Bishop Ludden in 1912 he succeeded as the second Bishop of Syracuse and as Rector of the Cathedral until his own death in 1922.

In 1923 a famous personality returned to the Cathedral. He had been a former Cathedral Assistant and later Pastor of St. Ambrose parish in Endicott. Now he returned to be the fourth Shepherd of the Cathedral flock. He was the Right Rev. Msgr. James P. McPeak who last Tuesday observed his 90th birthday and on September 18th of this year observed his 65th Anniversary of Ordination as a Roman Catholic priest. He has been Rector of the Cathedral for 45 years, longer than any of his predecessors. In 1964 Monsignor McPeak was relieved of his administration duties and was succeeded by Right Rev. Msgr. William J. Shannon.

In 1959 and 1960, under the direction of Monsignor Shannon, the Cathedral of the Immaculate Conception was completely renovated both interiorly and exteriorly at a cost of $600,000. It now stands as one of the most beautiful examples of modified Tudor Gothic architecture in the country.

Actually the Midnight Mass of Christmas in 1842 marks the liturgical beginnings of St. Mary's but its first sacramental records can be authenticated no earlier than October 12, 1843.

At Sunday's observance (12:10 p.m.) a Pontifical Mass of Concelebration will take place in the Cathedral. The Principal Concelebrant will be Most Rev. Walter A. Foery, D.D., Bishop of Syracuse. The Homily will be given by Most Rev. David F. Cunningham, D.D., Coadjutor of Syracuse.

Assisting Bishop Foery as Concelebrants will be Right Rev. Msgr. William J. Shannon, Rev. M. James Lutz, Rev. John J. Ziegler and Rev. James H. Carey, Rev. Francis J. Pierson, Secretary to Bishop Foery, and Rev. John P. Wagner of the Cathedral staff will be Masters of Ceremonies.

An augmented choir directed by Mr. Sutton will include voices from not only the Cathedral but the parishes of Assumption, Blessed Sacrament, Holy Cross, Our Lady of Lourdes, St. Anthony, St. James, St. John the Baptist and St. John the Evangelist.

PROPOSED REPORTS UNDER BANK PROTECTION ACT OF 1968

Mr. ST. ONGE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. ST. ONGE. Mr. Speaker, based on a systems analysis of the Bank Protection Act of 1968, conducted by the Science Policy Research Division of the Legislative Reference Service at my request, I have concluded that a modest but important change in that statute would be helpful, constructive, and in the public interest.

To effect this change is the purpose of a bill which I have recently introduced.

My bill proposes to do the following: First, it will require periodic reports from all banks in the United States as to the protective measures they and all their branches are taking to prevent robberies, and with what results. These reports will be uniform, complete, factual, detailed, and frequent enough to enable quick response to information received.

Second. These reports will be consolidated into a single semiannual report to Congress. They will help us to know the answers to our questions about bank robberies and how to prevent them. They will give us solid and reliable guidance on any further legislation that is needed to rid our country of a pernicious crime.

Third, and finally, my bill will make the information generated in these reports available to all banks of the United States, to guide them in taking further protective measures of their own. The information will be transmitted to them through the implementing institutions already designated in the Bank Protection Act of 1968. These institutions also will benefit from the availability of reliable and complete information for their analysis.

The Bank Protection Act of 1968 surely serves a sound and constructive purpose. My entire concern has been as to its completeness as a system of social engineering. It is not whether we have done right; it is whether we have done all we could and should reasonably do.

In asking for a study of the prospective workings of the Bank Protection Act of 1968, some months ago, I suggested to the Science Policy Research Division that there were a number of questions that needed to be analyzed. Some of these were:

How, in practice, will the Bank Protection Act work?

How can its cost-effectiveness be measured?

Will the operation of the act generate information on a systematic basis to enable us as Members of Congress to judge its effectiveness?

Will we be informed as to the need for further action, or for changes in the emphasis of the act?

I have long held the view that we need to strengthen our ability as a Nation to create systems of social control and social management that are compatible with the democratic ideals of our Republic. Social inventions are likely to be much more important but also much more difficult to invent than are technological inventions. I judge that we need to devote more attention and effort to social invention, and to the sciences that support it.

As I understand the term "system" it signifies an organization, or an assembly of hardware, or some combination of these, that works to accomplish a single specified goal, and that contains within itself a communication linkage to enable it to correct its own mistakes and continually to improve its own performance.

A static law may deteriorate in its effect; it rarely improves. We need to graft onto our structure of laws a system of self-correction so that our arrangements for law enforcement and for the reduction of lawless conduct continues to improve. In other words, we need a system to keep the law.

Bank robbery is a serious crime that we must stamp out entirely. It is not merely a crime that offends society because it is wrong. It is worse. It attacks the institutional basis of society, the base of all our commerce, credit, and private property. It is a symbolic act against society itself. There are too many of these symbolic acts against an orderly and law-abiding society. Bank robbery is one symbolic act we can put an end to.

The costs of bank robbery to society are enormous. These costs are not merely in terms of the loot the successful robber carries away. As a matter of fact, that figure is the least important of all. It is sometimes spectacular, but it does not add up to a large total.

The real costs are in terms of the expense that society pays for hardware and locks to protect itself against the robber, the costs of supporting the vigorous efforts of our law enforcement agencies to apprehend the suspect, the costs involved in bringing the suspect to trial, delivering evidence against him, and insuring that justice prevails.

One last segment of cost—most major of all—involves our paying for the long terms that sentenced criminals spend at public expense in penal servitude or houses of correction. In these places, at great expense, we try simultaneously and without notable success to punish and reform them. By far the largest part of the costs of bank robbery result from our emphasis on catching robbers rather than preventing robberies.

The sharply rising incidence of bank robbery suggests that we have failed in the past to punish, to reform, to deter. Now that we are redoubling our efforts and investment in the protection of banks against robbers, it is all the more important that we satisfy ourselves that our efforts and our investment are producing results. If they are, we shall be guided to intensify our efforts in these directions. If they are not, we need to know why not, so that we can take the necessary corrective measures.

If our costly campaign against bank robbers produces good dividends, in terms of a reduction in the costs of this crime, then the investment is a sound one. But we need to know this.

Therefore, I am offering my amendment to the Bank Protection Act of 1968. When it is enacted, it will help us to know the answers to such questions as:

Are responsible banks paying the costs of losses by less responsible bank managements?

Do we really know how many bank robberies occur?

Do we know what precautions work and what ones do not?

Do we know what precautions prevent crimes, rather than merely helping to apprehend criminals?

I want us to be able to reduce the populations in our jails by making banks impregnable to robbery and by discouraging those who are tempted, rather than increasing the populations in our jails by making banks into centers of entrapment. The Bank Protection Act can help us do either one, depending on how it is administered. I want to know which result we are getting.

It is possible to anticipate a difficulty in the Bank Protection Act as it now stands. There are too many jurisdictions involved for us to have any clear indication of how it will work nationally. Even when it is fully operational the reports of effectiveness will be scattered and diffused, statistically inconsistent and factually sparse. Among the many jurisdictions are State banks, national banks, credit unions, savings and loan institutions, branch banks, and so on. Then, there are the variety of Federal supervisory agencies that look after various banking functions, including the Federal Reserve Board of Governors, the Department of the Treasury, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, and—in the field of law enforcement—the Federal Bureau of Investigation and the State and local law enforcement agencies.

The results of the reforms provided in the Bank Protection Act of 1968 will be distributed—or even buried—amongst all these jurisdictions. It is the purpose of my bill to make them uniform and visible, so that we can find out how well the act is working. We should also find out which actions taken under the act work best, and which work less well, or not at all.

In short, it is a costly business to stamp out crime. It will call for all the resources we can muster. Under these circumstances, it makes sense to be as efficient as possible. Efficiency in the use of our resources to stamp out the crime of bank robbery is the limiting factor to our success. And the achievement of efficiency depends on how well we know what we are doing. We must be able to compare each specific effort at protection against the incidence of the crime. We must also be able to relate numbers of crimes to points of weakness so that we can eradicate them. If we can keep amateur bank robbers from trying their luck there will be fewer professionals for our law enforcement agencies to deal with.

LOOPHOLE IN HOUSING AND URBAN DEVELOPMENT ACT

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I feel compelled to bring to the attention of this body without further delay a matter that should receive our full and careful attention in the next Congress. On July 26 the House approved S. 3497, the Housing and Urban Development Act of 1968, which contained the following, seemingly unobtrusive language as section 1705(h) amending paragraph 7 of section 5136 of the Revised Statutes (12 U.S.C. 24) by inserting after "the Asian Development Bank" the following:

> Or obligations issued by any State or political subdivision or any agency of a State or political subdivision for housing, university, or dormitory purposes.

I am confident that nearly all of us who voted for S. 3497 were not aware of the broad construction that could be given to these words. It was not at all the intent of Congress to make a major amendment to the Glass-Steagall Act of 1934 and to open to the large banks a new area of underwriting that is not now presently available to them. Indeed, the original wording, as I understand it, was limited to "university housing." Moreover, even as it now stands in S. 3497, the above language is contained under a section entitled "University Housing," which gives a clear indication of what this body meant when it so legislated.

It is, therefore, unfortunate that the Comptroller of the Currency chose, in his Banking Circular No. 5 of August 12, 1968—issued only a few days after the bill was signed—to give this amendment its broadest interpretation in the following language:

> It should also be noted that the obligations made eligible for underwriting by this amendment are not required to be general obligations and that the issuing "agency" which may include a university or college is not required to possess powers of taxation.

This is not supported by the bill's legislative history, and is, in my opinion, not consistent with the intent and understanding of most of the Members who voted to approve S. 3497 thinking that this amendment was simply an enactment limited to college housing, a matter which all of us know has been of special interest to our distinguished colleague, Mr. Widnall, of New Jersey.

To my knowledge the House certainly had no intent to alter any of the general rules applying to what banks may underwrite except as to college housing. I want this clearly stated in these last days of this Congress and to urge the next Congress to make a full study of this somewhat ambiguous and misinterpreted amendment. They should clear up any questions raised by the circular of the Comptroller of the Currency. And I further wish to point out that I intend to pursue this vigorously early in the next Congress in order that congressional intent can be clearly demonstrated, and in order that the application of S. 3497 can be brought into line with what I believe to be the will of this body.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I want to express my agreement with the remarks made by my distinguished colleague from Ohio, and to assure him that I agree with his insistence that this matter be fully reviewed as soon as possible in the next Congress. As a matter of fact, I voted against S. 2397, the Housing and Urban Development Act of 1968 and I did so for what were to me good and sufficient reasons even without being aware of the amendment to which my colleague, Mr. Ashley refers. In my opinion, S. 3497 created too heavy a burden in new financial commitments for the country to undertake at this time. I believe it will unquestionably have a serious inflationary effect, and I voted against the bill for this and other reasons. However, had I been aware of the situation created by the language in section 1705(h) of S. 3497, that would have been reason enough in itself for me to have voted against this measure. To my knowledge the House certainly had no intent to change the basic general rules applying to what banks may underwrite except as to college housing which we all know has long been an interest of my distinguished colleague, Mr. Widnall from New Jersey. I, therefore, want to go on record as saying I was shocked to learn that the Comptroller of the Currency has given his broad interpretation to a minor amendment and that I think it calls for a full review as soon as possible in the next Congress.

Mr. GONZALEZ. Mr. Speaker, I am very glad that my distinguished colleague from the State of Ohio [Mr. Ashley] has brought this matter to the attention of this body. I was on the floor when this amendment was presented and I recall very well that it was my understanding that the amendment was simply to relate to the very specific field of college housing. It was my further understanding that we were adopting in section 1705(h) of S. 3497 language that would cover college housing in line with the specific and long-held interest of my distinguished colleague from the State of New Jersey [Mr. Widnall]. No objection was raised to acceptance of this amendment because we were fully convinced that Mr. Widnall's interest in helping fund college housing was meritorious and deserved our full support.

It may be that the language as written was the result of a misunderstanding, but it is not my purpose to examine the steps that led up to the confusing language that finally was adopted by the House. Certainly we intended to make no major change in the Glass-Steagall Act. It was not our purpose to open up new areas for bank underwriting by adopting section 1705(h). The amendment was brought up during the last stage of the legislative process, and its adoption was without the benefit from any of the Government agencies who would normally be asked to submit their opinions on any major change in this area. It would have been proper to have asked the Comptroller of the Currency for his opinion, rather than to have him seize upon the amendment once passed and give it his own interpretation. That is why I want to express my sincere thanks to my colleague [Mr. Ashley] for bringing this matter to the attention of the House and to assure him of my full support for his proposal to bring this up for full review as soon as possible in the 91st Congress.

Mr. BROWN of Michigan. Mr. Speaker, the remarks of my distinguished colleagues from Ohio, Pennsylvania, and Texas regarding the interpretation given by the Comptroller of the Currency to section 1705(h) of the Housing and Urban Development Act of 1968 prompts me to comment thereon.

I can substantially concur with the remarks of my colleagues insofar as those remarks relate to the understanding and intent of the House of Representatives at the time the referenced language was adopted. Inasmuch as the question has been raised by members of the Banking and Currency Committee, the committee having jurisdiction over this legislation, as to whether or not the Comptroller's regulation is consistent with the intent of the Congress, it would seem to me that the reexamination they have called for is dictated.

Since becoming a Member of the Congress, I have felt that too little attention has been paid by the Congress to the implementation of legislation by administrative agencies through the latters' rule and regulation-making authority.

Conceivably, a majority, or most, of the Members of the House of Represent-

atives were aware of the broad interpretation which could be given the subject language of the Housing and Urban Development Act of 1968. Nevertheless, the significance of the question which has been raised causes me to agree that the matter is deserving of the attention of the Congress.

TOBACCO GROWERS HAVE MUCH AT STAKE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, in my Seventh Congressional District of Kentucky, there are some 20,000 growers of burley tobacco, most of them with small acreage allotments. Tobacco is of tremendous importance to them as a source of cash income. And it is tremendously important to the economy of the whole State of Kentucky.

I am sure you can appreciate their concern over the controversy that has raged for several years over the possible relationship between cigarette smoking and health. Conflicting reports and opinions merely heighten the concern. This comes at a time when growers' high operating costs are reportedly threatening to drive some of them out of the business.

In an effort to relieve some of the confusion, I asked Health, Education, and Welfare Secretary Wilbur Cohen on September 27 for amplification of a statement attributed in press reports to Dr. Daniel Horn, director of the Public Health Service's National Clearing House for Smoking and Health.

I ask leave to extend in the Record a UPI report of September 27, my telegram to Secretary Cohen, an October 8 reply from Mr. Philip R. Lee, Assistant Secretary for Health and Scientific Affairs, and two newspaper articles.

I might say, Mr. Speaker, that I intend to pursue this matter in correspondence with Secretary Cohen with the view of clarifying some points of conflict between certain studies and reports on the subject, and the comments of Assistant Secretary Lee.

It is my contention, Mr. Speaker, that if a link exists between cigarette smoking and cancer, then we ought to proceed immediately toward identification and isolation of the offending substance. If this is done, I have confidence in the ingenuity of American science and industry to remove the harmful substance and restore smoking to its accustomed place in the realm of man's enjoyment and consolation.

The American growers have too much at stake to demand less.

The documents referred to are as follows:

Press Release on Cigarettes

Los Angeles.—About 21 million Americans have kicked the cigarette habit—three million of them during the past two years—according to a pioneer in the anti-smoking crusade.

Dr. Daniel Horn, director of the Public Health Service's National Clearing House for Smoking and Health, said yesterday a smaller percentage of youngsters are starting to smoke today than 10 years ago.

"The country can't afford to have people continue smoking when you realize that one-fourth of the total illness in the United States can be attributed to cigarette smoking," Horn asserted.

[From the Los Angeles (Calif.) Herald-Examiner, Sept. 27, 1968]

Two Million Kick Habit in a Year

At least 2 million Americans have given up cigaret smoking in the past year, a U.S. Public Health Service psychologist has said in Los Angeles.

"Not only are more adults giving up cigarets, but also about a million fewer teenagers a year are taking them up," declared Daniel Horn, director of the National Clearinghouse for Smoking and Health in Washington, D.C.

He based his estimates on the fact that production is down by 40 million cigarets a day compared to a year ago.

He also estimated that 20 to 21 million persons have given up cigaret smoking since the first evidence relating smoking to lung cancer was published in 1954.

Horn attributed the rising rate of cigaret smoking abandonment to the breakthrough by the American Cancer Society last year in securing a ruling from the Federal Communications Commission that radio and television stations must present ACS statements that smoking is dangerous to health.

"Most smokers are well aware that cigaret smoking is harmful," Horn said. "A very large percentage really intend to stop smoking. About one person in five is successful."

He said this low rate was due to differences in personality and motivation.

"There is no magic one-best way to give up smoking," the psychologist stated.

"However, the climate is changing," he added, "and the more people you know who have given up smoking, the easier it is for you to give up smoking."

Horn advised smokers unable to kick the habit to stop inhaling, to smoke less of each cigaret and to smoke low-tar cigarets.

"All of these things reduce the amount of solid materials drawn into the lungs," he pointed out, speaking yesterday at the Statler Hilton Hotel.

"I don't think our country can afford to go on paying the cost of cigaret smoking," he added. "One-quarter of the total illness in the United States is caused by cigaret smoking. The absenteeism rate for smokers is 20 per cent higher than for nonsmokers. The cost is staggering."

Asked to compare the cigaret industry to the liquor industry, Horn said, "The cigaret companies have never been willing to preach moderation in the use of cigarets."

He said he hoped that a stepped-up ACS antismoking drive would further reduce cigaret consumption.

September 27, 1968.

Hon. Wilbur Cohen,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.:

United Press International quotes your Dr. Daniel Horn today as stating September 26, in Los Angeles that "one-fourth of the total illness in the United States can be attributed to cigarette smoking." This is a shocking revelation of major public interest and it is essential to me to have amplification and documentation of this disclosure immediately.

Carl D. Perkins,
Member of Congress.

Department of Health,
Education, and Welfare,
Washington, D.C., October 8, 1968.

Hon. Carl D. Perkins,
House of Representatives,
Washington, D.C.

Dear Mr. Perkins: Thank you for your inquiry of September 30 to the Secretary about the newspaper article quoting Dr. Daniel Horn, Director of the Public Health Service's National Clearinghouse for Smoking and Health.

Dr. Horn believes the quotation attributed to him was taken from his remarks about cancer, cardiovascular disease, respiratory disease and stroke among male cigarette smokers. His statement should have been so qualified.

Cancer, cardiovascular disease, respiratory disease and stroke are responsible at the present time for most of the death and serious illness in our population. We believe it is a reasonable approximation to say that one-fourth of these diseases among men are "excess" in the sense they would not have occurred if cigarette smokers had the same rates of illness and death as nonsmokers.

A full discussion of the relationships between cigarette smoking and morbidity and mortality is contained in the Public Health Service's 1967 Report to Congress, "The Health Consequences of Smoking," which is enclosed. On page 13 of this report it is shown that the excess deaths in the sense used above represents ⅓ of the deaths among men from 35 to 44, about ⅔ of those aged 45–54, and between ⅓ and ¼ of those aged 55–64. A comparable table in the same report (p. 20) shows excess work loss days, restricted activity days, and days spent ill in bed.

As will be seen, these range from 20 to 28 percent of the total for males under the age of 65. Those figures indicate the magnitude of the problem posed by the effects of cigarette smoking on health.

We hope that this has been helpful to you. We wish we could send you a transcript of Dr. Horn's words, but he spoke from notes and no such transcript is available.

Sincerely yours,

Philip R. Lee, M.D.,
Assistant Secretary for Health and Scientific Affairs.

[From the Los Angeles (Calif.) Times, Sept. 27, 1968]

Some 21 Million Adults Have Given Up Habit: Fewer Youngsters Smoking, Doctor Reports

(By Harry Nelson)

A smaller percentage of youngsters is taking up smoking today than a decade ago, a pioneer in the antismoking crusade said here Thursday.

Also, the rate at which adults are giving up smoking is increasing, according to Dr. Daniel Horn, director of the Public Health Service's National Clearinghouse for Smoking and Health.

About 21 million Americans have become successful ex-smokers, about three million of them within the last two years, he told a news conference arranged by the American Cancer Society.

"The country can't afford to have people continue smoking when you realize that one-fourth of the total illness in the United States can be attributed to cigaret smoking," Dr. Horn said.

Among the things Dr. Horn said were responsible for recent increases in the ranks of ex-smokers were new reports showing a link between the number of cigarets smoked and days absent from work, the furore over the Strickman filter and radio and TV antismoking commercials.

Dr. Horn, who is a psychologist, said he believes the furore over the Strickman filter caused many people not to stop smoking because they first were led to believe that a safe filter had been developed.

Later it became apparent this was not the case and the disappointment had the effect of reinforcing the knowledge that smoking is harmful.

Dr. Horn's office estimates that radio and

TV now give $35 million worth of free time annually to antismoking commercials.

Dr. Horn and Dr. E. Cuyler Hammond coauthored the report, made public in 1954, which served as the foundation of the stop-smoking campaign begun by the American Cancer Society.

The report showed that the death rate among cigaret smokers is far higher than among nonsmokers.

Dr. Horn was here to address a special meeting Thursday night arranged by the Los Angeles County Interagency Council on Smoking and Health.

Dr. Jean Crum, president of the Los Angeles County Medical Assn., told newsmen doctors should try harder to become more effective health educators. He said that doctors are pessimistic about their capacity to influence patients to stop smoking.

"This is an obligation that we must accept and discharge," he said.

As for convincing youngsters that they should not begin to smoke, he said, "We respect their right to make there own decision, but we want to be sure they have the facts. Doctors have a wealth of scientific facts which they have not used."

Dr. Horn said that while 50% of boys and 40% of girls smoked 10 years ago, today the rates are 40% and 35% respectively.

For the adult population he said a 1955 study showed that 42 million adults smoked and 7.5 million were ex-smokers.

His 1968 estimate is 48 million adult smokers with about 21 million ex-smokers.

House of Representatives,
Congress of the United States,
Washington, D.C., October 10, 1968.

Hon. Wilbur Cohen,
Secretary of Health, Education, and Welfare, Washington, D.C.

Dear Mr. Secretary: On September 27 I wired you to request the basis for the announcement in Los Angeles on September 26 by Dr. Daniel Horn, director of the National Clearing House for Smoking and Health, that one-fourth of all illness in the United States is accused by cigarette smoking. Subsequently I received a reply from Assistant Secretary Philip Lee which I find disturbing. Dr. Lee's letter raises several important questions on which I would very much appreciate having your views.

In the first place, Dr. Lee states that Dr. Horn should have qualified his statement so as to make it clear that he was talking only about one-fourth of certain specified illnesses among the male sex, and principally among men between 35 and 64 years of age.

Next, Dr. Lee has provided me with certain statistical material which he says relates to the "qualified" statement Dr. Horn should have made, and which he says "indicate the magnitude of the problem posed by the effects of cigarette smoking on health." If I understand this correctly, he is suggesting in part the number of deaths and illnesses from cancer, cardiovascular disease, respiratory disease and stroke which he claims are caused by cigarette smoking. The information he cited appears on pages 13 and 20 of a report to the Congress which was prepared by the Department about a year and a half ago.

However, Dr. Lee failed to point out a passage which appears on page 7 of the same document, recalling conclusions reached by the 1964 Report of the Advisory Committee to the Surgeon General on Smoking and Health: "The total number of excess deaths causally related to cigarette smoking in the U.S. population cannot be accurately estimated."

I do not know if Dr. Lee is aware of testimony offered by the Surgeon General only a few months ago before an Appropriations Subcommittee of the House during a discussion of heart disease. The printed transcript of that hearing (Vol. 4, Departments of Labor and Health, Education and Welfare Appropriations for 1969) quotes the Surgeon General at page 79: ". . . We have never said there was definitive proof of a cause-and-effect relationship between coronary heart disease and cigarette smoking."

At page 82 he states further: "The studies that have been reviewed from the 1964 to the 1967 report strengthen, we think, the feeling that there is a relationship, but it still does not provide us with cause and effect, as I was saying."

At page 100, he says: "We have never said it (cigarette smoking) was a cause (of heart disease.) I do not think there is any disagreement."

Now, if I interpret this record correctly and compare it correctly with Dr. Horn's statement in Los Angeles, and with Dr. Lee's October 8 letter to me, there is a complete divergence of view apparent.

An additional confusion arises in close examination of a portion of the material to which Dr. Lee referred, namely the National Health Survey. The report on this covering the smoking question was also issued from your Department in 1967, with the title "Cigarette Smoking and Health Characteristics." On Page 6 of this report I find the following:

"The most these data can do is to demonstrate the lack of or the existence of a *relationship* between cigarette smoking and various health characteristics; it cannot establish any existing relationship as a causal one. If a relationship is found, there can be several possible explanations, for example: (1) smoking actually causes a certain condition (or is one of a number of causes), (2) the presence of a certain condition causes the person to smoke, or (3) some third factor, possibly psychologic or biologic, is causing both the condition and the smoking habit."

This latter suggestion appears to me to be in accord with the report carried September 6 in *The New York Times,* well before Dr. Horn's reported statement, which lays such heavy credence to the idea that there may be some sort of genetic difference among people which brings about certain illnesses as well as a tendency to enjoy smoking. I enclose a copy of that article for your information.

In view of all this, the statement of Dr. Horn and the letter of Dr. Lee seem merely to have added confusion to the confused situation.

I would be grateful for your own clarification.

Always my best wishes.

Sincerely

Carl D. Perkins,
Member of Congress.

[From the New York Times, Sept. 6, 1968]

Smoking-Heart Link Fails Test

(By Jane E. Brody)

A study of 16,000 male twins has indicated that some factor other than cigarettes—perhaps genetic constitution—may explain the often-observed relationship between cigarette smoking and heart disease.

On the other hand, the male-twin study supported the belief that cigarette smoke is a cause of respiratory disorders, which would include bronchitis, emphysema and lung cancer.

Results of the male-twin study were released yesterday by the University of Cincinnati Medical Center. The study was done by Dr. Edward P. Radford of the university and two Swedish scientists—Drs. Lars Friberg and Rune Cederlof, who were visiting scholars there—in collaboration with Dr. Zdenek Hrubec of the National Research Council.

The researchers found that when the twin pairs were separated into two groups, each group consisting of 8,000 unrelated men, symptoms of heart and respiratory disease were more commonly found among the group of smokers than among the group of nonsmokers. This agrees with findings among the general population.

But when a twin who smoked was compared with his brother who did not smoke, the researchers found that both twins were equally likely to have symptoms of heart disease. Symptoms of respiratory disease, however, were much more likely to be found only in the twin who smoked.

CONFLICT WITH BELIEF

The heart-disease findings in the study conflict with the widely held belief in the medical community that cigarette smoking is a cause of heart disease.

A Federal Government report issued last summer concluded that middle-aged men who smoke 10 or more cigarettes a day were three times more likely to die of heart disease than men who never smoked regularly. For women smokers, the heart disease rate was twice as high as for nonsmokers.

The Government report, prepared by the United States Public Health Service, cited cigarette smoking as a probable cause of death from heart disease.

Dr. Radford, a member of the University of Cincinnati team, suggested on the basis of the team's findings that heredity might be the mystery factor that makes it more likely for a person to take up smoking and more likely for him to develop heart disease.

But Dr. Hrubec, of the National Research Council, believes that something in the environment is responsible—perhaps life style, social stress, or drinking behavior.

"Our study strongly indicates that it is worth looking for another explanation," Dr. Hrubec concluded.

Asked to comment on the study, Dr. E. Cuyler Hammond, statistician for the American Cancer Society, who has studied the effects of smoking among more than one million persons, said:

"I think it is likely that heredity plays a role, but I don't think it is a predominant role."

Dr. Hammond added that he could not comment directly on the male-twin study because he had not had an opportunity to analyze its methods and findings.

The 8,000 male-twin pairs in the study were selected from the twins registry of the National Research Council. About 40 per cent of the pairs were identical twins, Dr. Hrubec said. Twins were chosen because their environments and genetic heritage are likely to be similar.

Each twin completed a questionnaire that included, among other things, information about his smoking habits, symptoms of heart disease such as chest pains, and symptoms of respiratory disease such as chronic cough.

For purposes of comparing the subjects with the general population, the researchers divided the twins into groups that did not include any related pairs. In comparing twin with twin, they singled out those pairs in which one twin smoked and the other did not.

THE POOLE CASE AND THE "CLUB"

Mr. BURTON of California. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the Record and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BURTON of California. Mr. Speaker, in addition to the support of Cecil Poole's nomination for a Federal judgeship, by the San Francisco Lawyer's Club, consisting of approximately 2,500 San Francisco members who have described Mr. Poole as follows:

Mr. Poole has proven his great capabilities as United States Attorney in many ways.

He has always been a courteous, able and fearless advocate, and we believe has the judicial temperament and capabilities to become a great Federal Judge. He has the understanding, compassion and wisdom which is so important in a judge.

The San Francisco Barristers' has endorsed Mr. Poole's candidacy.

Responsible newspapers throughout all of California have lamented the failure of the Senate to confirm the appointment of this outstanding American. Typical examples of newspaper reaction follow.

Richard Bergholz, respected political writer of the Los Angeles Times stated in his column of October 8, 1968, as follows:

THE POOLE CASE AND THE "CLUB"

(By Richard Bergholz)

Technically the time hasn't run out, but for all practical purposes it's safe to say that the Senate of the United States—and California's George Murphy in particular—have treated Cecil Poole shabbily and unfairly.

The Senate would have acted by now on President Johnson's nomination of Poole as U.S. district judge in San Francisco if it hadn't been for the operation of the "gentlemen's club" in the Senate which permits backroom deals and for the apparent clandestine arrangement between Murphy and the segregationist Sen. James Eastland (D-Miss.), chairman of the Senate Judiciary Committee.

It isn't pleasant to think Poole's nomination was blocked because he's black, or because he would have been the first Negro federal judge west of the Mississippi.

Murphy says that had nothing to do with it. But in view of the established facts, lots of people, black and white, will think otherwise long after the current flap has subsided.

And that's the real tragedy of the whole affair.

Here's a quick look at the chronology:

Poole, now the U.S. attorney for Northern California, was nominated for the judicial appointment May 29. The FBI, as usual, made a thorough check into his background before his name went up to Capitol Hill. So did the American Bar Assn., which found him qualified for the appointment.

As is the custom, Poole's name came before the Senate Judiciary Committee for advice and consent. And as usual, the committee staff asked the two California senators what they thought of the nomination.

The senior senator, Thomas H. Kuchel, the Senate Republican whip, made a checkup on Poole, found him eminently qualified and promptly signed the "blue slip" sent him by the committee staff.

The junior senator, Murphy, neither approved nor disapproved the nomination. He simply sent the blue slip back unsigned.

But he did something else: He talked privately to Eastland, the committee chairman, about Poole.

We don't know what Murphy said to Eastland and vice versa. All we know is that since that conversation, nothing has happened to bring Poole's nomination before the committee.

And that was a long time ago. Since then, 20 nominations for federal judgeships have gone before the committee. Eighteen have been confirmed and 19 have had hearings.

Poole hasn't even been told what Murphy, or anybody else, has against him in the way of evidence. No hearings, no evidence, just silence.

Murphy said when Poole's name came up, some information came to him about Poole's conduct as U.S. attorney and he simply referred the information to Eastland's committee.

Nobody on the committee staff can seem to find any specific reason why Poole has been denied at least a hearing. And Murphy isn't talking.

A lot of investigation has gone into the case, to find out the facts, to find out whether Murphy has any reason to act as he has.

One thing has emerged: Murphy's mighty unhappy because, he believes, Poole showed softness toward demonstrators by refusing to prosecute five antiwar protesters for failure to have their draft cards on them at the Oakland induction center disturbance last December.

Here you get into a judgment question. Poole thinks the arresting officer, an acting U.S. marshal, probably was a bit precipitate, that it was doubtful whether the government could prove the five men had willful and deliberate intent to evade the law about carrying their draft cards.

Poole arranged for a meeting with Selective Service officials, who said they agreed there were no grounds for the complaint.

Maybe this beef over the dismissed complaints is the reason Murphy hasn't let the Poole nomination come to a hearing or take its normal course.

Maybe it's pure Republican politics, that if the nomination can be held up long enough, Republican Richard M. Nixon might become President next January and Murphy can name his own judge.

But that argument doesn't hold water because there have been other nominations affecting California since the Poole case and Murphy has not attempted to block them.

So it must be Poole himself. And there's some irony in that. For it is fairly well known among law enforcement circles, I'm told, that Poole is a tough prosecutor, that he's a tough law-and-order man.

You might think that the straightforward, honorable way of handling the Poole situation is to hold a hearing and determine the validity of any complaints against him. And give him a chance to defend himself.

But Murphy and Eastland and the Senate system have seen to that.

The Senate operates as a club. And the club rules provide that if a senator objects to an appointment which requires committee approval, he can block action overtly or covertly, and there's nothing anyone can do about it.

When other senators on Eastland's committee went to him and asked why Poole's case was being held up and whether Murphy could be over-ridden, the venerable southerner replied: "Would you want it to happen to you? You might be in the position next year of objecting to a nomination in your state."

The use of the "club" system does no credit to the Senate. A nominee should be considered by the committee as a whole, and publicly rejected or approved on the basis of his record.

The McClatchy newspapers of California—including the Sacramento Bee, Fresno Bee, and Modesto Bee—stated in their October 2, 1968 editorial, as follows:

MURPHY HURTS POOLE

The nomination of US Attorney Cecil Poole to a federal judgeship, a well deserved appointment for a distinguished Northern Californian, has not received the support of US Sen. George Murphy of California.

This is shocking. Sen. Thomas H. Kuchel of California has told the Senate Judiciary Committee of his approval but Sen. Murphy has not. This plays into the hands of Sen. James Eastland of Mississippi, a confirmed racist who heads the Judiciary Committee and welcomes the chance to hold Poole's nomination in committee because of his objection to Poole being a Negro.

Sen. Murphy admits he has forwarded derogatory information about Poole to the Judiciary Committee, information which apparently is false and misleading. If he really believes Poole is not qualified to be a federal judge then Poole should be given the chance to have his qualifications judged in public.

Since Poole's nomination was sent to the Senate last May 19 other individuals have been nominated for federal judgeships. Except for the last person who was nominated only two weeks ago all of the nominees have been given a hearing.

There is no justification for the refusal of the Eastland committee to hold a hearing on Poole. And it is outrageous that Sen. Murphy would play a part in Eastland's racist-motivated stalling.

The Oakland Post editorial of October 2, 1968 stated:

CECIL F. POOLE—FEDERAL JUDGESHIP DECISION

On May 29, 1968, U.S. Attorney Cecil F. Poole, of San Francisco, a Negro, was nominated by President Johnson to fill a vacancy as a Federal District Judge in San Francisco. Until yesterday no action had been taken on this appointment, which must be approved by the Senate in order to be effective. The delay of the Senate's action could mean the denial of the appointment of Poole, but what is more important, it would deny Negroes of the State of California the representation of a member of their race on the highest federal bench in this district. By training, years of service and dedication, Cecil Poole is eminently qualified for this position and represents an example of the kind of attorney that should occupy this position.

POLITICAL IMPLICATIONS

The inaction in Poole's case has taken on serious political implications as far as the black people of the state are concerned. For though the position of the Federal Judge is non-partisan, it is impossible to overlook the fact that Poole is a long-time Democrat, having served under former Governor Edmund G. "Pat" Brown, and having been appointed U.S. Attorney by President John F. Kennedy. He has been approved by the Senate for his post as U.S. Attorney at a time when Democrats controlled the Senate and the Presidency. His conduct in office is unquestioned and his record shows him to be a seasoned lawyer, able administrator and learned in the law.

The Democratic caucus in the House of Representatives recommended him to the President. President Johnson nominated him for the judgeship but his problem rests in the fact that the two Republican Senators of the state of California must make their recommendations to the Senate Judiciary Committee, the committee which must ultimately pass on his nomination and move it on to the Senate Floor for ratification.

Republican Senator Thomas H. Kuchel has approved Poole's appointment, but Senator George Murphy sent back his blue card unsigned. Under pressure from the newspapers throughout the state, who are 100 percent behind Poole's appointment, Senator Murphy has stated that he does not oppose Poole's endorsement, but that he had received objections to Poole's appointment from federal marshals who visited his office recently. The marshals' objection to Poole was based on the fact that Poole refused to prosecute five demonstrators the marshal had arrested in January during a draft protest demonstration at the Oakland Induction Center.

The demonstrators could not produce their draft cards at the marshals' request. It is interesting to note that the discretion to prosecute persons charged with crimes under the federal jurisdiction of the U.S.. Attorney's office rests with the U.S. Attorney and not marshals who work as investigators and policemen under the federal jurisdiction. Poole was exercising a discretion which was his alone in this matter and he stated that he refused to prosecute these demonstrators because he felt that their action did not warrant felony prosecution. Extra-judicial observations by marshals should not be allowed to influence Senators to act unwarrantedly and to deny the people of the state of California and specifically the minorities, representation by competent Negroes on the Federal bench of this district.

POOLE'S DAY IN COURT

In this Presidential election year when the Republican and Democratic parties are appealing to the Negroes of the United States for their support in the selection of the President, it is acts like these which give the Negroes the best opportunity to make a value judgement on which party has his basic interests at heart.

The appointment of Cecil Poole to the federal district judgeship of Northern California is an issue that "takes the rag off the bush" and gives the two million Negroes in the state, coupled with another 25 million who live throughout the breadth of this great republic, an opportunity to see which party is willing to come to grips basically with the establishment of Negroes in the mainstream of American life. The action toward Cecil Poole cannot be a total condemnation of the Republican party, but it must be observed that if Cecil Poole is not appointed, it will be the responsibility of Sen. George Murphy and other prominent Republicans in the state to explain to the Negro community why not.

Probably the most unfair aspect of the entire episode to date is the fact that Poole has not had an opportunity to go before the Senate Judiciary Committee to answer the phantom charges that have been leveled against him. It is the belief of all that know him, that if Poole is given an opportunity to appear before the Senate Judiciary Committee, he would adequately answer their inquiries and the whole question of his eligibility and suitability for a Federal judgeship would be decided on its merits. This does not seem to be asking too much and this act would result in Poole having his day in court in a public hearing by the committee.

It is important to point out, too, that the Senate Judiciary Committee is headed by Senator James O. Eastland, Democrat of Mississippi. He states that his requirement for action on a nominee for a judgeship is approval by both of the state's Senators. A senator gives his approval by signing and returning an official blue card to the committee.

Senator Murphy says he is not opposing Poole's appointment. Aides report that Senator Kuchel returned his signed card weeks ago. Senator Murphy has returned his card unsigned, thus affording certain grounds for objection by Eastland.

The political overtones of Cecil Poole's case can be terribly important in the political fight for the Negro vote in the state of California on all levels. Negroes throughout the state should contact Republican office holders, whether they be seeking State Assembly or Senatorial offices, or national seats, to insist that they contact the Republican candidates and call upon them to use their influence to place Poole's nomination before the Senate so that the issue of his qualifications may be finally decided.

Those who have worked with him and observed him in his official capacity as assistant district attorney of San Francisco, clemency secretary and counsel to Governor Brown, and in his years as United States Attorney are satisfied that once his nomination gets on the Senate floor, it will be approved and U.S. Attorney Cecil Poole will become the first black federal judge on the Pacific Coast.

HON. JAMES A. FARLEY

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, one of the great and grand characters of American public life who has adorned the profession of politics is James A. Farley, whose friends call him Jim. He has played an illustrious part in the building of today and in the protection of tomorrow. He never was untrue to a friend. He was never unfair to an opponent. He has come through many bitter political struggles with his character unblemished and public respect and esteem undiminished.

I submit herewith, Mr. Speaker, two interesting articles; one article about him while attending the recent Democratic Convention and the other by him in the October issue of Esquire magazine which will both inform and delight all who read them:

[From the Denver (Colo.) Rocky Mountain News, Aug. 29, 1968]

Old Politician Farley Watches, Cares

(By Walker Stone)

Chicago, August 28.—James A. Farley, 80 years of age, six feet, two inches tall, balances on the balls of his feet as he listens to returns on the TV set in his Blackstone Hotel suite to the roll call from the stockyards auditorium.

It is the roll call on the Vietnam resolution—whether the Democrats stick with their president or take off in a new direction.

There is perhaps no man in Chicago today to whom it could make less difference personally. Jim Farley is no longer a part of the Democratic apparatus, no longer hopeful of reward nor fearful of reprisal.

But he still cares. It is his party.

He sways back and forth, in his black mohair suit, following the returns, until it is certain the vote has upheld the Administration position on Vietnam and all the bad guys on the other side have been recorded and counted out.

To an old politician like Jim Farley it is most important that the ——— on the other side shall be on record, so they can be treated accordingly.

Then the incoming Democratic president can handle matters in line with the ancient and honorable rules of political spoils, even if Jim Farley has nothing to do with it.

MANAGED F.D.R.'S CAMPAIGN

He set the pattern 36 years ago.

He managed the campaign of Franklin D. Roosevelt for the Democratic nomination in Chicago. And the old Farley rule was FRBC—for Roosevelt before Chicago: You either were, and in, or you were not, and out.

That made a big difference in those days.

They were not like these days.

In 1932, when Jim Farley barged into Chicago, carrying the FDR banner, Republican Herbert Hoover was president. There were no federal relief or welfare programs. Some 11 million were unemployed, which, compared to the present population of available working force, would mean about 20 million unemployed.

Nobody was on strike. Anyone who had a job wouldn't think of giving it up. They were the days when you accepted pay decreases to keep a job, rather than ask for any increases to stay on a job.

It was different than today, when telephone electricians have been on strike, bus drivers are on strike and taxicab drivers are on strike. It is difficult today to travel from downtown loop hotels to the stockyards amphitheater. It is practically impossible to communicate by telephone.

OLD-FASHIONED CONVENTIONS

By modern measurement, the 1932 Democratic Convention may have been the last of the old-fashioned Democratic conventions. It promised to reduce federal spending 25 percent. It promised a "federal budget annually balanced." It looked with abhorrence on a budget of 4 billion, of which almost $1 billion went for military purposes. It was the last of the dying days when the Democrats were the party of economy—days that dated back to when Thomas Jefferson reduced the federal spending from $7 million to $4 million, days that dated back to when Andrew Jackson paid off the federal debt.

That was a tidy little convention Jim Farley ran here in 1932 compared to today's.

Opponents to FDR then were not as ungovernable as the McCarthy's and McGovern's of today. They were relatively reasonable, such as the rambuctious Al Smith of the east side of New York, such as Albert Ritchie, the wet governor of Maryland when prohibition was the chief urban issue; such as "Alfalfa Bill" Murray, whose farmers of the prairies thought they were being cheated.

When the fourth ballot votes nominating FDR were cast, they closed ranks, to elect a Democrat.

But 1932 must be looked back upon as a watershed in American history.

What came afterward couldn't be counted against what went before.

[From Esquire magazine, October 1968]

Prelude to a Theme

To be perfectly frank, the title "Salvaging the Twentieth Century" is slightly puzzling to me. By most counts, ranging from Chief Justices of the United States to Prime Ministers and Popes, the first two-thirds of the twentieth century has advanced the human race more than all previous fifty centuries combined. Instead of how to "salvage" this century, the question might well be, "How do we maintain its miraculous progress?" Even that question seems unnecessary; the maintenance is so great that the twenty-first century will be as superior to ours as ours is to the eighteenth.

Fifty-five percent of the American people make their livings at industries which did not even exist in 1900. By way of mere mention, there are fifty million Americans who own automobiles when in 1900 there weren't 200,000 who could afford a horse. Seventy-seven million people are at work, earning eight times more in a forty-hour week than they did in the seventy-two-hour week of 1900. Yellow fever, pneumonia, infantile paralysis and the scourge of the nation, tuberculosis, are among hundreds of diseases eliminated or under control. Television and the satellites enable us to see around the world; the telephone enables us to hear and speak around the world; newspapers print almost instantly. Planes cross the continents and the oceans in hours and some can even outdistance the sun. Best of all, there are fifty million American children in schools and six and a half million in colleges. America today is a bigger, healthier, and finer country, and Americans are a bigger, healthier and finer people, and both will get better.

As a man in public life, who has met and liked tens of thousands of people who thrilled to participate in the most romantic adventure in history, the American Republic, I would be less than frank if I did not say that the deepest introspection I can bring to bear on my own experience is one of the deepest gratitude for being born to the parents I had, in this beloved land of my birth, and in taking part in its work and its government at a time when its expansion opened up new vistas for all mankind. Of my own potential, I can only say that my country and its ways expanded them to goals beyond my boyhood dreams. My errors may have been many, but the surging force of America carried me past them.

The boundless enthusiasm, optimism, sense of fair play, willingness to work and to risk transformed our country from a little people hugging the Eastern Coast to demonstrators and developers of a great and rising world civilization. As I look back to Grassy Point, New York, where I was born, and recall the public schools and the night schools of the cities which were open to a poor boy, I should lack both judgment and humility if I did not say that it was not I, but my country which supplied these great potentials which enable me to say with deepest gratitude, that I shared its enthusiasm and optimism and that it never disappointed me; and I am just optimistic and enthusiastic enough to believe America never will. P.S. What is wrong with this country is, perhaps, in the tone of your query, which seems to indicate you have reached a judgment in which all men must agree. What is wrong or right, you ask, what should be "kept, discarded or changed?" Why not multiplied, honored and advanced? I find an inherent defeatism in the sentence, "We will, in effect, be admitting our faults, citing the ways in which our society has gone wrong." I, for one, feel that our society has demonstrated that all races, creeds and religions have made more progress, incomparably elevating more people in a short time than any in history. While I have no objection to an examination of our society's faults, there is more occasion for beating of the drums than of the heart. Optimism, not defeatism, enthusiasm not nihilism are America's assets; who strikes at them bankrupts himself as he destroys his country.

—JAMES A. FARLEY.

CUBAN INDEPENDENCE

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, on this day 100 years ago the great Carlos Manuel de Cespedes, in a ringing cry for freedom, declared the independence of Cuba and called his countrymen to arms.

The "Grito de Yara" issued from his sugar plantation "La Demajagua" in eastern Cuba did not result in instant freedom for the people of Cuba from the tyranny of royal Spain. There followed a decade of struggle which, lacking the support of the U.S. Government, ended in temporary failure for the drive of the Cuban people to be free. But a free and independent Cuba was to come into being before the end of the century and Carlos Manuel de Cespedes still lives in the hearts of the Cuban people as the "father of his country."

It is appropriate that we look back to the events of a century ago because the freedom-loving people of Cuba again are suffering under a tyrannical regime supported by a power beyond our hemisphere. And once again the hopes of the Cuban people for freedom are intertwined with the foreign policies of the United States and are dependent upon the support of the Government of the United States.

One hundred years ago there was an instant response to the call for independence among the "criollos"—creoles—of Oriente Province. The "Grito de Yara" was the fruit of a patriotic conspiracy that has been long in maturing. The criollos, the majority of Cubans of that day were of Spanish parents, but born in Cuba. This fact alone, however, was enough to reduce them to the condition of second-rate citizens. As citizens of the United States, we can understand the intolerable situation which denies human dignity and human rights because of an accident of birth. And 100 years ago, the natives of Cuba—who owned the land as the descendants of the conquistadores—were not allowed to participate in the administration of the colony, which remained in the middle of the 19th century in the autocratic hands of the Captain General and his advisers—the Peninsulares, born in peninsular Spain and thus the only Cubans the Crown could trust.

Since the early days of the century, when Captain General Tacon had declared Cuba in a "state of seige"—1925—the island had been practically a land without legal protection for the individual. And this Cuba the "criollos" could no longer tolerate. In the span of a half century Cuba had become fabulously wealthy. The main source of its wealth was in agriculture—sugar, coffee, tobacco, and cattle—in products grown, processed, and sold by the "criollo" landowners. And it was upon them that the weight of taxation largely rested. The merchants, who were mostly urban "peninsulares" were to a large extent tax exempt.

Adding insult to injury in this century old picture, the bulk of Cuba's taxable income was siphoned off to Spain. In 1866, only $800,000 of a budgetary income of $45 million were devoted to public works in Cuba—an incredibly meager amount for investment in the development of the country.

Thus the issue of "taxation without representation" was in Cuba, in mid-nineteenth century, exactly what it had been in the United States in the years preceding the Revolutionary War. And Spain was as adamant in her denial as England had been in earlier days. True, the need for reform had been recognized by the mother country. True, also, that elections were held in Cuba to send deputies to the Junta de Informacion, convened in Madrid in 1866. True that most of the economic grievances of the Cubans were accepted by the government delegates at the junta. But nothing came of it—the "peninsulares" were too firmly entrenched in Cuba; the vested interests of the Captain General and his cronies too deeply rooted to be easily shaken. The Cuban delegates were denied all their political positions—representation in the government of the island, as well as in the Cortes of Spain was flatly refused.

When the Cuban delegates returned to their homes with empty hands, the eventual outcome was only too evident to even the casual observer. The partisans of independence were proved to be right. Nothing could be expected from Spain, then or ever. Revolution was the only way.

And that was the way the Cuban patriots took. Risking their all, their wealth as well as their lives, they took to the mountains and the fields—with their women, and their slaves. The rest would go up in flames. La Demajagua was reduced to ashes. Bayamo, one of the richest cities in eastern Cuba, shortly was put to the torch. And, since this was a people's revolution, the first thing the rebels did was to abolish the slave trade and emancipate their slaves. From that day on Cubans, black and white, have fought together for freedom, and they still do today—there had never been a racial problem in independent Cuba.

In the spring of 1869 a constitutional convention convened at Guaimaro, which enacted a democratic constitution for the Republic of Cuba. Cespedes, elected President of the new state, proceeded soon thereafter to appoint Morales Lemus, a distinguished lawyer, to represent his government in Washington, where it was already realized that American interests were in serious jeopardy as a consequence of the war. Morales Lemus was courteously received by President Grant, personally inclined to grant recognition of belligerancy to the Cuban rebels. Mr. Rawlins, the Secretary of War, who immediately became an ardent partisan of the Cuban cause, went further: he urged the Government to support the revolution, both diplomatically and militarily, and proclaim for Cuban independence. But Secretary Rawlins died soon thereafter and, despite a joint resolution of the Congress granting belligerancy to the Cubans, the views of the Secretary of State, Hamilton Fish, prevailed in the end and the United States opted for a policy of neutrality which lasted throughout the war.

A singular opportunity was thus lost to solve the Cuban problem in a satisfactory manner. Spain was in political turmoil, the Queen had been overthrown and the Prime Minister, General Prim, a liberal, was in favor of reaching a settlement with the United States in respect to Cuba. The Spanish Treasury was shaky at the time, the war on the island promised to be long and costly, and a handsome price to be obtained for the release of Cuba, guaranteed by the United States, seemed unquestionably attractive. But the unbending attitude of Captain General Lersundi proved an obstacle to the extension of civil rights to the Cubans—which would have put an end to the insurrection—and to the incipient negotiations tentatively suggested by Prim.

It is well to note, at this point, that practically every American Administration since the days of Jefferson had shown a marked interest in Cuba, which, according to the laws of political gravitation, was expected inevitably to embrace the Union. At least on three prior occasions—under Presidents Polk, Pierce, and Buchanan—attempts were made by the United States to purchase Cuba from Spain. The amounts offered denote the significance attached to the acquisition of the island, controlling as it did the outlets of the Mississippi and the Gulf of Mexico to the Atlantic—the price of Cuba was raised successively to $100, $130 and $150 million. Sums indeed fabulous for the time, especially when it is considered that the United States paid $7 million to Napoleon for Louisiana in 1803; and $20 million to Spain for Florida in 1819.

In the light of a century and a half of political, diplomatic, and strategic experience, our American statesmen of today may be advised to ponder whether their predecessors could have been consistently wrong in attributing to Cuba such decisive importance relative to the security of the United States. Yet today, when IRBM missiles implanted in Cuba would be capable of destroying the installations at Cape Canaveral in seconds, and the cities and military bases of the eastern seaboard and the Midwest in a matter of minutes, there is lagging American interest in Cuba. At a time when the most powerful, ruthless and deadly enemy that the United States has ever confronted holds the islands firmly in its grasp and has transformed it into the most formidable armed bastion in alien hands in Latin America, we do not seem to be dismayed or even disturbed.

It is because of this apathy, this lack of appreciation of the historic stake which the United States has in the freedom of Cuba from foreign control, that I have called upon my colleagues in the Congress to join me in declaring our determination that Cuba should be free once again and that our Government should accept its responsibility for developing a program of positive action to remove the tyrannical regime that holds Cuba in bondage today. My resolution, House Concurrent Resolution 492, which is before the House Committee on Foreign Affairs, calls upon our Government to formulate such a plan of action to remove the Castro-Communist regime by whatever means may be necessary. On this 100th anniversary of the Grito de Yara, I again urge my colleagues to give out the cry for freedom that will tell the world that the United States is committed and is actively working to restore to the family of nations a free and independent Cuba.

HON. EDNA F. KELLY

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, it is with a very poignant sense of regret that I contemplate our brilliant, gracious, and charming colleague, EDNA KELLY, leaving this House. Her keen intellect, her animated spirit, and her constant grace have made her a distinctive adornment to this House. She has rendered immeasurable service to our country as a senior and important member of the House Committee on Foreign Affairs. Her wise counsel and long experience have enabled her to render an immeasurable contribution to her country in the shaping of its foreign policy. She has fought with dedicated zeal and determination for programs which have made our people a healthier, more prosperous, and a happier citizenship. She has added strength to countless good causes and has been an effective warrior against those who would render a disservice to the public interest. She has been ever considerate of her colleagues and a warm and treasured friend to many of us who have been privileged to serve with her. This House will be a poorer and a more drab House when this talented and dynamic lady is no longer here to lend the charm of her rich personality and her lovely and animated presence to the House scene. I am sure I speak the sentiment of every Member of this House that our warmest good wishes will accompany EDNA KELLY wherever she goes and that we are all sure that wherever she is will be a better place for her being there. May her years be long and happy.

TRIBUTE TO HON. ELMER HOLLAND

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, one of the noblest men who ever served in this House was Elmer Holland. During the many years that he worked and fought in this House he advanced the cause not only of the working people to whom he felt a special devotion but to all the people of this country. Legislation which he has sponsored and supported has immeasurably strengthened this Nation—given better education to its young and better training to its older; more satisfactory housing to a great host; more adequate health care to millions and the hope of a richer and better life to all. He was true to the cause of duty. He was unfaltering in his loyalty to what he thought was right and unswerving in his resistance to what he considerd wrong. He was a tower of strength to a good cause and a bulwark of opposition to a bad one. He was a great gentleman, a kind man, a patriot, an able counselor to his country, a distinguished, knowledgeable, and dedicated legislator. His service has added to the luster of this House, contributed to making today better and tomorrow more secure. I join my colleagues in heartfelt tribute to Elmer Holland and will ever cherish his memory and his friendship.

JULIA BUTLER HANSEN MAKES GREAT RECORD

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, as this session of the 90th Congress nears an end I want to express appreciation to a distinguished colleague who has made a great record as a subcommittee chairman of the Committee on Appropriations—the Honorable JULIA BUTLER HANSEN.

As the only woman in the House of Representatives to head a subcommittee dealing with appropriations, the gentlewoman from Washington [Mrs. HANSEN] has made a splendid record handling funding for the Department of the Interior and a number of related agencies, including the U.S. Forest Service.

The appropriations bills which Mrs. HANSEN'S subcommittee brings to the floor often involve some of the most controversial and difficult legislative matters to be considered by Congress, but their debate and consideration have been marked by courtesy and commonsense, and the gentlewoman who is chairman has demonstrated a keen understanding of the fine points of debate as well as the legislation before us.

The gentlewoman from Washington [Mrs. HANSEN] has been a strong and effective champion of conservation, resource development, educational improvements, and progress for the American Indian. Her committee leadership post enables her to contribute significantly to progress on all of these matters.

The conservationists and Indians of Oklahoma regard JULIA BUTLER HANSEN as one of their best friends in Congress.

It is both a privilege and a pleasure to serve with her.

HIGHLIGHTS OF THE 90TH CONGRESS

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. TIERNAN. Mr. Speaker, now that we are near adjournment time, I wish to put in the RECORD a summary of what I believe to be several of the highlights of the 90th Congress. The following is my report to the people of Rhode Island's Second Congressional District. The topics covered in my newsletter include a discussion on law-enforcement legislation, air pollution and solid waste disposal facility problems, housing for the elderly, education, consumer legislation, and proposals for Federal statutes on the fight against crime.

REPORT TO THE PEOPLE OF RHODE ISLAND'S SECOND DISTRICT

LAW-ENFORCEMENT LEGISLATION

One of the most significant pieces of legislation to be enacted into law in the 90th Congress was the Omnibus Crime Control and Safe Streets Act of 1968. As a supporter of this act, I thought it appropriate to discuss what this new law seeks to do and what its effect should be in assisting our local and state police authorities to preserve law and order.

The primary basis for this national legislation was that while the Federal government could not engage directly in local law enforcement, the government could and should provide substantial financial and technical assistance to local police departments.

Under the law enforcement grant section, the following is included:

1. Planning grants for the creation of state and local anti-crime plans.
2. Funds to develop methods and equipment to strengthen law enforcement.
3. Action grants to recruit and train police officers.
4. Federal funds to construct buildings and other law enforcement facilities.
5. Grants to establish and train special units to combat *organized crime*.
6. Programs to educate the public about *crime prevention*.
7. Funds to recruit and train special riot control and prevention units.

In the areas of training and research, the Omnibus Crime Control Act establishes a National Institute of Law Enforcement and Criminal Justice to encourage research and demonstrations in law enforcement methods. This legislation also authorizes payments to colleges and universities for loans of up to $1800 a year for enrollment in courses leading to degrees in an area related to enforcement and scholarships up to $300 per college semester for individuals enrolled in a law enforcement course.

Two other important provisions of the Crime Control Act permit police wiretapping in investigations of specific Federal and state crimes and prohibits interstate shipment of hand guns to individuals. The latter provision also prohibits the selling of firearms to persons known to be convicted felons, fugitives or under indictment by a grand jury.

THE CONSUMER CONGRESS

The dollar and the safety of the American consumer have long been challenged by unfair loan practices, misleading advertising, and faulty merchandise. The 90th Congress responded to the challenge with unprecedented legislation to protect the consumer. The legislation included several bills for which I helped to secure passage.

I co-sponsored and spoke on the Floor for the *Consumer Credit Act of 1968* which requires lenders and retail creditors to furnish their customers with full information about the cost of credit. Consumers will now know the exact interest rates they pay. I am certain that this will assist them in making intelligent choices in financing their purchases.

Fire prevention is part of consumer protection. About 150,000 people a year are injured in clothing fires and thousands more are burned in fires involving bedding, curtains and upholstery. I supported the 1967 Amendments to the *Flammable Fabrics Act* which gave the Secretary of Commerce the power to issue standards for the flammability of fabrics when it is necessary to protect the public interest.

I gave special attention to the *Fire Safety and Research Act of 1968* which was handled by the Science Committee of which I am a member. The bill authorizes studies into the causes of fires and investigation of new methods of fire prevention and control. It also provides for the establishment of new training programs to improve fire-fighting techniques. Fire is still a major threat to lives and property, and this constructive legislation should further modernize fire prevention and control programs.

It may startle you to discover that each year the average American eats about 27 pounds of red meat that may be tainted or diseased thanks to inadequate or nonexistent meat inspection in many states. I was pleased to speak on the House Floor in support of the *Wholesale Meat Act of 1967* which assists and requires states to upgrade their meat inspection procedure.

By 1969, all state inspection programs will have to meet Federal inspection standards. The *Wholesome Poultry Products Act of 1968* which likewise had my backing considerably raises standards in the inspection of poultry.

Another consumer problem involved unsafe pipelines used in the transmission of natural gas. I gave my complete support to the *Natural Gas Pipeline Safety Act of 1968* which enables the Secretary of Transportation to set minimum safety standards for the transportation and storage of natural gas.

Consumer safety and consumer dollar stability are the concern of all Americans. I was pleased to join in this record-setting Congressional effort. The legislation consumer-protection of this Congress is by no means the final answer to this question, but I believe it does go along toward eliminating the most flagrant abuses of consumer rights.

QUALITY EDUCATION

I am pleased to report to you on the record of the 90th Congress in the field of education. During the past session, the Congress sought to remedy a host of problems facing our nation's educational system. The proposals that were enacted were not shortsighted or stop-gap measures, but rather a systematic attempt to anticipate the needs that the field of education will present in the decade of the 1970's.

Our nation is faced with the problems of urban unrest, an increasing crime rate, and a growing disrespect for established law. Congress acted positively by soundly investing in innovative educational programs that will produce the much needed dividends of individual sensitivity and responsibility and an understanding and respect for our institutions.

We met these challenges with the following measures:

1. Amendments to the Elementary and Secondary Education Act of 1965 which refunded the successful Headstart Program and provided special programs in schools serving low-income neighborhoods. Also included in the 1967 Amendments were provisions for special programs for non-English speaking families, handicapped children, and educational research and training facilities.

2. In the much neglected field of vocational education three acts were passed that provided (a) loans to finance tuition payments at business, trade and technical schools, (b) Federal support for training of the unemployed in order to meet needs in areas where there are occupational skill shortages, and (c) increased research in order to foster comprehensive vocational education.

3. In the area of higher education where the cost of a college education is becoming a major hardship to many students and their families the Congress passed far-reaching amendments to the existing Higher Education Act. It is now possible for needy students to obtain grants, fellowships for careers in public services, and reduced-interest insured loans that will enable them to pursue a college career.

We took these steps in an attempt to correct the educational problems produced by our complex society. But there are still immense tasks to be undertaken. We know that in 1968, five million Americans are still illiterate. We know that almost one million young Americans quit school each year. We know that five million students need programs in special education that are not provided at the present time.

These and others are the hardcore problems in American education. They will not be erased in a single Congress. But a start has been made, and our labors must be continued into the 1970's in order to prevent a national disaster.

In order to meet some of our obvious shortcomings in education, I have tried to initiate action that will help to alleviate some of our pressing educational problems.

1. I have called for the creation of a National Foundation for the Social Sciences that will conduct research which will shed light upon the causes of the social unrest that plagues our nation.

2. I have supported the full authorization and payment of Federal Impact Area Funds under P.L. 874. Any curtailment of this program in Rhode Island would adversely affect the quality of education in those communities with a heavy concentration of children whose parents are employed at Federal installments such as Quonset, Newport and Davisville.

3. I am working to increase Federal aid to special education to insure that our handicapped, retarded, blind and deaf children have an equal opportunity in our society.

4. In the neglected area of educational programs for the gifted child, I shall propose that this, one of our most precious resources, receive adequate planning and aid in the future.

5. I have sponsored the Pell-Tiernan bill which if enacted would provide a Federal scholarship of $1,000 for each of the first two years of higher education. Both Senator Pell and I are hopeful that we can obtain committee consideration of this much needed proposal in the very near future.

FIGHT AGAINST CRIME

The existence of organized crime is a great national problem. You have indicated by your response to my questionnaire that it is your area of prime concern.

I have developed an anti-organized crime program which I feel the Congress should implement, because the Federal government is uniquely equipped to grapple with organized crime due to the interstate nature of organized criminal activities.

My major recommendations are as follows:

1. A general Federal witness-immunity statute should be enacted.

2. The Organized Crime and Racketeering Section of Criminal Division of the Department of Justice should be strengthened and expanded.

3. A Joint-Congressional Committee on Crime should be created (I have sponsored this proposal in the present session).

4. A Federal law should be enacted making membership in an identifiable and defineable organized criminal syndicate a felony.

INDUSTRIAL STANDARDS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, 2 years ago I addressed the House in some detail respecting the ways in which voluntary industrial standards may benefit the Nation. At the same time I also pointed out that it is possible to distort the voluntary industrial standards process to such an extent that small manufacturers of standardized products are needlessly disadvantaged and consumers victimized by practices that are deceptive at best and dangerous at worst. To provide specific illustrations, I referred to the processes by which voluntary standards have been formulated and promulgated in two or three typical industries. One of these industries was softwood lumber.

In the course of my address to this House 2 years ago I also announced that my Subcommittee on Regulatory and Enforcement Agencies would hold hearings. Despite some blunt, clumsy pressures exercised against me by a segment of the softwood lumber industry that stood to gain mightily by the perpetuation of things as they were, the hearings were held. Again, only last week the counsel for the American Lumber Standards Committee, after informing a member of the subcommittee staff that differences within the industry were being resolved by "principals," that is to say, individual owners of lumber-producing companies rather than by "trade associations alone," went on to warn that if Members of Congress and their staff persisted in opposing industry positions they must expect retribution.

In due course the subcommittee will present its report to the full committee for its consideration and transmittal to the Congress. In the meantime I should like to summarize what, as of this moment, seems to me to have been the impact of our inquiry.

I do want to make it clear that I do not support any particular segment of the lumber industry, neither West nor South, neither green nor dry. We have had great concern for the survival of small businessmen in this industry as giant corporations have become more and more powerful, especially because of their dominance in the area of standards.

Increasingly over the years we have become aware that the ultimate loser in this battle has been the consumer. We have stacks of letters from small businessmen who have been threatened with catastrophic losses because structural lumber has failed. In one case a church collapsed, narrowly averting a major disaster. It is in the final analysis our intention to see that there will be "truth in grading" for lumber.

The kind of lumber that I shall talk about is used as the essential framework for homes, schools, and churches. It is not the lumber that is intended to be esthetically pleasing. It is not the siding on the house or panels in the living room. It is rather the floor joists, the roof rafters—in short, the pieces of lumber that you rarely see in the completed house but that furnish to that house its essential strength and stability.

The voluntary standards program for softwood lumber is in effect a conglomerate of standards. The American Society for Testing and Materials, a nonprofit organization headquartered in Philadelphia, promulgates some of the ingredients. ASTM standards are formulated by voluntary committees operating within the framework of procedures designed by ASTM for the supposed purpose of assuring a balance between competing economic interests. For example, committees and subcommittees are supposed to have a balance in numbers as between producers and, on the other hand, consumer and general interest members. In practice much of the work in the case of lumber is done by small groups of perhaps five persons who are designated task forces. Here is where the work is really done, the data analyzed and conclusions reached. The subcommittees and full committees that receive the reports of the task forces often lack real access to the data or, if it is available, the opportunity to analyze and ponder the matter. Small business typically does not have the expertise, the time or the money to participate in these matters.

The U.S. Forest Products Laboratory is a Federal agency that is active on these committees. This Laboratory has extensive facilities in Madison, Wis., and is a part of the Forest Service in the Department of Agriculture. Little if any of the kind of consumer deception that has flowed out of the various standardization practices in the lumber industry could have occurred without, in many cases, the participation of the Forest Products Laboratory or, in every instance, without the knowledge of the Forest Products Laboratory. In this regard the record compiled by my subcommittee is conclusive.

Specifically, I am in possession of 12 years' worth of correspondence between the Laboratory and the various regional lumber grading agencies concerning a number of proposed grade rule changes which document both knowledge and indeed actual participation by the Laboratory in the framing of the rules as they were finally promulgated.

Our subcommittee received charges that in the case of one exceptionally controversial proposal pending in the ASTM committee on wood, the Forest Products Laboratory engaged with others in procedures that were in flat violation of the ASTM rules. These rules were issued by the governing body of ASTM to assure fairness and thoughtful consideration in the development of standards. We deemed this a serious charge. It was further charged before our subcommittee that in order to accomplish this end a spokesman for the U.S. Forest Products Laboratory personally appeared before the administrative committee of ASTM that was charged with making the final decision as to whether the particular standard on wood was to be promulgated. We were told that the administrative committee invited proponents and opponents of the measure to appear before it in Philadelphia. After all others had been heard, this spokesman for the Laboratory read a brief statement asserting that the pending proposal was satisfactory to the U.S. Forest Products Laboratory. On the basis of this advice the administrative committee voted to, and did, promulgate the standard.

The fact is, it was charged before our committee, that the standard was not satisfactory to the Laboratory, that the Laboratory in violation of ASTM's longstanding procedures had reached a gentleman's agreement with representatives of certain powerful trade associations for a future amendment of the standard. The fact that the standard was not then satisfactory to the Laboratory or that this gentleman's agreement violated not only the rules but the fundamental concepts of the procedures by which ASTM standards are achieved, was not disclosed to ASTM's administrative committee. Testimony received by our subcommittee vividly portrays this failure to follow ASTM procedural requirements. Adherence to procedure would have required resubmission of the question. Thus, members were deprived of an opportunity to vote on the matter in final form.

It is not necessary to decide whether the U.S. Forest Products Laboratory was wholly untruthful in this instance or whether it willfully spoke only half truths. It is necessary to observe, however, that this kind of conduct does not appear consistent with that usually exhibited by Federal agencies.

Our examination of some of the files of the U.S. Forest Laboratory shows that it has known for more than a decade that the strength values and mechanical properties assigned in some grade rule books, supposedly approved by the American Lumber Standards Committee, to which the Laboratory acts as adviser, have been substantially overstated. This is significant because demand and selling price for any particular species of structural lumber varies directly in the marketplace with the physical values for strength and other mechanical properties assigned to it. The files indicate that the Forest Products Laboratory from time to time quietly called the attention of this or that offending group to the overstated values. More than this the Laboratory did not do. The Laboratory apparently felt no responsibility to consumers who were led to believe that there was more strength and stiffness than actually existed in lumber for which they were paying premium prices. The Laboratory apparently felt it had no public obligation with respect to this situation which the Federal Trade Commission, without the assistance of the Laboratory, subsequently disclosed and branded as the kind of deceptive trade practice that contravenes the Federal Trade Commission Act.

We understand, of course, that the Laboratory is not a regulatory agency. But it need not be silent in the face of wrongdoing. And there are agencies in the Federal Government that were established for the express purpose of stopping practices of this ilk. It is not without significance that this aspect of the matter was finally raised before the Federal Trade Commission by a segment of lumber manufacturers that hoped to clean up the image of the industry. At no time, so far as we could discover, did the U.S. Forest Products Laboratory even bring this to the attention of the Chief of the Forest Service or the Secretary of Agriculture in order that one of them might have directed the attention of the appropriate agency to the problem.

Not too long ago the Nation bemoaned the death of a young woman who was attacked while private citizens aware of what was going on made no move to summon the police. This refusal of private citizens to become involved if only to the extent of summoning the police was viewed by many in the Nation as deplorable. The principle here is no different.

Events of the past month indicate that there may possibly be reason for hope that the U.S. Forest Products Laboratory is reassessing its position and function. This is by no means a certainty and the evidence is confusing. But there appears to be reason for hope.

Let me give an example. By letter dated September 5, 1968, the Structural Engineers Association of California advised the Laboratory that they had been active in building code matters for many years in an advisory capacity to the State's regulatory agencies involved with building codes and the materials that might be used and the circumstances of their use in structures in the State of California. The Structural Engineers Association explained it had received a copy of new lumber grading rules published by Western Wood Products Association, the Nation's largest lumber rules writing and grading agency, one that numbers among its membership some of the most powerful corporations in the lumber manufacturing industry.

The structural engineers were concerned basically about two fundamental matters. First, they indicated to the Laboratory a concern that lumber of various species and regions was so grouped for marketing purposes that the assignment of physical values for strength and other mechanical properties was technically invalid. Second, the association asked about the assignment of strength values for lumber used as repetitive members as where, for example, three adjacent floor joists share a load as the same subflooring is fastened to each of them.

The Laboratory replied quite strongly on the matter of the repetitive members stating that it believed the proposed rules to be technically without support. On the matter of grouping of species, the Laboratory explained only that this grouping is not a new procedure and that the choice of species to be placed in a group is an industry prerogative. This response of the Laboratory was dated September 12, 1968, and is in the files of my subcommittee.

But earlier, on July 19, 1968, in response to a telephone inquiry from the Defense Supply Agency of the Department of Defense, a spokesman for the Laboratory had indicated grave concern with the species grouping contained in the new grade rule book. The memo reflective of the telephone conversation, as written by the Laboratory official stated:

> It would mean the recommended properties for a particular piece of Douglas fir lumber from that region would be different depending on which grading agency the sawmiller subscribed to.

On September 10, 1968, 2 days before the Laboratory sent its answer to the engineers who were being asked to advise the regulatory agencies of the State of California, the Forest Products Laboratory prepared an official internal statement for the appropriate ASTM subcommittee that would condemn the precise species grouping about which the engineers had inquired.

Then on September 12, 1968, the very day upon which the Laboratory sent its innocuous reply on species grouping to the California engineers, the Laboratory wrote to the body that issued the rules for this grouping, Western Wood Products Association, indicating it could not sanction the species grouping proposed by WWPA. Twelve days later, on September 24, 1968, at a meeting of an ASTM subcommittee held at the Laboratory in Madison, Wis., a spokesman for the Laboratory stood up and at last spoke the plain truth:

> This [double use of forest inventory for species grouping purposes] seems to violate the very fundamental principle on which the system is based, namely that the properties of the product in some way depend mostly on the wood it's made from.

His statement provoked consternation in the ranks of those who stood to gain by the misgrouping. The Laboratory spokesman, I am delighted to report, stood his ground against the concerted power thrown against him. After several hours of strenuous debate a formal vote in effect sustained the position of the Laboratory.

Despite the conflicting advice that was disseminated and, the on-again-off-again posture, the final courageous act of the Laboratory leaves us hopeful that this Federal agency with its tremendous resources in buildings, technical equipment and skilled personnel will move strongly to safeguard the legitimate interests of consumers and small business units within the total lumber industry. We do not suppose or suggest that the Laboratory is or ought to be a policeman. But we cannot believe that it is proper for this agency to remain silent where it officially knows of significant impropriety. It must shoulder more responsibility to consumers.

The ASTM wood standards to which I have referred essentially define how the strength of wood is to be determined. First, procedures are established for determining various strength and other mechanical properties of perfect pieces of wood. These are followed by standardized procedures for determining the extent to which the strength and other mechanical properties of a particular piece of lumber are diminished as compared with the perfect piece of lumber on account of such matters as the existence and placement of knots, slope of grain, splits, warp, crook, moisture content, rot, fungus, and the like.

These ASTM standards in turn are incorporated by reference by the various grading agencies in the grade rule books issued under the American lumber standard.

The American lumber standard is formulated by a committee that is appointed by the Secretary of Commerce from among nominees suggested to him, at his request, by interests affected by the standard, including manufacturers of lumber, wholesalers, retailers, persons who use lumber in the manufacture of other products or structures, and people who ultimately use the final wood product, such as the homeowner.

When the American Lumber Standard Committee formulates a standard or an amendment thereto the proposal is submitted to the Secretary of Commerce who then polls the lumber industry, including manufacturers, distributors, users, and consumers, to determine their views. If there is consensus and the proposal is lawful and not contrary to the public interest, the Secretary of Commerce will promulgate it as a voluntary standard.

For several years now both the American Lumber Standards Committee and the industry have been widely split on proposals for modernizing the standard. One group focuses its concern on the size and moisture content of a standard piece of lumber. It proposes, for example, that the piece of wood we all know familiarly as a 2 by 4 in effect be manufactured at $1\frac{1}{2}$ inches by $3\frac{9}{16}$ inches at 19-percent moisture content and at some fractionally larger—but smaller than the existing—size if it has anything more than 19-percent moisture content.

All agree that size and moisture content should be related and there is absolutely no question but that lumber does undergo shrinkage as it dries. But other manufacturers claim that the assignment of accurate stress and stiffness values and that maintaining efficient utilization of our natural resources must also be considered.

Standard lumber sizes can be evolved, and various specific proposals have been advanced, that would accord almost but not complete adherence to lumber shrinkage factors without producing waste. And if the system of voluntary standards, after these many years of debating the subject, cannot heed and reasonably accommodate both technical shrinkage factors and the problems of resource waste and the survival of small business, then the outlook for continuation of a voluntary standards system for the softwood lumber industry is not, to put it mildly, entirely rosy.

If it is assumed that industry can embark on a rational course that will produce standard sizes that do not defeat the public interest, there still remains the central question of the strength and other mechanical properties of lumber.

When one walks across the kitchen floor, how much will that floor bounce and how much will the dishes rattle in the cupboard? What weight can I place with confident safety on the ground floor or on the second floor of my home? If I engage an architect and a structural engineer to design and work up the specifications for a new home, how do they know what sizes and species of lumber to use under the kitchen floor? They will know how big the kitchen will be, what load it will sustain, the distance that the floor joists must span. Shall they use 2 inch by 8 inch or shall they use 2 inch by 10 inch pieces? Shall they use coastal Douglas-fir? Shall they use larch? Shall they use southern pine? How can they know today precisely what lumber to use so that they may be sure that the floor will neither sag nor bounce because it is underbuilt or that it will be more solid and costly than necessary because it is overbuilt?

Under the existing American lumber standard which does not prohibit grouping and which allows use of average stiffness, the consumer cannot know. How could he have known if the Secretary of Commerce had promulgated any one of the two or three versions for a revised standard that the Lumber Standards Committee proposed to him?

Today when a user or consumer wants to determine the strength and other mechanical properties of a piece of lumber, he looks at the grade stamp on it. This grade stamp is generally applied by a sawmill employee who is certified by one of the grading agencies as competent in this field. Presumably the performance of the mill employee is regularly checked by the grading agency for competence and accuracy. The mill grader is required to apply to the lumber the seemingly complex grading rules issued by the agency that writes the grade rules for that species. These grade-rule-writing agencies in turn are supposed to submit their rules to the board of review of the American Lumber Standards Committee for determination of their conformance to the American lumber standard. And the board of review, in turn, maintains a three-man inspection force that supposedly checks on the competence of the grading actually performed under the various rules.

There are three major rules-writing agencies in the United States. One such agency writes the rules and supervises most of the grading in the southern pine belt. A second agency covers the area of Oregon and Washington west of the crest of the Cascades and California. A third agency functions also as a lumber trade association and writes the rules for and grades the lumber produced in the vast intermountain region of the West. This third agency has recently contended that it somehow has derived authority from the American Lumber Standard to write grading rules for lumber made in the Pacific coastal area. As I previously noted, FPL characterized this attempt to make double usage of the stronger portion of the forest inventory as violating the very fundamental principle on which the system is based. This view, however, has not stopped Western Wood Products Association, which numbers among its members many of the largest lumber manufacturers of the United States, from its attempt to include the stronger coastal Douglas-fir as an addition to its own intermountain forest inventory. That such an addition would be both fictitious and against the public interest is apparent on its face.

This highly questionable maneuver, if successful, would produce unusual results. The mechanical and strength properties of a particular piece of Douglas-fire lumber, for example, would vary substantially depending upon the grading agency to which the manufacturer subscribes. The lumber strength would depend on membership in an organization and not upon the qualities of the particular piece of wood. I do not think this is amusing. Consumers deserve something better than this. As an official of the Defense Supply Agency was noted to have said on July 19, 1968, in a phone conversation with the Forest Products Laboratory:

> How [is] the poor old consumer supposed to know what he is getting when the trade associations are allowed such flexibility in setting up their grading rules?

To get back to fundamentals, if the joists under the kitchen floor are stronger than they need to be, the consumer will have paid more than is necessary and we shall have wasted some wood. On the other hand, if the joists under the kitchen floor have more deflection than is acceptable, the consumer will not have the kind of house he thought he was paying for and he will have a difficult time getting his money back when he sells the house.

Two years ago I pointed out that deflection values being used in rule books were based on broad averages. If the population that made up the average had only nominal variations within itself, the use of averages would be a practical way of handling the matter. But test data accumulated over decades continue to show that there are such wide variations within the sampled population that the average is not especially apt to describe the deflection of any particular piece of lumber that composes the sample population. Until recently, when our designer or architect consulted the grade rule book he found an absolute stiffness value applied to each piece for each species. There were some exceptions where species were manufactured and sold in groups, as in the case with the various species of southern pine and mixtures of hemlock and true firs. In some instances the values assigned were based upon averaging all of the species in the group; in other instances the values assigned were those for the average of only the very stiffest species in the group. Nobody protected the consumer's home by suggesting that if averages are to be used where species are grouped, the averages ought to be those assigned to the weakest members in the group.

During the 2 years of our examination into this matter changes have been occurring. The Federal Housing Administration, in a letter dated July 1, 1968, to Mr. H. A. Roberts, vice president, WWPA, concerning their new rule book, Mr. S. Porter Driscoll, Director, Architectural Division, says:

> In reviewing your calculations of allowable stresses and moduli, my staff notes that average values are assigned to the Douglas fir and Larch combination of Coast fir, Interior fir and Larch, and to Hem-Fir, a combination of White fir, Western Hemlock, the true firs and Southern Interior Douglas fir. Your grading rules state that: 'lumber shipped under the combination grade stamp may be all of any one species in the combination or a mixture of any of the species in the combination'. In view of this statement and recent statements of the Federal Trade Commission, *we are not able to justify assigning allowable stresses and moduli to a combination which are higher than those for the weakest species included in the combination*" (emphasis added).

Published on July 1, 1968, the new grade rule book of the Western Wood Products Association was imaginative in the devices employed to conjure up high strength and other mechanical values. This is important because the marketing of lumber and the price received for it is directly related to the mechanical and other strength values assigned to the lumber. Indeed, stiffness and strength values are what determine the value of structural softwood lumber. The assignment of strength and stiffness values for wood is the sophisticated way in which prices can be fixed in the lumber industry.

In the new WWPA rule book, great increases in strength were provided where the lumber was to be used in a repetitive member system. Supposedly the WWPA approach was based upon an ASTM standard. As I have already pointed out, the Forest Products Laboratory by letter of September 12, 1968, had denounced these proposed rules as being outdated and technically inadequate. A few days ago at a meeting of an ASTM subcommittee, a spokesman for WWPA announced that after informal discussions with other members of the subcommittee all of the various strength and mechanical values assigned for repetitive member use would be sharply pared with one exception that is not particularly consequential.

As I pointed out 2 years ago, strength and mechanical properties of wood within a single species vary with a number of factors, including the geographic area in which the wood is grown. The problem with the new rules proposed by WWPA is that when such a broad area is included that the natural variation will cause those producers with the strongest material to suffer penalties when averaged with the lowest extremes in the area. This will occur because knowledgeable designers will always make allowance that weakest material they know might occur.

In justification of this position Western Wood Products Association referred to language in an ASTM standard. The peculiar way in which that standard was foisted on the governing body of ASTM has already been described in my discussion of the U.S. Forest Products Laboratory. I have also noted that the Laboratory has at last publicly attacked this attempt to inflate inland species.

So far as honest and reasonably accurate descriptions of mechanical and strength values in lumber are concerned, there are signs that improvement may come. To date the signs are only mildly encouraging but, happily, there is evidence that consequential interests within the industry, as evidenced by the recent actions of Federal Housing Administration and the Forest Products Laboratory are beginning to reexamine positions they have held over the decades. As an illustration I quote from a letter in the subcommittee's files dated September 12, 1968, from the director of the Laboratory to the vice president of Western Wood Products Association:

> As a public agency we have a strong obligation to consider the consumer in our work. Because so much controversy has developed surrounding the grouping of species, we are becoming increasingly aware of the confusion and related problems arising among consumers of lumber. While the long-range solution may be one of piece-by-piece evaluation of the lumber product rather than an evaluation of the timber resource, there seems to be desperate need by both consumers and producers for sound interim measures. *One possible interim measure would be to assign properties to a group of species equal to those of the lowest included species.* As you know, this alternative has been seriously proposed by a number of technically competent and responsible people, including some members of Committee D–7, as well as by a Government agency, FHA (emphasis added).

One other factor that could bring great public benefit entered the picture after my subcommittee commenced its inquiry. On May 6, 1968, the Federal Trade Commission, after hearings before the Commission, issued a lengthy and detailed report on the misgrading of softwood lumber. Among other things, the report observed that if the values of strength and mechanical properties of lumber are misstated in the grade rule books, then "each time a grade mark designating that grade is affixed to lumber a false representation as to that lumber's strength is made, irrespective of the accuracy of the grading." The report of the Commission described in detail illustrations of this situation. The Commission's report suggested the need for legislation in this field and the establishment of a trade practice regulation.

Whether the Federal Government must intrude further into this field is, in one sense, up to the industry itself. I have spoken upon the subject at great length. The FTC has issued a most critical report. My subcommittee has held numerous hearings in which the essential facts that I have charged have been well corroborated.

Yet, less than 60 days after the issuance of the Federal Trade Commission report, the largest rules writing and grading unit in the United States, Western Wood Products Association, issued with great fanfare and extensive advertising a new lumber grade rule book that was so extreme that the Federal Housing Administration and the Forest Products Laboratory attacked the proposal, an unprecedented action.

Whether there will be further Federal intrusion into the lumber industry is going to depend, it seems to me, upon the extent to which the industry will voluntarily put its own house in order. There is no excuse remaining for the kinds of deceptive trade practices that I have described here today. It is time for this industry to engage in simple honesty. There is no justification for any industry deceiving the consumer.

Let me give you one example of less than straightforward conduct in lumber marketing. The new rule book of the Western Wood Products Association has an interesting technique. Annually, hundreds of millions of board feet of lumber are to bear a grade stamp stating that the wood is "Hem-Fir." The uninitiated, perhaps even the sophisticated, would understand that this is a mixture of hemlock and Douglas-Fir. But if this is what the uninitiated or even the sophisticated believe, they are more likely to be wrong than right.

This is what is called a species grouping. Within a shipment of this group there is no requirement that there be any hemlock at all. The shipment might be all fir. Or it might be entirely hemlock.

As to the fir, is it the familiar Douglas-fir? The general, but not the absolute answer to that question is negative. For the most part, the fir that is referred to is what the industry calls true fir—one of the species of the genus abies. Douglas-fir from the southern portion of the intermountain range, far weaker than its northern or coastal counterpart, can be included in "Hem-Fir." The strong Douglas-fir is marketed separately. So what is included when "Hem-Fir" is shipped may be straight hemlock, may be straight true firs, may be a mixture of hemlock and true firs with no Douglas-fir, may be a mixture that includes the foregoing with the southern weak Douglas-fir, or could even be a straight shipment of the weakest Douglas-fir. Pity the poor consumer. Pity even the knowledegable retailer who may not be able to tell from the grade stamp the part of the West where the lumber originated. He therefore can only guess what kind of lumber he may have bought. And even if he knows the area from which the lumber originated, he could not be sure of the species and the strength characteristics of any particular piece.

As the executive vice president of the National American Wholesale Lumber Association recently pointed out to the counsel for my subcommittee, when white fir is used in house construction, additional bracing is needed for roof rafter, but not when hemlock is used. Obviously, then, a difference of importance to the home builder exists which is disguised when the two are intermingled.

Now let me compound the confusion. There are six species of true firs of the genus abies that are commercially valuable. The Western Wood Products Association grading rules issued in 1965 contained grading rules for all six of these species of the true first. In the association's new grade rule book one species is omitted. The omission is subalpine fir, which is the lasiocarpa species of the abies genus. Statistics compiled by the Forest Service show that the lumber industry annually cuts and removes from the forests substantial volumes of this subalpine fir. Knowledgeable persons tell me it is manufactured into structural sizes of lumber just as are the other true firs. Why, then, is it not included in the rule book? Why, then, is there no provision for grade stamping subalpine fir?

None of our records disclose precisely what reason the Western Wood Products Association had for this sudden and unexplained omission of subalpine fir from its grading rules. But data published by the U.S. Forest Products Laboratory and by ASTM show that the strength and mechanical properties of subalpine fir are about 25 percent lower than those of the other true firs and of the hemlock and Douglas-fir that are or may be included in the mixture called "Hem-Fir." ASTM standards relating to species grouping, as lax and unsatisfactory as they are from the consumer's point of view, would not permit the subalpine fir to be grouped with the rest of the species included in the "Hem-Fir" group unless WWPA were willing to assign in its new rule book substantially lower strength and mechanical properties to the entire group than it now assigns. Yet if the subalpine fir were offered on the market alone, its weaknesses are such that its marketability would be doubtful. Since the subalpine fir grows intermingled with the other true firs, is intermingled with it in manufacture, and is not even mentioned in the grade rule book, one is inevitably led to the conclusion that the subalpine fir is in fact comingled in the group and stamped as "Hem-Fir." What the consumer does not know does hurt him. When he buys lumber that includes subalpine fir, he is paying for strength and performance that he is not getting.

This is hardly the mark of an industry that purports to be dedicated within the limits permitted by the antitrust laws to keeping its house in order. Again, this rule book was published less than 60 days after the Federal Trade Commission had indicated that misrepresentation as to species was a deceptive practice that contravenes the statute which the Commission was established to enforce. One wonders whether this segment of the industry means implicitly to invite the Federal Government to regulate all segments of the industry in the grading and inspection of lumber.

Concerned persons may also wonder what position the U.S. Forest Products Laboratory has taken in this situation. Having reviewed all the correspondence between the Forest Products Laboratory and Western Wood Products Association concerning the new grading rules and the minutes of all of the meetings and telephone conversations between the laboratory and the association, I can say only that based upon a search of those records the U.S. Forest Products Laboratory has never even mentioned this matter of the "disappearing" subalpine fir.

In concluding my remarks of 2 years ago, I described the responsibility of the American Lumber Standards Committee for policing the competence and adequacy with which the grading agencies certified by that committee perform their functions. The enforcement program of the committee was a sham. Records of the American Lumber Standards Committee examined by the Federal Trade Commission showed that some agencies were policed on a different basis that concealed the scope of its inadequacies.

What has happened in the enforcement area since I spoke on this subject 2 years ago is hardly encouraging to the consumer. My subcommittee's attention has been directed to the fact that even before I addressed the House on this subject, the Weyerhaeuser Co. was running its hemlock and Douglas-fir production through a stain before the material was submitted for grading. The color of the stain, we are told, is denominated by the Weyerhaeuser Co. as "cherry-brown," whatever shade that may be.

Let it suffice to say that when a piece of hemlock which is quite white in color, is run through this stain bath, the lumber comes out looking very much like Douglas-fir. It is interesting that Douglas-fir is stronger than and has mechanical properties superior to hemlock. Douglas-fir, too, customarily commands a higher price from the consumers than does hemlock.

The Douglas-fir is also stained in the same way before it is submitted for grading as to its strength and mechanical properties. This, too, is interesting. Douglas-fir, along with some of the other coniferous species, is subject to a fungus intrusion that is known as "white speck." White speck is a factor which tends to weaken the lumber and its presence, when observed by a grader, may cause him to put a lower grade upon the piece than would otherwise be the case if there were no white speck present. This would bring the manufacturer a lower price for the piece.

White speck is readily seen even by the totally uninitiated. It appears precisely, as its name implies, as a series of white specks, sometimes almost like polka dots, throughout and penetrating the wood. When a piece of Douglas-fir permeated with white speck is subjected to cherry-brown stain, the piece of lumber comes out of the bath with the white speck colored identically with the wood in which it is found. In samples submitted to the subcommittee, it was almost impossible to detect white speck on Douglas-fir stained cherry-brown. The lumber grader is hardly likely to see the existence of the white speck that was so completely conspicuous before the stain was applied.

This practice, we are told, was initiated by the Weyerhaeuser Co. A few others found that the forces of competition compelled them to adopt this marketing practice. Most other lumber manufacturers, fortunately, are still refusing to be forced into this unpleasant posture. And while hundreds of millions of board feet of stained lumber are pumped into the market, the American Lumber Standards Committee to date has confined itself to discussion and study.

Weyerhaeuser, I understand, says that it uses the stain solely in order that its lumber may be distinguished in the marketplace, just as somebody else may have a unique color scheme on the label of his can of apricots. The trouble with this, of course, is that Weyerhaeuser's practice has forced others to use the stain so that Weyerhaeuser's product is not unique in the marketplace because of this artificial coloration. After 2 years we are still waiting to see what the American Lumber Standards Committee proposes to do about this situation that was initiated and is practiced and defended by the biggest single lumber manufacturer in the United States of America. In other words, is there existing within the lumber industry sufficient lawful power to put an end to this sort of thing or are we implicitly being asked to understand that Federal assistance is needed?

There is a further question of whether the industry, including the American Lumber Standards Committee, is willing to exercise such powers as they do have in a lawful manner. On February 26, 1962, the late President Kennedy issued Executive Order No. 11007. This order arose out of executive concern over the antitrust implications of the great number of formal and informal industrial bodies that operate in advisory capacities to the Government. The potential for discussions and arrangements within such bodies that might offend the antitrust laws led to the promulgation of the rules contained in Executive Order No. 11007. To guard against the possibility of impropriety, the order provides that whenever such a group is meeting for the purpose of advising the Government, there must be present an officer or employee designated by the department involved who shall have the power to adjourn the meeting "whenever he considers adjournment to be in the public interest." The order further provides that at each meeting of an industry advisory committee there shall be a verbatim transcript unless the head of the department concerned formally determines that this is not necessary, in which case he is required to authorize the keeping of full minutes, the accuracy of which must be certified by the Federal employee present at the meeting.

Whether the American Lumber Standards Committee is subject to this Executive order when it is functioning as a body proposing the establishment or revision of a standard to the Secretary of Commerce for promulgation by him, has not been authoritatively determined. Until now this has not been particularly important because the Department of Commerce has issued regulations applicable to the American Lumber Standards Committee when it is functioning as I have described.

Operating under the rules of the Department of Commerce, if not of the Executive order, the American Lumber Standards Committee has apparently been able to go about its business, as have the subcommittees and special task forces that it has created. Federal employees have been present and minutes, while sometimes inadequate, have been kept by these Federal employees. More, the meetings have been open.

On the other hand, it is true that the American Lumber Standards Committee, like the total industry, has been split in a long disagreement respecting the standard sizes for framing lumber and, through its Board of Review, the strength and other mechanical properties to be assigned to the various species of lumber grown in the various regions of the United States.

There is a direct correlation between the strength and stiffness values assigned to specific grades and species of lumber and their acceptance in and the price paid for them in the market. Assignment of low strength or stiffness values to a given species of lumber both lowers its price and shrinks its market demand. On the other hand, inflation of strength and stiffness values raises the price of the lumber in the market and greatly enhances the scope of its marketability. Thus, it is not unreasonable to conclude that by juggling the assignment of the strength and stiffness values assigned to the various kinds of lumber from the several regions of the United States, it is possible to advantage some producers in the marketplace and to disadvantage others. In a sense it is the kind of artificial tampering with the free flow of commerce that the various antitrust laws seem designed to inhibit. Indeed, it seems to me that if strength characteristics determine price, then artificial inflation of these characteristics results in price-fixing by indirection.

Any standard which does not prohibit undue inflation of strength and stiffness values is fatally defective. As an example, coast Douglas-fir has an average E—stiffness—value of 1,560,000 pounds per square inch and a standard deviation of 315,000 pounds per square inch. This roughly means that 17 percent of the pieces produced will be below 1,245,000 pounds per square inch. Inland north Douglas-fir has an average E value of 1,409,000 pounds per square inch and a standard deviation of 274,000 pounds per square inch. This roughly means that 17 percent of the pieces produced will be below 1,135,000 pounds per square inch. Yet all this material will be averaged together and receive a value of 1,500,000 pounds per square inch in the new WWPA rule book. All this averaging of averages must cease. It is apparent to me that the use of any average is "misleading to consumers."

Against this background I have learned that on October 1 and 2, 1968, in San Francisco, Calif., certain members of the American Lumber Standards Committee, together with a small task force, met in secrecy apparently to agree upon sizes, as well as strength and stiffness values for all softwood lumber produced in the entire United States. Although in the past there have been official subcommittees of the American Lumber Standards Committee that have publicly met and publicly debated this subject in compliance with the rules I have mentioned above, this meeting was held in secrecy. What was decided and for what purposes only the handful of participants know for sure. One participating ALSC member, Aaron Jones, representing WCLIB, refers proudly, if cryptically, to "far-reaching determinations in a letter of October 3 to the Board of Directors of WCLIB." Also known to be present in San Francisco at the time of the meeting was Richard Kimball of the Southern Pine Inspection Bureau.

Other members of the task group which Jones in his letter reported present were employees of Weyerhaeuser Co., the dominant firm in WWPA, Dierks Lumber and Kirby Lumber Co., two leading members of SPIB and Hines Lumber, also a powerful member of WWPA. Interestingly enough, the representative of Hines Lumber Co. is also an important official in the American Plywood Association, and his employer is represented by the same law firm which acts as counsel to the American Lumber Standards Committee. Two of those apparently present are members of the ALS Committee, two were alternates. All represent the production sector of the industry.

I have determined that the consumer representative was not invited. My colleague on the subcommittee, JAMES C. CORMAN, and I have each received the following telegram of complaint from Wayne Gardner, the retailer representative on the committee:

> As a member of the American Lumber Standards Committee recent meeting cancellations and subsequent establishment of alternate dates completely confusing.
>
> Now understand that some members of committee have met in sessions to discuss assignment of stress values and sizes suitable to manufacturing interests.
>
> As a retail representative of A.L.S. committee, one who seeks solution to standard problem. that is in best interest of manufacturers, distributor and consumer, a solution that is honest and workable, feel that all members of committee should be informed of major points of discussion prior to actual meetings so that they too might have benefit of thinking of other people from within segment of industry they represent. Otherwise the purpose of the varied representation on A.L.S. is thwarted.
>
> Due to your past interest in the lumber standards controversy felt you would like to know these recent developments.

The following telegram was received from Vern Lindgren, a member of the American Lumber Standards Committee, representing independent producers from the WWPA region:

> I have been informed of a secret meeting of the WWPA WCLIB SPIB in San Francisco last week to work out an agreement on lumber standards. I am a producer representative on the committee. I am interested in what decisions were reached. If you have such information would you let me know as soon as possible.

Hollister A. Larson, alternate on the committee representing independent producers, phoned counsel for my subcommittee that he was not invited and expressed grave concern over what might have transpired at their secret meeting.

I am writing each of those known to be present in San Francisco requesting a complete list of all in attendance, the matters discussed, the agreement reached, or concessions made, and a setting forth a rationale for not proceeding to these ends within the framework of ALSC.

I am also writing all members of ALSC asking if they were informed of the meeting, whether they would have attended if informed, whether they feel the meeting was proper and whether they will be disadvantaged by the secret nature of the meeting in future ALSC deliberations.

And as soon as the secret meeting ended, the American Lumber Standards Committee meeting scheduled to be held in Washington on October 10 was suddenly postponed for 2 weeks so that the participants might have the opportunity to secure endorsement of their secretly conceived arrangement from other lumber manufacturers.

Subsequently I have been informed that the WCLIB Board of Directors has scheduled a meeting for 9 a.m. at the Multnomah Athletic Club in Portland, Oreg. One hour later and a few blocks away WWPA has scheduled a joint meeting of its executive board and its grading committee. The purpose of the meeting is to discuss the San Francisco agreements. Intuition tells me the odds are not too bad that SPIB may well hold a similar meeting on the same day, hopefully not in Portland, Oreg.

It is not the function of the House of Representatives or of my subcommittee to pass judgment as to whether this apparent clandestine adventure into economic legislation intrudes upon the antitrust laws. This is a matter obviously for the initial consideration of the Department of Justice, and then if appropriate, by the judiciary. I am therefore, to that end, requesting the Attorney General to investigate and determine if the antitrust laws have been violated and particularly whether the consent decrees under which two of the three rules-writing agencies represented at San Francisco by members or staff operate have been transgressed. In any case, the San Francisco meeting seems to be reminiscent of those that took place in the electrical equipment industry in 1959 and resulted in the conviction of several executives for price fixing.

Additionally, it seems to me that persons who enjoy the confidence of the Secretary of Commerce, who are vested by him with special prerogatives, who are placed by him in conspicuous positions of industrial leadership as members of ALSC, owe the Secretary and the regulations he has promulgated for the protection of the public interest somewhat more respect, if not honor, than this episode reflects. Members of the American Lumber Standards Committee who participated in this secretive episode, even though they may have considered their motives to be of high order, have demonstrated to my mind that they are willing to end run regulations that have the force of law when they find those regulations inconvenient. The problems of law and order do not exist only in the streets.

Since the members of the American Lumber Standards Committee are appointed by and are now serving at the pleasure of the Secretary of Commerce, if I were in his shoes, I would immediately find other outstanding industrial leaders to replace those on the American Lumber Standards Committee who participated in the secret San Francisco meeting.

It seems to me, moreover, that the peculiar means adopted by this little group to achieve a proposal must defeat that group's own ends. If this small group is successful in stampeding the entire ALS Committee into voting for the matters agreed upon in San Francisco, the Secretary of Commerce would obviously have to give the utmost weight to such a standards' flawed origin. The rewards for conduct of the type I describe ought not to include governmental sanctification of its product.

I have today sent a copy of these remarks to the Secretary of Commerce with a request that he instruct his staff to investigate this apparent avoidance of the procedures laid down by his office and determine whether the participating members of ALSC should be removed from office.

One of the proudest achievements, in recent years, of the House Small Business Committee was the broadening of ALSC, at our request, to include greater consumer and small business representation. Clearly this gain is more than offset if clandestine caucuses held in hotel closets are to be allowed to replace public meetings of the full committee.

Further, the purpose of the ALSC meeting on October 24 will be to consider a new American lumber standard. It will be voted up or down at the meeting. At the present only those who attended the secret San Francisco meeting are fully informed as to what secret agreements have been made. Thus, many members of the committee—particularly, one supposes, those representing consumer and small business interests, will attend the meeting seriously disadvantaged.

As I have pointed out, there are to be meetings of at least the governing boards of two of the rules-writing agencies which participated in the clandestine session. The purpose of the meetings would be to insure the support of each organization for whatever has been agreed upon concerning size, strength, and stiffness assignments. If this transpires on a nationally coordinated basis it would raise further serious questions. Those members of their respective organizations who had a vote—but no information on the San Francisco agreements, again, would be seriously disadvantaged. In considering this, one must bear in mind that we are dealing in an area of extreme complexity and almost esoteric technicalities. Being forced to vote, on sight, on such proposals, or at any rate with inadequate time to fully consider, means that one is effectively deprived of any meaningful right of decision.

Chairman Paul Rand Dixon has indicated to me the concern of himself and his colleagues on the FTC with respect to the entire lumber situation. His staff, however, has been somewhat inclined to procrastinate in the expressed hope that industry differences would be resolved. I think that this bizarre episode—consisting as it does of transcontinental trips, meetings assiduously concealed from those upon whom it would have economic impact of survival force and carefully coordinated followup meetings of trade associations—illustrates all too vividly the utter necessity of the promulgation of some sort of industry guidelines by the Commission.

Those of us who—in the face of incidents of documented massive misgrading and other fraudulent practices—have continued to hope that sanity might be restored to the industry without undue governmental intervention are saddened by the sequence I have set forth here today.

The lumber industry has an excellent opportunity now to produce standards fair to all. Failure to do so will almost inevitably result in public indignation and demands for either legislation or other governmental action.

I agree with that segment of the industry that met in San Francisco that a new lumber standard is needed, that industry-wide support must be found for a new standard. But not at the cost of achieving it by the means I have shown here today—not by excluding vitally affected small businessmen, and certainly not by misleading the consumer by substantially overstating the qualities of their products.

Mr. Speaker, the consumer and the small businessman of this Nation must receive fair treatment. It is my hope we can work together, rather than at odds in achieving this end.

Throughout my remarks I have quoted from a number of documents which are in the files of the subcommittee. At this point in the RECORD, I include a summary of the relevant documents in our subcommittee files. Each of the documents described in this summary, including each document I have quoted from, is available in the committee rooms of the House Small Business Committee and may be inspected by any interested party.

The summary referred to follows:

SUMMARY OF DOCUMENTS

The basic problems besetting the lumber industry over the manner in which basic and working stresses are assigned to wood can be traced through documents made part of the public record by the House Select Committee on Small Business in September.

These documents consist of correspondence, notes and memoranda made and kept by the Forest Products Laboratory (FPL) between them and the various lumber grade rule writing agencies.

For example, the classic problem of lumber is the assignment of stiffness and stress values to Douglas-fir. When the Original Douglas-fir assignments were made in the early 1920s, Douglas-fir production was limited to what is now called the "Coast" region. Assignment of high stress values was limited to this region.

By 1950 Douglas-fir production had spread to the so-called "Inland" areas and the producers from the inland area were determined to have "parity" or Coast strength values.

This is because the value of wood is based on these stress assignments.

Document 59 of 13 March, 1957, is a statement by the (inland) Western Pine Association announcing that they are going to use Coast rules (which means use Coast stress values).

Document 59 of 10 September, 1957 is a letter from the Director of FPL to the Technical Director of the Western Pine Association stating that no working stresses were calculated "for Douglas-fir pending the working out of new values of the basic stresses for that species in the Inland region". FPL was in fact then working on a massive study to determine the answer to the problem. In Document 19 of 16 April, 1961, WPA asks the Lab to comment on a change in the stress values in the grade rules.

Document 19 of 8, September, 1961 shows that the problem is still unresolved because

FPL points out to WPA that the stress values are not in accordance with ASTM D–245 and that therefore they are using technically incorrect basic stresses but "we understand your reasons for doing this and have checked your values on that basis".

Incidentally, FPL made a major policy statement in 1961 which clearly showed a difference between Inland and Coast Douglas-fir.

Document 31 of 19, October, 1966 shows that The Western Pine Association has now become The Western Wood Products Association (WWPA) and that the argument on stress is still not solved for the Director of Technical Services tells FPL that the Association will not revise stress values since they will soon issue new grading rules.

Document 8 of 25, January, 1967, includes a copy (dated 1 October, 1966) of ASTM procedures WWPA will use to determine stress values, namely a then new ASTM standard D–2555–66 T. This is the controversial clear wood standard which "legalizes" the grouping and weighting of species and regional stress value averages.

Document 54 of 23 and 24 February, 1967 indicates that problems will arise when groupings are made. It is interesting to note that one of the justifications for grouping is that "it presents fewer alternatives of available material to the consumer so that he is less likely to be confused."

Document 8 of 15 March, 1967 indicates still more problems are arising as to how the new clear wood grouping standard will be used.

Document 8 of 20 April, 1967 through May 1, 1967 shows the close relationship which exists among the FPL, the rule writing agencies, and the American Lumber Standards Committee when controversies arise over stress values assignments.

Document 28 of 4 and 5 May, 1967 points out that the basic problem arises when average MOE values are used because "entire lots are low in modulus of elasticity, this might prove embarrassing to the manufacturer".

Document 34 of June, 1967 details the problems WWPA encounters in putting Sitka spruce in the Hem-Fir grade.

Document 51 of June, 1967 points out that doubts exist in the minds of FPL personnel over the validity of the load-sharing standard ASTM D–2018.

Document 48 of December, 1967 shows that the first draft of the new WWPA rules are delivered to the FPL.

Document 75 of 5 February, 1968, one of the most important documents in this dossier, spells out on page seven that "The painful-delicate subject" still remains. Two grade rule writing agencies want to weight and average their stress values with the same data and they cannot do this and be in conformance with D–2555.

Document 12 of 12 March, 1968 includes among other criticism of the WWPA rule book a discussion of the enigmas resulting from the use of average MOE values.

In Document 11 of March, 1968 FPL thoroughly discredits the load sharing standard stating that load sharing if it exists is "a question of design criteria".

In Document 10 of March, 1968 FPL again discredits a portion of the WWPA rule book dealing with spike knots.

Document 4 of 29 March, 1968 deals again with the problem of spike knots but most importantly it shows again in the first paragraph the interrelationship of the American Lumber Standards Committee, the lumber rule writing agency, FPL and ASTM. The Secretary of ALSC asks the FPL to clarify a point in a rule book. The Lab cannot answer but suggests calling the Chairman of the ASTM Standard Subcommittee on which the grade rule is based, who is also the rules writing agency's technical director.

In Document 75 of 14 May, 1968 the WWPA requests that FPL send a letter stating that the new WWPA rules are in accord exactly with ASTM standards including the controversial grouping of Douglas-fir.

Document 5 of 16 May, 1968 introduces another powerful lumber industry trade association into the battle of grouping and averaging of Western Douglas-fir.

Document 5 of 27 May, 1968 shows that the question of grouping is not resolved.

Document 6 of 29 May, 1968 shows that the U.S. Forest Service in Washington, D.C. is anxious to have the problem of grouping Douglas-fir resolved.

Document 6 of 3 June, 1968 by FPL details the technical problems that occur if several lumber rules writing agencies are allowed to group and use the same strength values.

Document 75 of 12 June, 1968 is an FPL commentary on a revision of the WWPA rule proposal. It apparently approves the rules except for stress Values and the load sharing problem. The last paragraph discretely notes that the comments cover only the numbered criticisms in the Document 75 of 5 February letter from the FPL. The critical point of grouping stress values is omitted.

Document 47 of 17 June, 1968 is a memorandum of a phone call from WWPA to FPL regarding the 12 June, 1968 letter. In it FPL says "most people would stare in disbelief when they see stresses in his grading rules ranging up to twice what they have been in the past."

Document 75 of 25 June, 1968 from WWPA to FPL asking them to affirm WWPA rules. A postscript to this letter is most revealing as to general industry attitudes.

Document 5 of 26 June, 1968 shows further efforts by NFPA to get the FPL to approve the grouping of Douglas-fir by WWPA.

In Document 5 of 3 July, 1968 the FPL avoids making a positive decision.

Document 74 of 1, July, 1968 is a letter from the FHA to WWPA commenting on the new grading rules. FHA takes the position than when groups are made the weakest stress value must be used. This is the only position FHA can take in the light of the recent report of the Federal Trade Commission. In addition, the FHA supplies a recommended table of strength and stiffness values to be used in rule books.

Document 76 of 19 July, 1968 is a memorandum of a phone call from the Department of Defense to FPL about the new WWPA rule book—WWPA claimed FPL approved the rule book. FPL stated that the problem of two agencies using Coast Douglas-fir values still existed.

Document 74 of 22 July, 1968 is a letter from the NFPA to the FPL asking why the WWPA rule book is not in conformance with ASTM and commenting on the unacceptability of the FHA proposal.

In Document 73 of 7 August, 1968 FPL states to WWPA that the technical problems still exist. WWPA makes a date with FPL in Madison, FPL points out that they do not "endorse" grade rules but merely comment on technical aspects.

In Document 74 of 8 August, 1968 FPL writes to NFPA again stating FPL does not endorse or approve grading rules.

Document 78 of 19 August, 1968 in a memorandum of the FPL on the WWPA meeting. The role of FPL in the process of selling grade rules to engineers, government agencies, and code groups is spelled out. The use of Coast Fir values and load sharing are not resolved. In this case, WWPA does not want a letter from the lab.

Document 74 of 21 August, 1968 is another attempt by NFPA to get the FPL to say WWPA rules are in conformance with ASTM.

In Document 80 of 22 August, 1968 WCLIB asks the FPL about load sharing in the new WWPA rule book.

In Document 80 of 4 September, 1968 FPL tells WCLIB that the load sharing values in WWPA's new rule book are not technically correct.

In Document 72 of 5 September, 1968 FPL tells NFPA they will issue a position paper.

Document 81 of 5 September, 1968 is another attempt by WWPA to get FPL to change its position on grouping.

In Document 74 of 12 September, 1968 FPL tells NFPA it will stand firm. ASTM must change before they can change.

In Document 81 of 12 September, 1968 FPL writes WWPA and says it will not go along with their rules and finally suggests that perhaps the FHA approach of using the lowest value is the best way to protect the consumer.

Document 83 of 5 September, 1968 is a letter from the Structural Engineers Association of California to FPL asking for their opinion of the new WWPA rule book.

Document 83 of 12 September, 1968 is the reply which castigates the load sharing values but apparently gives a green light to the stress values used in their rule book.

There apparently is a conflict in staff of FPL.

Southern Pine has the same problem with the assignment of stress values as does WWPA except the force is applied in reverse. The South was able to keep itself as one region. Its problem then was to keep from being split apart as Douglas-fir was even though Southern Pine consisted of at least four species.

Document 27 of February and March, 1958 shows how the regions guard each other.

Document 65 of 1958, especially the letter—8 15, July, 1958 points up the economic force at work. The attempt to merge Inland and Coast Fir values affects the Southern Pine industry. See Document 65 of 25 July, 1958.

Document 27 of February, 1959 shows how important MOE values are and that the lab thinks the values being used in the South are not justified.

Document 26 of April and May, 1959. The lab insists that Southern Pine lower its values. Southern Pine insists on parity with Coast Douglas-fir.

Document 10 of 1960 and Document 45 of 1961 show in some detail how to gain acceptance of a new grade of lumber.

Document 30 of 9 September, 1965 is interesting because it shows that one original test of Southern Pine from a fringe area is very low in strength. SPIB proposes to eliminate this test because it will have a large effect on its assigned stress values.

Document 30 of 16 November, 1966 shows that SPIB has done exactly this in its proposed new rule book.

Document 16 of 15 December, 1965 shows that load sharing is in jeopardy.

Document 37 of 9 May, 1966 shows that ASTM really consists of small groups of industry representatives. Document 37 of 23 May, 1966 shows that all is agreed to before any meeting takes place.

Document 52 of June, 1967 is a good explanation of how the wood assignment system works.

Document 49 of October, 1967 confirms that SPIB left out the fringe area shipment. The FPL gives its approval but states the problem of fringe areas still exists.

Documents 9, 77, 70, and 79 complete the discussion on the new SPIB rule book.

It ends on a fine note. Any discussion of progress should be stifled because "it would be used to stir up more foment in the lumber industry by selected dissidence."

EXEMPTION OF HEALTH AND LIFE INSURANCE PROGRAMS FROM CERTAIN TAXATION

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, I take this

time to present for the attention of all Members of the House a situation which, in my judgment, constitutes a critical danger to the conduct of the health benefits programs of our great postal and other Federal employee organizations.

To be specific, my attention has been directed to a suit presently being prosecuted by the State of Wisconsin in which the National Association of Letter Carriers is the defendant. In substance, I understand that the suit charges NALC with "selling insurance" in that State without having obtained the license or permit required by the State law for firms engaged in selling insurance.

Since the State law also requires the payment of certain fees or charges by firms engaged in this business in the State, it follows that a judgment in favor of the State in this case would pave the way for demands for payment of substantial sums of money by NALC—both retroactively and prospectively.

Moreover, if the State of Wisconsin prevails in the instant case under the present condition of the law, its success will provide precedent for many other States to file successful suits of the same kind. If this comes to pass, it undoubtedly would lead to bankruptcy for the NALC health benefits program—and very possibly for similar programs of other Federal employee organizations.

As most of the senior Members will recall—and as my own research has demonstrated—the Federal Employees' Health Benefits Act of 1959 was broadened from original administration proposals to affirmatively include, as part of this great Federal program, participation by programs of recognized organizations of postal and other Federal employees.

This enunciation of congressional policy clearly imparts to the employee organization programs full stature and character as part of the master Federal Government programs for its employees and retired employees. Such Federal programs—and all parts of them—should not be subject to State regulation or taxation—whether in the form of licensing requirements or the imposition of fees or charges for doing business within a State. But, unfortunately, neither the Federal statutes concerned nor the legislative history contained positive statements or proscriptions in this respect.

Therefore, in order to respond to the emergency and to provide the permanent relief for our Federal employee organizations which obviously is needed, I am today introducing appropriate legislation. In sum and in substance, this legislation will suitably amend title 5, United States Code, to include provisions stipulating that the policies and provisions contained therein supersede any State law which purports to regulate any program, activity, or business proceeding authorized by the pertinent Federal statutes.

Mr. Speaker, I believe that all Members will recognize the need to continue and affirm the policies and principles which were intended by the Congress to govern the conduct of these Federal employees' fringe benefits programs when they were enacted. I am confident that the legislation I am introducing will receive the same strong bipartisan support indicative of its cosponsorship by 16 Members on both sides of the aisle.

Although it is realized that final action on legislation of this importance cannot be completed this year, we are hopeful that the introduction of this bill will have a salutary effect. It will greatly strengthen the position of the employee organizations in their responses to State actions and in the courts. We also strongly urge that very prompt and final action be taken at the earliest possible time in the 91st Congress, and I will devote my best efforts to that end.

ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION FOURTH ANNUAL REPORT COMMENTARY

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, for the last 3 years, I have commented at considerable length on the annual reports of the sea-level canal study group that were transmitted by the President to the Congress as required by Public Law 88-609 approved September 22, 1964. In line with past practice and in order to clarify important points I shall comment on certain features of the Fourth Annual Report, which, on September 5, 1968, was transmitted to the Congress and published as House Document No. 380, 90th Congress.

By way of explanation, Public Law 88-609 specifically provides for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans, whether by conventional or nuclear excavation. It does not authorize any study of a lock-type canal. The text of this statute may be found on pages 449–450 of my volume on "Isthmian Canal Policy Questions," House Document No. 474, 89th Congress.

The idea of a canal at sea level is not new but old. It traces back to Ferdinand de Lesseps and his ineffectual attempt to construct one in the 1880's at Panama. Despite the fact that the subject of type of canal was extensively considered and decided by the President and the Congress in 1905–1906, the idea has continued to reappear periodically. As early as May 31, 1924, former Governor of the Panama Canal Jay J. Morrow made this significant statement in a letter to former Chairman and Chief Engineer John F. Stevens of the Isthmian Canal Commission:

> The seal-level project is a hardy perennial, and apparently there will always be someone to argue for it, no matter how often the impossibility of realizing any such scheme within practicable limits of time and cost may be demonstrated.

Historically, the main arguments for a seal-level project, as stated by former Gov. Glen E. Edgerton in a 1944 report to the Secretary of War, are "based upon the relative vulnerability of the lock canal and a sea-level canal to damage by enemy attack."

In 1904–1906, the argument advanced by sea-level advocates was the alleged vulnerability of the high level lake-lock type to naval gunfire; in 1939, it was the danger of enemy bombing attack that led to the authorization of the third locks project; and in 1945–47, it was the alleged greater security of the sea-level type against destruction by the atomic bomb. The last, Mr. Speaker, in the opinion of eminent nuclear-warfare experts, has rendered irrelevant the old arguments of relative vulnerability, for the reason that any canal regardless of type can be destroyed by nuclear attack beyond any hope of timely restoration.

In previous drives for a sea-level project, the movement gained much of its strength from the manufacturers of heavy earth-moving machinery, large dredging companies, construction contractors, and a limited group of professional engineers, both civilian and military, all of whom could benefit from their own recommendations. In the current sea-level drive, the above-named interests have been paralleled by certain nuclear scientists.

The story of the last is interesting. Following the first closure of the Suez Canal in 1956, a group of nuclear scientists met at the Lawrence Radiation Laboratory at Livermore, Calif., to discuss the possibility of cutting a second canal between the Mediterranean and Red Seas in friendly territory with nuclear explosives.

Bluntly stated, this group of scientists conceived the idea of the Ploughshare program to expand their employment through the peaceful use of nuclear power rather than its military applications. Although the plan for excavating a parallel Suez Canal was dropped, the key idea of excavating a canal across the Isthmus of Panama, an entirely different problem from that at Suez, has remained as the focus of their attention. This idealistic sea level excavation proposal, in the opinion of competent physicists, is probably at this time "impossible, dangerous and unproven" as a realistic proposal. Nevertheless, it has been picked up by heedless politicos and pushed.

In a most timely book by Teller, Talley, Higgins & Johnson on "The Constructive Uses of Nuclear Explosives" published in 1968 by McGraw-Hill, the factual details and results of the Plowshare program are now presented in honest scientific form and thus are available for objective appraisals of the nuclear excavation proposal at Panama by independent and experienced engineers and geologists. Such evaluations should not be made by those who may benefit from their own recommendations but by an independent inquiry not rooted in the executive branch of our Government.

The fourth annual report of the current canal study is significant not only for what it states but also for what it fails to say. To facilitate an examination of its highlights and to bring them into perspective, I have prepared a commentary on certain parts of the report in which the section discussed is quoted and followed by comments.

The indicated commentary follows:

P. 1, par. 1, lines 1–3: ". . . fourth annual report of the Atlantic-Pacific Interoceanic

Canal Study Commission as required by Public Law 88-609."

Comment. To assist all those concerned with the interoceanic canal problem, attention is invited to my appraisals of previous annual reports of this body as follows:

"Sea Level Canal Commission—First Annual Report a Monstrosity". *Congressional Record* (89th Congress, 1st Sess.), Vol. III, Part 16 (Aug. 25, 1965), pp. 21855-57.

"Interoceanic Canal Study Commission—Second Annual Report." *Congressional Record* (89th Cong., 2nd Sess), Vol. 112, Part 18 (Sept. 27, 1966), p. 24061.

"Atlantic-Pacific Interoceanic Study Commission—Commentary on Third Annual Report." *Congressional Record* (90th Cong., 1st Sess.), Vol. 113, Part 17, pp. 22730-31.

In addition to the above listed commentaries on the first, second and third annual reports, in two addresses to the House of Representatives on April 1 and July 29, 1965, on the subject, "Interoceanic Canal Problems: Inquiry or Coverup?" I presented the legislative history of Public Law 88-609 at considerable length. (See Ho. Doc. No. 474, 89th Congress, pp. 428-516, for their full texts and documentation.) These two addresses emphasized the pre-determination behind the law and the restriction and preclusion of reasonable debate of this vital issue.

P. 1, par. 1, lines 3-6: "Evaluations of the problems and costs by conventional means within the existing Canal Zone were substantially completed."

Comment. This is a subject about which there is substantial disagreement on the part of experienced engineers. Nor have I seen any indication that the cost estimates would cover the matter of a huge indemnity that would inevitably be demanded by Panama irrespective of the terms of the proposed sea level treaty. The continued silence of the commission on the subject of such indemnity is calculated to mislead.

Many times, in and out of the Congress, there has been severe criticism on the commission on this score. No true estimate of cost of any proposed new canal that lacks this element can be made.

P. 1, par. 1, lines 6-8: "The collection of data on Route 17, the route for possible nuclear excavation in the Darien Province of Panama, was substantially completed and evaluation of these data was begun."

Comment: The construction by nuclear excavation of a canal of sea level design in Darien Province or any other site is subject to challenge by independent nuclear experts, engineers and geologists. (See Teller, Talley, Higgins and Johnson on The Constructive Uses of Nuclear Explosives, previously cited.)

P. 1, par. 1, lines 9-12: "One year of data collection activity was accomplished on Route 25, the route for a combination of nuclear and conventional excavation in Columbia."

Comment: This site follows the valleys of the Atrato and Truando Rivers, in a region of heavy rainfall and frequent fog. In addition, it would be about 104 miles long as compared to 50 miles from deep water to deep water of the Panama Canal. Such project would be so inferior navigationally as to arouse general condemnation by navigation interests when the facts are known and understood. In this light, what is being done at this site is a waste of the taxpayers money and should never have been started. In my judgment, it was not undertaken in good faith but was brought into the picture for the purpose of convincing the authorized officials of the United States and the general public to believe that the investigation of this route was included because it was of practicable value.

P. 1, par. 1, lines 13-16: ". . . Route 10 in the Republic of Panama adjacent to the Canal Zone, an alternative route for conventional excavation that may have certain advantages over Route 14 within the Canal Zone."

Comment: In addition to my introductory remarks relative to nuclear excavation, it should be noted that this site does not have convenient terminal harbors, which would have to be constructed at great cost and probably involve the abandonment of all facilities that now exist at Cristobal and Balboa. Such reckless waste of money is unthinkable.

P. 1, par. 1, lines 16-20: "A conceptual evaluation and a cost estimate were completed for nuclear canal excavation on Route 8, generally along the border between Nicaragua and Costa Rica. No further work on this route is contemplated at this time."

Comment: Every competent engineer who has worked on Nicaragua canal surveys has utilized Lake Nicaragua as part of the canal in harmony with the forces of nature and not against them. The very idea of digging a restricted channel at sea level 140 miles long skirting the southern side of this 110′ high lake is too preposterous to receive serious consideration.

The conclusion of the commission that "no further work on this route is contemplated at this time" is another instance of the commission's practice of spending the taxpayers' money on proposals that this study group has never had any intention to recommend.

P. 1, last par., lines 3-6: "A new final reporting date, December 1, 1970, has been established. This legislation has made possible the completion of field work in Columbia required for the evaluation of Route 25."

Comment: The true criteria for evaluating such navigation projects is the safety and ease of ship transit together with minimal cost. On these bases, further data collection on this site is an unwarranted waste of the taxpayers' money.

P. 2, lines 17-19: ". . . it appears highly probable that additional isthmian canal capacity will soon be needed and that a sea level canal will be found technically feasible."

Comment: Students of Panama Canal problems long ago predicted that increased capacity in the way of additional locks would be required about 1970. An abortive attempt toward supplying such capacity was authorized in 1939 at a cost not to exceed $277,000,000 in what was then described as the greatest engineering project in the world. Started in 1940, construction was suspended in May 1942 and finally involved an expenditure of $76,357,405.00. When the current enlargement of Gaillard Cut is completed in 1970 at an estimated cost of $81,257,097.00, these two together will total $157,614,502.00 expended toward the modernization of the existing high lake and lock type canal.

Regardless of whether a so-called sea level canal, which, by the way, would require tidal lock, may be technically "feasible" independent engineers and other experts favor the modernization of the major existing canal as offering the only realistic solution of the problem of increased transit capacity for many years to come; and its total cost would be greatly less than that of the so-called sea level design whose practicability is unknown and which would require a new treaty with Panama with huge indemnification to Panama. The indicated Terminal Lake-Third Locks Plan would cost far less than any sea level canal and would not require a new treaty with Panama or any indemnification to that country because the site would be wholly within the Canal Zone and it would be merely an enlargement of existing facilities.

It should not be overlooked that the 1957-60 Board of Consultants, Isthmian Canal Studies, of the House of Representatives made these ominous statements: "We are doubtful if any reasonable plan to construct a sea-level canal in the Canal Zone could be carried through without serious danger of a long interruption to traffic at the time of cutover from the present lock canal. * * *

"We are extremely doubtful of the stability of the slopes therein proposed, during the very short period of unwatering the present lakes. In our opinion, slides of the first magnitude could easily result from the use of such slopes, in the short period of unwatering." (House Doc. No. 1960, 86th Congress, p. 5).

The foregoing were the views of an independent body not rooted in the Executive Department.

P. 2, lines 8-11 from bottom: "Navigation hazards created by tidal currents could require either part-time one-way traffic to accommodate very large ships or tidal control structures designed to reduce or eliminate currents."

Comment. This, in a way, is an admission of the navigational difficulties that would be encountered in operating a canal at sea-level. All such plans so far, on the demands of navigation interests, have provided tidal locks or controls. The problem of channel currents is not encountered in the existing lake lock type, where water is virtually still. Moreover, any new site may develop unforeseen and unguessed features of grave difficulty which would show up only when the plan thus involved is put into practice. This is one of the reasons why proponents of the Terminal Lake-Third Locks Plan support it. They realize that this plan is derived from experience, enables the maximum utilization of all work so far accomplished, and does not require a new treaty, with Panama.

P. 2, lines 3-5 from bottom: ". . . the advantages of a sea-level canal in comparison with a lock canal continue to appear impressive economically, militarily, and politically."

Comment. This is a dogmatic and unwarranted assertion contrary to the realistic facts involved. Moreover, it is significant that the Commission's statement does not include a comparison of the two designs from the standpoint of operations concerning which there is a considerable literature derived from experience at Panama and elsewhere.

P. 4, next to last par., lines 5-7: "Although the Commission has no direct role in the negotiation of treaty arrangements with the canal site countries. . . ."

Comment. This statement is both inaccurate and misleading. The chairman of the so-called commission is also the chief United States negotiator for the proposed Panama Treaties and holds the rank of Ambassador.

Appendix 1, pp. 1-1 and 1-2: "Organization and Staffing".

Comment. The so-called commission under Public Law 88-609 is not an independent body appointed by the President by and with the advice and consent of the Senate but a part-time consulting board. The inquiry is grounded in the routine agencies of the Executive Branch of our government and controlled by statute setting forth predetermined objectives. See my addresses on April 1 and July 29, 1965, on "Interoceanic Canal Problem: Inquiry or Coverup?" in House Doc. No. 474, 89th Congress, pp. 428-516.

Appendix 2, p. 2-2 last three lines: "The Commission's coordinated final report will be submitted to the President not later than December 1, 1970."

Comment. It is assumed that the President will thereupon transmit the report to the Congress. In this connection, it should be noted that in 1947 upon receipt of the Report of the Governor of the Panama Canal under Public Law 280, 79th Congress and after learning of its fallacious primary premise of "security" against atomic attack, President Truman transmitted to the Congress without comment or recommendation. The Congress took no action and the report was never published.

Appendix 5, p. 5-4, par. 2, lines 5-7: ". . . approximately 40 percent of the dry cargo used in support of our Southeast Asian effort has passed through the Panama Canal since the closing of the Suez Canal."

Comment. This statement serves to stress the vital necessity for the United States to retain undiluted sovereignty of the Canal Zone and Panama Canal.

Appendix 5, p. 5–4, third par., lines 1–6: "A detailed study of the vulnerability of a sea-level canal as compared with the present canal or a third locks-terminal lake canal has also been completed. The draft study concludes that denial times for either a conventionally constructed or nuclear sea-level canal are much less than those for any canal utilizing locks and a high-level lake."

Comment. This is nothing but a restatement in different words of the old vulnerability argument for a sea level project. As regards such project in the Canal Zone, eminent nuclear authorities have stated that any type of canal can be destroyed beyond any hope or timely restoration. Thus, they have held that the atomic bomb is irrelevant.

Appendix 6, p. 6–2, par. 2, lines 15–18: "Such preliminary analyses . . . give promise that a sea level canal could prove to be financially feasible."

Comment. This is a conjectural statement counter to the views of experienced engineers. Moreover, the 1957–60 Board of Consultants, Isthmian Canal Studies, House of Representatives, made this statement: "A sea-level canal cannot be justified economically in the near future unless it can be built much more cheaply than under any plan so far proposed. As of now, the only hope for an economically justifiable sea level canal appears to be by excavation through as yet unproven nuclear means (House Doc. No. 1960, 86th Congress, p. 7.)

Appendix 7, p. 7–3, lines 1–3: ". . . a requirement for additional Isthmian canal capacity will develop around 1985."

Comment. This statement serves to emphasize the need for prompt action on current Thurmond-Flood bills for the modernization of the Panama Canal, which with the exception of channel widening, is still what it was in 1914.

Appendix 8, p. 8–2, numbered par. 1, lines 4–7: "The (engineering) study is also examining, for comparison of costs and benefits, the alternative of modernizing the present Panama Canal to include consideration of constructing new locks."

Comment. The study authorized by Public Law 88–609 is for the purpose of determining a site for the construction of a sea level canal. This act does not provide for studying the modernization of the existing Panama Canal, which is covered by proposed legislation in both House and Senate (Thurmond-Flood bills).

Appendix 8, p. 8–2, subpar. 3(a): "(a) Meeting traffic demands by modernizing the existing lock canal."

Comment. Public Law 88–609 is an act to provide for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans. This act does not mention the modernization of the existing canal but authorizes consideration of what was a clear pre-determination on the part of those who framed the law.

The inclusion of studies of the modernization of the existing lock canal is not authorized by the statute and probably could be subject to court action as well as to parliamentary points of order arising in consideration of further legislation.

Appendix 8, p. 8–22, subpar. 3, lines 2–4: "It is not contemplated that a conventionally excavated sea-level canal would be designed to transit all ships forecast in the future world fleet."

Comment. This statement serves to emphasize the very point that I have repeatedly tried to make: that super vessels are constructed for the purpose of avoiding transit of any canal because it is more economical to sail around Cape Horn or Cape of Good Hope than to pay tolls.

Appendix 8, p. 8–26, lines 8–10: ". . . currents as high as 9.5 knots in the St. Lawrence River and 5.0 knots in the Cape Cod Canal do not impose intolerable hazards to shipping."

Comment. As regards the St. Lawrence River this is a natural waterway with better flow conditions than any restricted channel and thus hardly comparable. In connection with the Cape Cod Canal, this is a relatively short waterway serving to emphasize that the far greater length of any canal of sea level design across the Isthmus has not been given sufficient weight. Also it is a fact that at Cape Cod there are deposits near the two ends of the canal and in the middle with scouring in between. Ships have run aground here in mid-channel. These comparisons, therefore, have but little value.

Appendix 8, p. 8–27, par. (d) 1: "General—The excavation of a sea-level canal would be the largest earthmoving project ever undertaken. It would require the excavation of up to 2.5 billion cubic yards . . ."

Comment. It is this fact that has appealed strongly to the manufacturers of heavy earthmoving machinery, some of whom have already circularized the Congress with expensive brochures. It is the magnitude of this project that appeals to engineers whose enthusiasm is not justified by the inherent merits of the sea level propcsal.

Also the term excavation as thus used may not include the excavation that would be occasioned in very large proportions incident to probable slides that would occur in reaching the depth of the sea level design.

Appendix 8, p. 8–31: "Comparative Data on Lock Canal Plans."

Comment. There is much about this Table that is confusing. Does the column headed "Third Locks" indicate the project authorized by Public Law No. 391, 76th Congress, providing for a set of larger locks near each of the existing locks but located a short distance away from them? Does the column headed "Modified third locks" provide for a set of new locks alongside the existing locks at Pedro Miguel instead of some distance away? If so, these lock proposals would merely perpetuate the chief error in the design of the Panama Canal of separating the Pacific Locks with the location of one at the end of Gaillard Cut and compound the problems of operation.

The plan contemplated in the Thurmond-Flood bill is the Third Locks Project under Public Law No. 391, 76th Congress, adapted to the principles of the terminal lake plan. This plan would eliminate the dangerous bottleneck locks at Pedro Miguel, consolidate all Pacific Locks south of Miraflores, elevate the Miraflores Lake level (54′) to that of Gatun Lake (87′+), and thus provide for uninterrupted summit level navigation from the Atlantic Locks to the Pacific. To repeat what I have many times in the Congress, this plan does not require a new treaty with, nor indemnification to, Panama as would a sea-level project in the Canal Zone.

There are other points about which questions should be raised such as the difference in capacities listed in the "Third Lock" column and that in the "Thurmond-Flood bill" column.

The program contemplated in the column headed "Modernization" obviously consists of symptomatic treatments and not solutions, leaving the lock capacity essentially what it was in 1914. Here it should be emphasized again that any plan which fails to eliminate the bottleneck locks at Pedro Miguel is not realistic and should not be considered under any circumstances for it only adds further confusion.

Appendix 8, P. 8–32, numbered par. 2, lines 1–3: "The conceptual study of Route 8, generally along the border between Nicaragua and Costa Rica, was completed during the year."

Comment. This refers to a canal of sea-level design that would be more than 140 miles long. The topography of this region with Lake Nicaragua and the San Juan River is such that every competent study of constructing a canal on this site has utilized Lake Nicaragua (110′ high) and the San Juan River valley. Experience in operating the Panama Canal has shown the superiority of the lake type over any long and necessarily restricted sea level waterway.

Appendix 8, P. 8–32, numbered par. 3, lines 6–7: "No great variation from the earlier estimate for Route 14, about $2.5 billion, has been found."

Comment. This is misleading, for the figure is only the initial estimate and does not include the indemnity to Panama that would be involved. Realistically, it is well established that large engineering projects are proverbially underestimated as to costs and experience with Panama has shown that any indemnity for a sea-level project would be enormous.

VERMONT TAX CASE

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I wish to take a moment at this point to explain why I was absent during part of yesterday's proceedings under official leave of absence. I missed approximately 10 of the record-breaking 45 quorum calls and rollcall votes and I feel that it might interest my colleagues to know the reason.

Yesterday morning after our sleepless 24 hour session I flew to Montpelier, Vt. to appear for a constituent before the Vermont Supreme Court with a young lawyer named Larry Gardner. Larry was formerly my district manager, and is now living in Norwich, Vt., and practicing law in Lebanon, N.H.

The case is, I believe, one of national significance, and stated briefly, is as follows: The State of Vermont taxes, as of course it has every right to do, income earned in Vermont by a New Hampshire resident. But here is the wrinkle, and the one that makes this a case of first instance and therefore a landmark case.

Vermont makes the New Hampshire resident who earns income in Vermont also report all of his New Hampshire income and include the total in computing the tax he must pay to Vermont. This raises the tax bracket to a higher percent, and in effect, we contend, Vermont is therefore taxing New Hampshire earned income, which all agree it cannot do.

Mr. Speaker, I want to include in the Record an article written by Betsy Samuelson for United Press International. I know that there are many Congressmen who care and are concerned with problems that their constituents are having, so I think it might interest them to hear about this somewhat unusual case. It is, after all, one of our functions here in Washington to help our constituents who are having problems with government, and indeed, it is one of our most noble, and if properly done, most educational functions. The article follows:

MONTPELIER, VT., October 10.—The Vermont Supreme Ct. has been asked to rule on a test case which may affect the pocketbooks of every citizen and the Coffers of every state gov't. throughout the country.

Precipitating the case Wed. was Wilfred R. Wheeler of Enfield, NH, who charges Vermont's method of taxing non-residents is in violation of the due process clause of the US Constitution.

Wheeler said he wants a $24.72 refund on his 1966 Vermont Income Tax Payment.

Repr. James Cleveland, R-NH, told the five justices that Wheeler's test case against Vt. is a "test case of national significance."

"This is of National significance because the taxing policy of all states may be affected by the decision rendered," Cleveland said.

Cleveland, who made a special trip from Washington to appear in behalf of one of his constituents, also stressed the case was a "test" because of the small amount of funds involved.

Cleveland said later the decision would affect between 30,000 and 40,000 of his constituents.

Wheeler is challenging 1966 legislation permitting the tax department to base the rate of taxation on non-residents according to their total income.

Wheeler contended Vt. should tax only that amount which he earned in the state and not his total net income.

Laurence F. Gardner of Lebanon, NH, representing Wheeler charged a non-resident earning $4,000 in Vt. is taxed more than a state resident earning the same amount. By including the NH income, Gardner said, Vt. is taxing the NH income.

Wheeler, in 1966, earned a net income of $7,714 of which $1928 was earned in Vt. He was required to pay $54.15 in Vt. income tax based on his total net earning.

However, he claims he should have only been taxed on his $1928 earned in Vt. which would amount to $29.43.

THE NEED FOR CONGRESSIONAL REFORM

Mr. TAFT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TAFT. Mr. Speaker, in recent weeks I have engaged in a series of parliamentary maneuvers with a number of my Republican colleagues to dramatize the need for congressional reform and election reform. One aspect of congressional reform is that of how Congress manages its own affairs, and in this regard, I think it would be most unwise at this time of fiscal crisis to embark on the construction of another Senate Office Building. I was therefore most pleased to see the arguments of my distinguished colleague from New Hampshire [Mr. CLEVELAND] prevail and the House defeat S. 2484.

I wish to commend to the attention of my colleagues in the House an editorial which recently appeared in the San Francisco Chronicle, a newspaper which has a circulation of better than 500,000. I congratulate my colleague and friend JIM CLEVELAND for his victory and steadfast devotion to the cause of congressional reform.

The article follows:

[From the San Francisco Chronicle, Oct. 7, 1968]

LOOK WHO'S THRIFTY!

We were surprised and pleased the other day to find reason prevailing atop Capitol Hill where often only blustery winds blow. Reason withstood the assaults of sacred tradition and, therefore, the occasion was doubly noteworthy.

This rewarding incident occurred as the House of Representatives considered appropriating money to purchase land for a new Senate Office Building. Under the practice of "comity," it is amiably understood between the House and Senate that neither shall interfere with the other's housekeeping. In following this custom, the elected lawmakers become official ostriches in the interests of not rocking one another's pork barrel.

In this instance, Representative James C. Cleveland, a New Hampshire Republican, a native of that section of the nation in which, it has been said, the citizens are tighter than the bark on trees, knocked over the barrel. He observed that this is a year in which the Congress has called upon the Federal Government to observe austerity. It was not the time, he said, to build "another glittering pleasure dome" which might cost as much as $100 million.

"Comity," this thrifty New Englander observed, "doesn't mean that because the Senate has approved unwise expenditure, we should too." His view was upheld by a vote of 161 to 144.

This was refreshing news for taxpayers. Economy and austerity, like charity, should begin at home.

THE SENATE SHOULD NOT ADJOURN BEFORE ACTING ON NUCLEAR TREATY

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, when I served in the Eisenhower administration it was clear that there was no matter that the President was more concerned with than the need to prevent the proliferation of atomic and nuclear weapons. As I said on the floor on May 3, 1967, I believe it would be a serious mistake to preclude any reasonable and sound opportunities to formulate meaningful standards so that we can proceed to negotiate a sound nuclear nonproliferation treaty.

The nuclear nonproliferation treaty was reported out by the Foreign Relations Committee of the other body on September 17, 1968, and is currently on the calendar. The Senate, in my opinion, should not adjourn before acting on and ratifying the nuclear nonproliferation treaty. The United States through William C. Foster, the Director of the Arms Control and Disarmament Agency, has taken particular leadership in this area, and we must remember that some 15 other countries have the scientific and technical capacity to develop atomic weapons. The world has yet time to heed the words of Bernard Baruch who in the late 1940's warned Mr. Molotov and the Soviet Union that unless the Soviet Union and the United States agreed on an atomic treaty that nuclear weapons could one day become as numerous as the six-shooter in the early days of our western frontier. I repeat, Mr. Speaker, we have a little time but not much, and I hope the other body will meet its clear responsibilities before adjournment.

Further, it is a matter of highest importance to continue serious talks with the U.S.S.R. to avoid entering a tragic new $100 billion ABM–ICBM race. The cause of peace, diplomacy and our priorities at home require continuing disarmament negotiations looking toward further agreed general disarmament under strict international control—consistent with our national security.

REPORT ON SECOND SESSION, 90TH CONGRESS

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, the second session of the 90th Congress took place amidst feelings of uncertainty over the state of national affairs. We legislated in a period of flux which reflected the convulsive course of events transpiring in our Nation since we convened in January.

We faced the same major issues as before: Vietnam, the urban crisis, and the state of the economy. One compounded the effects of the others and together they presented a formidable and volatile situation.

Despite these uncertainties we forged ahead and produced several notable legislative victories for the American people. The effects of these gains might have been greater had the private sector accepted an even larger role in meeting our national problems; had greater attention been focused on urban and rural economic development; and had more restructuring occurred with the myriad of existing Federal programs into a comprehensive system for alleviating our pressing domestic problems.

VIETNAM

The war in Vietnam remained the major foreign policy issue facing Congress and the American people.

Ho Chi Minh proclaimed 1968 "the year of decision." What this has meant is not crystal clear, although a discernible shift has been noted in Hanoi's policy from a military emphasis toward greater political activity, perhaps reflecting North Vietnam's realization that it cannot win militarily.

The allies' military policy also reflected a shift. A far greater share of the burden is now borne by the South Vietnamese. President Thieu's government has implemented a general mobilization policy. It will result in increased numbers of South Vietnamese troops replacing American troops. In addition, the United States is providing South Vietnamese troops with the most modern equipment.

This, of course, does not replace peace, and we must continue to look to the Paris talks as the means for a negotiated settlement. Those discussions continue and the outcome remains in question. Certainly every consideration will be given to effecting a bombing halt if it will lead the way to a settlement.

Despite Vietnam, and before the Soviet Union's blatant entry into Czechoslovakia, the United States and 56 other nations including the Soviet Union, signed the nuclear nonproliferation treaty, a major step toward controlling the spread of nuclear weapons.

THE URBAN CRISIS

Solid gains were made in several directions with our urban dilemma, the most pressing and explosive domestic issue facing our Nation since the Civil War.

We enacted a landmark housing act. It provides homeownership and rental opportunities for low-income families, additional inducements for private investments in the housing field and Federal reinsurance protection for private insurers in inner city areas.

Model city programs funds were increased. Rural housing efforts were bolstered. Both mass transportation and urban renewal policies were broadened and refined. As a result, the new housing act should have tremendous impact on our critical housing problems.

Congress moved to combat the growing crime menace. An omnibus anticrime bill was enacted providing bloc grants to the States for assisting their local communities' law-enforcement efforts. These planning and action grants will be utilized to develop law-enforcement programs that will deal effectively with crime and violence.

The bill also controls the sale of handguns, prohibiting interstate shipment to anyone but licensed dealers and precludes over-the-counter sales of handguns to nonresidents and minors. Congress also passed a comparable bill for long guns. The objective of this legislation is to stop the flow of weapons into the hands of the criminal element.

A riot control bill was also enacted as part of the omnibus civil rights measure. It extends Federal jurisdiction to cases involving the disruption of interstate commerce by acts of civil disobedience.

The growing incidence of juvenile delinquency was also confronted. We passed a broad range bill authorizing 90 percent planning, 60 percent rehabilitative service and 75 percent preventive service grants for States and local public agencies to utilize in meeting the problems of juvenile deliquency. Training grants for juvenile delinquency control personnel were authorized also.

As part of the response to the urban crisis, Congress approved important education, training and antipoverty legislation designed to uplift the human resources effort.

A vocational education bill, which I cosponsored, was enacted. It provides 90 percent Federal assistance for planning and construction of area vocational education schools, something I have advocated for a long time. It also encourages training in relevant fields so that assured job placement becomes reality.

The higher education assistance programs were extended, consolidated and refined to meet increasing student needs. Over 2,200 colleges and universities participate in these programs now, and with the average cost of attending college ranging from $1,100 per year at public institutions to $3,360 at private schools, the need for this legislation is unquestionable. It includes provisions of special services for disadvantaged students, enabling them to overcome their previous educational deficiencies.

The national school lunch program was bolstered for improving distribution of adequate lunches to the more than 4½ million schoolchildren who do not now receive adequate lunches.

The food stamp program was also extended through legislation I cosponsored, enabling many more counties to participate. Under the program, each person meets approximately two-thirds of the cost of obtaining a sound diet. The Government assumes the remaining one-third cost, a bargain and a sound investment in our national welfare. Merchants also benefit since they participate in the program through the sale of products to food stamp recipients.

The manpower training program was extended and improved by devising new methods for delivery of training services, something we should have done a long time ago. Vocational rehabilitation services were extended and improved, which should enable handicapped individuals to receive better training.

Recreation development received a boost when Congress amended the Land and Water Conservation Fund Act to permit the utilization of Government offshore lease and royalty revenues for such development. The recently funded Cahokia Community Park, the long-dormant Frank Holten State Park and the pending Tri-Township Park project at Troy are examples of recreation development that may be assisted. Also, a national trails system was authorized in legislation I cosponsored, including the Lewis and Clark Trail which originates at Wood River, Ill.

Health care efforts were strengthened with the approval of legislation improving the health manpower situation and alleviating the shortage of trained personnel in the health fields. We also enacted legislation to improve regional medical programs and facilities for the treatment of alcoholism and drug addiction.

Late in the session we adopted legislation that is designed to strengthen and improve State and local government and improve Federal-State-local relations through closer coordination and cooperation. Known as the Intergovernmental Cooperation Act, the legislation authorizes full review of the administration and effect of Federal grant-in-aid programs, something that needs to be done.

THE STATE OF THE ECONOMY

Faced with increased inflationary threats, Congress enacted a surtax and expenditure control bill. It is designed to dampen consumer demand, offset budget deficits, stabilize and hopefully reduce interest rates, and protect the American dollar abroad.

The extent of the expenditure control portion of the package drew the most questioning. Many of us felt that the largest part of the $6 billion reduction in Federal spending would come in critical domestic areas, resulting in further problems at home; hopefully, our fears will be allayed, and it is my conviction that tax reform should be one of the first items considered in the new Congress. We must also guard against "economic overkill" leading to stagnation in our economy.

We took steps to protect the purchasing power of the American consumer. A truth-in-lending bill was finally realized after a long, tortuous legislative course. It provides for full disclosure of interest rates in dollars and cents as well as percentages on loans and revolving charge accounts.

Consumers can also look forward to better auto insurance protection. Congress voted to establish a commission to investigate rising automobile insurance costs. I am hopeful this will result in substantial savings for the consumer.

Other consumer legislation included the Pipeline Safety Act and adoption of Clean Poultry Act.

Individuals on fixed incomes also benefited from congressional action. We voted increased benefits for disabled veterans and railroad retirees. Also, Government employees and military personnel received the second step of a three stage pay bill. Veterans were also voted improved educational, medical and rehabilitation services. For the first time, widows of veterans were voted educational benefits, enabling them to pursue their education efforts.

Farmers should also benefit from legislation enacted late in the session that is designed to protect farm incomes, stabilize prices, and assure adequate supplies of the products the American farmer raises.

PERSONAL LEGISLATION

As chairman of the House Committee on Standards of Official Conduct it was my privilege to author a code of ethics for the House of Representatives. It is my sincere hope the code and the committee will help the American public to have the confidence it entrusts in its Government.

Other legislation that I sponsored either enacted or passed by the House included: Prohibition of age discrimination in employment; survivor benefits for families of deceased law enforcement officers killed in the line of duty; extension of school lunch program to day care, headstart, and other community centers; extension of veteran's education benefits to widows of servicemen killed since World War II; extension of reemployment rights of servicemen; and creation of Joint Congressional Committee To Investigate Crime.

PUBLIC WORKS

Important to any area's economy is the public works activity sponsored by the Federal Government. Our area is no different. During this session we voted nearly $13 million in funds for five St. Clair and Madison County flood control projects. Included are: Kaskaskia navigation project, $11,931,000; Cahokia Creek low water dam, $49,000; Wood River interior flood control, $29,000; Mississippi River navigation, $970,000; Chain of Rocks navigation, $121,000.

In addition the Economic Development Administration approved a $2 million loan and grant for the development of a tri-community water system in the outer St. Clair County area. This Federal effort should help Mascoutah, Lebanon, and

Summerfield grow rapidly and bolster the whole area's economy.

REDWOOD NATIONAL PARK

Mr. McCLURE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DON H. CLAUSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, I am submitting a proposal for legislation resulting from the Redwood National Park Act to provide a solution to the tax problems created by the Federal Government's taking of the private lands involved.

The Internal Revenue Code now provides that upon the involuntary conversion of property the taxpayers can reinvest the proceeds without paying tax upon the gain, under certain procedures. This applies to most instances where private property is taken by the Federal Government for public use.

In the case of the Redwood National Park, the applicable section of the Internal Revenue Code probably cannot be used, because it requires reinvestment in the same kind of property that is taken. There is not available to the taxpayers in this case, redwood timber lands in which to reinvest. The purpose of this proposal is to focus attention on the need to extend coverage of the Internal Revenue Code to the unique situation involved in the creation of the Redwood National Park. By introducing the bill now, it is hoped that the concerned committees of the House, the concerned departments of Government, particularly the Treasury Department, the concerned landowners involved, and others, are given ample time and opportunity to study the proposal and to be prepared to express their opinion and to make suggestions for improvement.

I will also distribute the proposal to those concerned within the two counties of my district in which the park was created, Humboldt and Del Norte, so that those concerned with the economy and the tax base can analyze the adequacy of the proposal from the standpoint of stimulation of reinvestment in these counties, whose tax base has been severely reduced. I hope that this proposal, or a similar proposal, can help to bring new trade, business and job protection and will lead to the ultimate replacement of some of our lost tax base for the affected political subdivisions and school districts.

SALUTE TO L. B. J.

Mr. McCORMACK. Mr. Speaker, I am very happy to pay a deserved "salute to L. B. J.," our great and splendid leader, President Lyndon B. Johnson.

It has been my privilege to serve in the Congress during the most productive years of this body's existence.

In the course of just one generation, legislation has come out of these Chambers which has brought improvements in the lives of the American people that other societies only dream of—and sometimes launch revolutions to achieve.

When I look back over these accomplishments, I see that virtually all of them have been written by Democratic Congresses, under Democratic administrations.

Historians may differ when they look at the record of these times, and attempt to evaluate the most important laws that have been passed for the people's welfare.

For what it is worth to history, from one who has served a long time in this House, these are what I consider to be the ten most significant measures passed in this century, in the order of their enactment. I have restricted this list to those with domestic impact only:

First. The Food and Drug Act of 1906: When this was signed into law, the American people were given their first protection against misbranded and adulterated food, beverages and drugs. More than half a century later, what was begun then would be expanded to protect the American consumer throughout the marketplace that he must rely on to supply him with the necessities of life.

Second. The National Labor Relations Act: Violence and chaos had threatened labor-management relations in this country, until this Act was passed in 1935. It established our first national code of free collective bargaining, which has become the American working man's major strength, and the source of peaceful and progressive relations between labor and management.

Third. The Social Security Act of 1935: What a change this made in our land. For the very first time, Americans were able to live without dreading the hazards of old age. For the first time, we had a national system to protect all of us against the risks of unemployment, disability and retirement.

Fourth. The Fair Labor Standards Act of 1938: Dignity and security come to millions of American workers and their families with this law, which established the principle of minimum wages, overtime pay requirements, and child labor standards.

Fifth. The Civil Rights Act of 1964: In terms of justice, this was probably the greatest single Act of this century. It put on the books of law the promises of a century, by banning discrimination in seeking a job, and in schools, hospitals, hotels, motels and restaurants.

Sixth. The Economic Opportunity Act: Poverty has been a problem that has troubled and defied America from the earliest days. In 1964, we began at long last the campaign to banish it from our country once and for all. And this was the legislation which launched that War on Poverty.

Seventh. The Elementary and Secondary Education Act of 1965: For many years, it has been clear to far-sighted men and women that the Federal Government would have to become a partner in the educational process, committing its strength and resources, if all the children of America were to obtain the education they need and develop their full potential. But the barriers were well-entrenched. This act finally leveled them, and opened new horizons of hope to millions of our youth.

Eighth. The Higher Education Act of 1965: With this act, we moved further in our investment in the future of America's young men and women. We spelled out this Nation's commitment to the belief that every boy and girl should be able to go as far in school as his talents will carry him, regardless of where he comes from, or the color of his skin, or the economic condition of his family.

Ninth. Medicare: This was signed into law in 1965—at least two decades after it should have been. It lifted from our elderly citizens one of their greatest burdens—the crushing weight of heavy medical costs. It released them from the fear of being dependent, and gave old age a new dimension of dignity.

Tenth. The Omnibus Housing Act: When we passed this splendid law this year, we drew a blueprint which will enable this Nation—in the course of a single decade—to erase from the American landscape all of the slums and hovels which stain our cities and our conscience. We were able to promise—with conviction and sincerity—that every American family will be able to live in a decent home and a respectable environment.

These would be my nominations for the 10 major legislative accomplishments of the twentieth century.

Six of them bear the signature of the 36th President of the United States—Lyndon B. Johnson. But they carry far more than his signature alone. They embody his dream of America, and his determination that every single one of us—the poor and the dispossessed as well as the privileged—shall share in the bounty of this land.

No President's compassion for the people he served has exceeded that of Lyndon Johnson's. He was thrust into the Presidency in a tragic moment. He united the Nation, and he healed its raw wounds, and he held it together. And then he determined that he was going to do in the White House what he had tried to do all his years in the Congress—to make this Nation work for all its people.

He has had 5 years to put that determination into practice.

They have been, without doubt, the richest years of creative government we have seen.

He has lived up to the high standard he set for himself in a way that will benefit not only those of us who live, but generation after generation of Ameircans to come.

His signature is on more than the legislation which completes the agenda of these times. His signature is written large on the promise of a new day of hope and fulfillment. For all its years of life, America will be a better place because Lyndon Johnson served us as President, when we needed him most.

I believe his achievements can be measured in terms of human lives—in terms of hopes fulfilled; of bodies healed; of minds educated; of lives enriched.

This record is as long as it is impressive—and I include in the RECORD a document describing these accomplishments, entitled "The Johnson-Humphrey Years":

THE JOHNSON-HUMPHREY YEARS

ECONOMIC PROSPERITY

"Our achievements demonstrate that we *can* manage our economic affairs wisely—that we *can* make sound choices.

"Most Americans see the economy in terms of a particular job or farm or business. Yet the welfare of each of us depends significantly on the state of the economy as a whole."

President LYNDON B. JOHNSON,
February 1, 1968.

The Republican legacy

The last Republican Administration was marked by a sluggish economy operating well below its potential.

Three damaging recessions occurred within 7 years before 1961.

By 1961 unemployment more than doubled, hitting a level of nearly 7%; leaving 5 million people out of work.

Industrial production rose by only 2% per year.

The personal living standard grew only 1.4% per year.

This record was the result of inflexible economic policies and a failure to assess and respond to the needs of a potentially vigorous economy.

The Democratic record

Unparalleled Prosperity

The past seven and a half years have seen the longest and strongest economic expansion in our history which has brought unparalleled economic gains to all Americans.

The average American's living standard jumped 28%, double the rate of the preceding seven and a half years.

10.5 million new jobs have been created in the last seven and a half years.

Unemployment averaged only 3.8% in 1966 and 1967, and 3.6% in the first 6 months of 1968, the first sustained period of high employment in ten years.

Total production of goods and services increased nearly 70% to a record $853 billion in mid-1968, up from $504 billion in early 1961.

All income groups gained:

Wages, salaries, and other compensation of workers and executives grew by 72%.

Farm incomes jumped 21%. Income per farm rose 53%. Total farm assets climbed 38%.

Earnings of nonfarm unincorporated business and independent professions rose 38%.

Corporate profits after taxes more than doubled.

Dividends increased 81% and the value of outstanding shares of stock climbed 85%.

All industries gained:

Manufacturing production increased 61%.

Mining output gained 26%.

The output of utilities climbed 68%.

Agricultural output was up 11%.

More than 12 million Americans rose above the poverty line.

Infant and maternal mortality rates have been significantly reduced.

School enrollment and school completion rates have risen.

Over 2 million more of our young people are attending college.

Federal income tax rates are lower than in 1963, although vital programs have been funded at increased levels.

The strength of the administration's flexible policies

This long and sustained expansion was achieved through imaginative actions and flexible policies by the Federal Government designed to buttress the inherent strength of private industry.

Significant steps to stimulate the economy were taken in 1961 and 1962.

Social Security benefits were increased, strengthening consumer demand.

Depreciation reforms and a 7% tax credit for investment in new machinery and equipment were enacted, lowering business taxes by $5.5 billion and removing a drag on private initiative.

In 1964, the largest tax reduction in our history was enacted. Individual income taxes were reduced by an average of 20% and corporate taxes 10%. Within the stimulus provided by this tax cut:

Business investment surged ahead by $9 billion within a year.

The unemployment rate was brought below 5% for an extended period for the first time in 7 years.

Monetary policy contributed to the 1961–1965 expansion by accommodating growing credit demands at remarkably stable interest rates.

In late 1965 and 1966 when defense spending increased, the Federal Government moved to restrain an overheated economy by reducing Government spending, speeding up collections of corporate income taxes and temporarily suspending the investment tax credit.

In 1968 a temporary surtax on corporate and individual income taxes was enacted to keep our economy strong and help maintain its growth. But even with this surcharge, taxes are substantially lower than they were before the 1964 tax cut.

JOBS

"The demand for more jobs is central to the expressions of all our concerns and our aspirations—about cities, poverty, civil rights, and the improvement of men's lives."

President LYNDON B. JOHNSON,
January 23, 1968.

Background

Seven years ago, general unemployment plagued the country.

The unemployment rate was nearly 7%.

Nearly 5 million Americans were out of work.

And the Federal manpower effort was limited to providing employment services and promoting apprenticeship training.

The Democratic record

Unparalleled Prosperity

92 months of the longest and strongest economic expansion in our history.

Total production of goods and services increased from $504 billion in early 1961 to an historic $853 billion in mid 1968.

About 77 million Americans are at work, in jobs that are better paying and more secure than ever.

10.5 million new jobs have been created in the last 7 years, almost 7 million since 1964.

More than 12 million Americans have been lifted out of poverty.

The unemployment rate dropped from nearly 7% in 1961 to 3.6% in the first half of 1968, the lowest in 15 years.

A New Manpower Program Network

The Manpower Development and Training Act of 1962 helped retrain workers with obsolete skills.

It was strengthened in 1963, 1965, and 1966 to enable disadvantaged persons to acquire new skills in the classroom and on the job.

It will help about 275,000 Americans this year.

The Economic Opportunity Act was passed in 1964 authorizing:

The Job Corps which will give special education and training to about 100,000 needy young people this year.

The Neighborhood Youth Corps which this year will help nearly 400,000 poor youngsters earn decent wages while learning new skills in community service projects. Next year 560,000 youngsters will benefit.

The New Careers program which this year will train over 10,000 poor adults to meet community needs for new types of health, education and welfare workers.

Operation Mainstream and Operation Greenthumb which this year will enable about 20,000 elderly citizens to beautify our cities and towns.

The Concentrated Employment Program which this year will help about 50,000 hardcore unemployed prepare for meaningful jobs. Next year, about 100,000 will be helped.

The Work Incentive Program, enacted by the Congress in 1967, will help over the next 18 months nearly 140,000 people on welfare become productive taxpayers through work and training.

In the first year of these Democratic manpower programs, Fiscal 1963, 75,000 Americans learned new skills.

In Fiscal 1968 these programs are giving a new start to nearly 1 million men and women.

The Republican record

The House Republicans

87% voted to kill the Economic Opportunity Act of 1964.

90% voted against the OEO authorization in 1965.

88% voted against the OEO authorization in 1966.

84% voted to reduce by $460 million the funds requested for OEO by the Administration in 1967.

The Senate Republicans

69% voted to kill the Economic Opportunity Act of 1964.

The unfinished agenda

In 1967, the unemployment rate was 3.8% and the rate for married men was 1.8%. But for too many Americans, unemployment is still a serious problem:

Almost 13% of our young people are looking for jobs.

The unemployment rate among Negroes and other minority groups is double the national average.

In slums and depressed rural areas joblessness is close to 10% and an additional 20% of the people in those areas are employed only part-time or for substandard wages.

A program for the future

To meet these problems, the Johnson-Humphrey Administration proposed in January 1968:

The largest manpower budget in the Nation's history, a 25% increase, providing $2.1 billion to bring new skills, training and jobs to 1.3 million Americans.

The Job Opportunities in the Business Sector (JOBS) program.

Spearheaded by the Nation's top executives through the National Alliance of Businessmen, this program is designed to find jobs in private industry for 100,000 hardcore unemployed by June 1969 and 500,000 by June 1971.

Within 9 months the Alliance had obtained 175,000 firm job pledges, and 75,000 people had been placed on the job.

The rewards of action

Self-respect and self-sufficiency for the individual.

A fuller and better life for the worker and his family.

A reduced burden for the American taxpayer when welfare recipients become job holders.

EDUCATION

"We look toward the day when every child . . . starts school on an equal footing with his classmates, seeks as much education as he can absorb—in short, goes as far as his talent will take him."

President LYNDON B. JOHNSON.

Background

Four years ago these conditions existed in the United States:

In inner city high schools, as many as 60% of the students who enrolled in the 10th grade dropped out before graduation.

The disadvantaged child was a year behind in school work by the time he reached the third grade and up to three years behind *if* he reached the eighth.

More than two out of every three public elementary schools had no libraries at all and more than eight out of ten lacked trained librarians.

Nearly 16 million American adults had finished only eight years of schooling or less. Nearly 5 million were totally illiterate.

Only about one-third of the college-"able" students from families with incomes of $3000 or less went on to higher education.

The Democratic record

During the last four years:

More than 40 laws to support education from preschool projects to graduate education have been signed into law, more than in all the preceding years of the Republic put together.

The Federal Government has nearly tripled its investment in education, to nearly $12 billion annually.

These landmark laws have been put on the books:

Civil Rights Act of 1964 to end discrimination in schools.

Economic Opportunity Act of 1964 to provide education and training opportunities for the poor.

Elementary and Secondary Education Act of 1965 to provide more than $1 billion each year to improve the quality of education for children in public and private schools, particularly for children living in poverty.

Higher Education Act of 1965 to improve the quality of college education through increased library resources, equipment and community service programs, to provide students with financial assistance, and to provide special help for developing colleges.

Teacher Corps of 1965 to attract young persons to teach poor children in desperate need of their help and to train them for the task.

National Foundation on the Arts and Humanities Act of 1965 to encourage and support national progress and scholarship in the arts and the humanities.

Adult Education Act of 1966 to initiate special projects to reach the illiterate adult.

Education of Handicapped Children Amendments of 1966 to provide special programs for mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, emotionally disturbed and crippled children.

Education Professions Development Act of 1967 to improve the quality of teaching and to help meet critical shortages of adequately trained school personnel.

Public Broadcasting Act of 1967 to stimulate the growth and improvement of educational television and radio.

The Landmark Vocational Educational Act of 1968 to bridge the gap between school and work.

New Elementary and Secondary Education Programs

Some nine million disadvantaged children are receiving special classes and special attention this year.

Head Start programs have helped more than two million preschoolers start school on an equal footing with other children.

More than 23,000 youth have been given a real chance for a higher education through Upward Bound.

New Vocational Education Programs

More than seven and one half million students this year are enrolled in vocational education programs assisted by the Federal Government, an increase of 78 percent in the last four years.

New Higher Education Programs

More than half of the Nation's 2300 colleges have received Federal assistance to build classrooms for the expanding college population.

Some 32,000 graduate students are now benefitting from new classrooms, libraries and laboratories.

Over 500 developing colleges have received needed assistance to improve their programs and to enrich their programs.

New Teacher Education Programs

2300 graduate students have received fellowships to prepare for teaching in elementary or secondary schools.

More than 2400 teachers have been awarded fellowships to return to college for graduate work.

2,700 college graduates have joined the Teacher Corps to teach children in our city slums and pockets of rural poverty.

New Financial Aid Programs for Post-Secondary Education

Federal grant, loan, and work-study programs are helping nearly 1¼ million young Americans continue their education beyond high school, five times the number of students aided in 1963.

The Republican record

The House Republicans

87% voted to kill the Economic Opportunity Act of 1964.

73% voted to kill the Elementary and Secondary Education Act of 1965.

94% voted to kill the Teacher Corps program.

The Senate Republicans

69% voted to kill the Economic Opportunity Act of 1964.

The unfinished agenda

Equality of educational opportunity is still a promise, not a reality for many of our young people.

Most youngsters in slum schools are still denied a quality education.

Financial barriers still exist for many who want to pursue post-secondary education.

Higher education needs funds to provide quality education to more and more Americans.

A program for the future

To meet these problems and to move toward a fifth essential human freedom—freedom from ignorance, the Johnson-Humphrey Administration proposed in 1968 and the Congress enacted:

A $12 billion budget for a better America through better education, training, and university research.

The Educational Opportunity Act of 1968 establishing a new national goal: to remove all financial barriers to higher education.

Increased funds to help a million and a half students attend college next year through the full range of Federal student aid programs, including guaranteed loans.

New programs of tutoring, counseling and special services so that the neediest students can succeed in college.

Partnership for Learning and Earning Act of 1968 to provide funds for special experimental programs to bridge the gap between education and work, to consolidate and give more flexibility to our existing vocational education laws and to encourage the States to plan a long-range strategy in vocational education.

Networks for Knowledge Act of 1968 to provide new financial incentives to encourage colleges and universities to pool their resources.

New programs to help graduate education by strengthening facilities, improving courses and underwriting needed research.

Increased funds for Head Start and Head Start Follow Through.

Launching of a bilingual education program for Mexican Americans, Puerto Ricans and other children who are separated by a language barrier from a good education.

Increased funds for Upward Bound to serve 30,000 young Americans this year.

Increased funds to train this year nearly 45,000 teachers, administrators and other educators.

The reward of action

Human dignity for the individual.

The opportunity for all Americans to develop to the full reach of their potential.

HEALTH

"Our national resources for health have grown but our national aspirations have grown faster. Today we expect what yesterday we could not have envisioned—adequate medical care for every citizen."

President LYNDON B. JOHNSON,
February 28, 1967.

Background

Five years ago 25 infants of every 1,000 born in America died before the age of 1 because of inadequate maternal and child care.

Millions of Americans over 65 and many lower income families were without adequate health care, because they could not afford it.

An acute shortage of physicians, dentists and health workers was developing.

Millions of children had no opportunity for immunization against polio and other serious diseases.

Air pollution threatened the health and comfort of millions of Americans.

The democratic record

In the last 4 years, over 40 health laws have been enacted. This, together with the longest unbroken economic expansion in our history, has enabled more people than ever before to get adequate health care.

Health Care for the Elderly

Medicare: Nearly 20 million older Americans are now protected.

In the first year of operation, Medicare paid hospital bills for over 4 million citizens and doctor bills for 7.4 million.

Medicare has made possible a 700% expansion in the last 18 months in the number of public and private organizations providing health care in the home to aged Americans.

Medicaid: In June 1968, 43 States were participating in this Federally assisted program, helping to meet medical costs of 7.3 million men, women and children of low income families.

New Protection for Infants and the Young

Infant Mortality reached a new low in 1967, 12% improvement since 1963.

Immunization: 250 million immunizations have been given to pre-school children against polio, diphtheria, whooping cough, tetanus and measles since 1963.

Measles have been overcome with the number of children suffering from the disease dropping from 4 million in 1963 to 67,000 last year.

Massive expansion of our health system

Doctors: 1,700 additional doctors a year will be entering practice by 1972, mainly because of Federal assistance. (The Health Professions Educational Assistance Act of 1963 and 1965)

Nurses: since 1964, 65,000 loans and scholarships have been awarded to nurses and nursing students under the Nurse Training Act of 1964.

Mental Health: since 1964, 286 community mental health centers have been funded, to serve 47 million people.

Mental Retardation: Since 1966, 32,000 teachers of the handicapped have been trained and 1 research center, 14 teaching centers, and 167 community mental retardation facilities have been funded.

Hospitals: Since 1964, hospital facilities have been constructed or renovated at the rate of 30,000 beds a year.

Heart Disease, Cancer, and Stroke: Regional medical programs covering almost 100% of the population have been established to make available to physicians throughout the Nation the latest scientific knowledge and techniques in the diagnosis and treatment of heart disease, cancer, and stroke.

Communicable Diseases: Federal expenditures to prevent the spread of communicable diseases such as tuberculosis, and viruses have increased 350% since 1960 and 210% since 1963.

Air Pollution: Over 170 State and local agencies have received air pollution control assistance. Federal enforcement actions have been brought to protect over 20 million people living in 14 States from polluted air.

The Republican record

The House Republicans

93% voted to kill the Administration's proposal for Medicare and Medicaid in 1965.

66% voted to strip the Solid Waste provisions from the Clean Air and Solid Waste Disposal Act of 1965.

87% voted against even considering the original Rat Control Act of 1967, and 61% voted against the Rat Control Amendment the second time it was considered.

The Senate Republicans

62% voted in 1965 to kill Medicare and Medicaid.

The unfinished agenda

Infant Mortality

The U.S. is still behind 14 other nations in percentage of infant deaths.

The rate among poor families is nearly double the national average (in some city ghettoes the rate is 7 times the national average).

Health Manpower Shortage

Increases in population and demand for health services will make the health manpower shortage more critical.

An Increasingly Polluted Environment

A recent study has indicated that 95 million people drink water that may fall below Federal standards.

Each year the annual discard of solid waste, enough to fill the Panama Canal four times over, creates a potential health hazard.

The program for the future

The Johnson-Humphrey Administration has proposed the following measures to meet the challenge ahead:

The Child Health Improvement and Protection Act of 1968, to assure by 1973, adequate prenatal and postnatal care for every poor mother and health care for her child up to the age of one.

The Health Manpower Act of 1968 which was enacted by the Congress: to increase Federal assistance to all medical and other health schools to speed the training of physicians, dentists, nurses and other health workers.

Drug Costs: To protect the American taxpayer, the President has proposed that reimbursement for drugs used under Federal health programs be controlled by a reasonable cost range set by the Secretary of HEW.

Cost of Health Care: The President has recommended that Congress authorize the Secretary of Health, Education, and Welfare to employ new methods of payment for health care under government programs which regard efficiency and penalize waste.

The Health Services Amendments of 1968 which was enacted by Congress to extend the program to control heart disease, cancer, and stroke, to improve care for migrant workers and their families, and a rehabilitation program for narcotic addicts and alcoholics.

The Safe Drinking Water Act of 1968: To set standards for radioactive, chemical, and other harmful materials in drinking water.

HOUSING

"The very base of man's condition is his home: he must find promise and peace there.

President Lyndon B. Johnson,
February 22, 1968.

Background

During the last four years of Republican leadership (1957–60), only some 64,000 housing units were completed for low-income families. And by 1960:

Nearly 8.5 million American families lived in substandard housing.

Nearly 3.75 million families lived in city slum housing.

Non-white families, representing only 12% of the population in urban areas, occupied one-third of the substandard city housing.

The Democratic record

Taking the Initiative Through Bold and Imaginative Legislation

The Housing Act of 1964 authorized a new program to assist building code enforcement in declining neighborhoods.

Established protections and benefits for individuals displaced by urban renewal and public housing programs.

The Department of Housing and Urban Development Act, passed in 1965, unified four housing agencies under a single Cabinet Department, providing new leadership in attacking urban problems.

The Housing and Urban Development Act of 1965 created the Rent Supplement program to mobilize private builders to build decent housing that low-income families can afford.

Brought imaginative approaches to public housing through new techniques of leasing and acquiring housing.

Authorized a new program to enable low-income families to rehabilitate substandard housing in urban renewal areas.

Launched a new neighborhood facilities grant program to pull together social services at the neighborhood level.

Started new programs to expand parks and recreational areas in our crowded cities and promote urban beautification.

Greatly expanded the protection and benefits for families and businesses displaced by some of the Federally assisted urban programs.

The Model Cities Program of 1966 established the Model Cities program to enable cities of all sizes to develop and carry out a comprehensive attack on the total range of social, economic and physical problems of slum neighborhoods.

Authorized a new program of incentive grants to revitalize our cities by encouraging coordinated metropolitan-wide planning.

Started a new program to assist in preserving historic buildings and areas.

The dramatic results

Democratic leadership has seen 2.8 million American families lifted from substandard housing to decent shelter. And, over the last four years:

Direct Federal outlays for housing and community development have nearly quadrupled—from $1.5 billion to over $5.5 billion a year.

More than 5.5 million new homes have been provided for American families.

Two million families have received FHA loans to modernize or add to their homes.

Federal assistance has enabled 245,000 low and moderate-income families to get decent shelter.

About 235,000 acres of land in urban areas throughout America have been saved from development and preserved for parks and recreation centers through Federal grants.

The Republican record

House Republicans

97% voted in 1965 to kill the Rent Supplement Program.

93% voted in 1967 to delete all funds from Rent Supplements.

87% voted against even considering the rat control bill.

93% voted against creating the Department of Housing and Urban Development.

77% voted to kill the Urban Mass Transportation Act of 1964.

89% voted in 1966 to kill the Model Cities Program.

Senate Republicans

66% voted against creating the Department of Housing and Urban Development.

The unfinished agenda

Despite the heartening progress, 5.7 million American families, more than 20 million Americans, still live in inadequate housing.

Non-white families still occupy a disproportionate share of the nation's substandard housing.

Private finance must be mobilized to provide needed mortgage credit for the construction of 26 million new homes and apartments which American families will need in the next ten years.

Home-building on the massive scale required demands full participation of America's industry and new training and employment opportunities for people in the areas being restored.

Population growth continues to produce haphazard and wasteful development of land on the fringes of urban areas.

The Democratic commitment—the 1968 housing program

A ten-year commitment to provide decent shelter for every American family, rich and poor alike.

A national legal commitment to "Open Housing."

A new program to allow low-income families to own their own homes, a cherished American tradition.

A National Housing Partnership, to attract risk capital and the energy of America's private industrial giants to the field of home-building throughout the nation.

A major expansion of the Model Cities Program.

Expanded Mass Transit and Urban Renewal programs oriented increasingly to the needs of low-income, inner-city residents.

Planned "New Communities" with incentives to encourage private developers to provide for families at all levels of the income ladder.

Lifting the arbitrary legal ceiling on interest rates that qualify for FHA mortgages and VA guarantees, to attract new funds to residential finance and slum rehabilitation.

Today that program is law. The Congress has passed the Fair Housing Law and the Omnibus Housing Act of 1968. The Housing Act, truly a landmark of this century, provides the National Commitment and the means to build the 26 million houses and apartments that Americans will need in the next 10 years.

The rewards of action

A rebirth of hope and decency in America's inner cities.

A new partnership between business and labor, between employers and the unemployed, between government and the people of the neighborhood.

Decent shelter for every American family.

CITIES

"Our society will never be great until our cities are great. Let us be clear about the core of this problem. The problem is people and the lives they lead. We want to build not just housing units, but neighborhoods; not just to construct schools, but to educate children; not just to raise income, but to create beauty and end the poisoning of our environment."

President Lyndon B. Johnson,
March 2, 1965.

Background

Before the Democratic Administrations of the 1960's, there was little federal concern for the human and physical problems of the cities.

Unemployment averaged nearly 7%, and was far higher in large cities.

Only 16,000 units of low-income housing were built each year between 1957 and 1960.

Urban renewal was clearing the slums, but it was not helping the people who lived there.

Federal assistance to urban areas for housing and community development, education, health, job training and programs of self-help and opportunity amounted to less than $8 billion (compared with the 1969 total of nearly $22 billion).

Polluted air poisoned the city.

Snarled transportation choked the city's life.

The Democratic record

Better Housing: A new Department of Housing and Urban Development was established to bring scattered housing and urban development programs together for a more effective attack on city problems.

The Rent Supplement program launched a new effort in concert with private industry, to build housing for needy families.

The Model Cities Program was inaugurated—the first program to attack the economic, social, and physical problems of slum neighborhoods on a massive and coordinated basis. 105 cities are now in the planning stage, with another round of cities to be named this year.

The Landmark Housing Act of 1968 to build the 26 million houses and apartments that Americans will need during the next 10 years.

Clean Air: The Clean Air Act of 1965 and the Air Quality Act of 1967 to protect our health and make life more pleasant through Federal, State and local efforts to combat air pollution.

Better Transportation: A new Department of Transportation, consolidating scattered activities, to lead in the effort to develop a modern transportation system for the Nation and its cities.

The Urban Mass Transit Act of 1964 to help cities streamline their transportation networks. Grants of $300 million have already been approved to help cities modernize their transit systems.

America's Children and Youth are being helped through: Headstart and Headstart Follow Through, which have increased the chances of success in life for over 2 million deprived pre-school and beginning school children.

$1.4 billion, the largest amount ever, being spent this year for child health services under medicaid and other Federal Health programs.

Job Corps and Neighborhood Youth Corps, which have already helped 1.5 million poor youngsters prepare for better jobs, or remain in school.

Upward Bound, which is aiding thousands of needy teenagers through high school and on toward college.

The Elementary and Secondary Education Act of 1965, which provides special educational opportunities to cover 9 million disadvantaged school children.

The Higher Education Act of 1965 which strengthens our colleges and universities.

The Higher Education Act of 1965 which will help over 1 million students attend college this year.

The Educational Opportunity Act of 1968 to remove all financial barriers to higher education.

Increased security in old age and better health care for poor families are now available because of:

Higher social security benefits, including a 16% increase in 1967.

Medicare, which protects nearly 20 million older Americans against the crushing economic burdens of medical care. More than 7 million Americans have already received its benefits.

Medicaid, which has brought a wide range of medical care to 8 million people in low-income families.

41 Neighborhood Health Centers are now in operation or being built to provide expert medical care to those who need it most.

Jobless men and women are trained for work through:

The Manpower Development and Training Act and the Economic Opportunity Act.

The National Alliance of Businessmen which will bring jobs in private industry to 500,000 hard-core unemployed during the next three years.

These new manpower programs will help nearly 1.3 million citizens this year, up from 75,000 in 1963.

Entire neighborhoods in slum areas benefit from:

Community programs, in more than 1000 localities set up to meet the special needs of a neighborhood's residents.

Legal services, which have made equal justice a reality for almost 2 million poor.

Equal Justice: The Civil Rights Act of 1964, which bars discrimination in employment, schools, hospitals and public facilities.

The Voting Rights Act of 1965, which protects every man's right to vote.

The Fair Housing Law banning discrimination in the sale and rental of housing.

A War on Crime: A major effort against organized crime. A coordinated government-wide "Strike Force" in key cities is proving successful in rooting out entire organized crime systems.

Assistance to state and local law enforcement: The Law Enforcement Assistance Act of 1965 has provided $18 million to help States and cities develop new techniques to fight crime.

The Safe Streets and Crime Control Act of 1968 to strengthen local law enforcement through better training, better techniques and modern equipment and to improve courts and corrections.

Juvenile Delinquency Prevention Act, to save juvenile delinquents from becoming adult criminals.

A new law to protect American cities from those who travel across state borders to incite riots.

Effective gun control legislation, to prevent mail-order murder.

Tougher laws against LSD and other dangerous drugs.

The Republican record

The House Republicans

89% voted against the Model Cities Act.

97% voted against the Rent Supplement Act.

87% voted against the Economic Opportunity Act of 1964.

73% voted against the Elementary and Secondary Education Act.

93% voted to recommit Medicare in 1965.

The Senate Republicans

69% voted to kill the Economic Opportunity Act of 1964.

63% voted to delete funds from the Model Cities Program.

CIVIL RIGHTS

"We seek not just freedom but opportunity—not just legal equity but human ability—not just equality as a right and a theory, but equality as a fact and as a result."

President Lyndon B. Johnson,
February 15, 1967.

The Democratic record

More progress has been made in the past 4 years, than ever before.

The Civil Rights Act of 1964 to outlaw discrimination in hospitals, restaurants, hotels, and employment.

The Voting Rights Act of 1965 to guarantee a citizen's most precious right, the right to vote.

The Jury Selection and Service Act of 1968, to bring our Federal jury system up to date and insure its fairness.

The Civil Rights Act of 1968 with a Fair Housing law to make equal opportunity a reality for all American families.

Strengthened Federal criminal laws which prohibit violent interference with the exercise of civil rights.

The creation of the Equal Employment Opportunity Commission.

Steady economic and social progress.

More than 27% of nonwhite families now receive over $8,000 income a year, double the figure of 8 years ago.

98% of America's hospitals have agreed not to discriminate.

The educational level of nonwhites has risen sharply. In 1968, 60% of the nonwhite young men completed 4 years of high school, compared to 36% in 1960.

The nonwhite unemployment rate has declined from 10.8% in 1963, to 6.8% during the first six months of 1968.

Job training has been made available for nearly 3 million disadvantaged youths and other unemployed persons since 1964.

The Justice Department last year completed its most active year, with a record number of civil rights suits filed.

The Office of Education has moved to ensure that Federal funds are not used to further segregation of school facilities.

The Department of Labor has broadened its enforcement of the Executive Order forbidding discrimination in employment by Federal contractors.

The Secretary of Defense has moved to encourage desegregation of housing around military bases.

The Secretary of Housing and Urban Development has established new site and tenant selection policies to speed desegregation, and has begun a program to counsel low-income families.

The life of the Civil Rights Commission was extended in 1967 for 5 more years to carry on its important investigative work.

The Republican record

The House Republicans

85% voted to weaken the Voting Rights Act of 1965.

73% voted to kill the Elementary and Secondary Education Act of 1965.

87% voted to kill the Economic Opportunity Act of 1964.

87% voted against even considering the Rat Extermination Act of 1967.

57% voted against bringing the Civil Rights Act of 1968 to a vote.

The Senate Republicans

69% voted to kill the Economic Opportunity Act of 1964.

84% voted to cut all funds for the Rent Supplement Program in 1966.

CHILDREN AND YOUTH

"Our goal must be clear—to give every child the chance to fulfill his promise."

President Lyndon B. Johnson,
February 8, 1967.

Background

Five years ago, millions of American children were needless victims of poverty, disease, and ignorance.

15 million children under age 18 lived in poverty.

25 infants out of every 1,000 died before the aged.

34 percent of the potential 1963 high school graduating class had dropped out.

The Democratic record

The Total Effort: Federal investments in children and youth in fiscal year 1968 will total about $12.5 billion, more than double the $5.4 billion spent in 1963.

Landmark Legislative Achievements: The Economic Opportunity Act of 1964 which initiated major human investment programs to break the cycle of poverty in America.

The Elementary and Secondary Education Act of 1965 which broke the 95 year deadlock over federal aid to education and which now aids children in low-income school districts.

Medicaid which made funds available to States to provide high quality medical care to low-income families.

The Higher Education Act of 1965 which provided funds to:

Enable hundreds of thousands of qualified and needy students attend college.

Improve college libraries.

Strengthen developing institutions.

Bring new teachers and new skills to the heart of the cities.

The Child Health Act of 1967 which expands services to reduce infant mortality, authorizes support for dental care for poor children, and more vigorous effort to screen and treat children with disabling conditions.

The Child Nutrition Act of 1967 and an expanded school lunch program are improving the health of thousands of poor youngsters.

The Juvenile Delinquency Prevention Act to help States and communities across the nation plan and operate programs to prevent juvenile delinquents from becoming adult criminals.

The Partnership for Learning and Earning Act of 1968 to make vocational education more relevant to the changing world of work.

The Educational Opportunity Act of 1968 to remove all financial barriers to higher education.

Education Progress: Head Start and other preschool programs have provided learning and health care to more than 2 million disadvantaged children in the last three years.

Nine million children in over 19,000 school districts are receiving special help under the Elementary and Secondary Education Act of 1965 each year.

The high school dropout rate has been reduced by more than 25 percent in the last five years.

Federal grants, loans and work-study programs are helping nearly 1¼ million young Americans through college, five times the number aided in 1963.

More than 2,000 college graduates have joined the Teacher Corps to teach poor children in our city slums and pockets of rural poverty.

Health Improvements: The infant mortality rate has dropped from 25.2 deaths per thousand in 1963, to 22.1 per thousand in 1967, decline of 12 percent in four years.

In the last four years the number of children who suffer from diphtheria, polio, tetanus and whooping cough has been cut in half.

The incidence of measles among children aged 16 and under fell 90 percent between 1964 and 1967.

The Republican record

The House Republicans

87 percent voted to kill the Economic Opportunity Act of 1964.

90 percent voted against the OEO authorization in 1965.

73 percent voted to kill the Elementary and Secondary Education Act of 1965.

94 percent voted to kill the Teacher Corps Program.

The Senate Republicans

44 percent voted to kill the Elementary and Secondary Education Act of 1965.

69 percent voted to kill the Economic Opportunity Act of 1964.

OLDER AMERICANS

"We should look upon the growing number of older citizens not as a problem or a burden for our democracy, but as an opportunity to enrich their lives and through them, the lives of all of us.

President LYNDON B. JOHNSON,
January 23, 1967.

Background

Four years ago:

About 5 million Americans age 65 or older had incomes below the poverty level.

2.2 million were on welfare.

Some 14 million received social security payments.

Most had little or no insurance protection against high costs of medical care.

Many were lonely and forgotten, isolated from the mainstream of community life.

The Democratic record

Landmark Legislative Achievements

Medicare. The enactment of this program in President Johnson's Administration is the culmination of 20 years of continuous concern for older Americans by the Democratic Party, starting with President Truman.

Nearly 20 million older Americans are now protected and 7.4 million received its benefits in its first year of operation.

1965, 1966 and 1967 Social Security Act Amendments. Provided major advances for older Americans in cash benefits, Medicare and Medicaid:

3 million more older Americans, and a total of 16 million elderly citizens, now receive monthly social security benefits.

Over 90% of wage earners are now eligible for benefits when they reach age 65.

The average benefit to a retired worker rose in the last 4 years from $77 to $98 per month.

The minimum monthly retirement benefits is now $55 at age 65 compared with $40 in 1964.

The 1966 amendments provide special benefit payments to 700,000 senior citizens age 72 and over not previously eligible.

800,000 needy older Americans were lifted from poverty as a result of the 1967 social security bill.

2.6 million older Americans will receive about $1.5 billion in medical benefits under Medicaid and 7.5 million persons received $5.2 billion under Medicare this year.

Hill-Burton Amendments of 1964 expands construction of chronic disease hospitals, nursing homes and other health facilities vital to the health care of older Americans.

Older Americans Act of 1965 promises a new chance for involvement and usefulness to hundreds of thousands of our elderly citizens through:

A fully staffed Administration on Aging within the Department of Health, Education, and Welfare.

Research in the problems and needs of older persons.

Funding of a broad spectrum of community-based programs for older persons.

600,000 older Americans participate in or benefit from 660 community service projects throughout the Nation which provide employment and volunteer opportunities, recreation, and health services for the elderly.

32,000 elderly volunteers serve other older Americans and their communities in these projects.

The Economic Opportunity Act of 1964:

Foster Grandparents. Almost 4,000 older persons in 38 States are giving 8,000 retarded and disadvantaged children the help, warmth and affection they need.

VISTA Volunteers. Some 300 older Americans have volunteered under this program of "Service to America."

Operation Green Thumb enables older citizens to contribute to the beautification of their communities.

Project FIND. Trains and employs older persons to serve lonely older Americans. This project has reached an estimated 35,000 elderly people.

Teacher Aides. About 1,000 older persons have found renewed interest in life through training and employment as teacher aides and library assistants.

The Republican record

House Republicans

93% voted in 1965 to kill Medicare and Medicaid.

87% voted to kill the Economic Opportunity Act of 1964.

Senate Republicans

62% voted in 1965 to kill Medicare and Medicaid.

69% voted to kill the Economic Opportunity Act of 1964.

The unfinished agenda

Today 20 million Americans are 65 or older:

Only one in five has a job, often at low wages.

2 million are on welfare.

Many are lonely, isolated and forgotten. They suffer a disproportionate burden of bad housing, poor health facilities, and inferior recreation.

A program for the future

Democratic goals for older Americans include:

A secure and decent life for all.

Increased opportunities to participate fully in family and community life.

Freedom of movement from job to job and from one part of the country to another without loss of retirement benefits.

Access to high quality health care.

Adequate housing at prices within reach of all.

Pre-retirement counseling of high quality to assist older Americans to meet the problems of retirement.

Protection against fraudulent land sales to those seeking retirement homes.

NEW OPPORTUNITIES FOR THE POOR

"There can be no retreat in the War on Poverty. It must be pressed, with renewed emphasis on the most critical needs of the poor—job opportunities and education for the young, and the chance to join in cooperative self-help efforts to improve their own lives, as well as to participate in the broader community attack on poverty."

President LYNDON B. JOHNSON,
February 22, 1968.

Background

Four years ago almost 35 million Americans lived in poverty.

Welfare programs helped the poor survive but offered no hope of escape.

There was no coordinated attack on poverty.

The Democratic record

12 million citizens have been lifted from poverty since 1960, 8 million in the last four years alone.

Through some 40 programs, the poor now have a better chance to find decent jobs, homes, health care, and education for their children.

The Federal commitment to the conquest of poverty is 27.7 billion—more than double that of 1964.

A Commitment to End Poverty: The Economic Opportunity Act of 1964 forged the nation's first coordinated attack against poverty. Through OEO, America is extending its poor citizens a hand up, not a hand out.

Job Corps and Neighborhood Youth Corps has helped 1.5 million poor youngsters prepare for better jobs, or remain in school. Over 650,000 youth will be served by these programs in 1968.

Headstart and Headstart Follow-Through have increased the chances of success in life for over 2 million deprived children.

Upward Bound is helping thousands of needy teenagers through high school and on to college.

VISTA has given 10,000 volunteers an opportunity to serve their country and assist its neediest citizens.

Community Action programs have been set up in over 1,000 communities to meet the special needs of the poor.

Neighborhood Health Centers are being established to provide expert medical care to those who need it most.

Legal Services are making equal justice a reality for almost 2 million poor, at the rate of 40,000 cases a month.

The Rural Loan Program has provided credit and counseling services for over 60,000 poor families in rural areas.

The Economic Opportunity Business Program will provide more than 4,000 small business loans this year.

Better jobs and job security are provided through a $2.1 billion manpower budget which will help about 1.3 million Americans prepare for meaningful employment; and a 28% increase in the minimum wage and extension of minimum wage coverage to 15.5 million additional workers.

Increased security in old age is offered through greater social security benefits, which will add over $1 billion in cash benefits to the aged poor.

Medicare, which frees the elderly from the burden of oppressive medical bills.

Better housing is promised through the Housing Act of 1965, which provides:

A Rent Supplement Program, mobilizing private enterprise to build decent housing for low-income families.

Expanded Urban Renewal.

Model Cities Act of 1966: A new strategy, bringing the resources of Federal, State and local governments and the private sector to bear on the nation's worst urban slums.

105 cities are now in the planning stage, with another round of cities to be named this year.

New education opportunities are provided to 9 million educationally disadvantaged school children under the Elementary and Secondary Education Act of 1965.

Fuller civil rights are extended through the Civil Rights Act of 1964, which counters discrimination in employment, education and health services; and the Voting Rights Act of 1965, which protects every man's right to vote.

The Republican record

The House Republicans

87% voted to kill the Economic Opportunity Act of 1964.

89% voted to kill the Model Cities Act in 1966.

97% voted to kill the Rent Supplement Act in 1965.

73% voted to kill the Elementary and Secondary Education Act in 1965.

93% voted to kill Medicare in 1965.

The Senate Republicans

69% voted to kill the Economic Opportunity Act of 1964.

63% voted to kill the Model Cities Program.

The unfinished agenda

Despite the heartening progress that has been made, about 25.9 million Americans still live in poverty.

About 900,000 poor teenagers today are in danger of becoming dropouts from society.

Unemployment rates in poverty areas are triple the national average.

Infant mortality rates of the poor are double the national average, and in some ghettos are 7 times as high.

A program for the future

Democratic goals include eliminating poverty through:

An expanded War on Poverty.

Programs to give disadvantaged children the health care they need, and their mothers prenatal and postnatal care.

Fast and effective implementation of the landmark Housing Act of 1968, to start the construction of 26 million new houses and apartments that Americans will need over the next decade.

Six million of these will replace the slum dwellings and shacks where 20 million poor citizens now live.

300,000 units will be started this coming fiscal year, to help more than 1 million poor Americans obtain decent homes.

Full support for the vital new partnership, the National Alliance of Businessmen, to provide jobs and training for 500,000 hard-core unemployed over the next 3 years.

Full equality of Educational Opportunity.

The rewards of action

A stronger America, with full and equal opportunities for all.

Self-respect and self-reliance for all citizens, regardless of race, creed or color.

THE RURAL POOR

"The combination of rapidly rising farm productivity and more slowly growing demand for farm products has left many rural people with low incomes. The result has been a massive migration to the cities, limited job opportunities for people remaining in rural areas, and widespread rural poverty."

President LYNDON B. JOHNSON,
January 29, 1968.

Background

Seven years ago, the Nation was ignoring the 18 million rural Americans living in poverty.

Unemployment and underemployment in rural areas was widespread. Over 40% of our farm people were living in poverty.

668,000 people a year were moving from rural to urban areas, most of them the youngest and best trained.

Federal efforts to combat these problems were largely limited to commodity and credit programs and inadequate welfare assistance.

The Democratic record

Economic and Social Gains: In the past 7 years, the number of rural poor has fallen from 18 to 10 million. Rural unemployment and underemployment has been cut by one-third.

The percentage of farm people living in poverty has been cut in half.

The share of the Nation's new jobs going to towns and villages outside big cities has nearly tripled.

War on Poverty: Declaring war on poverty, the Johnson-Humphrey Administration brought new hope to hundreds of thousands of Americans on farms, in rural communities, on Indian reservations, in migrant camps.

7,000 rural youth are serving in the Job Corps.

60,000 rural boys and girls learn and earn in the Neighborhood Youth Corps.

1,800 VISTA workers are helping the rural poor help themselves.

Over 570 Community Action Agencies are serving 1,500 rural counties.

66,000 rural children are in full-year Head Start Programs, 180,000 in summer Head Start.

A new Rural Loan Program for the poor provided last year $28 million to more than 16,000 individuals and $4 million to 382 cooperatives.

116,000 people have benefited from the emergency food assistance programs and more than 6 million have been aided by family food programs.

More than 250,000 migrants in 37 States have been helped this year by a wide variety of health, education, training, housing, nutrition and other programs. 28,000 are taking part in education programs, and 13,000 children are in day-care programs.

312,000 Indians in 18 States have participated in Office of Economic Opportunity programs.

Department of Agriculture: Through "Operation Outreach", the Department of Agriculture helps bring 90 Federal programs to rural areas. Millions of rural people now have easy access to the help of all Federal agencies, through Technical Action Panels organized at the local level.

Rural people are among the 2 million needy helped by Food Stamp programs. Rural schools are in School Lunch Programs which now reach 19.5 million children, 5 million more than in 1961.

More than 5,000 rural people received training and education in the last quarter of 1967 in Federal manpower projects.

During 1967, Extension workers gave education and leadership services to 14,000 organizations in resource development programs involving 270,000 people.

In the last 6 and a half years, loans totalling $1.3 billion have been made to improve rural housing, compared with $182 million in the preceding 6 and a half years, a seven-fold increase.

This provided better housing for 630,000 rural people, including 20,000 senior citizens and 15,000 farm laborers.

The Republican record

Republicans in the Congress have voted year after year *against* measures and funds to help the rural poor.

The House Republicans

82% against the Area Redevelopment Act in 1961.

87% against the Economic Opportunity Act in 1964.

75% against the Public Works and Economic Development Act in 1965.

84% to slash funds for the war on poverty in 1967.

81% against the Appalachian Regional Development Act in 1965.

The Senate Republicans

85% against the Medicare Social Security amendments in 1964.

58% against the Appalachian Regional Development Act in 1965.

The unfinished agenda

Despite great progress, the task is far from finished. One in every 5 rural citizens still lives in poverty. Unemployment and underemployment are still high. Many rural homes need replacement or major repair. Many of the lowest income rural counties are still unreached by food distribution programs. Many rural children are among the 9 million in schools still without lunch programs.

For the future

The Democratic goal is full parity of opportunity for rural America.

The rewards of action

New life and purpose in Rural America.

New opportunities for youth who would rather stay in their rural communities but who now crowd into the cities because they believe they can only find promise there.

Easing of the strain on the congested cities.

CRIME

"Public order is the first business of government."

President LYNDON B. JOHNSON,
February 6, 1967.

Background

For the past decade the national crime rate has been rising. Four billion dollars of property is lost each year through crime. Yet for generations we have neglected our system of law enforcement and criminal justice.

The Democratic record

The Crime Commission established by President Johnson in July, 1965, to make the Nation's first comprehensive study of all aspects of law enforcement and the administration of justice.

Its report was a milestone in law enforcement, and has stimulated action at all levels of Government, Federal, State, and local.

Strengthened Federal Law Enforcement: An increase in the number of criminal cases brought by the Department of Justice, over 33,000 indictments in 1967, the largest number in a decade.

A 10% increase in the size of the FBI since 1963.

A major effort against organized crime: The number of attorneys in the Justice Department's Organized Crime Section has been increased to an all-time high.

A coordinated government-wide "Strike Force" in key cities is proving successful in rooting out entire organized crime systems.

FBI Director J. Edgar Hoover stated that 1967 "marked one of the most effective all-out drives against organized crime in the history of law enforcement."

The crackdown on organized crime led to 1100 persons indicted in 1967 and 480 convicted, compared to 615 indicted and 288 convicted four years before.

A new Federal Judicial Center has been established to revitalize and modernize the Federal court system.

Assistance to State and local law enforcement: The Law Enforcement Assistance Act of 1965 has provided $18 million for more than 300 projects in every State, including projects to improve crime-fighting equipment—ranging from police helicopters to computerized criminal information networks.

Federal assistance has helped half of our States to establish law enforcement planning commissions to coordinate statewide efforts.

Reaching the Underlying Causes of Crime: There has been an unprecedented effort to strike at the environment which breeds crime: The Poverty Program, Medicare and Medicaid, a broad housing program, Model Cities, and major advances in education and manpower training.

The Republican record

The House Republicans

87% voted to kill the Economic Opportunity Act of 1964. 84% voted to kill the Model Cities program in 1966.

The Senate Republicans

69% voted to kill the Economic Opportunity Act of 1964. 63% voted to delete authorization for funds for the Model Cities program in 1966.

The unfinished agenda

A strong start has been made to bring our system of law enforcement and criminal justice up to date. We must move forward on two fronts: a strengthened Federal program, and improved law enforcement on the local level.

As the President has said: "Crime is essentially a local matter. Police operations—if they are to be effective and responsible—must likewise remain basically local."

Our main areas of concern must be: Police equipment and training, higher salaries for law enforcement personnel, improved correctional institutions, better control of narcotics and drugs, control of juvenile delinquency, better methods of dealing with riots, and improved police-community relations and planning.

A program for the future

To meet these problems, the Johnson-Humphrey Administration proposed and the Congress enacted this year:

The Safe Streets and Crime Control Act, which would provide grants to State and local governments for law enforcement planning, training, construction, equipment, and salaries.

The Juvenile Delinquency Prevention Act, to provide grants to State and local agencies for new programs to save our children from delinquency.

An Alcoholism Rehabilitation Act, to take alcoholics out of our crowded courts and jails and into rehabilitation centers.

Tougher laws against LSD and other dangerous drugs, and the creation of a consolidated Bureau of Narcotics and Dangerous Drugs in the Justice Department with a 30% increase in the number of agents.

A new law to protect American cities from those who travel around the country to incite riots.

An effective gun control law, to prevent mail-order murder.

The rewards of action

Effective and fair law enforcement for all our citizens, and especially for those in our inner cities where most crime occurs.

A reduction in the great cost of crime to our businesses, and safer neighborhoods, streets, and homes for our citizens.

PROSPERITY AND SECURITY FOR THE AMERICAN WORKER

"Our Nation's future depends on the sons of labor—working men . . . who roll up their sleeves and do the job.

"We are at work in this Nation—building a bigger, a better, and a more prosperous America."

President LYNDON B. JOHNSON,
March 25, 1968.

Unparalleled prosperity

The last 7 and a half years have seen the longest and strongest economic expansion in our history, bringing unparalleled economic gains to working Americans.

Total personal income leaped $272 billion or 67%.

The living standard of the American grew 28%—almost twice the annual rate of increase of the preceding 7 years.

The number of families with incomes above $10,000 has more than doubled.

More than 12 million Americans have moved above the poverty line.

Wages, salaries, and other labor income jumped 72%.

10.5 million new jobs have been created since 1961, almost 7 million since 1964.

Unemployment has dropped from nearly 7% in 1961 to 3.6% in the first six months of 1968.

These job gains benefited workers in all groups of the population.

Between 1961 and 1968 total employment increased 16%.

Teenage employment increased 46%.

Employment of nonwhites increased 20%.

All job categories shared the gain, with employment in manufacturing, up 23%; construction, up 14%; transportation and public utilities, up 11%; services, up 39%; and finance and insurance, up 23%.

Savings and financial security have increased. In the last four years: 23 million more families opened savings accounts, private pension funds have grown by $40 billion, and 5 million more families own stock.

Greater security and protection for working Americans

The commitment of the Johnson-Humphrey Administration and the Democratic Congress to meeting the worker's need for greater security and protection—and the human needs of all Americans—is unmatched. During this Administration:

The minimum wage was increased 35 cents an hour—a 28% jump and 12.5 million more workers are now covered.

The Age Discrimination in Employment Act was passed to assure that workers are hired on the basis of ability, not age.

The Manpower Development and Training Act, the Economic Opportunity Act, and other training programs have helped 3 million men and women to find new skills.

The Vocational Rehabilitation Act was improved to help handicapped persons prepare for constructive jobs.

Social security benefits were increased 16% last year.

Expenditures for education, manpower and health programs increased 170% from $9 billion in 1964 to nearly $25 billion in 1967.

Medicare and Medicaid were initiated to help provide better health care to older Americans and to families most in need.

Landmark civil rights legislation was enacted to ban discrimination in employment, hospitals, schools, restaurants, hotels, and to protect the right to vote.

More major legislation has been enacted than ever before to protect the consumer from unwholesome food, unsafe products and deception in the marketplace.

A full program to help the veteran has been pioneered.

The Republican record

A record of indifference.

House Republicans voted: 93% to kill the medicare bill in 1965, 87% to kill the poverty bill in 1964, 73% to kill the education bill in 1965, 63% to kill the civil rights bill in 1966, 84% to kill the model cities bill in 1966, and 97% to kill the rent supplements bill in 1965.

Senate Republicans voted: 69% to kill the Economic Opportunity Act of 1964, and 71% to kill the Unemployment Compensation Act of 1966.

The work ahead

The Johnson-Humphrey Administration has pledged vigorous action to protect and consolidate the gains already achieved for the American worker, and to extend the chance for a decent life to those still without it. The Democratic Administration proposed and the Democratic Congress enacted this year:

Truth in lending legislation, to protect the worker's hard-earned dollar, by eliminating hidden interest rates when he buys or borrows on credit.

The Educational Opportunity Act, to establish a new national goal of putting a college education within the financial reach of every worker's son or daughter.

A $2.1 billion manpower program—the largest in the Nation's history to help thousands of hard-core unemployed and other Americans find jobs.

The Housing Act of 1968, to insure decent housing for all.

A sweeping program to build 26 million new housing units over the next decade—enough to replace the shameful backlog of slum dwellings and rural shacks now standing. 300,000 of these will be started this year.

The Democratic goals for the American worker include two items still on the unfinished agenda:

The Occupational Safety and Health Act to protect 75 million workers against hazards on the job.

The Coal Mine Health and Safety Act of 1968 to protect the workers in what is now the most dangerous of all major industries in this country.

PROTECTING THE CONSUMER

"Our goal must be to assure every American consumer a fair and honest exchange for his hard-earned dollar."

President LYNDON B. JOHNSON,
February 6, 1968.

The needs of the consumer

Every American is a consumer. But today's marketplace has grown so vast and complex, the consumer needs help to assure him of the basic right to make fully informed choices among safe products.

Until 4 years ago, the consumer had little voice and no active representation at the topmost levels of government. Legislation to protect him was at a standstill.

The economic advance of the consumer

The unparalleled economic advances of the past 7 and a half years has brought more people into the marketplace than ever before, and has increased the necessity for consumer protection.

Personal income per capita increased more than 52%.

Consumption expenditures per person grew 28%, almost twice the rate of increase of the preceding 7 years.

The number of families with incomes above $10,000 has more than doubled.

More than 12 million Americans have moved above the poverty line.

Savings and financial security have increased: 23 million more families have opened savings accounts and financial assets of households grew $685 billion.

Millions of Americans have shared this abundance. In just the past 4 years: 5.5 million new homes have been built, 35 million new cars have been sold, health care has been greatly improved, and school enrollment and school completion rates have risen and well over 2 million more students are enrolled in college.

The Democratic record

The Johnson-Humphrey Administration supported by a Democratic Congress, has launched the greatest consumer protection program in history.

The consumer now has spokesmen:

Betty Furness, Special Assistant to the President for Consumer Affairs.

The President's Committee on Consumer Interests.

A new Consumer Advisory Council composed of 12 leading citizens.

The Consumer Counsel, a special Justice Department lawyer to insure better representation for consumer interests before administrative agencies and in courts.

Broad measures to protect the consumer's health, safety and pocketbook are now the law of the land.

The Wholesome Meat Act, to insure that the meat the housewife buys is safe and wholesome.

The Child Protection Act, to protect youngsters from dangerous toys.

The Traffic and Highway Safety Acts, to require safer cars and reduce deaths and accidents on the highways.

The Flammable Fabrics Act Amendments, to prevent tragedies from flammable fabrics.

The Fair Packaging and Labeling Act, to insure honest packaging and labeling so that the consumer knows what he is buying.

The Product Safety Commission Act, establishing a national commission to make sure that household appliances are not household hazards.

The Financial Institutions Supervisory Act, to increase insurance protection on savings accounts from $10,000 to $15,000.

The Fire Research and Safety Act, to reduce deaths and injuries from fires.

A "Truth-in-Lending" Law requiring full disclosure of all credit costs to consumers.

The Wholesome Poultry Products Act, to provide for better poultry inspection.

The Interstate Land Sales Full Disclosure Act to safeguard against land swindles that affect so many of our older citizens looking for retirement homes.

The Natural Gas Pipeline Safety Act, to prevent gas pipeline explosions and other pipeline safety hazards.

Legislation to authorize a comprehensive study and investigation of the automobile insurance system, to find the causes of high insurance costs and the means of providing fairer treatment for policy holders and speedier action for accident victims.

The Hazardous Radiation Act which was proposed to protect against hazardous radiation from television sets and other electronic equipment.

In four years we have seen a mutual effort on the part of Government, enlightened business leadership and consumer organizations to assure that the best practices of the American marketplace become the common practice.

The Republican record

Republican apathy for the consumer contrasted with the Democratic Party's concern was apparent 4 years ago:

In its 1964 platform, the Republican Party asked for: "an end to power-grabbing regulatory actions. . . . and the ceaseless pressing by the White House, the Food and Drug Administration, and the Federal Trade Commission to dominate consumer decisions in the marketplace."

But the Democratic Party pledged in both its 1960 and 1964 platforms: "effective Government representation and protection for consumers".

While the Democratic Party stood squarely behind the consumer:

More than half the House Republicans voted against the establishment of the Product Safety Commission.

Trying to delay action, 68% of the Senate Republicans voted for a Republican motion to refer the Fair Labeling and Packaging Bill of 1967 to another Committee before final passage.

PROTECTING OUR NATURAL HERITAGE

"Conservation's concern now is not only for man's enjoyment—but for man's survival."

President LYNDON B. JOHNSON,
March 8, 1968.

Background

Since the days of Theodore Roosevelt, Americans have recognized the importance of conservation. But until recent years, we did not meet the threat of massive modern industrialization which pollutes our air and water, and threatens the health and comfort of millions of Americans.

Our conservation efforts did not meet the needs of a rapidly expanding population.

The Democratic record

The New Conservation of the Johnson-Humphrey Administration has aimed at making the American environment safe, preserving the beauty of the landscape, and bringing park and recreation areas close to the people.

The Water Quality Act of 1965 and the Clean Water Restoration Act of 1966 laid the foundation for our first major efforts to curb water pollution.

Through these programs, 8,000 grants, totaling more than $1 billion, have been made to help construct $4.5 billion worth of treatment plants. This will help control pollution in 67,000 miles of water on which 66 million Americans depend.

The Clean Air Act of 1965 and the Air Quality Act of 1967 built a strong base from which we can begin to clean the air on a regional basis through research, standards, and enforcement.

The Solid Waste Disposal Act of 1965 launched a new program to find the most efficient ways of disposing of millions of tons of garbage, rubbish, junk autos, and other litter that clog the city and the countryside.

The Highway Beautification Act of 1965 laid the groundwork for attractive roads and enjoyable travel, free of endless stretches of billboards and junkyards.

Over 2.2 million acres have been authorized for addition to the National Park System.

For the first time in generations more land—1.7 million acres in 1967—is being preserved for conservation and recreation than is being developed for industrial or urban purposes.

32 of the 35 National Park system areas authorized in the last few years—seashores, lakeshores, parks and historic sites—are located within easy driving distance of large urban areas.

Creation of a National Water Commission to plot the course of water resource management for the next century.

Preserving new parks and recreation areas, by creating the Redwood National Park in California and the North Cascades National Park in Washington, and authorizing the development of the historic Potomac National River.

New legislation to create and preserve nationwide networks of scenic rivers and trails.

Attacking the problem of noise pollution by giving the Secretary of Transportation greater authority to regulate airplane noise.

Exploring the peaceful promise of the ocean's depths by launching an International Decade of Ocean Exploration for the 1970's in cooperation with other nations.

The Republican record

The House Republicans

66% voted to kill the Solid Waste Disposal Program of 1965.

87% voted against even considering the Rat Extermination Act of 1967.

77% voted to kill the Highway Beautification Act of 1965.

The unfinished agenda

The problem of conservation is always with us. As technology improves, as cities grow, as population expands, our people will need:

More recreational land, easily accessible from our population centers.

Better protection against misuse of our waters, and funds to construct water treatment plants.

Strong controls over air pollution.

The Democratic goals for the future

A safer environment, both for us and for future generations.

A more beautiful America, for the enrichment of all.

Abundant recreation areas for the enjoyment of all.

A heritage for our children—the priceless legacy of wilderness just as the first Americans saw this land.

THE AMERICAN FARMER

Our goal: "To assure the farmer his fair and full share of America's abundance."

President LYNDON B. JOHNSON,
February 27, 1968.

Farmers looking to the future on the basis of the record will place their trust in the Democratic Party.

Background

Under Republican Secretary of Agriculture Benson, farm policy was a disaster for the American farmer, and the pileup of surpluses approached a national scandal. During the Benson years:

Net farm income fell 17%, from a high of $14.1 billion in the last year of the Truman Administration to a low of $11.7 billion in 1960.

Farm surpluses piled up, reaching $8 billion. Cost to the taxpayer was over $1 million a day in interest and storage.

Public respect for the farmer had disappeared.

The Democratic record

Increased Farm Income

Net farm income rose 24% between 1960 and 1967. Net income per farm is now 62% higher than in 1960.

Farm Surpluses Eliminated

Feed grain stocks are near 49 million tons, sharply below the 85 million tons accumulated under the Republicans.

Wheat carryover is down to about 500 million bushels, far below the 1.4 billion bushels in 1961.

The inventory of commodities owned by the Commodity Credit Corporation is less than $1 billion, the lowest since 1952.

Improved Farm Programs

The Emergency Feed Grain Act of 1961 started the upward climb of farm income and the first reduction of surpluses in 8 years.

The Agriculture Acts of 1961 through 1964 improved programs for wheat, feed grains and cotton, wool and dairy products.

The Agriculture Act of 1965 provided a realistic 4-year voluntary program for the major crops. It has helped farmers to tailor their output to fit market demands, giving farmers a chance to conduct their operations on the same basis as any good businessman.

Operating loans and grants by Farmers Home Administration to help low-income farm families are up 60% since 1960, and loans to promote farm ownership are up nearly 500%.

Expanded Exports

Exports of farm products have increased nearly 50%, from $4.5 billion in 1960 to $6.8 billion in 1967, thanks to an improved Food For Freedom Program and a hard-driving export market development program.

Sales for dollars rose from $3.2 billion in 1960 to $5.2 billion in 1967, up more than 60%. This favorable balance of agricultural trade helps ease our balance of payments problem.

Farm exports provide jobs for about 1 million workers, a market for one out of every 4 harvest acres, and a total of over 71 million acres.

Shared Our Abundance

Agriculture is probably the most efficient industry in the U.S. today. It brings America's families the most nourishing food in the world at a farm-gate cost of only 5% of their disposable income, and only 6% if all farm program costs are included.

If U.S. consumers in 1967 had paid for food the same proportion of income as in 1960, they would have had $11 billion less to spend on other things.

The quality of American life has been raised by the Food Stamp Act of 1964, the Child Nutrition Act of 1966, the Wholesome Meat Act of 1967, and by an expanded School Lunch-Program.

We are providing three times as much for domestic food distribution programs, as we were in 1960.

Food for Freedom helps feed millions of people in friendly nations around the world.

Improved Rural Living

Rural housing assistance is nearly 13 times as great as in 1960; loans to improve rural electrification and telephones are nearly 60% greater.

Funds to build modern water and sewer systems in rural America have been expanded from less than $2 million in 1961 to almost $200 million in 1967.

The Republican record

Year by year, in the Congress, Republicans have voted against farm programs:

The House Republicans

100% in House Subcommittee AGAINST the Food Bank Bill in 1967.

85% AGAINST the Food and Agriculture Act in 1965.

94% AGAINST the Wheat-Cotton Bill in 1964.

99% AGAINST the Voluntary Feed Grains Bill in 1963.

99% AGAINST the Food and Agriculture Acts in 1962.

98% AGAINST the Emergency Feed Grain Bill in 1961.

The Senate Republicans

47% AGAINST the Food and Agriculture Act in 1965.

81% AGAINST the Wheat-Cotton Bill in 1964.

90% AGAINST the Voluntary Feed Grains Bill in 1963.

100% AGAINST the Food and Agriculture Act in 1962.

62% AGAINST the Emergency Feed Grain Bill in 1961.

The unfinished agenda

Even with achievements of the last 7 years, unfinished tasks remain. Per capita income on farms is still only 61% of that in cities. And America's farmers still have capacity to produce more than the market can absorb at fair prices.

A program for the future

To meet these problems, the Johnson-Humphrey Administration proposed and the Congress enacted this year:

Extension of the farmers' basic charter, the Food and Agriculture Act of 1965.

Continuation of the Food for Freedom program.

Increased focus on the problems of the small farmer.

Continued revitalization of America's rural heartland by improving human lives through decent housing, better jobs and community development.

VETERANS

"To care for him who shall have borne the battle and for his widow and his orphan."

ABRAHAM LINCOLN.

" . . . the members of the armed forces have been compelled to make greater sacrifices than the rest of us . . . they are entitled to definite action to take care of their special problems."

FRANKLIN D. ROOSEVELT.

"Today, as in times past, it is on America's fighting men that this nation must depend. Their service honors us all. We look to that good day when they will return as free, upstanding and self-reliant citizens."

LYNDON B. JOHNSON.

A nation of veterans

More than 4 out of every 10 men over 18 have served in the Armed Forces, nearly 26 million in all.

With their families and survivors, they account for almost half the U.S. population, 93 million people.

They are returning home in record numbers: 600,000 last year, almost 800,000 this year, more than a million in 1969.

The Democratic record

As a result of Johnson-Humphrey Administration legislation, supported by a Democratic Congress, today's veteran can:

Continue his education through a new GI Bill of Rights. It is now helping some 700,000 men and women.

Get increased pension payments to attain a better standard of living.

Receive the same medical care as veterans of earlier conflicts, if he is disabled or needs special treatment.

Buy a home with a VA-insured mortgage. About 235,000 veterans have become homeowners with this help. And, thanks to the Civil Rights Act of 1968, the Negro veteran and other minority group members can now live where they please without discrimination in the sale or rental of housing.

The democratic commitment

As a result of Johnson-Humphrey Administration efforts on behalf of the American veteran:

Appropriations have risen by $300 million a year, the highest peak in more than twenty years.

760,000 veterans, the greatest number in our history, will be treated in VA hospitals this year.

Ten new VA hospitals have been built; five more are under construction.

Nearly $48 million is going into medical research, a new high.

Half of all the nation's new doctors are receiving some part of their training through the VA.

Compensation and pension payments have increased by $500 million. In the past four years, $16.6 billion has been paid to more than 4.5 million disabled veterans and their dependents.

GI insurance has covered almost 4 million servicemen with $36 billion of protection.

Nearly $10 billion worth of home, farm and business loans were guaranteed or insured.

Program for the future

The Johnson-Humphrey Administration, supported by a Democratic Congress, launched in 1968:

Extending vocational rehabilitation benefits to service-disabled veterans being trained on a part-time basis.

Stepping up pre-discharge counseling to servicemen in Vietnam, all military hospitals, and over 260 military separation points.

Opening one-stop Veterans Assistance centers in 20 major cities as a pilot project to help veterans returning to civilian life.

Enrolling 500,000 men in Project Transition which is aimed at helping disadvantaged servicemen get ready for productive civilian jobs before they are mustered out.

Enacting a Congressional resolution urging private employers to give priorities to returning veterans.

Stepping up the training of medical specialists, with a goal of 80,000 a year in the VA system, to help overcome our Nation's shortage.

THE RECORD WITH AMERICAN BUSINESS

"If you would move America forward, I think you must first move its private citizens forward—and chief among them is the American businessman. . . . The promise for America is immense."

PRESIDENT LYNDON B. JOHNSON,
March 6, 1968.

Unparalleled prosperity

Ninety-two months of the longest and strongest economic expansion in our history brought unparalleled economic gains to business and businessmen.

Gross National Product: Up 69% from 1961; and running at mid-1968 at a record annual rate of $853 billion.

Corporate Profits: Up 106% from first quarter of 1961. By mid-1968, profits after taxes had risen to a record $50.3 billion.

Industrial Production: Up 60% from early 1961. All sectors of industry have shared in this expansion: Manufacturing production rose 61%, mining output gained 26%, and output of utilities climbed 68%.

Corporate Assets and Dividends: The value of corporate stock climbed $350 billion, or 67%. Dividends increased by 81%.

Productive Capacity: Real business investments have increased by 68%.

Housing Starts: Up 35%. Annual rate in August 1968 was 1.5 million units.

Sales: Sales by manufacturers, wholesalers, and retailers have increased substantially.

[In percent]

Increase in sales by:	*1953 to 1960*	*1960 to 1967*
Manufacturers	24	46
Wholesalers	29	47
Retailers	30	43

Construction: Construction firms have put up $466 billion of new homes, buildings, highways, and Federal facilities in the past seven years, 35% more than in the preceding seven years.

New Orders for Durable Goods: Up 79%. August 1968 orders totaled $25 billion, a new record.

Retail Sales: Up 60%. August 1968 sales totaled $29.2 billion, a new record.

Exports: Up 83%. Seasonally adjusted annual rate in mid-1968 was nearly $50 billion.

The fruits of business prosperity

This unbroken economic growth in business prosperity has helped all of the American people.

Personal income in mid-1968 was 67% higher than in February 1961, rising to a record annual rate of $678 billion.

10.5 million new jobs were created in the past seven years, and more than 12 million Americans rose above the poverty line.

Unemployment fell from nearly 7% in early 1961 to 3.6% in the first six months of 1968.

The democratic record of flexible economic policy

This unparalleled prosperity required imaginative and flexible action by Government in support of the inherent strength of American private industry.

Initial steps in 1962 were enactment of the 7% tax credit for investments in new machinery and equipment and depreciation reform. These lowered business taxes by 5½ billion and removing the drag of the tax system on private initiative.

The Revenue Act of 1964—the first legislative accomplishment of President Johnson—provided the largest tax reduction in history, cutting $11.5 billion in individual and corporate taxes.

In 1965, excise taxes were cut to lower these burdens on increased business activity.

But, maintaining this unparalleled prosperity requires the continuation of responsible Government action. The threat of inflation, rising interest rates, and balance of payments difficulties all require prompt enactment of the temporary surcharge on corporate and individual income taxes.

This penny-on-the-dollar tax increase will keep our economy strong and help maintain the steady growth of business.

Even with the surtax, tax rates will be substantially below the level prior to the 1964 tax cut.

The Administration will continue to follow prudent spending policies and the flexible fiscal and monetary policies needed to maintain the basic strength of the dynamic American economy.

Business leadership

Responsible business leaders have helped shape the policies which have led to prosperity.

They supported the 1962 and 1964 tax cuts, and the temporary surcharge which was enacted this year.

They have given important support to Administration programs to combat poverty, to increase education and health care, and to advance the welfare of all Americans.

Now business is a full time partner of the Administration in attacking the critical problem of hard-core unemployment.

The National Alliance of Businessmen has been formed to find jobs for 500,000 hard-core unemployed by June 1971.

Under the chairmanship of Henry Ford II, the Alliance organized businessmen in the Nation's 50 largest cities to obtain pledges for over 300,000 jobs in 9 months, with nearly 200,000 young people and hard-core unemployed placed in the jobs.

Business supplies the Government with expert advice on a variety of crucial problems: Balance of payments, transportation policy, marketing efficiency, economic development, trade expansion, and research and technology.

Government programs to assist business

The Administration has pioneered a variety of programs to help business grow:

Expanded Trade Opportunities

The Trade Expansion Act of 1962 culminating in the Kennedy Round tariff cuts averaging 35% on $8 billion of United States exports. Our producers can now compete in foreign markets more effectively than ever before.

295 overseas exhibits of United States products at trade centers and trade fairs for more than 10,500 American firms. Result: $60 million in on-the-spot sales; $381 million in subsequent sales.

Sales by American business increased 50% from $21 billion in 1961 to more than $31 billion in 1967, a new record.

Encouragement of Small Business

The Small Business Administration since 1961 has made or guaranteed over 141,000 loans totaling almost $4.3 billion to finance the creation and expansion of small firms and help them recover from natural disasters.

Since 1961, small business has obtained over $100 billion in Government contracts and subcontracts.

Spurring Regional Development

The Commerce Department's Economic Development Administration was organized in 1965 to help create new businesses and new jobs in lagging areas.

In the last three years, over $500 million in grants and loans has been made to help businesses locate in these areas.

Development commissions have been formed to attack problems in Appalachia, New England, Upper Great Lakes, Ozarks, the Southwest, and Atlantic Coastal Plains.

A Variety of Services To Aid Business

Economic analyses and special studies.

Improvement of the patent system has assisted business.

A U.S. Travel Service has been created to encourage foreign visitors to come to the United States.

SOCIAL SECURITY GAINS UNDER PRESIDENT JOHNSON

Mr. ALBERT. Mr. Speaker, Americans are proud of their country—of its history, its accomplishments, and its purpose. I think that we can be justly proud of the 89th and 90th Congresses—proud that, in a period of only 4 years, more significant improvements in this country's social security program were enacted than in all of the preceding 30-year history of the program. It is my firm belief that, in time to come, these improvements will be viewed as among the most important actions taken by the Congress during the years of the Johnson administration.

The greatest contribution to the well-being of senior citizens since social security was launched in 1935 was the provision enacted 30 years later enabling every older person in this country to receive hospital care—not as a ward of the State—not as a charity case—but as an insured patient. The medicare program today provides protection for 19½ million Americans age 65 and over, and for all future generations of older Americans. This legislation has removed the fear of older people that their lifetime savings will be wiped out by the heavy costs of major illness—or that they might have to turn to welfare or private charity or sons and daughters for help in meeting these costs. These were real fears before medicare was enacted; there are still many gaps that remain to be closed in the protection afforded by the program, but the medicare program has largely eliminated the major financial threat of illness for elderly Americans. Medicare's first 2 years of operation have really gone extraordinarily well. In these 24 months the medicare program has paid bills totalling more than $8 billion.

The 89th and 90th Congresses also increased cash benefits by an average of 23 percent over 1964 levels, significantly strengthening the purchasing power of all social security beneficiaries. When medicare is included, social security benefits for people 65 and older have increased in value by an average of more than 35 percent.

Furthermore, the amount of annual earnings that can be counted for social security purposes has been increased 63 percent—from $4,800 to $7,800. As a result, a man aged 50 in 1968 who earns $7,800 a year until he is 65 will get a benefit of $188.80 at age 65—almost 50 percent higher than he would have gotten under the law before the 1965 amendments. The ultimate maximum cash benefit for a worker contributing on the basis of higher creditable earnings has been increased from $127 to $218.

I think it is significant that while the benefits were being substantially increased, the amount of earnings a beneficiary can make in a year without decreasing his benefits was increased from $1,200 to $1,680.

We sometimes forget that social security offers protection to the young worker and his family as well as to those retired. Nearly 30 percent of social security contributions are used to pay benefits either to survivors or to young disabled workers and their families.

During the Johnson administration, the following improvements were made for the benefit of young workers:

First. Disability benefits are now payable to workers whose disability is expected to last for at least 12 months, rather than indefinitely, as under prior law.

Second. The length-of-work requirements for eligibility for disability benefits have been made easier to meet for workers who become totally disabled before reaching age 31.

Third. Children are now eligible for benefits based on their mother's work record in the same manner as they are eligible on the basis of their father's account.

Fourth. Benefits are now available to children after age 18, up to age 22, if they are students.

Fifth. Widows have been made eligible for benefits beginning at age 60, and disabled widows and widowers can now get benefits beginning at age 50.

I would like to mention another aspect of the social security picture. From time to time, we hear that social security is not a "good buy" for young workers. Almost always, these examples fail to take into account the value of the survivor and disability insurance protection provided under the social security program. One certainly can construct an example of a young man who lives to become 65, who will have paid maximum social security contributions, who did not become disabled, and of course did not die before reaching retirement age. The benefits this man will get, the argument goes, will amount to less than the contributions he paid, plus interest. And, indeed, there will be cases where this will turn out to be true. But no one can foretell that this man, or any other, will go through life without becoming disabled or will not die prior to retirement age leaving survivors eligible for benefits. And it seems to me ridiculous to ignore the fact that the man did have disability and survivors protection all his working life.

The truth of the matter is that, as a group, young employees will get social security protection that will be worth far more than the social security contributions they pay.

Thus, under the leadership of President Johnson, the social security system has been strengthened for people of all ages—from our children to our older citizens. This is an achievement that can never be taken away from those who worked to improve social security

THE NATION'S FIRST URBAN PRESIDENT

Mr. ROONEY of New York. Mr. Speaker, I am not the first, nor will I be the last to suggest that history will recognize President Lyndon B. Johnson as this Nation's first "urban President." No President has shown a greater perception of the plight of our cities. No President has shown more compassion for the people who live in them. And no President has done more to harness together the resources of private industry, the universities and the Federal Government in a concerted effort to revitalize the city.

As Lyndon Johnson has pointed out, there is no single solution to the problem of the cities. But thanks to his foresight and perseverance, we now have more than a hundred programs working toward solutions and have committed more than $22 billion to our cities.

President Johnson has said:

> The city will not be transformed until the lives of the least among its dwellers are changed as well. Until men whose days are empty and despairing can see better days ahead, until they can stand proud and know their children's lives will be better than their own—until that day comes, the city will not truly be rebuilt.

Let me briefly review some of the steps taken by this administration that has served to improve the quality of life for millions of urban dwellers:

The Civil Rights Acts of 1964 and 1965 outlaw discrimination in public accommodations, employment and voting.

Job training has been made available for nearly 2 million disadvantaged men and women, who can now support themselves and their families in dignity and self-respect.

The Elementary and Secondary Education Act of 1965 assists schoolchildren from deprived areas.

Medicare and medicaid bring new hope to the elderly by reducing the costs of needed medical services.

The first national effort has been made to reduce the pollution that clogs so many of our cities.

The Economic Opportunity Act of 1964 has already lifted 6 million Americans out of poverty.

Such programs as Headstart, the Neighborhood Youth Corps, and Upward Bound tackle some of the tougher problems of inner city education.

Inevitably, the human and the physical problems of the city merge. It is at this juncture that the Department of Housing and Urban Development—the Cabinet-level voice of the cities created just 34 months ago—finds its mandate. And it is the Housing and Urban Development Act of 1968 that reflects most fully the Johnson administration's commitment to revitalizing our cities.

The Housing and Urban Development Act, for the first time, sets a national goal of 26 million new and rehabilitated homes over the next 10 years, with 6 million federally assisted housing units to replace the substandard housing that 20 million Americans now call home. This act will enable 100,000 low-income families to buy or repair their own homes—a cherished dream for most Americans.

By involving private industry in the new turnkey concept 375,000 public housing units can be started.

Funds are authorized to promote improved tenant services in public housing, enabling occupants to take better advantage of job, health, and educational opportunities.

New homeownership and rental housing programs will support the construction of nearly 1¼ million dwellings over the next 3 years.

Nonprofit organizations, such as church groups and fraternal orders, are encouraged to sponsor housing. The Housing and Urban Development Act provides needed technical assistance and skills to these nonprofit sponsors through grants and loans, so that they can enlist architects, engineers, and financial experts to speed construction of low- and moderate-income housing.

The act strengthens the model cities program—a landmark of the Johnson administration. Model cities combines the resources of Federal, State, and local government with those of private industry in a concerted attack on both the human and the physical problems of blighted areas. Today 108 cities are developing plans to improve their blighted neighborhoods and by 1969 we expect 150 cities—of all sizes and in all sections of the country—to be participating in the program.

This act establishes a new neighborhood development program to accelerate the process of urban renewal—enabling cities to start simultaneously with demolition and rehabilitation and other improvements instead of waiting until the overall plans are approved and funded.

Because of the risks involved, it has generally been the practice of insurance companies to deny protection to homeowners or businessmen in areas prone to riots. The Housing and Urban Development Act, by protecting companies against excess losses, now makes it possible for the insurance industry to take the lead in assuring property owners fair access to insurance. Since the President signed the bill, I am informed that insurance companies representing 80 percent of the industry in this country have agreed to participate.

In his message on housing and the cities last February, the President called for a new partnership between business and government. Such partnerships, authorized in the new housing and urban development legislation, will permit industrial and financial firms to pool their investments and spread their risks over a large number of projects. By taking advantage of existing tax laws, operating losses over the first 10 years can be offset against the investors' other taxable income, making possible an annual cash return comparable to the average earnings in other manufacturing enterprises.

These partnerships will not only attract needed capital but also top flight management personnel and technical experts, and will create job opportunities for the very people who will live in the new housing projects.

Congress has also responded to the President's call to insure that home financing remains competitive with alternative long-term investment opportunities. The Secretary of Housing and Urban Development is authorized to adjust FHA interest rate ceilings and the secondary market operations of the Federal National Mortgage Association are being transferred to private ownership.

Another section of the act encourages the development of new communities through a federally guaranteed "cash flow" debenture. The developer need not make large payments on his debts until cash returns flow from the sale of developed land for housing, shops, and industrial sites.

These are some of the programs which President Johnson has introduced to preserve and rebuild the cities and to pave the way for useful development of the space that will be needed by generations to come. They are wise, thoughtful and prudent programs. And they call for prompt and responsible action by all of us—the churches, the unions, business corporations, the universities, and all levels of government.

> If the promise of the American city is to be recaptured—

Said President Johnson—

> if our cities are to be saved from the blight of obsolescence and despair, we must now firmly set the course that America will travel.

I think all of us agree with the President and we must insure that the programs he began are implemented and carried out in the future.

THE JOHNSON RECORD ON PROSPERITY

Mr. ROSTENKOWSKI. Mr. Speaker, the American economy, under the vigorous leadership of the Johnson administration, is the envy of the world.

Nothing before compares with the current business expansion, now entering its 91st month.

The gross national product—the broadest economic measure of all—advanced almost $20½ billion in the second quarter of 1968, surpassing the previous record increase of nearly $20¼ billion in the first quarter.

Almost every indicator of economic strength is buoyant.

Industrial production again rose in July, 5½ percent above its July 1967 level.

Nearly 78 million people are at work, more than ever before.

National income rose $16½ billion in the second quarter with strong advances in all income components. Personal income increased almost $15½ billion.

The community of economists is generally agreed that the business expansion will continue, but the impact of the 10-percent income surcharge and the leveling off of defense expenditures will tend to cool things off toward the end of the year.

As these forces begin to exert influence on the economy, we can now see the first indications of easing of interest rates which could cause a decline in the cost of borrowing money, along with increased availability of credit. New housing starts in this July rose 12 percent above starts for July, 1967.

And the conditions that caused our record business expansion did not just fall into place. The actions that created this situation were taken by President Johnson. President Johnson has obtained from the Congress the most far reaching package of legislation in this country since the 1930's.

We are the world's most envied people.

We are far from being a "sick" society. The inherent strengths of the Nation are many, and often overlooked.

The United States is so far ahead of other parts of the world that even Europeans are lamenting they will not be able to close the gap, now or in the future.

Close analysis beneath the surface shows that steady progress is being made to solve a number of complex problems.

In the pragmatic American way, minority Americans by the thousands are moving from poverty into the middle class. President Johnson has pointed out that in the last 2 years more Negroes and nonwhites have risen from poverty than in all the previous 6 years combined.

Our unmatched economic revolution has been made possible by a planned assault against imbalances and imperfections which caused three recessions in the years 1953 to 1960. The uninterrupted economic growth since February 1961 is the longest period of continuous expansion ever recorded.

In February 1961 unemployment stood at 6.9 percent of the work force and there was a gap of nearly $50 billion between the value of goods and services the economy actually was producing and what it was capable of producing at full employment.

At that time the American economy simply was not moving along. Recessions caused deficits, unemployment appeared chronic, and our rate of growth compared unfavorably with other Nations.

Prompt fiscal measures taken to turn the economy around included the 1962 tax changes, which strengthened investment incentives by liberalizing depreciation allowances and by introducing a tax credit for investment spending; the 1964 tax bill, which added about $14 billion of purchasing power to the economy; and the excise tax reduction of 1965.

What has occurred is amazing. The gross national product, in terms of 1968 dollars, has gone up by $267 billion. That gain is larger than the total real output of the United States in 1937.

Despite inflationary pressures, the dollar today is still the most prized currency in the world. Between 1957 and 1967 the purchasing power of the West German mark—one of the strongest of the European currencies—declined 21 percent, while the U.S. dollar declined only 16 percent.

All elements of the economy grew during this expansion, as these statistics indicate:

Jobs increased by 10½ million; total employment in July, 1968, was 77.7 million persons.

The unemployment rate fell from 6.9 percent to 3.8 percent.

Industrial production increased almost 60 percent.

After-tax personal income grew by $232 billion, or 65 percent.

After-tax corporate profits rose by $26 billion, or more than doubled.

Personal consumption spending rose $200 billion, or 60 percent.

Liquid savings of the American people increased from $400 billion in 1960 to $675 billion today.

Nonbank business net working capital was $132 billion in 1960 and is $205 billion today.

Public and private expenditures on education rose from $27 billion to $52 billion; on health from $27 billion to $50 billion.

Annual investment in manufacturing rose from $14½ billion to 27½ billion.

A dramatic way to summarize this economic growth is to put it in the terms of per capita disposable income. In America, as of 1967, it came to $2,744 per person, or 45 percent more than per capita income in Canada and the United Kingdom and 70 percent more than in France.

The same willingness to face and solve domestic problems also marks the Johnson administration's approach to American conduct within the international monetary system. Since World War II this cooperation has raised world trade and prosperity to new heights.

President Johnson has recognized that economic health of the world's nations is interdependent, that there is no such thing as a prosperous America in an economically unhealthy larger community of nations.

So, in 1965, the Johnson administration, with welcome bipartisan support, took the initiative to begin strengthening the international monetary system which stood in danger of faltering because it could not support the rising volume of trade and economic development.

Some new form of additional money reserves was essential. The result, achieved after long and patient negotiation, was a new reserve asset called special drawing rights to member nations of the International Monetary Fund.

This concept, when adopted and implemented by the International Monetary Fund, assures a continued flow of capital to finance burgeoning world trade.

In a major effort to help bridge the gap between the "have" and the "have-not" nations, the Johnson administration has created or strengthened financial institutions managed in cooperation with other nations. Among these are the Inter-American Development Bank, the Asian Development Bank, instituted under President Johnson's leadership, and the International Development Association—the facility of the World Bank devoted to special needs of less-developed nations.

But what of the future? There is general agreement that between now and 1975 the United States has the potential for steady economic growth rates of up to 4½ percent.

This would mean a gross national product at today's prices of well in excess of $1 trillion.

With continued orderly economic growth, our attacks on poverty, urban decay, and lack of opportunity for self-improvement will move steadily onward.

We will see—if our leadership is courageous—actions similar to those which raised social security benefits in 1961, 1965, and 1967.

And we will see increased Federal spending on health, education, and welfare, greatly facilitated by an expansion of Federal revenues. Had the economy merely maintained the sluggish growth of the 1950's, the revenues simply would not have been available to finance the humanistic, imaginative new social programs of the later years.

These solid achievements came from an American economy operating efficiently and close to capacity. They came from economic policies wisely conceived and well executed.

PRESIDENT JOHNSON DID MORE FOR U.S. WAR VETERANS

Mr. **MATSUNAGA**. Mr. Speaker, during the past 5 years the Congress has set a new high standard of legislative accomplishment for our country's veterans, their dependents and survivors, which may never be equalled.

All of us in the Congress can take just pride in the role we have played in serving those who have served our country, but in so doing we must give credit where credit is due.

President Lyndon B. Johnson conceived, requested, and recommended much of the imaginative and constructive veterans legislation enacted by the Congress these past 5 years.

Let's review briefly the record-setting accomplishments of President Johnson's administration on behalf of America's 26 million living veterans and their families. These accomplishments merit review because they affect directly nearly half of the entire population of the United States.

Nothing better exemplifies the dynamic, creative concern of this administration for the welfare of America's veterans than President Johnson's precedent-setting veterans message to Congress in January 1967. And nothing better demonstrates the breadth and constancy of this concern than the President's second special veterans message to Congress in January 1968.

This second message alone on behalf of America's servicemen and veterans, whom the President justly called "our pride and our strength," contained 15 specific legislative and administrative proposals. No matter how long any of us may have served in Congress we cannot cite another veterans message of comparable magnitude.

These special messages and the many other veteran benefit programs proposed by the President to the Congress or undertaken administratively at his direction address themselves to the most pressing needs of all veterans, young and old alike, and to their families.

On January 1, 1969, more than 1 million beneficiaries on the VA's pension rolls will have their monthly pension checks increased as the result of Public Law 90–275. This will be the third increase in 4 years in pension rates.

Also, effective January 1, 1969, compensation payments to approximately 115,000 veterans totally disabled in service will be increased from $300 to $400 a month, and 1,840,000 lesser disabled veterans will receive an average 8-percent increase in compensation benefits.

Counting the $50 monthly increase provided in Public Law 89–311, effective December 1, 1965, compensation benefits for 100 percent disabled veterans will have been increased $150 a month—or 60 percent—in a 37-month period.

Last May the President signed Public Law 90-301, increasing the maximum amount of the Veterans' Administration home loan guaranty from $7,500 to $12,500. This one law alone is expected to result in VA's guaranteeing as many as 40,000 additional loans in the amount of $700 million in this fiscal year.

Perhaps, no legislation enacted by Congress during the past 5 years is of greater significance than the post-Korean or third generation GI bill.

Statistics alone cannot tell the story of the ultimate impact of this GI bill upon the lives of the veterans and the progress of our country, but we should be aware of the fact that since the education and training program of this GI bill went into effect on June 1, 1966, more than 840,000 post-Korean veterans have taken advantage of its provisions.

All told, 42 separate pieces of legislation affecting veterans have been passed by the 89th and 90th Congresses. Such results, I submit are ample cause for gratification among the beneficiaries.

Compassion and concern for our Nation's veterans, their dependents and survivors, have been expressed by this administration in many ways. None has been more dramatic than its wholehearted support of the VA's second-to-none program of hospital and medical care for our sick and disabled veterans.

Today, top quality VA medical treatment is being provided our veterans. In fact, in the fiscal year just ended, some 762,000 patients—the greatest number in VA history—were treated in the agency's 166 hospitals.

To appreciate the true magnitude of this service we need only look back 10 years—to fiscal year 1958—when VA treated only 608,000 patients—or 154,000 fewer—and yet operated with more hospital beds then than it does today.

With 26,300,000 living veterans—and 70,000 servicemen a month being returned to civilian life to join the ranks of our veterans—it is not surprising that the number of veterans seeking hospitalization is at a record high. Despite this demand the waiting list at VA hospitals is at an all-time low. At one time as many as 30,000 veterans were awaiting hospitalization, and the number was over 25,000 just 10 years ago. At the present time the waiting list is down to 3,600 veterans in the continental United States, none of whom seeks treatment for a service-connected condition.

Perhaps the most significant accomplishment of the past 5 years is the philosophy and policy of President Johnson that it is not enough for our Government to offer benefits to veterans on a "take it or leave it" basis.

Today, our Government is vigorously seeking out and assisting our returning Vietnam era veterans.

This turnabout in philosophy has been made meaningful through the creation of U.S. Veterans Assistance Centers—offering one-stop, multiagency service—in 21 major cities throughout the United States.

Through VA's counseling service at seven major military bases in Vietnam servicemen are briefed on their veteran benefits before they return stateside.

Bedside counseling service is provided in all U.S. military hospitals and briefings at all separation points throughout the country.

Extreme emphasis is being given by VA to seek out and serve especially the educationally disadvantaged returning Vietnam era veteran.

Because the needs of America's veterans are not static, veteran benefits must change. But this change must be orderly and timely and effective. To insure this the U.S. Veterans Advisory Commission was appointed in early 1967 at the direction of the President. Composed of outstanding veteran leaders, the Commission made a year-long study of needed changes in veteran benefits, held hearings throughout the country, and talked to thousands of veterans. Many of its recommendations have already been acted upon by the Congress and no doubt others will be considered by the Congress.

President Johnson's advocacy of legislative benefits and improved services for our Nation's veterans will surely go down in history as one of the finest accomplishments of a man who has accomplished so much for all America. We can all be grateful that Lyndon B. Johnson served as President of these United States.

PRESIDENT JOHNSON AND AMERICA'S WORKERS

Mr. O'HARA of Michigan. Mr. Speaker, in October of 1929, a calamitous break in the New York stock market signaled the beginning of the greatest depression in history. Its repercussions were monumental. No facet of the American economy emerged untouched. The condition of the American people sank to an all-time low.

In 1932, Franklin D. Roosevelt issued his answer to the people, his plans that would "build from the bottom up and not from the top down," that put the faith once more in the forgotten man at the bottom of the economic pyramid. It was an unprecedented response to America's plight. Unprecedented, because at no previous time in history had a government responded so enthusiastically to the needs of the majority of its citizens.

In stark contrast, the 1960's have seen a period of unparalleled social and economic prosperity, a period of achievement surpassing anything mankind has ever known. Yet, while the majority of our people are today enjoying a standard of living unknown to most in the 1930's, there are those of our citizens whose condition closely parallels that of most Americans some 36 years ago.

While the number of our disadvantaged citizens is relatively small, President Johnson has responded with vitality and innovation. And because of his reaction, the elimination of poverty is not just an empty dream, but a national goal.

President Johnson has challenged America to a bold course of action and the Nation is beginning to respond. This response is offering an extension of hope, on an unprecedented scale, to those who before were condemned to a hopeless future.

Most significantly, the past 5 years have seen a marked shift in emphasis in our dealing with the problems of employment development, a shift to maximum concern for the individual, his problems, his needs, his demands, and his potential.

It was recognized that help must find the needy. They had to be sought out, and offered everything necessary to move them across the line from despair to hope.

The American Negro suffered from despair. While the Nation's unemployment rate began to decline, unemployment among Negroes was twice that of his white counterpart. In mid-1964, the white unemployment rate stood at 4.3 percent. For the Negro, the rate was 9.9 percent. His lack of adequate training in the face of a rapidly advancing technology threatened to perpetuate that disparity.

And for America's Negro youth, new members of our labor force, that despair was intensified. While in mid-1964 the unemployment rate for a young white man 16 to 21 years of age stood at 4.9 percent, a young Negro man 16 to 21 years of age faced an unemployment rate of 29 percent.

The first in the Johnson administration's massive attempts to remedy this situation was the landmark Economic Opportunity Act of 1964, which brought to the scene the Job Corps and the Neighborhood Youth Corps. Later amendments to that act, specifically those of 1966, created other needed programs including new careers, special impact, and operation mainstream.

By mid-1968, the Neighborhood Youth Corps had provided 1,400,000 job opportunities; new careers, 10,700 job opportunities; special impact, 14,000; and operation mainstream, 15,000. The Job Corps had enrolled some 161,000 young men and women.

A landmark Civil Rights Act was enacted in 1964 to assure equal opportunity for all of America's citizens, and specifically to assure equal employment opportunity for all. That act was followed in 1965 by Executive order 11246, which reaffirmed the policy of nondiscrimination in Federal Government employment and in Government contract employment.

Revolutionary legislation and innovative programs to further help America's work force came about in 1966.

The original Manpower Development and Training Act had been passed in 1962. It was, at that time, geared primarily to the problems of technological displacement, which was of the uppermost concern. By 1966, however, it was apparent that a changing manpower situation necessitated a redirection of that act.

In a major reevaluation of the program, it was decided that the training effort must be "person oriented;" that is, directed to reclaiming the hard-core unemployed. Special groups with the greatest employment difficulties were identified: Culturally impoverished and poorly educated youths, the unemployed of middle age or older, minority groups, persons with low educational achievement, the long-term unemployed, and the rural poor. Part of the training effort would be "job oriented," focusing on the needs for trained personnel in occupations with skill shortages.

By mid-1968, over 1 million Americans had been enrolled in training programs, and in special programs designed to meet the needs of Mexican Americans, prison inmates, returning veterans, and our rural citizens.

That year also saw an increase in the Federal minimum wage, and an important increase in the number of people covered by the law as some 9.7 million employees of hospitals, nursing homes, schools, laundries, drycleaners, and large hotels, motels, restaurants, and farms were brought under its protection. By 1966, 43 million workers were covered under the act. And by 1968, the minimum wage had been raised again.

In 1966, the Nation's first effort to attack urban blight on a massive scale was inaugurated with the inception of the model cities program. While five Presidents and 15 Congresses had forged a Federal response to the pressing problems of housing and urban development, there had been only scatttered progress.

Today, the planning grants under the model cities program include a manpower component for job training and employment.

The early 1960's had seen a realization that those Americans most desperately in need of help were often being just barely reached, or not reached at all. Many of those in the worst urban and rural slums were living a day-to-day existence untouched by the very programs designed to help them.

In 1967, the concentrated employment program, perhaps one of the most ambitious attempts to reach the hard-core unemployed, was initiated to remedy this. It consolidated all existing welfare and manpower programs into a unified effort to find, train, and place the hard-core unemployed. Today, it operates in 76 cities and rural areas, where the most persistent problems of unemployment and decay exist. So far, 30,000 persons have been placed in jobs; 75,000 have been served through this concentrated effort.

Another important development of 1967 was the passage of the Age Discrimination in Employment Act, designed to improve the employability of older workers on the basis of ability rather than age.

This year, 1968, the administration has launched the most massive and urgent job program in the history of the Nation, a concentrated effort enlisting America's businessmen to find and train the Nation's hard-core unemployed.

Responding to a personal request from President Johnson, prominent business executives formed the National Alliance of Businessmen to spearhead the job opportunities in the business sector program. Its goal: to place 100,000 unemployed by the end of 1968, and 500,000 by mid-1971 or earlier. Under the program, the Government would seek out the hard-core unemployed, channeling them to business opportunities where they would be trained and hired.

The response so far from America's businessmen has been gratifying. By mid-1968, 165,000 job pledges had been received.

Earlier this year, President Johnson signed Executive order 11422, strengthening the cooperative area manpower planning system which helps plan and carry out the Nation's $2.1 billion manpower program. The purpose of his action was to improve coordination of the programs, and to give local areas a more active role in formulating manpower programs to meet their community needs.

As the President said upon signing the order, "By more effectively linking Federal manpower activities with the resources at State and local levels, we will better be able to deliver all those services needed to equip the unemployed for today's jobs."

America stands today at a new point in history. There is prosperity across the land. The American worker is sharing in that prosperity as he has never shared before.

In the past 4 years alone, 6,684,000 more Americans have found jobs, while the rolls of the unemployed dropped by well over half a million. Long-term unemployment dropped some 55.1 percent, while nearly 1 million more Negroes found jobs, their unemployment rate dropping 30.3 percent.

During the same 4 years, average hourly earnings in manufacturing increased 18.6 percent, standing today at the landmark figure of $3 per hour. Real spendable weekly earnings rose 3.1 percent.

In light of these accomplishments, we can foresee, for the first time, the day when no man must contemplate a future which places him perpetually at the bottom of the employment ladder, when no man or woman will be denied the opportunity to work because he or she could not obtain the necessary training.

In short, America can now see the day when every American will be given the opportunity for just and rewarding work, because that opportunity is theirs to enjoy as a right—as an American, and as a human being. And when that day arrives, Lyndon Johnson will have played a major role in bringing it about.

PRESIDENT JOHNSON FIGHTS POVERTY

Mr. WILLIAM D. FORD. Mr. Speaker, in his 1964 state of the Union message, President Johnson proclaimed that for the first time in our history the elimination of poverty would become a national goal.

He said:

> This Administration today, here and now, declares unconditional war on poverty in America and I urge this Congress and all Americans to join with me in that effort.

Today, we may well ask: How faithfully has that promise been kept? How well has that war been waged?

In order to answer these questions we must look back to 1964 and remind ourselves of conditions in America before we launched our attack on the poverty we had so long neglected.

Few Americans in 1964 were aware that large-scale, bitter, grinding poverty still existed in our Nation. Most of us could recall the days of the great depression with its breadlines in our cities—its closed factories and foreclosed farms. Its general unemployment and total lack of opportunity. But as we looked around in 1964, we saw a totally different landscape. Jobs by the millions; opportunity for all. New industries. New homes. Automobiles clogging our highways and new suburbs rising out of the green and pleasant countryside.

We saw no breadlines. We saw no closed factories. Instead of stagnation and decay, we saw only the upward curve of the Dow Jones average and the soaring statistics of the gross national product.

But slowly our eyes were being opened by a handful of writers and social scientists. We were introduced to a landscape of poverty in America. It was hard to believe. Yet the painful facts could not be denied.

Poor Americans had more in common with the depressed peoples of the underdeveloped world than they did with prosperous middleclass Americans.

It was no easy challenge the American people undertook 4 years ago. But the promise was made by President Johnson in the name of the people, and that promise is being kept. The evidence is there for all to see.

Four years ago, about 34 million Americans were living in poverty; poverty as defined by an income level of $3,000 per year for a nonfarm family of four. Millions more lived only slightly above this arbitrary line, but they were not counted in our census of the destitute.

In 1964, 1 in 7 of our white Americans was poor. Even more shocking and shameful was the fact that almost one-half our non-white citizens were poor.

The President has enunciated his declaration of the war on poverty in January 1964. That summer, the Economic Opportunity Act was passed. And by November, the first programs were in action. Rarely, in peacetime, has our political machinery responded at all levels of government with such determination and dispatch.

By December 1967, more than 7 million Americans had moved up out of poverty across that line separating hope from despair. By 1967, only 1 in 10 white Americans was poor contrasted to the 1 in 7 in 1964. But even more compelling is the fact that poverty among nonwhites had been reduced from one-half to approximately one-third. In 1 year alone, 1967—almost 3 million people came out of poverty, 1.9 million whites and 1 million nonwhites. That is the greatest exodus recorded since the country began keeping detailed poverty statistics.

These numbers tell us that the war against poverty is succeeding. It is providing poor Americans with ladders upon which they can climb out of the darkness of deprivation.

There are those who have attacked the war on poverty. They have highlighted its shortcomings with sensational prose and advertised its short-falls as if it were never on target.

In the light of our ignorance about the nature and extent of poverty only 4 years ago and the speed with which we launched our war, I find it remarkable that as a nation we have done so well and come so close to the objectives originally established.

In his special message to the Congress in 1964, President Johnson outlined five basic opportunities which were the objectives of the war on poverty.

First, to give "almost half a million underprivileged young Americans the opportunity to develop skills, continue education, and find useful work."

Here is the record:

Well over 1 million Americans have been provided work opportunities to help them stay in school, return to school or increase their employability through Neighborhood Youth Corps.

More than 190,000 young men and women, dropouts from school and from society, have been enrolled in Job Corps. Seventy percent of these youth have gone on to successful employment, returned to school, or volunteered for the Armed Forces.

More than 2 million deprived children have increased dramatically their chances for success in life through the enrichment and caring of Headstart.

More than 34,000 teenagers are now able to aspire to a college education, thanks to a program called Upward Bound. And this summer, I am delighted to say, the first four of these Upward Bound students who 4 years ago almost surely would have been dropouts—have graduated from college.

Just a few months ago American business promised to join with the Federal Government in providing 500,000 jobs in 3 years and 100,000 jobs the first year to disadvantaged persons.

Second, the President said:

> We will give every American community the opportunity to develop a comprehensive plan to fight its own poverty and help them to carry out these plans.

Here is the record:

In less than 4 years, more than 1,000 communities have been organized, funded, and staffed to meet and solve local needs as envisioned by the community to be served.

Since 1964, more than 12 million needy Americans have participated in these local programs.

More than 100,000 citizens for all walks of life have been involved as both board members and officers.

Over 50,000 poor people are now working in new and meaningful careers made possible by Community Action programs.

Third, the President said:

> We will give workers and farmers the opportunity to break through the particular barriers which bar their escape from poverty.

Here is the record:

Over the past 4 years, more than 250,000 migrants and seasonal farm workers have been reached with programs of education, day care, health, and housing.

Sixty-five thousand impoverished families have received credit or counseling services under the rural loan program.

Almost 2 million poor people have received legal services to take off their backs the added burdens of injustice or ignorance of the law.

Three hundred thousand poor adults have been enrolled in work experience or job training programs.

Fourth, the President said:

> We will give the entire Nation the opportunity for a concerted attack on poverty through the establishment, under my direction, of the Office of Economic Opportunity, the national headquarters for the war on poverty.

Over the past 4 years the OEO has been the focus of controversy and debate as it has attempted to carry out its complex and difficult mission. But the very fact of its existence, apart from any evaluation of its performance, has made a significant contribution to the war on poverty. For the first time there has been an organization whose sole responsibility is the amelioration of poverty. The OEO has not succeeded in everything it has attempted, but its record of success is outstanding. It has brought the private sector into a meaningful partnership in the design, operation, and evaluation of programs—not for profit—but for social good. It has encouraged the medical, legal, and educational establishments to alter drastically their traditional approaches and systems of bringing professional services to poor people. It has instilled in local government and public and private agencies an entirely new sense of responsibility for the alleviation of local poverty. It has changed the traditional forms of operation and coordination among the giant Federal departments to make them more responsive and more immediately available to those in need of their skills and services.

We can now see the time when all Americans will have enough to eat, decent housing, education equal to the demands of meaningful jobs, career opportunities, and good health.

Four years ago, the President said:

> Our joint Federal and local efforts must pursue poverty wherever it exists—in city slums, in small towns, in sharecropper shacks, or in migrant workers' camps, in Indian reservations, among whites as well as Negroes, among the young as well as the aged, in the boom towns and in the depressed areas.

Walk the streets and paths of these places today. You will see in every major city and most smaller ones, in every poor county, on Indian reservations, in migrant camps, in the Appalachian hollows, and the isolated villages of New England, proof that we have indeed pursued poverty wherever it exists.

Not with enough resources. But we are determined there will be more.

Not with enough volunteers. But we know that more will join us.

Not with enough skills. But we are learning and our skills will improve.

We have achieved much in our war on poverty. We have much still to accomplish. As the New England poet, Robert Frost, said in words which a man from the Kentucky mountains can understand:

> "For we have promises to keep
> And miles to go before we sleep,
> And miles to go before we sleep."

* * *

NATIONAL PARKS SYSTEM

Mr. WHITE. Mr. Speaker, last week President Johnson signed four important conservation bills: Redwood National Park; North Cascades National Park; National Trails System; and National Scenic Rivers System.

By this action four more bills were added to the great conservation record of the Johnson administration. Also, it is not widely recognized more conservation bills have been enacted during the administration of Lyndon Johnson than in the entire previous history of this country. On the occasion of the bill signing last week, the National Geographic Society issued a statement praising President Johnson for his efforts on behalf of conservation and recreation.

As a member of the Committee on Interior and Insular Affairs I have worked long and hard to help safeguard American natural heritage and I can assert without hesitation that the laudatory remarks by the National Geographic Society are fully justified by the Johnson conservation record.

I insert in the RECORD the statement issued by the National Geographic Society:

STATEMENT BY THE NATIONAL GEOGRAPHIC SOCIETY ON PRESIDENT JOHNSON'S ENLARGING THE NATIONAL PARKS SYSTEM, OCTOBER 2, 1968

In signing four conservation measures today (October 2), President Lyndon B. Johnson widely expanded recreational opportunities for generations of Americans.

The National Georgraphic Society rejoices in the establishment of the Redwood National Park, the North Cascades National Park, the National Trails System, and the National Scenic Rivers System.

Creation of the Nation's 34th and 35th national parks and initiation of a similar preservation system for rivers and trails continues a tradition that has enriched the life of every American.

The Society, through half a century of cooperation with the National Park Service and conservation organizations, has an intimate knowledge and appreciation of the Nation's historic and wilderness domains.

On September 20, Dr. Melville Bell Grosvenor, Chairman of the Board and Editor-in-Chief of the Society, said in a telegram to President Johnson that passage of the conservation legislation "culminates a remarkable conservation record . . . much of it never dreamed of before your Administration.

"You fought for these projects and devised an ingenious way of paying for them through the Conservation Fund, not tax dollars. Congratulations to you, Mr. Johnson, and your Interior Secretary. You have done more for conservation, the preserving of the natural beauty and scenic wonders of the United States than any President in history. This no one can deny.

"Generations of Americans will thank you and remember you for these accomplishments."

Dr. Grosvenor is a member and former chairman of the National Advisory Board Council for National Parks, Historic Sites, Buildings and Monuments.

At the bill-signing ceremony in the East Room of the White House, President Johnson expressed gratitude to Dr. Grosvenor for giving him the "courage to pursue these great acts of conservation."

AMERICAN SPACE ACHIEVEMENTS UNDER LYNDON JOHNSON

Mr. DADDARIO. Mr. Speaker, President Johnson is properly called the principal architect of America's space program. As Senator and Vice President he worked unceasingly to assure this country a role of leadership in the exploration of space. Five years ago, as Vice President and chairman of the National

Aeronautics and Space Council, President Johnson said:

> The age of space is, for all regions of America, a second industrial revolution, a revolution that is bringing a new future, a new degree of participation, a new scope of contribution for every region of our country, and for every segment of society.

Under President Johnson's leadership in the Senate the Space Act was passed in 1958, creating the National Aeronautics and Space Administration. This was an act setting up a charter to win for this country a preminence in the peaceful exploration of space.

NASA pulled together widely scattered efforts in aeronautics and space, and built an organization unique in this country's history. It has contributed to the technological competence so vital to modern industrial society.

Our first efforts seem puny in comparison with our current accomplishments. Explorer I weighed a little over 30 pounds and was about the size of a basketball. Saturn V, by comparison, has an initial thrust of 7.6 million pounds and can put into low earth orbit 285,000 pounds. Yet that little package—Explorer I—revealed the existence of the Van Allen belts of radiation—a scientific finding of immense consequence.

Today we tend to regard as almost routine launches of instrumented payloads infinitely more sophisticated—payloads with far greater experimental capacity and many times the weight of that first satellite.

Manned space flight contains its own drama. We have logged almost 2,000 hours of flight time for men in space through our Mercury and Gemini programs. With Project Apollo, we will land men on the moon and return them safely to earth. And in the process—and this is extremely important—we will gather knowledge about space, about the moon, about our own planet earth through the unique sensors and computer abilities of living man.

Satellites have had their effect on life here on earth. Satellite systems have revolutionized long-range communications and have supplied surveys of the world's weather. In addition there are satellites that will aid in navigation, and in the near future contribute to air and sea traffic control and safety. Another type of spacecraft will give us a view of our natural resources, of ocean phenomena, and of other characteristics of this planet that will be of incalculable value to a fuller understanding of our environment and better management of our affairs.

Purely scientific efforts have added much to our knowledge of the world we live in. The photography relayed from the vicinity of the moon by the Rangers, the Lunar Orbiters and the Surveyors—as well as other reporting done by these spacecraft—supplied information without which the manned lunar mission could not proceed.

The Pioneers, Explorers, and the various orbiting observatories are returning to our laboratories a flood of data on our environment, on the activity of the sun and its influence on the earth, and on interplanetary space.

All of this did not just happen. It was planned; it represents the work of hundreds of thousands of people, tens of thousands of American companies and billions of tax dollars. NASA was established by the American people working through Congress. Under its aegis, a broad and vigorous research and development organization was built. And in the process we have created as well a government-industry-university aerospace team along with facilities for research, design, fabrication, testing, and launch that constitute a national asset of great value.

Moving forward in the space age has not been without problems, but as President Johnson has said:

> The way to the stars was never thought to be easy. But the goal we seek promises such great benefits to mankind that we must press on. . . . The achievements reflect not only our progress in space flight, but also new steps taken toward the real objectives of all our efforts in space—the application of new knowledge to bettering the lives of all people.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FULTON of Pennsylvania (at the request of Mr. ARENDS), from 6 p.m. today, and October 11, 1968, on account of official business—to attend launch of Apollo 7 at Cape Kennedy, Fla.

Mr. MOSHER (at the request of Mr. ARENDS), on account of illness.

Mr. CUNNINGHAM (at the request of Mr. ARENDS), for balance of week, on account of illness in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MYERS) to revise and extend their remarks and include extraneous matter:)

Mr. STEIGER of Wisconsin, for 30 minutes, today.

Mr. HALL, for 30 minutes, on October 11.

Mr. ROTH, for 15 minutes, today.

Mr. VANIK, for 15 minutes, on October 11, 1968; and to revise and extend his remarks and include extraneous matter.

Mr. FOLEY, for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous matter:)

Mr. DOW, for 10 minutes, today.

Mr. BOGGS, for 60 minutes, on October 11.

Mr. BURTON of California (at the request of Mr. FOLEY), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. RODINO and to include extraneous material.

Mr. JOELSON.

Mr. SIKES in five instances and to include extraneous material.

Mr. POAGE and to include a resolution.

Mr. DULSKI in two instances and to include an editorial.

Mrs. GREEN of Oregon in five instances and to include extraneous material.

Mr. JOHNSON of Pennsylvania to follow the remarks in the body of the RECORD of Mr. ASHLEY of today.

Mr. EDMONDSON and to include extraneous matter.

Mr. HALL to revise and extend during consideration of H.R. 14096 on tomorrow, October 11.

(The following Members to extend their remarks in the body of the RECORD in tribute to President Lyndon B. Johnson:)

Mr. McCORMACK.
Mr. ALBERT.
Mr. ROONEY of New York.
Mr. ROSTENKOWSKI.
Mr. MATSUNAGA.
Mr. O'HARA of Michigan.
Mr. WILLIAM D. FORD.
Mr. WHITE.
Mr. DADDARIO.
Mrs. MINK.
Mr. COHELAN.
Mr. DINGELL.
Mr. MADDEN.

(The following Members (at the request of Mr. MYERS) and to include extraneous matter:)

Mr. SCHERLE in two instances.
Mr. UTT in five instances.
Mr. CLEVELAND in two instances.
Mr. HAMMERSCHMIDT.
Mr. SCHADEBERG in two instances.
Mr. ASHBROOK in two instances.
Mr. ZION.
Mr. GOODLING.
Mr. FINO.
Mr. ZWACH.
Mr. JOHNSON of Pennsylvania.
Mr. FRELINGHUYSEN.
Mr. HOSMER.
Mr. McDADE in two instances.
Mr. WYMAN in two instances.
Mr. LATTA.
Mr. TALCOTT in five instances.
Mr. STEIGER of Wisconsin.
Mr. RUMSFELD in five instances.
Mr. BLACKBURN in two instances.
Mrs. BOLTON.
Mr. WHALEN.
Mr. DERWINSKI in three instances.
Mr. TAFT in two instances.
Mr. ESCH.
Mr. KUPFERMAN.
Mr. WINN.
Mr. COLLINS.
Mr. MILLER of Ohio in two instances.
Mr. BRAY in five instances.
Mr. QUIE in two instances.

(The following Members (at the request of Mr. FOLEY) and to include extraneous matter:)

Mr. PEPPER in two instances.
Mr. MOORHEAD.
Mr. RESNICK in six instances.
Mr. MACDONALD of Massachusetts in two instances.
Mr. NIX.
Mr. CHARLES H. WILSON.
Mr. DINGELL in two instances.
Mr. SCHEUER in six instances.
Mr. VANIK in seven instances.
Mr. RODINO in two instances.

Mr. REES in six instances.

Mr. NEDZI in two instances.

Mr. GIBBONS.

Mr. RARICK in four instances.

Mr. GONZALEZ in four instances.

Mr. HANNA in four instances.

Mr. GILBERT in three instances.

Mr. BRASCO in five instances.

Mr. ROONEY of New York in five instances.

Mr. HOWARD.

Mr. FRASER in five instances.

Mr. PATTEN in two instances.

Mr. BRADEMAS in 12 instances.

Mr. HATHAWAY in three instances.

Mr. CONYERS in two instances.

Mr. WOLFF in two instances.

Mr. JOHNSON of California in two instances.

Mr. STUCKEY in two instances.

Mr. RHODES of Pennsylvania in two instances.

Mr. OLSEN.

Mr. ROSENTHAL in two instances.

Mr. FASCELL in three instances.

Mr. LEGGETT in two instances.

Mr. WHITENER in six instances.

Mr. ADAMS.

Mr. ALBERT.

Mr. WAGGONNER.

Mr. PERKINS.

Mr. DOWDY.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 18037. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 909. An act for the relief of Paul L., Margaret, and Josephine Kirsteatter;

S. 1246. An act to authorize the Commissioner of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, the space over and under streets and alleys in the District of Columbia, and for other purposes;

S. 1247. An act to authorize the Commissioner of the District of Columbia to fix and collect rents for the occupancy of space in, on, under, or over the streets of the District of Columbia, to authorize the closing of unused or unsafe vaults under such streets and the correction of dangerous conditions of vaults in or vault openings on public spaces, and for other purposes;

S. 1763. An act to promote the economic development of Guam;

S. 3207. An act to amend section 2 of the Act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands; and

S. 2675. An act for the relief of Jose Estrada.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 551. To authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes;

H.R. 8781. To authorize the Secretary of the Interior to exchange certain lands in Shasta County, Calif., and for other purposes; and

H.R. 13480. To make the proof of financial responsibility requirements of section 39(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia inapplicable in the case of minor traffic violations involving drivers' licenses and motor vehicle registration.

ADJOURNMENT

Mr. FOLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 26 minutes p.m.), the House adjourned until tomorrow, Friday, October 11, 1968, at 12 o'clock noon

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2262. A letter from the Comptroller General of the United States, transmitting the report of audit of the Federal Deposit Insurance Corporation, year ended June 30, 1967 (H. Doc. No. 395); to the Committee on Government Operations and ordered to be printed.

2263. A letter from the Director of the Office of Emergency Planning, Executive Office of the President, transmitting a report on borrowing authority for the period ending June 30, 1968, pursuant to section 304(b) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

2264. A letter from the Secretary of Transportation, transmitting a report identifying the types of research, development, and test facilities which are needed to carry out the responsibilities of the Department as set forth in the legislation authorizing the motor vehicle and highway safety programs, pursuant to the provisions of section 302, Public Law 89–563; to the Committee on Interstate and Foreign Commerce.

2265. A letter from the Acting Secretary of Transportation, transmitting a draft of proposed legislation to implement the Convention on Offences and certain other acts committed on board aircraft, and for other purposes; to the Committee on Interstate and Foreign Commerce.

2266. A letter from the Director, U.S. Information Agency, transmitting a report on claims settled under section 3 of the Military Personnel and Civilian Employee's Claims Act of 1964 for the period ending August 31, 1968; to the Committee on the Judiciary.

2267. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRIEDEL: Committee on House Administration. House Resolution 1314. Resolution providing for the partial repayment to the contingent fund of the House of Representatives of certain sums paid from such fund to cover certain expenses of operation of the House beauty shop; with amendment (Rept. No. 1959). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 995. Resolution increasing the compensation of the expert transcribers to Official Reporters; with amendment (Rept. No. 1960). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Concurrent Resolution 763. Concurrent resolution providing for the printing as a House document a survey and handbook entitled "Federal Educational Policies, Programs, and Proposals" (Rept. No. 1961). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Concurrent Resolution 797. Concurrent resolution providing for the printing of the report entitled "Commercial Banks and Their Trust Activities: Emerging Influence on the American Economy" (Rept. No. 1962). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Concurrent Resolution 801. Concurrent Resolution listing of operating Federal assistance programs as compiled during the Roth study (Rept. No. 1963). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Resolution 497. Resolution providing for the printing as a House document of the bibliographical list entitled "Hungarians in Rumania and Transylvania," prepared by the Library of Congress (Rept. No. 1964). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Resolution 1280. Resolution to print as a House document the eulogy proceedings on former Representative Hubert B. Scudder (Rept. No. 1965). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Resolution 1301. Resolution authorizing the printing of "Compilation of the Housing and Urban Development Act of 1968" (Rept. No. 1966). Ordered to be printed.

Mr. OLSEN: Committee on Post Office and Civil Services. H.R. 19415. A bill to provide for a delay, or a waiver, of the conditions of mailing articles at the special fourth-class rate or at the library rate, and for other purposes (Rept. No. 1967). Referred to the Committee of the Whole House on the State of the Union.

Mr. FEIGHAN: Committee of conference. H.R. 15147. An act to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in combat areas in active-duty service in the Armed Forces of the United States, and for other purposes (Rept. No. 1968). Ordered to be printed.

Mr. PASSMAN: Committee of conference. H.R. 19908. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1969). Ordered to be printed.

Mr. MAHON: Committee of conference. H.R. 18707. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1970). Ordered to be printed.

Mr. STAGGERS: Committee of conference. H.R. 10790. An act to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products (Rept. No. 1971). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FEIGHAN:

H.R. 20406. A bill to amend the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 20407. A bill to assist local educational agencies to carry out programs for more effective schools where there are high concentrations of children from low-income families, and for other purposes; to the Committee on Education and Labor.

H.R. 20408. A bill to establish a commission to study the organization and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy; to the Committee on Government Operations.

H.R. 20409. A bill to apply prevailing wage protection in accordance with the Davis-Bacon Act to the construction or reconstruction of buildings to be leased for public purposes; to the Committee on Public Works.

H.R. 20410. A bill to share Federal tax revenues with State and local governments; to the Committee on Ways and Means.

H.R. 20411. A bill to amend title XVIII of the Social Security Act so as to include, among the health insurance benefits covered under part B thereof, coverage of certain drugs; to the Committee on Ways and Means.

H.R. 20412. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 20413. A bill relating to the income tax treatment of the compensation received from the United States for real property taken by the act of the Congress which established the Redwood National Park; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 20414. A bill to amend the Public Health Service Act to support research and training in diseases of the digestive tract, including the liver and pancreas, and diseases of nutrition, and aid the States in the development of community programs for the control of these diseases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WAGGONNER:

H.R. 20415. A bill to amend section 131 of title 23 of the United States Code; to the Committee on Public Works.

By Mr. BINGHAM:

H.R. 20416. A bill to establish a sonic boom damage fund to provide for the payment of damages caused by sonic booms; to the Committee on the Judiciary.

By Mr. BLACKBURN (for himself, Mr. Fino, Mr. Charles H. Wilson, Mr. Pollock, Mr. Carter, Mr. Brown of California, Mr. Helstoski, Mr. Vander Jagt, Mr. Fulton of Pennsylvania, Mr. Hunt, Mr. Ottinger, Mrs. Heckler of Massachusetts, Mr. Bingham, Mr. McCloskey, Mr. Buchanan, Mr. Tiernan, Mr. Ryan, Mr. Halpern, Mr. Podell, Mr. Bush, and Mr. Brown of Ohio):

H.R. 20417. A bill to provide educational assistance under chapter 35 of title 38, United States Code, to children of civilian employees of the United States killed abroad as a result of armed hostilities or civil disorder; to the Committee on Veterans' Affairs.

By Mr. FEIGHAN:

H.R. 20418. A bill to amend title 18 of the United States Code to authorize the Attorney General to admit to residential community treatment centers persons who are placed on probation, released on parole, or mandatorily released; to the Committee on the Judiciary.

By Mr. FRASER (for himself, Mr. Adams, Mr. Blatnik, Mr. Burton of California, Mr. Conyers, Mr. Edwards of California, Mr. Gallagher, Mr. Gonzalez, Mr. Karth, Mr. Moss, Mr. Rooney of Pennsylvania, and Mr. Rosenthal):

H.R. 20419. A bill to establish a community self-determination program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity, stability, and self-determination, and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 20420. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

By Mr. KORNEGAY:

H.R. 20421. A bill to amend section 131 of title 23 of the United States Code; to the Committee on Public Works.

By Mr. MOORHEAD:

H.R. 20422. A bill to establish a Legislative Data Processing Center and to coordinate the development of automatic data processing facilities and services in the legislative branch of the Government, and for other purposes; to the Committee on Rules.

By Mr. WILLIS:

H.R. 20423. A bill to modify the project for the Gulf Intracoastal Waterway, La. and Tex.; to the Committee on Public Works.

By Mr. BELL:

H.R. 20424. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 20425. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

By Mr. BINGHAM:

H.R. 20426. A bill to assure to every American child the basic necessities of life which will enable him to develop into a healthy and useful citizen by providing for a family allowance; to the Committee on Ways and Means.

By Mr. DANIELS (for himself, Mr. Dulski, Mr. Henderson, Mr. Olsen, Mr. Udall, Mr. Nix, Mr. Hanley, Mr. Charles H. Wilson, Mr. White, Mr. William D. Ford, Mr. Brasco, Mr. Tiernan, Mr. Corbett, Mr. Cunningham, Mr. Derwinski, and Mr. Thompson of Georgia):

H.R. 20427. A bill to amend title 5, United States Code, to facilitate the operation of the Federal employees group life and health insurance programs by the exemption of such programs from certain taxes by States and political subdivisions, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 20428. A bill to establish a Federal commission to formulate and revise from time to time recommended goals requiring attention by the Federal Government, and for other purposes; to the Committee on Government Operations.

By Mr. SCHEUER:

H.R. 20429. A bill to provide a comprehensive program of employment services and opportunities for middle-aged and older Americans; to the Committee on Education and Labor.

By Mr. DON H. CLAUSEN:

H.R. 20430. A bill relating to the income tax treatment of the compensation received from the United States for real property taken by the act of the Congress which established the Redwood National Park; to the Committee on Ways and Means.

By Mr. BETTS:

H.J. Res. 1469. Joint resolution proposing an amendment to the Constitution of the United States to provide that the Supreme Court shall not have the power to decide any case or controversies except upon the concurrence of two-thirds or more of the Judges of the Court; to the Committee on the Judiciary.

By Mr. GRIFFIN:

H.J. Res. 1470. Joint resolution proposing an amendment to the Constitution of the United States relating to the qualifications, compensation, and tenure in office of Justices of the Supreme Court; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 20431. A bill for the relief of Elizabeth Grillo; to the Committee on the Judiciary.

H.R. 20432. A bill for the relief of Maria Russo; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 20433. A bill for the relief of Giovannanangelo Zucchini; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 20434. A bill for the relief of Annibale Cuozzo; to the Committee on the Judiciary.

H.R. 20435. A bill for the relief of Menachem Hertz, his wife Leah, and their children, Dorit and Ronit; to the Committee on the Judiciary.

H.R. 20436. A bill for the relief of Apostolos Vardakis; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 20437. A bill for the relief of Shyrill Burton; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 20438. A bill for the relief of Pietro Ancona; to the Committee on the Judiciary.

H.R. 20439. A bill for the relief of Filippo DiMaria, Calogero DiMaria, and Caterina DiMaria; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 20440. A bill for the relief of Esperanza Sindol; to the Committee on the Judiciary.

H.R. 20441. A bill for the relief of Felicitas Gonzales Cervantes; to the Committee on the Judiciary.

H.R. 20442. A bill for the relief of Dolores Lahoz Maestro; to the Committee on the Judiciary.

H.R. 20443. A bill for the relief of Purificacion Panganiban; to the Committee on the Judiciary.

H.R. 20444. A bill for the relief of Erlinda Alindogan; to the Committee on the Judiciary.

By Mr. BURLESON:

H.R. 20445. A bill for the relief of Gertrudis Nubia Quintana; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 20446. A bill for the relief of Barbara Milner; to the Committee on the Judiciary.

By Mr. BUTTON:

H.R. 20447. A bill for the relief of Israel Meyer Kouhana; to the Committee on the Judiciary.

H.R. 20448. A bill for the relief of Meri Kohana; to the Committee on the Judiciary.

H.R. 20449. A bill for the relief of Miriam Mrinat Malul; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 20450. A bill for the relief of Frank Muscetra; to the Committee on the Judiciary.

H.R. 20451. A bill for the relief of John J. Stetz; to the Committee on the Judiciary.

By Mr. DELANEY (by request):

H.R. 20452. A bill for the relief of Hiroshi Ishikawa; to the Committee on the Judiciary.

By Mr. ESCH:

H.R. 20453. A bill for the relief of Juana

Anguluan Ngo; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 20454. A bill for the relief of Pietro Madonia; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 20455. A bill for the relief of Gaspare Evola; to the Committee on the Judiciary.

H.R. 20456. A bill to provide for the free entry of musical instruments for the Midshipmen Drum & Bugle Corps, of Bronx, N.Y.; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 20457. A bill for the relief of Anna Crocetto; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 20458. A bill for the relief of Cholita Dy Sy; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 20459. A bill for the relief of Mr. Marsel Yafet; to the Committee on the Judiciary.

H.R. 20460. A bill for the relief of Ella Elee Thompson; to the Committee on the Judiciary.

H.R. 20461. A bill for the relief of Miss Filippa Vella; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 20462. A bill for the relief of Max Amsellem; to the Committee on the Judiciary.

H.R. 20463. A bill for the relief of Vincenzo Narducci; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 20464. A bill for the relief of Roger Pasimio and family; to the Committee on the Judiciary.

H.R. 20465. A bill for the relief of Francesco and Alfonso Acierno; to the Committee on the Judiciary.

H.R. 20466. A bill for the relief of Guiseppe Landolina; to the Committee on the Judiciary.

H.R. 20467. A bill for the relief of Felice Angelo Petitto; to the Committee on the Judiciary.

H.R. 20468. A bill for the relief of Mr. Mario Carreiro; his wife Ioro Carreiro; and their children Olga and Maria Carreoiro; to the Committee on the Judiciary.

H.R. 20469. A bill for the relief of Martha Guerrero; to the Committee on the Judiciary.

H.R. 20470. A bill for the relief of Blanca Esther Montoya Davila; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 20471. A bill for the relief of Andre Esnault; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 20472. A bill for the relief of Mariano and Dolores Cabigiosu; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 20473. A bill for the relief of Feliksa Mordasiewicz; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 20474. A bill for the relief of Raimundo da Silva Bettencourt; to the Committee on the Judiciary.

H.R. 20475. A bill for the relief of Angelo Marchio; to the Committee on the Judiciary.

H.R. 20476. A bill for the relief of Rosa Tindara Nasisi; to the Committee on the Judiciary.

H.R. 20477. A bill for the relief of Saverio Scalzi; to the Committee on the Judiciary.

H.R. 20478. A bill for the relief of Palmira Silva; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 20479. A bill for the relief of Dr. Benjamin T. Barlizo, Jr.; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 20480. A bill for the relief of Mrs. Amparo A. Clemente; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 20481. A bill for the relief of Arie Zilka; to the Committee on the Judiciary.

H.R. 20482. A bill for the relief of Emanuele Alaimo; to the Committee on the Judiciary.

H.R. 20483. A bill for the relief of Giovanni Battista Bartalone; to the Committee on the Judiciary.

By Mr. REES:

H.R. 20484. A bill for the relief of Constantin Sivatjian; to the Committee on the Judiciary.

H.R. 20485. A bill for the relief of Benita Valderama; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 20486. A bill for the relief of Dr. Vicente T. Uy; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 20487. A bill for the relief of Zuhair H. Yousif (Naeem); to the Committee on the Judiciary.

H.R. 20488. A bill for the relief of Salwa Barnouty; to the Committee on the Judiciary.

H.R. 20489. A bill for the relief of Hospicio A. Lakilak; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 20490. A bill for the relief of Giuseppe Randazzo; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 20491. A bill for the relief of Justina Peradilla Correa; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 20492. A bill for the relief of Paul Sungkill Kim and his wife, Young Ja Ooh Kim; to the Committee on the Judiciary.

By Mr. WHALEN:

H.R. 20493. A bill for the relief of Maureen Gray; to the Committee on the Judiciary.